



SC/B-23:91 – 486 Glover Road, Stoney Creek

Recommendation:

Development Planning - The requested consent application, subject to the recommended condition, conforms to the policies of the Urban Hamilton Official Plan, in particular the lot creation policies of Section F.1.14.3.1, and has sufficient regard for matters under subsection 51 (24) of the *Planning Act*. In conclusion, Staff recommends that the application be **approved**.

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)
4. That the proponent shall carry out an archaeological assessment of the entire property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ontario Ministry of Citizenship and Multiculturalism (MCM).

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).

5. The owner/applicant shall apply for a demolition permit to demolish all or an appropriate portion of any buildings straddling the proposed property line, or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). NOTE: The demolition permit



shall have a status of either “Review”, “Issued”, or “Closed” in order for this condition to be cleared by the Zoning Review Section.

6. The owner/applicant shall demolish all three (3) accessory structures on the lands to be conveyed to the satisfaction of the Planning and Economic Development Department (Planning Division – Zoning Review Section), or alternatively apply for and receive final approval of the appropriate Planning Act application in order for the existing accessory structures to remain when no principal use is existing (Planning Division – Zoning Review Section). NOTE: If a demolition permit is required, the permit shall have a status of either “Review”, “Issued”, or “Closed” in order for this condition to be cleared by the Zoning Review Section.
7. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, having an administrative fee of \$ 5,065.00 (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City’s Manager of Development Approvals. Note that cash payments mentioned above are subject to change.
8. That the Owner provide a cash payment to the City representing the cost recoveries associated with the road works fronting the subject lands, to the satisfaction of the City’s Director of Development Engineering. The costs shall be updated as necessary at the time of final application approval.
9. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plan Examination Section).

Proposed Notes:

The lands to be retained (Lot 1) will remain as 486 Glover Road (Stoney Creek).

The lands to be severed (Lot 2) will be assigned the address of 47 Springbreeze Heights (Stoney Creek).

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City’s Sign By-law, in a manner that is clearly visible from the road.



Development Planning:

Background

The purpose of this application is to permit the conveyance of a parcel of land for future residential development fronting on to Springbreeze Heights (existing accessory structures to be removed) and to retain a parcel of land containing the existing single detached dwelling (to remain) fronting on to Glover Road.

	Frontage	Depth	Area
SEVERED LANDS:	18.3 m±	31.3 m±	576 m ² ±
RETAINED LANDS:	18.3 m±	29.7 m±	541 m ² ±

Urban Hamilton Official Plan:

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are within the Urban Lakeshore Area Secondary Plan and are designated “Low Density Residential 2b” on Land Use Plan Map B.7.3-1 (UHOP – Volume 2). Volume 2 policy B.7.3.1.3 permits single, semi detached and duplex dwellings with a density range from 1 to 29 units per net residential hectare.

All new lot creations must the following criteria within the UHOP:

- “F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:
- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
 - b) The lots comply with existing Neighbourhood Plans;
 - c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
 - d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;



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- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.”

The proposed severance is being evaluated as Residential Intensification based on the policies of Sections B.2.4.1.4 and B.2.4.2.2 (Volume 1). Lot creation for ‘Residential Intensification’ in the “Neighbourhoods” designation is permitted if the lots meet the criteria of F.1.14.3.1 (UHOP Volume 1). The severed and retained lands have a density of 19.7 units per hectare.

Archaeology:

The subject property meets five of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 1) Within 250 metres of known archaeological sites;
- 2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- 3) In an area of sandy soil in areas of clay or stone;
- 4) In areas of pioneer Euro-Canadian settlement; and
- 5) Along historic transportation routes.

These criteria/this criterion define/s the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application. If this consent is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the *Provincial Policy Statement* apply to the subject application. If this severance is granted, Staff require that the Committee of Adjustment attach the following condition to the application:

“Condition: That the proponent shall carry out an archaeological assessment of the entire property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ontario Ministry of Citizenship and Multiculturalism (MCM).



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Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."

Former City of Stoney Creek Zoning By-law No. 3692-92:

The subject lands are zoned Rural Residential "RR" Zone, which permits single detached dwellings, subject to the applicable provisions.

Analysis

As per the Urban Hamilton Official Plan, F.1.14.3.1.d), the proposed residential lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and area. The proposed lots are a good example of infill development and residential intensification.

A 0.3 metre reserve block appears to be located along the Springbreeze Heights frontage of the severed lands (Block 36 of Plan 62M-1047). This reserve block is required to be lifted prior registration of consent certificates in order for the severed lands to have frontage on a public road. Planning staff defer to Development Engineering staff for further comment/conditions of approval. Planning staff are otherwise satisfied that the proposed severance conforms to the lot creation policies of the Urban Hamilton Official Plan.

Furthermore, the proposed lots meet the minimum lot width (frontage) of 15.0 metres and the minimum lot area of 464.50 square metres requirements within the Stoney Creek Zoning By-law No. 3692-92.

Based on the foregoing, staff support the severance and recommend approval subject to conditions.

Zoning:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	<ol style="list-style-type: none"> <li data-bbox="493 1562 1515 1871">1. The owner/applicant shall apply for a demolition permit to demolish all or an appropriate portion of any buildings straddling the proposed property line, or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). NOTE: The demolition permit shall have a status of either "Review", "Issued", or "Closed" in order for this condition to be cleared by the Zoning Review Section.



	<p>2. The owner/applicant shall demolish all three (3) accessory structures on the lands to be conveyed to the satisfaction of the Planning and Economic Development Department (Planning Division – Zoning Review Section), or alternatively apply for and receive final approval of the appropriate Planning Act application in order for the existing accessory structures to remain when no principal use is existing (Planning Division – Zoning Review Section). NOTE: If a demolition permit is required, the permit shall have a status of either “Review”, “Issued”, or “Closed” in order for this condition to be cleared by the Zoning Review Section.</p>
Comments:	<p>1. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit.</p> <p>2. All or an appropriate portion of the building straddling the proposed property line shall be demolished in order to achieve zoning compliance, or the owner/applicant shall receive final approval of the appropriate Planning Act application.</p>

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>The Applicant will be required to provide separate independent sewer and water services to the severed and retained parcels.</p> <p>Required Conditions:</p> <p>1. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, having an administrative fee of \$ 5,065.00 (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer services</p>



	<p>inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City’s Manager of Development Approvals. Note that cash payments mentioned above are subject to change.</p> <p>2. That the Owner provide a cash payment to the City representing the cost recoveries associated with the road works fronting the subject lands, to the satisfaction of the City’s Director of Development Engineering. The costs shall be updated as necessary at the time of final application approval.</p>
Comments:	<ol style="list-style-type: none"> 1. Consent Agreement 2. Cost Recoveries

Transportation Planning:

Recommendation:	Approve
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Building Engineering:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plan Examination Section)
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.

Forestry and Horticulture:

Recommendation:	Approve
Comments:	<p>There are no Municipal Tree Assets on site. No public tree permit is required.</p> <p>No Landscape plan required.</p> <p>Forestry has no concerns or conditions regarding this application.</p> <p>For questions please contact: urbanforest@hamilton.ca</p>



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HEARING DATE: February 13, 2024

Legislative Approvals:

Recommendation	Comments Only
Comments:	The lands to be retained (Lot 1) will remain as 486 Glover Road (Stoney Creek) . The lands to be severed (Lot 2) will be assigned the address of 47 Springbreeze Heights (Stoney Creek) .
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.

From: [Boucetta, Alexandra \(MTO\)](#)
To: [Committee of adjustment](#)
Cc: [Boc, Cameron](#)
Subject: RE: COA Agenda Available - February 13th, 2024
Date: Thursday, February 1, 2024 5:20:04 PM
Attachments: [image001.png](#)

Good afternoon,

Two Consent/Land Severance applications requires Ministry's review and approval.

8 Shoreview Place, Stoney Creek: Microsoft Word - SC.B.23.97 (escribemeetings.com)

Separate email will be sent regarding this application.

486 GLOVER ROAD, STONEY CREEK: filestream.ashx (escribemeetings.com)

Ministry has reviewed the proposed severance of 486 Glover Road, Stoney Creek and has the following comments:

- In general, ministry has no objection to the proposed severance application.
- The land to be severed is located within the ministry permit control; therefore, any changes to the land (rezoning, development proposal) will require ministry review and approval.
- All grading and/or construction of any kind on Lot 1 or Lot 2 will not be permitted on the land without the ministry's approval and permit.

Thank you,

Alexandra Boucetta | Corridor Management Officer (West)

Highway Corridor Management Section | Central Operations | Ministry of Transportation

159 Sir William Hearst Avenue, 7th Floor, Toronto, ON. M3M 0B7

Telephone: 416-816-4719 | Email: alexandra.boucetta@ontario.ca

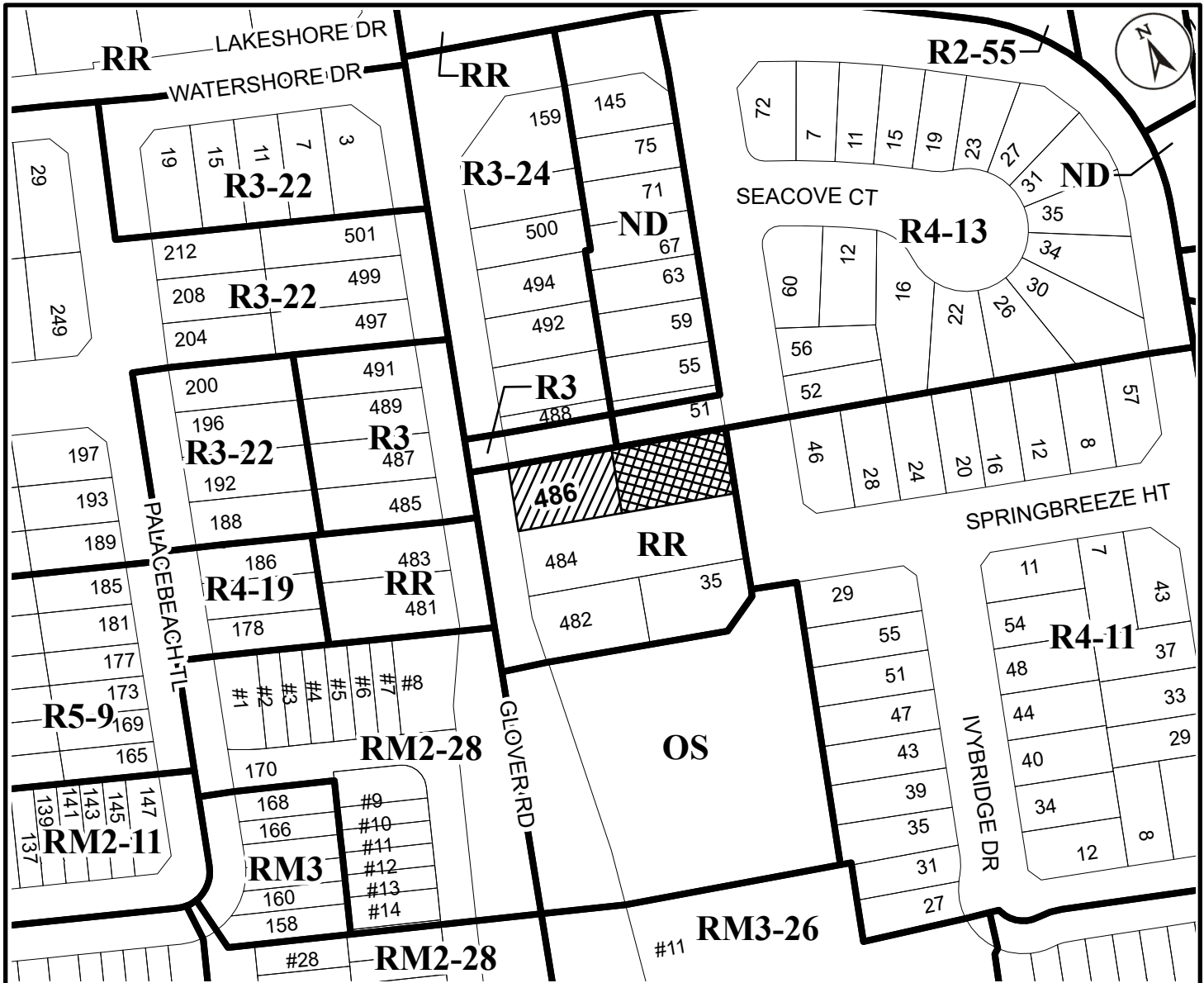


From: Boc, Cameron <Cameron.Boc@hamilton.ca>
Sent: January 25, 2024 10:28 AM
To: Committee of adjustment <cofa@hamilton.ca>
Subject: COA Agenda Available - February 13th, 2024

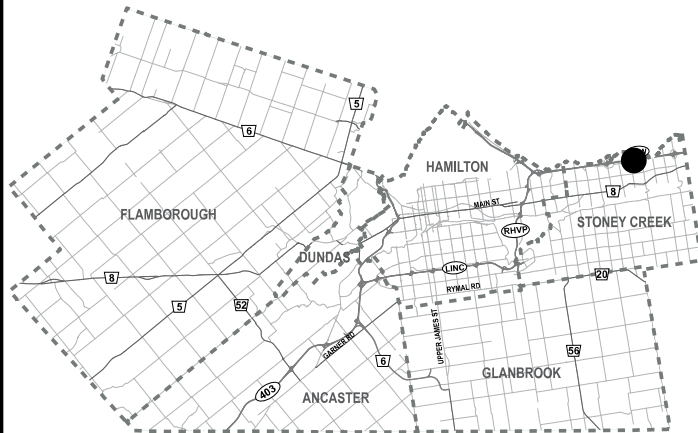
CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good Afternoon,

Attached is a copy of the Agenda for the February 13th, 2024 Hybrid Hearing date, please follow the link below for a copy of the submitted materials.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



486 Glover Road, Stoney Creek
(Ward 10)

File Name/Number:
SC/B-23:91

Date:
February 1, 2024

Technician:
AL

Map Not To Scale

Appendix "A"



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