



Hamilton

B-24:30 – 1007 Beach Boulevard, Hamilton

Recommendation:

Development Planning - Table
Cultural Heritage - Deny

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. A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees.
5. The owner shall 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).
6. 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.
7. That the proponent shall carry out an archaeological assessment of the portion of the property to be conveyed 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 (416-212-0036). 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 (416-212-0036).

8. 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 Director of Development Engineering.
9. That the Owners submits a stormwater management brief prepared by a qualified professional to demonstrate how the post-development flows due to the proposed intensification are going to be controlled on site to the allowable discharge rate the existing system has accounted for, to the satisfaction of the City's Director of Development Engineering.
10. All proposed Grading and Drainage must be in accordance with Section 5 of the Master Drainage Plan for Hamilton Beach. (Development Engineering)
11. 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
12. Transportation Planning has no objection to the severance application if the Owner dedicates the right-of-way as per the Hamilton Official Plan. Beach Boulevard is to be 26.213 metres. The existing right-of-way at the subject property is approximately ± 20 metres. Approximately ± 3.048 metres are to be dedicated to the right-of-way on Beach Boulevard, as per the Council Approved Urban Official Plan: Chapter C City Wide Systems and Dedications, 4.5 Road Network Functional Classification, 4.5.2. Collector Roads.
 - a. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening.



Hamilton

STAFF COMMENTS

HEARING DATE: June 25, 2024

- b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements.
 - c. Subject to the satisfaction and approval of the Manager, Transportation Planning.
13. That the owner shall receive final and binding approval for Minor Variance application A-24:112, to the satisfaction of the Director of Development Planning and Chief Planner.
 14. That the owner shall investigate the noise levels on the severed and retained lands and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the Director of Planning and Chief Planner.
 15. That the owner shall obtain all the necessary permits and approvals as required under the Ontario Heritage Act, to the satisfaction of the Director of Heritage and Urban Design.
 16. That the proponent shall carry out an archaeological assessment of the portion of the property to be conveyed 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 (416-212-0036). 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 (416-212-0036).

Proposed Notes:

The lands to be severed will remain as 1007 Beach Boulevard (Hamilton).

The lands to be retained will be assigned the address of 1009 Beach Boulevard (Hamilton).

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.



Hamilton

STAFF COMMENTS

HEARING DATE: June 25, 2024

1. A portion of the lands appear to be in the Regulated Area of the Hamilton Conservation Authority. The applicant is advised that a Development Permit from the Hamilton Conservation Authority may be required.



Hamilton

Development Planning:

Background

The application is to permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

SEVERED LANDS:

Frontage: 8.73 m± **Depth:** 40.80 m± **Area:** 356.40 m² ±

RETAINED LANDS:

Frontage: 8.73 m± **Depth:** 40.80 m± **Area:** 356.40 m² ±

The following variances are requested, for the lands to be severed and retained:

Severed Lot:

1. A maximum building height of 10.3 metres and 2 storeys shall be provided instead of the maximum 9.0 metre and 2 storey building height permitted.
2. A minimum side yard width of 1.2 metres shall be permitted instead of the minimum 1.7m side yard width required.
3. A minimum lot frontage of 8.73m shall be permitted instead of the minimum 12.0 metre lot frontage required.
4. A minimum lot area of 356 square metres shall be provided instead of the minimum 360 square metre lot area required.
5. Maneuvering for parking spaces shall be permitted off site.

Retained Lot:

6. A maximum building height of 10.3 metres and 2 storeys shall be provided instead of the maximum 9.0 metre and 2 storey building height permitted.
7. A minimum side yard width of 1.2 metres shall be permitted instead of the minimum 1.7m side yard width required.
8. A minimum lot frontage of 8.73m shall be permitted instead of the minimum 12.0 metre lot frontage required.
9. A minimum lot area of 356 square metres shall be provided instead of the minimum 360 square metre lot area required.
10. Maneuvering for parking spaces shall be permitted off site.



Hamilton

Archaeology:

The subject property meets the criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. 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 for the severed portion of the lot:**

“Condition: That the proponent shall carry out an archaeological assessment of the portion of the property to be conveyed 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 ([416-212-0036](tel:416-212-0036)). 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 ([416-212-0036](tel:416-212-0036)).

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 following policies, amongst others, are applicable:

“B.3.4.2.1 h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.

B.3.4.5.1 An inventory of built heritage resources shall be prepared by the City and, as appropriate, may be included in the Register of Property of Cultural Heritage Value or Interest. Registered properties containing built heritage resources may be considered for designation under the Ontario Heritage Act and shall be protected in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act, R.S.O., 1990 c. P.13



Hamilton

- B.3.4.5.2 The City shall encourage the retention and conservation of built heritage resources in their original locations. In considering planning applications under the Planning Act, R.S.O., 1990 c. P.13 and heritage permit applications under the Ontario Heritage Act, there shall be a presumption in favour of retaining the built heritage resource in its original location. (OPA 167)
- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) residential dwellings, including second dwelling units and housing with supports;
 - b) open space and parks;
 - c) local community facilities/services; and,
 - d) local commercial uses.
- E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.
- F.1.14.3 Lot Creation – Urban Area Neighbourhoods Designation
- 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;
 - e) The lots are fully serviced by municipal water and wastewater systems; and,
 - f) The lots have frontage on a public road.”



Hamilton

Policy F.1.14.3.1 a) requires that the proposed severance comply with the policies of the Urban Hamilton Official Plan. The subject lands contain features designated under the *Ontario Heritage Act*. The proponent has not applied for or obtained a Heritage Permit for the removal of the existing dwelling. Staff require this permit to be obtained prior to proceeding with the severance application in order to ensure the cultural heritage matters related to the subject lands have been addressed. Planning Staff recommend tabling the application so heritage matters can be addressed.

Cultural Heritage

The subject property comprises 1007 Beach Boulevard, a property within the Hamilton Beach Heritage Conservation District designated under Part V of the *Ontario Heritage Act*.

The proponent proposes to permit the conveyance of a parcel of land to create a new residential building lot and to demolish the existing dwelling to facilitate this.

Under the *Ontario Heritage Act*, a Heritage Permit is required for the demolition of existing structures and for the construction of new buildings in a Heritage Conservation District. A Heritage Permit will be required for the proposed work. Therefore, **staff are of the opinion that the application is premature until a Heritage Permit has been approved for the proposed work.**

Further, sections B.3.4.1.4 and B.3.4.2.1(g) of the Urban Hamilton Official Plan, Volume 1, apply and section B.3.4.2.11 a) of the Urban Hamilton Official Plan, Volume 1, states that a *Cultural Heritage Impact Assessment shall* be required by the City and submitted prior to or at the time of any application submission pursuant to the *Planning Act* where the proposed *development, site alterations, or redevelopment* of lands (both public and private) has the potential to adversely affect Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the *Ontario Heritage Act*.

Staff are of the opinion that the subject application may affect the heritage attributes of the Hamilton Beach Heritage Conservation District. **Therefore, staff require that a Cultural Heritage Impact Assessment (CHIA) be prepared and submitted as part of any future Planning Act application and staff note that a CHIA will also be required as part of a Heritage Permit application, which shall be applied for before any subsequent Planning Act applications.**

CHIAs are used to evaluate potential development and site alteration of protected heritage properties and demonstrate how the heritage attributes of the heritage property will be conserved through mitigative measures and/or alternative development approaches as required.

CHIAs shall be prepared in conformity with the City's Heritage Impact Assessment Guidelines. The CHIA report shall be submitted for review by Planning staff and the Hamilton Municipal Heritage Committee prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.



Hamilton

The Cultural Heritage Impact Assessment will also be forwarded to the Policy and Design Working Group of the Hamilton Municipal Heritage Committee for their review and comment prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.

Any recommendations for alternatives or mitigative measures coming out of the Cultural Heritage Impact Assessment shall be reflected in subsequent Heritage Permit and *Planning Act* applications and may be included as conditions of future development applications.

Noise

The QEW is identified as a “Provincial Highway (Controlled Access)” on Schedule C – Functional Road Classification in the UHOP.

The proposed consent is for residential purposes, which is a sensitive land use and the subject property is located within 400 metres of an existing or proposed parkway or provincial highway (controlled access), as identified on Schedule C – Functional Road Classification. Therefore, a noise feasibility study is required to be submitted for review and approval in order to conform to Policy B.3.6.3.7 Road and Railway Traffic Noise and Vibration of the Urban Hamilton Official Plan.

Former City of Hamilton Zoning By-law No. 6593

The subject lands are zoned Urban Protected Residential “C/S-1435 & C/S-1435a & C/S-1822” District, Modified, which permits the use of single detached dwellings.

Analysis

The subject lands contain features designated under the *Ontario Heritage Act*. The proponent has not applied for or obtained a Heritage Permit for the removal of the existing dwelling. Staff require this permit to be obtained prior to proceeding with the severance application in order to ensure the cultural heritage matters related to the subject lands have been addressed. Planning Staff recommend tabling the application so heritage matters can be addressed. Furthermore, the applicant has not demonstrated that the proposed lot widths and building designs are compatible with the Beach Boulevard Heritage Conservation District. Staff recommend that the application be tabled until these matters can be addressed.

Zoning:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	1. The owner shall 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).



Hamilton

	<p>2. 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>
Comments:	<p>1. The 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. Demolition of all or an appropriate portion of the building straddling the proposed property line shall be a condition of consent. Such demolition is subject to a demolition permit issued in the normal manner.</p> <p>3. The appropriate Planning Act approvals for minimum lot frontage and minimum lot area will be required for zoning compliance of the lands to be conveyed/retained.</p> <p>4. Please note this application is to be heard in conjunction with Minor Variance Application No. A-24:112 which is required to facilitate the proposed consent/land severance and the development of the lands to be retained/conveyed.</p>
Proposed Notes:	

Natural Heritage:

Recommendation:	No comments.
Proposed Conditions:	
Comments:	
Proposed Notes:	

Cultural Heritage:

Recommendation:	Deny
Proposed Conditions:	
Comments:	<p>Archaeology:</p> <p>The subject property meets the criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological</p>



	<p>potential. 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.</p> <p>If this severance is granted, Staff require that the Committee of Adjustment attach the following condition to the application for the severed portion of the lot:</p> <p>“Condition: That the proponent shall carry out an archaeological assessment of the portion of the property to be conveyed 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 (416-212-0036). 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 (416-212-0036).</p> <p>Cultural Heritage:</p> <p>The subject property comprises 1007 Beach Boulevard, a property within the Hamilton Beach Heritage Conservation District designated under Part V of the <i>Ontario Heritage Act</i>.</p> <p>The proponent proposes to permit the conveyance of a parcel of land to create a new residential building lot and to demolish the existing dwelling to facilitate this.</p> <p>Under the <i>Ontario Heritage Act</i>, a Heritage Permit is required for the demolition of existing structures and for the construction of new buildings in a Heritage Conservation District. A Heritage Permit will be required for the proposed work. Therefore, staff are of the opinion that the application is premature until a Heritage Permit has been approved for the proposed work.</p>
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	<p>Further, sections B.3.4.1.4 and B.3.4.2.1(g) of the Urban Hamilton Official Plan, Volume 1, apply and section B.3.4.2.11 a) of the Urban Hamilton Official Plan, Volume 1, states that a <i>Cultural Heritage Impact Assessment shall</i> be required by the City and submitted prior to or at the time or any application submission pursuant to the <i>Planning Act</i> where the proposed <i>development, site alterations, or redevelopment</i> of lands (both public and private) has the potential to adversely affect Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the <i>Ontario Heritage Act</i>.</p> <p>Staff are of the opinion that the subject application may affect the heritage attributes of the Hamilton Beach Heritage Conservation District. Therefore, staff require that a Cultural Heritage Impact Assessment (CHIA) be prepared and submitted as part of any future Planning Act application and staff note that a CHIA will also be required as part of a Heritage Permit application, which shall be applied for before any subsequent Planning Act applications.</p> <p>CHIAs are used to evaluate potential development and site alteration of protected heritage properties and demonstrate how the heritage attributes of the heritage property will be conserved through mitigative measures and/or alternative development approaches as required.</p> <p>CHIAs shall be prepared in conformity with the City’s Heritage Impact Assessment Guidelines. The CHIA report shall be submitted for review by Planning staff and the Hamilton Municipal Heritage Committee prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.</p> <p>The Cultural Heritage Impact Assessment will also be forwarded to the Policy and Design Working Group of the Hamilton Municipal Heritage Committee for their review and comment prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.</p> <p>Any recommendations for alternatives or mitigative measures coming out of the Cultural Heritage Impact Assessment shall be reflected in subsequent Heritage Permit and <i>Planning Act</i> applications and may be included as conditions of future development applications.</p>
Proposed Notes:	



Hamilton

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	<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 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 Director of Development Engineering.</p> <p>2. That the Owners submits a stormwater management brief prepared by a qualified professional to demonstrate how the post-development flows due to the proposed intensification are going to be controlled on site to the allowable discharge rate the existing system has accounted for, to the satisfaction of the City’s Director of Development Engineering.</p> <p>3. All proposed Grading and Drainage must be in accordance with Section 5 of the Master Drainage Plan for Hamilton Beach.</p>
Comments:	<p>According to our records, the existing municipal infrastructure fronting the subject property summarized as follows:</p> <p>Beach Boulevard</p> <ul style="list-style-type: none"> • 300mm ø Ductile Iron Watermain • 375mm ø Sanitary Sewer • 600mm ø Storm Sewer <p>Separate and independent services shall be provided for each dwelling constructed within each parcel of land in accordance with the current Sewer and Water By-laws.</p>
Proposed Notes:	



Hamilton

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
Comments:	
Proposed 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 & Horticulture:

Recommendation:	Approve with Conditions
Proposed Conditions:	A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees.
Comments:	<p>Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees.</p> <p>An assessment of the information provided shows that there are potential conflicts with publicly owned trees or trees that may become city assets through right of way widening.</p> <p>Where existing municipal trees are impacted by development work, are within proximity of the development work or access/egress to the development work, a Public Tree Permit to injure or remove municipal trees is required.</p> <p>Where ownership of trees in proximity to the boundary between public and private land is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private.</p> <p>No Landscape plan required.</p> <p>TREE MANAGEMENT</p>



	<p>Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements.</p> <p>The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, or ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intensions regarding retention or removal.</p> <p>It is compulsory that all proposed surface treatment changes within individual tree driplines as well as property lines, building footprints, driveways, utility construction corridors and temporary access roads be accurately depicted on the submission.</p> <p>The Tree Inventory Analysis Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree.</p> <ul style="list-style-type: none"> • Species by Botanical and common name • Diameter at breast height in centimeters or millimeters • Ownership {> 50% @ ground level = ownership} • Biological health • Structural condition • Proposed grade changes within individual driplines {compulsory} • Proposed utility construction within individual driplines {compulsory} • Proposed removals or relocations • Proposed trees to be protected. <p>If it is determined and verified that existing trees can remain, a Tree Protection Zone Detail with notes showing Tree Preservation Techniques shall be included on the submission as per the Public Tree Preservation and Sustainability Policy.</p> <p>The determination of ownership of all trees is the responsibility of the applicant and any civil issues which may exist or arise between property owners with respect to trees, must be resolved by the applicant. The ownership of each individual tree inventoried must be clearly stated as municipal or private.</p> <p>All Healthy trees on municipal property which are found to be in conflict with this proposed development and do not meet our criteria for removal are</p>
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Hamilton

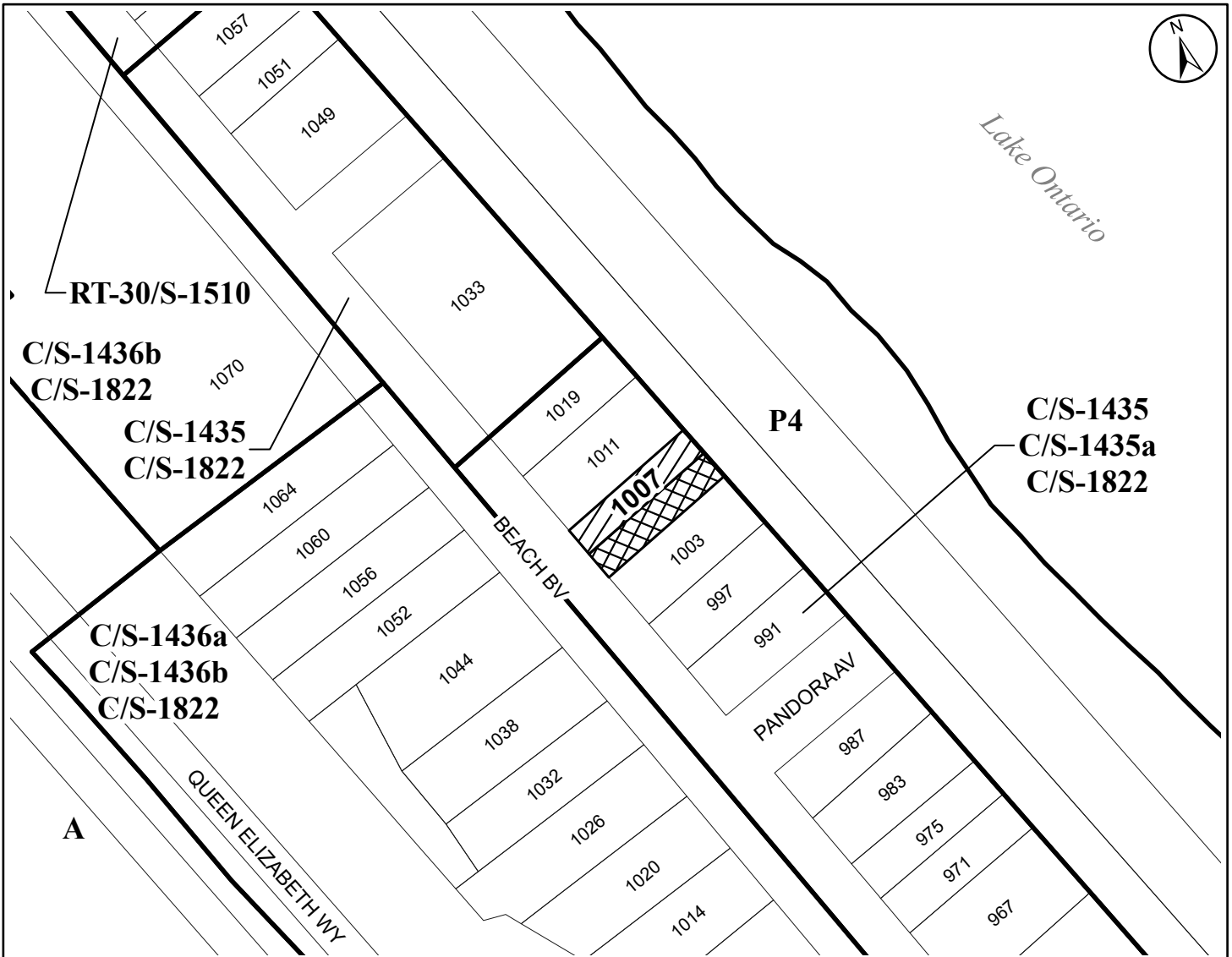
	<p>subject to a replacement fee as outlined in the Public Tree Preservation and Sustainability Policy in conjunction with By-Law 15-125.</p> <p>A permit will be issued upon approval of the Tree Management Plan and applicable fees.</p>
Proposed Notes:	

Transportation Planning:

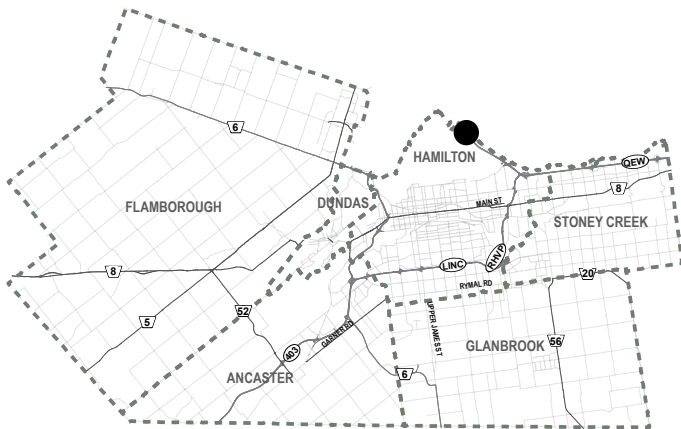
Recommendation:	Approve with Conditions
Proposed Conditions:	<p>Transportation Planning has no objection to the severance application if the Owner dedicates the right-of-way as per the Hamilton Official Plan. Beach Boulevard is to be 26.213 metres. The existing right-of-way at the subject property is approximately ± 20 metres. Approximately ± 3.048 metres are to be dedicated to the right-of-way on Beach Boulevard, as per the Council Approved Urban Official Plan: Chapter C City Wide Systems and Dedications, 4.5 Road Network Functional Classification, 4.5.2. Collector Roads.</p> <p>a. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening.</p> <p>b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements.</p> <p>c. Subject to the satisfaction and approval of the Manager, Transportation Planning.</p>
Comments:	
Proposed Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
Comments:	The lands to be severed will remain as 1007 Beach Boulevard (Hamilton). The lands to be retained will be assigned the address of 1009 Beach Boulevard (Hamilton).
Proposed 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.



● Site Location





City of Hamilton

Committee of Adjustments

Subject Property

1007 Beach Boulevard, Hamilton (Ward 5)

-  Lands to be retained
-  Lands to be severed

File Name/Number:

B-24:30

Date:

June 11, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department