



Hamilton

B-24:26 – 24 Limeridge Road West, Hamilton

Recommendation:

Development Planning – Approve with Conditions

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 owner submits and receives approval of a Tree Protection Plan, including the review fee as per the effective Schedule of Rates and Fees, to the satisfaction of the Manager of Heritage and Urban Design. The Tree Protection Plan is to be prepared by a qualified tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010).
5. That the owner submits and receives approval of a Landscape Plan, prepared by a certified landscape architect to the satisfaction of the Manager of Heritage and Urban Design. This Plan is to include compensation for any tree (10 cm DBH or greater) that is proposed to be removed as well as any fencing.
6. That the owner shall investigate the noise levels on the severed 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 City of Hamilton, Director of Planning and Chief Planner.



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7. That the applicant/owner have the existing dwelling be demolished to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.
8. 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)
9. The owner/applicant shall submit survey evidence that the lands to be severed and lands to be retained including the location of any existing structure(s), parking and landscaping, conform to the requirements of the Zoning By-Law 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).
10. 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 including all services 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.

Proposed Notes:

“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (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 (416-212-7499).”

The lands to be retained will remain as 24 Limeridge Road West (Hamilton).

The lands to be conveyed (Parcel 1 & 2) will be assigned the addresses of 20 Limeridge Road West (Hamilton) & 16 Limeridge Road West (Hamilton).



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STAFF COMMENTS

HEARING DATE: June 25, 2024

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.



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Development Planning:

Background

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

	Frontage	Depth	Area
SEVERED LANDS:	12.192 m±	44.062 m±	537.2 m2 ±
SEVERED LANDS:	12.192 m±	44.702 m±	517.48 m2 ±
RETAINED LANDS:	12.192 m±	43.407m±	529.21 m2 ±

Analysis

Urban Hamilton Official Plan

The property is identified as “Neighbourhoods” in Schedule E – Urban Structure and is designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations. Policies B.2.4.2.2, F.1.14.3.1, E.3.2.3, and E.3.4.3 amongst others, are applicable and permit a single detached dwellings.

Upper James Street is identified as a Major Arterial road and the Lincoln Alexander Parkway is identified as a Parkway on Schedule C – Functional Road Classification in the Urban Hamilton Official Plan. As noted in Policy B.3.6.3.7, a noise feasibility study, or detailed noise study, or both, is required to be submitted for review and approval in order to conform with this policy.

City of Hamilton Zoning By-law No. 6593 and Hamilton Zoning By-law No. 05-200

The subject lands are zoned Urban Protected Residential “C/S-1822” District, Modified, which permits the use of single detached dwellings and structures accessory thereto, in accordance with the applicable provisions. The proposed lot frontages and lot areas conform to the “C/S-1822” District lot provisions.

The approved zoning of the subject lands is Low Density Residential (R1) Zone in Zoning By-law No. 05-200, which is not final and binding. The proposed lot widths and lot areas also conform to the (R1) Zone.

Staff note that the proposed severed and retained lands will have frontage onto a public road and will be fully serviced by municipal services. Staff are of the opinion that the proposal will reflect the general scale and lot fabric of the existing residential lot fabric. Furthermore, staff are of the opinion that the proposal meets policy related to residential intensification as the proposal is providing intensification within the built-up area. Based on the foregoing, staff support the proposal. If the application is



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approved, staff recommend a condition be added to the approval that the existing dwelling be demolished.

Zoning:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	<ol style="list-style-type: none"> 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) 2. The owner/applicant shall submit survey evidence that the lands to be severed and lands to be retained including the location of any existing structure(s), parking and landscaping, conform to the requirements of the Zoning By-Law 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).
Comments:	<ol style="list-style-type: none"> 1. This application will facilitate the creation of 3 new lots. 2. 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. 3. 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. 4. It is noted that the subject property is included in amending by-law 24-051, rezoning the property to the R1 zone, pursuant to Hamilton Zoning By-law 05-200. Note that by-law 24-051 remains not final and binding and as such the regulations of Hamilton Zoning By-law 6593 and Hamilton Zoning By-law 05-200 will apply to the subject lands. 5. In order to clear conditions, the owner/applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.
Proposed Notes:	



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Natural Heritage:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>1. That the owner submits and receives approval of a Tree Protection Plan, including the review fee as per the effective Schedule of Rates and Fees, to the satisfaction of the Manager of Heritage and Urban Design. The Tree Protection Plan is to be prepared by a qualified tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) in accordance with the City’s Council adopted Tree Protection Guidelines (revised October 2010).</p> <p>2. That the owner submits and receives approval of a Landscape Plan, prepared by a certified landscape architect to the satisfaction of the Manager of Heritage and Urban Design. This Plan is to include compensation for any tree (10 cm DBH or greater) that is proposed to be removed as well as any fencing.</p>
Comments:	<p>1. The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP). Based on Schedule B (Natural Heritage System) of the UHOP, Core Areas (i.e., Environmentally Significant Areas, Areas of Natural and Scientific Interest, Significant Woodlands, wetlands, and watercourses) as well as Linkages (natural areas that ecologically connect Core Areas) have not been identified within or adjacent to the subject property. As a result, the proposed development will not further negatively impact the features and functions of the City’s Natural Heritage System.</p> <p>2. Through aerial photograph interpretation, trees have been identified within and adjacent to the subject property. The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits, wildlife habitat) and encourages the protection and restoration of trees (policy C.2.11.1).</p> <p>To ensure that existing tree cover is maintained, 1 for 1 compensation is required for any tree (10 cm DBH or greater) that is proposed to be removed.</p>
Proposed Notes:	

Cultural Heritage:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
Comments:	Archaeology:



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Proposed Notes:	<p>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.</p> <p>If this variance is granted, the proponent must be advised in writing by the Committee of Adjustment as follows:</p> <p>“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (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 (416-212-7499).”</p> <p>Cultural Heritage:</p> <p>No Comment.</p>
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Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>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 including all services 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</p>



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	this time), to the satisfaction of the City’s Director of Development Engineering.
Comments:	<p>According to our records, the existing municipal infrastructure fronting the subject property is summarized as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Limeridge Road West <ul style="list-style-type: none"> • 300mmøWatermain • 250mm ø Sanitary Sewer @ ±0.7% • 675mm ø Storm Sewer @ ±0.7% <p>Note that separate and independent services shall be provided for each additional dwelling constructed within the severed lots.</p>
Proposed Notes:	

Building Engineering:

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

Forestry:

Recommendation:	Approve
Proposed Conditions:	
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>
Proposed Notes:	

Transportation Planning:

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



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Legislative Approvals:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
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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.

