



Hamilton

**STAFF COMMENTS**

**HEARING DATE: September 10, 2024**

**A-24:182 (9724 Twenty Rd. W., Glanbrook)**

**Recommendation:**

Development Planning - Approve

**Proposed Conditions:**

**Proposed Notes:**



**Development Planning:**

**Background**

	Frontage	Depth	Area
<b>SEVERED LANDS:</b>	21.34 m±	60.94 m±	1300 m <sup>2</sup> ±
<b>RETAINED LANDS:</b>	21.34 m±	60.94 m±	1300 m <sup>2</sup> ±

The purpose of Consent application B-24:48 is to permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling is to be demolished. Staff note that Minor Variance application A-24:182 is a concurrent application to facilitate the proposed severance.

**Analysis**

**Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated as “Neighbourhoods” in Schedule – E-1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policies B.3.6.3.7, E.3.2.3 and F.1.14.3.1, amongst others, are applicable and permit the proposed single detached dwellings. The subject lands are located within the North-West Glanbrook Secondary Plan and are also subject to the policies of the secondary plan.

Per Policy F.1.14.3.1, the creation of new lots for residential uses in the “Neighbourhoods” designation shall be permitted if the following conditions are met:

- g) The lots comply with the policies of this Plan, including secondary plans, where one exists;
- h) The lots comply with existing Neighbourhood Plans;
- i) the lots are in conformity with the Zoning By-law or a minor variance is approved;
- j) 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;
- k) The lots are fully serviced by municipal water and wastewater systems; and,
- l) The lots have frontage on a public road.



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Staff note that the proposed severed and retained lots are to be 21.34 metres wide and have an area of 1,300 square metres, whereas the Zoning By-law requires a minimum lot width of 22.5 metres and a minimum area of 1,390 square metres. Staff further note that Minor Variance application A-24:182 was submitted to address these zoning non-conformities. The proposed severed and retained lots front on a public road and are fully serviced by municipal water and wastewater services.

The properties along Twenty Road West range in width and area, from approximately 21 metres wide and 800 square metres in area to over 40 metres wide and over 2,000 square metres in area. Neighbouring lands to the north, such as along Kellogg Avenue, are generally of a smaller scale, approximately 12 metres wide and 400 metres in area.

Staff are of the opinion that the proposed severed and retained lands are generally compatible with the scale and character of the established development pattern of the surrounding area.

Policy B.3.6.3.7 a) requires a noise feasibility study, detailed noise study or both for residential developments within 100 metres of a minor arterial road, as identified on Schedule C – Functional Road Classification. The subject lands front onto Twenty Road West, which is identified as a minor arterial road on Schedule C – Functional Road Classification of the Urban Hamilton Official Plan. Therefore, staff are recommending a condition requiring a noise study be provided to confirm conformity with the policies regarding sensitive land use developments.

### North-West Glanbrook Secondary Plan

The subject lands are designated “Low Density Residential 2” in Land Use Plan – Map B.5.3-1 of the North-West Glanbrook Secondary Plan. Policy 5.3.2.3, amongst others, is applicable and permits the proposed single detached dwellings. The development proposal complies with the maximum density of 25 dwelling units per hectare as the severance will result in 8 dwelling units per hectare.

Based upon review of the above policies and the materials provided in support of this severance application, staff are of the opinion that the proposed severance meets the intent of the Urban Hamilton Official Plan. **Staff recommend the proposed severance be approved.**

### Archaeology

The subject property meets three (3) 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;



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- 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; and,
- 3) Along historic transportation routes.

Notwithstanding current surface conditions, 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.

### **Built Heritage**

The subject property is adjacent to 9751 Twenty Road, a property listed on the City of Hamilton's Municipal Heritage Register.

Accordingly, section B.3.4.1.4 and B.3.4.2.1(g) of the Urban Hamilton Official Plan, Volume 1, apply.

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

Notwithstanding that the subject property is adjacent to a property listed on the City of Hamilton's Municipal Heritage Register, Staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the surrounding neighbourhood will be conserved due to the distance from the neighbouring property.

### **City of Hamilton Zoning By-law No. 05-200**

The subject lands are zoned Existing Residential "ER" Zone in Former Township of Glanbrook Zoning By-law No. 464. The proposed single detached dwellings are permitted. Both the severed and retained lands are proposed to have a frontage of 21.34 metres and an area of 1,300 square metres. Both the severed and retained lands would not meet the minimum lot frontage of 22.5 metres or the minimum required lot area of 1390 square metres. Staff note Minor Variance application A-24:182 was submitted to address these non-conformities.

### **Variances 1 and 2**

1. A minimum lot area of 1,300.0 square metres shall be provided instead of the minimum required lot area of 1390.0 square metres.
2. A minimum lot frontage of 21.0 metres shall be provided instead of the minimum required lot frontage of 22.5 metres.



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The intent of these provisions is to ensure that lots are of a minimum size to be viable developable lots while being compatible with the existing scale, character and prevailing pattern of development in the area.

Staff note that the proposed severed and retained lots are to be 21.34 metres wide and have an area of 1,300 square metres, whereas the Zoning By-law requires a minimum lot width of 22.5 metres and a minimum area of 1,390 square metres.

The properties along Twenty Road West range in width and area, from approximately 21 metres wide and 800 square metres in area to over 40 metres wide and over 2,000 square metres in area.

Neighbouring lands to the north, such as along Kellogg Avenue, are generally of a smaller scale (approximately 12 metres wide and 400 metres in area).

Staff are of the opinion that the proposed severed and retained lands are generally compatible with the scale and character of the established development pattern of the surrounding area, falling within a median of the existing ranges. Staff anticipate no negative impacts on neighbouring lands.

Therefore, it is staff's opinion that the requested variances maintain the intent of the Urban Hamilton Official Plan and Zoning By-law, are desirable for the appropriate development of the land and are minor in nature.

Staff are off the opinion that the requested variances meet the four tests of a minor variance. **Staff recommend approval.**

**Zoning:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Minor variances will facilitate severance application B.24.46.
Notes:	

**Development Engineering:**

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

**Building Engineering:**

Recommendation:	Comments Only
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Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed two single detached dwellings.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

## Transportation Planning:

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

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


## Hamilton COA

Kyle Riley <kriley@npca.ca>

Tue 9/3/2024 10:10 AM

To:Committee of adjustment <cofa@hamilton.ca>

Cc:Sarah Mastroianni <smastroianni@npca.ca>

 5 attachments (3 MB)

2187 Regional Road 56 Basemap.pdf; Extent Basemap 3417 and 3325 Tyneside Road.pdf; Basemap 9724 Twenty Road.pdf; 2016 Regional Road 56 Basemap.pdf; 3300 Homestead Drive.pdf;

**External Email:** Use caution with links and attachments

Hello Jamila,

Please see below the Niagara Peninsula Conservation Authorities (NPCA) comments for Hamiltons COA meeting on September 10th, 2024.

**GL/A-24:09 2016 REGIONAL ROAD 56:** There is no features under NPCA-jurisdiction at this lot—at this time. As such, this Office offers No Comment and will not require a review fee.

**A-24:187 3300 Homestead Drive:** There is no features under NPCA-jurisdiction at this lot—at this time. As such, this Office offers No Comment and will not require a review fee.

**A-24:188 3325 Tyneside Road:** Both 3417 and 3325 Tyneside are traversed by numerous NPCA-regulated watercourses which do not have regulated floodplains. As the proposal is a Boundary Adjustment, and there is no associated change in land-usage the NPCA offers No Objections to the proposals. No Planning or Permitting fees are required for this review.

**A-24:184 2187 Regional Road 56:** The Applicants are seeking a Minor Variance to Permit the construction of 5 accessory storage structures without these structures existing behind a main building. The Applicants also seek a Minor Variance to Permit the storage of various categories of vehicles on the site. A total of six accessory buildings will be added to the site as a result of the Minor Variance. A separate Site Plan Application is also being undertaken at this lot, and the comments provided here shall only apply to the issues mentioned above.

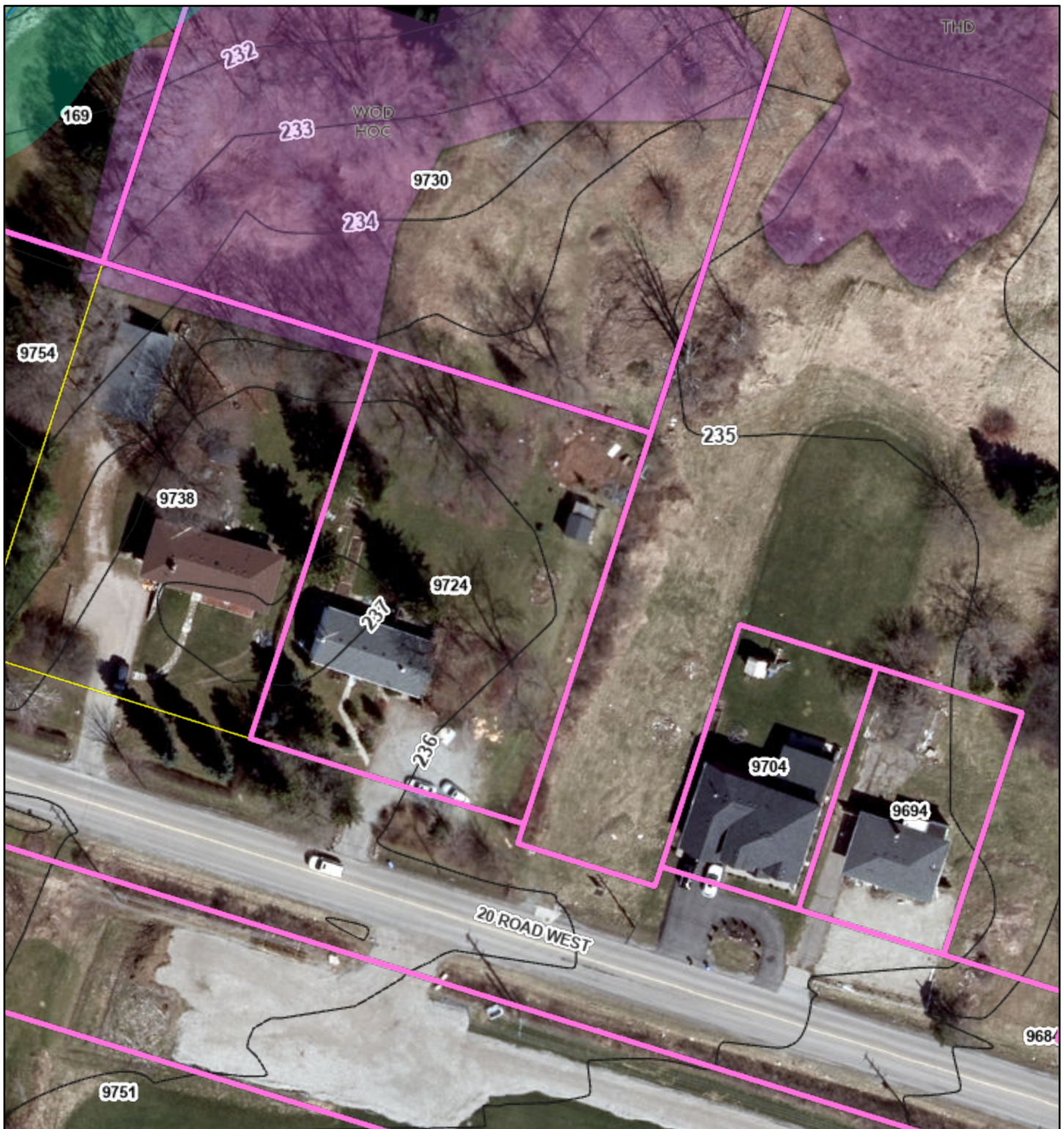
Previous site-visits conducted by the NPCA at the subject address have confirmed the presence of wetlands to the east of the proposed lots, which retain a 30m development set-back. The locations of the size accessory buildings, along with the structures of the rights-of-way, and the snow storage are beyond the reach of NPCA-regulated features on-site. As such, the NPCA offers No Objections to the Minor Variances at the lot and will continue reviewing the Site Plan Application at the same location. Again, please only apply our comments to the Minor Variance titled "**A-24-184.**" No fees are requested for this review.

**B-24:46 9724 Twenty Road W:** There is no features under NPCA-jurisdiction at this lot—at this time. As such, this Office offers No Comment and will not require a review fee.

Should you have any questions on the above, please, do not hesitate to contact the underwritten.

Kind regards,

# ArcGIS Web Map



8/22/2024, 2:53:14 PM

1:1,128

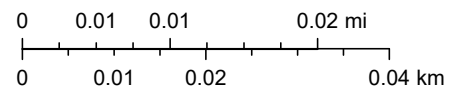
**SWOOP 2020 NPCA**

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

Roads

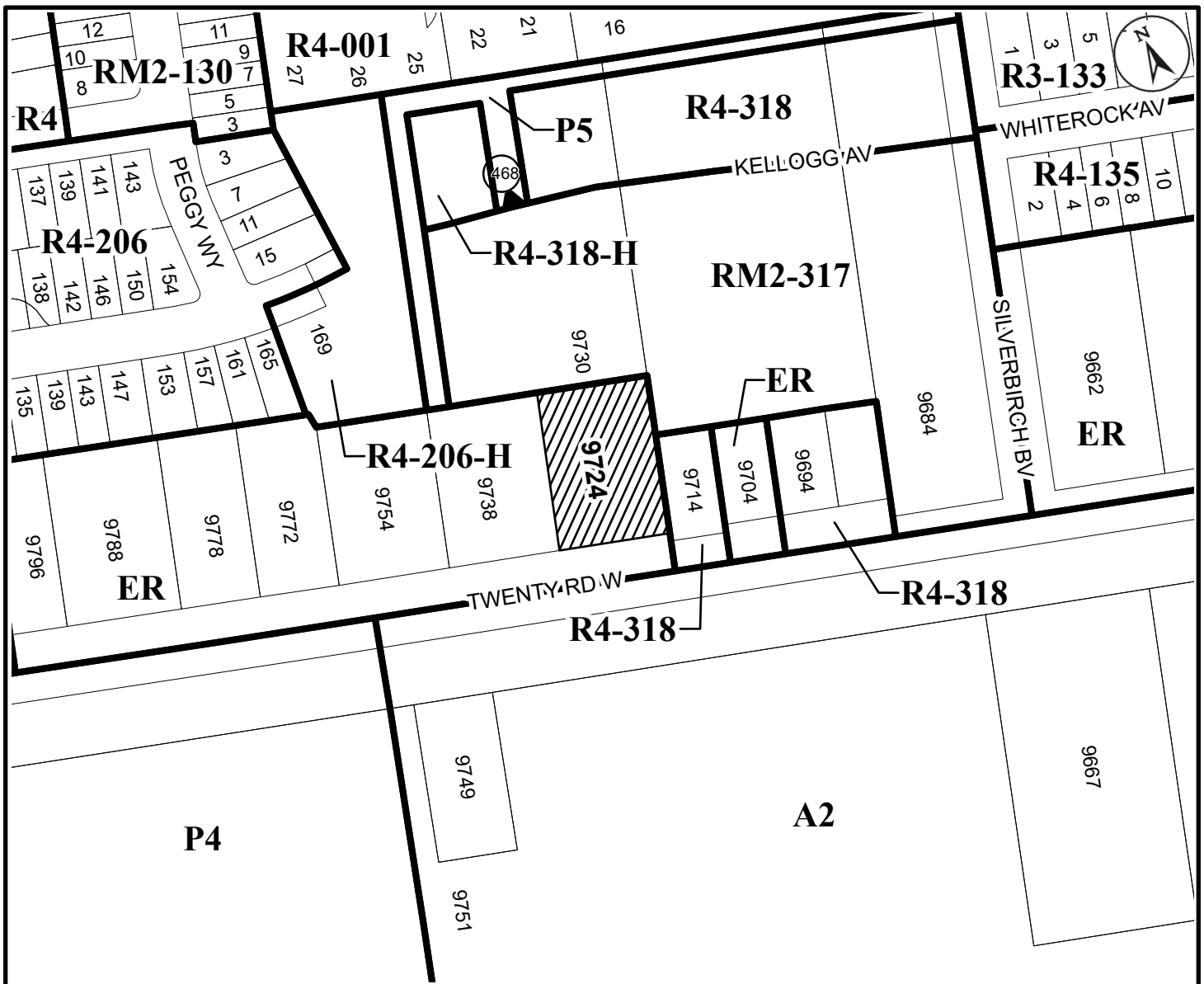
NPCA APPROXIMATE REGULATION LANDS

- CityView Application Views
- CityView Historic Parcels
- Assessment Parcels
- 2K Hydrography
- ELC 2020 NPCA

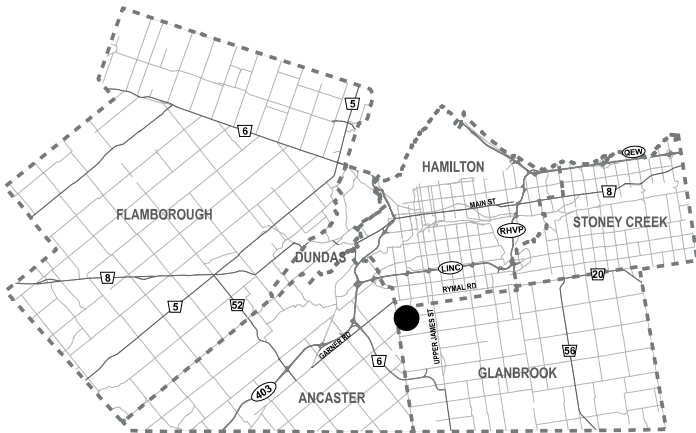


NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community





● Site Location



**City of Hamilton**

**Committee of Adjustment**

**Subject Property**



9724 Twenty Road West, Glanbrook (Ward 11)

**File Name/Number:**  
A-24:182

**Date:**  
August 29, 2024

**Technician:**  
AL

Map Not To Scale

**Appendix "A"**



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT