



Hamilton

STAFF COMMENTS

HEARING DATE: October 8, 2024

B-24:55 – 9662 Twenty Road West, Glanbrook

Recommendation:

Development Planning - Approve Severance B-24:55

Deny Variances 1-7 & 1-8 for Parts 1-6 & Part 7 to Glanbrook Zoning By-Law 464 – (no longer applicable)

Approve Variances 1 & 2 to Zoning By-law 05-200

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. A Landscape Plan is required by the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development.
6. The Owner / Applicant must enter into and register on title of the lands, a Combined External Works and Consent Agreement, to address issues including but not limited to: extension of all services from Whiterock Avenue for the full flankage of the subject lands, at the full expense of the Owner, payment of any outstanding servicing costs assessed to the property, 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 street trees (City policy requires one (1) street tree/lot, stormwater management infrastructure as required and securities for items that may include: lot grading (\$10,000.00 grading security), driveway approaches and culverts, relocation of any existing infrastructure (hydro poles, etc.) and any damage to municipal infrastructure during



construction (unknown costs at this time), all to the satisfaction of the Director of Development Engineering.

7. The Owner / Applicant must enter an external works agreement and complete the construct of Sanitary sewer from Whiterock Ave. to Twenty Road West prior to creation of the lots at owners cost to the satisfaction of the Director of Development Engineering.
8. A functional servicing report must be provided demonstrating that the downstream sanitary sewer has the capacity to account for the newly created lots to the satisfaction of the Director of Development Engineering.
9. The Owner / Applicant shall obtain and satisfy the requirements of any applicable MECP approval or requirements for municipal sewer extension, all to the satisfaction of the Director of Development Engineering.
10. The applicant shall submit a Stormwater Brief prepared by a qualified professional to demonstrate that the change in stormwater runoff due to an increased impervious area will be handled on the site for all storm events to the satisfaction of the Director of Development Engineering.
11. That the Owner pay to the City of Hamilton for the future urbanization costs of Twenty Road West based on the New Road Servicing Rate for the year that final approval is obtained, to the satisfaction of the City's Director of Development Engineering.
12. The Owner/ Applicant shall pay any outstanding charges or best efforts, all to the satisfaction of the Director of Development Engineering.
13. 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).
14. Transportation Planning has no objection to the severance if the required right-of-way dedication of, Subject to the satisfaction and approval of the Manager, Transportation Planning:
 - Approximately ± 7.0 metres is dedicated to the City of Hamilton on Twenty Road West as per the Council Approved Rural Official Plan: Chapter C - City Wide Systems and Designations.
 - The Applicant is to dedicate a 9.14 metres x 9.14 metres Daylighting Triangle to the right-of-way, at Twenty Road West & Silverbirch Boulevard as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7.



Hamilton

- 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, Subject to the satisfaction and approval of the Manager, Transportation Planning.
- b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements, Subject to the satisfaction and approval of the Manager, Transportation Planning.
15. 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.
16. That the proposed lots identified as Parts 1 through 6 on the Sketch for Consent to Sever submitted through concurrent applications A-24:203 & B-24:55 be used for semi detached dwelling purposes.
17. That the owner submits and receives approval of a Tree Protection Plan including the review fee as per the 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).
18. That the owner submits and receives approval of a Landscape Plan that shows the location of compensation trees to the satisfaction of the Manager of Heritage and Urban Design if required.
19. That the private septic system on the subject lands, which services the existing single detached dwelling be appropriately decommissioned, and that the existing single detached dwelling be connected to municipal wastewater services, to the satisfaction of the Director of Planning and Chief Planner.
20. That the proponent shall carry out an archaeological assessment of the entire 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



Hamilton

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).”

21. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section).
22. The owner shall submit survey evidence that the lands to be severed and the 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 any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section).

Proposed Notes:

The lands to be retained (Part 7) will remain as 9662 Twenty Road West (Glanbrook).

The lands to be conveyed (Part 1) will be assigned the address of 1094 Silverbirch Boulevard (Glanbrook).

The lands to be conveyed (Part 2) will be assigned the address of 1098 Silverbirch Boulevard (Glanbrook).

The lands to be conveyed (Part 3) will be assigned the address of 1102 Silverbirch Boulevard (Glanbrook).

The lands to be conveyed (Part 4) will be assigned the address of 1106 Silverbirch Boulevard (Glanbrook).

The lands to be conveyed (Part 5) will be assigned the address of 1110 Silverbirch Boulevard (Glanbrook).

The lands to be conveyed (Part 6) will be assigned the address of 1114 Silverbirch Boulevard (Glanbrook).

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 facilitate the creation of six semi-detached lots, one retained lot, and identify lands for a road widening along Twenty Road West. The Minor Variance and Severance applications are being applied for concurrently. The proposed lots will front onto Silverbirch Boulevard. Parts 1-6 as identified in the submitted Severance Sketch are for proposed semi detached dwellings. Part 7 as identified in the submitted Severance Sketch is a lot that will contain the existing single detached dwelling, which is proposed to remain. Previous files on the subject lands include GL/B-22:135, which proposed four severed single detached parcels and the removal of the existing dwelling.

Please note that By-law 24-051, which implemented the City's new comprehensive zoning By-law 05-200 on the lands, has since come into force on September 25, 2024, effective retroactively to April 10, 2024. Accordingly, the lands are no longer within Glanbrook Zoning By-law 464 and the minor variances related to that by-law are no longer applicable.

The following Minor Variances are requested:

Glanbrook Zoning By-law 464 (No Longer Applicable)

Parts 1-6

1. A semi-detached dwelling unit shall be permitted.
2. A minimum lot frontage of 9.0 metres shall be permitted instead of the minimum lot frontage of 22.5 metres required.
3. A minimum lot area of 315 metres squared shall be permitted instead of the minimum lot area of 1,390 square metres required.
4. A minimum front yard of 4.0 metres shall be permitted instead of the minimum front yard of 9 metres required.
5. A minimum rear yard of 7.5 metres shall be permitted instead of the minimum rear yard of 10.7 metres required.
6. A minimum side yard of 2.0 metres, except for a side yard related to a common wall of a semidetached dwelling unit, in which case a 0.0 metre side yard shall be permitted. Instead of the minimum side yard of 1.8 metres required.
7. A maximum lot coverage of 35 percent shall be permitted instead of the permitted maximum lot coverage of 25 percent.

Part 7

1. A minimum lot frontage of 16.50 metres shall be permitted instead of the minimum lot frontage of 22.5 metres required.



Hamilton

2. A minimum lot area of 630 square metres shall be permitted instead of the minimum lot area of 1,390 square metres required.
3. A minimum front yard of 4.0 metres shall be permitted instead of the minimum front yard of 9 metres required.
4. A maximum lot coverage of 35 percent shall be permitted instead of the permitted maximum lot coverage of 25 percent.
5. A minimum side yard of 1.2 metres shall be permitted instead of the minimum side yard of 1.8 metres required.
6. A minimum setback from a flankage lot line of 3.0 metre shall be permitted instead of the minimum setback of 6.0 metres required.
7. A minimum rear yard of of 6.1 metres shall be permitted instead of the minimum rear yard of 10.7 metres required.
8. An interior side yard of 1.2 metres shall be permitted for any structure built on or before May 24th, 2024.

Hamilton Zoning By-law 05-200

Part 7

1. A minimum 6.1 metre rear yard shall be permitted for any structure built on or before May 24th, 2024.
2. A minimum 1.2 metre side yard shall be permitted for any structure built on or before May 24th, 2024.

Urban Hamilton Official Plan

The subject property is designated as “Neighbourhoods” on Schedule E1 - Urban Land Use Designations in the Urban Hamilton Official Plan. Section 3.2.3 permits residential dwellings, including second dwelling units and housing with supports. Furthermore Policy E.3.4.3 permits single detached, semi detached, duplex, triplex, fourplex and street townhouse dwellings. The subject property is also located in the North-West Glanbrook Secondary Plan area found in Volume 2 of the Urban Hamilton Official Plan and designated as “Low Density Residential 2” on Land Use Plan Map B.5.3-1. Section 5.3.2.2 of the Secondary Plan permits single detached dwellings, duplex, semi-detached and triplex dwellings. Policy 5.3.2.3 b) also permits semi detached dwellings and 5.3.2.3 a) provides a maximum residential density of 25 units per hectare. The proposed development is approximately 19 units per hectare and conforms to policy 5.3.2.3 a).

The following Official plan policies, among others, are applicable:

Policy B.2.4.2.2 states that when considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:



Hamilton

- i) the matters listed in Policy B.2.4.1.4;
- j) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- k) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- l) the consideration of transitions in height and density to adjacent residential buildings;
- m) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- n) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
- o) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- p) the ability to complement the existing functions of the neighbourhood;”

Staff have completed an analysis of the proposal against Policy B.2.4.2.2 and are satisfied that the proposed severance conforms to the above noted residential intensification policies found in Chapter B of the Urban Hamilton Official Plan. The proposed severance is compatible with the scale and character of the neighbourhood. The severance maintains the general streetscape pattern and considers the relationship of the proposed lots with existing development.

Policy F.1.14.3.1 states that 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:

- 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.

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.1 and are of the opinion that the proposed severance conforms to the above noted policies. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The proposed lots comply with the existing Secondary Plan and have frontage onto a public road (Silverbirch Boulevard). Planning staff have discussed with Development Engineering staff who confirmed that the appropriate conditions of approval will be included in order to ensure the new lots are appropriately serviced with full municipal services prior to lot creation. This includes entering into the appropriate agreements with the City and constructing the extension of any municipal services to the proposed lots and existing dwelling. The construction and extension of these services must be completed prior to the finalization of the consent and the creation of the lots. Staff note that the existing single detached dwelling is serviced by a private septic system for wastewater. Staff have included a condition that the existing septic system be decommissioned, and the existing single detached dwelling be connected to municipal wastewater services. The proposed lots also conform to the "R2" Zone of Zoning By-law No. 05-200, with the exception of the existing single detached dwelling on the retained lands, which has been accounted for in variances 1 and 2 to Zoning By-law No. 05-200. Staff support the severance application.

Natural Heritage

9662 Twenty Road West (B.24.55 and A.24.203) 9662 Twenty Road West. This property was submitted for a Formal Consultation in 2013 (FC-13-049) and 2017 (FC-17-061).

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, and wetlands) 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, it is anticipated that the proposed development will not further negatively impact the features and functions of the City's Natural Heritage System.

Through aerial photograph interpretation, trees have been identified within the subject property. The City recognizes the importance of trees to the health and well-being of the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees (policy C.2.11.1). At this time, it is unclear if trees will be impacted as a result of the proposed development. To address this, a Tree Protection Plan (TPP) is to be prepared by a recognized 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). If trees are to be removed, compensation on a 1 to 1 basis is required. This compensation is to be shown on a Landscape Plan prepared by a Landscape Architect.



Hamilton

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
- 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.

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.

Cultural Heritage:

No comments.

City of Hamilton Zoning By-law 05-200

The subject lands are zoned Low Density Residential “R2” in Zoning By-law 05-200, which permits semi detached dwellings. The property was previously zoned Existing Residential “ER” under Glanbrook zoning by-law 464. By-law 24-051, which implemented the City’s new comprehensive zoning by-law 05-200 on the lands, has since come into force on September 25, 2024, effective retroactively to April 10, 2024.

Analysis

Variance 1-7 & 1-8 for Parts 1-6 & Part 7 (No longer applicable)

Staff recognize that the requested variances are no longer required as By-law 24-051 has come into force and effect on the property and rezoned the lands as “R2” Zone in Zoning By-law No. 05-200.

Staff recommend **denial** of the requested variances 1-7 for Parts 1-6 & variances 1-8 for Part 7 of Glanbrook By-law No. 464 as they are no longer required.

Variance 1 & 2 for Part 7 of Zoning by-law 05-200

1. A minimum 6.1 metre rear yard shall be permitted for any structure built on or before May 24th, 2024.
2. A minimum 1.2 metre side yard shall be permitted for any structure built on or before May 24th, 2024.



Hamilton

Staff have reviewed the minor variances related to the reduction to the rear yard and interior side yard for the existing single detached dwelling that is to remain. By virtue of the proposed severance, the easterly yard becomes the rear yard of the existing dwelling. Staff note that the proposed 6.15 metre easterly yard is existing. Staff are satisfied that the proposed 6.15 metre rear yard provides sufficient space for amenity area. Staff have also reviewed the proposed reduction of the side yard from 2 metres to 1.2 metres and are satisfied that it provides room for access to the side of the dwelling and will provide sufficient separation to the future semi detached dwelling to the north. In Staff’s opinion variances 1 and 2 to Zoning By-law No. 05-200 maintain the general intent and purpose of the Zoning by-law and the Urban Hamilton Official Plan, are minor in nature, and desirable to the appropriate development of the lands. Staff recommend **approval** of the variances.

Severance

Based on the policies noted above including Policy Sections B.2.4.1.4, B.2.4.4.4 and F.1.14.3.1, the proposed severance conforms to the policies of the Urban Hamilton Official Plan, subject to the recommended conditions. Staff are of the opinion that the lots are well integrated within the existing neighbourhood and lot fabric and are compatible with the existing character and streetscape.

Based on the forgoing analysis staff recommend the **approval** of the severance as it conforms to the Urban Hamilton Official Plan.

Zoning:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	<p>If the application is approved, we request the following condition(s):</p> <ol style="list-style-type: none"> <li data-bbox="444 1268 1500 1413">1. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section). <li data-bbox="444 1455 1516 1705">2. The owner shall submit survey evidence that the lands to be severed and the 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 any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section).
Comments:	In order to clear conditions, the applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.
Notes:	



Hamilton

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>1. The Owner / Applicant must enter into and register on title of the lands, a Combined External Works and Consent Agreement, to address issues including but not limited to: extension of all services from Whiterock Avenue for the full flankage of the subject lands, at the full expense of the Owner, payment of any outstanding servicing costs assessed to the property, 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 street trees (City policy requires one (1) street tree/lot, stormwater management infrastructure as required and securities for items that may include: lot grading (\$10,000.00 grading security), driveway approaches and culverts, relocation of any existing infrastructure (hydro poles, etc.) and any damage to municipal infrastructure during construction (unknown costs at this time), all to the satisfaction of the Director of Development Engineering..</p> <p>2.The Owner / Applicant shall obtain and satisfy the requirements of any applicable MECP approval or requirements for municipal sewer extension, all to the satisfaction of the Director of Development Engineering.</p> <p>3.The applicant shall submit a Stormwater Brief prepared by a qualified professional to demonstrate that the change in stormwater runoff due to an increased impervious area will be handled on the site for all storm events to the satisfaction of the Director of Development Engineering.</p> <p>4. That the Owner pay to the City of Hamilton for the future urbanization costs of Twenty Road West based on the New Road Servicing Rate for the year that final approval is obtained, to the satisfaction of the City's Director of Development Engineering.</p> <p>5. The Owner/ Applicant shall pay any outstanding charges or best efforts, all to the satisfaction of the Director of Development Engineering.</p>
Comments:	<p>According to our records, the existing municipal infrastructure fronting the subject property summarized as follows:</p> <p>Silverbirch Boulevard:</p> <ul style="list-style-type: none"> • 300mm ø Ductile Watermain



	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.
Notes:	

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:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.

Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>Transportation Planning has no objection to the severance if the required right-of-way dedication of:</p> <ol style="list-style-type: none"> 1. Approximately ± 7.0 metres is dedicated to the City of Hamilton on Twenty Road West as per the Council Approved Rural Official Plan: Chapter C - City Wide Systems and Designations. 2. The Applicant is to dedicate a 9.14 metres x 9.14 metres Daylighting Triangle to the right-of-way, at Twenty Road West & Silverbirch Boulevard as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7. <p>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>The Applicant’s surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements.</p> <p>Subject to the satisfaction and approval of the Manager, Transportation Planning.</p>



Hamilton

Comments:	
Notes:	

Forestry:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>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.</p> <p>A Landscape Plan is required by the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development.</p>
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>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>



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.

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.

- 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.

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.

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.

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 subject to a replacement fee as outlined in the Public Tree Preservation and Sustainability Policy in conjunction with By-Law 15-125.

A permit will be issued upon approval of the Tree Management Plan and applicable fees.

LANDSCAPE PLAN

The Forestry & Horticulture Section requires that a detailed Landscape Planting Plan prepared by a Registered Landscape Architect, showing the placement of trees on internal/external City property be provided.



The City of Hamilton's Public Tree Preservation and Sustainability Policy in conjunction with the Tree By-Law 15-125 requires new developments to provide payment of \$726.40 plus HST per tree for road allowance street trees. All street tree plantings shall be planted by the City of Hamilton, as approved through the review of a proposed street tree planting scheme. All trees shown on municipal road allowance shall be identified as 'Trees to be planted by City of Hamilton Forestry Section.

Urban Forest Health Technician from the Forestry Section shall be notified post construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s). Otherwise, all sites will be monitored annually by Forestry to determine when site is suitable for the following planting season.

The Landscape Plan should specifically outline 50mm caliper size and the species of trees to be planted as well as identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations shall include a detail showing 21 m³ of soil, and a grouping of 2 or more trees in a soil bed shall include 16m³ of soil per tree. New sidewalks, paving or asphaltting shall allow 1.5m² of breathing space for tree roots.

An option to allow forestry to determine tree species is permitted and plan shall reflect that decision by denoting on plan 'City of Hamilton forestry department to determine species. Please note: all private trees on plan shall have species denoted.

Tree species selection should take into account cultivars {fruitless etc.} salt and heat tolerance, mature tree size, public visibility and daylight triangles, as well as potential pest concerns. Spacing guidelines for trees are 8-10 meters on center for larger species and 4-8 meters on center for smaller species.

Guidelines for species diversity shall ensure no single species shall make up more than 20% of the total street tree population. No coniferous trees will be permitted on City of Hamilton Road allowance. Any identified street tree species on plan will be subject to change at time of planting due to but limited to, on site conditions, in stock availability and compatibility with approved species by City of Hamilton. Although utility conflicts may change specific planting locations, every opportunity will be made to keep with the intent of the



	<p>design. Trees planted on the road allowance will have a minimum approximate caliper of 50 mm.</p> <p>Forestry’s mission to increase urban canopy through new development encourages any opportunity for planting locations. The City’s goal is to plant trees for many reasons including replacement of canopy loss due to development. Forestry’s mandate is to increase canopy coverage across the city to promote a robust green infrastructure, and therefore, a healthy community for all residents of Hamilton.</p> <p>SUMMARY</p> <ul style="list-style-type: none"> • There are municipal tree assets on site; therefore, a Tree Management Plan will be required. • Landscape Plan required. • A permit will be issued upon approval of the Tree Management Plan and applicable fees. • The Forestry & Horticulture Section requires that a detailed Landscape Planting Plan prepared by a Registered Landscape Architect, showing the placement of trees on internal/external City property be provided. • The City of Hamilton’s Public Tree Preservation and Sustainability Policy in conjunction with the Tree By-Law 15-125 requires new developments to provide payment of \$726.40 plus HST per tree for road allowance street trees. All street tree plantings shall be planted by the City of Hamilton, as approved through the review of a proposed street tree planting scheme. All trees shown on municipal road allowance shall be identified as ‘Trees to be planted by City of Hamilton Forestry Section.
Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
Comments:	<p>The lands to be retained (Part 7) will remain as 9662 Twenty Road West (Glanbrook).</p> <p>The lands to be conveyed (Part 1) will be assigned the address of 1094 Silverbirch Boulevard (Glanbrook).</p>



Hamilton

STAFF COMMENTS

HEARING DATE: October 8, 2024

	<p>The lands to be conveyed (Part 2) will be assigned the address of 1098 Silverbirch Boulevard (Glanbrook).</p> <p>The lands to be conveyed (Part 3) will be assigned the address of 1102 Silverbirch Boulevard (Glanbrook).</p> <p>The lands to be conveyed (Part 4) will be assigned the address of 1106 Silverbirch Boulevard (Glanbrook).</p> <p>The lands to be conveyed (Part 5) will be assigned the address of 1110 Silverbirch Boulevard (Glanbrook).</p> <p>The lands to be conveyed (Part 6) will be assigned the address of 1114 Silverbirch Boulevard (Glanbrook).</p>
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.



Attn: NPCA Comments for Hamilton COA October 8th, 2024

From Kyle Riley <kriley@npca.ca>
Date Wed 9/25/2024 10:01 AM
To Committee of adjustment <CofA@hamilton.ca>

2 attachments (1 MB)

3392 Homestead Drive Basemap.pdf; 9662 Twenty Road W Basemap.pdf;

External Email: Use caution with links and attachments

Hello Jamilia,

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject items for Hamiltons COA Agenda set for the meeting on October 8th, 2024.

The following files are located within our Offices regulation area:

B-24:57: 3392 Homestead Drive - There is no features which are regulated by the NPCA on this lot at this time. As such, this Office offers No Comments to the proposal to severe. This Office will not require Planning or Permitting fees for our review of this Proposal.

A.24.203: 9662 Twenty Road West - There is no features which are mapped as being regulated by the NPCA at this time. As such, this Office offers No Comments to the proposals to either permit a dwelling with reduced setbacks, minimum coverage, and minimum lot sized for Part 7 of the detailed plans, or, for the proposal to create six new lots through way of consent. We do not require Planning or Permitting fees for our review of this Proposal.

Thank you for circulating this agenda to our Offices for comments.

Best,



Kyle Riley
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 252
(Cell) 905.933.2541
www.npca.ca
kriley@npca.ca

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

ArcGIS Web Map

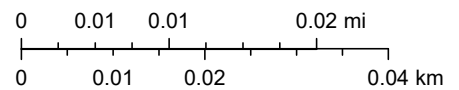


9/24/2024, 1:32:49 PM

1:1,128

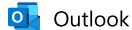
SWOOP 2020 NPCA

- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Assessment Parcels _Query result
- Roads



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

Web AppBuilder for ArcGIS



Hamilton - 9662 Twenty Road West - B-24-55

From AMIN Pranav <Pranav.Amin1@HydroOne.com>
Date Mon 9/30/2024 4:22 PM
To Committee of adjustment <CofA@hamilton.ca>

External Email: Use caution with links and attachments

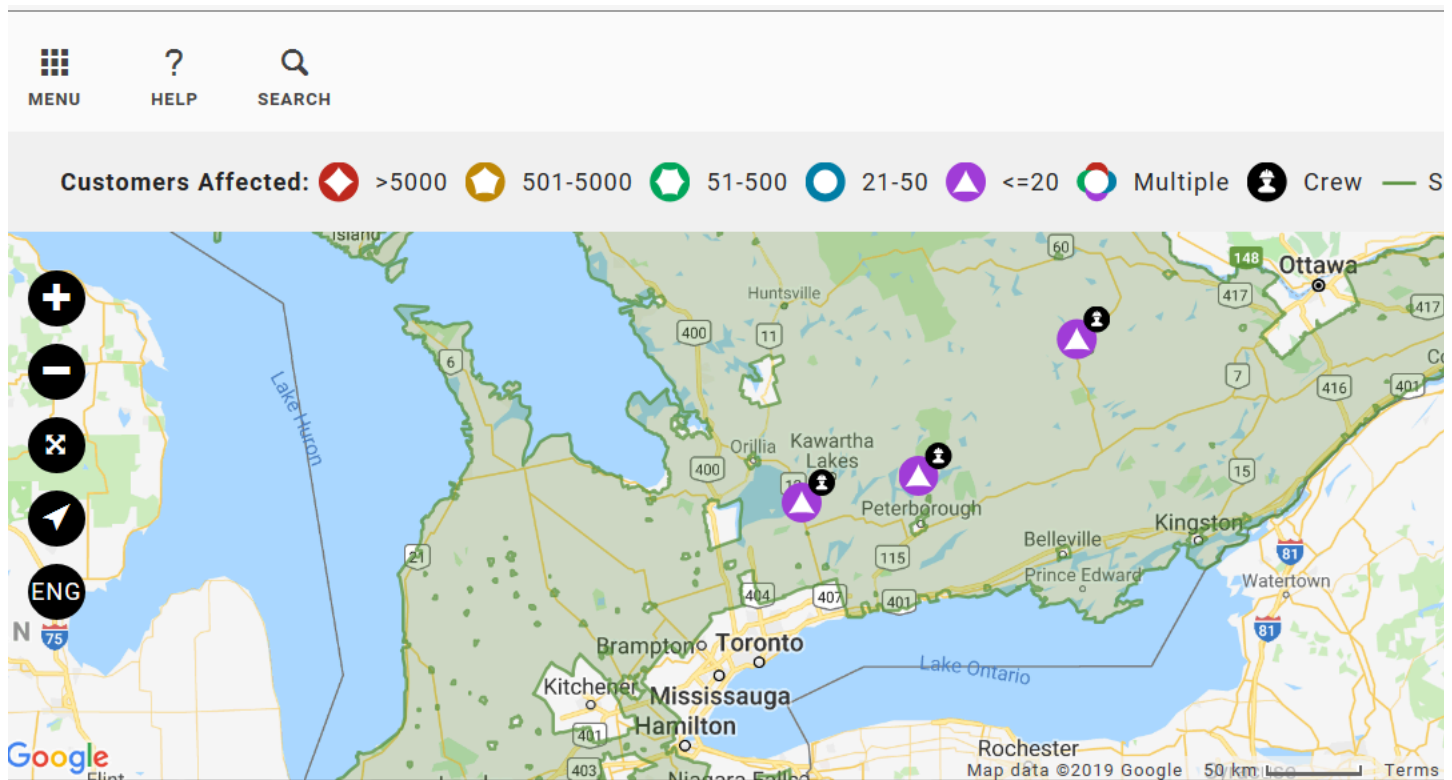
Hello,

We are in receipt of your Application for Consent, B-24-55 dated September 19th, 2024. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
[Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

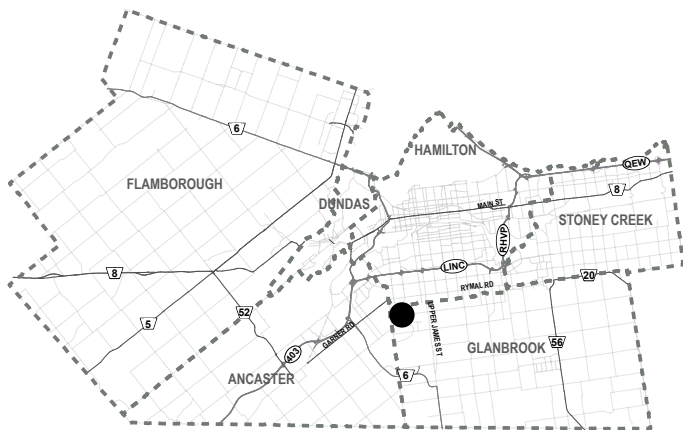
Dennis De Rango

Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com



● Site Location





City of Hamilton

Committee of Adjustments

Subject Property

9662 Twenty Road West, Glanbrook (Ward 11)

-  Lands to be retained
-  Lands to be severed

File Name/Number:
B-24:55

Date:
September 24, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"

