



Hamilton

B-24:70 (3353 Homestead Dr., Glanbrook)

Recommendation

Approve with conditions

Proposed Conditions (if approved)

1. That the proposed lots identified as Lots 1 and 2 on the Plan for Consent to Sever submitted through application B-24:70 be used for semi detached dwelling purposes.

Development Planning:

Background

The purpose of the severance application is to permit the conveyance of one half of a semi-detached dwelling and to retain one half of a semi-detached dwelling. Concurrent consent to sever applications are being applied for (B-24:69 for 3345 Homestead Drive).

The proposal is in line with previously approved consent and Minor variances (GL/A-23:68, GL/A-23:69, GL/B-23:18).

The lots are to be conveyed as follows:

	Frontage	Depth	Area
SEVERED LANDS:	10.5 m±	38.2 m±	400 m2 ±
RETAINED LANDS:	11.7 m±	34.2 m±	400 m2 ±

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” in the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. The subject lands are further designated “Low Density Residential 2” on Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan. Policy B.1.5 a) of Volume 2 of the Urban Hamilton Official Plan states that the applicable policies of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height for lands designated “Low Density Residential 2”, amongst others. The proposal complies with these policies.

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policy B.2.4.1.4 and B.2.4.2.2 and are satisfied that the proposed severance conforms to the residential intensification policies. The proposed severance is compatible with the scale and character of the neighbourhood and maintains



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the general streetscape pattern and considers the relationship of the proposed lots with existing development.

Upper James Street is identified as a Major Arterial road on Schedule C – Functional Road Classification in the Urban Hamilton Official Plan. In accordance with Policy B.3.6.3.7, noise and vibration impacts were previously reviewed for the proposed dwellings through Consent application GL/B-23:18.

The following policy applies to consent applications to create a new lot:

- “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:
- m) The lots comply with the policies of this Plan, including secondary plans, where one exists;
 - n) The lots comply with existing Neighbourhood Plans;
 - o) The lots are in conformity with the Zoning By-law or a minor variance is approved;
 - p) 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;
 - q) The lots are fully serviced by municipal water and wastewater systems; and,
 - r) 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 (Homestead Drive). Staff defer to development engineering staff on any concerns of servicing.

Archaeology:

The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 5) Within 250 metres of known archaeological sites;



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STAFF COMMENTS

HEARING DATE: November 26, 2024

- 6) 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;
- 7) In areas of pioneer Euro-Canadian settlement; and
- 8) 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. As part of a previous application (ZAC-18-007 & UHOPA-18-03), a stage 1-2 (P038-0948-2018) archaeological report that encompassed the subject property was submitted to the City and the Ministry of Citizenship and Multiculturalism (MCM). The ministry signed off on the report on February 12th, 2019.

Therefore, staff are satisfied that the archaeology requirements for the subject property have been met.

Cultural Heritage:

No comments.

Former Glanbrook Zoning By-law No. 464

The subject lands are zoned Residential “R3-311” Zone, Modified, which permits semi detached dwelling units. Staff note that Minor Variance application GL/A-23:69 varied the requirements of the “R3-311” Zone to facilitate the proposed development.

Analysis

Severance

Based on the above analysis, 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.



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Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	<p>1. 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 alternately 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).</p> <p>The owner/applicant 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).</p>
Comments:	<p>1. In order to clear conditions, the owner/applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.</p> <p>Please be advised that additional Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.</p>
Proposed Notes:	

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. The Owner/ Applicant shall pay any outstanding charges or best efforts, all to the satisfaction of the Director of Development Engineering.</p>



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	3. That the Owner submits a cash payment to the City for the future urbanization of Homestead Drive based on the "New Roads Servicing Rates" and the frontage if the property satisfaction of the City's Director of Development Engineering.
Comments:	<p>According to our records, the existing municipal infrastructure fronting the subject property summarized as follows:</p> <p>Homestead Drive:</p> <ul style="list-style-type: none"> • 500mm ø Ductile Watermain • 300mm ø Ductile Watermain • 400mm ø Storm Sewer @ 1.5% • 300mm ø Sanitary Sewer @ 0.8% <p>Currently Homestead Drive has a rural cross section adjacent to the subject lands. Therefore, the owner is required to submit a cash payment to the City for the future urbanization of the street.</p> <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:	

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.

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Proposed Notes:	



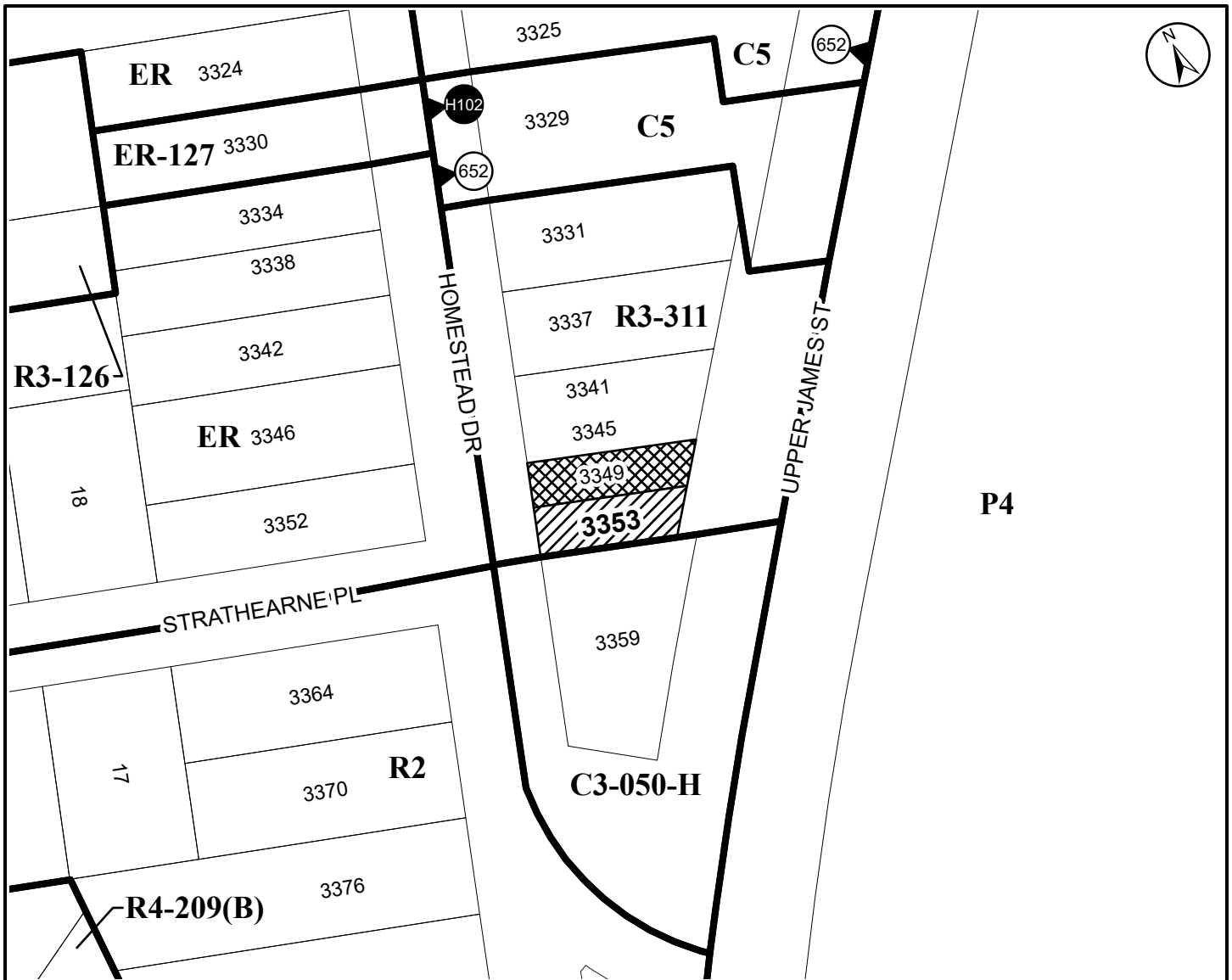
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Forestry:

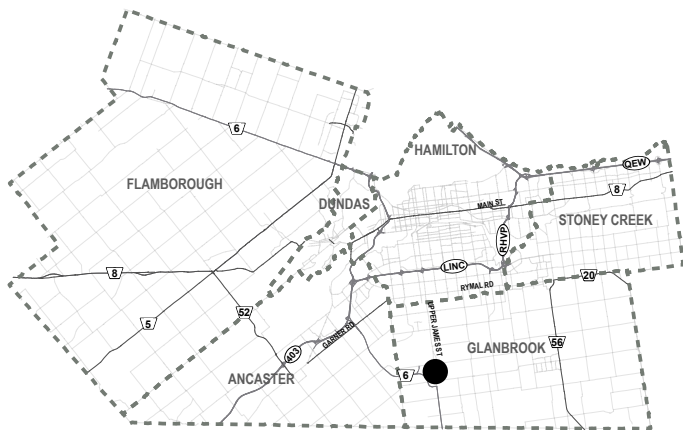
Recommendation:	Approve
Proposed Conditions:	None
Comments:	There are no Municipal Tree Assets on site. No public tree permit is required. No Landscape plan required. Forestry has no concerns or conditions regarding this application. For questions please contact: urbanforest@hamilton.ca
Proposed Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be conveyed (Lot 4) be assigned the address of 3341 Homestead Drive (Glanbrook) . The lands to be retained (Lot 3) will remain as 3345 Homestead Drive (Glanbrook) . The lands to be conveyed (Lot 2) will be assigned the address of 3349 Homestead Drive (Glanbrook) . The lands to be retained (Lot 1) will remain as 3353 Homestead Drive (Glanbrook) .
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

3353 Homestead Drive, Glanbrook (Ward 11)



Lands to be retained



Lands to be severed and conveyed

File Name/Number:
B-24:70

Date:
November 15, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton