



B-24:87 — 667 Highway 8, Stoney Creek

Recommendation:

Approve with Proposed Conditions — Development Planning

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. Fruitland Road is to be 36.576 metres from QEW to Highway 8. The existing right-of-way at the subject property is approximately ± 23 metres. Approximately ± 8.5 metres are to be dedicated to the right-of-way on Fruitland Road, as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications, , to the satisfaction and approval of the Manager, Transportation Planning.
 - 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.
 - b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements. <https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines/road-widening-dedication>.
 - c. All to the satisfaction and approval of the Manager, Transportation Planning.
4. Highway 8 (OPA 109) is to be 36.576 metres from Donn Avenue to East City Limits. The existing right-of-way at the subject property is approximately ± 30 metres. Approximately ± 3.5 metres are to be dedicated to the right-of-way on Highway 8, as per the Council Approved Urban d Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications.
 - 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.
 - b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements. <https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines/road-widening-dedication>.
 - c. All to the satisfaction and approval of the Manager, Transportation Planning.
5. 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).

6. 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).
7. 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.
8. That the lands to be severed are to be merged on title with the lands to the east, municipally known as 669 Highway No. 8, to the satisfaction of the Director of Development Planning.
9. That the lands to be retained are to be merged on title with the lands to the west, municipally known as 186 Fruitland Road, to the satisfaction of the Director of Development Planning.
10. The owner shall demolish the existing single-detached dwelling and the accessory building on the lands to be severed, subject to a demolition permit issued in the normal manner, to the satisfaction of the Director of Development Planning.
11. That the owner submits a Zoning Compliance Review to determine zoning conformity, if required receive approval of the appropriate Planning Act Application to obtain relief from any Zoning deficiencies required to implement the proposed Consent Application (B-24:87), to the satisfaction of the Director of Development Planning.

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. (Legislative Approvals)

“Acknowledgement Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario licensed archaeologist, may include the



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HEARING DATE: February 13, 2025

monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the 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).”
(Development Planning)



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Development Planning:

Background

The purpose of the application is to permit the conveyance of a parcel of land to be added to property known municipally as 669 Highway 8 for future development.

The lots are to be conveyed as follows:

	Frontage	Depth	Area
Severed Lands	27.32 m±	144.41 m±	3,949.2 m2 ±
Retained Lands	N/A m±	94.48 (Irregular) m±	8,004.3 m2 ±

Urban Hamilton Official Plan

The subject property is designated as “Neighbourhoods” on Schedule E1-Urban Land Use Designations in the Urban Hamilton Official Plan. Policy E.3.4.3 permits singles-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. Based on the forging, the land use designation permits the proposed uses. Please note that these severance are to consolidate land for a future *Planning Act* application.

The following policy applies to lot additions:

- “F.1.14.3.6 Minor lot line adjustments shall be permitted provided there is no increased fragmentation of a core area and the adjustments do not conflict with intent of the policies of this Plan.
- “F.1.14.3.2 Where a consent is required for the purposes of land assembly to implement a secondary plan or Neighbourhood Plan, Policy F.1.14.3.1c) shall not apply.”

There are no core areas located on the subject lands, so the proposed lot line adjustment does not further fragment a core area. Staff have completed an analysis of the proposed lot line adjustment against the policies of the Official Plan and are of the opinion that the proposed lot addition conforms to the policies of the Official Plan. The proposed lot line adjustment is required to facilitate future residential land development and conforms to Policy F.1.14.3.2. The proposed lots comply with the existing Secondary Plan and have frontage onto a public road (Highway 8) once merged with adjacent parcels. Staff defer to Development Engineering staff on any concerns related to site servicing.

Fruitland Winona Secondary Plan



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The subject lands are further designated Low Density Residential 2 & 3 on Map B.7.4-1 – Fruitland - Winona Secondary Plan – Land Use Plan. Policy B.7.1.1.2 a) of Volume 2 of the Urban Hamilton Official Plan states that “the permitted uses shall be single, semi detached and duplex dwellings”. Policy B.7.1.1.2 b) states that the density shall range from 1 to 29 units per net residential hectare for Low Density Residential 2 and 1 to 29 units per. The subject severance proposes only land consolidation for future development.

B.7.4.17.1 Prior to the submission of a development application, excluding severances and minor variances, for lands within the Fruitland-Winona Secondary Plan area, a Block Servicing Strategy shall be prepared, in accordance with the policies of Section 7.4.14 – Block Servicing Strategy of this Plan, and approved to the satisfaction of the City. No development application that creates new lots through the subdivision of land or consent or any Zoning By-law Amendment application shall be deemed complete unless it implements the Block Servicing Strategy or provides justification for changes to the Block Servicing Strategy to the satisfaction of the City.

As there is no new lot being created through the proposed severance and the severance facilitate land assembly, it can proceed prior to the Block 1 servicing strategy being completed and approved.

Natural Heritage:

The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP) and has been identified within the Fruitland Winona Secondary Plan (FWSP). Based on mapping within the UHOP (Volume 1-Schedules B, B-8; Volume 2-FWSP Natural Heritage System Map B.7.4-2), components of the City’s Natural Heritage System have been identified adjacent to Parcel 1. These components have been identified as a Core Area (Watercourse 5.0), vegetation protection zone, and linkage.

The subject property has been identified as part of the Block 1 Servicing Strategy Area (FWSP Block Servicing Area Delineation Map B.7.4-4). Since the FWSP area is characterized by flat topography, which requires specific grading and detailed servicing to service future development in a coordinated manner, a Block Servicing Strategy is required. At this time, a Block 1 Servicing Strategy is being prepared by a Landowner’s Group (City liaison-Margaret Fazio) and has not been approved. As per FWSP policy B.7.4.14.1 c), all development within the lands identified as the “Servicing Strategy Area” shall conform to the Block Servicing Strategy.

Based on the Plan that has been provided, Part 1 is to be retained and merged with 186 Fruitland Road. Since the natural heritage features are associated with this area, they will not be fragmented. There is no concern with severing the lands identified as Part 2 (667 Highway 8).

Archaeological:



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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 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;
- 2) In an area of sandy soil in areas of clay or stone; 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 4.6.2 of the Provincial Planning Statement apply to the subject application.

Cultural Heritage:

No comments.

Former City of Stoney Creek Zoning By-law No. 3692-92

The subject property is zoned RR (Rural Residential) in the Former City of Stoney Creek Zoning By-law No. 3692-92 and AS (Agricultural Specialty) in the Former City of Stoney Creek Zoning By-law No. 3692-92. The zone permits a variety of uses including Agricultural uses and a Single Detached Dwelling.

Analysis

Based on the above analysis, the proposed lot addition conforms to the policies of the Urban Hamilton Official Plan, subject to the recommended conditions. The consent application is to facilitate future residential land development in accordance with the Fruitland - Winona Secondary Plan.

Based on the forgoing analysis staff recommend the **approval** of the proposed lot addition as it conforms to the Urban Hamilton Official Plan, subject to conditions.

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	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).



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	<ol style="list-style-type: none"> 2. 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). 3. 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.
Comments:	<ol style="list-style-type: none"> 1. In order to clear conditions, the owner/applicant will be required to make an application for a Zoning Compliance Review and pay the relevant fees. 2. Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority. Please contact (905) 525-2181 or nature@conservationhamilton.ca prior to any development. 3. Please be advised that Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. Please be advised that City of Hamilton is currently conducting a Municipal Class Environmental Assessment for Highway 8 between Dewitt Road to Fifty Road. The project’s timeline to completion is anticipated to be Q4 of 2025. 2. The tentatively proposed changes to Highway 8 include a future road widening to 36.576m Right-of-Way with 2-lanes in each direction, a center-turn lane, active transportation on both sides, and tree planting, which will impact your property. 3. The future road widening is consistent with the City of Hamilton’s Urban Hamilton Official Plan (UHOP) (completed in 2013) that



	<p>designated Highway 8, between Donn Avenue and East City Limits, to be widened to 36.576m.</p> <p>4. For additional information about the project, please visit https://www.hamilton.ca/highway-8-dewitt-road-fifty-road#public-consultation</p>
Notes:	

Building Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	<p>2. Fruitland Road is to be 36.576 metres from QEW to Highway 8. The existing right-of-way at the subject property is approximately ±23 metres. Approximately ±8.5 metres are to be dedicated to the right-of-way on Fruitland Road, as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications, , to the satisfaction and approval of the Manager, Transportation Planning. 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. b. The Applicant’s surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements. https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines/road-widening-dedication. c. All to the satisfaction and approval of the Manager, Transportation Planning.</p> <p>3. Highway 8 (OPA 109) is to be 36.576 metres from Donn Avenue to East City Limits. The existing right-of-way at the subject property is approximately ±30 metres. Approximately ±3.5 metres are to be dedicated to the right-of-way on Highway 8, as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications. 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. b. The Applicant’s surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements. https://www.hamilton.ca/build-invest-grow/planning-development/planning-</p>



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	policies-guidelines/road-widening-dedication. c. All to the satisfaction and approval of the Manager, Transportation Planning.
Comments:	
Notes:	

Urban 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>
Notes:	

Corporate Real Estate:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Proposed Park and Open Place located on 669 Highway 8, Environmental Services should be engaged for comments
Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	<p>The lands to be retained (Part 1) will be assigned the address of 186 Fruitland Road (Stoney Creek) due to a proposed merger with the existing lands as per the submitted land severance plan.</p> <p>The lands to be conveyed (Part 2) will be assigned the address of 669 Highway No. 8 (Stoney Creek).</p> <p>The municipal address of 667 Highway No. 8 (Stoney Creek) will be retired.</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.



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STAFF COMMENTS

HEARING DATE: February 13, 2025

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

B-24:87-667 Highway 8-HCA Comments

From Laura Warner <lwarner@conservationhamilton.ca>

Date Wed 2/5/2025 11:48 AM

To Committee of adjustment <cofa@hamilton.ca>

External Email: Use caution with links and attachments

Good morning,

Thank you for circulating the Hamilton Conservation Authority (HCA) with the Consent application B-24:87 for the lands located at 667 Highway 8 in Stoney Creek. HCA staff have reviewed the information provided in accordance with HCA's plan review and regulatory responsibilities under the Conservation Authorities Act and provide the following comments:

The subject lands are partially regulated by HCA pursuant to the Conservation Authorities Act and Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) due to the flooding hazards associated with the Stoney Creek Numbered Watercourse 5.0, which is located on the adjacent lands.

HCA staff understand the consent application has been requested to permit the conveyance of a parcel of land to be added to property known municipally as 669 Highway 8. Since no new lots are being created and no development is proposed through with this application, HCA staff have no objection to this application. Future development proposed on the subject lands will need to address HCA planning and regulatory policies.

Please contact the undersigned if there are any questions regarding the provided comments.

There will be no fee for HCA's review of this application.

Kind regards,
Laura

Laura Warner

Senior Planner

Watershed Management Services

Hamilton Conservation Authority

838 Mineral Springs Road, P.O. Box 81067

Ancaster, ON L9G 4X1

Phone: 905-525-2181 Ext. 132

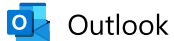
Email: lwarner@conservationhamilton.ca

Website: www.conservationhamilton.ca



A Healthy Watershed for Everyone

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Hamilton - 667 Highway 8 - B-24:87

From LANDUSEPLANNING <LandUsePlanning@HydroOne.com>

Date Wed 2/5/2025 10:48 AM

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-24:87 dated 2025-01-27. We have reviewed the documents concerning the noted Plan 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' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

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 the address in question by entering the address or by zooming in and out of the map.

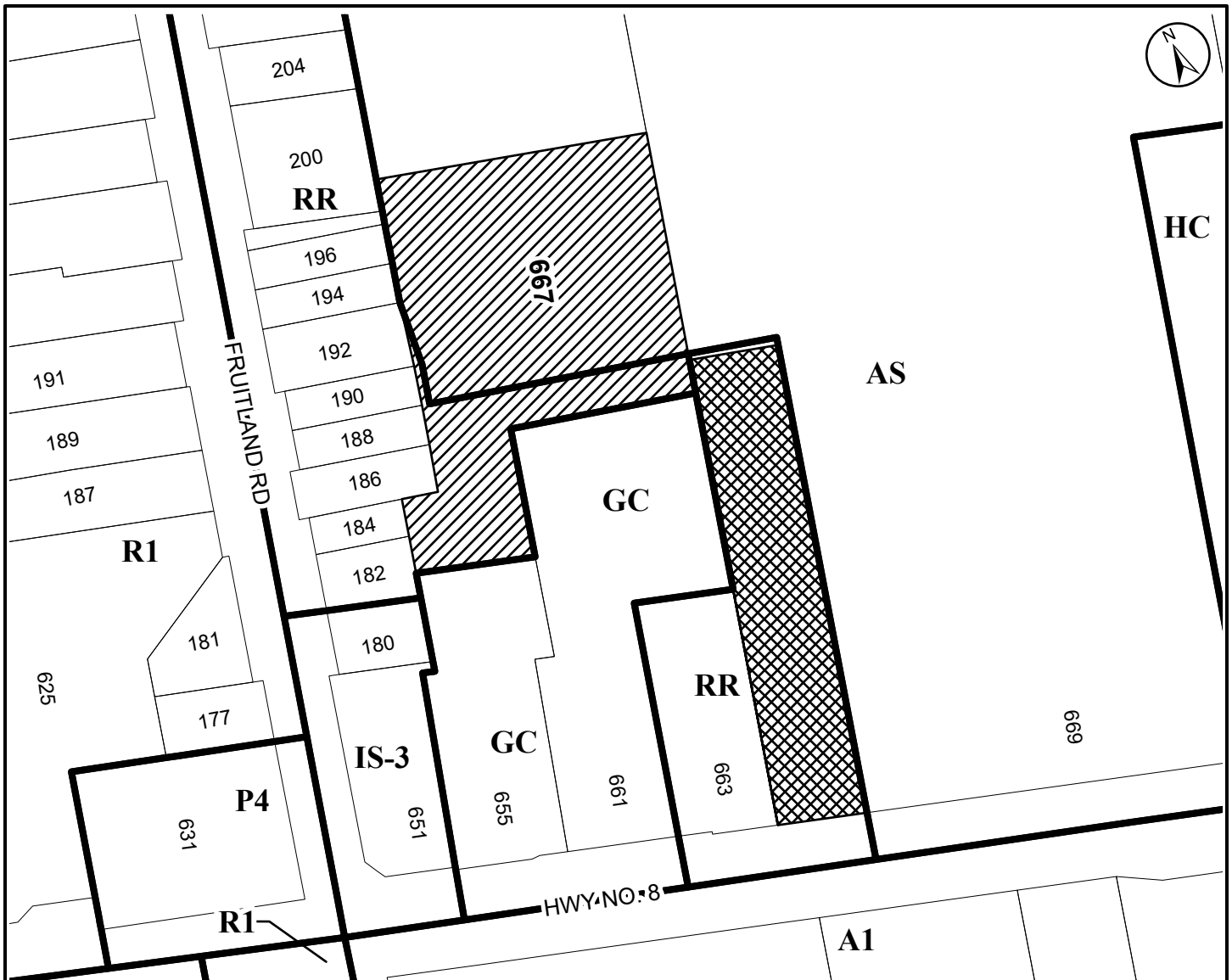
The screenshot shows the Hydro One Stormcentre web application interface. At the top right is the Hydro One logo. Below it is a navigation bar with 'MENU', 'HELP', and 'SEARCH' icons. A legend titled 'Customers Affected:' includes color-coded markers for customer counts: red diamond for '>5000', orange house for '501-5000', green house for '51-500', blue house for '21-50', purple house for '<=20', and a multi-colored house for 'Multiple'. It also includes a black person icon for 'Crew' and a green line for 'Service Area'. The map displays the Hamilton region, including Lake Ontario and Lake Huron, with various service areas shaded in green and marked with colored icons. Major cities like Toronto, Mississauga, Hamilton, and Kingston are labeled. The bottom of the map shows Google Maps data and a scale bar.

If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

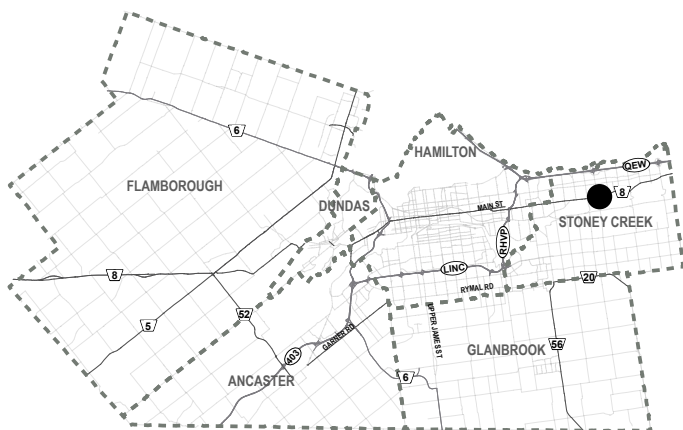
If you have any questions please feel free to contact myself.

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

667 Highway 8, Stoney Creek (Ward 10)

- Lands to be retained
- Lands to be severed

File Name/Number:
B-24:87

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



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