



Hamilton

STAFF COMMENTS

HEARING DATE: March 27, 2025

B-25:011 — 22 East 22nd Street, Hamilton

Recommendation:

Approve with 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. 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. 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**).
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. That the owner apply for a Zoning Compliance Review on the retained lands, and obtain approval of the appropriate Planning Act application should it be determined that the newly proposed lot configuration creates any Zoning deficiencies, to the satisfaction of the Director of Development Planning.



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8. That the lands to the severed (Part 1) be merged on title with the lands adjacent to the west, being Lot 121 on Registered Plan 474 and municipally known as 24 East 22nd Street, to the satisfaction of the Director of Development Planning.

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. (Building Engineering)

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)



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Development Planning:

Background

The purpose of the application is for the conveyance of a parcel of land to be added to a property known as 24 East 22nd Street, Hamilton.

The proposed lots are to be conveyed as follows:

	Frontage	Depth	Area
SEVEERED LANDS:	0.10 m±	36.58 m±	3.7 m2 ±
RETAINED LANDS:	7.52 m±	36.58 m±	275.1 m2 ±

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 a) permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. The subject property is not identified as being located in a secondary plan area found in Volume 2 of the Urban Hamilton Official Plan. Additionally, the lands are not identified as being within a council approved Neighbourhood Plan. Based on the forgoing policies, single detached dwellings are permitted.

The following policy applies to minor lot line adjustments:

“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.”

The subject lands do not appear to be located within or adjacent to a Core Area as identified on Schedule B of the Urban Hamilton Official Plan. As such the proposed lot addition does not appear to generate increased fragmentation of a core area. Staff have completed an analysis of the proposed lot line adjustment against the policies of the Urban Hamilton Official Plan and are of the opinion that the proposed lot addition does not conflict with the intent of the policies of the Plan. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The proposed lot line adjustment is to provide access to facilitate future development of a rear Detached Additional Dwelling Unit. Staff have no concerns with the proposed lot line adjustment as the resulting lots are inline with the existing parcel fabric and the existing dwellings are to remain.

Archaeology



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No Comments

Cultural Heritage

No Comments.

City of Hamilton Zoning By-law 05-200

Both the severed and retained lots are zoned “R1” (Low Density Residential) in City of Hamilton Zoning By-law No. 05-200.

Staff recognize that variances are required to facilitate this consent application, as such staff request that a condition be included to require a Zoning Compliance Review and a Minor Variance.

Analysis

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 into the existing neighbourhood 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, subject to conditions.

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	<ol style="list-style-type: none"> <li data-bbox="493 1339 1513 1654">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). <li data-bbox="493 1696 1513 1822">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).



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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 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:	No Comments
Proposed Conditions:	
Comments:	
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
Proposed Conditions:	
Comments:	
Notes:	

Forestry:

Recommendation:	Approve
Proposed Conditions:	No conditions required.
Comments:	There are no public tree assets impacted by the proposed conveyance.
Notes:	

Legislative Approvals:



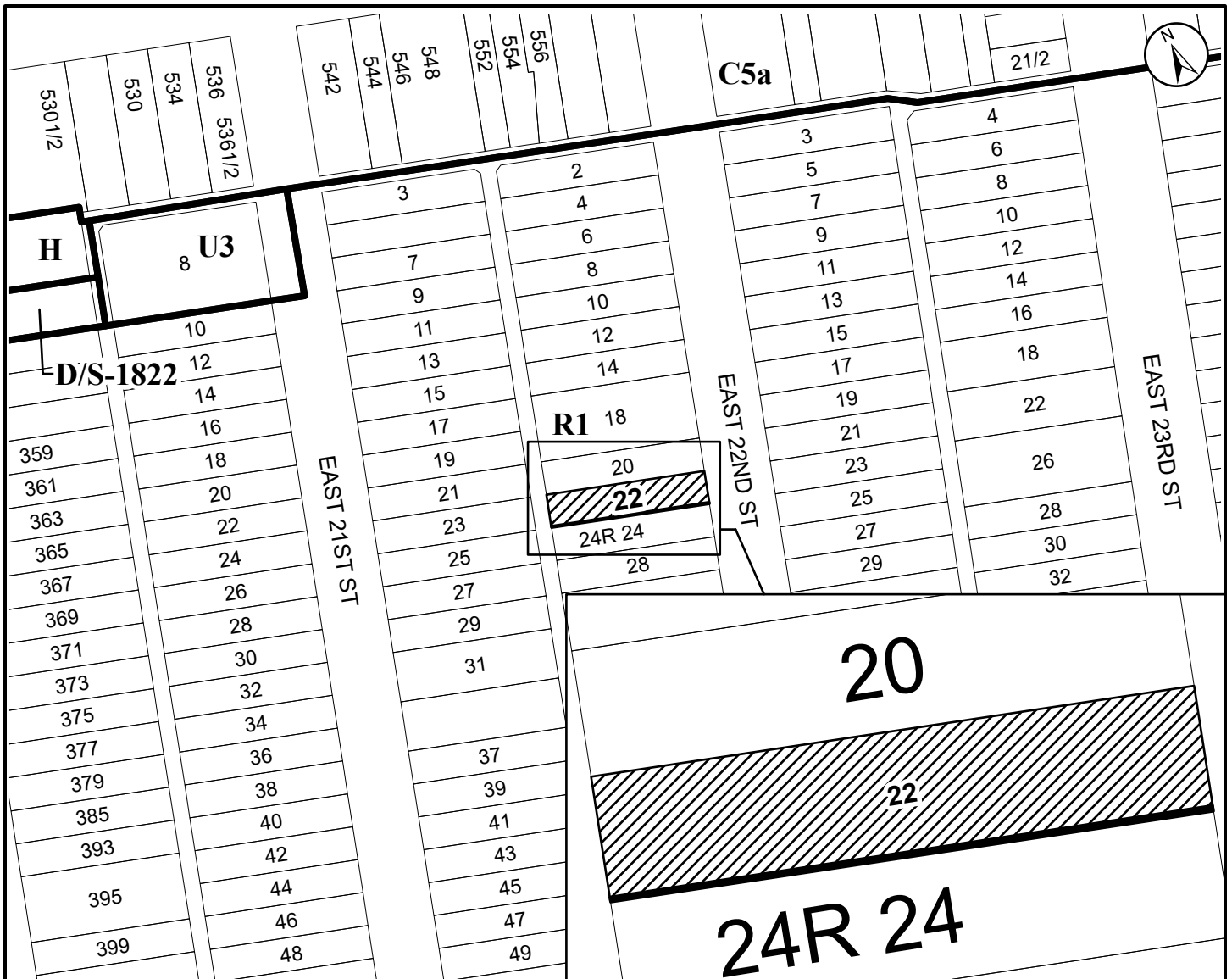
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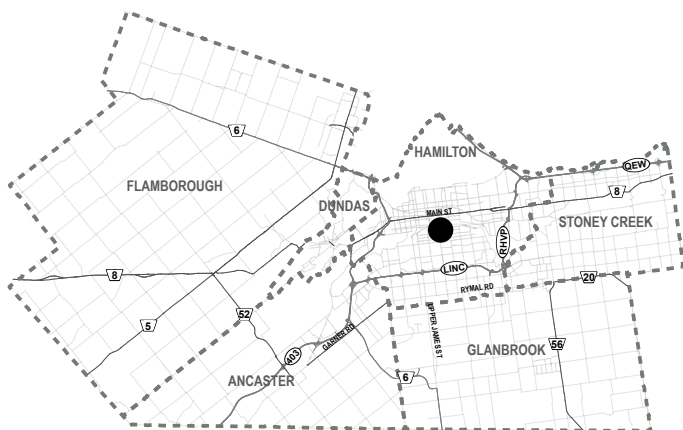
HEARING DATE: March 27, 2025

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

22 East 22nd Street, Hamilton (Ward 7)

- Lands to be retained
- Lands to be severed

File Name/Number:
B-25:011

Date:
March 18, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"

