

B-25:048 — 9754 Twenty Road West, Glanbrook

Recommendation:

Table. — 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. 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 Development Planning. 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 Development Planning.
5. That the owner submits and receives approval of an Environmental Impact Statement, to the satisfaction of the Manager of Heritage and Urban Design. The Environmental Impact Statement is to be prepared in accordance to the City's Council adopted Environmental Impact Statement Guidelines (revised March 2015). (Natural Heritage)
6. That the owner submits and receives approval of a Tree Protection Plan including the review fee as part of 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). (Natural Heritage)



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7. 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. (Natural Heritage)
8. 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**).
9. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, along with the current administrative fee (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/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.
10. That the Owner submits a cash payment to the City for the future urbanization of Twenty Road West based on the "New Roads Servicing Rates" and the frontage if the property satisfaction of the City's Director of Development Engineering.
11. The Owner shall pay any outstanding servicing charges for the existing municipal services on Twenty Road West, adjacent to the subject lands, to the satisfaction of the Director of Development Engineering.

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 Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

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)

There are an existing 250mm sanitary sewer and 300mm watermain within the Twenty Road West adjacent to the property. (Development Engineering)

Development Planning:

Background

The purpose of the application is to permit the conveyance of a parcel of land to create a new residential building lot. The severed lands will contain a proposed single detached dwelling, and the retained lands will contain the existing single detached dwelling (under construction).

The lots are to be conveyed as follows:

	Frontage	Depth	Area
SEVERED LANDS (LANDS TO BE SEVERED):	20.12 m±	60.96 m±	1225.7 m2±
RETAINED LANDS (LANDS TO BE RETAINED):	22.55 m±	60.96 m±	1374 m2±

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations 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 permits single-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. Based on the above Volume 1 policies the subject property permits the existing and proposed Single Detached Dwellings.

North-West Glanbrook Secondary Plan

The subject property is further designated “Low Density Residential 2” on Map B.5.3-1 – North-West Glanbrook Secondary Plan – Land Use Plan. In accordance with Policy B.1.5 a), Policy E.3.4.3 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. Based on the forgoing the proposed severance for both the retained and the severed lots complies with the North-West Glanbrook Secondary Plan.

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



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Policy B.3.6.3.7 addresses impacts related to road traffic noise and vibration. Twenty Road West is identified as a minor arterial road in Schedule C – Functional Road Classification. The requirement for a noise study is for lands within 100 metres of a minor arterial road. The severed lands will have frontage along Twenty Road West, based on the forgoing staff recommend the inclusion of a noise study to be completed to the satisfaction of the Director of Development Planning.

The following Official Plan 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:
- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
 - b) The lots comply with existing Neighbourhood Plans;
 - c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
 - d) 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;
 - e) The lots are fully serviced by municipal water and wastewater systems; and,
 - f) 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 are designated “Low Density Residential 2” within the North-West Glanbrook Secondary Plan area and comply with the applicable policies. The subject property is not located within a Neighbourhood Plan area. The proposed lots appear to generally be zoning compliant with respect to lot area and lot width. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lot. Further staff defer to Zoning staff to determine if a condition for a demolition permit would be necessary should there be any accessory structures that straddle the proposed lot line and generate zoning nonconformities. The proposed lots have frontage on a public road (Twenty Road West). Planning staff defer to Development Engineering staff on any concerns related to servicing, with respect to F.1.14.3.1 e). Accordingly, the proposed severance complies with the Urban Hamilton Official Plan, subject to the conditions identified.

Natural Heritage



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The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP) and has been identified within the North-West Glanbrook Secondary Plan. Based on mapping within the UHOP (Volume 1-Schedule B Natural Heritage System), a Core Area has been identified adjacent to the subject property. In this case, the Core Area has been identified as a watercourse. The watercourse is also regulated by the Niagara Peninsula Conservation Authority (NPCA).

Based on policies within the UHOP (Volume 1 policy C.2.3), Core Areas are to be preserved and enhanced. In addition, any development or site alteration within or adjacent to them shall not negatively impact their natural features or their ecological functions. At this time, it is unclear if the watercourse is existing. It is recommended that the application be tabled to complete a site visit to determine if an Environmental Impact Statement (EIS) is required.

Based on aerial photograph interpretation, trees have been identified within and adjacent to the subject property. The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees (policy C.2.11.1). Further, through the Council adopted Urban Forestry Strategy, a canopy target of 40 percent by 2050 within the urban area has been identified. The maintenance of existing trees assists in achieving this goal. Based on the proposal, trees within the property may be impacted. If these trees are to be removed, the City requires 1 for 1 compensation to be provided in order to ensure that existing tree cover is maintained.

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 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 4 (P001-489-2008) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province signed off on the reports for compliance with licensing requirements in a letter dated September 25, 2008. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage

No Comments.

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

The subject property is zoned as Low Density Residential - Large Lot (R2) Zone in Zoning By-law No. 05- 200. The zone permits the existing and proposed Single Detached Dwellings subject to criteria.

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. Development Planning staff are of the opinion that the lots are well integrated within the existing neighbourhood and represent a compatible form of residential intensification in keeping with the existing neighbourhood character and streetscape. However, based on comments provided by Natural Heritage Planning staff, the lands are identified as being adjacent to a Core Area and an Environmental Impact Statement may be required upon completion of a site visit to confirm if there any adverse impacts.

Based on the forgoing analysis, staff recommend that the **application for consent be tabled** in order to conduct a site visit and identify impacts to existing natural heritage features prior to staff providing a recommendation.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>1. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit.</p> <p>2. Any future development shall be subject to the current zone regulations of this property.</p> <p>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.</p>
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
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STAFF COMMENTS

HEARING DATE: August 14, 2025

Proposed Conditions:	<p>1. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, along with the current administrative fee (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/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.</p> <p>2. That the Owner submits a cash payment to the City for the future urbanization of Twenty Road West based on the "New Roads Servicing Rates" and the frontage if the property satisfaction of the City's Director of Development Engineering.</p> <p>3. The Owner shall pay any outstanding servicing charges for the existing municipal services on Twenty Road West, adjacent to the subject lands, to the satisfaction of the Director of Development Engineering.</p>
Comments:	<p>Twenty Road West has a rural cross section adjacent to the property. Therefore, the owner should provide a cash payment for the future urbanization of the street as a condition of approval.</p> <p>The existing sanitary sewer adjacent to the subject lands has been constructed as part if development works by others.</p> <p>Therefore, the property may be subject to "Best Effort" obligation by the City to recover the servicing costs for installation of the existing municipal sewer.</p>
Notes:	<p>There are an existing 250mm sanitary sewer and 300mm watermain within the Twenty Road West adjacent to the property.</p>

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	<p>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).</p>
Comments:	



Hamilton

STAFF COMMENTS

HEARING DATE: August 14, 2025

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

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained will remain as 9754 Twenty Road (Glanbrook) . The lands to be conveyed will be assigned the address of 9746 Twenty Road (Glanbrook) .
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 Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

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

From: Kyle Riley <kriley@npca.ca>
Sent: Wednesday, August 6, 2025 1:37 PM
To: Committee of adjustment
Subject: Re: August 14, 2025 Committee of Adjustment Agenda Available

External Email: Use caution with links and attachments

Hello,

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject matter forming Hamilton's August 14, 2025, Committee of Adjustments Agenda, and offers the following comments.

7290 Airport Road East **A:25:145-**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9754 Twenty Road West -

The Applicants propose a severance of the east portion of this lot to accommodate the development of a two-storey single-detached residence. An existing two-storey single detached residence will be retained on the western lot.

There is a small section of a watercourses' 15m regulation distance located on the northwest of the retained address.

The NPCA offers No Objections as the proposed Severance would not cause fragmentation of NPCA-regulated features. The created lot is outside the regulation distance of all NPCA-regulated features in this area.

There are no NPCA Planning or Permitting fees required to facilitate the development of this Application.

3392 Homestead Drive -

[REDACTED]

[REDACTED]

[REDACTED]

474 Provident Way -

[REDACTED]

[REDACTED]

[REDACTED]

38 Freedom Crescent -

[REDACTED]

[REDACTED]

[REDACTED]

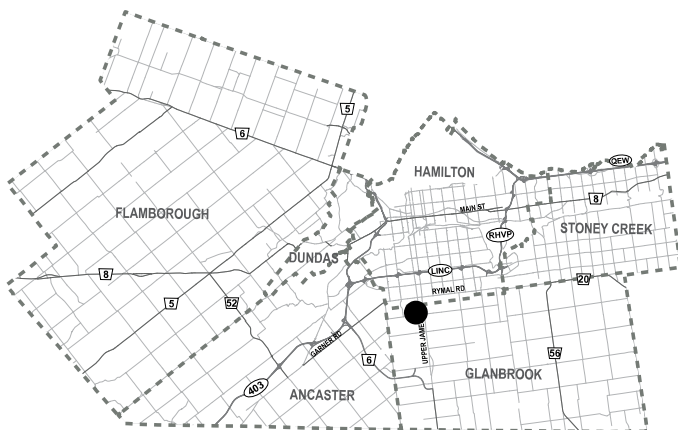
We thank you kindly for circulating this Application to our Offices for comments.

Should you have any questions please contact the undersigned.

Best regards,



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

9754 Twenty Road West, Glanbrook (Ward 11)



Lands to be Retained



Lands to be Severed

File Name/Number:

B-25:048

Date:

July 23, 2025

Technician:

AL

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department