

**SUMMARY OF POLICY REVIEW**

The following policies, amongst others, apply to the proposal.

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification in the Neighbourhoods Designation</b></p> <p>Policy B.2.4.2.2</p>	<p>Residential intensification development within the “Neighbourhoods” designation shall consider matters such as, but not limited to, compatibility with adjacent land uses, relationship with nearby buildings and lot patterns, transitions in height/density, provision for amenity space, complement existing neighbourhood functions and infrastructure and transportation capacity and impacts.</p>	<p>The proposal complements the existing planned function of the “Neighbourhoods” designation by intensifying an underutilized lot located along an arterial road in proximity to major transit routes.</p> <p>In order to ensure compatibility with the surrounding land uses, staff recommends the proposal maintain a 45-degree angular plane above the 10<sup>th</sup> storey (measured at 11 metres above grade) along the westerly building façade. The staff recommended modifications, as shown on Appendix “B” to Report PED23207, maintains appropriate building height transitions through progressive step backs from the westerly lot line as the height of the building increases to establish a compatible integration and to ensure overlook and privacy and shadow impacts are mitigated in relation to the adjacent single detached dwellings to the west fronting onto Ipswich Place.</p> <p>The Transportation Impact Study prepared by Nextrans Consulting Engineers dated April 3, 2023, concludes that the proposed development can adequately be accommodated by the existing transportation network, and existing Hamilton Transit service.</p>

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<p><b>Residential Intensification in the Neighbourhoods Designation (Continued)</b></p> <p>Policy B.2.4.2.2</p>		<p>Furthermore, the provision of parking is considered adequate for the proposal and a Holding Provision is recommended in the proposed zoning to ensure any shared parking agreements between the proposal and adjacent properties are registered on title.</p> <p>The proposal provides 5,669 square metres of amenity area which exceeds the by-law minimum and considers connections of adjacent lands.</p>
<p><b>Urban Design Principles</b></p> <p>Policy B.3.3.2.3</p>	<p>Urban design should foster a sense of community pride and identity by respecting existing character, promoting quality design consistent with the surrounding environment, streetscapes and recognize the cultural history of the City’s communities by conserving existing built heritage features, protecting prominent views/sites and incorporation of public art into design.</p>	<p>The Applicant submitted a Planning and Urban Design Rationale prepared by Bousfields Inc. dated April 2023 in support of this application.</p> <p>Staff are of the opinion that the proposal, as revised by staff’s modifications, is an appropriate built form and is compatible with the surrounding context by incorporating adequate transition in building massing to reduce the built form impacts onto adjacent properties (i.e. shadow and overlook). The proposal intends to enhance the public realm on Lawrence Road by developing an underutilized surface parking lot, and is therefore in keeping with the urban design principles set out in the Urban Hamilton Official Plan and City’s Site Plan Guidelines.</p>
<p><b>Tree and Woodland Protection</b></p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>A Tree Preservation Plan prepared by Adesso Design Inc. dated April 5, 2023 was submitted in support of this application. The Tree Preservation Plan inventoried a total of 32 trees (30 private and two municipal) on the subject lands and the adjacent property. The Tree Preservation Plan proposed to retain 10 trees and remove 22 trees (inclusive of two municipal trees) located on the subject lands.</p>

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<p><b>Tree and Woodland Protection (Continued)</b></p> <p>Policy C.2.11.1</p>		<p>The species of the trees proposed to be removed include Pin Cherry (one tree), Manitoba Maple (three trees), White Spruce (three trees), European Ash (four trees), Siberian Elm (five trees), Littleleaf Linden (one tree), Hedge Maple (one tree), Silver Maple (one tree), Norway Maple (one tree) and Red Oak (two trees).</p> <p>A Landscape Concept prepared by Adesso Design Inc. dated April 5, 2023 proposes a row of private deciduous trees to be planted along the westerly property line and shade tolerant private plantings along Lawrence Road. A total of 35 trees are proposed to be planted.</p> <p>Staff are not satisfied with the Applicant’s submitted Tree Protection Plan. The Applicant shall make effort to protect the existing Siberian Elm trees (locally rare species) located along the eastern boundary adjacent to the hydro transmission corridor. A Holding Provision is recommended to require a revised Tree Protection Plan in effort to conserve any existing rare tree species.</p> <p>All other trees identified for removal to facilitate the proposal shall provide a 1:1 tree compensation as set out in the City’s Tree Protection Guidelines (2010). Submission and staff approval of a revised Tree Protection Plan by the Applicant shall facilitate lifting of the Holding Provision, which may occur at the Site Plan Control stage.</p>

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<p><b>Noise, Vibration and Other Emissions</b></p> <p>Policy B.3.6.3.2 and B.3.6.3.7</p>	<p>New noise sensitive land uses in proximity to minor or major arterial roads shall comply with all applicable provincial and municipal noise guidelines and standards. New noise sensitive land uses within 100 metres of a minor arterial road shall be required to submit a noise feasibility study to demonstrate compliance.</p>	<p>The subject lands are adjacent to Lawrence Road and King Street East, which are both identified as “Minor Arterial” on Schedule “C” – Functional Road Classification in the Urban Hamilton Official Plan.</p> <p>A Noise Impact Study prepared by SLR Consulting (Canada) Ltd. dated April 6, 2023, identified that the provision for central air conditioning is recommended for all dwelling units, upgraded windows/doors built to sound transmission (STC) requirements, and warning clauses for road traffic and potential railway noise sources are incorporated into the future purchase and sale, lease or rental agreements.</p> <p>Staff are satisfied with the findings of the noise study, subject to the recommended noise mitigation measures. Submission of a detailed noise study will be required under the future Site Plan Control application.</p>
<p><b>Infrastructure</b></p> <p>Policy C.5.3.6</p>	<p>All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p>	<p>The subject lands are connected to municipal water and wastewater infrastructure. A Holding Provision is recommended under the amending Zoning By-law to require a Watermain Hydraulic Analysis to demonstrate the proposal has adequate capacity within the existing municipal infrastructure and the proposed development will not negatively impact the surrounding pressure district. This includes a potential requirement for an External Works Agreement between the Owner and the City for any infrastructure improvements necessary to service the proposal.</p>

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<p><b>Neighbourhoods Designation</b></p> <p>Policy E.3.2.1 E.3.2.3 and E.3.2.4</p>	<p>The existing character of “Neighbourhoods” designated areas shall be maintained and be compatible with the scale and character of existing residential areas. “Neighbourhoods” shall function as complete communities to include a full range of dwelling types and densities for purposes of servicing local residents.</p>	<p>The proposal contributes to the functions of a complete community by providing opportunities for a full range of dwelling types, tenures and densities that is in character with the surrounding land uses comprised of low density residential, higher density residential and local commercial uses. The proposal provides a compact built form with intended benefits to future residents by being in proximity to commercial amenities, transit routes and public open spaces.</p>
<p><b>High Density Residential</b></p> <p>Policy E.3.6.1, E.3.6.2 and E.3.6.4</p>	<p>High density residential uses are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterials roads and shall be located within safe and convenient walking distance of existing and planned community facilities/services, public transit and recreational facilities.</p>	<p>The proposal is located along a minor arterial road on the periphery of the Bartonville neighbourhood with convenient walking distance to existing community facilities, public transit and commercial uses.</p> <p>Staff are satisfied that the subject lands are a suitable location for higher density residential uses.</p>
<p><b>High Density Residential (Continued)</b></p> <p>Policy E.3.6.7</p>	<p>Multiple dwellings greater than 12 storeys shall not be generally permitted adjacent to low density residential uses. A separation distance (i.e., intervening land use) shall be required and where separation distances cannot be achieved transitional features (i.e. effective screening and/or design features/transitions, etc.) shall be incorporated into the design to mitigate adverse impacts on adjacent low profile residential uses.</p>	<p>The existing lot configuration and development setbacks required from the existing hydro transmission corridor hinders the proposal from achieving a separation distance or intervening medium density residential use. The proposal, as submitted, encroaches into the 45 degree angular plane at higher building heights. Staff have recommended modifications to building height to incorporate a 45 degree angular plane (measured from 11 metres at the western property line) using progressive step backs above the 10<sup>th</sup> storey in order to meet the intent of policy E.3.6.7 b), as shown on Appendix “B” attached to Report PED23207.</p> <p>Staff are satisfied that the proposal provides a sufficient mix of small to large unit sizes to accommodate a range of household sizes and income levels. Approximately 34% (92 units) of the total 272 dwelling units are proposed as one bedroom and studio units, 55% are two bedroom units (149 units) and 11% are three bedroom units (31 units).</p>

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<p><b>High Density Residential (Continued)</b></p> <p>Policy E.3.6.7</p>	<p>Development of high density residential uses shall be compatible with uses in the surrounding area in terms of heights, massing and building arrangement, and shall provide adequate landscaping, minimize pedestrian conflicts, limit shadow/public view impacts, incorporate sustainable building/site design principles and include a mix of dwelling unit sizes.</p>	<p>The proposal intends to incorporate sustainable building and site design principles that include: native and drought tolerate landscaping, indoor bicycle storage areas, two levels of underground parking, a third storey green roof, the consideration of Low Impact Development features, the addition of Energy Recovery Ventilators to reduce the energy used for space heating in the dwelling units, the use of high thermal efficiency natural gas-fired hot water boilers and water source heat pumps for heating and cooling, low-flow fixtures and improved wall insulation. Further details of sustainable building and design features will be addressed at the Site Plan Control Stage.</p> <p>The Sun Shadow Study prepared by RAW Design Inc. dated March 14, 2023 demonstrates the proposal is designed to minimize shadow on adjacent residential uses at the spring and fall equinoxes (March 21 and September 21).</p> <p>The sun shadow study concluded the proposal maintains a minimum of three hours of sun coverage on public sidewalks and public and private outdoor amenity areas and allows for a minimum of 50% sun coverage at all times of day on public spaces as per the City’s Sun Shadow Guidelines.</p>