

SUMMARY OF POLICY REVIEW

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

Urban Hamilton Official Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
Neighbourhoods Policy: E.2.7.2 and E.2.7.4	Neighbourhoods shall primarily consist of residential uses and shall permit a full range of housing forms.	The proposed development is a residential use in a townhouse form. Therefore, the proposal complies with these policies.
Neighbourhoods Designation – Function Policy: E.3.2.1	Areas designated “Neighbourhoods” shall include a full range of residential dwelling types and densities.	The proposed development is a residential use in a townhouse form. The proposal complies with this policy.
Infrastructure Policy: C.5.3.6	All redevelopment within the urban area shall be connected to the City’s water and wastewater system.	Development Engineering provided Condition Nos. 1 to 12 of Appendix “C” attached to Report PED23233. The proposal complies with this policy.
Noise Policy: B.3.6.3.1	Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.	The subject lands are adjacent to Mud Street which is identified as a major arterial road and First Road West which is identified as a collector road on Schedule C – Functional Road Classification in the Urban Hamilton Official Plan.

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<p>Noise (Continued)</p> <p>Policy: B.3.6.3.1</p>		<p>A Noise Study, prepared by HGC Engineering, dated March 30, 2020 and an Addendum Letter, dated July 5, 2021 were submitted in support of the previous Zoning By-law Amendment application. The study reviewed the acoustic requirements for the proposed development with respect to acoustic noise from vehicular traffic along First Road West and Mud Street East. Based on the results of the Study, a noise barrier will be required along the rear yards of the units facing Mud Street West and a noise barrier will be required along the rear yards of the units facing the Stormwater Management Pond to the east. A noise barrier wall and warning clauses have been included as Conditions Nos. 14 and 17 of Appendix “C” attached to Report PED23233, respectively.</p> <p>The proposal complies with this policy.</p>
<p>Tree Management</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>There are trees present on the subject lands, therefore a Tree Protection Plan is required. A Landscape Plan is required for all areas not covered by buildings, structures, loading areas, or parking areas. These matters are being addressed through Site Plan Control application DA-22-097. A Tree Protection Plan, Landscape Plan, and cash payment have been included as Condition Nos. 13, 15 and 16 of Appendix “C” attached to Report PED23233.</p> <p>The proposal complies with this policy.</p>
<p>Archaeology</p> <p>Policy B.3.4.4.3</p>	<p>In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for the following planning matters under the Planning Act, R.S.O., 1990 c. P.13.</p>	<p>The subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. The applicant prepared an archaeological assessment which examined the archaeological potential of the site to the satisfaction of the Ministry.</p>

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Archaeology (Continued) Policy B.3.4.4.3		Staff received a copy of the letter from the Ministry dated September 4, 2019 confirming that archaeological matters have been addressed. Staff are of the opinion that the municipal interest in the archaeology of this site has been satisfied. The proposal complies with this policy.
Road Right-of-Way Dedication Policy: C.4.5.2	The basic maximum right-of-way widths for urban collector roads shall be 30.480 metres in designated Employment Areas and 26.213 metres in all other areas, unless specifically described otherwise in Schedule C2 – Future Right-of-Way Dedications.	Transportation Planning provided Condition No. 22 of Appendix “C” attached to Report PED23233. The proposal complies with this policy.
Daylighting Triangles Policy: C.4.5.7	The City shall require the conveyance of property for appropriate daylighting triangles and corner rounding on existing roads at such times as the property is to be developed or redeveloped, as a condition of site plan approval, consent, or plan of subdivision approval, in accordance with City standards based on the intersecting roadways. Arterial to collector or arterial (Urban): 12.19 m x 12.19 m triangle.	Transportation Planning provided Condition No. 23 of Appendix “C” attached to Report PED23233. The proposal complies with this policy.

West Mountain Area (Heritage Green) Secondary Plan		
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Low Density Residential 3c Policy: B.7.6.2.2 b)	The permitted uses shall include townhouse dwellings and low rise apartments and the density shall be approximately 30 to 49 units per net residential hectare.	The proposal is for the development of 25 townhouse dwelling units, which is a permitted use. The proposed development will have a density of 45 units per net residential hectare. The proposal complies with this policy.

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<p>Landfill Site</p> <p>Policy: B.7.6.1.3</p>	<p>Proponents of development proposals for residential and other sensitive land uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site shall be required to submit studies demonstrating there are no adverse effects on the development or that the effects can be mitigated. These studies may include, but not be limited to, ground and surface water, leachate migrating onto the subject lands, traffic, air quality, noise, soil contamination and hazardous waste and landfill generated gases, subject to the requirements of the City.</p>	<p>A Landfill Impact Assessment was prepared by Ortech Environmental (Ortech), dated April 6, 2020 and peer reviewed by Golder Associates Ltd (Golder), was required as part of the Zoning By-law Amendment application. Golder required updates to the original Assessment and a revised Landfill Impact Assessment, dated July 21, 2021 was received and reviewed. The Landfill Impact Assessment reviewed the requirements of the Ministry of Environment, Conservation and Parks (MECP) D4 - Land Use on or Near Landfills and Dumps Guidelines in relation to the adjacent TerraPure Landfill.</p> <p>Condition No. 18 of Appendix “C” attached to Report PED23233 has been included to ensure that the appropriate warning clauses be included into any offer of Purchase and Sale Agreement or Lease Agreement to advise prospective buyers of the potential noise and odour nuisances associated with the adjacent landfill.</p> <p>The subject lands are currently zoned Multiple Residential “RM3-70(H)” Zone, Modified, Holding in Stoney Creek Zoning By-law No. 3692-92. The Holding Provision requires that the development demonstrate how it will incorporate adequate methane mitigation measures related to the Terrapure Environmental Stoney Creek Landfill prior to development of the lands. Condition No. 19 of Appendix “C” attached to Report PED23233 has been included to ensure that the Holding Provision is removed prior to registration of the plan of subdivision.</p> <p>The proposal complies with this policy.</p>