

SUMMARY OF POLICY REVIEW

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

<b>Provincial Policy Statement (2020)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Management of Land Use</b>  Policy: 1.1.1	Healthy, liveable and safe communities are, in part, developed through the appropriate management of land use patterns.	The proposal is consistent with this policy.  The subject site is constrained given its overall size and shape, the surrounding context, including its location (abutting a highway) and the presence of a utility easement crossing the western half of the lands.  Give the site constraints, which minimize the uses and built forms possible for the site, the proposed land use is appropriate.
<b>Settlement Area</b>  Policy: 1.1.3.1 and 1.1.3.2	Settlement Areas are intended to be the focus of growth and development. The development found within Settlement Areas are generally to have appropriate densities and mix of uses to allow for efficient use of public infrastructure, positively contribute to the concerns around a changing climate and be transit supportive.	The proposal is consistent with this policy.  The proposal is appropriate given it is located within the Settlement Area of the City and allows for the development of an underutilized site.
<b>Noise</b>  Policy: 1.2.6.1	A Noise Study is required to demonstrate that the noises generated from the proposal can be appropriately mitigated as it relates to the surrounding sensitive land uses.	There is a multiple residential dwelling proposed at 1173 and 1203 Old Golf Links Road to the west of the subject site. Given the use is considered to be sensitive, a Noise Feasibility Study is recommended as part of the Holding Provision to ensure the noise generated from the proposed warehouse use can effectively be mitigated (if required).

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<p><b>Climate Change</b></p> <p>Policy: 1.8.1</p>	<p>Improvements can be made to air quality and reducing greenhouse gas emissions (positively impacting a changing climate) through, among other things, the appropriate land use assignment, development patterns and design/orientation to maximize energy efficiency and conservation.</p>	<p>The proposal is consistent with this policy.</p> <p>The proposal is located on a constrained and underutilized site. The proposed use benefits from its location being in proximity to the Lincoln Alexander Parkway and arterial roads and the planned mixed use area that exists to the west.</p> <p>The Applicant has proposed a compact built form and sustainable design measures including: an energy efficient HVAC system (that reduces energy consumption, by among other things, specifically controlling for humidity); a cool roof system and energy recovery ventilation system; energy efficient/low-flow appliances; and LED lighting to further reduce energy consumption. The Applicant has further noted that electric vehicle charging stations can be installed and that the intention is to achieve a Net Zero consumption through, in part, the installation of solar panels.</p>
<p><b>Archaeological</b></p> <p>Policy: 2.6.2</p>	<p>Significant built heritage resources and significant cultural heritage landscapes shall be conserved.</p> <p>Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</p>	<p>The proposal is consistent with this policy.</p> <p>A Stage 1-2 archaeological report (P017-1002-2022) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met. Staff request a copy of the letter from the Ministry when available and will become a condition of Site Plan approval.</p>

<b>A Place to Growth: Growth Plan for the Greater Golden Horseshoe (2019, as amended)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Managing Growth</b>  Policy: 2.2.1.2	The vast majority of growth is intended to happen within the Settlement Areas and more specifically within the delineated built boundary. The application of the policies found within this section of the Plan are intended to help achieve complete communities.	The proposal conforms to this policy.  The subject site is located within the delineated built-up area and therefore the proposal is appropriately located.
<b>Urban Hamilton Official Plan (as amended by Official Plan Amendment 167)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Urban Design</b>  Policy: B.3.3.2.2	These policies are to generally apply to all development in the urban area to achieve the goals of B.3.3.1. Each of these policies discusses a design direction including: <ul style="list-style-type: none"> <li>• Creating identity;</li> <li>• Creating quality spaces;</li> <li>• Creating safe, accessible, connections;</li> <li>• Enhancing the character of the environment;</li> <li>• Creating adaptable developments with respect to the changing needs of people;</li> <li>• Creating adaptable developments with respect to a changing climate;</li> <li>• Creating development that has a positive impact on the physical and mental health of the occupants; and,</li> <li>• Creating streets that contribute to the transportation network and that are important public spaces.</li> </ul>	The proposal complies with this policy.  The proposal is appropriate for an otherwise constrained and underutilized site. The lands currently are vacant and taken together with the new development to the west, Old Golf Links Road and the surrounding municipal infrastructure will be upgraded to meet urban standards through the development planning process (i.e. at the Owner’s expense). The proposed built form will not have a negative impact on neighbouring properties.  The Applicant has proposed sustainable design measures including: an energy efficient HVAC system (that reduces energy consumption, by among other things, specifically controlling for humidity); a cool roof system and energy recovery ventilation system; energy efficient/low-flow appliances; and LED lighting to further reduce energy consumption. The Applicant has further noted that electric vehicle charging stations can be installed and that the intention is to achieve a Net Zero consumption through, in part, the installation of solar panels.

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<p><b>Urban Design (Continued)</b></p> <p>Policy: B.3.3.2.2</p>		<p>Given the location, abutting the Lincoln Alexander Parkway, utility corridors/transmission stations and commercial uses, and further being located at the terminus of Old Golf Links Road, this area is not to be heavily travelled by pedestrians or benefit from any planned public transit. Staff acknowledge that the proposal will be visible from the Lincoln Alexander Parkway and the proposed multiple dwelling to the west. Given these reasons, including that this application will be subject to Site Plan Control, the proposal will be analysed further from a design perspective to create the expected quality built form. For the purpose of the Urban Hamilton Official Plan and Zoning By-law Amendment applications, the proposal meets the intent of the policy and staff acknowledge that the design will be refined at the Site Plan Control stage.</p>
<p><b>Parking</b></p> <p>Policy: B.3.3.10</p>	<p>Surface parking is generally discouraged. Parking areas are intended to be connected to the street through landscape pedestrian walkways. Parking areas are to also including landscaped islands, where possible.</p>	<p>The proposal complies with this policy.</p> <p>While surface parking is discouraged, staff acknowledge that the site constraints and nature of the use would not make underground parking financially feasible. The Applicant has located the parking to the side of the building given that the proposed building cannot be located within the utility easement. A three-metre landscape buffer has been provided along the side of the building that fronts Old Golf Links Road. Given the development restrictions within the utility easement, the majority of an existing Staghorn Sumac stand (existing landscaping), that fronts the west side of the site, along Old Golf Links Road, will remain to further contribute to the landscaping on the site.</p>

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<p><b>Parkland Policies</b></p> <p>Policy: B.3.5.3.5a)</p>	<p>General Open Space shall include golf courses, urban farms, community gardens, pedestrian and bicycle trails, walkways, picnic areas, beaches, remnant parcels of open space lands, and urban plazas, squares and core spaces. These areas do not function as parks but are used for both active and passive recreational activities.</p>	<p>An Urban Hamilton Official Plan Amendment is proposed.</p> <p>The intent of the General Open Space designation includes uses such as a golf course, urban farm/gardens, trails and urban plazas, among other uses. The subject lands are not large enough for a use like a golf course nor connected to other lands to be part of a larger trail network. Given they are at the terminus of Old Golf Links Road and abutting the Lincoln Alexander Parkway, they are not centrally located nor abutting uses for these lands to act as an urban plaza/square.</p>
<p><b>Tree Management</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>The Tree Protection Plan, prepared by Adesso Design Inc. dated July 27, 2023, has not been approved and therefore, a Holding Provision is being recommended to the amending By-law to finalize the Tree Protection Plan, which requires that the applicant include additional information justifying the tree removal and techniques to remove invasive species.</p> <p>A total of 12 trees and 1 Unit (Staghorn Sumac stand) were identified. The Staghorn Sumac unit is located on private land and 11 of the 12 trees are located within the public right-of-way. All the trees are proposed to be removed while the majority of the Staghorn Sumac stand will remain. Of the 12 trees, one is dead, and two are suggested to be in poor condition experiencing die back in their canopy. Due to the limited developable area on the subject site, given the utility easement, the remaining trees conflict with the proposal, particularly the proposed swale. Of note, the three Black Walnut trees and one Chokecherry tree have a low tolerance to site disturbance, therefore, while tree protection measures may be possible to avoid removal, it is likely that the trees may not survive for many years post construction.</p>

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<b>Tree Management</b>  Policy C.2.11.1 <b>Continued:</b>		Therefore, the 12 trees proposed for removal are proposed to be replaced by nine trees in addition to eight trees within the City’s right-of-way. The final approval of the proposed trees (i.e. species and exact location) is subject to a resubmission of a Tree Protection Plan, as noted above.
<b>Open Space Designation - Function</b>  Policy: C.3.3.1	Lands designated as Open Space are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses.	The Applicant has applied for an Urban Hamilton Official Plan Amendment to address this policy.  Staff note that the use of these lands did not reflect the intended Open Space purpose and therefore are supportive of the amendment as the predominant use or function of the land is not intended for recreational activities.
<b>Open Space Designation – Permitted Uses</b>  Policy: C.3.3.6	Where land is designated Open Space and is under private ownership, it is not intended that this land shall necessarily remain so indefinitely.	The Applicant has applied for an Urban Hamilton Official Plan Amendment to redesignate the lands to permit redevelopment of the lands.
<b>Transportation</b>  Policy C.4.5.12:	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.	The proposal complies with this policy.  A Transportation Impact Study was prepared by Paradigm Transportation Solutions, dated June 21, 2023 and was approved by Transportation Planning staff, as the existing road network will accommodate the trips generated by the development and works are needed to upgrade the roads to urban standards.

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<b>Infrastructure</b>  Policy C.5.3.6:	All redevelopment within the urban area shall be connected to the City’s water and wastewater system.	The proposal complies with this policy.  The proposed development requires the extension of a watermain, which will become a condition of the future Site Plan Control application. Staff have requested revisions to the Functional Servicing Report and related studies and therefore there are recommending Holding Provisions to be part of the amending By-law, requiring the applicant to provide additional analysis before any development takes places on the subject site. There is a potential requirement for the Owner to enter into an External Works Agreement if it is determined that infrastructure improvements are needed, which will be at the Owner’s expense.
<b>Mixed Use – Medium Density designation - Function</b>  Policy: E.4.6.1	The range of commercial uses is intended to serve the surrounding community or series of neighbourhoods as well as provide day-to-day retail facilities and services to residents in the immediate area. These areas shall also serve as a focus for the community, creating a sense of place.	The proposal complies with this policy.  A site specific policy, through the Official Plan Amendment, will add the self-storage use, which can be supported because, among other things, the site constraints and limited number of feasible developments for the subject site.
<b>Mixed Use – Medium Density designation - Design</b>  Policy: E.4.6.24	New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.	The proposal complies with this policy.  The proposal is appropriately separated from low rise residential uses by utility corridors (open space buffers) and therefore there are no concerns or compatibility issues related to shadowing and/or overlook.

<b>Meadowlands Mixed Use Secondary Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>General Policies</b>  Policy: 2.4.3	All buildings with the Meadowlands Mixed Use Secondary Plan shall have no more than three occupied storeys entirely above grade.	The proposal does not comply with this policy.  The Official Plan Amendment addresses this policy through the addition of site specific permissions for five storeys. Given the location of the proposal and the site constraints the additional height can be supported.
<b>Transportation Policies</b>  Policy: 2.4.10.1	The use of connections and linkages for pedestrians and cyclists shall be maximized in the Secondary Plan area. Sidewalks shall be required where alternative pedestrian linkages are not provided.	The proposal complies with this policy.  Staff have highlighted the requirement for sidewalks and the full urbanization of the road in this area. A Holding Provision requires an External Works Agreement that, in part, addresses this policy.
<b>Infrastructure Policies</b>  Policy: 2.4.11.1	In order to ensure coordinated building concepts and high-quality building design, the evaluation of site plan control applications shall be guided by the policies of this Secondary Plan.	The proposal complies with this policy.  The development will be subject to Site Plan Control.
<b>Infrastructure Policies</b>  Policy: 2.4.11.3	Holding symbols ('H') shall be used in implementing zoning bylaws to ensure conditions regarding a master servicing plan, a storm water management plan, and built form concept plans are met to the satisfaction of the City and any other public agency having jurisdiction.	The proposal complies with this policy.  Staff are recommending a Holding Provision in the amending By-law to address staff and agency concerns, which include the extension of the required municipal infrastructure to service the site.
<b>Medium Density Designation</b>  Policy: 2.4.5.1 c)	The primary uses of this area of the Secondary Plan that apply to the subject site, include “non-retail commercial uses”. Residential uses are also permitted subject to specific policies.	The proposal complies with this policy, in part.  Through the Official Plan Amendment, the Site Specific Policy addresses this Secondary Plan policy. Given the policy context (and policy history as noted with the body of Report PED23234), particularly given that the subject lands are located within a Secondary Plan that plans for a mixing of uses of this area, the continuation of the “Mixed Use Medium Density” designation is appropriate for the subject site.