

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
<p>Residential Intensification in the Neighbourhoods Designation</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, 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 functions of the “Neighbourhoods” designation by intensifying an underutilized lot along an arterial road in proximity to a major transit route. The proposal considers transitions in height and density through the inclusion of three storey multiple dwellings (townhouses) as an intervening built form between the proposed eight storey multiple dwelling and the planned low density residential uses along the north and south side of the future DiCenzo Drive extension. The proposed eight storey multiple dwelling maintains a 45-degree angular plane from the northerly property line to establish a compatible integration of built form.</p> <p>The surrounding area is characterized by vehicle oriented commercial uses, and low density residential uses planned immediately north of the subject lands. The proposed eight storey multiple dwelling is designed to enhance the public realm by reducing the building setback to the street and landscaping surrounding the site entrance.</p>

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<p>Residential Intensification in the Neighbourhoods Designation (Continued)</p> <p>Policy B.2.4.2.2</p>		<p>The proposal demonstrates the building scale is compatible with the adjacent uses by including three storey multiple dwellings (townhouses) as an intervening built form and utilizing progressive building step backs at the third and seventh storeys on the north portion of the building. In staff’s view the building scale is appropriate as the proposed building orientation and step back at the third storey minimize the perceived height and massing appearance of the building from Rymal Road East.</p>
<p>Urban Design Principles</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 context, streetscapes and recognize the cultural history of the City’s communities by conserving existing built heritage features, protect prominent views/sites and incorporation of public art into the design.</p>	<p>The Applicant submitted an Urban Design Brief prepared by GSP Group Inc. dated September 2022 in support of this application. It is staff’s opinion that the proposal represents good design and is an appropriate medium density residential built form that is compatible with the surrounding context and is in keeping with the urban design principles of the Urban Hamilton Official Plan, the City-Wide Corridor Design Guidelines and City’s Site Plan Guidelines.</p> <p>The proposed eight storey multiple dwelling maintains a 45-degree angular plane from the northerly property line to establish a compatible integration of built form. The proposal also includes a building step back at the third storey to reduce any massing impacts to the Rymal Road East streetscape.</p>
<p>Tree and Woodland Protection</p> <p>Policy C.2.10.1</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 (TPP) prepared by 7 Oaks Tree Care and Urban Forestry Consultants Inc. dated March 13, 2023 was submitted in support of this application.</p>

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<p>Tree and Woodland Protection (Continued)</p> <p>Policy C.2.10.1</p>		<p>The Tree Preservation Plan inventoried a total of 129 trees, including 13 municipal trees. The condition of the trees ranged between very good and dead and included 39 trees in very good condition, 46 in good condition, 18 in fair condition, 12 in poor condition and 1 dead tree. The species inventoried included Manitoba Maple, White Cedar, White Sprue, Sycamore Maple, Black Walnut, Red Oak, Green Ash, European Ash, Trembling Aspen, Bur Oak, Hawthorn, Norway Maple, Basswood, Callery Pear; and, Honeylocust. The TPP proposes to retain 29 trees and remove 100 trees, including 91 privately owned trees and nine municipal trees, to facilitate the development and accommodate internal vehicular movements on the site.</p> <p>A Landscape Concept prepared OMC Landscape Architecture dated February 25, 2023 identifies private deciduous trees to be planted along the westerly and easterly property lines and six deciduous private trees proposed adjacent to DiCenzo Drive.</p> <p>Staff are satisfied that the proposal provides opportunities for a 1:1 tree compensation as set out in the City’s Tree Protection Guidelines (2010). The Tree Preservation Plan shall be finalized at the Site Plan Control stage.</p>

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<p>Noise, Vibration and Other Emissions</p> <p>Policy B.3.6.3.2 and B.3.6.3.10</p>	<p>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.</p>	<p>The subject lands are adjacent to Rymal Road East, which is identified as a “Major Arterial” on Schedule “C” – Functional Road Classification in the Urban Hamilton Official Plan.</p> <p>A Noise Impact Study prepared by GTA Environmental dated November 7, 2021, identified that a 1.22 metre high noise barrier on the fourth and eighth floor outdoor amenity areas of the eight storey multiple dwelling are required, in addition to provisions for central air conditioning, windows/doors built to sound transmission (STC) requirements, and warning clauses incorporated into the future purchase and sale or lease agreements.</p> <p>Staff are generally satisfied with the findings of the noise study, subject to the recommended noise mitigation measures. Submission of a detailed noise study shall be required and will be implemented through the future Site Plan Control application.</p>
<p>Neighbourhoods Designation</p> <p>Policy E.3.2.1 E.3.2.3 and E.3.2.4</p>	<p>The existing character of the “Neighbourhoods” designated areas shall be maintained and be compatible with the scale and character of existing residential area. 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 a complete community by providing opportunities for a full range of dwelling types, tenures and densities that is in character with the existing commercial uses, while increasing the supply of housing in proximity to transit routes and community facilities to serve local residents.</p>

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<p>Urban Corridors</p> <p>Policy E.2.4.10 and E.2.4.12</p>	<p>Secondary Corridors shall accommodate retail and mixed use forms in small clusters along corridors with medium density housing located between the clusters.</p> <p>Generally, consist of low to mid rise forms with some areas permitted to accommodate high rise built forms.</p>	<p>The proposal intends to achieve the planned function of the Rymal Road East Secondary Corridor through intensifying the subject lands through the development of an eight storey multiple dwelling and two, three storey multiple dwellings (townhouses) in between the cluster of existing retail and commercial uses along a major arterial road.</p> <p>The proposal represents an appropriate form of residential intensification and redevelopment along a Secondary Corridor. The proposal introduces a higher density that is well serviced by existing transit and planned to support the future higher order transit planned along Rymal Road East.</p> <p>Rymal Road East is intended as the primary site access (vehicular) for the multiple dwellings (townhouses) with underground parking shared between the eight storey multiple dwelling. The proposed underground parking is intended to limit direct vehicle access from collector roads (future DiCenzo Drive) in accordance with policy E.3.4.6 (a). The proposed multiple dwellings (townhouses) are designed to complement the public realm with building entrances overlooking a common outdoor amenity area.</p>
<p>Medium Density Residential</p> <p>Policy E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6</p>	<p>Medium density residential uses are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Medium density residential built forms shall function as transition between high and low profile residential uses.</p>	<p>The proposed eight storey multiple dwelling is located on a major arterial road and on the neighbourhood periphery within convenient walking distance to existing community facilities, public transit and commercial uses.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policy E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6</p>		<p>The proposal meets the planned neighbourhood function of the medium density residential area by providing a transitional building height (i.e. three storey multiple dwellings) between the proposed eight storey multiple dwelling and existing and proposed low density residential uses located within the neighbourhood interior.</p>
<p>Medium Density Residential (Continued)</p> <p>Policy E.3.5.8</p>	<p>Medium density residential uses shall be six storeys but may be increased to 12 storeys without an Official Plan Amendment provided the proposal demonstrates a mix of unit sizes, sustainable building and design principles, limits shadow impacts and the buildings are progressively stepped back from adjacent designated “Neighbourhood” areas.</p>	<p>Staff have evaluated the proposal to permit an eight storey building height, which achieves a balance of the criteria set out in policy E.3.5.8.</p> <p>Approximately 56% (123 units) of the total 220 dwelling units of the proposal are planned as studio and one bedroom units (123 units), 32% one bedroom plus den units (71 units), and 7% two bedroom units and two bedroom plus den units (16 units), in addition to 5% three bedroom units (10 units) within the multiple dwellings (townhouses). This represents a mix of small to large unit sizes to accommodate a range of household sizes and income levels.</p> <p>The proposal intends to incorporate sustainable building and site design principles that includes native and drought tolerant landscaping, electrical vehicle charging stations, underground parking, heat pumps and occupancy-controlled lighting sensors in underground parking areas and common areas. Further details of sustainable building and design features will be addressed at the Site Plan Control Stage.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policy E.3.5.8</p>		<p>The Sun Shadow Study prepared by SRM Architects Inc. demonstrates the proposal will minimize shadowing onto adjacent residential uses at the spring and fall equinoxes (March 21 and September 21).</p> <p>The sun shadow study concluded that the siting and design of the building allows for a minimum of 50% sun coverage at all times of day on public spaces as per the City’s Sun Shadow Guidelines. The proposal exceeds the three hour minimum sun coverage between 10:00 a.m. and 4:00 p.m. on public sidewalks and private amenity spaces as set out in the City-Wide Corridor Planning Principles and Design Guidelines (2012). Staff are satisfied with the study findings that determined minor shadow impacts (spring equinox) between 5:03 p.m. to 6:03 p.m. on the existing residential uses located east of the subject lands.</p> <p>Staff are satisfied that the height, orientation and massing of the proposed eight storey multiple dwelling has been designed to minimize the overall sun shadow impacts on the adjacent properties, public sidewalks and the existing commercial development to the west.</p> <p>Staff have reviewed the Angular Plane drawing prepared by SRM Architects and Urban Designs dated March 14, 2023, which demonstrates the proposed eight storey multiple dwelling is setback more than 48 metres from the rear property line and satisfies the 45 degree angular plane to address potential overshadow impacts, and maintains sunlight onto residential uses and the public realm.</p>

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Medium Density Residential (Continued) Policy E.3.5.8		The proposed eight storey multiple dwelling has been designed with progressive building step backs at the third and seventh storeys of the eastern façade for the southern portion of the building to ensure appropriate height transition and to reduce the appearance of the building massing from the adjacent Neighbourhood designated areas. The building design includes stepbacks at the third storey of the southerly façade to maintain appropriate height transition along Rymal Road East.