

**SUMMARY OF POLICY REVIEW**

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

<b>Urban Hamilton Official Plan (As per amended Official Plan Amendment 167 Approval)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification</b></p> <p>Policy B.2.4.1.1</p>	<p>Residential Intensification is encouraged throughout the entire built-up area.</p>	<p>The proposal complies with this policy as the subject lands are located within the built-up area.</p>
<p><b>Residential Intensification Criteria</b></p> <p>Policy: B.2.4.1.4 and B.2.4.2.2</p>	<p>Residential intensification in the built-up area shall be evaluated on: the relationship with existing neighbourhood character, contribution towards achieving a range of dwelling types, compatible integration with the surrounding area, contribution towards achieving the planned urban structure, existing infrastructure capacity, incorporation of sustainable design elements, contribution towards supporting active transportation, contribution towards supporting transit, availability of public community facilities and services, ability to retain natural attributes of the site, and compliance with all other applicable policies.</p>	<p>The proposal complies with these policies.</p> <p>The proposed development represents a compatible form of infill development. It will contribute to the range of housing types within the neighbourhood and achieve the planned urban structure. The increased density will support the existing transit and commercial uses. It will also support active transportation as existing multi-use trail on the south side of Rymal Road West.</p> <p>Staff have reviewed the concept plan and elevations submitted as part of the application. Staff are satisfied that the proposed development does not create a privacy concern since balconies are stepped back from the existing single detached dwelling to the west of the subject lands. The proposed parking is located within the podium of the existing building and, therefore, is screened from public view. In addition, in order to make sure there are active frontages along Rymal Road West, the applicants have wrapped the parking with active uses (amenity spaces on the first floor and residential units on the second and third floor).</p>

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<p><b>Residential Intensification Criteria</b></p> <p>Policy: B.2.4.1.4 and B.2.4.2.2 <b>(Continued)</b></p>		<p>The proposed multiple dwelling steps down to four storeys on the west side of the subject lands (which is adjacent to an existing single detached dwelling). In addition, the proposal includes a 5.5 metre setback from the property line abutting the single detached dwelling which will provide an opportunity to add a visual barrier. Therefore, staff are satisfied that the multiple dwelling provides an appropriate transition to the low density residential use adjacent to the subject lands.</p> <p>Staff are satisfied that the proposed amenity space is appropriate for the proposed development. The proposal includes indoor amenity area totalling 185 square metres and 682 square metres of outdoor amenity space. The total amount of amenity space (including both internal and external amenity space) is 15 square metres of amenity space per unit.</p> <p>The development application was submitted for 459 and 465 Rymal Road West, Hamilton and does not include 445 Rymal Road West and 1670 Garth Street. Based on the current design, the proposed location for the parking garage entrance requires modifications to the parking lot and planting strip for 445 Rymal Road West and 1670 Garth Street which was not reviewed comprehensively as the adjacent lands did not form part of this application. As a result, the Zoning By-law Amendment application is considered premature.</p>

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<p><b>Urban Design Policies – General Policies and Principles</b></p> <p>Policy: B.3.3.2.2 - B.3.3.2.10</p>	<p>The principles in Policies B.3.3.2.3 through B.3.3.2.10 inclusive, shall apply to all development and redevelopment, where applicable. These principles include:</p> <ul style="list-style-type: none"> <li>• Fostering a sense of community pride and identity;</li> <li>• Creating quality spaces;</li> <li>• Creating places that are safe, accessible, connected and easy to navigate;</li> <li>• Enhancing the character of the existing environment;</li> <li>• Creating places that are adaptable to future changes;</li> <li>• Promoting the reduction of greenhouse gas emissions and protecting and enhancing the natural environment;</li> <li>• Enhancing physical and mental health; and,</li> <li>• Designing streets as a transportation network and as a public space.</li> </ul>	<p>There is additional information required in order to confirm that the proposed development complies with these policies.</p> <p>Urban Design provided comments advising that they are satisfied with the Landscape Plan and Sun / Shadow Study submitted by the applicants. The design was revised from the original Formal Consultation application and at that time a Wind Study was not required as part of the application. In order to confirm that the current proposal does not adversely impact the pedestrian realm (including any roof-top amenity), a Wind Study has been requested.</p> <p>Urban Design staff recommends that the first floor include ground floor residential units in order to improve the active street frontage along Rymal Road West. In addition, they advised that all barrier free parking spaces should be located as close to building entrances and elevators as possible.</p> <p>If the application was to be approved, the Wind Study should be added as a Holding Provision through the Draft Zoning By-law.</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>There is additional information required in order to confirm that the proposed development meets the applicable policy.</p> <p>A Tree Protection Plan prepared by Adesso Design Inc. dated March 08, 2023 was submitted in support of the development.</p>

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<p><b>Tree Management</b></p> <p>Policy: C.2.11.1  <b>(Continued)</b></p>		<p>A total of 17 trees have been inventoried and 15 trees are proposed to be removed as a result of conflicts with the proposed building and excavation for the site development. The proposed trees to be removed are a combination of private and public assets.</p> <p>Staff are requesting that opportunities to save more trees be considered. As a result, if the proposed development is approved, a Holding Provision should be added requiring a revised Tree Protection Plan to be submitted and approved.</p>
<p><b>Transportation</b></p> <p>Policy: C.4.5.12</p>	<p>A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.</p>	<p>Additional information is required in order to confirm the proposal complies with this policy.</p> <p>The proposed development has not demonstrated that the proposed location of the access for the underground parking is acceptable or that the existing infrastructure (including the driveway access onto Rymal Road West) can handle the additional volume from the proposed development. As well, the existing access on Rymal Road West is located on lands not currently subject to this application. Therefore, a scoped Transportation Assessment (Trip Generation Letter) was requested by Transportation Planning in order to determine if the proposal was acceptable.</p> <p>Should the application be approved, a Holding Provision should be added requiring that a scoped Transportation Assessment (Trip Generation Letter) be submitted and approved.</p>

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<p><b>Infrastructure</b></p> <p>Policy: C.5.3.6, C.5.3.13, C.5.3.17, and C.5.4</p>	<p>All redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p> <p>The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>The City shall ensure that appropriate storm water management facilities are built and maintained to provide a safe and secure system for storm water.</p>	<p>Additional information was required in order to confirm the proposal complies with these policies.</p> <p>The proposed development has not demonstrated that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance. An updated Functional Servicing Report is required. In addition, the owner must enter into an External Works Agreement with the City to complete upgrades to the municipal infrastructure at 100% of the owner’s cost (see Appendix “C” attached to Report PED24020).</p> <p>Should the proposed development be approved, a Holding ‘H’ Provision should be added to require an updated Functional Servicing Report and that the owner agree to enter into an external works agreement at the Site Plan Control stage.</p>
<p><b>Noise</b></p> <p>Policy: B.3.6.3.1</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 proposal complies with this policy.</p> <p>The subject lands front onto Rymal Road West, which is identified as a major arterial road on Schedule “C” – Functional Road Classification and Garth Street, which is identified as a Collector on Schedule “C” – Functional Road Classification.</p> <p>A Noise Impact Study, prepared by SLR dated May 12, 2023, was submitted. The purpose of the study was to measure transportation sound levels from Rymal Road West and Garth Street, and the implications on the proposed living space and outdoor amenity area associated with the proposed development.</p>

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<p><b>Noise</b></p> <p>Policy: B.3.6.3.1 <b>(Continued)</b></p>		<p>The study recommended that a warning clause be added to all purchase of sale agreements or lease agreements. Staff are generally satisfied with the Noise Study for the Zoning By-law Amendment and are requesting an addendum be provided at the Site Plan Control stage when the design of the building is confirmed to include upgraded glazing and confirm if components of the building (garage doors, HVAC, etc.) are considered stationary noise sources.</p>
<p><b>Neighbourhoods Designation – General Policies: Function</b></p> <p>Policy: E.3.2.1</p>	<p>Areas designated “Neighbourhood” shall include a full range of residential dwelling types and densities.</p>	<p>The proposal complies with this policy.</p> <p>The proposed development is a residential use in a multiple dwelling built form. The proposed development includes a combination of one bedroom (five units), two bedroom (47 units) and three bedroom units (five units). The development will include podium parking within the proposed building and proposes to make use of the driveway entrance on the adjacent property at 445 Rymal Road West and 1670 Garth Street.</p>
<p><b>Medium Density Residential – Function</b></p> <p>Policy: E.3.5.1, E.3.5.5 and E.3.5.6</p>	<p>Medium Density Residential designated areas are characterized by <i>multiple dwelling</i> forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposal complies with these policies.</p> <p>The proposed development is a multiple dwelling located adjacent to Rymal Road West which is identified as a major arterial road on Schedule “C” – Functional Road Classification and within close proximity to Garth Street which is identified as a collector road on Schedule “C” – Functional Road Classification.</p>

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<p><b>Medium Density Residential – Function</b></p> <p>Policy: E.3.5.1, E.3.5.5 and E.3.5.6  <b>(Continued)</b></p>	<p>Medium Density Residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or district commercial uses. Medium Density Residential Built Forms function as transitions between high and low density uses.</p>	<p>The proposed development is located within a safe and convenient walking distance of a number of services to support the proposed density including recreational facilities (Carpenter Neighbourhood Park and William Schwenger Park) and Institutional Uses (Saint Therese of Lisieux Elementary and St. Thomas More Secondary). Hamilton Street Railway operated bus routes are located along Rymal Road West and Garth Street.</p>
<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9</p>	<p>In Medium Density Residential Uses, a maximum height shall be six storeys, but the height may be increased to 12 storeys without an amendment to this Plan, provided the following is demonstrated:</p> <ul style="list-style-type: none"> <li>a) The development shall provide for a mix of unit sizes to accommodate a range of household sizes and income levels; and,</li> <li>b) The development shall incorporate sustainable building and design principles including but not limited to the use of locally sourced and/or recycled materials, water conservation, energy efficiency techniques, and low impact development approaches.</li> </ul>	<p>Additional information is required in order to confirm the proposal complies with these policies.</p> <p>The proposal meets the intent of the designation by adding to the range of residential dwelling types within the existing building stock while proposing minimal exterior modifications to the street façade of the existing building. Therefore, the proposed building will remain consistent with the neighbouring properties in terms of height, massing and setbacks.</p> <p>The Urban Hamilton Official Plan identifies Medium Density Residential as multiple dwellings on the periphery of neighbourhoods. Lands designated Medium Density Residential are located in close proximity to major or minor arterial roads and are within a safe and convenient walking distance of existing or planned community facilities and services. The community facilities and services can include, but are not limited to, public transit, schools, and active or passive recreational facilities while being in close proximity to a Local Commercial or District Commercial area.</p>

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<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9  <b>(Continued)</b></p>	<p>c) The development shall not unduly overshadow or block light on adjacent sensitive land uses the public realm and outdoor private amenity area, buildings are progressively stepped back from adjacent areas designated neighbourhoods and the buildings are stepped back from the street to minimize the height appearance from the street (where necessary).</p> <p>Development within the Medium Density Residential category shall be evaluated on the basis of the following criteria:</p> <p>Developments have direct access to a collector or major or minor arterial road, development shall be integrated with other lands in the neighbourhoods designation with respect to density, design, and physical and functional considerations, development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required, access to the property shall be</p>	<p>The subject lands are within 100 metres of existing Hamilton Street Railway Bus Route Nos. 44 and 35G (Policy E.3.6.7 i) and is located on the Blast Network (which is the City’s LRT and Bus Rapid Transit Network). The site is located adjacent to Saint Therese of Liseux Catholic Elementary School and within a safe and convenient walking distance to St. Thomas More Secondary School and William Schwenger Park. The proposed residential development is in proximity to Rymal Road West and Upper James Street which is identified as a Community Node in the Urban Hamilton Official Plan.</p>



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<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9  <b>(Continued)</b></p>	<p>designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets, the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy, and the orientation, design, massing of a building or structure higher than six stories shall take into account the impact on public view corridors and general public views through the submission of a Visual Impact Assessment.</p>	<p>The streetscape has a range of building types including an existing multiple dwelling (at the intersection of Garth Street and Rymal Road West) and low density residential on the north side of Garth Street. Staff are satisfied that the proposed multiple dwelling is in character with the existing streetscape on Rymal Road West. In addition, the proposed multiple dwelling steps down from eight stories to four stories when adjacent to the existing single detached dwelling to the west. Staff are satisfied that the building proposed provides the appropriate transition to the single detached dwelling on the west side of the subject lands.</p>