

Theme and Policy	Summary of Issue	Staff Response
Urban Hamilton Official Plan		
<p>Urban Design</p> <p>Policy: B.3.3</p>	<p>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:</p> <ul style="list-style-type: none"> • Creating identity; • Creating quality spaces; • Creating safe, accessible, connections; • Creating transit supportive communities; • Enhancing the character of the environment; • Creating adaptable developments with respect to the changing needs of people; • Creating adaptable developments with respect to a changing climate; • Promoting development that respects natural processes and features; • Promoting intensification compatible with existing communities; • Encouraging innovative technologies; and, • Creating development that improved air quality and healthy lifestyles. 	<p>The Urban Design policies of the Urban Hamilton Official Plan policies were addressed within the Planning Justification Report. The review concluded that the proposal represents good site design and is an appropriate development solution that is compatible with the surrounding land use and existing built form. The proposed landscaped streetscapes will add to the City’s overall tree canopy.</p> <p>Due to the size and shape of the subject lands there were limited design options for the block townhouse design. This was further complicated with the required easements to ensure that all servicing needs were met. To address the lotting pattern, the end units of the block townhouse dwellings have been setback to align with the front yard setbacks of the adjacent existing residential uses. In addition, the design of the end units will incorporate a porch to help frame the street and maintain the character and existing streetscape along Southcote Road. The design will be further addressed through the Site Plan Control stage.</p> <p>In addition, the proposed lots for single detached dwellings will contribute to the completion of the streetscape of Elm Hill Boulevard as the subject lands are currently vacant.</p> <p>The proposal complies with this policy.</p>

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<p>Trees</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 Davey Resource Group and dated September 14, 2017, and a revised plan dated June 24, 2022, were submitted in support of this application to ensure sustainable forestry practices and tree protection were considered. Further, an Arborist Report by Davey Resource Group dated September 12, 2017, with three updates to the report dated March 31, 2020, July 30, 2020, and October 6, 2022, was submitted to confirm the health and quality of vegetation on the subject lands.</p> <p>Trees have been identified within the subject property and are proposed to be removed as part of the development. A total of 18 of the 39 trees on site are proposed to be removed. Most of the trees to be removed are in good condition as noted in the Tree Inventory and Preservation Plan.</p> <p>The Arborist Report identified that there were no tree species at risk or endangered species observed during the assessment of the subject lands. The revised Arborist Report and Tree Protection Plan (TPP) dated October 6, 2022, identified a total of 45 trees inventoried on site. The development proposal would result in the removal of 10 trees and will likely cause damage to nine trees. Efforts such as low-impact root excavation methods and root pruning by a certified arborist have been identified to reduce the impact on those trees that are proposed to be injured.</p>

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<p>Trees</p> <p>Policy C.2.11.1: (Continued)</p>		<p>The 10 trees proposed for removal are comprised of Silver and Norway Maples. The nine trees noted to be negatively impacted by construction also consist of Silver and Norway Maples, and one Buckthorn.</p> <p>Conserving the existing tree canopy is a priority, however the proposed location of the required servicing along the perimeter of the subject lands impacts a majority of the trees and opportunities to retain trees are limited. Further revisions have been requested for review of perimeter trees in good condition and the applicant has demonstrated a commitment to preserve the trees but acknowledges the potential to injure the vegetation during the installation of servicing. The applicant is required to obtain permission from the adjacent property owner at 19 Elm Hill Boulevard to remove and replace trees #29 to #36 in the event, despite best efforts to preserve the trees, they are injured as a result of construction.</p> <p>Staff recognize that due to the required servicing connection from Elm Hill Boulevard to Southcote Road, along the northerly side lot line, and the proposed retaining wall, there is potential for the adjacent trees to be injured. Where it is not possible to accommodate replanting on the subject lands, cash in lieu payments are to be made.</p>

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<p>Trees</p> <p>Policy C.2.11.1: (Continued)</p>		<p>While staff have not approved the Arborist Report and Tree Preservation Plan, further review and evaluation will occur through a revised report and plan which is identified as Special Condition No. 29 of Appendix “I” to Report PED24027.</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 planning matters under the <i>Planning Act</i>.</p>	<p>The subject property meets two 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> <p>Staff received a copy of the letter from the Ministry dated April 3, 2018, 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.</p> <p>The proposal complies with this policy.</p>
<p>Transportation</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>A Transportation Impact Study (including Transportation Demand Management Options Report) was prepared by Trans-Plan Transportation Inc., dated October 19, 2018, and the findings that the road network can accommodate the site-generated traffic were accepted by Transportation Planning staff.</p>

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<p>Transportation</p> <p>Policy C.4.5.12: (Continued)</p>		<p>Additional recommendations included a 4.5 metre right-of-way dedication (Block 6), ensuring 5.0 metre x 5.0 metre visibility triangles for the townhouse development at the ingress / egress location, and a 6.0 metre minimum driveway access width at the property line. Special Condition No. 25 has been included to address this requirement in Appendix “I” attached to Report PED24027. The design has incorporated the above noted requirements and detail design will occur through the future Site Plan Control application.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy C.5.3.6</p>	<p>All redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p>	<p>The proposed development will be connected to municipal water and wastewater infrastructure.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy C.5.3.13</p>	<p>The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system and that investments into the system will support the achievement of the intensification and density targets.</p>	<p>A Functional Servicing Report and Stormwater Management Report were submitted in support of the application and the increased capacity demand.</p> <p>A 6.0 metre storm drainage easement runs along the south property limit of Block 5 (block townhouse dwellings) and the side yard of Lot 4 (single detached dwelling). A 9.0 metre servicing easement runs along the north property limit and across Lot 1 and Block 5. The applicant is required to provide a 9.0 metre easement over Lot 1 and a 6.0 metre easement over Lot 4 in favour of the Condominium Corporation.</p>

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<p>Infrastructure</p> <p>Policy C.5.3.13 (Continued)</p>		<p>The Owner requires permission from adjacent owners to the north and south of the draft plan to permit grading on their properties.</p> <p>Development Engineering staff are in support of the development proposal subject to Condition Nos. 1 to 21 attached as Appendix “I” to Report PED24027.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy C.5.3.17</p>	<p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p>	<p>As described above, Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report in support of the proposed development. Staff have confirmed the proposal can be supported by the municipal infrastructure, subject to the installation of services (Conditions Nos. 1 to 21 attached as Appendix “I” to Report PED24027).</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy C.5.4.3</p>	<p>A detailed storm water management plan prior to development is required to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>A Functional Servicing Report and Stormwater Management Report were submitted in support of the applications and the increased capacity demand.</p> <p>There is an existing 150 mm diameter watermain on Elm Hill Boulevard to service Lots 1 to 4 and an existing 400 mm diameter watermain on Southcote Road to service Block 5 (block townhouse dwellings).</p>

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<p>Infrastructure</p> <p>Policy C.5.4.3 (Continued)</p>		<p>There is an existing 375 mm diameter sanitary sewer along Elm Hill Boulevard to service Lots 1 to 4 and an existing 200 diameter sanitary sewer on Southcote Road.</p> <p>There are existing 300mm diameter and 450mm diameter storm sewers along Elm Hill Boulevard, however, there are no existing storm sewers fronting the subject lands along Southcote Road. The installation of stormwater management infrastructure will be addressed through the connection of services. A 6.0 metre storm drainage easement runs along the south property limit of Block 5 (block townhouse dwellings) and the side yard of Lot 4, and a 9.0 metre servicing easement runs along the north property limit of Block 5 and Lot 1.</p> <p>In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision.</p> <p>As described above, Development Engineering is in support of the applications subject to Conditions Nos. 1 to 21 attached as Appendix “I” to Report PED24027.</p> <p>The proposal complies with this policy.</p>

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<p>Noise</p> <p>Policies B.3.6.3.1 and B.3.6.6.7</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 proposed development is located along Southcote Road which is identified as a Minor Arterial Road on Schedule C - Functional Road Classification.</p> <p>Accordingly, a detailed noise study will be required for the Lots 1 to 4 (single detached dwellings) and Block 5 which has been added as Special Condition No. 30 attached as Appendix “I” to Report PED24027 of the Draft Plan of Subdivision. A separate detailed Noise Study will be required for Block 5 (townhouses) of the proposed development at the Site Plan Control stage.</p> <p>The proposal complies with these policies.</p>
<p>Implementation – Plan of Subdivision</p> <p>Policy F.1.14.1.1</p>	<p>The development of lands may require subdivision of existing lots or tracts of land and be evaluated on a number of criteria including review of land use policy, integrated with adjacent lands, staging of development, supplied with adequate services, not adversely impact upon the transportation system and the natural environment, and not adversely impact municipal finances.</p>	<p>The subject land is within the urban boundary. The proposed Draft Plan of Subdivision, attached as Appendix “H” to Report PED24027, consists of four lots for single detached dwellings (Lots 1 – 4), one block for the development of 24 block townhouse dwellings (Block 5), and one block for a right-of-way dedication (along Southcote Road).</p> <p>The proposal is consistent with the Criteria for Staging of Development. The site can be serviced using existing and planned infrastructure and will not adversely impact the transportation system and the natural environment, subject to the proposed Draft Plan conditions.</p>

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<p>Implementation – Plan of Subdivision</p> <p>Policy F.1.14.1.1 (Continued)</p>		<p>In addition, it will not adversely impact municipal finances, and meets all requirements of the <i>Planning Act</i>.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification</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>The proposal complies with this policy.</p>
<p>Residential Intensification Evaluation</p> <p>Policy B.2.4.1.4</p>	<p>Proposals are evaluated based on how it builds upon desirable established patterns and built form and requires an evaluation of compatible integration with the surrounding area in terms of use, scale, form and character. This policy also considers evaluating the proposal against the Urban Structure (Schedule E of the Urban Hamilton Official Plan) to ensure that the overall structure goals of the Urban Hamilton Official Plan are also achieved.</p>	<p>The proposed residential uses are compatible with and respect the existing surrounding built form which includes one, two, and two and a half storey single detached dwellings. The proposal incorporates a higher density of development situated along the periphery of the neighbourhood while ensuring the lower density residential is maintained within the interior of the neighbourhood. The proposed development will complete the streetscapes along Elm Hill Boulevard and Southcote Road.</p> <p>No modifications have been requested for the proposed zoning for the four lots along Elm Hill Boulevard, however, Staff have incorporated two modifications to Lots 1 and 4 to incorporate the required setbacks for the servicing easements.</p> <p>The proposal complies with this policy.</p>

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<p>Urban Housing Goals</p> <p>Policy B.3.2.1.6</p>	<p>Similar to policy B.2.4.1.4, the intent of the policy is to ensure a variety of housing types and tenures and affordability levels are integrated to form complete communities.</p>	<p>The proposal complies with the policy as the development will introduce an additional housing type compatible with the surrounding residential area. It is anticipated that the new units will provide varying affordability.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhoods Designation</p> <p>Policies E.3.2.1 and E.3.2.3</p>	<p>Areas designated “Neighbourhoods” shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.</p> <p>The following uses shall be permitted on lands designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations:</p> <ul style="list-style-type: none"> a) Residential dwellings, including second dwelling units and housing with supports; b) Open space and parks; c) Local community facilities/services; and, d) Local commercial uses. 	<p>The proposal contributes to the functions of a complete community by providing opportunities for a full range of dwelling types and tenures that is in character with the existing residential neighbourhood, while increasing the supply of housing in proximity to transit routes and community facilities to serve local residents.</p> <p>The proposal complies with these policies.</p>
<p>Neighbourhoods – Scale and Design</p> <p>Policy E.3.2.4</p>	<p>“Neighbourhoods” designated areas are to maintain the existing character and intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of the Official Plan.</p>	<p>The subject land is a through lot and the proposal includes single detached dwellings along Elm Hill Boulevard and block townhouse dwellings on a condominium road with access from Southcote Road.</p>

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<p>Neighbourhoods – Scale and Design</p> <p>Policy E.3.2.4 (Continued)</p>		<p>To foster a complete community, the proposal directs low density residential (single detached dwellings) to the interior of the neighbourhood facilitating an efficient use of land and representing appropriate intensification that is compatible with existing residential uses. In addition, adding townhouse dwellings to a neighbourhood with predominately single detached dwellings will contribute to achieving complete communities with appropriate and compatible intensification.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhoods – Scale and Design</p> <p>Policy E.3.2.7</p>	<p>Development of lands within the “Neighbourhoods” designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:</p> <ul style="list-style-type: none"> a) New development on large sites shall support a grid system of streets of pedestrian scale, short blocks, street-oriented structures, and a safe and attractive public realm; and, b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized. 	<p>Development adjacent to existing low density residential uses in the “Neighbourhoods” designation must be compatible with respect to height, massing and the arrangement of dwellings. Through the future Site Plan Control stage, staff will ensure the end units of the block townhouse dwellings that are adjacent to Southcote Road are designed to appear as though they front onto Southcote Road to complete the streetscape. As well, the proposal includes an internal sidewalk, connecting to the public sidewalk which provides access to public transit that connects to the Meadowlands commercial district.</p>

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<p>Neighbourhoods – Scale and Design</p> <p>Policy E.3.2.7 (Continued)</p>	<ul style="list-style-type: none"> c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided; d) Development shall improve existing landscape features and overall landscape character of the surrounding area; and, e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies. 	<p>Lastly, Development Engineering staff have confirmed that the parking plan satisfies the minimum on street parking requirement for the frontage along Elm Hill Boulevard.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhoods – Scale and Design</p> <p>Policy E.3.2.8</p>	<p>Proposals for supporting uses, except local commercial uses, within the “Neighbourhoods” designation shall be evaluated on the following criteria:</p> <ul style="list-style-type: none"> a) Compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping; b) Access to a collector or major or minor arterial road shall be preferred; c) Provision of adequate off-street parking with appropriate buffering and landscaping from residential uses; d) C with Section B.3.3 – Urban Design Policies and B.3.5 – Community Facilities/Services Policies; and, e) Adjacency and integration with parks to provide an attractive extension of parks and maximize the use of parkland facilities. 	<p>The proposal complies with the residential intensification policies of the Urban Hamilton Official Plan. As described above, the development is compatible with the surrounding residential uses as it builds upon the established neighbourhood road network and built form, provides appropriate intensification with proper landscaping, and sufficient buffering to adjacent uses.</p> <p>The proposal complies with this policy.</p>

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<p>Low Density Residential Designation</p> <p>Policies E.3.4.1, E.3.4.2, E.3.4.3 and E.3.4.5</p>	<p>Low density residential uses are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade and are located within the interior of the neighbourhood. Uses permitted includes single detached dwellings. The maximum height shall be three storeys.</p>	<p>Lots 1 to 4 fronting onto Elm Hill Boulevard comply with the policies as the single detached dwellings will have direct access to Elm Hill Boulevard completing the streetscape along the road. A modification has been added by staff to include increased setbacks along the southerly side yard setback from 1.2 metres to 6.0 metres (Lot 4); and along the northerly side yard setback from 1.2 metres to 9.0 metres (Lot 1). The proposed single detached dwellings comply with the three storey maximum height and modifications for an increase to this requirement has not been requested.</p> <p>The proposal complies with these policies.</p>
<p>Medium Density Residential</p> <p>Policies E.3.5.1 and E.3.5.2</p>	<p>Medium Density Residential designated areas are characterized by all forms of multiple dwellings 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>Block 5 (townhouses) is located on the periphery of the neighbourhood, fronting onto Southcote Road which is identified as a Minor Arterial Road on Schedule C - Functional Road Classification.</p> <p>The proposal complies with these policies.</p>
<p>Medium Density Residential</p> <p>Policy E.3.5.5</p>	<p>Medium Density Residential designated areas are to be located within safe and convenient distance to existing amenities and facilities.</p>	<p>The subject lands are located on the periphery of the neighbourhood along a minor arterial road. The subject land has various public amenities including Pine Crest Park, approximately 400 metres from the subject lands, Mohawk Meadows Park, approximately 600 metres from the subject lands, Golf Links Park #1, approximately 750 metres from the subject lands and Kitty Murray Park, approximately 900 metres from the subject lands.</p>

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<p>Medium Density Residential</p> <p>Policy E.3.5.5 (Continued)</p>		<p>As well, the proposal includes an internal sidewalk, connecting to the public sidewalk which provides access to multiple public transit lines, that connects to the Meadowlands commercial district and downtown Ancaster.</p> <p>The proposal complies with this policy.</p>
<p>Medium Density Residential</p> <p>Policy E.3.5.8</p>	<p>Medium Density Residential designated areas are characterized by all forms of multiple dwellings on the periphery of neighbourhoods, with a maximum height of six storeys, but the height may be increased to 12 storeys without an amendment to the Official Plan provided angular plane design measures have been incorporated to ensure privacy, overlook and overshadowing have appropriate transition.</p>	<p>The applicant has not proposed any modification for an increase in height. The Ancaster Zoning By-law No. 87-57 restricts the height of a dwelling to 10.5 metres which permit a maximum of three storeys. In addition, the proposal incorporated wider setbacks from the existing residential to the north and south of the subject lands as easements are required ensuring privacy between outdoor amenity areas.</p> <p>The proposal complies with this policy.</p>
<p>Medium Density Residential</p> <p>Policy E.3.5.9</p>	<p>Medium Density Residential Areas are characterized by all forms of multiple dwellings on the periphery of neighbourhoods and are evaluated on a number of criteria including access to arterial and minor arterial roads designed to minimize conflicts with traffic and pedestrians, integration with the existing lands uses, compatibility to include features such as landscaping, amenity features, and demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow.</p>	<p>The compact form of residential development within proximity to public transit and the Meadowlands commercial centre is supported as the proposal is an efficient use of land that provides an appropriate scale and transition between the new units and the adjacent single detached dwellings. In addition, an increase in height has not been requested and the proposal complies with the policy with respect height and massing and does not unduly overshadow the adjacent existing residential uses.</p> <p>The proposal complies with the policy.</p>