

SUMMARY OF POLICY REVIEW

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

Provincial Policy Statement (2020)		
Theme and Policy	Summary of Policy or Issue	Staff Response
Management of Land Use Policy: 1.1.1 a) to f)	Healthy, liveable, and safe communities are, in part, developed through the appropriate management of land use patterns.	The development proposes an eight storey, 192 unit multiple dwelling, three, four-storey multiple dwellings containing 72 units, with 277 underground parking spaces, 41 surface parking spaces, with one driveway access from Glen Echo Drive in the interior of the neighbourhood on a local road. The proposal is not consistent with these policies.
Management of Land Use Policy: 1.1.1 g)	Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.	The provided sanitary capacity analysis within the Functional Servicing Report, prepared by S. Llewellyn and Associated Ltd, dated December 21, 2023, fails to address if there is sufficient available capacity within the existing sanitary sewer/trunk sewer systems along Nash Road North from Queenston Road to the Red Hill Valley Ramp. The proponent has not demonstrated that there is or will be necessary infrastructure to service the proposal. The proposal is not consistent with this policy.
Management of Land Use Policy: 1.1.1 i)	Preparing for the regional and local impacts of a changing climate.	The applicant has not included or identified aspects of the proposal that address a changing climate using building design, materials, and green technology/infrastructure, etc. The proposal is not consistent with this policy.

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Settlement Area Policy: 1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal provides growth and development within a settlement area. The proposal is consistent with this policy.
Policy: 1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: a) Efficiently use land and resources; b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) Minimize negative impacts to air quality and climate change, and promote energy efficiency; d) Prepare for the impacts of a changing climate; e) Support active transportation; f) Are transit-supportive, where transit is planned, exists, or may be developed; and, g) Are freight-supportive.	With regards to development being based on densities and a mix of land uses that are appropriate for infrastructure, the municipal sewer capacity analysis in the Functional Servicing Report, prepared by S. Llewellyn and Associated Ltd, reveals that the municipal sewer system is at capacity under the existing condition. The proposed development is expected to exacerbate this surcharge condition. As a result, Hamilton Water cannot support the subject development until downstream sewers are upgraded to provide the proper service level for the servicing area. The proposal has not addressed how impacts to climate change and energy efficiency promotion are to be addressed. The proposal is not within comfortable walking distance to higher order transit (nearly 0.8 km from planned LRT route stop). The proposal is within comfortable walking distance to HSR service along Nash Road. The proposal is not consistent with this policy.
Policy 1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	The proposal is transit supportive by providing intensification on a local road, however the Official Plan directs that the appropriate location for transit supportive developments such as Medium Density or High Density land uses should be located in proximity to major and/or minor arterials or collector roads. As such, the proposal is not in considered an appropriate location. The proposal provides for a range of housing options; however the existing infrastructure would require infrastructure upgrades to facilitate the increase in density. The proposal is not consistent with this policy.

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Policy 1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.	<p>The proposed surface level ponding on the parking garage deck is a potential hazard for vehicular and pedestrian traffic. The Stormwater storage volume shall be entirely controlled within the stormwater management tank.</p> <p>The proposal is not consistent with this policy.</p>
Noise Policy: 1.2.6.1	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	<p>A Noise Feasibility Study was submitted by HGC Engineering Acoustical Consulting Inc. dated November 21, 2023, and indicates that the recommended noise control measures satisfy the Ministry of the Environment, Conservation and Parks requirements.</p> <p>The proposal is consistent with this policy.</p>
Housing Policy 1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by:</p> <ul style="list-style-type: none"> a) Setting minimum targets for affordable housing; b) permitting and facilitating: <ul style="list-style-type: none"> 1. all housing options required to meet residents needs including special needs and demographic changes; and 2. all types of residential intensification, and redevelopment in accordance with policy 1.1.3.3; c) directing new housing to areas with sufficient infrastructure and public services; d) promoting densities for new housing which efficiently use land, resources, infrastructure and 	<p>Policy b) refers to having an appropriate range and mix of housing options to meet social, health, economic and well-being requirements of current and future residents. The multiple dwellings do not include three bedroom units. The multiple dwelling's floor plans indicate a breakdown of 58 percent one bedroom units and 42 percent two bedroom units. Providing larger units with additional bedrooms allows for larger households with varying incomes to potentially be accommodated within the multiple dwelling built form.</p> <p>The proposal is not directed to an appropriate location where infrastructure is available to support the current and projected needs as infrastructure upgrades would be required. Furthermore, the proposal is not located along a higher order transit route such as the planned LRT route. The proposal is within walking distance to transit along Nash Road and King Street</p> <p>The proposal is not consistent with this policy.</p>

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Housing Policy 1.4.3 (continued)	public service facilities, and support the use of active transportation and transit; e) requiring transit-supportive development and intensification near transit hubs; and f) establishing development standards that reduce housing costs, encourage compact form, and ensure public health and safety.	
Climate Change Policy: 1.8.1	Improvements can be made to air quality and reducing greenhouse gas emissions (positively impacting a changing climate) through appropriate land use assignment and development patterns such as promoting compact form and structure of nodes and corridors, promoting active transportation and transit, promoting design that maximizes energy efficiency, and maximizing vegetation.	The applicant has not included or identified how the design of the proposal maximizes energy efficiency and vegetation other than reference to the sharing of heating and cooling resources for smaller spaces. The proposal is not consistent with this policy.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)		
Theme and Policy	Summary of Policy or Issue	Staff Response
Forecasted Growth Policy 2.2.1.2	Forecasted growth to the horizon of this Plan will be allocated based on the following: a) The vast majority of growth will be directed to settlement areas that: i. Have a delineated built boundary; ii. Have existing and planned municipal water and wastewater systems; and, iii. Can support the achievement of complete communities; c) Within settlement areas, growth will be focused in:	The subject lands are located within the City of Hamilton’s urban boundary, supports the achievement of complete communities, and are fully serviced by municipal water and wastewater infrastructure. However, the municipal sewer capacity analysis in the Functional Servicing Report, prepared by S. Llewellyn and Associated Ltd, reveals that the municipal sewer system is at capacity under the existing conditions. The proposed development is expected to exacerbate this surcharge condition and cannot be accommodated on the existing sanitary service. The proposed development does not conform with this policy.

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Forecasted Growth Policy 2.2.1.2 (continued)	i. Delineated built-up areas; ii. Strategic growth areas; iii. Location with existing or planned transit, with a priority on higher order transit where it exists or is planned; and, Areas with existing or planned public service facilities.	
Complete Communities Policy 2.2.1.4	Applying the policies of this Plan will support the achievement of complete communities that: c) Provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stage of life, and to accommodate the needs of all household sizes and incomes; f) Mitigate and adapt to the impacts of a changing climate, improving resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and, g) Integrate green infrastructure and appropriate low impact development.	As previously mentioned, the proposal has not included three bedroom units. The applicant has not demonstrated what green infrastructure and sustainable design elements are to be implemented that will mitigate and adapt to the impacts of a changing climate, improve resilience, reduce greenhouse gas emissions, contribute to environmental sustainability as well as integrating green infrastructure and appropriate low impact development. The proposal does not conform to this policy.
Housing/ Complete Communities Policy: 2.2.6	A mix of housing options and densities is an important aspect of achieving complete communities. This is generally to be realised, in part, through multi-unit residential development that incorporates a mix of unit sizes to accommodate a diverse range of household sizes and incomes.	While the proposal contributes to achieving a complete community, staff note that providing larger units with additional bedrooms (three bedroom units) allows for larger households with varying incomes to potentially be accommodated within the multiple dwelling built form. The proposal does not provide three bedroom units. The proposal does not conform to this policy.

Urban Hamilton Official Plan		
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<p>Neighbourhoods Scale and Design</p> <p>Policies E.3.2.4, E.3.2.7 e), and 3.2.13</p>	<p>The existing character of established Neighbourhoods designated areas shall be maintained. Residential 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 this Plan.</p> <p>Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.</p> <p>The City supports residential intensification on lands within the Neighbourhoods designation in accordance with Section B.2.4 – Residential Intensification Policies, F.1.14 – Division of Land, and other applicable policies.</p>	<p>The proposal does not comply with policy E.3.2.4, as the subject lands are in a stable residential area with established forms of low density, low rise built forms. The height of the proposed eight storey multiple dwelling and the overall density of the site does not maintain or enhance the established character of the area.</p> <p>The proposal does not comply with the general intent of the Official Plan as the proposal results in shadowing more than 50% of the park which does not comply with the City’s Sun Shadow Study guidelines. The urban design matters, residential intensification policies, and compliance with these policies is further discussed below.</p> <p>The proposal does not comply with these policies</p>
<p>Medium Density Residential</p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8 a) to e) and, E.3.5.9 a) to e)</p>	<p>Medium density residential areas are characterized by multiple dwelling 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>Uses permitted in medium density residential areas shall include all forms of multiple dwellings. (OPA 167).</p>	<p>The applicants proposed redesignating the lands from Institutional to Neighbourhoods and evaluated the proposal using the High Density Residential category policies. Staff have however determined that the proposed built form better reflects the “Medium Density Residential” category.</p> <p>In response to policy E.3.5.1 which characterizes “Medium Density Residential” areas as multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads or within the interior of neighbourhoods fronting on collector roads, staff note the proposal is not on the periphery of a neighbourhood and is more centrally located within an established neighbourhood.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8 a) to e) and E.3.5.9 a) to e)</p>	<p>Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities/services, including public transit, schools, and active or passive recreational facilities, and local or District Commercial uses.</p> <p>Medium density residential built forms may function as transitions between high and low profile residential uses.</p> <p>For medium density residential uses, the maximum height shall be six storeys, but the height may be increased to 12 storeys without an amendment to this Plan, provided the Applicant demonstrates that: (OPA 167)</p> <p>a) the development shall provide for a mix of unit sizes to accommodate a range of household sizes and income levels, to be implemented through the Zoning By-law; (OPA 167)</p> <p>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; (OPA 167)</p>	<p>The proposal is not in proximity to a major arterial (Queenston Road) or a minor arterial (King Street East). Furthermore, the proposal does not front onto a collector road.</p> <p>In response to policy E.3.5.2, the proposed eight storey building, and four storey buildings are both considered multiple dwellings by definition of the City of Hamilton Zoning By-law No. 05-200.</p> <p>In response to policy E.3.5.5, the proposal is within convenient and safe walking distance to schools, parks, transit, and commercial uses.</p> <p>The proposal does not meet the functional characteristics of a “Medium Density Residential” area. In response to E.3.5.6, staff find that the proposal is significantly higher than any other structure in the neighbourhood and would not function as a transitional development as it is centrally located within a neighbourhood rather than at the periphery of the neighbourhood. The intent for transition is to guide more intense uses towards the arterial roads and collector roads located along the periphery of the neighbourhood, and transition to lower density uses towards the interior of the neighbourhood.</p> <p>Policy E.3.5.8 provides the evaluation criteria for considering height above six and up to 12 storeys in the “Medium Density Residential” area.</p> <p>In response to policy E.3.5.8 a), development shall provide for a mix of unit sizes. The proposed eight storey multiple dwelling is made up of one and two bedroom units and does not contain any three bedroom units.</p> <p>In response to policy E.3.5.8 b), there is an existing school building on site, the building materials include red brick, painted brick, and stone typical of midcentury institutional design.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8 a) to e), and E.3.5.9 a) to e)</p>	<p>c) the development shall not unduly overshadow or block light on adjacent sensitive land uses, the public realm and outdoor private amenity areas; (OPA 167)</p> <p>d) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and, (OPA 167)</p> <p>e) buildings are stepped back from the street to minimize the height appearance from the street, where necessary. (OPA 167)</p> <p>Development within the medium density residential category shall be evaluated on the basis of the following criteria:</p> <p>a) Developments should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may gain access to the collector or major or minor arterial roads from a local road only if a small number of low density residential dwellings are located on that portion of the local road.</p> <p>b) Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.</p>	<p>The existing building and structures on the site are proposed to be demolished to facilitate the development. Staff are not aware of any materials from the existing building being recycled and are not aware of any specific techniques for energy efficiency and/or environmental sustainability. Further the applicant has not identified any sustainable building or design principles being incorporated into the proposal.</p> <p>In response to policy E.3.5.8 c), the City's Sun Shadow Study guidelines for common amenity areas indicates that a minimum of 50 percent sun coverage at all times of the day measured on March 21st is required. The Shadow Impact Study demonstrates that at 8:26 a.m. on March 21st Glendale Park is 55 percent shadowed.</p> <p>In response to policy E.3.5.8 d), the proposal encroaches into the 45 degree angular plane from the north, west and south lot lines. The proposed Zoning By-law did not include any stepback provisions to achieve an angular plane to achieve transition. In response to Policy E.3.5.8 e), the four storey multiple dwellings were stepped back from the street at the fourth storey.</p> <p>Policy E.3.5.9 provides further criteria for development in the "Medium Density Residential" area. Policy E.3.5.9 a) requires that developments should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may gain access to the collector or major or minor arterial road from a local road only if a small number of low density residential dwellings are located on that portion of the local road. The subject lands do not have direct access onto a collector road.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8 a) to e), and E.3.5.9 a) to e)</p>	<p>c) Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing, and future uses in the surrounding area.</p> <p>d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.</p> <p>e) The City may require studies, in accordance with Chapter F – Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses. (OPA 167)</p>	<p>The proposal would therefore need to gain access to a collector road (Nash Road) from two local roads (Glen Echo Drive and Rainbow Drive). Approximately 32 low density residential dwellings front onto Glen Echo Drive and another 10 front onto Rainbow Drive along the portion of the local roads that grants access to the collector road (Nash Road South), It is Staff’s opinion that this is not considered a small number of low density residential dwellings. The intent for the exception for local roads and permission for “Medium Density Residential” development is for areas where the local roads do not fully infiltrate a neighbourhood and is intended for one-off contextual situations where local roads are close to the periphery and adjacent or provide near immediate access to higher order roads. This is not the case for the proposal and accordingly the proposal does not comply with the design policies of the “Medium Density Residential” category.</p> <p>In response to policy E.3.5.9 b), staff find the scale, height and function of the development do not integrate well with the existing low-rise character of the interior of the existing neighbourhood.</p> <p>In response to policy E.3.5.9 c), the zoning by-law requires a minimum amenity area of 4 square metres for units less than or equal to 50 square metres. The applicant proposes 20 units that are 50 square metres or less. There are 244 units greater than 50 square metres, which require a minimum amenity area of 6 square metres per unit. The applicant is not proposing to amend the provisions for amenity area and proposes 2,629 square metres. This exceeds what the By-law would typically require, which is 1,544 square metres. In terms of landscaping, 29 percent of the site is proposed for soft scape landscaping.</p>

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<p>Medium Density Residential (Continued)</p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8 a) to e), and E.3.5.9 a) to e)</p>		<p>With regard to parking, the proponent is providing a total of 318 parking spaces, whereas the by-law would typically require 233 parking spaces. Therefore, the proposal exceeds the minimum parking requirement.</p> <p>In response to policy E.3.5.9 d), transportation planning staff indicated that more information was needed to determine the need, type and locations to install traffic calming devices.</p> <p>In response to policy E.3.5.9 e), (similar to E.3.5.8 c)) the City's Sun Shadow Study guidelines for common amenity areas indicates that a minimum of 50 percent sun coverage at all times of the day measured on March 21st is required. The Shadow Impact Study demonstrates that at 8:26 a.m. on March 21st Glendale Park is 55 percent shadowed.</p> <p>The proposal does not comply with the Medium Density Residential policies.</p>
<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and Policy B.2.4.2.2</p>	<p>Residential intensification within the built-up area shall be evaluated based on the following criteria:</p> <p>a) A balanced evaluation of the criteria in b) through l), as follows; and,</p> <p>b) The relationship of the proposed development to existing neighbourhood character so that it builds upon desirable established patterns and built form.</p>	<p>The proposal is not integrated with the surrounding area in terms of scale, form and character. The surrounding area is made up of low rise built form of one to two storey single detached dwellings and two to three storey institutional buildings.</p> <p>Staff are not aware of green infrastructure and sustainable design elements incorporated into the proposed development.</p> <p>In response to policy B.2.4.1.4 b), the proposal is in an area that consists of low rise built forms between one and two storeys, mainly made up of single detached dwellings. The proposal does not build upon desirable established patterns and built form in the neighbourhood.</p>

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<p>Residential Intensification (Continued)</p> <p>Policy B.2.4.1.4 and Policy B.2.4.2.2</p>	<p>c) The contribution of the proposed development to maintaining and achieving a range of dwelling types and tenures;</p> <p>d) The compatible integration of the proposed development with the surrounding area in terms of use, scale, form and character. In this regard the City encourages the use of innovative and creative urban design techniques;</p> <p>e) The contribution of the proposed development to achieving the planned urban structure as described in Section E.2.0 – Urban Structures;</p> <p>f) Existing and planned water, wastewater, and stormwater capacity;</p> <p>g) The incorporation and utilization of green infrastructure and sustainable design elements in the proposed development;</p> <p>h) The contribution of the proposed development to supporting and facilitating active transportation modes; and,</p> <p>i) The contribution of the development to be transit-supportive and supporting the use of existing and planned local and regional transit services.</p>	<p>In response to policy B.2.4.1.4 c), the proposed eight storey multiple dwelling is made up of one and two bedroom units and does not contain any three bedroom units.</p> <p>In response to policy B.2.4.1.4 d), the proposal in terms of use, scale form and character is not considered to be compatibly integrated with the surrounding area.</p> <p>In response to policy B.2.4.1.4 e), the proposal is evaluated as a medium density residential use, and the Official Plan directs these uses to the periphery of neighbourhoods or, if interior to the neighbourhood they must have direct access on a collector road. The proposal is not found on the periphery of a neighbourhood, nor does it have direct access onto a collector road. If direct access to such a road is not possible, the development may gain access from a local road only if a small number of low density residential dwellings are located on that portion of the local road. Glen Echo Drive and Rainbow Drive are the local roads that grants access to the nearest collector road (Nash Road). A total of 42 single detached dwellings front onto Glen Echo Drive (32 dwellings) and Rainbow Drive (10 dwellings), which staff do not consider a small number.</p> <p>As previously mentioned, and in response to policy B.2.4.2.2 b) and c), the proposal is not compatible with the surrounding lands including the lack of transition to the neighbouring school property and the park, resulting in impacts on access to sunlight. A number of the mature trees that contribute to defining the neighbourhood' s height limits are proposed to be removed for the parking garage.</p> <p>In response to policy B.2.4.2.2 d), the multiple dwelling at eight storeys is not compatible with the surrounding area and is not appropriately transitioned to the surrounding neighbourhood.</p>

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<p>Residential Intensification (Continued)</p> <p>Policy B.2.4.1.4 and Policy B.2.4.2.2</p>	<p>j) the availability and location of existing and proposed public community facilities / services;</p> <p>k) The ability of the development to retain and / or enhance the natural attributes of the site and surrounding community including, but not limited to native vegetation and trees; and,</p> <p>l) compliance of the proposed development with all other applicable policies.</p> <p>When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:</p> <p>a) the matters listed in Policy B.2.4.1.4;</p> <p>b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;</p> <p>c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;</p> <p>d) the consideration of transitions in height and density to adjacent residential buildings; and,</p> <p>e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood.</p>	<p>In response to policy B.2.4.2.2 g), Glen Echo Drive is lined with mature trees that define the streetscape. The trees fronting Glen Echo Drive on the subject lands are proposed to be removed.</p> <p>In Staff's opinion, the removal of these trees and the establishment of a building with a greater setback from the street line (in comparison to the average 6 metre setback from surrounding residential properties) is not respecting, maintaining nor enhancing the streetscape pattern.</p> <p>In response to policy B.2.4.2.2 j), there are outstanding sanitary sewer capacity concerns.</p> <p>The proposal does not comply with the intensification policies of the Urban Hamilton Official Plan.</p>

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<p>Residential Intensification (Continued)</p> <p>Policy B.2.4.1.4 and Policy B.2.4.2.2</p>	<p>f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;</p> <p>g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations.</p> <p>h) the ability to complement the existing functions of the neighbourhood;</p> <p>i) the conservation of cultural heritage resources; and,</p> <p>j) infrastructure and transportation capacity and impacts.</p>	
<p>Urban Design – Built Form</p> <p>Policies: B.3.3.1.5, B.3.3.1.8, B.3.3.2.3 a), B.3.3.2.6 e), B.3.3.3.1, B.3.3.3.2, B.3.3.3.3 and B.3.3.3.5</p>	<p>Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.</p> <p>Ensure that new development is compatible with and enhances the character of the existing environment and locale.</p> <p>The physical design of the site shall relate to and enhance its role in the urban structure of the City, and be in accordance with the policies of Chapter E.</p>	<p>In response to policy B.3.3.1.5, the proposed development is not compatible with, nor does it enhance the character of the existing environment and locale, which it predominantly low-rise residential dwellings on the interior of a neighbourhood.</p> <p>In response to policy B.3.3.1.8, in staff’s opinion, the proposal does not promote a form of intensification that is compatible in the form and function to the character of the existing community and neighbourhood. The proposed eight storey (26.5 metres) building is higher than any other structure in the neighbourhood and is not appropriately located at the periphery of the neighbourhood or along a collector road in order to complement the existing neighbourhood.</p>

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<p>Urban Design – Built Form (Continued)</p> <p>Policies: B.3.3.1.5, B.3.3.1.8, B.3.3.2.3 a), B.3.3.2.6 e), B.3.3.3.1, B.3.3.3.2, B.3.3.3.3 and B.3.3.3.5</p>	<p>Urban design should foster a sense of community pride and identity by respecting existing character, development patterns, built form, and landscape.</p> <p>Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.</p> <p>New development shall be designed to minimize impact on neighbouring buildings and public spaces by:</p> <ul style="list-style-type: none"> a) creating transitions in scale to neighbouring buildings; b) ensuring adequate privacy and sunlight to neighbouring properties; and, c) minimizing the impacts of shadows and wind conditions. <p>B.3.3.3.3 - New development shall be massed to respect existing and planned street proportions.</p> <p>B.3.3.3.5 – Built form shall create comfortable pedestrian environment by: using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.</p>	<p>In response to policy B.3.3.2.3 a), it is staff's opinion that the proposal does not respect the existing low-rise character of the interior of the existing neighbourhood.</p> <p>The proposal encroaches into the 45 degree angular plane from the north, west and south lot lines. In response to policies B.3.3.2.6 e), B.3.3.3.2 b) and c), there is also concern that the proposed multiple dwelling will result in shadowing impacts on the neighbouring property, as discussed above. The 45 degree angular plane being achieved would result in a development that is more sympathetic in transition and scale to the area. The proposed multiple dwelling will be 26.5 metres in height which is more than double the permitted maximum building height of the surrounding area's residential and institutional zones, which permit a maximum height of 10.5 metres.</p> <p>The proposal does not comply with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<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 Jackson Arborculture Inc. and dated October 10, 2023, was submitted in support of the application. The Tree Preservation Plan inventoried 20 trees on the subject lands and within the vicinity of the subject lands, of which 11 trees are on the property and are proposed to be removed due to conflicts with the underground parking garage. The trees being removed include six Norway Maples, one Scots Pine, one Sycamore, one Austrian Pine, and two Honey Locust cultivar. The plan is not approved. Based on the preliminary landscape plan and tree protection plan, compensation at a 1:1 ratio would be required for 11 trees.</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. Should the applications be approved Staff require that a written caution be added to any future site plan.</p>
<p>Infrastructure</p> <p>Policy C.5.3.6, C.5.3.13, and C.5.3.14</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 and that investments into the system will support the achievement of the intensification and density targets provided in Section E.2.0 – Urban Structure.</p>	<p>The proposed development will be connected to municipal water and wastewater infrastructure.</p> <p>The provided sanitary capacity analysis in the Functional Servicing Report, prepared by S. Llewellyn and Associated Ltd, reveals that the municipal sewer system is at capacity under the existing conditions. The proposed development is expected to exacerbate this surcharge condition and cannot be accommodated on the existing wastewater system.</p> <p>The proposal has not demonstrated conformity with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Infrastructure (Continued)</p> <p>Policy C.5.3.6, C.5.3.13, and C.5.3.14</p>	<p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically and economically possible, the City shall require such services to be located underground.</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 Traffic Impact Study (with Parking Assessment and Transportation Demand Management) was prepared by SLBC Inc, dated October 27, 2023. The findings were accepted by Transportation Planning staff.</p> <p>In principle, Transportation Planning has no objection to the proposed amendment to change the zoning to Mixed Use Medium Density (C5) Zone in City of Hamilton Zoning By-law No. 05-200 to permit a mix of low- and mid-rise residential buildings totaling 264 units on the subject site; however, more information is required to determine the need, type and locations to install traffic calming devices and what proportion of the costs, if not all, will be the applicant's responsibility.</p> <p>Should the applications be approved, costs for upgrades resulting from the development will be addressed at the future site plan control stage.</p>