

SUMMARY OF POLICY REVIEW

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

Urban Hamilton Official Plan (Official Plan Amendment 167)		
Theme and Policy	Summary of Policy or Issue	Staff Response
<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 subject lands are located within the built-up area.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification Criteria</p> <p>Policy: B.2.4.1.4, B.2.4.2.2 and E.3.2.4</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 surrounding area, contribution towards achieving the planned urban structure, existing infrastructure capacity, incorporation of sustainable design elements, contribution towards supporting active transportation, and transit, availability of public community facilities/services, ability to retain natural attributes of the site, and compliance with all other applicable policies.</p>	<p>The proposed development represents a compatible form of infill within the neighbourhood. It will provide a greater range of housing types and achieve the planned urban structure. The residential intensification can be supported as the proposed development is located within a safe and convenient distance of a number of amenities to support the proposed density. The proposed development is adjacent to local retail uses at the intersection of Mohawk Road East and Upper Wellington Street as well as south of the subject lands. Additional commercial uses are located on Upper James Street approximately 650 metres west of the site. Hamilton Street Railway operated bus routes are located along both Mohawk Road East and Upper Wellington Street. In addition, Mohawk Road East has been identified as a rapid transit route. A bike lane is planned along Upper Wellington Street. St. Michael Catholic Elementary School and Ridgemount Elementary School are located within the surrounding neighbourhood. Finally, Dave Andreychuk Mountain Arena & Skating Centre is located west of the site.</p> <p>A Site Plan prepared, by KNYMH Inc. dated June 9, 2023 and Elevation Drawings, prepared by KNYMH Inc. dated March 23, 2021, were submitted in support of the development. The Site Plan illustrates setbacks to existing residential dwellings to the west and south along with landscape areas.</p>

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<p>Urban Design Policies – General Policies and Principles</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"> • Fostering a sense of community pride and identity; • Creating quality spaces; • Creating places that are safe, accessible, connected and easy to navigate; • Enhancing the character of the existing environment; • Creating places that are adaptable to future changes; • Promoting the reduction of greenhouse gas emissions and protecting and enhancing the natural environment; • Enhancing physical and mental health; and, • Designing streets as a transportation network and as public spaces. 	<p>An Urban Design Brief prepared by Whitehouse Urban Design dated July 2022, was submitted in support of the development. Staff analysis found that the proposed development is integrated with the surrounding community by providing a transition in height, grade level units, and using building materials that reflect the local context.</p> <p>A Site Plan prepared by KNYMH Inc. dated June 9, 2023, was submitted in support of the development. The Site Plan illustrates setbacks and stepbacks to existing residential dwellings to the west and south along with landscaped areas.</p> <p>Further design details, such as landscaping and building material will be addressed through the future Site Plan Control stage.</p> <p>The proposal complies with these policies.</p>
<p>Tree Management</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 Protection Plan prepared by Whitehouse Urban Design dated August 11, 2022 and revised June 1, 2023, was submitted in support of the development, however it has not been approved. A total of 50 trees have been inventoried and 26 are proposed to be removed.</p>

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<p>Tree Management</p> <p>Policy: C.2.11.1 (Continued)</p>		<p>Of the 26 trees proposed to be removed, one (Common Maple) was found to be in poor health and three (Eastern Cedar) were found to be dead, 14 (five Austrian Pine, four Manitoba Maple, one Silver Maple, one Common Maple, one Norway Maple, and one Cherry Plum) are proposed to be removed to accommodate underground parking and one (Siberian Elm) to accommodate surface parking, seven (three Common Apple, one Manitoba Maple, one Silver Maple, one Norway Maple, and one Eastern Cedar) are proposed to be removed to accommodate site grading, and one (Austrian Pine) is proposed to be removed to accommodate the proposed building.</p> <p>The decision to retain trees is to be based on condition, aesthetics, age, and species. 22 of the trees proposed to be removed are in good or fair health. This matter, along with the implementation of tree protection measures, will be addressed at the Site Plan Control stage.</p> <p>To ensure existing tree cover is maintained, one for one compensation is required for any tree, 10 cm diameter at breast height (DBH) or greater, that is proposed to be removed. The applicant proposes 19 new trees to replace the 26 trees to be removed from the subject property. A Landscape Plan will be required at the Site Plan Control stage to confirm tree planting compensation and cash-in-lieu requirements. The opportunity to work with the applicant in a way that preserves more of the existing trees and to plant more trees as compensation, along with the implementation of tree protection measures, will be addressed at the Site Plan Control stage.</p> <p>The proposal complies with this policy.</p>

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Transportation Policy: C.4.5.12	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.	A Transportation Impact Study prepared by NexEng Consulting Group Inc. dated July 2022 and revised November 2022, was submitted in support of the development. The findings of the report were accepted by Transportation Planning staff as the proposed development can generally be supported by the surrounding road network. The proposal complies with this policy.
Infrastructure Policy: C.5.3.6	All redevelopment within the urban area shall be connected to the City’s water and wastewater system.	A Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates Limited dated July 2022 was submitted in support of the development. Development Engineering staff are in agreement with the findings in the report and do not have any objections to the approval of the application. The proposal complies with this policy.
Built Heritage Policy: B.3.4.1.3	Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.	The subject property is adjacent to 138 Mohawk Road East, a property included in the City’s Inventory of Heritage Buildings. Staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the property will be conserved. The proposal complies with this policy.
Archaeology Policy: B.3.4.4.3	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 the following planning matters under the <i>Planning Act, R.S.O., 1990 c. P.13</i> .	The subject property meets three of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. The subject property is located in an area with local knowledge of historic events/activities/occupations, it is located in an area of pioneer EuroCanadian settlement, and it located along historic transportation routes.

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Archaeology Policy: B.3.4.4.3 (Continued)		Staff require that a written caution be included on any future site plan advising of the archaeological potential of the site during development activities. The proposal complies with this policy.
Noise Policy: B.3.6.3.1	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.	The proposed development is located on Mohawk Road East and Upper Wellington Street which are identified as a major arterial road and minor arterial road, respectively, on Schedule “C” – Functional Road Classification. A Noise Impact Study and any required mitigation measures will be implemented through the Site Plan Control application. The proposal complies with this policy.
Neighbourhoods Designation – Function Policy: E.3.2.1	Areas designated “Neighbourhoods” shall include a full range of residential dwelling types and densities.	The proposed development is a residential use in a multiple dwelling form. The proposed development includes 120 one bedroom units and 41 two bedroom units. The proposal complies with this policy.
Medium Density Residential - Function Policy: E.3.5.1 and E.3.5.5	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. 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.	The proposed development is a multiple dwelling located on Mohawk Road East and Upper Wellington Street, which are identified as a major arterial road and minor arterial road, respectively, on Schedule “C” – Functional Road Classification. The proposed medium density residential use can be supported as the proposed development is located within a safe and convenient distance of amenities to support the proposed density.

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<p>Medium Density Residential - Function</p> <p>Policy: E.3.5.1 and E.3.5.5 (Continued)</p>		<p>The proposed development is adjacent to local retail uses at the intersection of Mohawk Road East and Upper Wellington Street as well as south of the subject lands. Additional commercial uses are located on Upper James Street approximately 650 metres west of the site. Hamilton Street Railway operated bus routes are located along both Mohawk Road East and Upper Wellington Street. In addition, Mohawk Road East has been identified as a rapid transit route. A bike lane is planned along Upper Wellington Street. St. Michael Catholic Elementary School and Ridgemount Elementary School are located within the surrounding neighbourhood. Finally, Dave Andreychuk Mountain Arena & Skating Centre is located west of the site.</p> <p>The proposal complies with these policies.</p>
<p>Medium Density Residential - Function</p> <p>Policy: E.3.5.8</p>	<p>Additional height up to a total of 12 storeys may be permitted without an amendment to this Plan, if it is demonstrated that the development provides a mix of unit sizes, incorporates sustainable building and design principles, there are no adverse shadow impacts on adjacent sensitive land uses, the proposal progressively steps back from residential uses in “Neighbourhoods” and the building is stepped back from the street.</p>	<p>The proposed building height of 11 storeys can be supported as the development provides a mix of unit sizes, incorporates sustainable building and design principles, has demonstrated that there are no adverse shadow impacts on existing residential uses, progressively steps back from surrounding residential uses in the “Neighbourhoods” designation, and is designed with appropriate setbacks from the street.</p> <p>The proposed development includes 120 one bedroom units and 41 two bedroom units, which represents 75% and 25% of the total number of units, respectively.</p> <p>The applicant has advised that the following sustainability measures may be incorporated into the design: use of locally sourced building materials, use of top-down pedestrian lighting to avoid light pollution, and incorporation of E/V infrastructure within proposed parking lots.</p>

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<p>Medium Density Residential - Function</p> <p>Policy: E.3.5.8 (Continued)</p>		<p>The opportunity to work with the applicant to incorporate sustainability measures into the design will be explored at the Site Plan Control stage.</p> <p>A Shadow Impact Analysis prepared by KNYMH Inc. dated June 20, 2022, was submitted in support of the development. Staff analysis found that the proposed development will meet or exceed the City of Hamilton’s guidelines for shadow impact on nearby residential neighbourhoods and the public realm.</p> <p>The proposed development is designed with setbacks from the surrounding residential uses located to the south and west and with a setback from the street. These setback requirements are included within the proposed Zoning By-law which will implement this design (see Appendix “B” attached to Report PED24063).</p> <p>The proposal complies with this policy.</p>