

**SUMMARY OF POLICY REVIEW**

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

<b>Provincial Policy Statement (2020)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Management of Land Use, Settlement Area, Housing, Transportation Systems, Long-Term Economic Prosperity</b></p> <p>Policies: 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.4.1, 1.6.7.4, and 1.7.1</p>	<p>Settlement Areas are intended to be the focus of growth and development. Within Settlement Areas, land use patterns shall efficiently use land, efficiently use infrastructure and public service facilities, and be transit supportive. Healthy, liveable, and safe communities are, in part, sustained by accommodating a range and mix of residential types and promoting the integration of land use planning, transit supportive development, and by encouraging sense of place through promoting well designed built form.</p>	<p>The proposed development supports the development of healthy, liveable, and safe communities. The subject site is adjacent to Rymal Road East which is identified as “Secondary Corridor” on Schedule E – Urban Structure of the Urban Hamilton Official Plan, which is intended to develop at a higher density and as a transit supportive location.</p> <p>Commercial uses are located on the subject property and additional commercial uses are located approximately 350 metres to the east. Hamilton Street Railway operated bus route 44 is located on Rymal Road East. In addition, Rymal Road East has been identified as a potential rapid transit route. Bellagio Park, Our Lady of the Assumption Catholic Elementary School, and Shannen Koostacin Elementary School are located approximately 500 metres southwest of the site.</p> <p>The proposed development consists of 227 dwelling units and 1,020 square metres of ground floor commercial space within the ten storey mixed use building. The proposed development will provide a greater range of housing types, achieve the planned urban structure and the increased density will support the use of existing and planned transit and commercial uses.</p> <p>The proposal is consistent with these policies.</p>

<b>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Managing Growth</b></p> <p>Policies: 2.2.1.2 and 2.2.1.4</p>	<p>The vast majority of growth is intended to occur within the Settlement Areas and specifically within strategic growth areas.</p> <p>Growth will support the achievement of complete communities that feature, among other things, a diverse mix of land uses, provide a diverse range and mix of housing options, expand convenient access to a range of transportation options and public service facilities, and that provides a more compact built form and vibrant public realm.</p>	<p>The subject site is located within the delineated built boundary and supports the achievement of complete communities. It provides a mix of housing options, expands access to transportation options and public service facilities, and provides a more compact built form and a vibrant public realm.</p> <p>The proposal conforms to these policies.</p>
<b>Urban Hamilton Official Plan</b>		
<p><b>Urban Design Policies – General Policies and Principles</b></p> <p>Policies: 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; and,</li> <li>• Creating places that are adaptable to future changes.</li> <li>• Promoting the reduction of greenhouse gas emission and protecting and enhancing the natural environment; and,</li> <li>• Enhancing physical and mental health; and,</li> <li>• Designing streets as a transportation network and as public spaces.</li> </ul>	<p>A Planning &amp; Urban Design Rationale Report, prepared by Bousfields Inc., dated December 2022, was submitted and a staff analysis found that the proposed development contributes to a sense of place and creation of a pedestrian focused street realm. The building’s massing will delineate the commercial uses facing onto Rymal Road East creating an appropriate pedestrian scale.</p> <p>Architectural drawings, prepared by RAW Design Inc. dated September 2023, were submitted as part of the subject applications. The drawings, attached as Appendix “E” to Report PED24131, includes a site plan locating the building 1.2 metres from the street lot line, which contributes towards improving the pedestrian focus street realm. In addition, the site plan shows appropriate setbacks and stepbacks towards the rear and side of the building adjacent to the existing residential dwellings located to the south and west, respectively.</p>

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<p><b>Urban Design Policies – General Policies and Principles</b></p> <p>Policies: B.3.3.2.2 – B.3.3.2.10 <b>(Continued)</b></p>		<p>Further design details, such as landscaping, building material and lighting will be addressed through a future Site Plan Control application.</p> <p>The proposal complies with these policies.</p>
<p><b>Residential Intensification Criteria</b></p> <p>Policies: 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 and will provide a greater range of housing types and achieve the planned urban structure.</p> <p>The residential intensification can be supported since there are a number of amenities within the surrounding area.</p> <p>Commercial uses are located on the subject property and additional commercial uses are located approximately 350 metres east. Hamilton Street Railway operated bus route 44 is located on Rymal Road East. In addition, Rymal Road East has been identified as a potential rapid transit route. Bellagio Park, Our Lady of the Assumption Catholic Elementary School, and Shannen Koostacin Elementary School are located approximately 500 metres southwest of the site.</p> <p>The proposed development consists of 227 dwelling units and 1,020 square metres of ground floor commercial space within a ten storey mixed use building. The proposed development will provide a greater range of housing types and achieve the planned urban structure. The increased density will support the use of existing and planned transit and commercial uses.</p> <p>The Zoning By-law Amendment includes a building setback requirement above the fourth floor and increased setbacks (see Appendix “C” attached to Report PED24131). With these requirements the proposed development will provide a transition in height that is compatible with the surrounding area.</p>

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<p><b>Residential Intensification Criteria</b></p> <p>Policies: B.2.4.1.4, B.2.4.2.2 and E.3.2.4 <b>(Continued)</b></p>		<p>The proposal is consistent with these policies.</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>A Transportation Impact Study, prepared by C.F. Crozier &amp; Associates Inc., dated December 2022 and updated July 2023, has been submitted and staff determined that the local transportation network can support the proposed development.</p> <p>The proposal complies with this policy.</p>
<p><b>Infrastructure</b></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>A Functional Servicing Report, prepared by S. Llewellyn &amp; Associates Limited dated December 2022 and revised October 2023, was submitted. Development Engineering staff have reviewed the Functional Servicing Report and concur with the report recommendation and support the proposed Zoning By-law Amendment. The applicant shall submit a detailed Functional Servicing Report including Grading and Servicing Plans, among other studies, through a future Site Plan application.</p> <p>The proposal complies with this policy.</p>
<p><b>Archaeology</b></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 the following planning matters under the <i>Planning Act</i>, R.S.O., 1990 c. P.13.</p>	<p>The subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. The applicant prepared a Stage 1 and Stage 2 Archaeological Assessment (P1024-0057-2015) which examined the archaeological potential of the site. Staff received a copy of the letter from the Ministry dated October 14, 2015, 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>

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<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 proposed development is located along Rymal Road East, which is classified as a major arterial road in the Urban Hamilton Official Plan and there are existing commercial uses on the subject property.</p> <p>A Noise Impact Assessment, prepared by dBA Acoustical Consultants Inc. dated November 2022, was submitted staff determined that the potential for noise impact from road traffic or stationary noise sources is below Ministry of the Environment, Conservation, and Parks limits with recommend mitigation measures.</p> <p>The report recommends mitigation measures including requiring air conditioning for the entire building, warning clauses registered on title and/or in rental agreements, and special building components. These measures will be addressed through the future Site Plan Control application and Building Permit stages.</p> <p>The proposal complies with this policy.</p>
<p><b>Urban Corridors – Scale and Design</b></p> <p>Policies: E.2.4.10, E.2.4.11, E.2.4.14, and E.2.4.16</p>	<p>The built form along the Urban Corridors shall generally consist of low to mid rise forms. The Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters. Urban Corridors shall be a focus for intensification and provide a comfortable pedestrian experience. New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.</p>	<p>The subject site is adjacent to Rymal Road East which is identified as a “Secondary Corridor” in the Urban Hamilton Official Plan.</p> <p>The proposed mid rise mixed use building with ground floor commercial is consistent with the planned land uses along “Secondary Corridors”. The proposed development has been designed to promote a comfortable and attractive pedestrian experience. As discussed above, the building is located close to the street and designed with massing that contributes to the pedestrian experience of the streetscape. To address potential privacy and overlook concerns with the residential uses on adjacent properties to the south and west, building setback and stepbacks have been incorporated into the Zoning By-law (see Appendix “C” attached to Report PED24131). The proposed zoning regulations adhere to the 45 degree angular plane from the southern property line.</p>

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<p><b>Urban Corridors – Scale and Design</b></p> <p>Policies: E.2.4.10, E.2.4.11, E.2.4.14, and E.2.4.16 <b>(Continued)</b></p>		<p>The proposal complies with these policies.</p>
<p><b>Urban Corridors – Design</b></p> <p>Policy: E.2.4.17</p>	<p>Reductions in parking requirements shall be considered to encourage a broader range of uses and densities to support existing and planned transit routes.</p>	<p>The proposed reduction in parking spaces by the applicant is supported by staff since it is anticipated that the commercial uses will be able to utilize the existing parking spaces provided on the western portion of the property.</p> <p>The proposal complies with this policy.</p>
<p><b>Neighbourhoods Designation – General Policies – Function</b></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"> <li>a) Residential dwellings, including second dwelling units and housing with supports;</li> <li>b) Open space and parks;</li> <li>c) Local community facilities/services; and,</li> <li>d) Local commercial uses.</li> </ul>	<p>The existing development, which will remain on the property, consists of a commercial plaza (containing a motor vehicle service station, motor vehicle washing establishment, restaurants, and retail). The proposed development consists of multiple dwelling units with commercial space on the ground floor.</p> <p>The proposal complies with these policies.</p>
<p><b>Medium Density Residential Designation – Scale</b></p> <p>Policy: E.3.5.1</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>The proposed development is located on Rymal Road East, which is identified as a Major Arterial road on Schedule C – Functional Road Classification and consists of a ten storey mixed use building.</p> <p>The proposal complies with this policy.</p>

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<p><b>Medium Density Residential Designation – Scale</b></p> <p>Policy: E.3.5.8</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:</p> <ul style="list-style-type: none"> <li>a) the development shall provide for a mix of unit sizes;</li> <li>b) the development shall incorporate sustainable building and design principles;</li> <li>c) the development shall not unduly overshadow or block light on adjacent sensitive land uses; and,</li> <li>d) buildings are progressively stepped back from adjacent areas designated Neighbourhoods.</li> <li>e) buildings are stepped back from the street to minimize the height appearance from the street.</li> </ul>	<p>The proposed building height of ten storeys can be supported as the development meets the criteria established for permitting additional height above six storeys. The recommended Zoning By-law includes a maximum height of 32.5 metres (see Appendix “C” attached to Report PED24131).</p> <p>The proposed building contains 227 dwelling units, which will consist of 72 one bedroom units, 119 two bedroom units, and 36 three bedroom units. The dwelling units represents a mix of small to large unit types to support various household sizes and income levels.</p> <p>The applicant has proposed sustainability measures to reduce energy use, carbon generation, and water use including green roof, permeable pavers, low-flow fixtures, dedicated parking space for car share company, and provision of EV-ready parking spaces for a portion of required parking spaces. Details of sustainable building and design features will be addressed through a future Site Plan Control application.</p> <p>A Shadow Study, prepared by RAW Design Inc., dated December 2022, was submitted and staff are satisfied that the development will not cause adverse impacts on existing residential uses.</p> <p>The Zoning By-law Amendment includes a building setback requirement above the fourth floor and increased setbacks (see Appendix “C” attached to Report PED24131). With these requirements the proposed development will provide an appropriate transition in height. The proposed 32.5 metre height has been incorporated into the recommended Zoning By-law and no further setbacks are required to respect the angular plane.</p> <p>The Zoning By-law Amendment does not include a setback requirement from a street line. Staff do not anticipate negative visual impacts as the ultimate right-of-way width of Rymal Road East is greater than 36 metres wide.</p>

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<p><b>Medium Density Residential Designation – Scale</b></p> <p>Policy: E.3.5.8 <b>(Continued)</b></p>		<p>The proposal complies with this policy.</p>
<p><b>Medium Density Residential Designation – Design</b></p> <p>Policy: E.3.5.9</p>	<p>Development within “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>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>The proposed development is located along Rymal Road East, which is classified as a major arterial road.</p> <p>The recommended Zoning By-law includes a building stepback requirement above the fourth floor and increased setbacks (see Appendix “C” attached to Report PED24131). With these requirements the proposed development will provide an appropriate transition in height.</p> <p>A Shadow Study, prepared by RAW Design Inc., dated December 2022, was submitted and staff are satisfied that the development will not cause adverse impacts on existing residential uses.</p> <p>The proposed reduction in parking spaces by the applicant is supported by staff since it is anticipated that the commercial uses will be able to utilize the existing parking spaces provided on the western portion of the property.</p> <p>The Zoning By-law Amendment does not include any amendments to the amenity area requirements.</p> <p>Access to the property is proposed from an existing access on Rymal Road East.</p> <p>The Rymal Road Secondary Plan does not identify any public view corridors or general public views.</p> <p>The proposal complies with this policy.</p>



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<p><b>Medium Density Residential Designation – Design</b></p> <p>Policy: E.3.5.9 <b>(Continued)</b></p>	<p>e) The City may require studies 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.</p> <p>f) The orientation, design, and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, cultural heritage resources, cultural heritage landscapes, and other parts of the City as identified through secondary plans or other studies, through the submission of a Visual Impact Assessment to the satisfaction of the City.</p>	
<b>Rymal Road Secondary Plan</b>		
<p><b>Local Commercial Designation – Intent</b></p> <p>Policy: B.5.2.3.4 a)</p>	<p>Lands designated Local Commercial are intended to provide the convenience shopping amenities for the surrounding residents as well as to the pass-by travelling public.</p>	<p>The existing development on the western portion of the site contains commercial uses, which will remain, and the proposed development includes additional commercial uses on the ground floor.</p> <p>The proposal complies with this policy.</p>
<p><b>Local Commercial Designation – Design</b></p> <p>Policy: B.5.2.3.4 d)</p>	<p>Lands designated Local Commercial shall be developed:</p> <ul style="list-style-type: none"> <li>• In a coordinated and comprehensive manner. Access points shall be limited and regard shall be given to the sharing of access points, adequate internal traffic circulation, and adequate off-street parking, loading and manoeuvring facilities; and,</li> <li>• Open storage of goods and materials shall not be permitted except in special cases (e.g., garden centre, hardware store), subject to the City’s approval and implementing Zoning By-law regulations.</li> </ul>	<p>The proposed development will share the existing access points onto Rymal Road East and parking spaces for commercial uses.</p> <p>The implementing Zoning By-law prohibits outdoor storage of goods except for displaying goods or materials for retail purposes (see Appendix “C” attached to Report PED24131).</p> <p>Loading areas for the proposed development are located to minimize adverse effects on adjacent residential areas and will be screened from view.</p>

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<p><b>Local Commercial Designation – Design</b></p> <p>Policy: B.5.2.3.4 d) <b>(Continued)</b></p>	<ul style="list-style-type: none"> <li>• Loading and unloading areas shall be located so as to minimize adverse effects to adjacent residential areas and shall be screened from view;</li> <li>• Landscaping shall form an integral part of all developments and screening and/or buffering shall be provided between commercial and other sensitive adjacent land uses; and,</li> <li>• All high intensity outdoor lighting shall be oriented away from residential areas and streets.</li> </ul>	<p>The implementing Zoning By-law includes setbacks and stepbacks from residential uses that minimize adverse effects to adjacent residential areas. Further design details, such as landscaping, building material and lighting will be addressed through a future Site Plan Control application.</p> <p>The proposal complies with this policy.</p>
<p><b>Site Specific Policy – Area A</b></p> <p>Policy: B.5.2.14.1 a)</p>	<p>The site shall have a maximum site area of 1.6 hectares with no maximum commercial floor area.</p>	<p>The subject lands are approximately 1.55 hectares.</p> <p>To comply with this policy the implementing Zoning By-law does not contain regulations to limit floor area of commercial uses (see Appendix “C” to Report PED24131).</p> <p>The proposal, subject to the approval of the Official Plan Amendment, complies with this policy.</p>
<p><b>Site Specific Policy – Area A – Permitted Uses</b></p> <p>Policy: B.5.2.14.1 b)</p>	<p>Permitted uses shall include a limited range of convenience retail, personal services professional offices and restaurant uses.</p> <p>In addition, the following uses shall also be permitted: Motor Vehicle Service Station (oil / lube service station only), without the storage of fuel or chemicals, Automatic Car Wash, Manual Car Wash, Farm Produce Market, Farm Equipment Sales, Business and Professional office, Restaurant, Service Use, Day Nursery, Retail, Financial Establishment, Personal Service Uses, Commercial School, Private or Commercial Club, Billiard Parlour, Post Office, Tavern.</p>	<p>The purpose of the Official Plan Amendment is to modify “Site Specific Policy – Area A” to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 165 units per net hectare. The proposed development consists of 227 dwelling units and 1,020 square metres of ground floor commercial space within a ten storey mixed use building. The implementing Zoning By-law contains regulations to limit the type of uses permitted (see Appendix “C” to Report PED24131).</p> <p>As discussed above, the proposed addition of residential uses is supported by the policies of the “Secondary Corridor” area and “Neighbourhoods” designation.</p>

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<b>Site Specific Policy – Area A – Permitted Uses</b>  Policy: B.5.2.14.1 b) <b>(Continued)</b>	Urban Farmers Market, Veterinary Service, and buildings, structures, and uses accessory to the above-noted permitted uses.	