

**SUMMARY OF POLICY REVIEW**

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

<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Niagara Escarpment Plan</b>		
Policy/Designation 1.7.4	Proposed uses and new lot creation may be permitted in the Urban Area if they conform to Development Criteria, Objectives, and applicable zoning by-laws that are not in conflict with the Niagara Escarpment Plan. Changes to permitted uses, expansions, alterations, or new lot creation within the Urban Area designation do not require an amendment to the Niagara Escarpment Plan.	<p>Within the Urban Area designation, the proposed uses and lot creation are permitted. The subject lands are an existing lot of record for residential use and do not encroach into the adjacent Escarpment Natural Area, separated by Jenny Court. The subject lands are outside the Niagara Escarpment Plan Area of Development Control and within the Urban Area designation, so a Development Permit from the Niagara Escarpment Commission is not required, and the City’s Zoning By-law regulates the land use. The proposed Zoning By-law Amendment application adheres to the Development Criteria and Objectives of the Niagara Escarpment Plan, as well as local planning policies. The future Consent application will be referred to the Niagara Escarpment Commission for further comment.</p> <p>The proposal complies with this policy.</p>
<b>Urban Hamilton Official Plan</b>		
<b>Residential Intensification</b>  Policies B.2.4.1.1	Residential intensification is encouraged throughout the entire built-up area.	<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>

<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification Evaluation</b></p> <p>Policy: B.2.4.1.4</p>	<p>Proposals are evaluated based on how they build 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.</p> <p>This policy also considers evaluating the proposal against the Urban Structure to ensure that the overall structure goals of the Urban Hamilton Official Plan are also achieved.</p>	<p>The subject lands are situated within a stable, low-density residential area. The proposal is designed to integrate with the existing neighbourhood character, ensuring compatibility in terms of use, form, scale, and massing. There are no anticipated impacts on the surrounding low-density residential areas.</p> <p>Additionally, the proposed single detached dwellings align with the Low Density Residential (R1) Zone of the City of Hamilton Zoning By-law No. 05-200.</p> <p>The proposal complies with this policy.</p>
<p><b>Residential Intensification within the Neighbourhoods Designation</b></p> <p>Policies: B.2.4.2.1, B.2.4.2.2</p>	<p>Residential intensification within the built-up area and on lands designated as Neighbourhoods on Schedule E-1 must comply with the Neighbourhoods Designation policies. When evaluating applications for such developments, factors include compatibility with adjacent land uses (e.g., shadowing, noise, and traffic), the height and massing of proposed buildings, and transitions in height and density.</p> <p>Consideration will also be given to the lot’s relationship to the neighbourhood lot pattern, the provision of amenity space, and the maintenance of streetscape patterns. The proposal must complement the neighbourhood’s functions, conserve cultural heritage resources, and address infrastructure and transportation capacity.</p>	<p>The proposed development aligns with the policies for residential intensification within the Neighbourhoods designation and maintains the existing character of the neighbourhood. It is compatible with adjacent residential land uses in terms of massing and height. The development preserves the streetscape along Jenny Court, replicating the existing lot fabric and massing of single detached dwellings, while meeting setback and lot coverage requirements.</p> <p>Additionally, the development will utilize existing municipal infrastructure for water and wastewater. The applicant will be required to extend the sanitary and storm sewers along the entire frontage of the subject site to service the proposed development, as discussed in greater detail in Appendix “E” attached to Report PED24178.</p> <p>The proposal complies with these policies.</p>

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<p><b>Archaeology</b></p> <p>Policy B.3.4.4.3</p>	<p>Areas identified as having archaeological potential on Appendix F-4, an archaeological assessment must be submitted prior to or at the time of application for certain planning matters under the <i>Planning Act</i>.</p>	<p>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. As this is a demolition and a redevelopment proposal and the lands are previously disturbed, a written caution is to be added to future consent agreement.</p> <p>The proposal complies with this policy.</p>
<p><b>Trees</b></p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>GLN Farm &amp; Forest Research Co. Ltd. prepared a Tree Protection Plan and a Landscape Plan dated June 2, 2024, by Michael Plowman (A.D Horticulture). The inventory includes 45 trees. The decision to retain trees is to be based on condition, aesthetics, age, and species. 15 trees are proposed to be removed as they will be impacted by construction activities (such as grading within the root zone). The trees slated for removal include Austrian Pine and Eastern White Cedar. Trees are being preserved on the neighbouring property, with an arborist on-site to ensure their protection.</p> <p>To maintain existing tree cover, one-for-one compensation is required for any tree (10 cm DBH or greater) that is proposed for removal. Consequently, compensation must be provided for 15 trees, which will be addressed in the future consent application through the Consent Agreement.</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>The existing lot is connected to the municipal watermain fronting the site along Maple Drive. There is a 0.3 m reserve located along the entire frontage of the subject site on Maple Drive, which needs to be lifted prior to any new services being connected. There are no municipal storm or sanitary sewers fronting the site along Maple Drive or Jenny Court.</p>

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<p><b>Infrastructure</b></p> <p>Policy C.5.3.6 (Continued)</p>		<p>The owner/applicant must extend the sanitary and storm sewers along Jenny Court currently terminated towards the northeast of the subject lands along the entire frontage of the subject site to service the two proposed dwellings through an External Works Agreement and ECA, which will be addressed through conditions of approval of the future Consent to sever application.</p> <p>The proposal complies with this policy.</p>
<p><b>Urban Systems and Designations</b></p> <p>Policies: E.3.2.4, E.3.2.13</p>	<p>Residential intensification in established Neighbourhoods must maintain the existing character and enhance the scale and character of the residential area. The City supports such intensification in line with relevant policies to ensure compatibility with the neighbourhood's established character.</p>	<p>The proposed redevelopment involves demolishing the existing single detached dwelling and constructing two new single detached dwellings. The proposal will facilitate a form of residential intensification that is compatible with the existing built form, scale, and character of surrounding development. The new two storey dwellings will match the height, scale, and orientation of the existing residences along Jenny Court.</p> <p>In terms of urban design, the proposal features high-quality design that respects the existing character, built form, and landscape. It prioritizes preserving the prominent views of the Niagara Escarpment and conserving the adjacent natural heritage features.</p> <p>The proposal complies with these policies.</p>
<p><b>Urban Systems and Designations:</b></p> <p><b>Low Density Residential</b></p> <p>Policy E.3.4.1, E.3.4.2, and E.3.4.3</p>	<p>Low-density residential uses are preferred within the interior of neighbourhoods and are characterized by grade-oriented, lower-profile buildings with direct unit access at grade.</p> <p>Uses permitted in low density residential areas: a) shall include single-detached, semi-detached, duplex, triplex, fourplex, and street townhouse dwellings.</p>	<p>The proposed development is situated in the interior of the neighbourhood on a local road. The proposed single detached dwellings are consistent with the existing character of the neighbourhood, featuring a low-profile, grade-oriented layout with direct access to each unit.</p> <p>The proposed single detached dwellings are a permitted use in the low density residential category of the Neighbourhoods designation.</p>

		<p>Through Official Plan Amendment No. 202 of the Urban Hamilton Official Plan, which established the City’s Low Density Residential Zones under Zoning By-law No. 05-200, the density ranges and permitted uses established in the Western Development Area Secondary Plan have been notwithstanding. As a result, the policies of Volume 1 now prevail regarding permitted uses, built form, density ranges, and height.</p> <p>The proposal complies with these policies.</p>
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Urban Systems and Designations:</b> Policy E.3.4.5, E.3.4.6</p>	<p>In low-density residential areas, buildings must not exceed three storeys. Development should avoid direct access from major or minor arterial roads and discourage back lotting along public streets and parks.</p>	<p>The proposed single detached dwelling units are designed to comply with Zoning By-law provisions. The subject lands are accessed from Jenny Court, which is classified as a local public road. The proposed single-detached dwellings back onto a local road, but this is an existing condition. Since the lots are "through" lots, backing onto either Jenny Court or Maple Drive is unavoidable.</p> <p>Furthermore, an existing reserve along Maple Drive restricts access onto Maple Drive from the proposed dwellings. The inclusion of landscaping, careful design to the rear façade of the dwellings, and a large landscape boulevard within the Maple Drive right-of-way will help mitigate the impact of the rear-lotted dwellings.</p> <p>The proposal complies with these policies.</p>
<b>Western Development Area Secondary Plan</b>		
<p>Policy: B.1.5 a)</p>	<p>Through Official Plan Amendment No. 202 of the Urban Hamilton Official Plan that implemented the City’s Low Density Residential Zones under Zoning By-law 05-200, the density ranges, and uses permitted within the Western Development Area Secondary Plan have not materialized and the policies of Volume 1</p>	<p>As indicated above, the proposal conforms with the low density residential policies of Volume 1 of the Urban Hamilton Official Plan, including policies E.3.4.3, E.3.4.4, and E.3.4.5.</p> <p>The proposal complies with this policy.</p>

	(E.3.4.3, E.3.4.4, and E.3.4.5) prevail with respect to permitted built form, density ranges, and height. Accordingly, the density range indicated in policy B.7.1.1.2 below, is no longer applicable.	
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
Policy: B.7.1.1.2	The Low Density Residential 2b designation on Map B.7.1-1 of the Western Development Area Land Use Plan permits single, semi-detached, and duplex dwellings. The allowable density ranges from 1 to 29 units per hectare.	<p>The proposed development, consisting of single-detached dwellings on two lots each approximately 0.06 hectares, results in a density of 16 units per hectare, meeting the required density criteria. The Secondary Plan does not offer additional guidelines for areas designated as "Low Density Residential 2b. As discussed above, staff have included this policy for information purposes, but it is not directly applicable due to the amendments made through Policy B.1.5 a) of Volume 2 of the UHOP.</p> <p>The proposal complies with this policy.</p>