

SUMMARY OF POLICY REVIEW

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

Provincial Planning Statement (2024)		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Planning for People and Homes</p> <p>Policy: 2.1.6 and 2.2.1</p>	<p>Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs.</p> <p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, promoting densities for new housing which efficiently use land, and requiring transit-supportive development in proximity to transit, including corridors.</p>	<p>The proposed development supports the development of healthy, liveable, and safe communities. The subject site is located adjacent to Highway No. 8. There are commercial uses along Highway No. 8, and Highway No. 8 is intended to further develop as a commercial and mixed use corridor. Hamilton Street Railway operated bus routes are located along Highway No. 8 and Highway No. 8 has been identified as a potential rapid transit route. Bicycle lanes are located along Highway No. 8. An elementary school is located within the surrounding neighbourhood and a secondary school is located north of Highway No. 8. And finally, Dewitt and Mapledene neighbourhood parks and Sherwood Meadows community parks are in proximity to the subject lands. The proposed development consists of 50 residential dwelling units within a four storey building with 65 parking spaces.</p> <p>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 and it will also support active transportation as bicycle lanes exist adjacent to the site.</p> <p>The proposal is consistent with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
Settlement Area Policy: 2.3.1.1	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The proposed development is located within a settlement area. The proposal is consistent with this policy.
Settlement Area Policy: 2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which, efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, and are transit-supportive.	The proposed development contributes to an appropriate density and mix of land uses. The proposed development will support the surrounding infrastructure, public service facilities, and transit. In addition, the proposed development is compact and an efficient use of land. The subject site is adjacent to Highway No. 8 which is identified as a “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. The development contributes to the supply and range of housing and transit supportive development. The proposal is consistent with this policy.

Niagara Escarpment Plan (2017)		
Theme and Policy	Summary of Policy or Issue	Staff Response
Urban Area Development Objectives Policy: 1.7.5.1	All development shall be of an urban design compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development.	The proposed development will include landscaped screening to minimize the visual impact of the development. The proposal conforms with this policy.

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 proposal complies with this policy as the subject lands are located within the built-up area.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification Criteria</p> <p>Policy: B.2.4.1.4 and B.2.4.2.2</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, contribution towards supporting transit, availability of public community facilities/services, ability to retain natural attributes of the site, and compliance with all other applicable policies.</p> <p>Residential intensification in the “Neighbourhoods” designation shall be evaluated on: matters listed in B.2.4.1.4, compatibility with adjacent land uses, relationship with nearby residential buildings, transition to adjacent residential buildings, relationship with lot pattern within the neighbourhood, provision of amenity space, ability to respect and maintain the streetscape, ability to complement the existing functions of the neighbourhood, conservation of cultural heritage resources, and infrastructure and transportation capacity.</p>	<p>The proposed development represents a compatible form of infill development. It 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, commercial uses, and active transportation as bicycle lanes exist adjacent to the site.</p> <p>A Site Plan and Elevation Drawings, prepared by Lintack Architects Inc. dated November 15, 2023, were submitted in support of the proposed development. The Elevation Drawings show that the proposed development has been designed to ensure an appropriate transition from existing adjacent residential buildings. Yard requirements and setbacks within the proposed Zoning By-law will implement this design (see Appendix “C” attached to Report PED24180).</p> <p>The Site Plan shows increased side setbacks towards the rear of the building adjacent to the existing residential dwelling located to the west, which also demonstrates appropriate design.</p> <p>The Site Plan also shows that the building is located close to the street with individual street facing entrances which will enhance the streetscape along Highway No. 8. Parking is primarily located underground with seven surface parking along the rear of the property.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Residential Intensification Criteria</p> <p>Policy: B.2.4.1.4 and B.2.4.2.2 (continued)</p>		<p>Further design details, such as landscaping, building material, and lighting will be addressed through the future Site Plan Control stage.</p> <p>The proposal complies with these policies.</p>
<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 emission and protecting and enhancing the natural environment; • Enhancing physical and mental health; and, • Designing streets as a transportation network and as a public space. 	<p>An Urban Design Brief, prepared by Lintack Architects Inc. dated February 2021, was submitted in support of the proposed development. In staff’s opinion, the design encourages development of a pedestrian friendly environment and that setbacks and stepbacks are an appropriate transition in height. Use of building materials will be used to emphasize the stepback.</p> <p>A Site Plan prepared by Lintack Architects Inc., dated November 15, 2023, was submitted in support of the proposed development. The plan shows increased side setbacks towards the rear of the building adjacent to the existing residential dwelling located to the west.</p> <p>Further design details, such as landscaping, building material and lighting will be addressed through the future Site Plan Control stage.</p> <p>The proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Tree Management 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 Adesso Design Inc. dated April 9, 2020, and revised November 2, 2023, was submitted in support of the development. A total of 52 individual trees and one unit of trees were inventoried and 48 individual trees and the unit of trees are proposed to be removed. The unit of trees has been identified as Common Buckthorn, which is an invasive species.</p> <p>Of the 48 individual trees to be removed, 24 individual trees have already been removed, six were found to be in “poor” condition, and one was found to be in “poor-dead” condition.</p> <p>Two of the 48 individual trees to be removed are located within the municipal right-of-way and permits for removal will be required.</p> <p>Of the 24 remaining individual trees proposed to be removed, seven (four Cherry Trees, one Siberian Elm, one White Mulberry, and one English Oak) are proposed to be removed to accommodate underground parking, five (two Crabapple, one White Spruce, one White Elm, and one Tree of Heaven) are proposed to be removed to accommodate surface parking, four (two Manitoba Maple, one Black Locust, and one Staghorn Sumac) are proposed to be removed to accommodate the multiple dwelling, three (two Norway Maple and one Silver Maple) are proposed to be removed to accommodate the driveway, three (one Douglas Fir, one Manitoba Maple, and one Juniper) are proposed to be removed to accommodate walkways, and two (one Apple Tree and one Norway Maple) are proposed to be removed to accommodate site grading.</p> <p>Of the 24 remaining individual trees proposed to be removed, ten are undesirable and invasive species (three Norway Maple, three Manitoba Maple, one Black Locust, one Tree of Heaven, one</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Tree Management</p> <p>Policy: C.2.11.1 (continued)</p>		<p>Siberian elm, and one white mulberry). In addition, the one apple tree is undesirable.</p> <p>The Tree Protection Plan has not yet been approved. The decision to retain trees is to be based on condition, aesthetics, age, and species. 17 of the remaining individual trees proposed to be removed are in “good”, “fair-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, 1 for 1 compensation is required for any tree (10 cm DBH or greater) that is proposed to be removed. As a result, compensation is required for 48 trees. A Landscape Plan will be required at the Site Plan Control stage to confirm compensation tree plantings and cash-in-lieu requirements.</p> <p>The proposal complies with this policy.</p>
<p>Transportation</p> <p>Policy: C.4.5.12</p>	<p>A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.</p>	<p>A Trip Generation Analysis, prepared by WEBB Planning Consultants dated September 10, 2024, has been submitted in support of this application. The proposed development is not anticipated to generate a significant amount of traffic. The findings were accepted by Transportation Planning staff.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy: C.5.3.6</p>	<p>All redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p>	<p>A Functional Servicing and Stormwater Management Report, prepared by S. Llewellyn & Associates Limited dated August 2021 and updated February 2023 and November 2023, was submitted in support of the development.</p>

		Development Engineering supports the applications with Holding Provisions to ensure that upgraded sewers within Dewitt Road are completed and that the applicant provides a proportionate share of
Theme and Policy	Summary of Policy or Issue	Staff Response
Infrastructure Policy: C.5.3.6 (continued)		costs to upgrade sanitary sewers. The recommended Zoning By-law includes a Holding Provision to address these items. See Appendix “C” attached to Report PED24180. 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 Planning Act, R.S.O., 1990 c. P.13.	The subject property is in an area of pioneer EuroCanadian settlement, which is one 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 1-2 (P017-810-2020) archaeological assessment which examined the archaeological potential of the site to the satisfaction of the Ministry. Staff received a copy of the letter from the Ministry dated November 30, 2022, 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. 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 along Highway No. 8, which is classified as a major arterial on Schedule C – Functional Road Classification in the Urban Hamilton Official Plan. A Noise Impact Assessment, prepared by S. Llewellyn & Associates Limited dated September 2020, was submitted in support of the development. The report found that the outdoor sound levels are expected to be below Ministry of the Environment, Conservation and Parks limits. Therefore, no outdoor noise mitigation measures are required. Provisions for air

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Noise</p> <p>Policy: B.3.6.3.1</p>		<p>conditioning and a warning clause registered on title and/or in rental agreements are recommended. This will be addressed through the future Site Plan Control stage. No modified building components are recommended.</p> <p>The proposal is consistent with this policy.</p>
<p>Urban Corridors – Scale</p> <p>Policy: 2.4.10</p>	<p>The built form along the Urban Corridors shall generally consist of low to mid rise forms but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while 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.</p>	<p>The subject site is adjacent to Highway No. 8 which is identified as a “Secondary Corridor” on Schedule E – Urban Structure of the Urban Hamilton Official Plan.</p> <p>The proposed medium density housing is consistent with the planned land uses along “Secondary Corridors”.</p> <p>The proposal complies with this policy.</p>
<p>Urban Corridors – Scale</p> <p>Policy: 2.4.11</p>	<p>Urban Corridors shall be a focus for intensification through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur within the surrounding Neighbourhoods, particularly on sites along other arterial roads that are not designated as Urban Corridors.</p>	<p>The subject lands are located on a “Secondary Corridor”, which is anticipated to be the focus of intensification. The proposed development represents a compatible form of infill development. It 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, commercial uses, and active transportation as bicycle lanes exist adjacent to the site. A review of residential intensification policies is located above.</p> <p>The proposal complies with this policy.</p>
<p>Urban Corridors – Design</p> <p>Policy: 2.4.14</p>	<p>Urban Corridors shall provide a comfortable and attractive pedestrian experience.</p>	<p>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 units facing the street have direct connections to the street.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Urban Corridors – Design</p> <p>Policy: 2.4.16</p>	<p>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 proposed development is designed to minimize the effects of overlook and privacy. As discussed above, there proposed Zoning By-law Amendment includes setbacks and stepbacks that provide an appropriate transition in height.</p> <p>The proposal complies with this policy.</p>
<p>Urban Corridors – Design</p> <p>Policy: 2.4.17</p>	<p>Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support existing and planned transit routes.</p>	<p>The proposed reduction in parking is appropriate as the subject lands are located adjacent to existing transit routes, planned rapid transit, and bicycle lanes along Highway No. 8.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhoods Designation – Function</p> <p>Policy: E.3.2.1</p>	<p>Areas designated “Neighbourhoods” shall include a full range of residential dwelling types and densities.</p>	<p>The proposed development is a residential use in a multi residential form.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhoods Designation – Function</p> <p>Policy: E.3.2.4</p>	<p>Residential intensification shall be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4.</p>	<p>Detailed review of residential intensification policies in Section B.2.4 is located above.</p> <p>The proposal complies with this policy.</p>

Western Development Area Secondary Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Medium Density Residential 3 Designation</p> <p>Policy: B.7.1.1.4</p>	<p>Notwithstanding Policies E.3.5.2, E.3.5.7, and E.3.5.8 of Volume 1, the following policies shall apply to the Medium Density Residential 3 designation identified on Map B.7.1-1– Western Development Area - Land Use Plan:</p> <p style="padding-left: 40px;">a) the permitted uses shall be predominantly apartment dwellings in buildings not exceeding a height of nine stories; and,</p> <p style="padding-left: 40px;">b) the density shall range from 50 to 99 units per net residential hectare.</p>	<p>The proposed development is a four storey multiple dwelling. This type of residential building complies with the “Medium Density Residential 3” designation.</p> <p>The designation permits a building height of nine storeys. However, the proposed development is four storeys and justification for additional height has not been provided. Therefore, an Official Plan Amendment to limit the height to four storeys is recommended.</p> <p>The proposed development of 50 residential units will result in a density of 164 units per hectare. This does not comply with the density range; therefore, an Official Plan Amendment is required to modify the maximum density. The subject lands are located on a “Secondary Corridor”, which is anticipated to be the focus of intensification. The proposed development represents a compatible form of infill development. It 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, commercial uses, and active transportation as bicycle lanes exist adjacent to the site. A review of residential intensification policies is located above.</p> <p>The proposal complies with this policy.</p>