

SUMMARY OF POLICY REVIEW

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

Urban Hamilton Official Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Built Form</p> <p>Policy: B.3.3.3.2</p>	<p>New development shall be designed to minimize impacts on neighbouring buildings and public spaces by creating transitions in scale to neighbouring buildings, ensuring adequate privacy and sunlight to neighbouring properties, and minimizing the impacts of shadows and wind conditions.</p>	<p>The proposal complies with this policy.</p> <p>The applicant has proposed to rezone the subject lands to Low Density Residential – Small Lot (R1a) Zone and Low Density Residential (R1) Zone and the existing properties adjacent to the subject lands are zoned Low Density Residential (R1) Zone, “C/S-1822” (Urban Protected Residential, etc.) District, Modified, “R-4-H/S-1713” (Small Lot Single Family Dwelling – Holding) District, Modified, and “R-4/S-1822” (Small Lot Single Family Dwelling) District, Modified. All these existing zones allow a maximum height of 10.5 metres and 11 metres.</p> <p>Additionally, the applicant has proposed a modification to reduce the side yard setback to allow for a larger building envelope as the lots are relatively small. The request to reduce the side yard setback requirements will not impact existing development in terms of transition as the reduction for side yard setback will be adjacent to the new development. Staff are satisfied with the reduction for side yard setback, subject to Condition No. 38 of the Draft Plan Approval, as shown in Appendix “F” attached to Report PED24177.</p> <p>Based on this information, the proposed development of low-density housing will be consistent with the existing adjacent development in terms of building scale, ensuring</p>

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<p>Built Form</p> <p>Policy: B.3.3.3.2 (continued)</p>		<p>adequate privacy and sunlight to neighbouring properties and minimizing shadow and wind conditions.</p>
<p>Noise</p> <p>Policy B.3.6.3.7</p>	<p>A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations:</p> <ul style="list-style-type: none"> • 100 metres of a minor arterial road, as identified on Schedule C – Functional Road Classification. 	<p>The proposal complies with this policy.</p> <p>Staff have reviewed the “Environmental Noise Impact Study: Eleanor & Eaglewood Housing Development - 760 Stone Church Road East Hamilton, ON” prepared by dBA Acoustical Consultants Inc. dated March 2022. The report has been reviewed for potential road traffic and stationary noise impacts on the proposed residential development.</p> <p>Staff are satisfied with the findings of the report mentioned above and suggest warning clauses to be added in the Subdivision Agreement and in all offers of purchase and sale and/or lease agreements. This matter is addressed as Special Condition No. 39 of Appendix “F” attached to Report PED24177.</p>
<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>The proposal complies with this policy.</p> <p>Based on aerial photograph interpretation, trees have been identified within the subject property. The city recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees.</p> <p>A revised Tree Protection Plan (TPP) (drawings L-1 and L-2) has been prepared by Adesso Design Inc.</p>

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<p>Trees</p> <p>Policy C.2.11.1 (continued)</p>		<p>(Mario Patitucci; landscape architect) May 15, 2024. A total of 94 trees have been inventoried. Of these, 27 trees have been proposed to be removed. The decision to retain trees is to be based on vigour, condition, aesthetics, age, and species. It is recognized that several of the trees proposed to be removed are in poor health or an undesirable species. However, there is concern with the following:</p> <p>Four (4) trees (#10-Red Maple, 11-Norway Maple, 12-Freeman Maple, and 13-Norway Maple) proposed to be removed are located on the neighbouring property (30 Eleanor Avenue). Since it is important not to negatively impact these trees, in previous comments (February 2023), it was identified that the development should be revised to protect these trees.</p> <p>To address the intent of policies within the Urban Hamilton Official Plan, it is recommended that the design of the development be reconfigured to lessen the impact on the neighbouring trees. As a result, the TPP has not been approved and revisions are required.</p> <p>The above concerns are being addressed through Condition Nos. 34 and 35 of Appendix “F” attached to Report PED24177.</p>
<p>Transportation</p> <p>Policies C.4.5.6.1, C.4.5.6.5, C.4.5.7</p>	<p>The City shall require, as a condition of site plan approval, subdivision approval, condominium approval and land severance consent, that sufficient lands are conveyed to provide for a right-of-way dedication in</p>	<p>The proposal complies with this policy.</p> <p>Transportation Planning support the proposed development. To protect the existing and future pedestrian realm, cycling infrastructure and road network,</p>

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<p>Transportation</p> <p>Policies C.4.5.6.1, C.4.5.6.5, C.4.5.7 (continued)</p>	<p>accordance with the designated widths as set out in Section C.4.5.2.</p> <p>The City shall require the conveyance of property for appropriate daylighting triangles and corner rounding on existing roads at such times as the property is to be developed or redeveloped, as a condition of site plan approval, consent, or plan of subdivision approval, in accordance with City standards based on the intersecting roadways of the functional road classification detailed in Section C.4.5.2.</p> <p>Notwithstanding the above, the city may waive or accept less lands to be dedicated than the maximum right-of-way dedication and/or daylighting triangle requirements where, in the opinion of the City it is determined through a development planning approval process that due to significant adverse impacts on existing built form it is not feasible or desirable to provide the full daylighting triangle.</p>	<p>Transportation Planning requires a ±20.0 metre right-of-way dedication on the proposed Eaglewood Drive extension.</p> <p>Eleanor Avenue and Future Eaglewood Drive will both be Local Roads. The applicant is also required to dedicate a 4.57 m x 4.57 m Daylighting Triangle at the north-east corner to the municipal right-of-way.</p> <p>Stone Church Road East is an Arterial Road and Eleanor Avenue is a Local Road. The applicant is required to dedicate 12.19 m x 12.19 m Daylighting Triangle to the right-of-way; however, Transportation Planning will accept a reduced Daylighting Triangle of 5.0 m x 5.0 m at the intersection of Stone Church Road East and Eleanor Avenue (Block 18) as it is not feasible or desirable to provide the full daylight triangle adversely impacting the adjacent to the property to the east on Stone Church Road East. A revised Draft Plan, dated October 8, 2024, was submitted by the applicant that addresses the Daylighting Triangle of 5.0 m x 5.0 m as Block 19.</p> <p>The above has been addressed through Special Condition Nos. 29 to 33 of Appendix “F” attached to Report PED24177.</p>
<p>Infrastructure</p> <p>Policies C.5.3.6, C.5.3.13, C.5.3.17, C.5.4.3</p>	<p>All new development and 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</p>	<p>The proposal complies with this policy.</p> <p>Development Engineering staff supports the applications as the proponent has demonstrated an adequate stormwater management design and has also</p>

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<p>Infrastructure</p> <p>Policies C.5.3.6, C.5.3.13, C.5.3.17, C.5.4.3</p> <p>(continued)</p>	<p>municipal water and wastewater system and that investments into the system will support the achievement of the intensification and density targets.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>A detailed stormwater management plan prior to development is required to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>demonstrated that the existing municipal sanitary and water system can support the proposed development.</p> <p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report and are satisfied that the existing municipal sanitary and water system can support the proposed development, subject to certain conditions being satisfied through conditions of draft plan approval, as further discussed in Appendix “E” attached to Report PED24177 and addressed as Condition Nos. 1 to 28 of Appendix “F” attached to Report PED24177.</p>
<p>Neighbourhoods Designation</p> <p>Policies: E.3.2.1, 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 residents.</p> <p>The following uses shall be permitted on lands designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations:</p> <p>a) Residential dwellings, including second dwelling units and housing with supports.</p>	<p>The proposal complies with these policies.</p> <p>The proposal contributes to the achievement of a complete community as it proposes appropriate residential densities and unit types for the area and residential dwellings are a permitted use under areas designated “Neighbourhoods”.</p>

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<p>Neighbourhoods Designation – Residential Uses – General Policies</p> <p>Policy: E.3.3.2</p>	<p>Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.</p>	<p>The proposal complies with this policy.</p> <p>The applicant has proposed to develop low density housing (16 freehold lots for single detached dwellings and one block for 11 single detached dwellings on a private condominium road), which will complete the existing residential neighbourhood. The proposed development is also compatible with the scale and character of the existing neighbourhood with respect to height, massing, and the arrangement of buildings.</p>
<p>Low Density Residential – Function</p> <p>Policy: E.3.4.1</p>	<p>The preferred location for low density residential uses is within the interior of neighbourhoods.</p>	<p>The proposal complies with this policy.</p> <p>The location of the subject lands is within the interior of the neighbourhood.</p>
<p>Low Density Residential – Function</p> <p>Policy: E.3.4.2</p>	<p>Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.</p>	<p>The proposal complies with this policy.</p> <p>The subject lands are in the interior of the neighbourhood and the proposal is to develop 27 single detached dwellings (16 units facing onto the public road and 11 units facing onto a private condominium road as part of a common element condominium) that would have direct access to each unit at grade.</p> <p>The height of the proposed development will be a maximum three storeys and each unit will front onto a local road.</p>

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<p>Low Density Residential – Function</p> <p>Policy: E.3.4.3</p>	<p>Uses permitted in low density residential areas:</p> <p>a) Shall include single-detached, semi-detached, duplex, triplex, fourplex, and street townhouse dwellings.</p>	<p>The proposal complies with this policy.</p> <p>The proposal is to create 16 lots for single detached dwellings facing the public road and one block containing 11 lots for single detached dwellings facing the private condominium road to facilitate the development of 27 single detached dwellings on the subject lands.</p>
<p>Low Density Residential – Scale</p> <p>Policy: E.3.4.5</p>	<p>For low density residential areas, the maximum height shall be three storeys.</p>	<p>The proposal complies with this policy.</p> <p>The applicant has proposed to rezone the subject lands to Low Density Residential – Small Lot (R1a) Zone and Low Density Residential (R1) Zone to facilitate the development of single detached dwellings. The maximum height allowed in the R1a Zone and R1 Zone is 10.5 metres, which is approximately three storeys. The applicant has not requested any modifications to the maximum height regulation in the R1a Zone and R1 Zone.</p>
<p>Low Density Residential – Design</p> <p>Policy: E.3.4.6</p>	<p>Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:</p> <ul style="list-style-type: none"> • Discourage access from minor or major arterial roads; • Discourage backlotting; • A mix of lot widths and dwelling unit types are encouraged; and, • Creation of new streets shall generally occur by Plan of Subdivision. 	<p>The proposal complies with this policy.</p> <p>The applicant has proposed to create 16 lots to facilitate the development of single detached dwellings, one block for the future development of single detached dwelling units on a private condominium road, and an extension of public street (Eaglewood Drive). The proposed development of single detached dwellings and an extension of public street (Eaglewood Drive) is being executed through the Draft Plan of Subdivision.</p>

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<p>Residential Greenfield Design</p> <p>Policy E.3.7.1</p>	<p>New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and infrastructure shall be designed to contribute to this character.</p>	<p>The proposal complies with this policy.</p> <p>The proposed development consists of single detached dwellings and builds upon the existing neighbourhood character, while also allowing for a more compact development through smaller lot widths. The proposed buildings, streetscape, street pattern, landscaping and infrastructure are all cohesive with the existing neighbourhood character.</p>
<p>Residential Greenfield Design</p> <p>Policy E.3.7.3</p>	<p>The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the greenfield community to the focal point and adjacent neighbourhoods.</p>	<p>The proposal complies with this policy.</p> <p>The proposal has been reviewed from a transportation perspective, which includes pedestrian, cycling and vehicular circulation and connections. The proposal includes sidewalks on both sides of the proposed municipal street. The proposal is also well connected to existing adjacent neighbourhoods.</p>
<p>Residential Greenfield Design</p> <p>Policy E.3.7.5</p>	<p>New greenfield development shall generally be designed to minimize changes to existing topography; preserve existing trees and natural features; and be compatible and maintain established views to prominent City features and landmarks.</p>	<p>The proposal complies with this policy.</p> <p>The proposed civil engineering design seeks to minimize changes to the existing topography. The engineering design will be finalized through conditions of Draft Plan Approval. A Tree Protection Plan was submitted with the submitted applications, the approval of which has been included as a condition of Draft Plan Approval to ensure existing trees are preserved to the best extent possible.</p>

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<p>Implementation – Plan of Subdivision</p> <p>Policy F.1.14.1.1</p>	<p>The development of lands may require subdivision of existing lots or tracts of land and shall be evaluated on a number of criteria including review of land use policy, integration with adjacent lands, staging of development, provision of adequate services, no adverse impact on the transportation systems and the natural environment, and not adversely impacting municipal finances.</p>	<p>The proposal complies with this policy.</p> <p>The subject lands are within the urban boundary. The proposed Draft Plan of Subdivision, attached as Appendix “G” to Report PED24177, consists of 16 lots for single detached dwellings (Lots 1 – 16), one block for the future development of single detached dwelling units on a private condominium road (Block 17), one block as a remnant development block (Block 18), one block for a Daylighting Triangle (Block 19), and the extension of Eaglewood Drive on the east and west of side of Eleanor Avenue.</p> <p>The proposal represents a logical and orderly development of the lands. The site can be serviced using existing and planned infrastructure and will not adversely impact the transportation system and the natural environment, subject to the proposed Draft Plan conditions in Appendix “F” attached to Report PED24177.</p> <p>In addition, it will not adversely impact municipal finances, and meets all requirements of the <i>Planning Act</i>.</p>