

SUMMARY OF POLICY REVIEW

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

Theme and Policy	Summary of Policy or Issue	Staff Response
Provincial Policy Statement (2020)		
<p>Settlement Areas</p> <p>1.1.3.1, 1.1.3.2 and 1.1.3.3</p>	<p>Focus growth and development into Settlement Areas.</p> <p>Land use patterns within settlement areas shall be based on the efficient use of land and resources, are appropriate for and efficiently use infrastructure and public services, minimize impact on climate change and promote energy efficiency, support active transportation, and are transit supportive.</p> <p>Identify appropriate locations and promote opportunities for transit-supportive development, accommodate a significant supply and range of housing options through intensification and redevelopment.</p>	<p>The proposed development focuses growth and development into a settlement area.</p> <p>The proposed development efficiently uses land, resources, and public services by providing intensification in the form of a mixed use development that is located within a settlement area, and within proximity to existing transit, parks, and schools.</p> <p>The proposed development utilizes existing municipal water and wastewater infrastructure. A revised Functional Servicing Report will be required as a condition of the Holding Provision to ensure that there is sufficient capacity to service the proposed development prior to the development proceeding.</p> <p>The proposed development minimizes impact on climate change and promotes energy efficiency through the provision of transit supportive development, provision of alternative transportation options including bicycle infrastructure, provision of landscaping, and will utilize green infrastructure and sustainable design elements.</p>

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<p>Settlement Areas</p> <p>1.1.3.1, 1.1.3.2 and 1.1.3.3</p> <p>(Continued)</p>		<p>The proposed development supports active transportation through the provision of both short and long term bicycle parking, pedestrian amenities throughout the site, and proximity to parks, schools, and existing transit.</p> <p>The development is transit supportive and increases the supply of housing in the area including providing rental housing with a range of unit sizes including bachelor units, one bedroom units, two bedroom units and three bedroom units. The implementing Zoning By-law will establish a minimum percentage for two and three bedroom units.</p>
<p>Cultural Heritage</p> <p>2.6.2</p>	<p>Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the resources have been conserved.</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. These criteria define the property as having archaeological potential. An acknowledgement note will be required as part of a future Site Plan Control application. As the lands are currently developed, the City does not require an archaeological assessment.</p>
<p>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)</p>		
<p>Managing Growth</p> <p>2.2.1.2, 2.2.1.4</p>	<p>Forecasted growth will be based on most growth directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater services, and can support the achievement of complete communities.</p>	<p>The subject property is located within a settlement area and within the Built-up area as identified in the Urban Hamilton Official Plan.</p> <p>The proposed development will be serviced by municipal water and wastewater services.</p>

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<p>Managing Growth 2.2.1.2, 2.2.1.4 (Continued)</p>	<p>Forecasted growth will be within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit, and areas with existing or planned public service facilities.</p> <p>Growth should support the achievement of complete communities that feature a diverse mix of land uses, including residential, convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, provide a more compact built form and a vibrant public realm, and mitigate and adapt to the impacts of climate change.</p>	<p>The proposed development will increase the supply of residential dwelling units including units for larger households and provide commercial services. Therefore, the proposed development will support the achievement of complete communities.</p> <p>There are existing transit routes along both Greenhill Avenue and Mount Albion Road. The proposed development is located within walking distance of existing municipal parks and elementary schools and therefore the proposed development focuses growth in an area with existing public service facilities.</p> <p>The built form along Mount Albion Road and Greenhill Avenue is designed to animate the street by shifting the built form close to the street and through the inclusion of ground floor glazing, principal entrances facing the street and ground related commercial uses facing the street.</p> <p>The proposed development will also provide landscaping and pedestrian amenities, which will support a vibrant public realm.</p> <p>The proposed development will promote intensification on the subject lands which will have access to public transit and will provide ample bicycle parking and is within walking distance to schools and other public services, which will assist with addressing climate change.</p>

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Official Plan:	Urban Hamilton Official Plan	
<p>Urban Structures – Neighbourhoods – Function</p> <p>E.2.7.2, E.2.7.4., and E.2.7.5 (Continued)</p>	<p>“Neighbourhoods” shall primarily consist of residential uses and complementary facilities and services.</p> <p>“Neighbourhoods” elements of the urban structure shall permit a range of commercial uses including retail stores and services.</p>	<p>The proposed development is for the establishment of 553 dwelling units contained within two 12-storey buildings and two four-storey buildings, along with 975 square metres of ground floor commercial floor area.</p> <p>The proposed development includes 244 two-bedroom units and 28 three-bedroom units, and therefore family friendly units will represent 49 percent of the total number of units being provided.</p> <p>The proposed dwelling units are intended to be rental units. Therefore, the proposed development will provide opportunity for a full range of housing forms, types, and tenures.</p>
<p>Urban Structures – Neighbourhoods – Scale</p> <p>E.2.7.7</p>	<p>“Neighbourhoods” shall generally be regarded as physically stable areas, with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.</p>	<p>The area is predominantly a residential neighbourhood which includes low density residential uses and multiple dwellings with building heights up to 12 storeys. The proposed development of two 12-storey multiple dwellings and two four-storey multiple dwellings is consistent with the existing scale of the area.</p>
<p>Neighbourhoods Designation – General Policies</p> <p>E.3.2.3</p>	<p>Uses permitted on lands designated “Neighbourhoods” include residential dwellings and local commercial uses.</p>	<p>The proposed development seeks to establish a mixed use development with 553 multiple dwelling units and 975 square metres of ground floor local commercial floor area.</p>

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<p>Neighbourhoods Designation – Scale and Design</p> <p>E.3.2.4</p>	<p>The existing character of established neighbourhoods shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.</p>	<p>The proposed development of two 12 storey buildings and two four storey buildings represents a scale of development that is consistent with other multiple dwelling forms that exist in the area. In addition, through building setbacks and stepbacks the proposed development will provide adequate transition between the proposed buildings and existing low density development in the area.</p>
<p>Neighbourhoods Designation – Medium Density Residential - Function</p> <p>E.3.5.1, E.3.5.2, and E.3.5.4</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p> <p>Multiple dwellings shall be permitted in medium density residential areas.</p> <p>Local commercial uses may be permitted on the ground floor of buildings containing multiple dwellings, subject to Section E.3.8.</p>	<p>The subject property is located within the interior of a neighbourhood and fronts onto Mount Albion Road which is classified as a collector road, therefore the subject property represents an appropriate location for a medium density residential use.</p> <p>The proposed development of multiple dwellings complies with the permitted uses for a medium density residential area.</p> <p>The inclusion of 975 square metres of commercial gross floor area on the ground floor of one of the 12 storey buildings complies with policy E.3.5.4.</p>
<p>Neighbourhood Designation – Medium Density Residential – Scale</p> <p>E.3.5.7 and E.3.5.8</p>	<p>For medium density residential uses the maximum height shall be six storeys but may be increased to 12 storeys subject to the following criteria:</p> <ul style="list-style-type: none"> • Development provides a mix of unit sizes to accommodate a range of household sizes and income levels. 	<p>The proposed development of 12 storey multiple dwellings will exceed the maximum height of six storeys but does not exceed the maximum height of 12 storeys that is permitted subject to demonstrating compliance with the applicable criteria.</p>

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<p>Neighbourhoods Designation – Medium Density Residential – Scale</p> <p>E.3.5.7 and E.3.5.8 (Continued)</p>	<ul style="list-style-type: none"> • Development shall incorporate sustainable building and design principles; • Development shall not unduly overshadow or block light on adjacent sensitive land uses, the public realm and outdoor private amenity areas; • Buildings are progressively stepped back from adjacent areas designated “Neighbourhoods”; and, • Buildings are stepped back from the street to minimize the height appearances from the street. 	<p>The proposed development provides a mix of unit sizes to accommodate a range of household sizes and income levels by providing rental housing and with nearly half of the units (49 percent) having two to three bedrooms.</p> <p>The proposed development will incorporate and utilize green infrastructure and sustainable design elements through the provision of alternative modes of transportation, the use of high efficiency mechanical and HVAC systems, water efficient fixtures, energy efficient lighting, preservation of existing trees where possible, amongst others.</p> <p>A Sun Shadow Study prepared by IBI Group dated February 15, 2022, was submitted. The study illustrated that the proposed development maintains a minimum of three hours of sun access on Greenhill Avenue, Harrisford Street, and Mount Albion Road between 10 a.m. and 4 p.m. with no shadows on Greenhill Avenue from 12:18 p.m. onward. Therefore, the proposed development will not impact or block light to the public realm.</p> <p>The proposed development will maintain at least three hours of sun access on the amenity area between 10 a.m. and 4 p.m. Therefore, it will not unduly overshadow or block light to adjacent sensitive land uses.</p>

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<p>Neighbourhoods Designation – Medium Density Residential – Scale</p> <p>E.3.5.7 and E.3.5.8 (Continued)</p>		<p>The proposed development includes an amenity area to the rear of Building A, on which the Sun Shadow Study identifies significant shadow impacts. However, the proposed development does not require this area to meet the minimum amenity space requirements for the development, and it is considered a “surplus” amenity area. Therefore, there will be sufficient amenity area with sufficient sun access. Staff also note that there are outdoor amenity areas with full sun access, allowing future residents options for full sun and shaded outdoor areas.</p> <p>The proposed development will include adequate setbacks and stepbacks to provide adequate separation and transition from adjacent residential uses. The proposed development will include setbacks and stepbacks from the adjacent streets that will assist with minimizing the appearance of height and mass for the buildings from the street.</p>
<p>Neighbourhood Designation – Medium Density Residential – Design</p> <p>E.3.5.9</p>	<p>Development of “Medium Density Residential” shall be evaluated based on the following criteria:</p> <ul style="list-style-type: none"> • Should have direct access to a collector or arterial road, or if not possible, access may be provided by a local road if a small number of low density residential dwellings are located on the local road. 	<p>The subject property has frontage and access on Mount Albion Road which is a collector road.</p> <p>The proposed development will integrate with the surrounding area which includes other 12 storey multiple dwellings and will be designed to provide an appropriate transition in scale that will avoid adverse impacts on the surrounding neighbourhood.</p>

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<p>Neighbourhood Designation – Medium Density Residential – Design</p> <p>E.3.5.9 (Continued)</p>	<ul style="list-style-type: none"> • Development shall be integrated with other lands in the “Neighbourhood” designation with respect to density, design, amongst others; • Development shall be on sites of suitable sizes, provide adequate landscaping, amenity features, on-site parking, and buffering. The height, massing and arrangement of buildings and structures shall be compatible with the area; • Development be designed to minimize conflict between traffic and pedestrians on-site and surrounding streets; and, • Studies may be required to demonstrate that the height, orientation, design, and massing of a building shall not unduly overshadow, block light, or result in loss of privacy of adjacent residential uses. <p>The orientation, design and massing of a building or structure higher than six storeys shall consider the impact on public view corridors and public views of the Niagara Escarpment, through the submission of a Visual Impact Assessment.</p>	<p>The proposed development will include landscaping to provide a designed development that is compatible with the surrounding area. The development will provide amenity space and on-site parking to meet the needs of future residents and commercial patrons.</p> <p>The proposed development includes internal walkways and driveways to separate pedestrians and vehicles, and the proposed development has been reviewed by City staff with respect to minimizing traffic conflicts.</p> <p>The proposal is supported by a sun shadow study which has demonstrated that the height, orientation, design, and massing of the buildings will not unduly overshadow or block light on adjacent residential uses and will not result in a loss of privacy of adjacent residential uses.</p> <p>A Visual Impact Assessment was not identified as part of the Formal Consultation application. The Niagara Escarpment is located south of the subject property. Based on the existing built context of the area and the layout of the existing streets the only view corridor with a view of the Escarpment is along Mount Albion Road. The proposed development incorporates two, four storey buildings along Mount Albion Road which will not interfere with any public view corridors or general public views to the Niagara Escarpment.</p>

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<p>Neighbourhood Designation – Local Commercial - Function</p> <p>E.3.8.2</p>	<p>Local commercial uses include a range of uses including but not limited to retail and service uses, day nursery, commercial schools, restaurants, personal services, etc.</p>	<p>The specific uses for the ground floor commercial units have not yet been determined but a range of commercial uses are permitted within the proposed zoning.</p>
<p>Neighbourhood Designation – Local Commercial – Design</p> <p>E.3.8.9, E.3.8.11, and E.3.8.12</p>	<p>Development of local commercial uses shall have frontage and access to an arterial road or collector road, provide safe and convenient access for pedestrian and cyclists, and be compatible with the surrounding area in terms of design, massing, height, setbacks, parking, noise, landscaping, and lighting.</p> <p>Local commercial uses shall be planned and designed to be integrated with and easily accessible from the surrounding neighbourhood.</p>	<p>The subject property has frontage and access to a collector road; however, the proposed commercial uses will be oriented towards Greenhill Avenue, classified as a local road for the section west of Mount Albion Road. An Official Plan Amendment is required to permit commercial uses to front on and be accessed from a local road and to permit a principal entrance of a new local commercial use to face a local road.</p> <p>The commercial units will maintain pedestrian access and short term bicycle parking for safe and convenient access for pedestrians and cyclists. The local commercial uses will be located on the ground floor of a mixed use building which will be of a design, massing, and scale that will be compatible with the area. Parking will be provided for the proposed commercial uses, in accordance with the Zoning By-law No. 05-200, and on-site landscaping will also be provided. The applicant must demonstrate through a future Site Plan Control application that on-site lighting will not negatively impact adjacent lands. A noise study was done as part of the application, but a detailed evaluation of noise impacts on the surrounding area could not be completed until details on the mechanical equipment were provided.</p>

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<p>Neighbourhood Designation – Local Commercial – Design</p> <p>E.3.8.9, E.3.8.11, and E.3.8.12 (Continued)</p>		<p>An updated noise impact study will be required to be undertaken and has been included in the Holding Provision.</p> <p>The proposed commercial uses are oriented towards Greenhill Avenue and will have pedestrian amenities to allow them to be easily accessed from the surrounding neighbourhood.</p>
<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>	<p>Residential development within the built-up area shall be evaluated based on a balanced evaluation of items such as, but not limited to, compatibility with the adjacent land uses in terms of scale, form and character, building upon existing lot patterns, achieving a range of dwelling types, achieving the planned function of the urban structure, servicing capacity, provision of amenity space, conservation of cultural heritage resources, and transportation capacity, amongst others.</p>	<p>The proposed development is to establish 553 rental dwelling units, of which 49 percent of the units will be family friendly units (two and three bedroom units) with 244 two bedroom units and 28 three bedroom units. Therefore, the proposed development will maintain and achieve a range of dwelling types and tenures.</p> <p>The proposed development of a 12 storey mixed use development is compatible in terms of the use of the lands, the scale, the form, and character of the area. The proposed development will add residential units within an existing residential area that is already developed with 12 storey buildings, while carrying forward the provision of commercial uses, which is consistent with the existing use of the lands and the planned urban structure. The buildings will be massed and will include adequate setbacks and stepbacks to reflect the scale and character of the surrounding area without resulting in adverse impacts and building upon the established streetscape patterns and built form within the surrounding neighbourhood.</p>

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<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2 (Continued)</p>		<p>The proposed development will be required to demonstrate that adequate municipal servicing capacity is available to service the development prior to the development being able to proceed. A Holding Provision for a revised Functional Servicing Report will be required as part of the Zoning By-law.</p> <p>The proposed development will incorporate alternative modes of transportation, the use of high efficiency mechanical and HVAC systems, water efficient fixtures, energy efficient lighting, and preservation of existing trees where possible, amongst others. The detailed implementation of all such measures will be undertaken at the Site Plan Control stage.</p> <p>The proposed development will include both short term and long term bicycle parking, will include pedestrian amenities including internal walkways, and the subject lands are located within walking distance of parks and schools. These features will support and help to facilitate active transportation modes and the future residents will have access to community facilities.</p> <p>Tree resources have been identified on the subject property.</p>

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<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2 (Continued)</p>		<p>A Tree Protection Plan was submitted which inventoried 61 trees, with 16 identified to be removed. Additional revisions to the Tree Protection Plan were identified and will be required. To ensure that a revised Tree Protection Plan is submitted and approved, it has been included in the Holding Provision.</p> <p>Based on the height, massing, orientation and setbacks for the building, the proposed development will not result in compatibility issues with adjacent lands in terms of shadowing or overlook.</p> <p>A Traffic Impact Study was submitted and reviewed and approved by Transportation Planning staff.</p> <p>A Noise Study prepared by Valcoustics Canada Ltd. dated February 15, 2022, was submitted. The study could not identify the proposed development's impact on the surrounding context as the mechanical plans were not yet available but did note that the mechanical equipment must comply with the applicable provincial requirements. A Holding Provision is proposed to ensure that an updated Noise Impact Study is undertaken.</p> <p>The proposed development will establish both private and public amenities on-site which will meet future residents' needs.</p>

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<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2 (Continued)</p>		<p>The design, orientation, building setbacks and separation will respect and maintain the streetscape patterns. This is achieved through the use of stepbacks of the upper storeys, through recessing the middle portion of Building A (as shown on Appendix “D” attached to Report PED24093) to reduce perceived building length, through orientating Building B to be perpendicular to Greenhill Avenue, through a 21 metre separation between Buildings A and B, and through breaking up the four storey buildings along Mount Albion Road into two buildings, amongst others.</p>
<p>Urban Design – Built Form</p> <p>B.3.3.3.2, B.3.3.3.3, and B.3.3.3.5</p>	<p>New development shall be designed to minimize impacts on neighbouring buildings and public spaces by creating transition in scale to neighbouring buildings, ensuring adequate privacy and sunlight to neighbouring properties, and minimize impacts of shadows and wind conditions.</p> <p>New development shall be massed to respect existing and planned street proportions.</p>	<p>The proposed development will provide appropriate setbacks and stepbacks from the adjacent medium density and low density lands to the north of the subject property, which will allow for an appropriate transition in scale.</p> <p>The proposed 12 storey buildings will be setback 20 to 24 metres from the existing building to the north and the northeast corner of Building B is to be setback 14 metres from the southwest corner of the existing single detached dwelling to the north. The proposed setbacks along with orientation of the building relative to the existing single detached dwelling will allow for a built form that will appropriately transition in scale and will not create privacy/overlook impacts.</p> <p>A Sun Shadow Study prepared by IBI Group dated February 15, 2022, was submitted.</p>

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<p>Urban Design – Built Form</p> <p>B.3.3.3.2, B.3.3.3.3, and B.3.3.3.5 (Continued)</p>	<p>Built form shall create a comfortable pedestrian environment by locating principal building facades and entrances parallel to and close to the street, providing ample glazing on the ground floor to create visibility to and from the new development shall be massed to respect existing and planned street proportions.</p> <p>Built form shall create a comfortable pedestrian environment by locating principal building facades and entrances parallel to and close to the street, providing ample glazing on the ground floor to create visibility to and from the public sidewalk, providing quality landscaping along frontages, locating surface parking to the side or rear of sites or buildings, and using design techniques such as stepbacks to maximize sunlight to pedestrian areas.</p>	<p>As discussed earlier, the study demonstrated the proposed development will minimize impacts of shadow on the public realm and neighbouring properties.</p> <p>A Pedestrian Wind Assessment prepared by Theakston Environmental, Consulting Engineers, Environmental Control Specialists dated February 15, 2022, was submitted. An addendum letter dated March 15, 2023, was also submitted.</p> <p>The Pedestrian Wind Assessment undertook a wind tunnel testing which is consistent with the City’s terms of reference. The study based the wind comfort conditions for sitting, standing, strolling, walking and uncomfortable conditions on the respective wind levels in the City’s terms of reference. Uncomfortable conditions were identified during the winter, and the addendum letter noted that this area would be mitigated at the Site Plan Control stage.</p> <p>A Holding Provision is proposed to ensure that an updated Wind Study is undertaken.</p>
<p>Site Condition</p> <p>B.3.6.1.1</p>	<p>Where there is potential for contamination due to previous uses and more sensitive land uses a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines.</p>	<p>Phase One and Phase Two Environmental Site Assessment were submitted. At this time, a Record of Site Condition has not yet been filed and to ensure that a Record of Site Condition is undertaken, Holding Provision has been included.</p>

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<p>Noise</p> <p>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>An Environmental Noise Assessment prepared by Valcoustics Canada Ltd. dated February 15, 2022, and an addendum letter dated April 5, 2023, was submitted. The study concluded that with appropriate design, the proposed residential dwellings will comply with the applicable provincial noise guideline requirements in NPC-300 for the Ministry of the Environment, Conservation and Parks.</p> <p>The study outlined noise mitigation measures that would need to be undertaken including upgraded windows, mandatory air conditioning, and noise warning clauses.</p> <p>The study noted that as mechanical plans are not yet available a detailed analysis could not be undertaken. The study did note that mechanical equipment must comply with the noise guideline limits in NPC-300 for the Ministry of the Environment, Conservation and Parks.</p> <p>The study did not include an evaluation of the noise impact of the proposed loading space on the surrounding area and compliance with the noise guideline limits required by the Ministry of the Environment, Conservation and Parks. It is noted that the proposed loading area is located approximately 36 metres from the multiple dwelling to the north. An evaluation of noise impacts with respect to the loading space and implementation of any noise mitigation measures will be required through the Holding Provision.</p>