

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>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 subject lands are located within the built-up area and the proposed development is considered residential intensification.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification Evaluation</p> <p>Policy: B.2.4.1.4</p>	<p>Proposals are evaluated based on how it builds 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. This policy also considers evaluating the proposal against the Urban Structure (Schedule E of the Urban Hamilton Official Plan) to ensure that the overall structure goals of the Urban Hamilton Official Plan are also achieved.</p>	<p>The proposal intends to intensify the existing neighbourhood by increasing the density and providing an alternative housing type. The location of the proposed development complies with the Official Plan policies since it is on the periphery of the neighbourhood as characterized by policy E.3.5.1 of the Urban Hamilton Official Plan and the subject parcel is located along a minor arterial road. The proposed multiple dwelling has also been appropriately sited towards the intersection of Stone Church Road East and Redmond Drive, along the periphery of the existing townhouse development to minimize adverse impacts on existing development and maximize interaction with the street.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification</p> <p>Policy B.2.4.2.2</p>	<p>Residential intensification development within the “Neighbourhoods” designation shall consider matters such as, but not limited to, compatibility with adjacent land uses, relationship with nearby buildings and lot patterns, transitions in height/density,</p>	<p>The subject parcel is a corner parcel and the location of the proposed development on the subject parcel is not anticipated to adversely impact the low-rise residential development opposite Stone Church Road East or the commercial development opposite Redmond Drive. The subject parcel is currently developed with multiple</p>

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<p>Residential Intensification</p> <p>Policy B.2.4.2.2 (continued)</p>	<p>provision for amenity space and complementary of existing neighbourhood functions and infrastructure.</p>	<p>townhouse dwelling blocks with an amenity area in the centre of the parcel. The proposal is to demolish one block of townhouse dwellings to construct a multiple dwelling that would provide affordable dwelling units. In staff’s opinion, the proposed multiple dwelling is integrated into the subject lands with the existing townhouse blocks. The proposed development does not alter the lot pattern and provides for an internal amenity space, and landscaped areas.</p> <p>The submitted Sun/Shadow Study (revision no. 1), prepared by Invizij, dated November 7, 2024, has demonstrated that the proposed development would not unduly overshadow the existing townhouse dwelling blocks. The proposed separation distance between the multiple dwelling and existing townhouse dwellings also appropriately mitigates overlook concerns, and sufficient amenity area is provided on the subject parcel. The location of the proposed development is such that it provides transition in height and density, as the existing townhouse dwellings are an intervening land use between the proposed multiple dwelling and adjacent low density residential development to the north and west of the subject parcel.</p> <p>The proposal complies with this policy.</p>
<p>Urban Housing Goals</p> <p>Policy B.3.2.1.6</p>	<p>Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.</p>	<p>The proposed development complies with this policy as it provides for the increase in the mix and range of housing types and improves the affordability of housing by proposing to construct a multiple dwelling containing affordable units.</p>

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Urban Housing Goals Policy B.3.2.1.6 (continued)		The proposal complies with this policy.
Demolition / Redevelopment of Social Housing Units Policy: B.3.2.5.8	<p>The City recognizes the necessary role of social housing in meeting the housing needs of residents without the resources to participate in the private housing market. Notwithstanding Policy B.3.2.5.1 – Condominium Conversion of Rental Housing Units, and Policy B.3.2.5.6 – Demolition/Redevelopment of Rental Housing Units, conversion to condominium and/or demolition/redevelopment of social housing units shall be permitted provided the following criteria are satisfied:</p> <ul style="list-style-type: none"> a) full replacement of all rent-geared-to-income units; b) a tenant relocation and assistance plan addressing the provision of alternative accommodation for tenants at similar rents, including rent- geared-to-income subsidies, right-of-first-refusal to occupy one of the replacement subsidized units, and other assistance to mitigate the potential for hardship; and, c) conversion shall be consistent with pertinent provincial legislation. 	<p>Policy B.3.2.5.8 applies to the subject site as there are existing townhouse dwellings (rental and affordable housing) that would be considered social housing as defined in the Urban Hamilton Official Plan. The policy provides guidance on the demolition/redevelopment of affordable housing units and criteria that are required to be met to support the redevelopment. The applicant proposes the demolition of one block of townhouse dwellings and to replace it with the proposed development of a multiple dwelling. All of the proposed dwelling units would be considered social housing.</p> <p>The proposed development provides replacement units in accordance with Policy B.3.2.5.8 a). The owner has not yet provided materials to satisfy the requirement for a Tenant Relocation and Assistance Plan in accordance with Policy B.3.2.5.8 b). A Holding Provision is recommended that requires the owner submit and receive approval of an acceptable Tenant Relocation and Assistance Plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen tenant hardship. This will ensure compliance with the Urban Hamilton Official Plan with respect to the replacement of social housing units.</p> <p>The proposal complies with this policy.</p>

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<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 is to build an eight storey multiple dwelling in proximity to the existing townhouse dwellings on the subject lands. A Sun/Shadow Study (revision no. 1), prepared by Invizij, dated November 7, 2024, has demonstrated that the proposed development would not unduly overshadow or block light to the adjacent residential uses, including the existing townhouse dwellings on the subject lands. A Pedestrian Level Wind Study, prepared by SLR, dated October 21, 2024, has demonstrated that there is no major impact to the surrounding area resulting from the proposed development. The location of the proposed development is such that it provides a transition in height, as the existing townhouse dwellings serve as an intervening land use between the proposed multiple dwelling and adjacent low density development to the north and west of the subject parcel. The separation distance between the proposed building and the townhouse dwellings to the north and to the west is approximately 22 metres and 18 metres, respectively. This separation distance provides for an appropriate buffer, which would mitigate any concerns related to privacy or overlook. The rear yard amenity area for the existing townhouse dwellings to the west is screened by the townhouses dwellings themselves, as the primary amenity area is on the west side of the building.</p> <p>The proposal complies with this policy.</p>

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<p>Built Form</p> <p>Policy: B.3.3.3.5 c) and d)</p>	<p>Built form shall create comfortable pedestrian environments by:</p> <ul style="list-style-type: none"> a) including a quality landscape edge along frontages where buildings are set back from the street; and, b) locating surface parking to the sides or rear of sites or buildings, where appropriate; 	<p>A Landscape Plan, prepared by Adele Pierre, dated October 14, 2024, and a Concept Plan (revision no. 3), prepared by Invizij, dated October 23, 2024, were provided by the applicant, and these plans demonstrate a quality landscape edge along the frontage and flankage of the proposed development. The proposal is to provide surface parking spaces on the ground level which is located beneath the proposed building. The Landscape and Concept plans demonstrate that providing landscaping between the sidewalk and proposed enclosed parking area will establish a buffer space and enhance the pedestrian experience along the municipal sidewalk.</p> <p>The proposal complies with this policy.</p>
<p>Built Form</p> <p>Policy: B.3.3.10.1</p>	<p>To create and enhance safe, attractive pedestrian oriented streetscapes, surface parking shall be discouraged, and parking located below grade or in parking structures shall be encouraged.</p>	<p>The proposal provides surface parking spaces on the ground level beneath the proposed building; however, the proposed parking is screened and enclosed beneath the building. Through the Landscape Plan, prepared by Adele Pierre, dated October 14, 2024, and Concept Plan (revision no. 3), prepared by Invizij, dated October 23, 2024, the applicants have demonstrated that they will provide an appropriate landscaped street edge, which will effectively screen the parking from the sidewalk and create an attractive pedestrian oriented streetscape. The owner has proposed to provide affordable housing and the provision of underground parking is not considered viable.</p> <p>The proposal complies with this policy.</p>

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<p>Noise</p> <p>Policy: B.3.6.3.1, B.3.6.3.7</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>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 located within 100 metres of a minor arterial road, as identified on Schedule C – Functional Road Classification.</p>	<p>The subject parcel is along a minor arterial road (Stone Church Road East) and fronts onto a collector road (Redmond Drive). A Noise & Vibration Impact study, prepared by dBA Acoustical Consultants Inc., dated August 2024, was submitted, and reviewed by Staff.</p> <p>The study determined that transportation noise impacts from Stone Church Road East and Upper Wentworth Street are anticipated to exceed the applicable standards and recommends that the proposed building require acoustically tested windows and doors that meet the STC-32 and STC-34 standards. The owner is required to include specific warning clause Type “D” for all residential units; by registering this clause on title and including in the rental and lease agreements for all units. The study also recommends that a qualified acoustical consultant certify that the required control measures have been properly installed prior to the issuance of an occupancy permit. The applicable noise warning clauses would be required to be registered on title through the Site Plan Control application.</p> <p>The applicant submitted a subsequent Noise Addendum Letter, prepared by dBA Acoustical Consultants Inc.; dated January 7, 2025, that addressed staff’s concerns related to the proposed third storey outdoor common amenity area and proposed functional mitigation measures (0.91 metre noise barrier) to be implemented at the Site Plan Control Stage.</p> <p>The proposal complies with the policy.</p>

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<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>Through aerial photograph interpretation, trees have been identified within and adjacent to the subject property.</p> <p>A Tree Inventory and Preservation Report has been prepared by Adele Pierre Landscape Architect, dated September 14, 2024. A total of 47 trees have been inventoried (38 private and nine public trees). Of the 47 trees, 16 have been proposed to be removed (14 private trees and two public trees). The decision to retain trees is to be based on condition, aesthetics, age, and species. The private trees proposed to be removed include invasive species (Norway Maple, Russian Olive) as well as species in poor condition. It is recognized that there are limited opportunities to retain trees on this site.</p> <p>The Tree Inventory and Preservation report needs to be revised with the following items:</p> <ul style="list-style-type: none"> a) The DBH of trees is to be measured in centimetres. The tree inventory table needs to be revised. b) The notation on the tree protection plan needs to be revised to reflect the vegetation removal dates of September 1 to March 30 as birds maybe using the trees on site for migration purposes. c) Tree Protection Measures: <ul style="list-style-type: none"> i. Tree protection fencing is to be located at a minimum of 1 metre from the dripline of the tree. The detail provided on the drawing is to be revised.

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<p>Trees</p> <p>Policy C.2.11.1 (continued)</p>		<ul style="list-style-type: none"> ii. As per the City’s Council adopted Tree Protection Guidelines (revised October 2010), the tree management professional (i.e. certified arborist, registered professional forester, landscape architect) is to prepare a Verification of Tree Protection Letter to ensure that all tree protection measures have been implemented. The drawing is to be revised to include this as a notation. d) To ensure that existing tree cover is maintained, 1 for 1 compensation is required for any tree (10 cm DBH or greater) proposed to be removed from private property. This has not been considered within the Tree Inventory and Preservation Report. The number of trees required for compensation is to be clearly identified on the Tree Protection Plan figure. e) To support tree growth, each tree that is planted on site should have access to an adequate soil volume (i.e., 30 m³). Additional tree planting details are required to be provided as part of the required Site Plan application. <p>Although the Tree Protection Plan has not received final approval, it is recognized that there are limited opportunities to retain trees on site due to the species (i.e., invasive species, Norway Maple, Russian Olive) and their health (several trees have been identified to be in poor health). Staff also note that it appears that adequate space will be provided in the proposed Zoning setbacks to accommodate compensation trees on the property. Staff</p>

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<p>Trees</p> <p>Policy C.2.11.1 (continued)</p>		<p>are satisfied that the technical revisions to the Tree Protection Plan can be finalized at the Site Plan Control stage, along with the identification of compensation trees on site. Staff would note that modifications to the Site Plan may be required to increase the number of trees being retained and/or appropriately accommodate compensation trees on the lands.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policy C.5.3.6</p>	<p>All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p>	<p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report, prepared by S. Llewellyn & Associates Limited, dated September 2024, and are satisfied that the existing water system can support the proposed development. However, staff are not satisfied with the sanitary calculations in the Functional Servicing Report and require revised calculations taking into consideration flows from existing residential units, and total land area of the site when considering the infiltration factor.</p> <p>A Holding Provision is proposed to address the sanitary servicing calculations. Please refer to Appendix “B” attached to Report PED25021.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policies: C.5.3.13, C.5.3.17, C.5.4.3</p>	<p>The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system and that investments into the system will support</p>	<p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report, prepared by S. Llewellyn & Associates Limited, dated September 2024, and are not satisfied with the results of Sanitary and Minor Storm Servicing and</p>

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<p>Infrastructure</p> <p>Policies: C.5.3.13, C.5.3.17, C.5.4.3 (continued)</p>	<p>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>requires revision taking into consideration flows from the existing residential units on the subject lands, and the total land area of the site when considering infiltration factors. Staff have further identified that hydrant testing is not provided in the study. Therefore, that requirement remains outstanding.</p> <p>A Holding Provision is proposed to address this issue. Please refer to Appendix “B” attached to Report PED25021.</p> <p>The proposal complies with this policy.</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 local 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 contributes to the functions of a complete community as it intensifies the residential use and densities in the area and residential dwellings are a permitted use in areas designated “Neighbourhoods”.</p> <p>The proposal complies with this policy.</p>

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<p>Neighbourhoods Designation – Scale and Design</p> <p>Policy: E.3.2.4</p>	<p>“Neighbourhoods” designated areas are to maintain the existing character and intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of the Official Plan.</p>	<p>The proposal will intensify the existing neighbourhood by increasing the density and provides a different housing type. In staff’s opinion, the location of the proposed development for an eight storey multiple dwelling complies with the Official Plan policies as the proposed location of the development is on the periphery of the neighbourhood and is along Stone Church Road East, which is classified as minor arterial road.</p> <p>Through the Sun/Shadow Study (revision no. 1), prepared by Invizij, dated November 7, 2024, the applicants have demonstrated that the public sidewalk on both sides of Redmond Drive will be in full sun until 2 pm. The sidewalk on the west side of Redmond Drive will receive sun first at 2 pm and cover the sidewalk on the east side of Redmond Drive at 4 pm. There will be no shadow impacts on the public sidewalk along Stone Church Road East. The existing open space on the subject lands will be partially shaded between 9 am and 12 pm, with the children’s play area in full sun all day. Overall, the proposed development meets the City’s requirements for new development.</p> <p>The proposal complies with this policy.</p>
<p>Medium Density Residential – Function</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 proposal is for a multiple dwelling on lands located along Stone Church Road East. Schedule C – Functional Road Classification classifies Stone Church Road East as a Minor Arterial road.</p> <p>The proposal complies with this policy.</p>

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<p>Medium Density Residential – Scale</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"> a) the development shall provide for a mix of unit sizes; b) the development shall incorporate sustainable building and design principles; c) the development shall not unduly overshadow or block light on adjacent sensitive land uses; d) buildings are progressively stepped back from adjacent areas designated Neighbourhoods; and, e) buildings are stepped back from the street to minimize the height appearance from the street. 	<p>The proposed development is for an eight storey multiple dwelling that would introduce 105 dwelling units on the subject lands. The proposed development would necessitate the removal of an existing eight unit townhouse block, resulting in a net increase of 97 residential units and a total of 157 units on the subject lands. The proposal provides for a mix of 85 one bedroom units and 20 two bedroom units. The dwelling units represents a mix of small to medium unit types to support various household sizes and income levels. The proposed building design is intended to meet the Passive House standards for sustainable building and design principles.</p> <p>The location of the proposed development provides transition in height, as the existing townhouse dwellings are located between the proposed multiple dwelling and adjacent low density development to the north and west of the subject parcel. The separation distance between the proposed building and the townhouse dwellings to the north and to the west is approximately 22 metres and 18 metres, respectively. This separation distance provides for an appropriate transition and would mitigate any concerns related to privacy or overlook.</p> <p>Staff are of the opinion that further stepping back of the building is not necessary, given the distance between the proposed multiple dwelling and existing townhouses, and the function of the existing townhouse dwellings as an intervening land use between the proposed multiple dwelling and low density residential development to the north and west.</p>

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<p>Medium Density Residential – Scale</p> <p>Policy: E.3.5.8 (continued)</p>		<p>The proposed multiple dwelling is scaled relative to both Stone Church Road East and Redmond Drive. Stone Church Road East is identified as a Minor Arterial Road with an ultimate right-of-way width of 30.048 metres and Redmond Drive is identified as a Collector Road with an ultimate right-of-way width of 26.213 metres. Although the lands are not located on an intensification corridor identified within the Urban Hamilton Official Plan, the City-Wide Corridor Planning Principles and Design Guidelines provide guidance on how mid-rise building should be scaled to the street. The proposed building is approximately 26.15 metres in height, excluding the penthouse with a setback of 7 metres from the front lot line, the building would fall below an angular plane drawn from 80% of the right-of-way width of Stone Church Road East.</p> <p>The proposal complies with this policy.</p>
<p>Medium Density Residential – Design</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> <ul style="list-style-type: none"> a) Developments should have direct access to a collector or major or minor arterial road. b) Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations. 	<p>The subject lands are a corner parcel at the intersection of Stone Church Road East and Redmond Drive, and the access to the portion of the proposed development is proposed on Redmond Drive, which is a collector road.</p> <p>The proposal complies with this policy.</p>

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<p>Medium Density Residential – Design</p> <p>Policy: E.3.5.9 (continued)</p>	<ul style="list-style-type: none"> 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. d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets. 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>The Landscape Plan, prepared by Adele Pierre, dated October 14, 2024, and Concept Plan (revision no. 3), prepared by Invizij, dated October 23, 2024, has demonstrated that the subject lands would have adequate landscaping, amenity features, and on-site parking. The Building Elevations (revision no. 1), prepared by Invizij, dated October 23, 2024, Sun/Shadow Study (revision no. 1), prepared by Invizij, dated November 7, 2024, and Pedestrian Level Wind Study, prepared by SLR, dated October 21, 2024, has demonstrated that the proposed development would not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses, and the height, massing, and arrangement of buildings are compatible with existing and future uses in the surrounding area. The proposal intends to increase the density by providing multiple affordable dwelling units on the periphery of the neighbourhood.</p> <p>The proposal complies with this policy.</p>