

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>Policies: 2.1.6 and 2.3.1.2</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 should improve social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.</p> <p>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.</p>	<p>The proposed development does not support the creation of complete communities. The development does not provide enough parkland to meet the long-term needs of residents.</p> <p>The size of the “Neighbourhood Park” designation is proposed to be reduced from 2.01 hectares on the subject lands to 0.318 hectares. Neighbourhood parks are intended to contain a mixture of passive areas, sports facilities, informal and formal play areas and may include natural areas. With the reduction in neighbourhood park size residents within the area may look to other areas of the City to suit their recreational needs with those able to drive and with access to a vehicle being able to meet their recreational needs.</p> <p>Section 42 of the <i>Planning Act</i> allows municipalities to require conveyance of land for park or other public recreational purposes as a condition of development/redevelopment or subdivision. Typically, 5% of the land may be dedicated, or 1 hectare per 600 units, or the equivalent dedication payment of 5% of the land value (also known as cash-in-lieu of parkland) may be provided. Although the proposal addresses the <i>Planning Act</i> requirement, it is staff’s opinion that the park’s size is not a meaningful size in the context of providing a park for a complete community.</p> <p>The proposed development does not efficiently use land. More specifically, the reduction in the “Neighbourhood Park” designation block results in multiple disjointed park fragments. The fragmenting or development of separate park blocks rather than one consolidated park block would limit programming opportunities</p>

		<p>and result in inefficient use of resources for maintenance and servicing. The proposed development does not optimize existing and planned infrastructure.</p> <p>The concept plan does not demonstrate that the park is in a convenient location that is easily accessible to both the site’s residents and the broader neighbourhood.</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Planning for People and Homes</p> <p>Policies: 2.1.6 and 2.3.1.2 (continued)</p>		<p>The proposed development shows a lack of adequate private amenity space for the units throughout the proposal. The development proposes a park network that is disconnected. The proposed development does not demonstrate pedestrian connections to the park with street crossings.</p> <p>The proposal is not consistent with these policies.</p>
<p>Settlement Area</p> <p>Policy: 2.3.1.1</p>	<p>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.</p>	<p>The proposed development is located within a settlement area.</p> <p>The proposal is consistent with this policy.</p>
<p>Public Spaces, Recreation, Parks, Trails, and Open Space</p> <p>Policy 3.9.1</p>	<p>Healthy, active, and inclusive communities should be promoted by:</p> <ul style="list-style-type: none"> planning public streets, spaces, and facilities to be safe, meet the needs of persons of all ages and abilities, foster social interaction and facilitate active transportation and community connectivity; planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for 	<p>Park need, size and location were determined through the Secondary Plan process in accordance with the parkland policies in Chapter B of the Urban Hamilton Official Plan. Based on the Secondary Plan that Council approved on June 4, 2013, the estimated build-out population was 15,404 persons across the Fruitland-Winona Secondary Plan area. Hamilton’s current provision for Neighbourhood Parks is 0.7 hectares per 1000 people, which totals 10.8 hectares being required for Neighbourhood Parks. Accordingly, the Fruitland-Winona Secondary Plan provides 10.8 hectares of Neighbourhood</p>

	recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;	<p>Parkland with four parks distributed evenly across the Secondary Plan area, with two in the west portion and two in the east.</p> <p>The City’s overall target is to provide 2.1 hectares per 1000 people. The Hamilton Parks Master Plan indicates that a total of 304 hectares of parkland will be required by 2051 to address the needs of future growth. Of the 304 hectares needed by 2051, a minimum of 100 hectares (33%) should be provided as</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Public Spaces, Recreation, Parks, Trails, and Open Space</p> <p>Policy 3.9.1 (continued)</p>		<p>Community Parks and a minimum of 128 hectares (42%) should be as Neighbourhood Parks. The proposal reduces the Neighbourhood Parkland and is not in a central location to the neighbourhood and as a result does not meet the long term needs of future and existing residents in the area.</p> <p>Neighbourhood Parks are intended to contain a mixture of passive areas, sports facilities, informal and formal play areas and may include natural areas. With the reduction in size and fragmentation of the park in the area functional programming space will also be reduced.</p> <p>The proposal is not consistent with this policy.</p>
<p>General Policies for Agriculture</p> <p>Policy: 4.3.1.3</p>	Specialty crop areas shall be given the highest priority for protection.	Through the development of the Block 3 Servicing Strategy an Air Drainage Analysis by Amec, Foster and Wheeler, dated March 9, 2016, was prepared. The report was to study the effect of the proposed Block Servicing Strategy on the micro-climate. The Block 3 Servicing Strategy heights, road and natural open spaces were intended to help channel the air downstream toward Lake Ontario. The proposal changes the road and open space block layout, therefore an update to the Air Drainage Analysis would be required to address any implications resulting from the changes.

		Information has not been provided demonstrating whether the proposal protects specialty crop areas. The lands south of Highway No. 8 are designated “Specialty Crop” in the Rural Hamilton Official Plan. Air drainage patterns exist between these lands and Lake Ontario over the subject lands. Modifications to the street layout and building height have the potential to disrupt these drainage patterns. An Air Drainage Analysis was not submitted with these applications. Should the applications be approved, a holding provision will be required for air drainage analysis and may be required to be peer reviewed.
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Natural Hazards Policy: 5.2.1	Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance.	The Provincial Planning Statement (2024) generally directs development to areas outside of hazardous lands. The subject property is affected by flooding and erosion hazards associated with the tributaries of Watercourse No. 9.0. However, since these tributaries are to be enclosed as part of site development, Hamilton Conservation Authority staff are satisfied that the proposal is consistent with the Natural Hazards policies of the Provincial Planning Statement (2024).
Urban Hamilton Official Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
Urban Design Policies – General Policies and Principles Policies: B.3.3.2.2 – B.3.3.2.10	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: <ul style="list-style-type: none"> • Creating quality spaces; • Creating places that are safe, accessible, connected and easy to navigate; • Creating places that are adaptable to future changes; and, • Enhancing physical and mental health; 	The proposal does not plan for the creation of a quality space. The concept plan does not organize parkland in a logical or organized manner and the proposed parkland size is reduced which will limit programming. The proposal has not indicated connectivity to the proposed park (e.g. street crossings) and does not consider the future development to the northeast of the parkland which will limit ‘natural surveillance’ on the proposed park. As mentioned previously, with the reduction in the parkland the proposal limits programable space a larger centralized park

		<p>as contemplated by the Secondary Plan would be adaptable to future changes.</p> <p>There is a reduction in proposed parkland and the units proposed throughout the concept plan lack adequate private amenity space. This does not meet the principle for enhancing physical and mental health.</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Hazard Lands</p> <p>Policy: B.3.6.5.6</p>	<p>Hazard lands shall be conserved and land uses or activities which could be affected by prevailing hazardous conditions such as flooding or erosion, or could increase the inherent hazard, shall be prohibited in hazard lands and on lands adjacent to hazard lands.</p>	<p>The subject property is partially regulated by Hamilton Conservation Authority pursuant to the <i>Conservation Authorities Act</i> and Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits). The regulated areas include tributaries of Watercourse No. 9.0 and associated flooding and erosion hazards. Therefore, written permission is required prior to any proposed development or site alteration within the regulated area, including grading, construction, or watercourse alteration.</p> <p>The proposal complies with this policy.</p>
<p>Tree Management</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>A Tree Protection Plan, prepared by Kuntz Forestry Consulting Inc. dated May 13, 2024, was submitted in support of the development. A total of 105 trees have been inventoried and 38 trees have been proposed to be removed.</p> <p>The Tree Protection Plan has not been approved. The decision to retain trees is to be based on condition, aesthetics, age, and species. There are many trees proposed to be removed that are identified as being in fair to good condition (three Thornless Honey Locust species, two White Pine species, one White Spruce species, two Apple species, five Black Walnut species, two Siberian Elm species, one Norway Maple species, two Green Ash species, one Cherry species, one Manitoba Maple species, and one Red Pine species). The rationale for their removal is due</p>

		to either direct conflict with the proposed development, such as private roads, driveways, foundations, etc., or that the level of encroachment into the driplines would cause intolerable recovery from injury. Opportunities to retain more trees are to be explored. In addition, 11 trees have been identified for removal on neighbouring lands and it has not been demonstrated that permission has been granted for their removal from neighbouring landowners. There are also two boundary trees (one Green Ash and one Black Walnut) which have not demonstrated permission for their removal from neighbouring landowners.
Theme and Policy	Summary of Policy or Issue	Staff Response
Tree Management Policy: C.2.11.1 (continued)		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. A Landscape Plan will be required to confirm compensation tree plantings and cash-in-lieu requirements. Until such time as the Tree Protection Plan is approved, the proposal does not comply with this policy.
Transportation Policy: C.4.5.12	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.	A Traffic Impact Study, prepared by Stantec Consulting Limited dated July 30, 2024, was submitted in support of the proposed development. However, the Traffic Impact Study is not approved, and a revised study is required that confirms the suitability of interim vehicular access via the proposed condominium road connection to McNeilly Road and any temporary infrastructure improvements to support the transportation needs of this development. The proposal does not comply with this policy.

<p>Infrastructure</p> <p>Policies C.5.3.6 and C.5.3.14</p>	<p>All redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically and economically possible, the City shall require such services to be located underground.</p>	<p>A Functional Servicing, prepared by S.Llewellyn and Associates Limited dated May 2024, was submitted in support of the development. Development Engineering staff do not support the proposed development as the proposed sanitary and storm outlets are inconsistent with the Block 3 Servicing Strategy. The application is premature until the storm, sanitary and watermain outlets can be obtained through abutting lands.</p> <p>The proposal does not comply with these policies.</p>
<p>Cultural Heritage</p> <p>Policies: B.3.4.1.4, B.3.4.2.1 g), and B.3.4.2.1 h)</p>	<p>Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.</p>	<p>A Cultural Heritage Impact Assessment, prepared by MHBC Planning Ltd. dated May 23, 2024, was submitted in support of the proposed development. The proposed development is adjacent to 1059 Highway No. 8, which is located on the north</p>
<p>Theme and Policy</p>	<p>Summary of Policy or Issue</p>	<p>Staff Response</p>
<p>Cultural Heritage</p> <p>Policies: B.3.4.1.4, B.3.4.2.1 g), and B.3.4.2.1 h)</p> <p>(continued)</p>		<p>side of Highway No. 8 and is a designated property under the <i>Ontario Heritage Act</i>. Staff require technical revisions to the Cultural Heritage Impact Assessment to confirm the three storey townhouses will have a limited visual impact on the designated property.</p> <p>The proposal does not comply with this policy.</p>
<p>Noise</p> <p>Policy: 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>A Noise Feasibility Study, prepared by dBA Acoustical Consultants Inc. dated May 2024, was submitted in support of the development. Staff analysis found that Barton Street, McNeilly Road, and Highway No. 8 are sources of road traffic noise. A restaurant use to the south is a potential stationary noise source that has not been evaluated. The report recommends standard Ontario Building Code requirements will mitigate road traffic noise. These measures will be addressed through the future Site Plan Control and Building Permit stages. In addition, for the southernmost unit of Block 1 on the Concept Plan “Appendix C”</p>

		<p>to this report, installation of central air conditioning is required, and it is recommended that the appropriate Warning Clauses be inserted into all Offers and Agreements of Purchase and Sale or Lease for Block 1’s most southerly unit.</p> <p>The proposal does not comply with this policy.</p>
<p>Neighbourhoods</p> <p>Policies: E.2.7.2 and E.2.7.4</p>	<p>Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.</p>	<p>The proposed development consists of residential uses including street townhouses, and maisonette and three storey townhouses on a condominium road and a park.</p> <p>The proposal complies with these policies.</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Neighbourhoods</p> <p>Policies: E.2.7.2 and E.2.7.4 (continued)</p>	<p>The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types, and tenure, including affordable housing and housing with supports.</p>	
<p>Neighbourhoods Designation - Function</p> <p>Policy: E.3.2.1</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 the local residents.</p>	<p>The proposed development consists of residential uses and a park block. The park block has been reduced in size and its reduction in size will not meet the needs of the existing and future residents.</p> <p>The proposal does not comply with this policy.</p>
<p>Neighbourhoods Designation – Scale and Design</p>	<p>Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:</p> <ul style="list-style-type: none"> • New development on large sites shall support a grid system of streets of pedestrian scale, 	<p>The proposed townhouse widths and setbacks result in a lack of landscape area. Measures should be taken to limit projections into the front yard space by having urban design guidelines with appropriate architectural design control to enforce the quality of design and improve the interface with the streets. It is recommended that a variety of unit widths be provided with a</p>

<p>Policy: E.3.2.7</p>	<p>short blocks, street oriented structures, and a safe and attractive public realm;</p> <ul style="list-style-type: none"> • Garages, parking areas, and driveways along the public street shall not be dominant; • Adequate, and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided; • Development shall improve existing landscape features and overall landscape character of the surrounding area; and, • Development shall comply with Section B.3.3 – Urban Design Policies. 	<p>focus on the end units at street corners being wider to create a bookend and feature at the corner. The proposal has not shown connectivity to the park with street crossings. The proposed development does not comply with Urban Design Policies in Section B.3.3 as outlined above.</p> <p>The proposal does not comply with this policy.</p>
<p>Theme and Policy</p>	<p>Summary of Policy or Issue</p>	<p>Staff Response</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:</p> <ul style="list-style-type: none"> • Discouraging backlotting along streets and in front of public parks; • Encouraging a mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance, and design features; <p>Achieving the logical and sequential extension of streets and municipal services and an efficient lotting pattern.</p>	<p>The concept plan has not demonstrated that backlotting will not occur in front of the public park. The proposal does not achieve a logical or sequential extension of parkland which is a municipal service and is not an efficient lotting pattern for parkland.</p> <p>The proposal does not comply with this policy.</p>
<p>Residential Greenfield Design</p> <p>Policies: E.3.7.1 and E.3.7.7</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 proposed development is not designed with a unique cohesive character as the proposal results in multiple disjointed park fragments. The proposed development has not demonstrated pedestrian connections to the proposed park. The proponent has not provided urban design or architectural</p>

	<p>Prior to registration of a plan of subdivision, the City may require the owner to prepare urban design and/or architectural guidelines to the satisfaction of the City. The City may undertake architectural control to ensure compliance with the approved urban design or architectural guidelines.</p>	<p>guidelines which were determined to be required at the Formal Consultation stage. Urban Design and Architectural Guidelines are used to create a specific design vision and associated design criteria for a new subdivision which all residential buildings must conform with. The design of buildings on individual blocks and lots within a subdivision are to be approved by a control architect prior to the issuance of building permits.</p> <p>The proposal does not comply with these policies.</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Parks Hierarchy and Open Space Categories</p> <p>Policies B.3.5.3.4 b) and B.3.5.3.6</p>	<p>The City shall establish a hierarchy of parks as follows:</p> <ul style="list-style-type: none"> • Parkettes are small open spaces which have no or limited recreational facilities. • Neighbourhood Parks primarily cater to the recreational needs and interests of the residents living within its general vicinity. Residents can easily walk or bike to these parks. Neighbourhood Parks are generally comprised of municipal parkland, containing a mixture of passive areas, sports facilities, informal and formal play areas, and may include natural areas. They serve a population of approximately 5,000 people and have a minimum size of approximately 2 hectares. • Community Parks serve more than one neighbourhood but are not intended to serve the City as a whole. These parks have more 	<p>The policy indicates that a minimum size for a neighbourhood park is 2 hectares. The development concept is proposing 0.318 hectares of parkland.</p> <p>The proposal, if approved, will contribute to a loss of neighbourhood parkland within the Fruitland-Winona Secondary Plan area.</p> <p>The Urban Hamilton Official Plan does allow for consideration of reduced parkland; however, staff are of the opinion that there is not a demonstrated deficiency of existing parkland in the surrounding area, and the policy is intended for downtown or built up areas that lack parkland. The lands are not currently used for recreation or public use. The lands are designated in a secondary plan; however, the land set aside in the secondary plan is a total of 2.66 hectares, with approximately 2.01 hectares designated within the subject lands, which is much larger than what is proposed.</p>

	<ul style="list-style-type: none"> • intensive recreational facilities such as sports fields and community centres. • City Wide Parks are municipally, regionally, provincially, or nationally significant destinations that meet the needs of residents and are of interest to visitors. These are often associated with major recreation, education or leisure activities and may have natural, historic, or unique features and range greatly in size and type. <p>Notwithstanding above, the City may consider a smaller minimum size for Neighbourhood or</p>	<p>Without more comprehensive review, it would result in multiple disjointed park fragments and would not be able to achieve the minimum combined 2 hectares. Lastly, the reduction in parkland impacts operational priorities.</p> <p>The proposal does not comply with these policies.</p>
Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Parks Hierarchy and Open Space Categories</p> <p>Policies B.3.5.3.4 b) and B.3.5.3.6</p>	<p>Community Parks provided at least one of the following is met:</p> <ul style="list-style-type: none"> • There is a demonstrated deficiency of existing parkland in the surrounding area; • The lands are currently used for recreational or public uses; • The lands are designated in a secondary plan, • The lands fulfil identified recreational needs; and, • The designation does not adversely impact operational priorities. 	
<p>Parkland Standards</p> <p>Policy B.3.5.3.11 and Table 3.5.3.1</p>	<p>To ensure the provision of an adequate amount of parkland, the standards of Table 3.5.3.1 – Parkland Standards, shall be used in the determination of parkland needs.</p>	<p>The amount of parkland required for the area was established through the Secondary Plan process and was calculated in accordance with the parkland policies in Chapter B of the Urban Hamilton Official Plan. Based on the Secondary Plan that Council approved on June 4, 2013, the estimated build-out population was 15,404 persons across the Fruitland-Winona Secondary Plan</p>

	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Park Classification</th> <th style="text-align: center;">Per 1,000 Population (Ratios)</th> <th style="text-align: center;">Minimum Service Radius/ Walking Distance</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Parks</td> <td style="text-align: center;">0.7 ha/1000</td> <td style="text-align: center;">500 m (OPA 210)</td> </tr> <tr> <td>Community Parks</td> <td style="text-align: center;">0.7 ha/1000</td> <td style="text-align: center;">2 km</td> </tr> <tr> <td>City-Wide Parks</td> <td style="text-align: center;">0.7 ha/1000</td> <td style="text-align: center;">n.a.</td> </tr> </tbody> </table>	Park Classification	Per 1,000 Population (Ratios)	Minimum Service Radius/ Walking Distance	Neighbourhood Parks	0.7 ha/1000	500 m (OPA 210)	Community Parks	0.7 ha/1000	2 km	City-Wide Parks	0.7 ha/1000	n.a.	<p>area. Policy B.3.5.3.11 along with Table 3.5.3.1 indicate Hamilton’s current provision for Neighbourhood Parks is 0.7 hectares per 1000 people. This results in a requirement of 10.8 hectares being required for neighbourhood parks in the Secondary Plan area. Accordingly, the Fruitland-Winona Secondary Plan provides 10.8 hectares of Neighbourhood Parkland within four parks distributed evenly across the Secondary Plan area, with two in the west portion and two in the east.</p> <p>The proposal does not comply with the policy.</p>
Park Classification	Per 1,000 Population (Ratios)	Minimum Service Radius/ Walking Distance												
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<p>Division of Land</p> <p>Policy: F.1.14.1.2</p>	<p>Council shall approve only those plans of subdivision that meet the following criteria: conforms to the policies and land use designations of this Plan, implements the City’s staging of development program, can be supplied with adequate services and community facilities, shall not adversely impact upon the transportation system and the natural environment, can be integrated with adjacent lands and roadways, shall not adversely impact municipal finances, and meets all requirements of the <i>Planning Act</i>.</p>	<p>The proposed development does not meet the criteria for the division of land. The proposed development does not comply with the policies and land use designations, including the Block 3 Servicing Strategy, it does not provide adequate community facilities, it cannot be supplied with adequate services and community facilities, and it does not meet all requirements of the <i>Planning Act</i>.</p> <p>The proposal does not comply with this policy.</p>												
Fruitland-Winona Secondary Plan														
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<p>General Policies</p> <p>Policy: B.7.4.3 d)</p>	<p>When reviewing an application for development within the Fruitland-Winona Secondary Plan area, the following matters shall be evaluated: compatibility with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other nuisance effects, transition in height and density to adjacent and</p>	<p>The proposal is for low density residential uses and surrounding uses proposed are also for low density residential uses. Staff do not have concerns with the compatibility with low density residential uses adjacent to low density residential uses.</p>												

	existing residential development, and the policies in Section 7.4.14 – Block Servicing Strategy and II other applicable policies of this Secondary Plan.	Through the site plan control stage matters regarding shadowing, grading, overlook, noise, lighting, traffic, and other nuisance issues will be reviewed. The proposal complies with this policy.
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Low Density Residential 2 Designation Policy: B.7.4.4.4	In addition to Section E.3.4 - Low Density Residential Policies of Volume 1, the following policy shall apply: notwithstanding Policy E.3.4.4 of Volume 1, the net residential density shall be greater than 20 units per hectare and shall not exceed 40 units per hectare.	The proposed Official Plan Amendment proposes to redesignate the subject lands from the “Low Density Residential 2” designation to the “Low Density Residential 3” designation. The effect of this amendment would be an overall increase in density for the subject lands. The “Low Density Residential 3” designation permits a higher density at 40-60 units per hectare. The Fruitland-Winona Secondary Plan supports density increases provided the intention and functionality of the collector road system is not altered. The proposal complies with this policy, as the overall development is 46 units per hectare.
Low Density Residential 3 Designation Policy: B.7.4.4.5	In addition to the uses permitted in Policy E.3.4.3 of Volume 1, the following additional uses shall be permitted: all forms of townhouse dwellings and existing Places of worship. Notwithstanding Policy E.3.4.4 of Volume 1, for lands designated Low Density Residential 3 the net residential density shall be greater than 40 units per hectare and shall not exceed 60 units per hectare.	A variety of dwelling types are intended to be permitted including street townhouse dwellings, three storey townhouses and maisonettes on a private condominium road. The proposed Zoning By-law Amendment includes a modification to the Multiple Residential “RM3” Zone to permit maisonettes and three storey block townhouses. The density proposed does not exceed 60 units per hectare. The proposed Zoning By-law Amendment includes modifications to the Low Density (R1) Zone to permit street townhouses. The proposal complies with this policy.

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<p>Open Space and Parks</p> <p>Policy: B.7.4.2.4</p>	<p>Promote community health and neighbourhood connection through a system of pedestrian trails;</p> <p>Provide opportunities for outdoor recreation where they do not impact natural heritage features;</p> <p>Provide appropriate recreational opportunities for existing and future residents; and ensure parks and open space areas are lit when deemed appropriate.</p>	<p>The reduction in parkland results in a reduction in functional programming space. This will limit recreational opportunities for existing and future residents. Ensuring well-lit open space areas can be dealt with through draft plan of subdivision conditions.</p> <p>The proposal does not comply with this policy.</p>
<p>Neighbourhood Park Designation</p> <p>Policy: B.7.4.7.2</p>	<p>In addition to Section B.3.5.3 – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated Neighbourhood Park on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan:</p> <p>a) Lands designated Neighbourhood Park shall be visible and accessible to the public with unobstructed views provided to improve natural surveillance;</p> <p>b) Neighbourhood Parks shall generally be square or rectangular in shape and have significant street frontage. The specific location, size and shape of Neighbourhood Parks may vary subject to approval of the City without amendment to this plan; and,</p> <p>c) The City shall require developers to construct neighbourhood parks on the City’s behalf during the construction of the subdivision provided an adequate amount of parkland is available and the</p>	<p>The proposed 0.318 hectare park is not rectangular or square in shape. At this time, it is unknown whether the developer would construct the park during the construction of the subdivision.</p> <p>The proposal does not comply with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Neighbourhood Park Designation</p> <p>Policy: B.7.4.7.2 (continued)</p>	<p>capital funding for the park development is available.</p>	
<p>Streetscape and Built Form</p> <p>Policy: B.7.4.10.6</p>	<p>The layout of streets, configuration of lots and the siting of buildings shall ensure there is no reverse lotting adjacent to streets;</p> <p>streets and open spaces have an appropriate degree of continuity;</p> <p>opportunities are provided for the creation of views both within the community and adjacent to natural heritage areas; and</p> <p>pedestrian connections to public streets and other outdoor spaces are encouraged.</p>	<p>The concept plan does not demonstrate that the proposed development provides an appropriate configuration between the open space, and the residential lots planned to the northeast. The majority of the northern property line of the park block would have units backlotting onto it.</p> <p>The proposal does not comply with this policy.</p>
<p>Block Servicing Strategy and Implementation</p> <p>Policies: B.7.4.14.1 c), n), B.7.4.17.2, B.7.4.17.3 and B.7.4.17.6</p>	<p>All development within the lands identified as the “Servicing Strategy Area” shall conform to the Block Servicing Strategy.</p> <p>A Block Servicing Strategy shall be used by the City to guide the review of planning applications within the respective Block Servicing Strategy area.</p> <p>All development applications shall demonstrate that they comply with the approved Block Servicing Strategy.</p> <p>All development shall proceed in accordance with the approved Block Servicing Strategy.</p>	<p>The proposed development has not demonstrated that it complies with the approved Block Servicing Strategy. The subject lands are located within Block 3 as identified on Fruitland-Winona Secondary Plan Map B.7.4-4 – Block Servicing Strategy Area Delineation.</p> <p>The Block 3 Servicing Strategy was prepared by Urbantech West, A Division of Leighton-Zec West Ltd. dated March 2020. A concept plan was included in the Block Servicing Strategy. The proposed development deviates from this Block Servicing Strategy concept plan. The road network has been altered by removing a portion of Street ‘P’ and the neighbourhood park size has been reduced. Street ‘P’ from the Block Servicing Strategy is required to accommodate the servicing of all the external lands abutting the west and east property limits to meet the City’s Sewer Use By-law which prohibits servicing easements and Joint Service Agreements.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Block Servicing Strategy and Implementation</p> <p>Policies: B.7.4.14.1 c), n), B.7.4.17.2, B.7.4.17.3 and B.7.4.17.6 (continued)</p>	<p>In addition to Section F.1.19.6 – Complete Application Requirements and Formal Consultation, the following study may be required:</p> <p>a) An Air Drainage Analysis Brief, which has been prepared by a qualified environmental engineer with additional information being provided by a climatologist, and agrologist who are specialized in the field of tender fruit and grape production, to the satisfaction of the City. The Air Drainage Analysis Brief shall include the following:</p> <p style="padding-left: 40px;">i) A review of the existing conditions, including air photos, topography, thermal conditions, climate, and air movement down the Niagara Escarpment and towards Lake Ontario, to evaluate the effects of the proposed development on the existing microclimate and airflow.</p>	<p>The proposed sanitary and storm outlets are not consistent with the Block 3 Servicing Strategy. The proposal redirects sanitary flow from the subject lands and lands to the south to the Lewis Road trunk sewer. This strategy is not in compliance with the Block 3 Servicing Strategy.</p> <p>A neighbourhood park is intended to be in the centre of the development and is intended to be a larger size. The proposed development results in a loss of lands designated “Neighbourhood Park”.</p> <p>The proposed development has not demonstrated that it protects specialty crop areas with the lands south of Highway No. 8 which are designated “Specialty Crop” in the Rural Hamilton Official Plan. Air drainage patterns exist between these lands and Lake Ontario over the subject lands. An Air Drainage Analysis was not submitted, however as the proposed development results in changes to the road and open space block layout, an update to the Air Drainage Analysis would be required to address any implications resulting from the changes, as the proposal may have a negative impact on air drainage. Should the applications be approved, a holding provision will be required for air drainage analysis and may be required to be peer reviewed.</p> <p>The proposal does not comply with these policies.</p>