

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>Housing</p> <p>Policies: 2.2, 2.3.1.1, 2.3.1.2 and 2.3.1.3</p>	<p>Healthy, liveable, and safe communities are, in part, an appropriate range and mix of housing options and densities to meet the projected needs of future and current residents by permitting and facilitating all housing options in order to meet the social, health, economic and well-being requirements. This also includes permitting and facilitating all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites. When promoting densities for new housing it should efficiently use land, resources, infrastructure, public service facilities and support the use of transit and active transportation.</p>	<p>The proposal is to construct 42 new single detached dwellings on a municipal road within an existing residential area in the urban boundary. In addition to the proposed Draft Plan of Subdivision, the application proposes to change the zoning for four single detached dwellings fronting onto Rymal Road, but existing uses on the property will be maintained. Staff are of the opinion that the proposed residential units are compatible with the surrounding area in terms of use, scale and built form. In addition, the proposal promotes efficient use of existing water, wastewater and stormwater infrastructure in the surrounding area and continues the approved road network by connecting to previous Draft Plan of Subdivision approvals.</p> <p>Therefore, the proposal is consistent with these policies.</p>

Urban Hamilton Official Plan		
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<p>Archaeology</p> <p>Policy: B.3.4.4.3:</p>	<p>In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for an Official Plan Amendment or Zoning By-law Amendment unless the development proposed does not involve any site alteration or soil disturbance and plans of subdivision under the <i>Planning Act, R.S.O., 1990 c. P.13</i>.</p>	<p>A Stage 1 and 2 Archeological Assessment was completed by AMICK Consultants Ltd. A letter dated September 12, 2019, stated that the report was entered into the Ontario public register of archeological reports. Staff reviewed the submission and noted that the title of the Archeological Assessment is mislabeled since it did not include all addresses subject to this application, but the content of the study does assess all the lands. Staff concur with the recommendations in the report and advise that the archeological requirement has been cleared for all subject lands.</p> <p>Therefore, the proposal complies with this policy.</p>
<p>Noise</p> <p>Policies: B.3.6.3.1, B.3.6.3.2 and 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. If it is determined that a noise study is required, a Noise and / or Vibration study shall be prepared by a qualified professional in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City and in accordance with all other applicable guidelines.</p>	<p>An Environmental Noise Impact Assessment prepared by DBA Acoustical Consultants Inc., dated February 2021, was submitted in support of the applications. The Noise Study reviewed the impacts of Rymal Road West on the proposed subdivision. Staff have reviewed the Noise Study and are satisfied that the study is acceptable for the purposes of the Zoning By-law Amendment application and that potential noise impacts from Rymal Road West can be mitigated. Staff note that a detailed noise study / addendum will be required to be submitted in order to clear Draft Plan of Subdivision conditions. The revised addendum will need to confirm Sound Transmission Class requirements based on floor plans and exterior wall design, where and how mitigation is to be provided, ensure noise warning clauses are implemented in the appropriate agreements and review the sound barrier details. Condition Nos. 38 and 39 have been</p>

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<p>Noise</p> <p>Policies: B.3.6.3.1, B.3.6.3.2 and B.3.6.3.7 (continued)</p>		<p>included to address the Noise Study requirements in Appendix D attached to Report PED25054.</p> <p>Therefore, the proposal complies with these policies.</p>
<p>Tree and Woodland Protection</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>Staff note that a Tree Preservation Plan and Landscape Plan by Adesso Design Inc., dated May 5, 2021 was submitted. A total of 173 trees were inventoried on site and a total of 158 trees are proposed to be removed. Of the 158 trees proposed to be removed on site, a total of 17 invasive species have been identified including five Norway Spruce, two Norway Maple, eight Manitoba Maple and one White Mulberry. The condition of the 158 trees proposed to be removed consists of 118 trees in good condition, 23 in fair condition and 17 trees in poor condition.</p> <p>Staff reviewed the Tree Protection Plan and required additional information related to compensation being provided on-site, confirmation that there are no additional opportunities to save trees on-site and add additional trees identified by Forestry on September 21, 2021 while confirming if the trees are proposed to be removed or retained. Staff recognize that there are challenges with preserving trees on the subject lands since the application is implementing a road design that has previously been approved as part of the surrounding subdivision applications. Therefore, compensation is being requested as part of the proposal for the removal of any trees that</p>

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<p>Tree and Woodland Protection (continued)</p> <p>Policy: C.2.11.1</p>		<p>cannot be planted on site. Condition Nos. 35 and 36 in Appendix D attached to Report PED25054 have been included in order to address the outstanding comments regarding the Tree Protection Plan.</p> <p>Therefore, the proposal complies with this policy.</p>
<p>Transportation</p> <p>Policy: C.4.5.12</p>	<p>The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and / or future transportation requirements as part of a complete application for a Zoning By-law Amendment and Draft Plan of Subdivision application.</p>	<p>A Transportation Brief prepared by C.F. Crozier and Associates Inc., dated May 30, 2024, was submitted. Transportation Planning staff have determined that the assessment adequately indicates the trip generation for the subject lands and that access will be provided through the ongoing buildout of the residential subdivisions to the north along Forest Breeze Path and to the east and west of Spring Meadow Grove.</p> <p>Therefore, the proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policies: C.5.3.6, C.5.3.17 and C.5.4.3</p>	<p>All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system. 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>A Preliminary Servicing Report by Urbex Engineering Limited dated April 2021, Comment Response dated May 30, 2024, by Urbex Engineering Limited submitted by Landwise and a Geotechnical Investigation by Landtek Limited dated October 9, 2020, were submitted. Development Engineering recommends that the proposed Zoning By-law Amendment application be approved. Development Engineering requires Special Condition Nos. 1 to 30 be included as part of the approval of a Draft Plan of Subdivision which have been identified in Appendix D attached to Report PED25054.</p> <p>Therefore, the proposal complies with these policies.</p>

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<p>Low Density Residential (Continued)</p> <p>Policies: E.3.4.1, E.3.4.2, E.3.4.3, E.3.4.5 and E.3.4.6 (continued)</p>	<p>The preferred location for low density residential uses is within the interior of neighbourhoods. Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade. The uses permitted in a low density residential area includes single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings with a maximum height of three storeys.</p> <p>Development in areas dominated by low density residential uses shall be designed to discourage direct access to a major or minor arterial road, discourage backlotting along public streets and in front of parks shall be discouraged and development shall generally proceed by way of subdivision when infilling and / or creating a new public road. The design will need to consider a mix of lot widths and sizes compatible with the streetscape character and a mix of dwelling unit types and sizes compatible in exterior design including character, scale, appearance, and design features.</p>	<p>The proposed development represents an extension of an existing low density residential neighbourhood and maximum height permitted in the Low Density Residential – Small Lot (R1a, 911) Zone is 10.5 metres which accommodates a building approximately three storeys in height. Single detached dwellings are considered a permitted use in the low density residential designation.</p> <p>Staff are satisfied that the proposed development does not backlot onto any public street or park. The Draft Plan of Subdivision that was submitted meets the low density residential policies. Staff have reviewed the proposed residential lot sizes and conceptual elevations provided for the proposed development and are satisfied that the proposed development is compatible with the character of the surrounding neighbourhood. Staff note that although the proposed development identifies single detached dwellings as the proposed use, the zoning allows for semi-detached dwellings, triplexes, fourplexes and additional dwelling units.</p> <p>Therefore, the proposal complies with these policies.</p>
<p>Residential Greenfield Design</p> <p>Policies: E.3.7.1 and E.3.7.3</p>	<p>New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and</p>	<p>The proposal consists of 42 single detached dwellings and builds upon the existing neighbourhood character, while allowing for more compact development through smaller lot widths and the permission to construct</p>

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<p>Residential Greenfield Design (Continued)</p> <p>Policies: E.3.7.1 and E.3.7.3 (continued)</p>	<p>infrastructure shall be designed to contribute to this character. The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the Greenfield community to the focal point and adjacent neighbourhoods.</p>	<p>additional dwelling units on the properties. The proposed buildings, streetscape, street pattern, landscaping and infrastructure are all cohesive with the existing neighbourhood character. The proposal has been reviewed from a transportation perspective, which includes pedestrian, cycling and vehicular circulation and future connections. The proposal includes sidewalks on both sides of the proposed municipal street. As well, the proposal will contribute to the completion of the road network in conjunction with surrounding draft plans of subdivision and the continued build out of the surrounding residential area.</p> <p>Therefore, the proposal complies with these policies.</p>
<p>Residential Greenfield Design Policy: E.3.7.5</p>	<p>New greenfield development shall generally be designed to minimize changes to existing topography, preserve existing trees and natural features, as well as being compatible with and maintaining established views to prominent City features and landmarks.</p>	<p>The proposal seeks to minimize changes to the existing topography and the design will be finalized through conditions of draft plan approval. The final approval of the Tree Protection Plan has been included as Condition No. 35 in Appendix D attached to Report PED25054 to ensure existing trees are preserved to the fullest extent possible.</p> <p>Therefore, the proposal complies with this policy.</p>
<p>Division of Land Policy: F.1.14.1.2</p>	<p>Subdivisions shall meet a number of criteria ensuring the development of blocks and lots in conjunction with the road network can support the intent of the land use designations.</p>	<p>The proposed Draft Plan of Subdivision is for 42 lots for single detached residential dwellings, two blocks for road reserves and three blocks for right-of-way widenings. The proposed development supports the intent of the “Neighbourhoods” designation by adding residential uses. The proposed subdivision will implement the proposed residential development subject to the approval of the</p>

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<p>Division of Land (continued)</p> <p>Policy: F.1.14.1.2 (continued)</p>		<p>draft Zoning By-law in Appendix B attached to Report PED25054. Staff note that the proposed municipal road is required to be constructed in order to continue the previously approved road network as part of Eden Park Phase 2 subdivision 62M-1299 and Sheldon’s Gate subdivision as approved by the Ontario Land Tribunal.</p> <p>Therefore, the proposal complies with this policy.</p>
Sheldon Neighbourhood Plan		
<p>Residential Development</p> <p>Policy: 3.B.1</p>	<p>The predominant form of land use in the Sheldon neighbourhood will be low density residential and related uses. The neighbourhood plan identified additional information regarding lot sizes and institutional uses within the neighbourhood. Overall, residential development will be encouraged which is compatible in height and density of the adjacent development, is innovative in design and includes a variety of housing sizes, densities, tenures, types, and costs.</p>	<p>The subject lands are identified as “Single and Double” on Map 7605 in the Sheldon Neighbourhood Plan. The application is proposing to create 42 lots for single detached dwellings in an area that is characterized by single detached dwellings on a local road. In addition, the proposed location of the municipal road within the subject subdivision plan is the same as the proposed road on the Sheldon Neighbourhood Plan.</p> <p>Therefore, the proposed development implements the intent of the Sheldon Neighbourhood Plan.</p>