

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
Planning for People and Homes Policy 2.1.6	Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options, recreation, parks, open spaces, and other uses to meet the long term needs of the community. In addition, improving accessibility for people of all ages and abilities by addressing land use barriers to ensure social equity and overall quality of life for people of all ages is achieved.	The development will provide 17 lots for single detached dwellings, a stormwater management facility and extend Braithwaite Avenue to Hamilton Drive. The residential lots will contribute to the housing options in Ancaster, and the extension of Braithwaite Avenue improves the transportation network by providing an opportunity for residents to walk and cycle to Hamilton Drive. The proposal complies with this policy.
Settlement Areas Policy 2.3.1.1	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.	The subject lands are located within the urban boundary, where the focus is to accommodate growth and development. The proposal complies with this policy.
Settlement Areas Policy 2.3.1.2	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, are transit-supportive, as appropriate.	The development will provide 17 residential lots, a stormwater management facility, and the extension of Braithwaite Avenue to Hamilton Drive. The residential lots will contribute to the housing options in Ancaster, and the extension of Braithwaite Avenue supports active transportation options. The proposal complies with this policy.

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<p>Transportation and Infrastructure Corridors</p> <p>Policy 3.3.1</p>	<p>Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.</p> <p>Major goods movement facilities and corridors means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are freight-supportive may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.</p>	<p>The proposed development is adjacent to Highway 403, which is regulated by the Ministry of Transportation.</p> <p>A noise barrier and mandatory 14 metre setback required by the Ministry of Transportation have been accommodated in the proposed design to ensure that the major goods movement corridor is protected. In addition, the Conservation/Hazard Land (P5) Zone has been applied along the northern property line of the subject lands to ensure there is a buffer between the proposed residential uses and Highway 403, ranging from 19 metres and 25 metres.</p> <p>The proposal complies with this policy.</p>
<p>Natural Heritage</p> <p>Policies 4.1.1 and 4.1.7</p>	<p>Natural features and areas shall be protected for the long term.</p> <p>Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.</p>	<p>The subject lands include a large, wooded area and is adjacent to a Core Area (significant woodland). Recognizing that this feature is part of the broader landscape for the area, it was staked in consultation with the City in 2014 and reevaluated in 2018. The applications included the submission of an Environmental Impact Statement and Tree Protection Plan. Several measures to mitigate the impacts have been considered and staff are recommending a number of conditions to ensure that Provincial Environmental Acts are adhered</p>

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<p>Natural Heritage</p> <p>Policies 4.1.1 and 4.1.7 (continued)</p>		<p>to, that trees are transplanted successfully, that a revised Tree Protection Plan is prepared, a Butternut Health Assessment be completed, that a revised Landscape Plan showing the placement and compensation of the trees be provided, and that the applicant provide cash in lieu for any compensation of trees that cannot be planted. A full list of recommended conditions can be found in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>
Urban Hamilton Official Plan		
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<p>Urban Design Goals</p> <p>Policies B.3.3.1.3, B.3.3.1.4 and B.3.3.1.5</p>	<p>Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.</p> <p>Create communities that are transit-supportive and promote active transportation.</p> <p>Ensure that new development is compatible with and enhances the character of the existing environment and locale.</p>	<p>As noted above, the draft plan of subdivision application includes the extension of Braithwaite Avenue to facilitate the development of 17 lots for single detached dwellings. The road extension promotes active transportation as it provides a connection to the broader network through Hamilton Drive. The proposal is compatible with the built form of the existing neighbourhood. Staff have recommended conditions of Draft Plan Approval that ensure trees are compensated for, and planted, within the proposed Conservation/Hazard Land (P5) Zone. A full list of recommended conditions is in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>

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<p>Noise</p> <p>Policies B.3.6.3.1, 3.6.3.2, 3.6.3.3 and 3.6.3.4</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>Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the implementation of planning mechanisms such as zoning by-law amendments and draft plans of subdivision.</p> <p>Where noise or vibration attenuation measures are required, for both outdoor and indoor spaces, the following may be considered:</p> <ul style="list-style-type: none"> • sound-proofing measures, construction techniques, and materials; and, <p>acoustical barriers such as berms, living walls, walls, favourable topographic features, or other intervening structures, where appropriate and according to all other policies.</p>	<p>S. Llewellyn & Associated Limited has prepared a Noise Impact Report titled “387-409 Hamilton Drive, City of Hamilton” dated November 2020, revised November 2022, for the proposed development.</p> <p>Lots 1 through 17 will require the installation of a heating system including central air conditioning to allow residents to leave exterior doors and windows closed. Additionally, Warning Clauses will be required to be included in all purchase and sale agreements in accordance with the Noise Impact Report prepared by S. Llewellyn & Associates Limited. The warning clauses have been included as Special Condition Nos. 54 and 55 in Appendix D attached to Report PED25036.</p> <p>A proposed berm shall be constructed adjacent to the Ministry of Transportation setback in the rear yards of Lots 1 through 11. The proposed berm will provide noise attenuation and shall be constructed with a maximum 3 to 1 slope, internal to the lot, and a maximum of 2 to 1 slope within the Ministry of Transportation setback and will be designed in accordance with the Preliminary Grading Plan prepared by S. Llewellyn & Associates Limited.</p> <p>A 3.0 metre to 4.5 metre high noise attenuation barrier shall be constructed on the proposed berm offset 0.50 metres from the Ministry of Transportation setback internal to the lot and in the rear yards of Lots 1 through 11. The existing noise attenuation barrier along the east property line (proposed east return of the barrier) is to be modified/replaced to increase the height of the existing wall to 4.5 metres above the ground. The noise</p>

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<p>Noise</p> <p>Policies B.3.6.3.1, 3.6.3.2, 3.6.3.3 and 3.6.3.4</p> <p>(continued)</p>		<p>attenuation barrier also includes a return along the west property line limits. Noise barriers are to be constructed without gaps or spaces and shall be of a Ministry of Transportation approved material with a surface density of 20 kg/m².</p> <p>Staff have confirmed that the noise barrier details have been shown on the appropriate plans, including the Preliminary Grading Plan DWG No. C-101 and special Condition Nos. 52 through 55 have been included in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>
<p>Core Areas</p> <p>Policies C.2.2.4 and C.2.2.8</p>	<p>Notwithstanding the designations on Schedule E-1 - Urban Land Use Designations, the policies of this Plan shall apply to Core Areas not currently identified on Schedule B - Natural Heritage System and Schedules B-1 to B-8 - Detailed Natural Heritage Features. Additional Core Areas may be mapped and identified, or Core Area boundaries may be refined subject to the submission and review of studies, including, but not limited to an Environmental Impact Statements, watershed or subwatershed study, natural areas inventories, or Environmental Assessments. An amendment to the Official Plan may be required to recognize a new Core Area.</p>	<p>The subject lands include a large, wooded area and is adjacent to a Core Area (significant woodland). The application included the submission of an Environmental Impact Statement and Tree Protection Plan. To accommodate the extension of Braithwaite Avenue, the building envelope of the proposed single detached dwellings and stormwater management facility as well as the necessary grading and servicing easement, 683 trees are proposed to be removed. The applicant has proposed to retain 125 trees and plant 157 trees on site. In addition, cash in lieu for tree compensation will be provided.</p> <p>Special Condition Nos. 43, 44, 47, 48, 49, 50 and 51 have been included to ensure that provincial environmental <i>Acts</i> are adhered to, that trees are transplanted successfully, that a revised Tree Protection Plan is prepared, a Bitternut Health Assessment be completed, that a revised Landscape Plan showing the placement</p>

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<p>Core Areas</p> <p>Policies C.2.2.4 and C.2.2.8</p> <p>(continued)</p>	<p>All natural features required vegetation protection zones, and enhancement or restoration areas on a property shall be placed under appropriate zoning in the zoning by-law and/or protected through a conservation easement to the satisfaction of the City or the relevant Conservation Authority or deeded to a public authority. Acquisition by a public body may also be considered as an option for protecting natural features and functions.</p>	<p>and compensation of the trees be provided, that the applicant provide cash in lieu for any compensation of trees that cannot be planted, and that the owner investigate the feasibility of including bat boxes. A full list of recommended conditions is in Appendix D attached to Report PED25036.</p> <p>To ensure that a vegetation protection zone is included around the development, the Zoning By-law Amendment has incorporated a Conservation/Hazard Land (P5) Zone. The site specific zone only permits a retaining wall within the zone and provides an opportunity for tree compensation.</p> <p>The proposal complies with these policies.</p>
<p>Trees</p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees.</p> <p>A Tree Protection Plan was prepared by GeoProcess Research Associates, dated July 10, 2024. A total of 808 trees have been inventoried. To accommodate the extension of Braithwaite Avenue, the building envelope of the proposed single detached dwellings and stormwater management facility as well as the necessary grading and servicing easement, 683 trees are proposed to be removed. The applicant has proposed to retain 125 trees and plant 157 trees on site. Cash-in-lieu will be provided for the remaining 526 trees.</p>

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<p>Trees</p> <p>Policy C.2.11.1 (continued)</p>		<p>In addition, staff have required that warning clauses be applied to all purchase and sale agreements to inform residents of the development restrictions, tree protection and limitations to altering the grading that apply to Lots 1 through 17 on the draft plan of subdivision contained in Appendix C attached to Report PED25036.</p> <p>Special Condition Nos. 49, 51, 56, 57 and 58 have been included to ensure the above noted items are secured and a full list of special conditions is contained in Appendix D attached to Report PED25036.</p> <p>The proposal complies with this policy.</p>
<p>Local Roads</p> <p>Policy C.4.5.2 f)</p>	<p>The primary function of a local road shall be to provide direct land accesses. The secondary function shall be to enable the movement of low volumes of traffic to collector roads. Sidewalks should be provided on both sides of the street.</p>	<p>The proposed subdivision includes the extension of Braithwaite Avenue to Hamilton Drive, which is identified as a collector road on Schedule C – Functional Road Classification. The Braithwaite Avenue extension includes sidewalks on both sides of the street.</p> <p>Special Condition Nos. 7, 31 and 39 have been included to ensure the above noted items are secured through the Plan of Subdivision application and a full list of special conditions is contained in Appendix D attached to Report PED25036.</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 and are satisfied that the existing municipal sanitary and water system can support the proposed</p>

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<p>Infrastructure</p> <p>Policy C.5.3.6 (continued)</p>		<p>development, subject to Special Condition Nos. 2, 10, 21, 23, 24, 25, 26, 30, 34, 35, 36 and 38 contained in Appendix D attached to Report PED25036 being satisfied.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure</p> <p>Policies C.5.3.13, C.5.3.17 and 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 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 address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report in support of the proposed development. Staff have confirmed the proposal can be supported by the municipal infrastructure, subject to Special Condition Nos. 2, 10, 21, 23, 24, 25, 26, 30, 34, 35, 36 and 38 contained in Appendix D attached to Report PED25036 being satisfied.</p> <p>The proposal complies with these policies.</p>
<p>Residential Greenfield Design</p> <p>Policies E.3.7.1, E.3.7.5, E.3.7.7</p>	<p>New greenfield communities shall be designed with unique and cohesive character. Buildings, streetscapes, street patterns, landscaping and infrastructure shall be designed to contribute to this character.</p> <p>New residential development in greenfield areas shall generally be designed and planned to minimize changes to the existing topography and preserve existing trees as</p>	<p>The subject lands are within the urban boundary but are not identified as being within the built up area and therefore, considered greenfield development.</p> <p>In review, the proposed development will extend an existing local road (Braithwaite Avenue) providing a connection to a collector road (Hamilton Drive), contributing to the completion of the street pattern in the Shaver Neighbourhood. Street trees will be planted along the Braithwaite Avenue extension and along Hamilton</p>

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<p>Residential Greenfield Design</p> <p>Policies E.3.7.1, E.3.7.5, E.3.7.7</p> <p>(continued)</p>	<p>well as natural features.</p> <p>Prior to registration of a plan of subdivision, the City may require that 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>Drive, adjacent to the subdivision. This will contribute to the cohesive character of the neighbourhood by maintaining the existing streetscape along Braithwaite Avenue. In addition, the development will result in the urbanization of Hamilton Drive, incorporating sidewalks, which will improve connectivity and improve conditions for pedestrians in the area.</p> <p>The proposed subdivision requires the inclusion of a retaining wall along Lots 1 through 11 to ensure that appropriate grading can be accommodated throughout the subdivision to meet the requirements for residential uses adjacent to provincial highways. As there are setback and noise requirements, a berm, retaining wall and noise barriers are required to ensure that the requirements of the Ministry of Transportation and the Ministry of the Environment, Conservation and Parks are satisfied. The berm will also provide an opportunity for tree planting and compensation.</p> <p>Condition No. 41 of Draft Plan Approval has been included which requires that the owner prepare Urban Design Guidelines and an Architectural Control Strategy for the subdivision. A full list of conditions is contained in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>

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<p>Implementation – Plan of Subdivision</p> <p>Policies F.1.14.1.1 and F.1.14.1.2</p>	<p>The development of lands may require subdivision of existing lots or tracts of land and shall be evaluated on a number of criteria including review of land use policy, integration with adjacent lands, staging of development, provision of adequate services, no adverse impact on the transportation systems and the natural environment, and not adversely impacting municipal finances.</p> <p>New road or an extension to an existing road or it is deemed in the public interest for the proper and orderly development of lands.</p> <p>Council shall approve plans of subdivision that conform to the policies and land use designations of the Official Plan, implements the City’s staging of development program, can be supplied with adequate services and community facilities, not adversely impact the transportation system and natural environment, the plan of subdivision can be integrated with adjacent lands and roadways and will not adversely impact municipal finances.</p>	<p>The subject lands are within the urban boundary. The proposed Draft Plan of Subdivision contained in Appendix C attached to Report PED25036, consists of 17 lots for single detached dwellings (Lots 1 – 17), one block for stormwater management purposes (Block 18), and the extension of the existing public right-of-way (Braithwaite Avenue).</p> <p>The proposal represents a logical and orderly development of the lands. The site can be serviced using existing and planned infrastructure and will not adversely impact the transportation system and the natural environment, subject to the mitigation measures proposed Draft Plan conditions. In addition, it will not adversely impact municipal finances, and meets all requirements of the <i>Planning Act</i>.</p> <p>The proposal complies with these policies.</p>

Shaver Neighbourhood Secondary Plan – Volume 2 – Low Density Residential 1		
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<p>General Policies</p> <p>Policy B.1.1</p>	<p>The policies of Volume 1 and 3 shall apply to all secondary plans unless otherwise specified in the policies of this Volume. Where a discrepancy between the policies and/or designations exists, the policies and designations of the secondary plan shall prevail.</p>	<p>The subject lands are within the Shaver Neighbourhood Secondary Plan and are identified as “Low Density Residential 1”. The lands are not identified as a “Core Area” within the Secondary Plan.</p> <p>The proposal complies with this policy.</p>
<p>General Policies</p> <p>Policy B.1.5 a)</p>	<p>Notwithstanding policies B.1.2, B.1.5, and the policies contained in Sections B.2.0 to B.7, and Volume 1 Policy F.1.2.2, for all lands designated “Low Density Residential 1” the policies E.3.4.3, E.3.4.4 and E.3.4.5 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. (OPA 202)</p>	<p>Official Plan Amendment 202 notwithstanding the more restrictive policies within the Shaver Neighbourhood Secondary Plan that requires a minimum lot width of 10.7 metres and a maximum density of 20 dwelling units per gross/net residential hectare.</p> <p>The proposal complies with this policy.</p>
<p>General Policies</p> <p>Policy B.1.8</p>	<p>The location of roads on secondary plan maps are considered approximate and minor adjustments to the location of roads shall not require an amendment to a secondary plan provided the intent of its policies is maintained.</p>	<p>The proposed extension of Braithwaite Avenue is not illustrated on Map B.2.2-1 of the Shaver Neighbourhood Secondary Plan; however, the proposed road is considered a minor adjustment as it is a logical connection to Hamilton Drive. The proposed extension meets the intent of providing a transportation network that supports active transportation and connectivity. In addition, Braithwaite Avenue was always intended to extend to Hamilton Drive as illustrated in the former Town of Ancaster Official Plan, which is contained as Appendix J attached to Report PED25036.</p> <p>The proposal complies with this policy.</p>