

SUMMARY OF POLICY REVIEW

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

Provincial Planning Statement (2024)		
Theme and Policy	Summary of Policy Review	Staff Response
Planning for People and Homes Policies: 2.1.6 and 2.3.1.2	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. Planning authorities should improve social equity and overall quality of life for people of all ages, abilities, and incomes, including equity deserving groups.	The proposed development represents intensification within the built boundary where infrastructure and public service facilities are available. The proposal will introduce a new form of development to the area which will contribute to an appropriate range and mix of residential units in the neighbourhood utilizing and making efficient use of serviced land within the settlement area. The subject lands are in proximity to commercial uses, employment uses, parks, and recreation facilities, with access to public transit. The proposal is consistent with these policies.
Management of Land Use, Settlement Area, Housing, Transportation Systems, Long-Term Economic Prosperity Policies: 2.2.2, 2.3.1.2, 2.3.3, 2.3.4 and 2.4.3	Settlement areas are intended to be the focus of growth and development. Within settlement areas, land use patterns shall efficiently use land, infrastructure, and public service facilities, and be transit supportive. Healthy, liveable, and safe communities are, in part, sustained by accommodating a range and mix of residential types and promoting the integration of land use	The proposed development is within a settlement area and the Official Plan Amendment and Zoning By-law Amendment will facilitate a development which supports healthy, liveable, and safe communities. Compact development is to occur within designated growth areas and having the proposal promotes the efficient use of land, infrastructure, and public service facilities. The proposal will introduce a new built form in the neighbourhood which will intensify a vacant and underutilized site.

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Management of Land Use, Settlement Area, Housing, Transportation Systems, Long-Term Economic Prosperity Policies: 2.2.2, 2.3.1.2, 2.3.3, 2.3.4 and 2.4.3 (continued)	planning, transit supportive development, and by encouraging a sense of place through promoting well designed built form.	The proposal is consistent with these policies.
Urban Hamilton Official Plan		
Theme and Policy	Summary of Policy or Issue	Staff Response
Residential Intensification Policy: B.2.4.1.1	Residential Intensification is encouraged throughout the entire built-up area.	The subject lands are located within the built-up area. The proposal complies with this policy.
Residential Intensification Criteria Policy: B.2.4.1.4	Residential intensification in the built-up area shall be evaluated on the relationship with existing neighbourhood character, contribution towards achieving a range of dwelling types, compatible integration with the surrounding area, contribution towards achieving the planned urban structure, existing infrastructure capacity, incorporation of sustainable design elements, contribution towards supporting active transportation, contribution towards supporting transit, availability of public community facilities/services, ability to retain natural attributes of the site, and compliance with all other applicable policies.	The policy provides criteria to evaluate residential intensification. The intent of the criteria is to ensure considerations such as integration of the proposal with the existing neighbourhood and compatibility of land uses to support the existing and planned urban structure. The Official Plan Amendment and Zoning By-law Amendment propose a built form, which was not anticipated in the Meadowlands Neighbourhood III Secondary Plan and introduces a new form of development at the exterior of the neighbourhood. The neighbourhood is predominantly residential and is well supported with community facilities, commercial and institutional land uses to serve the neighbourhood. Multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. However, the proposed “L” shaped design and site organization addresses the contextual fit

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Residential Intensification Criteria Policy: B.2.4.1.4 (Continued)		and site functionality by providing adequate setbacks, amenity areas and pedestrian connectivity. The development screens the surface parking area with the placement of the building closer to the street, activating the street and public realm. The proposed built form represents a higher residential density of dwelling units than currently exists in the surrounding area and contributes to providing a diverse range of housing options. The proposal is within a compact midrise multiple dwelling with a built form that allows for a range of housing options that support the neighbourhood. The form of development also allows for a mix of one bedroom, one bedroom plus den, and two bedroom plus den units, including ground floor amenity space and services for the residents. The proposal complies with this policy.
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: • Fostering a sense of community pride and identity; • Creating quality spaces; • Creating places that are safe, accessible, connected, and easy to navigate; • Enhancing the character of the existing environment; • Creating places that are adaptable to future changes; • Promoting the reduction of greenhouse gas emission and protecting and enhancing the natural environment;	The proposal represents a compatible form of development, and the “L” shaped building design has been positioned towards Garner Road East and Southcote Road to define the street edge and screen the surface parking, loading area and the entrance to the underground parking from the public realm. The proposal will provide a greater range of housing types and achieve the planned urban structure. The increased density will support the use of existing and planned transit, and commercial uses. The development of the land for residential uses is compatible with the surrounding land uses, helps increase the housing supply, promotes efficient use of land, and utilizes existing infrastructure. A 19 metre setback is proposed to the northerly property line to provide separation between the multiple dwelling and proposed residential use. In addition, the proposed design incorporates a gradual transition of building height with stepbacks from the ground floor at the sixth storey on the north side of the building.

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Urban Design Policies – General Policies and Principles Policies: B.3.3.2.2 – B.3.3.2.10 (Continued)	- Enhancing physical and mental health; and, - Designing streets as a transportation network and as a public spaces.	The portion of the building facing the easterly rear lot line (abutting the commercial property) includes a stepback of 6.7 metres from the building edge at the fifth storey. Landscaping is also proposed internal to the site to screen the surface parking from the proposed and existing residential. In addition, waste collection will occur internal to the proposed building and be screened from the public realm. The proposal complies with these policies.
Cultural Heritage Policies: B.3.4.1.4, B.3.4.2.1 g), and B.3.4.2.1 h)	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.	The subject property is adjacent to 581 Garner Road East, a property included in the City's Inventory of Heritage Buildings, and to 520 Southcote Road, known as Garner's Corners Cemetery, which is included in the City's Inventory of Cemeteries and Burial Grounds. Notwithstanding that the adjacent properties are included in the City's Inventory of Heritage Buildings; staff have reviewed the applications and are of the opinion that the cultural heritage value or interest of the property will be conserved as archaeological resources or intact soil profiles were not encountered during the survey. The proposal complies with these policies.
Archaeology Policy B.3.4.4.3	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 the following planning matters under the <i>Planning Act</i>, R.S.O., 1990 c. P.13.	The subject property meets six of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. A Stage 1 and 2 (P398-0096-2021) Archaeological Report prepared by ASI dated July 22, 2021, was submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism.

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Archaeology Policy B.3.4.4.3 (continued)		The Province has acknowledged the Stage 1 and 2 reports for compliance with licensing requirements in a letter dated August 16, 2021. Cultural Heritage planning staff concur with the study's conclusion and are of the opinion that the municipal interest regarding the archaeology of this portion of the site has been adequately assessed. Staff request a copy of the letter for the Stage 3 report from the Ministry when available. The letter will be requested through the future Site Plan Control application. The proposal complies with this policy.
Noise Policy: B.3.6.3.1	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. The City shall ensure that all development or redevelopment with the potential to create conflicts between sensitive land uses and point source or fugitive air emissions such as noise, vibration, odour, dust, and other emissions complies with all applicable federal and provincial legislation, provincial and municipal standards, and provincial guidelines, and shall have regard to municipal guidelines.	A Noise Assessment, prepared by dBA Acoustical Consultants Inc. dated June 2021 was submitted, with revisions dated March 2022, May 2022, and February 2023. The study analyzed vehicular traffic impacting the proposed development to determine if and what noise mitigation measures would be required. The report recommends mitigation measures to address the impact from traffic noise including the requirement of air conditioning for the entire building, warning clauses registered on title and/or in purchase and sale and/or lease or rental agreements and building materials. These measures will be addressed through the future Site Plan Control and Building Permit stages. In addition, noise mitigation measures, such as, but not limited to, the registration of warning clauses, will be required during the Draft Plan of Condominium stage if condominium tenure is considered. The proposal complies with this policy.

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Trees Policy: C.2.11.1	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.	An Arborist Report has been prepared by Davey Resource Group (Joseph Stanfield; certified arborist) dated September 20, 2022, and revised September 23, 2024. A total of 70 trees have been inventoried on the subject lands of which 63 are proposed to be removed and 38 trees are proposed to be replanted. The decision to retain trees is to be based on condition, aesthetics, age, and species. It is recognized that there are limited opportunities to retain all trees on site due to the majority of mature trees being centrally located on the site. The applicant has designed the multiple dwelling in accordance with the urban design policies and guidelines. The majority of the parking has been located underground. There are 15 surface parking spaces located in the interior of the site and screened from public view by the dwelling. To increase the opportunities for vegetation planting on site, the applicant has widened the landscaping width along the entire easterly lot line to 3 metres, necessitating the removal of one excess surface parking space. In addition, the design was modified to increase the soil depth to ensure that the site can accommodate and support the successful growth of the proposed vegetation. Trees has been identified along the northerly property line as being boundary trees. The applicant has provided a letter of permission from the adjacent landowner (509 Southcote Road) for the removal of these trees. The lands at 509 Southcote Road were subject to an appeal which the Ontario Land Tribunal issued a decision on January 20, 2025 (OLT-23-000673). The removal of the trees will be in accordance with the Tree Protection Plan reviewed through the Ontario Land Tribunal settlement. Further evaluation of the Tree Protection Plan and Landscape Plan will be required as part of the Site Plan Control process with

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Trees Policy: C.2.11.1 (Continued)		a 1 to 1 compensation required for any trees (10 cm DBH or greater) that are proposed to be removed. The proposal complies with this policy.
Transportation Policies: C.4.5.2, 4.5.6, 4.5.7 and C.4.5.12	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment and shall identify and required road widening dedication requirements.	A Transportation Assessment, prepared by R.J. Burnside and Associates Limited, dated March 8, 2024, was submitted. Transportation Planning staff have approved the Transportation Assessment and support the proposed development, subject to the applicant dedicating the right-of-way widening and daylighting requirements from both Garner Road East and Southcote Road. The existing right-of-way on Southcote Road at the subject property is approximately 22 metres. Southcote Road is identified with an Offset Right-of-Way Dedication on Schedule C-2 – Future Right-of-Way Dedications in Volume 1 of the Urban Hamilton Official Plan. Southcote Road from Alexander Graham Bell Parkway/ Chedoke Expressway (Highway 403) to Garner Road East is to be widened by 3.048 metres from the original road allowance limit on the west side and 8.84 metres from the original road allowance on the east side. The proposal has demonstrated the correct dedications being approximately 8.84 metres. Garner Road East is planned to have an ultimate width of 36.57 metres and the existing right-of-way at the subject property varies from 28 to 36 metres. A road right-of-way dedication on Garner Road East with an irregular width up to 8.22 metres is required and will be obtained through a future Site Plan Control condition of approval. As both Garner Road East and Southcote Road are minor arterial roads, a daylighting triangle dedication of 12.19 metres by 12.19

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Transportation Policies: C.4.5.2, 4.5.6, 4.5.7 and C.4.5.12 (Continued)		metres is required. The required dedication has been demonstrated in Appendix E attached to Report PED25093. Staff are of the opinion that the proposed development has incorporated the right-of-way and daylight requirements into the design and the dedications will be required through the future Site Plan Control application. The proposal complies with these policies.
Infrastructure Policy: C.5.3.6	All redevelopment within the urban area shall be connected to the City's water and wastewater system.	A Functional Servicing and Stormwater Management Report, prepared by Odan Detech Group Inc., dated August 2021 with revisions May 11, 2022, February 7, 2023, and January 18, 2024, was submitted. The proposed development has municipal water and wastewater infrastructure available. Development Engineering support the proposal, subject to a Holding 'H' Provision to demonstrate that suitable storm and sanitary outlets are provided for the subject site, including the extension of any municipal sewers. Development Engineering staff have indicated that there are no concerns with the proposed stormwater discharge rate from the proposed storm tank to the municipal sewer; however, Development Engineering will require the applicant to demonstrate that stormwater is discharged from the site to the outlet via gravity drainage and not mechanically pumped. Additional quantity control measures may be required within the parking area of the site to account for redesign of the proposed stormwater management tank to support the development. The applicant is required to demonstrate that no long-term dewatering (due to groundwater) will be conveyed to the municipal sewer infrastructure.

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Infrastructure Policy: C.5.3.6 (Continued)		A Hydrogeological Brief demonstrating soil / groundwater conditions to properly characterize potential dewatering needs will be required. The requirement for a Hydrogeological Brief will be addressed through a future Site Plan Control application. Staff are of the opinion that the proposal complies with the policy, subject to the Holding 'H' Provision.
Medium Density Residential – Function Policies: E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6	Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses. Medium density residential built forms may function as transitions between high and low profile residential uses.	The Official Plan Amendment and Zoning By-law Amendment propose a built form, which was not anticipated in the Meadowlands Neighbourhood III Secondary Plan and introduces a new form of development at the exterior of the neighbourhood. The proposal while designated “Low Density Residential 3b” has been reviewed against the relevant policies of the Medium Density designation to ensure the function align with the scale and design ensuring compatibility and transition between uses, and overall impact. The proposed development is an “L” shaped multiple dwelling located at the northeast corner of Garner Road East and Southcote Road, which is on the periphery of the Meadowlands III Neighbourhood Secondary Plan. Garner Road East and Southcote Road are classified as minor arterial roads on Schedule C – Functional Road Classification. The proposal introduces a multiple dwelling close to public transit, which services the area through the arterial street system by Hamilton Street Railway bus route 44 along Garner Road East with the bus stop located on the Garner Road East frontage. The neighbourhood is predominantly residential and is well supported with community facilities to serve the neighbourhood including Immaculate Conception Catholic Elementary School, Moorland Park, and Ancaster Arbour Parkette. In addition, district

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Medium Density Residential – Function Policies: E.3.5.1, E.3.5.2, E.3.5.5 and E.3.5.6 (continued)		commercial uses such as Meadowlands commercial district and the Ancaster Smart Centres are 2.5 kilometres away and accessible by bus. The proposed development will assist in the completion of the multi-use trail along Southcote Road and extension of the sidewalk connection along Garner Road East. The proposal complies with these policies.
Medium Density Residential – Scale and Design Policies: E.3.5.8 and E.3.5.9	For a medium density area, the maximum height is six storeys. For a Medium Density Residential use a proposal shall be evaluated against the following policies: • Development should have direct access to a collector road or arterial road. If direct access is not possible, the development may gain access to a collector road or local road from a local road only if a small number of low density residential dwellings are located on that portion of the local road; • Development shall be integrated with other lands in the “Neighbourhood’s” designation with respect to density, design, and physical and functional considerations; • Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and	The proposed seven storey “L” shaped multiple dwelling is a form of development permitted within the “Medium Density Residential” designation. The policy permits a maximum of six storeys with the ability to increase the height up to 12 storeys, subject to various criteria being met. Access to the subject lands is limited to Southcote Road which is designated a minor arterial road. The use is within a compact midrise multiple dwelling form that allows for a range of housing options that would support the neighbourhood. The form of development also allows for a mix of one, one bedroom plus den, and two bedroom plus den units, including ground floor amenity space and services for the residents. The use of energy modelling will be incorporated during detailed design through a future Site Plan Control application to secure compliance with the green building standards and building envelope design, energy code requirements, and greenhouse gas reductions as required by the Ontario Building Code. In addition, other measures were incorporated such as the extension of the planting strip running along the easterly lot line to the northern property line to provide for additional permeable surfaces, landscaped areas, and buffering which resulted in the removal of one surface parking space and the addition of one native tree

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Medium Density Residential – Scale and Design Policies: E.3.5.8 and E.3.5.9 (continued)	buffering, if required. The height, massing, and arrangement of buildings and structures shall be compatible with the existing and future uses; • Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on site and on surrounding streets; • The City may require studies to demonstrate the height, orientation, design and massing of the building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses; and, • The orientation, design, and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area through the submission of a Visual Impact Assessment.	species and other vegetative plantings within the planting strip extension. The proposed orientation of the seven storey “L” shaped multiple dwelling will define the street edge along Garner Road East and Southcote Road and activate the public realm. The proposed design and site organization addresses the contextual fit and site functionality by providing adequate setbacks, amenity areas and pedestrian connectivity. The siting and shape of the building, as well as the increased setback of 19 metres to the low density residential dwellings to the north, reduces the potential for shadowing or overlook impacts. Staff are satisfied that the proposal provides sufficient internal amenity space for larger gatherings with attached communal balcony space. The current concept plan shows a total of 100 square metres of amenity space internal to the site and approximately 340 square metres of communal indoor amenity area. A Shadow Study prepared by SRM Architects Inc. by E. Thomas dated August 20, 2021, and revised February 22, 2023, and September 18, 2024, was submitted. The proposed building has been designed to be compatible with the adjacent land uses with respect to matters such as shadowing and overlook. The submitted Shadow Study exceeds the minimum requirements for sun through March 21st to September 21st, demonstrating compliance with a 45° angular plane. In addition, there are no shadow impacts on public open spaces or parks in the immediate area. The subject land is located at the periphery of the neighbourhood with direct access limited to Southcote Road, designated a minor

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Medium Density Residential – Scale and Design Policies: E.3.5.8 and E.3.5.9 (continued)		arterial road, to minimize conflicts between traffic and pedestrians both on site and on surrounding streets. A Transportation Assessment, prepared by R.J. Burnside and Associates Limited, dated March 8, 2024, was submitted. Transportation Planning concurred with the traffic assessment that demonstrated that the road network can accommodate the trips and the forecasted future conditions indicate no significant effect on the surrounding road and transportation network. The proposal complies with these policies.
Meadowlands III Neighbourhood Secondary Plan		
Residential Designations Policies: B.2.5.1 and B.2.5.1.1	The residential policies shall define the location and scale of each type of residential use and shall help ensure that a variety of residential types are provided to meet the needs of all area residents. The Meadowlands Neighbourhood III Secondary Plan consists of various Low Density Residential designations and the proposal has introduced the Medium Density 3 designation into the Secondary Plan.	The development will introduce an additional housing type that is designed in character with the existing residential neighbourhood. It is anticipated that the new dwelling units will provide a range of affordability, contributing to a complete community by providing opportunities for a full range of dwelling types and tenures, while also increasing the supply of housing in proximity to transit routes and community facilities to serve residents. To foster a complete community, the proposal facilitates an efficient use of land at the periphery of the neighbourhood while preserving the lower density residential within the interior of the existing neighbourhood. In addition, the increased setback from the proposed townhouse dwellings to the north of the subject lands will create a gradual transition between dwelling types. The proposed development will complete the streetscape along Southcote Road improving the pedestrian infrastructure. The development will also continue the streetscape along the frontage of Garner Road East to define the street edge. As demonstrated on the Concept Plan the pedestrian infrastructure will also continue along the frontage of Garner Road East.

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Residential Designations Policies: B.2.5.1 and B.2.5.1.1 (continued)		The proposal complies with these policies.