

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, 2.2.1 b), 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>The proposed development supports the creation of complete communities and the provision of a range of housing types.</p> <p>The subject property is located on the west side of Upper Paradise Road approximately 240 metres south of Stone Church Road West. Retail uses are located at the intersection of Upper Paradise Road and Stone Church Road West.</p> <p>Hamilton Street Railway currently operates three routes along Upper Paradise Road. Route 34 can be accessed at the stop located approximately 25 metres east at Upper Paradise Road and Skyview Drive.</p>

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<p>Planning for People and Homes</p> <p>Policies: 2.1.6, 2.2.1 b), and 2.3.1.2 (continued)</p>	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, promoting densities for new housing which efficiently use land, and requiring transit supportive development in proximity to transit, including corridors.</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, are transit-supportive, as appropriate.</p>	<p>Rymal Road West, located approximately 800 metres to the south, is identified as a Potential Higher Order Transit corridor. An existing bicycle lane is located on Upper Paradise Road.</p> <p>St. Thomas More Secondary School is located approximately 107 metres south of the subject lands and William Schwenger Park is located south of the school. Gordon Price Elementary School and St. Vincent de Paul Elementary School are in the neighbourhood north of Stone Church Road West.</p> <p>The proposed development consists of 12 townhouse dwelling units. The proposed development 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 as well as active transportation networks.</p> <p>The proposal is consistent with these policies.</p>

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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 proposed development is located within a settlement area. The proposal is consistent with this policy.
Urban Hamilton Official Plan		
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"> • 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; and, • Creating places that are adaptable to future changes. 	The proposed development consists of 12 three-storey townhouse dwellings units along a private road accessed from Upper Paradise Road. The existing land uses on all surrounding lands are low density residential. The proposed development is designed to contribute to the creation of a quality space that is safe and connected. A Conceptual Site Plan, prepared by Landwise dated December 2, 2025, and revised February 17, 2026, Landscape Plan, prepared by Adesso Design Inc. dated June 6, 2024, and Elevations, prepared by Fabiani Architect Ltd. dated March 2023, were submitted.

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<p>Urban Design Policies – General Policies and Principles</p> <p>Policies: B.3.3.2.2 – B.3.3.2.10 (continued)</p>	<ul style="list-style-type: none"> • Promoting the reduction of greenhouse gas emission and protecting and enhancing the natural environment; and, • Enhancing physical and mental health; and, • Designing streets as a transportation network and as public spaces. 	<p>The sidewalk along Upper Paradise Road, shown on the Conceptual Site Plan, is not aligned with sidewalks on either side of the property. The driveway alignment, as shown on the Conceptual Site Plan, is expected to cause lighting impacts from vehicles on adjacent dwellings located to the north, south, and west. Notwithstanding these detailed design items, the proposal is a compatible development that creates a quality space that is safe, accessible, and connected. Further design details will be required at the Site Plan Control stage to address the detailed design issues identified.</p> <p>The proposal complies with these policies.</p>
<p>Urban Design Policies – Built Form</p> <p>Policy: B.3.3.3.2</p>	<p>New development shall be designed to minimize impact on neighbouring buildings and public spaces by:</p> <ul style="list-style-type: none"> • Creating transitions in scale to neighbouring buildings; and, • Ensuring adequate privacy and sunlight to neighbouring properties. 	<p>The proposed development consists of 12 three-storey townhouse dwellings units along a private road accessed from Upper Paradise Road. The height of the proposed development is not anticipated to result in negative shadow, privacy, or wind impacts.</p>

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<p>Urban Design Policies – Built Form</p> <p>Policy: B.3.3.3.2 (continued)</p>	<ul style="list-style-type: none"> Minimizing the impacts of shadows and wind conditions. 	<p>The proposed townhouses are sufficiently setback from adjacent lot lines to appropriately mitigate any privacy/overlook impacts.</p> <p>The proposal complies with this policy.</p>
<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.</p>	<p>The subject property meets five of the 10 criteria used by the City of Hamilton and the Ministry of Citizenship and Multiculturalism for determining archaeological potential.</p> <p>Previously, a Stage 1-2 Archaeological Assessment was submitted to the City and the Ministry of Citizenship and Multiculturalism. In a letter dated April 1, 2019, the Province signed off on the reports. Staff are of the opinion that the municipal interest has been satisfied.</p> <p>The proposal complies with this policy.</p>

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<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>The subject property is located on Upper Paradise Road, which is designated as a “Collector” on Schedule C – Functional Road Classification. The proposed development includes a residential use which is considered a sensitive land use.</p> <p>A noise study was not submitted with this application. Therefore, staff recommend a 4.0 metre setback from Upper Paradise Road. This modification is intended to mirror the minimum front lot line setback of 4.0 metres currently in effect on the lands. This modification will ensure that dwelling units are not located nearer to the collector road than currently permitted, thereby not permitting a sensitive use to be closer to a noise source than is currently permitted.</p> <p>A Conceptual Site Plan, prepared by Landwise dated December 2, 2025, and revised February 17, 2026, was submitted. The Conceptual Site Plan shows a 4.0 metre building setback from Upper Paradise Road, which will be included in the Zoning By-law.</p>

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<p>Noise</p> <p>Policy: B.3.6.3.1 (continued)</p>		<p>Further noise mitigation measures will be addressed through the future Site Plan Control stage.</p> <p>The proposal complies with this policy.</p>
<p>Tree Management</p> <p>Policy: C.2.11.1 and E.3.7.5</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>New residential development in greenfield areas shall generally be designed and planned to preserve existing trees and natural features.</p>	<p>A Tree Protection Plan, prepared by Adesso Design Inc. dated June 6, 2024, and a Conceptual Site Plan, prepared by Landwise dated December 2, 2025, and revised February 17, 2026, were submitted. A total of 48 individual trees were inventoried and 12 trees are proposed to be removed. The decision to retain trees is to be based on condition, aesthetics, age, and species. All the 12 trees proposed to be removed have been evaluated to be in “Good” or “Fair” condition. These trees will be removed to accommodate the proposed buildings and associated driveways, sidewalks, and grading.</p> <p>The Conceptual Site Plan was revised to increase the setback from the southern property line to the drive aisle from 3.0 metres to 4.51 metres to preserve trees Nos. 45 to 47.</p>

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<p>Tree Management</p> <p>Policy: C.2.11.1 (continued)</p>		<p>To ensure the protection and restoration of tree cover, a one for one compensation is required for any tree (10 centimetre diameter at breast height or greater) removed from private property. An updated Landscape Plan and updated Tree Protection Plan will be provided through the future Site Plan Control stage, prioritizing native species where possible to enhance urban forest quality and biodiversity. These measures support the City's policies promoting sustainable landscape practices on redevelopment sites.</p> <p>The proposal complies with this policy.</p>
<p>Transportation</p> <p>Policy: C.4.5.12</p>	<p>A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.</p>	<p>A Traffic Impact Brief, prepared by Paradigm Transportation Solutions Limited dated May 14, 2024, and updated January 23, 2026, was submitted. Staff support the results of the sightline assessment and that there are no safety concerns. Site-generated traffic by the proposed development is not anticipated to impact the transportation network.</p>

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Transportation Policy: C.4.5.12 (continued)		The proposal complies with this policy.
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 & Stormwater Management Report, prepared by S. Llewellyn & Associates Limited dated November 2023, was submitted. Staff have no concerns with the proposed development. The proposal complies with this policy.
Neighbourhoods Designation – Function Policy: E.3.2.1	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.	The proposed development consists of 12 three-storey townhouse dwellings which is a type of residential dwelling. The proposal complies with this policy.

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<p>Neighbourhoods Designation – Scale and Design and Residential Uses – General Policies</p> <p>Policies: E.3.2.4 and E.3.3.2</p>	<p>The existing character of established Neighbourhoods designated areas shall be maintained.</p> <p>Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.</p>	<p>The proposed development consists of 12 three-storey townhouse dwellings units along a private road accessed from Upper Paradise Road. The existing land uses on all surrounding lands are low density residential.</p> <p>A Conceptual Site Plan, prepared by Landwise dated December 2, 2025, and revised February 17, 2026, Landscape Plan, prepared by Adesso Design Inc. dated June 6, 2024, and Elevations, prepared by Fabiani Architect Ltd. dated March 2023, were submitted. These documents demonstrate that the proposed development is compatible with adjacent land uses, and that building height, massing, and arrangement are not anticipated to result in negative shadow, privacy, or wind impacts on adjacent land uses.</p> <p>Additional site design details will be reviewed at the future Site Plan Control stage.</p> <p>The proposal complies with these policies.</p>

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<p>Neighbourhood Designation – Scale and Design</p> <p>Policy: E.3.2.7</p>	<p>The City shall require quality urban and architectural design. 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"> • Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized; • Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided; and, • Development shall improve existing landscape features and overall landscape character of the surrounding area. 	<p>The proposed development is designed to be safe, efficient, pedestrian friendly, and attractive.</p> <p>The proposed Zoning By-law Amendment includes a modification to prohibit parking between a building and Upper Paradise Road and specifies minimum landscaping requirements.</p> <p>Additional design details, such as pedestrian linkages and landscaping, will be reviewed at the future Site Plan Control stage.</p> <p>The proposal complies with this policy.</p>

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<p>Medium Density Residential – Function</p> <p>Policies: E.3.5.1 and E.3.5.2</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposed development consists of 12 three-storey multiple dwelling townhouse dwellings, which meets the definition of a multiple dwelling, is located on the periphery of the Falkirk West Neighbourhood and on a collector road.</p> <p>The proposal complies with these policies.</p>
<p>Medium Density Residential – Function</p> <p>Policy: E.3.5.5</p>	<p>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.</p>	<p>The subject property is located on the west side of Upper Paradise Road approximately 240 metres south of Stone Church Road West. Retail uses are located at the intersection of Upper Paradise Road and Stone Church Road West.</p> <p>Hamilton Street Railway currently operates three routes along Upper Paradise Road. Route 34 can be accessed at the stop located approximately 25 metres east at Upper Paradise Road and Skyview Drive. Rymal Road West, located approximately 800 metres to the south, is identified as a Potential Higher Order Transit corridor. An existing bicycle lane is located on Upper Paradise Road.</p>

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<p>Medium Density Residential – Function</p> <p>Policy: E.3.5.5 (continued)</p>		<p>St. Thomas More Secondary School is located approximately 107 metres south of the subject lands and William Schwenger Park is located south of the school. Gordon Price Elementary School and St. Vincent de Paul Elementary School are in the neighbourhood north of Stone Church Road West.</p> <p>The proposal is located a 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.</p> <p>The proposal complies with this policy.</p>
<p>Medium Density Residential – Function</p> <p>Policy: E.3.5.9</p>	<p>Development within the medium density residential category shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> • Developments should have direct access to a collector or major or minor arterial road. 	<p>The proposed development is compatible with existing and future uses in the surrounding area.</p> <p>The subject property is located on Upper Paradise Road, which is designated as a “Collector” on Schedule C – Functional Road Classification and has direct access onto a collector road.</p>

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<p>Medium Density Residential – Function</p> <p>Policy: E.3.5.9 (continued)</p>	<ul style="list-style-type: none"> • Development shall be integrated with other lands in the Neighbourhoods 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 buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area; and, • Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets. 	<p>A Conceptual Site Plan, prepared by Landwise dated December 2, 2025, and revised February 17, 2026, Landscape Plan, prepared by Adesso Design Inc. dated June 6, 2024, and Elevations, prepared by Fabiani Architect Ltd. dated March 2023, were submitted. These documents demonstrate that the proposed development is integrated with the surrounding lands designated “Neighbourhoods” and building height, massing, and arrangement are not anticipated to result in negative shadow, privacy, or wind impacts on adjacent land uses.</p> <p>The proposed Zoning By-law Amendment contains regulations to ensure an appropriate dwelling width, landscaping, amenity area, height, and setbacks.</p> <p>The proposal complies with this policy.</p>

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<p>Medium Density Residential – Function</p> <p>Policy: E.3.5.9</p> <p>(continued)</p>	<ul style="list-style-type: none"> The City may require studies to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses. 	
Falkirk West Neighbourhood Plan		
<p>Neighbourhood Plans</p> <p>Policy F.1.2.10</p>	<p>Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan.</p>	<p>While the Neighbourhood Plans do not form part of the Official Plan, there are policies that require a review of development against the designations and policies of the Neighbourhood Plan. Staff note that in this instance an amendment to change to designation to “Attached Housing” is required.</p>
<p>Objective 1 – Housing – Policies</p> <p>Policy: 3.</p>	<p>The townhouse block shall not exceed 40 units per gross hectare (16 units per gross acre).</p>	<p>The proposed development contains 12 dwelling units on a 0.29 ha lot, which results in a density of 41.4 units per gross hectare. This exceeds the density of 40 units per gross hectare for townhouse blocks.</p>

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<p>Objective 1 – Housing – Policies</p> <p>Policy: 3. (continued)</p>		<p>Although the proposed density (41.4 uph) is slightly above that provided in the Neighbourhood Plan (40 uph), staff are supportive of this increase in density. The proposed development complies with the Medium Density Residential policies as it is integrated with the surrounding lands and not anticipated to result in negative shadow, privacy, or wind impacts on adjacent land uses.</p>
<p>Objective 2 – Neighbourhood Development Design Guidelines – Policies</p> <p>Policy: 2.</p>	<p>The following design guidelines shall apply to all other residential developments in the Falkirk West Neighbourhood:</p> <ul style="list-style-type: none"> • No building shall exceed a height of 2.5 storeys. • Setbacks from the street should be minimized to maintain a street edge presence of the buildings. • The use of high quality architectural finishes will be required for all dwellings. 	<p>The proposed development consists of 12 three-storey townhouse dwellings units along a private road accessed from Upper Paradise Road.</p> <p>The proposed Zoning By-law Amendment will permit a maximum height or 12 metres which exceeds 2.5 storeys.</p> <p>The proposed Zoning By-law Amendment will permit a minimum dwelling width of 5.5 metres which is below 6.1 metres.</p>

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<p>Objective 2 – Neighbourhood Development Design Guidelines – Policies</p> <p>Policy: 2. (continued)</p>	<ul style="list-style-type: none"> Residential developments shall have a clear orientation or focus to the street to ensure an overall attractive streetscape and neighbourhood. 	<p>The proposed Zoning By-law Amendment permits a minimum front setback of 4.0 metres which will permit creation of a street edge.</p> <p>Design details such as building materials and building facades will be determined through the future Site Plan Control stage.</p> <p>Although the proposed building height and unit width slightly exceed what is permitted in the policies of the Neighbourhood Plan, staff are supportive of this increase in height and unit width as it is compatibly accommodated on the subject lands and all adverse impacts have been appropriately mitigated.</p>
<p>Objective 3 – Land Use Compatibility – Policies</p> <p>Policy: 1.</p>	<p>New development located adjacent to existing dwelling units will be similar in density and character.</p>	<p>The proposed development is located adjacent to a townhouse development to the south and is of similar density and character.</p> <p>The proposal conforms to this policy.</p>

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<p>Objective 3 – Land Use Compatibility – Policies</p> <p>Policy: 2.</p>	<p>The allowable density ranges within each residential designation will permit an appropriate density transition between existing and new areas of development.</p>	<p>The proposed development is located on a collector road. This provides an appropriate density transition to single detached dwellings located to the west.</p> <p>The proposal conforms to this policy.</p>
<p>Objective 3 – Land Use Compatibility – Actions</p> <p>Policy: 2.</p>	<p>All proposed development immediately adjacent to existing single detached residential housing will be of the same form within the Falkirk West Neighbourhood.</p>	<p>The proposed development consists of townhouse dwelling and it is immediately adjacent to existing single detached residential housing.</p> <p>In staff's opinion the proposed transition and interface between the surrounding existing single detached dwellings and the proposed townhouses is appropriate.</p>
<p>Objective 4 – Variety of Housing Types</p> <p>Policy: 1.</p>	<p>Encouragement will be given to providing a variety of housing types.</p>	<p>The proposed development consists of townhouse dwellings which will increase the variety of housing types within the neighbourhood.</p> <p>The proposal conforms to this policy.</p>