

Authority: Item 24, Planning and Economic
Development Committee
Report: 06-016 (PED06224)
CM: September 27, 2006

Bill No. 294

CITY OF HAMILTON

BY-LAW NO. 06-294

To Adopt:

Official Plan Amendment No. 131 to the former City of Stoney Creek Official Plan

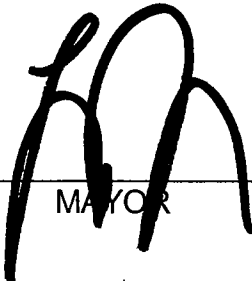
Respecting:

Nash Neighbourhood Secondary Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 131 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule '1', hereto annexed and forming part of this by-law, is hereby adopted and approved.

PASSED AND ENACTED this 27th day of September, 2006.



MAYOR



CLERK

**Amendment No. 131 to the
former City of Stoney Creek Official Plan**

The following text, together with:

- Schedule "A" (Schedule "A" – General Land Use Plan);
- Schedule "B" (Schedule "A3" – Secondary Plan, West Mountain Planning District, (Heritage Green));
- Schedule "C" (Schedule "A3-2" – Secondary Plan, West Mountain Planning District, Nash Neighbourhood)
- Schedule "D" (Schedule "A3-3 - Nash Neighbourhood Road Classification Plan)
- Schedule "E" (Schedule "B" – Stoney Creek Open Spaces & Natural Environment System);
- Schedule "F" (Schedule "D" – Functional Road Classification)

attached hereto, constitute Official Plan Amendment No. 131 to the City of Stoney Creek Official Plan.

Purpose and Effect:

The purpose of the Amendment is to:

- Incorporate the Nash Neighbourhood Secondary Plan into the former City of Stoney Creek Official Plan, identifying land uses, densities, development forms, cultural heritage features, development standards, and provide for the protection of existing natural features for the Nash Neighbourhood.
- Amend and re-organize existing policies for the West Mountain Planning district in response to the incorporation of the Nash Neighbourhood Secondary Plan;
- Amend various policies and schedules of the Official Plan to reflect the principles and policies contained in the Nash Neighbourhood Secondary Plan.

The effect of the Amendment is to establish a policy framework which will guide the development and redevelopment of lands within the Nash Neighbourhood planning area.

Location:

The lands affected by this Amendment are located in the area situated east of Felker's Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street, within the former City of Stoney Creek as illustrated on Schedule "B" to this amendment.

Basis:

The intent of this Amendment is to establish a detailed land use framework for the Nash Neighbourhood Planning Area and to incorporate these lands into the former City of Stoney Creek Official Plan. The basis for permitting this amendment is as follows:

- The Minister of the Environment and Energy, as a condition of approval of the Environmental Assessment for Taro East Quarry Landfill Site located in the south-east section of the Nash Neighbourhood, required that a Secondary Plan Study be undertaken by the City.
- The Secondary Plan is consistent with the Hamilton-Wentworth Official Plan and the Provincial Policy Statement as it accommodates a range of densities and mix of uses to meet residents' long-term needs and provides for a full range and equitable distribution of publicly-accessible built and natural settings for recreation.
- The proposed Secondary Plan does not conflict with the Places to Grow Plan.
- The proposed policy framework for lands in the Nash Neighbourhood is in conformity with the general intent and objectives of the former City of Stoney Creek Official Plan.
- Policies A.12.2.1 and F.3.2 of the Official Plan require that a Secondary Plan be incorporated into the Official Plan prior to development occurring in the Nash Neighbourhood. Servicing of this area is available in the near future and therefore it is desirable to establish a land use pattern at this time.
- The subject lands are contiguous to the existing designated urban area and the development of this area is a logical extension to existing development.
- Implementation of the Secondary Plan will allow for an opportunity for the development industry and the City to consider different forms of development at the subdivision stage such as but not limited to reduced road widths, reduced front yards and a greater mix of housing.

Actual Changes:

Map Changes:

(a) City of Stoney Creek Official Plan Schedule “A” – General Land Use Plan

- (i) This Schedule is revised by redesignating the lands designated as “Special Policy Area ‘A’”, “Special Policy Area ‘B’” and “Residential” to “Residential”, “Medium Density Residential”, “Open Space”, and “General Commercial” as shown on the attached Schedule “A” to this amendment.
- (ii) This Schedule is revised by adding a new designation “Special Policy Area ‘C1’” as shown on the attached Schedule “A” to this amendment.

(b) City of Stoney Creek Official Plan Schedule “A3” - Secondary Plan, West Mountain Planning District, Heritage Green Section

- (i) This Schedule is revised by including the entire subject lands on the key map and annotating it as “Nash” on the “Neighbourhoods” key map as shown on the attached Schedule “B” to this amendment
- (ii) This Schedule is revised by removing the following designations from the subject lands:
 - “Special Policy Area ‘A’”
 - “Special Policy Area ‘B’”
 - “General Commercial”
 - “Medium-High Density Residential”
 - “Open Space-Community Park, DP-Detention Pond”

and replacing them with the following annotation: “**See Schedule “A3-2”** as shown on the attached Schedule “B” to this amendment.

- (iii) This Schedule is revised by deleting the designations “Special Policy Area ‘A’” and “Special Policy Area ‘B’” from the legend as shown on the attached Schedule “B” to this amendment.
- (c) The City of Stoney Creek Official Plan is revised by adding “**Schedule “A3-2” – Nash Neighbourhood Secondary Plan**” to the Official Plan as shown on the attached Schedule “C” to this amendment.

- (d) The City of Stoney Creek Official Plan is revised by adding **“Schedule “A3-3” – Nash Neighbourhood Road Classification Plan”** to the Official Plan as shown on the attached Schedule “D” to this amendment.
- (e) **Stoney Creek Official Plan Schedule “B” – Stoney Creek Open Spaces & Natural Environment System**

This Schedule is revised by:

- (i) designating lands “CLASS 1 – Environmentally Sensitive (Significant) Areas” ; and,
- (ii) deleting two parcels of land designated as Class 4 - Open Space and Parks;

as shown on the attached Schedule “E” to this amendment.

- (f) **City of Stoney Creek Official Plan Schedule “D” - Functional Road Classification**

This Schedule is amended by removing the designations “Special Policy Area “A””, “Special Policy Area “B”” and “Special Policy Area “C”” from the schedule and the legend as shown on the attached Schedule “F” to this amendment.

Text Changes:

- (g) Subsection A.12 is amended by deleting Policy A.12.1 and Policy A.12.2 and replacing them with new Policy A.12.1 and Policy A.12.2 as follows:

“12.1 Special Policy Area ‘A’

12.1.1 Special Policy Area ‘A’ as identified on Schedules “A” and “A3-2” is currently used for a telecommunication tower and antenna. These existing uses are recognized and permitted until redevelopment of the land occurs.

12.1.2 These lands are intended to be redeveloped for Medium Density Residential, open space and stormwater management purposes. Development for these uses can occur without further amendment to this Plan.

12.2 Special Policy Area 'B'

12.2.1 Special Policy Area 'B' as identified on Schedules "A" and "A3-2" is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for land fill and quarry operations in accordance with the Terms and Conditions of the Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; and any amendments to the aforementioned documents.

12.2.2 Final closure of this site, and the after-use of this site for recreational and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended.

12.2.3 Recreational and Open Space uses, when approved by the Minister, can occur without amendment to this Plan subject to any necessary Site Plan and Development Agreements being approved by the City."

(h) Subsection A.12 is amended by adding two new policies, Policy 12.6 and 12.7, as follows:

"12.6 Special Policy Area 'C1'

12.6.1 Special Policy Area 'C1' as identified on Schedules "A" and "A3-2" is currently used for an "earth station" (satellite dishes and associated equipment) regulated and licensed by Industry Canada and subject to Health Canada's Safety Code 6 guidelines. This existing use is permitted, subject to compliance with the noted Federal Regulations, as amended, until redevelopment of the property occurs.

12.6.2 These lands are intended to be redeveloped for Medium Density Residential purposes. Development for these uses can occur without further amendment to this Plan.

12.7 Special Policy Area 'F'

12.7.1 Lands identified as Special Policy Area 'F' on Schedule "A3-2" may be developed in accordance with the Medium Density Residential policies of the Nash Secondary Plan once the following conditions have been satisfied:

- (a) The land owner shall submit an Environmental Impact Statement (EIS) to the satisfaction of the City of Hamilton, the Hamilton Conservation Authority, the Niagara Escarpment Commission, including consultation with the Environmentally Significant Area Impact Evaluation Group (ESAIEG);
- (b) The EIS identified in (a) above shall demonstrate no negative impacts on the features and functions for which the ESA was designated; and
- (c) As a condition of implementing the draft plan of subdivision and/or rezoning applications on these lands, the Special Policy Area 'F' designation shall be changed by way of a City initiated Official Plan amendment to reflect the amended development scenario"

(i) Subsection A.13.3 West Mountain Area – Heritage Green Section Area Secondary Plan is amended by deleting Policy 13.3.11 and Policy 13.3.15.

(j) Subsection A.13.3 West Mountain Area – Heritage Green Section Area Secondary Plan is amended by deleting Policy 13.3.18 and replacing it with the following policies:

"13.3.18 Nash Neighbourhood

The policies of this section in conjunction with Schedule "A3-2" and "A3-3" constitute the Secondary Plan for the Nash Neighbourhood, establishing land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Nash Neighbourhood. These policies along with the general policies in the Official Plan provide guidance and direction for the protection of the neighbourhood's natural areas and environmental resources.

13.3.18.1 Planning and Development Principles

Development of the Nash Neighbourhood shall be based on the following principles:

- (a) Provision of safe, continuous public access throughout the neighbourhood and between adjacent neighbourhoods;
- (b) Creation of a more balanced multi-modal transportation system which facilitates public transit, cycling, and walking modes in addition to automobiles;
- (c) Development of community structure based on a modified grid pattern of streets to maximizes connectivity and permeability while respecting the natural topography of the land;
- (d) Development of a "Gateway Road" along First Road West, north of Green Mountain Road that will reinforce the unique character of this community. This road should integrate both recreational trails for pedestrians as well as bicycles into the transportation framework of the community;
- (e) Integration of new parks and open spaces with existing natural open spaces to provide new passive recreation resources and destinations and to establish linkages creating an interconnected system of parks and open space;
- (f) Identification, protection, conservation and wise management of the tangible and intangible cultural heritage resources of the City of Hamilton for present and future generations. Where feasible, natural heritage elements that remain on site shall be considered for integration into the Nash Neighbourhood community;
- (g) Enhancement of the physical and visual connections to the Niagara Escarpment and Environmentally Significant Areas through the layout and design of the community including placement of parks/open space areas and the creation of streetscapes that create and protect views;
- (h) Rehabilitation of the former Quarry sites located east and west of First Road West, north of Mud Street for future recreational development; and
- (i) Provision of a mixture of land uses, including a full range and mix of housing types. All built forms shall be designed at a human scale and the neighbourhood shall include a variety

of streets and streetscapes that are appropriate to adjacent land use activities.

13.3.18.2 Objectives

Objectives provide the framework for the planning and development of the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan.

a) Land Use

- i) To ensure the Neighbourhood is developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters community interaction.
- ii) To promote development at densities suitable to support the public transit network.
- iii) To create a sense of identity and continuity through design.
- iv) To encourage energy conservation through community and site planning and urban design.
- v) To conserve the built heritage including buildings and structures in accordance with the Ontario Heritage Act.
- vi) To ensure the development of an attractive, compact, safe and pedestrian oriented urban environment, including a high quality of design for public parks and open spaces, appropriate streetscape standards, the development of attractive buildings and appropriate relationship between buildings and streets, parks and other public spaces, and compatibility between areas of different land use or development intensity.

b) Residential Development

- i) To create a residential community with a safe, healthy and functional environment that can accommodate approximately 9,600 people (based on about 3,600 dwelling units).

- ii) To ensure that opportunities for a full range and mix of low, medium and high density housing are provided within the Neighbourhood.
- c) Major Institutional Development
 - i) To accommodate facilities for public use including health and community uses.
 - ii) To integrate institutional uses with the residential community.
- d) Open Space and Environmental Features
 - i) To establish a network of connected open space accessible to all residents with natural and cultural features integrated into open space areas and providing a strong link to the open space associated with the Niagara Escarpment and Environmentally Significant Areas.
 - ii) To create open spaces with a clear function and relationship to the Community.
 - iii) To ensure the preservation and enhancement of significant environmental features, including the Niagara Escarpment, Environmentally Significant Areas, and the valley lands associated with Felker's Creek.
 - iv) To promote community health through a system of non-vehicular trail connections through the new community with linkages to surrounding lands.
 - v) To provide opportunities for recreation where they do not impact natural heritage features.
 - vi) To conserve the natural beauty and distinctive character of the Niagara Escarpment landscape.
- e) Transportation
 - i) To develop a land use pattern and transportation system that supports vehicular traffic, transit, cyclists and pedestrians.

- ii) To achieve a street network that is laid out in a modified grid pattern that maximizes connectivity to and within the neighbourhood so that there are alternate vehicular and pedestrian routes to most destinations.
 - iii) To design streets at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions.
 - iv) To ensure that all new development is designed to facilitate efficient and effective public transportation operations.
- f) Heritage
- i) To identify and protect historically or architecturally significant buildings.
 - ii) To ensure appropriate managements, conservation, mitigation or preservation of archaeological resources.

- g) Services
 - i) To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities.
 - ii) To design and implement a stormwater management system that is integrated with the open space system and which mitigates impacts on the natural environment.
 - iii) To ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community.
- h) Finance
 - i) To ensure the costs of services and facilities required to permit and support the development of the community are financed in accordance with:
 - The ability of the municipality and the landowners to pay;
 - The provisions of the Development Charges Act, and;
 - The Development Charges by-law adopted by the City.

Policies

The policies in the following sections address land uses and other matters common to all parts of the Nash Neighbourhood study area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from a city-wide perspective.

13.3.18.3 Land Use Policies - General

- a) The Nash Neighbourhood is comprised of the lands situated east of Felker Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street West within the former City of Stoney Creek, as depicted on Schedule "A3-2"
- b) Schedule "A3-2" – Nash Neighbourhood Secondary Plan, shows the land use designations for the entire Nash Neighbourhood.

- c) Development within the Nash Neighbourhood shall provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
- d) In an effort to make best use of lands currently located within the City's urban boundary, medium to medium-high densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and medium-high density developments located at external locations within the neighbourhood.
- e) Development of Special Policy Areas 'A', 'B', 'C1' and 'F' as shown on Schedule "A" and/or "A3-2" shall be subject to the policies of Subsection A.12, "Special Policy Areas" of this Plan.

13.3.18.4 Residential

- a) For lands designated "**Low Density Residential**" on Schedule "A3-2", the following policies apply:
 - i) Single detached, semi-detached, duplex and street townhouses are permitted.
 - ii) The density of development shall range from 20 to 35 units per net residential hectare.
 - iii) The maximum height of dwelling units shall be no more than 3 storeys.
 - iv) Other forms of low density housing may be considered where neighbourhood compatibility can be demonstrated to the satisfaction of the City. Their appropriateness will be evaluated in terms of protection of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, and privacy.
 - v) The location of "Low Density Residential" is to be at the interior of residential neighbourhoods adjacent to local and/or collector roads.
- b) For lands designated "**Medium Density Residential 1**" on Schedule "A3-2", the following policies apply:

- i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes are permitted.
 - ii) The density of development shall be in the range of 30-49 units per net residential hectare.
 - iii) The maximum height of dwelling units shall be 3 storeys.
 - iv) Detached and semi-detached dwellings shall be permitted within this designation, provided the density falls within the density specified for Medium Density Residential 1.
 - v) The location of Medium Density Residential 1 shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.
 - vi) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium Density Residential 1 on Schedule "A3-2".
- c) For lands designated "**Medium Density Residential 2 (Street Related)**", the following policies shall apply:
- i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes are permitted.
 - ii) The density of development shall be in the range of 30-49 units per net residential hectare.
 - iii) The maximum height of dwelling units shall be 3 storeys.
 - iv) Detached and semi-detached dwellings will be allowed within this designation, provided the density falls within the density range specified in ii) above.
 - v) The location of Medium Density Residential 2 (Street Related) shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.

- vi) Individual driveways shall not be permitted to directly access the public street. Individual vehicular access shall be provided by either a private lane parallel to the public road in front of the buildings separated from the public street by an enhanced continuous landscape strip or, by a private lane behind the buildings.
 - vii) Buildings shall be located as close to the street as possible while still allowing for front porches, stairs and a small landscaped area; or other appropriate methods that would achieve the desired effect would also be considered.
 - viii) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium Density Residential 2 (Street Related) on Schedule "A3-2".
- d) On lands designated "**Medium-High Density Residential**" on Schedule "A3-2", the following policies apply:
- i) Apartment buildings and street and block townhouses are permitted providing that heights do not exceed 8 storeys.
 - ii) The density of development shall be in the range of 50-99 units per Net Residential Hectare.
 - iii) The location of "Medium-High Density Residential" is to be adjacent to or in close proximity to collector roads, community park facilities and open space areas.
 - iv) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium-High Density Residential on Schedule "A3-2".
- e) Net residential densities shall be calculated according to Policy A.1.2.13 in the Official Plan. Densities for street townhouses shall be calculated in the same manner as for single, duplex and semi-detached dwellings.

13.3.18.5 Commercial

- a) In addition to the policies of Section 3.3.5, “LOCAL COMMERCIAL” of this Plan, for areas designated “**Local Commercial**” on Schedule “A3-2”, the following policies apply:
 - i) Auto-oriented commercial uses, such as drive-through establishments, gas stations and auto repair garages are not permitted.
 - ii) The maximum height of buildings shall be 3 storeys.
 - iii) Adequate off-street parking shall be provided.
- b) In addition to the policies of Section A.3.3.2, “GENERAL COMMERCIAL” of this Plan, the following policy shall apply to lands designated “**General Commercial**” on Schedule “A3-2”:
 - i) Where possible, combined accesses shall be provided.

13.3.18.6 Institutional

- a) Notwithstanding Section A.5 of this Official Plan, on lands designated “Institutional” on Schedule “A3-2”, the intended use of these lands shall be for schools and ancillary uses and facilities normally accessory to schools. Should these lands not be required for schools then the lands may be developed for Medium Density Residential and/or Park purposes without further amendment to the Official Plan.

13.3.18.7 Parks and Open Space

- a) The open space system for the Nash Neighbourhood includes the following components shown on Schedule “A3-2” :
 - i) open space
 - ii) neighbourhood parks
 - iii) The Niagara Escarpment
 - iv) Environmentally Significant Areas
 - v) hedgerow features
 - vi) Trails

- b) The primary uses permitted shall be in accordance with Subsection A.7, "Open Space" of this Plan.
- c) Notwithstanding Policy A.7.2.4 of the Official Plan, Neighbourhood Parks shall serve the local neighbourhood needs of 0.7 hectares per 1,000 population; however, any one site shall have a minimum area of approximately 2.0 hectares.
- d) Multi-purpose trails shall be established in the linked open space system pursuant to the approved Hamilton Trails Master Plan and identified in Schedule "A3-2". Every effort shall be made to connect new trails to existing and planned trails within and around the neighbourhood. The trails shall be established through plans of subdivision and development agreements.
- e) The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.

13.3.18.8 Archaeology

- (a) The City recognizes that there is demonstrated potential for the presence of significant archaeological sites within the Nash Neighbourhood that remain unidentified. In order to protect those potential archaeological resources, where development projects are proposed that require approval under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall require archaeological assessments to be undertaken by the proponents in accordance with the Ministry of Culture's Archaeological Assessment Technical Guidelines as updated. No pre-approved site grading or topsoil disturbance shall be allowed before the assessment has been completed.
- b) Where archaeological features are identified, the proponent shall, with the advice of a licensed archaeologist, develop a plan to protect, salvage or otherwise conserve the features within the context of the proposed development.

- c) Where practical, the City of Hamilton shall seek to ensure that archaeological sites are left undisturbed. Where there are unavoidable impacts, mitigation through excavation shall be required as a condition of approval. The City of Hamilton shall consult with the Ministry of Culture regarding these matters.

13.3.18.9 Built Heritage

- a) In accordance with the Planning Act and the Ontario Heritage Act, Nash Neighbourhood will promote the conservation of significant built heritage resources and cultural heritage landscapes.
- b) A Heritage Impact Assessment may be required for any development that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that are:
 - i) Designated under the Ontario Heritage Act;
 - ii) Listed on the City's Inventory of Buildings of Architectural and/or Historic Interest; or
 - iii) Feature open spaces, vistas or cultural heritage landscapes listed on the City's Cultural Landscape Resources Inventory.
- c) Heritage Impact Assessments, where required, shall be submitted with development or building permit applications and shall be reviewed by the City's Municipal Heritage Committee.
- d) The City may require that, as part of development or redevelopment of land, heritage properties be retained on-site and incorporated, used or adaptively reused as appropriate to the proposed development and land use. Retention of a heritage feature on lands subject to development may be a condition of development approval. Specifically, heritage easements pursuant to the Ontario Heritage Act, may also be required and negotiated, as well as Development Agreements.
- e) In assessing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings within the Nash Neighbourhood, the City of Hamilton shall be guided by the following principles:

- i) Heritage buildings, including their surroundings shall be protected from adverse effects of development.
 - ii) Where practical, original building fabric and architectural features should be retained and repaired.
 - iii) New additions to heritage buildings should generally be no higher than the existing building and wherever possible, be placed to the rear of the building or setback, substantially away from the principal façade.
- f) A Heritage Impact Assessment may be required by the City of Hamilton where the development of lands is considered to adversely affect a heritage building or structure or potential heritage building or structure in the Nash Neighbourhood.
- g) The Heritage Impact Statement shall be undertaken by the proponent and shall contain the following:
 - i) A description of the proposed development;
 - ii) A description of the heritage feature to be affected by the development;
 - iii) A description of the effects upon the heritage feature by the proposed development; and
 - iv) A description of the measure necessary to mitigate the adverse effects of the development upon the heritage feature.
- h) Where appropriate, the City of Hamilton shall impose a condition on any development approval for the retention and conservation of the affected heritage feature or the implementation of appropriate mitigation measures.

13.3.18.10 Urban Design

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood.

13.3.18.10.1 Streetscape and Built Form

- a) All properties abutting a public street shall have the principal façades of buildings facing the street. Back lotting shall not be permitted.
- b) Wherever possible the presence of garages on the public street shall be minimized by:
 - i) Setting them back from the front façade or locating them flush with the front façade of the building;
 - ii) Locating them at the rear or side of the building by a private lane or driveway;
 - iii) Minimizing the width of the garage by creating deeper garages to accommodate storage; and
 - iv) Incorporating varied roof lines, architectural details and porches to emphasize the pedestrian entrance to the building while minimizing the presence of the garage.
- c) Architectural variation shall be encouraged through the incorporation of varied roof lines, materials and colours in each building and from building to building.
- d) Variation in the number of storeys, porch designs, architecture style and building type from building to building shall be encouraged.
- e) Continuous rows of building facades shall be discouraged.
- f) Long straight streets shall incorporate appropriate methods that may include landscaped traffic circles and/or medians in order to provide pleasant vistas and traffic calming along the length of the street.

- g) Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets.
- h) The layout of streets, configuration of lots and the sighting of buildings shall ensure that:
 - i) there is no reverse lotting adjacent to streets unless otherwise approved by the City;
 - ii) there is generally unobstructed road frontage adjacent to public open spaces;
 - iii) streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas;
 - iv) service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;
 - v) pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged; and
 - vi) the safety and security for all persons in public places including streets, parks and amenity areas are promoted through the design and sighting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.
- i) The design, location and orientation of public and institutional buildings shall be developed in a way that will enhance and promote their landmark status and physical contribution to the neighbourhood.

13.3.18.10.2 In areas designated “Local Commercial” on Schedule “A3-2”:

- a) Buildings shall be located close to the street at grade, with main entrances on a street, with barrier free access at street level;

- b) Principal entrances shall face the public street or an exterior space directly adjacent and visible from the public street;
- c) In order to maintain unimpeded views of the building façade and to enhance a pedestrian oriented environment, parking on corner sites, will be encouraged to locate in the rear yard away from the street;
- d) All facades facing a public street shall have window openings directly onto the street;
- e) Where possible, combined accesses shall be provided;
- f) Loading, service and garbage areas shall be located to minimize their visual impact on the public street; and
- g) Loading, service and garbage areas shall be screened with enhanced landscaping and fencing constructed and designed to be in keeping with the design of the building.

13.3.18.10.3 Pedestrian Environment:

In order to encourage connectivity and a safe pedestrian friendly environment, the following policies will apply:

- a) Continuous public pedestrian access to the edge of the escarpment shall be provided.
- b) Where possible, single loaded scenic streets open to the escarpment lands to the north shall be provided.
- c) Open space connections shall be provided for pedestrian access from public streets to trails within other Environmentally Significant Areas and other open spaces.
- d) A local road with wide sidewalks and continuous street trees shall be provided from Green Mountain Road north to the neighbourhood park at the north edge of the neighbourhood to create a primary pedestrian route through the site to the escarpment.

13.3.18.10.4 Entrance Features

- a) In order to promote and enhance community identity, two entrance features shall be provided in the following locations:

- i) First Road West, at or north of the intersection with Green Mountain Road; and
 - ii) The existing or realigned Green Mountain Road West, West of the intersection with Upper Centennial Parkway.
- b) These entrances shall be designed to express the distinct character of the neighbourhood and signal entrance into a pedestrian-friendly area. They shall incorporate enhanced landscaping which may include a central landscape median and/or architectural feature.

13.3.18.10.5 Views and Vistas

- a) Where possible, views from the escarpment edge shall be maintained, enhanced and be accessible to the public.
- b) Where appropriate, north/south streets shall be oriented and terminated in such a way as to provide visual connections to the escarpment lands.

13.3.18.11 Transportation

- a) Schedule "A3-3" identifies the Collector Roads for Nash Neighbourhood.
- b) Collector Roads shall be designed within a 20 to 26 metre right-of-way width including sidewalks on both sides of the road and bike lanes. On street parking may be required.
- c) The location of on-street parking and on-street bicycle facilities shall be included within collector road right-of-ways as determined by City staff.
- d) Traffic control roundabouts shall be considered at the following intersections and the required road allowance shall be dedicated by the subdivider at the draft plan of subdivision stage:
 - i) Green Mountain Road and First Road West; and,
 - ii) Green Mountain Road and the two intersecting north-south roads;
 - iii) First Road West and the proposed east-west collector road;

- iv) First Road West and the sports Park access;
 - v) The west end of the proposed east-west collector road.
-
- e) Appropriate sidewalk and pedestrian enhancement features shall be incorporated into the collector roadway system at locations determined by the City of Hamilton and constructed to the satisfaction of the City.
 - f) Notwithstanding Policy D.3.1.2.16 of the Official Plan, where traffic calming features are proposed, the planned right-of-way widths may be adjusted to accommodate the traffic calming feature.
 - g) Local roads shall be designed within a 20 metre right-of-way width. Smaller right of way widths may be considered subject to the approval of the City.
 - h) New development shall support the use of public transit by creating a comfortable pedestrian environment.
 - i) The City shall provide convenient public transit to development in the Nash Neighbourhood. It is the City's goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.
 - j) Public transit shall be accommodated on the primary collector roads. Additional pedestrian walkways may be established to minimize walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.
 - k) The vertical alignment of Green Mountain Road creates areas of reduced visibility. Road reconstruction to upgrade to an urban cross section and reduce the vertical curvature may be required prior to providing access to adjacent lands and construction of intersecting north south roadways.
 - l) If the southerly re-alignment of Green Mountain Road will not proceed in a timely matter due to land or other constraints, a temporary traffic signal may be required or other means of traffic control from the Nash Neighbourhood such as medians or diverts to prohibit left turns from Green Mountain Road to Upper Centennial Parkway.

- m) First Road West will ultimately be realigned easterly to align with a future road south of Mud Street. The ultimate realignment of this road and the resulting closure of First Road West at Mud Street will be resolved through a Class Environmental Assessment process to the satisfaction of the City of Hamilton pursuant to Policy 13.3.18.15 of this Plan
- n) Where required, the Municipal Class Environmental Assessment (Class EA) process must be completed for traffic calming projects prior to development, to the satisfaction of the City of Hamilton. The Class EA process may be integrated with the Planning Act application approval process.

13.3.18.12 Environment

- a) Notwithstanding the policies of Subsection B.1.2 of the Official Plan, the following policies shall apply:
 - i) No development, except infrastructure works, utilities and a low impact trail network (subject to confirmation that the works are suitable by an Environment Impact Statement), shall be permitted on lands designated Environmentally Significant Areas.
 - ii) Prior to any lands being considered for development within 100 metres of lands designated Environmentally Significant Area, an Environmental Impact Statement is to be undertaken by the proponent and approved by the City and the Hamilton Conservation Authority to determine the appropriate setbacks from the Environmentally Significant Area.
- b) Any development must address the retention of Environmentally Significant Areas and other wooded areas identified on Schedule "A3-2" and Schedule "B" as follows:
 - i) Wooded areas, including existing "hedgerows" should be maintained, enhanced, and incorporated into the overall design of the neighbourhood where possible. The delineation of the hedgerows shall be identified as part of a development application. Hedgerows are not intended to only be identified by existing mature tree species but shall also include other vegetation

which establishes this area as a hedgerow. (A hedgerow can be defined as a narrow linear strip of trees that defines a laneway or a boundary between fields).

- ii) A minimum 10 metre wide planted buffer from identified Environmentally Significant Areas shall be included as part of these natural areas and included as part of the open space system.
 - iii) A 30 metre wide open space area adjacent to the brow of the Niagara Escarpment Natural Area shall be established. Included in this open space shall be a public trail and may include a portion of a single loaded scenic road to promote public access, views and an open space link. The scenic road shall be located no closer than 15 metres to the brow of the Escarpment. The final location of this road shall be established as part of the processing of a plan of subdivision to the satisfaction of the City and the Niagara Escarpment Commission.
- c) Design and construction of new development and redevelopment shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.
 - d) Any plans of subdivision or other development applications in the Nash Neighbourhood shall be accompanied by a noise and vibration report identifying possible effects of the quarrying operation and mitigating measures, if any, which are necessary until the ongoing quarrying operation located west of Upper Centennial Parkway and south of Green Mountain Road ceases.
 - e) Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City Hamilton and the Ministry of Environment.

- f) Development proposals for land within 150 metres of the Niagara Escarpment shall have a maximum height of no more than 2 storeys. Prior to the approval of a draft plan of subdivision and/or zoning by-law, a visual analysis shall be required to determine the maximum building height and minimum setbacks to ensure that no component of the building mass is visible above the skyline of the Niagara Escarpment from below the Escarpment brow (edge). The visual analysis must be to the satisfaction of the City and the Niagara Escarpment Commission. (Note: the skyline includes the escarpment brow – the uppermost point of the escarpment slope or face, and the tree line. Buildings should not be visible through trees above the brow, the most obvious break in slope associated with underlying bedrock).
- g) Felkers Creek is identified in the Davis Creek Subwatershed Study as a watercourse in need of rehabilitation using natural channel design. The lands east of the Felkers Channel, north of Mud Street, is also identified as having medium and low constraint with regards to terrestrial constraints, and is a Tertiary Linkage for terrestrial resources. A minimum 35 metre open space buffer adjacent to Felkers Creek as identified on Schedule “A3-2” is required to facilitate creek restoration works and terrestrial rehabilitation

13.3.18.13 Infrastructure

- a) Where applicable, the Lake based Water/Waste Water Master Plan being completed through the integrated Municipal Class Environmental Assessment (Class EA) process, must be completed to the satisfaction of the City of Hamilton, for municipal infrastructure prior to any development of lands within the Nash Neighbourhood Secondary Plan.
- b) Easements shall to be dedicated, as required, to the City to facilitate trunk works required to provide adequate services for the neighbourhood. This may affect road widths to accommodate future servicing.
- c) Temporary servicing, where appropriate, may be permitted for interim phasing of the neighbourhood, subject to confirmation of available capacities through engineering studies, all to the satisfaction of the City’s Manager of

Development Engineering in consultation with the Department of Public Works.

- d) All development shall proceed on the basis of full municipal services to and from the municipal distribution system.
- e) Storm water management ponds shall be set back a minimum distance of 7 metres from the escarpment natural area or escarpment brow whichever is the greater.
- f) All stormwater management reports shall be in conformity with the applicable stormwater management studies, including the final Davis Creek Subwatershed Plan, the Stoney Creek Stormwater Quality Master Plan and/or the City's Master Stormwater Management Plan.
- g) The final design configuration and landscaping details of stormwater management ponds shall be undertaken through the draft plan of subdivision process or Class Environmental Assessment process.
- h) Native vegetation should be used within and adjacent to the ponds to incorporate a natural design which reflects the surrounding area. A storm water report will be required as part of the plan of subdivision application. This plan shall be reviewed by the appropriate agencies including but not limited to the City, the Hamilton Conservation Authority and the Niagara Escarpment Commission.
- i) Approval of a storm water management report shall be required as part of the plan of subdivision approval process.

13.3.18.14 Utilities

- a) Utility services shall be permitted in all land use designations, except Open Space, and Environmentally Significant Areas, Hazard Lands or Escarpment Natural Area designations where exceptions will only be permitted in limited circumstances where deemed necessary by the City and subject to detailed engineering designs to be approved by the City.
- b) Prior to approval of development within the Nash Neighbourhood Secondary Plan area, all interested utilities and telecommunications providers are to confirm if services can be provided to support the proposed development; and

shall determine appropriate locations for large utility equipment or utility cluster sites, and that they can be phased in a way that is cost effective and efficient.

- c) Public and private utilities shall be:
 - i) Installed, wherever possible, within public road allowances or within appropriate easements;
 - ii) Clustered or grouped where possible to minimize visual impact and are encouraged to consider innovative methods of containing utilities and telecommunication infrastructure (i.e. gateways, lamp posts, transit shelters, etc); and
 - iii) located within an initial common trench, wherever possible to avoid unnecessary over digging and disruption of municipal rights-of-way.
- d) Consideration shall be given to the location of utilities within public rights-of-way as well as on private property.

13.3.18.15 Implementation

In addition to the policies identified in Section F, "Implementation" of the Official Plan, the following policies shall apply:

- a) Prior to any development occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the General Manager of Public Works, to determine the adequacy of the following intersections and roads:
 - i) the intersection of Mud Street West and First Road West;
 - ii) the intersection of Upper Centennial Parkway and Green Mountain Road;
 - iii) First Road West; and
 - iv) Green Mountain Road

to accommodate the ultimate development proposed within the Nash Neighbourhood and assess the potential

roundabouts and other traffic calming measures within the Nash Neighbourhood.

- b) The recommendations of the Traffic Study noted in Policy 13.3.18.15 a) above shall be implemented in accordance with City policies.
- c) New municipal roads may be subject to the Municipal Engineers Association (MEA) Municipal Class Environmental Assessment document (June 2000). All Class EA requirements must be fulfilled prior to development approval by Hamilton City Council.
- d) The Taro East Quarry/Landfill is identified as Special Policy Area 'B' on Schedules "A" and "A3-2": Full implementation of the Nash Neighbourhood Plan required the determination and resolution of the alignment of:
 - i) First Road West, north of Mud Street and the proposed closure of First Road West at Mud Street West; and
 - ii) Green Mountain Road at Centennial Parkway and the proposed closure of Green Mountain Road at Centennial Parkway.

The City of Hamilton shall undertake a Municipal Class EA to determine the feasibility of and requirements for the proposed realignment of the above noted intersections as part of the Upper Centennial Corridor Master Plan.

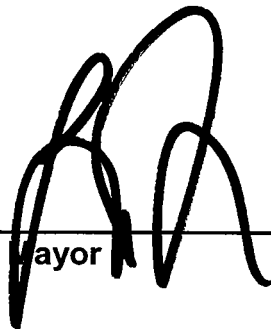
- e) Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Subsection F.4 of this Plan. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

Implementation:

An implementing Zoning By-law will give effect to this Amendment.

This is Schedule 1 to By-law No. 06-294 passed on the 27th day of September, 2006.

**The
City of Hamilton**



Mayor

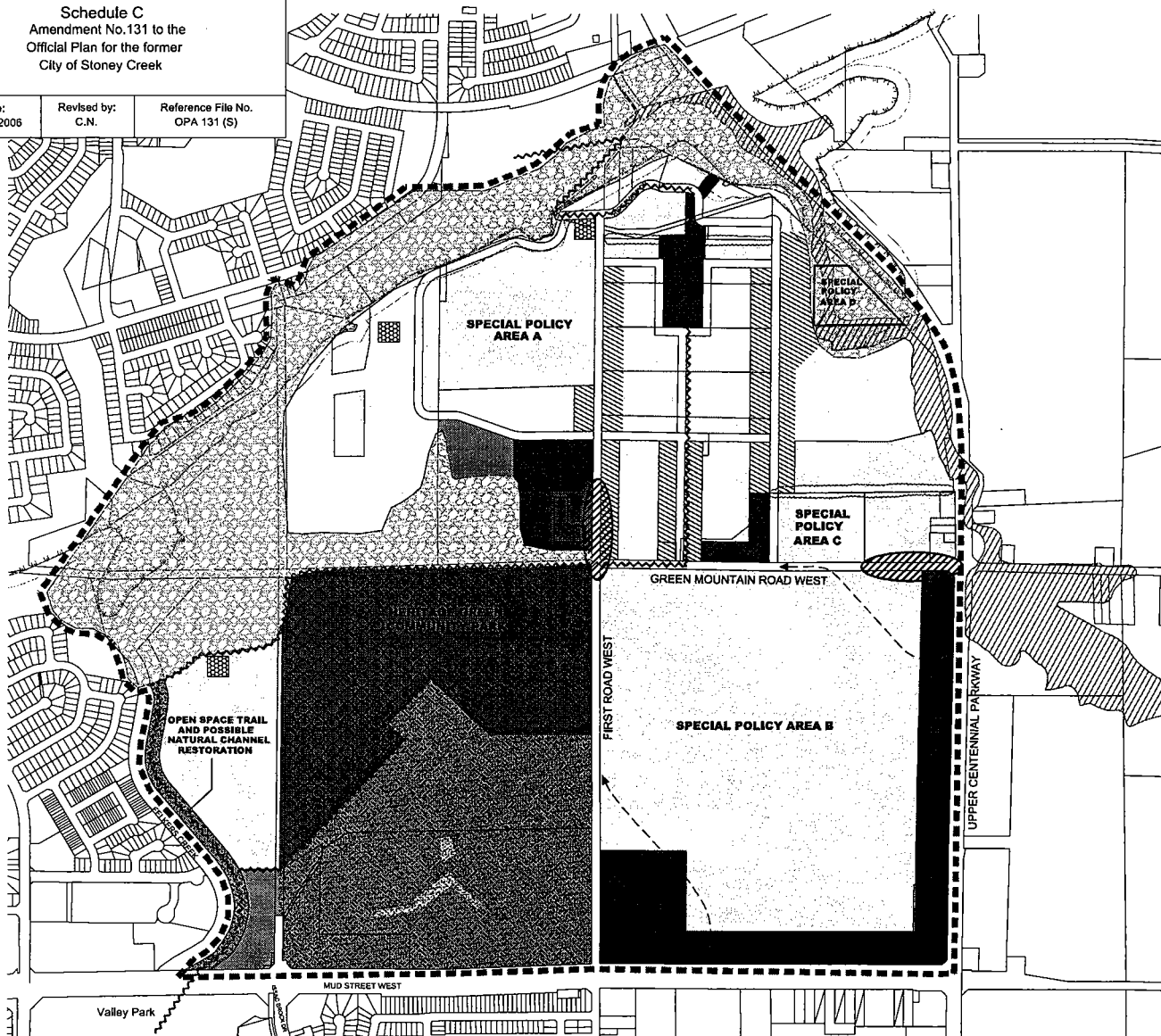


City Clerk

Schedule C
Amendment No.131 to the
Official Plan for the former
City of Stoney Creek

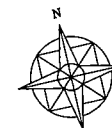
Date: August 2006
Revised by: C.N.
Reference File No. OPA 131 (S)

CITY OF STONEY CREEK
OFFICIAL PLAN
Schedule "A3-2"
Nash Neighbourhood
Secondary Plan



Legend

- | | | | |
|--|---|--|---|
| | LOW DENSITY (45.9 ha) | | LOCAL COMMERCIAL (1.4 ha) |
| | MEDIUM DENSITY 1 (25.5 ha) | | STORM WATER POND (0.75 ha) |
| | MEDIUM DENSITY 2 (STREET RELATED) (13.7 ha) | | HYDRO CORRIDOR |
| | MEDIUM - HIGH DENSITY (3.8 ha) | | FLOODPLAINS |
| | SPECIAL POLICY AREA (81.4 ha) | | 30m SETBACK FORM ESCARPMENT BROW |
| | SPECIAL POLICY AREA (2.2 ha) | | ESCARPMENT BROW |
| | INSTITUTIONAL (2.5 ha) | | HEDGEROW FEATURES |
| | COMMUNITY PARK (32.5 ha) | | POSSIBLE ROAD REALIGNMENT (TO BE DETERMINED THROUGH A CLASS ENVIRONMENTAL ASSESSMENT) |
| | NEIGHBOURHOOD PARK (5.3 ha) | | SECONDARY PLAN BOUNDARY |
| | ENVIRONMENTALLY SIGNIFICANT AREA (89.7 ha) | | ENTRANCE FEATURE |
| | OPEN SPACE (42.6 ha) | | TRAIL LINKS |
| | GENERAL COMMERCIAL (17.9 ha) | | |



CITY OF STONEY CREEK
PLANNING DEPARTMENT

Scale: N.T.S.

July 2006

Schedule D
Amendment No.131 to the
Official Plan for the former
City of Stoney Creek

Date:
August 2006








Revised by:
C.N.

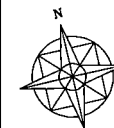
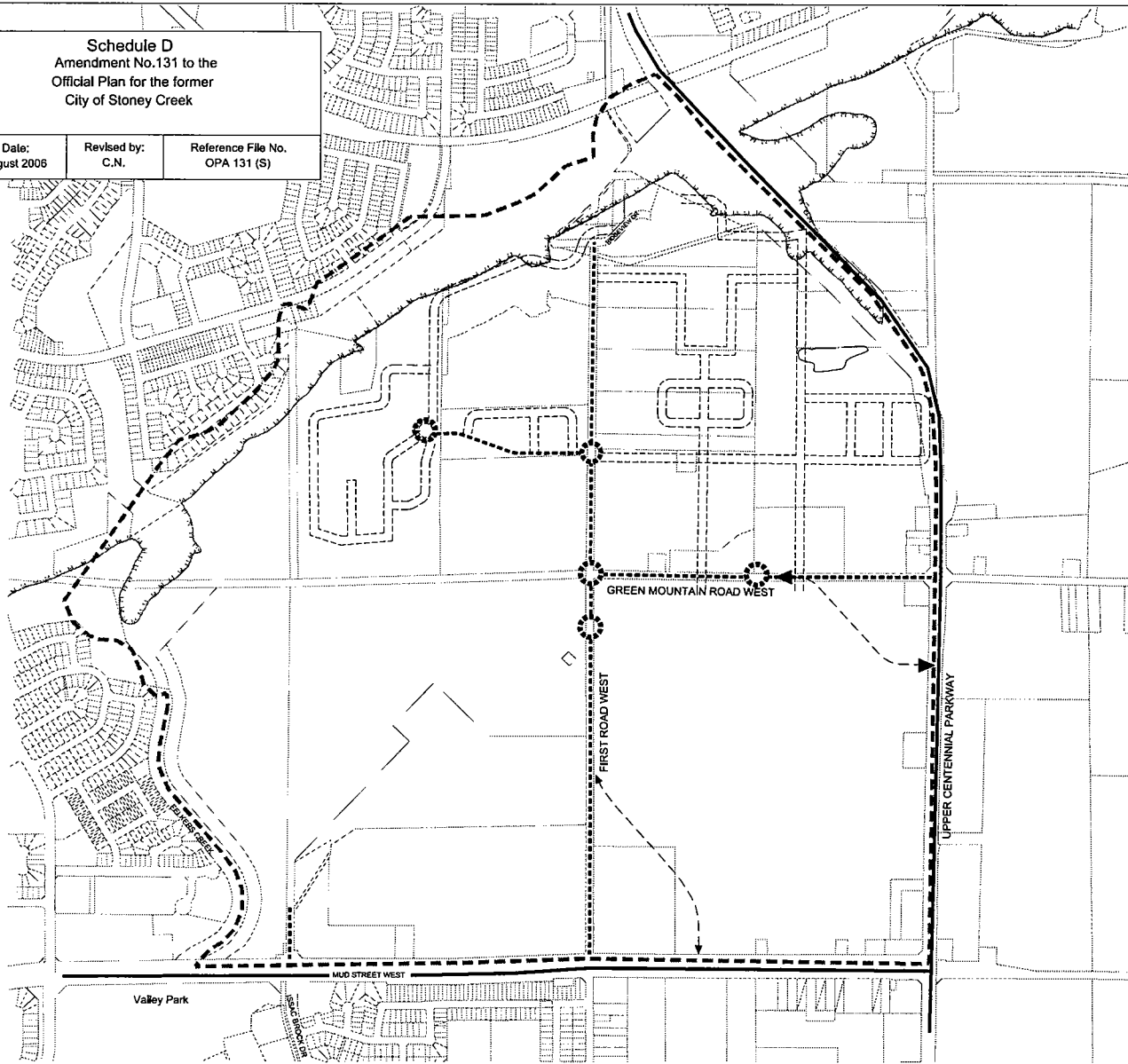
Reference File No.
OPA 131 (S)

CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A3-3" Nash Neighbourhood Road Classification Plan

Legend

-  ARTERIAL ROADS
-  COLLECTOR ROADS
-  LOCAL ROADS (PROPOSED)
-  POTENTIAL TRAFFIC CONTROL ROUNDABOUT
-  ESCARPMENT BROW
-  POSSIBLE ROAD REALIGNMENT (TO BE DETERMINED THROUGH A CLASS ENVIRONMENTAL ASSESSMENT)
-  SECONDARY PLAN BOUNDARY




















CITY OF STONEY CREEK
PLANNING DEPARTMENT

Scale: N.T.S.

July 2006

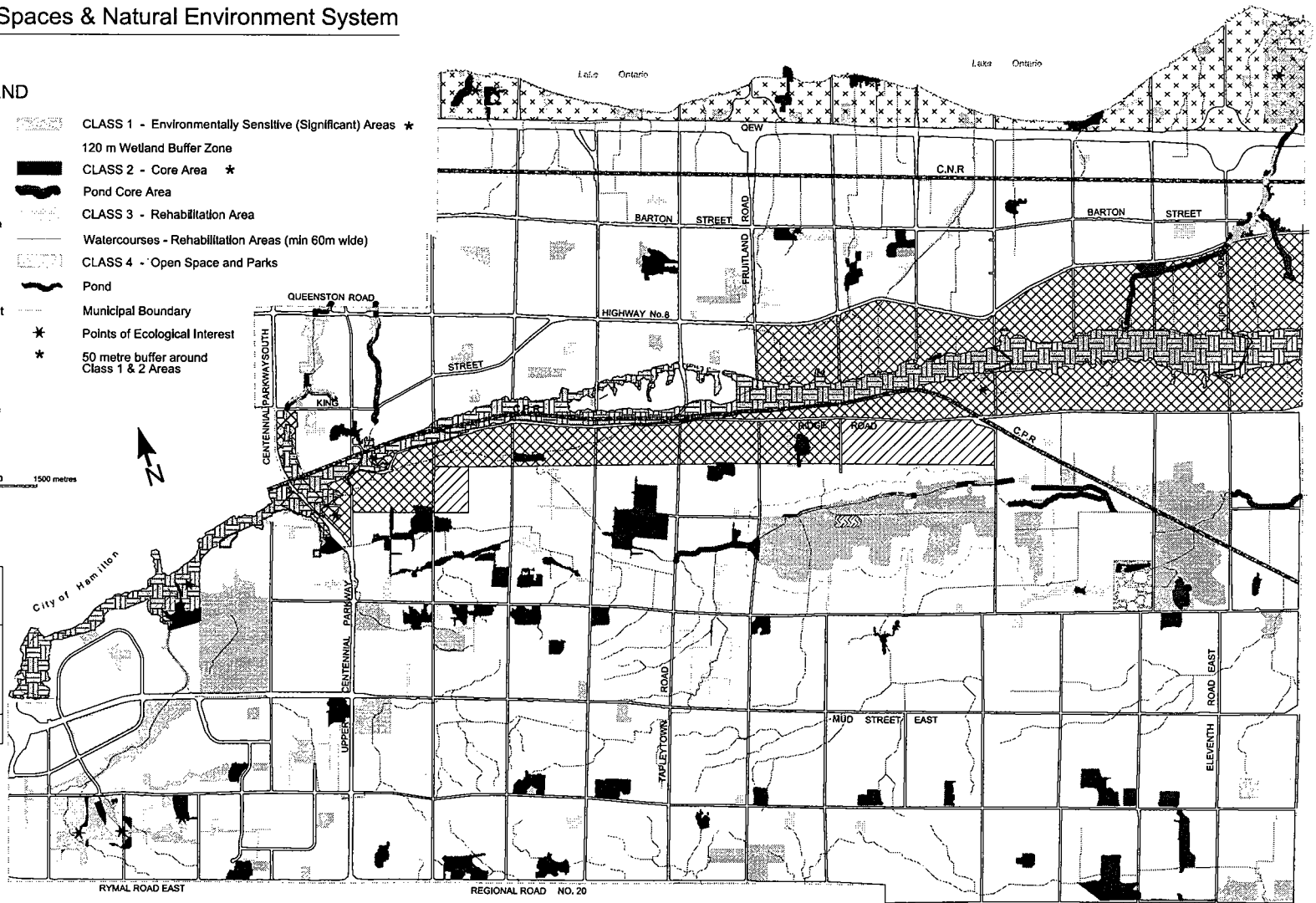
**CITY OF STONEY CREEK
OFFICIAL PLAN
Schedule 'B'
Stoney Creek Open Spaces & Natural Environment System**

LEGEND

- | | | | |
|---|---|---|---|
|  | Lakeshore Protection Area |  | CLASS 1 - Environmentally Sensitive (Significant) Areas |
|  | Escarpment Natural Area |  | CLASS 2 - Core Area |
|  | Escarpment Protection Area |  | Pond Core Area |
|  | Escarpment Rural Area |  | CLASS 3 - Rehabilitation Area |
|  | Waste Disposal Assessment Area |  | Watercourses - Rehabilitation Areas (min 60m wide) |
|  | Existing and Licenced Pits and Quarries |  | CLASS 4 - Open Space and Parks |
|  | Winona Minor Urban Centre |  | Pond |
| | |  | Municipal Boundary |
| | |  | Points of Ecological Interest |
| | |  | 50 metre buffer around Class 1 & 2 Areas |

SCALE


500 0 500 1000 1500 metres




Niagara Region - Town of Grimsby

Schedule E
Amendment No.131 to the
Official Plan for the former
City of Stoney Creek

LEGEND

 Designate as "Class 1 - Environmentally Sensitive (Significant) Areas"

 Delete the designations from The Schedule.

Date: August 2006	Revised by: C.N.	Reference File No. OPA 131 (S)
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Township of Glanbrook

Township of West Lincoln

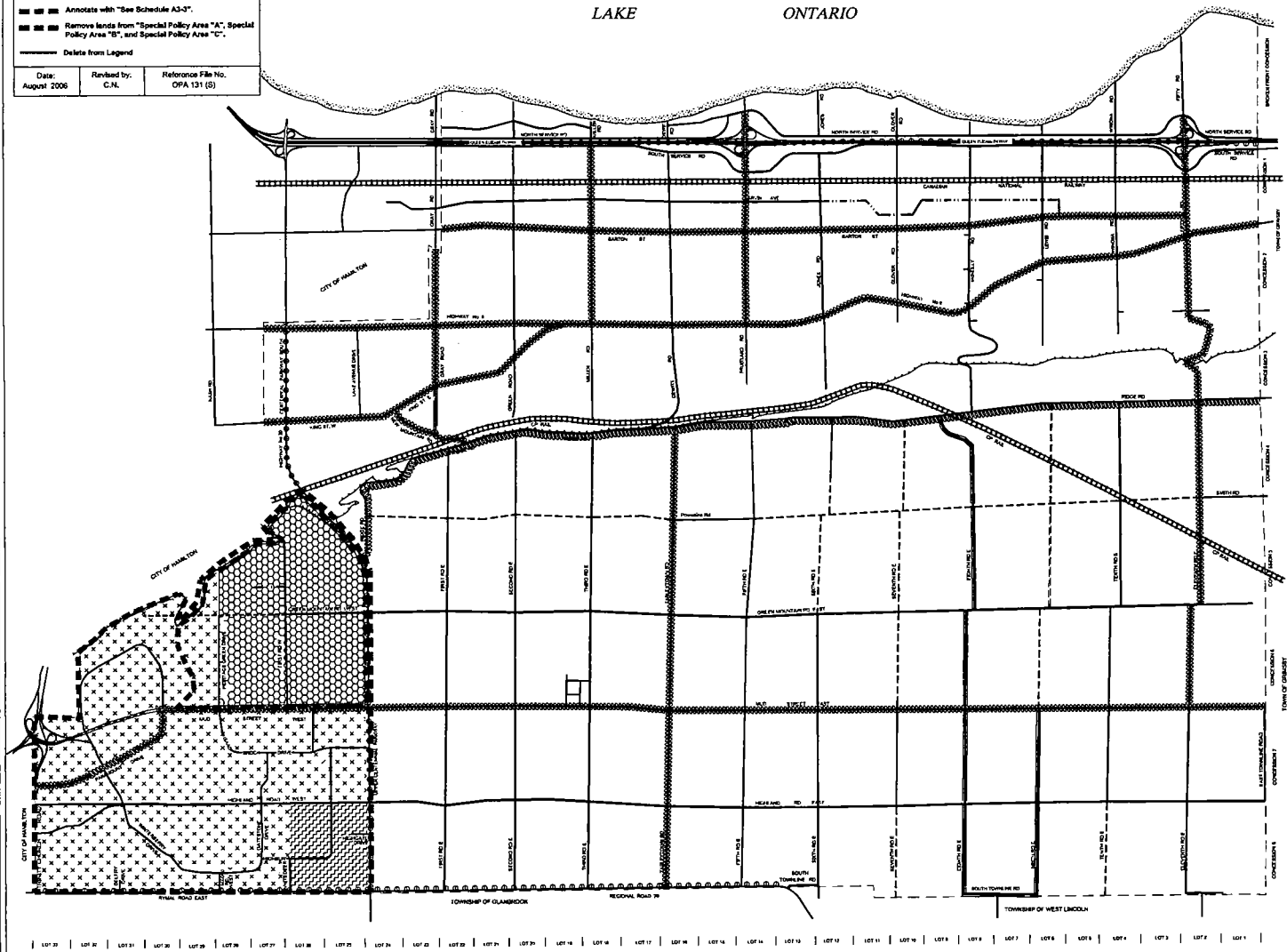
Schedule F
Amendment No.131 to the
Official Plan for the former
City of Stoney Creek

LEGEND

- ■ ■ ■ ■ Annotate with "See Schedule A3-3".
- ■ ■ ■ ■ Remove lands from "Special Policy Area "A", Special Policy Area "B", and Special Policy Area "C".
- — — — — Delete from Legend

Date: August 2006
Revised by: C.N.
Reference File No. OPA 131 (S)

LAKE ONTARIO



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "D" Functional Road Classification

Legend



- ■ ■ ■ ■ Special Policy Area "A"
- ■ ■ ■ ■ Special Policy Area "B"
- ■ ■ ■ ■ Special Policy Area "C"
- - - - - Municipal Boundary
- — — — — Collector Road
- - - - - Proposed Collector Road
- Arterial Road
- - - - - Proposed Arterial Road
- ● ● ● ● Inter Regional Highway