

ISSUE DATE:

May 30, 2014



Ontario

PL101149

10-214 – Attachment 2

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Roy James, Elizabeth James, Lory James and Jaroc
Management
Appellant: Waterdown Bay Ltd.
Subject: Proposed Official Plan Amendment No. 122
Municipality: City of Hamilton
OMB Case No.: PL101149
OMB File No.: PL101149

BEFORE:

M.C. DENHEZ)
MEMBER) Friday, the 30th
)
) day of May, 2014

THIS MATTER having come on for public hearing, and the Board in its Decision issued August 13, 2012 ("Decision") having withheld its Order pertaining to Amendment No. 5 of the Urban Hamilton Official Plan until such time as it is advised that the other relevant sections of the Urban Hamilton Official Plan are in effect, and said notification having been received by the Board;

THE BOARD ORDERS that Amendment No. 5 to the Urban Hamilton Official Plan is modified as set out in Attachment "2" to the Decision and as modified is approved.

A handwritten signature in cursive script, appearing to read 'Jeanne Hejz'.

SECRETARY

ISSUE DATE:

August 13, 2012



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL101149

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Roy James, Elizabeth James, Lory James and Jaroc Management Services Ltd.
Appellant: Waterdown Bay Ltd.
Subject: Proposed Official Plan Amendment No. 122 to the Official Plan of the former Town of Flamborough
Municipality: City of Hamilton
OMB Case No.: PL101149
OMB File No.: PL101149

APPEARANCES:

Parties

Counsel

Roy James, Elizabeth James, Lory James and Jaroc Management Services Ltd.

M.V. MacLean

Waterdown Bay Ltd.

S. Snider

City of Hamilton

M. Minkowski, J. Wice

MEMORANDUM OF ORAL DECISION DELIVERED ON NOVEMBER 2, 2011, BY M.C. DENHEZ AND ORDER OF THE BOARD

This dispute over a secondary plan has been settled, in the former Town of Flamborough, now part of the City of Hamilton (the City). The dispute pertained to the former Town's Official Plan Amendment (OPA) No. 122, also called the Waterdown South Secondary Plan (Secondary Plan).

The Waterdown South Secondary Plan area (Plan Area) covered 180 hectares, principally on vacant tableland above the Niagara Escarpment in the northeast corner of the former Region of Hamilton-Wentworth (the former Region). The process began in 1991, with an initiative for urban expansion which was ultimately approved by the Province in 2002.

The purpose of the Secondary Plan was to establish projections for land uses, basic transportation networks, community facilities, infrastructure requirements, and development standards to guide the development and redevelopment of lands in the Planning Area, as well as protection of natural areas, environmental and heritage resources including Grindstone Creek, the Niagara Escarpment Natural Area and Protection Area, and areas with potential heritage/archaeological significance. The Secondary Plan would provide detailed land use planning-related policies for the regulation of land use and development of the Planning Area. The scale of the vision was substantial, foreseeing 3400 to 3800 dwellings, and 8600 to 9600 people. At some 72 persons and/or jobs per hectare, it was described as "a fairly dense urban community", including employment and institutional uses, and some 25,000 square metres of commercial floor space.

The Secondary Plan would require:

- An amendment to the Official Plan (OP) of the former Town of Flamborough (OPA 122). That OP is still in effect.
- The above amendment would also need to be copied in mirror amendments to the OP of the former Region. Indeed, Regional Official Plan Amendment No. 40 (ROPA 40) mirrored OPA 122 so closely that the two sets of amendments were amalgamated into the same document.
- The above provisions would also need to be referenced in the new Urban Hamilton Official Plan (UHOP) of the amalgamated City (UHOP Amendment No. 5); but UHOP is not fully in effect yet, as some appeals are still outstanding. UHOP Amendment No. 5 was also before the Board under a previous consolidation with Board File No. PL 110331. Although the City supported UHOP Amendment No. 5, it asked the Board to withhold its Order on that specific Amendment, until relevant provisions in the main document had taken effect.

OPA 122, for its part, had been appealed by Waterdown Bay Ltd. (Waterdown), the principal landowner within the Plan Area. Waterdown had a registered plan of

subdivision for some of its lands within the Plan Area, and intended to bring forward proposals for the rest. However, Waterdown and the City had reached consensus on all key items some time ago.

OPA 122 was also appealed by Roy James, Elizabeth James, Lory James and their family company, Jaroc Management Services Ltd. They owned land west of the Plan Area. They too, however, ultimately reached consensus with the other parties.

The Board heard from the City's planner on the file (and principal author of the OPA since 2004), Mr. Paul Lowes. He described OPA 122, ROPA 40, and UHOP Amendment No. 5. He referred to what he called the various recent "refinements" in detail, notably relocation of District Commercial functions with increased emphasis on Mixed Use, and realignment of collector roads. He also discussed improvements to transitional elements near existing buildings, notably lot dimensions and buffers, and provisions for massing. Other refinements would affect store size and phasing, while parallel documents would address items like hedgerows and streetscape. In particular, he noted that many of the ideas had been "guided" by the study of the subwatershed.

Mr. Lowes testified that, in his professional opinion, the OPA (as revised) met the requirements of the *Planning Act*, the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe. It was also logically consistent with the Regional OP, UHOP, the former Town's OP, and the principles of good planning. He added that it complemented the Niagara Escarpment Plan. Equally importantly, it met the numerous study requirements.

That expert opinion was undisputed. The Board has carefully considered all the evidence, the Decisions of various Councils, the supporting information/material thereto, and the able submissions of Counsel. The Board is satisfied that the above consensus does indeed correspond to the statutory requirements and the principles of good planning.

The Board therefore disposes of this matter as follows. THE BOARD ORDERS that the appeals are allowed in part, and:

1. Amendment No. 122 to the Official Plan for the former Town of

Flamborough and Official Plan Amendment No. 40 to the former Region of Hamilton-Wentworth are both modified as set out in Attachment "1" to this Order and, as modified, are both approved.

2. Amendment No. 5 to the Urban Hamilton Official Plan is modified as set out in Attachment "2" to this Order and, as modified, is approved.
3. THE BOARD WITHHOLDS its Order pertaining to paragraph 2 above, until such time as it advised by the City that the other relevant sections of the Urban Hamilton Official Plan are in effect.

It is so Ordered.

"M.C. Denhez"

M. C. DENHEZ
MEMBER

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ATTACHMENT "2"

PL101149

**Urban Hamilton Official Plan
Amendment No. 5**

The following text, together with:

- Schedule "A" – (Schedule B – Natural Heritage System);
- Schedule "B" – (Schedule B-1 – Detailed Natural Heritage Features - Key Natural Heritage Feature – Life Science ANSI);
- Schedule "C" – (Schedule B-2 – Detailed Natural Heritage Features - Key Natural Heritage Feature – Significant Woodlands);
- Schedule "D" – (Schedule B-4 – Detailed Natural Heritage Features - Key Natural Heritage Feature and Key Hydrologic Feature – Wetlands);
- Schedule "E" – (Schedule B-6 – Detailed Natural Heritage Features – Local Natural Area – Environmentally Significant Areas);
- Schedule "F" – (Schedule B-8 – Detailed Natural Heritage Features - Key Hydrologic Feature – Streams);
- Schedule "G" – (Schedule C – Functional Road Classification);
- Schedule "H" – (Schedule E – Urban Structure);
- Schedule "I" – (Schedule E-1 – Urban Land Use Designations);
- Schedule "J" – (Waterdown South Secondary Plan – Land Use Plan – Volume 2: Map B.4.3-1);
- Schedule "K" – (Waterdown South Secondary Plan – Natural Heritage System and Natural Hazard Features – Volume 2: Map B.4.3-2); and,
- Schedule "L" – (Volume 2: Appendix A – Secondary Plans Index Map);

attached hereto, constitutes Official Plan Amendment No. 5 to the Urban Hamilton Official Plan;

1.0 Purpose:

The purpose of this Amendment is to adopt the Waterdown South Secondary Plan into the Urban Hamilton Official Plan.

The purpose of the Waterdown South Secondary Plan is to provide a land use planning framework to guide development for this community over a 20-year planning period. This largely residential community shall include supporting neighbourhood-scale commercial uses, community uses, and extensive natural areas associated with existing woodlots, wetlands and stream valleys within the community. At full build-out the Secondary Plan Area is expected to accommodate approximately 8,600 to 9,600 residents at different stages of their life cycle, in roughly 3,400 to 3,800 dwelling units. Commercial uses shall be accommodated in a District



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Commercial designation, in a Mixed Use - Medium Density designation which includes a "main street" style shopping area, and within three neighbourhood nodes. The Secondary Plan provides a detailed land use plan and related policies for the regulation of land use and development within the Plan Area in accordance with the applicable policies of the Official Plan of the former Town of Flamborough while having regard for the City's adopted new Urban Hamilton Official Plan.

2.0 Location:

The lands comprising Official Plan Amendment No. 5 encompass approximately 180 ha (446 acres) bounded by Dundas Street East/Highway 5 to the north, Kerns Road to the east, Mountain Brow Road to the south, and Flanders Drive/Rosecliffe Place to the west.

3.0 Basis:

The basis for permitting this Amendment is as follows:

The subject Official Plan Amendment covers a portion of the area approved for the urban expansion of Waterdown under Official Plan Amendment (OPA) 28, adopted by Town of Flamborough Council in May 1992 and approved in revised form by Cabinet in June 2002. In approving OPA 28, Cabinet concurrently approved a related Memorandum of Agreement requiring development to await completion of: a Class Environmental Assessment for the Dundas Waste Water Treatment Plant expansion/diversion; a Master Environmental Assessment Transportation Study; a Waterdown South Sub-watershed Study; and completion of secondary plans for the urban expansion area.

The findings and recommendations of these various studies and processes have been reflected in the land use pattern, goals, objectives and policies of the Waterdown South Secondary Plan.

4.0 Changes:

4.1 Volume 1 - Maps

4.1.1 Schedule 'B' – Natural Heritage System is amended by:

- a) adding 'Core Area';
- b) deleting 'Core Area';
- c) deleting 'Linkage';
- d) adding 'Parks and General Open Space';
- e) deleting 'Parks and General Open Space';
- f) adding 'Streams'; and,
- g) deleting 'Streams';



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as shown on the attached Schedule 'A' of this Amendment.

4.1.2 Schedule B-1 – Detailed Natural Heritage Features - Key Natural Heritage Feature Life Science ANSI is amended by:

- a) adding 'Key Natural Heritage Feature Life Science ANSI'; and,
- b) deleting 'Key Natural Heritage Feature Life Science ANSI';

as shown on the attached Schedule 'B' of this Amendment.

4.1.3 Schedule B-2 – Detailed Natural Heritage Features - Key Natural Heritage Feature – Significant Woodlands is amended by:

- a) adding 'Key Natural Heritage Feature – Significant Woodlands'; and,
- b) deleting 'Key Natural Heritage Feature – Significant Woodlands';

as shown on the attached Schedule 'C' of this Amendment.

4.1.4 Schedule B-4 – Detailed Natural Heritage Features - Key Natural Heritage Feature and Key Hydrologic Feature – Wetlands is amended by:

- a) adding 'Key Natural Heritage Feature and Key Hydrologic Feature – Wetlands'; and,
- b) deleting 'Key Natural Heritage Feature and Key Hydrologic Feature – Wetlands';

as shown on the attached Schedule 'D' of this Amendment.

4.1.5 Schedule B-6 – Detailed Natural Heritage Features – Local Natural Area – Environmentally Significant Areas is amended by:

- a) adding 'Local Natural Area – Environmentally Significant Areas'; and,
- b) deleting 'Local Natural Area – Environmentally Significant Areas';

as shown on the attached Schedule 'E' of this Amendment.

4.1.6 Schedule B-8 – Detailed Natural Heritage Features - Key Hydrologic Feature – Streams is amended by:

- a) adding 'Key Hydrologic Feature – Streams'; and,
- b) deleting 'Key Hydrologic Feature – Streams';

as shown on the attached Schedule 'F' of this Amendment.



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4.1.7 Schedule C – Functional Road Classification is amended by:

- a) deleting 'Collector' road classification; and,
- b) deleting 'Major Arterial' road classification;

as shown on the attached Schedule 'G' of this Amendment.

4.1.8 Schedule E – Urban Structure is amended by:

- a) changing lands from 'Neighbourhoods' to 'Major Open Space'; and,
- b) changing lands from 'Major Open Space' to 'Neighbourhoods';

as shown on the attached Schedule 'H' of this Amendment.

4.1.9 Schedule E-1 – Urban Land Use Designations is amended by:

- a) redesignating lands from 'Neighbourhoods' to 'District Commercial';
- b) redesignating lands from 'Neighbourhoods' to 'Mixed Use – Medium Density';
- c) redesignating lands from 'Open Space' to 'Neighbourhoods';
- d) redesignating lands from 'Neighbourhoods' to 'Open Space';
- e) redesignating lands from 'Neighbourhoods' to 'Utility';

as shown on the attached Schedule 'I' of this Amendment.

4.2 Volume 2 – Secondary Plans - Maps

4.2.1 The Urban Hamilton Official Plan is amended by adding a new map "Volume 2: Map B.4.3-1 - Waterdown South Secondary Plan – Land Use Plan" as shown on the attached Schedule 'J' of this Amendment.

4.2.2 The Urban Hamilton Official Plan is amended by adding a new map "Volume 2: Map B.4.3-2 - Waterdown South Secondary Plan – Natural Heritage System and Natural Hazard Features" as shown on the attached Schedule 'K' of this Amendment.

4.2.3 Volume 2: Appendix A – Secondary Plans Index Map is amended by re-identifying lands as 'Secondary Plan Area' from 'Pending Secondary Plan Areas' as shown on the attached Schedule 'L' of this Amendment.

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4.3 Volume 2 – Secondary Plans - Text

B.4.3 Waterdown South Secondary Plan

4.3.1 Development Concept

The Waterdown South Secondary plan comprises roughly 180 ha of land located in the east end of Waterdown, extending between Dundas Street to the north and Mountain Brow Road to the south, the municipal boundary along Kerns Road to the east and the Renwood Park subdivision to the west. The Secondary Plan has been designed to respect and enhance a number of prominent natural areas throughout the community, including Grindstone Creek, Falcon Creek, Hager Creek, the Waterdown Escarpment Woods and Grindstone Creek Valley Environmentally Significant Areas (ESAs), and the Falcon Creek Provincially Significant Wetland Complex, each of which has been incorporated into a Natural Heritage System.

Waterdown South is located within the Niagara Escarpment Plan Area. The community should be developed with a streetscape and built form character that is compatible with the natural environment and key visual characteristics of the Niagara Escarpment. Where appropriate, to create this urban character height restrictions, adequate setbacks, landscape screening, boulevard treatments, and alternative road design may be required to minimize the visual impact of development on the Escarpment Landscape.

Kerns Road and part of Mountain Brow Road should be maintained as special character roads to create a sense that the community is well connected to the Niagara Escarpment's natural environment.

Development should be designed and located so as not to have a negative impact on the Natural Open Space - Natural Area, the Natural Open Space - Protection Area, and other designated natural heritage features, as well as on water quality and quantity, wildlife, visual attractiveness, and cultural heritage features.

The Waterdown South community is intended to offer a full range of housing opportunities from large lot residential homes through to apartment and adult lifestyle (retirement) living in an urban context. Block patterns, and school, park and commercial locations shall create walkable neighbourhoods. A central neighbourhood node should be within walking distance of each neighbourhood. Small-scale commercial and live-work uses, along with community facilities/services shall be encouraged within each neighbourhood node.

Large lot residential housing is planned in the western portion of the Waterdown South community to complement and provide a transition to the established Renwood Park subdivision. The extent of natural areas and features within the



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community affords excellent opportunities for other areas of large lot housing, particularly adjacent to Waterdown Woods.

The Waterdown South Secondary Plan provides the opportunity to create an 'aging in place' adult lifestyle community in the northeast portion of the community, containing a variety of ground-related and medium-rise housing forms, recreational uses, and small scale commercial uses serving the immediate residents.

Medium density housing is planned along arterial and collector roads through the community, and within the vicinity of each neighbourhood node. Higher density housing is planned for the Mixed Use - Medium Density designated area situated between Dundas Street and Grindstone Creek in the north/central portion of the community. This area shall support residential, institutional, office, retail, and service commercial uses and shall include a pedestrian-oriented 'retail main street' shopping area along the key entrance to the community where shops and restaurants shall be required to face directly onto the street.

4.3.2 Principles and Objectives

The following principles and objectives provide the framework for the planning and development of the Waterdown South Secondary Plan area and shall be achieved through the policies and mechanisms set out in this Secondary Plan and the Official Plan.

4.3.2.1 Residential

- a) Promote compact urban form that creates varied and distinguishable residential neighbourhoods.
- b) Encourage a mix of uses and housing types that meet the housing needs of residents throughout their life cycles and allows them to remain within the community.
- c) Create residential communities which incorporate a high standard of community planning and urban design practices while protecting and enhancing the natural environment.
- d) Support future public transit service by locating commercial and higher intensity residential uses along Dundas Street West, the north-south arterial road, the collector road spine, and within neighbourhood nodes located at the intersections of such roadways.
- e) Promote live-work opportunities in appropriate locations within walking distance of neighbourhood residents.



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- f) Encourage pedestrian travel, cycling, and other forms of active transportation as alternative modes of movement by introducing safe, well connected pedestrian and cycling networks in the community that link to external systems.
- g) Promote urban design that is *compatible* with the natural environment and visual character of the Niagara Escarpment.
- h) Limit the height of *development* to ensure that there shall be no substantial visual impact on the Niagara Escarpment.

4.3.2.2 Commercial

- a) Designate a Mixed Use - Medium Density area, a District Commercial area and Local Commercial nodes at strategic locations to promote live-work relationships, create neighbourhood identity and focal points, reduce commuting, and support future public transit services.
- b) Locate retail shops along a pedestrian oriented 'main street' within the Mixed Use - Medium Density designated area with on-street parking.
- c) Encourage other retail, office and service commercial uses on the bottom floor(s) of residential apartment buildings but also permit stand alone commercial buildings as interim uses in the Mixed Use - Medium Density designation.
- d) Limit the amount and scale of new retail *development* to ensure that it complements and does not impact the planned function of established commercial areas, including Downtown Waterdown.
- e) Ensure commercial areas incorporate a high standard of community planning and urban design and, where applicable, integrate with nearby significant natural heritage features.

4.3.2.3 Natural Heritage System and Open Space

- a) Establish a natural heritage system within the context of an urban setting that protects, preserves and, where appropriate, enhances significant natural heritage features, functions and linkages over the long-term.
- b) Maintain wildlife movement corridors along the Niagara Escarpment and through the Grindstone Creek valleylands.

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- c) Maintain or enhance, to the greatest extent possible, the predevelopment surface water and ground water quality and quantity in accordance with municipal and Conservation Authority standards in order to protect and enhance on-site and downstream fisheries and wetlands, on-site and off-site karst features and functions, as well as drinking water for those downstream residences on well-based systems.
- d) Employ, where appropriate, naturalized forms of storm water management that minimize storm water run-off and impervious surfaces, and reduce the need for, and size of storm water management ponds.
- e) Respect and maintain the existing drainage boundaries within the Waterdown South Planning Area, to the satisfaction of the City of Hamilton in consultation with Conservation Halton.
- f) Ensure, through appropriate studies and mitigation measures, that public safety is not compromised and property damage does not result from building and infrastructure construction within the vicinity of known karst features.
- g) Provide, where feasible, a passive recreational trail system through the natural heritage system.
- h) Provide adequate public access to the Niagara Escarpment by such means as pedestrian trails (e.g. the Bruce Trail) and associated parking areas.
- i) Respect the objectives and policies of the Niagara Escarpment Plan and ensure the cumulative impact of *development* shall not have a serious detrimental effect on the Escarpment environment, including its water quality, vegetation, wildlife; and the unique Escarpment landscape.
- j) Ensure that *development* is *compatible* with, and provides for, the protection of unique ecological areas, *significant wildlife habitat*, and water quality and quantity, both inside and adjacent to the Waterdown South Planning Area.

4.3.2.4 Transportation/Transit/Pedestrian/Cycling Linkages

- a) To create a system of roads and transportation corridors that promotes the safe, efficient and timely circulation of vehicular and non-vehicular traffic, and contributes to the public realm through a street, block and land use pattern that encourages walking and other forms of active transportation, creates pedestrian-oriented streetscapes, and links the components of the community.

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- b) Create a grid system of arterial, collector, and local roads and discourage cul-de-sacs, wherever possible.
- c) Create a linked pedestrian and cycling network consisting of bicycle lanes, paths, walkways, and sidewalks on local and collector roads, through parks and schools, the hydro corridor, along Grindstone Creek, and through storm water management facilities and natural heritage features in a manner that has regard for the ecological function of the area and minimizes impacts.
- d) Provide pedestrian network connections to the historic centre of Waterdown, the surrounding neighbourhoods, and to the existing natural open space systems external to the Waterdown South Secondary Plan area.
- e) Design the east-west collector road as a pedestrian and bicycle-oriented spine of the community linking all significant land uses within the community.
- f) Plan residential development and its road network so residents are predominantly within a 400 metre walking distance of neighbourhood parks, commercial facilities, and future public transit services.
- g) Promote future public transit opportunities through land use arrangements, building orientation, and streetscape design.
- h) Orient streets to promote energy conservation.
- i) Ensure that all new and reconstructed roads are designed and located to minimize the impact on the Escarpment environment such design may differ from the *City of Hamilton Engineering Guidelines*.
- j) Create road and boulevard designs that transition and blend into the surrounding Escarpment landscape, along Mountain Brow Road and other new roads abutting the Escarpment Natural and Escarpment Protection Areas such design may differ from the *City of Hamilton Engineering Guidelines*.
- k) Maintain and enhance natural vegetation within the Mountain Brow Road, and Kerns Road rights-of-way where possible.
- l) Provide a secure route for the Bruce Trail where it exists in the Waterdown South Planning Area.



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- m) Protect views of the Escarpment landscape from Mountain Brow Road and Kerns Road, and provide opportunities for views from new local roads abutting the Escarpment Natural and Protection Areas.

4.3.2.5 Infrastructure

- a) Provide for the extension of water and wastewater services in a timely and efficient manner throughout the Waterdown South Secondary Plan area.
- b) Provide for drainage and storm water management facilities in accordance with the recommendations of the South Waterdown Subwatershed Study, and in locations which can complement the natural heritage system.
- c) Design storm water services so as not to adversely affect downstream water quality, water quantity, and the Escarpment environment.

4.3.2.6 Urban Design

- a) Provide integrated community design that coordinates land use, open space, the street network, and built form elements to achieve and reinforce a high quality, integrated community vision.
- b) Incorporate elements of Waterdown South's distinct natural and cultural heritage in the establishment of design characteristics that shall promote and achieve unique community design.
- c) Establish gateways at strategic locations to function as entranceways to Waterdown and the community of Waterdown South.
- d) Create an urban fabric characterized by an interconnected street network that is responsive to existing natural heritage, surrounding land uses, and cultural heritage elements.
- e) Integrate views of natural heritage features into the community design.
- f) Promote public transit, walking, cycling, and recreational connections through a well connected system of streets, walkways, and trails.
- g) Design streets and built form that promote personal safety through natural surveillance opportunities.

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- h) Promote building forms and site layouts that address the street and which locate and orientate on-site parking, garages, and service/loading areas to minimize the impact to the streetscape.
- i) Create street and building design that promotes pedestrian comfort and vitality at the grade level of buildings.
- j) Promote design variety within the streetscape.
- k) Promote a variety of housing forms with diverse architecture for individuals and families of all ages.
- l) Encourage mixed use development along strategic corridors and within walking distance of neighbourhoods.
- m) Integrate community and institutional uses at visible, highly accessible locations.
- n) Create streetscapes and built form that are *compatible* in design with the visual and natural environment of the Niagara Escarpment, where they abut the Natural Open Space - Natural Area and Natural Open Space - Protection Area designations.

4.3.3 Residential Designations

4.3.3.1 The residential areas are designated Low Density Residential 1, 2, and 3, and Medium Density Residential 2, as shown on Map B.4.3-1 - Waterdown South Secondary Plan - Land Use Plan. The following policies are applicable to each of these land use designations.

4.3.3.2 The land use boundaries, shown on Map B.4.3-1, shall prevail in case of conflict with Schedule A or Schedule E-1.

4.3.3.3 General Residential Policies

In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, the following general policies shall apply to all residential land use designations identified on Map B.4.3-1 - Waterdown South - Land Use Plan:

Function

- a) A variety of housing opportunities suitable to a wide range of housing needs shall be encouraged through a variety of tenure options, housing prices and housing forms, including adult lifestyle housing and innovative housing ideas.



- b) A broad range and mix of housing types shall be promoted between and within residential designations. The City shall strive to achieve a variety of building types within each designation, such that no portion of the Secondary Plan Area is dominated by one housing type, and to provide an interesting streetscape.
- c) Residential development in the Waterdown South Planning Area shall have a *compact urban form* that encourages *active transportation*.

Permitted Uses

- d) Second dwelling units may be permitted in single detached and semi-detached dwellings in all residential designations subject to the requirements of the Zoning By-law, in accordance with Policy B.3.2.4.4 of Volume 1.
- e) *Home businesses* may be permitted accessory to a dwelling unit in all residential designations in accordance with Policy C.3.2.2 a) of Volume 1 and subject to the requirements of the Zoning By-law.
- f) Community facilities and institutional uses such as schools, places of worship, day care centres and other related community and institutional uses, shall be permitted in all residential designations, in accordance with Section B.3.5 – Community Facilities/Services Policies of Volume 1 and subject to the implementing Zoning By-law, provided:
 - i) the lot to accommodate the use is located along an arterial or collector road; and,
 - ii) the lot is of a sufficient size to accommodate the use as determined through the requisite zoning, subdivision and site plan approval process.

Scale

- g) Density shall be calculated on a *net residential density* basis. *Net residential density* may be averaged over each plan of subdivision within the designation.
- h) The size and scale of *housing with supports*, including residential care facilities, long-term care facilities, and retirement homes shall be similar to, and oriented to the built form permitted in each designation.

Design

- i) Garage protrusion shall be discouraged to create more attractive streetscapes and provide interactive outdoor space for pedestrians. The



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Implementing Zoning By-law shall contain provisions restricting the extent of garage protrusions.

- j) Where townhouses are proposed, a mix of townhouse block lengths is encouraged to provide variety to the streetscape. The creation of long townhouse blocks should be avoided and building setbacks and/or alternate building facades shall be encouraged to prevent long stretches of monotonous elevation. The zoning by-law shall contain standards controlling setbacks and the number of units within a townhouse block.
- k) A variety of housing elevations shall be encouraged within each residential block to provide an interesting streetscape. In support of this policy, demonstration of how the development shall meet the Secondary Plan Urban Design Guidelines shall be required as a condition of draft plan of subdivision approval.
- l) Direct vehicle access to individual dwelling units from major arterial roads shall not be permitted.
- m) Direct access to individual street townhouse units from Skinner Road may be discouraged where necessary to maintain road function and alternative forms of access such as use of shared or common access points and rear lane arrangements shall be permitted and encouraged.
- n) Reverse frontage lotting patterns shall be discouraged, and may only be permitted under certain circumstances or where the owner satisfies the City that no other alternative development form or street patterns are feasible. The use of long stretches of acoustical walls adjacent to arterial roads shall also be discouraged.
- o) The arrangement of collector roads, land uses, and densities should be planned so that residential units are predominantly located within a 400 metre walking distance of commercial facilities including local commercial nodes.

4.3.3.4 Low Density Residential 1 Designation

In addition to the policies of Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 1 on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Notwithstanding Policy E.3.4.3 – Low Density Residential of Volume 1, only single detached dwellings shall be permitted.

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- b) Notwithstanding Policy E.3.4.4 – Low Density Residential of Volume 1, the maximum permitted density shall be 22 units per net residential hectare.
- c) Notwithstanding Policy E.3.4.5 – Low Density Residential of Volume 1, the maximum building height shall be 2.5 storeys.
- d) The new lots adjacent to the Renwood Park subdivision, in the south-west corner of the Secondary Plan area, shall serve as a transition area between the established homes and new residential *development* internal to the Waterdown South community. The implementing Zoning By-law shall ensure that:
 - i) all new lots immediately opposite those on Flanders Drive and Rosecliffe Place have a similar lot width at the point where the new lots are opposite to the existing lots, and in no case shall the lot width at the point opposite to the existing lots be narrower than 18.2 metres; and
 - ii) The lots immediately opposite those on Flanders Drive and Rosecliffe Place shall also have a maximum building height of 2.5 storeys, provided the floor area above the second floor is contained within the roof peak and that windows above the second floor are contained in dormers facing the front yard.

4.3.3.5 Low Density Residential 2 Designation

In addition to the policies of Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Notwithstanding Policy E.3.4.3 – Low Density Residential of Volume 1, single detached dwellings, semi-detached dwellings, duplex dwellings, and street townhouse dwellings shall be permitted.
- b) Single detached and semi-detached dwellings shall be the primary form of housing in this designation, but limited areas of street townhouse dwellings shall be encouraged in each plan of subdivision.
- c) Notwithstanding Policy E.3.4.4 – Low Density Residential of Volume 1, the overall density of lands designated Low Density Residential 2 shall range from 22 to 40 units per *net residential hectare*. *Development* at the higher end of the density scale is expected to occur in small clusters to facilitate a range of housing types and sizes in each neighbourhood. The higher density housing units should be integrated with other housing forms on the same street.



- d) Notwithstanding Policy E.3.4.5 – Low Density Residential of Volume 1, the maximum building height shall be 2.5 storeys.

4.3.3.6 Low Density Residential 3 Designation

In addition to the policies of Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3 on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Notwithstanding Policy E.3.4.3 – Low Density Residential of Volume 1, Single detached dwellings, semi-detached dwellings, duplex dwellings, and all forms of townhouses shall be permitted.
- b) Notwithstanding Policy E.3.4.4 – Low Density Residential of Volume 1, the overall density of lands designated Low Density Residential 3 shall range from 30 to 60 units per net residential hectare (upnrh).
- c) Notwithstanding Policy E.3.4.5 – Low Density Residential of Volume 1, the maximum building height shall be 3 storeys.
- d) Single detached dwellings shall generally comprise a maximum of 60% of the housing units within a Low Density Residential 3 designated area.

4.3.3.7 Medium Density Residential 2 Designation

In addition to the policies of Section E.3.5 – Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Notwithstanding Policy E.3.5.2 – Medium Density Residential of Volume 1, a limited number of single detached dwellings and semi-detached dwellings shall be permitted, as well as street townhouse dwellings, low-rise apartments, other forms of *multiple dwellings*, and live-work units subject to the implementing Zoning By-law.

- b) The overall density of lands designated Medium Density Residential shall be in the range of 60 to 75 units per net residential hectare (upnrh).
- c) Notwithstanding Policy E.3.5.8 – Medium Density Residential of Volume 1, the maximum building height for single and semi-detached dwellings shall be 3 storeys with a maximum height of 4 storeys for all other permitted housing forms.



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- d) Single detached and semi-detached dwellings shall generally comprise a maximum of 25% of the housing units within the Medium Density Residential 2 designation.

4.3.4 Commercial Designations

4.3.4.1 The commercial areas are designated Mixed Use - Medium Density, District Commercial and Local Commercial, as shown on Map B.4.3-1 - Waterdown South Secondary Plan - Land Use Plan. The following policies shall apply to each of these land use designations.

4.3.4.2 Commercial General Policies

In addition to Section E.4.0 - Commercial and Mixed Use Designation of Volume 1, the following policies shall apply to all commercial and mixed use land use designations identified on Map B.4.3-1 - Waterdown South - Land Use Plan:

- a) Total retail and service commercial floor space within Mixed Use - Medium Density and District Commercial designations shall not exceed 25,000 square metres, provided that office and service commercial uses above the ground floor shall not be included in the total floor space limitations.
- b) Notwithstanding Policy E.4.2.11 of Volume 1, a Market Impact Study shall not be required for the permitted retail space in 4.3.4.2 a)
- c) Commercial areas shall be developed in a co-ordinated and comprehensive manner. Access points along arterial and collector roads shall be limited and regard shall be given to the sharing of access points, adequate internal traffic circulation, and adequate off-street parking, loading and manoeuvring facilities.
- d) Open storage of goods and materials shall not be permitted.
- e) Loading and unloading areas shall be located so as to minimize adverse effects to adjacent residential areas and shall be screened from view.
- f) Landscaping shall form an integral part of all developments and screening and buffering shall be provided between commercial and sensitive adjacent land uses.
- g) The distribution and phasing of retail and service commercial space in the commercial designations of this Secondary Plan shall be in accordance with Section 4.3.14.4.



4.3.4.3 Mixed Use - Medium Density

In addition to the policies of Section E.4.6 – Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to lands designated Mixed Use -Medium Density on Map B.4.3-1 – Waterdown South - Land Use Plan:

Function

- a) The Mixed Use - Medium Density designation is intended to function as a mixed use area consisting of mid-rise residential buildings and at grade commercial uses serving the adjacent neighbourhoods.
- b) The Mixed Use - Medium Density designation is intended to accommodate a range of residential, commercial, institutional, and service uses. Such designated area may be developed primarily for residential use or primarily for commercial use in the initial stage, but it is envisioned that over time the area shall evolve into a truly mixed use area with residential and commercial uses mixed, either within the same building, or in certain locations within separate buildings on the same or abutting lots.

Permitted Uses

- c) Notwithstanding the uses permitted in Policy E.4.6.5 of Volume 1, the following uses shall be permitted:
 - i) commercial uses such as retail stores, *auto and home centres*, *home improvement supply stores*, offices oriented to servicing residents personal services, financial establishments, live-work units, artist studios, restaurants, and gas bars;
 - ii) institutional uses such as hospitals, places of worship, fire halls, and schools;
 - iii) arts, cultural , entertainment, and recreational uses;
 - iv) hotels;
 - v) *multiple dwellings*;
 - vi) one lot depth of street townhouses located abutting and backing onto the Grindstone Creek Natural Area; and,
 - vii) accessory uses.
- d) Notwithstanding Policy E.4.6.6 of Volume 1, the following uses shall be prohibited:
 - i) vehicle dealerships;
 - ii) garden centres as a primary use; and,



- e) Notwithstanding Policy E.4.6.6 of Volume 1, the following uses shall be prohibited adjacent to Collector Road A:
- i) drive-through facilities;
 - ii) car washes;
 - iii) motor vehicle service stations;
 - iv) gas bars; and,
 - v) residential uses on the main floor of any building.

Scale and Location

- f) The permitted density of lands with the Mixed Use - Medium Density designation shall be a maximum of 2.5 times the lot area (Floor Space Index (FSI)) or generally a range of 60 to 200 units per net residential hectare for exclusive residential developments of up to 8 storeys in height, and 200-300 units per net residential hectare for buildings of 8 - 12 storeys in height.
- g) Total retail and service commercial floor space within the Mixed Use - Medium Density designation shall not be less than 3,600 square meters, and the maximum floor area shall be no greater than that permitted in Section B.4.3.4.2 less the total floor area constructed within the District Commercial Designation. The minimum floor area above shall be constructed along and oriented to Collector Road A.
- h) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, a maximum building height of 8 storeys shall be permitted, but building heights may be increased up to 12 storeys, subject to a Visual Impact Assessment which demonstrates to the satisfaction of the City and the Niagara Escarpment Commission that the matters set out in Policy B.4.3.14.1 h are addressed;
- i) It is expected that a municipal fire station, as permitted by Policy B.4.3.4.3 c) ii), occupying a site of up to 0.8 ha shall be required in this area along Dundas Street at a future signalized intersection. To create the main street character, a location on Collector Road A is discouraged.

Design

- j) The following policies shall apply to buildings and lands located adjacent to Collector Road A:
- i) retail space and buildings shall be oriented in a 'retail main street' configuration with storefronts located close to the street and principal



- entrances facing the sidewalk to create a pleasant pedestrian shopping environment.
- ii) the principal public entrance shall face the street and provide direct access onto the public sidewalk. The windows and signage shall also face the street.
 - iii) Buildings should have a consistent minimal setback in accordance with the Waterdown South Secondary Plan Urban Design Guidelines required in Section 4.3.10.
 - iv) The implementing Zoning By-law shall establish a minimum requirement for 3,600 sq. m. of retail and service commercial space to be provided along the 'retail main street' area.
 - v) No parking, driveways, lanes or aisles shall be permitted between buildings and the public sidewalk.
 - vi) The built form may include stand-alone stores, multiple unit commercial buildings, or mixed use buildings with commercial uses on the ground floor adjacent to the street and residential or office uses above or behind.
 - vii) The Waterdown South Secondary Plan Urban Design Guidelines, as required in Section B.4.3.10 shall provide more detailed direction and demonstrate how the 'retail main street' and pedestrian character of the street shall be developed, and Policies B.4.3.4.3 j i) through vi) Inclusive shall be implemented.
- k) The Waterdown South Secondary Plan Urban Design Guidelines, as required in Section B.4.3.10, and the implementing Zoning By-law shall establish build-to-lines and a minimum frontage per-block to be occupied by buildings within the Mixed Use - Medium Density designation. A lesser requirement may be established on Dundas Street and other streets outside of the 'retail main street' area.
- l) Parking lots abutting the street shall be screened with low walls, or landscape material so as to provide a sense of enclosure along the setback line.
 - m) On-street parking shall be provided wherever possible, and may contribute to parking requirements in combination with sufficient off-street parking.
 - n) The implementing Zoning By-law for the Mixed Use - Medium Density designation shall consider lower commercial parking standards, which take into account the intended pedestrian nature of the 'retail main



street' oriented uses and the role of on-street parking in meeting parking demands.

- o) A detailed concept plan for the Mixed Use - Medium Density designation shall be required to be completed to the satisfaction of the City before approval of any zoning, plan of subdivision, or site plan application. The concept plan shall demonstrate:
 - i) How the policies of this Plan are being implemented;
 - ii) The location and configuration of the 'retail main street' area;
 - iii) Means to accommodate traffic flows through the area including access points and the private and public street network;
 - iv) The treatment of intersections within the designation to ensure pedestrian comfort while also ensuring an appropriate flow of traffic;
 - v) An appropriate build-to-line for each street;
 - vi) An appropriate minimum frontage-per-block for each street;
 - vii) The proportion of retail space to be provided along the 'retail main street';
 - viii) The location of initial and potential future residential and mixed use buildings; and,
 - ix) How the area can evolve and intensify over time to a fully mixed use area.

4.3.4.4 District Commercial Designation

Notwithstanding the policies of E.4.7.2 through E.4.7.16 - District Commercial Designation of Volume 1, the following policies shall apply to lands designated District Commercial on Map B.4.3-1 - Waterdown South - Land Use Plan:

Function

- a) ~~The District Commercial designation is intended to accommodate a range of retail and service commercial uses intended to serve a neighborhood shopping function which meets the weekly and day-to-day retail and service commercial needs of residents in the secondary plan area and adjacent neighborhoods.~~

Permitted Uses

- b) The following uses shall be permitted:
 - i) commercial uses including retail stores and supermarkets except that a single user over 10,000 square metres shall not be permitted,



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personal service and restaurants, gas bars, car washes and motor vehicle service stations;

- ii) offices;
 - ii) live-work units and residential uses above commercial units;
 - iii) places of worship, day care centres, libraries, fire and police stations, post offices, recreational facilities, community centres, meeting spaces and similar uses; and,
 - iv) accessory uses.
- c) Sole residential buildings are not permitted within the District Commercial designation.

Scale and Location

- d) The designation shall permit up to 16,000 square metres of retail and service commercial floor space provided the total retail and service commercial floor space within the District Commercial and the Mixed Use - Medium Density designations combined do not exceed 25,000 square metres.
- e) Offices uses on the same lot shall not exceed 2,000 square metres.

Design

- f) Single use stores greater than 5,000 square meters may be situated along Dundas Street, in the interior of the site or at the rear of the site, with smaller foot print buildings located close to Skinner Road. Alternatively, larger stores may be located up to the streetline along Skinner Road provided they are lined with smaller stores, multiple entrances, or other similar means to animate the streetscape along Skinner Road.
- g) Parking lots abutting the street shall be screened with low walls or landscape material to provide a sense of enclosure along the setback line.

4.3.4.5

Local Commercial Designation

In addition to the policies of Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to lands designated Local Commercial on Map B.4.3-1 - Waterdown South - Land Use Plan:

Function

- a) Local Commercial designated areas are to function as neighbourhood focal points or nodes that meet the day-to-day commercial needs of



nearby residents and are located within walking distance of patrons. They are intended to accommodate small scale retail and service uses in small nodes along with stand alone medium density housing.

- b) Local Commercial designated areas are generally located at the intersection of two collector roads or a collector and arterial roads and are spaced throughout the community to provide maximum accessibility to pedestrians.

Permitted Uses

- c) Notwithstanding Policy E.3.8.2 and E.3.8.10 – Local Commercial of Volume 1, the following uses shall be permitted:

- i) small scale retail and service uses such as retail, restaurant, personal service, professional office, business office, medical office, day care centre, financial establishment, studio, art gallery, tradespersons shop, and veterinary service;
- ii) stand alone medium density residential uses in accordance with Policy 4.3.3.7;
- iii) live-work buildings in the form of townhouses consisting of ground floor commercial or office uses with a residential unit above;
- iv) low rise apartment buildings with ground floor retail, service commercial or office uses can perform a neighbourhood node function;
- v) small scale *community facilities/services*; and,
- vi) public spaces such as a village or neighbourhood square.

Prohibited Uses

- d) Notwithstanding Policy E.3.8.2 (a) and E.3.8.3 – Local Commercial of Volume 1, drive-through facilities and motor vehicle service stations shall be prohibited.

Scale

- e) The permitted net residential density shall generally range from 50 to 75 units per net residential hectare.
- f) The maximum permitted building height shall be 4 storeys.
- g) The implementing Zoning By-law shall establish a maximum floor area for small scale commercial uses in recognition of the limited retail function of this designation.

Design

- h) Buildings shall face the street with a minimal consistent setback.

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- l) The principal public entrance shall face the street and provide direct access onto the public sidewalk. The primary windows and signage shall also face the street.
- j) On-street parking shall be permitted on the adjacent collector roads. In most circumstances, it is the intent that all parking needs for commercial uses should be achieved through on-street parking.
- k) The implementing Zoning By-law shall give consideration to establish lower parking standards which take into account the intended pedestrian nature of these uses, shared parking opportunities within live-work buildings, and the contribution of on-street parking to meet parking demand.
- l) Required on-site parking and loading areas shall be encouraged to be located to the rear of buildings to achieve an attractive streetscape and a pedestrian-friendly built-form environment. Where parking lots abutting the street are unavoidable due to unique circumstances, they shall be screened with low walls and landscape materials, but shall not be located in front of buildings.

4.3.5 Neighbourhood Park Designation

4.3.5.1 The following policies shall apply to the lands designated Neighbourhood Park on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Lands designated Neighbourhood Park shall be visible and accessible to the public, with unobstructed views to the provided to improve surveillance of such areas.
- b) A pedestrian and bicycle trail network shall be established to link parks and open space with adjacent residential areas as follows:
 - i) Appropriate trail linkages shall be made with the hydro corridor crossing the Secondary Plan area, the Bruce Trail system through the Niagara Escarpment lands to the south, and the neighbourhoods to the north.
 - ii) It is intended that the network shall use public streets, sidewalks, and public open space lands.
 - iii) The network shall be identified through the Urban Design Report for the Public Realm as set out in Policy B.4.3.12.2 b) and, more



specifically delineated during the processing of subsequent plans of subdivision.

- c) Municipal infrastructure such as water towers and pumping stations may be located within part of a Neighbourhood Park; however, the lands required for the facility shall not contribute to parkland dedication requirements.
- d) As shown on Map B.4.3-1 – Waterdown South Secondary Plan - Land Use Plan, neighbourhood Parks shall be located no more than 800 metres apart, and the majority of residential uses within the Secondary Plan area shall generally be located within a 400 metre distance (5 minute walk) of a park.
- e) Neighbourhood Parks shall be encouraged to be located adjacent to and in conjunction with schools sites; however, school sites shall not be considered to satisfy any parkland dedication requirements. Where appropriate, Neighbourhood Parks shall be located adjacent to other greenspace areas such as the hydro corridor, storm water management ponds, and the Natural Heritage System in order to augment the natural heritage and open space system throughout the Waterdown South community.
- f) Neighbourhood Parks shall be generally intended to be square or rectangular in shape, have a significant street frontage, and be approximately 2.0 hectares in size. However, to provide flexibility in the design of draft plans of subdivision, the specific location, size and shape of the designated Neighbourhood Parks may vary subject to the approval of the City without an amendment to this Plan.
- g) In co-operation with the respective utility companies, the City shall establish a pedestrian and bicycle trail network along the hydro corridor that traverses the Waterdown South Secondary Plan area and extends beyond the community.

4.3.6 Institutional Designation

4.3.6.1 The following policies shall apply to lands designated Institutional on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) The permitted uses on lands designated Institutional shall include schools, day care centres, places of worship, long term care facilities, residential care facilities, *community facilities/services*, and other similar institutional uses.



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- b) All schools shall be located adjacent to designated Parks to provide opportunities to share facilities.
- c) Map B.4.3-1 identifies the general location and size of two elementary schools, as requested by the Hamilton-Wentworth Catholic District School Board and the Hamilton-Wentworth District School Board. The location of these school sites may be moved and the size may be changed without amendment to this Plan as follows:
 - i) The specific location and size of each designated school site shall be determined as part of the approval process of the draft plan of subdivision in which each school site is located.
 - ii) The need for a particular school site shall also be confirmed by the School Board as part of the approval process, and the timing for which the site is reserved shall also be established at that time.
- d) At the time of subdivision approval, school sites may be zoned for both institutional and residential purposes having regard to the abutting density and form of development.
- e) Should any or all of the designated school sites not be required by the appropriate school board, such lands may be used for Low Density Residential 2 purposes without amendment to this Plan.
- f) The maximum permitted building height shall be 15 metres.
- g) Institutional buildings should be accessible by all modes of transportation, and designed as neighbourhood focal points, which create a distinctive community identity and sense of place, and serve as landmarks for orientation and local identity.

4.3.7 Natural Heritage System

The Waterdown South Secondary Plan area contains a number of significant natural heritage features, including two Core Areas: Waterdown Escarpment Woods and Grindstone Creek Valley. The Secondary Plan Area also contains a Provincial Life Science Area of Natural and Scientific Interest; the Falcon Creek Provincially Significant Wetland Complex; and other woodland, stream, wetland, and hedgerow features. The area also contains significant vegetation communities, which provide habitat for significant plant and wildlife species.

The predevelopment landscape within the Waterdown South Secondary Plan area consists largely of cultivated farmland bisected by the Grindstone Creek and its valleylands. The area is divided into three watersheds associated with the Grindstone, Falcon, and Hager Creeks. The western portion of the Secondary Plan



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area drains into Grindstone Creek, the eastern portion into Falcon Creek and a small area of the south-eastern portion into Hager Creek.

A sub-watershed planning study has been completed to the satisfaction of the Cities of Hamilton and Burlington and Conservation Halton and satisfies Section C.2.8. of Volume 1. The study was undertaken to identify and evaluate the significance of all natural heritage features and functions within the Waterdown South Secondary Plan area and to establish a framework for more detailed levels of evaluation at succeeding stages of the planning process. This Secondary Plan implements the recommendations of the sub-watershed study by setting out a Natural Heritage System which is proposed to maintain, restore and enhance the natural heritage features, areas and functions within the Planning Area.

Within portions of the Waterdown South Secondary Plan area, the creeks noted above have created karst conditions consisting of sinkholes, sinking streams, and springs (see South Waterdown Subwatershed Study – Stage 2 Report by EcoPlans et. al.). Some of the surface karst is located within the Natural Heritage System shown on Map B.4.3-2 and, as such, is already outside of the developable area; however, there are several areas outside of the Natural Heritage System that also contain karst topography. Section B.4.3.8 provides direction with regards to *development* within these karst areas that are outside of the Natural Heritage System, as shown on Map B.4.3-2, and in accordance with recommendations of the South Waterdown Subwatershed Study – Stage 2 Report.

4.3.7.1 General Policies

a) The Natural Heritage System shall include the following:

- i) lands designated Natural Open Space – Natural Area on Map B.4.3-1 – Waterdown South – Land Use Plan;
- ii) lands designated Natural Open Space – Protection Area on Map B.4.3-1 – Waterdown South – Land Use Plan;
- iii) lands designated Natural Open Space – Grindstone Creek Natural Area on Map B.4.3-1 – Waterdown South – Land Use Plan;
- iv) Core Areas as shown on Map B.4.3-2 – Waterdown South – Natural Heritage System and Natural Hazard Features; and,
- v) streams as shown on Map B.4.3-2 – Waterdown South – Natural Heritage System and Natural Hazard Features.

b) Some of these lands may be both designated on Map B.4.3-1 – Waterdown South – Land Use Plan and identified as Core Area on Map B.4.3-2 – Waterdown South – Natural Heritage System and Natural Hazard Features. The policies of both the designation and the Core Area identification shall apply.



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- c) Core Areas are comprised of several natural heritage features which are independently shown on Schedules B-1 through B-8 of Volume 1.
- d) The natural heritage features are linked by natural corridors, which are necessary to maintain biological diversity within the Waterdown South Secondary Plan Area. Wherever possible and feasible, *development* within the Waterdown South Secondary Plan area should promote a net gain within the Natural Heritage System by restoring, enhancing, and linking habitat.
- e) Where the lands within the Natural Heritage System are under private ownership, nothing in this Plan implies that the lands shall be secured for public ownership. Where the use of the lands is deemed appropriate for public ownership by the City or other public agency, suitable acquisition options shall be considered.
- f) For the purposes of policies C.2.2.2, C.2.2.4, C.2.5.1, C.2.5.5, C.2.5.8, C.2.5.10, C.2.5.11, C.2.5.14 and C.2.7 of Volume 1:
 - i) the City deems the study requirements to have been satisfied by the South Waterdown Subwatershed Study and the policies of this secondary plan;
 - ii) the City deems the Core Area boundaries as the boundaries determined by the South Waterdown Subwatershed Study;
 - iii) vegetation protection zone widths shall be in accordance with Section B.4.3.7.5 of this Secondary Plan.

4.3.7.2 Natural Open Space - Grindstone Creek Natural Area

In addition to the applicable policies of Section C.2.0 -Natural Heritage System of Volume 1, the following policies shall apply to the lands designated Natural Open Space - Grindstone Creek Natural Area on Map B.4.3-1 - Waterdown South - Land Use Plan:

- a) The Natural Open Space - Grindstone Creek Natural Area designation represents the significant natural heritage features and natural hazard areas within the Grindstone Creek portion of the Secondary Plan area. The designation shall consist of:
 - i) Grindstone Valley ESA;



- ii) The valley corridors and associated riparian areas of Grindstone Creek Tributary 1 as identified in the South Waterdown Subwatershed Study; and,
 - iii) The greater of the floodplain, meander belt or stable top of bank of the Grindstone Creek. As set out in the South Waterdown Subwatershed Study, the boundary of the floodplain and top of bank may change through cut and fill permitted by Conservation Halton.
- b) Notwithstanding Policy C.2.5.1 of Volume 1, *Development and site alteration* shall be prohibited with the exception of the following limited uses:
- i) Forest, wildlife and fisheries management;
 - ii) Low intensity passive recreation uses where they do not impact sensitive natural features or *ecological functions*;
 - iii) *Existing* agricultural operations and other *existing* uses;
 - iv) Infrastructure, roads, and utilities, which may be permitted to cross the Natural Heritage System where a scoped Environmental Impact Statement or Environmental Assessment demonstrates no *negative impacts* on the natural features or the *ecological functions* for which the area was identified and demonstrates that there are no reasonable alternative location(s); and,
 - v) Flood and erosion control, and channel modifications, including *site alteration* to accommodate a storm water outfall, to deepen channels (where critical *fish habitat* does not exist) or to stabilize steep, eroding slopes, subject to an approved Environmental Impact Statement and obtaining permission from Conservation Halton pursuant to Ontario Regulation 162/06, as may be amended.
- c) Storm water management facilities shall generally not be permitted. However, in cases where there is no alternative location, encroachment into the *vegetation protection zones* may be permitted if it can be demonstrated, through an Environmental Impact Statement, that there shall be no *negative impacts* on the *ecological features* and functions of the adjacent natural feature. No encroachment shall be permitted within 30 metres of a Provincially Significant Wetland, with the exception of minor grading, that may be necessary for adjacent storm water management pond out falls.



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- d) Notwithstanding Policies B.4.3.7.2 b) and c), within lands subject to *Ontario Regulation 162/06*, as may be amended, a permit is required from Conservation Halton for *development* and *site alteration*.
- e) Design and construction activities related to the extension of utilities under the Natural Open Space - Grindstone Creek Natural Area shall be evaluated by a geotechnical engineer in collaboration with a karst specialist.

4.3.7.3 Natural Open Space - Natural Area Designation

In addition to the applicable policies of C.2.0 - Natural Heritage System of Volume 1, but notwithstanding the policies of C.3.3 - Open Space Designations of Volume 1, the following policies shall apply to the lands designated Natural Open Space - Natural Area on Map B.4.3-1 - Waterdown South - Land Use Plan:

- a) The Natural Open Space - Natural Area includes escarpment features and associated stream valleys, wetlands, and forests, which are relatively undisturbed. This area contains important plant and animal habitats, and geological features, as well as cultural heritage features, and is the most significant natural and scenic area of the Niagara Escarpment. The policies aim to maintain these natural areas and protect them from the impacts of adjacent *development*.
- b) The Niagara Escarpment Plan sets out the following objectives for this designation:
 - i. To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated cultural heritage features;
 - ii. To encourage compatible recreation, conservation and educational activities; and,
 - iii. To maintain and enhance the landscape quality of Escarpment features.
- c) The Natural Open Space - Natural Area is intended to represent the most significant ANSI (Life Science), the most significant stream valleys and wetlands associated with the Escarpment, and forested lands 300 metres from the brow of the Escarpment slope. As such, The Natural Open Space - Natural Area designation shall consist of:
 - i) Escarpment slopes and related landforms associated with the underlying bedrock, which are in a relatively natural state;
 - ii) the Waterdown Escarpment Woods ESA;



- iii) the Provincially Significant Falcon Creek Wetland Complex;
 - iv) the significant valley corridors and associated riparian areas of Falcon Creek as identified in the South Waterdown Subwatershed Study;
 - v) the Floodplain of Falcon Creek; and,
 - vi) habitat of threatened and endangered species.
- d) Notwithstanding Policy C.2.5.1 of Volume 1, development within the Escarpment Natural Area shall be prohibited with the exception of the following limited uses:
- i. Existing agricultural operations and other existing uses;
 - ii. Non-intensive recreation uses such as nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles;
 - iii. Forest, wildlife and fisheries management;
 - iv. Archaeological activities;
 - v. Essential transportation and utility facilities where an EIS or Environmental Assessment demonstrates no significant negative impacts on the natural features or the ecological functions for which the area was identified;
 - vi. Uses permitted in Park or Open Space Master/Management Plans, which are not in conflict with the Niagara Escarpment Plan;
 - vii. Essential watershed management and flood and erosion control projects carried out or supervised by a public authority including site alteration to accommodate stormwater management pond outfall;
 - viii. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users; and
 - ix. Nature preserves owned and managed by an approved conservation organization.
- e) Storm water management facilities shall generally not be permitted; however, in cases where there is no alternative location, encroachment into *vegetation protection zones* may be permitted if it can be demonstrated, through an Environmental Impact Statement, that there shall be no *negative impacts* on the ecological features and functions of the adjacent natural feature. No encroachment shall be permitted within 30 metres of a Provincially Significant Wetland, with the exception of minor grading that may be necessary for adjacent storm water management pond out falls.



- f) Notwithstanding Policies B.4.3.7.3 d) and e), on lands subject to *Ontario Regulation 162/06*, as may be amended, a permit is required from Conservation Halton for *development and site alteration*.
- g) The Regional floodlines for the Falcon Creek system shall be verified through additional study at the subdivision planning stage.

4.3.7.4 Natural Open Space - Protection Area Designation

In addition to the applicable policies of C.2.0 - Natural Heritage System of Volume 1, but notwithstanding the policies of C.3.3 - Open Space Designations of Volume 1, the following policies shall apply to the lands designated Natural Open Space - Protection Area on Map B.4.3-1 - Waterdown South - Land Use Plan:

- a) Natural Open Space - Protection Areas are important because of their visual prominence and their environmental significance. They are often more visually prominent than Natural Open Space - Natural Areas. Included in this designation are Escarpment features that have been significantly modified by land use activities such as agriculture or residential development, land needed to buffer prominent Natural Open Space - Natural Areas, and natural areas of regional significance. The policy aims to maintain the remaining natural features and the open, rural landscape character of the Escarpment and lands in its vicinity.
- b) The *Niagara Escarpment Plan* sets out the following objectives for this designation:
 - i. To maintain and enhance the open landscape character of Escarpment features;
 - ii. To provide a buffer to prominent Escarpment features;
 - iii. To maintain natural areas of regional significance and cultural heritage features; and,
 - iv. To encourage agriculture, forestry and recreation features.
- c) The Natural Open Space - Protection Area designation shall consist of:
 - i) Escarpment slopes and related landforms where *existing* land uses have significantly altered the natural environment (e.g. agricultural lands or residential development);
 - ii) Areas in close proximity to Escarpment slopes, which are visually part of the landscape unit; and,



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- iii) Regionally Significant Areas of Natural and Scientific Interest (Life Science) or areas designated as environmentally significant by the City.

- d) Notwithstanding Policy C.2.5.1 of Volume 1, development within the Escarpment Protection Area shall be prohibited with the exception of the following uses:
 - i. Existing agricultural operations and other existing uses;
 - ii. Recreational uses oriented towards the land which require minimal modification of the existing natural, topographic and landscape features and which do not require the building of major structures;
 - iii. Forest, wildlife and fisheries management;
 - iv. Archaeological activities;
 - v. Transportation and utility facilities;
 - vi. Uses permitted in Park or Open Space Master/Management Plans, which are not in conflict with the Niagara Escarpment Plan;
 - vii. Watershed management and flood and erosion control projects carried out or supervised by a public authority including a stormwater management pond outfall;
 - viii. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users;
 - ix. Nature preserves owned and managed by an approved conservation organization.

- e) Storm water management facilities shall generally not be permitted. However, in cases where there is no alternative location, encroachment into *vegetation protection zones* may be permitted if it can be demonstrated, through an Environmental Impact Statement, that there shall be no *negative impacts* on the ecological features and functions of the adjacent natural feature. A permit shall be required from Conservation Halton for *development and site alteration*. No encroachment shall be permitted within 30 metres of a Provincially Significant Wetland, with the exception of minor grading that may be necessary.

4.3.7.5 Vegetation Protection Zones

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The specific natural heritage features within the Natural Heritage System, as defined in Policy 4.3.7.1 and based on the South Waterdown Subwatershed Study, shall, notwithstanding Policy C.2.5.9 of Volume 1, be retained and protected from adjacent *development* by appropriate *vegetation protection zones* in accordance with the following policies :

- a) The width of *vegetation protection zones* should be based on the ecological sensitivity of the feature, and the type and nature of proposed adjacent uses, and shall be, as a minimum:
 - i) 15 metres measured from the dripline of woodlands or from the boundary of the Waterdown Woods ESA and the Area of Natural and Scientific Interest (ANSI) and Wetland 5;
 - ii) 15 metres adjacent to the greatest hazard associated with Grindstone Creek (i.e. flood plain, meander belt or stable top of bank);
 - iii) 15 metres adjacent to the greatest hazard associated with Falcon and Hager Creeks (i.e. flood plain, meander belt or stable top of bank);
 - iv) 30 metres from the boundary of all provincially *significant wetlands* (PSW).
- b) No grading shall be permitted within 30 metres of all units of the Falcon Creek Wetland Complex and within the *vegetation protection zones* described in Policy 4.3.7.5 a) subsections i), ii) and iii, with the exception of minor grading that may be necessary for adjacent stormwater management pond outfalls.
- c) Where identified and surveyed, these *vegetation protection zones* are incorporated within the Open Space Designations depicted on Map B.4.3-1 or Map B.4.3-2 and shall be subject to the policies and permitted uses for the Natural Heritage System.
- d) Where previously not identified and surveyed, a scoped Environmental Impact Statement shall confirm the boundaries of natural features, and the appropriate *vegetation protection zone(s)* in accordance with subsection (a) above, to the satisfaction of the City in consultation with Conservation Halton, and once established, they shall be subject to the policies and permitted uses for the Natural Heritage System.
- e) Grading, lot lines, and impervious surfaces shall not be permitted within the *vegetation protection zone*.



- f) Storm water management facilities shall generally not be permitted within the *vegetation protection zone*, except for required storm water management pond outfalls. However, in cases where there is no alternative location, encroachment of storm water management facilities into *vegetation protection zones* may be permitted if it can be demonstrated, through an Environmental Impact Statement; that there shall be no *negative impacts* on the ecological features and functions of the adjacent natural feature.
- g) *Vegetation protection zones* shall remain in or be returned to a naturally vegetated state.
- h) Lands subject to *Ontario Regulation 162/06*, as may be amended, require a permit from Conservation Halton for development and site alteration.

4.3.8 Natural Hazard Features

4.3.8.1 Hazard Lands - Karst Area

Hazard Lands - Karst Area are identified on Map B.4.3-2 – Waterdown South – Natural Heritage System and Natural Hazard Features. These lands contain known surface and subsurface karst features. The area is considered to have a moderate potential for risk to public safety and property damage as a result of bedrock instability and soil subsidence. As well, the karst features conduct subsurface flows to springs in the Grindstone Valley ESA. These springs provide important baseflow to downstream coldwater fisheries and potentially contribute groundwater to downstream residents that are on well-based systems.

4.3.8.2 In addition to Section B.3.6.5 of Volume 1, the following policies shall apply to the lands identified as Hazard Lands - Karst Area on Map B.4.3-2:

- a) Notwithstanding Policy B.3.6.5.7 of Volume 1, due to the safety and environmental concerns noted in Section 4.3.8.1, *development* shall not be permitted within the Hazard Lands - Karst Area with the possible exception of water and wastewater services, and utilities. Such infrastructure shall be subject to detailed geological, hydrogeological, and geotechnical analyses, as outlined in the Stage 3 report of the South Waterdown Subwatershed Study, to the satisfaction of the City in consultation with Conservation Halton, which demonstrates that karst hazards can be appropriately mitigated and there shall be no *negative impacts* on downstream springs and stream flows.



- b) Where infrastructure is contemplated, subject to Policy B.4.3.8.2 a), it shall be designed and constructed in accordance with a geotechnical engineer's recommendations, in consultation with a karst specialist, at the detailed design stage, having regard for appropriate standards and protocols for building in karst so as to mitigate potential impacts on the underground infrastructure.
- c) Notwithstanding Policies B.4.3.8.2 a) and b), safety and environmental risks are low along the south edge of the Hazard Lands - Karst Area. Some limited *development* related to storm water management facility infrastructure, such as environmental setbacks, an access road, and a sediment drying area are considered to be acceptable activities within that portion of the Hazard Lands - Karst Area, provided any excavations are shallow and generally do not extend into the bedrock.
- d) Any newly identified karst hazardous areas not currently shown as Hazard Lands - Karst Area on Map B.4.3-2, shall comply with the policies of this Plan, including Policies B.4.3.8.2 a), b), c), and d).
- e) Development within karst areas requires a permit from Conservation Halton pursuant to Ontario Regulation 162/06, as may be amended.

4.3.8.3 Karst Constraint Areas

The following policies shall apply to Karst Constraint Areas identified on Map B.4.3-2 - Waterdown South - Natural Heritage System and Natural Hazard Features:

- a) *Development and site alteration* may be permitted in the Karst Constraint Areas identified on Map B.4.3-2 where:
 - i) The effects and risk to public safety are sufficiently minor as to be managed or mitigated;
 - ii) A risk assessment is undertaken;
 - iii) New karst hazards are not created and existing karst hazards are not aggravated;
 - iv) The quality and quantity of surface water draining from the Secondary Plan area in the post-development condition does not significantly impact downstream karst processes or features;
 - v) No *negative impacts* on the karst features and functions shall result; and,
 - vi) If karst features are encountered during subsurface excavation work, karst mitigation measures shall be undertaken, in accordance to the Karst Implementation Plan in Stage 3 of the South Waterdown Subwatershed Study.



- b) *Development* or site alteration within Karst Constraint Areas requires a permit from Conservation Halton pursuant to Ontario Regulation 162/06, as may be amended.
- c) The following policies shall also apply to lands identified as Karst Constraint Area 'B' on Map B.4.3-2:
 - i) A site-specific investigation of groundwater management concerns and karst remediation requirements shall be required where the installation of servicing infrastructure involves excavation into bedrock and karst conditions are encountered;
 - ii) The use of grouting techniques shall be minimized to limit potential impacts to spring flow or baseflow;
 - iii) For the construction of basements in Karsts Constraint Area 'B', excavation into the bedrock should be minimized where possible. If building base grades extend down to the top of the bedrock, or into bedrock, and karst features are encountered, the features should be remediated as a function of the specific construction-related activity.
 - iv) Facility design and construction activities should be evaluated by a geotechnical engineer in collaboration with a karst specialist at the detailed design stage.
- d) The following policies shall also apply to lands identified as Karst Constraint Area 'C' on Map B.4.3-2:
 - i) A geotechnical study shall be undertaken determine the load bearing capacity of the bedrock at the proposed Burke Street crossing of the Natural Open Space - Grindstone Creek Natural Area.
 - ii) The design of the proposed crossing structure should minimize the footprint of the footings required for it to be safely constructed and operated. This design shall minimize potential interference with surface water flow and groundwater flow into the bedrock below the stream-bed and the adjacent area.
- e) Within Karst Constraint Area 'D', as identified on Map B.4.3-2, the existing outcrop should be retained as a landscape feature, where feasible. If removal is necessary, then the outcrop shall be covered with fill during site grading.
- f) The following policies shall also apply to lands identified as Karst Constraint Area 'E' and Karst Constraint Area 'F' on Map B.4.3-2:

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- i) Where *development* is contemplated, an additional study is required at the time of plan of subdivision;
- ii) This additional study shall involve a subsurface investigation to determine specific design, construction, and operating concerns that could result from the karst;
- iii) This study would include an assessment of construction options for a storm water management facility;
- iv) Components of this study would include:
 - i. additional karst feature mapping;
 - ii. observations of surface hydrology and spring monitoring;
 - iii. an evaluation of overburden type and thickness;
 - iv. limited bedrock coring and associated downhole testing; and,
 - v. Excavation of exploration trenches down to the bedrock surface.

The required study shall satisfy the requirements of Stages 4 and 5 of the Checklist for Development in Karst Terrain of the South Waterdown Subwatershed Stage 2 Report.

4.3.9 Utility Designation

4.3.9.1 In addition to the policies of Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to lands designated Utility on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Notwithstanding policy C.3.4.2 of Volume 1, the following uses shall be permitted:
 - i) pipelines, including petroleum pipelines;
 - ii) hydroelectric transmission facilities;
 - iii) municipal water towers, and wastewater and storm water management facilities; and,
 - iv) secondary uses that are complementary to the utility functions of these lands, such as recreational uses, trails, and community gardens, subject to consultation with the applicable utility agency.
- b) A major hydro-electric utility corridor traverses the Waterdown South Secondary Plan area, and a petroleum pipeline corridor exists along the west side of Kerns Road as shown on Map B.4.3-1. The City shall work in consultation with Hydro One and Enbridge Pipelines Inc., or their successor companies to establish pedestrian/bicycle path/trail linkages along these corridors.
- c) Improvements to create trail linkages within the hydro-electric utility corridor that traverses the Secondary Plan area shall be subject to the approval of Hydro One or its successor company.



- d) Proposed crossings of the petroleum pipeline corridor along the west side of Kerns Road by roads, pedestrian/bicycle paths, services, and utilities shall be subject to the approval of Enbridge Pipelines Inc. or its successor company.
- e) Grading and drainage of lands within and/or adjacent to the hydro-electric utility corridor shall be designed to ensure there are no *adverse impacts* on these lands and shall have regard for comments from Hydro One or its successor company.
- f) Storm water management facilities, water towers, sewage pumping stations, and utility uses not currently designated shall comply with Section B.4.3.13 – Infrastructure.

4.3.10 Urban Design Policies

The Waterdown South Secondary Plan Urban Design Guidelines have been prepared to implement the design intentions of the Waterdown South Secondary Plan and the Policies of Section B.3.3 of Volume 1. The guidelines shall further the vision and concept plan for the Waterdown South community and identify means of achieving the concept through the planning process.

The following policies set out the matters the Waterdown South Secondary Plan Urban Design Guidelines shall address as well as the key urban design elements.

General Urban Design Policies

4.3.10.1 Streetscapes

The following policies provide direction on key streetscape design elements:

- a) *Development* shall foster streets as interactive outdoor space for pedestrians.
- b) A small village square should be incorporated into each Local Commercial designated area and a larger urban square incorporated in the District Commercial designation.
- c) The implementing Zoning By-law shall contain provisions restricting the extent of garage protrusions.
- d) Reverse frontage lotting patterns shall be discouraged and may only be permitted under certain circumstances where the owner satisfies the

City that no other alternative development form or street patterns are feasible. Access via laneways, service roads, parallel lanes and window streets shall be encouraged as alternatives to reverse frontage or noise walls.

- e) Consideration shall be given to the location of telecommunications and utility equipment within the public right of way as well as on private property. The City encourages innovative methods of containing utility equipment on, or within streetscape features such as gateways, lamp posts, transit shelters, etc. Telecommunication utility equipment shall be clustered or grouped wherever possible to minimize visual impact.
- f) The streetscape appearance of arterial and collector roads shall be enhanced by requiring flankage lots to present their main building façades or a second front façade to these roads and to enhance their façade treatment to avoid the appearance of blank building walls and service entrances.
- g) Where higher density housing forms are planned along collector roads, vehicular access via a rear lane shall be encouraged.
- h) On-street parking shall be provided within the District Commercial and Local Commercial designations where adjacent commercial or live-work uses are developed.
- i) Collector roads should be designed with dwellings and buildings facing onto the street with direct access from the street. Frequent block spacing and intersecting roads shall be accommodated along collector roads.
- j) Local roads should be developed as a system of interconnected streets and relatively short blocks to promote pedestrian activity within neighbourhoods. To promote walking, these streets should be developed in the form of a modified grid pattern responding to the collector-street network and open-space lands.
- k) Dundas Street, west of Grindstone Creek shall have a strong built edge, wide sidewalks and tree planting with native species, which shall lend it a more urban, developed character that reflects its significance as the community main street of Waterdown.
- l) Dundas Street, east of Grindstone Creek shall reflect a more rural setting in respect of the Rural designation north of Dundas Street. The tributary of Grindstone Creek, on the south side of Dundas Street in this area, can



be used as a greenspace buffer to the development areas south of Dundas Street.

- m) Streetscape design should utilize traffic calming measures to promote pedestrian safety.
- n) All intersections should be designed to support safe pedestrian crossing. Major intersections should support pedestrian crossings, by providing safe crossing points, and connection to public walkways. Boulevard tree planting should be closely spaced in the vicinity of such intersections.
- o) Minor intersections should continue to feature landscape treatment through street tree selection with an increased density of boulevard tree planting.
- p) As part of a complete application, land owners shall be required to submit an Urban Design Report demonstrating how development applications meet the intent of the policies contained in this Secondary Plan and the Urban Design Guidelines.

4.3.10.2 Gateways

Gateways are nodal locations located at entry points into the area, and coincide with major intersections. In addition to Section B.3.3.4 – Gateways of Volume 1, the following policies shall apply to Gateways in the Waterdown South community:

- a) The Waterdown South Secondary Plan Urban Design Guidelines shall address streetscape, landscape and built form at the following gateways:
 - i) Dundas Street and Kerns Rd;
 - ii) Dundas Street and Collector Road A;
 - iii) Dundas Street and Burke Street; and,
 - iv) Burke Street and Collector Road C.
- b) Urban Design Reports as submitted as part of a plan of subdivision application shall address streetscape, landscape, and built form elements within these gateways.
- c) A landscape plan identifying the specific design elements of the gateway features shall be prepared to the satisfaction of the City as a condition of draft plan of subdivision approval.

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- d) Along Mountain Brow Road, storm water management facilities may provide the opportunity for landscaped gateways into the community.

4.3.10.3 Mixed Use – Medium Density Designated Areas

- a) The Waterdown South Secondary Plan Urban Design Guidelines shall provide direction on how to achieve an intensified urban environment with a strong pedestrian orientation along Dundas Street.
- b) The ultimate development of the Mixed Use – Medium Density area should create a 'retail main street' along Collector Road A and a built form presence along Dundas Street.
- c) Although it is not the intent to have Dundas Street serve as a 'retail main street' in this location some buildings should be oriented to and face directly onto Dundas Street to achieve a built form presence.
- d) Building envelope provisions and the creation of a build-to zone through setback provisions and block frontages should be addressed in the urban design guidelines and set out in the implementing zoning by-law. The urban design guidelines, however, shall also provide guidance for interim uses and provisions that should encourage and facilitate intensification over time.
- e) The Waterdown South Secondary Plan Urban Design Guidelines shall provide guidance on the development of the 'Retail Main Street' area within the Mixed Use-Medium Density designation including that:
 - i) The orientation of the stores along the 'retail main street' area should create a strong pedestrian retail connection.
 - ii) The principal public entrance should provide direct access onto the public sidewalk along the "Retail Main Street" area.
 - iii) The primary windows and signage should face the street.
 - iv) Buildings facing the street should be encouraged to have awnings, canopies, arcades or front porches to provide weather protection.
 - v) Buildings should have a consistent setback.
 - vi) Parking lots abutting the street should be screened with low walls, or landscape materials to provide a sense of enclosure along the setback line.

4.3.10.4 District Commercial Designated Areas

- a) The Waterdown South Secondary Plan Urban design guidelines shall provide guidance on how stores shall address the street so that long



blank walls adjacent to streets are avoided through multiple buildings and/or other design elements such as portions of frontages animated with windows or other design elements which achieve the same result. The building design, orientation and massing should be sensitive of the character and massing of the adjacent residential built form.

- b) Buildings should have a consistent setback and parking lots abutting the street should be screened with low walls or landscape materials to provide a sense of enclosure along the setback line.

4.3.10.5. Local Commercial

- a. Local Commercial designated areas should be designed as small scale pedestrian-oriented areas. In addition to accommodating medium density housing forms, these node areas may be characterized by small pedestrian-oriented shopping areas that provide the opportunity for grade-related commercial uses with the potential for residential uses on upper storeys.

4.3.10.6 Special Character Roads

In addition to Section C.4.5.3 of Volume 1, with the exception of C.4.5.3.2, the following policies shall apply to Kerns Road and the portion of Mountain Brow Road between Burke Street and the major hydro-electric utility shown as Special Character Roads on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) These roads and the lands adjacent to them provide a unique and attractive environment due to their:
 - i) location adjacent to the Niagara Escarpment Plan Area;
 - ii) ability to provide transition between the natural area of the Niagara Escarpment and the urban area of Waterdown South; and,
 - ii) rural cross-section.

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- b) Notwithstanding Policy C.4.5.3.3 of Volume 1, it is an objective of this Plan that the existing rural road cross-section including existing mature vegetation fronting the street be maintained where feasible. It is recognised that it may not be possible to implement this objective based on current City road design, grading, storm water management and servicing standards and as such unique approaches to grading, road design, storm water management, site servicing and to the preservation of trees along the road may be required if Special Character Road design is to be achieved. Provided a balance can be achieved between design and engineering objectives:



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- (i) Development adjacent to the Special Character Roads shall be sensitive to the protection or enhancement of views towards the Niagara Escarpment.
- (ii) The character of this section of Mountain Brow Road, and of Kerns Road shall be protected by minimizing changes to the existing road right-of-way and ensuring that development is compatible with, and sympathetic in design to the character of the existing streetscape.
- (iii) Direct access for new uses shall be permitted, although there may be some restrictions in specific locations related to specific forms of development or the use of alternative designs.
- (iv) Existing viewsheds along Mountain Brow Road and Kerns Road shall be maintained and enhanced through landscape measures so that the new built form does not dominate the viewsheds as one travels along these roads.
- (v) Where Kerns Road or Mountain Brow road require reconstruction, such works shall be designed and constructed to minimize the impact on the Escarpment environment and to ensure the least possible change occurs in the natural landscape. This shall include road and boulevard design that blends into the surrounding Escarpment landscape, using landscape planting, vegetative screens and vegetation protection zones around the natural heritage features where feasible.

4.3.11 Cultural Heritage Resources

4.3.11.1 The Secondary Plan area contains a number of cultural heritage attributes including archaeological sites, *areas of archaeological potential*, and *built heritage resources*. In addition to Section B.3.4 – Cultural Heritage Resources Policies of Volume 1, the following policies shall apply to the study, protection and/or incorporation of *cultural heritage resources* within the Waterdown South Secondary Plan area:

- a) The retention and conservation of historical buildings, structures or features on their original sites shall be encouraged.
- b) The integration of cultural heritage resources into new *development* proposals in their original use or an appropriate *adaptive reuse* shall be promoted.



- c) Potential *adaptive reuse* strategies for *built heritage resources* shall be required to be addressed in the *cultural heritage impact assessment*. Notwithstanding the permitted uses within the designation in which these heritage buildings may be located, a broad range of residential, commercial, and institutional uses shall be permitted subject to the findings of the *cultural heritage impact assessment* report and provided they are appropriate and compatible.

4.3.11.2 Notwithstanding Policy B.3.4.2.12 of Volume 1, prior to approval of draft plans of subdivision, a detailed cultural heritage impact assessment may be undertaken if deemed necessary through formal consultation with the applicant to identify and analyze potential heritage buildings and structures of architectural interest. The cultural heritage impact assessment shall be undertaken by a qualified professional with demonstrated expertise in cultural heritage assessment, mitigation and management according to the requirements of the City's Cultural Heritage Impact Assessment Guidelines. The cultural heritage impact assessment shall contain the following:

- i. Identification and evaluation of all potentially affected cultural heritage resource(s), including detailed site(s) history and a cultural heritage resource inventory containing textual and graphic documentation;
- ii. a description of the proposed development or site alteration and alternative forms of the development or site alteration;
- iii. a description of all cultural heritage resource(s) to be affected by the development and its alternative forms;
- iv. a description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,
- v. a description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).

4.3.11.3 No cultural heritage landscapes have been identified within the Waterdown South Secondary Plan area as set out in "Hamilton's Heritage, Volume 2". As such, the policy requirements in Section B3.4 regarding cultural heritage landscapes shall not apply to lands within the Waterdown South Secondary Plan area.

4.3.12 Transportation Policies

The City shall provide a safe and efficient transportation network which includes bicycle lanes, sidewalks, off-street walking trails and an arterial, collector, and local road network for the Waterdown South Planning Area, in accordance with Map 4.3-1 – Waterdown South Secondary, Section C.4.0 – Transportation Policies of Volume 1, and the following policies:

4.3.12.1 General Policies

The following policies shall apply to the transportation network throughout the Secondary Plan area:

- a) All new roads within the Planning Area shall be designed and constructed in accordance with the Standard Drawings for Urban Roads contained with the adopted standards of the City. The City may consider alternative development standards where, in the opinion of the City, they are appropriate and do not compromise public safety or the efficiency of the transportation network or the ability to locate the required services.
- b) As a condition of *development* or *redevelopment* approval, all lands required for new internal public roads, road widenings for existing public roads in accordance with Section B.4.3.10.6, traffic calming measures, roundabouts and/or daylighting triangles shall be dedicated free of charge and free of all encumbrances to the satisfaction of the City, except where the City's development charge policy provides otherwise.
- c) The applicable portion of growth-related costs related to the design and construction of all new public roads and the appropriate upgrading of the adjacent existing public roads required as a result of development within the Waterdown South Planning Area shall be paid for by development.
- d) In areas outlined in Section B.4.3.3.3 m), access to development serviced by laneways may be appropriate and encouraged to contribute to an improved streetscape and urban character, and to enhance road safety.
- e) On-street parking shall be discouraged on arterial roads where the main function of the roadway is to provide capacity for longer-distance trips. On-street parking on collector and local roads shall be permitted.
- f) It is a policy of the City to consider roundabouts where a study confirms they are feasible, appropriate, and advantageous in terms of traffic

flow, traffic safety, community design, or environmental considerations. The Waterdown South Secondary Plan Area Transportation Study recommended roundabouts along Burke Street at Collector Road 'C' and Skinner Road. It also found that either stop controls or roundabouts are appropriate options for the intersections of, Collector Road 'A'/Skinner Road, and Skinner Boulevard/Collector Road 'B'.

- g) To facilitate the potential for signalization, the proposed intersections on Dundas Street have been located opposite existing and proposed roadways on the north side of Dundas Street to provide improved north-south connectivity and minimize the number of intersections on Dundas Street except as set out in Policy B.4.3.12.3 c).
- h) Collector Road 'A' and the crossing of Grindstone Creek shall be designed to minimize the traffic infiltration through the central portion of the secondary plan area and shall terminate at Skinner Road. The traffic study submitted in support of the draft plan of subdivision shall detail how the design minimizes traffic infiltration while taking into account the *Waterdown South Secondary Plan Area Transportation Study* and any necessary updates to traffic volumes.
- i) To minimize traffic infiltration through the residential neighbourhoods in Burlington to the south, Kerns Road and Collector Road 'B' shall form a continuous connection to Dundas Street with traffic calming measures where appropriate.
- j) Any reconstruction of Mountain Brow Road and Kerns Road shall have regard for Policies B.4.3.10.6 and B.4.3.12.2 b) viii).

4.3.12.2 Streetscape

Streetscape is a key element of a successful public realm. Roads are the principal interface between built form and the public realm and as such play a dominant role in determining the character of any given neighbourhood. The elements that shape the streetscape include adjacent architectural design, the relationship of buildings to the street, yards and boulevards, roads, sidewalks, lighting, planting of trees, fences, and utilities.

The following Streetscape policies are intended to guide the planning and design of public roadways including the spaces extending across the road:

- a) Where roads within the Planning Area abut the Niagara Escarpment Natural Area and Protection Area, the planning and design of public

roadways shall be located and designed to minimize the impact on the Escarpment environment and to ensure the least possible change occurs in the natural landscape. This shall include road and boulevard design that blends into the surrounding Escarpment landscape, using landscape planting, vegetative screens and *vegetation protection zones* around the natural heritage features where feasible.

- b) If required by the City, an Urban Design Report for the public realm shall be prepared by the landowners and shall reference the streetscape principles and objectives in Section B.4.3.2 of this Plan, the Waterdown South Urban Design Guidelines, the City of Hamilton Urban Design Guidelines, and the Council endorsed International Charter for Walking. Any Urban Design Report for the public realm shall address the following:
- i) The design and treatment of road types (i.e. sidewalks and crosswalks, landscaping/boulevard plantings including use of native species, intersection treatments, on-street parking, signage, street lighting and utility wires, etc.) with differing requirements for residential versus commercial and mixed-use areas;
 - ii) A continuous bicycle trail system and appropriate means to accommodate the system on arterial and collector roads;
 - iii) The location and design of a continuous pedestrian trail system, and public sidewalks and including matters of width, materials and lighting;
 - iv) Requirements for the mobility impaired, such as safety features, standards for the placement of street furniture, sidewalk maintenance and design, including curb cuts so as to provide a continuous barrier free path to transportation services;
 - v) Requirements for boulevard tree planting including spacing and canopy density with differing requirements for residential versus commercial and mixed-use areas;
 - vi) The design of special entry points or gateway features where arterial and collector roads intersect with perimeter arterial roads;
 - vii) The design of intersections including roundabouts where required; and,
 - viii) The *compatibility* of the design of Mountain Brow Road, and Kerns Road and other roads which abut Natural Open Space - Natural Area and Natural Open Space - Protection Area designations, with the visual and natural environment of the Niagara Escarpment, in consultation with the Niagara Escarpment Commission.
- c) The design of all streetscape elements shall be consistent with any Urban Design Report for the public realm so that the roads are cohesive and attractive places for pedestrians and persons travelling through them.

Where the City agrees to initiate alternative development standards at draft plan of subdivision approval, any Urban Design Report for the public realm shall be updated to reflect this standard.

4.3.12.3 Major Arterial Roads

In addition to Policy C.4.5.2 c) of Volume 1, the following policies shall apply to major arterial roads as shown on Map 4.3.1 – Waterdown South Secondary Plan – Land Use Plan:

- a) Notwithstanding Policy C.4.5.2 c) ii) of Volume 1, Burke Street shall have a designated right-of-way width of 30 to 36 metres in accordance with the Waterdown/Aldershot Transportation Master Plan.
- b) Burke Street, as shown on Schedule J is based on the results of the *Waterdown/Aldershot Transportation Master Plan*. The alignment of Burke Street may be moved without amendment to the Secondary Plan, subject to a Class EA process and evaluation.
- c) If the Waterdown/Aldershot Transportation Master Plan confirms that Burke Street is to align with Burke Street to the north, the intersection shall be designed to avoid direct northbound access to Burke Street from Burke Street.
- d) Reverse lot frontage development shall generally not be permitted along arterial roads except as provided for in Policy B.4.3.10.1 d) of this Secondary Plan.

4.3.12.4 Collector Roads

In addition to Policy C.4.5.2 e) of Volume 1, the following policies shall apply to collector roads as shown on Map B-4.3.1 – Waterdown South Secondary Plan – Land Use Plan:

- a) Notwithstanding Policy C.4.5.2 e) ii) of Volume 1, the right-of-way width of collector roads shall be 20 metres, but may be increased up to 26 metres to accommodate bicycle lanes, on-street parking, streetscape features, and bus bays (for future public transit) as identified in any Urban Design Report for the Public Realm.
- b) Bicycle facilities may be included within collector road right-of-ways, where required in accordance with any Urban Design Report for the public realm.
- c) Collector roads through the Planning Area shall contain a maximum of two through lanes and provide for on-street parking on at least one side.

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- d) Collector Road 'B' may be changed to a local road, and the road alignment may be altered without amendment to this Plan, provided that:
 - i) It facilitates the eventual connection between Skinner Road and Kerns Road; and,
 - ii) It is demonstrated through a detailed transportation study submitted in support of a zoning by-law amendment or draft plan of subdivision application to the satisfaction of the City.
- e) Mountain Brow Road shall be downgraded to a local road and a portion of Mountain Brow Road east of the western limit of the storm water management pond shall be closed.
- f) Collector Road 'A' shall have a minimum 60 metre separation centre-line to centre-line from Collector Road 'C' at Skinner Road.

4.3.12.5 Local Roads

A Local Road is an internal local street that is inter-linked to the neighbourhood network. In addition to Policy C.4.5.2 f) of Volume 1, the following policies shall apply to local roads as shown on Map B-4.3.1 - Waterdown South Secondary Plan - Land Use Plan:

- a) Notwithstanding Policy C.4.5.2 f) ii) of Volume 1, the right-of-way width of Local Roads shall be 18 metres, but may increase to accommodate bicycle lanes, on-street parking, traffic calming measures, and streetscape features, as identified in any Urban Design Report for the public realm.
- b) In accordance with Policy B.4.3.12.1 a), alternative development standards and alternative road widths may be considered. The details regarding appropriate right-of-way widths shall be addressed prior to draft plan of subdivision approval.
- c) On-street parking shall be required on at least one side of the road.
- d) A local road connection shall be provided from Collector Road 'A' to Mountain Brow Road/King Road within the Secondary Plan area. The road connection shall be illustrated in the draft plan of subdivision that is adjacent to Mountain Brow Road. The road network shall be designed to create an indirect route to King Road so traffic flow to King Road is not promoted.

4.3.12.6 Active Transportation Network

Sidewalks are places for pedestrian movement, children's play and neighbours' socializing. Sidewalks encourage walking as urban transportation, walking to public transit and walking for pleasure. Sidewalks improve the liveability of a community, enhance safety and are vital for the quality of life of children, older adults, and persons with disabilities.

In addition to Section C.4.3 - Active Transportation Network of Volume 1, the following policies shall apply to the entire Secondary Plan area:

Sidewalks

- a) Any Urban Design Report for the public realm, as required in Section B.4.3.12.2 a), shall identify the location of sidewalks, their widths and design elements within the Waterdown South Secondary Plan Area.
- b) Sidewalks should be provided on both sides of arterial and collector roads, and one side of local roads, or in accordance with a new City of Hamilton sidewalk policy.
- c) The width of public sidewalks shall be sufficient to accommodate required utilities, provide adequate visibility from the street and promote public safety, and shall be determined prior to draft plan approval.

Bicycle Trails

- d) A continuous bicycle trail system shall be identified as part of the Urban Design Report for the Public Realm required by Policy B.4.3.12.2 b).
- e) The bicycle trail system shall include both on-street and off-street routes linking the parks and community facilities. Off-street routes shall use public open space lands including Neighbourhood Parks, school sites, a potential route along the hydro corridor, and a dedicated bicycle lane within the east-west Skinner Boulevard, and potentially other collector roads where feasible. Any off-street bike paths shall be constructed by the developer and dedicated to the City as a public right-of-way.

Pedestrian Trails

- f) Pedestrian trails shall be established, in consultation with the Niagara Escarpment Commission, along the hydro-electric utility corridor that traverses the Secondary Plan area, along the utility corridor at the western edge of the Plan area, along Grindstone Creek, through storm water management facilities, and through natural heritage areas to create a connected network that integrates the Plan area with the surrounding community and the Niagara Escarpment. Any off-street pedestrian trails shall be constructed by the developer and dedicated to the City as a public right-of-way.

- g) Trail locations shall be based on field assessments of habitat sensitivity and consideration of potential linkages to the Bruce Trail.
- h) Opportunities to formalize two existing informal parking areas and access points to the Bruce Trail located in the vicinity of the Waterdown Woods ESA shall be investigated. One opportunity is located where the Bruce Trail crosses Kerns Road; the second is located where the Bruce Trail crosses Mountain Brow Road / King Road.
- i) The establishment of other Bruce Trail access points from the Plan area between the hydro-electric corridor and Kerns Road shall generally be discouraged, in consultation with the Niagara Escarpment Commission and the Bruce Trail Conservancy.

4.3.12.7 Public Transit Network

Good public transit service is an asset to all communities. The ability to support public transit is dependent on the density and arrangement of land uses as well as the design of the streetscape and the relationship of adjacent buildings to the street.

In addition to Section C.4.4 – Public Transit Network of Volume 1, the following policies shall apply to the entire Secondary Plan area:

- a) The City shall ensure the design of the Waterdown South Secondary Plan area, including the location of higher density land uses and streetscape design, provides for the ability to accommodate future public transit within the community. As well, the long term potential for higher order public transit such as express bus service along arterial roads internal and external to the Secondary Plan area should be planned for.
- b) Neighbourhood design should minimize walking distance to future public transit service. Within the Waterdown South Planning Area, 90% of all residential dwellings shall generally be within 400 metres of a potential public transit stop.
- c) The future public transit network shall be integrated into the community design and be a key component of community focal points including commercial areas.

4.3.13 Infrastructure Policies

4.3.13.1 Lake-Based Municipal Water and Wastewater Systems

In addition to Section C.5.3. - Lake-Based Municipal Water and Wastewater Systems of Volume 1, the following policies shall apply to the entire Secondary Plan area:

- a) The provision of municipal sanitary sewers and watermains shall comply with the approved Waterdown Water and Wastewater Class Environmental Assessment, the City's Development Guidelines, and the City-wide Water/Wastewater Master Plan.
- b) Existing residential dwellings on properties not subject to a development application shall be encouraged to connect to municipal water and wastewater services as they are extended.
- c) It is intended the Plan area shall be serviced by a required water tower located in the Plan area, as approximately shown on Map 4.3-1.
- d) A water tower is approximately located within a Neighbourhood Park as shown on Map B.4.3-1. The specific location and size of the lands for this water tower may be changed without amendment to this Plan.
- e) An existing sewage pumping station is situated in the west corner of the Secondary Plan area on City-owned land. The site size may be altered, if it is deemed necessary by the City, without amendment to this Plan.

4.3.13.2 Recharge/Discharge

Where soil conditions permit, proponents of *development* within the Secondary Plan area should investigate means to maintain recharge and base flows. This shall be determined and implemented through the Functional Servicing Plans as set out in Policy B.4.3.14.1 b) on an individual plan of subdivision basis to achieve the storm water management objectives of the South Waterdown Subwatershed Study.

4.3.13.3 Storm Water Management

Storm water management is an important component of urban development. Storm water management facilities shall be used to control storm water flow rates and improve storm water quality. In addition to Section C.5.4 – Storm Water Management Facilities of Volume 1, the following policies shall apply to the entire Secondary Plan area:

Storm Water Management Plans

- a) A Storm Water Management Plan shall be prepared as part of the Functional Servicing Plan, which provides supporting technical analyses for sizing and design of proposed storm water management facilities.
- b) The Storm Water Management Plan shall:
 - i) demonstrate conformity with the recommendations of the South Waterdown Subwatershed Study;

- ii) Identify where deviations are warranted, if any;
 - iii) have regard to current provincial storm water management practices and design guidelines, the requirements and adopted standards of the City, the policies of this Plan, and the requirements of Conservation Halton, and the Province;
 - iv) incorporate a naturalized design with appropriate native trees, shrubs, sedges and wildflowers; and
 - v) accommodate a trail system where possible without compromising public safety.
- c) Storm water management facilities are identified schematically on Map B.4.3-1, but shall be permitted in all land use designations except for the Natural Open Space designations.
- d) Notwithstanding Policy 4.3.13.3 c), storm water pond outfalls may be allowed within the Natural Open Space designation subject to approval of a scoped Environmental Impact Statement by the City in consultation with Conservation Halton. Such storm water pond outfalls shall require a Permit from Conservation Halton pursuant to Ontario Regulation 162/06, as may be amended.
- e) Where possible, storm water management facilities should be located adjacent to other open space areas.
- f) Storm water management facilities may provide for trail connections in accordance with the policies of this Plan.
- g) The specific size and location of storm water management facilities shall be established through a Functional Servicing Plan, consistent with the South Waterdown Subwatershed Study, prior to draft plan of subdivision approval as set out in Policy B.4.3.14.1 b).
- h) The location and size of storm water management facilities on Map B.4.3-1 are approximate and can be changed without amendment to this Plan. Where a storm water management pond is moved or reduced in size, the adjacent or nearest urban land use designation shall apply to the area where the storm water management facility was formerly located on Map B.4.3-1.
- i) Lands required for storm water management facilities, including those shown on Map B.4.3-1 or other locations identified through detailed review of *development* applications, shall be conveyed to the City and shall be subject to repayment for both land and construction costs in accordance with the City's financial policies.

- j) *Development* shall not be permitted which would require storm water drainage excavation or other related work south of Mountain Brow Road.

Detailed Storm Water Management Requirements

- k) The water quality draining into the Grindstone, Falcon and Hager Creeks shall be maintained or improved principally with respect to water temperature mitigation and sediment load through storm water management techniques both during and following construction. Wherever possible and feasible, naturalized storm water management techniques shall be employed.
- l) The water quantity draining into the Grindstone, Falcon and Hager Creeks shall generally maintain the pre-development hydrological regime in accordance with applicable municipal storm water management policies of the City, and the requirements of the *South Waterdown Subwatershed Study*.
- m) Storm water management facilities shall be lined where required to prevent loss of surface flow to Grindstone, Falcon and Hager Creeks, and/or to prevent leakage into the underlying karstic bedrock.
- n) Any storm water management facility proposed within Karst Constraint Area 'C' as identified on Map B.4.3-2, shall be constructed with minimal risk of aggravating existing karst features or potentially creating new hazards.
- o) In the preparation of the Functional Servicing Plans, management of peak flows from the Waterdown South Secondary Plan Area, shall be addressed consistent with the *South Waterdown Subwatershed Study* to avoid potential off-site flooding problems over the Niagara Escarpment brow, farther downstream and at Escarpment springs.
- p) An erosion and sediment control plan shall be submitted when detailed engineering is undertaken, prior to site alteration and/or prior to registration of plans of subdivision, whichever comes first, which addresses how sedimentation shall be controlled during construction stages.
- q) The City may consider the establishment of interim storm water management facilities on a temporary basis within the Waterdown South Secondary Plan Area, notwithstanding the underlying land use

designation for the lands, except for areas within the Natural Open Space designations as shown on Map B.4.3-1. The interim storm water management facility shall not preclude or prejudice future *development* on the basis of the land use designations shown on Map B.4.3-1. All temporary facilities shall be stabilized with vegetative cover.

- r) Infiltration of runoff may assist in the control of erosion, maintenance of baseflows, and reduce inflows to storm sewers and overland flow paths. However, the low permeability of the soils (Halton Till) within the Secondary Plan area presents a constraint to the implementation of widespread infiltration measures. Furthermore, the occurrence of epikarst where overburden is shallow could potentially aggravate karst features leading to the development of karst-related hazards. As such, measures to promote infiltration and their feasibility shall be investigated as a condition of draft plan of subdivision for the following areas, as recommended by the South Waterdown Subwatershed Study:
 - i) The area south of the hydro-electric utility corridor, and south of Skinner Boulevard;
 - ii) Within the Grindstone Creek Tributary 1 catchment area on the south side of the creek;
 - iii) Lands draining to Grindstone Creek Tributary 3 and Falcon Creek through infiltration of roof runoff and backlot drainage; and,
 - iv) Areas adjacent to Core Areas, where karst is present, as identified on Map B.4.3-2 through infiltration of roof runoff.
- s) Areas where karst is present often have overburden that is less than two metres thick where infiltration into underlying karst features may already be established through soil pipes and desiccation fractures in the overburden. Development of infiltration measures must assess the potential to aggravate existing karst features. In such areas, widespread or diffused infiltration measures may be more acceptable than concentrated infiltration.
- ~~t) The development area located adjacent to Dundas Street, between the Grindstone Creek Natural Area and Skinner Boulevard shall drain to the relocated Branch 3 of the Grindstone Creek Tributary 1 as shown on Map B.4.3-2. This area shall be serviced by privately owned and operated on-site storm water management facilities. These facilities shall control water quality, quantity and erosion of post-development runoff to pre-development levels. The on-site storm water management facilities shall be designed to meet the standards and criteria set out in the Ministry of Environment Storm water Management Planning Design Manual.~~

- u) The ultimate configuration and design of the relocated Branch 3 of the Grindstone Creek Tributary 1, as illustrated on Map B.4.3-2 shall be based on Conservation Halton requirements. The relocated branch shall be fully contained within public lands and shall be maintained by the City. Branch 3 of Grindstone Creek Tributary 1 is anticipated to be realigned across the frontage of the District Commercial block. Private access shall be permitted across the realigned Branch 3 to the District Commercial designated area with the specific locations to be determined at Site Plan Approval stage.

4.3.13.4 Utilities

- a) Public and private utilities shall be permitted in all land use designations subject to the policies of this Plan including those for the Natural Heritage System designations as set out in Section B.4.3.7, and the Natural Hazard Lands as set out in Section B.4.3.8, where specific policies of this Plan provide further direction.
- b) Wiring for electrical power distribution, telecommunication, cable television and any similar systems shall be coordinated, planned and installed in common trenches, wherever feasible, within public road allowances or within appropriate easements to avoid unnecessary over digging and disruption of municipal rights-of-way.
- c) Large utility infrastructure shall be located and designed to minimize visual impact and ensure *compatibility* with surrounding land uses, where practical.
- d) The City shall ensure that the adequate utilities and/or communication/telecommunications facilities are, or shall be, established to serve the anticipated development and that these facilities can be phased in a manner that is cost-effective, fiscally feasible, and efficient.
- e) New and expanded utility facilities shall be designed and located to minimize impact on the Niagara Escarpment and shall be consistent with the objectives of the Niagara Escarpment Plan.

4.3.14 Implementation

In addition to Chapter F – Implementation of Volume 1, the following policies shall apply to the entire Secondary Plan area:

4.3.14.1 Study Requirements

The following studies may be required to be submitted or at the time of application for any plan of subdivision, official plan amendment, or zoning

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by-law amendment, in accordance with Section F.1.19 – Complete Application Requirements and Formal Consultation, and the relevant section of Section F.3.0 – Other Implementation Tools of Volume 1:

- a) Environmental Impact Statement (EIS) in accordance with the City of Hamilton and Conservation Halton EIS guidelines and any additional requirements as outlined in the Subwatershed Study. This EIS requirement may be scoped subject to the approval of the City and Conservation Authority;
- b) Functional Servicing Plan which addresses:
 - i) Servicing design requirements;
 - ii) Internal and external sanitary and storm drainage areas;
 - iii) A water demand and sanitary sewage generation study in support of preliminary sizing of water and wastewater infrastructure;
 - iv) Layout of roads and other components of the transportation system including trails;
 - v) Preliminary sizing, design and location of storm water management facilities;
 - vi) Preparation of a Storm Water Management Plan in conformity with the recommendations of the South Waterdown Subwatershed Study and Section B.4.3.13.3;
 - vii) General conformity with the recommendations of the Waterdown Water and Wastewater Class Environmental Assessment;
 - viii) Incorporation of mitigation measures recommended in the Environmental Impact Statement and Karst Geological / Hydrogeological / Geotechnical studies;
 - ix) Preliminary grading requirements; and,
 - x) Any additional requirements as outlined in the South Waterdown Subwatershed Study.
- c) Detailed Concept Plan for any application within the Mixed Use – Medium Density designation;
- d) Geological, hydrogeological and geotechnical studies of karst features in areas identified in Map 4.3-2, and the South Waterdown Subwatershed Study – Stage 2 Report as potentially containing karst features, or for those areas where karst is discovered through subsequent studies;
- e) Transportation analysis of intersection requirements and timing of external road improvements while comprehensively taking into account the Waterdown South Secondary Plan Area Transportation

Study and any necessary updates to traffic volumes to reflect any revisions in land uses;

- f) *Cultural Heritage Impact Assessment*;
 - g) Archaeological Assessment;
 - h) Visual Impact Assessment, where required, to the satisfaction of the City, in consultation with the Niagara Escarpment Commission which:
 - i) Establishes the maximum building height, minimum building setbacks, and building material so that no component of the building mass is visible above the skyline of the Niagara Escarpment from below the Escarpment brow (edge);
 - ii) Establishes an appropriate buffer between the Natural Open Space- Natural Area and Natural Open Space -Protection Area and adjacent roads and built form to protect the visual and landscape character of the Escarpment; and,
 - iii) Assesses the visual impact of municipal infrastructure such as water towers and pumping stations on the skyline of the Niagara Escarpment;
 - i) Confirmation of the Falcon Creek Regional floodlines to the satisfaction of the City and Conservation Halton;
 - j) Urban Design Report for the public realm that includes text, plans, details, and/or elevations, as necessary, to demonstrate:
 - i) Compliance with the urban design policies of this Plan, the Niagara Escarpment Plan policies and the Waterdown South Urban Design Guidelines; and
 - ii) How the intent of the Secondary Plan policies, the Niagara Escarpment Plan policies and the Waterdown South Urban Design Guidelines have been met.
 - k) Detailed noise control study; and,
-
- l) Other studies which may be identified through the formal consultation process.

4.3.14.2 Conditions of Development

Notwithstanding any other provision of this Plan, and except for expansions of existing uses, the following conditions shall be fulfilled prior to registration of plans of subdivision, prior to lifting of a 'Hold' on a site specific zoning, or prior to site plan approval.

- a) Water distribution and storage facilities, as set out in the Waterdown Water and Wastewater Class Environmental Assessment and the implementing functional servicing plans, required to service specific stages of development are committed to be in place and operative prior to or coincident with occupancy and use of the land.
- b) Wastewater facilities required for conveyance and treatment, as set out in the Waterdown Water and Wastewater Class Environmental Assessment, required to service specific stages of development are committed to be in place and operative prior to or coincident with occupancy and use of the land.
- c) All transportation infrastructure required to support the specific phases of development are in place or have been programmed in respective jurisdictional capital budgets, or other wise financially committed. The approved phasing strategy is to be based on traffic impact studies that identify which infrastructure improvements identified in the approved Waterdown/Aldershot Transportation Master Plan class EA and South Waterdown Traffic Impact Study need to be in place to support growth.
- d) Storm drainage facilities, as set out in the Functional Servicing Plan, and as approved by the municipality in consultation with Conservation Halton are committed to be in place and operative prior to or coincident with the occupancy and use of the land.
- e) Other identified local infrastructure needs as well as community use lands such as schools, parks and storm water management facilities, are secured through a cost sharing agreement, in accordance with municipal policies and the provisions of the Development Charges Act.
- f) All other urban services and utilities required to service specific stages of development are committed to be in place and operative prior to or coincident with occupancy and use of the land, except as otherwise approved.
- g) A well survey monitoring plan shall be a condition of draft plan approval.
- h) A program to periodically inspect the storm water management facility adjacent to the Hazard Lands - Karst Area, to check for leaks or weak spots in the liner, shall be a condition of draft plan approval.
- i) An alternative access to the three properties along a private lane south of George Street shall be made available for purchase. Erosion at the

Grindstone Creek Tributary 1 Waterfall immediately downstream of the Secondary Plan area could eventually interrupt access to these properties.

- j) In the context of this policy, "committed to be in place" shall mean identified within an approved Capital Budget, and a development agreement executed with the City or any other satisfactory arrangement with the City.
- k) All *development* within the Waterdown South Secondary Plan shall be guided by the recommendations of the Phase 2 and Phase 3 Waterdown South Sub Watershed Study.

4.3.14.3 Zoning By-law

The zoning by-laws for this area may include provisions for bonusing and holding zones where deemed appropriate and where they are in accordance with the Official Plan, and the provisions of the *Planning Act* and do not conflict with the requirements of the Niagara Escarpment Plan or any other Provincial Plan.

4.3.14.4 Staging of Development

In addition to Section F.3.6 – Staging of Development of Volume 1, and the City's Staging of Development Program, the following policies shall guide the staging of *development* within the Waterdown South Secondary Plan area:

- a) *Development* shall generally follow a logical and orderly sequence that ensures an orderly yet flexible pattern of development in accordance with the objectives and policies contained in the Waterdown South Secondary Plan.
- b) Retail and service commercial development shall be phased in the District Commercial and Mixed Use - Medium Density designations so that:
 - i. A first phase shall consist of no more than 9,300 sq. m. of retail and commercial floor space within the District Commercial designation which shall be comprised of a supermarket of not more than 7,500 sq. m. and other permitted retail and service commercial space to a maximum of 1,800 sq.m.;

- ii. A second phase shall consist of full build out of both sides of Collector Road A having a minimum of 3,600 sq. m. of retail and service commercial floor space within the "retail main street" component of the Mixed Use Medium Density designation; and
 - iii. A third phase shall consist of build out of the District Commercial designation to a maximum of 16,000 sq. m. of retail and service commercial floor space; and build out of the Mixed Use - Medium Density designation to a total maximum of 25,000 sq. m. of retail and service commercial floor space between the two designations.
- c) *Development* shall proceed in a manner that ensures that service levels established by this Plan, Volume 1, in general are achieved within each stage of development, and the provision of infrastructure and services is within the fiscal capabilities of the City and the School Boards. Where the fiscal capabilities of any one government or agency are limited to the extent that infrastructure or facilities may be delayed, front-ending of infrastructure and facilities by the landowners may be considered.
- d) Staging should ensure that the matters and infrastructure identified through Section B.4.3.14.2 are provided in an efficient and cost effective manner.
- e) Until Burke Street is connected to Mountain Brow or Skinner Road is extended easterly to Dundas Street, a maximum of 250 residential units located north of the intersection of Burke Street and Skinner Road Skinner Road may be constructed within the Waterdown South Secondary Plan area. Additional development beyond 250 units may be permitted subject to Policy B.4.3.14.2 c).
- f) The Mixed Use - Medium Density area shall not be subject to a specific phasing and *development* can proceed once the required water and wastewater services are available to this area.
- ~~g) *Development* within these stages shall proceed in a manner that recognizes that infrastructure such as underground services, roads, schools, parks, health care facilities, and public emergency services are to be provided in a timely manner.~~
- h) The provision of educational and provincial services and infrastructure shall be encouraged to be in accordance with the phasing policies of this Plan. The School Boards and the Province shall make every effort to provide their respective services in conjunction with the pace of *development*.

- d) In no case shall one owner or group of owners be allowed to unreasonably delay the normal progression of residential growth. Where a landowner is not proceeding with *development* in a timely manner and withholding the possible completion of a collector road or arterial road linkage, and/or the extension of water and wastewater services, the City may consider its powers of expropriation to complete the infrastructure.

4.3.14.5 Neighbourhood Parks and Open Space Implementation

- a. Parkland requirements shall be calculated on a net basis excluding any natural heritage features, *vegetation protection zones*, valleys, floodplains, stream corridors or linkages that are protected from development.

4.3.14.6 Environmental Monitoring

As a condition of draft plan of subdivision approval, a monitoring plan shall be prepared by the land owner which sets out a program for regular monitoring of the health of the natural heritage/open space system within the Waterdown South Secondary Plan area. The indicators to be monitored and the nature of the monitoring program(s) are set out in Phase 3 of the South Waterdown Subwatershed Study.

4.3.14.7 Existing and Temporary Land Uses

- a) Existing land uses within the Secondary Plan area shall be permitted to remain without an amendment to this Plan.
- b) New *development* shall integrate those elements of existing built form intended to remain within the community in a complementary manner.
- c) Prior to urban *redevelopment* of these lands, low intensity temporary uses may be permitted provided these uses are outside of the Natural Heritage System and associated *vegetation protection zones*.

4.3.14.8 Interpretation

The boundaries of the residential, institutional and neighbourhood park designations and the alignment of arterial and collector roads are intended to be flexible and may be modified in the interest of achieving a desirable urban pattern without amendment to this Plan, provided the aggregate land areas of each residential designation are not significantly altered and the recommendations within the South Waterdown Subwatershed Study are met.

4.3.15 Area and Site Specific Policies

Area Specific Policy - Area A

4.3.15.1 In addition to Section E.3.5. – Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential and Identified as Area Specific Policy - Area A on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Area Specific Policy - Area A is planned to permit an adult lifestyle community that promotes 'aging in place'.
- b) Notwithstanding the built forms permitted in Policy E.3.5.1 – Medium Density Residential of Volume 1, permitted uses shall include those uses permitted in the Medium Density Residential 2 designation (Policy B.4.3.3.7), as well as mid-rise apartments, and various forms of *housing with supports*, along with *ancillary* recreational and commercial uses serving the needs of the surrounding residents.
- c) Notwithstanding Policy E.3.5.7 – Medium Density Residential of Volume 1, the density shall be in the range of 60 to 100 units per net residential hectare.
- d) Notwithstanding Policy E.3.5.8 – Medium Density Residential of Volume 1, the maximum permitted building height shall be 8 storeys. Except that for the lands located between the Natural Area and the Protection Area/Storm Water Management Facility, the maximum permitted building height shall be 6 storeys, but building heights may be increased up to 8 storeys subject to a Visual Impact Assessment in accordance with Policy B.4.3.14.1 h.
- e) The clustering of residential units shall be encouraged to maximize generous open space areas within this designation.
- f) A site-specific implementing zoning by-law shall address such matters as building setbacks, height, separation distances landscape and open space requirements, parking standards, and *ancillary* uses.

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Area Specific Policy - Area B

4.3.15.2 In addition to the policies of Section B.4.3.8 – Natural Hazard Features, the limit of Area Specific Policy – Area **B identifies** the extent of the Hazard Lands – Karst Area. The policies of Section B.4.3.8.1 and B.4.3.8.2 of this Secondary Plan shall apply.

Area Specific Policy - Area C

4.3.15.3 In addition to the policies of Section E.3.4 – Low Density Residential of Volume 1 and Policy B.4.3.3.4 of this Secondary Plan, the following policies shall apply to the lands designated Low Density Residential 1 and identified as Area Specific Policy - Area C on Map B.4.3-1 – Waterdown South - Land Use Plan:

- a) Lot width shall not be less than 15.24 metres (50 feet).
- b) Notwithstanding Policy B.4.3.3.3 c), the maximum height of the dwelling to the mid-point of roof between peak and eaves shall be 10.5 metres (34 feet) to prevent houses from exceeding the height of the trees.
- c) Rear yards shall be fenced with 1.2 metre (4 feet) black chain link fence to prevent encroachment into the woodlands and wetlands.
- d) A setback of 30.0 metres to the surveyed dripline of the trees to the south and 15.0 metres to the surveyed dripline of trees to the east and west shall be provided.

4.4 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies - Text

4.4.1 Volume 3: Area Specific Policy UF-2, Area north of Mountain Brow Road, west of Kerns Road, south of Parkside Drive and east of the developed areas of Waterdown, is hereby amended by deleting Policies 1.0 e) and 1.0 f) in their entirety.

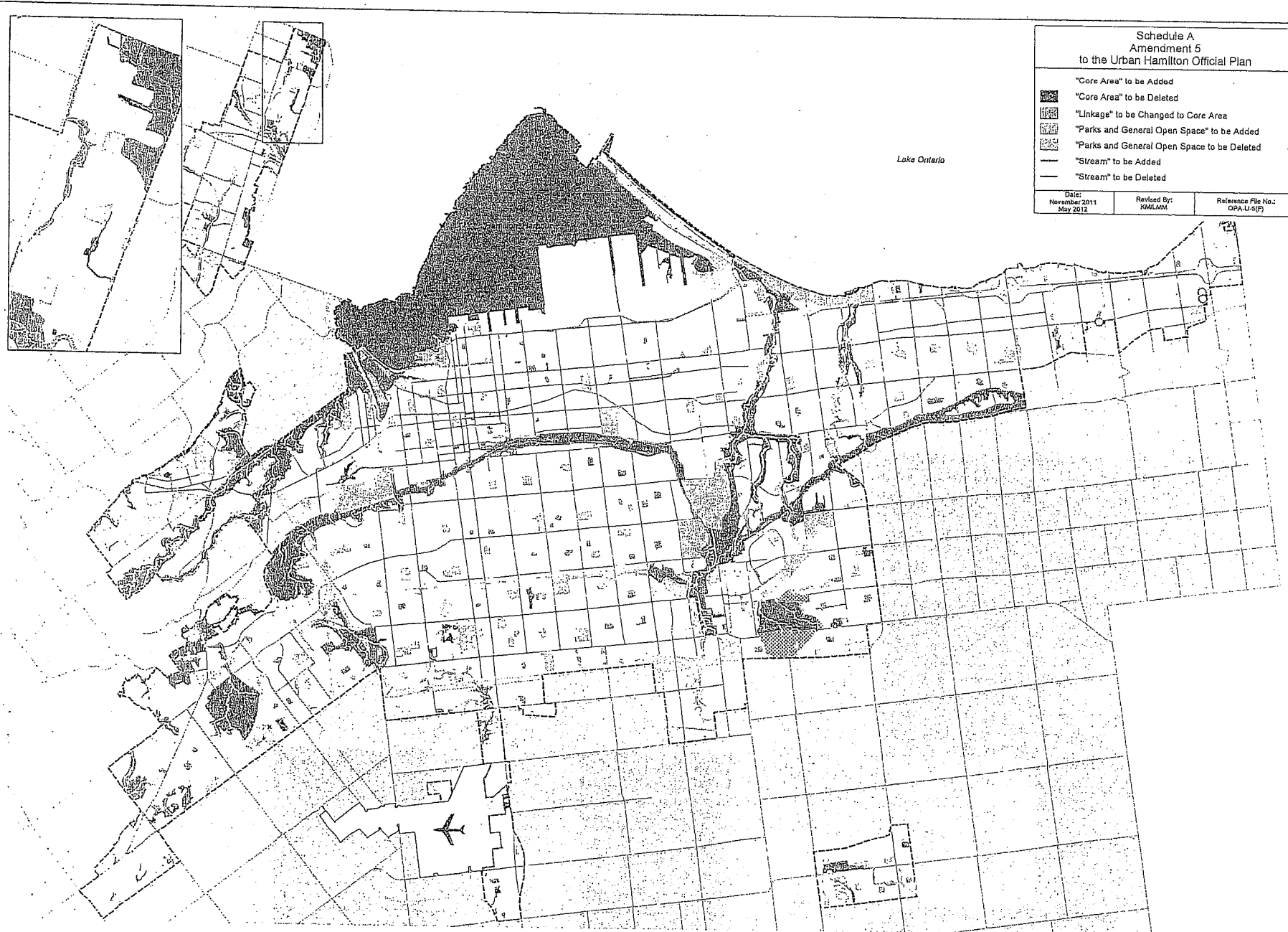
5.0 Implementation:

An implementing Zoning By-Law, Plan of Subdivision and Site Plan Control shall give effect to this Amendment.

5.1 Notwithstanding the definition of “Vegetation Protection Zone” in Volume 1, Chapter G, the following definition shall apply: Vegetation Protection Zone

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means a vegetated buffer area surrounding a Core Area which is of sufficient size to protect the features and functions from the impacts of the proposed change and associated activities that will occur before, during, and after construction. Where possible, the buffer should restore or enhance the features and/or functions of the Core Area.



**Schedule A
Amendment 5
to the Urban Hamilton Official Plan**

- "Core Area" to be Added
- "Core Area" to be Deleted
- "Linkage" to be Changed to Core Area
- "Parks and General Open Space" to be Added
- "Parks and General Open Space" to be Deleted
- "Stream" to be Added
- "Stream" to be Deleted

Date: November 2011 May 2012	Revised By: KML/JMM	Reference File No.: OPA-U-5(F)
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Key Map

Note: For Rural Natural Heritage Features refer to Schedule B of the Rural Hamilton Official Plan.

Legend

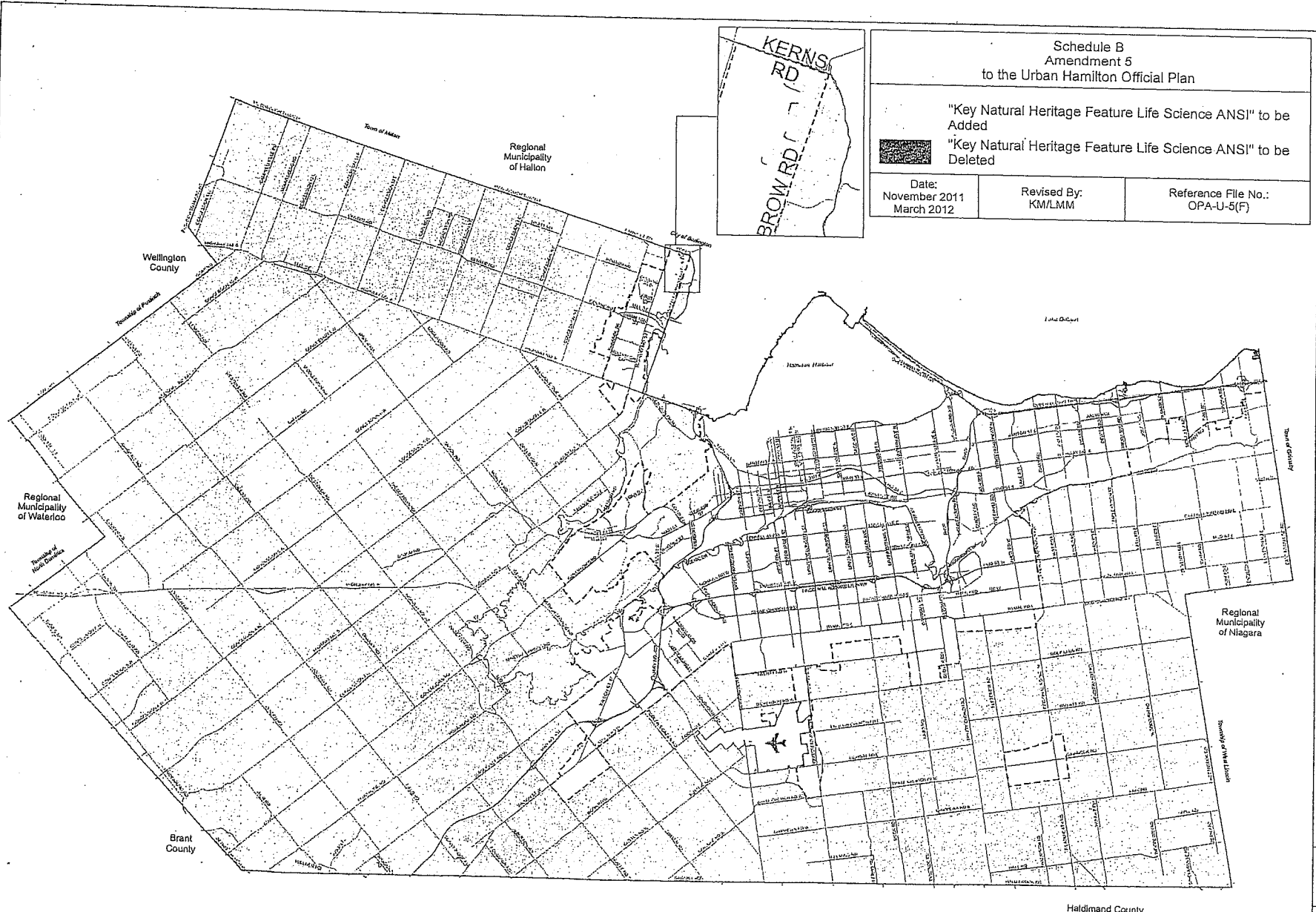
- Core Area
- Area Specific Policy - USC-1 and USC-2 in Volume 3
- Linkages
- Parks & General Open Space (Excluding Parkettes)
- Streams

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Subject to Future OMB Hearing

**Urban Hamilton Official Plan
Schedule B
Natural Heritage System**

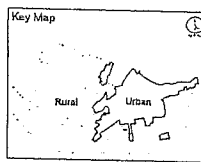
Date: July 8, 2008	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	
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Schedule B
Amendment 5
to the Urban Hamilton Official Plan

"Key Natural Heritage Feature Life Science ANSI" to be Added
 "Key Natural Heritage Feature Life Science ANSI" to be Deleted

Date: November 2011 March 2012	Revised By: KM/LMM	Reference File No.: OPA-U-5(F)
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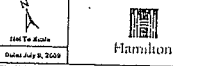


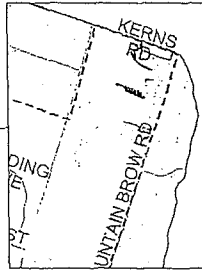
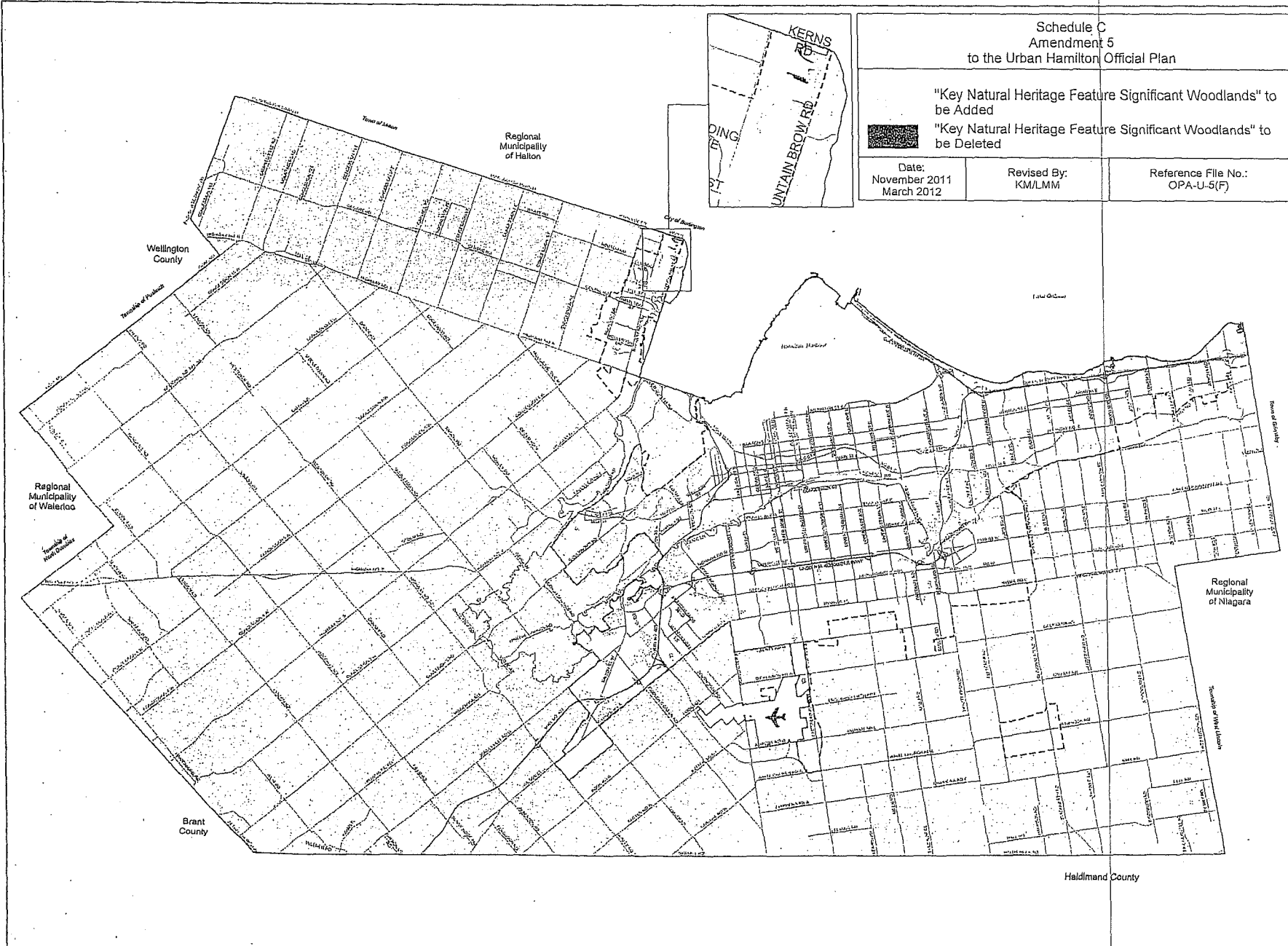
Note: For Rural Detailed Natural Heritage Features refer to Schedule B-1 of the Rural Hamilton Official Plan.

Legend

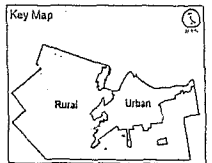
- Key Natural Heritage Feature Life Science ANS
- Other Features
 - Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

Urban Hamilton Official Plan
Schedule B-1
Detailed Natural Heritage Features
Key Natural Heritage Feature
Life Science ANSI





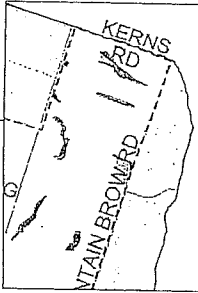
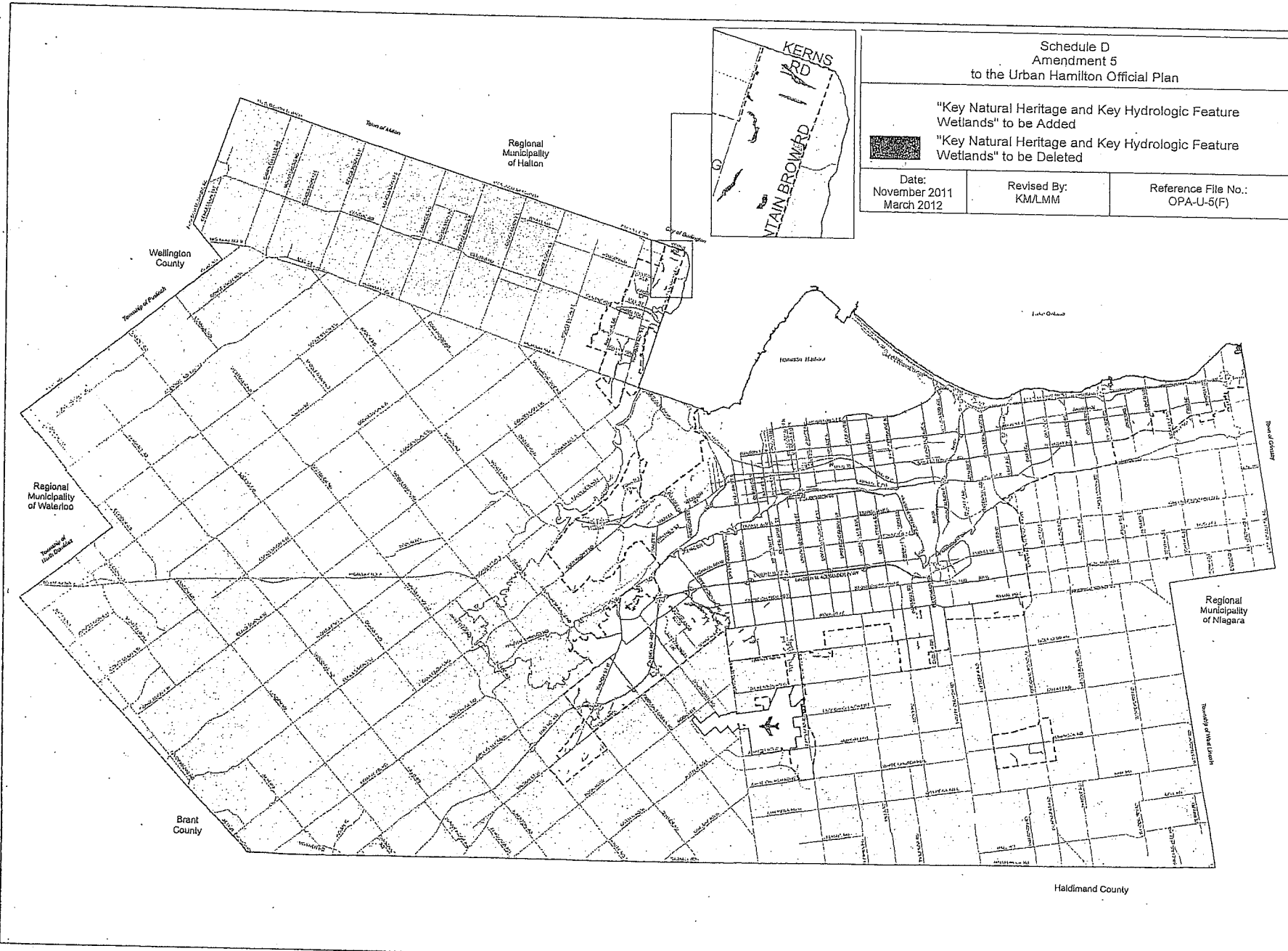
Schedule C Amendment 5 to the Urban Hamilton Official Plan		
"Key Natural Heritage Feature Significant Woodlands" to be Added 		
"Key Natural Heritage Feature Significant Woodlands" to be Deleted 		
Date: November 2011 March 2012	Revised By: KML/MM	Reference File No.: OPA-U-5(F)



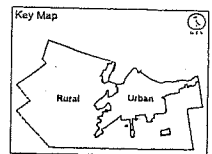
Note: For Rural Detailed Natural Heritage Features refer to Schedule B-2 of the Rural Hamilton Official Plan.

- Legend**
- Key Natural Heritage Feature Significant Woodlands
 - Other Features**
 - Rural Area
 - John C. Munro International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing
- Urban Hamilton Official Plan**
 Schedule B-2
 Detailed Natural Heritage Features
 Key Natural Heritage Feature
 Significant Woodlands

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Schedule D Amendment 5 to the Urban Hamilton Official Plan		
"Key Natural Heritage and Key Hydrologic Feature Wetlands" to be Added		
"Key Natural Heritage and Key Hydrologic Feature Wetlands" to be Deleted		
Date: November 2011 March 2012	Revised By: KM/LMM	Reference File No.: OPA-U-5(F)



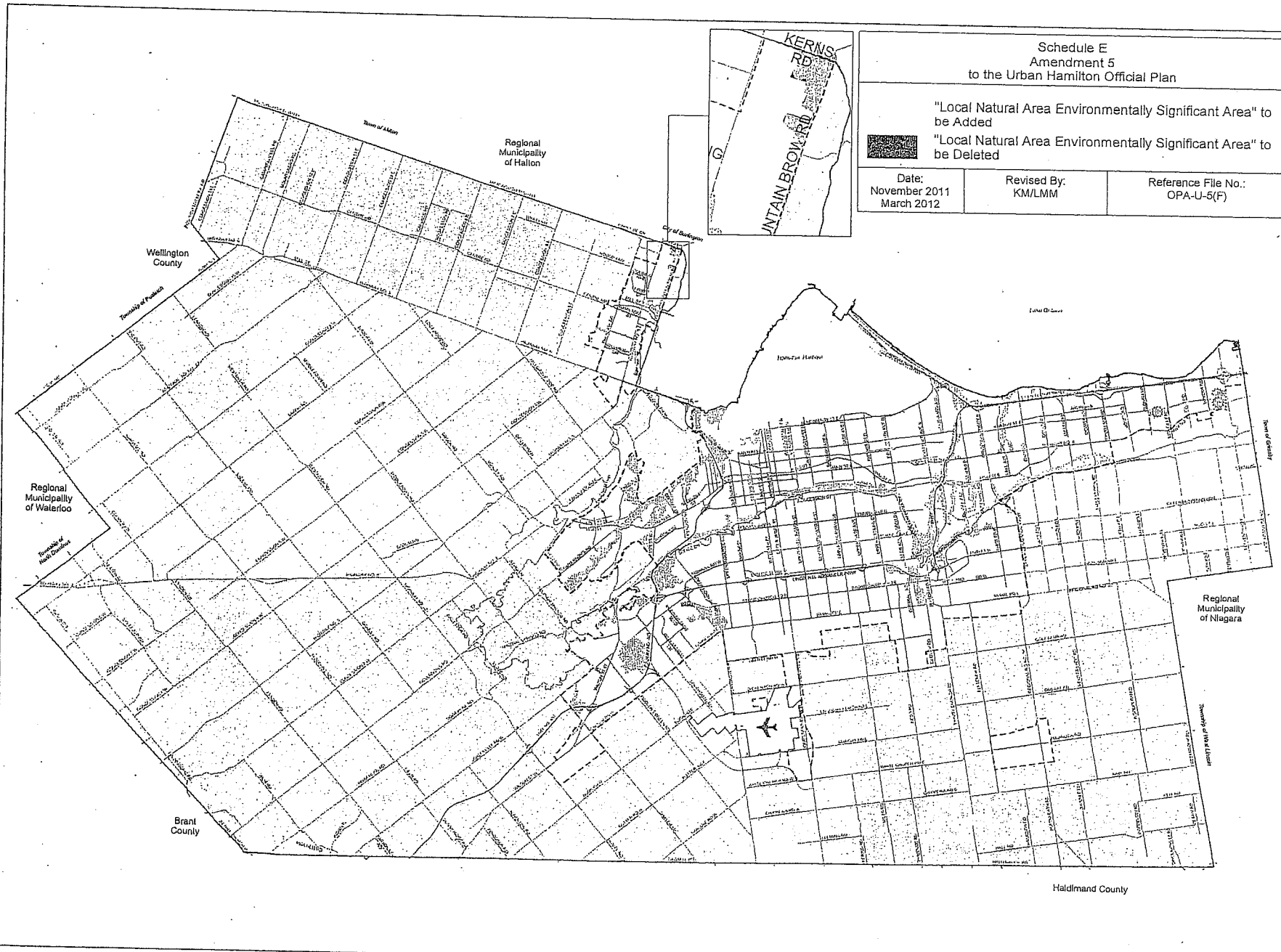
Note: For Rural Detailed Natural Heritage Features refer to Schedule B-4 of the Rural Hamilton Official Plan.

- Legend**
- Key Natural Heritage and Key Hydrologic Feature Wetlands
 - Other Features**
 - Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

Urban Hamilton Official Plan
 Schedule B-4
 Detailed Natural Heritage Features
 Key Natural Heritage Feature and Key Hydrologic Feature Wetlands



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**Schedule E
Amendment 5
to the Urban Hamilton Official Plan**

"Local Natural Area Environmentally Significant Area" to be Added

"Local Natural Area Environmentally Significant Area" to be Deleted

Date: November 2011 March 2012	Revised By: KM/LMM	Reference File No.: OPA-U-5(F)
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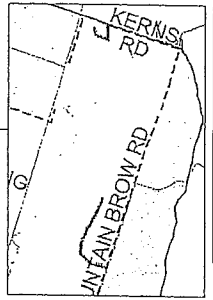
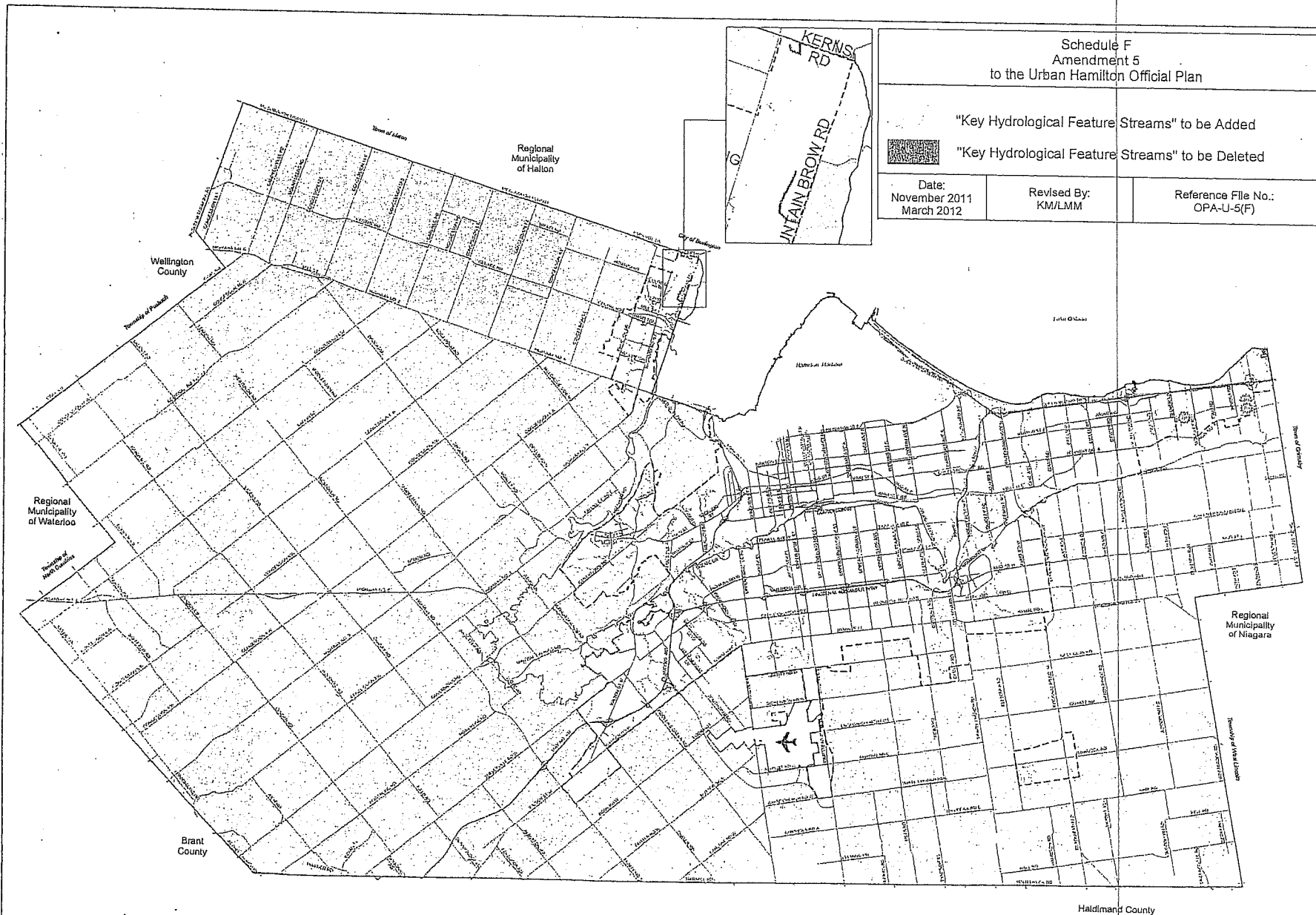
Key Map

Note: For Rural Detailed Natural Heritage Features refer to Schedule B-6 of the Rural Hamilton Official Plan.

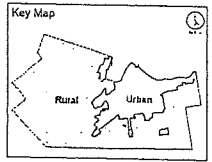
- Legend**
- Local Natural Area Environmentally Significant Area
 - Other Features**
 - Rural Area
 - John C. Munro International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing
- Urban Hamilton Official Plan
Schedule B-6
Detailed Natural Heritage Features
Local Natural Area
Environmentally Significant Areas**

Not To Scale
December 9, 2009

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Schedule F Amendment 5 to the Urban Hamilton Official Plan		
"Key Hydrological Feature Streams" to be Added 		
"Key Hydrological Feature Streams" to be Deleted 		
Date: November 2011 March 2012	Revised By: KM/LMM	Reference File No.: OPA-U-5(F)

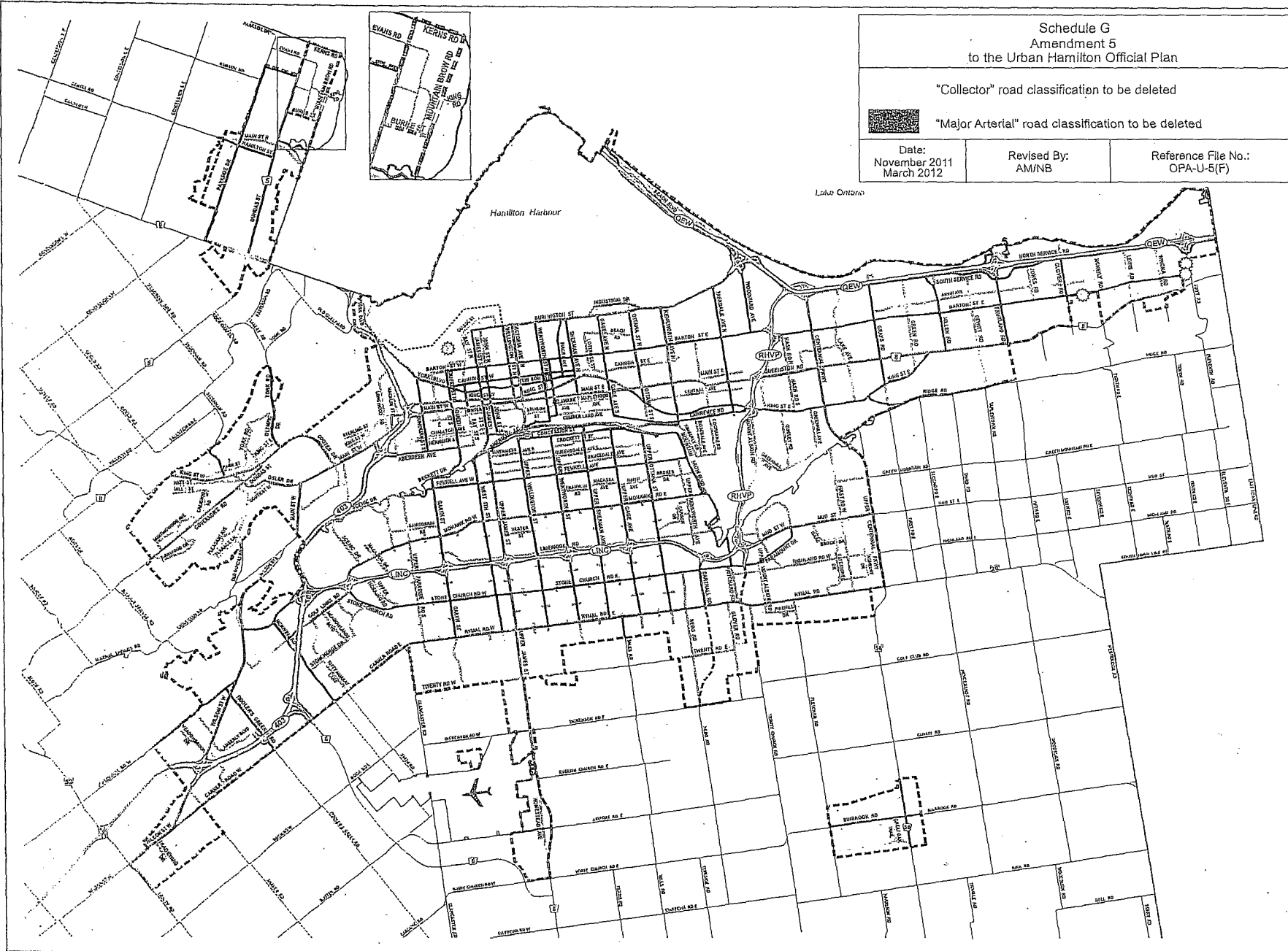


Note: For Rural Detailed Natural Heritage Features refer Schedule B-8 of the Rural Hamilton Official Plan.

- Legend**
- Key Hydrologic Feature Streams
 - Other Features**
 - Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

Urban Hamilton Official Plan
 Schedule B-8
 Detailed Natural Heritage Features
 Key Hydrologic Feature Streams

Planning & Economic Development Department
 City of Hamilton
 100 King Street West, Hamilton, Ontario L8N 2K5
 Tel: 905.546.3100
 Fax: 905.546.3101
 www.hamilton.ca



**Schedule G
Amendment 5
to the Urban Hamilton Official Plan**

"Collector" road classification to be deleted

"Major Arterial" road classification to be deleted

Date: November 2011 March 2012	Revised By: AM/MB	Reference File No.: OPA-U-5(F)
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Key Map

Note: For Rural Functional Road Classification, refer to Schedule C-1 (future amendment).



- Legend**
- Major Arterial
 - Minor Arterial
 - Collector
 - Provincial Highway (Controlled Access)
 - Provincial Highway
 - Parkway
- Proposed Roads**
- Major Arterial
 - Minor Arterial
 - Collector
- Other Features**
- Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

**Urban Hamilton Official Plan
Schedule C
Functional Road Classification**

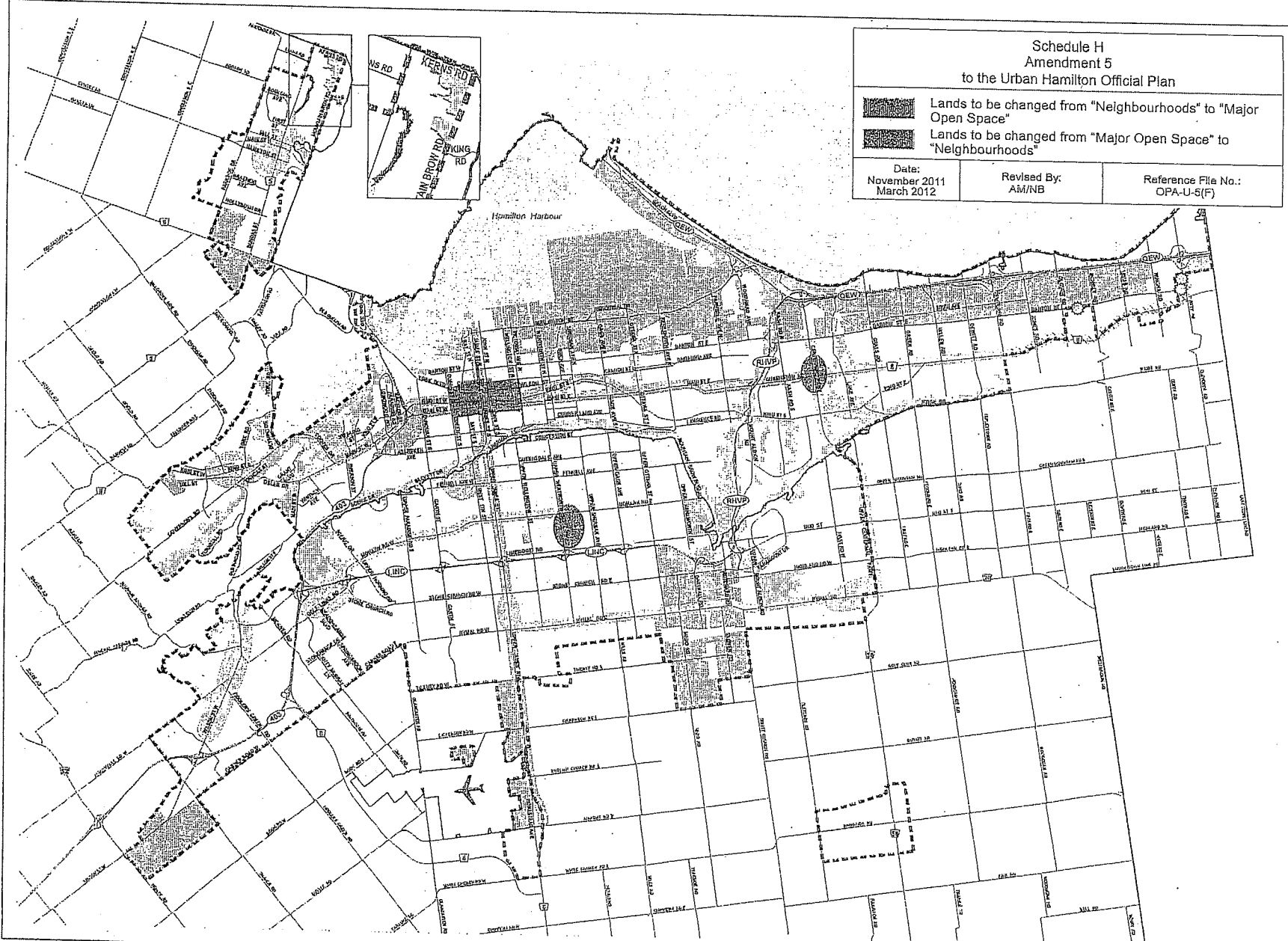
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Date: July 8, 2009
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Schedule H
Amendment 5
to the Urban Hamilton Official Plan

-  Lands to be changed from "Neighbourhoods" to "Major Open Space"
-  Lands to be changed from "Major Open Space" to "Neighbourhoods"

Date: November 2011 March 2012	Revised By: AM/NB	Reference File No.: OPA-U-5(F)
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Legend
Urban Structure Elements

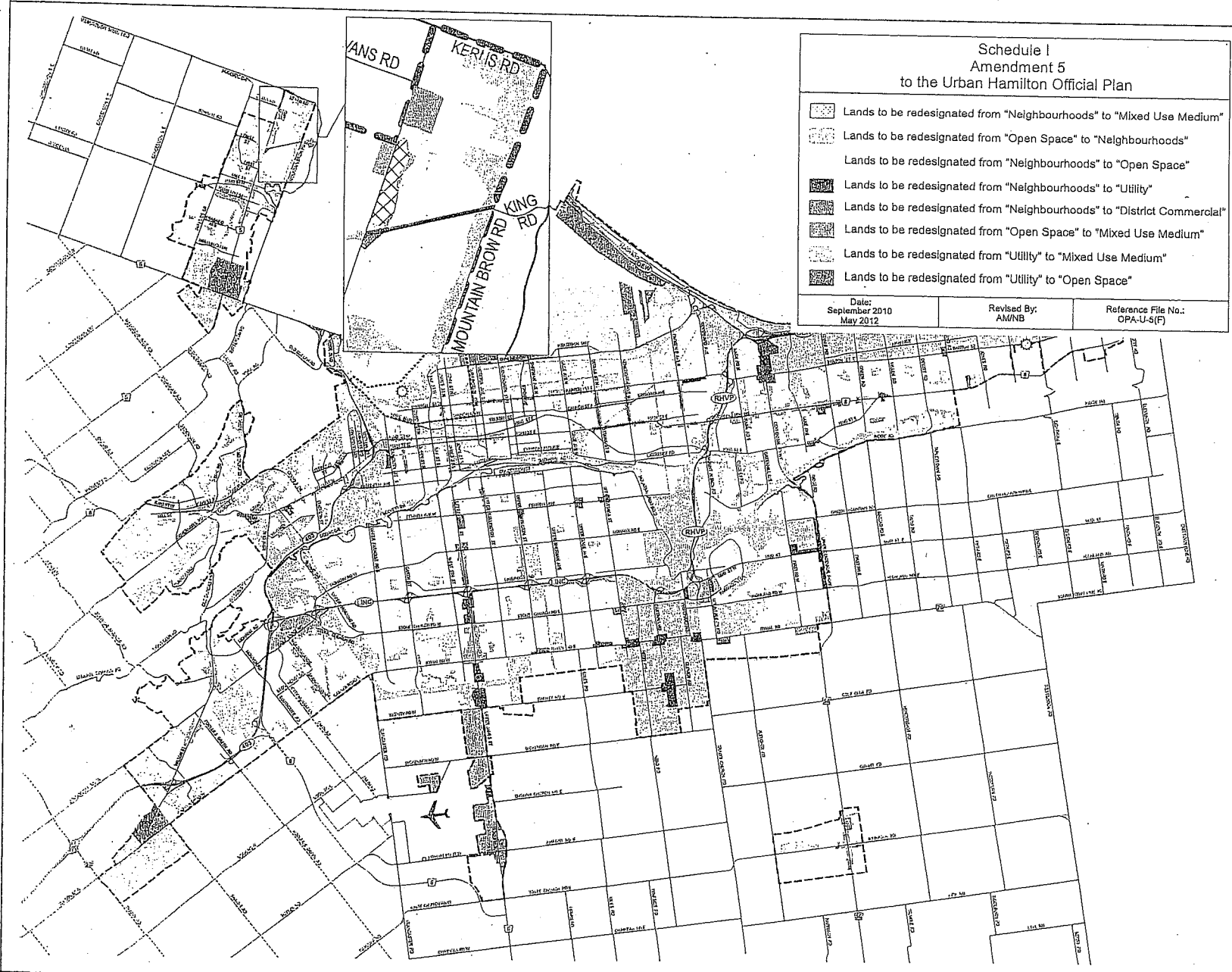
- Neighbourhoods
- Employment Areas
- Major Activity Centres
- Major Open Spaces
- Nodes**
 - Downtown Urban Growth Centre
 - Sub Regional Service
 - Community
- Corridors**
 - Primary
 - Secondary
 - Potential Expansion of Secondary Corridor
- Other Features**
 - Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

Urban Hamilton Official Plan
Schedule E
Urban Structure

Map to Scale
Made July 8, 2008



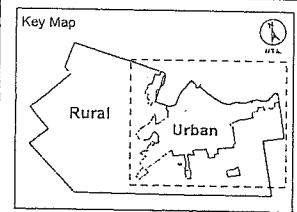
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**Schedule I
Amendment 5
to the Urban Hamilton Official Plan**

- Lands to be redesignated from "Neighbourhoods" to "Mixed Use Medium"
- Lands to be redesignated from "Open Space" to "Neighbourhoods"
- Lands to be redesignated from "Neighbourhoods" to "Open Space"
- Lands to be redesignated from "Neighbourhoods" to "Utility"
- Lands to be redesignated from "Neighbourhoods" to "District Commercial"
- Lands to be redesignated from "Open Space" to "Mixed Use Medium"
- Lands to be redesignated from "Utility" to "Mixed Use Medium"
- Lands to be redesignated from "Utility" to "Open Space"

Date: September 2010 May 2012	Revised By: AM/NB	Reference File No.: OPA-U-S(F)
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Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Legend**
- Neighbourhoods
 - Open Space
 - Institutional
 - Utility
- Commercial and Mixed Use Designations**
- Downtown Mixed Use Area
 - Mixed Use - High Density
 - Mixed Use - Medium Density
 - District Commercial
 - Arterial Commercial
- Employment Area Designations**
- Industrial Land
 - Business Park
 - Airport Business Park
 - Shipping & Navigation
- Other Features**
- Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing
 - Subject to Future OMB Hearing

**Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations**

Not To Scale

Date: July 9, 2000

Hamilton

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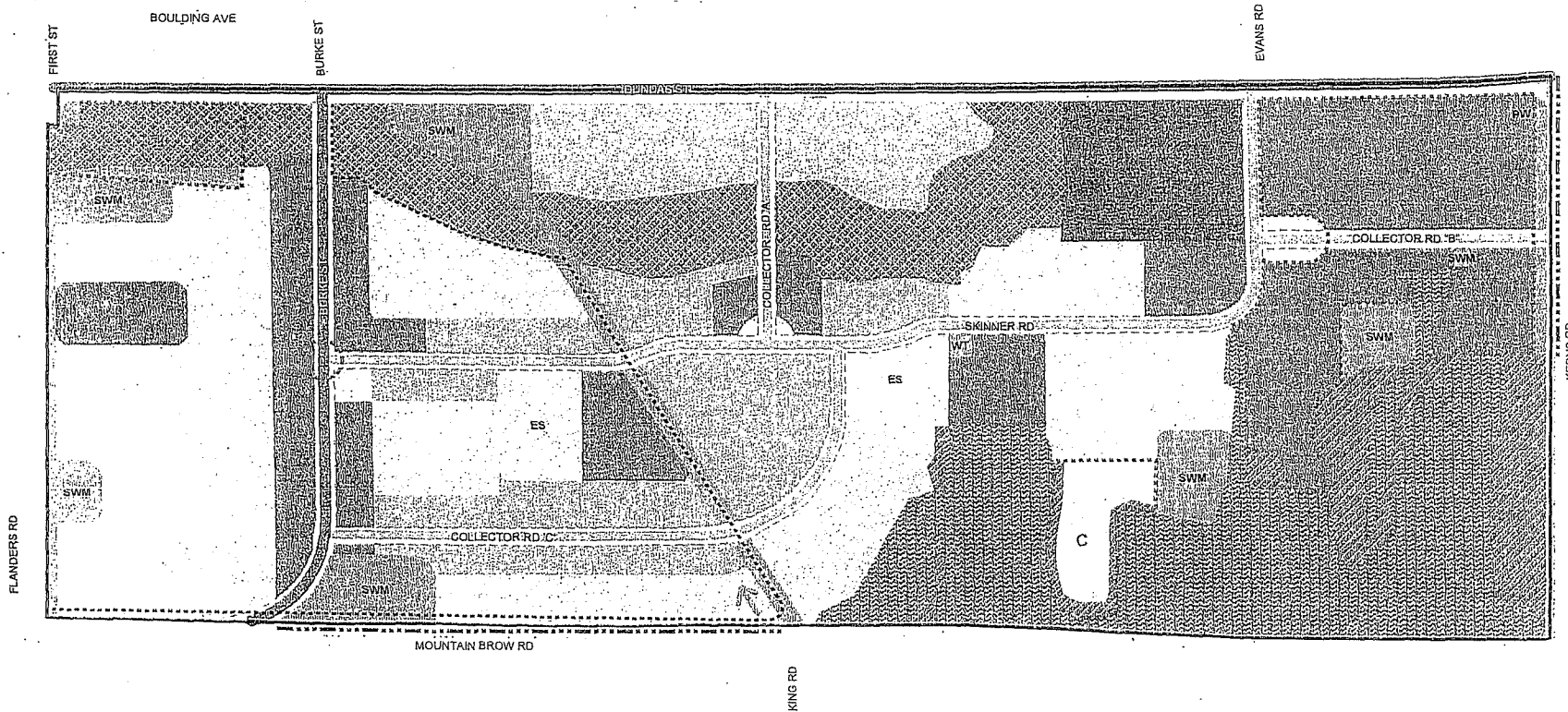
Schedule J
Amendment 5
to the Urban Hamilton Official Plan

Map B.4.3-1 to be added into the Urban Hamilton Official Plan

Date:
September 2010
March 2012

Revised By:
AM/NB

Reference File No.:
OPA-U-5(F)



Legend

Residential Designations

- Low Density Residential 1
- Low Density Residential 2
- Low Density Residential 3
- Medium Density Residential 2

Commercial and Mixed Use Designations

- Local Commercial
- Mixed Use - Medium Density
- District Commercial

Parks and Open Space Designations

- Neighbourhood Park
- Natural Open Space - Grindstone Creek Natural Area
- Natural Open Space - Escarpment Natural Area
- Natural Open Space - Escarpment Protection Area

Other Designations

- Institutional
- ES Elementary School
- Hazard Lands - Keras Area
- Utility
- SWM Storm Water Management
- WT Water Tower

Other Features

- Area or Site Specific Policy
- Roundabouts
- Local Road Connection
- PW Place of Worship
- Major Arterial Road
- Collector Road
- Trail Links
- Special Character Road
- Proposed Roads
- Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown South
Secondary Plan
Land Use Plan
Map B.4.3-1



Scale 1:50,000

Date: October 2011



Hamilton

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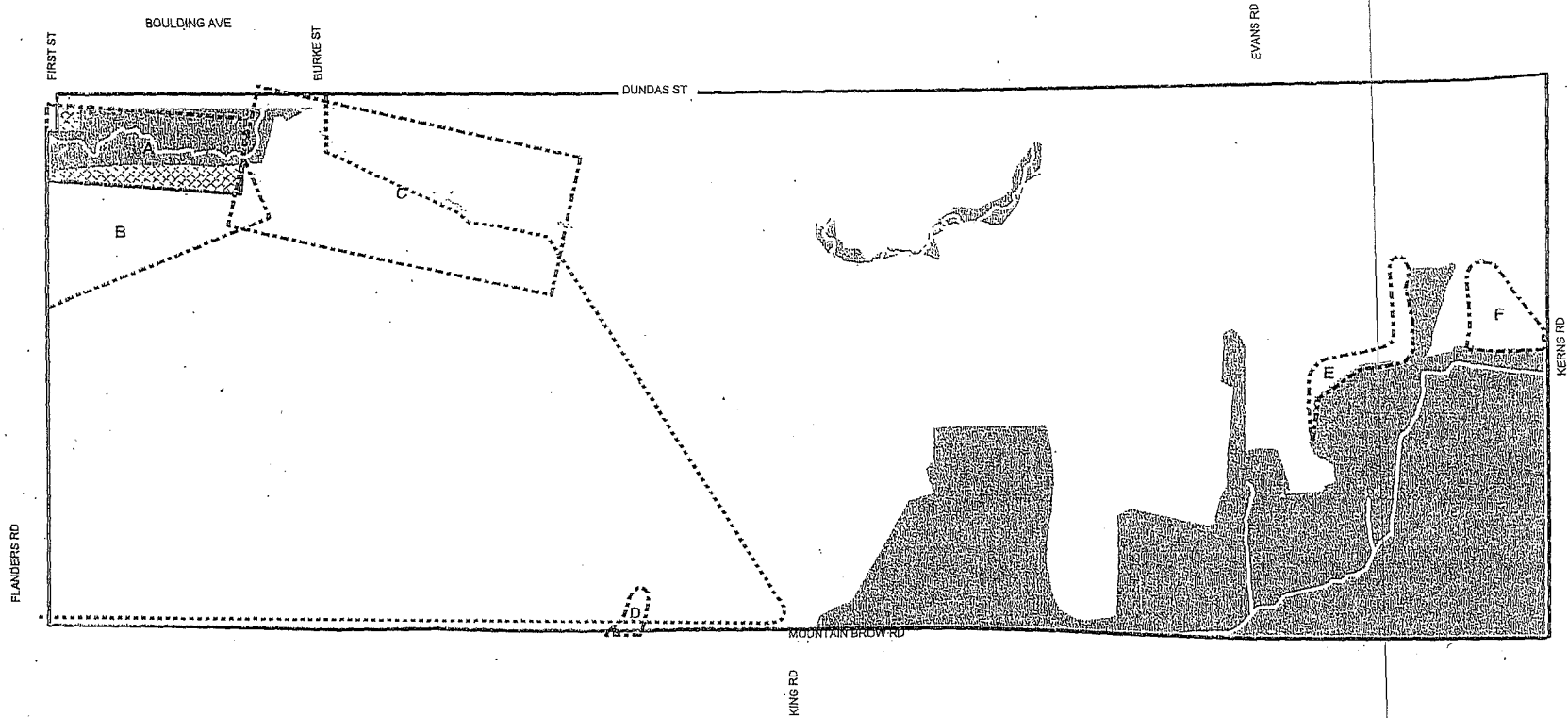
Schedule K
Amendment 5
to the Urban Hamilton Official Plan

Map B.4.3-2 to be added into the Urban Hamilton Official Plan







Date:
November 2011
March 2012

Revised By:
AM/NB

Reference File No.:
OPA-U-5(F)



Legend

-  Core Areas
-  Hazard Lands - Karst Area
-  Karst Constraint Area
-  Trail Links
-  Streams
-  Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown South
Secondary Plan
Natural Heritage System and
Natural Hazard Features
Map B.4.3-2



Scale: 1:5000



Hamilton

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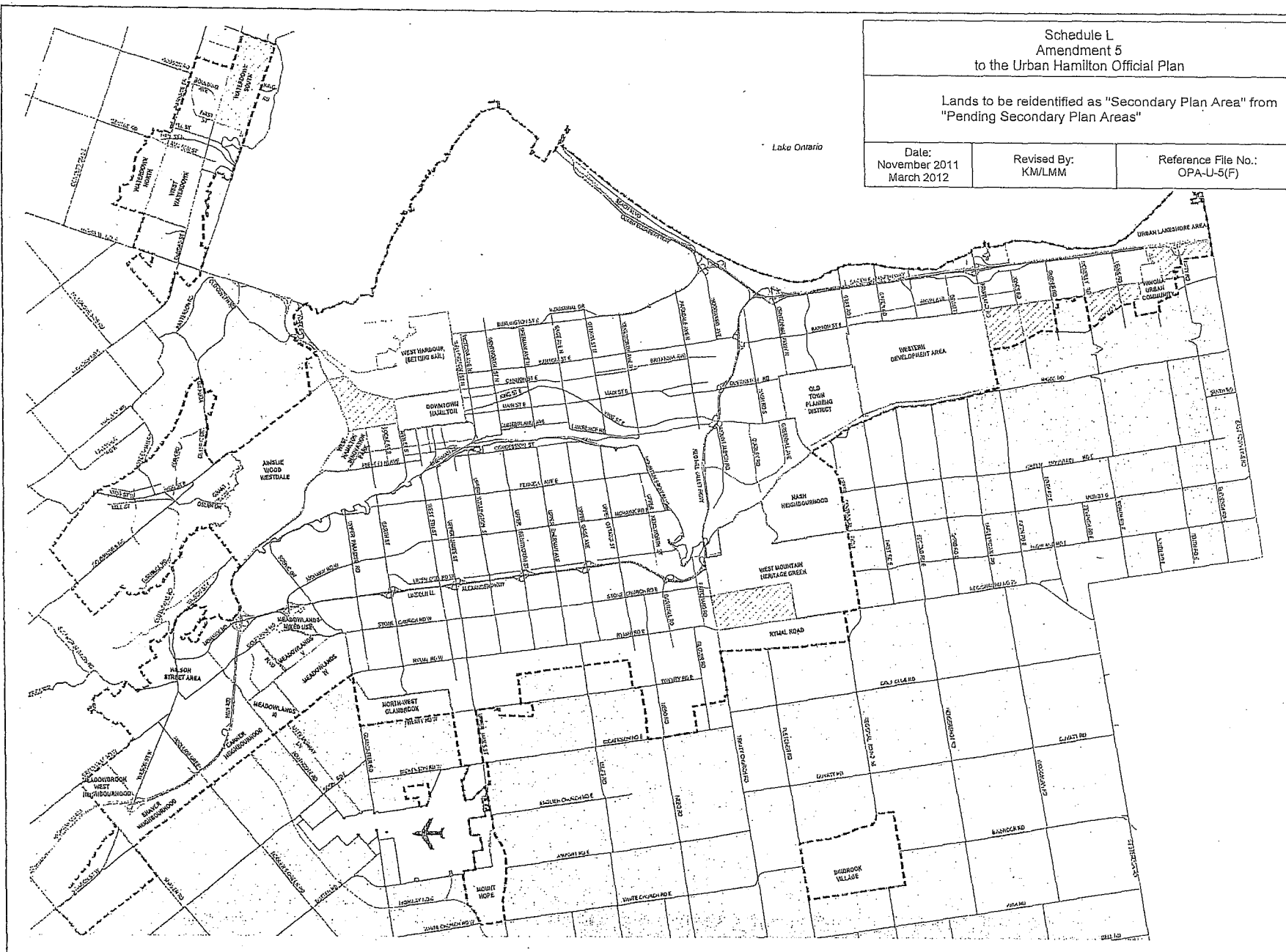
Schedule L
Amendment 5
to the Urban Hamilton Official Plan

Lands to be reidentified as "Secondary Plan Area" from
"Pending Secondary Plan Areas"

Date:
November 2011
March 2012

Revised By:
KM/LMM

Reference File No.:
OPA-U-5(F)



- Legend**
- Secondary Plan Area
 - Pending Secondary Plan Areas
- Other Features**
- Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Subject to Future OMB Hearing

Urban Hamilton Official Plan
Volume 2: Appendix A
Secondary Plans Index Map

Planning & Economic Development Department

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