CITY OF HAMILTON

BY-LAW NO. 04-035

To Adopt:

Official Plan Amendment No. 98 to the former Town of Ancaster Official Plan;

Respecting:

Meadowlands Neighbourhood IV
Secondary Plan

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

Amendment No. 98 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED AND ENACTED this 25th day of February, 2004.

MAYOR

CLERK
Amendment No. 98

to the

Official Plan of the former Town of Ancaster

The following text and maps constitute Official Plan Amendment No. 98 to the Official Plan of the former Town of Ancaster.

**Purpose:**

The purpose of the Amendment is to establish a policy framework to guide the development and/or redevelopment of the land within the Meadowlands Neighbourhood IV neighbourhood.

The effect of this Amendment is to establish land uses, the basic transportation network, community facilities, infrastructure requirements, and development standards and to provide protection for the existing natural features and environmental resources on the subject lands.

**Location:**

The Meadowlands Neighbourhood IV is approximately 204 hectares in area and is generally bounded by Stonehenge Drive to the north, Redeemer University College to the west, Tiffany Creek Headwaters Environmentally Significant Area to the east and Garner Road to the south.

**Basis:**

In February 2000, Council for the former town of Ancaster adopted the Background report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan. One of the recommendations of the Master Plan was that Secondary Planning be completed for neighbourhood 4.

Secondary Planning is a comprehensive approach for planning neighbourhoods especially in “greenfield” areas. The Secondary Plan establishes the policy framework for which the future development and/or redevelopment can occur in the neighbourhood.
Actual Changes:

1. Amend Schedule “B”, Land Use – Urban Area, by changing the designation of portions of the subject lands from Institutional to Residential, Residential to Institutional, Open Space and Conservation to Residential and Commercial to Residential, as shown on the attached Schedule “A” to this Amendment.

2. Amend Schedule “E”, Road Network – Major Roads, by removing 2 Arterial Roads located within the subject lands and replacing them with 2 Collector Roads, as shown on the attached Schedule “B” to this Amendment.

3. Amend Schedule “F”, Special Policy Areas, by deleting Special policy areas 3-d and 3-f, as shown on the attached schedule “C” to this Amendment.

4. Delete Policies 5.6.10 and 5.6.11 of Subsection 5.6, Mohawk and Meadowlands Communities and re-number Subsection 5.6 accordingly.

5. Amend Section Six – Secondary Plans, by adding a new Subsection 6.8, Meadowlands Neighbourhood IV as follows:

“6.8  Meadowlands Neighbourhood IV Secondary Plan

6.8.1 Introduction
The following text and Maps 1 and 2 constitute the Meadowlands Neighbourhood IV Secondary Plan.

6.8.2 Purpose
The purpose of this Secondary Plan is to establish land uses, the basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Neighbourhood IV. At the same time, the Secondary Plan provides protection to the Neighbourhood's natural areas and environmental resources.

6.8.3 Location
The Meadowlands Neighbourhood IV is approximately 204 hectares in area and is generally bounded by Stonehenge Drive to the north, Redeemer College to the west, Tiffany Creek Headwaters Environmentally Significant Area to the east and Garner Road to the south.
6.8.4 Basis
The Meadowlands Neighbourhood IV Secondary Plan is intended to be consistent with the goals and objectives and land use designations set out in the Official Plan for Ancaster. In the event of a conflict between the Secondary Plan and other policies in the Official Plan, the policies and designations in the Secondary Plan as they relate to the Meadowlands Neighbourhood IV shall prevail.

6.8.5 Planned and Future Population
Meadowlands Neighbourhood IV shall have a planned future population of approximately 8075 persons and contain approximately 3250 dwelling units. Minor adjustments to the population and dwelling unit counts will not require an amendment to this Secondary Plan.

6.8.6 Residential Policies
(a) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.

(b) In an effort to make best use of lands currently located within the City's urban area higher densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.

(c) The Residential densities within the respective Residential land use designations identified on Map 1—Land Use, shall be as follows:

(i) Low Density: Approximately 1 to 30 units per Net Residential Hectare. This designation permits predominantly single family detached dwellings, duplex and semi-detached dwellings. These types of uses are to be generally located at the interior of residential neighbourhoods adjacent to local and/or collector roads.

(ii) Medium Density: A maximum of 50 units per Net Residential Hectare. This designation permits predominantly town house dwellings and innovative attached housing forms. Generally, these types of dwellings are located at the periphery of Residential Neighbourhoods adjacent to or close to arterial and/or collector roads.

(iii) High Density: A maximum of 70 units per Net Residential Hectare. This designation permits predominantly apartment dwellings and innovative attached housing forms in buildings not exceeding a height of 3 storeys. These types of dwellings generally are to be
located adjacent to or in close proximity to arterial and/or collector roads, community facilities and open space areas.

(d) For the purposes of this Secondary Plan, Net Residential Density refers to the number of dwelling units per Net Residential Hectare of any particular development or re-development. In the case of single family, duplex and semi-detached dwellings, Net Residential Hectare includes only the land for residential lots and excludes lands for public roads, public parks and hazard lands. In the case of any other housing form other than single family, duplex or semi-detached dwellings, Net Residential Density includes the lands for dwellings, private internal roads, parking areas, open space and other associated amenities directly related to and forming part of the development and/or re-development.

(e) Sites designated for Medium Density Residential or High Density Residential uses may be considered for lower densities or for any other use permitted under the Residential designation without further amendment to this plan provided that:

(i) The proposed use would comply with the other relevant policies of this Plan;

(ii) The proposed use is compatible with the existing and proposed surrounding development;

(iii) The proposed development would not create a detrimental effect upon the existing development within the area, especially in terms of traffic; and,

(iv) The implementing zoning by-law is amended to permit the proposed use.

(9) The approximate housing mix shall be as follows:

<table>
<thead>
<tr>
<th>Density</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density</td>
<td>70 %</td>
</tr>
<tr>
<td>Medium Density</td>
<td>25 %</td>
</tr>
<tr>
<td>High Density</td>
<td>5 %</td>
</tr>
</tbody>
</table>

6.8.7 Design Policies

This Secondary Plan incorporates a number of design considerations in order to take advantage of the unique physical setting of the area and to create a visually and aesthetically distinct neighbourhood. Principles embodied in the design of this area and which should be addressed during the processing of a development application shall include:

(a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes and neighbourhood connectivity.
(b) Traffic calming features such as reduced road way widths, curbing incorporating on street parking, formal boulevard landscaping and special intersection treatments and roundabouts.

(c) Where appropriate, alternative development standards (i.e. 18 metre wide road allowances for local roads) will be implemented in an effort to maximise the use of urban land and municipal services in accordance with Provincial Policy Statement on Housing.

(d) Streetscape features such as decorative streetlamps, landscaped traffic circle islands, reduced front yards, front and side yard porches, recessed or detached garages.

(e) Existing trees, significant vegetation and distinctive site views should be protected and preserved through sensitive subdivision design.

(9) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimise potential conflicts between new and existing uses.

(g) Entrance features and landscaped boulevards are to be provided at the entrance of the neighbourhood adjacent to the Collector Roads “A” and “B” and Garner Road as shown on Map 1 – Land Use. Landscaped plans prepared by a qualified landscaped architect will be required to be submitted for the entrance features and boulevards as part of an application for the approval of a draft plan of subdivision.

(h) Lands designated Medium Density Residential and located adjacent to Garner Road or on a Collector Road as defined on Map 1 - Land Use will be required to be developed with a “window road” for direct access to Garner Road or the Collector Road. A minimum 3.0 metre-landscaped strip will be required to be located between the “window road” and the public street. A landscape plan prepared by a qualified Landscape Architect will be required to be submitted as part of a site specific development application to address such issues as planting materials, fencing and berming of the landscaped strip.

(i) The Background Report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan (EMP) prepared for this neighbourhood identifies that traffic calming devices will be located in 3 locations on the Primary Collector Roads of the Preferred Road Network. Map 1 – Land Use, identifies 3 “Feature Intersections” along the Collector Roads, which reflect the EMP. The treatment of the feature intersections should be designed to accommodate transit routing as well as reduce traffic speeds and discourage through traffic or short cutting traffic movements. Feature intersections can include the mini traffic circles similar to those found in other neighbourhoods within the Meadowlands. They can also include lane narrowing, centre medians or patterned pavement/concrete treatments or interlock stones. The intent of the Feature Intersections is to provide focal points within the neighbourhood
while calming the traffic in an effort to create a pedestrian friendly
neighbourhood. The design and final treatment of the Feature Intersection
shall be determined at the draft plan of subdivision stage.

(j) As a condition of draft plan approval, a traffic calming report will be
required to be submitted by a qualified traffic engineer, to address traffic
calming measures on the collector roads within this neighbourhood.

(k) The Background Report: Meadowlands Neighbourhoods 3, 4 and 5, Class
Environmental Assessment Master Plan (EMP) prepared for this
neighbourhood identifies the location of storm water management ponds
within this neighbourhood. Should the location of these ponds change as
the result of a conceptual storm water management report prepared by a
qualified engineer, then the lands designated as storm water management
ponds on Map 1 – Land Use may be developed in accordance with the
provisions of this Plan without further amendment to it. If additional area
for storm water management is required as a result of a conceptual storm
water management report and the results of the monitoring plan for
Meadowlands Phase 7, then the additional lands can be used for this
purpose without further amendment to this plan.

As part of a development application, the stormwater management pond
located on Garner Road, east of Springbrook Avenue, shall be considered
for relocation westerly towards the hydro corridor subject to the
submission of a preliminary storm water management report prepared by
a qualified engineer to the satisfaction of the City and the Hamilton
Conservation Authority. Should the location of this pond change then the
lands designated as storm water management pond on Map 1 – Land Use
may be developed in accordance with the provisions of this Plan without
further amendment to it.

6.8.8 Secondary Plan Funding and Cost Recovery
The Planning and Development Department established a budget of $45,000 to
fund the preparation of this Secondary Plan. This budget was front ended by
Meadowlands of Ancaster and Paletta International. All developments within the
Meadowlands Neighbourhood IV Secondary Plan area will be required to
contribute their fair share towards the allotted budget based on a per hectare
basis of developable lands within their holding. Meadowlands of Ancaster and
Paletta International will be reimbursed for the front ending of the study budget
for developable lands outside of their holdings. Collection of the financial
contribution to the secondary plan study will be done at the development stage
and implemented as a condition of any development application.

6.8.9 Stormwater Management Facilities - Cost Recovery Agreement
The Meadowlands of Ancaster (752401 Ontario Inc.) and Paletta International
Corp. funded the preparation of a Cost Recovery Agreement to address the
development of stormwater facilities throughout the Meadowlands
Neighbourhood IV. All landowners developing their lands and who benefit from stormwater management facilities will be required to contribute financially their fare share towards the preparation of the Agreement.

The landowner’s financial contribution will be prorated based upon the gross area of benefiting land included in their application for development. The financial contribution will be required as condition of development (i.e. draft plan of subdivision, site plan) and payable on behalf of the Meadowlands of Ancaster and Paletta International Corp. at such time as the Development Agreements or alike are executed.

6.8.10 Institutional Uses

A public elementary school and accessory uses and facilities normally incidental to schools shall be permitted in accordance with Section 4.7, “Institutional” of the Official Plan for Ancaster on those lands designated Institutional on Map 1 - Land Use to this Secondary Plan. A Neighbourhood Park, 2 hectares in size, is designated and to be located adjacent to the public elementary school site. The configuration of the school/park site will be completed at the draft plan of subdivision stage and/or the site plan approval stage.

A Public High School and Roman Catholic Elementary School is not proposed for Meadowlands Neighbourhood IV. Therefore this neighbourhood shall be served by facilities outside of the neighbourhood.

6.8.11 Open Space and Conservation Policies

(a) The open space system for Meadowlands Neighbourhood IV includes the following components shown on Map 1 – Land Use:

i) Parkland;

ii) Pedestrian walkways/bikeways;

iii) The Tiffany Creek Environmentally Significant Area (ESA), the Tiffany Creek Provincially Significant Wetlands (PSW) complex and associated buffers; and

iv) Stormwater management facilities.

(b) New multi-purpose trails shall be established in the linked open space system where deemed appropriate by the City. Every effort shall be made to connect the new trails to existing and planned trails in the Tiffany Creek Environmentally Significant Area (ESA) and the Tiffany Creek Provincially Significant Wetlands (PSW) complex. The trails shall be established through the approval of plans of subdivision and development agreements.
(c) Parkland shall be provided to enhance the linked open space system at two locations:

(1) Adjacent to the Public Elementary School site; and

(2) On the west side of the Hydro corridor, south of Stonehenge Drive.

6.8.12 Special Policy Areas

Map 2 – Special Policy Areas, to this Secondary Plan identifies five Special Policy Areas that shall be subject to the following site-specific provisions:

- Special Policy Area “A”

  The lands known as 1021 Garner Road contain a single detached dwelling, which is listed on the City’s inventory as potentially being of historical/architectural significance. These lands are designated Medium Density Residential on Map 1 – Land Use. In an effort to preserve and maintain the historical/architectural significance of this dwelling, any future development scenario for these lands shall incorporate this dwelling.

- Special Policy Area “B”

  The lands known as 927 Garner Road East contain an existing agricultural livestock operation (pig farm). This agricultural operation can continue to operate with the adoption of this Secondary Plan and as development occurs on adjacent lands. The keeping of livestock has the potential to create nuisance impacts on residential development in proximity to the structures used for the keeping of livestock as a result animal odours, noise and possibly traffic. During the draft plan of subdivision and/or condominium stage or severance, the owner developing lands within 120 metres of Special Policy Area “B” shall be required to advise future property owners through an appropriate agreement, that there may be odours, noise or other nuisance impacts associated with the keeping of livestock on these lands.

- Special Policy Area “C”

  The lands located north of Garner Road East, on the east side of Collector Road “A” and designated Medium Density Residential on Map 1 – Land Use, may be developed for street townhouse dwellings provided that an on street parking plan, prepared by a qualified professional engineer, is provided as part of a development application. A minimum of 0.5 parking spaces per dwelling unit shall be provided for on street visitor parking associated with street townhouses.
• Special Policy Area “D"
The lands located on the west side of Springbrook Road, more specifically, shown on Map 2 – Special Policy Areas, as Special Policy Area “D”, may permit the expansion of the institutional use located to the west (Redeemer University College) onto lands or portions of lands designated Low Density Residential, Medium Density Residential and Storm Water Management Pond, on Map 1 – Land Use, without further amendment to this Plan, provided that it can be demonstrated to Council that the expansion will not hinder or preclude development of adjacent lands for residential purposes and storm water management is provided on a comprehensive basis.

• Special Policy Area “E”
The lands located on the north side of Garner Road, more specifically, shown on Map 2 – Special Policy Areas, as Special Policy Area “E”, may be developed in accordance with Policy 6.8.6 c (i) once the following conditions have been satisfied:

1. That the landowners obtain the approval from the City of Hamilton and the Hamilton Conservation Authority in consultation with the Environmentally Significant Area Impacts Evaluation Group (ESAIEG) of an Environmental Impact Statement which justifies why Special Policy Area “E” should no longer be designated as an Environmentally Significant Area and Provincially Significant Wetland and;

2. That the landowners submit a stormwater management report, prepared by a qualified engineer, to the satisfaction of the City of Hamilton and Hamilton Conservation Authority which addresses how the stormwater facilities located in the Meadowlands Neighbourhood will accommodate the proposed future residential development of Special Policy Area “E”;

3. Should conditions 1 and 2 be satisfied, then as a condition of implementing the draft plan of subdivision and rezoning applications on these lands, the Special Policy Area “E” designation shall be changed by way of a City initiated amendment to reflect the intended development scenario.

6.8.13 Environmental Policies
(a) Development proposals on lands adjacent to the Tiffany Creek Provincially Significant Wetlands (PSW) complex and the Tiffany Creek Environmentally Significant Area (ESA) shall address the relevant
requirements of the Provincial Policy Statement (PPS) and the Hamilton-Wentworth Official Plan.

(b) All development proposals for lands located adjacent to the Tiffany Creek Environmentally Significant Area (ESA) and the Tiffany Creek Provincially Significant Wetlands (PSW) will be subject to review by the Hamilton Conservation Authority and the Environmental Significant Areas Impact Evaluation Group (ESAIEG). Appropriate buffers and development setbacks from the ESA and PSW will be established by ESAIEG and the Hamilton Conservation Authority.

6.8.14 Heritage Policies

1.1 Archaeological Resources Policies

a) The City of Hamilton recognises that previous archaeological surveys in the Meadowlands Neighbourhood IV have identified twelve archaeological sites requiring further investigation. In considering any required approvals for the alteration or development of the lands containing any known site under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall assess or require to be assessed proposed impacts upon that known site.

b) The City of Hamilton recognises that there is demonstrated potential for the presence of additional significant sites within the Meadowlands Neighbourhood IV that remain unidentified. In order to protect those potential archaeological resources, where development projects are proposed that require approval under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall require archaeological assessments to be undertaken by the proponents in accordance with the Ministry of Culture's Archaeological Assessment Technical Guidelines as updated.

c) Where archaeological features are identified, the proponent shall with the advice of a licensed archaeologist develop a plan to protect, salvage or otherwise conserve the features within the context of the proposed development.

d) The City of Hamilton recognises that there may remain within the Meadowlands Neighbourhood IV unmarked burials of First Nations and Euro-Canadian origin. The unique attributes of those sites shall require the involvement and advice of a licensed archaeologist and the Cemeteries Branch of the Ministry of Consumer and Commercial Relations.

e) The City of Hamilton recognises that there may remain within the Meadowlands Neighbourhood IV First Nations' cemeteries. Where such cemeteries are found, the City of Hamilton shall work in conjunction with the appropriate First Nation, Provincial Ministry and the landowner to ensure that the cemetery or burial site is suitably protected.
f) Where practical, the City of Hamilton shall seek to ensure that archaeological sites are left undisturbed. Where there are unavoidable impacts, mitigation through excavation shall be required as a condition of approval. The City of Hamilton shall consult with the Ministry of Culture regarding those that matter.

g) Where an archaeological assessment is required, the proponent shall arrange and finance the archaeological assessment in accordance with the Ministry of Culture's requirements. A licensed archaeologist shall carry out the study. No pre-approved site grading or topsoil disturbance shall be allowed before the assessment has been completed.

1.2 Built Heritage Resources Policies

a) In development proposals the City of Hamilton shall favour the retention, continued use or adaptive re-use of built heritage features where appropriate.

b) Where appropriate, the City of Hamilton pursuant to the Ontario Heritage Act may pass by-laws regarding the acquisition by purchase or lease of designated property or enter into agreements or covenants with owners of buildings of historic or architectural value or interest for the purposes of conservation.

c) In assessing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings within the Meadowlands Neighbourhood IV, the City of Hamilton shall be guided by the following general principles:

i) heritage buildings including their surroundings should be protected from adverse effects of development;

ii) where practical, original building fabric and architectural features should be retained and repaired;

iii) new additions to heritage buildings should generally be no higher than the existing building and wherever possible be placed to the rear of the building or setback substantially from the principal facade; and

iv) new construction and/or infilling in the vicinity of heritage buildings should be compatible with those uses.

d) A heritage impact statement may be required by the City of Hamilton where the development of lands is considered by LACAC to adversely affect a heritage building or structure or potential heritage building or structure in the Meadowlands Neighbourhood IV.

e) The heritage impact statement shall be undertaken by the proponent and contain the following:

(i) a description of the proposed development;
(ii) a description of the heritage feature to be affected by the development;
(iii) a description of the effects upon the heritage feature by the proposed development;
(iv) a description of the measure necessary to mitigate the adverse effects of the development upon the heritage feature.

Where appropriate, the City of Hamilton shall impose as a condition of any development approval the retention and conservation of the affected heritage feature or the implementation of appropriate mitigation measures.

6.8.15 Transportation Policies

(a) Map No. 1- Land Use identifies the Primary Collector Roads for the Meadowlands Neighbourhood IV. Collector Road “A” runs from the extension of Stonehenge Drive southerly to Garner Road. Collector Road “B” generally runs parallel to the Hydro corridor and meets Collector Road “A” south of Stonehenge Drive. The designated road allowance width of the collector roads shall be 26.0 metres. These two primary collector roads will serve to move traffic within and across the Meadowlands Neighbourhood IV.

(b) The location of Local Roads on Map 1- Land Use, are approximate, and minor adjustments shall not require an amendment to this Plan.

(d) Sidewalk requirements shall be determined at the draft plan of subdivision and/or condominium approval process.

(e) Public transit shall be accommodated on the boundary roads and the primary collector roads. Additional pedestrian walkways may be established to minimise walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.

(f) The locations of “Feature Intersections” are shown on Map 1 - Land Use. The design of these intersections shall be determined at the draft plan of subdivision and/or condominium approval stage and in consultation with the City’s Urban Design Section and Traffic Section.

(g) Map 1 - Land Use identifies bicycle routes on the collector and local roads. The exact location and design of on-road bicycle routes shall be determined in the draft plan of subdivision approval processes.

6.8.16 Infrastructure Services

(a) Meadowlands Neighbourhood IV shall be developed on the basis of full municipal services in accordance with the Municipal Servicing Plan in the document entitled Background Report: Meadowlands Neighbourhoods 3,
4 and 5, Class Environmental Assessment Master Plan.

(b) Where a private well(s) and/or private on-site septic system(s) is abandoned in favour of connection to municipal services, the property owner shall properly plug the well and decommission the septic tank in accordance with pertinent legislation and/or guidelines so as to reduce or eliminate potential safety hazards.

(c) All development shall comply with the approved document entitled Master Drainage Plan – Town of Ancaster, November 1987, Philips Planning and Engineering Limited prepared for the former town of Ancaster. Applicants for development proposals may be required by the City to prepare a site-specific Stormwater Management Plan for their lands. The site-specific Stormwater Management Plan shall comply with and incorporate the requirements of the Master Drainage Plan to the satisfaction of the City and the Hamilton Conservation Authority.

6.8.17 Interpretation Policies

(a) The boundaries between the land use designations shown on Map I-Land Use are approximate, except where they coincide with major roads, the wetland or any other clearly defined physical feature. Minor adjustments shall not require an amendment to this Secondary Plan, as long as the intent of its policies is maintained.

(b) This Secondary Plan is intended to be consistent with the Town of Ancaster Official Plan. In the event of a conflict between the Official Plan and this Secondary Plan, the designations and policies of this Secondary Plan shall prevail."

Implementation:

The provisions of Section 7 - Implementation, of the Official Plan for the former Town of Ancaster, will give effect to this amendment. A zoning by-law amendment will give effect to the intended uses on the subject lands.

This is Schedule “1” to By-law No.04-035 passed on the 25th day of February, 2004.

The City of Hamilton

[Signatures]

Mayor

Clerk
Schedule C
Amendment No. 98(A)
To the Official Plan
for the
former Town of Ancaster

Legend
Delete References
In Specific Policy
Area 3-F S. 3.5
Delete Special
Policy Area 3.4
4.3-I from Legend

Date:            Revised By:         Reference File No.
Feb. 18, 2004    P. Moore           OFA 98(A)