CITY OF HAMILTON

BY-LAW NO. 11-058

To Adopt:

Official Plan Amendment No. 163 to the former City of Stoney Creek Official Plan;

Respecting:

Lands Located at located in the West Mountain Area of the former City of Stoney Creek, south of Highland Road West., north of Rymal Road East. and west of Second Road West.

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

1. Amendment No 163 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 9th day of February, 2011

R. Bratina
Mayor

R. Caterini
City Clerk
The following text together with:

- Schedule “A”, (Schedule “A” - General Land Use Plan);
- Schedule “B”, (Schedule “A3” - Secondary Plan – West Mountain Planning District (Heritage Green)); and,
- Schedule “C”, (Schedule “B” Stoney Creek Open Spaces & Natural Environment System)

of the Official Plan of the former City of Stoney Creek, attached hereto, constitute Official Plan Amendment No. 163.

**Purpose:**

The purpose of this Amendment is to redesignate the subject lands from various residential, local commercial and institutional land use designations to a special policy area which allows General Open Space and to refer to the Special Policy Area on Schedule “A” Land Use Plan, Schedule “A3” Secondary Plan West Mountain Planning District (Heritage Green), and on Schedule “B” Stoney Creek Open Spaces & Natural Environment System.

The effect of the redesignations and Special Policy Area will allow open spaces uses on the subject lands and maintain the integrity and protect the Eramosa Karst lands and will set out specific policies that must be addressed prior to considering any future proposed land use change or infrastructure.

**Location:**

The lands affected by this Amendment are located in the West Mountain Area of the former City of Stoney Creek, south of Highland Road West, north of Rymal Road East, and west of Second Road West.

**Basis:**

- The proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe
• The proposed special policy area is in conformity with the general intent and objectives of the Region of Hamilton-Wentworth Official Plan.

• The proposed land use will provide protection of a core natural heritage feature.

• The proposed land use is consistent with the adjacent land uses in the area.

**Actual Changes:**

1. Schedule “A”, General Land Use Plan, be revised by redesignating the subject lands from “Residential” to “Open Space” and identifying the subject lands as “Special Policy Area ‘J’” and as OPA No. 163, as shown on the attached Schedule “A” to this Amendment.

2. Schedule “A3” Secondary Plan – West Mountain Planning District (Heritage Green), be revised by removing the current designations and designating the subject lands as “Natural Open Space” with the notation “Special Policy Area ‘J’ ”, and identifying the subject lands as OPA No. 163, as shown on the attached Schedule “B” to this Amendment.

3. Schedule “B” Stoney Creek Open Spaces & Natural Environment System. Be revised by adding the annotation “See Schedule “A-3”, as shown on the attached Schedule “C” to this amendment.

**Text Changes:**

1. Subsection A.12 Special Policy Areas is amended by adding Policy 12.10 as follows:

   “**12.10 Special Policy Area ‘J’**

   12.10.1 Special Policy (SPA) Area ‘J’ as identified on Schedule ‘A’, General Land Use Plan and Schedule ‘A-3’ Secondary Plan West Mountain Planning District (Heritage Green), located south of Highland Road, north of Rymal Road and west of Second Road, shall be used for Open Space subject to the following policies:

   a) Utilities, municipal infrastructure and transportation facilities, corridors and easements, electrical facilities used for generation and distribution of electrical power, natural gas and oil pipelines, and telecommunications facilities shall not be permitted within SPA ‘J’ unless it can be demonstrated through technical monitoring studies that the proposed undertaking shall not have an adverse impact on the Eramosa Karst.

   b) The following monitoring studies shall be required in addition to any other municipal required study
i) Streamflow Monitoring;
i0 Spring Discharge Monitoring;
iii) Precipitation Monitoring;
iv) Surface Water Quality Monitoring;
v) Groundwater Quality;
v) Risk of Contamination by surface Streams;
vii) Downstream Flooding;
viii) Channel Erosion; and,
ix) Fluvial Geomorphology Study

Individuals who prepare these studies must have expertise in environmental hydrology and geomorphology, and civil engineering.

c) In addition to Policy 12.10.1 b) above, a stormwater management report and Environmental Impact Statements shall be required to incorporate the results of the monitoring studies.

d) Any proposed changes to land use within SPA ‘J’ shall require an amendment to this plan

e) In addition to studies required as part of F 11.6 of this plan, technical studies in accordance with policy 12.10.1 b) and c), any proposed change in land use shall be required to demonstrate that there will be no negative impact to the Eramosa Karst prior to processing any amendments. These studies must be submitted as part of a complete application, and must be completed to the satisfaction of the City, and the Conservation Authority.

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

This is Schedule "1" to By-law No 11-058, passed on the 9th day of February, 2011.

The

City of Hamilton

R. Bratina
Mayor

R. Caterini
City Clerk