

The following text shall be added to the Chedmac Secondary Plan:

Area Specific Policy – Area X

6.3.7.3 Chedoke Browlands

The Chedoke Browlands are located north of the intersection of Scenic Drive and Sanatorium Road, known municipally as 801-780 Scenic Drive, designated Medium Density Residential 3, General Open Space and Natural Open Space, and identified as Area Specific Policy Area X on Map B.6.3.1 – Chedmac Secondary Plan - Land Use Plan.

6.3.7.3.1 Objectives

- a) In addition to Section B.6.3.1 of Volume 2, the following objectives shall apply to the Chedoke Browlands (Area X):
 - i) To provide for the opportunity of small scale commercial and business uses in close proximity to residential uses, live/work dwelling units are encouraged;
 - ii) To ensure that the development of the Chedoke Browlands (Area X) shall provide a safe, attractive and pedestrian-oriented residential environment with a high quality of design of buildings, public spaces and streets;
 - ii) To encourage energy conservation through community planning, site planning and urban design;
 - iv) To integrate natural and cultural heritage features into the design of the site with specific focus on the open space areas as well as providing a strong link to the Niagara Escarpment;
 - v) To integrate significant cultural heritage landscape features and characteristics such as the pavilion design, the curvilinear street pattern, as well as the sense of openness and park-like setting, into the development;
 - vi) To identify and protect historically or architecturally significant buildings and cultural heritage landscape features;
 - vii) To ensure compatibility with the existing residential area;

- viii) To develop a land use pattern and transportation system that supports transit, cyclists and pedestrians and vehicular traffic;
- ix) To provide public linkages to and through the site; and,
- x) To provide and/or protect significant views and encourage sensitive development adjacent to the Niagara Escarpment.

6.3.7.3.2 Residential Policies

Areas X-1 and X-2

- a) The following policies shall apply to those lands designated Medium Density Residential 3 - Land Use Plan and identified as Areas X-1 and X-2 in Area Specific Policy X on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan:
 - i) In addition to Sections E.3.5.2 – Medium Density designation of Volume 1 and B.6.3.2.4 Medium Density 3 Residential Designation, a retirement home and amenity uses may be permitted.
 - ii) Notwithstanding Sections E.3.5.2 – Medium Density Residential designation of Volume 1 and B.6.3.2.3 Medium Density 3 Residential Designation, live/work units may be permitted in block townhouses only, except for lands fronting on Scenic Drive and shall be limited to only the following uses:
 1. Artists' or photographers' studios;
 2. Personal services;
 3. Custom workshop; and,
 4. Office; and,
 - iii) Notwithstanding Sections E.3.5.7 – Medium Density Residential designation of Volume 1 and B.6.3.2.3 Medium Density 3 Residential Designation, limited local commercial uses may be permitted within apartment buildings on the ground floor only and within the heritage buildings existing as of June 22, 2012 and in accordance with the Zoning By-law.
 - iv) Notwithstanding Sections E.3.5.7 – Medium Density designation (scale) of Volume 1 and B.6.3.2.4 – Medium Density 3 Residential Designation, the maximum net residential density shall not exceed 80 units per hectare.

- v) Notwithstanding Policy B.6.3.7.3.2 a) iv), a maximum of 529 dwelling units shall be permitted. For the purposes of overall unit count and density:
 - i) Up to 100 of the permitted dwelling units may be allocated as retirement dwelling units and two retirement dwelling units shall be equivalent to one residential dwelling unit.
 - ii) Should the land owner choose to implement the equivalency option in Policy B.6.3.7.3.2 a) v) 1., a maximum of 429 residential dwelling units and 200 retirement dwelling units shall be permitted within the Area Specific Policy Areas X-1 and X-2.
 - iii) Notwithstanding the equivalency option in Policy B.6.3.7.3.2 a) v) 1., retirement dwelling units may also be permitted on a one to one basis exceeding the 200 equivalency units, provided the total number of dwelling units shall not exceed 629.
- vi) The Long Bisby building, existing as of June 22, 2012, and shown on Map B.6.3-2-Cultural Heritage Landscapes, shall be retained and conserved through sympathetic adaptive reuse, where structurally feasible.
- vii) Notwithstanding Policies B.6.3.7.3.2 a) v), b) i) and c) i), uses contained within any existing heritage building shall not contribute to the overall unit count gross floor area or density.
- viii) Direct vehicular access to individual buildings shall be prohibited from Scenic Drive. The site shall be developed on the premise of a private condominium road network.
- ix) New buildings and structures shall be set back a minimum of 30 metres from the staked limit of the brow of the Niagara Escarpment. If enlarging any part of an existing building which is located closer than the 30 metres, no part of the new construction shall be within the 30 setback to the staked limit of the Niagara Escarpment or closer to the brow than the existing building.

Area X-1

- b) In addition to Section B.6.3.7.3.2a, the following policies shall apply to the lands designated Medium Density Residential 3 and

identified as Area specific X-1, on Map B.6.3-1 – Chedmac - Land Use Plan:

- i) Notwithstanding Policy E.3.5.7 and B.6.3.2.4 b),
 1. a maximum of 195 units; shall be permitted and,
 2. the overall gross floor area for all residential units shall not exceed 20,000 square metres.
- ii) Notwithstanding Section E.3.5.8 – Medium Density Residential (scale), the maximum height of buildings shall not exceed
 1. 4 storeys for buildings located in the interior of the site; and,
 2. 3 storeys for buildings located on Scenic Drive.
- iii) Notwithstanding Policy B.6.3.7.3.2 a) vii), a residential building shall be permitted in the vicinity of the former Brow Infirmary building provided:
 1. it maintains the existing setbacks from the Escarpment brow; and,
 2. the design of the building shall incorporate the recommendations of the Cultural Heritage Impact Assessment.

Area X-2

- c) In addition to Section B.6.3.7.3.2 a), the following policies shall apply to the lands designated Medium Density Residential 3 and identified as Area Specific X-2, on Map B.6.3-1 – Chedmac – Land Use Plan:
 - i) Notwithstanding Policy E.3.5.7 and B.6.3.2.4 b),
 1. a maximum of 335 units shall be permitted; and,
 2. the overall gross floor area for all residential units shall not exceed 34,000 square metres.
 - ii) Notwithstanding Section E.3.5.8 – Medium Density Residential (scale), the maximum height of buildings shall not exceed
 1. 3 storeys for block or stacked townhouses; and,
 2. 4 storeys for apartment buildings.
 - iii) In addition to Policy E.3.5.7 and B.6.3.2.4 b) and notwithstanding Policy E.3.8.2a) – Local Commercial Permitted Uses in Volume 1, only the following commercial and institutional uses shall be permitted in the existing "Long and Bisby" building:

1. Art Gallery;
2. Artist Studio;
3. Craftsperson Shop;
4. Office;
5. Personal Services;
6. Retail Store, excluding a Convenience Store, not to exceed 200 square metres;
7. Day Nursery;
8. Library;
9. Museum;
10. Community Centre;
11. Lecture Room; and,
12. Medical Clinic.

iv) The existing "Long and Bisby" building may also be converted to a maximum of 12 residential dwelling units provided the heritage character of the building is not altered significantly.

6.3.7.3.3 Natural Open Space

- a) Lands designated "Natural Open Space" and identified as X-3 and X-4 on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan shall be preserved as natural open space and no development shall be permitted. Conservation, flood and erosion control, and passive recreation uses shall be permitted.
- b) Notwithstanding Policy B.6.3.7.3.4 a), the existing heritage building may be converted to other uses in accordance with Policies B.6.3.7.3.2 c) iii) and iv); and,
- c) A vegetative protection zone (buffer) will be provided along X-3, as identified through an approved Environmental Impact Statement, and revegetated in accordance with the recommendations of this study.

6.3.7.3.4 Urban Design

The Chedoke Browlands (Area X) shall be developed in accordance with the following urban design principles:

- a) Prior to the approval of site plan and/or plan of condominium applications, the applicant is required to submit:
 - i) A Master Site Plan including, among other matters, a phasing plan, visual impact assessment and urban design guidelines, in accordance with Policies B.6.3.7.3.4 b) and e);

- ii) A Precinct Plan, in accordance with Policies B.6.3.7.3.4 g) and h) below;
- iii) Architectural Control Guidelines, in accordance with Policy B.6.3.7.3.4 i); and,
- iv) An Urban Design Report, in accordance with Policy B.6.3.7.3.4 j).

Visual Impact Assessment/Viewshed Analysis

- b) All new development proposals within Chedoke Browlands (Area X) shall conform to an approved Visual Impact Assessment prepared to the satisfaction of the City of Hamilton, in consultation with the Niagara Escarpment Commission. The Visual Impact Assessment shall:
 - i) determine the potential for adverse impacts on the Niagara Escarpment.
 - ii) recommend mitigation measures to assist in the visual integration of buildings into the landscape of the Niagara Escarpment, including but not limited to, landscaping, architectural treatment of buildings, building heights, roof details and fenestration, glazing of buildings and lighting;
- c) An addendum to the Visual Impact Assessment will be required, prior to Site Plan Approval and the removal of "H" Holding provisions in the implementing Zoning By-law, detailing how the final building locations meet the Visual Assessment Guidelines and the policies within Section B.6.3.7.3 – Chedoke Browlands (Area X).
- d) All new developments shall be implemented in accordance with the Visual Impact Assessment, including the addendum, as appropriate.

Master Site Plan

- e) A Master Site Plan shall be prepared prior to the removal of any "H" Holding Provision in the implementing Zoning By-law and prior to Site Plan Approval.
- f) Master Site Plan shall provide a general site plan for all of the lands within Chedoke Browlands (Area X) and shall include:
 - i) Key neighbourhood design and built form elements, such as: the internal road system; pedestrian and cycling circulation and connectivity; buildings and associated parking areas; open space and recreational areas; cultural heritage buildings, structures and features that are to be preserved; locations of

commercial and other non-residential uses; and other neighbourhood and site design elements (such as viewsheds identified in the Visual Impact Assessment as set out in Policy B.6.3.7.3.4 b) to d);

- ii) General urban design guidelines to illustrate the intended character of buildings, streets and exterior spaces, and building relationships to streets and public spaces, to natural environment areas, to heritage buildings and structures to be preserved and to the surrounding neighbourhood. The guidelines shall address how the proposed development features such as new buildings, entry features, streetscape and landscape design are to be sympathetic in nature to the historical significant of the Chedoke Browlands (Area X), retained natural heritage features (including the Niagara Escarpment) and, to the heritage architectural and cultural landscape features that will be conserved; and,
- iii) A phasing plan for Chedoke Browlands (Area X);

Precinct Plans

- g) Precinct Plans shall be prepared for each phase of development. The Precinct Plan shall illustrate the intended form of development for each block including the implementation of the overall neighbourhood design and built form elements (as set out in the Master Site Plan) and include: building footprints and heights; parking areas; landscaped areas; the manner in which cultural heritage buildings, structures and features are to be preserved and integrated into the project; and the locations of commercial and other non-residential uses.
- h) The Master Site Plan and Precinct Plan(s) shall be used as a guide in the preparation and review of Site Plan and Plan of Condominium Applications. Deviations from the Master Site Plan may be permitted where required to reflect detailed building or infrastructure design, provided the change is consistent with the intent Urban Hamilton Official Plan and fundamental principles of the Master Site Plan are maintained, to the satisfaction of the City.

Architectural control guidelines

- i) Architectural control guidelines shall be prepared prior to Site Plan Approval to provide design guidance necessary to achieve a high quality of architectural design and to ensure that new buildings are sympathetic to both the historical significance of the Chedoke Browlands (Area X) and to the heritage architecture and cultural landscape features that will be preserved. Architectural control is to be implemented through a third-party registered architect retained by the City.

Urban Design Report

- j) The Urban Design Report shall include text, plans, details and/or elevations, as necessary, to demonstrate how the intent of the Chedmac Secondary Plan policies and the urban design policies contained in Section B.6.3.7.3.4 – Chedoke Browlands (Area X) have been met.

Other Policies

- k) Significant views to and from the Escarpment Urban Area shall be maintained and enhanced, consistent with the cultural heritage landscape.
- l) Surface parking shall be prohibited between Scenic Drive and the main wall of any building that faces Scenic Drive.
- m) The majority of parking shall be accommodated either through underground structures or within buildings.
- n) A minimum of 30% of landscaped open space shall be maintained for each of Areas X-1 and X-2. In order to preserve the open, park-like setting, the established groupings of trees shall be preserved, where possible.
- o) Continuous building walls along Scenic Drive shall be prohibited. Buildings shall provide appropriate spacing based on building height to allow light, reduce shadow impacts and provide privacy between buildings. The spacing of the buildings will also promote views into and through the site.
- p) All block townhouse units shall have the principal front door orientated towards Scenic Drive or an internal private condominium road or driveway. For townhouse units fronting both Scenic Drive and an internal public street, private condominium road or driveway, the principal entrance shall be orientated towards the public street.
- q) All apartment buildings shall have a minimum podium height of 2 storeys and a maximum podium height of 4 storeys. Those portions of apartment buildings that abut Scenic Drive shall be setback above 4 storeys.
- r) Green roofs shall be incorporated, where feasible, for all buildings that exceed 4 storeys in height.
- s) Development of the Chedoke Browlands (Area X) shall incorporate sustainable site and building features and technologies to minimize energy consumption, conserve water, reduce waste, improve air quality and promote human health and wellbeing. All new

development shall incorporate Leadership in Energy and Environmental Design (LEED) certification for new construction and neighbourhood development and Low Impact Development (LID) approaches, where possible.

6.3.7.3.5 Transportation

In addition to Section C.4 – Integrated Transportation Network and Policy B.6.3.6 of Volume 2, the following policies shall also apply:

- a) The Chedoke Browlands (Area X) will be developed on the premise of a network of private driveways together with a private condominium road or public street, with a minimum of two driveway accesses to Scenic Drive.
- b) New development shall support the use of public transit by creating a comfortable pedestrian environment with links to the public arterial road system where transit will be provided.
- c) A pedestrian pathway network shall be established throughout the Chedoke Browlands (Area X) to connect to the Brow Trail. A public access easement shall be granted for pedestrian linkages within the north-south portion of the private road (as shown as a dashed line on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan).
- d) A roundabout may be required at the southerly intersection of Scenic Drive and the private road (as shown as a dashed line on (as shown as a dashed line on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan) and any land required to accommodate the roundabout shall be dedicated to the City.
- e) The Owner shall submit a streetscape plan for existing Sanatorium Road either as a private condominium road or as a public street.
- f) A bicycle pathway, as identified in the City's Trails Master Plan, shall be provided and maintained through an easement along the north-south alignment of the Sanatorium Road either as a private condominium road or public street (as shown as a dashed line on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan).
- g) Any private condominium road shall be engineered and built to carry the load of fire apparatus to the satisfaction of the Fire Chief.

6.3.7.3.6 Cultural Heritage Resources

In addition to Section B.3.4 – Cultural Heritage Resources of Volume 1, the following policies shall also apply:

- a) The lands contained within the Chedoke Browlands (Area X) have been included in the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest, Appendix A: Inventory of Cultural Heritage Landscapes, as such, development and redevelopment within the Chedoke Browlands (Area X) shall be sympathetic to the cultural heritage landscape and shall ensure the conservation of significant built heritage and cultural heritage resources.
- b) The Chedoke Browlands (Area X) shall be developed in accordance with the following built heritage conservation and planning principles and objectives:
 - i) The continuation of a pedestrian corridor along the brow of the Niagara Escarpment;
 - ii) The protection and retention of the "Long and Bisby" Building as shown as LB on Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Landscapes, in situ and through sympathetic adaptive reuse;
 - iii) A new building in the location of the former "Brow Infirmary" Building shall be designed to respect the heritage architecture of the original building shall be constructed in the same approximate building footprint to a maximum height of 4 storeys and be set back from the staked limit of the brow of the Niagara Escarpment no closer than the existing "Brow Infirmary" Building;
 - iv) The preservation and conservation of the pedestrian bridge over the Chedoke Creek and the stone vehicular bridge and associated stone wall/pillars; and,
 - v) The preservation and conservation of other heritage resources shall be encouraged. Where these resources cannot be retained, then the City will require the appropriate documentation of all buildings to be demolished be provided prior to removal.

Cultural Heritage Landscapes

- c) The cultural heritage landscape consists of the curvilinear street pattern, open park-like setting, the undulating topography, the natural areas, the views through the site and the spatial organization of the buildings. In addition, the buildings themselves, the pedestrian bridge, the Cross of Lorraine, the stone pillars and stone wall, the stormwater management facility and Escarpment stairs are elements of the cultural heritage landscape.

- d) Development within the Chedoke Browlands (Area X) shall have regard to the following cultural heritage landscape requirements:
- i) Development shall be compatible with the existing cultural heritage landscape, such that open spaces, plantings and the curvilinear street pattern are maintained and/or referenced in the new development and that the layout and scale of buildings reflect the existing site, where possible;
 - ii) The existing topography of the perimeter roads, woodlots and Chedoke Creek and stormwater management facility shall be maintained, where feasible.
 - iii) The existing trees and vegetation within the Chedoke Creek/stormwater management facility shall be maintained and enhanced.
 - iv) A tree preservation plan shall be submitted to determine the opportunities for the protection and preservation of individual trees and the recommendations shall be implemented to the satisfaction of the City. The plan shall be prepared in association with the Heritage Impact Assessment so that trees that contribute to the cultural heritage landscape can be identified and considered for preservation;
 - v) Significant view and view corridors to, through, and from Chedoke Browlands (Area X) shall be protected, as identified in the Master Site Plan, identified in Section B.6.3.7.3.5 – Urban Design of Volume 2.
 - vi) An open, park-like landscape setting shall be provided in front of the "Long and Bisby" Building. Limited parking may be permitted provided there are no other feasible alternative locations; and,
 - vii) The existing curvilinear road alignment of old Sanatorium Road shall be respected, where technically feasible.

Cultural Heritage Impact Assessment

- e) A Cultural Heritage Impact Assessment or Assessments shall be undertaken prior to Site Plan Approval for any development within Chedoke Browlands (Area X) and shall contain the following matters:
- i) Identification and evaluation of the following potentially affected cultural heritage resource(s): The "Long and Bisby" Building; including detailed site(s) history and cultural heritage

- resource inventory containing textual and graphic documentation;
- ii) A descriptive 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).
- f) The City may require that, as part of the development or redevelopment of the lands, heritage features be retained on site and incorporated, used for adaptively re-used as appropriate.
- g) Where appropriate, the City may impose a condition on any development approval for the retention and conservation of the affected heritage features or the implementation of recommended mitigation measures through heritage easements pursuant to the *Ontario Heritage Act* and/or Development Agreements.

Archaeology

- h) An Archaeological Assessment shall be undertaken by an Ontario licensed archaeologist for the entire site to the satisfaction of the Ministry of Culture and the City of Hamilton prior to any development or site alteration (including site grading, tree planting/removal and topsoil disturbance);
- i) Where archaeological features are identified, the development proponent shall develop a plan, to protect, salvage or otherwise conserve the features within the context of the proposed development as recommended by a licensed archaeologist and approved by the Province and the City of Hamilton.

6.3.7.3.7 Stormwater Management and Engineering

In accordance with Section C.5.4 – Storm Water Management of Volume 1, the following policies shall also apply:

- a) Stormwater management facilities shall follow an integrated design process. The design of the facilities shall respect the

recommendations of the Tree Preservation Plan and Heritage Impact Assessment.

- b) Submission of engineering and grading plans for stormwater management facilities shall demonstrate a low impact design and how impact to the important heritage features identified will be minimized.
- c) Due to the sensitive nature of the site a detailed engineering submission outlining how excavation for footings or underground parking on the subject lands can be achieved without adversely affecting the stability of the Niagara Escarpment. The report shall consider utilizing methods other than blasting, where possible.

6.3.7.3.8 Implementation

- a) The "H" Holding provisions in the implementing Zoning By-law shall include the following requirements and maybe lifted for portions of the site to allow development to occur in phases:
 - i) The Master Site Plan and/or Master Plan for the relevant development phase has been prepared to the satisfaction of the City;
 - ii) Studies or updates/addenda to existing studies, as determined by the Director of Planning and Chief Planner, have been prepared which inform and support the master plan(s), and which may include:
 1. Sustainability Strategy;
 2. Detailed Cultural Heritage Impact Assessment(s);
 3. Stormwater Management Report that considers Low Impact Development opportunities;
 4. Tree Preservation/Protection Plan;
 5. Traffic Impact Study;
 6. Visual Impact Assessment or Update;
 7. Archeological Assessments,;
 8. Geotechnical/Engineering Study; and,
 9. Detailed Servicing Strategy;

- iii) The urban design guidelines have been prepared in accordance with Policy F.3.2.5.2 of Volume 1, to the satisfaction of the City;
- iv) An Urban Design Report has been submitted to demonstrate, to the satisfaction of the Director of Planning, compliance with the urban design policies of this Plan and the urban design policies contained in Section B.3.3 – Urban Design Policies of Volume 1 and Section B.6.3.7.3.4 – Chedoke Browlands (Area X).