TO: Chair and Members Planning Committee  
WARD(S) AFFECTED: WARD 7

COMMITTEE DATE: June 7, 2011

SUBJECT/REPORT NO:  
Jerome Neighbourhood Plan Amendment, 1306 Upper Wellington Street (Hamilton) (Ward 7) (PED11095)

SUBMITTED BY:  
Tim McCabe  
General Manager  
Planning and Economic Development Department

PREPARED BY:  
Alissa Mahood  
(905) 546-2424, Ext. 1250

SIGNATURE:

RECOMMENDATION

That approval be given to amend the Jerome Neighbourhood Plan by redesignating the subject lands from “Proposed Roads” to “Park and Recreational” to accommodate the proposed development of Jerome Park, as shown on Appendix “A” to Report PED11095.

EXECUTIVE SUMMARY

This Report recommends a Neighbourhood Plan amendment to the Jerome Neighbourhood Plan for the removal of a proposed future road to accommodate the proposed development of Jerome Park. The lands affected by this amendment are located at 1306 Upper Wellington Street, in the former municipality of Hamilton, as illustrated on Appendix “B”.

In 2003, Landscape Architectural Services (formerly Open Space Development and Park Planning Section), Public Works Department, initiated the public consultation process for the development of Jerome Park. Between 2002 and 2010, the City
conducted several environmental studies of the park parcel to characterize the requirement to rehabilitate the lands for park development. A number of environmental constraints were identified from the historical use of the site as a quarry and building rubble dump to topographic variability (dropping of grades from over 7 metres from one end to the other). In addition, a large woodlot of mature trees was also identified.

Consequently, due to the environmental site constraints within the park parcel, the usable area for park amenities is limited to the area including and immediately surrounding the lands shown in the Jerome Neighbourhood Plan as “Future Road”. Proposed park amenities include a play area, spray pad, sun shelter, multi-use court, pathways, trees, retaining walls, and grass establishment, as show in Appendix “C”. An amendment to the Jerome Neighbourhood Plan is required for the park development.

Alternatives for Consideration - See Page 7.

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS** (for Recommendation(s) only)

**Financial:** There are cost savings associated with eliminating the construction of a road without developable frontage.

- **Infrastructure Costs:** The costs associated with the installation of services and reinstatement of the parklands will be a condition of the development of the lands that are intended to drain through the park.

- The City will require securities to minimize safety issues, damage, and interruption to the park site use when the servicing is installed in the future.

**Staffing:** There are no staffing implications.

**Legal:** The Neighbourhood Plan was adopted by Council resolution. An amendment to the Neighbourhood Plan requires a formal Council decision to enact the amendment; however, because Neighbourhood Plans are not part of the Official Plan, the provisions of the Planning Act respecting Public Notice for the meeting do not apply.

**HISTORICAL BACKGROUND** (Chronology of events)

Jerome Park has been in City ownership for over two decades. Evidence of former quarries and various types of fill, including building and construction debris, was found during the course of environmental studies of the site. Also, historical evidence indicates that this area was a snow dump for a period of time.
The Public Works Department began its study of Jerome Park in 2002 with a Phase I Environmental Site Assessment, followed by a Phase II Environmental Site Assessment later the same year. These studies found evidence of a quarry, construction rubble, and fill, including debris and inert materials. In 2005, a Supplemental Phase II Environmental Site Assessment was conducted, and found more areas considered inert by Ministry of Environment standards.

In 2008, filling of the existing quarry pit was carried out using clean fill in anticipation of the future parkland. Also, final site characterization and survey work were conducted to facilitate the preparation of the Risk Assessment for the property. The Risk Assessment was finalized and listed a number of components of a Risk Management Plan, which when followed, were deemed to bring Jerome Park up to a safe standard for parkland uses. Components of the plan included the treatment of the woodland slope, including the installation of retaining walls.

Due to the environmental constraints identified from the historical use of the site as a quarry and building rubble dump to topographic variability (dropping of grades from over 7 metres from one end to the other), and the mitigating measures required for the park development (capping requirements from the risk assessment, installation of retaining walls, preservation of existing woodlot), the usable area for park amenities is limited to the area including and immediately surrounding the lands designated as “Proposed Roads” in the Jerome Neighbourhood Plan (see Appendix “A”).

### POLICY IMPLICATIONS

#### PROVINCIAL PLANNING FRAMEWORK

1.0 Provincial Policy Statement (2005)

The *Planning Act* requires that a Council of a municipality, in exercising any authority that affects a planning matter, shall be consistent with policy statements issued under Sub-section (1) of the *Planning Act*. This provision refers to the Provincial Policy Statement (PPS), a document with policies that focus on key provincial interests related to land use planning.

The Provincial Policy Statement, 2005 (PPS, 2005) provides policy direction on matters of provincial interest related to land use planning and development. The PPS recognizes the complex interrelationships among and between environmental, economic, and social factors in land use planning. The Provincial Policy Statement was issued under Section 3 of the *Planning Act*, and came into effect on March 1, 2005. Three major sections of the PPS apply:

- Building Strong Communities - including the wise management of land to meet future needs, provision of a range of housing types and densities, and protection of employment areas;
• Wise Use and Management of Resources - namely the protection of natural heritage, cultural heritage, and archaeological resources; and,

• Protecting Public Health and Safety - relates to directing development away from areas of natural or human-made hazards.

The proposed amendment to the Jerome Neighbourhood Plan would allow the development of the park in accordance with the parameters set out under Provincial Legislation. Accordingly, the proposed amendment is consistent with the PPS.

MUNICIPAL PLANNING FRAMEWORK

1.0 Hamilton-Wentworth Official Plan

Map No. 1 - Regional Development Pattern of the Hamilton-Wentworth Official Plan designates the subject property as “Urban”. The policy directions that are most relevant include:

**Greenspace - Leisure Activities**: recreation and access to greenspace contribute to the quality of life and diversity of lifestyle. Natural features, open spaces, and parks contribute to the overall design of urban and rural areas and provide opportunities for active and passive enjoyment of the outdoors. These opportunities should not be compromised.

The proposed Neighbourhood Plan amendment conforms to the Hamilton-Wentworth Official Plan.

2.0 City of Hamilton Official Plan

Schedule “A” - Land Use Concept of the former City of Hamilton Official Plan designates the lands as “Open Space”. The intent for the “Open Space” designation is to encourage a high-quality urban environment through the optimum use of natural resources. It is also the intention to preserve and conserve “Open Space”, ecologically significant features, lands that may be endangered by various hazards and other attributes of the natural landscape.

Jerome Park is classified as a Neighbourhood Park. The proposed amendment to the Jerome Neighbourhood Plan meets the intent of the direction and policies of the former City of Hamilton Official Plan.
Section D.2 - Planning Units and Neighbourhood Plans of the City of Hamilton Official Plan contains policies pertaining to Neighbourhood Plans. It is intended that the implementation of the Official Plan will be carried out through the preparation of new or the revision of existing Neighbourhood Plans. As per Policy D.2.8, Neighbourhood Plans are to be adopted by Council resolution and may be amended from time-to-time. The proposed amendment conforms to the Hamilton Official Plan.

3.0 **Urban Hamilton Official Plan (Council Adopted, Under Appeal)**

The subject lands are designated as “Parks and General Open Space” on Schedule “B” - Natural Heritage System, and “Neighbourhoods” on Schedule E-1 - Urban Land Use Designations of the Urban Hamilton Official Plan. The Official Plan establishes a hierarchy of parkland. Jerome Park is classified as a Neighbourhood Park. Neighbourhood Parks cater to the recreational need and interests of the residents living within its general vicinity. They comprise of a mixture of passive areas, sports facilities, play areas, and may include natural areas.

The proposed amendment to the Jerome Neighbourhood Plan would conform to the Urban Hamilton Official Plan.

4.0 **Jerome Neighbourhood Plan (Council Approved June 27, 1989)**

The subject lands are designated “Park and Recreational” and “Proposed Roads” in the Jerome Neighbourhood Plan. The proposed amendment to the Neighbourhood Plan supports the “Park and Recreational” designation of the adjacent lands.

## RELEVANT CONSULTATION

**Public Consultation**

In 2003, Landscape Architectural Services, Public Works Department, initiated the master plan process for the development of Jerome Park. Extensive consultation was carried out working closely with the neighbourhood and Ward Councillor to identify an appropriate park program. The following public consultation activities were carried out:

- **May 16, 2008 - Notice to Residents of Work at Jerome Park**

  - Filling of the excavation on Park/School Board property (former quarry pit).
February 1, 2010 - Public Information Centre

- Mountain Arena, 6:30p.m. - 8:30p.m. - “Open House” style.
- Environmental consultants on hand to answer questions regarding the Risk Assessment.
- Park development proposals on display.
- Opportunity for public comment and discussion.
- No major concerns regarding the proposal.

June 25, 2010 - Notice to Residents of Work at Jerome Park

- Phase 1 - PW-10-27 (P) - Clearing contract.

July 25, 2010 - Notice to Residents of Work at Jerome Park

- Phase 2 - filling and grading work completed by local developer (Urbex Engineering) to complete capping exercise on site.

Staff Consultation

On March 29, 2011, Landscape Architectural Service held a meeting with the following staff from the Planning and Economic Development Department’s sections:

- Community Planning and Design
- Development Planning
- Growth Management

In addition, Public Works, Environment and Sustainable Infrastructure, and Traffic Planning staff was in attendance.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The entire park parcel, including the proposed road extension through the park, is designated as “Open Space/Park” in both the former City of Hamilton Official Plan and the new Urban Hamilton Official Plan. Jerome Park is classified as a Neighbourhood Park, according to Official Plan policies. This park represents the only Neighbourhood Park for the planning unit. The park would serve approximately 1,740 residents (according to the 2009 census). An amendment to the Jerome Neighbourhood Plan to redesignate the road portion to “Park and Recreational” is in keeping with the designation and policies of the Official Plans.
Due to the environmental site constraints within the park parcel, the usable area for park amenities is limited to the area that is shown in the Jerome Neighbourhood Plan as “Proposed Roads”. Proposed park amenities include a play area, spray pad, sun shelter, multi-use court, pathways, trees, retaining walls, and grass establishment. Due to the topography in the park parcel, the location of capping requirements from the risk assessment, and the natural landform, it is not possible to shift the park amenities.

Planning staff has reviewed the proposal to remove the future proposed road through Jerome Park, and are of the opinion that there would not be any adverse impact on the ability for the properties to the south of the park to develop in an efficient and orderly manner. From a servicing standpoint, Development Engineering has indicated that the road portion is not required; however, the park development must make provision for a 12.0 metre wide servicing corridor from the south property line to the existing stubs at Towercrest Drive for the provision of services that will allow properties to the south of the park to develop.

Staff from the Traffic Planning Section, Environment and Sustainable Infrastructure Division of the Public Works Department has also reviewed the proposal to remove the future road, and do not object to the change in road layout.

Based on this review, it has been determined that from a planning, traffic, and servicing perspective, the proposed road extension through the park is not required as long as a service corridor is protected to ensure that services can be provided in an orderly and efficient manner that do not compromise the development envisioned in the Jerome Neighbourhood Plan.

**ALTERNATIVES FOR CONSIDERATION**

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Several scenarios have been considered including the following:

**Option 1: Relocation of Park Amenities**

Move the park amenities to a different location away from the proposed future road corridor that would allow a municipal road to be constructed. Due to the environmental constraints of the site, it is not possible to move these amenities. The park would become a passive park without the proposed amenities.
Option 2: Provision of Service Corridor Below Park Amenities

A service corridor can be provided through the park below the future park amenities. However, this alternative is not a desirable option due to the costs that would be associated with the disruption of the park amenities in the event that repairs are required for the underlying services.

Providing a service corridor extending through the park along the planned road allowance to Towercrest Drive is the preferred alternative, as it accommodates the proposed park amenities and reduces any need for disruption of park services.

CORPORATE STRATEGIC PLAN  (Linkage to Desired End Results)


Skilled, Innovative and Respectful Organization

• More innovation, greater teamwork, and better client focus.

Financial Sustainability

• Effective and sustainable Growth Management.
• Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative, and cost-effective manner.

Environmental Stewardship

• Natural resources are protected and enhanced.
• Reduced impact of City activities on the environment.

APPENDICES / SCHEDULES

• Appendix “A”: Schedule “A” Draft Amendment to the Jerome Neighbourhood Plan in the former City of Hamilton
• Appendix “B”: Park Location Map
• Appendix “C”: Jerome Park Schematic Plan

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Attachs. (3)
Schedule "A"

DRAFT Amendment to the Jerome Neighbourhood Plan for the former City of Hamilton

Date: April 28, 2011

Revised By: AM

Reference File No.: PED11095

Lands to be redesignated from "Proposed Roads" to "Park and Recreational"