CITY OF HAMILTON

MOTION

Council Date: June 14, 2006

MOVED BY COUNCILLOR    BRUCKLER…………………………………………………

SECONDED BY COUNCILLOR……………………………………………………………

That Item 11 of Planning and Economic Development Committee Report 06-007 respecting Applications for Amendments to the Stoney Creek Official Plan and Stoney Creek Zoning By-law No. 3692-92, and Draft Plan of Subdivision, "Heritage Greene," for Lands Located Within Special Policy Area "C", in the Former City of Stoney Creek (PED06137) (Ward 9) be approved as follows:

(a) That approval be given to Subdivision Application 25T-200509, by 1322285 Ontario Ltd. (Silvestri Investments), owners, to establish a draft plan of subdivision, known as “Heritage Greene,” on lands located on Part of Lot 32, Concession 7 (Saltfleet), as shown on Appendix “B” to Report PED06137, subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix “C” to Report PED06137, and the following:

(i) Acknowledgement that there will be no City share for any municipal works related to this development; and,

(ii) That payment of Cash-in-Lieu of parkland be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit for the blocks within the plan of subdivision. The payment will be based on a maximum of 5% of the value of the lands on the day prior to the day of the issuance of the building permit for the residential block(s), and 2% for the commercial block(s);

all in accordance with the Financial Policies for Development, and the City’s Parkland Dedication By-law, as approved by Council.
(b) That approval be given to the amended application by **1322285 Ontario Ltd. (Silvestri Investments), owners**, for Official Plan Amendment No. ___, for land located within Part of Lot 32, Concession 7 (Saltfleet), as shown on Appendix “A” to Report PED06137, for a change in designation on Schedule “A” General Land Use Plan, from “Special Policy Area ‘C’” to “Shopping Centres” and “Residential”, and on Schedule “A3” Secondary Plan, West Mountain Planning District – Heritage Green Section, from “Special Policy Area ‘C’” to “District Shopping Centre”, “Community Shopping Centre” and “Medium-High Density Residential”, of the City of Stoney Creek Official Plan.

(c) That approval be given to **City Initiative CI-05-N and amended Zoning Application ZAC-03-93, by 1322285 Ontario Ltd. (Silvestri Investments), owners**, for changes in zoning from the Neighbourhood Development “ND” Zone to the Community Shopping Centre (Holding) “SC2-3(H)” Zone, Neighbourhood Shopping Centre (Holding) “SC1-3(H)” Zone, Mixed Use Commercial (Holding) “MUC-1(H)” Zone, Multiple Residential (Holding) “RM3-27(H)”, Multiple Residential (Holding) “RM4-5(H)” Zone, and Open Space “OS” Zone, to permit a mixed use development on lands known as Part of Lot 32, Concession 7 (Saltfleet), in the former City of Stoney Creek, shown as Blocks 1 to 6, respectively, on Schedule “A” of Appendix “D” to Report PED06137, on the following basis:

(i) That the attached draft By-law, included as Appendix “D” to Report PED06137, as amended by Committee on May 2, 2006, respecting a reduction in lot coverage, reduction in floor area for any individual store, reduction in parking space requirements, and clarifications regarding permitted restaurants, which has been prepared in a form satisfactory to the City Solicitor, not be enacted by City Council until a public information meeting has been held, in the local community, with an invitation to participate being sent to the Stoney Creek BIA, to explain the final recommendations regarding the subject development proposal.

(ii) That the amending By-law be added to Schedule "A", Map No. 16 of Zoning By-law No. 3692-92.

(iii) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan, and will conform to the City of Stoney Creek Official Plan upon approval of Official Plan Amendment No. __.
(d) That upon finalization of Official Plan Amendment No. ___ and the implementing Zoning By-law, that the approved Valley Park Neighbourhood Plan be amended to reflect the designations and road pattern.

(e) And that the Site Plan for the eastern section of the proposed development be reviewed by the Community Advisory Group.