SUBJECT: Applications for an Official Plan Amendment and Change in Zoning for the Properties Located at 145 to 151 Green Road (Stoney Creek) (PED06334) (Ward 10)

RECOMMENDATION:

(a) That approval be given to the application by Clemente Valeri, owner, for Official Plan Amendment No., for the property located at 151 Green Road (Stoney Creek), as shown on Appendix “A” to Report PED06334, for a change in designation on Schedule “A1” – Secondary Plan Western Development Area, from “Low Density Residential” to “Medium Density Residential”.

(b) That approval be given to Zoning Application ZAC-06-35, by Clemente Valeri, owner, for a change in zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone (Block “1”) and for a further modification to the Multiple Residential “RM3-25” Zone (Block “2”), to permit the development of 36 townhouses on lands located at 145 to 151 Green Road, as shown on Appendix “A” to Report PED06334, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED06334, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “A”, Map No. 6, of Zoning By-law No. 3692-92.

(iii) That upon finalization of the implementing Zoning By-law, the Corman Neighbourhood Plan be amended to reflect the change in designation from “Low Density Residential” to “Medium Density Residential”, applicable to Block “1”, as shown on Appendix “A” to Report PED06334.
(iv) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan of the City of Stoney Creek upon finalization of proposed Official Plan Amendment No.___.

Lee Ann Coveyduck  
General Manager  
Planning and Economic Development Department

**EXECUTIVE SUMMARY:**

The applications are for an Official Plan Amendment and change in zoning in order to permit the incorporation of 151 Green Road into a previously approved 32 unit townhouse development at 145, 147, and 149 Green Road. The final development would contain 36 townhouses on the enlarged property (see Appendix “C”).

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement, Hamilton-Wentworth Official Plan and “Residential” designation of the Stoney Creek Official Plan. The proposal provides an opportunity for residential intensification through appropriate infilling that is consistent with surrounding commercial and residential uses. The applications also provide for a more orderly development, in that the incorporation of 151 Green Road into the townhouse development effectively ‘squares off’ the property.

**BACKGROUND:**

**Proposal**

The applications are for an Official Plan Amendment to change the land use designation from “Low Density Residential” to “Medium Density Residential” (Block “1”), and for a change in zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone (Block “1”) and for a further modification to the Multiple Residential “RM3-25” Zone (Block “2”), to permit 36 townhouses on 145 to 151 Green Road at a maximum density of 42 units per hectare.

**Zoning and Official Plan Amendment Applications ZAC-04-17/OPA-04-02 (145, 147 and 149 Green Road)**

Applications for approval of an Official Plan and Zoning By-law Amendment were approved in 2004 and implementing By-law No. 04-191 was approved in October, 2004. The applications were for a change in designation from “Low Density Residential” to “Medium Density Residential”, and for a change in Zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone to permit 145, 147 and 149 Green Road to be developed for 32 townhouses.
Site Plan Application DA-04-178 was approved in December 2004 to construct 32 townhouses, each with 2 parking spaces, and 16 visitor parking spaces on the properties located at 145, 147 and 149 Green Road (see Appendix “D”). Final clearance of all conditions of site plan approval was completed in April 2005.

Location: 145 to 151 Green Road (Stoney Creek)
Owner: Clemente Valeri
Agent: A.J. Clarke and Associates Ltd., c/o Steve Fraser

Property Description:
- Frontage: 67.25m
- Depth: 131m
- Lot Area: 8,628m²

Servicing: Full municipal services

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Commercial uses</td>
<td>Highway Commercial “HC” Zone and General Commercial “GC-24” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Vacant (future single detached and semi-detached dwellings)</td>
<td>Residential “R5-8” Zone and Single Residential “R2-52” Zone</td>
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<tr>
<td>East</td>
<td>Single detached dwellings</td>
<td>Single Residential “R2” Zone</td>
</tr>
<tr>
<td>West</td>
<td>Townhouses</td>
<td>Multiple Residential “RM3” Zone</td>
</tr>
</tbody>
</table>

ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the principles and policies of the Provincial Policy Statement, in that the proposal implements Policies 1.1.3 and 1.4 pertaining to providing a mix of densities and land uses which efficiently use land and resources, and provides for intensification that takes into account existing building stock.
(ii) It conforms with and implements the “Urban Area” designation of the Hamilton-Wentworth Official Plan.

(iii) It conforms with and implements the “Residential” intensification policies of Subsection A.1.2.9 of the City of Stoney Creek Official Plan, which also supports the provision of a full range of housing types and prices.

(iv) The proposed townhouses are an example of an infill residential development supporting the principles of intensification, and provides for a use compatible with the character of surrounding land uses.

(v) The proposed townhouses provide for an integrated development with the previously approved 32 unit townhouses, and provides for a transition of land uses between commercial development to the north and lower density residential development to the south.

2. The properties located at 145, 147 and 149 Green Road are currently approved for a 32 unit townhouse development. This development would consist of a driveway from Green Road, 16 visitor parking spaces, a children’s play area, and 6 buildings each containing between 4 and 8 townhouse units (see Appendix “D”). The proposed change would incorporate 151 Green Road, a property that currently contains a single detached dwelling on a 20m by 40m lot, into the existing approved townhouse development. Four new townhouse units would be constructed for a total of 36 units. Two additional visitor parking spaces are also proposed. No changes are proposed for Buildings No. 1, 2 and 3. However, as a result of the additional 4 units the following changes to the site plan are proposed, as shown on Appendix “C”:

- Building No. 6 is being moved toward Green Road and increased to 7 townhouses from 5 townhouses.
- Building No. 5 would contain 7 townhouses instead of 4 townhouses.
- Building No. 4 would contain 7 townhouses instead of 8 townhouses.
- Visitor parking areas are being redistributed and increased to 18 spaces. Fourteen spaces would be at the northwest corner of the property, 4 spaces on the south side of the main driveway, and 4 spaces originally to be located on the north side of the driveway are being deleted.

A complete review of the proposed changes is being undertaken through the concurrent review of Site Plan Application DA-06-087, to amend DA-04-178. In this regard, matters such as landscaping, fencing, grading, drainage, and servicing will be addressed through standard conditions of site plan approval.
3. The applicant has proposed to rezone 151 Green Road from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone. This change in zoning is the same as the previously approved change in zoning on 145, 147 and 149 Green Road, which were also rezoned from “R2” to “RM3-25”. This will result in the entire property (145 to 151 Green Road) having the same “RM3-25” zoning. The proposed 36 unit townhouse development, as shown on the attached preliminary site plan (see Appendix “C”), would conform to the “RM3-25” Zone with respect to parking, setbacks, landscaping and fencing, lot area and lot coverage.

However, the proposed density of the development is approximately 42 units per hectare, whereas the “RM3” Zone permits a maximum density of 40 units per hectare. At 40 units per hectare, 34 townhouses would be permitted. A zoning modification to permit a density of 42 townhouses per hectare is required in order to permit the proposed 36 townhouse units. This modification can be supported as the proposed 42 units per hectare is consistent with the “Medium Density Residential” designation in the City of Stoney Creek Official Plan which permits 30 to 49 units per hectare.

**ALTERNATIVES FOR CONSIDERATION:**

Should the applications be denied, the property located at 151 Green Road could only be utilized for a single detached dwelling subject to the provisions of the Single Residential “R2” Zone. The properties located at 145, 147 and 149 Green Road could be developed for 32 townhouses in accordance with the Multiple Residential “RM3-25” Zone.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - N/A.

Staffing - N/A.

Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for an Official Plan Amendment and Zoning By-law Amendment.

**POLICIES AFFECTING PROPOSAL:**

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. Policy 1.1.3.2 provides that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources. Policy 1.1.3.3 provides that planning authorities shall identify and promote opportunities for intensification and redevelopment. In addition, the housing policies of Section 1.4 also promote the
provision of a range of housing types and densities through residential intensification and redevelopment. In this regard, the proposal is consistent with the principles and policies of the Provincial Policy Statement.

**Hamilton-Wentworth Official Plan**

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. The proposal conforms with the Hamilton-Wentworth Official Plan.

**City of Stoney Creek Official Plan**

The properties located at 145 to 151 Green Road (Blocks “1” and “2”) are designated “Residential” on Schedule “A”, General Land Use Plan. 151 Green Road (Block “1”) is designated “Low Density Residential” while 145, 147 and 149 Green Road (Block “2”) are designated “Medium Density Residential” on Schedule “A1”, Western Development Area Secondary Plan in the City of Stoney Creek Official Plan. An Official Plan Amendment is required to redesignate Block “1” from “Low Density Residential” to “Medium Density Residential”, in order to permit townhouses at 151 Green Road. The following policy of the City of Stoney Creek Official Plan, among others, is applicable to the proposed development:

“A.1.2.9 Council shall encourage the provision of a full range of housing types and prices throughout the municipality and where appropriate residential intensification will be encouraged subject to Policies A.1.2.18, A.1.2.20, A.1.2.21 and A.1.2.22 and other policies of the plan.”

**Neighbourhood Plan**

The subject property is designated “Low Density Residential” (Block “1”) and “Medium Density Residential” (Block “2”) in the approved Corman Neighbourhood Plan. An amendment to the plan (applicable only to Block “1” on Appendix “A”) is required to redesignate 151 Green Road to “Medium Density Residential”.

**RELEVANT CONSULTATION:**

The following Departments and Agencies had no comments or objections:

- Public Works Department (Forestry and Horticulture Section).
- Community Services Department (Budgets Section).
- Hamilton-Wentworth District School Board.
- Bell Canada.

Hamilton Street Railway has advised that route #55, Stoney Creek Central and route #58, Stoney Creek Local pass this site; that the proposed density will support the existing transit operation in terms of increasing ridership and reducing net operating costs; and, that street orientation and pedestrian entrances are important.
Public Works Department (Traffic Engineering and Operations Section) has advised that any redundant access must be removed and the curb/sidewalk/boulevard restored.

Public Consultation

In accordance with the Public Participation Policy that was approved by Council on May 29, 2003, the applications were circulated to 173 property owners within 120 metres of the subject property. In addition, a Public Notice sign was erected on the property on May 24, 2006. To date, no comments have been received as a result of the circulation of the application and public notice sign. Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act.

CITY STRATEGIC COMMITMENT:

By evaluating the "Triple Bottom Line", (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Shelter, care and satisfying employment are accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact development minimize land consumption and servicing costs.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:GM
Attachs. (4)
Location Map

File Name/Number: ZAC-06-35 / OPA-06-06
Date: May 9, 2006
Scale: N.T.S.
Planner/Technician: GM/MF

Subject Property
145-151 Green Road, Stoney Creek

Block 1 - Change in Zoning from the Single Residential "R2" Zone to the Multiple Residential "RM3-25" Zone and Official Plan Amendment from the "Low Density Residential" to the "Medium Density Residential" designation.

Block 2 - Further modification to the Multiple Residential "RM3-25" Zone.
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Properties Located at 145 to 151 Green Road

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Stoney Creek” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Section ___ of Report 06- of the Planning and Economic Development Committee at its meeting held on the ___ day of __, 2006, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986, as amended by Official Plan Amendment No. ____ proposed by the Corporation of the City of Hamilton as By-law No. ____, but not yet approved in accordance with the provisions of the Planning Act.
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 6 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone, the lands comprised of Block “1”, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Subsection 6.10.7, “Special Exemptions”, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by modifying the special requirements of the “RM3-25” Zone by including 151 Green Road in the description of the subject lands and by introducing a provision to permit a Maximum Density of 42 units per hectare by revising the text of the “RM3-25” Zone so that it shall read as follows:

   “Notwithstanding the provisions of Paragraphs (b), (d), (i) and (m) of Section 6.10.3 and Paragraph (d) of Section 6.10.5 of the Multiple Residential “RM3” Zone, on those lands zoned “RM3-25” by this By-law, the minimum lot frontage shall be 46 metres, the minimum easterly and southerly side yards shall be 3 metres, the minimum landscaped open space shall be 41%, the maximum density shall be 42 units per hectare, and parking spaces shall be provided no closer than 0.5 metres from the rear lot line and 2.2 metres from the northerly side lot line. In addition, vehicular access to the lands to the south shall not be permitted.”

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Multiple Residential "RM3-25" Zone provisions, subject to the special requirements referred to in Section 2.

4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2006.

______________________________               ________________________________
   MAYOR                                      CLERK

ZAC-06-35/OPA-06-06
Appendix “B” to Report PED06334 (Page 3 of 3)

This is Schedule "A" to By-Law No. 06—

Passed the ................. day of ................., 2006

Clerk

Mayor

Schedule “A”

Map Forming Part of By-law No. 06-____

to Amend By-law No. 3692-92

Subject Property
145-151 Green Road, Stoney Creek

Block 1 - Change in Zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-25” Zone

Block 2 - Further modification to the Multiple Residential “RM3-25” Zone

Scale: Not to Scale

File Name/Number: ZAC-06-35 / OPA-06-06

Date: July 2006

Planner/Technician: GM/MF

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT