SUBJECT: Administrative Amendment to the Former City of Stoney Creek Official Plan (PED05057(a)) (Ward 9)

COMMENDATION:

(a) That approval be given to the application for Official Plan Amendment No. ___ to amend the former City of Stoney Creek Official Plan, to redesignate the most northerly portion of lands municipally known as 272 First Road West, as shown on Schedules “A” - General Land Use Plan and, “A3”- Secondary Plan West Mountain Planning District, Heritage Green Section, attached as Appendix “A” to Report PED05057(a), so as to correctly identify the actual size of the lands originally intended for redesignation in OPA 117.

(b) That the General Manager, Planning and Economic Development Department, be hereby authorized and directed to prepare the requisite by-law to amend the Official Plan, in a form satisfactory to Corporate Counsel for presentation to Council.

 Lee Ann Coveyduck
 General Manager
 Planning and Economic Development Department

EXECUTIVE SUMMARY:

An Administrative Amendment to the Stoney Creek Official Plan will redesignate the subject lands from “Residential” to “General Commercial” on Schedule A - General Land Use Plan and from “Medium-High Density Residential” to “General Commercial” on Schedule “A3” - Secondary Plan West Mountain Planning District, Heritage Green Section, to correctly identify the actual size of the lands that were originally intended to be redesignated in OPA 117.
The proposed Administrative Amendment does not require that a public meeting be held because the changes proposed do not result in any change of policy or original intent of the development proposals for the subject lands.

BACKGROUND:

At its meeting of July 13, 2005, Council approved Official Plan Amendment No. 117, an Amendment that approved proposed changes on Schedule A – General Land Use Plan and Schedule “A3”, Secondary Plan West Mountain Planning District, Heritage Green Section, to redesignate the northerly portion of the property from “Residential” to “General Commercial”, “Medium Density Residential” to “General Commercial”, respectively. Subsequently, staff detected error in the actual size of the property that was to be redesignated in OPA No.117. In drafting the Amendment, a portion of the lands proposed for redesignation was not identified on Schedules “A” and “A3”. The error was detected after the expiry of the appeal period. However, the intent of the public notice, staff report and subsequent circulation and identification of the lands for redesignation was clear. Thus, no additional public notice is required for this Amendment.

To correct the error, staff has prepared an Administrative Amendment to accurately identify the lands that were subject to the redesignations proposed for Schedule A - General Land Use Plan and Schedule “A3” - Secondary Plan West Mountain Planning District, Heritage Green Section.

ANALYSIS OF ALTERNATIVES:

Without this Amendment, originally proposed developments on the subject lands would not be permitted without appropriate approvals.

ANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – None.

Legal - Since the original notices and staff report were correct and this Amendment does not result in any policy changes, public notification under the Planning Act is not required.

Staffing – None.

LICIES AFFECTING PROPOSAL:

Stoney Creek Official Plan

OPA 117 redesignated a portion of the property from “Residential” to “General Commercial”, on Schedule A – General Land Use Plan - and from “Medium-High Density Residential” to “General Commercial”, in Schedule “A3” - Secondary Plan West Mountain Planning District, Heritage Green Section. However, the most northerly portion of the property intended for redesignation was not correctly identified on the land use
schedules. This amendment to the Stoney Creek Official Plan is required to correctly identify on Schedules “A” and “A3”, the whole portion of land that was subject to the redesignations.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not required.

PUBLIC CONSULTATION:

Not required.

CITY STRATEGIC COMMITMENT:

Maintaining an accurate Official Plan is required in order to guide land use decisions that implement Vision 2020 goals and strategies.

CONCLUSION:

Based on the foregoing, it is appropriate to approve this Administrative Amendment to the Stoney Creek Official Plan in order to:

- correctly identify the parcel of land that is subject to redesignation in Schedule “A” - General Land Use Plan and Schedule “A3” - Secondary Plan West Mountain Planning District, Heritage Green Section.

- ensure that the intent of the approved Official Plan Amendment No. 117 is maintained and the correct land use designations are reflected in the Legend of Schedules “A” and “A3”.

: am
Attach. (1)
Amendment No. xxx
to the
Official Plan for the former City of Stoney Creek

The following text together with Schedule “A”, General Land Use Plan and Schedule “B”, Secondary Plan West Mountain Planning District, Heritage Green Section, of the Official Plan of the former City of Stoney Creek, attached hereto, constitute Official Plan Amendment No. xx.

**Purpose:**

The purpose of this Amendment is to redesignate the subject lands from “Residential” to “General Commercial” on Schedule A – General Land Use Plan, and from “Medium-High Density Residential” to “General Commercial” on Schedule “A3”, Secondary Plan West Mountain Planning District, Heritage Green Section, to permit the development of commercial uses on the subject lands. This Amendment will correctly identify the actual size of the lands to be redesignated on Schedules “A” and “A3”. This Amendment does not result in any changes to approved policy, rather its purpose is to effect the corrections identified in the body of this Amendment.

**Location:**

The lands affected by this Amendment are located to the most northerly portion of the land municipally known as 272 First Road West and is Part of Lot 26, Concession 6, within the Secondary Plan West Mountain Planning District, Heritage Green Section, former City of Stoney Creek.

**Basis:**

This Amendment is required to ensure that the original intent of the Official Plan Amendment No. 117 is maintained and the parcel of land that was subject to the redesignations is correctly identified on Schedules “A” - General Land Use Plan and “A3”- Secondary Plan West Mountain Planning District, Heritage Green Section.

In drafting the Amendment, for OPA 117, a portion of the lands proposed for redesignation was not identified on Schedules “A” and “A3”. This error was detected after the expiry of the appeal period. However, the intent of the public notice, staff report and subsequent circulation and identification of the lands for
redesignation was clear. Thus, no additional public notice is required for this Amendment.

**Actual Changes:**

1. Schedule “A”, General Land Use Plan, be revised by identifying the subject lands as OPA No. --- as shown on the attached Schedule “A” to this Amendment.

2. Schedule “A3” Secondary Plan West Mountain Planning District, Heritage Green Section be revised by redesignating the subject lands from “Medium-high Density Residential” to “General Commercial” and identifying the subject lands as OPA No. ----as shown on the attached Schedule “B” to this Amendment.

**Implementation:**

An implementing Zoning By-Law Amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No.---, passed on the xx, 2005

The

City of Hamilton

_________________________                      _________________________
Mayor                                        City Clerk
Amendment No. xxx

to the

Official Plan for the former City of Stoney Creek

The following text together with Schedule “A”, General Land Use Plan and Schedule “B”, Secondary Plan West Mountain Planning District, Heritage Green Section, of the Official Plan of the former City of Stoney Creek, attached hereto, constitute Official Plan Amendment No. xx.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from “Residential” to “General Commercial” on Schedule A – General Land Use Plan, and from “Medium-High Density Residential” to “General Commercial” on Schedule “A3”, Secondary Plan West Mountain Planning District, Heritage Green Section, to permit the development of commercial uses on the subject lands. This Amendment will correctly identify the actual size of the lands to be redesignated on Schedules “A” and “A3”. This Amendment does not result in any changes to approved policy, rather its purpose is to effect the corrections identified in the body of this Amendment.

Location:

The lands affected by this Amendment are located to the most northerly portion of the land municipally known as 272 First Road West and is Part of Lot 26, Concession 6, within the Secondary Plan West Mountain Planning District, Heritage Green Section, former City of Stoney Creek.

Basis:

This Amendment is required to ensure that the original intent of the Official Plan Amendment No. 117 is maintained and the parcel of land that was subject to the redesignations is correctly identified on Schedules “A” - General Land Use Plan and “A3”- Secondary Plan West Mountain Planning District, Heritage Green Section.

In drafting the Amendment, for OPA 117, a portion of the lands proposed for redesignation was not identified on Schedules “A” and “A3”. This error was detected after the expiry of the appeal period. However, the intent of the public notice, staff report and subsequent circulation and identification of the lands for
redesignation was clear. Thus, no additional public notice is required for this Amendment.

**Actual Changes:**

1. Schedule “A”, General Land Use Plan, be revised by identifying the subject lands as OPA No. --- as shown on the attached Schedule “A” to this Amendment.

2. Schedule “A3” Secondary Plan West Mountain Planning District, Heritage Green Section be revised by redesignating the subject lands from “Medium-high Density Residential” to “General Commercial” and identifying the subject lands as OPA No. ----as shown on the attached Schedule “B” to this Amendment.

**Implementation:**

An implementing Zoning By-Law Amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No.---, passed on the xx, 2005

The

City of Hamilton

_______________________                          _________________________
Mayor                          City Clerk