SUBJECT: Application to Amend Stone Creek Zoning By-law No. 3692-92 for the Lands Located at 4 Second Street North (Stoney Creek) (PED08196) (Ward 9)

RECOMMENDATION:

That approval be given to Amended Zoning Application ZAC-07-097, by Nick DeFilippis Owner, for a change in Zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential (Holding) “RM2-15(H)” Zone, to permit the future development of four townhouse dwellings for the lands located at 4 Second Street North, (Stoney Creek), as shown on Appendix “A” to Report PED08196, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08196, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act to the subject lands, by introducing the ‘H’ Holding symbol as a suffix to the proposed zoning District. The Holding provision will prohibit the development of the subject lands until such time as all of the following has been completed:

(i) That the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton, and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, Director of Planning, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee.

(ii) (a) That the owner/applicant submits and receives approval of a servicing study, to the satisfaction of the Director of Development Engineering; and,
b) That the Owner/applicant enters into and registers an applicable development agreement(s) and posting of appropriate securities to ensure the implementation of the study's recommendation(s), to the satisfaction of the Director of Development Engineering.

c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Stoney Creek Official Plan.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The applicant has applied to amend the Stoney Creek Zoning By-law in order to allow for the development of four townhouse dwellings. A Holding provision is being recommended in order to address concerns relating to site remediation and site servicing (Recommendation (b)).

The proposal has merit and can be supported since the change in zoning is consistent with the Provincial Policy Statement, and conforms to the Hamilton-Wentworth Official Plan and the Stoney Creek Official Plan. The proposal is compatible with the existing land uses in the surrounding area and represents an opportunity for infill development.

BACKGROUND:

Proposal

The original application included an Official Plan Amendment and was based on a concept for live/work units. However, it was amended by removing the proposed commercial component on the ground floor. As a result of this modification, it was determined that an Official Plan Amendment was no longer necessary as residential uses are permitted without amendment to the Official Plan in areas designated Institutional and/or Elementary School, provided they are compatible with the surrounding area and are in keeping with the Policies of the Plan.

The purpose of the amended application is to modify the Stoney Creek Zoning By-law by changing the zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential (Holding) “RM2-15 (H)” Zone (see Appendix “A”). The effect of the proposal is to allow for the future development of four townhouse dwellings.

The applicant has submitted a concept plan (see Appendix “C”) which is discussed in the Analysis/Rationale section of this Report.
Details of Submitted Application

Location: 4 Second Street North (see Appendix “A”)

Owner/Applicant: Nick DeFilippis

Property Description:
- Lot Area: 662 square metres
- Lot Frontage: 22.9 metres
- Lot Depth: 29.0 metres
- Servicing: Full municipal services available on King Street and Brandow Court

EXISTING LAND USE AND ZONING

<table>
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<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
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<td>Vacant</td>
<td>“Small Scale Institutional IS” Zone</td>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   (i) It is consistent with the Provincial Policy Statement and Places to Grow Plan.
   (ii) It conforms to the Hamilton-Wentworth Official Plan and Stoney Creek Official Plan.
   (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area and represents an opportunity for infill development.

2. Based on the submitted concept plan (see Appendix “C”), the applicant has requested amendments to the City of Stoney Creek Zoning By-law No. 3692-92.
The requested amendments to the Multiple Residential “RM2-15” Zone, include the modifications below:

- Reduce the minimum lot area for an interior lot from 180 square metres to 147.4 square metres, and from 240 square metres to 183.6 square metres for an end lot.

- Reduce the minimum lot frontage from 6.0 metres to 5.09 metres for an interior unit, and from 8.0 metres to 6.34 metres for an end unit.

- Reduce the minimum front yard setback from 6.0 metres to 6.0 metres to the face of an attached garage, and 4.5 metres to the face of the dwelling.

- Reduce the minimum side yard setback from 2.0 metres to 1.25 metres.

- Increase the maximum height from 11.0 metres to 13.0 metres.

- Increase the maximum lot coverage from 50% to 55.2%.

**Minimum Lot Area**

The amending Zoning By-law proposes to reduce the minimum lot area from 180 square metres to 147.4 square metres for an interior lot, and from 240 square metres to 183.6 square metres for an end lot. These reductions are considered to be minor in nature and will allow for an appropriate scale of development that is compatible with the existing neighbourhood.

**Minimum Lot Frontage**

A reduction in the minimum lot frontage from 6.0 metres to 5.09 metres for an interior unit, and from 8.0 metres to 6.34 metres for an end unit, is considered to be minor. The reduced frontage makes efficient use of the land and allows for a compact form of urban development while still providing an appropriate lot width for the development of Street Townhouses.

**Minimum Front Yard Setback**

Reducing the minimum front yard setback from 6.0 metres to 6.0 metres to the face of an attached garage and 4.5 metres to the face of the dwelling is also considered to be minor in nature. It is consistent with the provisions contained within the New Zoning By-law 05-200, which allows for a 4.5 metre setback to the face of the dwelling. This reduced setback creates a positive relationship with the street as well as an innovative compact urban form of development. The 6.0 metre setback to the face of the garage still allows for an adequate parking space length.
Minimum Side Yard Setback

The amending Zoning By-law proposes to reduce the minimum required side yard setback from 2.0 metres to 1.25 metres. Staff is of the opinion that the reduction is considered to be minor in nature and will not negatively impact the adjacent properties. A side yard setback of 1.25 metres will still allow for proper drainage and the maintenance of the dwellings. The proposed setback is also consistent with the side yard setback for street townhouses, as set out in the new Zoning By-law 05-200.

Maximum Height

The applicant is proposing an increase in the maximum permitted height from 11.0 metres to 13.0 metres. This will allow for flexibility of design for the proposed 3-storey street townhouse while still maintaining a scale of development that is appropriate for the surrounding area.

Maximum Lot Coverage

The amending Zoning By-law proposes to increase the maximum lot coverage from 50% to 55.2%, which is considered to be minor in nature. Appropriate front and rear yards are being provided, and the increase will not create any negative impacts on the adjacent properties to the north and south, which are both commercially zoned.

In addition to the requested modifications noted above, based on Policy A.13.5.6 in the Olde Town Secondary Plan of the Stoney Creek Official Plan, staff has included additional modifications. Policy A.13.5.6 states:

“Architectural and landscaping elements which are to encourage landscaped front yards, prevention of front yard parking, encouragement of underground parking, screening and buffering of conflicting uses shall be implemented throughout the Olde Town such as overall building and landscaping articulation, fencing, roof-lines, building materials and detailing and window entrance features.”

Based on the foregoing, staff has recommended that the following modifications also be incorporated into the amending Zoning By-law in order to meet the intent of the above noted policy.

- Minimum 50% front yard landscaping for an end unit, which may include a walkway from the face of the dwelling to the front property line at a width of not more than 0.6 metres wide.

- Minimum 40% front yard landscaping for an interior unit, which may include a walkway from the face of the dwelling to the front property line at a width of not more than 0.6 metres wide.
The purpose and intent of the By-law is to require minimum lot frontages, lot areas, front yard setbacks, exterior side yard setbacks, and maximum lot coverage in order to maintain streetscape character, a scale and density of development that is compatible with the surrounding neighbourhood and to allow for parking and landscaping.

Based on the foregoing, staff is of the opinion that the proposed reductions are appropriate, considered to be minor in nature, are compatible with the existing land uses in the surrounding area, and represents an opportunity for infill development.

3. Five letters of objection were received in response to the pre-circulation for the application (Appendix “D”). The issues raised were related to the original proposal for the ground floor commercial component. Concerns included traffic and parking. The commercial component has now been removed and each of the four townhouse dwelling units will provide two parking spaces (one in the garage and one in the driveway as the By-law permits stacked parking).

In addition, the height of the proposed building was also raised as an issue as there was a concern an apartment building could be developed. The uses permitted in the Multiple Residential “RM2-15” Zoning are Street Townhouses, a Home Occupation, and uses, buildings or structures accessory to a permitted use. As such, an apartment building is not permitted in the “RM2” Zone. Further, a maximum height of 13.5 metres (3-storeys) will be permitted.

Finally, a concern was raised regarding the tenure of the proposed Street Townhouses. As tenure is not regulated by the Zoning By-law, staff is unable to comment on whether or not the intent is for rental or freehold units. However, Street Townhouses are typically freehold.

All issues relating to parking, traffic, landscaping, and the scale of development will be addressed through the Site Plan Control process.

4. Comments from Development Engineering indicated there is no municipal watermain along the frontage of 4 Second Street North. There is an existing 150mm watermain on Second Road, but it terminates at Brandow Court. There is also a 100mm watermain on the north side and a 150mm on the south side of King Street at the intersection of Second Road (see Appendix “A”). There is an existing 600mm storm sewer along the frontage of these lands.

As a result, the applicant will be required to provide a servicing report/plan to determine if the proposed development can be serviced by the existing municipal watermains and storm sewer. If the proposed development can be adequately serviced, the applicant will be required to enter into and register a Special Private Water Agreement and/or Development Agreement with the City of Hamilton for this proposed 4 unit residential street townhouse development to ensure that the site is designed in accordance with existing municipal servicing standards, to the
satisfaction of the Director of Development Engineering. This concern is addressed in Recommendation (b).

In addition, at the Site Plan Stage the applicant will be required to demonstrate, through an applicable storm water management report, that storm run-off from the proposed development will demonstrate that the 2 to 100 (full range of storm events) will not negatively impact downstream properties. Finally, a Grading Plan, detailing existing and proposed grade elevations within the subject property, will also be required at the Site Plan Stage.

4. In order to address matters respecting site remediation and site servicing, a Holding provision is being implemented to the proposed zoning (Recommendation (b)). Issues respecting noise and site remediation are discussed further in the Policy section of the report.

**ALTERNATIVES FOR CONSIDERATION:**

In the event Council does not support the applications, the lands would then be subject to the existing Small Scale Institutional “IS” Zone provisions.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial:  None.

Staffing:  None.

Legal:  As required by the Planning Act, Council shall hold at least one Public Meeting to consider an application for an amendment to the Zoning By-law.

**POLICIES AFFECTING PROPOSAL:**

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under the Act. The application is consistent with the Provincial Policy Statement since Policy 1.1.3.1 states that ‘Settlement Areas’ shall be the focus of growth.

Policy 3.2.2 states that contaminated sites shall be remediated, as necessary, prior to any activity of the site associated with the proposed use such that there will be no adverse effects. Therefore, due to the uncertainty as to the previous use of the property and possible contamination, and the existing property code assigned to the parcel “105 - Vacant Commercial Land” and the proposed residential use, a Record of Site Condition (RSC) is required (Recommendation (b)).
Policy 1.7.1(e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. Due to the proximity of the subject lands to King Street West, staff requests that the owner/applicant agree to the inclusion of a noise warning clause in all purchase of sale and/or lease agreements. The inclusion of this clause will be addressed through the undertaking at the Site Plan Stage, or as a condition of Approval at the Severance or Condominium Stage in the Development process.

**Growth Plan for the Greater Golden Horseshoe (Places to Grow)**

The application is consistent with the intensification policies of the Growth Plan for the Greater Golden Horseshoe 2006. Section 2.2.2 indicates that population growth will be accommodated by directing a significant portion of new growth to the *built-up areas* of the community through intensification.

This application is consistent with the Growth Plan for the Greater Golden Horseshoe 2006, since it proposes to create additional residential units on a currently under-utilized site within the Urban Area.

**Hamilton-Wentworth Official Plan**

The subject lands are designated “Urban” in the Hamilton-Wentworth Regional Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. As well, the Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020. As the nature of the application is to amend the existing official plan designation and change the existing zoning category to allow for future residential development on a portion of the property, the proposal conforms to the policies of the Hamilton-Wentworth Official Plan.

Policy B-2.3 states that identification of contaminated sites is essential, and redevelopment must not occur until it has been demonstrated that a proposal will not put people in significant risk. Based on the existing commercial property code, and the uncertainty of the previous use with respect to possible contamination, a Record of Site Condition (RSC) is required (Recommendation (b)).

**Stoney Creek Official Plan**

The subject property is designated “Downtown” on Schedule ‘A’ - General Land Use Plan, and “Local Institutional” on Schedule “A5” - Old Town Planning District, in the City of Stoney Creek Official Plan. The following policies, among others, are applicable to the proposed development:
Residential

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.

A.1.2.17 In the evaluation of any proposal for multiple family residential development (triplex, fourplex, sixplex, attached housing and apartment dwellings), the relevant Secondary Plan policies of this Plan shall apply. In addition, Council shall be satisfied that:

a) Schools and neighbourhood commercial facilities will be adequate for the increased residential density resulting from the proposal;

b) The height, bulk and arrangement of buildings and structures will achieve harmonious design and will not conflict with the existing and/or expected development of the surrounding area. In this regard, Council may require the developer to submit evidence that wind and shadows will not have a harmful effect upon adjacent areas;

c) Appropriate off-street parking, landscaped areas, protection for abutting residential uses where warranted, and other accepted site planning features can be satisfactorily accommodated on the proposed site; and,

d) Ingress and egress to the property will be so designed as to minimize traffic hazards and congestion on surrounding streets.

In the development of new residential areas and as far as practical in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of residential amenity:

a) Provision and maintenance of adequate off-street parking;

b) Provision, improvement and/or maintenance of on-site landscaping; and,

c) The provision and maintenance of adequate separation distances and the placement of buffering features between residential uses of differing densities as well as other land uses.

In addition, residential development and/or infilling within developed neighbourhoods shall not be on a scale so as to create a land use conflict with surrounding uses.
A.1.2.20 Council shall ensure that the local residential environment is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council shall:

c) Require appropriate measures to attenuate the effects of noise in accordance with Guidelines on Noise and New Residential Development Adjacent to Freeways; and visual intrusion or other undesirable effects on new residential development adjacent to freeways, inter-regional highways, arterial roads, railways and other environmentally incompatible land uses in consultation with the Ministry of the Environment; and,

A.1.2.27 In the evaluation of residential development or redevelopment proposals, adequate provisions for noise attenuation features, to the satisfaction of the Ministry of the Environment, may be required.

Downtown

A.2.2.3 The primary uses permitted in the Downtown shall be for the following:

(b) A wide range of public and institutional uses in keeping with the relevant institutional policies, as set out in Subsection A.5 and A.13 of this Plan.

Institutional

A.5.2.2 Schedule ‘A’, the General Land Use Plan, shows the lands designated Institutional except for “local type” institutional uses. Local type small scale institutional uses, such as elementary schools and places of worship primarily serving the needs of the surrounding residents, are permitted within other relevant land use designations. Their location shall be guided by the policies of the respective designations and the relevant Secondary Plan policies of this Plan.

Lands intended for Institutional purposes within the Central Area are not indicated on Schedule ‘A’. Such Institutional uses shall be subject to the policies of Subsection A.2 Central Area and the relevant Secondary Plan policies of this Plan.

A.5.2.8 Notwithstanding the policies set out above, in areas designated Institutional and/or Elementary School, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the Policies of this Plan.
Olde Town - Secondary Plan

A.13.5.1 Schedule ‘A.5’ and the policies of the Secondary Plan, in addition to other applicable policies of the Official Plan, constitute the Secondary Plan for the Olde Town Planning District. It is expected that the Olde Town will accommodate an ultimate population of approximately 10,500 persons based on full municipal services.

A.13.5.10 Council shall require a Site Plan Agreement for all re-development. Site plans will address matters such as building form and appearance, building siting, landscaping and amenity areas, parking and loading, building heritage, and the physical relationship of the proposal to local amenities such as shopping facilities, schools, parks and recreational facilities and public transit.

A.13.5.11 All development with the Olde Town must be in keeping with the objective of protecting and maintaining the economic viability of the City’s downtown and support its revitalization through conversion, infilling, and redevelopment.

The proposed change in zoning to permit four townhouse dwellings conforms with and implements the “Residential”, “Downtown” and “Local Institutional” designations in the Stoney Creek Official Plan.

RELEVANT CONSULTATION:

The following Departments and Agencies had no comments or objections:

- Traffic Engineering and Operations Section, Public Works Department
- Forestry and Horticulture Section, Public Works Department
- Health Protection Division, Public Health Services Department
- Hamilton Police Service
- Emergency Services Department
- Hydro One
- Union Gas
- Bell Canada

Public Consultation

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 372 property owners within 120 metres of the subject lands on February 4, 2008. A Public Notice sign was posted on the property on February 8, 2008, and notice of the Public Meeting was given in accordance with the requirements of the Planning Act. To date, five letters of objection have been received. The concerns raised are discussed in the Analysis/Rationale section of this Report.
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
The public are involved in the definition and development of local solutions.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
The proposed development is subject to Site Plan Control and all issues pertaining to environmental protection and protection of water resources will be addressed through the Site Plan process.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact, mixed use 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

:DAF
Attachs: (4)
Appendix 'A' to Report PED08196 (Page 1 of 1)

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-07-097
Date: January 22, 2008

Appendix "A"

Scale: N.T.S.
Planner/Technician: DF/NB

Subject Property

4 Second Street North

Change in Zoning from Small Scale Institutional "IS" Zone to Multiple Residential (Holding) "RM2-15(H)" Zone.

Ward 9 Key Map N.T.S.
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "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 of the former area municipalities 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 08-____ of the Economic Development and Planning Committee at its meeting held on the day of ______, 2008, 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;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 5 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

   (a) by changing the zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential (Holding) “RM2-15(H)” Zone,
on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule ‘A’.

2. That Subsection 6.9.6, “Special Exemptions”, of Section 6.9 Multiple Residential “RM2” Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, “RM2-15(H)”, as follows:

“RM2-15(H)” Second Street North, Schedule ‘A’, Map No. 5

Notwithstanding the provisions of Paragraphs (a), (b) (c), (d), (h) and (i) of Subsection 6.9.3 of the Multiple Residential “RM2” Zone, on those lands zoned “RM2-15” by this By-law, the following shall apply:

(a) Minimum Lot Area
   Interior Unit   - 145 square metres
   End Corner     - 180 square metres

(b) Minimum Lot Frontage
   Interior Unit   - 5.0 metres
   End Unit        - 6.0 metres

(c) Minimum Front Yard
   - 6.0 metres to the face of an attached garage and 4.5 metres to the face of the dwelling

(d) Minimum Side Yard  - 1.25 metres

(h) Maximum Building Height - 13 metres

(i) Maximum Lot Coverage - 56%

In addition to the foregoing, on those lands zoned “RM2-15”, a minimum front yard landscaped area of 40% for an interior unit and 50% for an end unit, including a walkway of not more than 0.6 metres in width, shall be provided and maintained.

On those lands zoned “RM2-15(H)” by this By-law, the “H” symbol may be removed by a further amendment to this By-law at such time as:

(i) That the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton, and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, Director of Planning, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee.

(ii) (a) That the owner/applicant submits and receives approval of a servicing study, to the satisfaction of the Director of Development Engineering; and,
(b) That the Owner/applicant enters into and registers an applicable development agreement(s) and posting of appropriate securities to ensure the implementation of the study's recommendation(s) to the satisfaction of the Director of Development Engineering.

City Council may remove the 'H' symbol and, thereby give effect to the “RM2-15” Zone, by enactment of an amending By-law once the above conditions have been fulfilled.

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 “RM2” Zone, 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 ______, 2008.

________________________________________  ______________________________________
FRED EISENBERGER  KEVIN C. CHRISTENSON
MAYOR  CLERK

ZAC-07-097
Appendix "B" to Report PED08196 (Page 4 of 4)

Schedule "A"

Map Forming Part of By-Law No. 08-______
to Amend By-law No. 3692-92

Subject Property

4 Second Street North

Change in Zoning from Small Scale Institutional "IS" Zone to Multiple Residential (Holding) "RM3-1500" Zone.
Fama, Danielle

From: rose Assogna
Sent: Thursday, February 07, 2008 1:45 PM
To: Fama, Danielle
Subject: 4 Second Street North

Hello Danielle Fama

Thank you for sending the correspondence regarding 4 Second Street North, Stoney Creek.

How tall of a building is Mr. DeFilipiis planning on building??? I would hate to see a tall apartment building like the building on the west side of the street. It would be nice to have something that would "fit in" the area.

We hope to see nothing taller than the buildings on that section of the block. Yes, small business is welcome on the main floor to enhance our area.

thank you,
rose Assogna
4 Second Street South
Stoney Creek, Ontario
L8G 1R5

3/12/2008
Friday February 22, 2008
Rick Lavigne
6 Second Street South
Stoney Creek, ON
L8G 1R5

City Clerk
Economic development and Planning Committee
City of Hamilton
77 James Street North
Suite 220
Hamilton, ON
L8R 2K3

To Whom It May Concern:

I am writing in regards to File No. OPA -07-028 and File No. ZAC -07-097.

I would like to be notified of the adoption of the proposed Official Plan Amendment or of the refusal of a request to amend the Official Plan concerning this file. I would like the option to oppose or agree when it becomes available.

I would like to be notified of the adoption of the proposed Zoning By law Amendment, or of the refusal of a request to amend the Zoning By law. I would like the option to oppose or agree when it becomes available.

I would like to state the concern of the broad use of the term “medium density”. I would like to know the exact amount of units, the specifics, and the visual appearance of the plans regarding this project.

I would like to know the plans concerning parking for this project as our side street already has many non residents parking on it.

I would like to know if these units for residential will be rentals or for purchase.

I have a concern for my community to maintain the safe, close and non congested status regarding population and traffic in and out.

Thank you,

Rick Lavigne
4 Second Street South  
Stoney Creek, ON  
L8G 1R5

February 23, 2008

City Clerk  
Economic Development and Planning Committee  
City of Hamilton  
77 James Street North  
Suite 220  
Hamilton, ON  
L8R 2K3

To Whom It May Concern:

We are writing in regards to File No. OPA -07-028 and File No. ZAC -07-097.

We would like to be notified of the adoption of the proposed Official Plan Amendment or of the refusal of a request to amend the Official Plan concerning this file and have the option to oppose or agree when it becomes available.

We would like to be notified of the adoption of the proposed Zoning By law Amendment, or of the refusal of a request to amend the Zoning By law and have the option to oppose or agree when it becomes available.

We would like to state the concern of the broad use of the term “medium density”. We would like to know the exact amount of units, the specifics, and the visual appearance of the plans regarding this project.

We would like to know the plans concerning parking for this project as our side streets already have many non residents parking on them.

We would like to know if these units for residential will be rentals or for purchase.

We have a concern for our community to maintain the safe, close and non congested status regarding population and traffic in and out.

Looking forward to your reply,

Thank you,

Rose Assogna and Will Nash
Dear Mr. De Iulio and Ms Fama

RE: File No:ZAC-07-097 and OPA-07-028

Thank you for the letter regarding the rezoning of 4 Second St N Stoney Creek by Mr. DeFilipis. The rezoning of the property from institutional to multiple residential RM2 is acceptable however the option for ground floor commercial use on the other hand is concerning. I feel the property size is too small for any commercial component. I feel there is inadequate parking for the commercial option. The street parking unfortunately is also very limited. I am in the process of redeveloping the corner for the commercial use of my Optometry office. I am providing 14 car parking lot. My concern is clients of 4 Second St N would park in my lot due to the lack of available parking elsewhere. The 4 residential townhomes would be very good in light of the fact the property has been vacant and derelict for many years. The entire corner is undergoing a tremendous transformation which would ultimately enhance downtown Stoney Creek. The redevelopment of my property, the east property and the eventual north property would beautify Second and King streets Stoney Creek. Please consider my opinion. I look forward to receiving your response to my letter.

Sincerely

Dr George De Rubels
Optometrist

2042254 Ontario Inc
Owner of 20 King St W Stoney Creek
Friday February 22, 2008
Dianne Lavigne
6 Second Street South
Stoney Creek, ON
L8G 1R5

City Clerk
Economic development and Planning Committee
City of Hamilton
77 James Street North
Suite 220
Hamilton, ON
L8R 2K3

To Whom It May Concern:

I am writing in regards to File No. OPA -07-028 and File No. ZAC -07-097.

I would like to be notified of the adoption of the proposed Official Plan Amendment or of the refusal of a request to amend the Official Plan concerning this file. I would like the option to oppose or agree when it becomes available.

I would like to be notified of the adoption of the proposed Zoning By law Amendment, or of the refusal of a request to amend the Zoning By law. I would like the option to oppose or agree when it becomes available.

I would like to state the concern of the broad use of the term “medium density”. I would like to know the exact amount of units, the specifics, and the visual appearance of the plans regarding this project.

I would like to know the plans concerning parking for this project as our side street already has many non residents parking on it.

I would like to know if these units for residential will be rentals or for purchase.

I have a concern for my community to maintain the safe, close and non congested status regarding population and traffic in and out.

Thank you,

Dianne Lavigne