Authority:

Item 11, Planning & Economic

Development Committee Report: 06-007 (PED06137)

CM: May 2, 2006

**Bill No. 163** 

# CITY OF HAMILTON

**BY-LAW NO. 06-163** 

To Adopt:

Official Plan Amendment No. 127 to the former City of Stoney Creek Official Plan

#### Respecting:

West Mountain Core Area – Mud Street, Paramount Drive, Red Hill Creek Expressway and Winterberry Drive

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

- 1. Amendment No. 127 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule '1', hereto annexed and forming part of this by-law, is hereby adopted.
- 2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED AND ENACTED** this 14<sup>th</sup> day of June, 2006.



# Amendment No. 127 to the

# former City of Stoney Creek Official Plan

The following text, together with:

- Schedule "A" (Schedule "A" General Land Use Plan);
- Schedule "B" (Schedule "A3" Secondary Plan, West Mountain Planning District, (Heritage Green)); and
- Schedule "C" (Schedule "A3-1 West Mountain Core Area)

attached hereto, constitute Official Plan Amendment No. 127 to the City of Stoney Creek Official Plan.

#### Purpose and Effect:

The purpose of the amendment is to establish a development strategy for a mixed-use development for the West Mountain Core Area in the West Mountain Planning District to serve as a focal point for the West Mountain Secondary Plan Area.

#### Location:

The lands affected by this Amendment comprise approximately 21.1 hectares bounded by Mud Street, Paramount Drive, the Red Hill Creek Expressway and Winterberry Drive in the former City of Stoney Creek.

#### Basis:

The amendment can be supported on the following basis:

- The lands are suitably located for the planned commercial uses given their location adjacent to a major highway and arterial roads.
- The proposed mixed use development shall function as a community focal point and a transit node.
- The proposed policies shall ensure that the development is compatible with the surrounding existing and planned development and shall ensure the physical form is compact, human in scale and designed to be pedestrian friendly and transit supportive.
- The amendment implements the directions established for the West Mountain Core Area in the policies of the Stoney Creek Official Plan.

# **Actual Changes:**

# Map Changes:

- (a) City of Stoney Creek Official Plan Schedule "A" General Land Use Plan
  - (i) This Schedule is revised by redesignating the subject lands from "Special Policy Area 'C'" to "Shopping Centres" and "Residential" and removing the designation "Special Policy Area "C" (West Mountain Core Area)" from the legend as shown on the attached Schedule "A" to this amendment.
- (b) City of Stoney Creek Official Plan Schedule "A3" Secondary Plan, West Mountain Planning District, Heritage Green Section
  - (i) This schedule is revised by removing the designation "Special Policy Area 'C' (West Mountain Core Area)" from the subject lands and replacing it with the annotation "See Schedule "A3-1"" as shown on the attached Schedule "B" to this amendment.
  - (ii) This schedule is revised by removing the designation "Special Policy Area 'C' (West Mountain Core Area)" from the legend as shown on the attached Schedule "B" to this amendment.
  - (iii) This schedule is revised by changing the title of the schedule to "City of Stoney Creek Official Plan, Schedule "A3" Secondary Plan, West Mountain Planning District (Heritage Green)" as shown on the attached Schedule "B" to this amendment.
- (c) The City of Stoney Creek Official Plan is revised by adding **Schedule "A3-1" West Mountain Core Area"** to the Official Plan as shown on the attached Schedule "C" to this amendment.

# **Text Changes:**

- (a) Subsection A.12 is amended by deleting Policy 12.3.
- (b) Subsection A.13.3 is amended by revising the title to read "WEST MOUNTAIN AREA (HERITAGE GREEN) SECONDARY PLAN".
- (c) Subsection A13.3 is amended by adding the following subsection:

#### "13.3.19 WEST MOUNTAIN CORE AREA

The West Mountain Core Area as shown on Schedule "A3-1" shall serve as the commercial centre of the West Mountain Planning District (Heritage Green) Secondary Plan and shall be a destination place.

# **Development Principles**

- 13.3.19.1 The West Mountain Core Area is the focus for higher order land uses within the West Mountain Planning District and will evolve as an urban centre with a physical form that is human in scale, pedestrian friendly and transit supportive. The following development principles shall apply throughout the West Mountain Core Area:
  - a) Development shall be in the form of a mix of higher density residential, broad range of commercial uses, employment uses, and public spaces concentrated and arranged to encourage pedestrian activity along a 'central street' (Upper Mount Albion Road) which fosters and facilitates public transit ridership.
  - b) West Mountain Core Area shall be developed in accordance with urban design policies that:
    - i) provide a focus and identity for the West Mountain Planning Area;
    - ii) create an attractive, safe and pedestrian-friendly environment; and
    - iii) promote high quality of urban design including streetscapes and main streets, views, gateways, trails, walkways and open spaces.
  - c) West Mountain Core Area shall be a mixed use area, providing a broad range of commercial uses including large-format retail stores, retail, entertainment, restaurants, office and service/commercial uses. A range of housing forms and types shall be developed at medium densities including low rise (2 to 3 storeys), mid-rise (3 to 9 storeys), commercial/residential uses and live/work housing options.
  - d) West Mountain Core Area shall have a high degree of connectivity, planned and designed with interconnecting pedestrian/bicycle linkages between the residential and commercial uses, a transit node and the stormwater management pond within the Core Area, and to the remainder of the West Mountain Planning District
  - e) The pattern of development in the West Mountain Core Area shall be transit supportive in terms of land use, density and urban design as the area evolves over time. On this basis, a centrally located node for local transit shall be established to connect to the West Mountain Planning District and the larger City.

#### Land Use Policies

#### 13.3.19.2 General

- a) The development of the West Mountain Core Area shall include a wide variety of commercial and residential uses.
- b) A local road shall be provided between Winterberry Drive and Upper Mount Albion Road.
- c) Medium to high density residential development shall be concentrated north of the proposed local road.
- d) A stormwater management pond shall be located at the south-west corner of Winterberry Drive and Mud Street.
- e) A major transit node shall be located at the intersection of Upper Mount Albion Road and the proposed local road. This transit node shall connect the Core Area to the West Mountain Planning District and the rest of the City.

#### 13.3.19.2.1 Commercial

- a) West Mountain Core Area shall serve as the commercial centre of the West Mountain Planning District with a variety of commercial uses including large format retail stores and retail and service/commercial uses, including restaurants, personal services, entertainment and office uses.
- b) Notwithstanding Subsection A.3 Commercial of the Official Plan, the following policies shall apply to those lands designated "District Shopping Centre" on Schedule "A3-1":
  - i) Large format retail and warehouse-type stores individually with a gross floor area of not less than 1,860 m<sup>2</sup> and not more than 28,335 m<sup>2</sup> shall be permitted.
  - ii) Restaurants, entertainment, personal services and offices uses shall be permitted.
  - iii) Additional retail space may be permitted to a maximum of 2,272 m<sup>2</sup> if office space in the adjacent "Community Shopping Centre" designation exceeds 2,272 m<sup>2</sup>.
  - iv) Retail and service commercial uses shall be permitted fronting on to Upper Mount Albion Road to facilitate the development of Upper

Mount Albion Road as a pedestrian-oriented 'central street' as identified on Schedule "A3-1".

- c) Notwithstanding Subsection A.3 Commercial of the Official Plan, the following policies shall apply to those lands designated "Community Shopping Centre" on Schedule "A3-1":
  - For lands designated "Community Shopping Centre" on Schedule "A3-1", commercial uses including office and service commercial uses including entertainment, theatres, restaurants and personal services shall be permitted.
  - ii) Convenience retail uses shall be permitted on lands fronting onto Upper Mount Albion Road in the 'central street' area shown on Schedule "A3-1".
- d) A major transit node shall be centrally located at the south east corner of Upper Mount Albion and the proposed local road shown on Schedule "A3-1". The transit node shall be easily identified and integrated with the adjacent commercial development, and shall be designed in such a manner as to be attractive and safe to all users.
- e) All commercial development fronting both sides of Upper Mount Albion Road and adjacent to the proposed local road in the vicinity of the transit node shall be built close to the street edge to foster and enhance a 'central street' image and shall be guided by the Urban Design policies in this Secondary Plan.

#### 13.3.19.2.2 Residential

- a) Residential uses in the West Mountain Core Area shall contribute to the development of a vibrant commercial area and foster increased public transit ridership. A range of housing types and tenure shall be encouraged at medium densities. All residential development shall be located north of the proposed local road, between Upper Mount Albion Road and Winterberry Drive.
- b) Notwithstanding Subsection A.1 Residential of the Official Plan, the following policies shall apply to those lands designated Medium-High Density Residential (Blocks 1, 2 and 3) on Schedule "A3-1":

#### i) Block 1

Low-rise apartments, street townhouses and townhouse development shall be permitted throughout Block 1. Street townhouse development fronting on Winterberry Drive shall be encouraged. Street townhouse development shall have a presence on Winterberry Drive by means of reduced setbacks and vehicular access shall only be permitted off of the proposed local road.

Live/work opportunities shall be encouraged along the north side the proposed local road adjacent to Block 3. Ground floor commercial uses and residential uses are permitted. Personal services, professional offices and convenience retail stores are permitted commercial uses.

#### ii) Block 2

A mix of ground floor commercial with not more than 2 storeys of residential uses above shall be permitted at the northeast corner of Upper Mount Albion Road and the proposed local road. Commercial uses shall be limited to small-scale retail, personal service and offices. Development shall occur close to the street edge of the proposed local road to enhance the 'central street' image and shall be guided by the Urban Design policies in this Secondary Plan.

# iii) Block 3

Mid-rise apartments shall be located on the east side of Upper Mount Albion Road, north of the proposed local road and the transit node. Heights shall range from 3 to 9 storeys.

# 13.3.19.2.3 Infrastructure and Transportation Facilities

- a) In accordance with Section D.1.2 Storm Drainage of the Official Plan, all stormwater runoff from the West Mountain Cores Area shall be directed to a stormwater management pond located at the south-west corner of Mud Street and Winterberry Drive, identified on Schedule "A3-1".
- b) A major transit node shall be established at the intersection of Upper Mount Albion Road and the proposed local road. This transit node shall connect the Core Area to the West Mountain Planning District and the rest of the City.

**Urban Design Principles** 

- 13.3.19.3 The West Mountain Core Area shall be developed in accordance with the following urban design principles:
  - a) an urban form that is compatible with the adjacent residential neighbourhood;

- b) a strong community image with a 'central street' and pedestrian-friendly environment that shall provide a central gathering point and focal point around which the development shall be organized;
- c) gateways that facilitate connectivity, orientation and 'way finding' to, and within, the site for both vehicles and pedestrians;
- d) landscape areas that act as screens and buffers to enhance the development while minimizing the visual impacts of service lanes, parking areas and loading zones; and,
- e) a comprehensive pedestrian system for the entire site that links all buildings to the central street, transit node and adjacent neighbourhoods with sidewalks on streets, pathways, trails and/or pedestrian walkways.

**Urban Design Policies** 

13.3.19.4 The West Mountain Core Area shall be developed in accordance with the following urban design policies:

# 13.3.19.4.1 Gateways

Gateways introduce and indicate entrance into and exit from a central focus area. They define the transition from one area to another and make a powerful impression. Two types of gateways are provided in the West Mountain Core Area: Entry Gateways and Corner Gateways.

- a) Entry Gateways clearly identify vehicular entry points and shall include information signage for traffic circulation. There are two entry gateways to be located at each of the primary entrances to the West Mountain Core Area along the perimeter roads.
- b) Corner Gateways shall serve as primary project indicators. Three corner gateways are located in West Mountain Core Area. Two corner gateways (1) at the south-west corner of Winterberry Drive and Mud Street and (2) at the intersection of Stone Church Road and the Red Hill Creek Expressway identify the West Mountain Core Area from the north and west, and shall include design elements and features to represent the natural heritage and architectural style of the West Mountain Core Area. The third corner gateway is located at the north-west corner of Winterberry and Paramount Drive and shall be recognized as a focal point of the neighbourhood and shall be given special architectural design and landscape treatment subject to the following design elements:
  - i) Building entrances should open onto the corner.

ii) Buildings should be appropriately positioned at the intersection and parallel to the public street to create a publicly accessible space of high quality, in terms of design, materials and also to ensure adequate sight lines.

#### 13.3.19.4.2 Built Form

- a) Buildings shall be sited and designed to enhance the public nature of streets, open spaces and pedestrian routes.
- b) For buildings located on Upper Mount Albion Road ('Central Street') and the Proposed Local Road, the following policies shall apply:
  - Buildings shall be located close to the street line with minimum setback from the edge of the road allowance to provide for a pedestrian-friendly streetscape.
  - ii) Buildings shall address both sides of the street line in a prominent fashion to create a pleasant and attractive pedestrian experience and facilitate interaction between different activities.
  - iii) Commercial buildings and their principal entrances shall be located at grade, easily accessible from the public sidewalk.
  - iv) Building heights shall create a streetscape scaled to the pedestrian.
  - v) Design features such as varied roof lines, building fenestration and canopies shall be encouraged on all facades of buildings.
  - vi) Principal building facades and entrances shall be oriented towards the public street or to exterior spaces that are directly adjacent to, and visible from, the public street.
  - vii) The main entrance of buildings shall be emphasized in the design of buildings.
  - viii) Canopies over doorways, arcades and other treatments are encouraged to provide weather-protected useable outdoor space.
  - ix) Building facades should be varied and articulated by use of bay projections, canopies and/or varied roof lines to provide visual interest for pedestrians. Long walls along streets or pedestrian routes shall be broken up by a series of bays and/or projections to create the impression of smaller building units.
  - x) The ground floor coverage of buildings should be maximized.

- xi) Roof-top mechanical equipment shall be enclosed or screened. Roofs and screens should be designed in a manner integral with the overall building design in terms of form, material and colour.
- xii) All buildings on a public street shall be designed with windows and signage facing the street.
- xiii) Buildings are to be generally sited parallel to the public street.
- xiv) On-site parking shall be in consolidated parking areas located to the side or rear of buildings.
- xv) The streetscape shall create a positive community image through the coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage and enhanced landscaping.
- xvi) All facades addressing a parking lot shall be finished with material and architectural features consistent with the principal facade of the building and shall incorporate building elements and landscaping to screen any service lanes and loading zones from public view.
- xvii) Drive-through windows shall not face the public street.
- (c) For buildings along Winterberry Drive and Paramount Drive, the following policies shall apply:
  - i) Buildings shall be compatible with the surrounding built form and exhibit a 'Village' character with articulated and/or pitched roofs.
  - ii) Buildings are to be generally sited parallel to the public street.
  - iii) Roof-top mechanical equipment shall be enclosed or screened. Roofs and screens shall be designed in a manner integral with the overall building design in terms of form, material and colour.
  - iv) Principal building facades and entrances should be oriented towards the public street or to exterior spaces that are directly adjacent to, and visible from, the public street and not to loading zones and parking lots.
  - v) All commercial buildings on a public street shall be designed with windows and signage facing the street.
  - vi) On-site parking shall be in consolidated parking areas located to the side or rear of buildings.
  - vii) Drive-through windows shall not face the public street.

- (d) Buildings in the "Medium-High Density Residential" and "Community Shopping Centre" designations shall provide an enhanced and distinctive visual experience along all street frontages and the following policies shall apply:
  - i) Buildings shall be placed so the tallest buildings are interior to the planned development at the north-east corner of Upper Mount Albion Road and the proposed local road. Buildings shall be incrementally reduced in height towards Winterberry and Paramount Drive.
  - ii) In "Medium-High Density Residential" areas, the range and mix of building types shall provide for a varied articulation of building heights within each residential block length.
  - iii) Zoning By-law regulations affecting the lands designated "Community Shopping Centre" shall be based on a maximum building height of three (3) storeys (12.5 m) at the intersection of Winterberry and Paramount Drive.

# 13.3.19.4.3 Setbacks and Building Frontage

- a) Minimum and maximum setbacks shall be set out in the Zoning by-law according to the following policies:
  - Buildings on Upper Mount Albion Road ('Central Street') shall be located as close to the street line as possible to provide a welldefined and pedestrian-friendly street.
  - i) Buildings on the proposed local road shall be located close to the street line to prevent front yard parking and to define the street while maintaining small landscape areas allowing a transition from the private to the public realm.
  - iii) Buildings on Winterberry and Paramount Drive shall be located further from the street line to allow for a generous continuous landscape area while providing a level of definition to the street edge.
- b) In the "Medium-High Density Residential" designations, planted and constructed elements in the setback, such as low hedges, trees, masonry and decorative metal fences and gates, provide a transition from the public sidewalk to the building face and shall be provided.
- c) In the Community Shopping Centre designation, constructed elements in the setback, such as wide sidewalks with street trees, pedestrian-scale lighting and street furniture shall be provided.

- d) To create the spatial definition and a sense of enclosure that encourages a pedestrian-oriented street, the Zoning by-law regulations shall set out the minimum length of building that shall be required to be located at the build-to lines along the public street on the 'Central Street' and the proposed local road.
- e) Commercial buildings along Upper Mount Albion Road to the intersection of the proposed local road, and east along the proposed local road to Winterberry Drive shall have a limited depth, as set out in the Zoning bylaw, to encourage pedestrian-friendly, street-related development.
- f) The intersections of Upper Mount Albion Road and the proposed local road, Winterberry and Paramount Drive, and, Upper Mount Albion and Paramount Drive, are significant corner sites. These areas shall be developed with landmark buildings in accordance with the following policies:
  - i) Buildings at the intersection of Winterberry and Paramount Drive shall be higher than adjacent buildings.
  - ii) Buildings shall have articulated facades towards both streets and should be visually different from adjacent development.
  - iii) Buildings shall have the highest level of architectural detailing and a distinct architectural appearance.
- g) Buildings shall be designed to incorporate varied rooflines, canopies, decorative architectural details and/or projecting bays. Large blank walls and continuous rows of monotonous and repetitive facades shall not be permitted.

#### 13.3.19.4.4 Pedestrian Realm

- a) Pedestrian systems that connect pedestrians to all buildings, the 'Central Street', the transit node and pedestrian routes in the surrounding community shall be provided. Private sidewalks and linkages shall be designed as a condition of Site Plan Approval.
- b) Pedestrian walkways within parking lots that connect pedestrians from parking areas to building entrances shall be provided. These walkways shall be designed with paving materials, trees and lighting that contribute to the safety and visual continuity of the entire pedestrian system.
- c) Pedestrian weather protection systems including awnings, canopies, colonnades, or front porches, along the sidewalk edge of pedestrian streets, in particular along Upper Mount Albion Road and the proposed local road at entrances to buildings shall be provided.

- d) Buildings shall be designed with the primary windows and signage facing onto the street.
- e) Barrier-free design of buildings, streets and publicly accessible exterior spaces shall be implemented.
- f) Cross walks and differentiated paving materials and patterns shall be constructed to identify pedestrian routes where they cross streets and other vehicular routes.
- g) Parking areas, servicing lanes, utility and mechanical equipment and drop off and loading zones shall be designed and located in a manner that has minimal physical impact on public sidewalks and accessible exterior spaces. Shared driveways and service lanes at the side and rear of buildings are to be provided for these functions.

# 13.3.19.4.5 Landscape Areas and Buffers

- a) Landscape areas shall be provided as a screen or buffer to address the interface with existing residential uses along east side of Winterberry Drive and the south side of Paramount Drive.
- b) Landscape areas shall be provided between commercial development and existing residential uses along Upper Mount Albion Road.
- c) Landscape buffers shall be provided and coordinated with the adjacent Red Hill Creek Expressway lands and the Mud Street road allowance to enhance and screen the parking areas and buildings of the planned development.
- d) Landscaped islands shall be provided throughout parking lots to identify, reinforce and connect pedestrian routes, separate roads from parking areas, define edges, and to visually break down large parking areas into smaller quadrants.
- e) The zoning by-law regulation shall identify a minimum landscaped area as a percentage of the overall property area.

# 13.3.19.4.6 Parking Entrances, Loading Zones and Service Lanes

a) The location of parking entrances, loading zones and service lanes shall be coordinated with the locations of pedestrian routes in order to reinforce streets as primary public spaces.

- b) Parking entrances, loading zones and service lanes shall have the least possible impact on the streetscape and public open spaces.
- c) Surface parking areas abutting a public street shall be adequately setback from the property line in order to provide a landscape strip that define the street edge and provide safety pedestrian amenity. The zoning by-law shall set out a minimum setback from the property line.
- d) Vehicular access to parking areas shall be restricted to common entrances to the overall development and shall be designed to minimize crossing of pedestrian routes, sidewalks and trails.
- e) All loading zones and service lanes shall be screened and landscaped. Screens shall be designed to complement the materials and details of the associated building facades.
- f) Loading zones and service lanes shall be located to avoid conflict with pedestrian and vehicular traffic and away from the adjacent residential areas.
- g) Wherever possible on-site loading zones and service lanes shall be consolidated and shared. These facilities shall be located at the rear of buildings or shared between buildings.
- h) Drive-through windows and associated traffic stacking areas shall be located to the rear of buildings internal to the site to have minimum impact on the streetscape and public open spaces.

## 13.3.19.4.7 Vehicular Access

- a) The number and location of vehicular access points shall be limited so as to minimize disruption to traffic flow and to minimize the impact on local streets.
- b) Shared access points shall be encouraged to reduce the number of curb cuts and facilitate pedestrian movement.

# 13.3.19.4.8 Signage

- a) Signage shall be designed in a manner integral to the building design in terms of size, form, material and colour.
- b) Way finding signage shall be implemented along major vehicular and pedestrian routes.

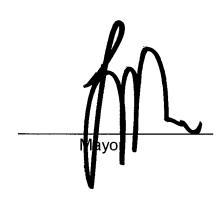
- c) Signage along all pedestrian routes, the 'central street' and the proposed local road shall be provided at pedestrian scale.
- 13.3.19.4.9 Lighting on the 'central street', the proposed street and other pedestrian routes shall be pedestrian scale.
- 13.3.19.4.10 The urban design principles and policies of this section provide the basis for urban design guidelines provided in the West Mountain Core Area Urban Design Guidelines to be adopted by City Council. The Guidelines shall be read in conjunction with the City of Hamilton Site Plan Guidelines."

# **Implementation:**

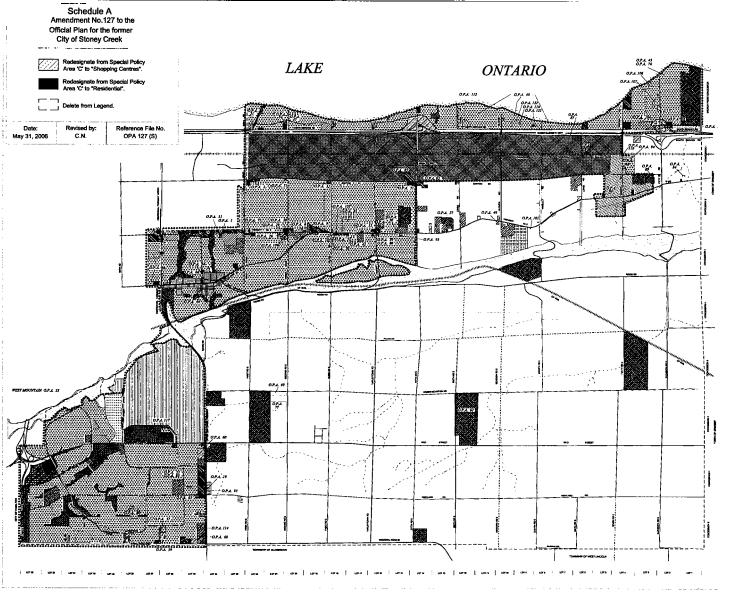
An implementing Zoning By-law will give effect to this Amendment.

This is Schedule '1' to By-law No. 06-163 passed on the 14<sup>th</sup> day of June, 2006.

The City of Hamilton

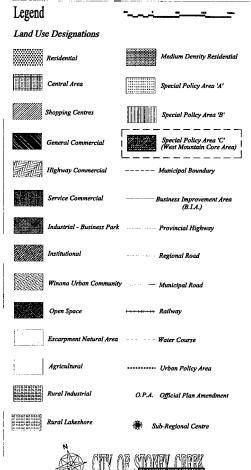


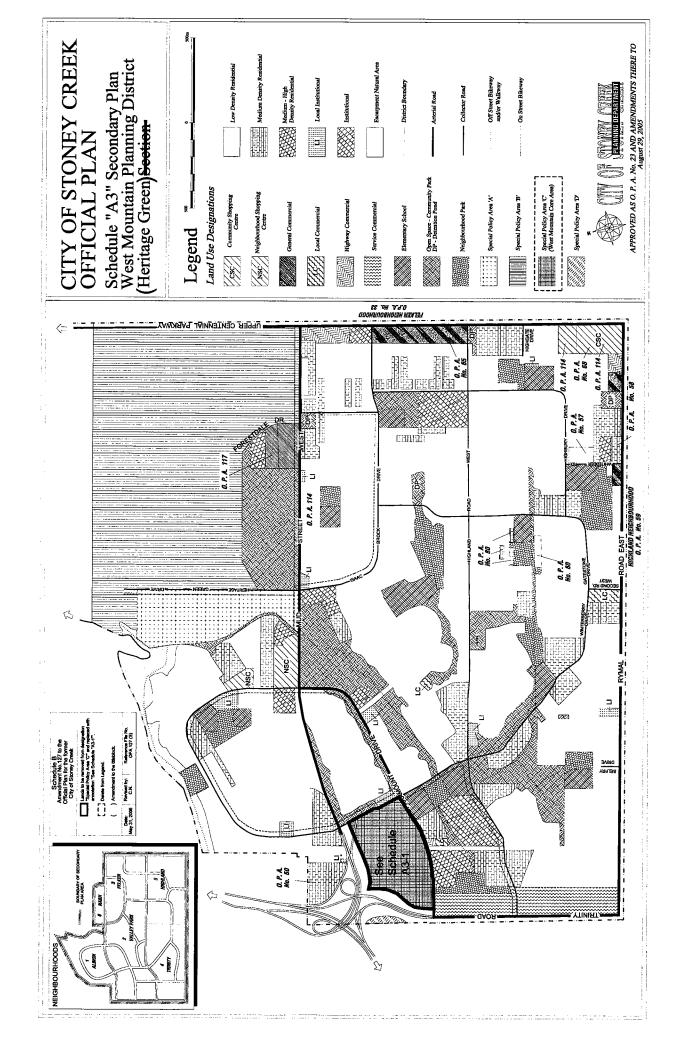




# CITY OF STONEY CREEK OFFICIAL PLAN Schedule "A"

General Land Use Plan





Schedule C Amendment No.127 to the Official Plan for the former City of Stoney Creek

Date: May 31, 2006

Revised by: C.N. Reference File No OPA 127 (S)



# CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A3-1" West Mountain Core Area Secondary Plan

# Legend

District Shopping Centre



Community Shopping Centre

1,2,3

Medium High Density Residential



Stormwater Management Pond



Central Street



CHANGE CORRESPONDED

Santa: N T S

April 2008