



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: April 8, 2025

Report No: PED25097

Subject/Title: Application for a Draft Plan of Subdivision for Lands
Located at 238, 240 and 242 Highland Road West,
Stoney Creek

Ward(s) Affected: Ward 9

Recommendations

- 1) That **Draft Plan of Subdivision Application 25T-202405, by MHBC Planning Ltd. (c/o Stephanie Mirtitsch), on behalf of Losani Homes (1998) Ltd. (c/o Dianne Ramos), Margaret and Eric Sundin, and Imre and Eva Sarkozi, Owners**, on lands located at 238, 240 and 242 Highland Road West shown as on Appendix A attached to Report PED25097, be **APPROVED** in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
 - a) That this approval apply to the Draft Plan of Subdivision 25T-202405, certified by R.S. Querubin, O.L.S., dated October 25, 2024, consisting of four residential blocks to facilitate the development of five lots for single detached dwellings and two lots for one semi detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4), as shown on Appendix B attached to Report PED25097;
 - b) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown on Appendix C attached to Report PED25097;

- c) That the Special Conditions of Draft Plan of Subdivision Approval 25T-202405, as shown on Appendix C attached to Report PED25097, be received and endorsed by City Council;
- d) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council; and,
- e) Acknowledgement by the City of Hamilton of its responsibility for cost sharing with respect to this development shall be in accordance with the City's Financial Policies and will be determined at the time of development.

Key Facts

- The proposed Draft Plan of Subdivision is to facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4).
- The subject lands are designated "Neighbourhoods" on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan, designated "Low Density Residential 2b" in the West Mountain Area (Heritage Green) Secondary Plan, and zoned Low Density Residential (R1) Zone in Hamilton Zoning By-law No. 05-200.
- The proposal was circulated to 85 property owners within 120 metres of the subject lands as per the requirements of the *Planning Act* and no comments were received.
- Staff recommends approval of the application for Draft Plan of Subdivision with conditions be approved as shown in Appendix B and C attached to Report PED25097.

Financial Considerations

Not applicable.

Analysis

The subject lands are municipality known as 238, 240 and 242 Highland Road West, Stoney Creek, as shown on Appendix A attached to Report PED25097. The subject lands are located north of Highland Road West between Second Road West and Gateson Drive and immediately south of Maplewood Park in upper Stoney Creek within the West Mountain Area (Heritage Green) Secondary Plan area. The applicant has submitted a Draft Plan of Subdivision application consisting of four residential blocks to

facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4).

A full review of the applicable Provincial Policy Statement (2024), Urban Hamilton Official Plan Amendment, and West Mountain Area (Heritage Green) Secondary Plan is provided in Appendix E attached to Report PED25097.

Provincial Planning Statement (2024)

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities and implementing the targets for housing by intensifying underutilized lands. The proposal has been reviewed against the Provincial Planning Statement (2024), including policies 2.3.1.3 and 2.3.1.4, among others. The proposed development is within a settlement area and efficiently use land and resources, optimizes existing and planned infrastructure and public service facilities. The proposal is compatible with the surrounding area which is characterized by low density residential dwellings and continues to be built out and makes efficient use of existing municipal infrastructure. Maplewood Neighbourhood Park and Splash Pad and Mount Albion Elementary School are located north of the subject lands and Saltfleet District High School are to the east of the subject lands. The development will support the use of existing and planned transit and commercial uses and it will also support active transportation.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. The subject lands are designated “Low Density Residential 2b” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25097.

The Draft Plan of Subdivision application will facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwelling along Highland Road West (Blocks 2 to 4), as shown in Appendix B attached to Report

PED25097. The creation of Block 1 will permit the further subdividing of the lands through a future Part Lot Control application.

The proposed development is to facilitate five lots for single detached dwellings and one semi-detached dwelling which meets the intent of the policies of the Urban Hamilton Official Plan and more specifically the “Low Density Residential 2b” designation of the on West Mountain Area (Heritage Green) Secondary Plan. The proposed built form is considered appropriate as it is compatible with and respects the adjacent approved subdivision to the east as well as the existing surrounding built form which includes two storey and two and a half storey single detached dwellings, and two and half storey semi-detached dwellings. The proposed dwellings are a continuation of the approved subdivision to the east as well as the existing single and semi-detached dwellings developed to the east and west, which have similar height and setbacks and will represent a form, orientation and massing similar to existing residential along Carlson Street which enhances the streetscape.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan.

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Low Density Residential (R1) Zone, which permits various forms of grade oriented residential uses including single and semi-detached dwellings. The proposed blocks conform to the Low Density Residential (R1) Zone requirements. Block 1, as shown in Appendix B attached to Report PED25097, will be further subdivided into individual lots for five lots for single detached dwellings and two lots for one semi-detached dwelling through a future Part Lot Control application. Any deviation from the current zoning regulations would be subject to a Minor Variance application to address non-conformity to facilitate the future Part Lot Control application. The applicant has since submitted a Minor Variance application to address deficiencies to lot frontage, lot area, minimum required rear yard, and minimum required side yards. At the time of writing this report the Minor Variance application has not been assigned a file number.

Rationale For Recommendation

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Planning Statement (2024);
 - (ii) It complies with the policies of the Urban Hamilton Official Plan and the West Mountain Area (Heritage Green) Secondary Plan; and,
 - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, enhances the pedestrian environment along Carlson Street,

makes efficient use of existing infrastructure within the urban boundary, and supports public transit.

2. Draft Plan of Subdivision

In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:

- (a) It is consistent with the Provincial Planning Statement (2024);
- (b) The proposal represents a logical and timely use of existing development and services and is in the public interest;
- (c) It conforms with the applicable policies of the Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan and the adjacent Registered Plans of Subdivision 62M-1134 and 62M-1302;
- (d) The subject lands are suitable for the purposes for which it is to be subdivided;
- (e) The proposed subdivision will be adequately serviced and can connect with the current road system;
- (f) The dimensions and shape of the lots and blocks are appropriate;
- (g) Restrictions and regulations for the development of the subdivision are included in the conditions of draft plan approval and Subdivision Agreement;
- (h) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (i) Adequate utility and municipal services are available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement;
- (j) Adequate school sites are available, the particulars of which were determined as part of the preparation and consultation through the development of the West Mountain Area (Heritage Green) Secondary Plan;

- (k) Public land has been conveyed to create road rights-of-way, the particulars of which determined as part of the Standard Subdivision Agreement and final registration of the Plan of Subdivision; and,
- (l) The proposed development of the subject lands is interrelated with site plan control matters that include further review of landscaping, lighting, waste collection and urban design.

Based on the above, staff are supportive of the Draft Plan of Subdivision and recommend its approval.

Alternatives

Should the application be denied, the subject properties can be used in accordance with the Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200.

Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

Consultation

The applicant sent letters dated September 13, 2024, to residents within 120 metres of the subject lands with information of the proposed additional blocks. No comments were received by the applicant at the time of this report being written. In addition to the requirements of the *Planning Act*, the applicants held a Community Information Meeting relating to a previous Zoning By-law Amendment application ZAC-22-064 and Draft Plan of Subdivision application 25T-202209 for lands located at 82 Carlson Street, immediately east of the subject lands.

As the application implements the Low Density Residential (R1) Zone approved by City Council on April 10, 2024, further public consultation beyond the letter provided by the applicant and giving notice of complete application of the Draft Plan of Subdivision application was not deemed necessary.

Appendices and Schedules Attached

- Appendix A: Location Map
- Appendix A1: Existing Land Use, Surrounding Lands and Zoning Chart
- Appendix B: Proposed Concept Plan and Draft Plan of Subdivision

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242
Highland Road West, Stoney Creek (Ward 9)**

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Appendix C: Draft Plan of Subdivision Special Conditions
Appendix D: Historical Background Report Fact Sheet
Appendix E: Policy Review
Appendix F: Staff and Agency Comments
Appendix G: Public Consultation Letter

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**Submitted and
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