



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 22, 2016
SUBJECT/REPORT NO:	Application for a Zoning By-law Amendment for Lands Located at 3 Green Mountain Road West (Stoney Creek) (PED16067) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Gerry Tchisler (905) 546-2424 Ext. 4148 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That approval be given to **Amended Zoning By-law Amendment application ZAC-15-033 by Empire Communities (Stoney Creek) Limited (Owner)**, for a change in zoning from the Neighbourhood Development “ND” Zone to the General Commercial “GC-56” Zone, Modified for lands located at 3 Green Mountain Road West, Stoney Creek, as shown on Appendix “A” to Report PED16067, on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED16067, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

Empire Communities (Stoney Creek) Limited, through their planning consultant, Armstrong Planning and Project Management, has applied for a Zoning By-law Amendment to establish a Motor Vehicle Service Station including gas bar, convenience store, coffee shop (no seating) with drive-through, and an automated, drive-through car wash on lands located at 3 Green Mountain Road West in Stoney Creek. The proposal also includes parking for ten vehicles and a gateway feature at the corner of Green Mountain Road West and Upper Centennial Parkway. Access to the property will be provided via a driveway on Green Mountain Road West and a right in / right out only driveway on Upper Centennial Parkway. The subject lands are currently vacant and located within the Neighbourhood Development "ND" Zone, a zone that has a very limited range of permitted uses and is intended to be rezoned in order to permit any development.

The application can be supported as it complies with the Urban Hamilton Official Plan (UHOP). It is an appropriately scaled use that will provide a range of commercial opportunities to the surrounding neighbourhoods, promoting the concept of complete and liveable communities.

Alternatives for Consideration – See Page 16

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one public meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Proposal:

The applicant has applied for a Zoning By-law Amendment to establish a Motor Vehicle Service Station including gas bar, convenience store, coffee shop (no seating) with drive-through, and an automated, drive-through car wash on lands located at 3 Green Mountain Road West in Stoney Creek. The proposal also includes parking for ten vehicles and a gateway feature at the corner of Green Mountain Road West and Upper Centennial Parkway. Access to the property will be provided via a driveway on Green Mountain Road and a right in / right out only driveway on Upper Centennial Parkway.

The proposed Zoning By-law Amendment is to change the zoning on the subject lands from Neighbourhood Development “ND” Zone to the General Commercial “GC” Zone with special exceptions for setbacks, landscaping, parking and driveway width. An External Works agreement will be secured through a future Site Plan Control application for the extension of the median curbing on Upper Centennial Parkway and the removal of a portion of the existing median curbing along Green Mountain Road West. This work may also include the provision of sidewalks as deemed appropriate through a future Site Plan Control application. Staff have worked with the applicant to amend the proposal by rearranging the drive-through stacking lanes to allow for better pedestrian and vehicular circulation.

Appendix “C” to Report PED16067 contains the proposed concept plan.

Chronology:

- June 18, 2015: Zoning By-law Amendment application ZAC-15-033 deemed complete.
- June 30, 2015: Public Notice sign erected on the subject lands.
- August 10, 2015: Notice of Complete Application and Preliminary Circulation of Zoning By-law Amendment application ZAC-15-033 sent to seven property owners within 120 m of the subject lands.
- February 24, 2016: Public Notice sign updated with Public Meeting date.
- March 4, 2016: Circulation of Public Meeting Notice for Zoning By-law Amendment application ZAC-15-033 sent to seven property owners within 120 m of the subject lands.

Details of Submitted Applications:

- Location:** 3 Green Mountain Road West, Stoney Creek
- Owner/Applicant:** Empire Communities (Stoney Creek) Limited
- Agent:** Armstrong Planning and Project Management, c/o George Zajac
- Property Description:**
- | | |
|------------------|------------------------------------|
| <u>Area:</u> | 0.42 ha |
| <u>Frontage:</u> | 48.64 m (Green Mountain Road West) |
| <u>Depth:</u> | 50.12 m |
- Servicing:** Full Municipal Services

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant	Neighbourhood Development “ND” Zone
<u>Surrounding Lands:</u>		
North	Future Residential Development	Multiple Residential “RM3-38(H)(T)” Zone, Modified
South	Newalta Landfill Property	Neighbourhood Development “ND” Zone
East	Golf Course	Open Space “OS” Zone (Zoning By-law 3692-92) and Open Space (P4) Zone (Zoning By-law 05-200)
West	Newalta Landfill Property	Neighbourhood Development “ND” Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial planning policy framework is established through the *Planning Act* (Section 3), the Provincial Policy Statement (PPS 2014), the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) and the Greenbelt Plan. The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The *Places to Grow Act* and the *Greenbelt Act* require that all municipal land use decisions made under the *Planning Act* conform to the Growth Plan and the Greenbelt Plan.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth and environmental protection) are reviewed and discussed in the UHOP analysis below.

As the application for a change in zoning complies with the UHOP, it is the opinion of staff that the application is:

- consistent with Section 3 of the *Planning Act*,
- consistent with the Provincial Policy Statement (2014); and,
- conforms to the Growth Plan for the Greater Golden Horseshoe.

Urban Hamilton Official Plan:

The proposal has been evaluated against the policies of the UHOP. The subject lands are identified as being along the Upper Centennial Parkway “Secondary Corridor” on Schedule “E” – Urban Structure and designated “Arterial Commercial” on Schedule “E-1” – Urban Land Use Designations. Additionally, the subject lands are located within the Nash Neighbourhood Secondary Plan and designated “Arterial Commercial” on Map B.7.5-1 – Land Use Plan. The following policies, amongst others, apply:

Secondary Corridor

Scale

- “E.2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.
- E.2.4.12 Secondary Corridors are currently characterized, in large measure, by single use buildings. The intent of this Plan is to evolve the Secondary Corridors to an increasing proportion of multiple storey, mixed use buildings in small cluster locations with at grade retail and service commercial uses.

Design

- E.2.4.14 Urban Corridors shall provide a comfortable and attractive pedestrian experience. Corridor studies and secondary planning shall make recommendations for active transportation connections including pedestrian improvements to individual sections of a corridor.
- E.2.4.15 New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the

effects of shadowing and overview on properties in adjacent neighbourhoods."

The proposed development is a low-rise built form with a mix of commercial uses that largely caters to the automobile driving customer. The subject property's location at the intersection of a Collector road (Green Mountain Road West) and a Major Arterial (Upper Centennial Parkway) makes this a location conducive to such an automobile-oriented use. Although Policy E.2.4.12 looks to increase the proportion of multiple storey, mixed use buildings, not all uses permitted within the Arterial Commercial designation (discussed below) lend themselves to this form of development, including the proposed Motor Vehicle Service Station.

The parcel of land across Green Mountain Road West is zoned to permit a range of medium density residential development up to 12.5 m in height, including townhouses and apartment buildings. As per Policies E.2.4.14 and E.2.4.15, the proposed development will be well screened along both road frontages with a 3.2 m wide landscape strip that will include a variety of plantings and be approved through a future Site Plan Control application. Additionally, a pedestrian connection will be provided between the proposed convenience store and coffee shop building and Green Mountain Road West.

Arterial Commercial Designation

"E.4.8 Arterial Commercial Designation

Function

E.4.8.1 The range of permitted uses is intended to cater to the traveling or drive-by consumer. As well, the designation is intended to accommodate a limited range of land extensive retail stores which require outdoor storage or sales.

Permitted Uses

E.4.8.2 The following uses shall be permitted on lands designated Arterial Commercial on Schedule E-1 – Urban Land Use Designations:

- a) commercial uses including banquet halls, restaurants including garden centres, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;
- b) automotive related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations;

g) accessory uses.”

The proposed development implements the direction on use offered by Policies E.4.8.1 and E.4.8.2. The proposal includes a gas bar, convenience store, coffee shop and an automated, drive-through car wash. These uses are permitted under Policy E.4.8.2 and “cater to the traveling or drive-by consumer” as stipulated in Policy E.4.8.1.

Design

“E.4.8.5 Setbacks and siting shall be addressed in detail through secondary plan policies, the implementing Zoning By-law, and site plan approval. Pedestrian walkways shall be included within the site and between sites so pedestrians may comfortably access Arterial Commercial designated properties.

E.4.8.6 Areas designated Arterial Commercial shall be designed to improve the aesthetics from the public realm.”

The applicant has provided a site layout for the proposed uses. The commercial retail units are located at the rear of the site while the pump stations are located towards the front. The preliminary design includes a pedestrian walkway connecting the coffee shop and convenience store building to Green Mountain Road West. As per Policy E.4.8.6, the applicant will provide a generous amount of landscaping within the proposed 3.2 m landscape strip along Green Mountain Road West and Upper Centennial Parkway, the details of which will be formalized through a future Site Plan Control application. The site will also contain a gateway feature to be located at the north-east corner of the subject lands as per the gateway policy in the Nash Neighbourhood Secondary Plan (discussed below). The details regarding landscaping and the gateway feature will be reviewed through a future Site Plan Control application.

Urban Design

Various sections within the UHOP provide policy guidance with respect to urban design. The following general urban design policies contained within Section B.3 of the UHOP apply to this development.

“B.3.3.2.4 Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:

- a) organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;

- c) using materials that are consistent and compatible with the surrounding context in the design of new buildings;
- e) creating a continuous animated street edge in urban environments;
- f) including transitional areas between the public and private spaces where possible through use of features such as landscaping, planters, porches, canopies, and/or stairs.

B.3.3.3.1 New development shall be located and organized to fit within the existing or planned context of an area as described in Chapter E – Urban Systems and Designations.”

As the subject lands are located along the urban boundary at the intersection of a Collector and Major Arterial road, design emphasis is placed on internal function and site design as it is perceived from the street and as it accommodates the automobile. The site layout has been designed in a logical manner to accommodate all of the proposed elements while allowing for the efficient circulation of pedestrians and vehicles. Two separate drive-through stacking lanes are to be provided. The lanes have been designed to accommodate 12 vehicles for the coffee shop use and 11 vehicles for the car wash. This is in accordance with the City’s Site Plan Guidelines which require a minimum of 12 stacking spaces for fast-food restaurants and three spaces for all other uses. The proposed development will also enhance the street edges by providing quality landscaping and creating a transition from rural to urban as one crosses the urban boundary. Proposed building materials will be based on typical corporate prototypes and may include brick, concrete block, stucco and metal siding. The detailed review and approval of building materials and design will take place through a future Site Plan Control application.

Cultural Heritage

“B.3.4.1.3 Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.

B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:

- g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals.”

The site was identified as having archaeological potential and the applicant has provided a Stage 1 and 2 Archaeological Assessment. The assessment indicated that no archaeological resources were encountered during fieldwork and that further

assessment is not warranted. Staff concur with these findings. The assessment has been submitted to the Ministry of Tourism, Culture and Sport and entered into the Ontario Public Register of Archaeological Reports.

Nash Neighbourhood Secondary Plan

The subject lands are designated “Arterial Commercial” on Map B.7.5-1 – Land Use Plan. The following policies, amongst others, apply:

“B.7.5.5.2 Arterial Commercial Designation

Section E.4.8 – Arterial Commercial Designation of Volume 1 shall apply to lands designated Arterial Commercial on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan.”

As discussed in the analysis of the Arterial Commercial Designation section of the UHOP Volume 1 above, the proposed development consisting of a gas bar, convenience store, coffee shop with drive-through, and an automated, drive-through car wash complies with the policies of that section as they relate to function, use and design.

Site Specific Policy - Area E

The subject lands are also within Site Specific Policy Area E for which the following policies apply:

"B.7.5.14.5 For lands shown as Site Specific Policy - Area E on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan, the following policies shall apply:

- b) In addition to the uses permitted in Section E.4.8 of Volume 1, District Commercial uses shall also be permitted in accordance Policy E.4.7 of Volume 1.

Permitted Uses

E.4.7.2 The following uses shall be permitted on lands designated District Commercial on Schedule E-1 – Urban Land Use Designations:

- a) commercial uses including banquet halls, restaurants including garden centres, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;
- b) automotive related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations;

- c) commercial recreational uses, commercial entertainment uses, excluding theatres;
- d) industrial supply and service and contractor sales;
- e) accommodation, excluding residential uses;
- f) enclosed storage including mini warehousing; and,
- g) accessory uses."

These uses are additional to those already permitted under the Arterial Commercial designation, with which the proposed development complies.

"B.7.5.9 Urban Design Policies

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood."

Urban design policies within the secondary plan are primarily geared towards residential development and the Local Commercial designation. However, Policies B.7.5.9.2 and B.7.5.9.5 are relevant to the proposed development.

"B.7.5.9.2 Streetscape and Built Form

- f) Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets."

The subject lands are located on the corner of Green Mountain Road West and Upper Centennial Parkway. The applicant has proposed emphasizing the east façade of the commercial units with raised parapets, canopies and ample glazing while providing glazing on the north side of the car wash structure. The applicant will be encouraged to provide glazing on the north façade of the commercial units as per the above policy through a future Site Plan Control application which will include a more detailed review of the building design and materials.

"B.7.5.9.5 Gateways

- a) To promote and enhance community identity, two Gateways shall be provided in the following locations:
 - ii) the existing or realigned Green Mountain Road West, West of the intersection with Upper Centennial Parkway.

- b) Gateways shall be designed to express the distinct character of the neighbourhood and signal entrance into a pedestrian-friendly area. They shall incorporate enhanced landscaping which may include a central landscape median and/or architectural feature."

The following policy from the UHOP Volume 1 also applies:

- "B.3.3.4.2 Gateway intersections and entry points shall be designed to convey a sense of arrival and portray the community image and identity through:
- a) design of the built form;
 - b) building orientation;
 - e) landscaping;
 - g) signage; and/or,
 - h) public art installations."

A 3.2 m wide landscape strip is proposed along Green Mountain Road West and Upper Centennial Parkway. Various types of plantings are proposed in order to screen the parking, drive-through stacking and service areas from the view of the street. A gateway feature is proposed within the landscape strip at the north-east corner of the site. While the final design will be reviewed through a future Site Plan Control application, it is intended that the feature will include a decorative wall with a combination of metal works, lighting and intensified landscaping. Significant attention shall be paid to the design of the gateway future during the Site Plan Control stage to ensure that, among other matters, the parallel parking spaces located directly behind the feature are properly screened from street view and do not detract from the gateway feature's function and aesthetics.

"B.7.5.13 Implementation

- B.7.5.13.1 Prior to any *development* occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the City, to determine the adequacy of the following intersections and roads to accommodate the ultimate development proposed within the Nash Neighbourhood and assess the potential roundabouts and other traffic calming measures within the Nash Neighbourhood:
- a) the intersection of Mud Street West and First Road West;
 - b) the intersection of Upper Centennial Parkway and Green Mountain Road;

- c) First Road West; and,
- d) Green Mountain Road."

The applicant has submitted a Traffic Impact Study which was reviewed and approved by Corridor Management staff. The study indicated that the intersection of Upper Centennial Parkway and Green Mountain Road West can accommodate the increased traffic as a result of the proposed development.

"B.7.5.13.3 The Taro East Quarry/Landfill is identified as Site Specific Policy - Area B on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan. Full implementation of the Nash Secondary Plan required the determination and resolution of the alignment of:

- b) Green Mountain Road at Centennial Parkway and the proposed closure of Green Mountain Road at Centennial Parkway.
- c) The City of Hamilton shall undertake a Municipal Class EA to determine the feasibility of and requirements for the proposed realignment of the above noted intersections as part of the Upper Centennial Corridor Master Plan."

A traffic study was submitted in support of the Empire Nash subdivision to the north of the subject lands which indicated that the realignment will not improve sight lines as initially intended. As a result, through discussions with Public Works staff, it has been confirmed that the proposed realignment of Green Mountain Road West will not occur.

The above analysis has reviewed the relevant policies contained within the UHOP as they apply to the subject lands. Staff are of the opinion that the application complies with the UHOP.

RELEVANT CONSULTATION

The following Departments and Agencies had either no comments or no objections:

- Recreation Division (Public Works Department);
- Horizon Utilities;
- Operations and Waste Management Division (Public Works Department); and,
- Hamilton Municipal Parking System (Planning and Economic Development Department).

The following Departments and Agencies submitted the following comments:

Hamilton Conservation Authority (HCA) indicated that a previously identified drainage feature traversing the south side of the property is no longer deemed to be a

watercourse due to alterations in the local drainage area. As such, the property is no longer affected by HCA's *Development, Interference with wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06*. The HCA has no objections to the proposal and future development of the site will not require an HCA permit.

Corridor Management Division (Public Works Department) has reviewed and approved the submitted Traffic Impact Study. Through discussions with the applicant, staff have agreed that the driveway on Green Mountain Road West will allow full access while the driveway on Upper Centennial Parkway will allow right in and right out movements only. Additionally, the right turn slip lane off of Upper Centennial Parkway may not be an approved design and will be further reviewed through a future Site Plan Control application. A portion of the median island will need to be removed along Green Mountain Road West to facilitate the full access driveway. Also, a median island extension is required along Upper Centennial Parkway to ensure the left turns in and out are restricted.

Forestry and Horticulture Section (Public Works Department) has advised that there are municipal tree assets on site and have requested that additional trees be planted within the road allowance. Therefore, a Tree Management Plan and Landscape Plan will be required as part of a future Site Plan Control application.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and Council's Public Participation Policy, a Notice of Complete Application and Preliminary Circulation was circulated to seven property owners within 120 m of the subject property on August 10, 2015, requesting public input on the application. A Public Notice sign was also posted on the property on June 30, 2015 and updated on February 24, 2016 with the date of the Public Meeting. Notice of the Public Meeting was given, in accordance with the requirements of the *Planning Act* on March 4, 2016. No correspondence from the public has been received to date.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the PPS and conforms to Growth Plan;
 - (ii) It complies with key policies of the UHOP with respect to the Secondary Corridor and the Arterial Commercial designations and the Nash Neighbourhood Secondary Plan; and,
 - (iii) It is an appropriately scaled use that will provide a range of commercial opportunities to the surrounding neighbourhoods.

2. Currently, 3 Green Mountain Road West is a vacant lot. The proposed development will establish a Motor Vehicle Service Station which includes a gas bar, convenience store, coffee shop (no seating) with drive-through and an automated, drive-through car wash. The proposal also includes parking for ten vehicles and a gateway feature at the corner of Green Mountain Road West and Upper Centennial Parkway. Access to the property will be provided via a driveway on Green Mountain Road West and a right in / right out only driveway on Upper Centennial Parkway. A concept plan for the proposed development has been submitted (see Appendix "C" to Report PED16067).
3. The applicant has requested the following site specific amendments to Zoning By-law 3692-92 to implement the proposal (see Appendix "B" to Report PED16067):

Change in Zone

The current Neighbourhood Development "ND" Zone only permits the uses which existed on the date that the Zoning By-law was passed and requires a rezoning to permit any further development. The change in zoning from the Neighbourhood Development "ND" Zone to the General Commercial "GC" Zone will permit the development of the subject lands with the proposed uses. The General Commercial zone is appropriate for the subject lands as it permits the full range of commercial uses contemplated within the Arterial Commercial designation, as discussed in the UHOP policy analysis above. The General Commercial zone will permit the proposed use as well as a range of other commercial uses should the needs of the surrounding area evolve over time and induce redevelopment of the subject lands. Therefore, staff support this change.

Rear Yard

The General Commercial "GC" Zone requires a minimum rear depth of 7.5 m for a Motor Vehicle Service Station use. The applicant has requested a modification to permit a rear depth of 1.5 m to accommodate the proposed 122 sq m automated car wash structure. Since the site is located on a corner lot, the shorter of the two frontages (Green Mountain Road West) is deemed to be the front yard. As such, the rear lot line is considered to be the southern lot line. The general purpose of a rear yard is to provide adequate separation distance between uses primarily to maintain privacy and to maintain a consistency in built form. Staff are not concerned about privacy in this situation because the adjacent lands will not be developed for a sensitive use as they are currently designated Arterial Commercial and zoned Neighbourhood Development. Staff are of the opinion that the reduced rear yard depth will not have a negative impact on the future adjacent development. Therefore, staff support this change.

Landscaping

The General Commercial zone requires that a 9 m wide landscape strip be provided along any lot line that abuts a zone that is not commercial or industrial and that a 6 m wide landscape strip be provided along any lot line that abuts a street for a Motor Vehicle Service Station use. The applicant has requested that no landscaping be required along the west and south lot lines which are adjacent to Neighbourhood Development zones and a 3.2 m wide landscape strip along the street frontages. Staff are supportive of providing no landscaping along the west and south lot lines as the abutting lots are designated General Open Space and Arterial Commercial, respectively, in the UHOP and therefore will not require landscape buffering in the future when development occurs. The applicant has indicated that enhanced landscaping with a variety of plantings will be provided along both frontages for which a landscape plan will be reviewed through a future Site Plan Control application. Staff are of the opinion that a 3.2 m wide landscape strip which includes a variety of quality plantings is sufficient to screen the parking, drive-through stacking and service areas while contributing to the aesthetic appeal of the street. Therefore, staff support this change.

Driveway Widths

The General Commercial zone requires that the width of an entrance or exit ramp shall be not less than 9 m or more than 10.5 m for a Motor Vehicle Service Station use. The applicant is proposing a driveway width of 12.4 m along Green Mountain Road West and 12.9 m along Upper Centennial Parkway which is greater than the by-law requirements. These driveway widths are required to accommodate the safe manoeuvring of tanker trucks into and out of the subject lands. Corridor Management staff have not expressed any concern over this modification. As this is a technical modification to ensure the safe operation of fuel delivery vehicles, staff support this change.

Parking Space Dimensions

Stoney Creek Zoning By-law No. 3692-92 requires that all 90 degree perpendicular (standard) parking spaces have minimum rectangular dimensions of 2.75 m by 5.8 m and that all parking spaces that are not 90 degree perpendicular spaces (parallel) have minimum rectangular dimensions of 3.0 m by 6.0 m. The applicant is proposing five standard spaces with rectangular dimensions of 2.6 m by 5.8 m, representing a minor reduction in the width of 0.15 m. Additionally, the applicant is proposing three parallel spaces with rectangular dimensions of 2.4 m by 5.9 m, representing a reduction of 0.6 m to the width and 0.1 m to the length. Such reductions in dimensions are typical amongst newer developments where smaller sizes are required to balance the need for developable land while providing the required number of parking spaces that are still functional. Therefore, staff support these changes.

Landscaped Strip Definition

Stoney Creek Zoning By-law No. 3692-92 defines Landscaped Strip as "...an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms." The applicant is proposing a gateway feature, as per the policies of the UHOP, at the corner of Green Mountain Road West and Upper Centennial Parkway which will be located within the landscaped strip. It may consist of a decorative wall, signage, lighting, and / or metal works. The design of the feature will be reviewed in detail through a future Site Plan Control application. Given that the gateway feature will consist of a number of materials that are not listed within the definition of Landscaped Strip, a technical modification to the By-law is required in order for it to be placed within the Landscaped Strip. Staff are of the opinion that this proposed addition within the landscape strip will not only maintain the intent of the by-law (to screen portions of the subject lands from view from the street and enhance the aesthetic qualities of the street edge), but will in fact greatly improve upon this intent. Therefore, staff support this modification.

4. An External Works Agreement will be secured through a future Site Plan Control application. The external works will include the addition of curbing on Upper Centennial Parkway to prevent vehicles from making a left turn in or a left turn out of the site and the removal of curbing along Green Mountain Road West to permit vehicles to make a left turn in and a left turn out of the site. These modifications have been reviewed and approved by Corridor Management staff upon detailed review of the submitted Traffic Impact Study and discussions with the applicant's traffic engineer. The External Works Agreement may also include sidewalk construction as deemed appropriate through a future Site Plan Control application.
5. The Public Works Department has identified that there are public watermains and sanitary and storm sewers within the Green Mountain Road West road allowance to service the proposed development. No capacity issues have been identified. Additionally, a road widening will be required through a future Site Plan Control application to establish a 26.21 m wide road allowance for Green Mountain Road West and a 12.19 m by 12.19 m daylight triangle at the intersection of Green Mountain Road West and Upper Centennial Parkway. Road widening considerations have been included in the submitted concept plan.

ALTERNATIVES FOR CONSIDERATION

If the application is denied, the lands at 3 Green Mountain Road West will remain in the Neighbourhood Development zone and will require another rezoning application to permit any form of development.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1:

A Prosperous and Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective:

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Draft Zoning By-law Amendment
- Appendix “C”: Concept Plan

GT/th