



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 19, 2017
SUBJECT/REPORT NO:	Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 60, 68 and 72 Centennial Parkway South, Stoney Creek (Ward 9) (PED17162)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Cam Thomas (905) 546-2424 Ext. 4229 Kimberley Harrison-McMillan (905) 546-2424 Ext. 2222
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Urban Hamilton Official Plan Amendment Application UHOPA-16-17, by IBI Group Planning Consultants Inc. on behalf of 2450129 Ontario Inc., Owner,** for OPA No. xx, to re-designate the lands known municipally as 72 Centennial Parkway South (Stoney Creek) from “Medium Density Residential 3” to “Local Commercial” in the Stoney Creek Old Town Secondary Plan, and to establish a Site Specific Policy Area in the Stoney Creek Old Town Secondary Plan for lands located at 60, 68 and 72 Centennial Parkway South (Stoney Creek) to permit a medical clinic, retail and restaurant uses to have a total gross floor area of 1,605 square metres and restrict the gross floor area of the medical clinic to a maximum gross floor area of 1,203 square metres, as shown on Appendix “A” to Report PED17162, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED17162, which has been prepared in a form satisfactory to the City Solicitor be adopted by City Council; and,

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- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

- (b) That **Amended Zoning By-law Amendment Application ZAC-16-043, by the IBI Group Planning Consultants Inc., on behalf of 2450129 Ontario Inc., Owner,** for a change in zoning from the Multiple Residential “RM1” Zone (Block “1”) and General Commercial “GC-7” Zone (Block “2”) to the General Commercial “GC-55(T)” Zone, Modified, to permit the development of a two storey medical clinic with accessory retail and restaurant uses; and to establish a Temporary Use By-law for a period of 36 months to permit the existing medical clinic to operate with reduced parking during construction of the new building, for lands located at 60, 68 and 72 Centennial Parkway South (Stoney Creek), as shown on Appendix “A” to Report PED17162, be **APPROVED** on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED17162, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017); and will comply with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The applicant, IBI Group Planning Consultants Inc. (IBI Group), on behalf of 2450129 Ontario Inc., has applied for an Urban Hamilton Official Plan Amendment and a Zoning By-law Amendment to permit the redevelopment of the lands located at 60, 68 and 72 Centennial Parkway South in the former City of Stoney Creek (see Appendix “A” to Report PED17162) for a new two storey medical clinic with accessory uses.

The proposal requires amendments to the Urban Hamilton Official Plan (UHOP) to:

- i) change the land use designation of the Stoney Creek Old Town Secondary Plan from “Medium Density Residential 3” to “Local Commercial” for the property located at 72 Centennial Parkway South;
- ii) to establish a Site Specific Policy Area to permit the proposed medical clinic and accessory uses to have a maximum gross floor area of 1,605 square metres, whereas the maximum gross floor area for a grouping of local commercial uses is 1,500 square metres; and,

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- iii) restrict the gross floor area of the medical clinic to a maximum gross floor area of 1,203 square metres, whereas the maximum gross floor area for an individual commercial establishment is 500 square metres.

A Zoning By-law Amendment is required for a change in zoning from the Multiple Residential “RM1” Zone (Block “1”) and the General Commercial “GC-7” Zone (Block “2”) to a site specific General Commercial “GC-55(T)” Zone, Modified, to permit the development of a two storey medical clinic having a maximum floor area – gross leasable of 1,203 square metres, and to permit accessory uses limited to a restaurant – convenience and retail stores. The accessory uses will have a total maximum gross floor area of 402 square metres. In addition, site specific modifications for the minimum front yard setback, landscaped open space, parking space requirements, parking space dimensions, loading space and maximum building height are also proposed.

A Temporary Use By-law is also proposed to allow for the existing medical clinic to operate with reduced parking during construction of the new building.

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017), and upon finalization of the UHOP Amendment, will comply with the UHOP.

Alternatives for Consideration – See Page 33

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 Official Plan Amendment and a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Background

The subject lands are comprised of three (3) abutting properties known municipally as 60, 68 and 72 Centennial Parkway South between Neil Avenue and Felker Avenue. The properties located at 60 and 68 Centennial Parkway South are currently used for a

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medical clinic. The property located at 72 Centennial Parkway South previously contained a single detached dwelling which has since been demolished.

The existing raised one storey medical clinic was developed in 1976 and has a total gross floor area (GFA) of 850 square metres making the property legally non-complying to the Urban Hamilton Official Plan (UHOP). The existing medical clinic is served by separate driveways for ingress and egress located along the southerly and northerly sides of the building. There are 60 parking spaces located to the rear and north of the building. A landscaped area approximately 16 metres in width, which contains several mature trees, exists between the parking area and the residential properties to the east as required by the existing site specific “GC-7” Zone.

The existing medical clinic currently includes five (5) medical practitioners, one (1) dental office, one (1) physiotherapy clinic and a pharmacy.

The applicant is proposing to develop a new medical clinic with accessory uses, to provide an integrated health facility or one-stop source where multiple medical services are offered and will include the acquired property at 72 Centennial Parkway South (see Appendix “D” to Report PED17162). The proposed building is rectangular in shape and two (2) storeys in height and will have a maximum GFA of 1,605 square metres. A maximum GFA of 402 square metres (25% of the total GFA) would be used for small scale retail uses, such as convenience and retail related to medical uses such as specialized home medical equipment (i.e. wheelchairs, braces, pumps), and a convenience restaurant (i.e. coffee shop) on the ground floor of the proposed building. The basement area would be used for storage and mechanical equipment only, and is proposed to be excluded from the GFA calculation for the purpose of determining required parking.

Also, the applicant’s intention is to maintain the operation of the existing medical clinic during construction of the new medical clinic. To facilitate this, a Temporary Use By-law is proposed to address the existing GFA of the medical clinic and proposed GFA of the new building that will be on the subject property at the same time, as well as the reduction in parking for the existing medical clinic during construction. Prior to occupancy of the new building, a demolition permit application for the existing building will be made and a permit issued.

Official Plan Amendment Application UHOPA-16-17

The properties located at 60 and 68 Centennial Parkway South are designated in the Stoney Creek Old Town Secondary Plan as “Local Commercial”. The property at 72 Centennial Parkway South is designated “Medium Density Residential 3”. A UHOP

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Amendment is required to expand the “Local Commercial” designation to include 72 Centennial Parkway South for the proposed redevelopment of the medical clinic.

The maximum GFA that is permitted for a grouping of local commercial uses is 1,500 square metres (Volume 2, Policy B.2.7.2.4.1 b). As the proposed redevelopment is intended to create a new medical clinic with ancillary uses having a maximum GFA of 1,605 square metres, a site specific policy is required.

In addition, a UHOP Amendment is required to permit an individual commercial establishment to comprise 1,203 square metres of GFA whereas the maximum requirement is 500 square metres. This is to allow the medical clinic use, which is comprised of various medical practitioners, a dental office and pharmacy, to have a maximum gross floor area of 1,203 square metres.

Zoning By-law Amendment Application ZAC-16-043

The properties located at 60 and 68 Centennial Parkway South are zoned General Commercial “GC-7” Zone, Modified and the property located at 72 Centennial Parkway South is zoned Multiple Residential “RM1” Zone in Stoney Creek Zoning By-law No. 3692-92. The proposal to permit a new medical clinic and accessory uses on the properties located at 60, 68 and 72 Centennial Parkway South requires a Zoning By-law Amendment to change the zoning of these properties from the “GC-7” Zone and “RM1” Zone to a new site specific General Commercial “GC-55(T)” Zone, Modified.

Additionally, a Temporary Use By-law is required to allow for the existing medical clinic to operate with reduced parking during construction of the new building.

Original Proposal

As the “GC-7” Zone is currently only for 60 and 68 Centennial Parkway South for a medical clinic and accessory uses, the original Zoning By-law Amendment application was to expand the General Commercial “GC” Zone to 72 Centennial Parkway South and to permit a medical clinic and a range of associated uses within the proposed building to include the following:

- Medical Laboratory;
- Retail (Convenience and medical related);
- Restaurants - Convenience (i.e. Coffee Shop);
- Restaurants - Fast food;

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- Professional or Business Offices;
- Personal Service Shops; and,
- Pharmacy.

The applicant requested that parking requirements not apply to these associated uses, as they would be complementary to the medical clinic, and identified a redesigned parking area with 89 parking spaces and reduced landscaping strips.

Also special modifications to the “GC-7” Zone were proposed:

- Minimum parking space requirements (including interim parking for the existing medical clinic during construction of the proposed building);
- Minimum front yard setback;
- Minimum landscape open space;
- Minimum parking space dimensions; and,
- Minimum loading space dimensions.

Amended Proposal

During review of the application, staff noted that medical laboratories and pharmacies were included in the definition of medical clinic and therefore it was not necessary to identify these uses separately so long as these uses have access from the interior of the building only.

Staff also amended the application to exclude Restaurants – Fast Food, Professional or Business Offices, and Personal Service Shops as these uses would likely generate additional traffic and were not considered to be accessory uses to a medical clinic. For the remaining accessory uses of retail and restaurants - convenience, staff recommend that the GFA of the accessory uses be restricted to 402 square metres or 25% of the total maximum GFA to ensure these uses are small scale and subordinate to the medical clinic use.

The parking design was also refined to allow for the provision of wider landscape strips to reduce impacts to abutting single detached dwellings, to retain the majority of the existing trees along shared lot boundaries and to provide 78 parking spaces.

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Given the applicant's intention to maintain operation of the existing medical clinic during construction of the new medical clinic, a Temporary Use By-law was added to address the existing GFA of the medical clinic and proposed GFA of the new building that will be on the subject property at the same time, as well as the reduction in parking for the existing medical clinic during construction.

Chronology:

- July 19, 2016: Urban Hamilton Official Plan Amendment Application UHOPA-16-17 and Zoning By-law Amendment Application ZAC-16-043 received.
- July 20, 2016: Public Open House held by IBI Group.
- August 12, 2016: Applications UHOPA-16-17 and ZAC-16-043 deemed complete.
- August 19, 2016: Circulation of Notice of Complete Applications and Preliminary Circulation to 105 property owners within 120 m of the subject lands.
- August 24, 2016: Public Notice Sign posted.
- March 20, 2017: Submission of amended Concept Plan.
- August 23, 2017: Public Notice Sign updated to reflect Public Meeting date.
- September 1, 2017: Circulation of Notice of Public Meeting to 105 property owners within 120 m of the subject lands.

Details of Submitted Applications

- Owner:** 2450129 Ontario Inc.(Trevor Maddern, TAG Management)
- Applicant / Agent:** IBI Group (c/o Mike Crough)
- Location:** 60, 68 and 72 Centennial Parkway South, Stoney Creek
(see Appendix "A" to Report PED17162)

60 – 68 Centennial Parkway South (Existing Medical Clinic)	72 Centennial Parkway South	Total
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<u>Frontage:</u>	72.0 m	15.24 m	87.24 m
<u>Depth:</u>	36.83 m to 54.07 m (irregular)	55.77 m	38.83 to 55.77 m (irregular)
<u>Area (sq. m.):</u>	3,195.07	849.93	4,045

EXISTING LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Medical clinic and vacant lot	Local Commercial “GC-7” Zone and Multiple Residential “RM1” Zone
<u>Surrounding Lands:</u>		
North	Single Detached Dwellings	Multiple Residential “RM1” Zone
South	Single Detached Dwellings	Multiple Residential “RM1” (H) Holding Zone
East	Single Detached Dwellings	Single Residential “R2” Zone
West	Vacant lands and Single Detached Dwellings	Major Institutional “I” Zone and Multiple Residential “RM1” Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The following policies, amongst others, from the Provincial Policy Statement (PPS) are considered to be applicable to the applications:

“1.1.1 Healthy, liveable and safe communities are sustained by:

- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons),

employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;
 - 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and,
 - 5. are *transit-supportive*, where transit is planned, exists or may be developed.

The proposal provides for the redevelopment of an existing medical clinic that would allow for an expanded range of services to serve the surrounding area. The redevelopment utilizes existing infrastructure and supports transit.

Based on the foregoing, the proposed development is consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (2017)

All current planning applications are required to conform to the recently updated Growth Plan for the Greater Golden Horseshoe (2017). The following policies, amongst others, are applicable to the proposed development:

- “2.2.4 Applying the policies of this Plan will support the achievement of complete communities that:
 - a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- 2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

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2.2.5.1 Economic development and competitiveness in the GGH will be promoted by:

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;”

The proposal provides for the expanded range of local health care services and local commercial uses that will serve the surrounding community, and is adjacent to local transit that would be improved through the development of the BLAST Network. Also the proposal makes suitable use of the property by providing a more efficient form of development and additional employment opportunities within the health care sector.

Based on the foregoing, the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

Urban Hamilton Official Plan (UHOP)

The subject property is identified along a Secondary Corridor, on Schedule “E” – Urban Structure and is designated “Neighbourhoods” on Schedule “E-1”, Urban Land Use Designations. The lands are located within the Old Town Secondary Plan. 60 and 68 Centennial Parkway South are designated “Local Commercial” and 72 Centennial Parkway South is designated “Medium Density Residential 3”. The following policies, amongst others, apply:

Local Commercial

“E.3.8.1 Local commercial uses that primarily cater to the weekly and daily needs of residents within the surrounding neighbourhood may be permitted within the Neighbourhoods designation.

E.3.8.2 The following uses shall be permitted:

- a) retail and service uses such as a craftsperson shop, day nursery, commercial school, financial establishment, office, motor vehicle service station, personal service, place of worship, repair service, restaurant, studio, art gallery, tradesperson shop, and veterinary service (OPA 64); and,
- b) medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses.

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- E.3.8.4 Local commercial uses may be permitted in the following built forms:
- a) small single-use buildings such as those occupied by a convenience store or a medical office;
 - b) a plaza form at varying scales containing multiple commercial uses;
 - c) a main street configuration with multiple commercial uses; or,
 - d) multiple storey buildings with the local commercial uses on the ground floor and residential units above.
- E.3.8.5 The City shall encourage numbers and sizes of local commercial uses to adequately serve local residents.
- E.3.8.6 Local commercial uses may be permitted on a range of site areas not exceeding 4 hectares and at a range of scales not exceeding a total gross floor area of 10,000 square metres per site. All adjacent parcels and parcels at the intersection of roadways developed for local commercial uses shall be considered as one local commercial site.
- E.3.8.8 Local commercial uses shall comply with the following provisions:
- a) The gross floor area for any individual office shall not exceed 500 square metres;
 - b) The total maximum gross floor area and height for a development located on a particular site shall be determined through secondary plans or corridor studies where applicable, and Zoning By-laws.”

Respecting Policies E.3.8.1 and E.3.8.2, it is noted that medical clinics, retail and restaurant are permitted Local Commercial uses within the Neighbourhoods designation and the subject lands are located on a major arterial road. 60 and 68 Centennial Parkway South contains an existing medical clinic that has served the neighbourhood for over 40 years and is identified in the Secondary Plan as a local commercial use.

The proposed development is consistent with Policy E.3.8.4b) as the building would contain various medical services and accessory uses of retail and restaurant.

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Respecting Policy E.3.8.5, the proposed building is on a site less than 4 hectares in area and does not exceed a total gross floor area of 10,000 square metres as per Policy E.3.8.6.

Based on the definition of “medical clinic” in the UHOP, medical offices are considered part of the medical clinic and therefore E.3.8.8 a) does not apply.

“Medical clinic means a building, or part thereof, which is used jointly by three or more health professionals for the purpose of consultation, diagnosis and / or treatment of persons and shall include but not be limited to laboratories, dispensaries or other similar facilities.”

This restriction on the maximum gross floor area of an individual commercial use is further described in the Old Town Secondary Plan as per Policy E.3.8.8 b), which also includes a restriction on the total GFA of a grouping of local commercial uses to 1,500 square metres. This is further discussed under the Old Town Secondary Plan policies.

“E.3.8.9 Development and redevelopment of local commercial uses shall:

- a) front and have access to a major arterial, minor arterial, or collector road;
- b) provide safe and convenient access for pedestrians and cyclists; and,
- c) be *compatible* with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting.”

The proposed redevelopment would have direct access onto Centennial Parkway South, a major arterial road. The proposed design would provide accessibility from the sidewalk on Centennial Parkway South, adjacent to an existing bus stop, and would provide safe access to the rear of the building from the parking areas. Also, cycling facilities would be provided for the proposed development. Lastly, the proposed development would be compatible with the surrounding area in terms of design by providing an appropriately scaled building with an attractive and contemporary design that has high levels of glazing, is closer to the street and provides enhanced landscaping.

In regards to item c), the building massing for the proposal would maintain the rectangular form of the existing medical clinic but would be larger. However there is some variation along this part of Centennial Parkway South in terms of the orientation of

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dwelling and building length, width and depth. The proposed medical clinic would have a building depth of 19.4 metres which is consistent with the existing dwellings that range in depth from 10 and 19 metres.

The proposed building height of two (2) storeys (maximum 11 metres) would be consistent with existing detached dwellings which are one to two storeys in height. The proposed building height would also be below the maximum height range permitted under the Zoning By-law for the existing dwellings along Centennial Parkway South (i.e. 11 metres) and the General Commercial “GC” Zone (i.e. 16.5 metres).

In regards to setbacks, the proposed building would have a reduced front yard setback compared to existing dwellings along Centennial Parkway South but would be similar to the front yard setback for the existing medical clinic. The proposed front yard setback is also consistent with Local Commercial policies that encourage reduced front yard setbacks to promote pedestrian activity. The proposed 2.5 metre northerly side yard setback would be greater than the requirement for the General Commercial “GC” Zone and the Multiple Residential “RM1” Zone, which applies to the abutting residential properties. The proposed building would have substantial setbacks from the southerly side property line (i.e. over 20 metres) and the easterly rear property line (i.e. over 44.9 metres).

The proposed parking would generally be consistent with the Zoning By-law requirements for the medical clinic use, but would allow for parking reductions for the accessory uses to recognize these uses as incidental to the medical clinic. The parking would be provided within the rear and side yards with landscape buffers ranging from 0.76 to 6.5 metres to optimize privacy and minimize visual impacts on the abutting residential properties.

It is recognized that the proposed expansion would affect three (3) residential dwellings to the east and the abutting single detached dwelling to the north (74 Centennial Parkway South). The existing dwellings to the east at 85 and 89 Irene Avenue are shallow lots (approximately 23.8 m to 28.7 m in depth) and there is currently a 16 metre wide buffer, which is included in the “GC-7” Zoning for the medical clinic, which provides a large separation from the existing parking area. The rear yards of these properties are shallower than other dwellings in this area (i.e. 9.1 m to 9.6 m) but are greater than the minimum requirement of the Single Residential “R2” Zone which is 7.5 metres.

The dwelling at 91 Centennial Parkway South does not currently abut the medical clinic and has the most shallow rear yard which is 6.8 m in depth. In light of the reduction of the buffer from 16 m, it is noted that the required landscaped strip for Stoney Creek is 4.5 m in width. Staff are of the opinion that the owner’s intention to provide both a solid screen fence and a dense planting strip along the rear yard would provide a reasonable

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screen to reduce visual impacts associated with parking and head lights from the vehicles.

Also the proposed parking area would only require minimal removal of existing trees in along the rear lot line, and compensatory landscaping would be provided to address the removal of any existing mature trees. Landscaping would be further examined at the Site Plan Control stage.

Noise impacts associated with vehicular traffic are addressed through the provision of landscaped areas abutting existing dwellings and the provision of a central driveway which does not impact existing dwellings.

Lastly, lighting for the proposed parking area would be designed for the subject property only and would not be permitted to spillover onto adjacent properties. This would be further examined at the Site Plan Control stage.

Urban Design

“B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

B.3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) respecting existing character, development patterns, built form, and landscape; and,
- b) promoting quality design consistent with the locale and surrounding environment.

B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- b) respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;

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- c) allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;
- d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.”

Respecting Policies B.3.3.1.5 and B.3.3.2.3, the proposed development would allow for the expansion of an existing medical clinic and would retain a street-oriented development in a similar although larger built form. The development would enhance the existing environment by providing:

- an attractive two storey building with a contemporary design which replaces the existing medical clinic;
- landscaping buffers that will retain the majority of the existing mature trees and allow for better overall landscaping;
- improved pedestrian facilities which includes walkway connections from the principal entrance to the municipal sidewalk; and,
- a central vehicular access to minimize impacts on adjacent single detached dwellings.

Respecting Policy B.3.3.2.6 a) and d), the proposal provides an enhanced building design near the street line that would improve the existing streetscape along Centennial Parkway South with the use of coloured glazing and variation in materials (see Appendix “F” to Report PED17162). The proposed building placement is located away from existing development to the south and east and would be separated from the dwellings to the north by a landscaped strip. The proposed redevelopment would provide pedestrian amenities consisting of walkways, which connect to the side and rear of the building, and the provision of parking and ramps for the physically challenged. Also, the proposed building height and width would complement the existing low-rise character of the area along Centennial Parkway South.

Respecting item b), the proposal would allow for the retention of the majority of the existing trees within the rear yard and provides opportunities for enhanced landscaping along the property lines.

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Respecting item c), the proposal provides for the evolution of an existing medical clinic to an upgraded facility that will provide an enhanced built form, as well as improvements to pedestrian accessibility, landscaping and vehicular access, that is still in harmony with the existing architectural massing and style of the area.

Respecting item e), the proposed building would be a low rise form of development (i.e. two storeys) that is within the maximum height permitted for single detached dwellings and would not contribute to sun shadow impacts.

“B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) creating transitions in scale to neighbouring buildings;
- b) ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) minimizing the impacts of shadows and wind conditions.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

- a) locating principal façades and primary building entrances parallel to and as close to the street as possible;
- b) including ample glazing on ground floors to create visibility to and from the public sidewalk;
- c) including a quality landscape edge along frontages where buildings are setback from the street;
- d) locating surface parking to the sides or rear of sites or buildings, where appropriate; and,
- e) using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

Respecting Policy B.3.3.3.2 the proposed two storey building would be within an acceptable height range of 10.2 metres, which is consistent with the Multiple Residential “RM1” Zone which applies to the properties north and south of the subject property, and would therefore not be subject to a sun shadow or wind study. Privacy to neighbouring properties would be achieved through the building’s placement, provision of landscaping

strips along the property boundaries which abut single detached dwellings, enhanced landscaping, visual barriers, and the provision of a central driveway that is separated from existing residential dwellings.

Respecting Policy B.3.3.3.5, the proposed redeveloped medical clinic would be located close to the street line with a landscaping strip to provide a comfortable pedestrian environment and improved street aesthetics. The proposal would also employ ample glazing on the ground floor to connect visually to and from the public sidewalk and to create a greater street presence. Surface parking would be located to the rear and south side of the building.

Parking and Loading

“C.4.5.15 Parking and loading requirements regulated through the Zoning By-Law or site plan approval shall ensure adequate parking for the site, while avoiding excess parking supply that can discourage transit use and active transportation choices.

C.4.5.19 New development on properties adjacent to major arterial and minor arterials and where necessary, collector roads, shall include provisions for sufficient parking, loading, manoeuvring and off-street parking.”

The parking for the medical clinic use is proposed to be consistent with the parking requirement of 1 space per 16 square metres of GFA, except that the parking requirement would be applicable to floor area – gross leasable instead of GFA to recognize that the basement is being used for storage and mechanical equipment only.

However no parking is proposed for the small scale accessory uses of retail and restaurant – convenience, as these uses are accessed from within the building and provide support to the medical clinic. These accessory uses would be limited to a total maximum GFA of 25% of the total building GFA and would serve the clients of the medical clinic to provide an integrated health facility. As such, these accessory uses are not anticipated to generate additional traffic to the site.

Given the site’s location on a major arterial road, the proposed parking requirement provides sufficient off-street parking, loading and manoeuvring that addresses the demand created by the medical clinic and accessory uses. Also transit use and active transportation is encouraged by providing only the parking spaces needed to meet the parking demand of the uses, as well an enhanced pedestrian environment with connection to the building entrance from the street will be provided.

Old Town Secondary Plan – Volume 2

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The subject property is within the Old Town Secondary Plan provided in Volume 2 of the UHOP. 60 and 68 Centennial Parkway South are currently designated “Local Commercial” and 72 Centennial Parkway South is currently designated “Medium Density Residential 3”. The following policies, amongst others, apply:

General Policies

- “B.7.2.1.1 All development within the Old Town shall protect and maintain the economic viability of Stoney Creek’s downtown and support its revitalization through conversion, infilling and redevelopment.
- B.7.2.1.2 Site plan approval shall be required for all redevelopment. Site plans shall address matters such as, but not limited to, building form and appearance, building siting, landscaping and amenity areas, parking and loading, cultural heritage, and the physical relationship of the proposal to local amenities such as shopping facilities, schools, parks, recreational facilities and public transit.
- B.7.2.1.3 The following architectural and landscaping elements shall be encouraged:
- a) landscaped front yards;
 - b) prevention of front yard parking;
 - c) underground parking, screening; and,
 - d) buffering of conflicting uses through overall building and landscaping articulation, fencing, roof-lines, building materials, detailing, window and entrance features.”

Policy B.7.2.1.1 is intended to support the downtown as the economic heart of the community. The existing medical clinic has existed for over 40 years at 60 and 68 Centennial Parkway South and has served the local neighbourhood during this time.

The proposal is for the redevelopment and expansion of an existing medical clinic within an area designated in the Old Town Secondary Plan as “Local Commercial”. The GFA of the commercial uses is approximately 7.5% greater than the prescribed maximum total GFA for a grouping of local commercial uses.

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Concerning Policies B.7.2.1.2 and B.7.2.1.3, Site Plan Control approval would apply to the proposal and would further examine landscaping along the street line and within the buffers which abut adjacent single detached dwellings, fencing, parking, waste enclosures, building entrances and materials.

Residential Policies – Medium Density Residential 3

72 Centennial Parkway South is currently designated “Medium Density Residential 3”. An Official Plan Amendment is required to change the designation of the subject property from “Medium Density Residential 3” to “Local Commercial” to permit the proposed medical clinic and accessory retail and restaurant uses.

The proposed change in designation is supportable because the proposed redevelopment would comply with the applicable Local Commercial policies, amongst others, of the UHOP.

Commercial Designations Policies – Local Commercial

“B.7.2.4.1 The following policies apply to lands designated Local Commercial on Map B.7.2.1 – Old Town – Land Use Plan:

- a) Section E.3.8 – Local Commercial of Volume 1 shall apply to the lands designated Local Commercial on Map B.7.2.1 – Old Town – Land Use Plan.
- b) Notwithstanding Section E.3.8.6 of Volume 1, on lands designated Local Commercial on Map B.7.2.1, Old Town – Land Use Plan, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor area of any grouping of local commercial uses shall be 1,500 square metres.”

As noted previously, an Official Plan Amendment is required to address Policy B.7.2.4.1 as the individual commercial establishment (i.e. medical clinic, which consists of the various medical offices, laboratories and dispensaries), is proposed to be a maximum of 1,203 square metres and the total GFA of the building is proposed to be a maximum of 1,605 square metres. Based on the existing medical clinic use that has been in operation for many years on the property as an 850 square metre facility, staff are of the opinion that this site has demonstrated a tolerance for a medical clinic that exceeds the maximum GFA permitted for an individual commercial establishment. Also the further increase in GFA would not result in adverse impacts to the neighbourhood or functionality of the site as the proposal is compatible with the surrounding area, located

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along a major arterial road with transit accessibility and provides adequate on-site parking, as described in detail earlier in the UHOP analysis.

Additionally the proposed total GFA for a grouping of local commercial uses represents an increase of 105 square metres or 6%, which is well below the total maximum GFA of 10,000 square metres per site indicated in Policy E.3.8.6. This modest increase allows for retail and restaurant uses that are accessory to the medical clinic to be provided in an integrated health facility at a centralized location on an arterial road.

Temporary Use By-laws

“F.1.11.1 Council may adopt temporary use by-laws provided the use complies with the permitted uses in Section E – Urban Systems and Designations, to permit the temporary use of land, buildings or structures for a purpose that is prohibited by the Zoning By-law.

F.1.11.3 The proposed temporary use shall:

- a) be compatible with uses on adjacent and nearby properties;
- b) have no adverse impact on the traffic, transportation or parking facilities in the area;
- c) comply with the Minimum Distance Separation requirements established by the Province; and,
- d) have sufficient services such as roads, storm water drainage, water supply and sanitary sewage systems to accommodate the proposed temporary use.

F.1.11.4 A temporary use by-law may be permitted for a period of time which shall not exceed three years, except for garden suites which shall not exceed ten years. However, Council may, by By-law, extend such period of time for further periods of time not exceeding three years each, during which the temporary use is authorized.

F.1.11.5 Upon expiration of the temporary use by-law, uses which may have been permitted by that temporary use by-law shall cease to exist, shall not be considered as legal non-conforming uses, and therefore shall be removed.”

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As previously discussed, the existing medical clinic is a permitted use that is compatible with the area and serviced by municipal services but is legally non-complying to the UHOP given its total GFA of 850 square metres. The Temporary Use By-law would allow for the medical clinic to continue at the subject property, in conjunction with construction of the new building and at a reduced parking requirement. This is further described in the Analysis and Rationale for Recommendation section of this Report.

Zoning By-law No. 3692-92

60 and 68 Centennial Parkway South are zoned General Commercial “GC-7” Zone in By-law No. 3692-92. The existing medical clinic was developed in 1976 prior to By-law No. 3692-92 coming in effect and is recognized with site specific zoning.

72 Centennial Parkway South is zoned Multiple Residential “RM1” Zone, which allows for low-rise residential ranging up to four (4) dwellings. The “RM1” Zone would not accommodate the proposed commercial uses which would be most appropriately rezoned to the General Commercial “GC” Zone.

In order to implement the proposed development, a change in zoning from the General Commercial “GC-7” Zone and Multiple Residential “RM1” Zone to a site specific General Commercial “GC-55(T)” Zone is required to permit the development of a two storey medical clinic with accessory uses and modifications related to minimum parking space requirements, minimum front yard, minimum landscape open space, minimum parking spaces dimensions, loading space size and maximum building height. An evaluation of the proposed modifications is included in the Analysis and Rationale for Recommendation section of this Report.

RELEVANT CONSULTATION

The following internal departments and external agencies indicated no comments or concerns for the proposed applications:

- Asset Management, Strategic Planning Division, Public Works Department;
- Construction Services, Strategic Planning Division, Public Works Department; and,
- Alectra Utilities Corporation (formerly Horizon Utilities Corporation).

Corridor Management, Public Works Department has reviewed the applicant’s Traffic Impact Study (TIS) and recommended that the applicant implement some form of pedestrian treatment such as markings linking the south parking area to the building entrance providing awareness to motorists of this pedestrian crossing. It is further

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noted that Planning staff also support the use of pavers or other noticeable surface material as a means to reduce traffic speeds within the site to ensure pedestrian safety.

Also the following is required:

- 5m x 5m visibility triangles with landscaping not to exceed 0.7 metres in height;
- Driveway width to be a minimum of 7.5 metres with a 7.0 metre curve radius;
- The removal of the southerly driveway and restoration of the boulevard to concrete curbing;
- Access works within the road allowance to be completed by a bonded contractor; and,
- All construction equipment is to remain on private property.

These requirements will be reviewed and addressed at the Site Plan Control stage.

Transportation Management, Public Works Department noted that based on the Hamilton Pedestrian Plan, the consideration of the needs of pedestrians with disabilities is required (i.e. AODA regulations and barrier free designs). Sidewalks along the right-of-way are required to be a minimum of 2.0 metres in width and sidewalks within the site are required to be a minimum of 1.5 metres in width. The provision of street trees within the boulevard is also required.

The proposal has required the consideration of Transportation Demand Management (TDM) for commercial offices. Planning staff note that considerations for walking, transit, reduced parking and bicycle parking facilities have been included in the applicant's TIS. Provisions for pedestrian connections from the sidewalk and bicycle parking including indoor storage facilities and showers will be addressed at the Site Plan Control stage. Based on the City's TDM Guidelines, four (4) long term bicycle parking spaces and three (3) short term bicycle parking spaces would be required. Transportation Management has advised that Transportation Oriented Design (TOD) Guidelines should be followed.

The UHOP identifies a future road widening requirement of 36.57 metres for Centennial Parkway. This requirement is discussed further in Relevant Consultation section of this Report.

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Rapid Transit advised the property is located along the future “S” line for the City’s Bus Rapid Transit system. The ultimate right-of-way along Centennial Parkway South would be a minimum of 36 metres.

Forestry and Horticulture Section, Public Works Department has advised that the proposed redevelopment would require the provision of street trees along the boulevard of Centennial Parkway South. A Landscaping Plan would be required to identify the type and quantity of street trees at the Site Plan Control stage.

Geomatics Section, Public Works Department identified that Centennial Parkway is a major arterial road with an ultimate road allowance of 36.576m. This would calculate to 18.288 metres from the center line of the original road allowance. In 1992 the City of Stoney Creek received an 18 metre widening from the center line which should have been 18.288m to be consistent with the Official Plan. A 0.288 metre widening over the entire frontage of 60-72 Centennial Parkway South would be required.

Planning staff note that the dedication in 1992 was consistent with the City of Stoney Creek Official Plan however the UHOP requires a right-of-way width of 36.576 metres. As a result, a widening of 0.288 metres has been shown on the Site Plan and will be dedicated to the City at the Site Plan Control stage.

Waste Management Section, Public Works Department has advised that the site would be eligible for municipal waste pickup with respect to garbage, organics and recyclables. Planning staff note further that the applicant is intending to store waste outside of the building and may pursue the services of a private waste contractor for the removal of waste from the site. This will be further reviewed at the Site Plan Control stage.

Public Consultation

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 105 property owners within 120 m of the subject property on August 19, 2016. A Public Notice sign was posted on the property on August 24, 2016, and updated on August 23, 2017, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act*.

Public Consultation Strategy

The applicant submitted a Public Consultation Strategy as required under the *Planning Act*, which indicated that a Public Open House was held on July 20, 2016 at Battlefield House Museum. The applicant hand delivered invitations to landowners located on

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Felker Avenue, Irene Avenue, Neil Avenue and Centennial Parkway South on July 8th, 2016. Eight (8) residents from the community attended.

To date, two (2) emails and several phone calls have been received from the public and raised issues of rezoning a residential property to commercial, and removal of greenspace and trees. The concerns raised in these letters are summarized in the Analysis and Rationale for Recommendations Section.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed applications have merit and can be supported for the following reasons:
 - (i) The applications are consistent with the Provincial Policy Statement (2014) and conform to the Growth Plan for the Greater Golden Horseshoe (2017), by providing local commercial uses that serve the surrounding neighbourhood, utilize existing infrastructure and are transit-supportive;
 - (ii) The applications comply with the general intent of the UHOP with respect to the Local Commercial designation; and,
 - (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area.

2. Urban Hamilton Official Plan Amendment

The medical clinic and ancillary commercial uses (retail and restaurant) are permitted on 60 and 68 Centennial Parkway South in the UHOP and the Old Town Secondary Plan. As discussed in the policy section of this Report, an amendment to the Old Town Secondary Plan is required to re-designate 72 Centennial Parkway South from “Medium Density Residential 3” to “Local Commercial”; and to establish a Site Specific Policy Area for 60, 68 and 72 Centennial Parkway South to permit a medical clinic, as an individual commercial establishment, to have a maximum gross floor area of 1,203 square metres and for a group of commercial uses (medical clinic, retail and restaurant) to have a maximum of 1,605 square metres of gross floor area.

The proposed development is along a major arterial road and provides safe access for pedestrians and cyclists, and is compatible with the surrounding area. The proposed building would have a similar height (i.e. two storeys and 10.2 metres) to existing single detached dwellings and proposes a reduced maximum building height than what is permitted by the Zoning By-law to address the existing

context of the area. As such, adverse impacts in terms of shadowing and overlook are not anticipated. Also the building is oriented away from existing residential uses and adequate buffering and enhanced landscaping is provided. It would not destabilize the residential character of the area as this is a replacement of a medical clinic that has existed for 40 years at an increased GFA of approximately 850 square metres.

Also the maximum GFA requirement in the parent policies of the UHOP for Local Commercial uses is 10,000 square metres per site which by comparison is much larger. The proposed redevelopment would be 16% of the area permitted for Local Commercial uses under the UHOP, and would not negatively impact Stoney Creek Downtown or other significant commercial nodes.

Based on the foregoing, staff are in support of the proposed OPA.

3. Zoning By-law Amendment

The subject lands are zoned General Commercial “GC-7” Zone, Modified and Multiple Residential “RM1” Zone in Stoney Creek Zoning By-law No. 3692-92. The applicant has requested a Zoning By-law Amendment to change the zoning of the subject lands to a new site specific General Commercial “GC-55(T)” Zone.

The specific modifications to the by-law are as follows:

Minimum Front Yard Setback

A modification is required to permit a minimum front yard setback of 1.2 metres whereas a minimum front yard setback of 7.5 metres is required. The proposed setback would be less than the front yard setback of the existing building which ranges from 2.6 metres to 3.19 metres. This area has been asphalted to accommodate deliveries and pick up / drop offs. The proposed building would provide a front yard setback that is consistent with UHOP direction for Local Commercial buildings which suggests these uses should be developed close to the street to encourage transit use and pedestrian activity. Additionally the boulevard is wide along the frontage of the subject lands which would allow for boulevard sodding. Staff are of the opinion that the proposed front yard setback along with the reinstating of boulevard sodding would allow for improved property aesthetics and functionality.

Therefore, based on the foregoing, staff support the proposed reduced front yard setback.

Minimum Landscaped Open Space (abutting a Street)

A modification is required to permit a minimum landscaped strip of 1.2 metres, instead of a landscaped strip of 1.5 metres abutting a street which is required by the General Commercial “GC-7” Zone, Modified that applies to the existing medical clinic building. The standard planting strip requirement for the General Commercial “GC” Zone is 6.0 metres. The 1.2 metre landscaped strip would be along the frontage of the proposed building, encompassing the entirety of the front yard setback, and increase to 1.6 metres along the frontage of the proposed parking area. It is noted that while there is an uneven planting strip (3 - 5 metres in width) along the front property line north of the clinic, there is currently no planting strip in front of the existing building.

The reduced landscaped strip abutting a street for the medical clinic would be slightly below the “GC-7” requirement and would still allow for a suitable landscaped strip with small scale planting that would enhance the development and screen the surface parking area to the south of the building (see Appendix “D” to Report PED17162).

Therefore, based on the foregoing, staff support the proposed reduced landscaped strip.

Minimum Landscaped Open Space (abutting residential)

i) Northerly Landscaped Strip

When the “GC-7” Zone was created, a reduced landscaped strip was established to require 2.0 metres along the northerly side yard. This requirement replaced the General Commercial “GC” Zone requirement of 4.5 metres abutting a residential use.

The minimum 2.0 metre planting strip was applied for the portion of the existing boundary between 68 and 72 Centennial Parkway South. The applicant is requesting that a modification be provided to allow the landscaped strip to be a minimum 2.5 metres along the boundary of 72 Centennial Parkway South abutting the proposed building and parking area.

This requirement has been modified through the review process to allow for a greater landscaped strip and protection of existing trees on the immediately adjacent property to the north to ensure compatibility with the adjacent residential use.

Therefore, staff are supportive of the proposed northerly landscaped strip.

ii) Southerly Landscaped Strip

A modification is required to permit a landscaped strip abutting a residential zone to be 0.76 metres instead of 4.5 metres along the southerly property boundary. Staff note the 4.5 metre planting strip requirement would be applicable for the southerly side yard however, this requirement was not provided for the existing medical clinic likely due to the provision of an access driveway for ingress located within this side yard.

The proposed planting strip along the southerly lot line abutting the dwelling at 58 Centennial Parkway South would be 0.76 metres in width to accommodate six (6) parking spaces along the property line. This would replace the existing 1.0 metre planting strip which is adjacent to the existing southerly driveway. However several sections of larger landscaped areas, which range from 4.8 metres to 9 metres in length and 5.7 to 6.5 metres in width (see Appendix “D” to Report PED17162), will be provided to create an average landscaped strip of 3.63 metres and allow for tree planting. In particular, the middle landscaped section, which would be 4.8 metres long and 6.5 metres wide, has been positioned to align with the only window on the north elevation of the adjacent single detached dwelling to provide additional privacy and buffering.

Therefore, staff are supportive of the proposed southerly landscaped strip.

iii) Easterly Landscaped Strip

A 16 metre wide landscaped strip was required for the “GC-7” Zone to provide protection for the abutting residential properties to the east located at 85 and 89 Irene Avenue. This requirement replaced the 4.5 metre landscaped requirement for the “GC” Zone as these lots have shallower rear yards than the lots immediately to the south, despite providing a minimum rear yard setback of 7.5 metres which is consistent with the Single Residential “R2” Zone.

The applicant is requesting a reduction to the landscaped strip width to be a minimum of 2.2 metres along the easterly property line is required to develop the area for parking. This requirement would also extend to the abutting property at 91 Irene Avenue which is east of the expanded portion

of the site at 72 Centennial Parkway South (see Appendix “D” to Report PED17162). The applicant is currently proposing to maintain all but two (2) of the trees along the rear lot line.

The applicant is also proposing plantings and a 1.8 metre visual barrier along the expanded easterly property line. The proposed landscaped strip and visual barrier would provide a satisfactory treatment adjacent to residential dwellings. It is further noted that the property at 91 Irene Avenue would have additional buffering due an expanded landscaped area near the north-easterly corner of the property.

Therefore, based on the foregoing, staff support the proposed reduced landscaped strip abutting residential development.

Minimum Parking Requirements

The minimum parking requirement of 1 parking space for each 16.0 square metres of GFA for the medical clinic, which is the predominant use, is proposed to be modified to apply to Floor Area – Gross Leasable instead of GFA. This modification is to allow for a partial basement to be used solely for storage and mechanical equipment and to not be subject to parking requirements.

Based on the applicant’s request for 75% of the proposed building (1,203 square metres) to be comprised of various medical offices which are recognized as a medical clinic, the parking requirement based on 1 parking space per 16 square metres of floor area – gross leasable would be 75 spaces, which is less than the 78 parking spaces proposed on the property.

The additional commercial uses comprising the remaining 25% of the building are accessory uses that support the medical clinic and are a convenience restaurant (i.e. coffee shop) and retail. The parking requirement for retail uses based on 1 parking space per 28 square metres of gross floor area would be 14 spaces. As these uses would be small scale (i.e. not greater than 100 square metres except not more than 75 square metres for a convenience restaurant) and would principally serve the users of the medical clinic, staff are of the opinion that additional parking for these accessory uses is not required.

Therefore, based on the foregoing, staff support the proposed reduced parking provisions.

Minimum Parking Space Dimensions

A modification is required to permit the minimum parking space dimensions to be 2.6 metres by 5.5 metres for 90 degree perpendicular parking space instead of 2.7 metres by 5.8 metres; 2.4 metres by 6.0 metres for parallel parking spaces instead of 3.0 metres by 6.0 metres; and 4.4 metres by 5.5 metres for parking designated for vehicles of physically challenged instead of 4.4 metres by 5.8 metres. At the time of the application, the direction by City Council for parking to be based on the applicable Zoning By-laws was applied to residential uses. More recently, a motion from Council for a larger parking space size standard of 3.0 metres by 5.8 metres for all uses was brought forward to replace By-law No. 05-200 standard of 2.6 metres by 5.5 metres for non-designated parking for vehicles of physically challenged. The consideration of the reduced parking standard is based on the need to balance the requirements for parking for proposed development with the need to provide adequate buffers for the adjacent single detached dwellings and to retain existing trees where possible. The proposed parking standards would allow for the parking to be met for the medical clinic, landscaped strips that will provide a separation and landscape buffer to the adjacent residential dwellings, and the retention of mature trees.

Therefore, based on the foregoing, staff support the proposed reduced parking space dimensions.

Dimensions of a Loading Space

A modification is required to permit a reduced minimum loading space size of 3.0 metres by 5.5 metres for the one (1) loading space required. By-law No. 3692-92 requires the loading space dimensions to be 3.6 metres in width by 10 metres in length and 4.3 metres in height. As the proposed offices within the medical clinic would be small scale in nature (i.e. within the range of 200 – 400 square metres of GFA), deliveries can be managed with the use of smaller trucks thereby not requiring a standard loading space size.

Therefore, based on the foregoing, staff support the proposed reduced dimensions for a required loading space.

Maximum Building Height

To ensure compatibility with the adjacent residential dwelling, a maximum building height of 11 metres is proposed whereas 16.5 metres is permitted in the General Commercial “GC” Zone. This reduced height is consistent with the Multiple Residential “RM1” Zone to the north and south of the property, and Single Residential “R2” Zone to the east of the property. As such, staff are supportive of this modification.

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Requirements During Construction

The applicant is requesting that the existing medical clinic be permitted to operate during the construction phase for the proposed medical clinic. This would allow the medical clinic to be able to continue to serve its customers without having to relocate to alternate sites which may create inconveniences and other issues.

However to ensure zoning conformity during this time, a Temporary Use By-law for a maximum of three (3) years is required to:

- i) allow for a reduced parking requirement for the existing medical clinic during construction of the new building (i.e. 45 parking spaces instead of the 60 parking spaces required); and,
- ii) recognize the existing GFA of the medical clinic at 850 square metres as well as the proposed maximum GFA of the new building at 1,605 square metres, which will be on the subject property at the same time during the construction phase.

Staff have regard for the importance of the provision of medical services to the community but recognize that on-street parking is not available. As such, staff have requested the applicant maintain as many on-site parking spaces as possible during construction. Based on the applicant's proposed Site Plan and the reduction of some parking near the proposed clinic, it is anticipated that 75% of the parking, or 45 parking spaces, required for the existing clinic can be provided. This reduction is a temporary measure until demolition of the existing medical clinic has occurred and would be the minimum provided until an Occupancy Permit is issued for the new building.

Therefore, based on the foregoing, staff support the modification to the minimum number of parking spaces for the existing medical clinic during construction of the proposed development.

3. There were two (2) emails received from the public for the proposed planning applications. The following issues were identified in the public correspondence:

- a) The Rezoning of a Residential Property to Commercial

The concern is the unplanned expansion of commercial development into a residential area is allowing for the relocation of the medical clinic to the north side of the property, and expansion of the parking area along the east side of the

property increasing the number of residential dwellings impacted by the proposed development.

As discussed in the Report, the UHOP directs that the redevelopment of local commercial uses shall be permitted subject to meeting a range of criteria including access to an arterial or collector road; providing safe and convenient access for pedestrians and cyclists and compatibility with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting. These criteria have been examined in the UHOP Policy Section of this Report and staff are of the opinion that these criteria have been satisfied by this proposal.

A similar concern is that the expansion could predispose the adjacent area to further commercial development that would affect the residential area north or south of the property. Staff are of the opinion that the expansion to 72 Centennial Parkway South was required to allow for continued use of the medical clinic during construction of the proposed development, and would not be supportive of a further expansion.

b) Removal of Greenspace and Trees

A concern was raised regarding the removal of greenspace and mature trees. The proposal would require the development of an expanded parking area and medical clinic and the removal of the 16 metre wide buffer which currently applies to the “GC-7” Zone for the easterly portion of the property.

A Tree Protection Plan (TPP) was required to evaluate the impact of the proposed development of the proposed medical clinic and expanded parking area on existing trees. The applicant’s TPP identified an inventory of 40 trees along the boundaries of adjacent properties and proposed the removal of 20 trees to develop the proposed building and parking area for the relocated medical clinic.

The amended application proposes wider buffers to enable the retention of trees along the property boundary to provide a more effective landscape buffer along the perimeter that would reduce impacts on the residential neighbours. This will be examined further at the Site Plan Control stage through requirements for a revised TPP and a landscaping plan.

4. The proposal would be subject to Site Plan Control, which would allow for a detailed review of the development including matters such as grading, stormwater management, landscaping, access, parking, fencing and building design. A revised TPP will be required at the Site plan Approval stage to determine how

several of the existing trees can be retained on the property along the expanded planting strip. The use of pavers within the driveway to reduce vehicular speeds will also be examined to address pedestrian safety.

5. The subject property is served by a public 300mm watermain, as well as 675mm storm and 300mm sanitary sewers along Centennial Parkway South. There were no concerns in principle for the proposed of the medical clinic. At the Site Plan Control stage, the following should be provided:
 - The relocation of the proposed services to one of the two existing servicing locations to minimize the number of road cuts required as Centennial Parkway South has been recently reconstructed and the existing services will need to be abandoned;
 - Storm drainage from the adjacent residential properties should be confirmed and accommodated within the proposed storm servicing;
 - The applicant would need to explore LID techniques for storm water management for the expanded parking area in light of additional drainage flows from adjacent residential properties. The use of permeable pavement within the parking lot is recommended to reduce storm runoff;
 - The subject property is within the Intake Protection Zone for Hamilton/s Municipal Water Intake and is within the regulated area. If dewatering is required for construction activities, any dewatering discharge must conform to the City of Hamilton Sewer By-law;
 - A Wastewater Generation Assessment for sanitary servicing, and a Revised Stormwater Management Report with a Storm Drainage Area Plan are required;
 - A water servicing assessment is required; and,
 - A detailed grading plan has to be provided to demonstrate that there are no impacts to adjacent residential properties.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Urban Hamilton Official Plan Amendment and Zoning By-law Amendment applications be denied, the property could continue to be used as a medical clinic under the existing General Commercial “GC-7” Zone.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Draft Urban Hamilton Official Plan Amendment
- Appendix “C”: Draft Amending Zoning By-law to Stoney Creek By-law No. 3692-92
- Appendix “D”: Proposed Amended Conceptual Site Plan
- Appendix “E”: Original Proposed Conceptual Site Plan
- Appendix “F”: Rendering of Proposed Elevation
- Appendix “G”: Correspondence

CT/KHM:jp