



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

October 17, 2017

Item 8.3: PED16100(c)

City of Hamilton Comprehensive By-law: Proposed Commercial and Mixed Use Zones for Hamilton Zoning By-law 05-200 and Urban Hamilton Official Plan Amendment (Wards: 1-13, 15)

Presented by: Joanne Hickey-Evans

Context and Background

- Public Meeting of Planning Committee was held on June 6, 2017.
- Council on June 14, 2017 approved the following recommendations:
 - “That the written submissions be received; and
 - That Report PED16100(b) respecting City of Hamilton Comprehensive By-law: Proposed Commercial and Mixed Use Zones together with all the written submissions and input from the delegations received today be referred to staff for consideration and incorporation in a further report and amending by-laws to be presented to Committee by October, 2017.”

Benefits

- Provide for new investment and/or redevelopment opportunities in accordance with the City's Open for Business Mandate.
- Remove regulatory barriers.
- Support appropriate residential/commercial intensification.
- Contribute to city building.



Proposed Commercial and Mixed Use Zones

- CMU Zones are grouped into 3 families:

1. Local Commercial Zones

- Residential Character Commercial (C1) Zone
- Neighbourhood Commercial (C2) Zone; and
- Community Commercial (C3) Zone

2. Mixed Use Zones

- Mixed Use High Density (C4) Zone;
- Mixed Use Medium Density (C5) Zone
- Mixed Use Medium Density- Pedestrian Focus (C5a) Zone

3. Commercial Zones

- District Commercial (C6) Zone; and,
- Arterial Commercial (C7) Zone.

Implementation of UHOP

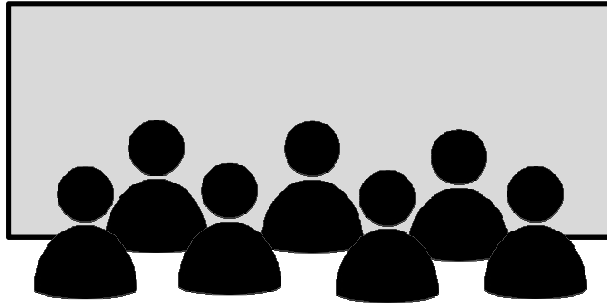


Clip from Urban Hamilton Official Plan - Schedule E-1 - Urban Land Use Designations

Individual Meetings with
Property & Business Owners



Open Houses



12

PED16100(c)
Stakeholder & Advisory
Committee Meetings



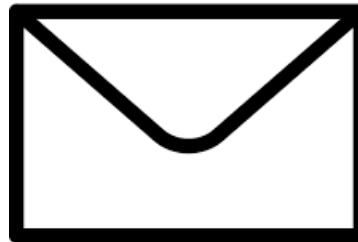
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Public Consultation

CMU Zones Website

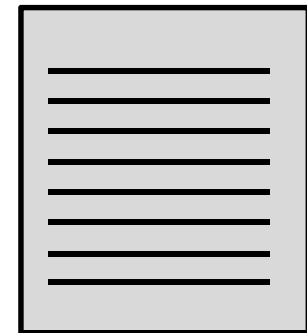


Mail-Outs



2,000

Written Submissions



51

Public Consultation Since June 2017

- Consulted with 17 different landowners on 60+ properties.
- Individually responded to individual concerns and responses are attached in Appendices “D”, “F”, “G”.
- Broad changes to the General Provisions section, parking, regulations or the individual regulations in the Zones.
- Site specific changes to individual properties as a result of previously approved site specific zoning by-laws and Minor Variance applications.

Summary of Changes – Official Plan Amendment

- Changes to the Official Plan Amendment
 - Remove certain lands from the Pedestrian Focus Street along Barton Street East.

Summary of Changes – Zoning By-law Amendment

- Four broad revisions to the Draft Zoning By-law:
 - Minor Additions to Legal Non-conforming Residential Uses;
 - Amenity Space Requirements;
 - Short Term Redevelopment Opportunities of Commercial Plazas; and,
 - Parking Regulations.

Minor Additions to Legal Non-Conforming Residential Uses

- Affects properties where residential uses are no longer permitted.

What we heard since June 6, 2017 Planning Committee?

- Landowners unable to expand their existing single detached homes or unable to install decks and pools.
- Landowners would have to be required to go through a planning process (i.e. Minor Variance or Rezoning application) to facilitate the proposed additions.

Minor Additions to Legal Non-Conforming Residential Uses (Cont'd)

- New regulations to allow for the construction of accessory buildings and structures, and minor additions to existing legal non-conforming dwelling units.
- New regulation applies to Single Detached Dwellings and Two Unit Dwellings (i.e. Duplex and Semi-Detached)

Amenity Space Requirements

- Found in the Mixed Use High (C4) and Mixed Use Medium (C5) Zone
- Previous requirement: 20 square metres per dwelling unit.

What we heard since June 6, 2017 Planning Committee?

- Need for more responsive requirement based on a sliding scale or a lower requirement, or both.
- Proposed requirement is too high to meet, would need variances each time.

Amenity Space Requirements (Cont'd)

- Proposed revised regulation
 - Regulation only applies to lots containing more than 10 multiple dwelling units;
 - A minimum of 4.0 square metres per dwelling unit for units less than 50 square metres;
 - A minimum of 6.0 square metres per dwelling unit for units more than 50 square metres;
- Revised regulation acknowledges different demands of amenity areas based on unit size.

Short Term Redevelopment Opportunities Of Commercial Sites

- New commercial development is required to meet the CMU Zone requirements.

What we heard since June 6, 2017 Planning Committee?

- Unable to meet the new requirements such as setbacks without reconfiguring the site, which would be expensive and disruptive.
- Need flexibility or transition regulations to allow for additions or expansions to existing buildings.

Short Term Redevelopment Opportunities Of Commercial Sites (Cont'd)

- Existing Commercial Developments will be permitted additions and expansions to continue evolutionary changes to the building footprint.
- Addition or alteration to a legally existing commercial building permitted to a maximum of 10% of the existing Gross Floor Area.

Short Term Redevelopment Opportunities Of Commercial Sites (Cont'd)

- Construction of new Building Pads
 - Existing commercial plazas permitted to build individual commercial buildings with a Gross Floor Area of less than 650 square metres.
 - Multiple building pads can be built contributing to an attractive pedestrian environment.
 - New buildings will be required to meet the setback and parking requirements

Parking Regulations

What we heard since June 6, 2017 Planning Committee?

- Parking Stall Size
 - Increase in parking stall size would increase the size of the parking lot.
 - Unnecessary increase where they might not be an issue with existing parking stall sizes.
- Parking Requirement
 - In some cases, the parking requirement may be higher for some uses such as retail.

Parking Regulations (Cont'd)

- Revised parking regulations addresses current trends in parking design and functionality.
1. Landscape requirements in the parking lot.
 - Assists in stormwater management;
 - Provide shade and safe walking environment for pedestrians;
 - Improve aesthetics of the parking lot with enhanced landscaping; and,
 - Assist in the heat island effect.

Parking Regulations (Cont'd)

2. Change in the size of the Parking stall

- Increase in size from the current 2.6 metres by 5.5 metres to 3.0 metres in width and 5.8 metres;
- Motor vehicles are increasing in size – increase in parking stall size is necessary to accommodate the surge of new vehicles;
- General trend in consumers purchasing larger vehicles as opposed to smaller vehicles.

Parking Regulations (Cont'd)

So what has changed since June 6, 2017 Planning Committee?

3. Introduction of small car parking regulations
 - 1 in 10 spaces in a parking lot can be 2.6 metres by 5.5 metres be clearly marked as “small car”.
4. Recognize parking spaces on a property that were approved through Zoning By-law Amendment or Minor Variance Applications.
5. Existing parking spaces with existing dimensions can continue without the requirement to meet new size.

Parking Regulations (Cont'd)

6. Parking Requirements

- Reduced parking requirements for certain commercial uses (i.e. retail, personal service, office, shopping centre) based on Gross Floor Area;
- Separate parking requirement for a Shopping Centre, which is three or more commercial tenants of retail, restaurant, bank, personal service, etc.; and,
- Reduced parking requirements for residential uses in a Mixed Use Medium (C5) Zone and Mixed Use Medium Pedestrian Predominant Zone (C5a) Zone.

Parking Regulations (Cont'd)

Municipality	Width	Length
Glanbrook	3.0 metres	6.0 metres
Dundas	2.7 metres	6.0 metres
Flamborough	2.6 metres	5.8 metres
Hamilton	2.7 metres	6.0 metres
Ancaster	2.6 metres	5.5 metres
Stoney Creek	2.75 metres	5.8 metres
05-200 (old)	2.6 metres	5.5 metres
05-200 (new)	3.0 metres	5.8 metres

Parking Regulations (Cont'd)

Summary:

- Parking stall dimensions have increased in size due to trends in consumer driving patterns

At the same time...

- Parking requirements generally have decreased, acknowledging the reduced need to provide excessive parking that is underutilized and support other modes of active transportation and/or public transit.

Summary of Changes – Zoning By-law Amendment

- Other changes:
 - Removed Adult Entertainment Parlours and Body Rub Parlours from the Arterial Commercial (C7) Zone, and permit them in specific locations as per the Licensing By-law;
 - Various changes to definitions and regulations to drive-through facilities;
 - Modifications to incorporate the Creative Industries into the CMU Zones (i.e. definition, permitted uses).
 - Landowner requests resulting in changes to the Zone Maps, Special Exceptions, and Holding Provisions.

Addition of a SE - 2000 Garth Street

Setback and parking variances approved through Committee of Adjustment – July 2017

- Front yard setback 4.7 m instead of 4.5 m maximum
- Parking space 2.6 m x 5.5 m instead of 3 m x 5.8 m
- Barrier free parking 4.4 m x 5.5 m instead of 4.4 m x 5.8 m
- Minimum width of a Ground floor facade 30% instead of 40%

Implementation and Next Steps

- In the event of an appeal, the existing zoning will continue.
- After the By-law is passed, any future zoning application will be brought forward with amendment to both the existing Zoning and Zoning By-law 05-200.

Questions