SUBJECT: Application for a Change in Zoning for the Lands Located at 20 Dundurn Street South (Hamilton) (PED08266) (Ward 1)

EXECUTIVE SUMMARY:

The purpose of the application is to change the zoning on the subject lands from the “D” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, to the “G-3” (Public Parking Lots) District, to permit the expansion of the existing parking lot by adding 9 spaces. The application conforms to the applicable Provincial Policies and the Hamilton-Wentworth and City of Hamilton Official Plans.
BACKGROUND:

Proposal

Loblaw Properties Limited has applied for a change in zoning to permit the expansion of a public parking lot at 20 Dundurn Street South (see Appendix “A”). The property currently has a vacant single family dwelling located on it, and is surrounded on three sides by an existing parking lot for the retail plaza located at 50 Dundurn Street South. The parking lot will be designed such that it fits in with the existing parking lot and maintains appropriate aisle widths and manoeuvring spaces.

Details of Submitted Application:

Location: 20 Dundurn Street South

Owner/Applicant: Loblaw Properties Limited

Property Description: Frontage: approximately 11.58 metres
                      Flankage: approximately 30.48 metres
                      Area: 352.99 square metres

EXISTING LAND USE AND ZONING:

<table>
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<tr>
<th>Subject Lands</th>
<th>Existing Land Uses</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Existing Public Parking Lot</td>
<td>“G-3/S-898” (Public Parking Lots) District Modified</td>
</tr>
<tr>
<td>South</td>
<td>Existing Public Parking Lot</td>
<td>“G-3/S-898” (Public Parking Lots) District Modified</td>
</tr>
<tr>
<td>East</td>
<td>Single Story Office Building</td>
<td>“H/S-446 &amp; H/S-1019” (Community Shopping and Commercial, etc.) District Modified</td>
</tr>
<tr>
<td>West</td>
<td>Existing Retail Strip Mall</td>
<td>“K” (Heavy Industry, etc.) District</td>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the Provincial Policy Statement;

   (ii) It conforms with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

   (iii) It is compatible with existing and planned uses in the surrounding area and completes development of the subject lands.

2. The proposed use of the property for the expansion of a public parking lot is supportable, as it conforms to the “Industrial” policies of the Hamilton Official Plan by maintaining adequate vehicular access to and increasing off street parking for the existing development within the “Industrial” designated area. The proposal also implements the policies set out in Section B.3 of the Official Plan by enhancing the existing Circulation and Movement System by increasing parking, as well as reducing conflicts between pedestrian and vehicular circulation.

3. The proposed use of the subject lands for additional parking will not require the issuance of a Building Permit. In order to ensure that matters such as grading, drainage, landscaping, access, etc. will be addressed, including the comment from the Public Works Department, Traffic Engineering and Operations Section, regarding the removal of the abandoned driveway access to Dundurn Street South, it would be appropriate to hold the enactment of the By-law in abeyance pending the submission and approval of a Site Plan application. The applicants have agreed to this condition.

ALTERNATIVES FOR CONSIDERATION:

Should the application be denied, the property would remain residential and any future use would have to conform to the provisions of the “D” (Urban Protected Residential) District, which permits a range of residential and institutional uses.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a change in zoning.
POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS). The application is consistent with the policies that promote economic development and competitiveness in Employment Areas (Policy 1.3). The proposal is consistent with the principles and policies of the PPS.

Hamilton-Wentworth Official Plan

The subject property is designated “Urban Area” within the Hamilton-Wentworth Official Plan. The proposal conforms to Policy C-3.1.6.1, which directs new retail use to locate in existing retail areas. Given that the proposed use will add parking to an existing retail plaza, the proposal conforms to the intent and purpose of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

The subject property is designated “Industrial” on Schedule “A” of the City of Hamilton Official Plan. The following Policy, among others, applies:

“A.2.3.25 Adequate vehicular access, off-street parking and loading facilities will be required in clearly-defined areas for all development and redevelopment within the INDUSTRIAL designation, subject to the appropriate policies of Subsection B.3.”;

“B.3 The general intent of the Plan is to ensure the development and maintenance of an effective CIRCULATION AND MOVEMENT SYSTEM that will maximize accessibility in all parts of the City and reduce conflicts between pedestrian and vehicular circulation. The CIRCULATION AND MOVEMENT SYSTEM will consist of a Road Network, Public Transit, Parking, Pedestrian and Bicycle Circulation, and Rail, Marine and Air Services, which will link the various land use designations in the Plan.”

Based on the foregoing, the proposal conforms to the “Industrial” designation of the City of Hamilton Official Plan.

RELEVANT CONSULTATION:

The following Departments and Agencies had no comments or objections:

- Hamilton Municipal Parking Services
- Budget and Finance Division, Corporate Services Department
- Strategic and Environmental Planning Section; Capital Planning and Implementation Division
- Hamilton Police Services
- Bell Canada
Public Works Department, Traffic Engineering and Operations Section - Traffic Planning West, has noted that the applicant will be required to remove and restore the abandoned driveway access to Dundurn Street South, to the satisfaction of the Manager of Traffic Engineering and Operations, which will be addressed during the Site Plan Control process.

Public Consultation

In accordance with Council’s Public Participation Policy, the application was pre-circulated to 147 property owners within 120 metres of the subject property on July 23, 2008. To date, the department has received no response from this circulation.

Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act through circulation to property owners within 120 metres of the subject lands, and the posting of a sign on the property.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
The proposed parking lot expansion will improve the site lines and safety of the existing Fortino’s parking lot, as well as providing additional parking for the customers of the plaza.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Minor expansion of the existing parking lot will not result in any environmental impacts.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported by provision of increased parking resources for existing commercial development.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No
Location Map

Subject Property

20 Dundurn Street South, Hamilton

Change in zoning from the "D" (Urban Protected Residential - One and Two Family Dwelling, etc.) District to the "G-3" (Public Parking Lots) District
CITY OF HAMILTON

BY-LAW NO. ________

To Amend Zoning By-law No. 6593 (Hamilton),
respecting lands located at 20 Dundurn Street South

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section ________ of Report ________ of the Economic Development and Planning Committee at its meeting held on the day of ________, 2008, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton in accordance with the provisions of the Planning Act;

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

1. That Sheet No. W22 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing from the “D” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, to the “G-3” (Public Parking Lots) District, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this [date] day of [year] 2008.

__________________________  ____________________________
Fred Eisenberger            Kevin C. Christenson
Mayor                      Clerk

ZAC-08-035
This is Schedule "A" to By-Law No. 08-
Passed the ............ day of ....................., 2008

Schedule "A"
Map Forming Part of
By-Law No. 08-_____
to Amend By-law No. 6593

Subject Property
20 Dundurn Street South, Hamilton
Change in zoning from the "D" (Urban Protected
Residential - One and Two Family Dwelling, etc.)
District to the "G-3" (Public Parking Lots) District