TO: Chair and Members  
Economic Development and Planning Committee  

WARD(S) AFFECTED: WARD 2

COMMITTEE DATE: August 9, 2010

SUBJECT/REPORT NO:
Application for Approval of an Amendment to the City of Hamilton Zoning By-law No. 6593 for the Lands Located at 200 Stinson Street (Hamilton) (PED10152) (Ward 2)

SUBMITTED BY:
Tim McCabe  
General Manager  
Planning and Economic Development Department

PREPARED BY:
Chris Bell  
(905) 546-2424, Ext. 1262

SIGNATURE:

RECOMMENDATION:

That approval be given to Amended Zoning Application ZAC-09-057, by Stinson School Inc., Owner, for changes in zoning from the Neighbourhood Institutional “I1” Zone to the “E/S-1635” (Multiple Dwellings, Lodges, Clubs) Zone, Modified, to permit the reuse of the former Stinson School as a multiple residential building containing up to 66 dwelling units together with 71 on-site parking spaces, on lands located at 200 Stinson Street (Lots 1 to 6 and 19 to 36, Registered Plan 207, Geographic City of Hamilton), as shown on Appendix “A” to Report PED10152, on the following basis:

(a) That the draft By-laws, attached as Appendices “C” and “D” to Report PED10152, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law, attached as Appendix “C”, be added to Schedule “E-14” of Zoning By-law No. 6593.
(c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Official Plan for the City of Hamilton.

EXECUTIVE SUMMARY

The subject lands contain a number of adjoined buildings formerly used as the Stinson Street School. The school was operated by the Hamilton-Wentworth District School Board until its closure in March of 2009, and was subsequently acquired by Stinson School Inc. in June of 2009.

The purpose of the Zoning By-law Amendment application subject to this Report is to rezone the subject lands to allow the existing buildings, together with additional new construction between the northerly and southerly buildings, to be used as a multiple-unit residential building for up to 66 apartment units. Also included with the proposed rezoning would be 71 grade-level vehicular parking spaces. The zoning will also allow the existing park, located at the northeast corner of the site, to be dedicated to the City at a later date so that it may continue to be used for public park purposes.

The proposal has merit and can be supported since the changes in zoning are consistent with the Provincial Policy Statement, and conform with the City of Hamilton and Hamilton-Wentworth Official Plans. The proposed development is considered to be a compatible and complementary logical extension of existing development.

Alternatives for Consideration - See Page 15.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for Amendments to the Zoning By-law.

HISTORICAL BACKGROUND (Chronology of events)


December 22, 2009: Application for Zoning By-law Amendment submitted to the City of Hamilton.

January 21, 2010: Application for Zoning By-law Amendment deemed complete.
January 26, 2010: Applications circulated to agencies and departments for initial review.

January 29, 2010: Notice of Complete Application and Preliminary Circulation distributed to neighbouring residents within 120 metres of the subject lands.

July 22, 2010: Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands.

Details of Submitted Applications

Location: 200 Stinson Street (Lots 1-6 and 19-36, Plan 207, City of Hamilton)

Owners: Stinson School Inc.

Agent: James Webb, WEBB Planning Consultants Inc.

Property Size:
- Area: 0.6 hectares
- Frontage: 53.46 metres (Stinson Street)
- Depth: 112.7 metres

Servicing: Full Municipal Servicing

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Land:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
<td>Former Public School, Currently Vacant</td>
<td>Neighbourhood Institutional “I1” Zone</td>
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<tr>
<th>Surrounding Land:</th>
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<tr>
<td>North</td>
<td>Single Detached Residential Lots</td>
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<td>West</td>
<td>Single Detached Residential Lots</td>
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<tr>
<td>South</td>
<td>Single Detached Residential Lots</td>
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POLICY IMPLICATIONS

Provincial Policy Statement:

This application has been reviewed to confirm compliance with the Provincial Policy Statement (PPS). Staff has determined that the application is consistent with the policies found in Subsection 1.1.3.1. of the PPS respecting growth in Settlement Areas.

Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Staff notes that the subject lands are designated under the Ontario Heritage Act and are identified within Hamilton’s Heritage Volume II.

Growth Plan for the Greater Golden Horseshoe (Places to Grow)

Section 1.2.2 of the Growth Plan for the Greater Golden Horseshoe 2006 indicates that some of the guiding principles of the Plan are to “build compact, vibrant, and complete communities”, and to “optimize the use of existing and new infrastructure to support growth in a compact efficient form”. The application is consistent with these principles, as it proposes to build a more compact community by allowing a development which will maximize the development potential of the site.

The subject lands are located within the “Built-up Area”. The application is consistent with the Growth Plan’s direction to encourage redevelopment within the “Built-up Area”.

In addition, Section 4.2.4 (e) of the Growth Plan directs that “Municipalities will develop and implement Official Plan policies and other strategies in support of the following conservation objectives … cultural heritage conservation, including conservation of cultural heritage and archaeological resources, where feasible, as built-up areas are intensified.”

Hamilton-Wentworth Official Plan:

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.
Policy B-9.2 requires that the City consider protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible, these attributes are to be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection.

Therefore, as the nature of the applications is for amendments to the Zoning By-law to permit the development of an urban use, the proposal conforms to the general intent of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan:

The subject lands are designated “Major Institutional” in the City of Hamilton Official Plan. The following policies related to the Major Institutional designation apply to this proposal to convert a former school for multiple-unit residential purposes:

Subsection A.2.6 - Major Institutional Uses

“2.6.1 The primary uses permitted in the areas exceeding 0.4 hectare in size designated on Schedule "A" as MAJOR INSTITUTIONAL will consist of cultural facilities, health, welfare, educational, religious, and governmental activities and accessory uses.

2.6.5 Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL, Residential uses may be permitted provided they are compatible with the surrounding area and are in keeping with the Residential policies set out in Subsections A.2.1 and C.7 of this Plan.”

Notwithstanding the Major Institutional designation, as the proposed use of the subject lands is for residential, the following policies of the “Residential” and “Residential Environment and Housing” subsections also apply:

Subsection A.2.1 - Residential Uses

“2.1.1 The primary uses permitted in the areas designated on Schedule "A" as RESIDENTIAL will be for dwellings. Various types of dwellings are included within this designation, while preference will be given to the locating of similar densities of development together.

2.1.3 Within areas designated RESIDENTIAL, land uses compatible to dwellings and serving the needs of local residents will be permitted, including, but not limited to:

i) Public parks less than 0.4 hectare in size;
2.1.13 Plans for redevelopment will, to the satisfaction of Council, ensure that the RESIDENTIAL character of the area will be maintained or enhanced, and that the redevelopment will not burden existing facilities and services.

2.1.14 In evaluating the merits of any proposal for multiple-family RESIDENTIAL development, Council will be satisfied that the following considerations are met:

i) The height, bulk, and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding areas; and,

ii) Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower-density uses.”

Subsection C.7 - Residential Environment and Housing Policy

“7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:

i) Provision and maintenance of adequate off-street parking;

ii) Alteration of traffic flows;

iii) Improvement and maintenance of street landscaping;

iv) Acquisition, removal, or improvement of buildings or uses incompatible with a zoning district;

v) Provision of advice and assistance in the improvement and maintenance of private dwellings;

vi) Investigation into, and application of, other methods of encouraging the maintenance and improvements of buildings in RESIDENTIAL areas;

vii) The maintenance of adequate separation distances and the placement of buffering features between RESIDENTIAL and Industrial Uses; and,

viii) Other similar actions or matters as Council may deem appropriate.

7.2 Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in a gradation so that higher-density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity, and value.
7.3 Council will encourage a RESIDENTIAL ENVIRONMENT of an adequate physical condition that contains a variety of housing forms that will meet the needs of present and future residents. Accordingly, Council will:

i) Encourage the maintenance, renovation, and rehabilitation of RESIDENTIAL properties, subject to the provisions of Subsection C.5;

ii) Promote the restoration and/or rehabilitation of housing structures exhibiting Architectural or Historical merit, subject to the provisions of Subsection C.6;

iii) Support RESIDENTIAL development such as infilling, redevelopment, and the conversion of non-residential structures that makes more efficient use of the existing building stock and/or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard for natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy, and overview;

v) Encourage new RESIDENTIAL development that provides a range of dwelling types at densities and scales that recognize and enhance the scale and character of the existing residential area by having regard for natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy, and overview;

vi) Support new RESIDENTIAL development that provides tenure options and a range of prices/rents for new dwellings that will be "affordable" to Hamilton residents;

ix) Support the concept of a RESIDENTIAL community that provides a diversity of dwelling forms and housing options accessible to all Hamilton residents;

xii) Encourage the rehabilitation and renovation of dwellings as an alternative to demolition in appropriate locations and circumstances, having regard for the preservation and maintenance of the amenity of the RESIDENTIAL area;

xii) Encourage development at densities conducive to the efficient operation of Public Transit, and which utilizes designs or construction techniques that are energy efficient; and,

xiii) Support residential and neighbourhood development that respects safety concerns.”
The buildings located on the subject lands are designated under the Ontario Heritage Act, and are subject to a Heritage Conservation Easement held by the City. Therefore, the following policies of the Official Plan will also apply:

**Subsection C.6 - Historic and Architectural Resources**

"6.1 It is the intent of Council to encourage the preservation, maintenance, reconstruction, restoration, and management of property that is considered to have historic, architectural, archaeological, or aesthetic value.

6.2 In accordance with the intent of the Regional Official Plan, Council will consult with the Local Architectural Conservation Advisory Committee to advise in matters relating to ARCHITECTURAL conservation. In particular, this Committee may be required to identify and catalogue buildings of ARCHITECTURAL AND HISTORIC significance that are worthy of preservation through individual designation as Buildings of Historic or Architectural Value under the provisions of the Ontario Heritage Act.

6.8 Heritage Impact Assessment may be required by the City for any development or redevelopment, both public and private initiatives, that proposes to erect, demolish, or alter buildings or structures on or adjacent to properties that meet one or more of the following criteria: (O.P.A. No. 160)

i) The properties are designated under the Ontario Heritage Act or are adjacent to buildings/structures that are designated under the Ontario Heritage Act;

ii) The buildings/structures are listed on the City’s Inventory of Buildings of Architectural and/or Historical Interest or are adjacent to buildings/structures on the City’s Inventory of Buildings of Architectural and/or Historical Interest;

iii) The site has or is adjacent to a site that has open spaces, vistas, or cultural heritage landscapes that are listed on the Cultural Landscape Resources Inventory, approved by the Local Architectural Conservation Advisory Committee (LACAC); or,

iv) The properties are within or adjacent to a Heritage Conservation District.

6.9 The Heritage Impact Assessment will be processed simultaneously with the development or building permit applications when submitted to the City. The Heritage Impact Assessment will be reviewed by the Local Architectural Conservation Advisory Committee (LACAC), and any decisions will be delayed until such time as the review is completed by LACAC. (O.P.A. No. 160)
6.10 The Heritage Impact Assessment will contain the information detailed in the Heritage Impact Assessment Guidelines. These Guidelines will be approved by City Council, and any amendments to the Guidelines will require Council approval.”

The proposed conversion of the former school site on the subject lands to residential uses conforms to the City of Hamilton Official Plan.

New Urban Official Plan (Council Adopted):

The site is located within the Neighbourhoods designation of the Council adopted Urban Official Plan, which is currently awaiting Ministerial approval. While the subject development applications pre-date the local adoption of the new Urban Official Plan, staff is of the opinion that the proposal complies with the policies of the Plan.

In addition, regard was had for the Cultural Heritage Resources policies in the new Official Plan.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections:

- Environmental and Sustainable Infrastructure Division.
- Traffic Engineering Division.
- Finance Division.
- Hamilton-Wentworth District School Board.
- Hamilton-Wentworth Separate School Board.
- Hamilton Conservation Authority.
- Horizon Utilities.
- Bell Canada.
- Canada Post.

Parking Services Division advised that a commercial boulevard Parking Agreement would need to be registered on title to address the encroachment of the parking spaces proposed at the southerly portion of the site, Alanson Street right-of-way. The applicant should also ensure that all existing and future parking requirements are met on-site.

The Urban Forestry Division has no objection to the rezoning proposal, but has requested that a Tree Management Plan be prepared and submitted at the subsequent site plan approval stage.
The Niagara Escarpment Commission has no objection to the rezoning proposal as the proposal complies with the relevant Urban Area designation policies of the Niagara Escarpment Plan, but has requested that they have an opportunity to review and comment on the subsequent site plan.

Canadian Pacific Railway has advised that noise issues associated with the proximity of the subject lands to their railway right-of-way may be adequately addressed through the implementation of the recommendations contained in the proponent’s noise study as part of site plan approval.

Public Consultation

In accordance with the Bill 51 changes to the Planning Act, and Council’s Public Participation Policy, a Notice of Complete Application and Preliminary Circulation of the applications was circulated to 480 residences within 120 metres of the subject property on January 29, 2010. A Public Notice Sign was also posted on the subject lands. As a result of preliminary circulation and notice, staff received one response. Copies of the comments received in response to the notice are found in Appendix “E”. The issues raised in resident’s correspondence, as a result of the first notice to neighbours, are discussed in the “Analysis/Rationale for Recommendation” section of this Report.

A Notice of the Public Meeting also was given in accordance with the requirements of the Planning Act.

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<th>ANALYSIS / RATIONALE FOR RECOMMENDATION</th>
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1. The changes in zoning have merit, and can be supported for the following reasons:

   (i) They are consistent with the Provincial Policy Statement, as they represent an opportunity for growth in a settlement area;

   (ii) They conform to the Hamilton-Wentworth Official Plan and City of Hamilton Official Plan;

   (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,

   (iv) The proposed development represents good planning by providing a compact urban form.
2. The subject lands are designated “Major Institutional” in the City of Hamilton Official Plan. As noted in the section of this Report entitled Policy Implications, the “Major Institutional” designation predominantly permits cultural facilities, health, welfare, educational, religious, and governmental activities and accessory uses. In addition, Residential uses may also be permitted provided they are compatible with the surrounding area, and are in keeping with the Residential policies set out in Subsections A.2.1 and C.7 of this Plan.

Section A.2.1 provides policies directing that multiple-family residential development or redevelopment maintain or enhance the character of the area and not burden existing facilities and services. Further, Subsection 2.1.14 notes that the following compatibility factors should also be considered:

(i) The height, bulk, and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding areas; and,

(ii) Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower-density uses.

Given the long-standing presence of the buildings on the subject lands, Planning staff are satisfied that the height, bulk, and arrangement of the existing buildings not only maintain, but in fact, are a primary component of the built form character of the area. While exterior renovations will take place, most notably additions to the central linking building between the two main building masses, the new construction will be generally kept within the existing building footprint and will maintain the existing roof profiles. Further, the architectural details of the new construction will be designed to create a neutral backdrop for the distinctive flanking structures.

In terms of the change of land use, Planning staff are of the opinion that the residential use of this block for up to 66 residential units will remain compatible with the surrounding area. Although the residential use is a departure from the institutional use, the surrounding area is characterized by a range of residential types, tenures, and densities ranging from single-detached dwellings to apartment buildings. Further, the 66 units proposed to be contained on the “block” bounded by Stinson Street, Alanson Street, Ontario Avenue, and Grant Avenue will have a similar residential unit yield to other blocks within the surrounding community. As a comparative example, the block to the west, bounded by Ontario Avenue, Stinson Street, Alanson Street, and Erie Avenue, contains approximately 94 dwelling units (28 single-detached dwelling lots and an apartment building containing 66 units, according to assessment records). Further, Traffic staff has not expressed any concern with respect to traffic impacts on the surrounding neighbourhood as a result of the change of use.
3. The proponent has submitted a Functional Servicing Report that demonstrates the subject lands may be adequately serviced by existing municipal sewer and water infrastructure without compromising current systems. Further, an opportunity exists to improve the stormwater run-off characteristics of the site through a reduction in impervious surfaces and the use of more contemporary stormwater management techniques.

4. Existing open space located at the northerly portion of the site, which includes a playground area and informal amenity area, will be maintained in its current state. Negotiations are underway to have the playground area transferred to the City. While the precise boundaries, playground amenities, and landscaping are still to be determined, the intent is to have the parkland publicly available to service an area currently undersupplied with public park opportunities.

In addition, the proposed development is subject to site plan control, at which time, landscaping and screening will be required to be installed along the street faces along the proposed parking lot area to the south of the existing buildings, and is proposed to include a narrow planting strip along Alanson Street (due to space constraints) and large trees with shrub beds along the Ontario Avenue and Grant Avenue frontages.

5. In consideration of the foregoing subsections, Planning staff are satisfied that the proposed change in use will satisfy the policies of the City of Hamilton Official Plan with respect to ensuring redevelopment maintains the character of the surrounding area, is harmonious in design, and minimizes the impact on adjacent lower-density uses.

6. **ZONING BY-LAW AMENDMENT:**

The applicant has requested amendments to City of Hamilton Zoning By-laws 6593 and 05-200 in order to rezone the lands from “Neighbourhood Institutional “11” to “E/S-1635” (Multiple Dwellings, Lodges, Clubs) Zone, Modified. The site-specific regulations included in the By-law are intended to encourage the development of the site within the same footprint of the existing site, while still allowing recessed terraces. Other regulations have been included to recognize the existing circumstances of the site, including setbacks and percentages of landscaping.

The existing asphalted tarmac south of the former school is proposed to be retained and improved to be used for parking for the site. As the tarmac currently encroaches into the Alanson Street right-of-way, site-specific special provisions are also included in the implementing Zoning By-law to recognize that the southernmost row of parking spaces will encroach as well. As part of the
subsequent site plan application, the owner will be required to enter into an Encroachment Agreement with the City.

7. Interior and exterior features of the former Stinson Street School are designated under Part IV of the Ontario Heritage Act, and are subject to a Heritage Conservation Easement held by the City. As such, the City has the authority and statutory tools to ensure that the heritage features of the property are conserved through both the Planning Act and the Ontario Heritage Act.

Planning Act:

Section 2 (d) of the Planning Act identifies the conservation of cultural heritage resources as a matter of Provincial interest. The Provincial Policy Statement (Section 2.6.1) requires that “significant cultural heritage resources…shall be conserved” and development may be permitted on adjacent lands to protected heritage property where it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (Section 2.6.3).

The subject property is a protected heritage property under the Provincial Policy Statement. The former City of Hamilton Official Plan also provides that the City may require the completion of a Heritage Impact Assessment where development is proposed on or adjacent to a designated heritage property. The proponent provided a Heritage Impact Assessment that identified and evaluated all potentially impacted heritage resources, provided a description of the possible effects of development on the heritage attributes of the property, and a description of the measures necessary to mitigate the adverse effects of the development and/or site alteration. This report has subsequently been reviewed by City staff, who concurred with recommendations of the report.

Ontario Heritage Act:

Under the provisions of the Ontario Heritage Act, a Heritage Permit is required for any alterations that may affect the heritage attributes of the property, as defined by the Reasons for the Designation contained in the designating By-law. The Ontario Heritage Act is applicable law under the Ontario Building Code Act, and an approved Heritage Permit is required prior to the issuance of a Building Permit.

The owner has submitted a Heritage Permit application, but no approvals have been issued as of the date of writing of this Report as staff continues to review the submission.
8. As is the case for the development of all multi-residential buildings, an application for Site Plan approval will be required. The requirements of the Ontario Heritage Act will be addressed prior to final approval of the Site Plan and the subsequent issuance of a Building Permit.

Other details and features of the redevelopment that are necessary to ensure compatibility with the surrounding community will also be required to be formalized as part of the site plan approval application. The site plan review process will also be used to ensure that such things as landscaping, access, and parking locations are included in the final detailed development plans.

The owner will be required to sign an undertaking and post securities to ensure that the property is developed in accordance with the site plan. In addition, monies for Cash-in-Lieu of parkland dedication, etc., will be collected at the building permit stage.

9. Staff received one letter from a neighbouring resident (see Appendix “E”) in response to the pre-circulation of the original application on January 29, 2010. The comments expressed a concern about parking requirements generated by the change of use.

In response, staff notes that the proposal would provide 71 parking spaces on the existing tarmac at the south end of the property, and east and west of the existing building. The regulations of the new City of Hamilton Zoning By-law 05-200, which currently apply to this property, require 1 parking space per dwelling unit. Therefore, the proposal complies with the parking regulations of the New City of Hamilton Zoning By-law.

However, for housekeeping purposes (i.e. avoiding introducing other site specific regulations into the new By-law due to the fact that Residential zones have not yet been included in 05-200), the property will be brought back within the former City of Hamilton Zoning By-law No. 6593. The standard regulation for apartment buildings under Section 18A of By-law No. 6593 requires parking be provided at a ratio of 1.25 spaces per unit, whereas the provisions of 05-200 require 1 space per dwelling unit.

Notwithstanding this shortfall, staff considers that the site should function adequately with the proposed parking. It should also be noted that the subject lands are located in close proximity to public transit that provides comprehensive transit coverage of Hamilton Downtown and beyond, as well as being situated within walking distance to a number of services including, but not limited to, those found in Downtown Hamilton.
The proposed development would introduce a residential building at a density which is not only transit supportable, but is in an urban setting in close proximity to a mix of uses, and which directly and indirectly encourages the use of alternative transit modes; factors which, in the opinion of Planning staff, support the application of the parking standards currently contained in City of Hamilton Zoning By-law 05-200.

Staff does, however, recommend that parking availability be disclosed to future renter/purchasers of units by way of a disclosure in a rental or purchase agreement. Staff would request such a disclosure through an undertaking attached to any associated Site Plan Approval, and it can also be a condition of Draft Plan of Condominium Approval.

In instances where the demand for parking within the proposed development may exceed the on-site supply, the on-street parking network, within a reasonable walking distance of the site, should be able to handle the additional capacity with minimal disruption.

**ALTERNATIVES FOR CONSIDERATION:**
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Should the proposed Zoning By-law Amendment applications be denied, the existing property would remain zoned Institutional “I1”, and could continue to be used for a range of Institutional uses.

**CORPORATE STRATEGIC PLAN** (Linkage to Desired End Results)


**Financial Sustainability**

- Delivery of municipal services and management of capital assets/liabilities in a sustainable, innovative, and cost effective manner.
- Generate assessment growth/non-tax revenues.

**Healthy Community**

- Plan and manage the built environment.

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Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
APPENDICES / SCHEDULES

- Appendix “A”: Location Map
- Appendix “B”: Proponent’s Concept Plan
- Appendix “C”: Proposed Amendment to Zoning By-law 06593
- Appendix “D”: Proposed Amendment to Zoning By-law 05-200
- Appendix “E”: Neighbourhood Letter

:CB
Attachs. (5)
CITY OF HAMILTON

BY-LAW NO. ______

To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting Lands located at 200 Stinson Street, (Hamilton)

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "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 Zoning By-law No. 6593 (Hamilton) was enacted 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 Item ______ of Report 10-______ of the Economic Development and Planning Committee, at its meeting held on the ______ day of ______, 2010, 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 Map No. E-14 of the District Map, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended by zoning the lands to the “E/S-1635” (Multiple Dwellings, Lodges, Clubs) Zone, Modified, the extent and boundaries of which are shown as the Subject Property on a plan hereto annexed as Schedule “A.

2. That the “E” (Multiple Dwellings, Lodges, Clubs) District regulations, as contained in Section 11 and the Parking and Loading Requirements contained in Section 18A of Zoning By-law No. 6593, be modified to include the following special requirement for the lands comprised of the Subject Property:

(a) That notwithstanding Section 11(1) of Zoning By-law No. 6593, the subject lands shall only be used for a multiple dwelling consisting of a maximum of 66 apartment units within the buildings existing on the date of the passing of this By-law, being the __________ day of ________, 2010, and any additions or extensions thereto.

(b) That notwithstanding Section 11(3)(ii)(b) of Zoning By-law No. 6593, the easterly side yard shall be a minimum of 9.0 metres.

(c) That notwithstanding Section 11(3)(ii)(b) of Zoning By-law No. 6593, the westerly side yard shall be a minimum of 1.0 metre.

(d) That notwithstanding Section 11(3)(ii)(b) of Zoning By-law No. 6593, the side yard abutting a public park shall be a minimum of 1.3 metres.

(e) That notwithstanding Section 18(4)(v), the minimum side yard setback for a cooler shall be 1.5 metres.

(f) That notwithstanding Section 18(3)(vi)(e), decks and stairs may be located 0.0 metres from the lot line abutting Ontario Street.

(g) That notwithstanding Section 11(6) of Zoning By-law No. 6593, the minimum landscaped area shall be 1,400 sq.m.

(h) That notwithstanding Section 18A(1)(a) and (b) of Zoning By-law No. 6593, a minimum of 1 (one) parking space per dwelling unit shall be required.

(i) That notwithstanding Section 18A(1), up to 17 parking spaces may partially be located off-site provided the owner enters into an agreement with the City.
(j) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, no parking space shall be less than 2.6 metres in width by 5.5 metres in length.

(k) That the provisions of Section 18A(1)(c) Minimum Required Loading Space of Multiple Dwellings requirements shall not apply.

(l) That the provisions of Section 11(5) respecting Floor Area Ratio shall not apply.

3. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1635.

4. 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 [redacted] day of [redacted], 2010.

__________________________________________  __________________________________________
Fred Eisenberger                                      Rose Caterini
Mayor                                                Clerk

ZAC-09-057
Appendix “C” to PED10152 (Page 4 of 4)

This is Schedule "A" to By-Law No. 10-
Passed the .......... day of ................., 2010

Schedule "A"

Map Forming Part of
By-Law No. 10-____
to Amend By-law No.6593

Subject Property
200 Stinson Street

Lands to be Zoned "E/G-1635" District, modified

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Clerk

Mayor

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[Table with details]

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 200 Stinson Street, Hamilton

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the first stage of the Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item [ ] of Report 10- [ ] of the Economic Development and Planning Committee, at its meeting held on the [ ] day of [ ], 2010, recommended that Zoning By-law No. 05-200, 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 Schedule “A”, Map Nos. 996 and 1040 of By-law 05-200, are amended by removing the property located at 200 Stinson Street, the extent and boundaries of which are attached to this By-law as Schedule “A”.

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 ___ day of ___, 2010.

______________________________
Fred Eisenberger  Rose Caterini
Mayor           Clerk

ZAC-09-057
Schedule "A"

Map Forming Part of
By-Law No. 10-_____

to Amend By-law No. 05-200
Maps 996 and 1040

Subject Property
200 Stinson Street

Lands to be removed from By-law No. 05-200
February 4th, 2010

Planning and Economic Development Department
77 James Street North, Suite 400
Hamilton, Ontario L8R 2K3

Re: File No: ZAC-09-057 / Zoning By-law Amendment by Stinson School Inc., 200 Stinson Street, Hamilton

Attention: Chris Bell
Planning and Economic Development Department
Planning division – Development Planning - West Section

Dear Sir,

As a home owner residing directly across from the Stinson School, I am very concerned about the increased traffic which will come about after the proposed 66 new dwelling units are complete and fully sold. I have small comfort to know that there will be 66 on site parking spaces. Has anyone considered the spaces required for the dwellings second vehicle? I suspect most units will require a second vehicle and indeed some may require more than two. Visitor parking would also add to the overall volume crush.

Where will all these extra vehicles be parked? Ontario Avenue has very limited additional street parking available. Residents on Alanson street between Ontario and Grant depend on street parking. That leaves Grant Avenue and surrounding streets to bear the major burden of additional required parking. This current proposal will jam and cram too many vehicles into a very small and limited area.

Once again I ask, “where will all these additional vehicles be parked?”

Yours Truly,

Ron Lauvereau
187 Grant Avenue
Hamilton, Ontario L8N 2X9