SUBJECT: Application for a Modification in Zoning for Lands Located at 434 King Street West (Hamilton) (PED09049) (Ward 1)

RECOMMENDATION:

That approval be given to Zoning By-law Amendment Application ZAC-08-068, by 2083882 Ontario Inc., Owner, for a modification to the "H" (Community Shopping and Commercial, etc.) District of Hamilton Zoning By-law No. 6593, to permit a “Commercial Entertainment” establishment as an additional permitted use, on the lands known municipally as 434 King Street West, as shown on Appendix “A” to Report PED09049, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED09049, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The purpose of the application is for modifications in zoning to permit a "Commercial Entertainment" establishment, within the existing building. In addition, the draft By-law (Appendix “B”) recognizes the existing building setbacks and provides relief from the required parking, loading and landscaping requirements. The changes in zoning can be supported as they are consistent with the Provincial Policy Statement, conform with and implement the Hamilton-Wentworth and City of Hamilton Official Plans, and facilitate the adaptive reuse of an existing building.

BACKGROUND:

Proposal

The purpose of the application is for modifications in zoning to add a “Commercial Entertainment” establishment as a permitted use for the lands located at 434 King Street West, Hamilton (see Appendix “A”).

In particular, the effect of the zone change to the City of Hamilton Zoning By-law No. 6593 is to permit a “Commercial Entertainment” establishment within the existing “H” (Community Shopping and Commercial, etc.) District; reduce the parking and loading requirements to “0” spaces; provide relief from the required landscaping abutting a residential district and to recognize existing setbacks, as documented in Appendix “B”.

Staff notes that no physical alterations or construction to the exterior is proposed as a result of this development. Any works will be internal to the existing building. A survey of existing conditions for this site has been attached as Appendix “D” to this report.

Details of Submitted Application:

Location: 434 King Street West, (Hamilton) (see Appendix “A”)

Owner/Applicant: 2083882 Ontario Inc.
c/o Loren Lieberman and/or Colin Lapsley

Property Description:

Frontage: 20.1m
Depth: 40.86m (Irregular Lot)
Total Land Area: 825m²
EXISTING LAND USE AND ZONING FOR 434 KING STREET WEST:

<table>
<thead>
<tr>
<th>Subject Land</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>Subject Land:</td>
<td>TV Production Studio and</td>
<td>“H” (Community Shopping and Commercial, etc.) District</td>
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<td>Offices</td>
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<td>Surrounding Land:</td>
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<tr>
<td>North:</td>
<td>Residential (15 Park Street East)</td>
<td>“D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District</td>
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<td></td>
<td>Institutional (Church)</td>
<td>Neighbourhood Institutional “I1” Zone</td>
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<tr>
<td>West:</td>
<td>Commercial (Retail/Office)</td>
<td>“H” (Community Shopping and Commercial, Etc.) District</td>
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<tr>
<td>South:</td>
<td>Commercial (Retail)</td>
<td>“H” (Community Shopping and Commercial, Etc.) District</td>
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<tr>
<td>East:</td>
<td>Residential (430 King Street West; 7 and 13 Pearl Street North)</td>
<td>“H” (Community Shopping and Commercial, 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 policies of the Provincial Policy Statement.

   (ii) It conforms with the “Urban Area” designation of the Hamilton-Wentworth Official Plan.

   (iii) It conforms with the “Commercial” designation of Schedule “A” - “Land Use Concept” of the City of Hamilton Official Plan.

   (iv) It is consistent with the historical use of the property (i.e. theatre/public hall), and the uses permitted as-of-right in the “H” District (e.g. commercial school or a motion picture studio, a radio broadcasting station, with or without a studio or theatre).

   (v) It is suitably located on a major arterial road (King Street West), with direct access to public transportation.

   (vi) It is compatible with the existing commercial uses and will allow for the adaptive re-use of the existing building fronting onto King Street West.
2. In order to facilitate the establishment of a new use; in particular “Commercial Entertainment”, the following regulations will be incorporated into the amending By-law:

- **Permitted Uses:**

  The applicant has requested the inclusion of “Commercial Entertainment” as a permitted use within the “H” (Community Shopping and Commercial, Etc.) District. “Commercial Entertainment” is not a defined use under Zoning By-law No. 6593; however, is defined under Section 3 of the new City of Hamilton By-law 05-200 as “use of an establishment for the general purpose of providing entertainment or amusement for a fee and shall include, for example, but not limited to cinemas, performing arts theatres, bingo halls, dance club, cultural events, but shall not include an amusement arcade or adult entertainment parlour.”

  The proposed use is similar to other uses currently permitted as-of-right within the “H” (Community Shopping and Commercial, Etc.) District, including a commercial school or a motion picture studio, a radio broadcasting station, with or without a studio or theatre, are permitted. Based on the foregoing, staff is of the opinion that the proposed change is consistent with the intent and purpose of the City of Hamilton Zoning By-law No. 6593 and is, therefore, supportable.

- **Parking/Loading Requirements:**

  The applicant has requested a reduction to the minimum parking requirements from “50” spaces to “0” spaces. In addition, the applicant proposes to reduce the required “1” loading space to “0”. The proposed use functions during distinct hours of operation, typically during the evening, and is located on a major local and regional transit corridor, King Street West. Additionally, the building currently occupies the entire site; the previous uses of the subject lands have not accommodated parking and loading on-site; and a public parking lot is also available on the south side of King Street West.

  The City of Hamilton Parking Services has advised that no complaints with regards to parking/loading have been filed with respect to this property.

  Therefore, the reduction in parking and loading requirements can be supported as it will have minimal impacts through the use of both local and regional transit use along King Street West, while accommodating any parking via the metered parking on King Street West, or the on-street parking on the adjacent Pearl Street North, and the use of the municipal pay parking lot on the south side of King Street West.
Setbacks (Front Yard and Rear Yard)

The By-law requires a minimum 6.0m front yard setback; and a minimum 4.5 rear yard setback. The existing building provides a 0.4m front yard setback; and a 0.0m rear yard setback. As the proposal is for the reuse of the existing building, and recognizes the existing setbacks and will maintain the existing streetscape along King Street West, the modifications can be supported.

Landscaping for Commercial uses abutting Residential District or Use

The By-law requires that a minimum 1.5m planting strip be provided and maintained along the rear lot line and easterly side lot line adjoining a residential district or use. The proposal will not include planting strips, as the building currently is built up to the rear property line, and there is minimal opportunity for the applicant to satisfy this provision along the easterly lot line. Based on the foregoing, and as this is an existing situation, the proposed relief from the required landscaping is supportable.

3. The owner/applicant is advised that the future width of this section of King Street West is 86’ (26.21m), and that any future redevelopment applications will be subject to a requirement for road widening of a sufficient size, as shown on Plan P-909A (see Appendix “F”).

ALTERNATIVES FOR CONSIDERATION:

If the application is denied, then the applicant has the option of re-establishing the permitted use of a TV Production Studio and office and/or any other use as currently permitted under the “H” (Community Shopping and Commercial, Etc.) District.

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). Staff recognizes that the application is consistent with the policies that focus growth in Settlement Areas 1.1.3.1.
As the nature of the application is to allow for the additional use of a “Commercial Entertainment” establishment, while recognizing the existing building setbacks and providing relief from the required parking and landscaping provisions, the proposal is consistent with the policies of the Provincial Policy Statement.

**Hamilton-Wentworth Official Plan**

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy 3.1 states that a wide range of urban uses, based on full municipal services, will be concentrated in Urban Areas.

As the nature of the application is to recognize the existing location of the building, provide relief from the required landscaping and parking requirements, and to allow for the additional use of a “Commercial Entertainment” establishment within the Urban Area where full municipal services are available, the proposal is consistent with the policies of the Hamilton-Wentworth Official Plan.

**City of Hamilton Official Plan**

The subject property is designated as “Commercial” on Schedule “A” - “Land Use Concept” within the City of Hamilton Official Plan. In particular, Policy 2.2.1 states that the primary use permitted in the areas exceeding 0.4 hectares designated on Schedule “A” as commercial will be for Commerce. In this regard, Commerce is defined as to include convention and entertainment facilities. As the nature of the application is to add “Commercial Entertainment” as a permitted use within the Commercial designation, the proposal is consistent with the above noted policy.

Furthermore, Policy 2.2.14 states that “the EXTENDED COMMERCIAL category applies to existing stretches of individually managed Commercial establishments along Arterial Roads, serving both pedestrian and automobile borne trade. It consists of:

(i) “Ribbon” Commercial uses on smaller lots serving predominantly residents and pedestrians in the vicinity, with some specialized Commercial uses attracting automobile borne traffic from beyond the local area;”

Additionally, Policy 2.2.19 states that “development within “EXTENDED COMMERCIAL” areas will be through infilling and redevelopment in order to consolidate the viability of these areas, and to restrict their indiscriminate extension into stable areas of non-Commercial uses. Such development will only be permitted where: Traffic and/or parking problems will not be created; and, on Arterial Roads identified on Schedule “F”. Staff is of the opinion that the proposed use is consistent with the “Ribbon” Commercial uses, as described within the “EXTENDED COMMERCIAL” policies, as the proposal is located on a major arterial, King Street West, and will be a form of redevelopment of the existing commercial site.
Policy 2.2.37 states that “in addition to the provisions of Subsection B.3.3 of this Plan, adequate parking and loading space will be required in clearly defined areas for all development and redevelopment within the COMMERCIAL designation, and will include adequate space for owners, employees, customers and delivery vehicles. Council will require that, in all normal circumstances, a high standard of parking and loading facilities will be maintained in accordance with current practice.”

Furthermore, Policy 2.2.38 states that “where a proposal is made for a COMMERCIAL development in which proposed parking and/or loading space is less than generally required, it must be demonstrated by the proponent, to the satisfaction of Council, that the proposal will not lead to nuisances through the parking or loading of vehicles on land or streets adjacent to the use.”

The subject lands are situated on a major transit corridor serviced by both municipal and regional transit operators. The proposed operation will have distinct hours of operation, typically post regular business hours (after 5pm); thereby mitigating the impacts with regards to traffic and parking.

In consultation with City of Hamilton Parking Services, no parking complaints have been received to date as a result of this property or its present operation, which currently does not provide for any on-site parking areas.

Therefore, based on the foregoing, staff is of the opinion that the proposed redevelopment of the existing commercial building on a major arterial (King Street West), located within a “Ribbon” EXTENDED COMMERCIAL area, conforms to the “Commercial” designation of the City of Hamilton Official Plan.

**RELEVANT CONSULTATION:**

The following Departments and Agencies had no comments or objections as it pertains to the subject re-zoning application:

- Traffic Engineering and Operations Section, Operations and Maintenance Division, Public Works Department.
- Legislative Approvals Section, Planning Division, Planning and Economic Development Department.
- Hamilton Municipal Parking System Section, Parking and By-Law Services Division, Planning and Economic Development Department.
- Downtown Renewal Section, Downtown and Community Renewal Division, Planning and Economic Development Department.
• Strategic Planning Section, Capital Planning and Implementation Division, Public Works Department.

• Bell Canada.

Hamilton Street Railway:

• HSR operates various bus routes within this area with no planned changes in service.

• Street orientation and pedestrian entrances are important. Direct short walking distances between dwellings and transit service are preferable.

• HSR support the inclusion of high quality pedestrian amenities at this development like walkways, lighting, etc.

• Mixed land uses contribute to a healthy transit operation by accommodating a range of travel options or trip purposes.

PUBLIC CONSULTATION

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, 280 Notices of Complete Application and Preliminary Circulation were sent to property owners within 120 metres of the subject property on December 1, 2008, requesting comments or support for the application. To date, 5 letters of support for the proposed development have been received from members of the public, see Appendix “E”.

Further, a Public Notice Sign was posted on the property on December 15, 2008, and Notice of the Public Meeting was given in accordance with the requirements of the Planning Act.

Staff notes that the agent for this application has submitted 7 letters of support for the proposed development from local businesses within the Strathcona Neighbourhood, which are primarily located on King Street West (see Appendix “C”).

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 proposal is consistent with and implements the policies of the “EXTENDED COMMERCIAL” Ribbon Development designation of the City of Hamilton Official Plan by further strengthening the Commercial area along King Street West through the adaptive reuse of an existing commercial site.
Environmental Well-Being is enhanced. ☑ Yes ☐ No
The proposal will not involve any additional development save for works internal to the existing commercial building. Therefore, as there is no new development, the environment will not be impacted.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Approval of the application will facilitate the adaptive reuse of an existing commercial site, providing increased tax revenues, while using existing municipal services and infrastructure.

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

:AC
Attachs. (6)
434 King Street West Application for a change in zoning from the H (Community Shopping and Commercial, etc) District to the H/S-1682 (Community Shopping and Commercial, etc) District - Modified.
CITY OF HAMILTON

BY-LAW NO. 

To Amend Zoning By-law No. 6593 (Hamilton), Respecting 434 King Street West

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 Corporation 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 09- of the Economic Development and Planning Committee at its meeting held on the day of , 2009, 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 Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Sheet No. W12 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) is amended, by changing the zoning from the “H” (Community Shopping and Commercial, Etc.) District to the “H/S-1602” (Community Shopping and Commercial, Etc.) District - Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “H” (Community Shopping and Commercial, Etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, are modified to include the following special requirements:

   (a) That notwithstanding Section 14(1) of Zoning By-law No. 6593, a “Commercial Entertainment” establishment shall be permitted only within the building existing at the date of the passing of this By-law, being the [blank] day, of [blank], 2009. For the purpose of this by-law, a “Commercial Entertainment” establishment shall mean:

   “A use of an establishment for the general purpose of providing entertainment or amusement for a fee and shall include, for example, but not limited to cinemas, performing arts, theatres, bingo halls, dance club, cultural events, but shall not include any amusement arcade or adult entertainment parlour.”

   (b) That notwithstanding Section 14 of Zoning By-law No. 6593, the location of the building existing on the day of the passing of this By-law, being the [blank] day, of [blank], 2009, shall be deemed to comply.

   (c) That Section 14(9)(i) of Zoning By-law No. 6593, shall not apply to the building existing on the day of the passing of this By-law, being the [blank] day, of [blank], 2009.

   (d) That notwithstanding Section 18A(1)(a) of Zoning By-law No. 6593, no parking shall be required for a Commercial Entertainment use.

   (e) That notwithstanding Section 18A(1)(d) of Zoning By-law No. 6593, no loading shall be required for a Commercial Entertainment use.

3. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1602.

4. That Sheet W12 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1602.

5. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “H” (Community Shopping and Commercial, Etc.) District, provisions, subject to the special requirements referred to in Section 2.
6. 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____, 2009.

__________________________  ____________________________
Fred Eisenberger               Kevin C. Christenson
MAYOR                           CLERK

ZAC-08-068
This is Schedule "A" to By-Law No. 09-____
Passed the .......... day of ......................, 2009

Schedule "A"

Map Forming Part of By-Law No. 09-_____ to Amend By-law No. 6593

Subject Property
434 King Street West

Change in zoning from the H (Community Shopping and Commercial, etc) District to the H/S-1602 (Community Shopping and Commercial, etc.) District - Modified.
November 11, 2008

To Whom It May Concern,

This is a letter of support from West Side Theatre’s next-door neighbour, MJM Productions. My company has been in this location since 1999, and in Hamilton since 1980. As a recording studio and TV editing facility, we are a big part of Hamilton’s cultural community. And as life-long residents of the City of Hamilton, we see a very strong need to encourage and support the city’s artists, musicians, writers, and film companies. As The Industrial Age comes to a close and The Information Age flourishes, I would hope that Hamilton sees the clear and immediate need to support the arts in general.

The City needs more places like the West Side Theatre. This is the type of venue we should be encouraging and helping. To allow Hamilton Place and Copps Coliseum to monopolize the entertainment industry in this city is shallow and negative, and will only lead to more problems in terms of the city’s development.

We need more competition: more theatres and venues for all types of entertainment and arts. We should be building the city in terms of culture. It already has a reputation as an industrial city. It has a great reputation in Canada and the US as a musical city, having produced many great bands and performers over the last 50 years or so. We need to encourage this, not discourage it.

Since it’s inception, the West Side Theatre has been a great neighbour. To my knowledge, there has not been one problem in terms of parking, alcohol, or behaviour. They have brought many great artistic, theatrical and musical productions to this part of the city, and we’re proud to be next door.

I encourage you to help them in their endeavours, as they work hard to make this city grow and flourish. The West Side Theatre is extremely important to cultural development in Hamilton, and I hope you will give them your full support, as I do.

If you’d like to discuss this further, don’t hesitate to call me.

Sincerely,

Michael McCurlie

President
MJM Productions

440 King Street West, Hamilton, Ontario L8P 1B7

www.mjmproductions.ca

MJM Productions is a division of M.J. McCurlie Media Inc.
Attn: City of Hamilton Zoning Committee

It is my understanding that the Westside Concert Theatre is currently requesting a zoning change for their establishment at 434 King Street West. Please accept this letter as written support for the proposed zoning change on behalf of myself and my company.

Over the last three years the Westside has been a considerate, constructive and beneficial addition to our neighbourhood. They have brought life and a positive outlook to a formally dim and depressed section of King Street. Many retailers along this particular strip of the street had begun to lose hope that we would ever be able to create a viable business district worthy of inclusion in a BIA. After suffering through years of low income rooming houses, the opening of a methadone clinic and support services for such, a run down tavern (complete with rooms for rent), not to mention the scores of homeless and drug addicted sleeping in doorways and public parks, there was little to invite new business into our area.

When the Theatre first opened it brought a new level of excitement to an otherwise dejected area, holding the promise of new revenue and clientele to surrounding businesses. It also brought the possibility of cleaning up the neighbourhood and discouraging vagrancy with night time events and crowds of people coming to and fro.

As of November 11th, 2008, we will be holding our first BIA meeting with the lower section of King to discuss our joining their association. I place sole responsibility of this meeting even taking place on the owner of the Westside Loren Lieberman. We have been petitioning the BIA for a number of years and had always been denied a sit down until now. It is through his hard work and dedication to making our neighbourhood a better place that we now have the opportunity to join.

In closing, I would be greatly upset and dismayed by City Council's refusal to accept the proposed zoning change. I already find it disheartening that the Westside has been forced to close until this matter has been rectified as once again it is an example of how little consideration is given to this city's struggling small business community.

Jennifer Mavrinac
AB Best Digital
423 King Street West
To whom it may concern,

This letter is to show support for the Westside Concert Theatre at 434 King St West and its contribution to the Business and Arts community in Hamilton.

We encourage the City of Hamilton’s Zoning Committee to fully support the endeavors of the Westside Concert theatre and make needed adjustments to reinstate their operations.

We thank you for acknowledging our concern, as keeping business strong on King St West and within the Hamilton Community is important to all business in the area.

Sincerely,

 Mike Fortino

Salon Michele
393 King St West
Hamilton, On
L8P 1B5
November 5, 2008

Gilbert's Big and Tall Est. 1954

439 King St. W.
Hamilton, Ontario
L8P 1B8
Canada

To whom it may concern,

In submitting this letter to the appropriate individuals, we wish to show our support for the Westside Concert Theatre at 434 King St West.

We are aware zoning issues have affected the state of operations at the Westside Concert Theatre and are encouraging The City of Hamilton's Zoning Committee to support its operations and contribution not only to the arts and music community here in Hamilton but also to the King St West Business area.

We are in full support of the Westside Concert Theatre and encourage the individuals who handle these matters to move forward on the reallocation of the correct zoning so business can continue.

Thank you,

[Signature]

Mr. Mrs. G Lazich

Owners / Gilberts Big and Tall
Men's Shop

439 King St. W.
Hamilton, Ontario
L8P 1B8
To whom it may concern,

We are submitting this letter to the City of Hamilton’s zoning Committee to show support for the Westside Concert Theatre at 434 King St West and its operations.

Keeping our business community strong is important not only to our neighborhood but also to the many businesses in the King St West area. We would like to see the Westside Theatre continue to operate business as usual, with concerts, theatre and events that add to our city’s arts and music community. We do not wish to see any boarded up buildings in this vibrant neighbourhood.

We encourage and support the rezoning of the building and on behalf of our location we would like to be recognized as being in full support to keep this building and its operations in existence.

Thank you for your time and consideration,

Katy Yelovich
Property Manager for
King West Health Centre:
Hamilton-Wentworth Emergency
Veterinary Clinic
Dr. A. Radulescu
King West Pharmacy
Gamma-Dynacare Lab
King West Medical
City of Hamilton
Zoning Committee

To Whom It May Concern:

Crossfire Assembly (458 King St., West) is in support of Westside Concert Theatre getting a zoning change.

They are a vital part of this community.

Sincerely,

Rev. Roy Pierce

Rev. Patti Miller
Dear Hamilton Zoning Committee,

It is most disappointing to see the Westside Concert Theatre closed. A number of us here, at Russ Hayes Flooring, not only work in the neighbourhood but live here as well. We want an exciting diversity of businesses to help us grow in the interest of all Hamiltonians. We're delighted that the Staircase Theatre is open again with us and are encouraged by talk of a possible live show venue at Hess Main. Please help the Westside Theatre get back to contributing to our city.

Sincerely,

[Signature]
Good morning Alvin,

I am a frequent patron of the West Side Theatre on 434 King Street West, Hamilton.

I have, and hope to continue to enjoy many of the theatres plays, musical shows, award presentations & excellent entertainment billed at the Westside Theatre. I am attending the Jim Whitter Christmas show on December 19, 2008.

I attend many of the concerts at the Ron Joyce Centre (Hamilton Place), Copps Coliseum and plays at the DuMaurier Theatre.

I am a season ticket holder for the Broadway Series 2008/09 at The Ron Joyce Centre. I am also a season ticket holder for the Lighthouse Theatre in Port Dover.

All of the venues have their own positive attributes, and the facility to meet the needs of the entertainers and the audience attending.

The West Side Theatre is unique (cabaret style seating) historical (formerly Strand Show & CHCH filming location) and meets the needs of patrons seeking great entertainment, minutes from home at a reasonable cost providing entertainment for many Hamiltonians and visitors.

On December 7 I attended the Royal Alexander Theatre-Dirty Dancing Show. I left my home in Hamilton at 12 noon for a 2pm show due to traffic and parking I missed the first 15 minutes of the play, I know this would not happen at our local theatre.

I think it is an unfair decision to even consider closing part of Hamilton's entertainment and culture facility....and what another empty boarded up building in our downtown core ??

Please allow the theatre to grow and support all entertainers willing to share their talent with our city.

Margaret Meharg
Chan, Alvin

From: Johnson, Richard (TCU) [REDACTED]
Sent: Thursday, December 11, 2008 2:49 PM
To: Chan, Alvin
Cc: McHattie, Brian
Subject: File No. ZAC-08-068, 434 King St. West

I am writing in support of the zoning amendment application noted above.

As a resident of Pearl Street, one half a block away from the site in question, I have not experienced any negative impact from the presence of the Westside Concert Theatre. Never a parking issue, no noise, no increase in traffic, no drunk and disorderly people (unlike those who drift in from Hess Village in the early hours of a summer weekend).

I have attended several events at the theatre, both public and private and have found them to be very well presented and, I believe, an asset to the West Hamilton community. It would be foolish to thwart this entrepreneurial endeavour just when Hamilton needs a boost to its image.

Not granting the zoning amendment would be counter productive.

Hoping to attend many future events at the Westside.

Richard Johnson
22 Pearl St South.
From: Cindy Rand
Sent: Friday, December 19, 2008 9:06 AM
To: Chan, Alvin
Cc: Jackson, Tom
Subject: Re-zoning for lands located at 434 King Street West, Hamilton.

Please accept the application for re-zoning for lands located at 434 King Street West, Hamilton. It is a wonderful place to go in the Hamilton area for entertainment. There are very few locations in this area that provide such a service and it would be a shame to have it close.

Cindy Rand
Support for Application to Support Zoning Bylaw No. 6593

Chan, Alvin

From: Leslie Crawford
Sent: Thursday, December 18, 2008 8:25 PM
To: Chan, Alvin
Cc: Whitehead, Terry
Subject: Support for Application to Support Zoning Bylaw No. 6593

RE: Notice of Complete Application and Preliminary Circulation to amend the Zoning Bylaw No. 6593 respecting 434 King Street West, Hamilton

Dear Sir,
I wish to lend my support to the application for rezoning put forth by 2083882 Ontario INC. (Lorne Lieberman and Colin Lapsley). The Westside Theatre is a valuable community resource that showcases local regional, national and international talent. Without the inclusion of a liquor license, the prices for admission will become prohibitive and this valuable cultural resource will be lost. This will result on lost revenue to the City of Hamilton, revenue that we can ill afford to give up.

I therefore urge you to recommend approval of the application for rezoning of this property.

Thank you for your consideration.

Leslie Crawford
46 Trevi Road
Hamilton, ON L9C 7R4
Chan, Alvin

From: Kim
Sent: Monday, December 22, 2008 3:15 PM
To: Chan, Alvin
Cc: Duvall, Scott
Subject: File No.ZAC-08-068

Dear Mr Chan,

I am e-mailing you in regards to the rezoning of Westside Theatre for use as a "Place of Assembly (Public Music Hall, Theatre, or other place of amusement. As a citizen of Hamilton and a patron of the theatre I support this fully. I have lived and worked in Hamilton my entire life. One thing I enjoy about living in this City is the ability to support small productions without having to drive to Toronto. It would be a very large disservice to the taxpayer of this City to not allow these types of events to take place. The Westside Theatre is the perfect place for this. Please allow the rezoning to go ahead.

Many thanks for your consideration,

Kim Hall
47 Emperor Ave.
Hamilton On
L9B 2E6

This information is directed in confidence solely to the person named above and may not otherwise be distributed, copied or disclosed. Therefore, this information should be considered strictly confidential. If you have received this email in error, please notify the sender immediately via a return email for further direction. Thank you for your assistance.