The approval be given to Zoning Application ZAC-10-048, by Core Urban Inc., Owner, for changes in zoning to Hamilton Zoning By-law No. 6593 from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the “E/S-1639” (Multiple Dwellings, Lodges, Clubs, Etc.) District, in order to permit a 36 unit multiple dwelling within the existing building and a 3-storey addition, for lands located at 50 Murray Street West (Hamilton), as shown on Appendix “A” to Report PED11116, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED11116, which has been prepared in a form satisfactory to the City Solicitor be enacted, but first be held in abeyance until such time that the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Director of Planning, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee prior to placing on the Council agenda for enactment.
SUBJECT: Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 50 Murray Street West (Hamilton) (PED11116) (Ward 2) - Page 2 of 24

(b) That the change in zoning conforms to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan.

(c) That upon finalization of the implementing By-law, the subject lands within the Central Neighbourhood Plan be redesignated from “Commercial” to “Medium/High Density Apartments”.

(d) That staff be directed to request the Ontario Municipal Board (OMB) to amend the West Harbour Secondary Plan (“Setting Sail”) to add a site-specific policy area to permit a 36 unit multiple dwelling within the existing building and a 3-storey addition, on lands located at 50 Murray Street West (Hamilton), as shown on Appendix “A” to Report PED11116.

EXECUTIVE SUMMARY

The purpose of this application is to amend the Hamilton Zoning By-law in order to permit the development of the property at 50 Murray Street West for a 36 unit multiple dwelling by way of the adaptive reuse of the existing heritage building, together with a 3-storey addition to the top of the existing 3-storey building. An accessory 1-storey parking garage, together with additional surface parking, would provide 39 parking spaces for the development (see Appendix “C” for a sketch of the proposed development and the south elevation plan).

The proposal has merit and can be supported as the application is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan, the Hamilton-Wentworth Official Plan, the Hamilton Official Plan, and the Council-Approved Urban Hamilton Official Plan. The proposed development would allow for the adaptive reuse of a listed historical property; is considered to be compatible with and consistent with existing and planned mixed-use development in the immediate area; and, is an example of appropriate redevelopment and intensification in a heavily urbanized area nearby to downtown Hamilton.

Alternatives for Consideration - See Page 24.

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 Zoning By-law Amendment.
HISTORICAL BACKGROUND

Proposal

The applicant has applied to rezone the lands from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the “E/S-1639” (Multiple Dwellings, Lodges, Clubs, Etc.) District, in order to permit a 36 unit multiple dwelling with 39 parking spaces (see Appendix “C”). The proposal would include the conversion of the existing former school building with a 3-storey addition, totalling 6-storeys of residential development. A 1-storey at grade accessory parking garage would be constructed along the westerly and northerly lot line to provide 18 parking spaces with the balance of the 39 total parking spaces located on the existing asphalt outdoor parking area.

The applicant has requested that the “E” (Multiple Dwellings, Lodges, Clubs, Etc.) District be modified to include a number of further zoning modifications including:

- Minimum landscaped area of 23%, whereas 25% is required;
- Minimum of 39 parking spaces, whereas 45 are required;
- Parking space dimensions of 2.6m x 5.5m, whereas 2.7m x 6.0m is required; and 2.4m width for a parallel parking space, whereas 2.5m is required;
- No loading space, whereas 1 loading space is required;
- Accessory parking garage to be permitted partially in a side yard, whereas an accessory structure is only permitted in a rear yard;
- Minimum front yard setback of 5.0m, whereas 7.5m is required; and,
- Approximately 4 parking spaces shall be permitted partially in a required 7.5m front yard, whereas parking is not permitted within the required 7.5m front yard.

The proposed modifications are discussed in the Analysis/Rationale for Recommendation section of this Report.

Chronology:

October 13, 2010: Development Review Committee Meeting for Formal Consultation Application FC-10-084.

December 22, 2010: Submission of Application ZAC-10-048 by Core Urban Inc.
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Application ZAC-10-048 is deemed complete.

Circulation of Notice of Complete Application for Application ZAC-10-048 to all residents within 120 metres of the subject lands.

Neighbourhood meeting hosted by the applicant and agent at 50 Murray Street West.

Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands.

Details of Submitted Applications:

Location: 50 Murray Street West, Hamilton
Owner: Mission Services
Applicant: Core Urban Inc.
Agent: James Webb, WEBB Planning Consultants Inc.

Property Description
Area: 0.324 hectares
Frontage: 73.5 metres
Depth: 44.3 metres

Servicing: Full Municipal Services

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mission Services (Food Bank, Support Services, Education, etc.), within Former Elementary School</td>
<td>“D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District</td>
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<table>
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<th>Surrounding Lands:</th>
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<tbody>
<tr>
<td>North</td>
<td>Workers Arts and Heritage Centre and Hamilton-Wentworth Catholic School Board Maintenance Building</td>
</tr>
<tr>
<td></td>
<td>“H” (Community Shopping and Commercial, Etc.) District</td>
</tr>
</tbody>
</table>
POLICY IMPLICATIONS

Provincial Policy Statement:

The application has been reviewed with respect to the Provincial Policy Statement (PPS). The application is consistent with the policies that focus growth in Settlement Areas 1.1.3.1. It also implements Policy 1.1.3.2, 1.1.3.4, 1.4.3, and 1.6.5.4 with respect to promotion of densities which efficiently use land and resources; intensification and redevelopment which takes into account existing building stock; and, supports the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

However, Policy 1.1.1(c) outlines that healthy, liveable, and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns. Further, Policy 3.2.2 states that contaminated sites shall be remediated, as necessary, prior to any activity of the site associated with the proposed use such that there will be no adverse effects. Therefore, due to the former community use of the site and the proposed residential use, Ontario Regulation 153/04 requires a mandatory filing of a Record of Site Condition (RSC). The applicant is currently completing the necessary environmental studies in order to submit an RSC. At the time of writing of this Report, the RSC had not yet been submitted to the City of Hamilton and the Ministry of the Environment and, therefore, the implementing By-law will be held in abeyance.

In addition, Policy 1.7.1(e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as transportation corridors) and sensitive land uses are appropriately designed, buffered, and separated from each other to prevent adverse effects from odour, noise, and other contaminants, and minimize risk to public health and safety. The subject lands are to be developed for residential purposes and
are located within approximately 67m from Bay Street North, 95m from a Canadian National (CN) Railway Corridor, and 150m from CN’s Stuart Street Rail Yard. A Noise Study, titled “Preliminary Environmental Noise and Vibration Report”, dated December 21, 2010, and prepared by Jade Acoustics, was submitted with the subject application. The Noise Study indicated that the development proposed is feasible from a noise impact perspective; subject to the incorporation of specific noise mitigation measures (central air conditioning, architectural/building components, and noise warning clauses) as part of the development. The required noise mitigation measures identified within the aforementioned Noise Study will be implemented through the site plan and draft plan of condominium approval processes.

Finally, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. In addition, Policy 2.6.3 states that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated, and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration. The subject lands contain a building identified as being of architectural and/or historical interest, and is listed within Hamilton’s Heritage Volume II. In addition, the subject lands are located adjacent to 51 Stuart Street (Hamilton Custom House), which is a property designated under the Ontario Heritage Act, and is identified within Hamilton’s Heritage Volume I. A Heritage Impact Assessment, titled “Heritage Impact Assessment for Zone Change at 50 Murray Street West, Hamilton”, dated December 24, 2010, and prepared by Allan Avis Architects Inc., was submitted with the subject application. This study, along with an addendum issued later, has been reviewed and approved both by staff and the Heritage Committee.

Therefore, subject to submission of the required RSC, implementation of the noise mitigation measures through the site plan control and draft plan of condominium processes, and implementation of the Heritage Committee recommendations at the Site Plan Control stage, the application would be consistent with the Provincial Policy Statement.

**Places to Grow: Growth Plan for the Greater Golden Horseshoe:**

The subject lands are located within a built-up area, as defined by Places to Grow. Policy 2.2.3.1 states that by the year 2015, and for each year thereafter, a minimum of 40% of all residential development occurring annually within each upper- and single-tier municipality will be within the built-up area. The proposal also implements Policy 2.2.2.1 with respect to directing new growth to the built-up areas through intensification; through reducing dependence on the automobile through development of transit-supportive, pedestrian-friendly urban environments; and, through encouraging
cities to develop as complete communities with diverse land uses and a range of housing types. Therefore, the proposal conforms to the policies contained in the Places to Grow Plan, in that the proposal provides for a redevelopment within the built-up area, as defined by the Places to Grow Plan.

**Hamilton-Wentworth Official Plan:**

The subject property is designated “Urban Area” within 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. These areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

However, Policy B-2.3 states that the identification of contaminated sites is essential. Redevelopment must not occur until it has been demonstrated that a proposal will not put people in significant risk. Due to the former Community use of the site and the proposed Residential use, Ontario Regulation 153/04 requires a mandatory filing of a RSC. The applicant is currently completing the necessary environmental studies in order to submit an RSC. At the time of writing of this Report, the RSC had not yet been submitted to the City of Hamilton and the Ministry of the Environment and, therefore, the implementing By-law will be held in abeyance.

In addition, Policy B-9.2 states that the City shall consider the 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 will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection. As noted above, the subject lands contain a building identified as being of architectural and/or historical interest, and is listed within Hamilton’s Heritage Volume II. In addition, the subject lands are located adjacent to 51 Stuart Street (Hamilton Custom House), which is a property designated under the Ontario Heritage Act, and is identified within Hamilton’s Heritage Volume I.

A Heritage Impact Assessment, titled “Heritage Impact Assessment for Zone Change at 50 Murray Street West, Hamilton”, dated December 24, 2010, and prepared by Allan Avis Architects Inc., was submitted with the subject application. This study, along with an addendum issued later, has been reviewed and approved both by staff and the Heritage Committee.

Therefore, based on the above, the proposal conforms with the Hamilton-Wentworth Official Plan.
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Hamilton Official Plan:

The subject lands are designated “Major Institutional” on Schedule ‘A’ - Land Use Concept of the Hamilton Official Plan and “Special Policy Area 3” on Schedule ‘B’. The following policies, among others, are applicable to the subject lands:

“A.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 Sub-sections A.2.1 and C.7 of this Plan."

Based on the above, the proposed multiple residential use would be permitted within the “Major Institutional” designation. However, the “Residential” designation policies would apply, including the following:

“A.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.

A.2.1.8 It is the intent of Council that a variety of housing styles, types, and densities be available in all RESIDENTIAL areas of the City, and further, that proposals for new development or redevelopment will contribute to the desired mix of housing, where practicable. In this regard, Council will be guided by the Housing Policies of Sub-section C.7 and the Neighbourhood Plan Policies of Sub-section D.2.

A.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.

A.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."
Based on the above, the proposed multiple residential development would conform to the policies of the “Residential” designation as the use is permitted within the designation; the neighbourhood already contains a mix of housing types and densities; and it maintains and enhances the character of the area as it allows for the adaptive reuse of the existing school building which is listed within Hamilton’s Heritage Volume II. The proposed multiple dwelling also integrates well with the surrounding area as it utilizes the existing footprint of the school with a light, predominately glass addition to the top of the school. The site plan (see Appendix “C”) will retain existing mature trees along the property lines, and has sufficient space for additional plantings to minimize impact on adjacent lower-density uses. The neighbourhood also contains a mix of both land uses and dwelling types. For example, the subject lands abut institutional uses to the north (the Custom House building and a Catholic School Board warehouse), a private social club to the west, single and two-family dwellings to the east, and is located across the street from an existing 4-storey multiple dwelling, street townhouses, and converted semi-detached dwellings.

Further policy directive is provided through the “Special Policy Area 3” designation. This designation was deleted from the subject lands as part of the Official Plan Amendment enacting the West Harbour (Setting Sail) Secondary Plan. However, this Official Plan Amendment is under appeal to the OMB and, therefore, the “Special Policy Area 3” designation is still in force and effect. The following policies would apply:

“A.2.9.3.1 The future viability and health of the Central Policy Area will be largely dependent on the quality and suitability of Residential opportunities in close proximity to the downtown. Accordingly, the following policies to promote and protect housing within the area shown as SPECIAL POLICY AREA 3 on Schedule "B" will apply, in addition to all the Residential policies of Sub-sections A.2.1 and C.7, and Policy A.2.8.1(ii);

i) It is the intent of Council to strengthen the Residential function of this AREA to complement the multi-use nature of the Central Policy Area, to foster a wider choice in housing opportunities for all residents of the City, and to increase the resident population;

ii) Further to the above, a wide variety of densities, unit sizes, building styles, incomes, and household groups will be accommodated. Housing suitable for families, the physically disabled, and senior citizens will be particularly encouraged;

v) It is intended that Residential development or redevelopment be at a scale, density, and bulk compatible with the established character of the surrounding uses;
vi) Council will require, when considering a proposed high-density Residential development or redevelopment in this AREA, the provision of the maximum useable open space on-site;

vii) Council will encourage high-density Residential developments or redevelopments which utilize innovative design alternatives to the "high-rise" apartment structure, while maintaining desirable standards for bulk, setbacks, and landscaping.

Based on the above, the proposed multiple residential use would conform with the “Special Policy Area 3” designation in that it fosters a wider choice in housing opportunities and increases the resident population. As previously noted, the proposed development, through utilizing the existing school building, would be compatible with the established character of the surrounding uses, and a multiple dwelling is consistent with the broad range of existing land uses and dwelling types in the neighbourhood. The proposal also increases the amount of total open space on site. Policy A.2.9.3.1 also notes that Policy A.2.8.1(ii) applies, which states that a variety of housing types, including apartments, is permitted.

Further design and housing policies from Sub-section C.7 also apply to the proposal, including the following:

“C.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.

C.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.

C.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:

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 to natural
vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy, and overview;

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 development at densities conducive to the efficient operation of Public Transit and which utilizes designs or construction techniques that are energy efficient.”

Based on the above, the proposed multiple dwelling redevelopment proposal would conform with and implement the Policies from Sub-section C.7 - Residential Environment and Housing Policy. The proposal provides adequate off-street parking and the proposed height and density can be incorporated into the existing neighbourhood through the provision of adequate existing setbacks. The 6-storey design is compatible with the range of dwelling and building types already existing and planned in the neighbourhood and, as will be discussed further in the Report, the sun-shadow analysis indicates minimal shading impacts on a limited number of adjacent properties and only during a short duration.

As the existing building is a listed heritage building, and is adjacent to a designated heritage property, the policies of Sub-section C.6 - Historic and Architectural Resources must also be considered, including the following specific policies:

“C.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.

C.6.9 A 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:

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

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.
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.”

The existing building is the former McIlwraith School that was built in 1924, and is listed on the City’s Inventory of Buildings of Architectural and/or Historical Interest. In addition, the property abuts the Hamilton Custom House on Stuart Street, which is designated under the Ontario Heritage Act. Therefore, a Heritage Impact Assessment was required and subsequently submitted by the applicant. Upon review and submission of an addendum to the report, the Heritage Committee reviewed and approved the report subject to assurances that the existing school façade would be maintained with no parking in front of the limits of the school, and that further final review would be undertaken at the Site Plan Control stage. Therefore, the proposal would conform to the heritage policies of Sub-section C.6.

Finally, the Official Plan contains policies that address noise issues in order to minimize noise and vibration sources from transportation corridors such as the Stuart Street Rail Yard. The proposed development is permitted in accordance with the following policies:

“C.9.4 The appropriate railway company and the Ministry of the Environment and Energy will determine the necessity of a Noise and/or Vibration Study for new residential and institutional development that is proposed adjacent to the railway right-of-ways (including rail lines and rail yards). Any Noise and/or Vibration Study that is undertaken will be to the satisfaction of the City and the Ministry of the Environment and Energy, in consultation with the appropriate railway. The City will require appropriate measures to mitigate any identified adverse effects from noise.

C.9.8 Council will endeavour to minimize impacts on outdoor recreational space of new residential and institutional development from noise in excess of 55 dBA generated by adjacent inter-regional highways or railway line.”

The applicant submitted a “Preliminary Environmental Noise and Vibration Report” in January 2010, in order to address noise mitigation features that will be incorporated into the building designs. These included a number of warning clauses, mandatory central air conditioning for certain units, and special architectural component requirements including special glass, the provision for solariums on certain units, and limitations on operable windows.
The study was approved by the Canadian National Railway (CN Rail) and City staff. The applicant and CN Rail have also agreed upon the implementation of certain other requests (i.e. environmental easements, additional special warning clauses, etc.). Based on the mitigation features as outlined in the Study, the application conforms to Policies C.9.4 and C.9.8.

Based on the foregoing, the proposal conforms to the Hamilton Official Plan.

**Setting Sail: Secondary Plan for West Harbour (Appealed to OMB)**

The Secondary Plan for West Harbour was adopted by Council on March 23, 2005; however, it has been appealed to the OMB. Until such time as the appeal has been dealt with by the OMB, the Secondary Plan is not in force and effect. The Secondary Plan was also incorporated into the new Urban Official Plan, and is found in Volume 2: Secondary Plans of the Urban Official Plan, but was noted as a deferral area by the Ministry of Municipal Affairs and Housing and was not approved as part of the implementation of the Official Plan.

The subject lands are designated “Institutional” on Schedule M-2: General Land Use of the Secondary Plan for West Harbour (Setting Sail). Policy A.6.3.3.1.20 of the Secondary Plan permits a range of uses in this designation, but not residential uses. Therefore, a redesignation to “Medium Density Residential 1” would be required, which permits multiple dwellings in a density range of 60 - 150 units per gross hectare and a height of 3- to 5-storeys. A Special Policy Area would have also been needed to permit a maximum height of 6-storeys. The subject lands are also located in a “Stable Area”, as identified on Schedule “M-1”, which states that the predominant land use should be low density residential.

However, the proposed redevelopment could still have been supported in the context of the Secondary Plan, as despite the proposed multiple dwelling, the predominant land use in the area would remain as a lower density character. In addition, lands just east of the subject lands, encompassing the entire block bordered by MacNab Street North, Murray Street West, the CN Rail line, and James Street North, are designated “Medium Density Residential 1”, which permits multiple dwellings in a range from 3- to 5-storeys, similar to the proposed 6-storey height. It is also not the intent of the “Institutional” designation to remain in effect forever when the existing institutional use has ceased and a viable redevelopment option is proposed.

In addition, Policies A.6.3.4.5.2 and A.6.3.4.5.3 require that a Noise and Vibration Study be submitted and reviewed. The applicant submitted such a Study as part of the complete application, which has been reviewed by staff and Canadian National Railway. The applicant has addressed noise issues, and mitigation measures will be addressed through Site Plan Control and a subsequent Condominium Application.
The application does not conform to the land use designation of the Setting Sail: Secondary Plan for West Harbour. As the Secondary Plan has been appealed to the OMB, the applicant is currently unable to amend the Secondary Plan as it is not in force and effect. Due to the length of the current appeal, and the fact that the issues before the OMB are still outstanding, staff is of the opinion that if Council approves the application it would be appropriate to request the OMB to amend the Setting Sail Secondary Plan by adding a site-specific policy area to permit a 36 unit multiple dwelling on the subject property.

**Urban Hamilton Official Plan**

The proposal has been evaluated against the policies of the new Urban Hamilton Official Plan, which was adopted by Council on July 9, 2009. The Minister of Municipal Affairs and Housing issued its decision on March 10, 2011, but the decision has been appealed by a number of parties and, at this time, the new Urban Hamilton Official Plan is not in effect.

The new Urban Hamilton Official Plan designates the subject lands as “Neighbourhoods” on Schedule “E-1” Urban Land Use designations. Although the subject lands are also subject to “Non-Decision 113”, they are within an area with policies and land-use designations to be updated upon a decision on the appeal of the West Harbour (Setting Sail) Secondary Plan. Therefore, the new Urban Hamilton Official Plan for the subject lands does not have a decision from the Minister yet, although it has been adopted by Council.

The “Neighbourhoods” designation permits a range of residential uses that maintain the existing character of established neighbourhoods. Compatible residential intensification is promoted. Based on the proposed density of 111 units per hectare, the applicable policies pertaining to “High Density Residential” would apply. The proposal would be supported by the “High Density Residential” policies in that only a small number of low density dwellings abut Murray Street West between the subject lands and Bay Street North, and only on the opposite side of the street.

The policies from the West Harbour (Setting Sail) Secondary Plan were also generally carried forward from the former City of Hamilton Official Plan to the new Urban Hamilton Official Plan. As discussed above, the proposal would not have conformed to the “Institutional” designation within the Secondary Plan, and a redesignation to “Medium Density Residential 3” would have been required with a special policy area to permit a maximum height of 6-storeys.
Central Neighbourhood Plan

The subject lands are designated “Commercial” in the Central Neighbourhood Plan. The West Harbour (Setting Sail) Secondary Plan contains a policy (A.6.3.8.13.1) which states that the City may update the Neighbourhood Plans for those portions of Strathcona, Central, and Beasley Neighbourhoods not within West Harbour. The intent is that the Central Neighbourhood Plan would no longer be a guiding document within the West Harbour (Setting Sail) Secondary Plan area. As the subject lands are within the Setting Sail area, this would be the case. However, as noted above, the West Harbour (Setting Sail) Secondary Plan is not yet in effect, as it is under appeal, and the Central Neighbourhood Plan would still be in effect. Therefore, upon finalization of the implementing By-law, the subject lands should be redesignated from “Commercial” to “Medium/High Density Apartments”.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections:

- Taxation Division, Corporate Services Department.
- Recreation Division, Community Services Department.
- Environment and Sustainable Infrastructure Division, Public Works Department.
- Traffic Engineering Section, Public Works Department.
- Horizon Utilities.
- Bell Canada.

The following Departments and Agencies submitted the following comments:

The Public Works Department (Forestry and Horticulture Section) has advised that there are 7 Municipal Tree Assets located on the road allowance of Murray Street West which do not appear to be in direct conflict, but are at risk from the movement of heavy equipment during construction. Additional private trees are located along the borders of the site, but are unregulated. To address protection of the municipal tree assets, a Tree Management Plan will be required as a condition of approval at the Site Plan Control stage of development. The applicant has advised that all existing trees, including the municipal tree assets and major trees along the property lines, are planned to be retained.

The Public Works Department (Operations and Waste Management Division) has advised that the property is eligible for weekly collection of garbage, organics, recyclable material, and leaf and yard waste through the City of Hamilton, subject to compliance with specifications indicated by the Waste Management Division and subject to compliance with the City’s Solid Waste Management By-law 09-067. This matter will be further reviewed through the subsequent Site Plan Control process.

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The Hamilton Municipal Parking System has advised that there is very limited potential for overflow parking on the streets in the area, and local residents are very vocal about existing on-street parking deficiencies. Many streets have restricted parking, and such regulations may become so restrictive that eventually no overflow parking may be available in the immediate area. The applicant should ensure that all existing and future parking requirements are met on-site. A further discussion of parking matters is contained in the Analysis and Rational section of this Report.

CN Rail has advised that the Preliminary Environmental Noise and Vibration Report and recommended mitigation measures are acceptable. CN Rail has also reached an agreement with the applicants on certain additional warning clauses and environmental easements to further satisfy themselves that the proposed multiple dwelling would not impede CN Rail operations. These additional requirements will be implemented through subsequent Site Plan Control and Condominium Application processes.

PUBLIC CONSULTATION

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, Notices of Complete Application and Preliminary Circulation were circulated to 149 property owners and tenants within 120 metres of the subject property on January 14, 2011, requesting public input on the application. A Public Notice sign was also posted on the property on January 21, 2011, and Notice of the Public Meeting was given in accordance with the requirements of the Planning Act. To date, two responses have been received. One letter of support was received and the author noted the positive benefit to the immediate neighbourhood, and one letter whereby the author expressed concern about noise impacts from construction and concern about lack of visitor parking. These concerns are addressed in the Analysis/Rationale section of this Report. The two letters are attached as Appendix “D”.

Staff also attended a Public “Open House” Meeting on February 16, 2011, that was hosted by the applicant and their agent. The applicant provided notice to all properties on the circulation list. The meeting was attended by the Ward Councillor and approximately 7 local residents. Only one of the residents attending the “Open House” expressed concerns about the proposal, predominantly based on overview and privacy issues on their lower density residential property on the opposite side of Murray Street West.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

   (i) It is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan (Growth Plan for the Greater Golden Horseshoe);
(ii) It conforms to the Hamilton-Wentworth Official Plan and the “Institutional” designation in the Hamilton Official Plan;

(iii) It provides for an adaptive reuse of a property of architectural and/or historical interest, and is an example of an appropriately scaled residential intensification project at a transit supportive density;

(iv) The proposed development is compatible with and complementary to existing and planned development in the immediate area; and,

(v) The proposal implements the “Neighbourhood” designation in the new Urban Hamilton Official Plan.

2. In order to implement the development as proposed on the preliminary site plan (see Appendix “C”), a number of zoning modifications are required. A review of the required modifications is as follows:

Minimum landscaped area of 23% whereas 25% is required

The existing school property contains very little landscaped area, which is mostly located immediately in front of the existing school with smaller landscaped areas consisting of existing trees located around the periphery of the property. The proposed site plan adds to the existing landscaped area by introducing landscaping around the east, west, and north sides of the existing building and expanding some of the other landscaping areas. Even though the new landscaped area does not total 25%, the proposed 23% constitutes an increase from the existing situation and is consistent with the urban infill context of the proposed adaptive reuse. Any further commitment to reach 25% landscaped area could impact the amount of space left for parking, vehicle manoeuvring, and pedestrian walkways.

Minimum of 39 parking spaces whereas 45 are required

Zoning By-law No. 6593 requires that 1.25 parking spaces be provided for each dwelling unit, and of the 1.25 parking spaces, 0.25 parking spaces would be dedicated to visitor parking. Therefore, for a 36 unit multiple dwelling, 36 tenant parking spaces and 9 visitor parking spaces would be required, for a total of 45 parking spaces. The applicant can provide the necessary parking that each dwelling unit would have a parking space, but only 3 visitor parking spaces would be provided, resulting in a deficiency of 6 spaces. A reduction in parking can be supported for the following reasons:
The subject lands are located in proximity to existing and planned transit opportunities on James Street as there is existing bus service on James Street and McNab Street North, with potential for planned Rapid Transit opportunities. In addition, there is planned resumption of all-day GO Transit train service adjacent to LIUNA Station in the upcoming years. Combined, this would serve to reduce the demand for parking, as transit could be utilized for major commuting activities.

The subject lands are located only 500m from Cannon Street, the north end of the Downtown Hamilton Secondary Plan Area. This short distance is amenable to alternate means of transportation, such as cycling and walking to reach major downtown employers and services. Neighbourhood amenities are also located on James Street North, which is only 166m from the subject lands.

The amount of parking proposed would conform to the requirements of the downtown zones within Zoning By-law No. 05-200 for multiple dwelling uses, which require 1 parking space per unit. This is also the parking standard planned for the new commercial zones within Zoning By-law No. 05-200.

While Hamilton Municipal Parking System has advised that on-street parking is limited and may be at capacity in the neighbourhood, there is unrestricted street parking available (except during snow emergencies) immediately in front of the existing school. As driveways are limited on the subject lands, there could be up to 5 additional on-street parking spaces available in front of the property.

The applicant has submitted information noting that the planned amount of parking would be sufficient for the expected market demand of the condominium purchasers due to many of the factors identified above (proximity to downtown and future transit improvements and fewer cars per household for the nature of the proposed development).

Parking space dimensions of 2.6m x 5.5m, whereas 2.7m x 6.0m is required; and 2.4m width for a parallel parking space, whereas 2.5m is required

The proposed minor reduction in parking space size can be supported as the proposed parking spaces sizes are consistent with the new parking standards within Zoning By-law No. 05-200, and allow the applicant to maximize the number of parking spaces provided on-site while maintaining sufficient manoeuvring areas, building setbacks, and landscaped areas.
No loading space, whereas one loading space is required

The elimination of the required loading space can be supported as smaller trucks and cube vans would be able to utilize existing tenant or visitor parking spaces. In addition, parking is permitted on-street in front of the property, which could also be utilized for loading activities.

Finally, the proposed development is proposed as condominium based tenure, which would generally have more stable tenancy of the occupants than rental based tenure, which often has yearly unit turnover. This reduces the demand for a loading space and the potential for multiple units moving at the same time at the end or beginning of a month.

Accessory parking garage to be permitted partially in a side yard, whereas an accessory structure is only permitted in a rear yard.

The intent of limiting accessory structures to a rear yard is to ensure that the principal building occupies the prominent streetscape and not the accessory structure. In this situation, the proposed accessory structure is only 1-storey in height, only located in the westerly side yard that abuts a private club, and only 7 metres wide. It is also setback much further from the street than the principal building (12 metres, whereas the existing building is setback 5 metres). Therefore, the impact of the accessory structure on the streetscape is minimized and the modification can be supported.

Minimum front yard setback of 5.0m, whereas 7.5m is required

This modification is necessary as the existing former school building is located only 5 metres from the front lot line. The proposed addition would not further reduce this setback. Further, reduced front yard setbacks are already a characteristic of this area of the Central Neighbourhood. Therefore, the modification can be supported.

Parking spaces shall be permitted partially in a required 7.5m front yard, whereas parking is not permitted within the required 7.5m front yard.

The previously discussed modification would reduce the required front yard from 7.5m to 5.0m. Of the proposed 39 parking spaces, only 4 spaces are proposed either within or partially within this reduced required front yard. All 4 of these spaces are located off existing driveways and at either the extreme easterly or westerly side of the property. None of the parking spaces would be located in front of the original former school and no existing landscaping or streetscape features are being impacted. All of the parking spaces meet the minimum 3.0m setback from an access driveway. However, in order to protect both the heritage
characteristics of the front façade of the former school building and to eliminate the potential for any future parking expansions in front of the existing building, the implementing By-law is structured in such a way as to limit front yard parking to within 16m of either the easterly or westerly side yards. This ensures no parking could ever be established in front of the actual former school building.

3. As noted in the Policy Analysis section of this Report, the subject lands are listed on the City’s Inventory of Buildings of Architectural and/or Historical Interest. In addition, the subject lands abut the Hamilton Custom House property on Stuart Street, which is designated under the Ontario Heritage Act. Therefore, the applicant was required to submit a Heritage Impact Assessment with the Zoning Application. The Heritage Impact Assessment and an addendum to the original Heritage Impact Assessment, prepared by Allan Avis Architects Inc., were reviewed by staff and the Policy and Design Sub-committee of the Hamilton Municipal Heritage Committee. Further heritage staff review will also occur at the Site Plan Control stage of development, particularly in order to review elevations for the proposed accessory garage. As a result of the review, the Heritage Assessment was deemed acceptable and the adaptive re-use of a listed heritage building was commended, subject to the implementation of 4 provisions including:

- Retention of the south elevation of the former McIlwraith School in appearance and condition as of the date of the passing of the By-law;

- Replacement of windows and doors on the south elevation of the building within existing window and door openings is permitted;

- No buildings or structure permitted in the front yard; and,

- The front yard shall remain as landscaped Open Space and no parking permitted in the front yard.

The south elevation is being maintained in the appearance and condition as of the date of the By-law passing, and only existing windows and doors on this elevation are being replaced (see Page 2 of Appendix “C”). The proposed implementing By-law (see Appendix “B”) has not been modified to permit any buildings or structures in the front yard, only in the side yard. Zoning By-law No. 6593 does not permit accessory structures in the required front yard. Finally, the entire existing front landscaped area is being maintained or expanded. No parking will be located in front of the school, and the only parking at the front of the property will be at the far easterly and westerly limits. The implementing By-law requires that any parking in the front yard be within 16m of a side lot line, which would protect the front of the school from parking encroachments. Therefore, staff is satisfied that the proposed Zoning Amendment would protect and enhance the heritage.
characteristics of the building and not impact on the features of the abutting Hamilton Custom House on Stuart Street.

4. As part of the submission of the Zoning Application, an Urban Design Brief and a Sun-Shadow Study, prepared by Lintack Architects Incorporated, were submitted. The Study notes that the steel and glass upper addition stands in contrast, but complements the solid brick appearance of the original school building to add an impression of transparency. The Study also notes that the glass façade is detailed with balconies and solariums that extend the rhythms of the building below. A rooftop cornice, the green glass colour, and darker curtain walls were all designed to visually recede and match with the window frames of the existing building. Parking is also located primarily at the rear of the building with no parking located in front of the school. All existing mature trees along the property lines and in front of the school are being maintained. The urban design brief has been reviewed by staff and was noted as generally acceptable, although final review at the Site Plan Control stage will occur, especially pertaining to the rooftop mechanical equipment.

The Sun/Shadow Study shows that shading impacts will be minimal and limited only to late afternoon/early evening hours in the spring and fall, and only to a portion of a limited number of rear yards on abutting dwellings to the east. These yards would also likely be shaded by the existing mature trees along the shared property line. The urban design brief also comments that the addition's transparent appearance would further minimize the shadowing effect. Therefore, staff is satisfied that while minimal impacts can be expected, they are not significant enough to warrant mandating a reduction in height and the accompanying loss of density. The implementing By-law will also include a provision to limit height to the proposed 6-storeys and 24 metres.

5. The subject lands, while not abutting any railway lines or facilities, are located close to both a CN Rail line, which is located north of Stuart Street at the rear of the property, and a CN Rail yard, which is located northwest of the subject lands at the northwest corner of Bay Street North and Stuart Street. The applicant submitted a Preliminary Environmental Noise and Vibration Report, prepared by Jade Acoustics. The Report was reviewed both by staff and CN Rail. The Report notes that in order to achieve Ministry of the Environment (MOE) standards, due to the proximity of rail operations, mitigation measures must be secured including:

- Exterior walls on the north and west façade of the building to be brick-veneer or acoustically equivalent masonry construction with upgraded masonry on the interior side of the wall;
- Upgraded windows on the north, east, and west façade;
• Certain windows that do not open into a solarium are to be sealed;

• Double pane storm windows on dens and bedrooms on the north and west façade that have windows outside solariums must be provided;

• Maximum 5” opening with an awning style window must be provided on the solariums;

• Maximum 1 operable window per solarium, except 2 operable windows per large solarium on the north façade;

• Installation of central air conditioning; and,

• Warning clauses specific to various dwelling units depending upon which direction the dwelling unit faces.

Based on the Noise Study and required mitigation measures, staff is satisfied that the project can meet MOE noise guideline standards. CN Rail has also advised that the Study and mitigation measures are acceptable. CN Rail has also reached an agreement with the applicants on certain additional warning clauses and environmental easements to further satisfy themselves that the proposed multiple dwelling would not impede CN Rail operations. These additional requirements will be implemented through subsequent Site Plan Control and Condominium Application processes. Required mitigation measures identified in the Noise and Vibration Study will be secured through review and approval of the required Site Plan Control application. Through this application, it will be possible for the acoustical engineer to certify that the final plans, including building permit drawings, implement all required mitigation measures. The subsequent Condominium Application will also be utilized to secure the necessary warning clauses on title.

6. As noted in the Policy Analysis section of this Report, in order to address Provincial Policy Statement and Hamilton-Wentworth Official Plan policies pertaining to contaminated sites remediation, an RSC is required to be submitted to the City of Hamilton and the Ministry of the Environment. This is because of the potential for contamination within the existing school, and the change in use from an institutional use to a more sensitive land use (residential). The applicants are currently completing a Phase II Environmental Site Assessment as part of the filing for a RSC to the MOE, and the applicant has indicated that submission of the RSC is forthcoming shortly. At the time of writing of this Report, the RSC had not yet been submitted to the City of Hamilton and the MOE and, therefore, the implementing By-law will be held in abeyance pending submission of the RSC to the City of Hamilton and acknowledgement of receipt of the RSC by the MOE.
7. The Public Consultation section of this Report noted that a letter was received from an area resident noting concerns over parking and construction impacts (see Appendix “D”). In addition, 1 resident who attended the Public Information Centre expressed concern regarding impacts of overview, particularly on loss of privacy through existing front windows on their property on the opposite side of Murray Street.

With regard to parking concerns, as noted in Comment 2 above, highlighting zoning modifications, the applicant will be meeting all parking standards of the new Zoning By-law No. 05-200, which is not in place yet for this area of the City of Hamilton. Staff is satisfied that providing a parking space per unit, plus 3 additional visitor parking spaces, in conjunction with existing unrestricted street parking in front of the property, that sufficient parking is provided such that overflow impacts would be minimal. There are existing and planned public transit opportunities, and the development is close to both neighbourhood amenities on James Street North and to downtown Hamilton which would promote cycling and pedestrian alternatives.

With regard to construction impacts, all development in Hamilton is subject to specific By-laws pertaining to noise and dust impacts. Noise impacts are limited to daytime hours, and dust mitigation measures are also required. Construction activities are monitored by building and construction inspectors, and any complaints are suitably addressed. As the existing school is being retained, with somewhat minimal exterior site alterations to the property, construction impacts should be lessened compared to a similar development whereby an existing building is being demolished and a new building completely constructed.

With regards to impacts of overview, the south elevation (see Page 2 of Appendix “C”) maintains the existing school windows. No new windows within the existing school, which would be of similar height as the existing buildings on the opposite side of Murray Street, are proposed. It is only the easterly side elevation that would contain balconies, which would partially have a view to the south toward the opposite side of Murray Street North. However, the front of the property is heavily treed by large mature deciduous trees and in spring, summer, and fall, views through these trees would be limited. This would also limit views from the new upper floor windows to the south.

It also must be noted that overwhelmingly, the comments received from the public have been positive. This includes the letter of support received (see Appendix “D”) and that the majority of those attending the Public Information Centre seemed to be in favour of the development.
ALTERNATIVES FOR CONSIDERATION:

If the application is denied, the lands could be developed in accordance with the current “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District provisions which permit single and two family dwellings, a maximum 6 person residential care facility or retirement home, a day nursery, and a number of public uses. When Zoning By-law No. 05-200 is brought forward for neighbourhood uses, the zoning would likely be updated to an institutional zone to reflect the current “Institutional” designation within the West Harbour (Setting Sail) Secondary Plan.

CORPORATE STRATEGIC PLAN


Financial Sustainability
• Effective and sustainable Growth Management.
• Generate assessment growth/non-tax revenues.

Environmental Stewardship
• Natural resources are protected and enhanced.

Healthy Community
• Plan and manage the built environment.

APPENDICES / SCHEDULES

• Appendix “A”: Location Map
• Appendix “B”: Draft Zoning By-law Amendment
• Appendix “C”: Preliminary Site Plan and South Elevation Plan
• Appendix “D”: Public Comments

GM
Attachs. (4)
Appendix "A" to Report PED11116

Location Map

File Name/Number: ZAC-10-048
Date: April 18, 2011
Appendix "A" Subject Property
Scale: N.T.S.
Planner/Technician: GM/NB

50 Murray Street West

Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "E/S-1639" (Multiple Dwellings, Lodges, Clubs, Etc.) District
CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 6593 (Hamilton)
Respecting Lands located at 50 Murray 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 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 Item of Report 11- of the Planning Committee, at its meeting held on the day of 2011, 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. W3 of the District maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the “E/S-1639” (Multiple Dwellings, Lodges, Clubs, 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 "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, be modified to include the following special provisions:

   (a) That notwithstanding Sub-section 11(1)(iii) of Zoning By-law No. 6593, a multiple dwelling shall be permitted only within the building existing at the date of the passing of this by-law, being the __ day of __, 2011, and within any additions to the existing building.

   (b) That notwithstanding Sub-section 11(2)(iii) of Zoning By-law No. 6593, a maximum building height of 6-storeys or 24.0 metres shall be permitted.

   (c) That notwithstanding Sub-section 11(3)(i)(b) of Zoning By-law No. 6593, a minimum front yard depth of 5.0 metres shall be provided and maintained.

   (d) That notwithstanding Sub-section 11(6) of Zoning By-law No. 6593, a minimum landscaped area of 23% shall be provided and maintained.

   (e) That notwithstanding Sub-section 18(4)(iv) of Zoning By-law No. 6593, a 1-storey accessory parking garage shall be permitted in a side yard.

   (f) That notwithstanding Sub-section 18A(1)(a) of Zoning By-law No. 6593, parking shall be provided at a rate of 1 parking space per dwelling unit.

   (g) That notwithstanding Sub-section 18A(1)(b) of Zoning By-law No. 6593, a minimum of 3 visitor parking spaces, in addition to the parking required under Sub-section 2.(f) of this by-law, shall be provided and maintained for a multiple dwelling.

   (h) That notwithstanding Sub-section 18A(1)(c) of Zoning By-law No. 6593, no loading space shall be required.

   (i) That notwithstanding Sub-section 18A(7) of Zoning By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.

   (j) That notwithstanding Sub-section 18A(8) of Zoning By-law No. 6593, every parallel parking space shall have dimensions not less than 2.4 metres wide and 6.7 metres long.
(k) That notwithstanding Sub-section 18A(14g) of Zoning By-law No. 6593, required parking is permitted in a front yard, except that any parking proposed in a front yard shall be closer than 16m to either the easterly or westerly side yard.

3. 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 “E” (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, subject to the special requirements referred to in Section 2.

4. That Zoning By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1639.

5. That Sheet No. W3 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1639.

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 [ ], 2011.

______________________________  ________________________________
R. Bratina                     R. Caterini
Mayor                          Clerk

ZAC-10-048
Schedule "A"

Map Forming Part of
By-Law No. 11-_____
to Amend By-law No.6593

Subject Property
50 Murray Street West, Hamilton
Change in Zoning from the "D" (Urban Protected
Residential - One and Two Family Dwellings,
Etc.) District to the "E/S-1639" (Multiple
Dwellings, Lodges, Clubs, Etc.) District
Macdonald, Greg

From: Phil Reilly  
Sent: Monday, January 24, 2011 6:12 PM  
To: Macdonald, Greg  
Subject: ZAC-10-048

We are the owners of 57 Murray Street W, (directly opposite the proposed new development)

One of our main concerns is the parking on Murray street. There is already limited parking on this street and the application appears to allocate no visitor parking whatsoever. We would like to see the issue of visitor parking to this new development addressed.

Another issue is the amount of heavy equipment that will be brought in once the zone is changed. Will the heavy equipment affect the old houses on this street in any way?

Phillip & Nancy Reilly  
33 Twelfth St  
Toronto ON M8V3G8
Macdonald, Greg

From: Rose Marie Charron
Sent: Wednesday, January 26, 2011 10:20 AM
To: Macdonald, Greg
Cc: Charron Tom (home)
Subject: Zoning Bylaw Application ZAC-10-048

Mr. Macdonald,

I am writing this email on behalf of my parents, Domenico & Antonietta D'Avanzo, who live at 65 Murray St. W. Hamilton. I have full power of attorney for their affairs and I such I am writing you on their behalf.

My parents and I are in full support of this application, ZAC-10-048, to convert the school across the street into a multiple dwelling condominium residence as per the plans provided. We believe this initiative will not only benefit the immediate neighbourhood, but the City of Hamilton as a whole. We also hope this initiative will generate other development in the area.

Rose Marie Charron