SUBJECT: Application to Amend the Hamilton Zoning By-law for Property Located at 186 Ferguson Avenue North and 201 Robert Street (Hamilton) (PED09325) (Ward 2)

RECOMMENDATION:

That Zoning Application ZAC-09-029, 1201159 Ontario Limited (Martin Hotz), Owner, for a further modification to the “H-'H'/S-1569a” (Community Shopping and Commercial, etc. - Holding) District, to permit a “hospital parking facility” both as an additional permitted use, and as a use which would be permitted to operate on the site without requiring the removal of the ‘H’ Holding provision, for property located at 186 Ferguson Avenue North and 201 Robert Street, Hamilton, as shown on Appendix “A” to Report PED09325, be approved on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED09325, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(b) That the proposed change in zoning conforms to the City of Hamilton Official Plan and the Hamilton-Wentworth Official Plan.
EXECUTIVE SUMMARY:

The proposal is for the rezoning of the property located at 186 Ferguson Avenue North and 201 Robert Street to permit the development of a commercial parking lot comprising a maximum of 640 parking spaces, to be used by the Hamilton General Hospital (HGH) primarily for employee parking. The HGH has undergone considerable growth in recent years and will have a projected 36% increase in staffing levels by 2010. The HGH has also developed additional specialized facilities for cardiac care, research and rehabilitation, such that the campus is now fully developed.

The proposal is consistent with the intent and vision of the Places to Grow Plan, the Provincial Policy Statement, and the Hamilton-Wentworth Official Plan in terms of supporting mixed-use development and Brownfield redevelopment. The proposed parking lot is considered to be part of the community infrastructure of the hospital, and is necessary for the functioning of the hospital in order to help sustain current staffing levels and functions of the HGH. The range of commercial and residential uses permitted by the existing zoning would be retained.

The proposal would comply with the intent of the City of Hamilton Official Plan, the Setting Sail Secondary Plan, and the approved Hamilton Urban Official Plan, which supports mixed-use development by providing a transitional form of development that will accommodate mixed-use development at the intersection of Barton Street and Ferguson Avenue North. In addition, the proposed parking lot would address an immediate need for parking by the HGH, and would be subject to high design standards in terms of landscaping, which may encourage the future revitalization of this site.

Hamilton Zoning By-law No. 6593 permits parking on sites which adjoin or which are opposite to a public hospital, provided that the parking lot is owned by the hospital. Although the subject lands are not owned by the Hamilton Health Sciences, they are located opposite from an ancillary facility of the HGH and Hamilton Health Sciences, and are in close proximity to the hospital. As such, the proposal can be supported because it is similar to the intent of this regulation.

BACKGROUND:

The subject land is located in the Beasley Neighbourhood and is the site of lands which comprised part of the Hotz Manufacturing site. The property is currently an undeveloped Brownfield site, and has frontage on Ferguson Avenue North and Barton Street East. The property has been the subject of previous Zoning By-law Amendment applications, which are outlined as follows:

2005 Rezoning Application (ZAC-05-090)

Rezoning Application ZAC-05-090 was approved by City Council on January 10, 2007. This amendment changed the zoning of the property to the “H”-“H” (Community Shopping and Commercial, etc. - Holding) District, Modified, and to the “DE-2” (Multiple Dwellings - Holding) District, Modified, to facilitate the development of the site for a
range of mixed-use commercial and multiple residential uses. The ‘H’ Holding provision was applied to the approved zoning to prohibit development on certain blocks of the site until the construction of new buildings along a portion of the Barton Street East frontage, having a minimum width of at least 30 metres. The ‘H’ Holding provision was also applied to restrict development of sensitive uses on any part of the site until the completion of a satisfactory Record of Site Condition.

The approved zoning was developed to address urban design concerns associated with the development of a mixed-use project having frontage along 2 roads, and includes special provisions for visual barriers, landscaping, setbacks, built form, and the restriction of front yard parking. The development concept identified future commercial buildings along Barton Street, with commercial parking to the rear. Residential uses were intended to be developed further to the south on lands that were to be severed, and which are not included in this application (see Appendix “F”).

**2007 Rezoning Application (ZAR-07-051)**

Zoning Amendment Application ZAR-07-51 was approved by City Council on January 30, 2008. The rezoning application added a drive-thru facility to be included in the “H-‘H’/S-1569a” (Community Shopping and Commercial, etc. - Holding) District Zoning as an additional permitted use on the subject lands.

The previously approved zoning (Rezoning Application ZAC-05-090) prohibited drive-thru facilities due to the policies provided in Setting Sail. However, in the review of Rezoning Application ZAR-07-051, it was determined, through OMB Order 2191, delivered on July 19, 2007 (to address one of the Setting Sail appeals), that the restriction of drive-thru facilities would not apply to the subject lands.

**Current Proposal (ZAR-09-029)**

The applicant is requesting a Zoning By-law Amendment to permit a commercial parking facility as an additional permitted use within the “H-‘H’/S-1569a” (Community Shopping and Commercial, etc. - Holding) District. The proposed commercial parking facility would comprise a maximum of 640 parking spaces, and is intended to be for the use of Hamilton General Hospital staff and visitors. The proposed site plan identifies one driveway entrance/exit to be located along Barton Street East, west of the intersection, and two driveway entrances/exits along Ferguson Avenue North, south of the intersection. The proposed rezoning of the parking area on the subject property does not affect the rectangular portion of land located at the intersection of Barton Street East and Ferguson Avenue North, which is intended to be used for future mixed-use development (see Appendices “A” and “C”).

The Zoning By-law Amendment is also being requested to permit the proposed parking facility to be developed on the site without requiring the removal of the ‘H’ Holding provision. The zoning regulations, however, currently require that the ‘H’ Holding provision remain in effect until the construction of buildings has commenced at the corner of Barton Street East and Ferguson Avenue North. This requirement was
provided through the approval of Zoning By-law Amendment ZAC-05-090. The proposed rezoning would, therefore, exclude the lands located at the intersection for the future parking lot. The proposed parking lot is intended to be managed by Hamilton Health Sciences.

The applicant has also submitted a Site and Landscaping Plan (Application DA-09-064), which has been circulated concurrently with the proposed rezoning application (see Appendix “C”).

**Background on the Hamilton General Hospital**

The Hamilton General Hospital (HGH) is one of five City hospitals which operate under the Hamilton Health Sciences Corporation, the City’s largest employer. The HGH is recognized as a world leader in cardio-vascular health care and research, it is a nationally recognized facility for spinal cord rehabilitation, and is one of three regional centres in Ontario for trauma. The HGH has undergone extensive reorganization and has required new staff for programs in cardiac care, which has resulted in the number of employees within the main building growing from 2,836 in 2006 to 3,431 in March 2009, for an increase of 21%. This change has also resulted in the addition of approximately 400 beds to the main hospital building.

In addition, the development of new buildings and additions on the HGH site has resulted in an increase of 50% for the total building floor area and the complete build out of the existing campus. The completion and opening of a 7-storey Cardiac Research Centre (June 2009), west of the parkade to the rear of the Hospital and comprising 18,360 square metres, has resulted in the addition of 200 employees. Another 100 employees are also expected to be relocated from other City hospitals by January 2010. The completion and opening of a 3-storey Rehabilitation Centre for Brain Injuries (September 2009), along Wellington Street North, comprising 9,904 square metres, has also resulted in 120 employees being added, plus 100 additional beds. The overall increase in the number of HGH employees since 2006 will be approximately 36% by January 2010.

The Cardiac Research Centre and the Rehabilitation Centre were developed under Hamilton Zoning By-law No. 6593. At the time of the Site Plan Approvals, there were no parking requirements in the Zoning By-law that applied to hospitals. However, with the approval of the Major Institutional Zone under By-law 07-101 on March 28, 2007, the requirement for hospital parking is now in effect for new development on hospital sites, and is based on 1 space per 100 square metres of gross floor area.

In addition to the above, the redevelopment of the Mark Preece Hospice at 191 Barton Street East is also expected to require additional parking to accommodate approximately 14 beds.
Existing Parking

The existing parking facilities that are available for the HGH are shown on Appendix “G” and consist of the following:

1. A multi-level parking structure, consisting of 660 spaces, primarily for visitors is located on the HGH Campus along Victoria Avenue North, north of the main hospital building.

2. An employee parking lot is located at 325 Wellington Street North which comprises 637 parking spaces. (This project was developed through Site Plan Application DA-06-113 to replace a 500 space parking lot on the HGH site which was removed to accommodate the Rehabilitation Centre.)

3. A parking area has been developed along Birge Street, north of the HGH Campus adjacent to the CN Railway lands, which accommodates 70-80 vehicles.

4. A public parking lot is located on the southeast corner of Victoria Avenue North and Barton Street East, consisting of 125 spaces.

5. A public parking lot is located on Victoria Avenue North, north of Barton Street, consisting of 40 spaces.

6. A shared parking lot is located on Victoria Avenue North, opposite the parking structure, consisting of 55 spaces.

7. A parking area for visitors to the Rehabilitation Centre is located on the HGH Campus off of Birge Street, consisting of 16 spaces.

8. An underground parking area for approximately 200 spaces is provided for the Well Health Centre at 293 Wellington Street North, across from the HGH.

Also, off-site parking for 150 parking spaces is currently being provided at Liuna Station for employees via shuttle bus to the HGH, following the opening of the Rehabilitation Centre.

Based on the foregoing, the total amount of available parking for all lots, including the Well Health Centre for HGH visitors, patients, and employees, would be close to 2,000 spaces. In addition, short-term metred parking from 1-3 hours is also available on all of the arterial streets surrounding the HGH, and free non-metred parking is available for up to 3 hours on the neighbouring local streets.

Details of Submitted Application

Owner: 1201159 Ontario Limited (Martin Hotz)
SUBJECT: Application to Amend the Hamilton Zoning By-law for Property Located at 186 Ferguson Avenue North and 201 Robert Street (Hamilton) (PED09325) (Ward 2) - Page 6 of 26

Location: 186 Ferguson Avenue North and 201 Robert Street (See Appendix “A”)

Property Size: Frontage: 184 metres on Ferguson Avenue North
42 metres on Barton Street East
20.13 metres on Cathcart Street

Depth: 184 metres (along Ferguson Avenue North)

Area: 2.52 Hectares (6.22 Acres)

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
<td>Subject Lands:</td>
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<tr>
<td>Vacant</td>
<td>“H-‘H’/S-1569a” (Community Shopping and Commercial, etc. - Holding) District</td>
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<tr>
<td>Surrounding Lands:</td>
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<td>North</td>
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<td>Vacant Industrial, Commercial and Residential</td>
<td>“K” (Heavy Industry, etc.) District, Modified, “K/S-1077 (Heavy Industry, etc.) District, Modified and “K/S-1077a” (Heavy Industry, etc.) District, Modified</td>
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<tr>
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<tr>
<td>Industrial and Residential</td>
<td>“H” (Community Shopping and Commercial, etc.) District, “H/S-1259” (Community Shopping and Commercial, etc.) District, Modified, and “D” (Urban Protected Residential - One and Two Family Dwellings, etc.) District</td>
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<td>Residential and Commercial</td>
<td>“JJ/S-378” (Restricted Light Industrial) District, Modified, and “DE-2-‘H’/S-1569” (Community Shopping and Commercial etc. - Holding)) District, Modified</td>
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ANALYSIS / RATIONALE:

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

   (i) It is consistent with the general intent of the Places to Grow Growth Plan and the Provincial Policy Statement.

   (ii) It conforms with the general intent of the policies of the Hamilton-Wentworth Official Plan and the Hamilton Official Plan, which supports mixed-use development and the development of parking lots in which there is a demonstrated need for parking.

   (iii) The proposed development would be consistent with the general intent of the approved Setting Sail Secondary Plan to support mixed-use development. Although new surface parking areas are discouraged, the recommended approach is to encourage the transition of the site to include mixed-use and commercial development.

   (iv) The proposal is consistent with the general intent of the Hamilton Zoning By-law to permit parking lots on lands which adjoin or which are located opposite from a public hospital, provided the parking lot is owned by the Hospital. The proposed parking lot is not owned by HHS, but would be located opposite from an ancillary facility of the HGH and Hamilton Health Sciences, which provides hospital services rather than the main HGH campus. It is reasonable to consider the proposal in light of the location and function of this ancillary use.

2. The Provincial policies, which include the Places to Grow Growth Plan, the Provincial Policy Statement, and the Hamilton-Wentworth Official Plan, generally encourage the development of compact communities, which uses land efficiently, and development which allows for mixed-use.

   In particular, the subject property is intended to support future commercial uses and mixed-use development at the intersection of Ferguson Street and Barton Street, on a portion of lands that have been excluded from this proposal. The further development of commercial uses on the property, including the development of the corner, has not been precluded through this application. In
addition, the development of future uses may be encouraged by providing infrastructure such as pavement, lighting, and landscaping.

The proposed parking lot may, over time, allow for more efficient and compact development on the site by providing opportunities for shared parking with other uses, or the development of a parking structure to accommodate future commercial and mixed-use development.

In addition, the recent changes towards the intensification of the HGH site exemplifies the concept of “compact development” by utilizing existing space within the hospital’s main building to accommodate additional facilities and increases in staffing levels by developing underutilized lands to the north of the main building, including a 7-storey building, and by providing additional programs and services off-campus within leased space at 293 Wellington Street North.

In terms of Brownfield redevelopment, the proposed commercial parking lot would represent the first step in a process that would result in the redevelopment of the Hotz property. The development of the subject property would make use of the property, which has remained undeveloped, and would serve an important community need to provide parking for a use that is currently underserved. The use would provide new landscaping, walkways and lighting, and may stimulate the development of the corner portion of the property.

The Places to Grow Growth Plan further identifies the need to provide an efficient system of community infrastructure, comprising lands, buildings, and structures which support uses such as those which serve public health. Similarly, the PPS identifies the importance of optimizing public service facilities to support long-term economic growth. The proposed parking lot, given it’s proximity to the HGH, would be supportive of the hospital’s facilities, which are necessary for its operations and efficiency given the current high staffing requirements.

In terms of transit use, the proposed parking lot is unlikely to affect existing transit user-ship as the facility is required to address existing parking needs, which are the result of new services, employee relocation and restructuring, and reflect the 24/7, 365-days per year operating requirements of the HGH. Employees who currently use public transit to commute are likely to continue that practice. The intended development of a future Bus Rapid Transit System (BRT) line along Barton Street, which is identified in the Transportation Master Plan, may, over time, enable a larger number of hospital employees to commute by bus, thereby lessening the demand for parking.

3. The City of Hamilton Official Plan designates the subject property, “Central Policy Area” and “Special Policy Area 3”. The Official Plan generally discourages the development of commercial parking lots within the Central Policy Area, through Policy 2.8.8 in order to encourage the use of public transit for commuter users.
In light of the policy direction to discourage parking lots (as opposed to prohibiting them), the development of parking lots may, therefore, be considered in certain circumstances. The proposed parking lot would be intended for development as a type of interim or transitional use, which would not preclude the development of the property for planned future commercial and mixed-uses. The proposed parking lot is a necessary component of the HGH infrastructure to ensure operational efficiency, recognizing that there is an existing undersupply of parking, and the site is within a location that would serve the parking needs of the hospital. In addition, the proposed parking lot would reduce the impact of employee parking on side streets within the hospital district, and provide additional parking opportunities for visitors.

The “Central Policy Area” and “Special Policy Area 3” policies encourage mixed-use development. Mixed-use development is intended to occur along Barton Street near the intersection of Ferguson Avenue, which was identified in previous applications as being the focal area of this site. The proposed parking lot would not interfere with future mixed-use development that is intended for the corner portion of the site (see Appendix “C”).

The parking lot would likely postpone the development of future commercial uses along that portion of the subject lands fronting onto Ferguson Avenue North in the near-term. However, as the corner portion is developed, it is anticipated that the lands along Ferguson Avenue will also become attractive for commercial development, and since commercial zoning is in place, the parking lot can easily be redeveloped to accommodate future buildings.

4. The Setting Sail Secondary Plan, which is approved, but not in effect, due to an OMB appeal, designates the subject lands “Mixed Use”. Mixed Use areas permit apartment buildings, including those with ground floor, street-related commercial and/or community uses. The Mixed Use policies have been developed to exclude commercial parking lots as stand-alone uses, and to permit the development of parking lots only in conjunction with other land uses, underground, or within structures.

Concerns with stand-alone surface commercial parking lots relate to visual matters with respect to impacts on the image and character of an area due to their expansive nature, and because parking lots do not encourage local pedestrian activity as they are intended to serve commuters rather than the neighbourhood.

Recognizing the hospital’s current staffing levels and requirements for additional parking, the proposed parking lot is intended to function as a type of transitional use which will, over time, be developed to include mixed-uses and other commercial uses. As the site is developed, the parking will be located to the rear of buildings, and other options, such as shared parking or the development of a parking structure, may also be considered to utilize the site more efficiently.
Policy A.6.3.6.4.1 of Setting Sail directs that redevelopment and improvements within the Barton Street Corridor shall reinforce its role as a retail street; better connect the residential areas to the north and south; create a safe and inviting pedestrian environment; and enhance the mixed-use character of the street. In addition, Barton Street, between Wellington Street and James Street, is referred to in Setting Sail as a “corridor of gradual change”, which takes into consideration transitional forms of development and the transformation of the area over time.

The need to encourage mixed-use development along the subject property at the corner of Barton and Ferguson and eastward along Barton Street was recognized in Rezoning Application ZAC-05-90. In the current application and on the proposed site plan, this area has also been identified for future mixed-use development, which would facilitate pedestrian activity along Barton Street.

As noted in Rezoning Application ZAC-05-90, the provision of a landscaped architectural feature along Barton Street, between future buildings consisting of a wall and landscaping, will create a street presence and allow for the screening of the parking area. The extension of this treatment would also be considered through site plan approval for the portion of the parking area to the east that would be exposed along Barton Street.

The subject lands are also within the Ferguson-Wellington Corridor, which would prohibit parking from being developed in front of buildings which face Ferguson Avenue and Barton Street (Policy A.6.3.5.3.4iv). This policy is consistent with the Mixed-Use policies, which require parking in association with other uses to occur only to the rear of sites, underground, or within structures.

While the proposed parking lot would have exposure from Ferguson Avenue, this is intended to eventually accommodate additional commercial uses. When development occurs, it is expected that the parking area will be less visible from Ferguson Avenue as commercial buildings are added to the site. As well, parking structures may also be considered if the use changes due to commercial development.

With respect to Public Transit, Policy A.6.3.3.5.1 directs that new development and redevelopment shall support the use of public transit by creating a comfortable pedestrian environment, and providing main entrances on public streets, close to intersections, where appropriate.

As noted, the proposed parking lot is intended to be the first step in the redevelopment of this site, which will be further enhanced by mixed-use development at the intersection and other commercial development along Ferguson Avenue. These uses are expected to be developed in accordance with the Setting Sail policies, which support mixed-use and commercial development for this location, as well as activities which support pedestrian activity and public transit use.
5. The new Hamilton Urban Official Plan, approved, but not yet in effect, includes policies that encourage the development of compact, mixed-use, transit-supportive, and active transportation-friendly neighbourhoods in Policy Goal 3.1.1 of the “Neighbourhoods” designation. Policy Goal 3.1.4 encourages design which enhances and respects the character of existing neighbourhoods, and encourages them to evolve.

The Neighbourhoods designation permits local commercial uses which would include a range of retail, office, services, and restaurants that would serve the local area. Policy 3.3.10.1 directs that surface parking shall be discouraged, and parking located below grade or in parking structures shall be encouraged in order to create safe, pedestrian-oriented streetscapes.

As in Setting Sail, Policy 3.3.10.4 directs that where it is proposed, surface parking should be located to the sides or rear of buildings, to enable the development of a continuous street edge. As previously noted, the recommended approach for this site is that the proposed parking lot would be developed primarily as an interim use, which would transition over time to accommodate mixed-use and commercial development, in addition to employee parking. In addition, as Provincial and Federal funding is not available for parking facilities, the HGH is unable to develop an above-ground parking structure. However, this may be a future consideration for the site.

The new Hamilton Urban Official Plan identifies, in Policy 4.1.1, the need to provide a balanced and integrated transportation network which includes all modes of transportation. Policy 4.1.4 directs that urban areas should be planned so that automobile travel is an option, rather than a necessity.

In particular, public transit is given an increasingly important role in the future development of the City. Policy 4.2.5 directs that public transit shall be an integral component of planning for new development, and redevelopment of residential uses and all new commercial employment, institutional, and mixed-use centres within the urban areas of the City. Policy 4.2.6 directs that there shall be an incremental increase in public transit use, with service levels directed to areas in which there are transit services.

As noted, the development of the proposed parking lot is unlikely to reduce the number of existing users who require transit to travel to the HGH. The proposed parking lot is intended to meet an existing need for parking, which has occurred due to rapid employment growth within the HGH and the development of new services and departments. The location of the HGH outside of the Downtown, the occurrence of lengthy shifts for medical employees (i.e. 12-hour shifts for medical employees), and commuting requirements, within and outside the City, are likely some of the factors that contribute to the high parking demand by employees. Another consideration is that the proposed parking lot is expected to satisfy a sizeable portion of the parking supply issue, but it may not provide all of the parking required for the HGH. Therefore, there would still be options for the
consideration of public transit and other modes of travel to the HGH for a number of its employees and visitors.

In addition, it is possible that as more employees relocate to the neighbourhoods near the HGH, transit use may increase. The development of Bus Rapid Transit (BRT) service along Barton Street, to provide faster and more efficient service, has been identified in the Transportation Master Plan and may also contribute to increased transit user-ship for HGH employees in the future.

Policy 3.6.2 identifies measures to address air quality and climate change. These include promoting compact mixed-use communities, the use of active transportation and public transit, and a reduction of the “heat island effect”. The effective use of landscaping, through the Site Plan Approval process, would help to mitigate the climate change issues such as the heat island effect in the near-term, while the intended transition of the parking lot to support additional uses and the development of a rapid transit system to better serve the commercial area along Barton Street, are measures that will provide improvements over the longer term.

6. Recognizing that the provision of adequate employee parking is critical to the operation of the HGH for the delivery of quality health care and services, and that parking is also a component of the community infrastructure of the HGH, a review was undertaken to better understand the parking requirements of the HGH. The following information is provided:

- The HGH has increased by nearly 900 additional employees since 2006, and is expected to increase to 1,000 employees by January, 2010. Of this number, 320 employees (increasing to 420 in January, 2010) are the result of the development of the Rehab Clinic and Research Centre. This amount would represent a 36% increase in the number of employees within a period of less than 4 years. Additional parking above previous levels was only provided for 637 spaces through the development of the new employee parking lot on Wellington Street North.

- The HGH accommodates approximately 70% of their total number of employees during daytime shifts when parking demand is highest. This would amount to 2,600 employees at present, and 2,700 employees by January, 2010, within HGH buildings during regular daytime hours.

- Hamilton Health Sciences estimates that at least 400 additional parking spaces are required to accommodate patients and visitors parking needs due to the commensurate increase in the number of employees.

- A review of the existing parking facilities available for the HGH, both on site and on adjacent properties, identifies approximately 2,000 spaces overall. This review has shown that parking for all sites is close to capacity during
regular daytime hours. To elaborate, the 6-storey parking structure on the HGH site is frequently full, the employee parking area on Wellington Street North is currently operating at capacity, parking along Birge Street and the CN lands is at capacity, and the other smaller public lots along Victoria Street North are also operating close to or at capacity during daytime hours.

- The undersupply of parking for the HGH is difficult to tabulate and is conservatively estimated at between 800-1000 spaces, however, it may be greater. The proposed parking lot for a maximum of 640 spaces is expected to satisfy a significant portion of the current parking demands, especially for employees, but is unlikely to satisfy all of the current and future parking requirements of the HGH.

7. Pursuant to Section 3(26) of By-law No. 6593, if the subject lands were acquired by the HGH, then those lands could be used as-of-right for hospital parking.

The function of the Hamilton General Hospital has evolved continuously, particularly following amalgamation so that it now provides a broader, regional function for trauma, as well as for areas such as cardiac care and research, and rehabilitation. The role of the Hamilton Health Sciences Corporation has also evolved to provide greater linkages between hospitals and the sharing of employee resources.

There has been a trend towards developing a broader range of health facilities and programs, such as outpatient clinics. Due to more limited space within the HGH, the “Well Health Centre” located across from the HGH at 293 Wellington Street North has evolved into an ancillary facility of both the Hamilton Health Sciences Corporation (HHSC) and the HGH. The facility is leased by Hamilton Health Sciences and is zoned Site-Specific “K/S-1770” (Heavy Industry, etc.) District, which permits medical uses. The property currently houses clinics for orthopaedic research, rehabilitation, diabetes, and addictions to provide outpatient services for the HGH as well as providing research, capital development, and information technology for the HHSC.

This facility has a portion of its frontage on Barton Street East, which includes an access driveway and is located on the opposite side of the street from the easterly portion of the subject lands. Although this facility does not meet the definition of “Public Hospital” in Zoning By-law 6593, it is regarded as having an ancillary function to the HGH. On this basis, the proposed parking lot is considered to be suitably located to serve the hospital.

8. In accordance with the City’s public participation policies, notice of a complete application was circulated to the neighbouring property owners. In response to this notice, four letters were received from residents of this area (see Appendix “E”). The concerns identified relate to the following matters:
Land use compatibility;
Servicing;
Neighbourhood issues;
Nuisances; and,
Traffic and Parking.

The specific concerns and analysis of the issues are provided in the following discussion:

(i) Land Use Compatibility

Concerns were expressed with respect to the possibility of better sites within the neighbourhood for the proposed parking lot (e.g. Jackie Washington Park), and whether other uses would be better for the neighbourhood such as recreation or institutional.

The guidance for the long-term development of this area is provided in the Setting Sail Secondary Plan. The development of new commercial parking lots is not encouraged in Setting Sail, however, the parking needs of the HGH are recognized. Setting Sail identifies the subject property within the Mixed Use designation, which encourages the development of ground floor commercial and retail uses with apartments above the ground level along Barton Street, and other types of commercial development elsewhere on the property.

(ii) Servicing

Concerns were expressed with respect to excessive storm water run-off due to the property being largely comprised of an asphalt surface.

The proposed parking lot would require storm water management to be provided as part of Site Plan Approval to ensure that the site drains properly into the City’s storm system, and that there is no spill-over of storm water onto neighbouring properties.

(iii) Neighbourhood Issues

Concerns were expressed with respect to whether the proposed parking is likely to affect the high incidence of street parking in the area, and whether the proposal will result in the demolition of existing housing.

Street parking is available on many of the side streets in the area surrounding the HGH and along the perimeter of the Hospital block to facilitate short-term parking needs of 1-3 hours. The parking permitted along the arterial streets is metred, whereas the parking along side streets south and east of the hospital is free, but limited to 1-hour periods. Due to
the shorter duration of the street parking, it is primarily intended for public use rather than for use by employees. As the proposed parking lot would serve the HGH, it would likely alleviate some of the pressure for on-street parking in the surrounding area.

There is no existing housing that would be removed as a result of the proposed parking lot.

(iv) **Nuisances**

Concerns were expressed with respect to the parking lot increasing noise levels, lighting, and concerns with the maintenance of the parking lot.

The proposed parking lot would be subject to Site Plan Approval to ensure that the development of the site is in accordance with the City's development standards. In particular, landscaping, in the form of a 3 metre wide buffer and landscaped islands, would be required to enhance the aesthetics of the property with respect to the proposed use, and safe, barrier-free, pedestrian access would also be required. In addition, fencing and lighting would be required to address security and safety issues.

The submission of an approved Lighting Plan is a requirement of Site Plan Approval. The Lighting Plan would need to demonstrate that lighting impacts would be directed onto the subject property, and that there would be no spill-over from overhead lighting onto abutting properties.

(v) **Traffic and Parking Issues**

Concerns were expressed with respect to increased traffic along Ferguson Avenue, potential conflicts with pedestrian safety due to the Wesley Centre and high traffic volumes for the parking lot, problems with access and maintenance of the laneway due to high traffic for the adjacent Tim Horton’s, the consideration of HGH’s parking needs prior to their recent expansions, and on-street parking problems.

Concerning the issue of increased traffic along Ferguson Avenue, Traffic Engineering has identified that a Traffic Study will be required as part of the applicant’s Site Plan Approval. The Traffic Study will include traffic capacity information for the intersection, a traffic signal warrant review, and turning lane specifications and design requirements.

With respect to pedestrian safety, this matter will also be examined as part of the site plan review process. In addition, an internal walkway system within the proposed parking lot will also be required to facilitate a continuous barrier-free pedestrian linkage.
With respect to the laneway, which is located east of the subject property and which leads to the rear of the Tim Hortons, it has been noted that it is a public laneway and is owned and maintained by the City of Hamilton. If the proposed parking lot is developed, it would not impact the existing laneway.

With respect to the parking needs of the HGH, at the time of the site plan approvals in 2006 for the 2 largest additions to the HGH Campus, (the Cardiac Research Centre and the Brain Injury Rehabilitation Centre), there were no parking requirements for hospitals. To compensate for the loss of the 500 parking spaces from the site, which were removed to accommodate the additions, a new parking area was constructed to the west at 293 Wellington Street North for HGH staff comprising 637 parking spaces.

While there was no parking requirement under By-law 6593 for the new construction, these additions would now require parking to be based on the current requirements of the Major Institutional (I.3) Zone of 1 space per 100 square metres of gross floor area (GFA), which came into effect under Zoning By-law 07-101. This would consist of 282 parking spaces.

9. An amending By-law will be required to include a commercial parking facility as a permitted use. Based on the development concept submitted, the proposed development concept would require special zoning provisions and modifications, as outlined below:

1. **Parking Space Size**

   To permit the parking spaces to be 2.6m by 5.5m, in accordance with new standards developed for Zoning By-law 05-200, rather than 2.7m by 6.0m under By-law 6593. As such, the requested modification is currently in effect for the Downtown and can be supported.

2. **Use of Parking Lot**

   It is recommended that the parking use be limited in the Amending Zoning for the use of hospital employees and visitors (rather than a commercial parking lot for the general public) in order to serve the parking needs of the HGH exclusively.

   Additional measures to ensure that the use does not become a commercial parking lot will be addressed at the Site Plan Review stage, and would include the provisions for a control gate system and HGH signage at the driveway entrances and specific wording for HGH use to be included in the signed Letter of Undertaking.
3. **Exemption from Holding “H” Removal**

A special regulation is required to permit the parking lot to be developed in advance of the development of new buildings at the corner of the property (southeast intersection), which would allow the Holding symbol ‘H’ to remain in effect until the corner lands are developed. This regulation can be supported, as it does not effect site remediation requirements, however, additional landscaping would be required through Site Plan Approval, particularly at the intersection and on street frontages to address the development of a surface parking lot without the addition of buildings.

10. Recognizing that there are issues associated with the creation of large, surface parking areas that are visible from the street, the proposed parking lot would be subject to high development standards to ensure that the site is enhanced visually with suitable landscaping and architectural treatments, and that safe pedestrian access is provided. The intent is for the development of an appropriately landscaped parking lot which would be suitably developed as a stand-alone use rather than the replication of a commercial mall parking lot. The high standards of development that are intended for this use are depicted in the artist’s rendering provided in Appendix “D”.

The applicant has submitted a preliminary Landscape Master Plan as part of this application and for the Site Plan to address landscaping, access, and fencing requirements (see Appendix “C”). The features of this plan include the following:

- The frontages along Ferguson Avenue North and Barton Street East would have a 3 metre wide planting strip to accommodate trees and shrubs, including decorative grasses, and would include a stone wall between 0.63 and 0.95 metres in height.

- A 1.5 metre wide planting strip would be provided along the remaining perimeter of the property, and would include strategic landscaping clusters. Privacy fencing and an armour stone retaining wall would be provided adjacent to the residential and future residential areas to the south and east.

- A 2 metre wide planting strip, consisting of shrubs and running parallel to Barton Street, is proposed south of the lands located at the intersection, which are intended for future mixed-use development.

- A single continuous barrier-free pedestrian walkway to traverse the site in a north-south direction is to be provided along the central portion of the parking lot.
Staff is still reviewing the application in conjunction with Site Plan Approval, but would recommend that the proposed landscaping plan be enhanced with additional trees along the 2 frontages, along the perimeter, and that additional plantings be provided within the interior of the lot without impacting the number of spaces.

11. The site is served at present by a combined sewer system, which is required to be realigned. Prior to grading, approval is required from the Ministry of Environment for the realignment in accordance with Site Plan Approval. An agreement for the replacement of the existing sewers is also required by the City following the MOE approvals, as well as a 12 metre easement to address future maintenance requirements for the sewer.

12. The applicant has elected to undertake a Risk Assessment with the Ministry of Environment for the development of the proposed parking lot to address the types of risk management measures that are required for this use and the future development of the site. The applicant’s Risk Assessment has identified that the use of clean imported fill would act as a protective barrier between the underlying soils containing COCs (contaminants of concern), and would serve as a suitable growing medium for vegetation and allow for the infiltration of surface water. The proposed methodology for landscaping would involve the provision of clean soil to a depth of 1.5m below ground surface, with a top layer consisting of 0.15m of topsoil. The layer below the clean fill would consist of 0.2m of compacted clean clay silt fill, which would be separated from existing fill by a geotextile filter fabric (see Appendix “C”, Page 2).

The Ministry of Environment has indicated that the proposed methodology is acceptable and has issued a Certificate of Property Use (CPU) for the site. The applicant’s methodology would provide a higher level of site remediation than the standard use of above-grade planter boxes as it would allow for the replacement of contaminated soil with clean fill and landscaping.

**ALTERNATIVES FOR CONSIDERATION:**

Should the proposed application for amendment to the Zoning By-law be denied, the subject lands may be used in accordance with the “H-‘H’/S-1569a” (Community Shopping and Commercial, etc. - Holding) District, for the development of commercial and medium residential uses.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - N/A.

Staffing - N/A.

Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.
POLICIES AFFECTING PROPOSAL:

Places to Grow

One of the key principles identified in Places to Grow is with respect to the effective management of growth. The City of Hamilton is required to accommodate 40% of all new residential growth within the Built-up Area starting in 2015. New development is required to be designed to support public transit and maximize the use of existing infrastructure.

In particular, the Plan identifies, in Section 2.2.2, the following objectives to sustain future growth:

- Building compact, transit-supportive communities in designated Greenfield areas;
- Reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments;
- Providing convenient access to intra- and inter-city transit;
- Supporting the provision of efficient community infrastructure which includes lands, buildings, and structures required for public health; and,
- Promoting the redevelopment of Brownfield sites.

The proposed parking lot conforms to the general intent of the above-noted policies.

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS).

Policy 1.1.3.1 states that settlement areas shall be the focus of growth, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on:

a) Densities and a mix of land uses which:

1. Efficiently use land and resources;

2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and,
3. Minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with Policy 1.8.

Policy 1.1.3.3 states that planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including Brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policy 1.7.1 states that long-term economic prosperity should be supported by:

a) Optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities;

b) Maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;

c) Promoting the redevelopment of Brownfield sites;

The proposed parking lot is consistent with the general intent of the PPS.

**Hamilton-Wentworth Official Plan**

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1.1 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. As well, the Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

The Hamilton-Wentworth Official Plan also promotes the development of a compact urban form, including mixed-use areas (Policy 3.1), which also provides opportunities for other transportation options such as walking and bicycling, effective community design (Policy 3.1.1), and the provision of public transit to enhance its use as a viable alternative to the automobile (Policy 4.3.2.1).

Concerning site remediation, the Hamilton-Wentworth Official Plan directs that redevelopment must not occur until it has been demonstrated that a proposal will not put people in significant risk.

The Hamilton-Wentworth Regional Official Plan also recognizes the City’s hospitals increasingly important role in employment and economic growth.

The proposed parking lot conforms to the general intent of the Plan.
Hamilton Official Plan

The subject property is designated “Central Policy Area” and “Special Policy Area 3” within the Hamilton Official Plan. The following Official Plan policies, among others, are applicable to this application:

“2.8.1 To promote the CENTRAL POLICY AREA as a multi-use node for both the City and the Region, a wide range of uses will be permitted where compatibility among adjacent uses can be achieved. The primary uses permitted in the CENTRAL POLICY AREA, as shown on Schedule “A”, will be for the following:

i) Commercial Uses such as, but not limited to, retail department stores, food, specialty and general merchandising establishments; personal services; head and branch offices and public administration offices; hotels; mixed commercial and residential uses; and in keeping with the Commercial policies set out in Subsection A.2.2 of this Plan;

2.8.8 To encourage the use of Public Transit and reduce the potential use of private automobiles in the CENTRAL POLICY AREA, Council may discourage the use of public parking facilities for long-term commuter parking in the area.

The proposed parking lot conforms to the general intent of the Plan.

New Hamilton Urban Official Plan

The New Hamilton Urban Official Plan was approved by City Council on July 9, 2009, and is currently pending Ministerial approval. The subject lands are within the area of the West Harbour “Setting Sail” Secondary Plan, which is currently pending a decision by the Ontario Municipal Board. Setting Sail is expected to be integrated into the Hamilton Urban Official Plan as a Secondary Plan, if it is approved by the OMB.

Until the approval of “Setting Sail”, the land use policies which would apply to the subject lands under the new Hamilton Urban Official Plan are provided under “Neighbourhoods” and “Mixed Use Medium Density”.

Under the “Neighbourhoods” designation, the following goals and policies would be applicable to the development of the subject lands for the proposed hospital parking lot:

Policy Goals:

“3.1.1 Develop compact, mixed use, transit-supportive, and active transportation-friendly neighbourhoods.”
3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods, while at the same time allowing their on-going evolution.

General Policies:

3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:

(c) Local community facilities/services, etc.; and,

(d) Local commercial uses.”

The following policies are applicable to Urban Design, and more specifically, design policies in relation to parking lots:

Urban Design Goals:

“3.3.1.3 Create pedestrian-oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities;

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

Parking Lots:

3.3.10.1 To create and enhance safe and attractive, pedestrian-oriented streetscapes, surface parking shall be discouraged and parking located below grade or in parking structures shall be encouraged;

3.3.10.2 Shared parking facilities shall be encouraged, where appropriate;

3.3.10.4 Where surface parking is proposed, it should be located to the sides or rear of buildings, to enable the development of a continuous street edge, and the creation of quality urban spaces consistent with Section B.3.3.2 - General Policies and Principles;

3.3.10.5 Parking areas shall be connected to the street through safe, landscaped, pedestrian walkways.”

Air Quality and Climate Change policies would also be applicable and would include the following:

“3.6.2 (g) Reducing the heat island effect through the use of reflective roofs, green roofs, natural landscaping, and increasing the tree canopy.”
The proposed parking lot is a permitted use in the Neighbourhood designation and would conform to the general intent of the Plan.

**West Harbour Secondary Plan “Setting Sail” (Council Adopted)**

The West Harbour Secondary Plan (OPA No. 198), known as “Setting Sail” on March 23, 2005, and is currently under appeal.

The subject lands are designated “Mixed Use” in Schedule 2, General Land Use Plan. Policy A.6.3.3.1.17 directs that Mixed Use areas permit apartment buildings and apartment buildings with ground floor, street-related commercial and/or community uses. However, commercial parking lots are not intended to function as stand alone permitted uses.

In addition, directs that where parking is required for various uses, Policy A.6.3.3.1.17 would prohibit front yard parking, and would direct that parking be provided at the rear of sites, underground and/or in above-grade structures behind buildings, with access from public streets or laneways.

Policy A.6.3.6.4.1 directs that redevelopment and improvements within the Barton Street Corridor shall seek to reinforce its role as a retail street; better connect the residential areas to the north and south; create a safe and inviting pedestrian environment; and enhance the mixed-use character of the street. Policy A.6.3.6.4.2 would also encourage development to occur on parking lots which front onto Barton Street. The development of new parking lots is not encouraged.

The subject lands are also within the Ferguson-Wellington Corridor, which would not permit parking to occur in front of buildings which face Ferguson Avenue and Barton Street in Policy A6.3.5.3.3vi).

With respect to Public Transit, Policy A.6.3.3.5.1 directs that new development and redevelopment shall support the use of public transit by creating a comfortable pedestrian environment and providing main entrances on public streets, close to intersections, where appropriate.

The proposed parking lot would conform to the general intent of the Plan.

**Ferguson Avenue Master Plan (Revitalization Study)**

The Ferguson Avenue Master Plan (1996) includes urban design guidelines which encourage parking lots to be visually minimized, restricting parking to the rear of buildings and restricting it from being developed in the front yard. The purpose of the guidelines is to create a landscaped pedestrian-oriented corridor for the revitalization of Ferguson Avenue, spanning 3 neighbourhoods between the Escarpment and the Bay.
More specifically, Section 4.3.2 provides direction for revitalizing Ferguson Avenue and encouraging improved land use efficiency by reducing surface parking lots through redevelopment, encouraging mixed use development, and through the construction of parking structures. In addition, the creation of a green corridor would require that parking lots be provided to the rear of buildings rather than along the street frontages.

**RELEVANT CONSULTATION:**

**Traffic Engineering and Operations Section, Public Works Department:**

The Traffic Engineering Section has advised of the following:

- A Traffic Study is required in conjunction with Site Plan Approval to include Level of Service calculations and a Traffic Signal Warrant Review at Barton Street East and Ferguson Avenue North for existing conditions and 5 years into the future;

- The study will address turning lane requirements and design specifications on Barton Street and Ferguson Avenue. If a traffic signal is warranted, all costs including design will be the responsibility of the applicant. Concerns with permitting left turns from the site to Barton Street should be considered in this Study. The Study should also consider the existing cross section of Barton Street to determine sufficient storage, taper, and width for car and truck traffic;

- There will be a need for a westbound turn lane on Barton Street. This may entail modifications to an existing 3 metre wide median to create a new left turn lane;

- The study should further demonstrate that the proposed queue lengths are appropriate as there is limited space for vehicle queuing at the proposed access driveways on Ferguson Avenue North;

- It is recommended at Site Plan that it be confirmed that Emergency Vehicles are able to circulate the parking lot;

- The proposed access curve radii may need to be increased to 9 metres to accommodate garbage, delivery, and emergency vehicles.

These matters will be addressed at the Site Plan Approval stage.

**Strategic Planning Section, Public Works Department:**

The Strategic Planning Section has advised of the following:

- The proponent should consider how the intersections of Barton Street East and Ferguson Avenue North, and Barton Street East and Wellington Street North in the area will function with full build out of this site.
Recommendations of the City of Hamilton Stormwater Management Master Plan for source and conveyance control should be incorporated into the servicing plan due to increase of impervious area.

Development Engineering should provide detailed stormwater management comments regarding the updated Storm Drainage Policy and Criteria and Guidelines for Stormwater and Infrastructure Design.

Forestry and Horticulture Section, Operations and Maintenance Division, Public Works Department:

Forestry and Horticulture has identified that there is 1 Municipal tree (on Road Allowance of Barton Street) and 35 trees located in the boulevard on Ferguson Avenue North. No trees are located on the property at 201 Robert Street.

These trees should be identified on future plans after approval of the rezoning, and that a Tree Management Plan be submitted for the future Site Plan Application to allow a final determination of construction impact.

Rapid Transit Section, Public Works Department:

Barton Street is identified as a future secondary Bus Rapid Transit (BRT) route. An additional commercial parking area, located just outside the Downtown Secondary Plan Area (which prohibits new commercial parking facilities) and directly adjacent to a Secondary Corridor for Rapid Transit, as identified in the City's Transportation Master Plan, does not support the City's current policy direction.

Hamilton Conservation Authority:

The Hamilton Conservation Authority (HCA) has noted that the site is served by a combined sewer system, and stormwater quality control will not be required. As the proposed parking lot will increase the imperviousness of the site, HCA will require the implementation of stormwater quantity control and the installation of appropriate sediment and erosion control measures as conditions through the Site Plan Approval process.

Public Consultation

In accordance with the Public Participation Policy, this application was precirculated to all property owners within 120 metres, and a sign was posted on the site. A total of 525 notices were circulated. There were 4 letters submitted from the public (see Appendix “C”). The issues and concerns identified have been addressed in the Analysis/Rationale section of this Report.

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

By evaluating the “Triple Bottom Line”, (community, environment, and 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 public are involved in the definition and development of local solutions.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected. In addition, the proposal will allow for partial remediation of the site, to the satisfaction of the MOE.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact, mixed use development minimize land consumption and servicing costs. The proposed parking lot will accommodate future mixed use development on the corner, and will encourage the further redevelopment of the site over time.

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

:CT
Attachs. (7)
Appendix "A" to Report PED09325

Location Map

File Name/Number: ZAR-09-029
Date: July 21, 2009
Appendix "A"

Subject Property
186 Ferguson Avenue North & 201 Robert Street

Proposed change in Zoning to permit a parking lot for Hamilton General Hospital.
CITY OF HAMILTON

BY-LAW NO. [Blank]

To Amend Zoning By-law No. 6593
As Amended by By-laws 07-026 and 08-021

Respecting Lands Located at 186 Ferguson Avenue North and 201 Robert Street

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 [Blank] of Report [Blank] of the Economic Development and Planning Committee at its meeting held on the [Blank] 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. E3 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “H-H/S-1569a” (Community Shopping and Commercial, etc.) Holding District, Modified, to the “H-H/S-1569b” (Community Shopping and Commercial, etc.) Holding 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, regulations, as contained in Section 14 of Zoning By-law No. 6593, as amended by By-law 07-026 and By-law 08-021, applicable to the subject lands, be further modified as follows:

   (a) That Section 6.2 PERMITTED USES of By-law 07-026 is amended by adding the following additional use: A Commercial Parking Lot for a maximum of 640 spaces to be used only in conjunction with the Hamilton General Hospital.

   (b) That Section 2 of By-law 07-026 be amended by adding the following paragraph at the end thereof: The requirement for the removal of the ‘H’ Holding Symbol shall not apply to the development of a Commercial Parking Lot on the subject lands.

   (c) That notwithstanding Section 18A(7), the minimum size of parking spaces shall be 2.6 metres by 5.5. metres.

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 “H-H/S-1569b” (Community Shopping and Commercial, etc.) Holding District provisions, subject to the special requirements referred to in Section 2.

4. That Sheet No. E-3 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1569b.

5. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1569b.

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 [redacted] day of [redacted], 2009.

__________________________  __________________________
Fred Eisenberger               Kevin Christensen
Mayor                           Clerk

ZAC-09-029
Appendix "B" to Report PED09325
By-law Respecting 186 Ferguson Avenue North and 201 Robert Street (Hamilton)
(Page 4 of 4)

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

Clerk

Mayor

Schedule "A"
Map Forming Part of
By-Law No. 09-______
to Amend By-law No. 6593

Subject Property
186 Ferguson Avenue North & 201 Robert Street
Change in zoning from the "H-H/S1566a" (Community
Shopping and Commercial, etc. - Holding) District,
Modified to the "H-HS-1566b" (Community Shopping
and Commercial, etc. - Holding) District, Modified

Scale: N.T.S.
Date: October 16, 2009
Planner/Technician: CT/NE
## Proposed Planting Schedule

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### Plant List

- Guarantee all plant material for a minimum of 2 years.
- The specimens noted above are good for contaminated conditions.

**Key Abbreviations:**
- B&B = Balled & Buriapped
- WB = Wire Basket

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### Proposed Planting Methodology

*Supported by MOE*
1. Subsequent courses offset to create running bond pattern.
2. Each course must be glued with block adhesive (two 1/4" beads x 10"
   long/stone).
3. No foundation required for stone piers unless specified by manufacturer.
Appendix "E" to Report PED09325
Correspondence from Public
(Page 1 of 5)

Thomas, Cameron

From: mdewyk1@cogeco.ca
Sent: Wednesday, September 16, 2009 12:52 AM
To: Thomas, Cameron
Subject: proposed parking facility on Hotz property on Ferguson Avenue

*there are already a large number of parking lots in the area. The West Harbour and Transportation Plans both call for residential developments and transit facilities to support them.
*the Jackie Robinson Rotary Park would have been a better place to put such a facility. It is closer to the existing facility and to the hospital itself. Additionally, it is not directly across the street from a large housing development and down the street from the elementary school which is now under construction. the JRRF is bordered by a four-lane,way-way arterial so the air quality is probably poor at times.
*Ferguson Avenue's paving style is designed to support local, low volume traffic only.
*there will be conflict between users of the parking lot and clients of the Wesley center. Some people think that will be a good thing because they think the Wesley clients will leave but one person at Wesley has told that they are neutral about the parking as long as no on interferes with their clients.
*although some people think that the lighting and security measures in the lot will mean less crime, a police officer has told me that is not necessarily true.
*when the HGH expansion was on the drawing board, the problem of parking should have been considered. Did someone just decide that paving over two more blocks would be OK?
*there is a perception that further expansions are planned for HGH. That that mean more parking will be needed? I have talked to Mr. Black at Standard Parking who manage HGH parking. He said that he is the last to know and HHS could ask for more at any time.
*Mr. Black also stated that the length of the lease on the property could be as long as 25 years although others say it would be five years only. Has it really been decided?
*parking on streets in the area is already a problem because hospital employees and visitors would naturally park free.
*given a choice these people going to continue to do so when the alternative is to pay and then walk three blocks especially during bad weather.
*if someone were to propose this kind of thing in the Durand neighbourhood when St. Joseph's hospital expanded, would it be allowed? Beasley is a low-income area and their needs are just as real as others.

I believe this covers all of things we discussed during our meeting. Thank-you.
Thomas, Cameron

From: lisa parsons [lisaparsons@porchlight.ca]
Sent: Wednesday, August 19, 2009 4:54 PM
To: Thomas, Cameron
Subject: re. file No. ZAR-09-029

Dear Sir,

I am emailing my comment to you about the planning of a parking lot on Ferguson Ave. across the street from the Wesley Centre. I am NOT happy about this plan! I have enough to deal with what with the wesley centre clients keeping me up after 11pm (esp. during the week leading up to cheques coming out) and staff and police not keeping them in line. And in summer they sprawl out on the boulevard across the street during the day. I don't want to have to deal with the noise and traffic of a parking lot as well. Also, I want to be able to enjoy what little of green space there is available that the wesley centre clients can't get to and wreck.

Would you please consider a recreation centre for kids to go to after school and during the summer months for this space? Or have a year round labrinth and like kind of thing instead? A spiritual centre for all faiths of sorts with a couple stone statues (Buddha, Mary and Jesus, Gaia, Vishnu and a representative of different faiths of the community) and a couple trees and plants. It would be more beneficial, I think, than having ANOTHER parking lot. I notice that there are a few parking lots near the Urban Core health centre and the old Greyhound bus station on Rebecca st. and they don't seem to be especially well kept. Why spend more money on a new parking lot when you could not spend as much and upgrade on the lots that we already have?

Please keep these thoughts in mind during your city meetings in the future and try to apply them.

Lisa
Mr Thomas;

My husband and I (Carol and Bill Craig 8 233 Wellington St N) would like to express our concerns in regards to the proposed Parking lot at Robert and Ferguson St's.

We bought our home at 233 Wellington in July 2007 and since we have been her the lane way behind our home has been an on going problem. The customers of the Tim Horten's at the bottom of the lane use our lane way as a street to get to Tim Horten's. This excessive traffic has caused a number of problems: cars going down the lane at all hours of the day and night with no regard to speed, huge potholes that are damaging all the residents cars and not least of which the noise of some of these cars ie loud engines and music.

We have had the City come out a few times and all they do is throw dirt in the holes for the most part and as soon as it rains the dirt washes away and we are left with huge potholes again. I believe that if this parking lot goes forward this situation will only get worse. I believe if the parking lot does go forward it is the responsibility of the City, the Hospital and Tim Horten's to ensure our lane way is fixed by putting a more permanent surface down and maintaining it in good order.

If the parking lot doesn't go forward I still think the City and Tim Horten's have a responsibility to come up with a permanent solution for our lane way.

Thanks

Carol Craig

905-296-7334
September 3, 2009

Cam Thomas  
City of Hamilton  
Planning and Economic Development Dept.  
77 James Street North, Suite 400  
Hamilton, ON L8R 2K3  

Dear Sir:

SUBJECT: Notice of Complete Application and Preliminary Circulation to amend the Hamilton Zoning By-Law  
6593 Purposed Parking Lot Ferguson Ave. N.

I was appalled to receive the letter dated Aug. 17th regarding the above subject. Foremost, because it is only two years since the city approved the area for housing. Secondly, because we have enough surface parking lots, and thirdly, the proposal will increase the lack of safety for pedestrians who live in the area.

In spite of 2020 and the city's secondary plan, it is obvious that the car rules this city, and that Hamilton Health sciences can disrupt everyone's lives. When the city approved the parking lot on Wellington North, around the Mission Services building, why was a research not done to insist on a parkade rather than a field of asphalt? This would not have disrupted a neighbourhood and been more environmentally responsible. Where are the people who live in the current housing to be demolished supposed to live? Have you looked at the wait list for social/subsidized housing?

With the recent flooding, everyone has been aware that the current infrastructure cannot handle the run-off over-paved properties. I know this has bee up graded on Barton Street, but what about the homes on Cathcart, when rainwater runs into the gully behind the houses. When the trees are cut down, what will keep the soil from eroding?

People obviously have a very low priority in this city. I have lived on Ferguson Avenue North for twelve years. I began my tenure by attending OMB hearings regarding the Wesley Centre next door. In spite of the traffic-lights at Cannon and Ferguson, many of the homeless people just jay-walk from Beasley Park to the Chev-Olds dealerships, and do the same on Barton Street, to get to the bus stop or grocery store, where there is no light. For responsible people who live in the area, (Wellington or Mary is often too far for people using canes or walkers to go), I have been told a study will have to be done to determine the feasibility of lights at this intersection.
From a purely selfish point of view, I do not want all that obvious exhaust or lighting outside my bedroom window. I have respiratory problems, and sleep is very important to my quality of life.

Sincerely,

Mary Sinclair

Mary Sinclair
185 Ferguson Street North #509
Hamilton, ON
905-972-8181

cc Councillor Bob Bratina
Solutions for Housing Action Committee (SHAC)