SUBJECT: Application for a Change in Zoning for Lands Located at 728 Sanatorium Road, Hamilton (PED06183) (Ward 8)

RECOMMENDATION:

That approval be given to Zoning Application ZAC-06-10, Columbia International College (c/o Jim Campbell), owner, for a change in zoning from the “AA” (Agricultural) District, Modified, to the “AA”-‘H’ (Agricultural – Holding) District, Modified, to permit the development of a second student residence for 350 students, for lands located at 728 Sanatorium Road (Hamilton), as shown on Appendix "A" to Report PED06183, on the following basis:

(a) That the subject lands be rezoned from the “AA” (Agricultural) District, Modified, to the “AA”-‘H’ (Agricultural - Holding) District, Modified.

(b) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed Zoning District. The Holding provision will prohibit the development of the subject lands until such time as a Servicing Study for capacity of the existing sanitary sewers has been submitted and approved, to the satisfaction of the City’s Manager of Development Engineering.

City Council may remove the ‘H’ symbol, and thereby give effect to the “AA” District, Modified, provisions as stipulated in the By-law, by enactment of an amending By-law once the condition is fulfilled.

(c) That the draft By-law, attached as Appendix “B” to Report PED06183, which has been prepared in a form satisfactory to the City Solicitor, not be forwarded to City Council for enactment, until the owner pays all outstanding municipal taxes to the satisfaction of the Corporate Services Department (Tax Administration/Banking Section).
SUBJECT: Application for a Change in Zoning for Lands Located at 728 Sanatorium Road (PED06183) (Ward 8) - Page 2 of 11

(d) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The purpose of the application is to modify the current zoning of the subject lands to permit the development of an additional student residence for 350 students. Staff has recommended the subject lands be placed in an ‘H’ Holding zone until such time as a Servicing Study has been submitted and approved to determine there is adequate capacity of the existing sanitary sewers for the development.

The proposal has merit and can be supported as the changes in zoning are consistent with the Provincial Policy Statement and conform to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan. The proposal is compatible with existing and planned land uses in the surrounding area.

BACKGROUND:

Proposal

The application is for a change in zoning for lands located at 728 Sanatorium Road, Hamilton (see Appendix “A”). The purpose of the application is to permit a new student residence and to reduce the required parking for the new and existing residences.

Currently, there is an existing male student residence accommodating 250 students on the subject lands. In addition to this, the site provides associated parking and amenity areas including a basketball court. The proposed new residence would be accommodated in a separate building adjacent to the existing residence. As detailed in the concept plan (see Appendix “C”), this building would be a maximum of 4 storeys in height and would be sited towards the north end of the subject lands, adjacent to Scenic Drive. The building would accommodate 350 female students with the overall parking on site for both residences reduced to 93 parking spaces from 150 spaces required for the existing residence.

The existing student residence was originally constructed and used as a residence for nursing school students. The building was then utilized as a teaching facility for the Health Sciences Program at Mohawk College, before a zoning application was submitted to convert the building back to a student residence. That application was subject to an appeal to the Ontario Municipal Board by the applicant due to Council’s refusal of the application. The appeal was allowed and the application was approved subject to conditions on February 13, 2001. The Board concluded that the proposed Zoning By-law...
Amendment required to accommodate the 250 student residence conformed to the applicable Official Plan Policies and represented good planning. This decision amended the minimum number of parking spaces to be provided to 150 spaces.

**Official Plan Amendment No.135 and By-law No. 96-152**

The purpose of Official Plan Amendment No. 135 was to establish the Chedoke Planning Area Secondary Plan. The plan redesignated a portion of vacant lands surrounding Chedoke Hospital situated within the Mountview and Westcliffe West Neighbourhoods from “Major Institutional” to “Residential” and “Open Space”. The subject lands remained “Institutional” in recognition of their association with Chedoke-McMaster Hospitals at that time.

By-law No. 96-152 reflects the Official Plan Amendment and zoned the subject site to an “AA” District, Modified, which permits a hospital and accessory medical uses and related parking, a day nursery, a residential care facility for not more than 40 persons, a sanatorium, medical offices, and a laboratory.

**Details of Submitted Application:**

**Owner/ Applicant:** Columbia International College, (c/o Jim Campbell).

**Location:** On the southeast corner of Sanatorium Road and Scenic Drive. The property has 132m frontage along Scenic Drive and 307m frontage along Sanatorium Road (see Appendix “A”).

**Description:**

- Frontage: 132 metres (Approx.)
- Depth: 360 metres (Approx.)
- Area: 23,440 sq. metres

**EXISTING LAND USE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
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<tbody>
<tr>
<td>Subject Lands:</td>
<td>Student residence</td>
<td>“AA/S-1363c” (Agricultural) District, Modified</td>
</tr>
<tr>
<td><strong>Surrounding Lands:</strong></td>
<td></td>
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<tr>
<td>North</td>
<td>Vacant</td>
<td>“AA” (Agricultural) District, Modified</td>
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<tr>
<td>South</td>
<td>Institutional</td>
<td>“AA” (Agricultural) District, Modified</td>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   
   (i) It is consistent with the Provincial Policy Statement and complies with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan;
   
   (ii) The proposed use is compatible with existing and planned uses in the immediate area; and,
   
   (iii) The proposed student residence is an efficient and sustainable use for the site which will utilize the existing infrastructure of the area.

2. Proposed Zoning

Currently, there is an existing 3/4 storey high student residence, amenity area and parking lot on the subject property. The proposed change in zoning would permit the development of an additional 4 storey, student residence and associated parking, adjacent to the existing building.

The “AA/S-1363c” (Agricultural) District, Modified, which currently applies to the site, permits a 250 student residence and requires a minimum of 150 parking spaces. Further modifications to the “AA/S-1363c” District would be required in order to accommodate the additional number of students, a definition for “student residence” for the new residence, a reduction in parking and a reduced minimum front yard setback. In addition to these modifications, the regulations for the proposed “AA” (Agricultural) District, Modified will ensure the height of the new building, the proposed interior side yard setback, and setback for the parking and loading areas remain as proposed (See Appendix “C”). These modifications are detailed in the amending By-law (see Appendix “B”) and are evaluated in greater detail in the following section.

3. By-law No. 6593 defines a student residence as “a building used for the purpose of accommodating students in dwelling units or other separate quarters and erected under the National Housing Act, provided that such building may include common areas and cooking and dining facilities”. Since the proposal is privately funded, the reference in the By-law definition to the National Housing Act does not apply. In this regard, it is appropriate to include a definition of “student residence” for the new residence without reference to the National Housing Act.
This definition has been carried forward from the previous site-specific By-law and is detailed in the amending By-law in Appendix "B".

4. Engineering staff reviewed the proposal and notes that there are existing municipal storm and sanitary services available to service the site directly. However, sanitary capacity may be an issue and, as such, a servicing study will be required to determine if there are capacities in the existing sanitary sewers. In order to ensure this capacity question is resolved prior to development, an ‘H’ Holding provision is recommended as part of the change in zoning as detailed in Appendix “B”.

It is also noted that there is an existing municipal watermain within an easement over the subject lands that will require relocation at the sole expense of the owner. The owner will be required to relocate the existing watermain at the site plan stage.

5. In accordance with the Public Participation Policy that was approved by City Council on May 29, 2003, a preliminary notice of this application was sent to 71 property owners within 120 metres of the subject lands. A Public Notice sign was posted on the subject lands and notice of the Public Meeting will be given in accordance with the Planning Act.

Five letters were received in response to the preliminary notice of circulation (attached as Appendix “D”). Concerns raised in the letters included additional disturbance from students, the existing curfew not being enforced, increased traffic, overshadowing, increase in litter, and a reduction in land values. An analysis of these issues is provided in the following section of this report.

Traffic and Parking Issues

Currently there exists a contract between Columbia International College and Hamilton Street Railways, dated 2002. As part of the agreement, students of Columbia are sold student bus passes and from those fees the College finances a private bus carrier to ensure the students do not take peak hour HSR buses. The present carrier is Attridge Bus Lines which transports students from the Catherine Street and Sanatorium Road residences.

There are 7 buses which go to the Catherine Street residence starting at 7:30a.m. and they leave every 5 minutes taking the students to the school academic building at 1003 Main Street West. Once all the Catherine Street Students have been transported to the school, the bus goes directly to the Sanatorium Road residence to pick the students up at 7:55a.m. After school, starting at 3:45p.m., 3 buses go to the Sanatorium Road site and 3 more at 4:15p.m., and finally one bus at 5:00p.m.
The Traffic Engineering and Operations Section have provided comments regarding this application and raise no objections to the zoning application. Staff considers that the proposed application would not prejudice the safety of vehicular or pedestrian traffic.

With regard to the reduction in parking spaces, the applicant has submitted a Parking Study entitled “Parking Utilization Study Columbia International School Sanatorium Road/Scenic Drive”. This study was undertaken by Planning and Engineering Initiatives Limited in January 2006. The main findings of this report indicate that the proposed reduction in parking would not result in a significant loss of amenity, and that the proposed new minimum number of 93 parking spaces for the two student residences would be satisfactory.

In reviewing the proposed parking situation, Hamilton Municipal Parking Services notes that while no statistical data related to parking is available for this type of facility, estimates were made using the ITE Parking Generation Manual (3rd Edition). These estimates were based on comparisons to a middle school/junior school land use and a high school. Both indicated that a ratio of 0.11 spaces per student in an urban setting is sufficient. Based on this ratio, the total parking required for 600 students is 66 parking spaces. This is consistent with the recommendation made in the parking study.

It is, however, recommended by Hamilton Municipal Parking Services that the applicant achieve at least the proposed 93 spaces in order to accommodate any additional demands or “spikes” in student vehicle ownership. This proposed amendment is detailed in Appendix “B”. Under these circumstances, staff considers the provision of 93 parking spaces to be sufficient in order to accommodate the existing and proposed student residences.

**Overshadowing**

In addition to the parking study, the applicant has provided a shadow study detailing the impact the proposed new building would have upon the surrounding area on a diurnal and annual basis. The impact study concludes that the proposed new building would have no significant overshadowing impact upon the surrounding residential properties.

Staff notes that under the existing zoning, a six storey building would be permitted as-of-right. However, the submitted shadow study based its assessment upon a four storey, 16 metre high building, and a location as illustrated in Appendix “C”. Consequently, it is recommended that the height of the proposed new building be restricted to 4 storeys and 16 metres, and have a minimum interior side yard setback of 34 metres. It is considered that this would ensure no unacceptable loss of daylight is experienced by the surrounding residential properties.
A reduction to the minimum front yard setback would also be required to accommodate the building’s proposed location, which would result in a 9m setback as opposed to the required 12m minimum setback from Sanatorium Road. It is considered that this modification would not prejudice the amenities of neighbouring properties with regard to overshadowing and would be compatible with the streetscape character and, as such, can be supported.

**Impact of additional students**

In assessing the planning merits of the proposal, it must be noted that the demographic characteristics of the new residents is not a zoning issue and cannot be regulated by zoning. As such, this section of the report will focus only upon the potential impact that would result from the additional number of residents.

The intensification of this use would be in accordance with the density policies of the Hamilton Official Plan, which states (Policy A.2.6.2):

“MAJOR INSTITUTIONAL USES may be located in Residential neighbourhoods and will be encouraged to locate where they will function as a focus for the neighbourhood and on sites adjacent to other Institutional Uses, or a Neighbourhood Commercial use to permit the sharing of parking and other facilities in accordance with the following provisions:

i) Sufficient off-street parking and loading will be required, with particular consideration for their on-site location, and appropriate buffer and landscape treatment to effectively screen the development from surrounding uses;

ii) The proposal is of a scale that will be compatible to, and integrate with, the character of established or approved development in the surrounding area;”

The proposal also satisfies the provincial intensification policies. Policy 1.1.3.3 of the Provincial Policy Statement states:

“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.”

The location of both residences together on the same site would consequently allow the college to take advantage of the existing transportation links and services available at the subject lands, ensuring the sustainable transit of students and avoiding the necessity to create an additional college site within the City.
The above noted policies, along with the additional stated policies (see Pages 9 to 10 of this report) of the Hamilton Official Plan and the Chedoke Planning Area Secondary Plan, provide that institutional development is permitted in and adjacent to residential neighbourhoods, where it is compatible and complementary to the surrounding area through harmonious design and integration. It is staff’s opinion that this proposal conforms to all these planning policies given the recommended maximum density, height, and minimum setbacks. The proposal represents an appropriate example of infill development that will make efficient use of existing services, while ensuring that the existing character of the neighbourhood is maintained.

As such, the intent to provide higher density use of the subject site conforms to the City’s overall growth objectives. The modification to the existing By-law to permit the site to accommodate a total 600 students is considered consistent with the intent and purpose of these policies and, as such, can be supported.

In order to protect the adjacent residential area from potential impacts of the proposed parking area (Appendix “C”), staff recommends a modification in the zoning to require a minimum setback of 14 metres. It must be noted that the proposal is subject to Site Plan Approval. During this process, the berm as illustrated in Appendix “C” can be required as part of the landscape plan in order to mitigate any potential spill-over impacts (e.g. noise and visual impact of the parking area). Building orientation can also be controlled, in order to maximize privacy from windows for adjacent residents and to control lighting impacts.

Finally, with respect to the potential of noise disturbance from the additional student numbers residing within the site, it is noted that this would be regulated through a separate City By-law and enforced through the standard procedures. Any contravention of the Noise By-law by the occupants of the existing and/or new residence will be investigated and controlled by the City’s Building and Licensing Division. However, as detailed by the Vice President of the College to staff, further regulation of this By-law is provided on-site by Hallmasters of the College. This additional self-regulation is considered to further mitigate the possibility of the increased student numbers resulting in any unacceptable noise disturbance and/or increased littering.

Land Values

There is no data or information available to support the claim that the proposed development would impact residential land values of neighbouring properties.

**ALTERNATIVES FOR CONSIDERATION:**

If the application is denied, then the applicant has the option of using the site for the current range of uses permitted in the “AA/S-1363c” (Agricultural) District, Modified.
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A.

Staffing: N/A.

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

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The proposal is consistent with the principles and policies of the Provincial Policy Statement (PPS).

Hamilton-Wentworth Official Plan

The subject property is designated “Urban Area” in the Hamilton-Wentworth Official Plan. As the nature of the application is to allow for an intensification of the existing institutional use the proposal conforms to the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

The subject property is designated “Major Institutional” on Schedule “A” – Land Use Concept. The following policies of the City of Hamilton Official Plan, among others, are applicable to the proposed development:

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

A.2.6.2 MAJOR INSTITUTIONAL USES may be located in Residential neighbourhoods and will be encouraged to locate where they will function as a focus for the neighbourhood and on sites adjacent to other Institutional Uses, or a Neighbourhood Commercial use to permit the sharing of parking and other facilities in accordance with the following provisions:

i) Sufficient off-street parking and loading will be required, with particular consideration for their on-site location, and appropriate buffer and landscape treatment to effectively screen the development from surrounding uses;
ii) The proposal is of a scale that will be compatible to, and integrate with, the character of established or approved development in the surrounding area;”

Based on the foregoing, the proposal complies with the “Major Institutional” policies of the Hamilton Official Plan.

**Chedoke Planning Area Secondary Plan**

The subject site is designated “Institutional” by this plan. The following objectives and policies apply:

“A.6.1.1 The following Objectives constitute the fundamental guidelines which shall direct the development of the Chedmac Planning Area:

   iii) To ensure future residential and institutional development considers and is sensitive to surrounding existing residential development;
   
   xii) To minimize traffic through existing residential development;
   
   xviii) To provide Chedoke-McMaster Hospitals and new development with adequate full municipal services including sanitary sewers, watermains, stormwater drainage facilities and utilities, in a coordinated, comprehensive and environmentally sound manner.

A.6.1.2(ii) It is intended that the Chedoke-McMaster Hospitals be recognized as a valuable Community and Regional health facility. In addition, other institutional uses, including the Twin Pad Arena and the nursing home located on the south side of Chedmac Drive, provide community services to the Neighbourhood and Community. Lands designated “Institutional” shall be developed in accordance with the attached Schedule “J-1” – Chedmac Planning Area Secondary Plan, Subsection A.2.6 – Major Institutional Uses of this Plan and the following policies:

   c) The development of any new institutional facilities, including those associated with Chedoke-McMaster Hospital shall be designed to mitigate any negative impact on adjacent residential development.”

Based on the foregoing, the proposal complies with the policies of the Secondary Plan.

**RELEVANT CONSULTATION:**

**Agencies/Departments Having No Comment or Objections**

- Traffic Engineering and Operations Section, Public Works Department.
- Budget and Fiscal Policy Services, Corporate Services Department.
Revenues Division, Corporate Services Department, has indicated that as of March 31, 2006, there are outstanding charges to this address.

Public Consultation

In accordance with the Public Participation Policy that was approved by City Council on May 29, 2003, a preliminary notice of this application was sent to 71 property owners within 120 metres of the subject lands. A Public Notice sign was posted on the subject lands and notice of the Public Meeting will be given in accordance with the requirements of the Planning Act.

Five letters were received in response to the preliminary notice of circulation letter (attached as Appendix “D”). Concerns were raised in the letters, including additional noise disturbance from students, existing curfew not enforced, increased traffic/pollution, overshadowing, increase in litter, and a reduction in land values. An analysis of these issues is included in the Analysis/Rationale Section of this report.

CITY STRATEGIC COMMITMENT:

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

Community Well-Being is enhanced. ☑ Yes ☐ No
Arts, culture, archeological and cultural heritage are supported and enhanced.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

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

: EJ
Attachs. (4)
Change in Zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Ridgetop Lands) District. Lands to be rezoned from "AA" (Agricultural) District, Modified, to "AA-H" (Agricultural – Holding) District, Modified.
Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 6593 (Hamilton), as amended by Zoning By-law 96-152, and to repeal Zoning By-law 01-307, respecting lands located at 728 Sanatorium Road

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the City of Hamilton” and is the successor of 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 Section of Report of the Planning and Economic Development Committee at its meeting held on the day of , 2006, 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 W-36 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is hereby amended by changing from the “AA” (Agricultural) District, Modified to the “AA”-“H” (Agricultural - Holding) District, Modified, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “AA” (Agricultural) District regulations, as contained in Section 7A of Zoning By-law No. 6593, as amended by By-law No. 96-152, applicable to the lands in Section 1 of this By-law, be modified to include the following special requirements:

   (a) That notwithstanding Section 4(a) of Zoning By-law No. 96-152, two Student Residences for not more than 600 students attending Columbia International College shall be permitted;

   (b) For the purposes of this By-law, a “Student Residence” means a building used for the purposes of accommodating students in dwelling units or other separate quarters provided that such building may include common areas such as cooking and dining facilities and administration offices.

   (c) That notwithstanding Section 18A (1) of Zoning By-law 6593, not less than 93 parking spaces shall be provided and maintained for all student residences.

   (d) That notwithstanding Section 7(3)(i) of Zoning By-law 6593, a front yard of a depth of at least 9.0 metres shall be provided and maintained.

   (e) That notwithstanding Subsection 7(3)(ii) of Zoning By-law 6593, a side yard along a side lot line not abutting a street shall have a width of at least 34 metres for any building or structure erected after the date of the passing of this by-law, being the ______ day of ______, 2006.

   (f) That notwithstanding Section 4(b)(i) and (ii) of Zoning By-law No.96-152, the height of a building or structure erected after the date of the passing of this by-law, being the _____ day of _______, 2006 shall not exceed 4 storeys and 16 metres.

   (g) That notwithstanding Section 18A(11) (a) of Zoning By-law 6593, the boundary of every parking area and loading space on the surface of a lot adjoining a residential district constructed after the date of the passing of this by-law, being the ______ day of ______, 2006, shall be not less than 14 metres from the adjoining residential district boundary.

3. (a) The ‘H’ symbol referred to in Section 1 of this By-law shall be removed at such time as a Servicing Study for capacity of the existing sanitary sewers has been submitted and approved to the satisfaction of the City’s Manager of Development Engineering.

   (b) The ‘H’ symbol shall be removed by amendment to this By-law and the development of the lands referred to in Section 1 of this By-law may at such time proceed in accordance with the “AA” District provisions, subject to the special requirements referred to in Section 2 of this By-law.
4. That no building or structure shall be erected, altered or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “AA” District provisions, subject to the special requirements referred to in Section 2 of this By-law.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1363e.

6. Sheet No. W-36 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1363e.

7. In all other respects, By-law No. 96-152 is hereby confirmed, unchanged.

8. By-law 01-307 is hereby repealed in its entirely.

9. 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 , 2006.

______________________________________  _______________________________
MAYOR             CLERK

ZAC-06-10
This is Schedule "A" to By-Law No. 06—

Passed the.................. day of.................., 2006

Clerk

Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule “A”

Map Forming Part of By-law No. 06—_____

to Amend By-law No. 6593

Subject Property

728 Sanatorium Road (Hamilton)

Change in Zoning from the "AA" (Agricultural) District,
Modified to the "AA"-'H' (Agricultural-Holding) District,
Modified.
Mr. Edward Johns

Re file ZAC-06-10

Dear Sir:

I object to the changing in Zoning for the following reasons:

1. Instead of a view out back of greenery, we will be looking at a pile of brick.

2. Now it is in a quiet neighborhood, we will be having a noise factor.

3. With the proposed building in my backyard, it is going to make my house more difficult to sell.

4. The above will reduce value of my house.

5. Taxes will probably remain uncharged, and I have to put up with the above 4 items. Where is the fairness here?

Ron. Horse.
John, Edward

From:         Re: File No. ZAC-06-10
Sent:        Friday, March 31, 2006 3:59 PM
To:          John Edward
Subject:     File No. ZAC-06-10

Dear Sir,
We hope that City Hall will support us - the residents of
this community.

Will another Columbia College Student Residence improve the
quality of life for the residents in this area? - NO!

Here are the essential issues:

$\#9658$: How do some residents of West 35th Street feel about
seeing a four-storey building in their backyards?

$\#9658$: Do the home owners want the busy student residence
entranceway brought closer towards their backyards?

$\#9658$: Do the residents of the ward want more student
NOISE, litter, empty alcohol bottles, and stolen grocery
carts in their area?

$\#9658$: Where will the basketball/tennis courts be located?
During the spring, summer and fall, the students play
basketball and scream loudly/play music well into the night
(no one seems to enforce how loud the students are, or how
late into the night they play basketball). Tell the planning
architects that the cedar trees do not reduce the noise -
they are as effective as a tennis racket swatting a fruit
fly.

$\#9658$: Currently, there are a dozen Columbia students who
take the Sanatorium bus (the ones who do not take the
Columbia school bus) in the mornings and evenings - will
this double in size when the student residence population is
doubled? I have witnessed the elderly standing in the bus
while the Columbia students bud in front of them and take up
extra seats with their fees, and bags, often without regard
for others.

$\#9658$: With the proposed parking lot, some residents of
West 35th Street will be exposed to more car lights,
car/bus/taxi exhaust, loud car stereos, and students hanging
out/partying
closer to the residential backyards.

$\#9658$: You are just asking for trouble by building a
girls' residence next
to the boys' residence!

$\#9658$: Bringing another 350 students into the area will
increase the disturbing noise, late night weekend parties,
and neighbourhood student loitering.

$\#9658$: How will this affect residential housing prices in
the area?
John, Edward

From: [Redacted]
Sent: Wednesday, April 12, 2006 1:21 PM
To: John, Edward
Cc: [Redacted]
Subject: File No. ZAC-06-10

File No. ZAC-06-10

Dear Sirs,

Last night (April 11, 2006) several Pine Residence Columbia International College students were playing basketball in the dark, screaming, swearing/disturbing the surrounding residents WELL PAST THE NOISE BYLAW CURFEW TIME! They later travelled into the parking lot to create more disturbing noise well into the night. As a shift worker, this is very annoying to me to say the least! If this continues, I will have no choice but to take matters into my own hands!

This is not the first time this has happened - the elderly residents around this area timidly tolerate loud screaming at all hours of the night from your students - this makes me question the effectiveness of whoever monitors student curfew hours. I also wonder why the "Hallmaster" does not perform his duties consistently. Perhaps he is just a noisy student too? There have been instances where I have had to call the Hallmaster, because the students will just stand in the parking lot and scream/fight with each other or go from the residence to the adjacent field with bottles of alcohol and party loudly! Then the students toss their empty bottles into the field next to our backyards as they walk back to the residence. After there are complaints about the noise/partying, there is a brief couple of weeks of peace, then the noise starts up again!!!

If you cannot control these students now (and obviously you are not even aware of what they are doing), then what will happen when this student population is DOUBLED and females are added to the "partying" atmosphere? This once quiet neighborhood does not need, nor want another noisy residence!

--------------------------------------------------------
Upgrade your account today for increased storage, mail forwarding or POP enabled e-mail with automatic virus scanning. Visit our member benefits page at https://members.canada.com/benefits.aspx for more information.
John, Edward

From:        [ ]
Sent:  Tuesday, April 18, 2006 11:53 AM
To:  
Cc: John, Edward; Jim Campbell
Subject: Noise at Pine Hall after 9PM on Tuesday April 11

Dear Mr. Kowalski:

With reference to your email, General Manager Mr. Campbell asked Residence Director Mr. Yu and myself to investigate this incident. After a careful review of the hallmaster’s statement and after checking the video cameras, we concluded that there were indeed Columbia students in the parking lot.

Just before 10PM, three students asked the hallmaster’s permission to play basketball. The hallmaster declined to open the basketball court, reminding students that there was a city noise by-law in effect at 9PM each night. The three students then went out to the parking lot where they met three other students. They had a soccer ball among them and they went to the back of the parking lot (away from the basketball/tennis courts).

We apologize for any inconvenience this may have caused you and have taken the following steps to help prevent a recurrence.

1. Hallmasters (who are all Columbia staff members and not students) have been asked to be more vigilant in checking the parking lot after 9PM
2. These six students have been counselled and warned that they face disciplinary action if this is repeated
3. We will continue to educate all residents via homeroom announcements, daily PA announcements, and weekly video announcements on the need to observe quiet after 9PM and the need to respect the rights of the community in which they live.

Columbia’s Mission Statement ends with the following:

"Our commitment to excellence extends to the mutual benefit of our local community."

Columbia’s 27-year history of involvement in the Hamilton Community has shown that staff and students deeply care for the community in which many of us live, work, or go to school. Staff and students volunteer countless hours in the community and raise funds/donate food and clothing drives for many worthwhile causes such as the McMaster Children’s Hospital, the United Way, Interval House, Neighbour to Neighbour, CHML Xmas Tree of Hope, Heart & Stroke Foundation, Lung Association, Mission Services, the Art Gallery, Hamilton Crime Stoppers, Public Library, and Ronald McDonald House. We will continue to take all steps necessary to meet our commitment to the community, which includes respecting the rights of our neighbours.

4/18/2006
Please do not hesitate to contact me should you require further clarification or should you have any further concerns.

Kind Regards,

Ron Ramdarran
Vice-Principal, Columbia International College

4/18/2006
John, Edward

From: ...  
Sent: Monday, April 03, 2006 1:59 PM  
To: John, Edward  
Subject: File #: ZAC-06-10  For the people of this community?

File No. ZAC-06-10

Dear Mr. John,

None of us in this neighbourhood want another proposed student residence, and it is very sad that Councillor Terry Whitehead (and perhaps City Hall) will not support us, the neighbourhood residents who will be victimized by loud student noise, student gangs, increased litter, and increased bus/taxi pollution.

My main concern is the pollution and noise from the proposed several Columbia International College buses, and numerous taxis that wait for the students. Taxi cabs presently idle for hours at a time in front of the boys residence, and I don't want the bus and taxi exhaust/noise in my backyard! THEY SHOULD NOT ALLOW THE ENTRANCE OF THE PROPOSED RESIDENCE TO FACE THE RESIDENTS' BACK YARDS - THE ENTRANCE SHOULD FACE THE MAIN ROAD, LIKE THE BOYS' RESIDENCE! If the architects can't figure that out - at least have them put up retaining walls to prevent noise and pollution/litter from traveling into our yards!

Another concern I have is with the height of the proposed building. Four floors is too high! I used to enjoy sitting out in my back yard, but now, the sunset will be blocked by four floor of students looking down on me!

Another important issue is that my daughter often has been harassed by the black and Chinese students, while she is walking her dog in this area. This area is often a hang-out for the male students on weekends! She wants to take legal action with regards to this. We don't want gangs of kids loitering/screaming/littering/smoking/drinking near our peaceful backyards. On a similar note, placing a girls residence next to the boys' residence is just asking for trouble!

Please try and help those of us who cannot make it to the public meeting because we have to work.

Make our community better, not worse!

Thank you,

Robert O'Brien

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