



Lynwood Charlton Centre

MEMORANDUM

DATE: April 24th, 2012

TO: Members of City Council

FROM: Alex Thomson, Executive Director

REGARDING: By-law Modification Application – 121 Augusta Street

Ladies and Gentlemen:

I am providing this communication to make a request of each of you to consider all of the elements and processes that have occurred and been undertaken as you prepare for your final determination at City Council meeting on April 25th, 2012 regarding Lynwood Charlton's Rezoning application.

The determination before you requires leadership and making the right decision for the benefit, not only, of the 8 teenaged girls currently residing at Charlton Avenue residence, but also for the many young women who will seek the resource of the only all-female children's mental health residence in the City of Hamilton for years to come.

The Essence of the Application:

LCC proposes to relocate its 8 bed female adolescent residence from 56 Charlton Avenue West (de-intensifying a moratorium area) to 121 Augusta Street a distance of 8 blocks.

The application requests a modification on the City Radial Separation By-law allowing the 8 bed residence to be housed within the 300 meter radius where there are 2 other residences, including a LCC 6 bed residence on Forest Avenue and a 6 bed residential care facility on Catherine Street. This move would bring the total residence beds to 20 within the 300 meter radius; the number permitted by by-law, within a single site.

Planning Staff Report:

The report prepared by City staff does not support the application based on the Radial Separation by-law. However, the staff report states that in many other capacities the application is consistent with other Provincial and City requirements, including the Hamilton Official Plan and the New Urban Official Plan

The staff report relies on a technical response to a complex matter with limited analysis of the particular circumstances of this application. The report determines that the co-existence of two facilities (including the one at 135 Forest Avenue) within the 300 meter radius will have impact

on the saturation of the neighbourhood, but does not provide any substantive analysis or evidence of this position.

Neighbourhood Engagement:

LCC has actively attempted to engage the neighbours in Corktown to discuss the circumstances on a number of occasions, including holding an Open House at the site. Despite low numbers in attendance at the Open House the neighbours who did attend, with some initial worries, seemed satisfied with the explanations of what was being proposed by the end of the meeting. Once it became apparent that there were growing concerns fostered by the Corktown Neighbourhood Association LCC made a number of informal and formal attempts requesting to meet with the Association. The Association was unresponsive to the requests.

First Council Deferral:

At its January 25th meeting Council requested a deferral on the determination for the application, to allow for a joint investigation by City staff and LCC regarding possible alternative locations and solutions to the proposed relocation. The outcome of the joint investigation was as follows:

- **Search for Alternative Sites:** a city wide search resulted in one alternative site that met the particular requirements for the relocation of the program. The location was unsuitable on the basis that it would require the purchase of a \$1.3 million site, the management of existing tenants and require additional renovations to the site.
- **Search of Ministry Sites:** a review of residential sites known to the Ministry for similar use resulted in no available or suitable sites (none large enough for citing the 2 programs) being available.
- **City of Hamilton Resources:** a review of sites that may be suitable through the Hamilton Housing Authority resulted in no suitable solutions.
- **Rental of Augusta Space:** investigation of the rental of the vacant space at Augusta resulted in no solid possibilities and would require too many unpredictable risks to LCC, including finding a suitable non-residential long term tenant, and then finding a suitable residential location to relocate the Charlton residential program, with the potential for a similar zoning by-law application being required.

In the end, the joint investigation with your staff did not result in any viable alternative solutions being identified.

Second Council Deferral:

Prior to the Council meeting scheduled for April 11th LCC was approached by City staff to request its consideration of a City proposal which might allow LCC to remain at the Charlton site. The outcome of the Board of Directors' review and consideration of the City proposal is as follows:

- **Transfer of Ownership:** although the proposal would result in LCC owning the Charlton site, the proposal would require LCC to expend its reserve of \$450,000 on a portion of the \$1.2 million required repairs and upgrades (as outlined in the City commissioned Facility Condition Assessment Report Sept 2011), and results in a short fall of \$750,000 to complete the required repairs.
- **Additional Costs to LCC:** additionally, LCC would need to fund approximately \$1.5 million for renovations to provide a suitable functional facility for the housing of the 2 programs and to ensure a long term location for the Centre. (a total shortfall of \$2.25 million)

- **Investigation with Hamilton Home Builders Association:** at City staff's suggestion, LCC met with representatives of the Hamilton Home Builders Association to discuss possible support for undertaking the renovations at the Charlton site. The conclusion was that HHBA were limited to a \$20,000-\$25,000 granting process.
- **Temporary Relocation:** LCC would also need to manage the temporary relocation of the 8 bed residence for several months during renovations, and then also sell its Augusta Street site.
- **Sale of Augusta:** even with the sale of the Augusta site, with anticipated revenue of \$350,000, there is a shortfall of almost \$2 million.

The proposed relocation will not cost the City anything, and in fact, it will allow the City to dispose of its surplus property at 52-56 Charlton Avenue, with the potential to generate between \$450,000 and \$1 million in revenue.

Alternative Consideration:

As a matter of information, LCC has continually indicated a willingness to formally commit to limit the use of 121 Augusta to a maximum of 8 residential beds for the duration of its residential use at the site, and to support a reversal of the By-law variance if LCC determines to vacate the 121 Augusta site in the future.

Conclusion:

LCC is requesting that Council approve the application for a modification to its Radial Separation By-law allowing for the relocation of the LCC's Charlton Avenue 8 bed residence to 121 Augusta based on the following:

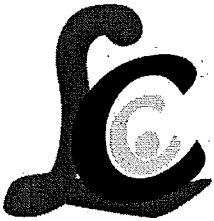
- **From a planning perspective,** the modification conforms to the spirit and intent of the By-law by achieving a de-intensification within the moratorium area and by limiting the number of residents within 300 meters of the site to the overall limit permitted in the by-law on one property (20 residents). The modification being requested is to permit them on three sites within 300 meters instead of one.
- **From a financial perspective,** the proposal allows Lynwood Charlton to proceed on the basis of utilizing its own funds that have been set aside for this purpose. The City is free to dispose of an asset and generate a return of between \$450,000 and \$1 million. The option of making the current site fit future needs of LCC not only results in a loss of potential revenue of \$450,000 - \$1 million to the City, it creates a further shortfall of almost \$2 million
- **From an operational perspective,** the current residential program at 52-56 Charlton Avenue has operated successfully for over 50 years in its current location without complaints from neighbours and without any evidence of having a detrimental impact on the neighbourhood.
- **From a community building perspective,** this application has an opportunity to contribute to the City's objective of being the best place to raise children, and care for those with special needs by allowing for the continuation of support services that collectively have demonstrated a proven track record in this community for 244 years and are not provided by any other service provider in the City.

The proposal before the Council requires critical consideration of its current By-law and more importantly, the impact of their determination on the young women who currently reside at LCC's Charlton Avenue residence, and consideration for the future of the only children's mental health residence which provides this service to young women in the City of Hamilton, now and into the future.

The determination before you requires your leadership making the right determination for the benefit to children and youth of this community and to the City of Hamilton.

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Lynwood Charlton Centre is a charitable not-for-profit organization which has collectively provided mental health service and support to children and youth for over 244 years.



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