



CITY OF HAMILTON

**COMMUNITY SERVICES DEPARTMENT
Recreation Division**

and

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division**

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: WARD 1
COMMITTEE DATE: July 9, 2012	
SUBJECT/REPORT NO: License Agreement with St. Demetrious Church, c/o Nathan Hondronicols (Licensee) – Field House, Victoria Park, 516 King Street West, Hamilton (CS12027/PED12131) (Ward 1)	
SUBMITTED BY: Joe-Anne Priel General Manager Community Services Department Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Rom D’Angelo 905-546-2424 Ext. 4617 Bill Farkas 905-546-2424 Ext. 7019
SIGNATURE:	

RECOMMENDATIONS:

- (a) That a License Agreement between the City of Hamilton (Licensor) and St. Demetrious Church (Licensee), for the City owned Field House situated on lands

SUBJECT: License Agreement with St. Demetrious Church, c/o Nathan Hondronicols (Licensee) – Field House, Victoria Park, 516 King Street West, Hamilton (CS12027/PED12131) (Ward 1) - Page 2 of 5

known as Victoria Park, municipally known as 516 King Street West, Hamilton, as shown on Appendix “A” attached to Report CS12027/PED12131, be approved and completed;

- (b) That the term of the License, being for a period of two (2) years at an annual rent of \$2, be paid on the first day of commence and thereafter, and be credited to Deptid 791514 (Victoria Park Pool) Account No. 46083 Rent/Fees – Civic Property;
- (c) That the Licensee will be responsible for costs relating to tenant fit ups and for paying all operating costs, utilities, and property taxes;
- (d) That the Licensor and Licensee may cancel this Agreement with no penalty upon thirty (30) days written notice to the other party;
- (e) That the Licensee utilizes the demised premises for the proposed use as a non-profit Café and for no other use without written consent of the Licensor;
- (f) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the License Agreement in a form satisfactory to the Acting City Solicitor.

EXECUTIVE SUMMARY:

The subject of this Report is to look at a re-adaptive use of a portion of the current Field House which is located within Victoria Park. The Field House is situated at the southeast corner of King Street West and Strathcona Avenue North, more particularly shown on Appendix “C” to Report CS12027/PED12131. Currently the Field House is under-utilized; the washrooms make up approximately one quarter of the footprint and are used seasonally. During the winter season the site is used as a watering and storage shed for an outdoor rink. The intent of the proposal is to utilize the vacant multi-purpose room and concession area as a non-profit café for a period of two (2) years as a pilot project. The food service to be provided consists of sandwiches, pizza, hot dogs, coffee, soft drinks, ice cream etc.

From a Zoning perspective, the site is zoned Community Park (P2) Zone which does not permit the use of a café as of right. However, food services accessory to the activities of a park is permitted. Although the uses are similar in nature, the provisions of the Zoning By-law, Section 4.4 of the Comprehensive Zoning By-law 05-200, attached as Appendix “B” to Report CS12027/PED12131, permits the City to essentially use the City lands for the purpose of a public use if such use is deemed to be public service. In consultation with the Ward Councillor it has been deemed that the proposal is minor in nature.

The proposed License Agreement will allow St. Demetrious Church to utilize a portion of the Field House as a café and to operate said café as a non-profit operation. After a two (2) year period, if it is found that the pilot project is a success, any renewal will take into account an appropriate rent adjustment to cover future capital investments to the facility. The Licensee (St. Demetrious Church) will be responsible for costs relating to tenant fit ups and for paying all operating costs, utilities, and property taxes. All tenant fit ups will be undertaken in consultation with City staff.

Alternatives for Consideration – None

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

Financial: The annual rent payment in the amount of \$2.00 be credited to Deptid 791514 (Victoria Park Pool) Account No. 46083 Rent/Fees – Civic Property.

Staffing: There are no staffing implications associated with Report CS12027/PED12131.

Legal: There are no legal implications associated with Report CS12027/PED12131.

HISTORICAL BACKGROUND:

Victoria Park is located on King Street West, between Locke Street North and Strathcona Avenue North. The Park is 5.68 hectare in size and is one of the oldest parks in the City of Hamilton. Improvements to Victoria Park have been undertaken through the implementation of the Victoria Park Master Plan. The Field House building is located at the southeast corner of King Street West and Strathcona Avenue North. The single storey building is approximately 167 square metres (1800 square feet) with public washrooms, a multi-purpose room and a concession area.

The vision for the Field House is to look at a re-adaptive use as a community gathering place within the centre of the community. The intent is to adapt a portion of the Field House to be operated as a non-profit café for a period of two (2) years as a pilot project. Staff had been advised that discussions had taken place with Good Shepherd, Salvation Army and local churches to gauge whether or not there was any interest by these non-profit organizations to undertake such an endeavour. Through these discussions St. Demetrious Church (Hellenic Community) came forward and expressed interest.

The Hellenic Community has a strong volunteer church board with the capability and familiarity on undertaking large projects. An example of their involvement was the

creation of a new senior housing facility on Head and Strathcona Streets through the Canada-Ontario Affordable Housing Program. As there was a strong desire by the Hellenic Community to work in partnership with the City of Hamilton to establish a non-profit café, various members of staff and the Ward Councillor have met with the group to discuss the parameters (i.e. tenant fit ups, current capital repairs, operating costs, etc.).

There is strong optimism that the premises can be re-adapted to provide a gathering place for the community and elevate the presence of the park and the amenities offered. The Hellenic Community has agreed to undertake the necessary fit ups; the work will be undertaken by church volunteers at their cost and said work will be approved and project managed by City staff. In partnership with the church group and the City, capital improvements will be undertaken to the exterior face of the building with the installation of windows on the north and south face. This will provide natural light into the premises in order to enhance the ambiance of the proposed café. It is also noted that recent capital improvements had been undertaken by the City which involved fascia replacement, installation of roof vents, abatement measures, installation of internal ceilings (dry wall), lighting, insulation and a new furnace to sustain the life cycle of the building. These capital repairs were identified and undertaken pursuant to the Building Condition Assessment report prepared by Genivar Consultants Limited Partnership, dated September 3, 2010.

POLICY IMPLICATIONS:

The site is zoned Community Park (P2) Zone which does not permit the use of a café as of right. However, food services accessory to the activities of a park is permitted. The provisions of the Zoning By-law, Section 4.4 of the Comprehensive Zoning By-law 05-200, attached as Appendix “B” to Report CS12027/PED12131, permits the City to essentially use the City lands for the purpose of a public use if such use is deemed to be public service.

The Ward Councillor has deemed the proposal to be minor in nature not requiring further consultation beyond that which he has already completed as the uses are similar in nature.

RELEVANT CONSULTATION:

- City Manager’s Office
- Ward Councillor
- Public Health Department

ANALYSIS / RATIONALE FOR RECOMMENDATION:

With the License recommendation being adopted it will allow St. Demetrious Church to undertake a two (2) year pilot project through an adaptive re-use project of the Field House as a non profit café located within Victoria Park. The re-adapted use will provide a gathering place for the community, elevating the presence of the park and the amenities offered.

ALTERNATIVES FOR CONSIDERATION:

None

CORPORATE STRATEGIC PLAN:

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative and Respectful Organization

- A culture of excellence.
- Develop cultural institutions, public facilities and parks and open space which inspires community pride and sense of place.
- To build and develop the capacity of individuals, community organizations, the private and non-profit sectors to be self-reliant.

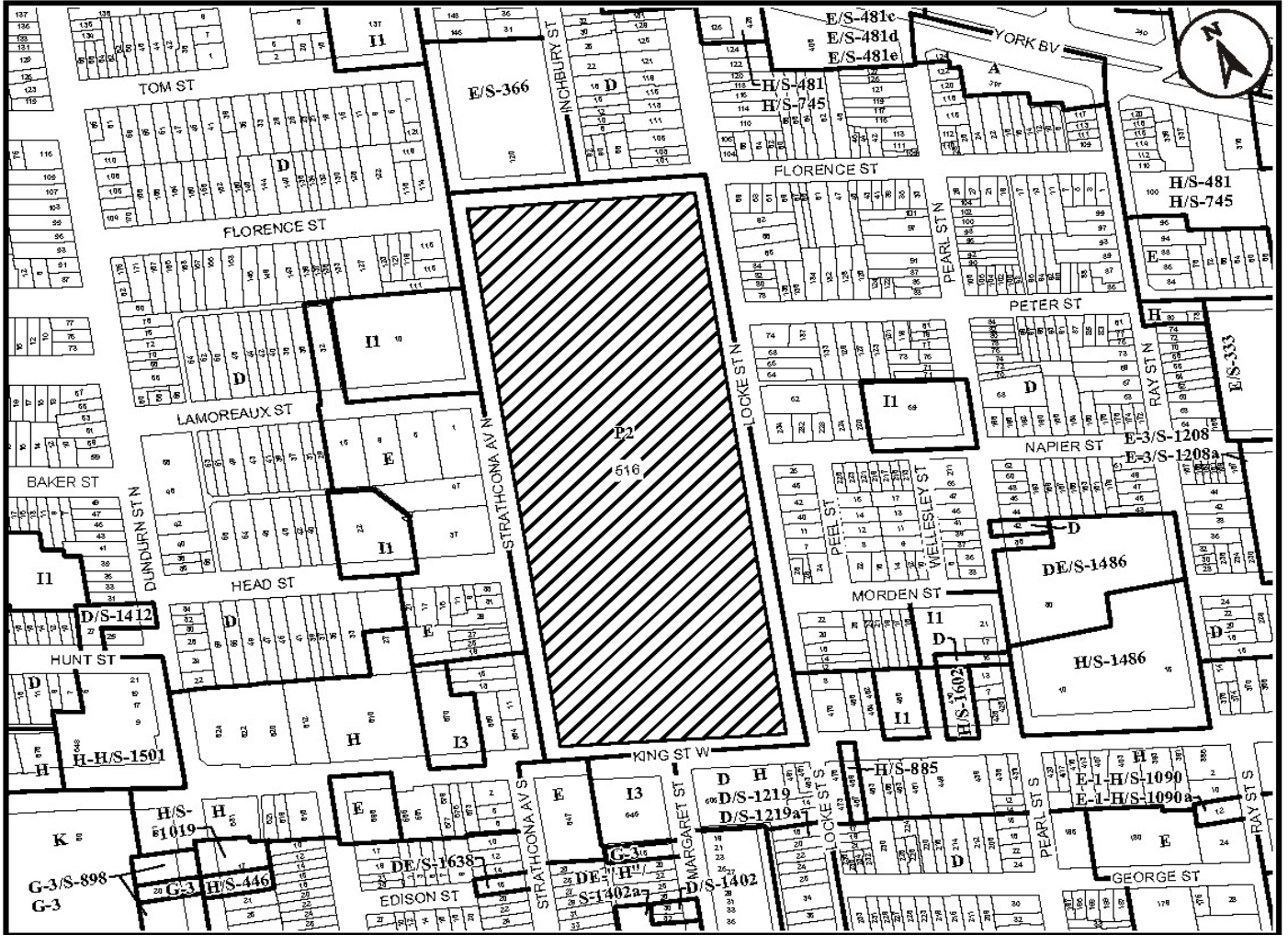
Financial Sustainability

- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner.

APPENDICES / SCHEDULES:

Appendix "A" to Report CS12027 / PED12131 - Location Map
Appendix "B" to Report CS12027 / PED12131 - Guidelines for Use
Appendix "C" to Report CS12027 / PED12131 - Park Re-development Final Phase

RD/BF:jc/sd



● Subject Property



Ward 1 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
Victoria Park

Date:
June 1, 2012

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
BF/NB

Subject Property
 516 King Street West, Hamilton

Guidelines for Use

Section 4.4 – Public Uses Permitted in All Zones

1. The Department proposing such use shall contact the Ward Councillor to review the proposed use;
2. Unless the proposed public use is "Major", (where "Major" is defined as being a substantial change in use of the land which requires a significant portion of the parkland and/or which use would affect the intended programming of the park. Examples shall include: fire stations, police stations, libraries, large stormwater facilities, etc.), the Ward Councillor will make the decision as to whether the proposed use requires public consultation to solicit public input;
3. Should the Ward Councillor deem the proposed use does not require public input; a report will be prepared for the consent agenda of the Department's respective Standing Committee for approval;
4. Should the Ward Councillor require public consultation or the proposed public use is "Major" as defined in Section 2, the Department proposing such use shall be required to co-ordinate and lead a public consultation process with the Ward Councillor's office to engage the public for its input; and,
5. Upon completion of the Public Consultation, a report will be brought forward to the Department's respective Standing Committee for discussion and to permit the hearing of public input.

*As adopted by Council on June 14, 2006

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June 14, 2006

Park Redevelopment - Final Phase



FINAL PHASE PARK REDEVELOPMENT SCOPE OF WORK

1. ROAD ST. ENTRANCE AT STRATHCONA AVENUE
2. PARK ENTRANCES ALONG FLORENCE ST. AT STRATHCONA AVE.
3. LIGHTING AT NORTH END OF THE PARK BY HOLL. BUILDING AND TENNIS COURTS
4. REPLACEMENT OF ASPHALT AROUND FIELD HOUSE
5. BUILDING ALONG KING STREET
6. INTERPRETIVE SIGNAGE PART 2
7. GAZEBOS

HISTORICAL INTERPRETIVE SIGNS:

- HST7 - BASEBALL DIAMOND
- HST8 - TW. HAND & COMPANY FIREWORKS
- HST9 - ST. GEORGES CHURCH
- HST10 - CRYSTAL PALACE HOTEL
- HST11 - THE PARK HOTEL
- HST12 - ENSKINE PRESBYTERIAN CHURCH

LEGEND

- EXISTING MATURE DECIDUOUS TREES
- EXISTING RECENTLY PLANTED TREES
- EXISTING MATURE CONIFEROUS TREES
- EXISTING RECENTLY PLANTED CONIFEROUS TREES
- PHASE 3 WORK LIMITS
- PROPOSED LIGHTING



Land
And