



## **PLANNING COMMITTEE**

### **REPORT 16-007**

**9:30 a.m.**

**Tuesday, April 19, 2016**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Councillors B. Johnson (Chair), M. Pearson (1st Vice-Chair), A. Johnson (2nd Vice Chair), D. Conley, J. Farr, C. Collins, M. Green, R. Pasuta, J. Partridge and D. Skelly.

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#### **THE PLANNING COMMITTEE PRESENTS REPORT 16-007 AND RESPECTFULLY RECOMMENDS:**

- 1. Committee of Adjustment Minor Variance Application GL/A-15:317 for the Property Located at 22 Bellstone Lane (Glanbrook), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16087) (Ward 11) (Item 5.1)**

That Report PED16087 respecting Committee of Adjustment Minor Variance Application GL/A-15:317 for the Property Located at 22 Bellstone Lane (Glanbrook), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment be received.

- 2. Committee of Adjustment Consent Application AN/B-15:106 and Minor Variance Application AN/A-15-365 for the Properties Located at 27 & 29 Oldoakes Place (Ancaster), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16088) (Ward 12) (Item 5.2)**

That Report PED16088 respecting Committee of Adjustment Consent Application AN/B-15:106 and Minor Variance Application AN/A-15-365 for the Properties Located at 27 & 29 Oldoakes Place (Ancaster), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment be received.

**3. Hamilton Municipal Heritage Committee Report 16-003 (Item 5.3)**

**(a) Inventory and Research Working Group Meeting Notes – February 22, 2016)**

**(i) 601 Barton Street East, Hamilton (Former Gibson School)**

- (1) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 601 Barton Street East, Hamilton, attached as Appendix “A” to Report 16-007 be approved;
- (2) That the Notice of Intention to Designate 601 Barton Street East, Hamilton attached as Appendix “B” to Report 16-007, be approved;
- (3) That the City Clerk be directed to take appropriate action to serve Notice of Intention to Designate 601 Barton Street East, Hamilton, under Part IV of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and to publish the Notice of Intention to Designate in a newspaper having general circulation in the municipality.

**4. Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15) (Item 6.2)**

That approval be given to Revised Zoning By-law Amendment Application ZAC-15-027, by Dawn Victoria Homes (Burlington), Owner, for a change in zoning from the Urban Commercial “UC” Zone to the Medium Density Residential “R6-44” Zone, Modified, in order to permit a 46-unit mixed-use development consisting of a total of 40 residential units and six at-grade commercial units fronting Dundas Street East, for the lands located at 219 Dundas Street East, Waterdown, as shown on Appendix “A” to Report PED16086, on the following basis:

- (a) That the draft revised By-law, attached as Appendix “C” to Report 16-007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conform to the Places to Grow – Growth Plan, and comply with the Urban Hamilton Official Plan (UHOP).

**5. City Initiated Official Plan Amendment and Application for a Zoning By-law Amendment for Lands Located at 3 Shippee Avenue, Stoney Creek (PED16093) (Ward 11) (Item 6.3)**

- (a) That approval be given to City Initiative CI-16-D, for Urban Hamilton Official Plan Amendment No. XX, to correct text errors within the Urban Lakeshore Secondary Plan for lands located 3 Shippee Avenue (Stoney Creek), as shown on Appendix “A” to Report PED16093, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16093, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014), and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);
- (b) That approval be given to Zoning Application ZAC-15-045, by Fifty Road Joint Venture, Owner, for a change in zoning from the Neighbourhood Development “ND” Zone to the Single Residential – One “R1-6(H)” Zone, Modified, Holding to permit the development of five lots for single detached dwellings on lands located at 3 Shippee Avenue (Stoney Creek), as shown on Appendix “A” to Report PED16093, on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED16093, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.

**6. City-Initiated Application to Amend the Zoning By-law for Lands Located at 1055 and 1099 King St. E. and 876 Cannon St. E. (South Stadium Precinct) and 60 Balsam Ave. N. (PED16064) (Ward 3) (Item 6.4)**

- (a) That approval be given to City-Initiated Zoning By-law Amendment Application CI-15-G, for a change in zoning:
  - (i) from the Neighbourhood Park (P2) Zone and the “C” District (Urban Protected Residential, Etc.) District to the Community Institutional (I2, xx) Zone, with a Special Exception, to facilitate the redevelopment of the South Stadium Precinct including a new

public Secondary School, open space / park and the Bernie Morelli Recreation Centre / Jimmy Thompson Memorial Pool; and,

- (ii) from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (I1, xxx) Zone, with a Special Exception, to permit parking spaces required for uses in the South Stadium Precinct to be located at 60 Balsam Avenue North (former Parkview Secondary School);

as shown on Appendix “A” to Report PED16064, on the following basis:

- (1) That the draft By-law, attached as Appendix “B” to Report PED16064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (2) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan.
- (b) That upon final approval of Recommendation a) to Report PED16064, the Stipeley Neighbourhood Plan be amended to change the designation of a portion of the South Stadium Precinct from “Park and Recreational” to “Civic and Institutional”, as shown on Appendix “C” to Report PED16064.
  - (c) That the designation of Jimmy Thompson Memorial Pool, located at 1099 King Street East in Hamilton, under Part IV of the *Ontario Heritage Act* be assigned a high priority and added to the Cultural Heritage staff work program for completion in 2018, as per Appendix “D” to Report PED16064.
  - (d) That the Request to Designate 1099 King Street East (Hamilton) (Jimmy Thompson Memorial Pool) Under Part IV of the *Ontario Heritage Act* (PED13182) (Ward 3) be removed from the Outstanding Business List.

**7. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED16096) (Item 8.1)**

That Report PED16096 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications be received.

**8. Transportation Demand Management Measures - Hamilton Municipal Parking System (PED16092) (City Wide) (Item 8.2)**

That Report PED16092 respecting Transportation Demand Management Measures - Hamilton Municipal Parking System be received.

**9. Overview of Parking Reserve Account 108021 (PED16097) (City Wide) (Item 8.3)**

That Report PED16097 respecting Overview of Parking Reserve Account 108021 be received.

**10. Update on Request for Information – Downtown Parking Structure (PED16105) (Ward 2) (Outstanding Business List Item) (Item 8.4)**

(a) That staff report to the General Issues Committee on the outcome of the direction provided in Closed Session;

(b) That Appendix “A” to Report PED16105 remain confidential and restricted from public disclosure.

**11. Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Item 8.5)**

(a) That staff be directed, in accordance with the Portfolio Management Strategy, to circulate all City-owned surface parking lots identified in Report PED16104 for potential surplus, and report to the Planning Committee with a recommended disposition strategy for each lot recommended as surplus to the City’s needs;

(b) That subject to the nature of the disposition strategy identified under subsection (a), staff be authorized and directed, in consultation with the local Councillor, to establish a suitable representative stakeholder advisory committee;

(c) That Appendix “B” to Report PED16104 remain confidential and restricted from public disclosure.

**FOR THE INFORMATION OF COMMITTEE:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes:

**AMENDED BY-LAW**

- 6.2 Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15)

Appendix "B" – replaces the by-law printed in the agenda.

**ADDED WRITTEN COMMENTS**

- 6.2(i) Kevin Urbanic, 28 Culotta Drive, Waterdown respecting Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15)

**ADDED NOTICES OF MOTION**

- 10.1 The Road Widening Policy with Respect to 221 Wellington Street North
- 10.2 Temporary Exemption for Grace Christian School, 497 Millgrove Sideroad and other elementary and high schools in Ward 15 from the City's Parkland By-law

**ADDED NEW DUE DATE TO OUTSTANDING BUSINESS LIST**

- 11.1(a) New due dates required:

Item "JJ" - Staff to report back on discussion with CHH re: feasibility of constructing affordable housing on underutilized City parking lots  
Due Date: April 19, 2016  
Proposed New Due Date: September 20, 2016

The agenda for the April 19, 2016 meeting was approved as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

None.

**(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)**

**(i) April 5, 2016 Meeting (Item 3.1)**

The Minutes of the April 5, 2016 meeting were approved.

**(d) DELEGATIONS/PUBLIC HEARING (Item 6)**

**(i) James Webb, of WEBB Planning Consultants on behalf of 1435576 Ontario Limited, the developer of the Southcote Woodlands Plan of Subdivision to request the lifting of a one foot reserve request adjacent to Block 118 of the subdivision to permit the development of a single family dwelling. (Approved March 22, 2016) (Item 6.1)**

James Webb addressed Committee and copies of a hand-out outlining the matter were distributed. A copy is available for viewing on the City's website and a copy has been included in the public record.

The delegation was received.

The request from James Webb, of WEBB Planning Consultants on behalf of 1435576 Ontario Limited, the developer of the Southcote Woodlands Plan of Subdivision respecting the lifting of a one foot reserve request adjacent to Block 118 of the subdivision to permit the development of a single family dwelling was referred to staff for report back to Committee.

**(ii) Proposed Zoning By-law Amendment for Lands Located at 219 Dundas Street East, Waterdown (PED16086) (Ward 15) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

**Written Comments**

6.2(i) Kevin Urbanic, 28 Culotta Drive, Waterdown

The added written comments Item 6.2(i) were received.

Madeleine Giroux, Planner, provided an overview of the staff report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. She responded to questions from Committee.

The staff presentation was received.

James Webb of WEBB Planning Consultants representing the applicant was in attendance and made a few comments which included, but were not limited to the following:

- Don Husack, the owner, is in attendance;
- They are in full support of what is before Committee today;
- They wish to express their appreciation to City staff and the Ward Councillor;
- There have been considerable changes to the application;
- This is a good example of how to take a file and through rezoning come up with a development that is a good fit;
- They recognize that grading is an issue;
- In order to avoid flooding, they won't be raising the surface grade;
- There will be further refinement to the architectural style.

James Webb responded to questions from Committee.

### **Registered Speaker**

#### **1. Kevin Urbanic, 28 Culotta Drive, Waterdown**

Kevin Urbanic addressed Committee and his comments included but were not limited to the following:

- He is in support of the proposed development but has questions concerning parking, drainage and grading.

The delegation was received.

The public meeting was closed.

For disposition of this matter refer to Item 4.

Chair B. Johnson relinquished the Chair to Vice Chair Pearson before consideration of the following Item.

#### **(iii) City Initiated Official Plan Amendment and Application for a Zoning By-law Amendment for Lands Located at 3 Shippee Avenue, Stoney Creek (PED16093) (Ward 11) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Vice Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the



Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No one from the public came forward.

Staff responded to questions from the Ward Councillor respecting Windermere Road and Shippee Road regarding the installation of water, sewers and sidewalks.

The information provided by staff was received.

Franz Kloibhofer from AJ Clarke & Associates was in attendance and he advised that they are in support of the staff Report.

For disposition of this matter refer to Item 5.

Chair B. Johnson assumed the Chair.

**(iv) City-Initiated Application to Amend the Zoning By-law for Lands Located at 1055 and 1099 King St. E. and 876 Cannon St. E. (South Stadium Precinct) and 60 Balsam Ave. N. (PED16064) (Ward 3) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Alan Waterfield, Senior Planner, provided an overview of the Report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He responded to questions from Committee.

The staff presentation was received.

**Speaker**

1. **John McGreal, 1003-1868 Main Street, West Hamilton**

John McGreal addressed Committee and his comments included but were not limited to the following:

- The students will be transferred from other inner City schools;
- At the Board of Education meeting, they are ready to go ;
- The sooner the by-law is passed, the sooner they can apply for the building permit;
- The construction of the recreation centre is long overdue;
- If the school is delayed, the centre will be delayed – both were to be coordinated at the same time;

The delegation was received.

The public meeting was closed.

For disposition of this matter refer to Item 6.

The following motion was DEFEATED:

That appropriate staff be directed to report back on the feasibility, including the costs, of building a foundation that would support greater density above the Bernie Morelli Recreation Centre, in the future.

**(e) DISCUSSION ITEMS (Item 8)**

**(i) Transportation Demand Management Measures - Hamilton Municipal Parking System (PED16092) (City Wide) (Item 8.2)**

The following motion was WITHDRAWN:

That appropriate Parking staff be directed to work with Transportation Demand Management (TDM) staff on a comprehensive plan that seeks to further improve Council's module split mandate and report back to Committee on this plan.

For disposition of this matter refer to Item 8.

- (iv) **Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2) (Outstanding Business List Item) (Appendix “A” is distributed under separate cover.)(Item 8.4)**

Consideration of this report was deferred to the Private and Confidential section of the agenda.

- (v) **Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Appendix “B” is distributed under separate cover.) (Item 8.5)**

Consideration of this report was deferred to the Private and Confidential section of the agenda.

**(f) NOTICES OF MOTION (Item 10)**

Councillor Farr introduced the following Notice of Motion:

- (i) The Road Widening Policy with Respect to 221 Wellington Street North (Added 10.1)**

WHEREAS, a road widening or alternative road widening requirement may be applied where the increase in gross floor area is less than 30% of the existing gross floor area;

WHEREAS, the owner of 221 Wellington Street North is proposing an addition which exceeds the 30% threshold;

WHEREAS, the requirement for a road widening should consider factors such as the form of development on the property and the abutting property and Council mandates respecting Pedestrian Mobility and Transportation Demand Management;

WHEREAS, Planning Division staff have proposed revisions to the Official Plan to permit alternative road widening requirements to facilitate development and redevelopment within established areas; and

WHEREAS, a reduced road widening from 3.0 m to 1.92 metres will provide for a balance between the safe planned function of Wellington Street and the existing built form;

NOW THEREFORE BE IT RESOLVED:

That with respect to 221 Wellington Street North, the road widening policy be revised to authorize the Director of Planning and Chief Planner to require

a road widening of approximately 1.92 metres for the lands known municipally as 221 Wellington Street North to permit an increase in gross floor area of approximately 50%.

Councillor Pearson introduced the following Notice of Motion on behalf of Councillor Partridge:

**(ii) Temporary Exemption for Grace Christian School, 497 Millgrove Sideroad and other elementary and high schools in Ward 15 from the City's Parkland By-law (Added 10.2)**

WHEREAS, Grace Christian School located at 497 Millgrove Sideroad has made application for Site Plan Approval (DA-15-085) and Building Permit Approval;

WHEREAS, the Grace Christian School playground area will contain new soccer fields and amenities which will be open for the public to use to meet the parkland needs of the rural community in Ward 15 and beyond;

WHEREAS, the school has worked with the local soccer club to provide practice fields and will continue to do so;

WHEREAS, the City of Hamilton Parkland By-law exempts institutional uses, but not elementary and secondary schools, from the requirement to pay cash-in-lieu or dedicate parkland;

WHEREAS, the City of Hamilton Parkland By-law provides for Council to exempt a specified type or class of development or redevelopment, either City wide or in a specified geographic area, from the requirements of the Parkland By-law; and

WHEREAS, it is appropriate to exempt Grace Christian School and other schools in the rural area which make their facilities available to the broader rural community from the parkland dedication requirement;

NOW THEREFORE BE IT RESOLVED:

That elementary and high schools within the rural area of Ward 15 are hereby exempt from the requirements of the City of Hamilton Parkland By-law for a 6 month period to expire on November 1, 2016.

**(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Outstanding Business List (Item 11.1)**

(a) The following New due dates were approved:

**COUNCIL – April 27, 2016**

Item “H” - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)  
Due Date: April 19, 2016  
Proposed New Due Date: August 9, 2016

Item “L” - Amendments to Licensing By-law, Schedule 25 – Taxicabs (PED14144)  
Due Date: April 19, 2016  
Proposed New Due Date: December 2017

Item “M” - Hamilton Municipal Heritage Committee Report 14-009 recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest and to staff’s designation work program be referred to staff for further consultation with the owner and the Ward Councillor and report back.  
Due Date: April 19, 2016  
Proposed New Due Date: August 9, 2016

Item “P” - Planning Application Fees – options of providing the GM the discretion to waive the applicable fees for charities and not-for-profit organizations.  
Due Date: April 19, 2016  
Proposed New Due Date: May 17, 2016

Item “R” - Staff to report back on Feasibility of Licensing Cats in Urban area  
Due Date: April 19, 2016  
Proposed New Due Date: May 17, 2016

Item “Y” - Item 5 of HMHC Report 15-005 re: inclusion of 1021 Garner Rd E on register of properties of cultural heritage value or interest.  
Due Date: April 19, 2016  
Proposed New Due Date: September 6, 2016

Item “EE” - Staff to report back on process to permit LED signs in Sign By-law  
Due Date: April 19, 2016  
Proposed New Due Date: May 3, 2016

Item “JJ” - Staff to report back on discussion with CHH re: feasibility of constructing affordable housing on underutilized City parking lots  
Due Date: April 19, 2016  
Proposed New Due Date: September 20, 2016

Item “KK” - GM to report back concerning correspondence from the Minister of Transportation re: Climate Change Strategy and public electric vehicles (EV) charging stations.

Due Date: April 19, 2016

Proposed New Due Date: May 3, 2016

Item “OO” - Staff to report back on operation of illegal massage parlours in the City, highlight enforcement challenges and impact of recent Federal sex trade laws.

Due Date: April 19, 2016

Proposed New Due Date: May 31, 2016

(b) The following Items were removed:

Item “X” – Reporting tool that seeks to monitor zoning applications where the 120 or 180 day statutory timeline applies.

(Item 8.1 on this agenda)

Item “HH” - Staff to report back with the results of a potential agreement for additional parking in the downtown (PED1518)

(Item 8.4 on this agenda.)

**CARRIED**

**(h) PRIVATE AND CONFIDENTIAL (Item 12)**

Committee move into Closed Session at 11:47 a.m. to discuss Appendix “A” of Item 8.4 entitled “Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2)” and Appendix “B” of Item 8.5 entitled “Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104)” pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes:

Committee reconvened in Open Session at 12.30 p.m.

**(i) Update on Request for Information – Downtown Parking Structure (PED16105)(Ward 2) (Outstanding Business List Item) (Item 8.4)**

Direction was given to staff in Closed Session with nothing to report in Open Session. For further disposition of this matter refer to Item 10.

**(ii) Update on Redevelopment of a City of Hamilton Owned Surface Parking Lot (PED16104) (Outstanding Business List Item) (Item 8.5)**

For disposition of this matter refer to Item 11.

(i) **ADJOURNMENT (Item 13)**

There being no further business, the Planning Committee was adjourned at 12:35 p.m.

**CARRIED**

Respectfully submitted,

Councillor B. Johnson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk

## **Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes**

### **Description of Historic Place**

The former Gibson School is a former public school building constructed in 1914 in the Edwardian Classicism style of Architecture. The property is addressed as 601 Barton Street East, Hamilton, and is located between Gibson Street to its east and Birch Avenue to its west. Residential properties are located north of the former school site. The property includes the L-shaped brick building with a 1963 brick addition to the south (front) elevation, a grassed lawn area to the south and west sides, and asphalt parking area on the west and north sides, and an asphalt schoolyard/play area to the northeast of the building.

### **Statement of Cultural Heritage Value or Interest**

The former Gibson School has heritage value as a contributor to the Hamilton public education system for nearly 100 years (1914-2009). Prior to the construction of this building, the site served the community (first the rural area in Barton Township and then the City of Hamilton after the 1891 annexation) as a common school or public school from as early as 1854.

The former school building is a representative example of the Edwardian Classicism style of Architecture that was common in Ontario between approximately 1900 and 1930. The style arose during the Reign of King Edward VII (1901-1910), and its influences carried on in the decades following his death. In its Ontario context, the style is defined by its use of brick, classically inspired decorative elements, often minimal or understated ornamentation (in contrast to the more ornate styles of the Victorian era), large and frequent windows, and often rectangular or rectilinear plans and massing. Several other schools in the eastern area of Hamilton were constructed in this style as well, though only a few remain. Although the 1963 gymnasium and administrative wing addition on the south (front) elevation have removed or obscured much of the original facade, the Edwardian design and school building features are still evident on parts of this elevation and the west and east elevations. The building features iron staircases with decorative elements on the newel posts and stringers.

The former school was most likely designed by the architectural partnership Stewart and Witton (Walter Wilson Stewart and William Palmer Witton), Hamilton architects who designed many public buildings and residences in Hamilton until Stewart’s death in 1917.

### **Description of Heritage Attributes**

*Key attributes that express the heritage value of the property related to its former school function and the Edwardian Classicism architectural style include the:*



- Brick construction;
- L-shaped plan of the original 1914 building;
- Projections on all elevations of the 1914 structure;
- Rectangular window openings, in singles and groupings of three, four and five on all elevations;
- Stone lintels and sills;
- Continuous stone band above second storey windows;
- Stone cornice;
- Tapered stone lintels and band above basement windows;
- East and west side entrance features with projection, archway, brick voussoirs, shaped stone blocks beneath voussoir, keystone, stone cornice, parapet capped with stone, arched fanlight and double doors;
- Flat roof;
- Parapet at roofline with stone caps, including stepped and arched parapet in south central projection with datestone and school name;
- Rectangular brick courses with stone corners in blank wall area of the east elevation;
- Brick pilasters and stone bands surrounding a stylized rectangular stone decoration in both ends of the south elevation on the second storey; and,
- Interior iron staircases with decorative column-style iron newel posts with round newel cap, patterned borders and rosettes on the stringers.

# Notice of Intention to Designate 601 Barton Street East, Hamilton

The City of Hamilton intends to designate 601 Barton Street East, Hamilton, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

## **Statement of Cultural Heritage Value or Interest**

The former Gibson School, located at 601 Barton Street East, Hamilton, has heritage value as a contributor to the Hamilton public education system for nearly 100 years (1914-2009). The former school building also has design value as a representative example of the Edwardian Classicism architecture style that was common in Ontario between approximately 1900 and 1930. The former school was most likely designed by Hamilton architects Stewart and Witton, who designed many prominent public buildings and residences in Hamilton.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment may be found online via [www.hamilton.ca](http://www.hamilton.ca) or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

## **Written Notice of Objection**

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts.

Dated at Hamilton, this **xxth** day of **xxxx**, 2016.

R. Caterini  
City Clerk  
Hamilton, Ontario

**CONTACT:** Alissa Golden, Cultural Heritage Planner, Phone: (905) 546-2424 ext. 1214,  
E-mail: [Alissa.Golden@hamilton.ca](mailto:Alissa.Golden@hamilton.ca)

**Website: [www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)**

**Authority:** Item [REDACTED]  
Planning Committee  
Report: 16-[REDACTED] (PEDXXXXX)  
CM: [REDACTED]

**Bill No.** [REDACTED]

## **CITY OF HAMILTON**

### **BY-LAW NO.**

#### **To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 219 Dundas Street East (Flamborough)**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1<sup>st</sup>, 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 or the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21<sup>st</sup> of December, 1991;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 16-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2016, recommended that Zoning By-law No. 90-145-Z (Flamborough) be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended to rezone from the Urban Commercial "UC" Zone, to the Medium Density Residential "R6-44" Zone, Modified, on the lands the extent and boundaries of which are more particularly shown on Schedule "A", annexed hereto and forming part of this By-law.
2. For the purposes of this By-law, the following definitions shall apply:
  - 2.1 Live Work Unit: For the purpose of this By-law, a Live-Work Unit shall be defined as a dwelling unit that may contain residential uses and the following commercial uses on the ground floor: retail establishment, personal service establishment, service shop, office, or dry cleaning distribution station. The commercial and residential components of Live Work Units are accessed by a common internal entrance.
  - 2.2 Maisonette: For the purpose of this By-law, a Maisonette shall be defined as a building not more than one single detached dwelling unit in height, designed to contain not less than six dwelling units and not exceeding 12 dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling unit:
    - a. Has a separate front entrance;
    - b. Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,
    - c. Is joined by a common vertical back wall extending the length of the building.
  - 2.3 Stacked Townhouse: For the purpose of this By-law, a Stacked Townhouse shall be defined as a building divided vertically and horizontally, not more than two dwelling units in height, with a maximum of ten dwelling units, each having a separate front entrance at grade.
3. Section 11 – Medium Density Residential "R6" Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:
  - 11.3 EXCEPTION NUMBERS
  - 11.3.44 **"R6-44" (See Schedule A-30)**

Permitted Uses:

- (a) Retail Establishment
- (b) Personal Service Establishment
- (c) Service Shop
- (d) Dry Cleaning Distribution Station
- (e) Office
- (f) Townhouse
- (g) Street Townhouse
- (h) Stacked Townhouse
- (i) Maisonette
- (j) Live Work Unit
- (k) Apartment Unit located in the same building as a commercial use permitted in Paragraphs (a) to (e) above

Restriction of Uses

- (a) The buildings fronting Dundas Street East shall only be Live Work Units or buildings with commercial uses on the ground floor and Apartment Units located above the ground floor. Single use buildings shall not be permitted fronting Dundas Street East. The commercial uses permitted in paragraphs (a) to (e) above shall only be permitted on the ground floor of buildings fronting Dundas Street East in conjunction with residential uses on the second and third floors of the building.
- (b) In addition to Paragraph (a) above, Apartment Units shall not be permitted within the same building as Live Work Units.
- (c) The combined maximum Gross Floor Area (GFA) for the uses permitted in paragraphs (a) to (e) above shall be 540.0 sq m on a single lot, of which the maximum Gross Floor Area for uses permitted in paragraph (e) above shall be 300 sq m.

General Zone Provisions

- (a) Lot Area (minimum).....6,600 sq m
- (b) Lot Frontage (minimum) .....50.0 m

- (c) Height (maximum) ..... 12.5 m for buildings adjacent to Dundas Street East  
 ..... 11.0 m for Maisonettes and Stacked Townhouses  
 ..... 8.5 m for buildings abutting the rear property line
- (d) Lot Coverage (maximum) .....40%
- (e) Front Yard (minimum).....2.4 m
- (f) Interior Side Yard (minimum).....1.5 m for northeasterly and southwesterly side lot lines  
 .....6.3 m for northwesterly side lot line
- (g) Exterior Side Yard (minimum).....N/A
- (h) Planting Strip.....No Planting Strip shall be required across the lot line adjacent to Dundas Street
- (i) Density (maximum).....65 dwelling units per net hectare
- (j) Notwithstanding Section 5.12.2(d) of Zoning By-law No. 90-145-Z, a planting strip of 1.5 m in width shall be provided and maintained along the rear lot line of a lot zoned Medium Density Residential “R6-44” Zone, Modified, where such a lot line is adjacent to any other Residential Zone or Institutional Zone.
- (k) In addition to Paragraph (j) above, a continuous solid fence or a continuous solid wall shall be provided and maintained along the rear and interior side lot lines of a lot zoned Medium Density Residential “R6-44” Zone, Modified, where such a lot line is adjacent to any other Residential Zone or Institutional Zone.
- (l) Notwithstanding Paragraphs (c), (ee), (r), and (t) of Section 5.21.1, the following parking provisions shall apply:

<b>Type of Use</b>	<b>Minimum Number of Parking Spaces Required</b>
Retail Establishment	1 parking space per 50 sq m of gross floor area
Personal Service Establishment	1 parking space per 50 sq m of gross floor area
Service Shop	1 parking space per 50 sq m of gross floor area
Dry Cleaning Distribution Station	1 parking space per 50 sq m of gross floor area
Office	1 parking space per 50 sq m of gross floor area
Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Street Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Stacked Townhouse	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Maisonette	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit
Live Work Unit	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit, and 1 parking space per 50 sq m of commercial gross floor area
Apartment Unit	1.5 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit

- (m) Notwithstanding Section 5.21.4 of Zoning By-law No. 90-145-Z, each parking space shall have a minimum width of 2.6 m and a minimum length of 5.5 m. A parking space for disabled persons shall have a minimum width of 4.4 m and a minimum length of 5.5 m.
- (n) Notwithstanding any provisions to the contrary, a garage for parking shall have a minimum interior width of 3.0 m and a minimum interior length of 6.0 m with an unobstructed width of 2.6 m and an unobstructed length of 5.5 m wherein no encroachments are permitted.

- (o) Tandem parking shall be permitted for those parking spaces located in the attached garages and driveways appurtenant to the maisonettes and townhouses.
  - (p) Notwithstanding any provision to the contrary, the required minimum number of spaces to be reserved for disabled persons may be included in the required residential, visitor, and commercial parking rates.
  - (q) Notwithstanding Section 5.21.6(b), driveways with two-way vehicular movement shall have a minimum unobstructed width of not less than 6.0 m.
  - (r) Notwithstanding Sections 5.13.1(a) and 5.13.3 of Zoning By-law No. 90-145-Z, no loading spaces shall be required.
  - (s) In addition to Section 5.9 of Zoning By-law No. 90-145-Z, stairwells providing access to the roof of maisonettes and / or stacked townhouses are permitted to project a maximum of 1.5 m above the permitted height of the primary structure.
  - (t) Notwithstanding any provisions to the contrary, rear balconies shall not be permitted on dwelling units located adjacent to any lot with a single detached dwelling.
  - (u) All other zone provisions of Section 11.2 shall apply.
3. That By-law No. 90-145-Z (Flamborough) is amended by adding this By-law to Section 6 as "R6-44".
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the *Planning Act*.

**PASSED and ENACTED** this            day of            , 2016.

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Fred Eisenberger  
Mayor

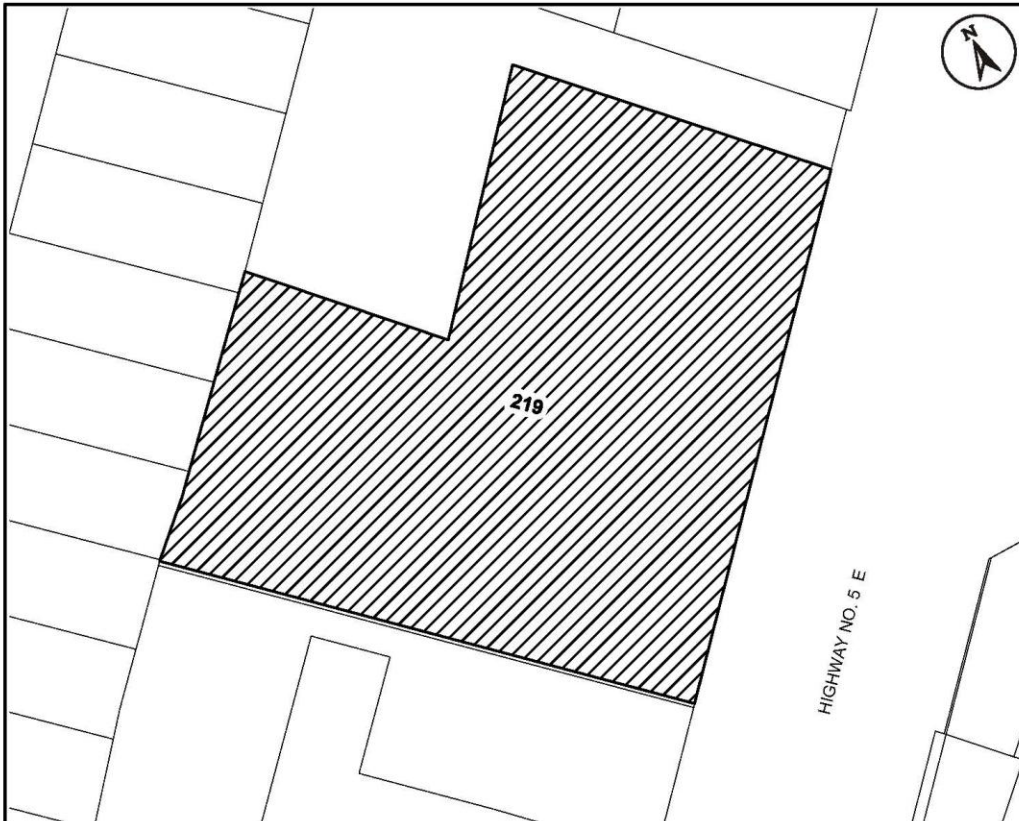
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R. Caterini  
Clerk

ZAC-15-027



Schedule "A"



This is Schedule "A" to By-law No. 16- Passed the ..... day of ....., 2016		_____ Mayor _____ Clerk
<h2>Schedule "A"</h2> <p>Map Forming Part of                  By-law No. 16-_____</p> <p>to Amend By-law No. 90-145-Z</p>		<b>Subject Property</b> 219 Dundas Street East
Scale: N.T.S.	File Name/Number: ZAC-15-027	
Date: Jan. 26, 2016	Planner/Technician: MG/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		