



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 18, 2021
SUBJECT/REPORT NO:	City Initiative CI-20-C to Amend the Rural Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 435 Carluke Road West, Ancaster (PED20073) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Elyse Meneray (905) 546-2424 Ext. 6360
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That City Initiative CI-20-C, to amend the Rural Hamilton Official Plan designation from “Open Space” to “Agriculture” and to delete the lands from the Neighbourhood Park Classification on Appendix “A” to facilitate the adaptive reuse of the former community centre for a residential use for the lands located at 435 Carluke Road West, Ancaster, as shown on Appendix “A” to Report PED20073, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20073, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Greenbelt Plan (2017).
- (b) That City Initiative CI-20-C, to change the zoning from the Open Space (P4) Zone to the Agriculture (A1, 743) Zone to limit the residential uses to the existing building on the property in order to facilitate the adaptive reuse of the former

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community centre for the lands located at 435 Carluke Road West, Ancaster, as shown on Appendix “A” to Report PED20073, be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED20073, 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 (2020), conforms to the Greenbelt Plan (2017) and will comply with the Rural Hamilton Official Plan upon approval of Rural Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The subject lands were originally used for agriculture until 1844 when a log schoolhouse was built on the property. The existing Gothic Revival red brick building on the subject lands was built in 1858, was damaged and subsequently rebuilt in 1925. In the late 1960’s the schoolhouse was converted to a community centre (known as Carluke Hall) for use by the former Town of Ancaster.

In 2015, the City rezoned the lands from the Agricultural “A” Zone to the Open Space (P4) Zone to recognize the community centre use. The City of Hamilton continued operate Carluke Hall until March 30, 2017 when the property was declared surplus. Since then the building has remained vacant and the City has been exploring options to divest of the property.

The subject property, comprised of 435 Carluke Road West and known as the former Carluke Schoolhouse or the “Little Red Schoolhouse”, is designated under Part IV of the *Ontario Heritage Act* and is a “protected heritage property” under the *Provincial Policy Statement*. The subject property is also located within the Carluke Historic Settlement Area, an inventoried Cultural Heritage Landscape of interest.

The purpose of the Rural Hamilton Official Plan Amendment is to change the designation from “Open Space” to the “Agriculture” to facilitate the adaptive reuse of the former community centre on the property for residential uses and remove the subject lands from the Neighbourhood Parks Classification on Appendix A of the RHOP.

The proposed Zoning By-law Amendment is to change the zoning from the Open Space (P4) Zone to the Agriculture (A1, 743) Zone is to limit the residential uses to the existing building and facilitate the adaptive reuse of the former community centre on the property. Agricultural uses will also be permitted in accordance with the applicable provisions of the A1 Zone.

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Although, residential uses will be limited to the existing building, minor alterations and additions shall be permitted in accordance with the *Ontario Heritage Act*. Any proposed additions or alterations may require a Heritage Permit.

The City Initiated amendments have merit and can be supported as the proposal is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2017) and the Growth Plan (2019) and complies with the general intent of the policies of the Rural Hamilton Official Plan (RHOP) subject to the amendment.

Alternatives for Consideration – See Page 20

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for an amendment for an Official Plan Amendment and Zoning By-law Amendment.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	City of Hamilton
Applicant:	City of Hamilton
File Number:	CI-20-C
Type of Application:	Rural Hamilton Official Plan Amendment Zoning By-law No. 05-200 Amendment
Proposal:	<ul style="list-style-type: none">Change the designation from Open Space to Agriculture and remove the property from the Neighbourhood Park Classification Map on Appendix “A” in the RHOP to facilitate the adaptive reuse of the former community centre for residential uses.

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	<ul style="list-style-type: none"> To change the zoning from the Open Space (P4) Zone to the Agriculture (A1, 743) Zone to permit residential uses within the existing building on the property in order to facilitate the adaptive reuse of the former community center. Agricultural uses in accordance with the proposed A1 Zone will also be permitted.
Property Details:	
Municipal Address:	435 Carluke Road West, Ancaster
Lot Area:	0.4 hectares (1.01 acres) (rectangular)
Servicing:	Well and Septic System
Existing Use:	Former Carluke Community Centre (currently vacant)
Documents:	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS, 2020
Greenbelt Plan (2017):	The proposal conforms to the Greenbelt Plan, 2017
Official Plan Existing:	<ul style="list-style-type: none"> “Open Space” on Schedule D – Rural Land Use Designations
Official Plan Proposed:	<ul style="list-style-type: none"> “Agriculture” on Schedule D – Rural Land Use Designations
Zoning Existing:	<ul style="list-style-type: none"> Open Space (P4) Zone
Zoning Proposed:	<ul style="list-style-type: none"> Agriculture (A1, 743) Zone
Modifications Proposed:	<ul style="list-style-type: none"> To restrict the residential uses to the existing building; and, To permit expansions and minor alterations to the existing building. Any alterations will also be subject to the requirements of the Ontario Heritage Act.
Processing Details	
Received:	N/A

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Deemed Complete:	N/A
Notice of Complete Application:	Sent to 10 property owners within 120 metres of the subject property on February 26, 2021.
Public Notice Sign:	Sign was posted on the property February 19, 2021.
Notice of Public Meeting:	Sent to 10 property within 120 metres of the subject property on April 30, 2021.
Public Consultation:	A Community meeting was held on August 9, 2016.
Public Comments:	Two submissions received expressing an interest in purchasing the property and two submission received expressing concerns with the potential Official Plan Amendment and Zoning By-law Amendment.
Processing time:	N/A

EXISTING LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject Lands:	Former Carluke Community Centre	Open Space (P4) Zone
Surrounding Land Uses:		
North	Agriculture	Agriculture (A1) Zone
South	Agriculture	Agriculture (A1) Zone
East	Carluka Cemetery Agriculture	Open Space (P4) Zone Agriculture (A1) Zone
West	Single Family Dwelling	Agriculture (A1) Zone

Background

The subject lands were originally used for agriculture until 1844 when a log schoolhouse was built on the property. In 1858 the log schoolhouse was replaced by the existing Gothic Revival red brick schoolhouse. In 1925 the schoolhouse was damaged in a fire and reconstructed on the original foundation to its present form.

By the late 1960's, the use of the building as a schoolhouse had ceased and the structure was converted into a community centre for the local residents of Ancaster. This facility was named Carluke Hall and was operated by the Town of Ancaster and later the City of Hamilton. The City of Hamilton continued to own and operate Carluke Hall until 2017. At that time, the City was conducting an Indoor Recreation Facilities Study that assessed the City's portfolio of major recreation infrastructure. This property was deemed as having high operating costs and low utilization. The property was declared surplus to the needs of the City on March 30, 2017. Since then the building has remained vacant and the City has been exploring options to divest of the property. In 2015, the City rezoned the lands to Open Space (P4) to recognize the community centre use.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020) (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Cultural Heritage and Archaeology

- “2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

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The subject property meets five of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the PPS apply to the lands. If this application is approved, the City does not require an archaeological assessment but retains the authority to require one for any future *Planning Act* applications on the subject property.

Further, staff require that any prospective buyers of the subject property are informed in writing of the following:

“The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbance, in addition to any areas impacted by the installation of services, such as water, electricity and ground-source heat pumps, and the proponent is advised to conduct an archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the MHSTCI. Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).”

The subject property, comprised of 435 Carluke Road West and known as the former Carluke Schoolhouse or the “Little Red Schoolhouse”, is designated under Part IV of the *Ontario Heritage Act* and is a “protected heritage property” under the *Provincial Policy Statement*. The subject property is also located within the Carluke Historic Settlement Area, an inventoried Cultural Heritage Landscape of interest.

The heritage attributes protected by Designation By-law Number 93-16 (former Town of Ancaster) include the “whole of the exterior surfaces” of the structure, including its red brick construction and detailing, stone foundation, roof with chimney and belfry, enclosed front entrance and side wing, and all doors and window and their openings.

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Depending on the proposed use and scope of work required to adaptively reuse the structure, staff may require a Cultural Heritage Impact Assessment to be submitted as part of any *Planning Act* applications required to implement the proposal, or as part of any required Heritage Permit applications under the *Ontario Heritage Act*.

Residential Development

The following policies, amongst others, are applicable to the proposal:

- “1.1.4.1 Healthy, integrated and viable rural areas should be supported by:
- a) building upon rural character, and leveraging rural amenities and assets;
 - d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
 - e) using rural infrastructure and public service facilities efficiently.
- 1.1.5.2 On rural lands located in municipalities, permitted uses are:
- a) the management or use of resources;
 - c) residential development, including lot creation, that is locally appropriate;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - g) other rural land uses.
- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

The Provincial Policy Statement allows for some residential development that is locally appropriate. The subject lands are located in the rural area and the OPA/ZBLA will facilitate the adaptive reuse of the existing building by allowing it to be converted to a residential use. This conversion represents the redevelopment of an existing building on rural lands, which is encouraged to minimize the amount of land being developed in the rural area. The future residential use will use the existing services on the property and not expand into any natural heritage features.

The subject land is designated under Part IV of the *Ontario Heritage Act* and is a “protected heritage property” under the *Provincial Policy Statement*. The building will maintain its school house appearance while allowing for expansion and minor

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alterations. The building is compatible with the surrounding rural landscape, which is predominantly characterized by single detached dwellings and agricultural uses.

Therefore, the proposed amendments are consistent with the PPS (2020).

Greenbelt Plan (2017)

The *Greenbelt Act* requires that all municipal land use decisions made under the *Planning Act* conform to the Greenbelt Plan (2017). The Greenbelt Plan designates the subject lands as “Protected Countryside”. The following policies, amongst others, are applicable.

“4.5 Existing Uses

4.5.1 All *existing uses* are permitted.

4.5.4 Expansions to existing buildings and structures, accessory structures and uses and/or conversions of legally existing uses which bring the use more into conformity with this Plan are permitted subject to a demonstration of the following:

- a) Notwithstanding section 4.2.2.2, new municipal services are not required; and
- b) The use does not expand into key natural heritage features or key hydrologic features or their associated vegetation protection zones, unless there is no other alternative, in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure.”

The community centre is an existing use that is recognized and permitted under the Greenbelt Plan (2017). The proposal is to change the designation and zoning of the subject lands to permit a residential use within the existing building. The surrounding land uses are predominantly characterized by single detached dwellings and agricultural uses. This proposal will bring the use more into conformity with the Greenbelt Plan by integrating it into the existing rural landscape, utilizing existing private services and not expanding into key natural heritage features or key hydrologic features or their associated vegetation protection zone.

Therefore, based on the above, the proposal conforms to the Greenbelt Plan (2017).

Rural Hamilton Official Plan (RHOP)

The subject lands are identified as “Open Space” on Schedule D – Rural Land Use Designations, in the Rural Hamilton Official Plan. The following policies, amongst others, apply.

“C.3.3 Hamilton has a diverse and complex network of open spaces including the Niagara Escarpment – a world biosphere reserve, significant environmental features such as wetlands, woodlands, environmentally significant areas; city wide parks and small neighbourhood parks. The Bruce Trail is an essential component of the Niagara Escarpment Parks and Open Space System, linking parks, open space areas, and natural features. Open spaces, both individually and collectively, provide health, environmental, aesthetic and economic benefits that are essential elements for a good quality of life in our community. In addition, open spaces play an important role in defining the character of the City and in preserving its natural environment. Open space is the essential part of the urban and rural fabric of our City, providing common linkages between communities and complementing and enhancing our built and rural environments.

It is the City’s goal to establish and maintain an integrated parks and recreation system. This system contributes to a healthy, environmentally sound, and economically diverse community by providing benefits critical for good quality of life. As part of the natural fabric of a community, parks and open spaces are a source of pride and identity. Wherever possible parks shall be linked with other open space lands, walkways, bicycle /multi- use paths and trails. Parkland classifications and standards shall be used to determine the amount and type of parkland required for the community.

Planning policies ensure sufficient and viable opens spaces are retained, enhanced expanded and appropriately acquired. Such policies are necessary to achieve the environmental, social, economic, health and aesthetic benefits that parklands and open space provide for our communities.

The subject lands were designated Open Space and added to the Neighbourhood Parks Classification Map on Appendix A of the Rural Hamilton Official Plan through the adoption of the RHOP in 2012. These changes were to recognize the community centre use. Neighbourhood Parks primarily cater to the recreational needs and interests of the residents living within its general vicinity. They are generally comprised of municipal

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parkland, containing a mixture of passive areas, sports facilities, informal and formal play areas, and may include natural areas.

In 2017, the City conducted an Indoor Recreation Facilities Study that assessed the City's portfolio of major recreation infrastructure. This property was deemed as having high operating costs and low utilization. The property was declared surplus to the needs of the City on March 30, 2017. Since then the building has remained vacant and the City has been exploring options to divest of the property.

Through the review of the applications it was determined that removing the property from the Neighbourhood Parks Classification would result in a parkland deficit of 0.364 hectares. Staff note that based on assessment of the play structures on site they should be removed. They are currently utilized by members of the community, however there are two parks located within 6 km of Carluke Hall. Therefore, based on the above, staff are supportive of removing the lands from the Parks Classification Map on Appendix A of the RHOP.

C.3.3.1 Lands designated as Open Space on Schedule D – Rural Land Use Designations are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses. These uses include, but are not limited to, parks for both active and passive recreational activities including resource-based recreational and tourism uses, recreation/community centres, pedestrian pathways, trails, bikeways and walkways, seasonal campgrounds, marinas, woodlots, forestry and wildlife management areas, fishing reserves, hazard lands and cemeteries. Ancillary commercial uses may be permitted as defined by Section B.3.5.3, Parkland Policies and Section C.2, Natural Heritage System policies of this Plan.”

The Open Space designation of the Rural Hamilton Official Plan limits the permitted uses on a property to recreational activities, conservation management and other open space uses. One ancillary residential dwelling in conjunction with a *resource-based* recreational and tourism use is permitted provided that it does not interfere with or have any negative impacts on the open space nature of the land. As the community centre is not a *resource-based* recreational and tourism use, an ancillary residential use is not permitted.

The subject property was designated Open Space to recognize the community centre use, which is no longer in operation. The proposed Rural Hamilton Official Plan Amendment will change the designation from Open Space to Agriculture to allow residential within the existing building. This designation change represents the best option for disposing of the city owned property. This will allow for conservation and adaptive reuse of the existing community centre into a residential use by protecting the

cultural heritage features of the building, respecting the surrounding farming-related properties and limiting the amount of land being developed in the rural area.

Based on the foregoing, the proposal conforms to the Rural Hamilton Official Plan.

Rural Area General Provisions

- “C.3.1.4 The following uses shall be permitted in the Agriculture, Specialty Crop, and Rural designations, provided the applicable conditions are met: (OPA 5)
- a) Except as permitted in Sections D.2.1.1.6 and C.3.1.4 b) and c) of this Plan, a maximum of one dwelling per lot shall be permitted in designations where residential uses are permitted. The Zoning By-law shall limit permitted dwellings to a maximum of one residence per lot in designations where residential uses are permitted; and (OPA 23)

Agriculture Permitted Uses

- D.2.1 Uses permitted in the Agriculture designation are limited to agricultural uses, agricultural-related commercial and agricultural-related industrial uses and on farm secondary uses as set out in the following policies.”

The Agriculture designation permits a maximum of one dwelling per lot, agriculture, agricultural related and on farm secondary uses. The subject lands are 0.4 ha (1 acre) in size, contain a manicured lawn and are situated between a single detached dwelling and cemetery on the neighbouring properties. The property is constrained by what can be accommodated on site due to the small lot size and the inability to further expand the lot for larger uses.

As the Open Space designation does not permit a residential use and is limited to only recreational activities, conservation management and other open space uses, staff feel that the Agriculture designation is the best option for disposing of the property. This will allow for the adaptive reuse of the existing community centre to a residential use, protect the cultural heritage features of the building and integrate into the surrounding rural area.

Therefore, based on the above, the proposal complies with the RHOP.

Servicing

- “C.5.1.1
- d) Development of a new land use or a new or replacement building on an existing lot that require(s) water and/or sewage servicing, may only be permitted where it has been determined by the requirements of Policies C.5.1.1 a) and b) that the soils and size of the lot size are sufficient to accommodate the water system and sewage disposal system within acceptable levels of on-site or off-site impacts including nitrate impact, and shall include sufficient land for a reserve discharge site or leaching bed. The maximum lot size shall be in accordance with F.1.14.2.1 g);
 - e) The private water supply and sewage disposal systems shall be capable of sustaining the proposed and existing uses within acceptable levels of on-site and off-site water quantity and quality impacts, including nitrate impact;
 - f) The existing or proposed wastewater system shall not include a sewage disposal holding tank; and,
 - g) The existing or proposed water supply system shall include a well with sufficient quantity of water to sustain the use. A cistern system that meets current accepted standards, may, to the satisfaction of the City, be an additional component of the water supply system.”

In Spring 2020, WSP was retained to conduct a Hydrogeological Study to evaluate the existing well and sewage system. The purpose of the study was to demonstrate that there will be no negative impacts to the surrounding environment as a result of the proposed residential use. It was determined that the existing septic tank would be adequate for re-use and the water quality of the well met City standards.

The study also concluded that the existing leaching bed is not adequately sized for a residential use based on current Ontario Building Code (OBC) guidelines. The existing leaching bed would need to be upgraded or replaced in order to accommodate a residential use. Staff will require the upgraded/replacement sewage system design to be completed by a qualified professional. Upgrades to the sewage system will be required at the building permit stage as part of the conversion to a single family dwelling use from the City of Hamilton.

Based on the above, the proposal complies with the Private Water and Wastewater Service policies of the RHOP.

City of Hamilton Zoning By-law No. 05-200

The subject property is currently zoned Open Space (P4) Zone in the City of Hamilton Zoning By-law No. 05-200. The Open Space (P4) Zone permits a variety of open space uses including botanical gardens, cemeteries, community gardens, nature centres, a seasonal campground and an urban farm. One ancillary residential dwelling may be permitted in conjunction with a *resource-based* recreational and tourism use provided that it does not interfere with or have any negative impacts on the open space nature of the land.

The purpose of the Zoning By-law Amendment is to change the zoning from Open Space (P4) Zone to the Agriculture (A1, 743) Zone in order to permit a residential use in the existing building and agricultural uses. Staff identified a site specific modification that is required to implement the proposal. This modification is listed in the table on page four and discussed in greater detail in Appendix “D” to Report PED20073.

RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
<ul style="list-style-type: none"> • Recycling & Waste Disposal, Operations Division, Public Works Department; and • Grand River Conservation Authority 	<ul style="list-style-type: none"> • No Comment 	
Forestry and Horticulture Section, Public Works Department	<ul style="list-style-type: none"> • Have advised that there are municipal tree assets on site, however it is determined that no impacts are anticipated. Therefore, a Tree Management Plan and Landscape Plan will not be required. 	
Engineering Approvals	<ul style="list-style-type: none"> • Reviewed the applications and have no concerns with the Official Plan 	<ul style="list-style-type: none"> • A road widening will be required for any future development. Staff note that the road widening

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	<p>Amendment and Zoning By-law Amendment.</p> <ul style="list-style-type: none"> • Development Approvals has advised that Carluke Road is defined as a rural arterial road and a future road widening will be required. • Hamilton Water has reviewed the Hydrogeological Study and determined that the site can be sustainably serviced. However, staff note that the existing septic system may need to be upgraded or replaced through the future building permit application. 	<p>can only be taken through a Severance or Site Plan application.</p> <ul style="list-style-type: none"> • Building staff have advised that a new septic tank will not be required as long as the current septic tank does not leak and can accommodate the future dwelling use.
<p>Transportation Planning, Planning and Economic Department</p>	<ul style="list-style-type: none"> • Transportation Planning staff have reviewed the applications and have no objection to Official Plan Amendment and Zoning By-law Amendment. • Transportation Planning staff will require a future right of way dedication of 5.18 m along Carluke Road West. • Staff also note that careful consideration should be taken during the functional design of the site to ensure there is adequate sight distance at the access as per the TAC manual. 	<ul style="list-style-type: none"> • A road widening will be required for any future development. Staff note that the road widening can only be taken through a Severance or Site Plan application.

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<p>Recreation, Healthy and Safe Communities Department.</p>	<ul style="list-style-type: none"> • Recreation Planning staff advise that the lands are not conducive for recreation purposes. There is no interest from a Recreation programming respect. • Recreation Planning note, that Staff have taken appropriate measures to prepare for the eventual sale of the asset and have offered rental groups alternative space. 	
<p>Natural Heritage</p>	<ul style="list-style-type: none"> • Natural Heritage staff advise that the property is not within or adjacent to any Core Areas or Linkages shown on Schedule B (Natural Heritage System) of the Rural Hamilton Official Plan. • The site is within the Greenbelt Plan Protected Countryside, and a portion of Grand River Conservation Authority (GRCA) regulated area is just off-site, to the north east. Since the site is within an existing manicured area, is more than 120 metres from any Core Areas. • There are trees on site which would be regulated by the Public Tree By-law (if the site remains City-owned). If 	<ul style="list-style-type: none"> • The Town of Ancaster private tree by-law regulates trees on site and a permit may be required for any proposed changes.

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	the land is eventually sold to a private landowner, the Town of Ancaster private tree by-law would regulate trees on site and a permit may be required.	
Public Consultation		
	Comment	Staff Response
Potential Purchase	<p>Interest in purchasing the property and converting it into a single detached dwelling.</p> <p>Interest in purchasing the property and operating an art and music school or an early education centre.</p>	Staff have forwarded this information to the Real Estate Department.
Cultural Heritage Conservation	Concern regarding the preservation of the building and it's heritage features.	<p>The subject property is designated under the Ontario Heritage Act and is a "protected heritage property" under the Provincial Policy Statement.</p> <p>The heritage attributes are protected by Designation By-law Number 93-16 and depending on the proposed use and scope of work, staff may require a Cultural Heritage Impact Assessment and/or a Heritage permit to implement the proposal.</p>
School Bell Preservation	Interest in keeping the original school house bell in the Carluke Community	Staff, in consultation with the Heritage Resource Management Section, the Tourism and Culture

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	<p>by placing it in the neighbouring cemetery.</p>	<p>Division and the Conservator, note that the subject property is a designated heritage property and the best course of action is to leave the bell in the belfry to avoid any potential damage from removal.</p> <p>Further, displaying the bell outside has drawbacks as there is no care plan or budget in place for the bell and exposing the bell to the elements will cause the metal to deteriorate /degrade overtime.</p> <p>Therefore, staff are recommending that the bell remain in belfry and that it is considered as part of the designation and protected. A heritage permit application would be required by a future owner should they want to remove the bell.</p>
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Public Consultation

In accordance with the Council Approved Public Participation Policy, Notice and Preliminary Circulation was sent to 10 property owners within 120 m of the subject property on February 26, 2021.

A Public Notice Sign was posted on the property on February 19, 2021 and updated on April 21, 2021 with the Public Meeting date. A Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on April 22, 2021 and a newspaper ad was placed in the Hamilton Spectator.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Rural Hamilton Official Plan and Zoning By-law Amendments have merit and can be supported for the following reasons:
 - (i) The proposed amendments are consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2019) and the Greenbelt Plan (2017);
 - (ii) It complies with the general intent and purpose of the Rural Hamilton Official Plan, subject to the recommended Official Plan Amendment; and,
 - (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area.

2. The proposed Rural Hamilton Official Plan Amendment will:
 - Re-designate the lands from “Open Space” to “Agriculture” on Schedule D – Rural Land Use Designations;
 - Remove the lands from the Neighbourhood Park Classification on Appendix “A”.
 - Allow for the adaptive reuse of the subject lands for residential purposes; and,
 - Permit agricultural uses, agricultural-related commercial and agricultural-related industrial uses and on-farm secondary uses in accordance with the applicable Agricultural permissions.

The proposal facilitates an adaptive reuse of a rural property from an existing community centre to a residential use. The future residential use will facilitate the preservation of the cultural heritage features of the existing building. The property can be sustainably serviced in accordance with the RHOP water and wastewater servicing policies and will utilize the existing private waste system.

Removing the property from the Neighbourhood Parks Classification will result in a parkland deficit of 0.364 hectares. However, the community centre has been vacant since 2017, and there are two parks within 6 km of the subject lands. The existing play structures on site have been assessed and have recommended that they be removed.

Based on the above, staff support the proposed amendment and feel that this is the best option for divesting the property.

3. The proposed Zoning By-law Amendment will rezone the lands from the Open Space (P4) Zone to the Agriculture (A1, 743) Zone in the City of Hamilton Zoning

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By-law No. 05-200. The amendment will limit residential uses to the existing building on the property and facilitate the adaptive reuse of the former community centre to a single detached dwelling. Minor alterations and additions will be permitted in accordance with the *Ontario Heritage Act* and may require a Heritage Permit. These modifications are discussed in greater detail in Appendix “D” to Report PED20073.

The City is moving forward with the proposed amendment to expand the permitted uses on the property to make it more saleable as the current Open Space zoning is very limited. The subject property was rezoned to the Open Space (P4) Zone to recognize the community centre use, which is no longer in operation. Staff feel that the best option for the property is to rezone to the Agriculture (A1, 743) Zone to permit residential and agricultural uses. This zone change will allow for a more diverse set of uses on the property that will ingrate with the surrounding rural neighbourhood. As such, staff are supportive of the amendments.

4. The property is designated under Part IV of the *Ontario Heritage Act* and is a “protected heritage property” under the *Provincial Policy Statement*. The heritage attributes are protected by Designation By-law Number 93-16 (former Town of Ancaster). Depending on the proposed use and scope of work required to adaptively reuse the structure, staff may require a Cultural Heritage Impact Assessment to be submitted as part of any *Planning Act* applications required to implement the proposal, or as part of any required Heritage Permit applications under the *Ontario Heritage Act*.

Through the review of the Hydrogeological Study, it was determined that the existing septic tank is adequate for re-use and the water quality of the well met City standards. Staff note that the existing leaching bed is not sized for a residential use based on current Ontario Building Code (OBC) guidelines. The existing leaching bed would need to be upgraded or replaced in order to accommodate a residential use. Staff will require the upgraded/replacement sewage system design to be completed by a qualified professional. Upgrades to the sewage system will be required at the building permit stage as part of the conversion to a single family dwelling use from the City of Hamilton.

ALTERNATIVES FOR CONSIDERATION

City Council could choose to not adopt the proposed amendments. The existing Open Space designation and Open Space (P4) Zone would continue to apply to the property thereby limiting the uses permitted on the subject lands. This option is not preferred. The Carluke Hall Community Centre ceased operations in 2017 and since that time the

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building has remained vacant. This option would limit the City's opportunity to divest of the property.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Location Map

Appendix "B" – Draft Rural Hamilton Official Plan Amendment

Appendix "C" – Draft Zoning By-law No. 05-200 Amendment

Appendix "D" – Modifications Summary

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