



November 4th, 2019

Joanne Hickey Evans, R.P.P, M.C.I.P,
Manager, Policy Planning and Zoning By-law Reform
Planning Division
Planning and Economic Development Department
City of Hamilton
71 Main Street West
Hamilton, Ontario, L8P 4Y5

Dear Ms. Hickey Evans:

**Re: Discussion Paper - Residential Care Facilities and Group Homes
Human Rights and Zoning By-laws within the Urban Area**

Thank you for the opportunity to respond to this discussion paper. As you are aware, Lynwood Hall operates four facilities within the City of Hamilton including 831 Collinson Road, 135 Forest Avenue, 526 Upper Paradise Road and 121 Augusta Street. In our review of the draft zoning regulations, our first comment is that Lynwood Hall supports the elimination of the minimum distance separation guidelines in the by-law.

We have reviewed the proposed wording of the definition of Residential Care Facility and initially had some concerns as it does not fully describe uses and activities at the Lynwood facilities. While the new definition allows for the provision of supports which we understand would include services provided by those employed by the Residential Care Facility, it would not allow uses that are considered part of the Social Services Establishment which are an integral part of the Lynwood operation and are only permitted within a Residential Care Facility within an I3 or C5 zone.

Lynwood also notes that the definition which describes the Residential Care Facility as being fully detached residential dwelling occupied wholly by supervised residents, which is not the case in all of the Lynwood facilities.

With the exception of the Forest Avenue and Greensville sites, the Lynwood uses are best suited in settings that allow for both residential and other support services. Most LCC facilities accommodate professional service providers which engage in social support services both at the Lynwood facility and throughout the community. In addition, some of the residents within the facility visit educational facilities off site. Conversely, some individuals within the community attend at the Lynwood facilities for support services and educational services jointly operated by Lynwood and the HWDSB.

CHARLTON SITE
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Hamilton ON L8P 2C1
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F:(905) 529-5291

FOREST SITE
135 Forest Ave
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P:(905) 527-3396
F:(905) 527-6699

UPPER PARADISE SITE
526 Upper Paradise Road
Hamilton ON L9C 5E3
P:(905) 389-1361
F:(905) 389-8765

FLAMBOROUGH SITE
133 King St. W. PO Box 65548
Dundas ON L9H 6Y6
P:(905) 627-8475
F:(905) 627-8482

AUGUSTA SITE
121 Augusta St.
Hamilton ON L8N 1R5
P/ WEST:(905) 577-0543
P/ EAST:(905) 577-1020
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A description of each of the Lynwood facilities can be summarized as follows:

1. 831 Collinson Road - Flamborough

This facility includes residential accommodation for up to 10 youth aged 12-15. It also provides a jointly operated education classroom accommodating both residents and occasionally students who do not reside at the facility.

We understand this site is zoned A1 which permits a Residential Care Facility. However, we are unsure whether the existing use perfectly fits the new definition. For example, would the presence of the classrooms mean that the site does not fall within the limits of a Residential Care Facility? Your thoughts on this matter would be helpful.

2. 135 Forest Avenue

This facility provides residential accommodation to dual diagnosed youth between the ages of 12 and 18, providing residential respite service to youth who normally live with their families the vast majority of the time. The program utilizes 6 beds on a rotating basis, allowing for approximately 14-20 families being supported with respite throughout the month for short term stays.

This site is zoned E3 which is a Residential zone and therefore will be affected by the new by-law. We believe this facility meets the definition of a Residential Care Facility but would like confirmation in light of the change to the definition which deletes the words "shall include a children's residence and group home".

3. 526 Upper Paradise Road

This facility provides accommodation for up to 16 youth in a mixed use building which also includes 2 classrooms for students under 13 years of age jointly operated by LCC and the HWDSB, and provides offices and administrative support for LCC staff who work in the community in family homes and in local schools. LCC also shares office space with Affiliated Services for Children and Youth, a social service agency which provides professional day care support services.

The jointly operated education classrooms provide services to both residents who live on the premises, as well as individuals who attend the school from the broader community. In addition, some of the residents at Lynwood attend schools off site.

Given this site is zoned DE/S1449, the new by-law will affect this property. However, we understand that the intent is to retain the existing zoning provisions that were established on the property by way of By-law 01-097. Your confirmation of that intent would be helpful.

4. 121 Augusta Street

We note from a review of the OMB decision that the Board considered Charlton Hall as a Residential Care Facility (page 16 of 22). Ultimately, the land was put in an Institutional zone. As noted in the Board decision on page 18, the appellant (Lynwood) did not necessarily agree that the proposed use is an Institutional use, however, it was prepared to accept that identification in the by-law.

As you may recall, there was some discussion at the Board hearing as to whether the building that currently accommodates Lynwood Charlton residents on Augusta Street is a residential building and special zoning provision had to be maintained to add the Social Services Establishment to the use. In addition to the overnight accommodation, jointly operated education classrooms are provided on the ground floor.

The existing zoning on this site accommodates the Lynwood uses on the properties. Given this zoning will remain in place, reflects the existing use, we understand this site will not be affected by the provisions of the By-law.

Recommendations

1. 831 Collinson Road

Please confirm the existing use complies with By-law requirements. If not, what must be done to bring the property into conformity.

2. 135 Forest Avenue

Can you please confirm that the proposed use complies with the definition of a Residential Care Facility notwithstanding the deletion of a children's residence as part of a Residential Care Facility if it can be determined or confirmed that the use on the property complies to the definition, Lynwood would have no further concerns with respect to this site.

3. 526 Upper Paradise Road

As long as the existing zoning provisions as per By-law 01-097 are retained, Lynwood has no concerns with this property.

4. 121 Augusta Street

Since this site is not affected by the by-law, Lynwood has no concerns with respect to this facility.

Thank you very much.

Sincerely,



G.P. Alex Thomson
Executive Director
Lynwood Charlton Centre

c.c. Nancy Smith
Ed Fothergill