



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 11, 2023
SUBJECT/REPORT NO:	Application for a Zoning By-law Amendment for Lands Located at 350 Albright Road, Hamilton (PED23147) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Alaina Baldassarra (905) 546-2424 Ext. 7421
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Amended Zoning By-law Amendment Application ZAC-23-033 by T. Johns Consulting Group Ltd. c/o Katelyn Gillis on behalf of Guidos de Bres Christian High School**, for a change in zoning from the Neighbourhood Institutional (I1) Zone to Community Institutional (I2, H152) Zone and Conservation / Hazard Land (P5) Zone, to permit the former elementary school building and associated lands to be converted to a secondary school (Guidos de Bres Christian High School) for lands located at 350 Albright Road, Hamilton, as shown on Appendix "A" attached to Report PED23147, be **APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED23147, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That Schedule "D" – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding a Holding Provision as follows:

H152. Notwithstanding Section 8.2 of this By-law, within lands zoned Community Institutional (I2, H152) Zone, identified on Map 1245 of Schedule A – Zoning Maps and described as 350 Albright Road, no development shall

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be permitted until such time as the applicant submits and receives approval of a Transportation Impact Study to the satisfaction of the Manager, Transportation Planning;

- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

The Applicant T. Johns Consulting Group Ltd., c/o Katelyn Gillis on behalf of Guidos de Bres Christian High School has applied for a Zoning By-law Amendment to permit the former elementary school building and associated lands to be converted to a secondary school. The subject land is municipally known as 350 Albright Road and is located west of Mount Albion Road and east of the Red Hill Valley Parkway.

The purpose of the Zoning By-law Amendment application is to rezone the lands from Neighbourhood Institutional (I1) Zone to the Community Institutional (I2, H152) Zone and Conservation / Hazard Land (P5) Zone in the City of Hamilton Zoning By-law No. 05-200.

The proposed Zoning By-law Amendment application has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
- It complies with the Urban Hamilton Official Plan (UHOP).

Alternatives for Consideration – See Page 7

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 to the Zoning By-law. In accordance with Section 34(10.12), if the City makes a decision on a Zoning By-law Amendment within 90 days after the receipt of the application, the City shall not refund the fee.

HISTORICAL BACKGROUND

Application Details	
Owner:	Guidos de Bres Christian High School c/o Ed Poort
Applicant:	T. Johns Consulting Group Ltd. c/o Katelyn Gillis
File Number:	ZAC-23-033
Type of Application:	Zoning By-law Amendment.
Proposal:	To permit the former elementary school building and associated lands to be converted to a secondary school (concept plan is attached as Appendix “C” to Report PED23147). The proposal includes the construction of an addition (gymnasium) at the front of the building (adjacent to Albright Road), a new bus layby area and additional parking.
Property Details	
Municipal Address:	350 Albright Road
Lot Area:	2.45 ha.
Servicing:	Existing municipal services.
Existing Use:	Institutional – decommissioned elementary school.
Proposed Use:	Institutional – secondary school.
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended.
Official Plan Existing:	Urban Hamilton Official Plan “Neighbourhoods” on Schedule E- Urban Structure; and, Schedule “E-1” – Urban Land Use Designations. A review of applicable policies is included in Appendix “D” to Report PED23147.
Zoning Existing:	Neighbourhood Institutional (I1) Zone in Zoning By-law No. 05-200.

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Documents	
Zoning Proposed:	Community Institutional (I2, H152) Zone in Zoning By-law No. 05-200. Staff amended the application to zone a portion of the subject lands to Conservation / Hazard Land (P5) Zone.
Processing Details	
Received:	May 2, 2023
Deemed Complete:	May 4, 2023
Notice of Complete Application:	Sent to 133 property owners within 120 metres of the subject property on May 19, 2023.
Public Notice Sign:	Posted on May 11, 2023.
Notice of Public Meeting:	Sent to 133 property owners within 120 metres of the subject property on June 30, 2023.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "E" to Report PED23147.
Public Consultation:	The following Public Consultation was completed for the proposed development: <ul style="list-style-type: none"> • An Open House hosted at 350 Albright Road by Guido de Bres Christian High School. The Open House was on Saturday, September 24, 2022 from 10:00 a.m. until 2 p.m.; • Information Package was prepared by T. Johns Consulting Group to describe the proposed change of use and renovations. Information letters were mailed out on Friday March 24, 2023; and, • Online Project Website accessible through T. Johns Consulting's Community Portal via www.tjohnsconsulting.com.
Public Comments:	One e-mail was received expressing concern with the proposed Zoning By-law Amendment. This correspondence and a summary of the comments are attached as Appendix "F" to Report PED23147.
Processing Time:	70 days from date of receipt of the application.

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Existing Land Use and Zoning

	Existing Land Use	Existing Zoning
Subject Lands:	Decommissioned Elementary School	Neighbourhood Institutional (I1) Zone

Surrounding Land Uses:

North	Natural Heritage Feature and Red Hill Valley Parkway	“AA” (Agricultural) District
South	Residential Dwellings (Townhouses)	“RT-20” (Townhouse – Maisonette) District
East	Red Hill Neighbourhood Park	Neighbourhood Park (P1) Zone
West	Red Hill Valley Parkway	“AA/S-1247” (Agricultural) District, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. Matters of provincial interest (e.g. efficiency of land use) are reviewed and discussed in the Official Plan analysis that follows.

The application has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (PPS, 2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
- It complies with the Urban Hamilton Official Plan.

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP. Refer to Appendix “D” attached to Report PED23147 for a review of applicable Official Plan policies.

The proposed redevelopment of a decommissioned elementary school to a private secondary school meets the intent of the policies of the Urban Hamilton Official Plan. The proposed use is considered an appropriate supporting community facility within the “Neighbourhoods” designation and adaptively reuses an existing building. A Site Plan Control application (SPA-23-019) has been submitted by the applicant which proposes to construct an addition to the existing building and redesign the existing asphalt parking area.

The Development Engineering and Transportation Planning Divisions are satisfied that the proposed use can be supported on the subject lands. Detailed design information will be required as part of the Site Plan Control application for the subject lands (SPA-23-019). As well, Transportation Planning comments require a Transportation Impact Study and this has been included as Holding Provision on the subject lands. Staff did not receive confirmation from the applicant if they were in agreement with the Holding Provision for the transportation study at the time of preparation of this report.

As part of the application, Natural Heritage staff reviewed the application and requested that a portion of the lands on the northeast side of the property (adjacent to the soccer field) be rezoned to Conservation / Hazard Land (P5) Zone in order to protect the feature adjacent to the subject lands which complies with the intent of the Urban Hamilton Official Plan. The applicants are in agreement with the Conservation / Hazard Land (P5) Zone.

Therefore, the proposal complies with the Urban Hamilton Official Plan.

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

The proposed Zoning By-law Amendment is for a change in zoning from Neighbourhood Institutional (I1) Zone to the Community Institutional (I2, H152) Zone and Conservation / Hazard Land (P5) Zone. The effect of this Zoning By-law Amendment will permit the lands and existing building to be developed for a secondary school and to protect the adjacent natural heritage feature located on the adjacent to the lands.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. Zoning By-law Amendment

The subject lands are zoned Neighbourhood Institutional (I1) Zone in Zoning By-law No. 05-200. The Zoning By-law Amendment proposes to change the zoning to the Community Institutional (I2, H152) Zone and Conservation / Hazard (P5) Zone as outlined in the table on Page 3 of the staff report.

The proposed Zoning By-law Amendment complies with the “Neighbourhoods” designation, natural heritage and complete community policies of the Urban Hamilton Official Plan as outlined in Appendix “D” attached to Report PED23147.

Therefore, staff support the proposed Zoning By-law Amendment.

2. Holding Provision

An “H” Holding Provision is proposed to be added to the subject lands for the purposes of requiring a Transportation Impact Study. The Holding Provision can be lifted once a Transportation Impact Study has been submitted and approved by the Manager of Transportation Planning. Staff did not receive confirmation from the applicant if they were in agreement with the Holding Provision for the transportation study at the time of writing the report

ALTERNATIVES FOR CONSIDERATION

Should the application be denied, the subject property can be used in accordance with the Neighbourhood Institutional (I1) Zone in Zoning By-law No. 05-200.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

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” to Report PED23147 – Location Map

Appendix “B” to Report PED23147 – Amendment to Zoning By-law No. 05-200

Appendix “C” to Report PED23147 – Concept Plan

Appendix “D” to Report PED23147 – Official Plan Policy Review

Appendix “E” to Report PED23147 – Department and Agency Comments

Appendix “F” to Report PED23147 – Public Comments

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