

INFORMATION REPORT

TO: Chair and Members Planning Committee	WARD AFFECTED: Ward 13
COMMITTEE DATE: September 20, 2011	
SUBJECT/REPORT NO: Request for Reduction in Planning Fees from Dundas Museum & Archives Located at 133 - 139 Park Street West (Dundas) (PED11171) (Ward 13)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Heather Travis (905) 546-2424, Ext. 4168
SIGNATURE:	

Council Direction:

At the August 11, 2011, Council meeting, City Council received correspondence from the Dundas Museum & Archives regarding proposed changes to the museum property at 133 - 139 Park Street West (Dundas). Specifically, the letter (attached as Appendix "A") requested that the fees for a required Zoning By-law Amendment application be waived or reduced. The request was received by Council, and referred to the General Manager of the Planning and Economic Development Department for a report to the Planning Committee.

Information:

The Dundas Museum & Archives is located at 133 - 139 Park Street West (Dundas). 133 - 139 Park Street West is one parcel, which contains the Museum (139 Park Street West) and an existing single detached dwelling, which is currently used for residential purposes (133 Park Street West). The Museum is proposing to change the use of this dwelling to office and storage space for the museum archives. All of the changes would be within the existing building.

SUBJECT: Request for Reduction in Planning Fees from Dundas Museum & Archives Located at 133 - 139 Park Street West (Dundas) (PED11171) (Ward 13) - Page 2 of 3

In May, 2011, a Request for Formal Consultation to the Planning and Economic Development Department was submitted on behalf of the Museum regarding the proposed changes to 133 Park Street West. The Formal Consultation process provides an opportunity for City staff to review development proposals and identify any required studies or applications that are needed to implement the proposal. Through the Formal Consultation process, the applicant was notified that a Zoning By-law Amendment Application (Complex) would be required to implement the proposal, as the current Low Density Residential (R4) Zone on the subject lands would not permit the office and storage uses. The Complex Zoning By-law Amendment would be required to rezone the subject lands at 133 Park Street West from the existing Low Density Residential (R4) Zone to the Public and Private Service (PPS) Zone. The change to the PPS Zone would permit the office and storage uses for the Museum archives, and would also eliminate the split zoning, which is currently on the property, as 139 Park Street West (the Museum) is currently within the PPS Zone. In addition, the applicant was notified that the fee for a Complex Zoning By-law Amendment Application is \$11,540.00.

The City of Hamilton Planning and Economic Development Fee Schedule recognizes two types of Zoning By-law Amendment Applications. Complex applications, at a fee of \$11,540.00, are generally those applications that propose a change in zoning from one zone category to a different zone category, or that propose multiple modifications to an existing zoning category. Routine applications, at a fee of \$5,770.00, are generally those applications that propose a modification to an existing zoning category, such as to permit an additional use within an existing zone. The current application fees were established in 2009 (plus CPI adjustments) based on a comprehensive analysis of the cost of service delivery to recoup the actual cost of processing and administering development approvals.

While the Formal Consultation document identified the need for a Complex Zoning By-law Amendment application for the subject proposal, in an effort to reduce the cost for this non-profit organization, Planning staff would be supportive of alternatively dealing with the proposal through a Routine Zoning By-law Amendment application. The Routine application would maintain the existing Low Density Residential (R4) Zone on 133 Park Street West, and add the proposed office and storage uses for the Museum archive as an additional permitted use on the property. While this would not have the effect of eliminating the split zoning on the property, it would have the effect of reducing the total fees required from \$11,540.00 to \$5,770.00 (a 50% reduction in fees). Further, staff notes that the \$310.00 Formal Consultation application fee (already paid by the Museum) would be credited toward any future required application fees. Therefore, should the proposal be dealt with through a Routine rezoning application, the total Zoning By-law Amendment application fees required to be paid by the Museum would be \$5,460.00. The Department is not supportive of waiving the fees entirely as our cost of service delivery for applications is substantially funded from reserves.

SUBJECT: Request for Reduction in Planning Fees from Dundas Museum & Archives Located at 133 - 139 Park Street West (Dundas) (PED11171) (Ward 13) - Page 3 of 3

Appendix:

- Appendix "A": Letter to Councillor Powers from C.E. Crozier, President and Board Chair, Dundas Museum & Archives

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Attach. (1)



Mr. Russ Powers,
City of Hamilton
Ward-13 Councillor
Town Hall
Dundas, Ontario

Dear Mr. Powers,

Thanks to a recently announced \$1.225-million provincial government infrastructure stimulus funding grant, the Dundas Museum & Archives is in a position to move forward with the renovation and refurbishment of our museum complex. This is part of the successful Dundas Arts Community Community 'Heart of Dundas Campaign' to raise financial support, through the federal, provincial and municipal levels of government, for the benefit of the three members of the Dundas heritage and arts community. To date the DACF has raised \$7.35-million

Dundas Valley School of Art @ \$4.90-million (\$2.45-million from the City of Hamilton)
Dundas Museum & Archives @ \$1.225-million
Carnegie Gallery @ \$1.225-million.

As part of the museum's expansion plans we are seeking a City of Hamilton re-zoning permit which will allow a change in the designation of the adjoining heritage cottage from a rental income property to an intrical part of the day-to-day operation of the museum. Once the permit is received it is our intention to immediately move forward in converting the house to museum use. The building is to be used for much needed space to accommodate the museum's offices, archives and collections storage area. As discussed with Hamilton officials, these changes will not reflects on the exterior heritage design of the building. Our tenants have advised us they have found suitable accommodations elsewhere and will be leaving the home at the end of September 2011.

In speaking to City Hall officials we have been advised our permit application is of a 'complex nature' and as such the fee to change the designation of the building is \$11,540 (\$11,540 - \$320). As a not-for-profit organization we are simply not in a position to cover these costs. We are asking that these changes be dropped or at the very least significantly reduced.. Thank you for your consideration in this matter.

Warmest regards,

A handwritten signature in black ink, appearing to read "Clare Crozier", written over a horizontal line.

C.E. (Clare) Crozier
President & Board Chair
Dundas Museum & Archives
139 Park Street West,
Dundas, L9H 1X8
July 29, 2011