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October 19, 2015

Chair and Members
Planning and Economic Development Committee
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Dear Chair Partridge and Members of the Committee:

**PROPOSED INTERIM CONTROL BY-LAW
1500 MAIN STREET EAST, HAMILTON**

My client is the owner of 1500 Main Street East and currently operates a 90 bed nursing home facility on this property. In 2013, Council approved a Zoning By-law Amendment which would accommodate a third floor addition onto the rear of this building and would increase the capacity to 110 retirement/nursing home suites. To implement the rear addition we secured Site Plan approval under Municipal File SPA-15-078. A Building Permit for the addition was applied for in August of this year and I am advised it is very close to being issued. In anticipation of receiving the permit, my client has already initiated construction activity on the roof of the current second floor to accommodate the new addition.

It has come to our attention that an Interim Control By-law is now proposed along the Main Street frontage and the purpose of this By-law is to freeze development until the Municipality completes a planning study for this area. The north wall of the proposed third floor addition extends into the Interim Control area, however the majority of the addition appears to be outside the Interim Control By-law area (see attached map).

Given the fact that our client has secured Site Plan approval and is in the process of obtaining a Building Permit for the third floor addition, we would respectfully suggest that it is not appropriate to freeze the redevelopment of this particular property. Given that this is an addition onto the back of this building, we are not sure whether or not the Interim Control By-law would apply or if a specific exemption is necessary. We bring this matter to your attention with the hope you grant an exemption to the Interim Control By-law rather than requiring our client to go through a variance process.

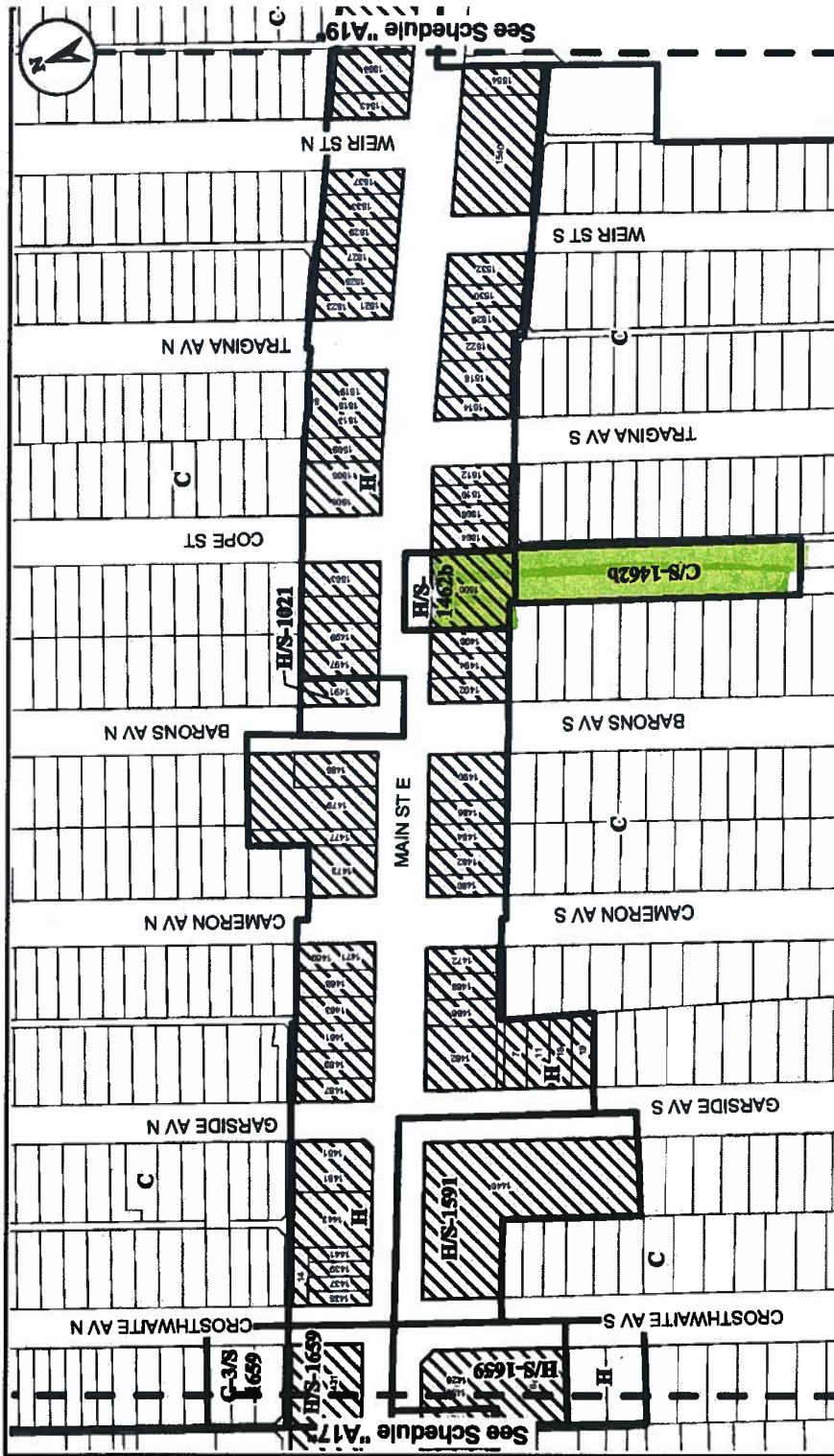
Please accept this letter as our request to appear as a delegation on this matter so that we can also address the Committee on this issue.

Yours truly,
IBI Group

A handwritten signature in black ink, appearing to read 'John Ariens', written over the typed name and title.

John Ariens, MCIP, RPP
JA:jc
Att.

cc: Steve Kozar
Councillor Sam Merulla
Joanne Hickey Evans



<p>See Schedule "A17"</p>	<p>See Schedule "A19"</p>	<p>Mayor</p>		<p>Hamilton</p>
		<p>File Name/Number: Interim Control By-law - IRT</p>	<p>Planner/Technician: JHE/NB</p>	
<p>Scale: N.T.S.</p>		<p>Date: September 21, 2015</p>		<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>This is Schedule "A" to By-law No. 15- Passed the day of, 2015</p>		<p>Subject Property Lands Subject to By-law No. — (Interim Control By-law)</p>		
<p>Schedule "A18"</p> <p>Map Forming Part of By-law No. 15- to Amend By-law No. 6593</p>				