



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
- 

**APPLICATION NO.:** HM/A-19:462

**APPLICANTS:** Owner: LJM Developments Inc. c/o Liaquat Mian  
Agent: A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer

**SUBJECT PROPERTY:** Municipal address **2782 Barton St. E., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** E-3/S-306c district (High Density Multiple Dwelling)

**PROPOSAL:** To permit the construction of a 15-storey mixed use building containing commercial uses on the ground floor and 244 dwelling units above notwithstanding that:

1. A building height of 50.0m and fifteen storeys shall be provided instead of the maximum permitted building height of 41.5m and 13 storeys.
2. A maximum floor area ratio of 3.3 shall be permitted instead of the maximum 3.15 floor area ratio permitted.
3. No visual barrier shall be provided along the southerly and westerly property lines whereas the by-law requires a visual barrier to be provided along the boundary of the lot abutting the residential district.
4. One (1) loading space shall be provided instead of the minimum required two (2) loading spaces.
5. A loading space size of 13.0m x 4.0m shall be provided instead of the minimum required loading space size of 13.0m x 6.0m.

**NOTES:**

- i. These variances are necessary to facilitate Site Plan Control Application DA-20-026.
- ii. A variance was requested to permit a reduced westerly side yard however it does not appear that this variance is required. The westerly side yard setback conforms as shown on the submitted site plan.
- iii. This property abuts a residential district to the west and south. Be advised that a landscaped area with planting strip are required to be provided between the parking area and the abutting residential district. Insufficient information has been provided to determine zoning compliance.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, August 6<sup>th</sup>, 2020  
**TIME:** 2:10 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only**

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## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

For more information on this matter, including access to drawings illustrating this request:

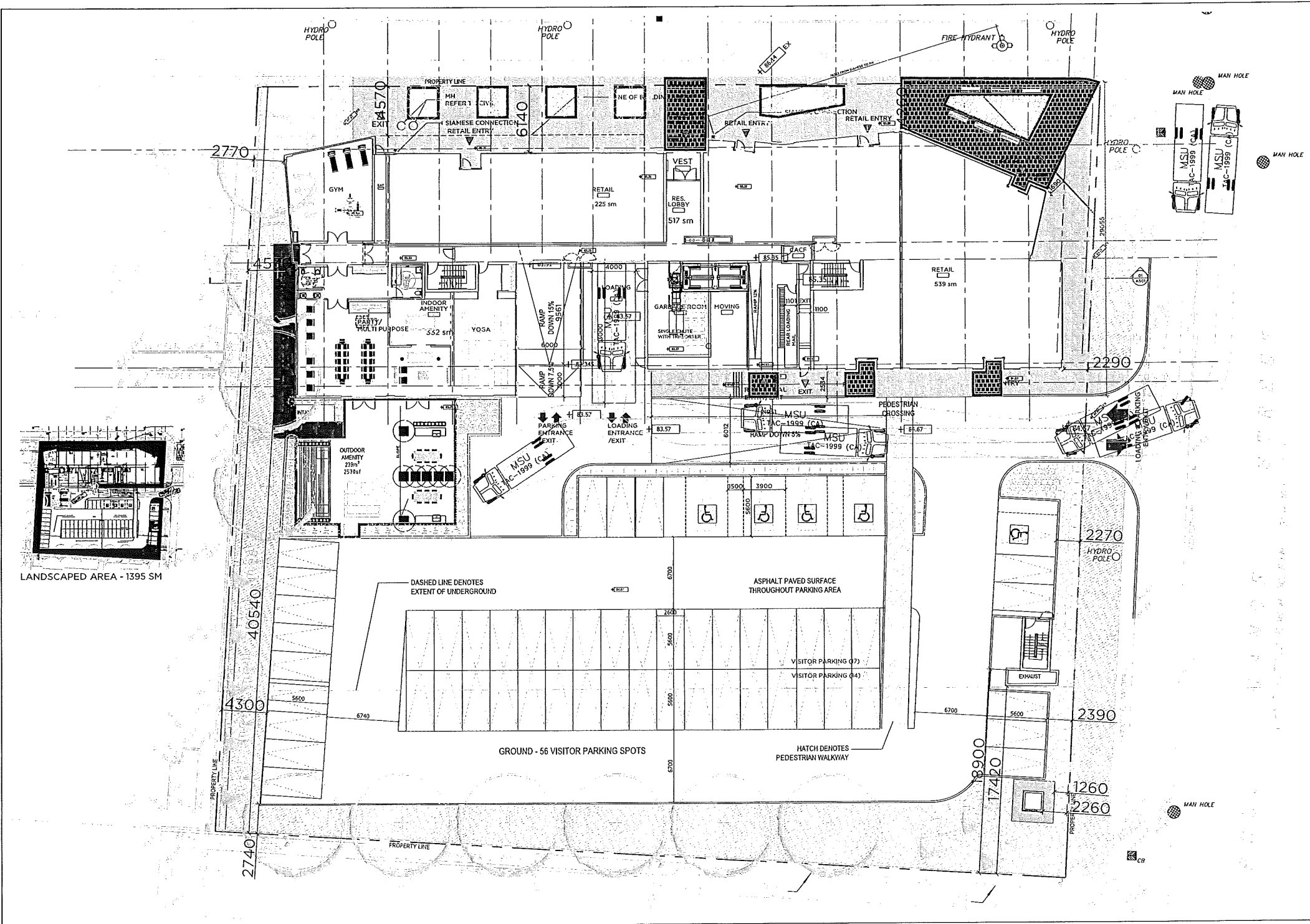
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

Dated: July 21, 2020

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



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**ISSUED RECORD**

- 2016.12.07 - ISSUED FOR ZBA
- 2016.09.28 - ISSUED FOR REVISIONS
- 2016.10.24 - ZBA RE-SUBMISSION
- 2017.02.14 - ZBA RE-SUBMISSION
- 2017.02.27 - ISSUED FOR SPA
- 2017.05.18 - ZBA+SPA RE-SUBMISSION
- 2017.11.06 - SPA RE-SUBMISSION
- 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**



**RAW**

405-317 ADELAIDE STREET WEST  
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16073

2782 BARTON STREET  
 HAMILTON, ON

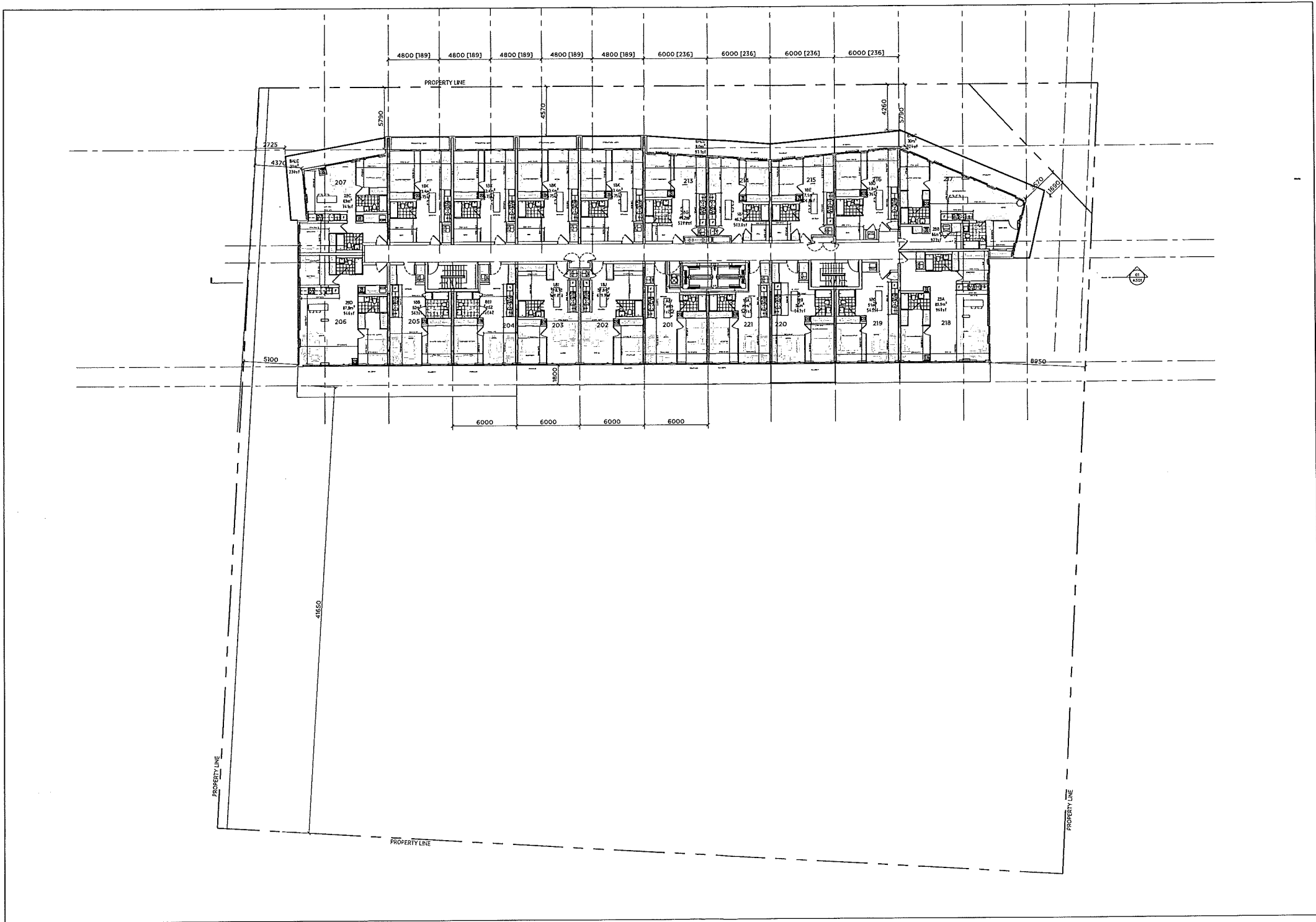
LJM Developments

GROUND PLAN

1:150

A201

HM/A-19-462



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**REVISION RECORD**



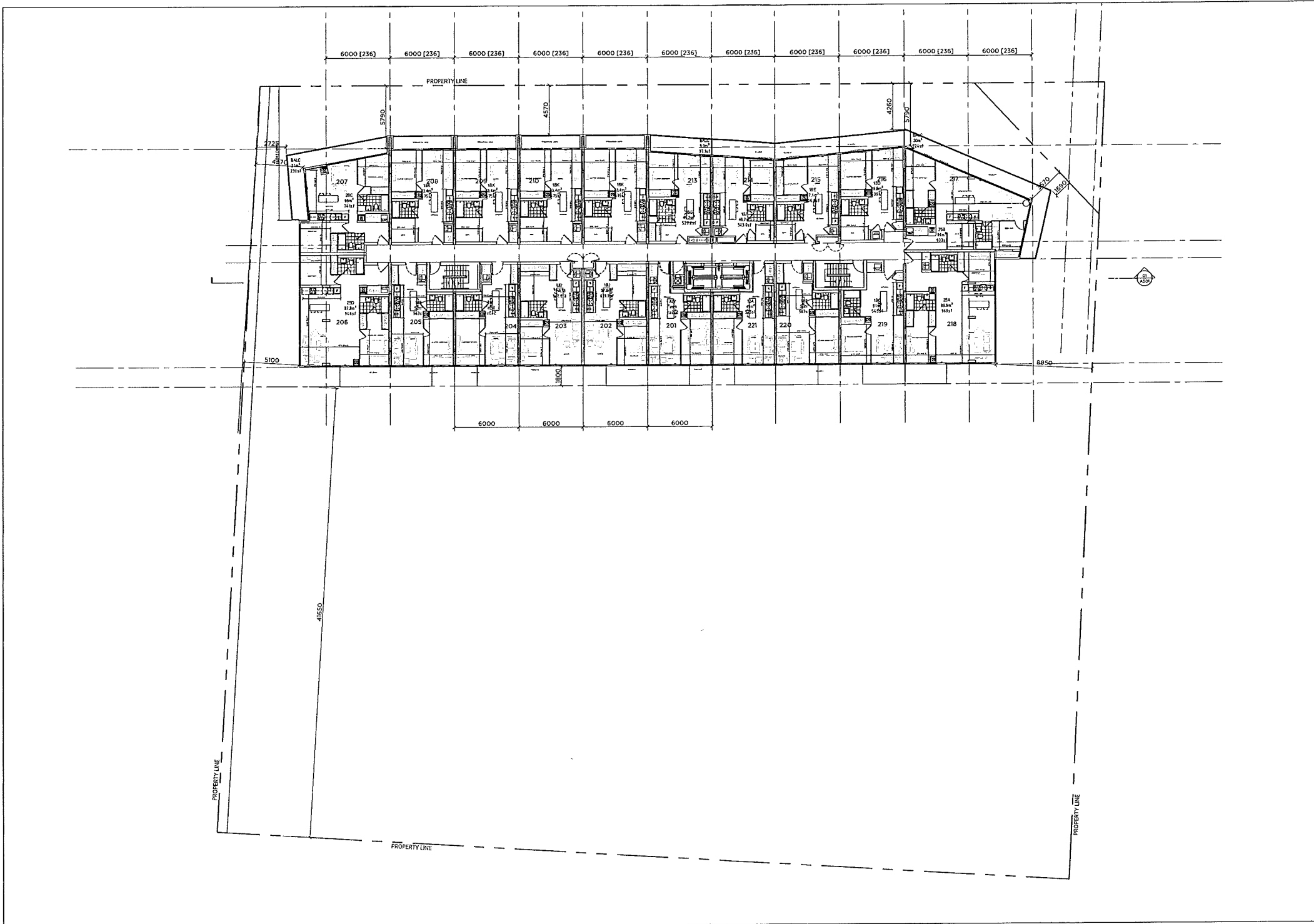
**RAW**  
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 2782 BARTON STREET  
 HAMILTON, ON

LJM Developments  
 LEVEL 2  
 TYPICAL FLOOR  
 PLAN  
 1:150

A202

HM/A-19.462



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**REVISION RECORD**



NORTH



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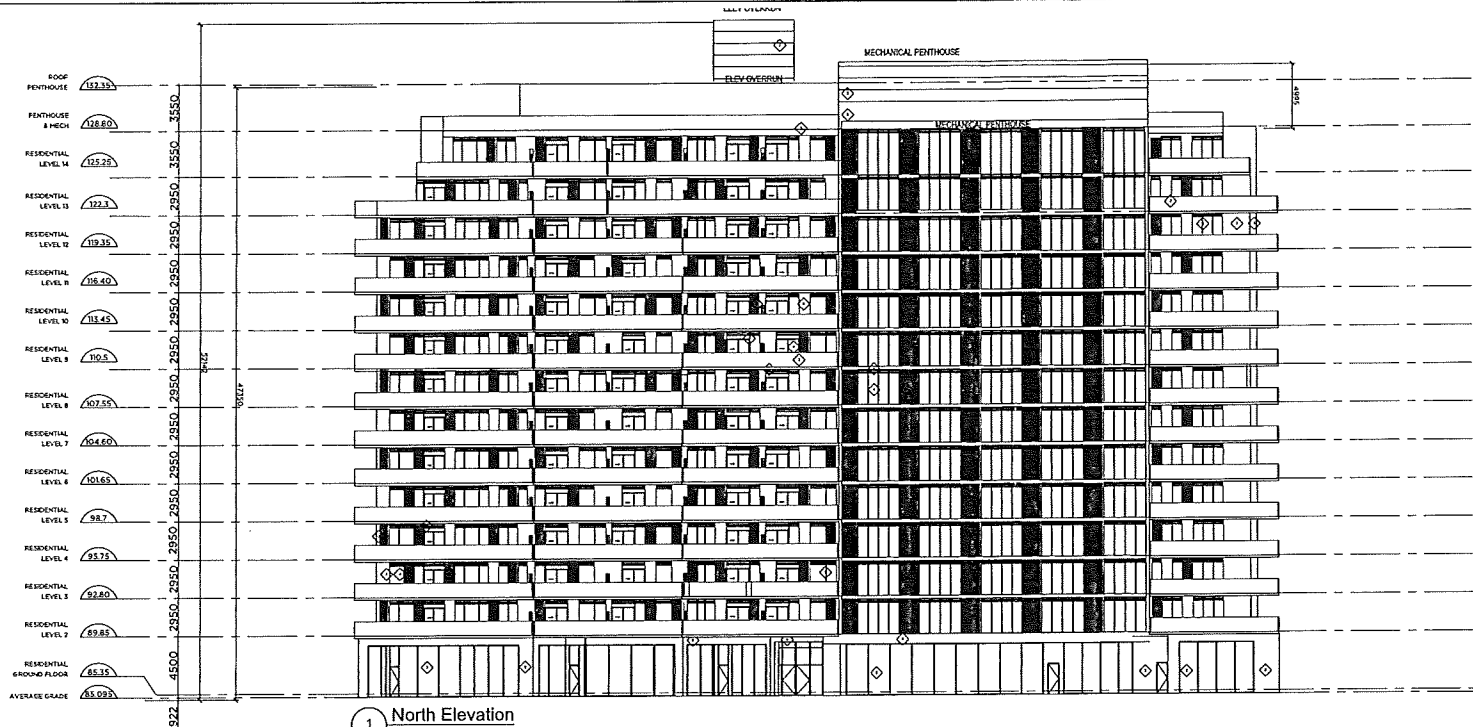
LJM Developments

LEVEL 3 - 12  
 TYPICAL FLOOR  
 PLAN

1:150

A203

HM/A-19-462



**MATERIAL LEGEND**

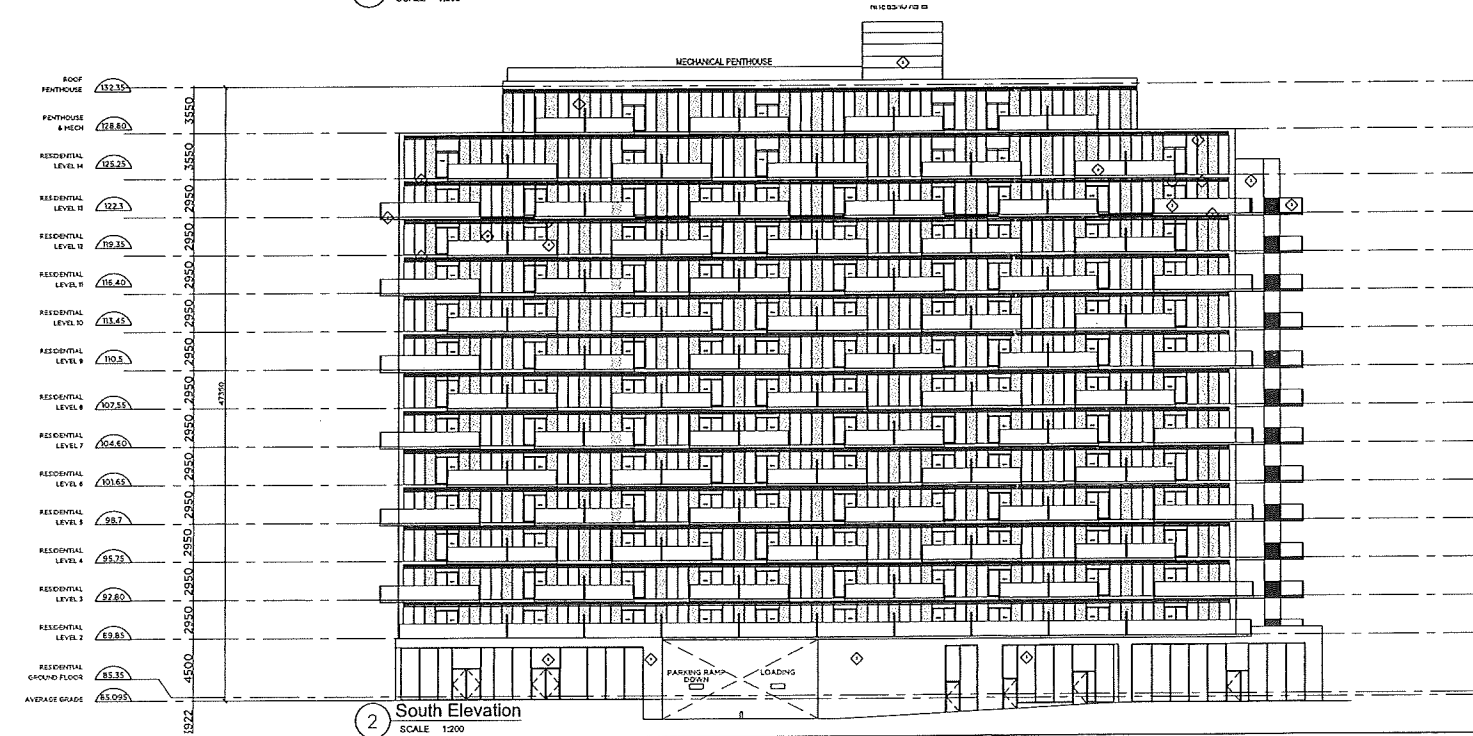
- ◊ #82798 COLOR METAL PANEL
- ◊ WHITE METAL PANEL
- ◊ ALUMINUM + GLASS RAILING
- ◊ VISION GLASS WINDOW WALL
- ◊ VISION GLASS CURTAIN WALL
- ◊ #84683 COLOR METAL PANEL
- ◊ BROWN COLOR METAL PANEL
- ◊ GREY MASCHERY
- ◊ LOUVERS
- ◊ SPANDREL GLASS PANEL

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**REVISION RECORD**



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LJM Developments  
 ELEVATIONS

1:200  
**A401**

HM/A-19-462



19.159831



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>Hm/A-19-462</u>	DATE APPLICATION RECEIVED <u>Dec. 20/19</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

*The Planning Act*

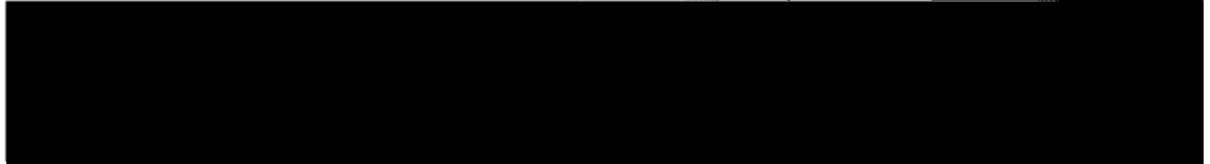
**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner LJM Developments Inc.  
(c/o Liaquat Mian) Telephone No.



3. Name of Agent A.J. Clarke and Associates Ltd.  
(c/o Franz Kloibhofer) Telephone No. 503-1111



**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_



6. Nature and extent of relief applied for:  
Please see the attached covering letter that details the extent of relief applied for.

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7. Why it is not possible to comply with the provisions of the By-law?  
Please see the attached covering letter that details the necessity to amend the current by-law.

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8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
Part of lot 45 and 46 in Registered Plan M-50 in the City of Hamilton. The site is municipally known as 2782 Barton Street East in Hamilton, Ontario.

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9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial   
Agricultural  Vacant   
Other

9.1 If Industrial or Commercial, specify use  
\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Property owner's knowledge and aerial imagery.  
\_\_\_\_\_  
\_\_\_\_\_


9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

December 13th, 2019  
Date

  
Signature Property Owner  
LJM Developments Inc. (c/o Liaquat Mian)  
Print Name of Owner

10. Dimensions of lands affected:

Frontage +/- 78.95 metres (Barton Street)  
Depth +/- 73.79 metres (Bell Manor Street)  
Area +/- 5,655 square metres  
Width of street Unknown

11. Particulars of all buildings and structures on or proposed for the subject lands:  
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: N/A  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: Please see the attached Site Plan and building elevations.  
\_\_\_\_\_  
\_\_\_\_\_

12. Location of all buildings and structures on or proposed for the subject lands;  
(Specify distance from side, rear and front lot lines)

Existing: N/A  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: Please see the attached Site Plan and building elevations.  
\_\_\_\_\_  
\_\_\_\_\_

13. Date of acquisition of subject lands:  
Unknown.
- 
14. Date of construction of all buildings and structures on subject lands:  
To be determined.
- 
15. Existing uses of the subject property: Currently vacant open space.
- 
- 
16. Existing uses of abutting properties: North- Barton Street East- North of Barton is Industrial/Commercial uses. South- Townhouses. East- Transit Loop. West- High Density Residential.
- 
17. Length of time the existing uses of the subject property have continued:  
Unknown.
- 
- 
18. Municipal services available: (check the appropriate space or spaces)  
 Water   X   Connected \_\_\_\_\_  
 Sanitary Sewer   X   Connected \_\_\_\_\_  
 Storm Sewers   X
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhoods and a site specific policy UHN-23- 2782 Barton Street East, former City of Hamilton
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Site specific E-3/S-306c (High Density Multiple Dwelling) in the Former City of Hamilton Zoning By-law No. 6593.
- 
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No  
 If the answer is yes, describe briefly.  
The subject lands have gone through two seperate Zoning By-law Amendments: Please refer to files ZAC 17-050 and ZAC-19-001
- 
- 
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



405-317 ADLLAIDL ST. W.  
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**16073**  
Barton Street  
Hamilton, ON

**PRELIMINARY SITE STATISTICS**

17 December, 2019

Official Plan	Commercial	SITE AREA GROSS	5,655.0	sq.m.	60870	sq.ft.
Avenue Width	28	ROAD DEDICATION	74.3	sq.m.	799.77	sq.ft.
Character Area	N/A	PARKLAND	0.0	sq.m.	0	sq.ft.
Policy Area		SITE AREA NET	5,580.7	sq.m.	60071	sq.ft.
Established District		PROPOSED FSI		Allowed FSI	3.15	
Current Zoning		Residential	3.2			
		Retail	0.1			
		Total	3.3			

**AREA CALCULATIONS**

FLOOR	IB < 50m2						TOTAL	RES GFA		RETAIL GFA		OFFICE GFA		AMENITY		GCA		GFA EXCLUSIONS		
	1B	1B	1B+D	2B	2B+D	3B		m <sup>2</sup>	sq.ft.	m <sup>2</sup>	sq.ft.	m <sup>2</sup>	sq.ft.	m <sup>2</sup>	sq.ft.	m <sup>2</sup>	sq.ft.	m <sup>2</sup>	sq.ft.	
P2							0								3883	41,796	3883	41,796		
P1							0								3883	41,796	3883	41,796		
1		0		0			1038.5	11,178	765	8,234	0	0	309	3,326	1381	14,865	343	3,687		
2	6	10		4			1268	13,651							1290	13,885	22	235		
3	6	10		4			1268.18	13,651							1290	13,885	22	235		
4	6	10		4			1268.18	13,651							1290	13,885	22	235		
5	6	10		4			1268.18	13,651							1290	13,885	22	235		
6	6	10		4			1268.18	13,651							1290	13,885	22	235		
7	6	10		4			1268.18	13,651							1290	13,885	22	235		
8	6	10		4			1268.18	13,651							1290	13,885	22	235		
9	6	10		4			1268.18	13,651							1290	13,885	22	235		
10	6	10		4			1268.18	13,651							1290	13,885	22	235		
11	6	10		4			1268.18	13,651							1290	13,885	22	235		
12	6	10		4			1268.18	13,651							1290	13,885	22	235		
13		4		2		6	1152.18	12,402							1174	12,637	22	235		
14		2		3		6	1152.18	12,402							1174	12,637	22	235		
PH						1	372	4,004							727	7,825	22	235		
<b>TOTAL</b>	<b>66</b>	<b>116</b>	<b>0</b>	<b>49</b>	<b>0</b>	<b>13</b>	<b>244</b>		<b>17,665</b>	<b>190,143</b>	<b>765</b>	<b>8,234</b>	<b>0</b>	<b>0</b>	<b>309</b>	<b>3,326</b>	<b>26,412</b>	<b>284,296</b>	<b>8,414</b>	<b>90,567</b>

BF suites	9.9	17.4	0	7.4	0	2	100%
AVERAGE UNIT SIZE	72.4 m2						36.6

Landscape Open Space	Required	18%	Provided	1395 sm	25%
INDOOR AMENITY	REQUIRED	2 m2/unit	PROVIDED	1.27 m2/unit	
OUTDOOR AMENITY	488 m2		309 m2		
TOTAL AMENITY	488 m2		239 m2		
	976 m2		548 m2		

**PARKING CALCULATIONS**

VEHICLE PARKING RATIO	REQUIRED							PROVIDED				
	0.30	1.00	1.00	1.00	1.00	1.00	0.05	Total	Visitor/Retail	Resident	TOTAL	
RESIDENT	20	116.0	0.0	49.0	0.0	13.0	0.05	198	Surface	56	56	
VISITOR							38.25	39	P1	121	121	
									P2	125	125	
<b>TOTAL</b>								<b>237</b>	<b>ALL</b>	<b>56</b>	<b>246</b>	<b>302</b>

\*includes 5 barrier free spaces

**BICYCLE PARKING**

	REQUIRED	PROVIDED
RESIDENTIAL LONG-TERM	INDOORS (0.68)	166
RESIDENTIAL VISITOR/SHORT-TERM	AT GRADE (0.07)	18
<b>TOTAL</b>	<b>184</b>	<b>184</b>

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**REVISION RECORD**



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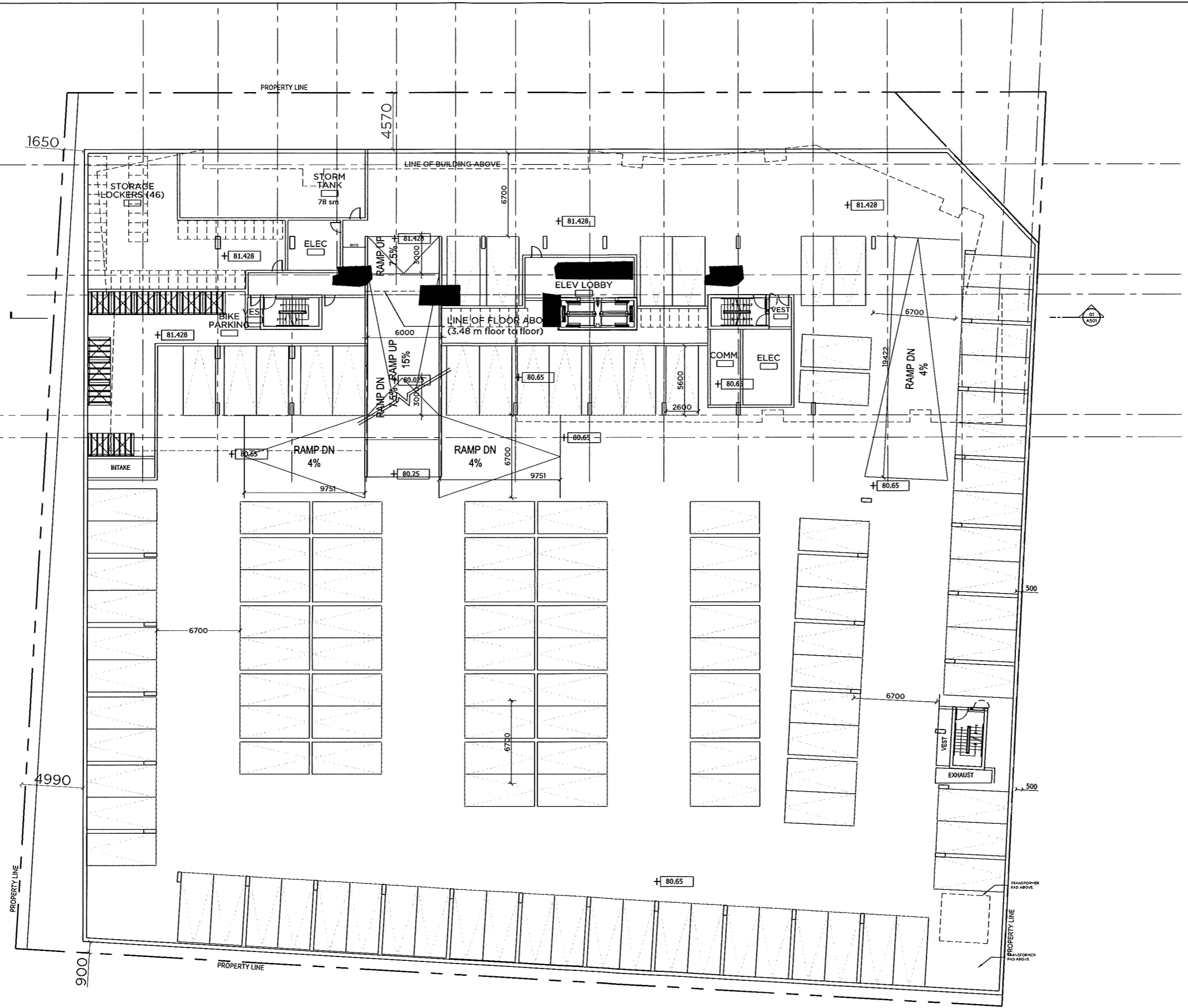
2782 BARTON STREET  
 HAMILTON, ON

LJM Developments

LEVEL P1 PLAN

1:150

A101



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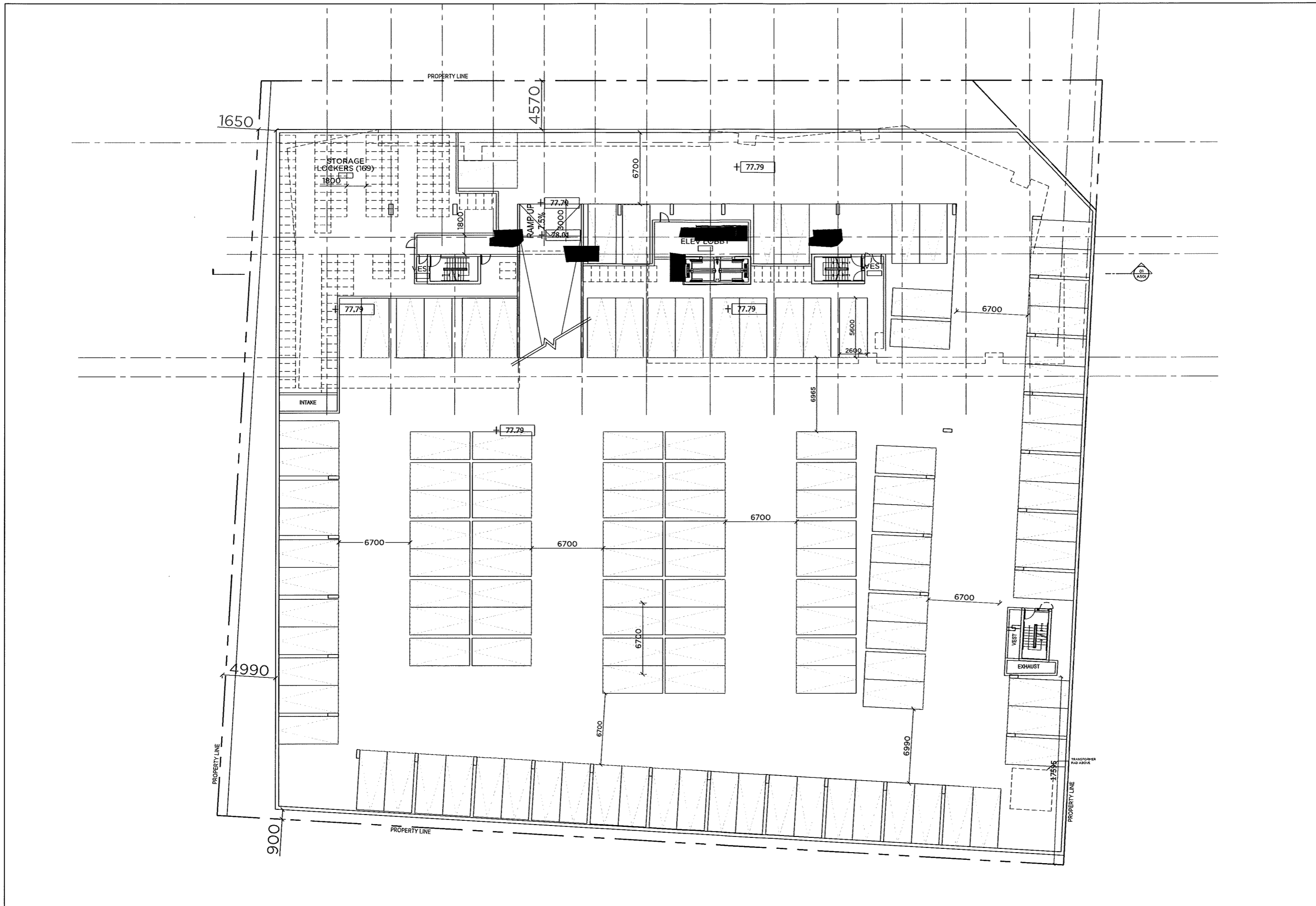


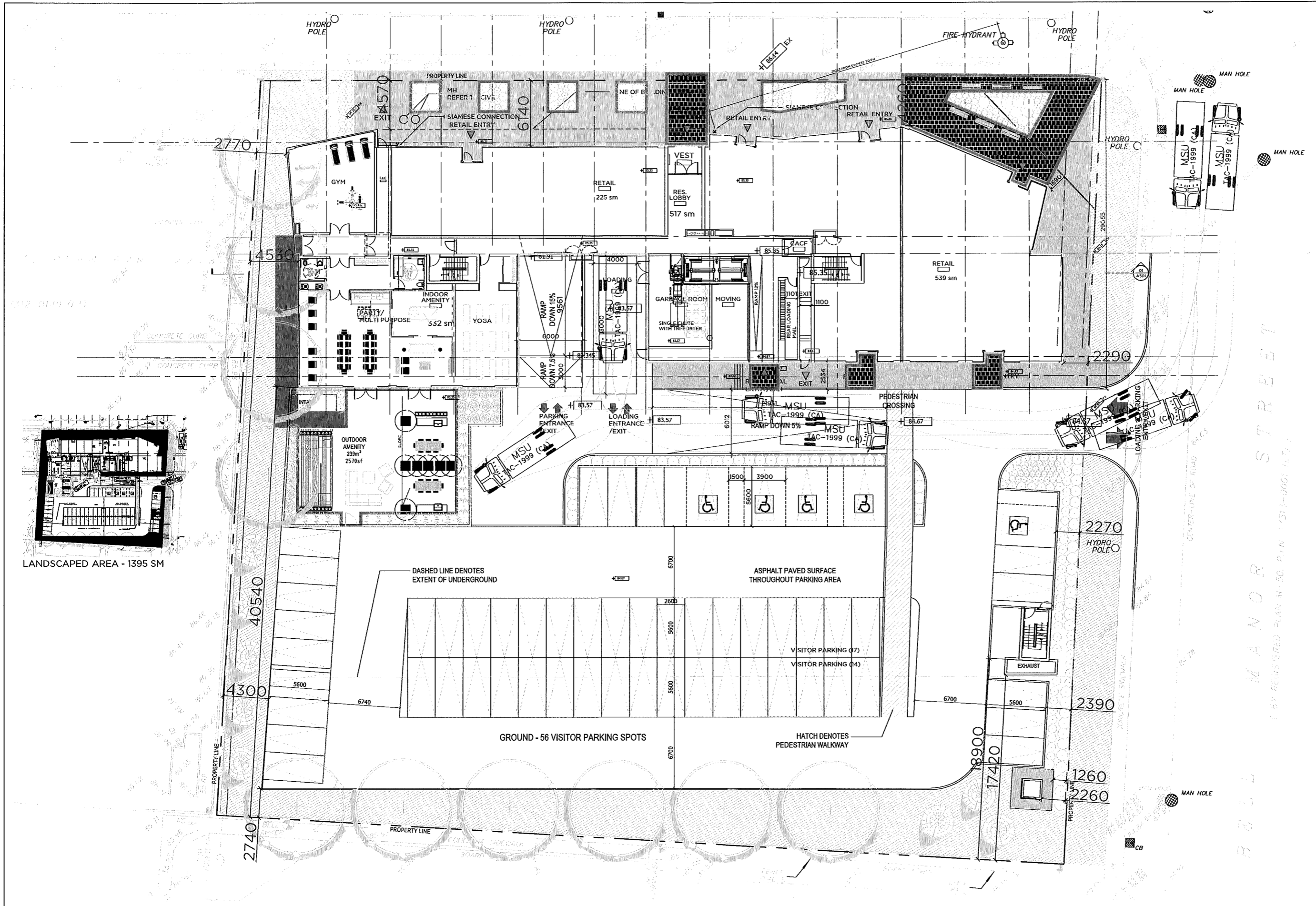
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 2782 BARTON STREET  
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LJM Developments  
 LEVEL P2 PLAN

1:150  
**A102**





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**REVISION RECORD**

NORTH

**RAW**

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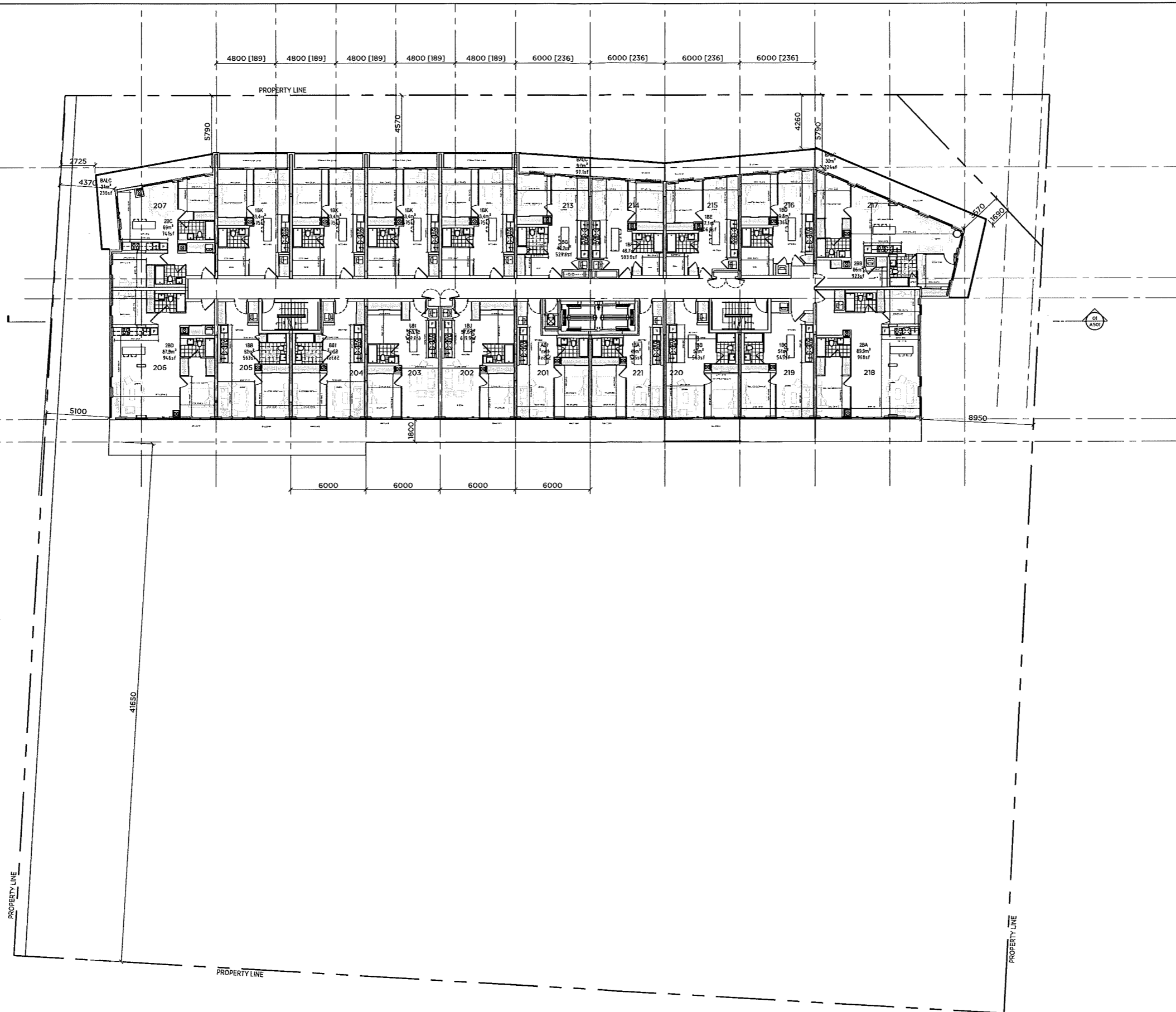
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 HAMILTON, ON

LJM Developments

**GROUND PLAN**

1:150

**A201**



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  - 2017.11.06 - SPA RE-SUBMISSION
  - 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**



**RAW**

405-317 ADELAIDE STREET WEST  
 TORONTO CANADA M5V 1P9  
 +1 416 599 9729  
 WWW.RAWDESIGN.CA

16073

2782 BARTON STREET  
 HAMILTON, ON

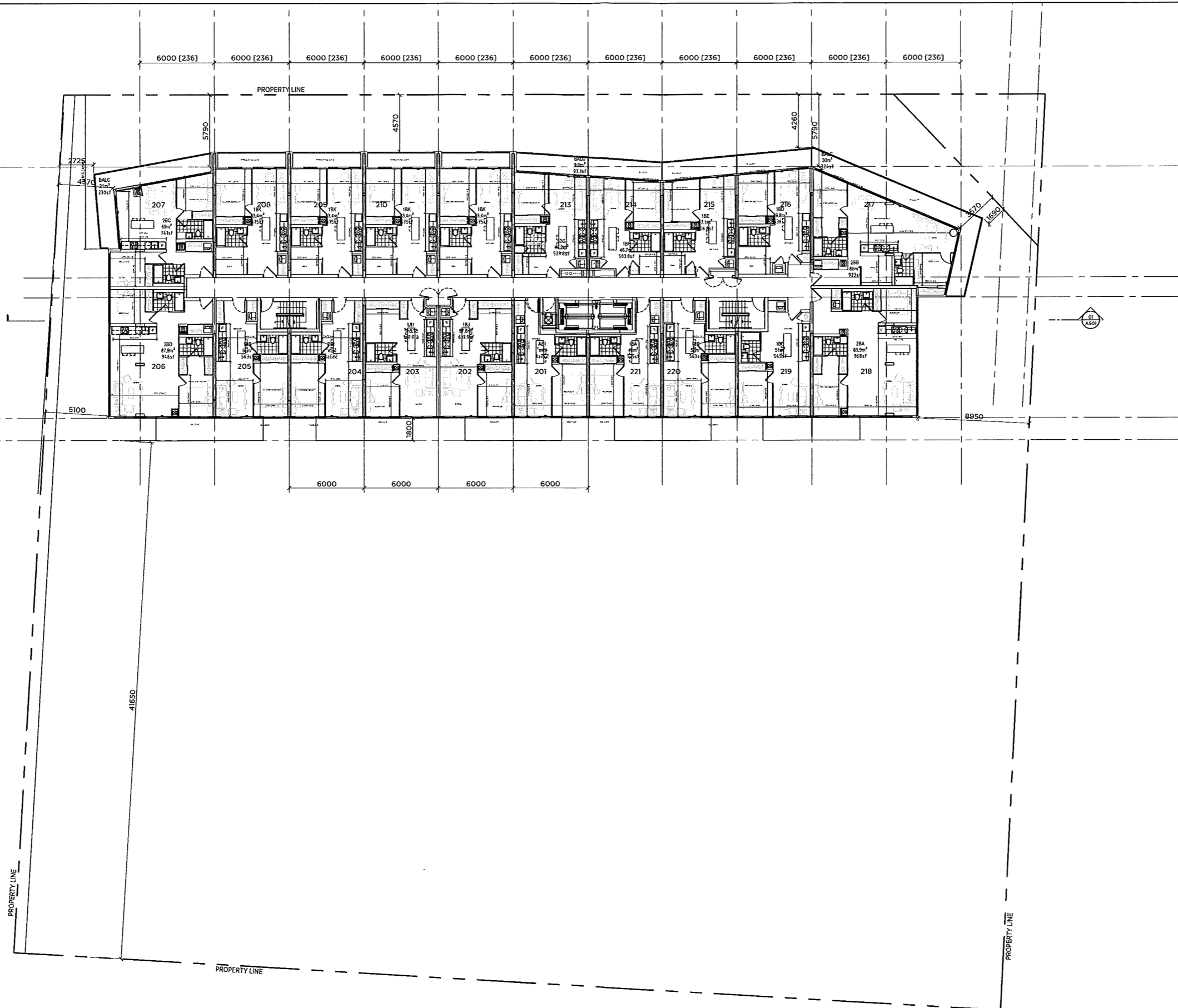
LJM Developments

**LEVEL 2  
 TYPICAL FLOOR  
 PLAN**

1:150

**A202**





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- ISSUED RECORD**
- 2015.12.07 - ISSUED FOR ZBA
  - 2016.09.28 - ISSUED FOR REVISIONS
  - 2016.10.24 - ZBA RE-SUBMISSION
  - 2017.02.14 - ZBA RE-SUBMISSION
  - 2017.02.27 - ISSUED FOR SPA
  - 2017.05.18 - ZBA+SPA RE-SUBMISSION
  - 2017.11.06 - SPA RE-SUBMISSION
  - 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**

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 NORTH



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 TORONTO CANADA M5V 1P9  
 +1 416 599 9729  
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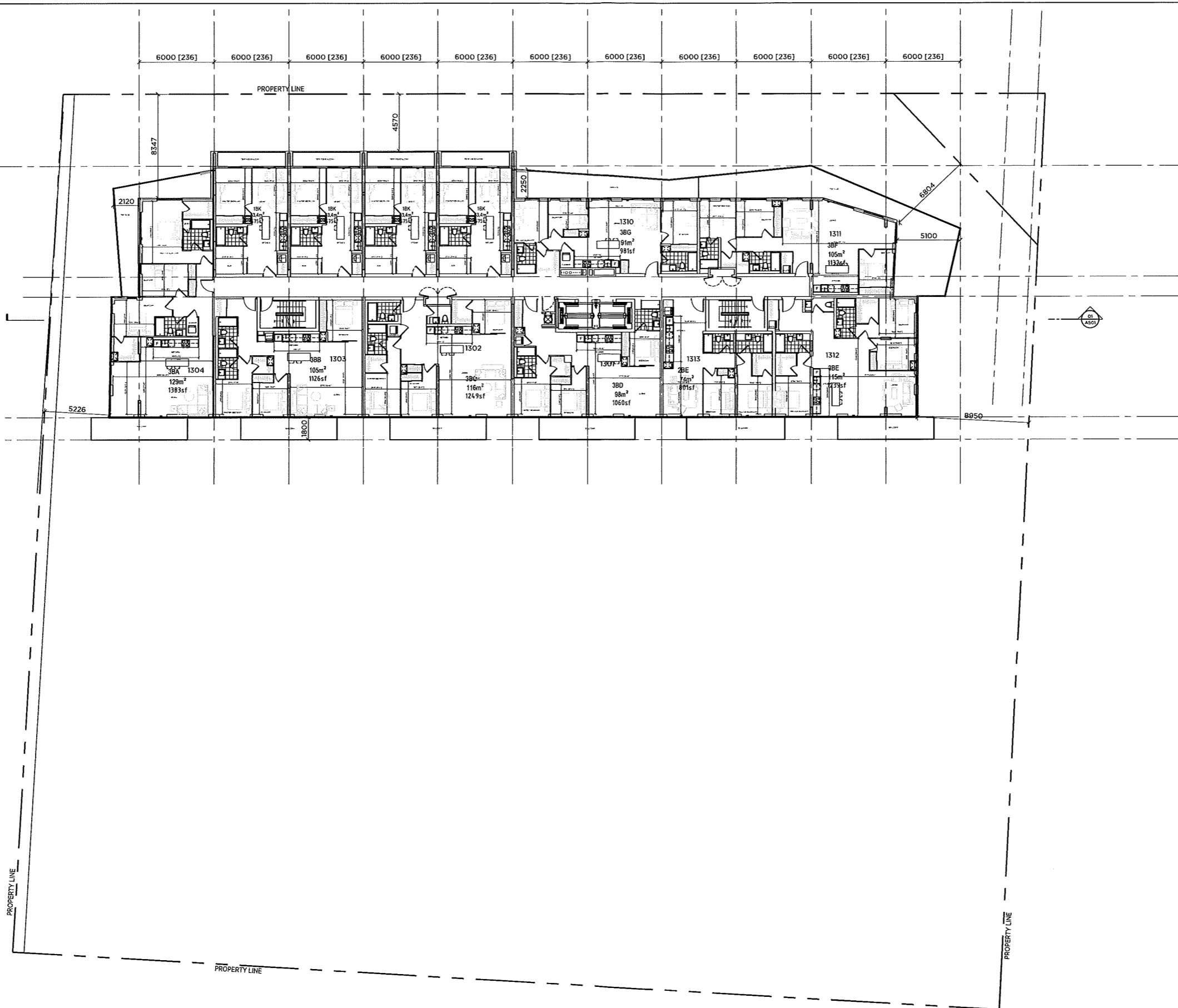
2782 BARTON STREET  
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LEVEL 3 - 12  
 TYPICAL FLOOR  
 PLAN

1:150

**A203**



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  - 2017.11.06 - SPA RE-SUBMISSION
  - 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**

  
 NORTH

  
**RAW**

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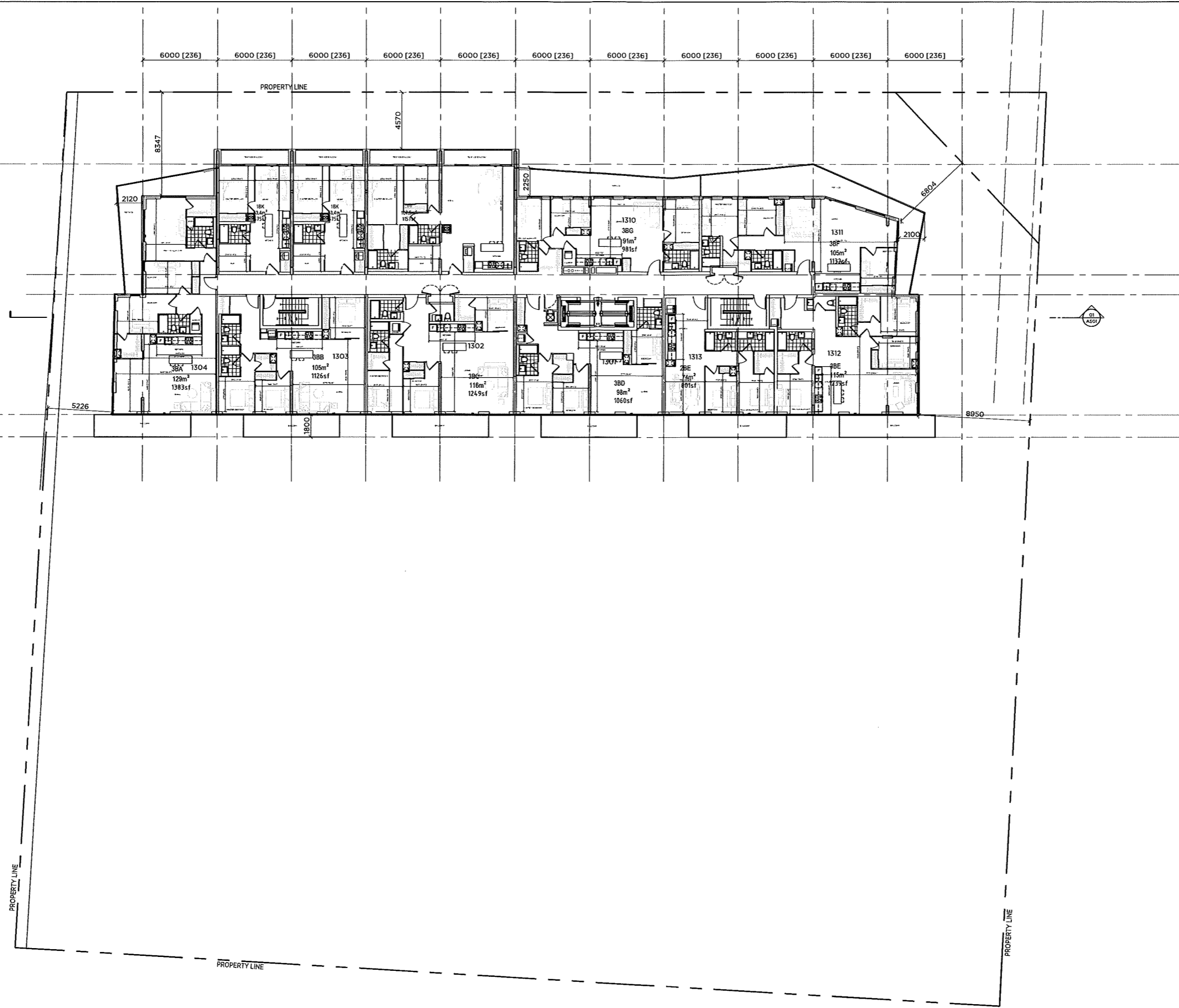
2782 BARTON STREET  
 HAMILTON, ON

LJM Developments

LEVEL 13  
 FLOOR  
 PLAN

1:150

**A213**



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**ISSUED RECORD**

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- 2017.02.14 - ZBA RE-SUBMISSION
- 2017.02.27 - ISSUED FOR SPA
- 2017.05.18 - ZBA+SPA RE-SUBMISSION
- 2017.11.06 - SPA RE-SUBMISSION
- 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**

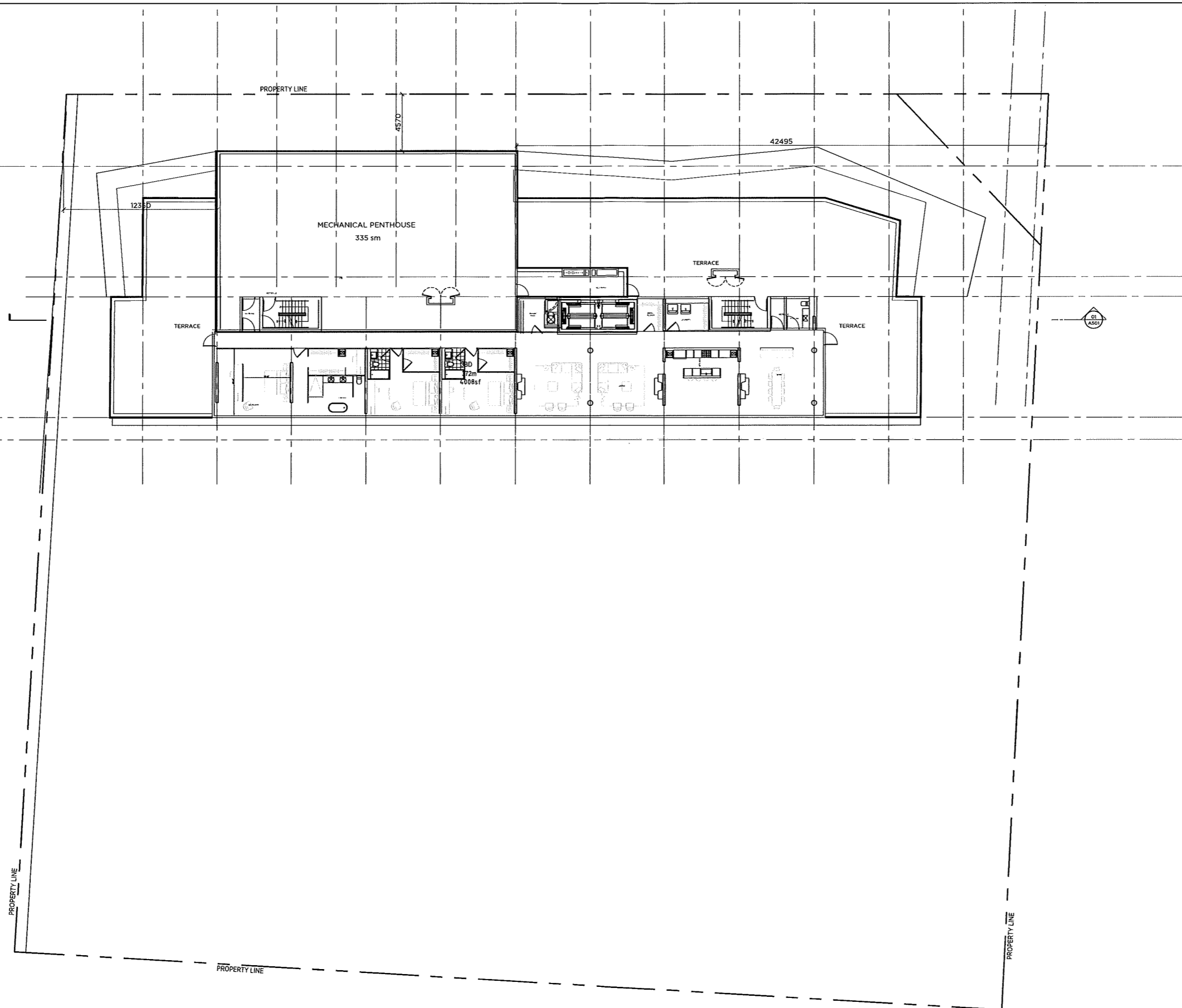


**RAW**  
 405-317 ADELAIDE STREET WEST  
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 +1 416 599 9729  
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16073  
 2782 BARTON STREET  
 HAMILTON, ON

LJM Developments  
 LEVEL 14  
 FLOOR  
 PLAN  
 1:150

**A214**



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  - 2017.02.14 - ZBA RE-SUBMISSION
  - 2017.02.27 - ISSUED FOR SPA
  - 2017.05.16 - ZBA+SPA RE-SUBMISSION
  - 2017.11.06 - SPA RE-SUBMISSION
  - 2018.02.02 - SPA RE-SUBMISSION

**REVISION RECORD**



**RAW**

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2782 BARTON STREET  
HAMILTON, ON

LJM Developments

MECHANICAL  
PENTHOUSE

1:150

A215



1 North Elevation  
SCALE 1:200

MATERIAL LEGEND	
1	#628798 COLOR METAL PANEL
2	WHITE METAL PANEL
3	ALUMINUM + GLASS RAILING
4	VISION GLASS WINDOW WALL
5	VISION GLASS CURTAIN WALL
6	#56693 COLOR METAL PANEL
7	#A18D08 COLOR METAL PANEL
8	GREY MASCHRY
9	LOUVERS
10	SPANDREL GLASS PANEL

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ISSUED RECORD	
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2016.09.28	ISSUED FOR REVISIONS
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2017.02.14	ZBA RE-SUBMISSION
2017.02.27	ISSUED FOR SPA
2017.05.18	ZBA+SPA RE-SUBMISSION
2017.11.06	SPA RE-SUBMISSION
2018.02.02	SPA RE-SUBMISSION

REVISION RECORD



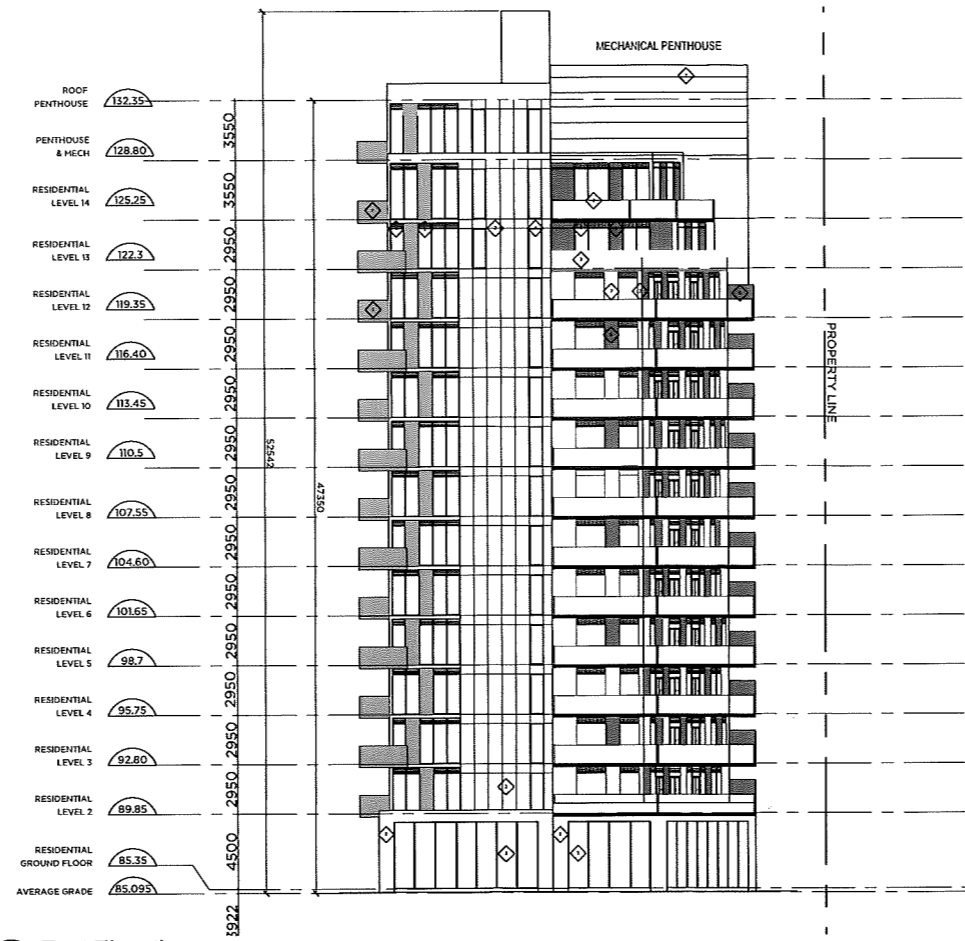
2 South Elevation  
SCALE 1:200



**RAW**  
405-317 ADELAIDE STREET WEST  
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+1 416 599 9729  
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16073  
2782 BARTON STREET  
HAMILTON, ON

LJM Developments  
ELEVATIONS  
1:200  
A401



1 East Elevation  
SCALE 1:200

MATERIAL LEGEND

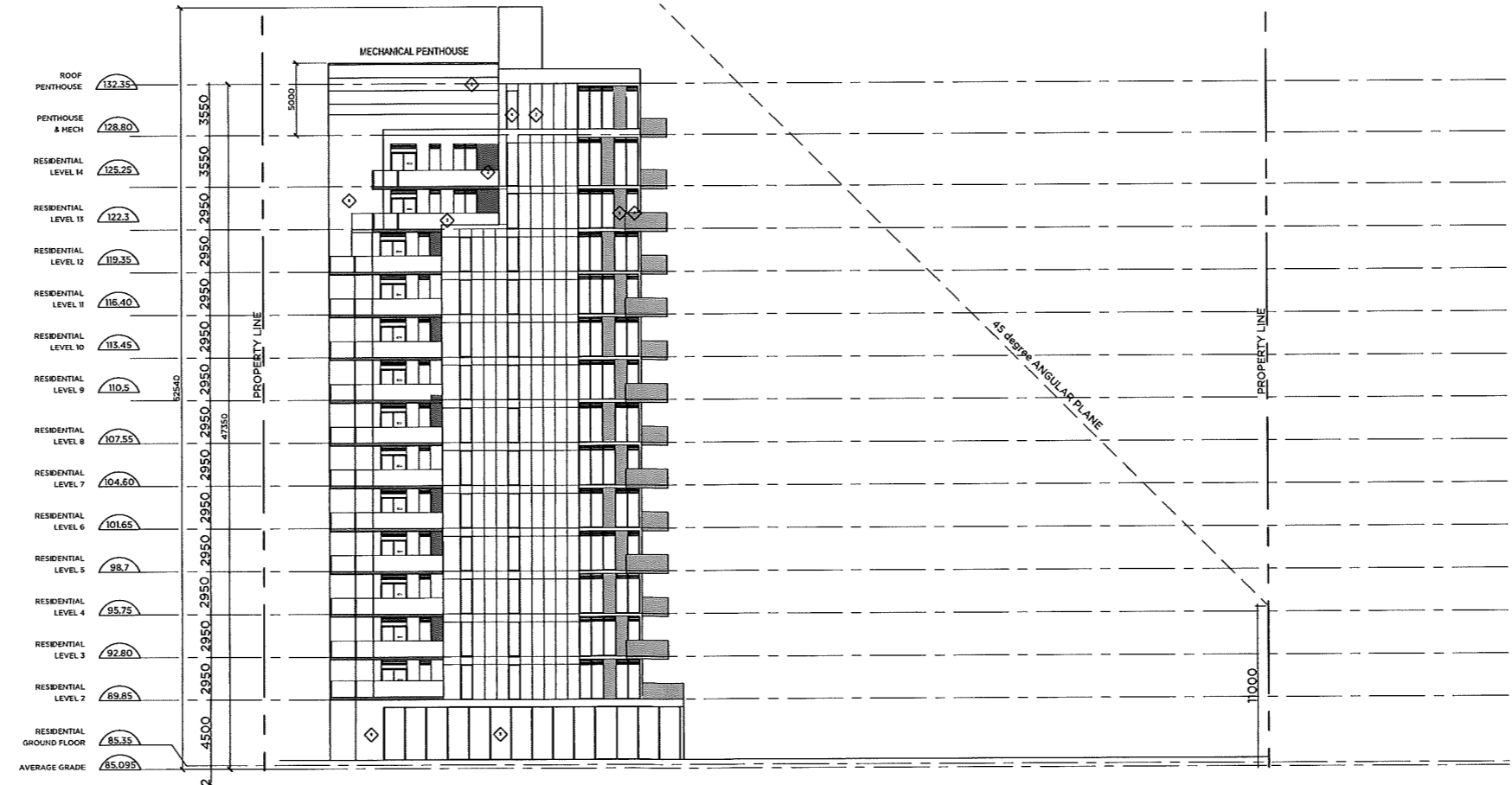
1	#528798 COLOR METAL PANEL
2	WHITE METAL PANEL
3	ALUMINUM + GLASS RAILING
4	VISION GLASS WINDOW WALL
5	VISION GLASS CURTAIN WALL
6	#546193 COLOR METAL PANEL
7	#A18D08 COLOR METAL PANEL
8	GREY MASONRY
9	LOUVERS
10	SPATIAREL GLASS PANEL

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ISSUED RECORD

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2017.05.18	- ZBA+SPA RE-SUBMISSION
2017.11.06	- SPA RE-SUBMISSION
2018.02.02	- SPA RE-SUBMISSION

REVISION RECORD



1 West Elevation  
SCALE 1:200



**RAW**  
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TORONTO CANADA M5V 1P9  
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16073  
2782 BARTON STREET  
HAMILTON, ON

LJM Developments  
ELEVATIONS  
EAST/WEST

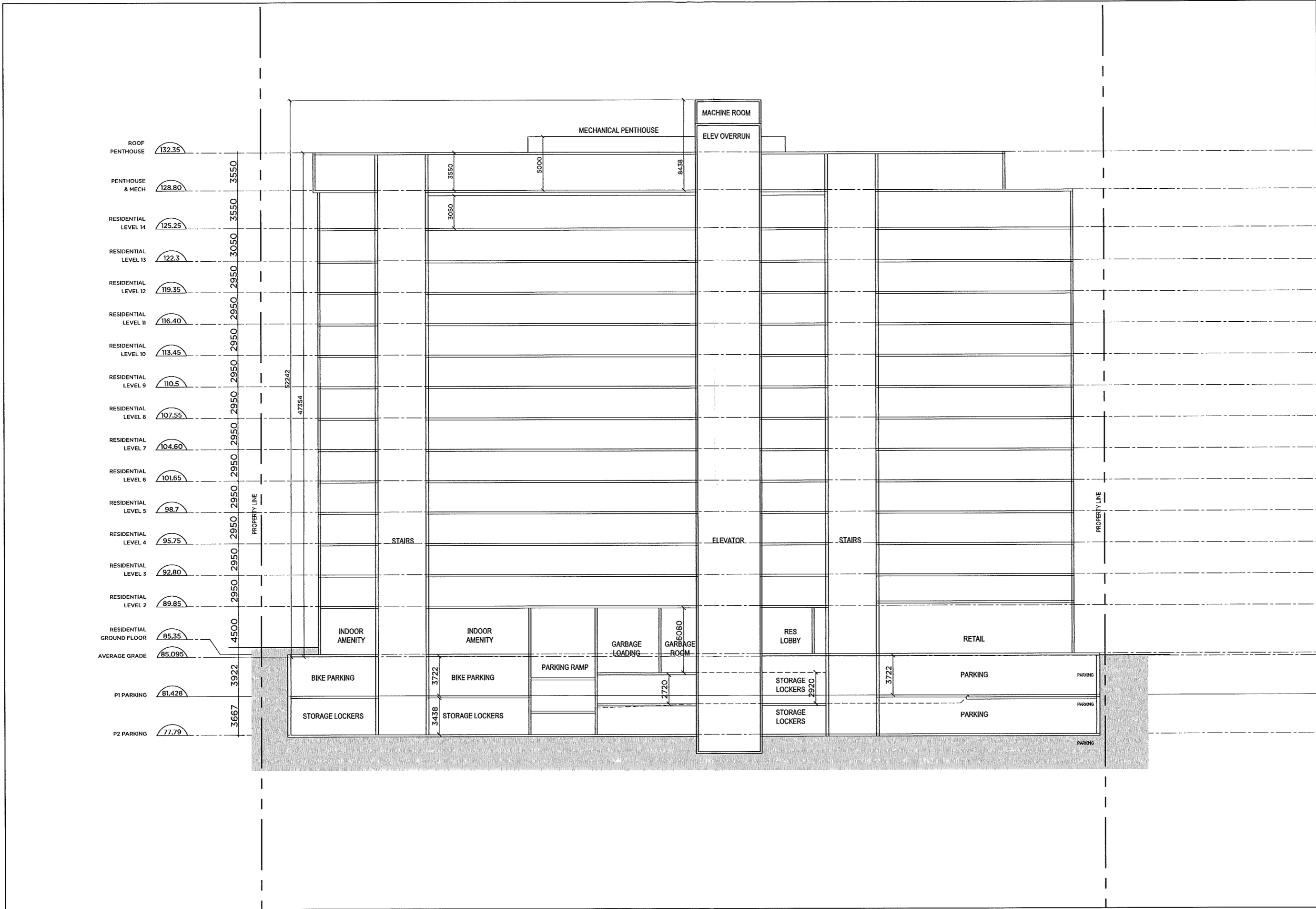
1:200

A402

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**REVISION RECORD**



**RAW**  
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16073  
 2782 BARTON STREET  
 HAMILTON, ON

LJM Developments  
**BUILDING SECTION**

1:250  
**A501**



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

December 19, 2019

The City of Hamilton  
Committee of Adjustment  
Planning and Economic Development Department  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5

***hand delivered***

Attn: Ms. Jamila Sheffield  
Secretary-Treasurer

RECEIVED

DEC 19 2019

**Re: Minor Variance Application  
2782 Barton Street East, Hamilton**

---

Dear Madam,

On behalf of our client, LJM Development Inc., we are pleased to provide you with the enclosed submission in support of an application for Minor Variance for the subject lands municipally known as 2782 Barton Street East in Hamilton, Ontario. Please find the following enclosed materials:

1. A cheque in the amount of \$2,738.00 made payable to the City of Hamilton, in payment of the requisite application fee;
2. Two (2) copies of the completed application form, including an original;
3. Three (3) copies of the site plan and building elevations; one (1) printed to scale and two (2) printed to 11x17; prepared by RAW Design.

Further to Questions 6 & 7 of the concurrently submitted Minor Variance Application Form, please accept the below responses.

Question 6 – nature and extent of relief applied for:

In order to facilitate the proposed development, the following relief is requested to the site specific by-law E-3/S-306c in the Former City of Hamilton Zoning By-law No. 6593:

1. To modify the Site Specific Zoning By-law 19-234 in the City of Hamilton Zoning By-Law No. 6593, to permit a height of the proposed high density residential apartment building to be 50 metres and 15 storeys, whereas the height of 41.5 metres and 13 storeys is required.
2. To modify the Site Specific Zoning By-law 19-234 in the City of Hamilton Zoning By-Law No. 6593, to permit a westerly side yard having a depth not less than 2.20 metres whereas the depth of 2.60 metres is required for the westerly side yard.





3. To modify Section 6(3) in the the City of Hamilton Zoning By-Law No. 6593 to permit the encroachment of a transformer into the westerly side yard of 1.0 metres whereas no encroachment below what the yard or intensity of use requirements is permitted.
4. To modify the Site Specific Zoning By-law 19-234 in the City of Hamilton Zoning By-Law No. 6593, to permit a loading space with the width of 4.0 metres whereas the width of 6.0 metres is required.
5. To modify the Site Specific Zoning By-law 18-049 in the City of Hamilton Zoning By-Law No. 6593, where the building or structure shall have a gross floor area multiplied by the floor area factor of 3.30 where currently a building or structure shall have a gross floor area multiplied by the floor area factor of 3.15.

Question 7 – Why is it not possible to comply with the provisions of the By-law?

The intent of the minor variance is to correct permit a slight increase in height and storeys, vary the required setbacks on the westerly lot line and associated encroachments, permit a loading space with a decreased width, and to increase the density of the gross floor area of each unit by increasing the floor area factor to 3.30. This variance to the Site Specific Zoning By-law (By-law 19-234 and 18-049) in the Former City of Hamilton Zoning By-law 6593 and varying the Parent By-law is minor in nature and will enhance the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of the Urban Hamilton Official Plan.

The variance to height, the easterly lot line setback, loading space width and overall Floor Area Factor of the development to the site specific by-law in the Former City of Hamilton By-law No. 6593 is minor in nature, is desirable for the appropriate development, and is in keeping with the general intent and purpose of the Zoning By-law and Official Plan by permitting a minor intensification for a use of a high density development.

It is my opinion that the proposed minor variance represents good land use planning and should be approved. Should you have any questions or require further information, please do not hesitate to contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Jack Irving-Peckham'.

Jack Irving-Peckham  
Per: Franz Kloibhofer, MCIP, RPP  
**A. J. Clarke and Associates Ltd.**

Copy: LJM Developments Ltd. (c/o Liguat Mian)

Encl.