

From: Ninco Developments

Sent: March 22, 2021 11:38 AM

To: clerk@hamilton.ca

Cc: Daniel Bragagnolo

Subject: UHOPA-19-004 and ZAC-19-009 Notice of Public Meeting, Public Input

To: City Clerk, clerk@hamilton.ca

RE: UHOPA-19-004 and ZAC-19-009

In regards to the proposed building at 804-816 King Street West. I would like to express objections to aspects of building design with regards to set back/road widening and right-of-way (R.O.W.), Front Yard Depth and Loading and Unloading.

As developers across the street at 801 King Street West, 1649626 Ontario Inc, we previously made a request to the city to have the R.O.W. dedication reduced as per our original building design. The request was made through our architect, Sam Esposto on behalf of 1649626, please see the attached letter dated, March 24, 2020. In this letter we requested relief from the R.O.W dedication citing hardship based on the need to redesign our original design and the expected reduced revenue it would cause.

Below is the response from the city on February 3, 2020:

Notwithstanding the right-of-way widening requirements as outlined under the Council Approval Urban Official Plan: Chapter C- City Wide Systems and Designations (requiring up to 45.720 metres right of way for Major Arterial Roads), and a previous precedent requiring a reduced 26.213 metre right-of-way for a nearby property at 804-816 King Street West, Transportation Planning will support a reduced right-of-way of 26.213 metres along King Street West. This will require approximately 3.0 metres right-of-way widening along the south side of King Street West.

A. It should be noted that the existing right-of-way along King Street West is approximately 20 metres.

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).

Based on drawings obtained from the Urban Solutions website, project: 804 and 816 King Street West, drawing Sheet #1, King Street Facing, our objects are as follows:

- 1)The required ROW dedication is not on the full site, it is only on approximately 1/2 of the site. When 1649626 put in a request for relief, the city did not give or offer an option as shown on these drawings.
- 2)Per the required minimum Front Yard Depth per the city Zoning By-law No. 6593, this is not reflected in the drawings.
- 3)Per the Loading and Unloading requirements per the city Zoning By-law No. 6593 stating 9.0m x 3.7m, it is not reflected in the drawings.

Respectfully, per the three major items stated above and to any other minor items that arise for this development at 804-816, that they be held to the same standards as our project was held to and, as well, they be given the same relief throughout their building that was given to our project.

Sincerely,

Frank Bragagnolo