



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING **Minor Variance**

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-22:177	SUBJECT PROPERTY:	647 RYMAL ROAD W, HAMILTON
ZONE:	"B" (Suburban Agriculture and Residential)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: Agent A.J. Clarke & Associates – S. Fraser
Owner Usman Bajwa

The following variances are requested:

Lands to be Severed (Part 1):

1. A lot width of 19.5m shall be provided instead of the minimum required 20.0m lot width.
2. A lot area of 825 square metres shall be provided instead of the minimum required 1100.0 square metre lot area.

Lands to be Retained (Part 2):

1. A front yard depth of 3.1m shall be provided instead of the minimum required 12.0m front yard depth.
2. A northerly side yard width of 1.5m shall be provided instead of the minimum required 3.0m side yard width.
3. A rear yard depth of 5.0m shall be provided instead of the minimum required 9.0m rear yard depth.
4. A lot area of 935 square metres shall be provided instead of the minimum required 1100.0 square metre lot area.

PURPOSE & EFFECT: So as to permit the conveyance of land in accordance with land severance application HM/B-22:45.

Notes:

- i. These variances are necessary to facilitate Land Severance Application HM/B-22:45.
- ii. The submitted survey does not indicate yard setbacks of the existing building situated on the retained lands. As such, variances have been written as requested by the applicant.
- iii. The applicant shall ensure that sufficient parking is provided/maintained on the retained lands and are provided in accordance with the regulations contained within Section 18A of Hamilton Zoning By-law 6593.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, June 23, 2022
TIME:	1:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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.



 **Subject Lands**

DATED: June 7, 2022

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, and may include posting electronic versions.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

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ESTABLISHED BY PLAN 62M-747
P.I.N. 16907-0074
KESTREL COURT

GEOGRAPHIC TOWNSHIP
OF
GLANFORD

UPPER PARADISE
(ESTABLISHED BY BY-LAW No. N93-135 INST. 158532)
P.I.N. 16907-0103

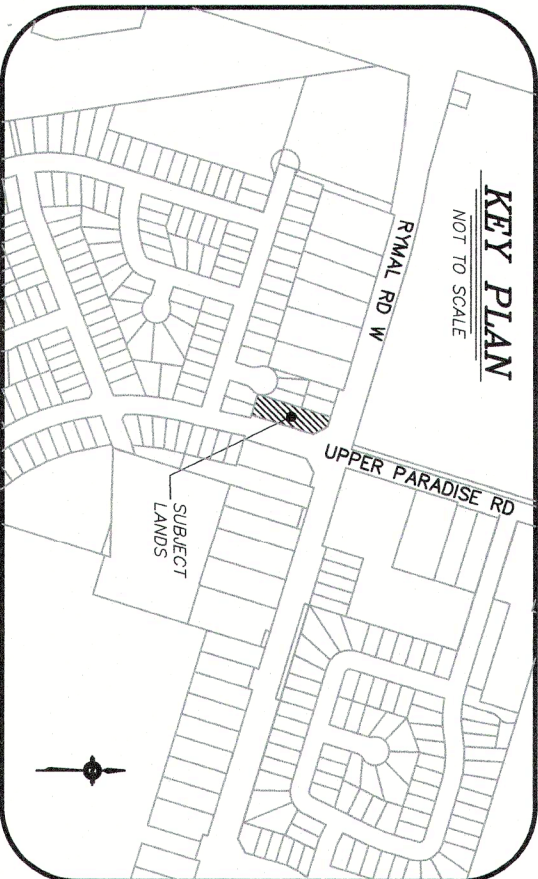
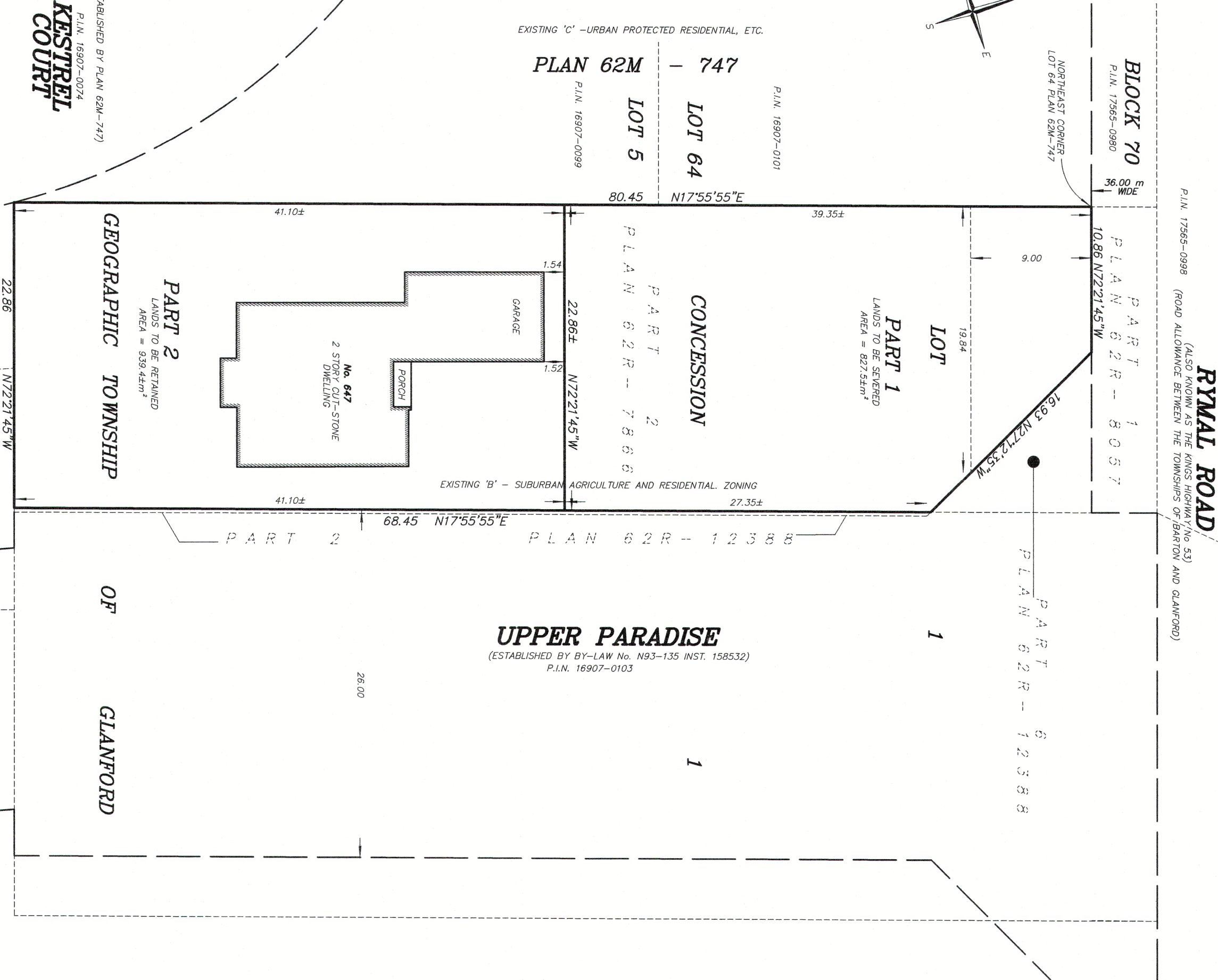
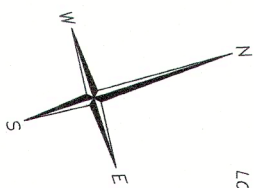


APRIL 25, 2022
DATE



A.J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

DRAWN BY:	CHECKED BY:	PROJECT No.	INDEX No.
MW	DS	228023D	E-18736



SKETCH FOR CONSENT TO SEVER
647 RYMAL ROAD WEST
CITY OF HAMILTON
SCALE 1:300
0 5 10 15 metres

THE ABOVE NOTED LAND ARE:
PART OF LOT 1
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF GLANFORD

METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
THIS SKETCH IS COMPILED FROM PLANS AND RECORDS
ON FILE IN THIS OFFICE AND IS NOT BASED ON AN
ACTUAL FIELD SURVEY.

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION
TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT
OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

CAUTION:
THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE
USED FOR TRANSACTION OR MORTGAGE PURPOSES.

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

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, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Usman Javed Bajwa	
Applicant(s)*	same as owners	
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Stephen Fraser	

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Unknown

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

See attached Cover Letter

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?

See attached Cover Letter

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

PT LT 1, CON 1 GLANFORD,
PART 2, 62R7866, EXCEPT PT 1, 62R8057 & PT 6, 62R12388 ; HAMILTON
647 Rymal Road West

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

- 8.1 If Industrial or Commercial, specify use _____

- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☐ Unknown ☒

- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 8.6 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 ☐

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

- 8.8 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 ☐

- 8.9 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 ☐

- 8.10 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 ☐

- 8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Online mapping and property owner information.

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 ☒

9. 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.

March 29, 2022

Date


Signature Property Owner(s)

Usman Javed Bajwa

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage +-19.84 m

Depth +- 80.45 m

Area +- 1766.9 sq m

Width of street

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:

Existing Single Detached Dwelling and Accessory Structure.

Proposed

Future Single Detached Dwelling on lot to be created through corresponding consent application.

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

Existing:

Existing Single Detached Dwelling and Accessory Structure.

Proposed:

Future Single Detached Dwelling on lot to be created through corresponding consent application.

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
Unknown
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family
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 ☒ Connected ☒
Sanitary Sewer ☒ Connected ☒
Storm Sewers ☒
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods (UHOP)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
B - Suburban Residential
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
☐ Yes ☒ No
If yes, please provide the file number:
N/A
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☐ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
☒ Yes ☐ No
23. Additional Information (please include separate sheet if needed)
Application submitted concurrently. See attached Cover Letter
24. 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.



City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

April 26, 2022

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 647 Rymal Road West, Hamilton
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Usman Javed Bajwa for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 647 Rymal Road West, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form;
- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) electronic copy of the PIN Ownership Information;
- One (1) cheque in the amount of \$2,985.00 representing the required Severance Application fee;
- One (1) cheque in the amount of \$3,465.00 representing the required Minor Variance Application fee;
- One (1) electronic copy of the Severance Sketch.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create two (2) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on the severed lot and the existing dwelling is to remain on the lands being retained.

The subject lands are located in Hamilton at the southwest corner of Rymal Road West and Upper Paradise Road. The subject lands are currently occupied by one (1) single detached dwelling.

The below table details the lot frontages, depth, and areas, following the proposed severance.

	Part 1 (Severed)	Part 2 (Retained)
Lot Frontage	+/- 19.84 m	+/- 41.10 m
Lot Depth	+/- 39.35 m	+/- 22.86 m
Lot Area	+/- 827.5 sq m	+/- 939.4 sq m



The surrounding area consists largely of residential uses, with some institutional and commercial uses located along Upper Paradise Road. The residential uses are concentrated around the subject site, consisting mainly of single detached dwellings. The institutional uses (places of worship, schools, etc.) are predominately located northeast of the subject site (Paradise Corner Children's Centre on the northeast corner of Upper Paradise Road and Rymal Road West.). The commercial uses are located north of the subject lands fronting onto Upper Paradise Road at the northwest corner of Upper Paradise Road and Rymal Road West (a commercial plaza which includes a Subway, Convenience Store, Pizza Nova, Massage Therapist Office etc.).

The immediate surrounding land uses include:

North	Single-Detached Dwellings, Commercial, Institutional
South	Single-Detached Dwellings
West	Single-Detached Dwellings
East	Single-Detached Dwellings

A review of the applicable planning policies has been included below.

Planning Policy Overview

Urban Hamilton Official Plan

The Urban Hamilton Official Plan is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The 'Neighbourhoods' designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as "Neighbourhoods". The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with existing Neighbourhood Plans;*
- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) *The lots are fully serviced by municipal water and wastewater systems; and,*
- f) *The lots have frontage on a public road.*



The proposed severance will create lots that are consistent with the relevant policies, as well as are consistent with existing Neighbourhood Plans. Further, the lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood, in particular the lands abutting to the west. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood, including lot sizes larger than the abutting lands to the west. The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Rymal Road West and Upper Paradise Road.

Additionally, the 'Neighbourhoods' designation contains specific policies in relation to 'Low Density Residential'. As such, 'Low Density Residential' uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. Further, the maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal is to construct one (1) single detached dwelling on the severed lands. This use is consistent with the permitted uses under the UHOP. Additionally, the proposal will have an overall density of 11.7 units per hectare (2 total units, 0.17 hectares), which is consistent with the maximum permitted density under the UHOP.

Former City of Hamilton Zoning By-law 6593

The subject lands are zoned "B - Suburban Agriculture and Residential, Etc.", in the Former City of Hamilton Zoning By-law No. 6593. The "B - Suburban Agriculture and Residential, Etc." zone permits a wide range of uses including; various residential, institutional, commercial, public and farming uses. The zone provisions within Section 8.4 shall apply to the proposed development. A review of the applicable zone provisions will be included below.

The regulations of the "B" Zone are as follows:

Regulation	Requirement
Minimum Lot Area	1,100 square metres
Minimum Lot Frontage	20.0 metres
Minimum Front Yard Depth	12.0 metres
Minimum Side Yard Width	3.0 metres
Minimum Rear Yard Depth	9.0 metres

Minor Variance

A number of variances are required to facilitate the proposed development. The variances are as follows:

Part 1 (Severed)

1. To permit a minimum lot area of 825 square metres, whereas a minimum lot area of 1,100 square metres is required.
2. To permit a minimum lot frontage/width of 19.8 metres, whereas a minimum lot frontage of 20.0 metres is required.



Part 2 (Retained)

1. To permit a minimum lot area of 935 square metres, whereas a minimum lot area of 1,100 square metres is required.
2. To permit a minimum front yard depth of 3.1 metres, whereas a minimum front yard depth of 12.0 metres is required.
3. To permit a minimum northerly side yard width of 1.5 metres, whereas a minimum side yard width of 3.0 metres is required.
4. To permit a minimum rear yard depth of 5.0 metres, whereas a minimum rear yard depth of 9.0 metres is required.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits single-detached dwellings. The proposed dwelling will assist in the diversification of the available housing stock within the neighbourhood, while also maintaining a consistent streetscape and capitalizing on an opportunity for the gentle intensification of the neighbourhood.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. The proposed lots will reflect the general scale and character of the established development pattern in the surrounding area. It is my professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the Former City of Hamilton Zoning By-law 6593?

The required variances to Former City of Hamilton Zoning By-law 6593 are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

Lot Frontage/width

Part 1 is proposed to have a lot frontage of approximately 19.8 metres.

A variance is required to the minimum lot frontage requirement for the proposed development (from 20.0 metres to 19.8 metres on Part 1). Due to the conveyance of a daylight triangle at the corner of Rymal Road West and Upper Paradise Road, the lot frontage (or width as defined in the Bylaw) is defined as



“with reference to a lot that is a corner lot where corner rounding or daylighting has occurred shall mean the horizontal distance between the side lot lines or between a side lot line and the tangent of the side lot line, measured at a depth of 9.0 metres (29.53 feet) from and parallel to the front lot line or to the extended tangent of the front lot line to where the tangent of the front lot line intersects the tangent of the side lot line”. The accompanying severance sketch illustrates the width of the proposed severed lot.

Furthermore, the surrounding neighbourhood is characterized by dwellings which have reduced lot frontages and dwellings that face the street. Despite the reduction, there remains room for appropriate setbacks and a combination of plantings along the Rymal Road West and Upper Paradise Road frontages. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Accordingly, the proposed reduction in the lot frontage/width requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

Lot Area

Part 1 is proposed to have a lot area of approximately 827.5 square metres.

Parts 2 is proposed to have a lot area of approximately 939.4 square metres.

A variance is required to the minimum lot area requirement for the proposed development (from 1,100.0 square metres to 825 square metres on Part 1, and to 935 square metres on Part 2). The surrounding neighbourhood contains a range of lot areas, as every abutting property is zoned Urban Protected Residential “C” District, which requires a minimum lot area of 360 square metres. The four abutting lots to the west contain existing single detached dwellings ranging in lot size from approximately 438 square metres to 494 square metres, which is almost half the size of the lots proposed through these applications. Again, since the surrounding lands are all zoned “C”, the proposed lot areas will be consistent and complimentary to the lot fabric in the immediate area. The purpose of this reduction is to permit one single-detached dwelling on each lot and the size of the lots proposed still enables adequate amenity space for the residents. Accordingly, the intent of the Zoning By-law is maintained.

Font Yard/Rear Yard

Part 2 is proposed to have a front yard depth of 3.1 metres and a rear yard depth of 5.0 metres.

A variance is required to the minimum front yard (from 12.0 metres to 3.0 metres) and rear yard (from 9.0 metres to 5.0 metres) depth requirements. These variances for the retained lands are a result of the concurrent severance application. As such, the existing east side yard will become the front yard facing Upper Paradise Road and, the existing west side yard will become the rear yard should the severance be approved. The relationship between the existing dwelling and Upper Paradise Road and the existing west side yard would remain unchanged following the proposed severance. The existing dwelling faces and fronts onto Upper Paradise Road and the way in which the property will be utilized for the retained lands will stay the same as it currently functions. The underutilized and currently vacant front yard of 647 Rymal Road West will contain a new lot and dwelling consistent with the streetscape along Rymal Road West. Therefore, the proposed reduction in front and rear yard depth is appropriate and compatible with the



existing streetscape, retains the current relationship of the existing dwelling to the abutting lands to the west and maintains the intent of the Zoning By-law.

Side Yard

Part 2 is proposed to have a side yard width of 1.5 m.

A variance is required to the minimum side yard depth requirement (from 3.0 metres to 1.5 metres) as a result of the new side lot line. A reduction in side yard width is required to facilitate the concurrent severance application in order to provide sufficient lot area for the development of a single detached dwelling on the severed lands. The proposed reduced side yard width still leaves adequate space for grading, drainage and access to the rear yard of the retained lands and is compatible with the surrounding neighbourhood. Accordingly, the intent of the Zoning By-law is maintained.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood. The proposed variances are consistent with the established character of the neighbourhood and recognize an existing situation for the lands to be retained. As such, the variances are appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances to lot frontage, lot area and side yard width reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. Additionally, and as mentioned previously, the existing dwelling is to remain on the retained lands. As such, the variances to front and rear yard depths on the retained lands do not change the existing relationship between the existing dwelling and existing property lines. Therefore, there are no perceived impacts from these variances. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these minor zoning deficiencies. Accordingly, it is my professional planning opinion that the variances are minor in nature.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.



Sincerely,

Stephen Fraser, MCIP, RPP
Principal, Planner
A.J. Clarke and Associates Ltd.

Encl.

Cc via email: Ms. Rowena Parayno
rparayno77@yahoo.ca