



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-22:249	SUBJECT PROPERTY:	837 KING STREET E, HAMILTON
ZONE:	TOC3 (Transit Oriented Corridor Multiple Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 16-265

APPLICANTS: Owner – Ronsen Corporation
 Agent – Design Plan Services Inc. c/o D. Igelman

The following variances are requested:

1. A minimum front yard setback of 0.6 m shall be provided instead of the minimum required 3.0 m building setback from a street line; and
2. A minimum rear yard setback of 4.9 m shall be provided instead of the minimum required 7.5 m rear yard setback; and
3. A minimum building height of 7.9 m shall be provided instead of the minimum required building height of 11.0 m; and
4. No landscaped area shall be provided on site instead of the requirement in the By-Law which states that a minimum of 10 % of the lot area for multiple dwelling shall be landscaped area; and
5. No parking spaces shall be provided for the residential units >50 m² in GFA instead of the minimum required 1 parking space.

PURPOSE & EFFECT: To facilitate the construction of a second storey addition and to convert the existing commercial use (financial establishment) into a multiple dwelling containing commercial uses on the ground.

Notes:

- i. Variances have been written exactly as requested by the applicant. This property is subject to Site

HM/A-22:249

Plan Control; to date, no formal site plan application has been submitted and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

- ii. The recognized use is a commercial use (Financial Establishment) which is allowed to convert to the commercial uses stated under Section 11.3.1.1; however, the proposed commercial uses have not been identified. If the proposed commercial uses are other than the uses specified under Section 11.3.1.1, then further variances will be required.
- iii. Please note that no parking is required for the 2 residential units less than 50m² in GFA.
- iv. This property is listed in the City of Hamilton's Inventory Heritage Buildings as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at Culturalheritageplanning@hamilton.ca, or visit www.hamilton.ca/heritageplanning for further information.
- v. A Residential Boulevard Parking Agreement with the Hamilton Municipal Parking Authority may be required for any parking spaces encroaching on the Holton Avenue North road allowance.
- vi. The O.B.C. will regulate the type of construction permitted as the limiting distance is less than 0.6m.

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, August 25, 2022
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	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
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

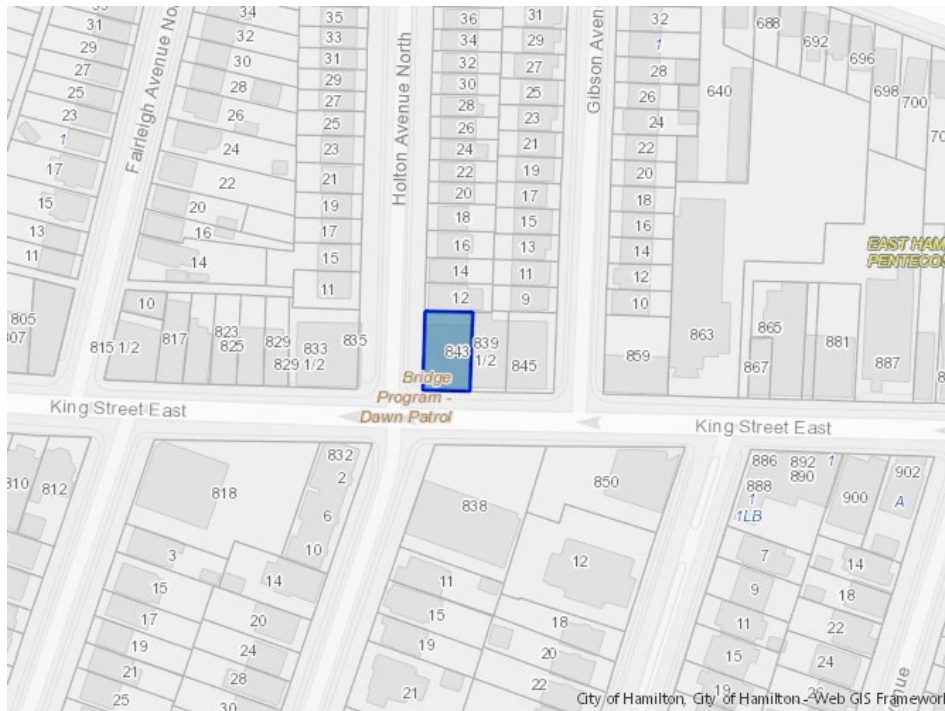
PUBLIC INPUT

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

HM/A-22:249

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



 **Subject Lands**

DATED: August 9, 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.

ZONING

HAMILTON ZONING BY-LAW 05-200/16-265 05-200, 16-265		
LOT AREA	3885.36 (SQ.FT.)	360.96 (SQ.M.)
MAX. COVERAGE (NOT REGULATED)	100	OF LOT
NO CHANGE= 3885.36 (SQ.FT.) 360.96 (SQ.M.)		
ALLOWABLE G.F.A (NOT REGULATED)		

SITE STATISTICS

EXISTING			
LOT COVERAGE			
MAIN BUILDING	2946.15 (SQ.FT.)	273.71 (SQ.M.)	
REAR DECK	0.00 (SQ.FT.)	0.00 (SQ.M.)	
TOTAL	2946.15 (SQ.FT.)	273.71 (SQ.M.)	75.83%
G.F.A.			
GROUND FLOOR AREA	2946.15 (SQ.FT.)	273.71 (SQ.M.)	
SECOND FLOOR AREA	446.07 (SQ.FT.)	41.44 (SQ.M.)	
BASEMENT AREA (EXCL. MECH. RM.)	2422.49 (SQ.FT.)	225.06 (SQ.M.)	
TOTAL G.F.A.	5814.71 (SQ.FT.)	540.20 (SQ.M.)	

PROPOSED ADDITION

LOT COVERAGE			
MAIN BUILDING	0.00 (SQ.FT.)	0.00 (SQ.M.)	
COVERED PORCH	0.00 (SQ.FT.)	0.00 (SQ.M.)	
TOTAL	0.00 (SQ.FT.)	0.00 (SQ.M.)	0.00%
G.F.A.			
GROUND FLOOR AREA	0.00 (SQ.FT.)	0.00 (SQ.M.)	
SECOND FLOOR AREA	2500.08 (SQ.FT.)	232.27 (SQ.M.)	
BASEMENT AREA	0.00 (SQ.FT.)	0.00 (SQ.M.)	
TOTAL ADDITION	2500.08 (SQ.FT.)	232.27 (SQ.M.)	

TOTAL

LOT COVERAGE			
MAIN BUILDING	2946.15 (SQ.FT.)	273.71 (SQ.M.)	
COVERED PORCH	0.00 (SQ.FT.)	0.00 (SQ.M.)	
TOTAL LOT COVERAGE	2946.15 (SQ.FT.)	273.71 (SQ.M.)	75.83%

G.F.A.			
BASEMENT AREA	2422.49 (SQ.FT.)	225.06 (SQ.M.)	
GROUND FLOOR AREA	2946.15 (SQ.FT.)	273.71 (SQ.M.)	
SECOND FLOOR AREA	2946.15 (SQ.FT.)	273.71 (SQ.M.)	
VOID AREAS	0.00 (SQ.FT.)	0.00 (SQ.M.)	
TOTAL G.F.A.	8314.79 (SQ.FT.)	772.47 (SQ.M.)	
	214.00%	OF LOT	

SCOPE OF WORK

INTERIOR ALTERATION	5814.71 (SQ.FT.)	540.20 (SQ.M.)
NEW CONSTRUCTION	2500.08 (SQ.FT.)	232.27 (SQ.M.)

SITE INFORMATION TAKEN FROM

GEO WAREHOUSE: LOTS 20&21, PLAN 473; PART LOT 19, PLAN 473
CITY OF HAMILTON
UNDATED: AS PROVIDED BY CLIENT MAY 9, 2022.

UNIT AREA BREAKDOWN:

COMMERCIAL:
UNIT C1: 1182.07 SQ. FT. = 109.83 M2
UNIT C2: 1310.07 SQ. FT. = 121.71 M2
RESIDENTIAL:
UNIT 1: 821.13 SQ. FT. = 76.28 M2
UNIT 2: 652.61 SQ. FT. = 60.63 M2
UNIT 3: 431.47 SQ. FT. = 40.08 M2
UNIT 4: 487.63 SQ. FT. = 45.30 M2

ADVISORY NOTE:

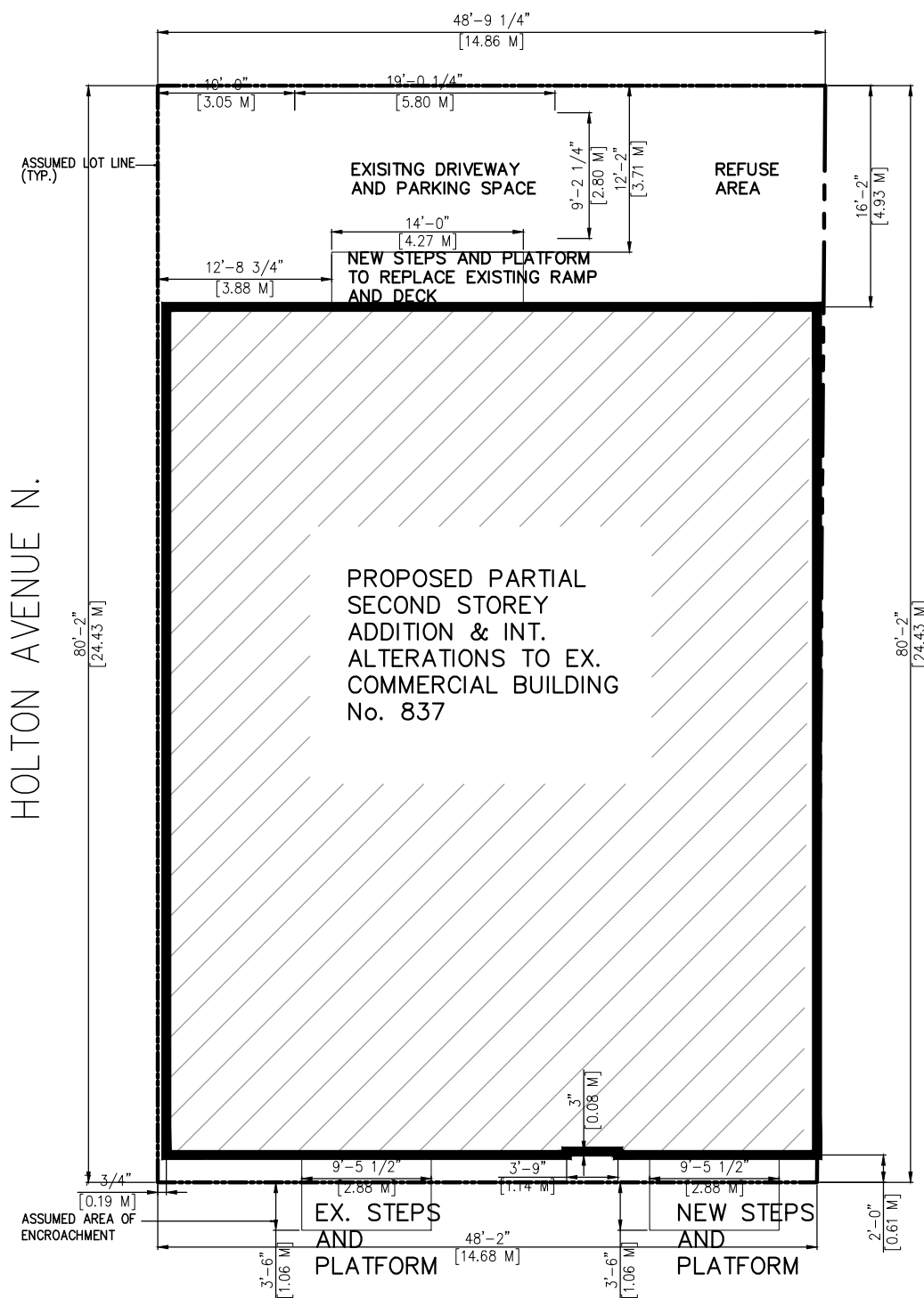
FLOOR PLAN DRAWINGS PREPARED BASED ON DRAWINGS PREPARED BY "MEASURED UP" DATED MARCH 8 2022. ELEVATION DRAWINGS PREPARED BY ON FIELD MEASUREMENTS BY CULMONE AND ASSOCIATES LTD. ON MAY 11, 2022.

SITE PLAN DRAWING HAS BEEN PREPARED BASED ON INFORMATION PROVIDED BY OTHERS AND CANNOT BE VERIFIED OR ASSUMED ACCURATE. PROPERTY AREA, DIMENSIONS AND SETBACKS TO BE CONFIRMED BY AN UP TO DATE SURVEY PROVIDED BY AN ONTARIO LAND SURVEYOR.

WALL LEGEND

- EXISTING TO BE REMOVED
- ===== EXISTING TO REMAIN
- ===== PROPOSED WALL
- ===== OPENING TO BE BLOCKED IN

4	REVISED PLANS & ELEVATIONS	07/21/2022
3	REVISED SITE STATS & DIMENSIONS	06/17/2022
2	ISSUED FOR REVIEW	05/18/2022
1	ISSUED FOR REVIEW	05/04/2022



KING STREET EAST

1 SITE PLAN
A01.01

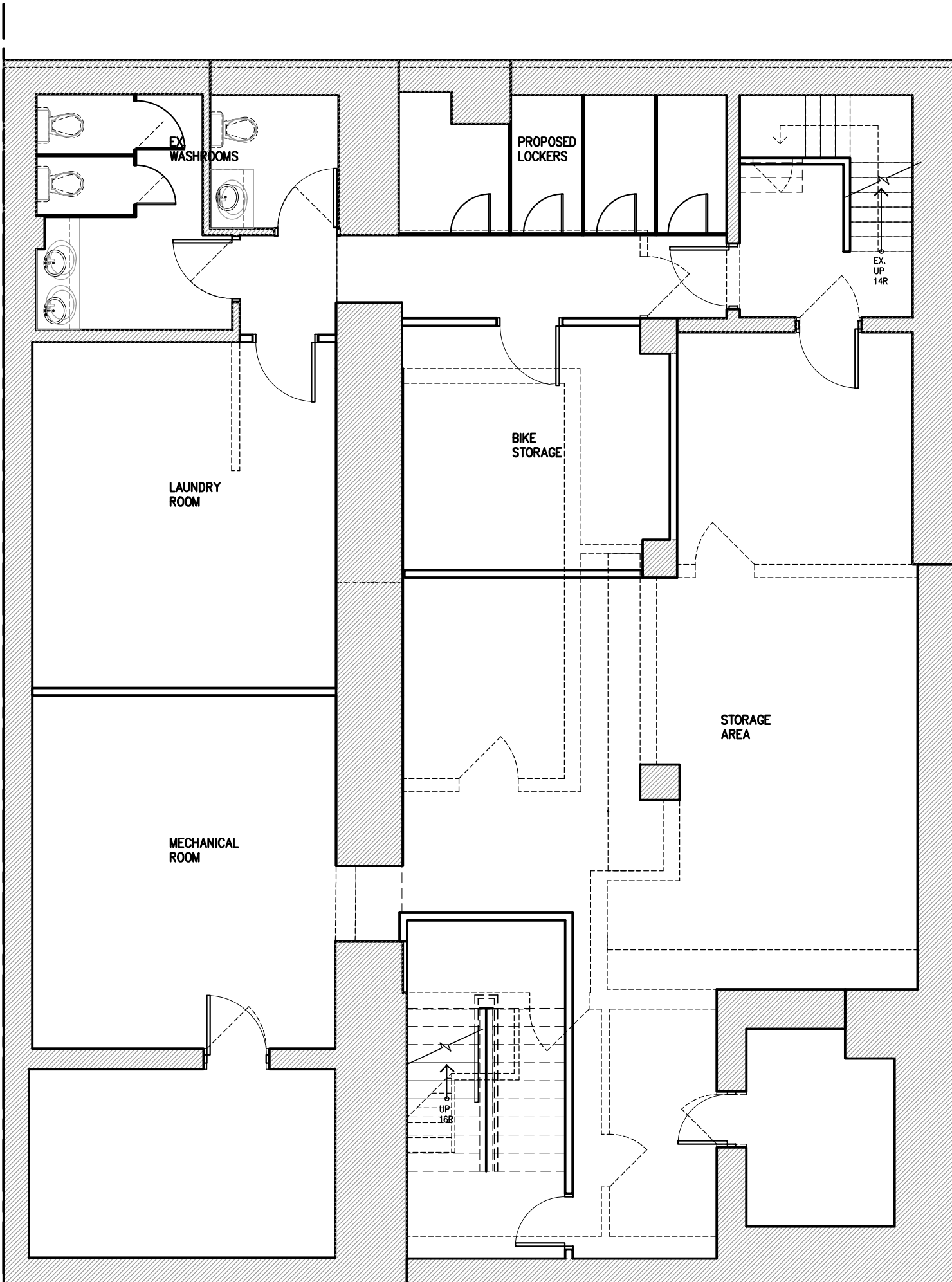
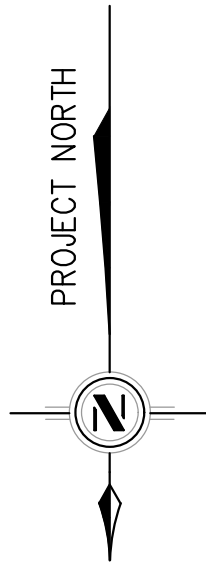
SCALE: 1:150

CULMONE
& ASSOCIATES LTD.

200 EVANS AVE., SUITE 102, ETOBICOKE, ONTARIO
TEL: (416) 252-9861 or (416) 252-9867
FAX: (416) 252-1578, EMAIL: culmone@on.aibn.com

PROJECT:
ADDITION / ALTERATIONS
837 KING STREET EAST
HAMILTON, ONTARIO

DRAWN BY: JC	CHECKED BY: JC
DATE: 03/09/2022	SCALE: AS SHOWN
PROJECT NO.: 22-06	DRAWING NO.: A01.01



1 **BASEMENT FLOOR PLAN**
A02.01 SCALE: 3/16" = 1'-0"

4	REVISED PLANS & ELEVATIONS	07/21/2022
3	REVISED SITE STATS & DIMENSIONS	06/17/2022
2	ISSUED FOR REVIEW	05/18/2022
1	ISSUED FOR REVIEW	05/04/2022

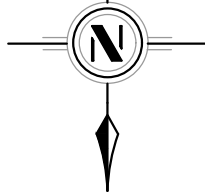
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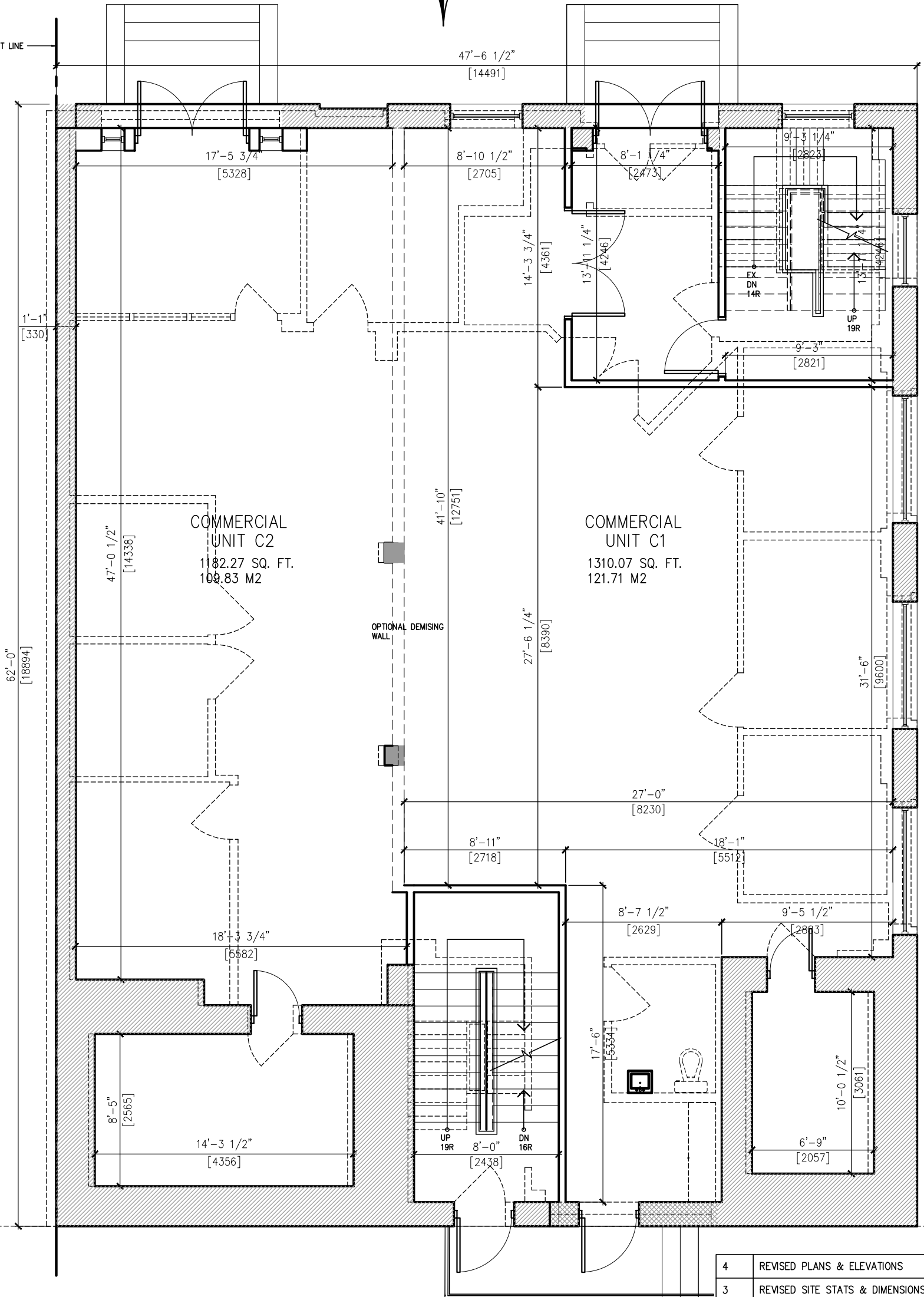
DRAWN BY: JC
 DATE: 03/09/2022
 PROJECT NO.:
22-06

CHECKED BY: JC
 SCALE: AS SHOWN
 DRAWING NO.:
A02.01

PROJECT NORTH



ASSUMED LOT LINE



COMMERCIAL UNIT C2
1182.27 SQ. FT.
109.83 M2

COMMERCIAL UNIT C1
1310.07 SQ. FT.
121.71 M2

OPTIONAL DEMISING WALL

4	REVISED PLANS & ELEVATIONS	07/21/2022
3	REVISED SITE STATS & DIMENSIONS	06/17/2022
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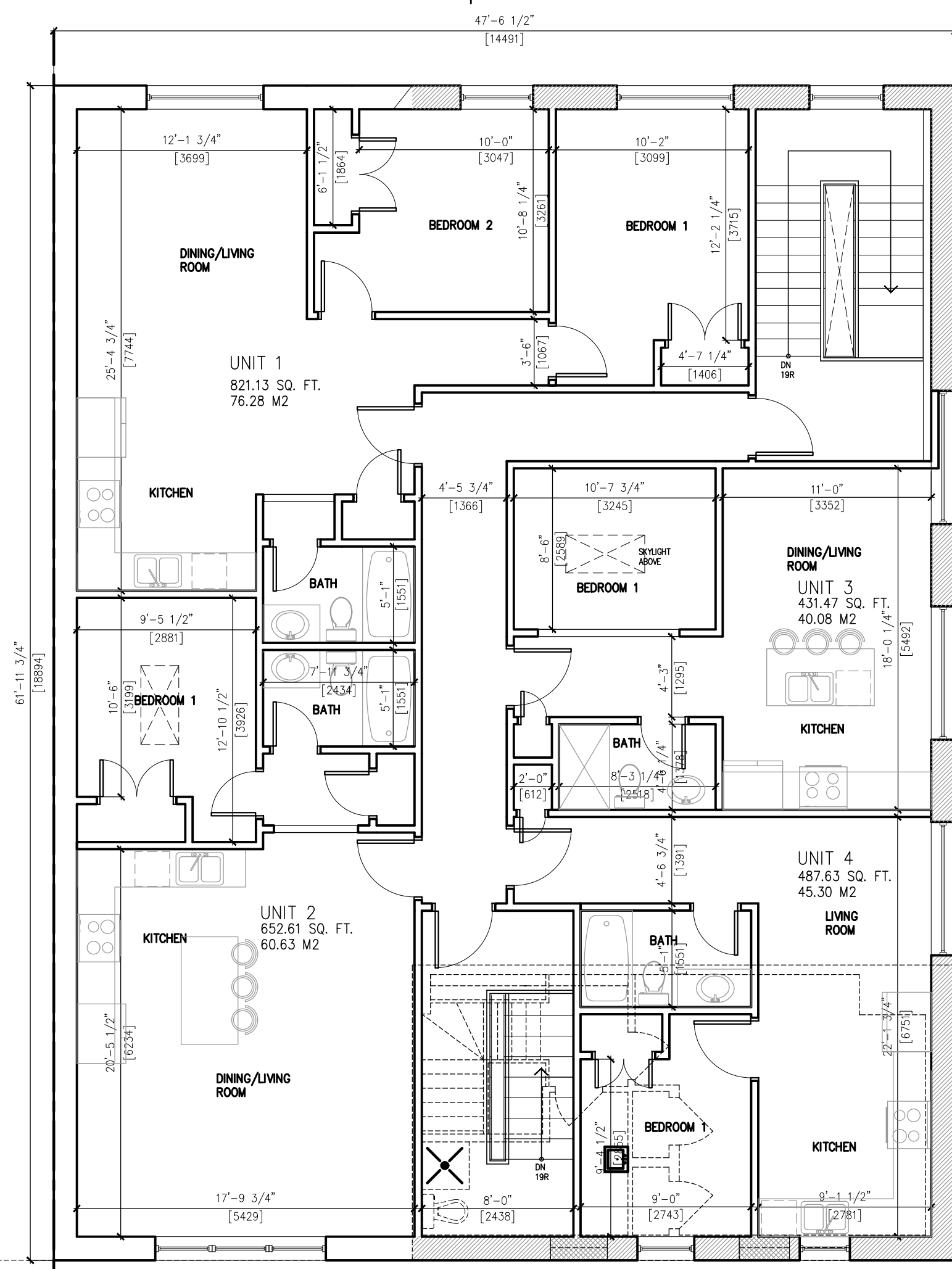
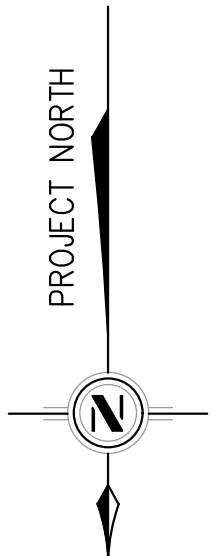
1 GROUND FLOOR PLAN
SCALE: 3/16"=1'-0"

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PROJECT:
ADDITION / ALTERATIONS
837 KING STREET EAST
HAMILTON, ONTARIO

DRAWN BY: JC
DATE: 03/09/2022
PROJECT NO.:
22-06

CHECKED BY: JC
SCALE: AS SHOWN
DRAWING NO.:
A02.02



1 SECOND FLOOR PLAN
 A02.01 SCALE: 3/16"=1'-0"

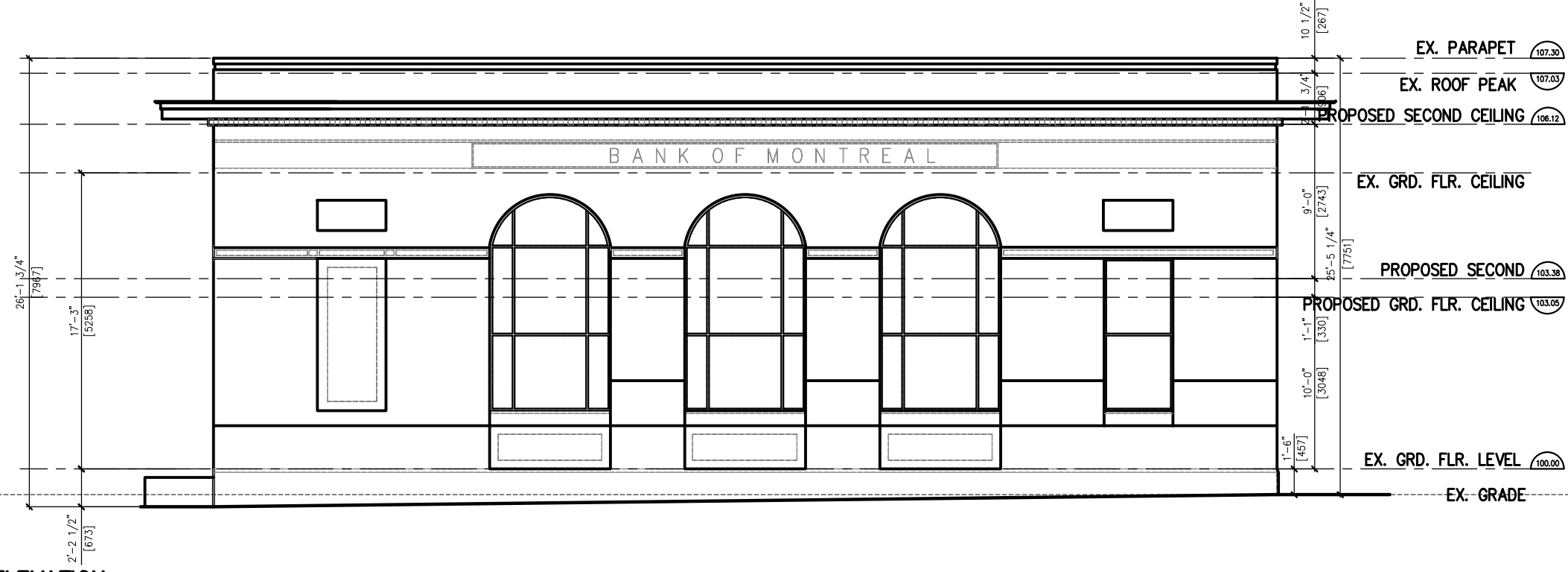
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PROJECT:
ADDITION / ALTERATIONS
837 KING STREET EAST
HAMILTON, ONTARIO

DRAWN BY: JC	CHECKED BY: JC
DATE: 03/09/2022	SCALE: AS SHOWN
PROJECT NO.: 22-06	DRAWING NO.: A02.03

2 WEST ELEVATION
A03.01 SCALE: 1:150

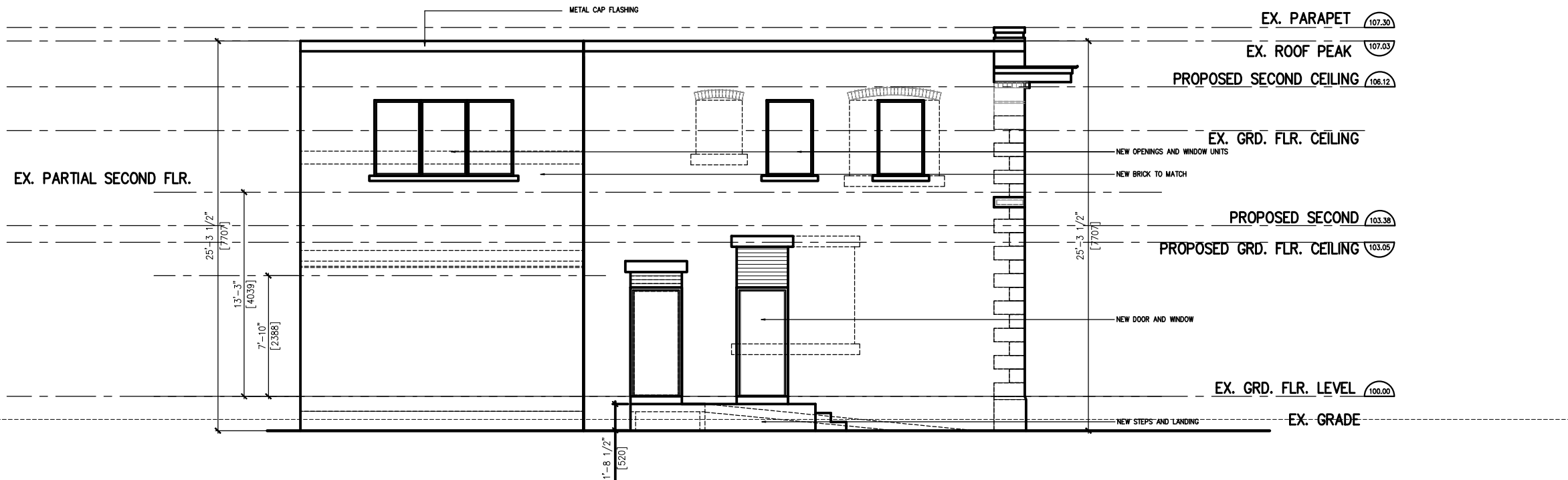


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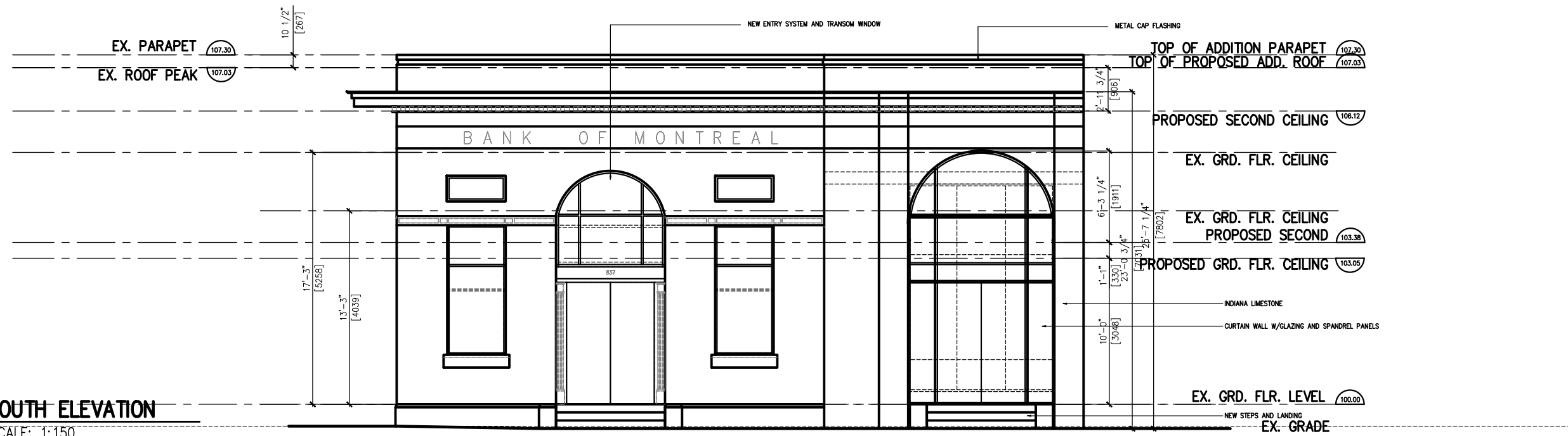
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DRAWN BY: JC
 DATE: 03/09/2022
 PROJECT NO.: 22-06
 CHECKED BY: JC
 SCALE: AS SHOWN
 DRAWING NO.: A03.01



2 NORTH ELEVATION
A03.02 SCALE: 1:150



1 SOUTH ELEVATION
A03.02 SCALE: 1:150

PROJECT:
 ADDITION / ALTERATIONS
 837 KING STREET EAST
 HAMILTON, ONTARIO

DRAWN BY: JC
 DATE: 03/09/2022
 PROJECT NO.: 22-06
 CHECKED BY: JC
 SCALE: AS SHOWN
 DRAWING NO.: A03.02

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Hamilton

Committee of Adjustment

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Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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)	RONSEN CORPORATION	
Applicant(s)*	Design Plan Services Inc (C/O David Igelman)	
Agent or Solicitor	Design Plan Services Inc (C/O David Igelman)	

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:

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:

Proposal for an addition to an existing building. See attached List of Variances.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Proposal requires relief from the Zoning By-law requirements to recognize existing condition of the Subject Property. See attached cover letter for additional details.

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**):

LTS 20 & 21, PL 473 ; PT LT 19, PL 473 , AS IN HL290874 & 'HA316134' S/T & T/W CD225029 ; HAMILTON. 837 King Street East, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use Office

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?

Information provided by the owner.

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.

12-JUL-2022

Date

Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 14.86m

Depth 24.43m

Area 360.96 sq.m.

Width of street 16m

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 ground floor - 273.71 sq.m, existing number of storeys - 2, existing width 14.86m, existing length - 19.5m, existing height - 7.97m. See proposed plans for more detail.

Proposed

Proposed ground floor - 273.71 sq.m, Proposed number of storeys - 2, Proposed width 14.86m, Proposed length - 19.5m, Proposed height - 7.97m. See proposed plans for more detail.

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

Existing:

Both sides - 0m, Rear - 4.93m, front - 0.61m

Proposed:

Both sides - 0m, Rear - 4.93m, front - 0.61m

Information provided by the owner.

- 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.

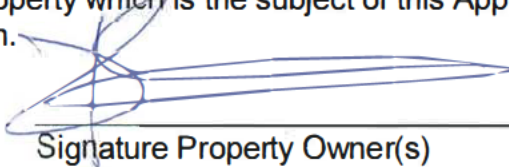
Is the previous use inventory attached? Yes No

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.

12-JUL-2022

Date



Signature Property Owner(s)

Dominic Stactari
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>14.86m</u>
Depth	<u>24.43m</u>
Area	<u>360.96 sq.m.</u>
Width of street	<u>16m</u>

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:

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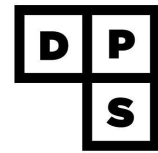
Proposed:

Both sides - 0m, Rear - 4.93m, front - 0.61m

13. Date of acquisition of subject lands:
July 2022
-
14. Date of construction of all buildings and structures on subject lands:
approx. 1940
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Commercial office building
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Mixed-use commercial and residential
-
17. Length of time the existing uses of the subject property have continued:
Over 80 years.
-
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------------|-----------|------------|
| Water | <u>Available</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Available</u> | Connected | <u>Yes</u> |
| Storm Sewers | <u>Available</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
TOC3
-
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:

- 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)
-
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.

Hamilton Committee of Adjustment
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 Ext. 4221
Email: cofa@hamilton.ca



**DESIGN
PLAN
SERVICES**
TOWN
PLANNING
CONSULTANTS

Friday, July 14th, 2022

DPS File: 22100

**RE: 837 King Street East, Hamilton
City of Hamilton
Committee of Adjustment Application
Cover Letter**

On behalf of our client, Ronsen Corporation, the property owners of 837 King Street East, we are submitting this cover letter as part of our formal submission for the subject Committee of Adjustment application.

Proposal Description:

This proposal is for an addition to an existing two-storey commercial building to add 232.27 sq. m of Gross Floor Area (GFA) above the existing 1-storey portion on the east side of the building. The proposed addition will effectively raise the height of the existing 1-storey portion on the east to the same height as the existing two-storey portion of the building. There is currently a partial second storey within the existing building and the proposal includes extending the existing partial second storey to a full second storey within the building to allow for (4) four new residential dwelling units within the second floor. Commercial uses will be maintained on the ground floor as two (2) units. Currently, the existing building functions as a single-use commercial building. The proposal will maintain the existing height of the taller portion of the building, which is legal non-conforming, but will not alter the existing setbacks or coverage on the Subject Property as the building footprint will remain the same.

The proposal will be maintaining all existing parking on the Subject Property which includes a parking space between the rear lot line and the rear main wall, as well as two street parking spaces abutting the paved portion of the Holton Avenue North

right-of-way. The proposal requires a variance for the minimum required number of parking spaces for the residential dwelling units as 0 is proposed whereas a minimum of 2 is required. Although the proposal is maintaining three existing parking spaces on the Subject Property, those existing parking spaces will be allocated to the commercial units on the ground floor and will be in compliance with the By-law as per Section 5.6(g) of the Zoning By-law. As a result, there is 0 parking spaces provided for the residential dwelling units proposed within the existing building. The variance for number of parking spaces is also to recognize the existing condition on the Subject Property and the Subject Property is located along King Street East, which has good access to transit facilities and is in close proximity to a number of amenities and services. As such, the proposed parking space variance maintains the intent and purpose of the By-law provision. The proposed altered building has direct access to transit considering it is located with frontage along King Street East and there is a bus transit stop directly in front of the Subject Property. As per the list of variances below, the proposal requires five (5) variances. However, each of the five variances required are due to an existing condition and the subject Minor Variance application is to recognize the existing condition on the Subject Property. Specifically in regards to the height variance, the proposal requires a variance for the proposed height of 7.97m whereas a minimum height of 11m is required. This variance is needed to recognize an existing condition on the Subject Property as the proposed addition will match the height of the existing building. It is also our understanding from the applicant that the height of the existing building cannot be increased due to structural limitations.

Site and Area Description:

The Subject Property is located on the north side of King Street East, west of Sherman Avenue South, east of Stanford Avenue North, and south of Wilson Street. The Subject Property backs onto residential dwellings to the north, abuts Holton Avenue North to the west, and is attached to mixed-use commercial and residential buildings to the east. The immediate context consists of a mix of low-medium density residential and mixed-uses in the form multi-storey buildings as well as ground related two-storey detached dwellings. There are open spaces interspersed throughout the area as well as mixed-use and commercial uses, which provide amenities to the area.

The Subject Property is located in an area that consists of a variety of residential and mixed-use building types and is currently experiencing gentle and gradual intensification due to its proximity to King Street East which is a “Major Arterial” street as per the Urban Hamilton Official Plan (“UHOP”) Schedule “C”, which is also identified as a “Primary Corridor” as per the UHOP Schedule “E”. The Subject Property is in close proximity to existing community services and amenities and public transit. The

proposal will result in a built form and use that will be in keeping with the existing and planned character of the area and will contribute to increasing the availability of housing in the area.

As per Zoning By-law 05-200, the Subject Property is zoned "TOC3". Along King Street East, there is a range of residential and mixed-use building types and built-forms which vary in terms of scale, density, and other standards. The "TOC3" zone permits multiple dwellings and recognizes existing commercial uses. The requested variances are to recognize the existing condition on the Subject Property which has existed since 1940. The proposed height variance of 7.97m whereas a minimum of 11m is required is necessary in order to recognize the existing condition on the Subject Property, which the proposed addition will match. The proposed height variance is appropriate considering that the proposal will maintain the existing building, which is listed on the Municipal Heritage Register. Additionally it is our understanding that it may be structurally difficult if not unfeasible to propose additional height on the existing building.

Considering the above, I am of the opinion that the proposal meets the four tests as set out in Section 45(1) of the Planning Act, as the proposal maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is appropriate for the development of the Subject Property

The following materials are being submitted with this cover letter:

- Application Form;
- Architectural Plans (Site Plan, Floor Plans, and Elevations);
- List of variances (below).

Please consider this letter as a formal request to be notified of the decision of the Committee of Adjustment to the undersigned. Additionally, note that the application fee will be paid by the owner using the phone option and once Staff contact the owner to pay the application fee.

Should you have any questions or concerns please do not hesitate to contact the undersigned.

Sincerely,



David Igelman, BURPI, MCIP, RPP

DESIGN PLAN SERVICES INC.

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Required Variances as per Plans dated June 17th, 2022 being submitted with the COA Application.

- 1. By-law 05-200 11.3.2(a)(i) - Building Setback from a Street Line - Minimum 3.0 metres.**

The proposal will be setback 0.61m from the front lot line (To recognize condition of existing building on the Subject Property as the proposed addition will match the existing height and footprint of the building).

- 2. By-law 05-200 11.3.2(b) - Minimum Rear Yard - Minimum 7.5 metres.**

The proposal will be setback 4.93m from the rear lot line (To recognize condition of existing building on the Subject Property as the proposed addition will match the existing height and footprint of the building).

- 3. By-law 05-200 11.3.2(e)(i) - Building Height - Minimum Building Height - Minimum 11 metres.**

The proposal will have a height of 7.97m to the highest point (To recognize condition of existing building on the Subject Property as the proposed addition will match the existing height and footprint of the building).

- 4. By-law 05-200 11.3.2(g) - Minimum Landscaped Area for Multiple Dwellings - Minimum 10% of the lot area shall be landscaped area.**

The proposal will have 0% of the lot area for landscaped area (To recognize condition of existing building on the Subject Property as the proposed addition will match the existing height and footprint of the building).

- 5. By-law 05-200 5.6(c) - Minimum Required Parking Spaces for Dwelling Units within a Multiple Dwelling - Minimum of two (2) parking spaces required.**

The proposal will have 0 parking spaces for the residential dwelling units [To recognize the existing condition of the Subject Property. 3 parking spaces are being maintained on the Subject Property however, those spaces are intended for the commercial uses within the building and are compliant with the By-law as per Section 5.6(g)].