

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ROSE GARDEN NOMINEE INC.** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Part of Lots 49, 50, 51, 52, 57, 58, 59 and 85 and All of Lots 53 and 54, Plan BR-2 municipally known formally as **122-130 MAIN STREET NORTH, 6 AND 7 NELSON STREET EAST AND 7 AND 11 CHURCH STREET EAST**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit a maximum of 676 dwelling units whereas the by-law permits a maximum of 590 dwelling units;
2. To permit a maximum floor plate area of 2,800 square metres for floors 1 to 6 whereas the by-law permits a maximum floor plate area of 800 square metres.

OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: NO
Application for Consent: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, March 28, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of an Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

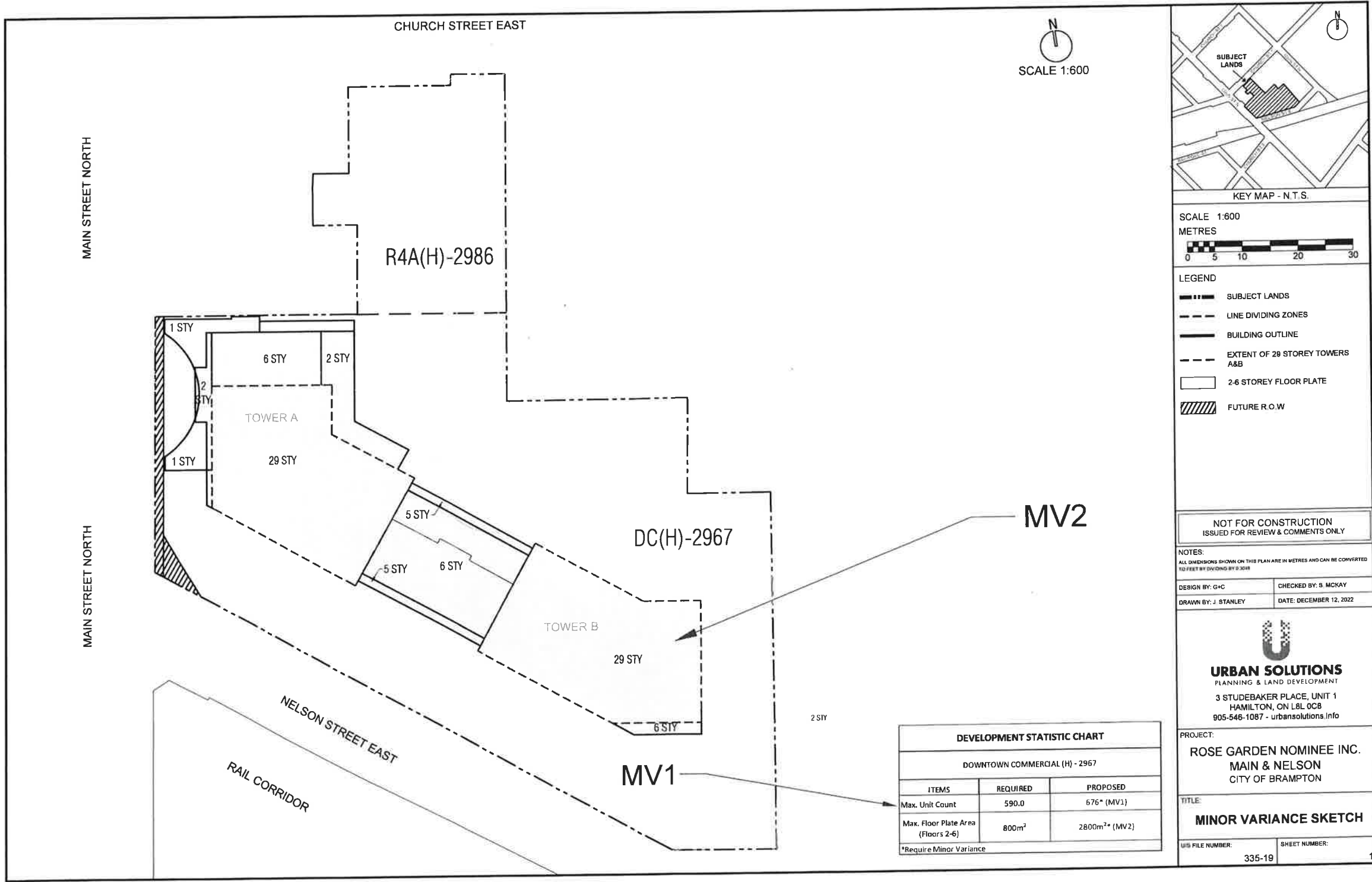
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

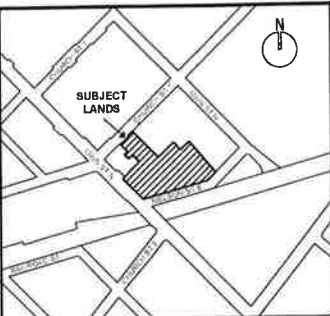
DATED at Brampton Ontario, this this 16th Day of March, 2023.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

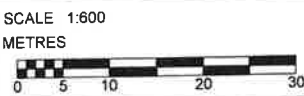
Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall, 2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca



N
SCALE 1:600



KEY MAP - N.T.S.



- LEGEND
- SUBJECT LANDS
 - LINE DIVIDING ZONES
 - BUILDING OUTLINE
 - EXTENT OF 29 STOREY TOWERS A&B
 - 2-6 STOREY FLOOR PLATE
 - FUTURE R.O.W

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DESIGN BY: G+C	CHECKED BY: S. MCKAY
DRAWN BY: J. STANLEY	DATE: DECEMBER 12, 2022



URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
ROSE GARDEN NOMINEE INC.
MAIN & NELSON
CITY OF BRAMPTON

TITLE:
MINOR VARIANCE SKETCH

WHS FILE NUMBER: 335-19	SHEET NUMBER: 1
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DEVELOPMENT STATISTIC CHART		
DOWNTOWN COMMERCIAL (H) - 2967		
ITEMS	REQUIRED	PROPOSED
Max. Unit Count	590.0	676* (MV1)
Max. Floor Plate Area (Floors 2-6)	800m ²	2800m ² * (MV2)
*Require Minor Variance		

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both in-person and electronically).

**Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **March 28, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, March 23, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, March 23, 2023.**
 2. To participate in-person, please email the Secretary–Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, March 23, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, March 23, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- All Hearings will be livestreamed on the City of Brampton YouTube account at:
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or
<http://video.isilive.ca/brampton/live.html> .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.



February 8, 2023

335-19

Via Email

A-2023-0450

Jeanie Myers, Secretary-Treasurer
Committee of Adjustment

City of Brampton,
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Myers,

**RE: 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East, City of
Brampton
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained to act as the authorized planning consultant for Rose Garden Nominee Inc., the registered owner of the lands municipally known as 122-130 Main Street North, 6 & 7 Nelson Street East, and 7 & 11 Church Street East in the City of Brampton (subject lands). We are pleased to submit this Minor Variance application on their behalf to facilitate the proposed development.

The subject lands are approximately 0.87 hectares (2.14 acres) in size and are located within the Conceptual Urban Growth Centre as established in the Region of Peel Official Plan. The lands are also designated as 'Central Area' in the City of Brampton Official Plan and 'Central Area Mixed Use' within Special Policy Area 3A (SPA 3A) in the Downtown Brampton Secondary Plan (SPA7). On January 13, 2020, City of Brampton Council approved Zoning By-law Amendment No. 294-2019 which placed the subject lands in site-specific 'Downtown Commercial DC(H)-2967' and 'Residential Apartment R4A(H)-2968' Zones within Comprehensive Zoning By-law No. 270-2004. This site-specific zoning permits 590 residential units within two (2) 29-storey towers and a minimum of 2,000 m² of commercial space at grade within the portion of the site zoned DC(H)-2967. The lands are also subject to an H – Holding provision; requiring a number of studies to be updated and approved prior to removal.

On June 18, 2021, UrbanSolutions submitted a Pre-Application Consultation Request for a revised Concept consisting of 666 residential units, 504.7 m² of commercial space, 2,278.8 m² of office space, and 652 underground parking spaces. During the subsequent Pre-Application Consultation meeting held on July 20, 2021, we (UrbanSolutions) expressed our intent to address the increased unit count through a Minor Variance application.

Given that the anticipated timeline for addressing conditions of Site Plan approval exceeds the Minor Variance approval process, our office made an initial Site Plan submission on December 20, 2021 (SPA-2021-0269). This submission included a slightly revised concept consisting of 676 residential units within

two (2) 29-storey towers, 572.3 m² of low-rise residential, 538.3 m² of commercial space, 2,237 m² of office space, and 641 underground parking spaces.

As such, the purpose of this Minor Variance application is to bring the proposed development into conformity with the provisions of Zoning By-law No. 270-2004. The proposal requires two (2) variances with respect to the Downtown Commercial DC(H)-Section 2967 Zone, as outlined below:

Variances with Respect to the Downtown Commercial DC(H)-Section 2967 Zone

- **Variance No. 1:** To permit a maximum of 676 dwelling units on the subject lands whereas a maximum of 590 is currently permitted.
- **Variance No. 2:** To permit a maximum Floor Plate Area of 2,800 square metres for floors one (1) to six (6) whereas a maximum size of 800 square metres is currently permitted.

To assist in the evaluation of this application, please refer to the enclosed Minor Variance Sketch.

Justification for the proposed variances is provided below in accordance with Section 45(1) of the *Planning Act*:

1. Are the proposed minor variances minor in nature?

Variance No. 1 – Maximum Unit Count

On May 7, 2014, City of Brampton Council passed By-law No. 128-2014 to adopt Official Plan Amendment No. OP2006-099, and By-law No. 129-2014 to amend Comprehensive Zoning By-law 270-2004 to amend policies of the Downtown Brampton Secondary Plan (SP 7). These amendments established restrictions on development/redevelopment within the Downtown Brampton Special Policy Area 3 (SPA 3) – which the Toronto Region Conservation Authority (TRCA) identified as being susceptible to flooding during a major storm event. Among other restrictions, this amendment established a cap of 900 new residential units within Special Policy Area 3A, in addition to the number of units existing on May 7, 2014 (Section 5.6.3.3(a)(ii)). Accordingly, site-specific By-law No. 294-2019 prescribes a maximum unit count of 590 dwelling units for the subject lands, which was derived by subtracting the approximate 300 new residential units proposed in the easterly part of the nearby Sweeney development project from the 900 unit cap within SPA 3A.

On December 2, 2022, the TRCA issued Permit No. C-221416 to facilitate the proposed site servicing, development, and grading associated with the current 676 unit concept. Given that the City's comprehensive review and subsequent amendment to Special Policy Area 3 (via OP2006-099) – which established the 900 residential unit cap within SPA 3 – was based on the TRCA's 2012 floodline model (approved by the Province on April 30, 2014), it is our (UrbanSolutions') understanding that any public safety concerns associated with flooding susceptibility resulting from the additional 86 units have been adequately addressed through the issuance of this permit.

Further, as outlined in the Functional Servicing Report prepared by Valdor Engineering in support of our SPA-2021-0269, the proposed unit count can be adequately serviced with existing municipal services including watermain, sanitary sewer, and stormwater. Additionally, the Transportation Impact Study prepared by NexTrans Consulting Engineers in support of Site Plan application SPA-2021-0269 concludes

that the subject site's proximity to existing and planned transit infrastructure (including existing Brampton Transit bus routes 2, 24, 25, and 216 and the existing Brampton GO Station) will reduce the need for on-site vehicle parking and will mitigate any potential traffic concerns associated with the increased unit count. It should also be noted that the additional 86 units are to be primarily accommodated within the proposed 6-storey podium and that no height increase beyond the previously approved 29-storeys is being requested. For the above-noted reasons, the requested variance is considered to be minor in nature.

Variance No. 2 – Maximum Floorplate Area

As the previous development concept submitted in support of Zoning By-law Amendment File No. C01E06.056 consisted of two stand-alone 29-towers, the site-specific DC(H)-2967 Zone permits a maximum floorplate area of 800 m². This regulation aligns with the target established in Policy 3.1.1.39(c) of the City of Brampton Draft Official Plan which prescribes a maximum tower floorplate area of 800 m² to ensure that an adequate separation distance (at least 25 metres) is achieved between towers to allow for privacy, light, and sky view. As previously mentioned, the proposed concept has since evolved to include a 6-storey podium connecting the two 29-storey towers; for which the requested variance is required to accommodate. Given that the floorplate area of each proposed tower (800 m²) complies with site-specific zoning regulations and maintains the general intent and purpose of Official Plan Policy 2.3.36.b, the requested variance is considered to be minor in nature.

2. Are the proposed minor variances desirable for the appropriate development or use of the land, building or structure?

The requested variances will facilitate the redevelopment of an underutilized site with a transit-oriented, mixed-use development on lands that are: located within an Urban Growth Centre as defined on Schedule 2 of the Growth Plan and Schedule E-1 of the Region of Peel Official Plan, designated Mixed Use District in the City of Brampton Official Plan, and as 'Central Area Mixed Use' in the Downtown Brampton Secondary Plan (SPA7). Additionally, the proposed mixed-use development will provide a range and mix of housing options to aid the City in achieving the Population target of 2,280,000 people by the year 2051. The proposal will also increase employment opportunities for the area, thus aiding the City in achieving the Employment target of 1,070,000 jobs to be accommodated in the Region of Peel by 2051, as outlined in Schedule 3 of the Growth Plan. The proposed built form and land use will be in keeping with the character of the surrounding area and represent a use of land that maintains the intent of the City of Brampton Official Plan and Zoning By-law No. 270-2004. As such, the proposed development is considered to be desirable and appropriate for the subject lands.

3. Are the proposed minor variances in keeping with the general purpose and intent of the Zoning By-law?

As previously noted, City of Brampton Council approved Zoning By-law Amendment No. 294-2019 on January 13, 2020 which placed the subject lands in a site-specific 'Downtown Commercial and Residential Apartment DC(H)-2967' Zone within Comprehensive Zoning By-law No. 270-2004. To accommodate the proposed development, variances to the applicable zoning are required. A planning evaluation of the requested variances is provided below:

Variance No. 1 – Maximum Number of Dwelling Units

An increase in the maximum number of permitted residential units is required to facilitate the proposed development, whereas a maximum of 590 is currently permitted in the site-specific zone. As previously noted, this value was derived in accordance with Section 5.6.3.3(a)(ii) of the Downtown Brampton Secondary Plan which prescribes a maximum of 900 new residential units within SPA 3A due to flooding susceptibility concerns. Considering that this value was derived in accordance with the TRCA's 2012 floodline model, and that the TRCA recently issued Permit No. C-221416 to facilitate the proposed 676-unit development concept, it is our understanding that any public safety concerns previously raised in relation to flooding susceptibility have been adequately addressed. Therefore, the requested variance maintains the general purpose and intent of the site-specific Zoning By-law.

Further, the Functional Servicing Report prepared by Valdor Engineering in support of Site Plan Control application (SPA-2021-0269) concludes that the proposed unit count (676) can be adequately serviced with existing municipal services including watermain, sanitary sewer, and stormwater. Additionally, the subject property's proximity to both existing and planned transit infrastructure will mitigate any potential traffic concerns associated with the increased unit count. As such, the requested variance maintains the general intent and purpose of the site-specific Zoning By-law and is thus appropriate for the subject property.

Variance No. 2 – Maximum Floorplate Area

Given that the site-specific DC(H)-2967 zone permits a Maximum Floorplate Area of 800 m², a variance is required to accommodate the footprint of the proposed 6-storey podium. As per Section 2.3.36.b of the City of Brampton Official Plan, the intent of the Maximum Floorplate Area regulation is to ensure that an adequate separation distance (at least 25 metres) is achieved between tower portion(s) of a development to allow for privacy, light, and sky views. As previously noted, the concept submitted in support of Zoning By-law Amendment File No. C01E06.056 consisted of two stand-alone 29-storey towers (each with an 800 m² floorplate); thus, relief from this regulation was not included in the site-specific by-law. Given that the floorplate area of each proposed tower (800 m²) complies with the site-specific by-law and that 25 metres of separation is achieved between each tower, the requested relief maintains the intent of the Zoning By-law and is therefore appropriate for the subject property.

4. Are the proposed minor variances in keeping with the general purpose and intent of the Official Plan?

Variance No. 1 – Maximum Unit Count

As previously noted, the maximum number of dwelling units (590) permitted within the site-specific DC(H)-2967 Zone was derived in proportion to the maximum total number of new residential units (900) permitted within Special Policy Area 3A, as outlined in Section 5.6.3.3(a)(ii) of the Downtown Brampton Secondary Plan. Given that this unit cap was established in accordance with the TRCA's 2012 floodline model, and that the TRCA recently issued Permit No. C-221416 on December 2, 2022 which facilitates the proposed 676 unit concept, it is our understanding that any public safety concerns relating to flood susceptibility have been adequately addressed. As such, the requested variance is considered to be in keeping with the general purpose and intent of Section 5.6.3.3(a)(ii) of the Downtown Brampton Secondary Plan and the City of Brampton Official Plan as a whole.

Variance No. 2 – Maximum Floorplate Area

Policy 3.1.1.39(c) of the City of Brampton Draft Official Plan establishes a maximum tower floorplate area of 800 m² to ensure that an adequate separation distance is achieved (at least 25 metres) between towers, to allow for privacy, light, and sky views. As the two (2) proposed 29-storey towers have a floorplate area of 800 m² and maintain a separation distance of 25 metres between each, the requested variance is considered to be in keeping with the general purpose and intent of the City of Brampton Official Plan.

Further, the subject lands are located within the Conceptual Urban Growth Centre in the Region of Peel Official Plan. According to Section 5.6.18 of the Plan, lands within this designation are intended to accommodate intensification through compact built forms of urban development and redevelopment and act as focal areas for investment in region-wide services and infrastructure. In accordance with this objective, Section 5.3.3.1.4 of the Regional Official Plan states that each urban growth centre is intended to achieve a minimum gross density target of 200 residents and jobs combined per hectare by 2031 or earlier. The subject lands are also designated 'Mixed Use District' as identified on Schedule 5 – Designations of the City of Brampton Draft Official Plan. As per Policy 2.1.32, lands within this designation are also classified as Major Transit Station Areas (MTSAs) to provide appropriate use, form, and intensity requirements. According to Policy 2.2.49 (c), this designation is also intended to meet or exceed the minimum transit-supportive density targets established in Part 2.1 of the Plan; being 200 persons and jobs per hectare for the Downtown Urban Growth Centre. Additionally, Section 5.6.3.3 (a) – Special Policy Area 3A of the Downtown Brampton Secondary Plan indicates that this area is intended to evolve into a high-density, compact, contemporary urban setting with a mix of uses and potential for more intensive development to support Urban Growth Centre targets. As such, the requested variances are in keeping with the purpose and intent of the City of Brampton Draft Official Plan, the Downtown Brampton Secondary Plan, and the Region of Peel Official Plan, as they will aid both the City and Region in achieving their prescribed growth and intensification objectives.

Through consideration of the above, it is determined that the proposed variances satisfy the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this Minor Variance application, please find enclosed the following:

- One (1) copy of the completed and signed Minor Variance application form;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions
- One (1) cheque in the amount of **\$2,662.00** made payable to the City of Brampton.

We trust the enclosed is satisfactory and thank you in advance for your co-operation. If you need additional information or clarification regarding the above, please do not hesitate to contact the undersigned.

Regards,

UrbanSolutions


Matt Johnston, MCIP, RPP
Principal



Matthew LeBlanc, M.PL, BA (Hons)
Planner

cc: Rose Garden Nominee Inc. (via email)



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton.

APPLICATION
Minor Variance or Special Permission
(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. Name of Owner(s) Rose Garden Nominee Inc.

Address 25 Imperial Street

Toronto, ON

L8L 1B9

Phone # (416) 258-4340 Fax # _____

Email asalomon@thehi-risegroup.com

2. Name of Agent UrbanSolutions Planning & Land Development Consultants Inc.

Address 3 Studebaker Place, Unit 1

Hamilton, ON

L8L 0C8

Phone # (905) 546-1087 Fax # _____

Email mjohnston@urbansolutions.info

3. Nature and extent of relief applied for (variances requested):

To bring the development, as proposed via SPA-2021-0269, into conformity with the site specific DC(H)-Section 2967 Zone, the following

variances are required:

Variance No. 1: To permit a maximum of 676 dwelling units on the subject lands whereas a maximum of 590 is currently permitted

Variance No. 2: To permit a maximum Floor Plate Area of 2,800 square metres for floors one (1) to six (6) whereas a maximum size of

800 square metres is currently permitted.

4. Why is it not possible to comply with the provisions of the by-law?

Variance No. 1: It is not possible to comply with the zoning provision relating to maximum unit count because the approved site-specific

Zoning By-law was not based on a development concept, but a modification to an initial request which contemplated 3 towers. Now, with

an actual development concept via SP-2021-0269, modifications to the By-law are required

Variance No. 2: It is not possible to comply with the zoning provision relating to maximum floor plate area as the wording of the site

specific zoning regulation does not account for a podium element.

5. Legal Description of the subject land:

Lot Number PARTS OF LOTS 49, 50, 51, 52, 57, 58, 59, 65, & 66 AND ALL LOTS 53 & 54 ON PLAN OF PART THE WEST HALF

OF LOT 5, CONCESSION 1 EAST OF HURONTARIO STREET PLAN BR-2, CITY OF BRAMPTON

Plan Number/Concession Number PL BR2

Municipal Address 122-130 Main Street North, 6 & 7 Nelson Street East, 7 & 11 Church Street East

6. Dimension of subject land (in metric units)

Frontage +/- 46.207 metres (Main Street North)

Depth +/- 119.237 metres

Area 8,686.12 square metres

7. Access to the subject land is by:

Provincial Highway ☐

Municipal Road Maintained All Year ☒

Private Right-of-Way ☐

Seasonal Road ☐

Other Public Road ☐

Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

Please note that buildings are labeled as they are shown on the enclosed Topographic Survey Plan

EXISTING BUILDINGS/STRUCTURES on the subject land:

2 STOREY BRICK BUILDING No. 7:	109.90 square metres
1 1/2 STOREY METAL-SIDED DWELLING No. 11:	87.19 square metres
1 STOREY STUCCO BUILDING No. 122-128:	750.86 square metres
1 STOREY CONCRETE BLOCK BUILDING No. 10:	243.78 square metres
1 STOREY CONCRETE BLOCK BUILDING No. 6:	260.47 square metres
1 STOREY CONCRETE BLOCK BUILDING:	78.68 square metres

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Stacked Townhouses:	572.4 square metres
Residential (29-storey Towers and 6-storey Podium):	43,886.4 square metres
Commercial:	455 square metres
Office:	2,237 square metres
Please refer to the enclosed Minor Variance Sketch prepared by UrbanSolutions for more information.	

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback	+/- 1.657 metres (122-130 Main Street North)
Rear yard setback	+/- 0.274 metres (10 Nelson Street East Accessory Structure)
Side yard setback	+/- 2.469 metres (6 Nelson Street East)
Side yard setback	+/- 2.536 metres (7 Church Street East)

PROPOSED

Front yard setback	+/- 7.0 metres (to proposed podium - Main Street North)
Rear yard setback	+/- 12.5 metres (abutting Commercial Zone), +/- 27 metres to podium (abutting Residential Zone).
Side yard setback	+/- 3.0 metres (interior side yard setback to proposed podium - abutting Commercial Zone), +/- 12.5 metres to tower (abutting Commercial Zone), +/- 15 metres abutting Residential Zone (at angle to property line).
Side yard setback	+/- 15.0 metres (Exterior Side Yard Setback - Nelson Street East).

Please refer to the enclosed Minor Variance Sketch and Topographic Survey for more information.

10. Date of Acquisition of subject land: April 12, 2021

11. Existing uses of subject property: Commercial Plaza

12. Proposed uses of subject property: Two 29-storey Mixed-use Buildings

13. Existing uses of abutting properties: Residential/Commercial

122-130 Main Street North - Mid 1920's
7 Church Street East - 1890's

14. Date of construction of all buildings & structures on subject land: All other buildings - unknown

122-130 Main St N: +/- 100 years
7 Church St E: +/- 130 years

15. Length of time the existing uses of the subject property have been continued: All other buildings - unknown

16. (a) What water supply is existing/proposed?

Municipal ☒
Well ☐

Other (specify) _____

(b) What sewage disposal is/will be provided?

Municipal ☒
Septic ☐

Other (specify) _____

(c) What storm drainage system is existing/proposed?

Sewers ☒
Ditches ☐
Swales ☐

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

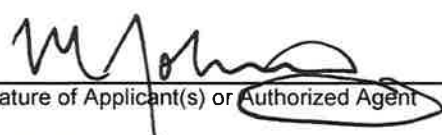
Yes ☒ No ☐

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☐ Unknown ☒

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Hamilton _____

THIS 8th DAY OF February, 20 23.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Matt Johnston, OF THE City OF Hamilton
IN THE Province OF Ontario SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.


DECLARED BEFORE ME AT THE

City OF Hamilton

IN THE Province OF

Ontario THIS 8th DAY OF

February, 20 23.


Signature of Applicant(s) or Authorized Agent


A Commissioner etc.

Laura Leigh Drennan, a Commissioner,
etc., Province of Ontario, for
UrbanSolutions Planning & Land
Development Consultants Inc.
Expires January 13, 2026.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

DC(H) - 2967

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

L Barbuto

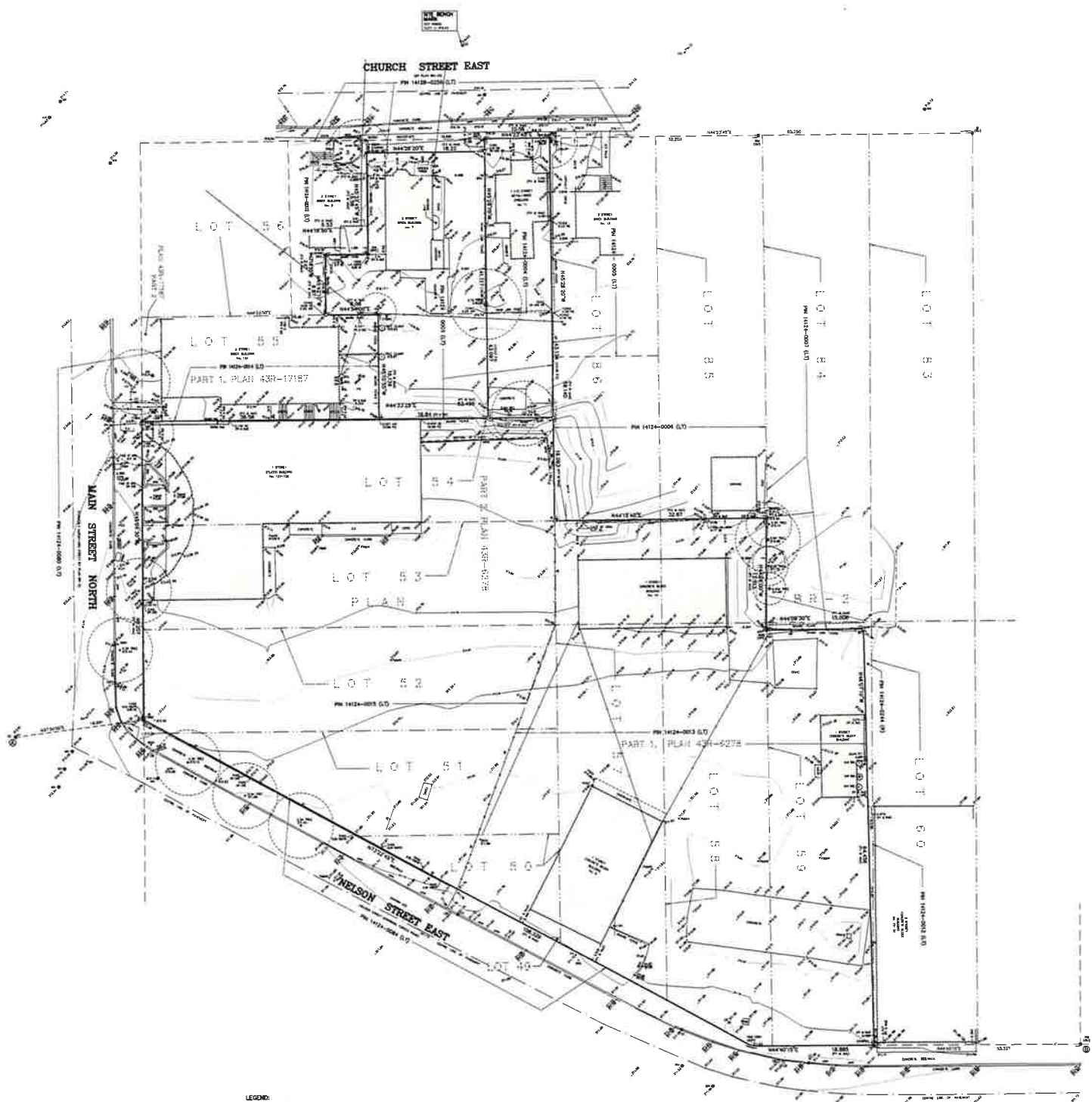
Zoning Officer

February 16, 2023

Date

DATE RECEIVED _____

CHURCH STREET EAST



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A.T. McLaren Limited
RAPID AND ECONOMICAL SUPPLY

