

Pol Associates Inc.
Land Use Planning Consultants
94 Rollingwood Circle
London ON N6G 1P7

May 10, 2018

Ms Michelle Knieriem, Planner
The Corporation of the City of London
Department of Planning and Development
206 Dundas St, London, Ontario N6A 1H3

Dear Ms. Knieriem,

RE: Zoning By-law Amendment File Z-8878 Section 4.23 minimum\maximum front and exterior side yard setbacks

Pol Associates Inc. is retained by Mr. Ken Bonnar to provide independent land use planning opinion regarding the above noted matter.

Mr. Bonnar's building permit was refused for the renovation and addition to an existing single detached residential building lot at 601 Upper Queen Street. Staff recommended he apply for a zoning by-law amendment or a minor variance because of non-compliance with Section 4.23. He is proposing changes to the building that were located in front of the average setback of the two adjacent residential buildings. The renovations include a change in the roof line, a new dormer over the garage and a small extension to the rear of the dwelling all in keeping with the height and rear yard setback provisions of the applicable Residential R1-9 in By-law Z.-1. I was perplexed why this happened because the building footprint is not changing and the front yard or side yards are remaining the same.

I rely on Section 4.16 Existing Uses Continued Clause 2: *nothing in this by-law shall prevent an extension or an addition to a building or structure lawfully used on the 26th day of June 2005 except where b) the minimum yard or setback required for the addition shall be equal to the minimum yard or setback prescribed in the regulations of the By-law.* The addition does not change the building footprint nor does it change the minimum yard requirements and therefore the building permit is in compliance with the By-law.

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The addition of the dormer is located less than the minimum yard or setback required in Section 4.23 and therefore the Building Division would not issue compliance for the renovations with the By-law. I would ask the Planning Staff ensure that in all instances, where the building is legal non-complying, regardless of the applicable setback requirements, owners be allowed to renovate, rehabilitate and build additions in compliance with the zone regulations.

I have reviewed the report dated for the public meeting May 14, 2018 File Z-8878 and the proposed amendments. Based on my review, the proposed renovation\additon for 601 Upper Queen Street will comply with the new zoning regulations in Section 4.23. I have no objection to the amendments to clarify and improve the interpretation and function of By-law Z.-1 as it applies to low rise residential development in the Primary Transit Area.

Please provide me with notice of passing of the by-law amendment. Please contact me should you have any questions.

Regards,

A handwritten signature in black ink that reads "William Pol". The signature is written in a cursive, flowing style.

William Pol, MCIP, RPP
Principal Planner
Pol Associates Inc.

cc. Ken Bonnar