

# Memorandum to the City of Markham Committee of Adjustment

March 14, 2025

**File:** A/006/25  
**Address:** 365 Hood Road, Markham  
**Agent:** API Development Consultants Inc. (Natalia Garavito)  
**Hearing Date:** Wednesday, March 19, 2025

The following comments are provided on behalf of the Central Team:

The Applicant is requesting relief from the following requirements of the “Employment – Business Park (EMP-BP)” zone under By-law 2024-19, as amended, as it relates to a proposed 15-storey hotel. The variances requested are to permit:

- a) **Table 5.8.1 (d):**  
a minimum of 1 loading space, whereas the By-law requires a minimum of 2 loading spaces;
- b) **Section 9.4.3.2 (c):**  
a maximum front yard setback of 39.9 metres, whereas the By-law permits a maximum front yard setback of 20.1 metres;
- c) **Section 9.4.3.2 (h):**  
a maximum height of 52 metres from average grade, whereas the By-law permits a maximum of 46 metres from average grade;
- d) **Section 9.3.4:**  
electric vehicle stations within a landscaping strip, whereas the By-law does not permit electric vehicle stations within a landscaping strip; and,
- e) **Section 9.3.4 (a) (ii):**  
a minimum of 1.5 metres wide landscaping strip abutting the south interior side lot line, whereas the By-law requires a minimum landscaping strip of 3 metres.

## BACKGROUND

### Property Description

The 13,604.20 m<sup>2</sup> (146,434.39 ft<sup>2</sup>) subject property (“Subject Lands”) are located on the east side of Hood Road, west side of Warden Avenue and generally to the north of Denison Street (refer to Appendix “A” – Aerial Photo). The Subject Lands are within an established industrial/employment area. Existing uses surrounding the Subject Lands include: the office building at 7300 Hood Road directly to the south; various commercial office buildings directly to the north of the Subject Lands, across Hood Road to the west, and Warden Avenue to the east; and the Monte Carlo Inn & Suites – Downtown

Markham across Warden Avenue to the southeast. The Subject Lands are currently vacant.

### **Proposal**

The Applicant is proposing a dual brand hotel, consisting of Holiday Inn Express and Staybridge Suites (“proposed development”) at the Subject Lands. The proposed development consists of a 15-storey hotel with 181 suites and a total gross floor area (inclusive of basement) of 14,539 m<sup>2</sup> (156,500 ft<sup>2</sup>) with proposed driveway access from both Hood Road and Warden Avenue. The proposed development will also feature one loading space, a drop-off area, and 195 parking spaces at grade.

The submitted Site Plan (Appendix “B”) shows the northern portion of the site (393 Hood Road) as a future development area (Phase 2). However, the development concept for this portion of the lands remains unknown at this point of time.

A future Site Plan Control (SPC) application will be required to permit the proposed development.

### **Official Plan and Zoning**

Official Plan 2014 (partially approved on November 24, 2017, and updated on April 9, 2018)

The Official Plan designates the Subject Lands “Business Park Employment” which permits hotel use that does not include dwelling units. Ancillary uses such as restaurants within a non-industrial building are also permitted, provided that the combined gross floor area devoted to all ancillary uses is limited to a maximum of 15 percent of the total gross floor area on the ground floor, whichever is less; and access to the premises of all ancillary uses is integrated within the building.

The Subject Lands are also subject to the Area and Site-Specific Policies of South Don Mills (Employment), which permits a private school with accessory dormitories on the Subject Lands.

### Zoning By-Law 2024-19

The Subject Lands are zoned “Employment – Business Park (EMP-BP)” under By-law 2024-19, as amended, which permits Hotel use.

The Applicant is requesting relief from the requirements for loading, maximum front yard setback, maximum height from average grade, the location of electric vehicle stations, and the minimum width of landscaping strip.

### **Zoning Preliminary Review (ZPR) Undertaken**

The Applicant has completed a Zoning Preliminary Review (ZPR) on February 3, 2025 to confirm the initial variances required for the proposed development. It is the Applicant’s responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development.

Staff note that the Applicant is required to submit a revised ZPR submission and obtain a Zoning Certificate ensuring zoning compliance prior to the submission of a Site Plan Application. If the variance request in this application contains errors, or if the need for additional variance(s) is identified during the subsequent ZPR review process, further variance application(s) may be required to address the non-compliance.

## **COMMENTS**

The *Planning Act* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- 1) The variance must be minor in nature;
- 2) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- 3) The general intent and purpose of the Zoning By-law must be maintained;
- 4) The general intent and purpose of the Official Plan must be maintained.

### **Loading Reduction**

The Applicant is requesting a variance to permit a minimum of one loading space on the Subject Lands, whereas the By-law requires two loading spaces. The Applicant confirmed that the operations of the hotel will not require two loading spaces, as the single loading space is sufficient for the operational needs of the proposed development.

Transportation Staff have no comments on the approval of the proposed loading reduction. As such, Planning Staff have no objection to the variance request.

### **Increase in Maximum Front Yard Setback**

The Applicant is requesting relief to permit a maximum front yard setback of 39.9 m (130.9 ft) from Hood Road, whereas the By-law permits a maximum front yard setback of 20.1 m (65.9 ft). The general intent of the front yard setback requirement is to maintain a consistent setback and streetwall along Hood Road.

The Subject Lands is a through-lot with frontage on both Hood Road and Warden Avenue. However, through the review of the ZPR, it has been confirmed that Hood Road is deemed to be the front lot line. It should be noted that the By-law defines the front lot line for a through-lot to be the longest of the lot lines which divides a lot from the street.

Based on preliminary discussions with Urban Design (UD) Staff to improve the design of the proposed development and to enhance the presence of the proposed hotel along Warden Avenue (a major arterial road), the Applicant agreed to situate the proposed development closer to Warden Avenue. The proposed variance request for relief from the maximum front yard setback is entirely attributed to addressing UD's comments in providing an improved development with a prominent presence along a major arterial road and which would enhance the public realm along Warden Avenue.

Furthermore, Staff note that the main entrance of the proposed hotel will face the rear lot line (Warden Avenue) and is setback 24.36 m (79.9 ft) from the rear lot line. Given that the proposed orientation of the building, in which the main front entrance and primary vehicular access is from Warden Avenue, Planning Staff are of the opinion that the rear lot line of Warden Avenue can be interpreted as the front lot line which generally complies with the By-law requirement. As such, Staff opine that the variance request meets the intent of the By-law.

### **Increase in Maximum Building Height**

The Applicant is requesting relief to permit a maximum building height of 52 m (170.6 ft) above grade, whereas the By-law permits a maximum building height of 46 m (150.9 ft) above grade. This represents an increase of 6 m (19.7 ft) or 13% greater than the By-law requirement.

The requested variance is to facilitate the 15<sup>th</sup> storey of the proposed development and the rooftop terrace/amenity floor. As existing developments in the immediate surrounding are generally industrial/ commercial office uses, Staff are of the opinion that the proposed height increase will not cause any adverse impacts on neighbouring properties. Therefore, Staff considers the variance sought on the maximum building height to be minor in nature and have no objection.

### **Electric Vehicle Stations within a Landscape Strip**

The Applicant is requesting relief to permit electric vehicle stations within a landscaping strip, whereas the By-law does not permit it.

The Applicant provided justification that lighting standards are already permitted in landscaping strips and serves as a logical location for electric vehicle charging infrastructure as they can be integrated without consuming valuable parking spaces or obstructing pedestrian pathways. For the purposes of snow removal, providing the electric vehicle stations within landscaping strips also allow for the parking lot to be cleared without potential damages to the stations. The Applicant also noted that the electric vehicle stations are compact, low-profile, and emit minimal heat, ensuring no adverse effects on surrounding vegetation.

The Applicant is committing to work with UD Staff through the SPC application process to ensure that the electric vehicle stations will be screened and will not be visible from the street. As such, Staff considers this variance to be minor in nature and have no objection.

### **Reduction to the Minimum Width of a Landscaping Strip**

The Applicant is requesting relief for a minimum of 1.5 m (4.9 ft) wide landscaping strip abutting the south interior side lot line, whereas the By-law requires a minimum landscaping strip of 3 m (9.8 ft).

The Applicant noted that this is a new standard under By-law 2024-19, whereas 1.5 m was previously the norm until the By-law was recently passed. The Applicant also noted

that the site to the south of the Subject Lands currently has a landscape strip that is wider than 3 m (9.8 ft), and if the site to the south is to be redeveloped, a collective landscaping strip of 4.5 m (14.7 ft) between the two sites can still be provided.

UD Staff have no strong views against the justification provided by the Applicant, and Staff consider the variance to be minor in nature and have no objection.

## **EXTERNAL AGENCIES**

### York Region

The Subject Lands are located along Warden Avenue, a Regional Road. York Region has confirmed that they have no comments on the application.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of March 14, 2025. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

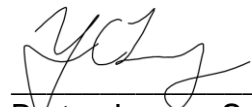
## **CONCLUSION**

Planning Staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variances requested meet the four tests of the *Planning Act* and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the Applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please refer to Appendix "C" for conditions to be attached to any approval of this application.

PREPARED BY:



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Barton Leung, Senior Planner, Central District

REVIEWED BY:



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Melissa Leung, RPP, MCIP, Senior Planner, Central District

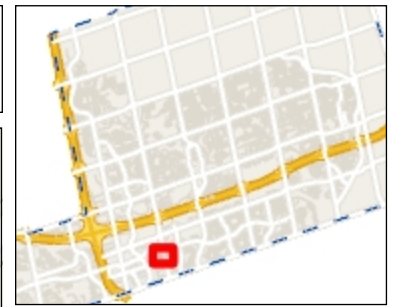
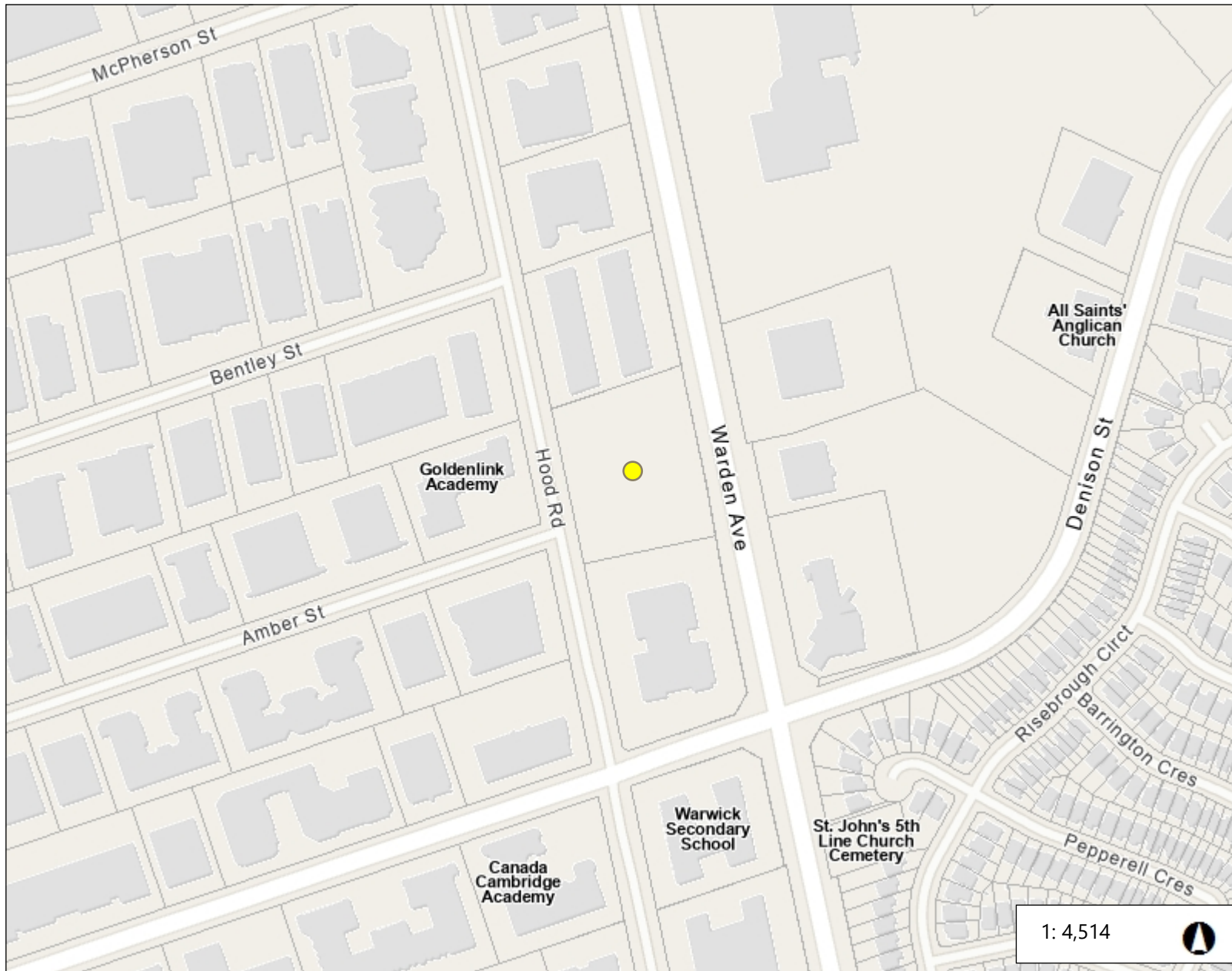
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**LIST OF APPENDICES**

Appendix "A" – Aerial Photo

Appendix "B" – Site Plan and Elevations

Appendix "C" – Conditions



Legend

- Subject Lands
- 365 Hood Road

1: 4,514



229.3 0 114.66 229.3 Meters

NAD\_1983\_UTM\_Zone\_17N  
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DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [cgis@markham.ca](mailto:cgis@markham.ca) and you will be directed to the appropriate department.

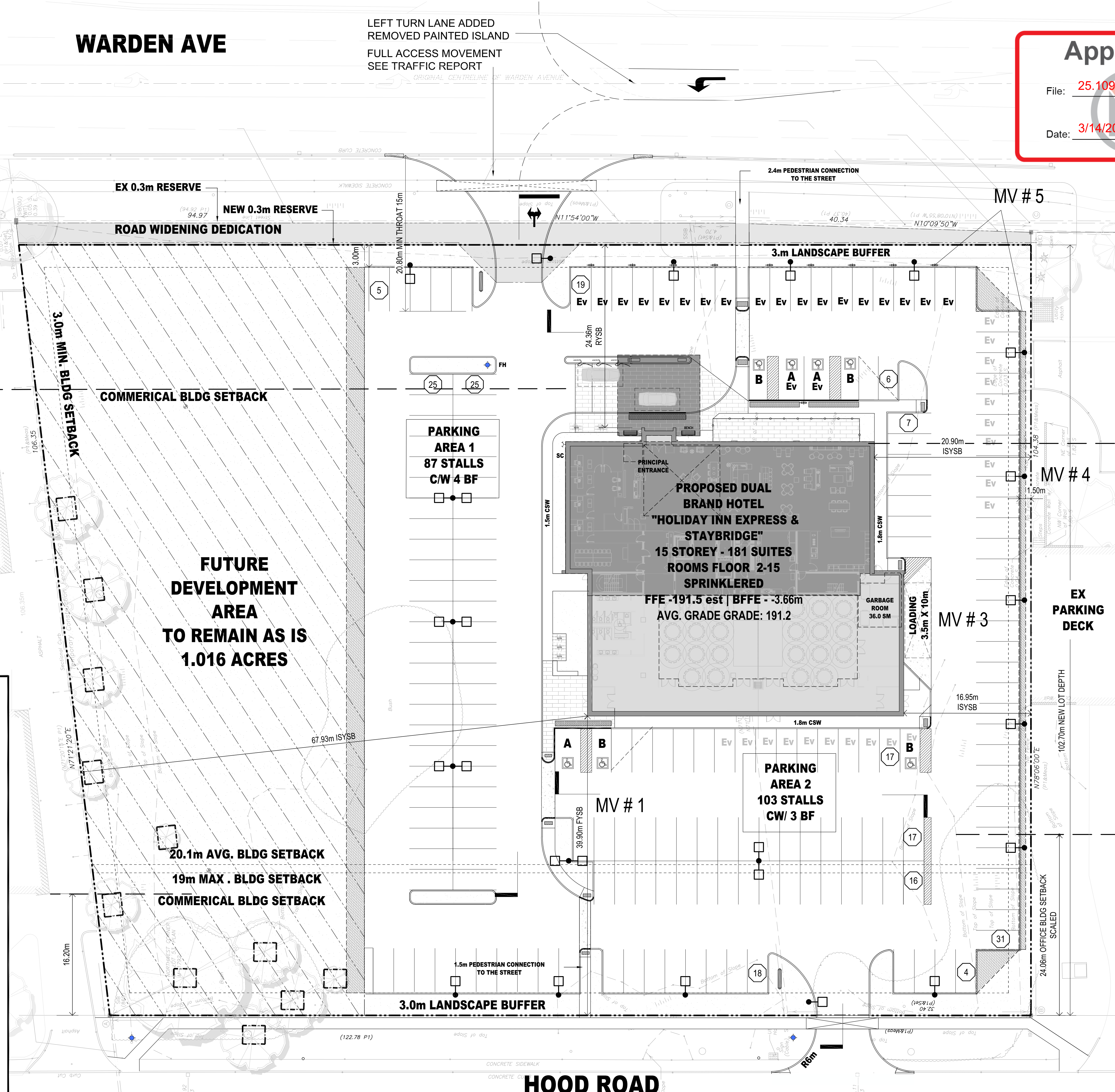
Notes

COMBO- BUILDING FLOOR STATISTICS									
FLOOR	HT (ft)	HT (m)	SLAB HT (m)	FFE	HIEX	STAY.	SM		
BASEMENT	-12	-3.66			0	0	16,830	1563.6	
AVG. GRADE	-1	-0.30		191.20					
HIEX & SUITES	1	18.00	5.49	191.50	0	0	16,510	1533.8	
	2	10.00	3.05	5.49	196.99	16	8,945	831.0	
	3	10.00	3.05	8.53	200.03	16	8,945	831.0	
	4	10.00	3.05	11.58	203.08	16	8,945	831.0	
	5	10.00	3.05	14.63	206.13	16	8,945	831.0	
	6	10.00	3.05	17.68	209.18	16	8,945	831.0	
	7	12.00	3.66	20.73	212.23	16	8,945	831.0	
STAYBRIDGE	8	10.00	3.05	24.38	215.88		12	8,945	831.0
	9	10.00	3.05	27.43	218.93		12	8,945	831.0
	10	10.00	3.05	30.48	221.98		12	8,945	831.0
	11	10.00	3.05	33.53	225.03		12	8,945	831.0
	12	10.00	3.05	36.58	228.08		12	8,945	831.0
	13	10.00	3.05	39.62	228.08		12	8,945	831.0
	14	10.83	3.30	42.67	231.12		12	8,945	831.0
	15	12.00	3.66	45.97	234.43		1	6,875	638.7
SUB-T	162.83	49.63	49.63	238.08	96	85	139,670	12,975.8	
L Parapet	2.00	0.61	50.24	238.69					
H. Parapet	4.17	1.27	51.51	239.96	181	GFA	156,500	14,539.3	
TO TAL	169.00	51.51	51.82	239.96					
ZONING HT	46	PROPOSED HEIGHT	51.82	DELTA		RATIO	864.6	80.3	
			5.82						

MV # 2 REQUEST IS FOR 52.0m

EXISTING 2-STOREY RETAIL / STORAGE BUILDING

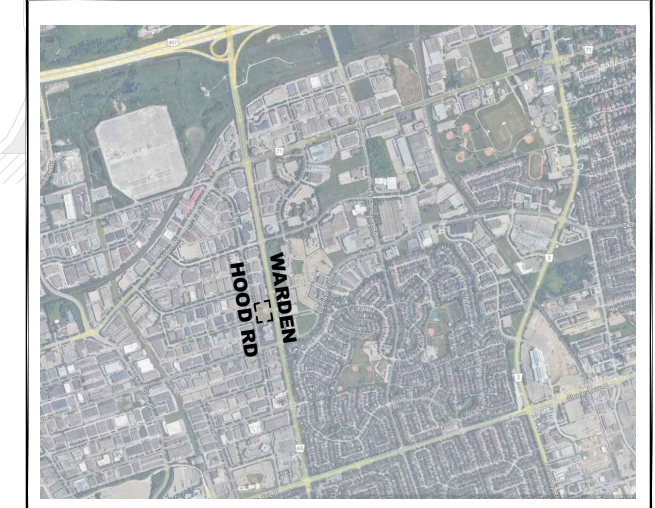
MINOR VARIANCES						
MV #	DESCRIPTION	BY LAW	REQ (m)	PROV. (m)	DELTA (m)	NOTES
1	THE GREATER OF 19m OR THE AVG SETBACK OF THE OF THE NEIGHBORING LOTS 415 Hood Rd = 16.20m 74300 Warden Ave = 24m Max Req. = 16.2 + 24 = 40.2m 40.2m / 2 = 21.1m	9.4.3.2 (c)	20.1	39.9	19.8	THROUGH CONSULTATION WITH PLANNING STAFF/ LUD THE BUILDING WAS SHIFTED TO BE CLOSER TO WARDEN AVE. THE BULK OF THE PARKING WAS SHIFTED TO HOOD ROAD WHICH IS DETERMINED BY ZONING AS OUR FRONT YARD
2	BUILDING HEIGHT - AVG GRADE TO TALLEST PARAPET	9.4.3.2 (H)	46.0	52.0	6.0	THE GUEST ROOM UNITS DO NOT ALLOW FOR TRADITIONAL PARAPET DESIGN SO AN AMENITY FLOOR WAS ADDED TO INTEGRATE THE BUILDING SIGN AS WELL AS PROVIDE A ROOF TOP TERRACE
3	NUMBER OF LOADING SPACES	5.8.1 (D)	2	1	-1	WE DO NOT REQUIRE 2 LOADING SPACES FOR THE OPERATIONS OF THE HOTEL
4	INTERIOR SIDE YARD PLANTING STRIP	9.3.4 (a) ii	3	1.5	-1.5	TO PERMIT A MINIMUM 1.5M WIDE LANDSCAPE STRIP ABUTTING THE SOUTH INTERIOR SIDE YARD LOT LINE. WHEREAS A MINIMUM OF 3M IS REQUIRED, THIS WILL ALLOW US TO PRESERVE SPACE FOR PHASE 2
5	LANDSCAPING STRIP REQUIREMENTS	9.3.4				TO PERMIT ELECTRIC VEHICLE STATIONS WITHING A LANDSCAPE STRIP. WHEREAS THE BY-LAW DOES NOT PERMIT ELECTRIC VEHICLE ASTATIONS WITHIN A LANDSCAPE STRIP. THIS IS SIMILAR
			NO EV CHARGERS	EV CHARGERS		TO PERMIT



## Appendix B

File: **25.109797.000.00.MNV**

Date: **3/14/2025**  
MM/DD/YYYY



ISSUE	BY	DESCRIPTION	DATE (Y-M-D)
3	DB	ZPR # RESPONSE / REVISED MV	25-02-07
2	DB	ZPR RESPONSE / MV	25-10-15
1	DB	ZPR	24-10-09
0	DB	PRE-CONSULTATION	24-07-31

GENERAL NOTES  
DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". VERIFY CONFIGURATIONS & DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

CLIENT:  
100073686 ONT. INC  
ATTENTION: Herbert Chan  
83 Westwood Lane, Richmond Hill ON, L4C 6X7

ARCHITECT:  
SAPLYS ARCHITECTS INC.  
60 ST. CLAIR AVE E, SUITE 806  
TORONTO, ON, M4T 1N5

CONSULTANT:  
API DEVELOPMENT CONSULTANTS INC.  
1464 UNIT #7 CORNWALL ROAD  
OKAYVILLE, ON L5J 7W5

NORTH: WARDEN AVE. PROFESSIONAL CERTIFICATION

PROJECT NORTH

PROJECT NAME:  
**STAYBRIDGE SUITES** | **Holiday Inn Express**

**HOOD RD - DUAL BRAND TOWER**  
365 Hood Road  
Markham, Ontario, Canada  
Closest Major Intersection: Hwy 407 & Warden

PROJECT ADDRESS: 365 Hood Road Markham, Ontario, Canada PROJECT NO: S24-020

DRAWING TITLE:  
**SITE PLAN (SIMPLIFIED FOR MV)**  
FILE: 24.194663.000.00 ZPR

BY: DB LS CHECKED: SHEET NO: 3 SHEET REVISION: 1

SCALE: UNITS: MM 1:350

**MV-100**



EXTERIOR ELEVATION LEGEND

- 100 EIFS - DURABOND GRANITE FINISH - CHARCOAL
- 102 EIFS - DURABOND GRANITE FINISH - WHITE
- 103 EIFS - DURABOND SANDSTONE FINISH - LIGHT GREY
- 104 EIFS - DURABOND SANDSTONE FINISH - DARK GREY
- 105 EIFS - DURABOND ACR - LIGHT BRASS
- 106 EIFS - DURABOND ACR - DARK BRONZE
- 107 GLAZING
- 108 BLACK SPANDREL
- 109 MANUFACTURED STONE MASONRY - COLOUR & MANUFACTURER (I.E. MANUFACTURED STONE MASONRY - CASTAWAY - ELDORADO STACKED STONE)
- 110 BUILDING METAL CUTOUT SIGNAGE- GENERAL CONTRACTOR TO PROVIDE BLOCKING BACKING TO SIGNAGE, ANCHOR BACK TO STRUCTURE
- 111 ALUMINUM GUARD RAIL WITH CLEAR GLAZING & SLAB-EDGE COVER
- 119 ILLUMINATED WALL MOUNTED SIGNAGE PER BRAND STANDARD



## Appendix B

File: 25.109797.000.00.MNV

Date: 3/14/2025

MM/DD/YYYY

1	MT	ZRC	24-10-15
No.	By	Elevations upper floors	2024-11-11
<b>ISSUANCE SCHEDULE</b>			

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**DEVELOPMENT CONSULTANT:**

API CONSULTANTS INC.  
1464 CORNWALL ROAD, UNIT 7  
OAKVILLE, ONTARIO L6J 7W5  
P: 905.337.7249

**ARCHITECT:**

SAPLYS ARCHITECTS INC.  
1464 CORNWALL ROAD, UNIT 8  
OAKVILLE, ONTARIO L6J 7W5  
P: 905.510.0595

**CLIENT:**

100007388.ONT.INC  
CHEN HERBERT

PROFESSIONAL CERTIFICATION

PROJECT  
**IHG Dual Brand Hotel**

356 HOOD RD., MARKHAM, ONTARIO

DRAWING TITLE  
**NORTH ELEVATION**

BY: .	CHECK: .	ISSUED FOR: ZRC	
PROJECT NO.: S24-020		SHEET NO.:	
SCALE: 3/32" = 1'-0"		ISSUE DATE: 24-10-15	

# A301

1 SHEET ISSUE No.

1

**NORTH ELEVATION**  
3/32" = 1'-0"

EXTERIOR ELEVATION LEGEND

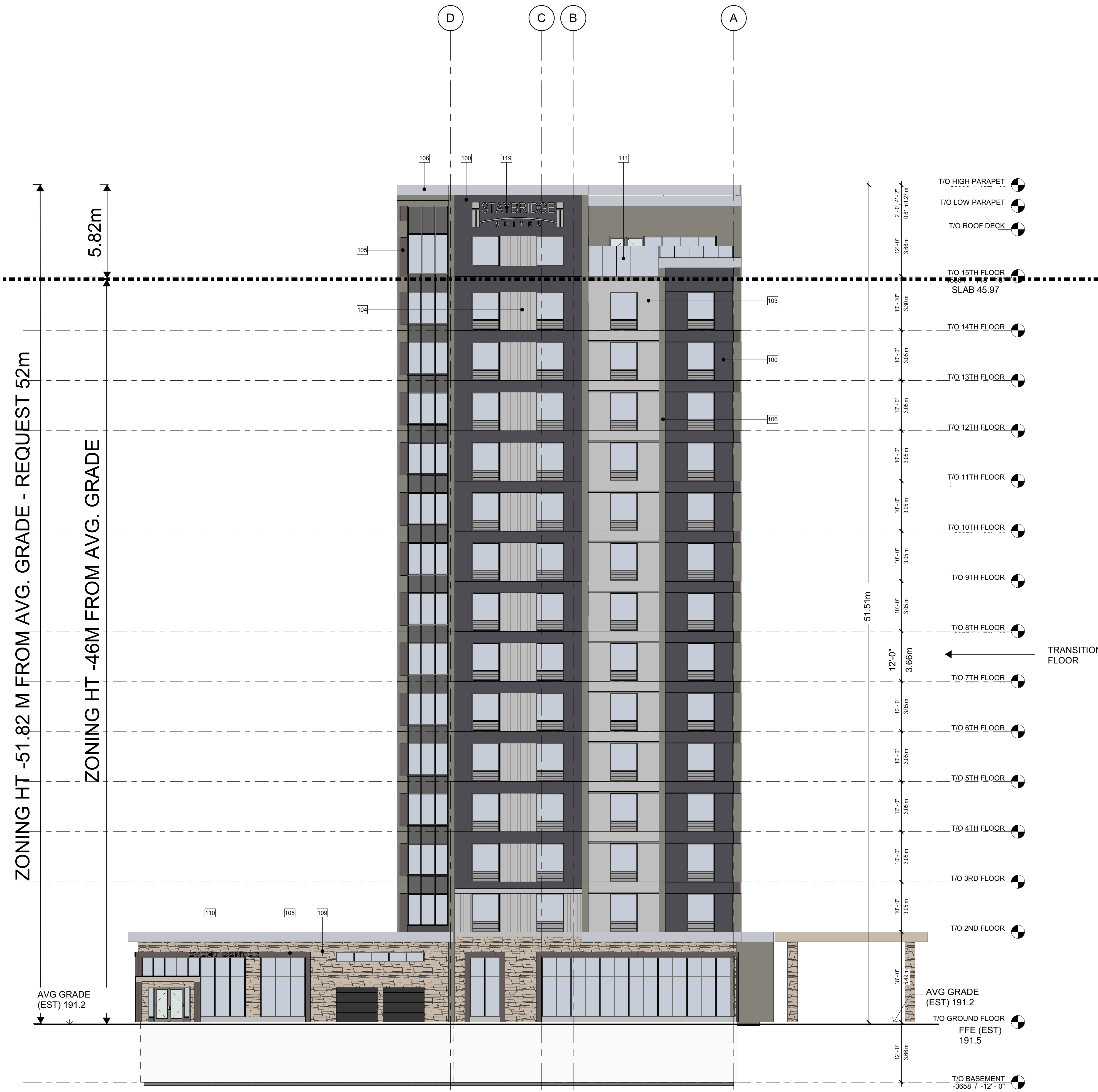
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- 102 EIFS - DURABOND GRANITE FINISH - WHITE
- 103 EIFS - DURABOND SANDSTONE FINISH - LIGHT GREY
- 104 EIFS - DURABOND SANDSTONE FINISH - DARK GREY
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File: 25.109797.000.00.MNV

Date: 3/14/2025

MM/DD/YYYY



1	MT	ZRC	24-10-15
No.	By	Elevations upper floors	2024-11-11
ISSUANCE SCHEDULE			

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 API CONSULTANTS INC.  
 1464 CORNWALL ROAD, UNIT 7  
 OAKVILLE, ONTARIO L6J 7W5  
 P: 905.337.7249

ARCHITECT:  
 SAPLYS ARCHITECTS INC.  
 1464 CORNWALL ROAD, UNIT 8  
 OAKVILLE, ONTARIO L6J 7W5  
 P: 905.510.0595

CLIENT:  
 100007388 ONT.INC  
 CHEN HERBERT

PROFESSIONAL CERTIFICATION

PROJECT  
**IHG Dual Brand Hotel**

356 HOOD RD., MARKHAM, ONTARIO

DRAWING TITLE  
**SOUTH ELEVATION**

BY	CHECK	ISSUED FOR
		ZRC
PROJECT NO.:	SHEET NO.:	
S24-020		
SCALE:		
3/32" = 1'-0"		
ISSUE DATE:		
24-10-15		

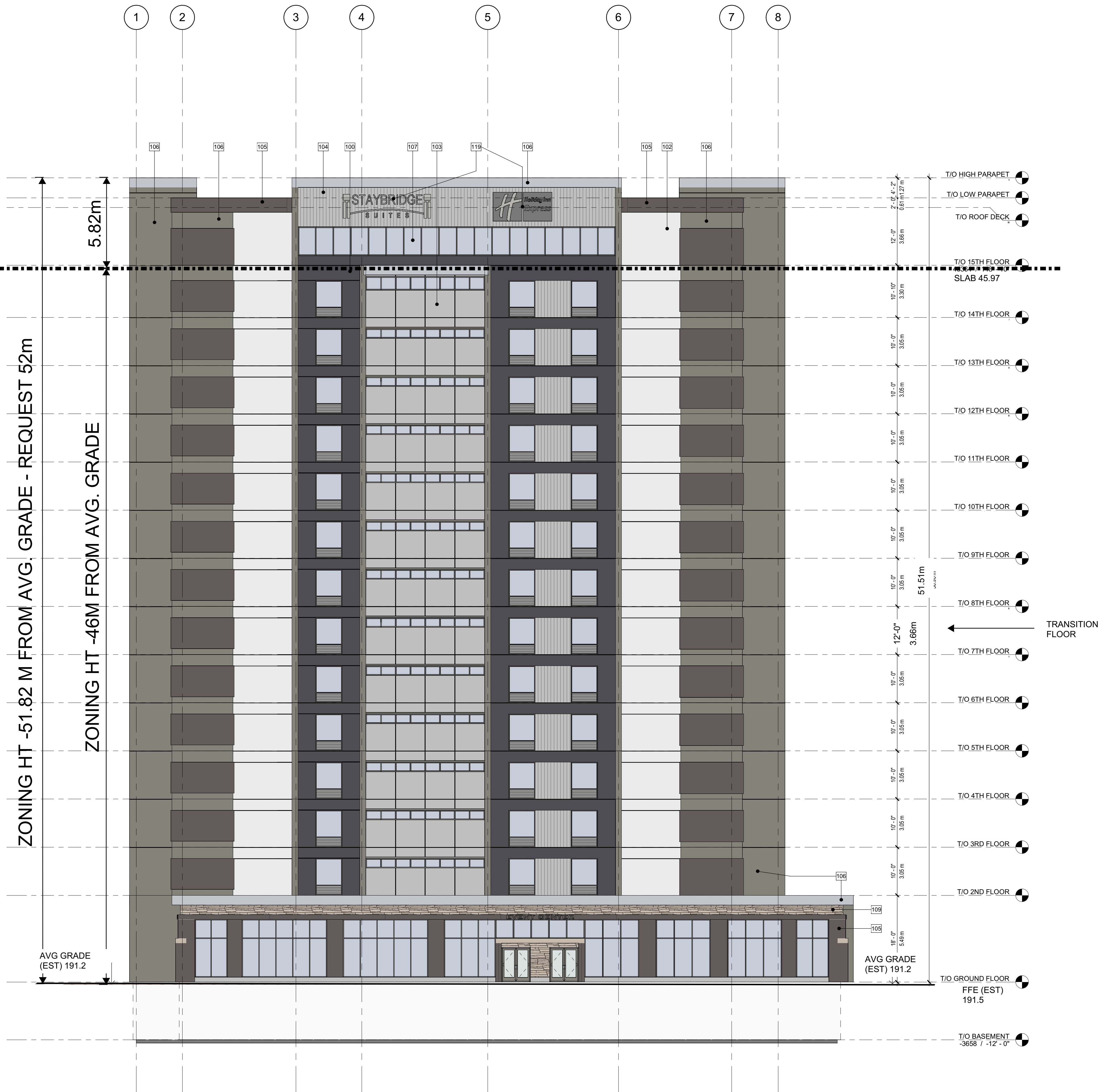
A302

1 SHEET ISSUE No.

1 SOUTH ELEVATION  
 A304 3/32" = 1'-0"

EXTERIOR ELEVATION LEGEND

- 100 EIFS - DURABOND GRANITE FINISH - CHARCOAL
- 102 EIFS - DURABOND GRANITE FINISH - WHITE
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1	MT	ZRC	24-10-15
No.	By	Elevations upper floors	2024-11-11
ISSUANCE SCHEDULE			

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**DEVELOPMENT CONSULTANT:**

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1464 CORNWALL ROAD, UNIT 7  
OAKVILLE, ONTARIO L6J 7W5  
P: 905.337.7249

**ARCHITECT:**

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P: 905.510.0595

**CLIENT:**

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CHEN HERBERT

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356 HOOD RD., MARKHAM, ONTARIO

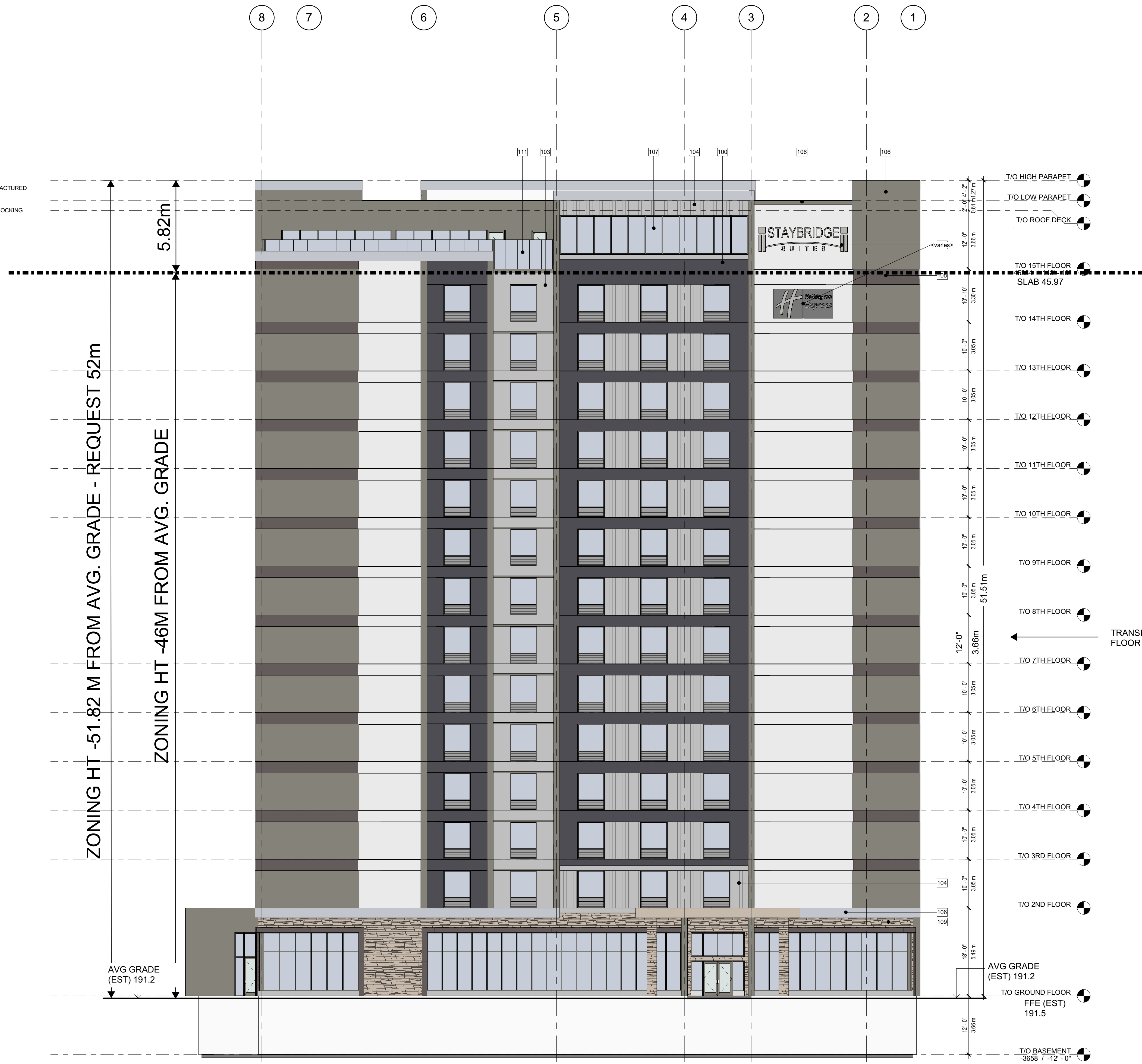
DRAWING TITLE  
**WEST ELEVATION**

BY	CHECK	ISSUED FOR	ZRC	<h1 style="margin: 0;">A303</h1> <small>1</small>
PROJECT NO.:	S24-020	SHEET NO.:		
SCALE:	3/32" = 1'-0"	ISSUE DATE:	24-10-15	
SHEET ISSUE No.				

1 WEST ELEVATION  
A303 3/32" = 1'-0"

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Date: 3/14/2025

MM/DD/YYYY

1	MT	ZRC	24-10-15
No.	By	Elevations upper floors	2024-11-11
ISSUANCE SCHEDULE			

DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". VERIFY CONFIGURATIONS & DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

**DEVELOPMENT CONSULTANT:**

API CONSULTANTS INC.  
1464 CORNWALL ROAD, UNIT 7  
OAKVILLE, ONTARIO L6J 7W5  
P: 905.337.7249

**ARCHITECT:**

SAPLYS ARCHITECTS INC.  
1464 CORNWALL ROAD, UNIT 8  
OAKVILLE, ONTARIO L6J 7W5  
P: 905.510.0595

**CLIENT:**

10007388 ONT. INC  
CHEN HERBERT

PROFESSIONAL CERTIFICATION

PROJECT  
**IHG Dual Brand Hotel**

356 HOOD RD., MARKHAM, ONTARIO

DRAWING TITLE  
**EAST ELEVATION**

BY	CHECK	ISSUED FOR
-	-	ZRC
PROJECT NO.:	SHEET NO.:	
S24-020	1	
SCALE:	A304	
3/32" = 1'-0"	1	
ISSUE DATE:	SHEET	
24-10-15	ISSUE No.	

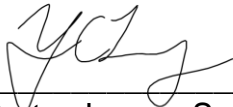
1 EAST ELEVATION  
A301 3/32" = 1'-0"

**APPENDIX "C"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/006/25**

1. The variances apply only to the proposed development as long as it remains; and
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report, or as further amended by any Site Plan Approved drawings, and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction.

CONDITIONS PREPARED BY:



\_\_\_\_\_  
Barton Leung, Senior Planner, Central District, Planning and Urban Design Department