



Committee of Adjustment
 Hamilton City Hall
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**Reviewed for Ontario
 Building Code Compliance.**

Subject to Corrections Noted
 on Plans and Field Inspections.

Permit: 21 124654 000 00 R9

Date: 06/17/21

APPLICATION NO. HM/A-21-79

SUBMISSION NO. A-79/21

Approved by: [Signature]

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**COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE**

APPLICATION NO.: HM/A-21:79

APPLICANTS: Owners R. Magapu & R. K. Mackenzie

SUBJECT PROPERTY: Municipal address **294 Bold St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: D/S-1787 district (Urban Protected Residential)

PROPOSAL: To permit the construction of a new unenclosed porch in the front yard of the existing single family dwelling notwithstanding that:

2. The roofed-over unenclosed porch shall be permitted to project a maximum of 6.0m into the required front yard and provide a minimum setback of 0.0m from the front lot line instead of the maximum 3.0m projection permitted and minimum 1.5m setback required from the front lot line.

NOTES:

- iii. The current 'C/S-1787' zone requires a minimum front yard depth of 6.0m.
- iv. An encroachment agreement is required in the normal manner for the portion of the proposed porch located on the public road allowance.

THE DECISION OF THE COMMITTEE IS:

That the variances, as set out in paragraph three above, are **GRANTED** for the following reasons:

1. The Committee, having regard to the evidence, is of the opinion that the relief granted is of a minor nature.
2. The relief granted is desirable for the appropriate development of the land and building and is not inconsistent with the general intent and purpose of the By-law and the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee, having regard to the evidence, is satisfied that there will be no adverse impact on any of the neighbouring lands.
4. The submissions made regarding this matter affected the decision by supporting the granting of the application.

That the said application is GRANTED subject to the following condition:

1. **That the owner enters into an Encroachment Agreement with the City of Hamilton to the satisfaction of the Manager of Development Planning, Heritage and Design.**


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Name: Mike Allen

Approved by: 

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DATED AT HAMILTON this 1st day of April 2021.

M. Dudzic (Chairman)

D. Serwatak

D. Smith

M. Switzer

N. Mleczko

L. Gaddy

B. Charters

T. Lofchik

M. Smith

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE LOCAL PLANNING APPEAL
TRIBUNAL (LPAT) MAY BE FILED IS **April 21st, 2021.**

NOTE: This decision is not final and binding unless otherwise noted.

NOTE:

“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).