



Hamilton

Committee of Adjustment  
Hamilton City Hall  
71 Main Street West, 5<sup>th</sup> floor  
Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

January 30th, 2014

IBI Group  
c/o George Zajac  
360 James Street North  
Suite 200, East Wing  
Hamilton, Ontario  
L8L 1H5

Dear Sir:

**Re: Application No. HM/A-13:251**  
**Address: 12 Proctor Blvd.**

Pursuant to Subsection 14 of Section 45 of The Planning Act, 1990 notice is herewith given that the period of appeal provided for in Subsection 12 of Section 45 of the said Act has expired and no such appeal has been filed.

Therefore in accordance with Subsection 14 of Section 45 the decision of the Committee is now final and binding.

Yours very truly,

A handwritten signature in cursive script, appearing to read "m. m. g. a. u.", which is the signature of Lesley Dahonick.

Lesley Dahonick  
Secretary-Treasurer  
LD



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**COMMITTEE OF ADJUSTMENT**  
**DECISION OF THE COMMITTEE**

**APPLICATION NO. HM/A-13:251**  
**SUBMISSION NO. A-251/13**

**IN THE MATTER OF** The Planning Act, R.S.O., 1990, c.P. 13, as amended and of the Zoning By-Law No. 6593, of the City of Hamilton, Sections 11, 18A & 19.

**AND IN THE MATTER OF** the Premises known as 12 Proctor Blvd., in the City of Hamilton and in a "E" (Multiple Dwellings, Lodges, Clubs) district;

**AND IN THE MATTER OF AN APPLICATION** by the agent IBI Group on behalf of the owner Radcliffe Properties Inc. c/o David Horwood), for relief from the provisions of the Zoning By-Law No. 6593, under Section 45 of The Planning Act, R.S.O. 1990, c. P. 13, so as to establish two (2) additional dwelling units to an existing seven (7) storey thirty-two (32) unit multiple dwelling under Section 19 notwithstanding that:

1. A parking space dimension of 2.3m x 5.5m shall be permitted instead of the minimum requirement of 2.7m x 6.0m.
2. No loading space shall be provided onsite instead of the minimum requirement of one (1) loading space.
3. No planting strip shall be provided on the southerly boundary of the parking area abutting residential instead of the minimum requirement of 1.5m.
4. No visual barrier shall be provided along the southerly boundary abutting a residential district instead of the minimum requirement of a visual barrier not less than 1.2m in height.
5. A minimum of thirty-five (35) parking spaces shall be provided onsite instead of the minimum requirement of forty-three (43) parking spaces.
6. A minimum of 0.3m for an access driveway shall be provided from the common southerly boundary between the districts where a multiple dwelling is not permitted (C district) instead of the minimum requirement of 3.0m.
7. A minimum floor area of 47.5m<sup>2</sup> shall be provided for a dwelling unit instead of the minimum requirement of 65m<sup>2</sup>.
8. A minimum lot area of 62m<sup>2</sup> per dwelling unit shall be provided instead of the minimum requirement of 65m<sup>2</sup>.

NOTE:

Variations were requested for front yard, side yard, rear yard, existing floor area and landscape area. This is an existing building and variations are not required for these items.


**THE DECISION OF THE COMMITTEE IS:**


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

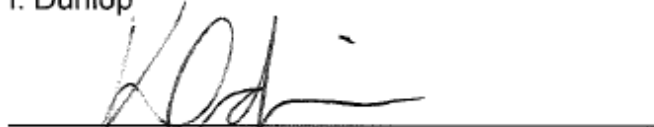
1. The Committee having regard to the evidence is of the opinion that the relief granted is of a minor nature.
2. The relief granted is desirable for the appropriate development of the land and building and is not inconsistent with the general intent and purpose of the By-law and the Official Plan as 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.

HM/A-13:251  
Decision  
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DATED AT HAMILTON this 9th day of January, 2014.


  
M. Dudzic (Chairman)

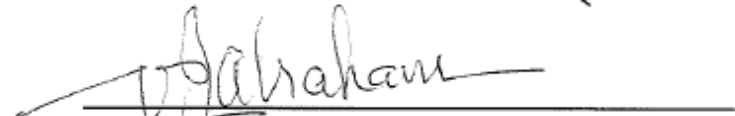
  
I. Dunlop

  
K. Audziss

  
L. Gaddy

  
D. Smith

  
D. Serwatak

  
V. Abraham

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS January 29th, 2014.

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