



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

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

**APPLICATION NO. HM/A-15:151**  
**SUBMISSION NO. A-151/15**

**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 9, 18A and 19B.

**AND IN THE MATTER OF** the Premises known as Municipal number 219 Bowman Street in the City of Hamilton and in a "C/S-720, C/S-1335 and C/S-1335a" (Urban Protected Residential, etc.) (Amending By-laws 80-274, 95-02 and 95-033) district;

**AND IN THE MATTER OF AN APPLICATION** by the agent Vince Alfieri on behalf of the owner Dorota Alfieri, 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 permit interior alterations to add additional habitable rooms within the existing cellar (basement) notwithstanding that:

1. Two (2) parking spaces shall be provided instead of the minimum required four (4) parking spaces;
2. A minimum parking space width of 2.4m shall be provided instead of the minimum required parking space width of 2.7m;
3. A minimum aisle width manoeuvring space of 0.0m shall be provided for one (1) parking space instead of the minimum required aisle width manoeuvring space of 6.0m;
4. Manoeuvring space for one of the parking spaces may be provided off-site and on the Bowman Street road allowance instead of being provided only on the lot; and,
5. A minimum access driveway width of 2.4m shall be provided instead of the minimum required access driveway width of 2.8m.

**NOTE:**

- i. A variance for increased gross floor area is not required as the applicant is not intending any changes to the existing gross floor area of the dwelling which was constructed in 1946. As such, this is considered a legally established non-conforming situation.
- ii. The applicant is proposing a total of eleven habitable rooms within the existing building.

**THE DECISION OF THE COMMITTEE IS:**

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

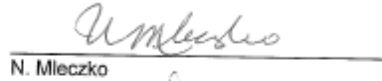
1. The Committee having regard to the evidence is of the opinion that the relief requested is beyond that of a minor nature.
2. The relief requested is undesirable for the appropriate development of the land and building and is inconsistent with the general intent and purpose of the By-law and of the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee having regard to the intensity of use of the subject parcel of land is of the opinion that such development would not be appropriate for the lands.

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4. The Committee having regard to the evidence is of the opinion that the relief requested is an over-intensification of use.

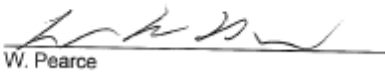
DATED AT HAMILTON this 11th day of June, 2015.

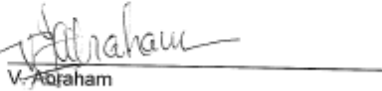
  
M. Dudzic (Chairman)

  
N. Mieczko

  
L. Gaddy

  
D. Smith

  
W. Pearce

  
V. Abraham

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD  
MAY BE FILED IS July 1st, 2015.

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