



Committee of Adjustment
 Hamilton City Hall
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COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE

APPLICATION NO. GL/A-15:317
SUBMISSION NO. A-317/15

IN THE MATTER OF The Planning Act, R.S.O., 1990, c.P. 13, as amended and of the Zoning By-Law No. 464, of the City of Hamilton (formerly Glanbrook), Sections 15 and 44, Amending By-Law Number 464-41-98.

AND IN THE MATTER OF the Premises known as Municipal number 22 Bellstone Lane, formerly in the Township of Glanbrook, now in the City of Hamilton and in an "R3-140" (**Residential Zone**) district;

AND IN THE MATTER OF AN APPLICATION by the agent John Witten on behalf of the owner Alex Alexander, for relief from the provisions of the Zoning By-Law No. 464, under Section 45 of The Planning Act, R.S.O. 1990, c. P. 13, so as to permit the construction of a one (1) storey addition to the rear of the existing single detached dwelling, notwithstanding that;

1. A minimum exterior side yard of 3.8 metres shall be provided instead of the minimum required exterior side yard of 5.0 metres; and,
2. A minimum rear yard of 4.0 metres shall be provided instead of the minimum required rear yard of 7.0 metres.

THE DECISION OF THE COMMITTEE IS:

That variance #1, as set out in paragraph three above, is **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.

THE DECISION OF THE COMMITTEE IS:

That variance #2, as set out in paragraph three above, is **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.

DATED AT HAMILTON this 26th day of November, 2015


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D. Smith (Acting Chairman)



V. Abraham



N. Mieczko



P. Mallard



W. Pearce

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS **December 16th, 2015**.

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