



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

APPLICATION NO. HM/A-17:127
SUBMISSION NO. A-127/17

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, Section 14A.

AND IN THE MATTER OF the Premises known as Municipal number 630 Stone Church Rd. W., in the City of Hamilton and in an "HH/S-725" (**Restricted Community Shopping and Commercial**) district;

AND IN THE MATTER OF AN APPLICATION by the agent Kalos Engineering Inc. on behalf of the owner CPDL Mancini Holdings Inc., 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 the construction of a 38m² rear yard addition to the existing bakery notwithstanding that:


1. A rear yard of 1.2m shall be provided instead of the minimum required 5.17m rear yard setback; and,
2. No landscaped area shall be provided instead of the 3.0m wide landscaped area required along the north and east lot lines.

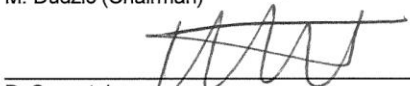
THE DECISION OF THE COMMITTEE IS:

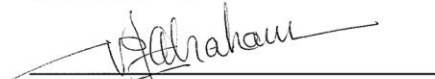
That the variances, as set out in paragraph three above, are **GRANTED** for the following reasons:

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 did not affect the decision.

DATED AT HAMILTON this 18th day of May, 2017.


M. Dudzic (Chairman)


D. Serwatak


V. Abraham


L. Gaddy


P. Mallard

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS **June 7th, 2017**.

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

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NOTE:

1. 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 Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).