



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

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:

1. 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:

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

This application will be heard by the Committee as shown below:

DATE: Thursday, April 1st, 2021
TIME: 2:15 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: March 16th, 2021.

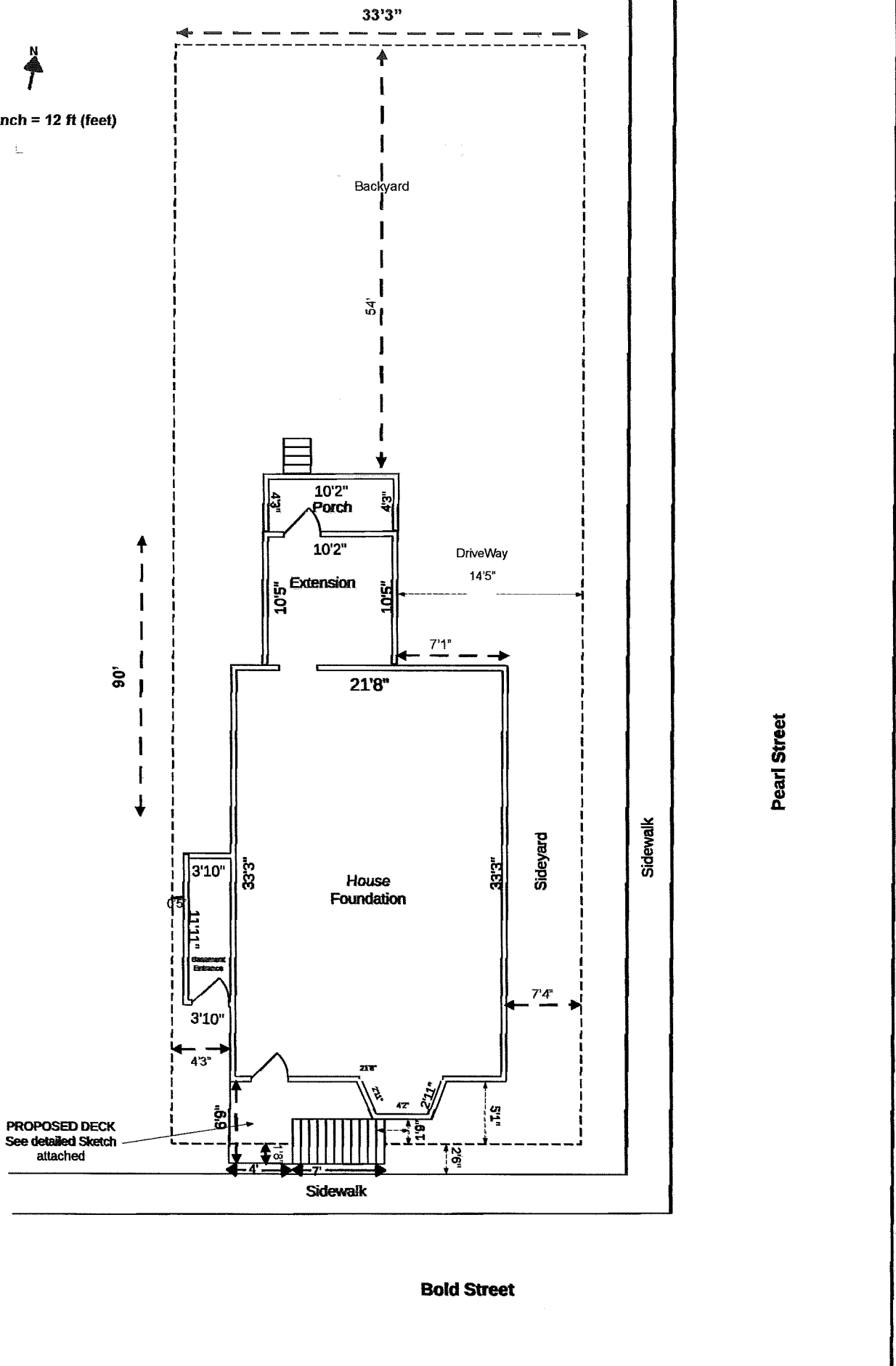
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

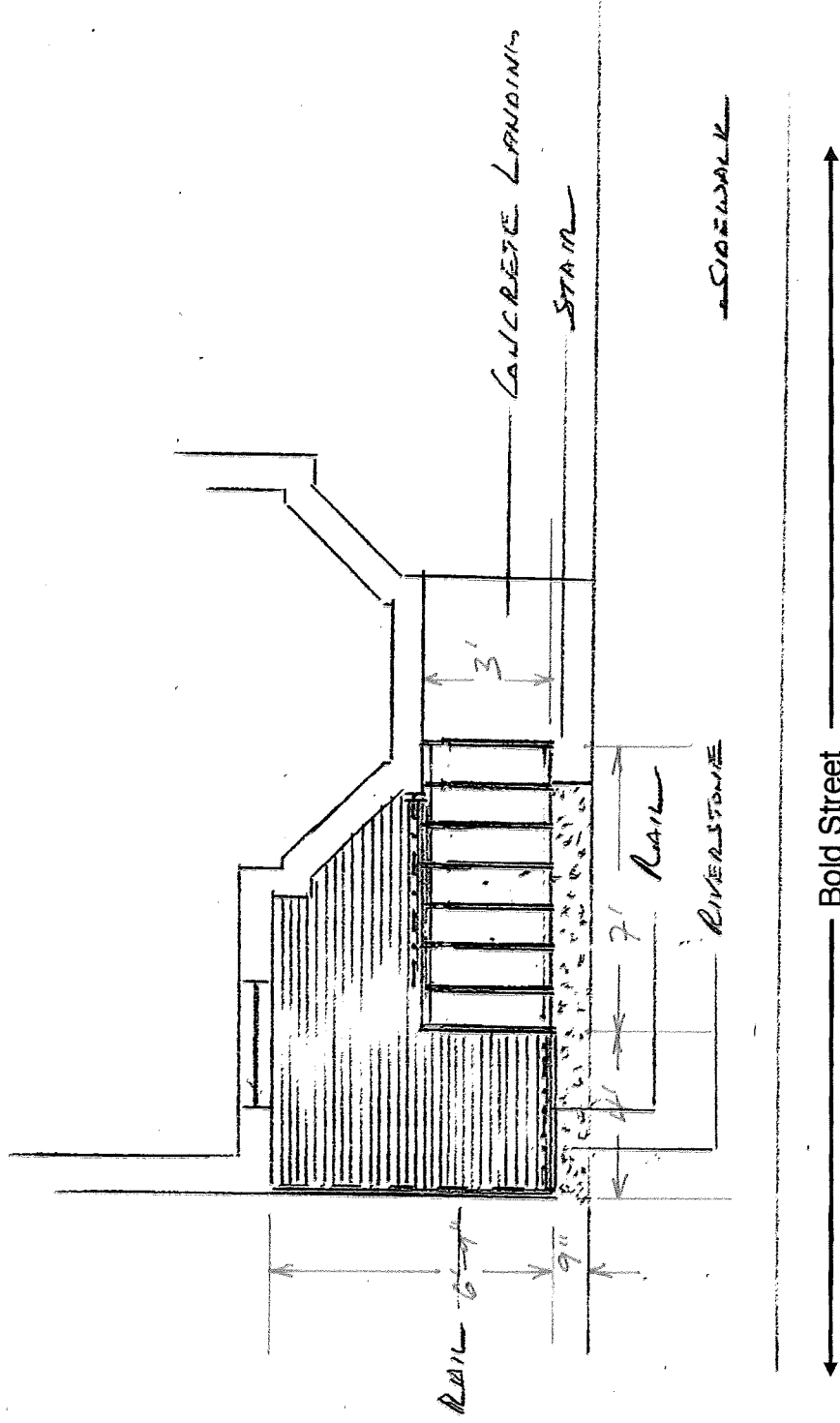
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

294 BOLD STREET




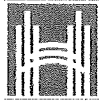
Scale: 1 inch = 12 ft (feet)





CUSTOMER		MAGAFU	
ADDRESS		294 BOLD ST. HAM.	
SCALE	DATE	1/4" = 1'-0"	2020


PARADISE DECKS
 & LANDSCAPE DESIGN



Hamilton

Committee of Adjustment

City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department
Planning Division

Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner	Rishi Magapu, Rachel Kathleen Mackenzie	
2. Address		
3. Name of Agent		
FAX NO.	E-mail address	
4. Address		

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Royal Bank of Canada, HAM ON-UPPER JAMES & MOHAWK, 752 UPPER JAMES ST

Hamilton Postal Code ON L9C 3A2

Postal Code

6. Nature and extent of relief applied for:

Front Porch Setback

The foundation (FRONT) of the home is only 5 FEET 1 inches from the property line and the height from the ground to the main front entrance is 4 FEET 8 inches. Given the dimension, ~~there is~~ a variance is imperative to build a FRONT PORCH in accordance with the BY-laws of the CITY OF HAMILTON.

Why it is not possible to comply with the provisions of the By-law?

I have considered every possible alternative, including winder stairs and precast concrete steps. Given how close the foundation is to the property line (5feet 1inch) and the height of the main entrance off the ground(4feet 8inches), there is no way a porch can be built in accordance with the city of Hamilton rules/regulations without an encroachment agreement, I have discussed these alternatives thoroughly on multiple occasions with Donald Skinner, Building Inspector from the Building division and a licensed contractor that I am working with (paradise deck and landscape design

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

294 Bold Street. Intersection of Bold street and Pearl Street

Municipal Role Number- 01009503300

Property Legal Description- Survey J Mills BLK 4 Range 3 PT Lot 3 PT Lot 4

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes No Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes No Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes No Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes No Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes No Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes ___ No Unknown ___

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ___ No Unknown ___

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

IT IS A RESIDENTIAL PROPERTY THAT HAS NOT BEEN USED FOR ANY OTHER PURPOSES. I AM AWARE THAT NONE OF THE THINGS REG 9.11 ~~ARE~~ HAVE ~~BEEN~~ ~~TO~~ OCCURRED.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

25/11/2020

Date

Signature Property Owner

Rishi Magapu

Print Name of Owner

RACHEL KATHLEEN MACKENZIE

10. Dimensions of lands affected:

Frontage 33 1/3 FEET (ON LOCKE STREET)
Depth 90 FEET (ON PEARL STREET)
Area 2972.7 SQUARE FEET
Width of street N/A

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 3 STORIES PLUS BASEMENT
INTERIOR MAIN BUILDING 1753 SQFT
MAIN BUILDING EXTERIOR 1920 SQFT

Proposed: NO CHANGE

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: NONE

Proposed: NIA

13. Date of acquisition of subject lands: 27/08/2020

14. Date of construction of all buildings and structures on subject lands: NIA

15. Existing uses of the subject property: RESIDENTIAL

16. Existing uses of abutting properties: NIA

17. Length of time the existing uses of the subject property have continued: SINCE 1890 ~~ESTIMATE~~

18. Municipal services available: (check the appropriate space or spaces)
Water ✓ Connected ✓
Sanitary Sewer ✓ Connected ✓
Storm Sewers _____

19. Present Official Plan/Secondary Plan provisions applying to the land: NEIGHBOURHOODS

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: D/S - 1787

21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps