

Hamilton

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FILE: HP2023-008

March 8, 2023

Melanie Huston
128 St. Clair Avenue
Hamilton, ON
L8M 2N7

**Re: Heritage Permit Application HP2023-008:
Construction of fence at 128 St. Clair Avenue, Hamilton (Ward 3) (St. Clair
Avenue Heritage Conservation District, By-law No. 86-125)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2023-008 is approved for the designated property at 128 St. Clair Avenue, in accordance with the submitted Heritage Permit Application for the following alterations:

- Construction of a 6 foot, 3-inch-high pressure-treated spruce privacy fence on the north side of the property, including:
 - 4 x 4 wood posts set in concrete; and,
 - A 4-foot wide gate at the front of the fence facing St. Clair Avenue.

Subject to the following conditions:

- a) That the final plans for the construction of the fence, including the location of the posts and concrete settings, demonstrate that the existing tree on the north side of the property will be conserved and protected, to the satisfaction and approval of the Director of Planning and Chief Planner;
- b) That the fence installation be in accordance with the City of Hamilton's Fence By-law No. 10-142;
- c) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief

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Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

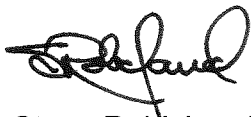
- d) That implementation of the alterations, in accordance with this approval, shall be completed no later than February 28, 2025. If the alterations are not completed by February 28, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions, please feel free to contact Emily Bent, Cultural Heritage Planner, at 905-546-2424 ext. 6663 or via email at Emily.Bent@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Emily Bent, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Loren Kolar, Legislative Coordinator
Councillor Nrinder Nann, Ward 3