



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-20:120

APPLICANTS: Owner: Nikolas Wagner
Agent: Katerina Semenova

SUBJECT PROPERTY: Municipal address **54 Robins Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: D (Urban Protected Residential - One and Two Family Dwellings) district

PROPOSAL: To permit the construction of a full 2nd storey addition to the existing 1½ storey single family dwelling notwithstanding that;

1. A minimum front yard depth of 3.1 m shall be provided instead of the minimum required 6.0 m; and
2. A minimum northerly side yard width of 0.3 m shall be provided instead of the minimum required 1.2 m; and
3. A minimum southerly side yard width of 1.0 m shall be provided instead of the minimum required 1.2 m; and
4. Eaves and gutters shall be permitted to encroach the entire width of the northerly side lot line for the proposed second storey addition instead of the maximum permitted encroachment of one half of the required side yard.

Notes:

No details on the existing 50 % front yard landscaped area have been provided. Applicant shall ensure that the 50 % of the front yard landscaping is maintained or further variances may be required.

No details of the total number of habitable rooms (existing and proposed) have been provided with the application; therefore, if the total number of habitable rooms exceeds 8 then further variances for parking shall be required.

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

DATE: Thursday, August 6th, 2020

TIME: 2:05 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

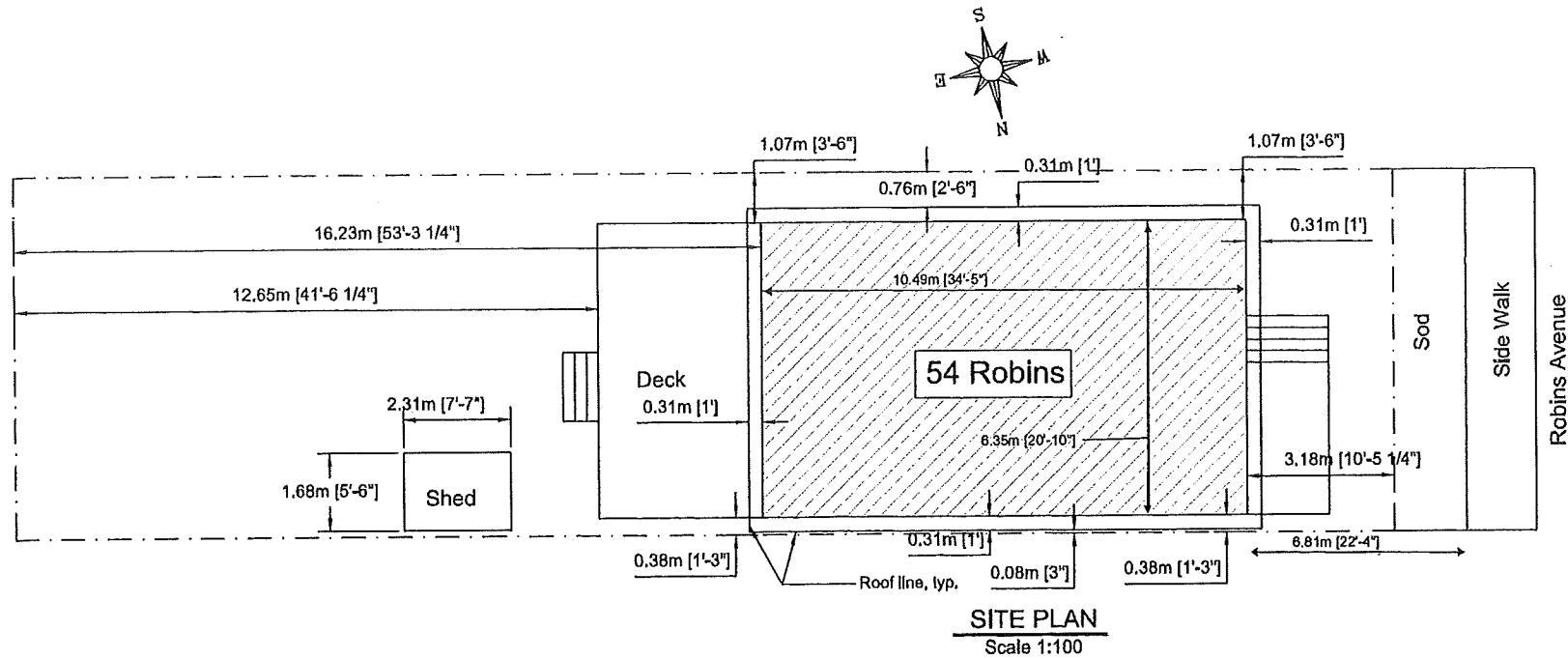
For more information on this matter, including access to drawings illustrating this request:

- 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: July 21st, 2020

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.



ZONING REQUIREMENTS:

ZONING CATEGORY: RESIDENTIAL ZONE D

BUILDING AND SITE STATISTICS

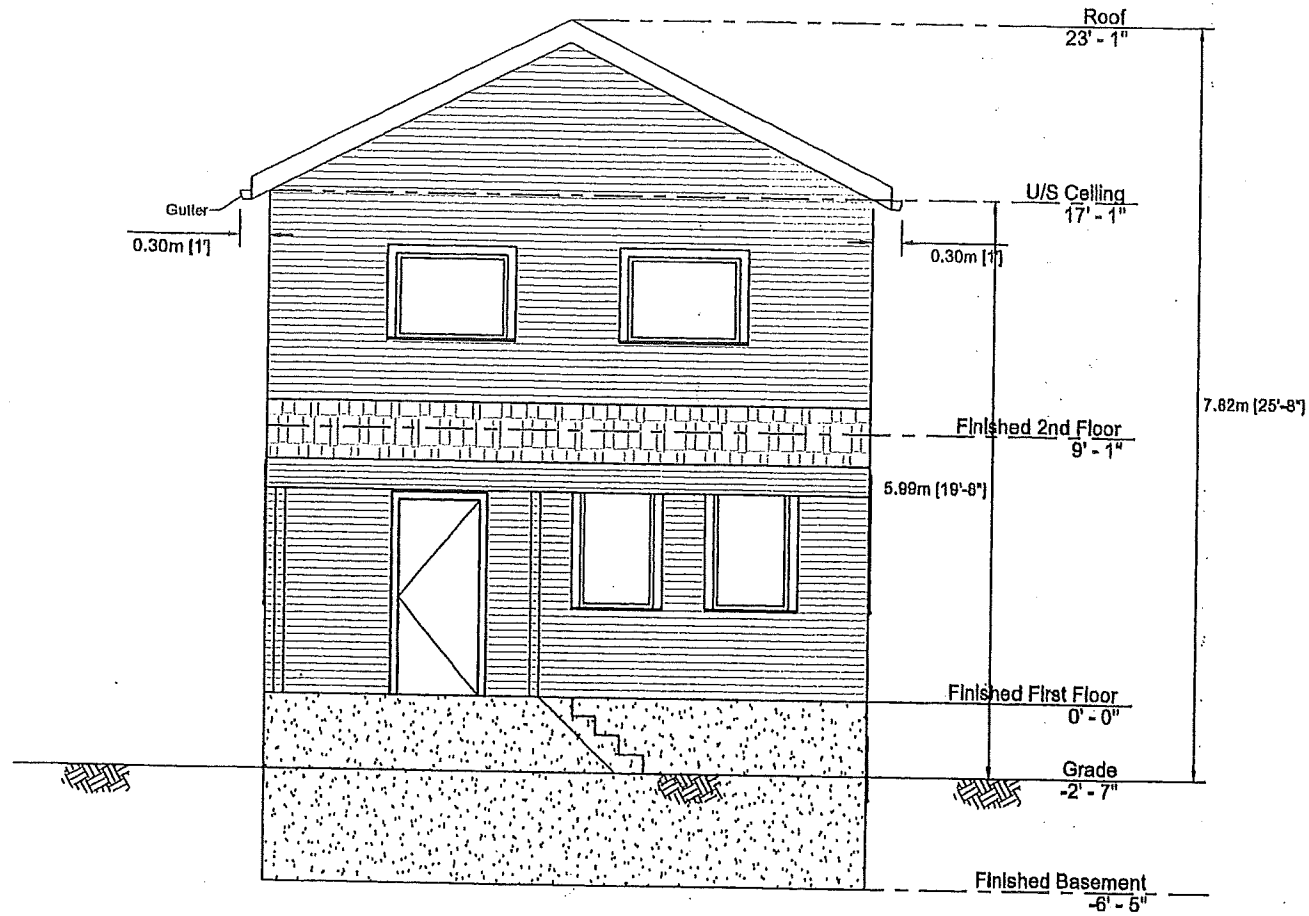
LOT AREA = 233.15 m²

BUILDING HEIGHT = 7.72 m (MAX. 14 m)

GROSS FLOOR AREA				
	Existing (m ²)	Proposed (m ²)	Total (m ²)	%
GROUND FLOOR	66.61	-	66.61	
SECOND FLOOR	55.32	11.29	66.61	
TOTAL	121.93	11.29	133.22	57.1

PROJECT:
54 Robins Avenue,
Hamilton, Ontario

Hm/A-20:120



West View
Scale 1:50

Spatial Separation Between Houses
 Wall Area = 33.07m²
 The house set back 3.18m
 Percentage of Opening Allowed (OBC 9.10.15.4) = (23%)
 Opening Area Allowed = 7.61 m²
 Opening Area (above grade) = 4.12m²

ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
54 Robins Avenue, Hamilton, Ontario		
TITLE:		
West View		
SCALE:	DRAWING NO.	
DESIGNED BY:	S2.01	
APPROVED BY:		

SauzTeq
 Engineering Inc.
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca

20-172158



Hamilton

Planning and Economic Development Department
Planning Division

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

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. <u>Hm/A 20:120</u>	DATE APPLICATION RECEIVED <u>JUN 15/20</u>
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 Nikolas Wagner Telephone No. [REDACTED]
2. [REDACTED]
3. Name of Agent KATERINA SEMENOVA Telephone No. [REDACTED]
4. [REDACTED]

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:
Ukrainian Credit Union. 145 Evans Ave, Ste 309
TORONTO ON Postal Code M6Z 5X8
10228796 Canada Ltd 539 Wellington Ave
York ON Postal Code M6C 3A6

6. Nature and extent of relief applied for:

To build a 2-storey addition with an existing building footprint that is less than 1.2m from property lines on either - left and right sides
Also, variance is needed for the front yard setback.

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

As per Hamilton Zoning By-Law 6593, Zoning "D"/Urban Protected Residential, each building must be setback 1.2m from the side property lines and 0.6m from the front property line, whereas the subject property is 1.07m & 0.38m on the sides, and 3.18 on the front.

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

Part Lot 2, Plan 395

54 Robins Ave, Hamilton ON, L8H 4N2

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

- 9.1 If Industrial or Commercial, specify use

N/A

- 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?

Information from real estate agent and
known history.

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.

May 27 2020
Date

Signature of Property Owner

Nikolas Wagner
Print Name of Owner

10. Dimensions of lands affected:

Frontage 25 ft
Depth 100 ft
Area 2500 ft
Width of street 2 lane residential street

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: Ground floor = 66.61 m²; Second floor = 55.32 m²
gross floor area = 121.93 m²; 1 1/2 storeys.
width = 6.35 m; L = 10.49 m; H = 7.72 m

Proposed: ground floor = 66.61 m²; second floor = 66.61 m²;
gross floor area = 133.22 m²; 2 storeys.
width = 6.35 m; Length = 10.49 m; Height = 7.04 m.

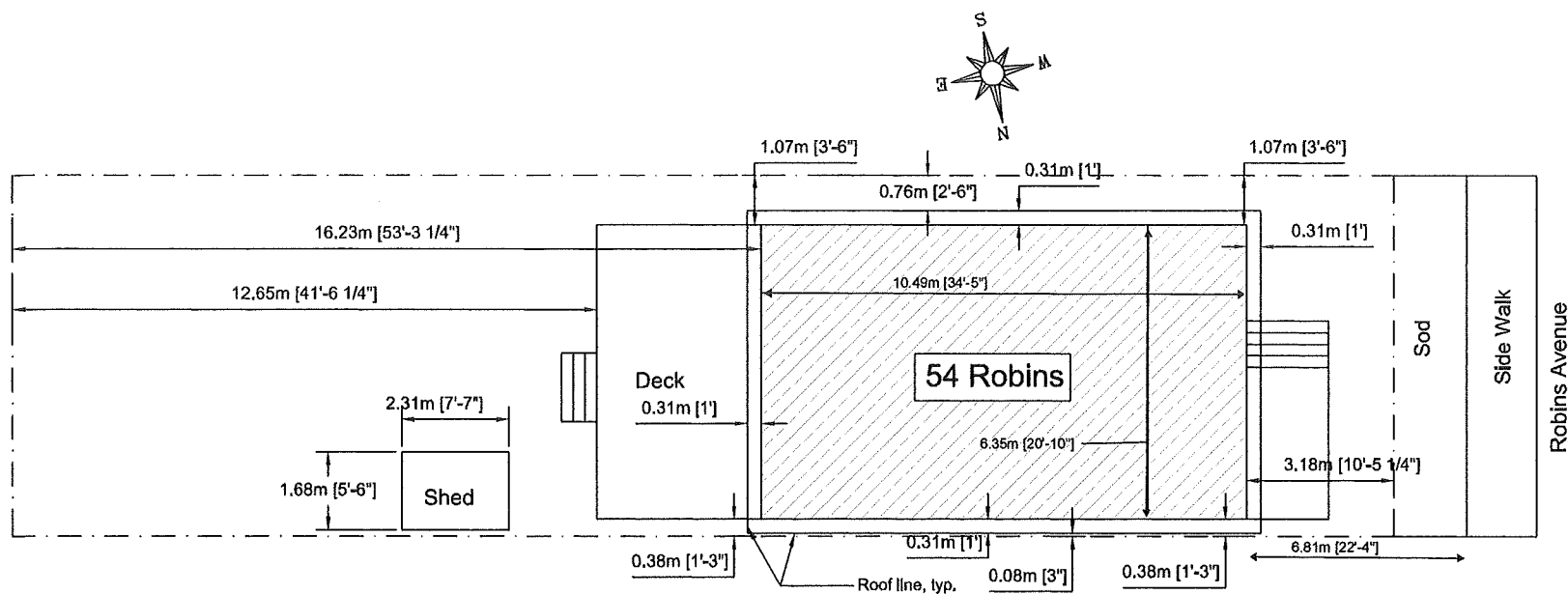
12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: 6.81 m from side walk to house.
0.38 m from left property line.
1.07 m from right property line
16.23 m from rear.

Proposed: No change.

13. Date of acquisition of subject lands:
April 17/2020
14. Date of construction of all buildings and structures on subject lands:
None - approx. 1920; Shed - unknown.
15. Existing uses of the subject property:
Residential - single family detached dwelling
16. Existing uses of abutting properties: Residential - single family detached dwelling
17. Length of time the existing uses of the subject property have continued:
Approximately 100 years
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:
Zoning "D" - Urban Protected Residential One and Two Family Dwellings.
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
N/A
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



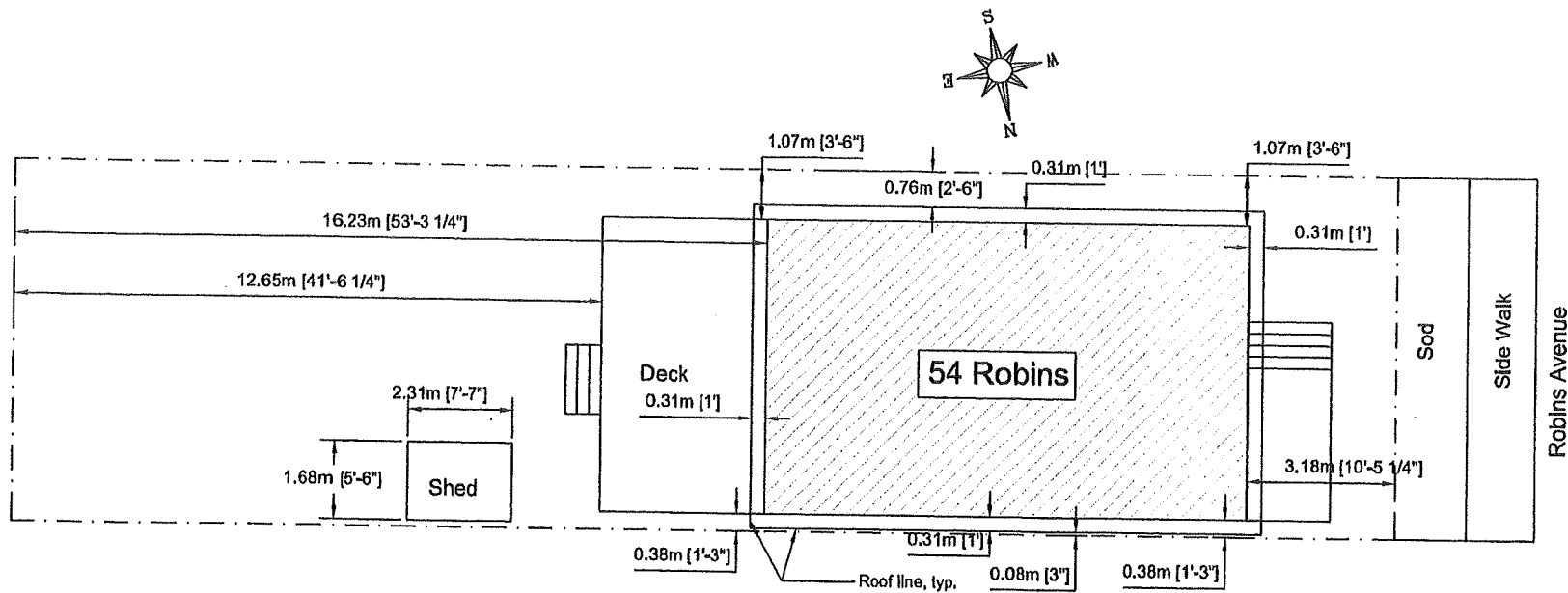
SITE PLAN
Scale 1:100

ZONING REQUIREMENTS:
ZONING CATEGORY: RESIDENTIAL ZONE D
BUILDING AND SITE STATISTICS
LOT AREA = 233.15 m²
BUILDING HEIGHT = 7.72 m (MAX. 14 m)

GROSS FLOOR AREA				
	Existing (m ²)	Proposed (m ²)	Total (m ²)	%
GROUND FLOOR	66.61	-	66.61	
SECOND FLOOR	55.32	11.29	66.61	
TOTAL	121.93	11.29	133.22	57.1

PROJECT:
54 Robins Avenue,
Hamilton, Ontario

4m/A-20:120



SITE PLAN
Scale 1:100

ZONING REQUIREMENTS:

ZONING CATEGORY: RESIDENTIAL ZONE D

BUILDING AND SITE STATISTICS

LOT AREA = 233.15 m²

BUILDING HEIGHT = 7.72 m (MAX. 14 m)

GROSS FLOOR AREA				
	Existing (m ²)	Proposed (m ²)	Total (m ²)	%
GROUND FLOOR	66.61	-	66.61	
SECOND FLOOR	55.32	11.29	66.61	
TOTAL	121.93	11.29	133.22	57.1

ENGINEER SEAL:

Professional Engineer
M. ATASHI
160068263
May 26, 20
PROVINCE OF ONTARIO

No.	Revision/Issue	Date

PROJECT:

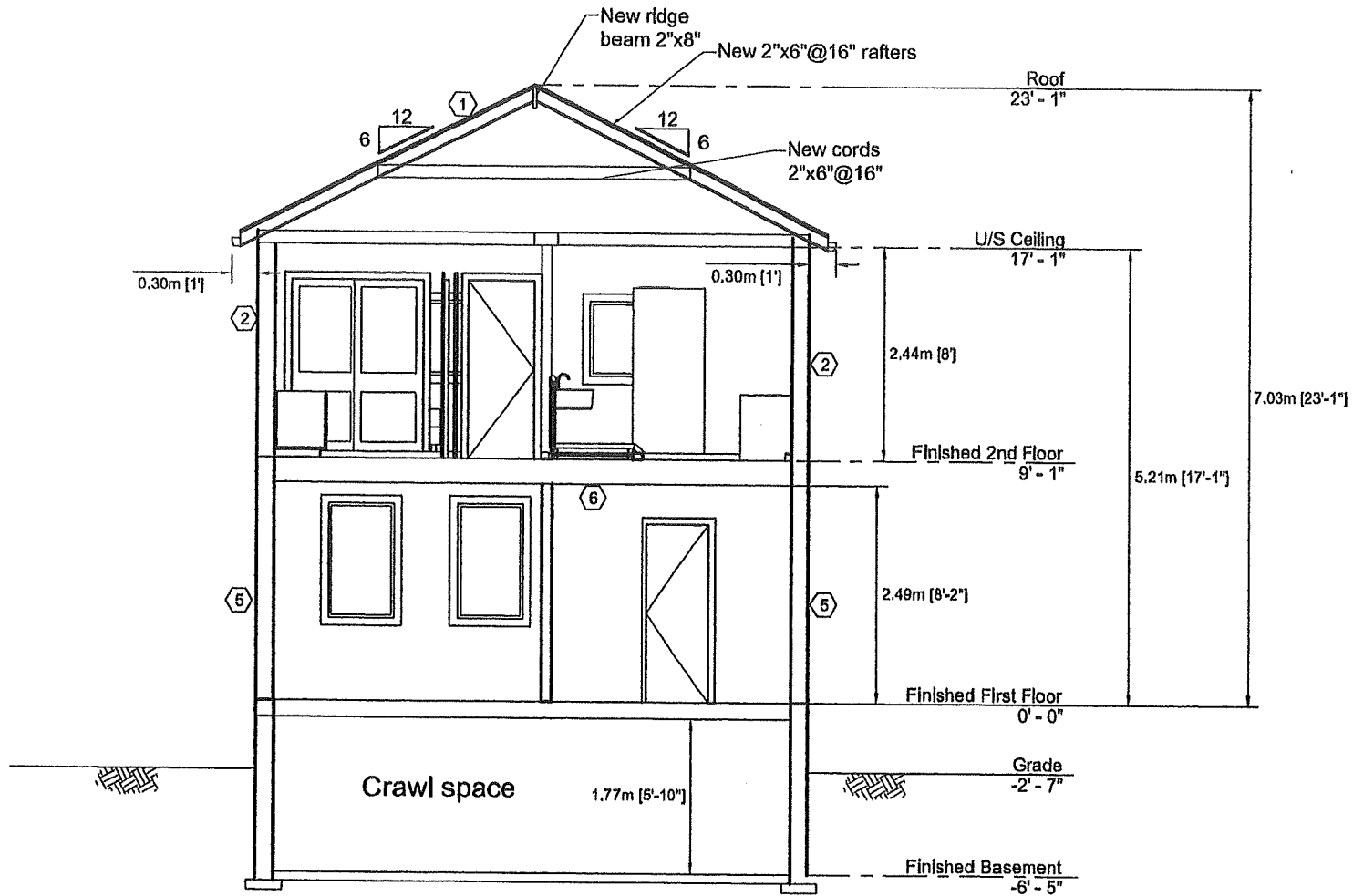
54 Robins Avenue,
Hamilton, Ontario

TITLE:

Site Plan

SauzTeq Engineering Inc.
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	SP1.01
APPROVED BY:	



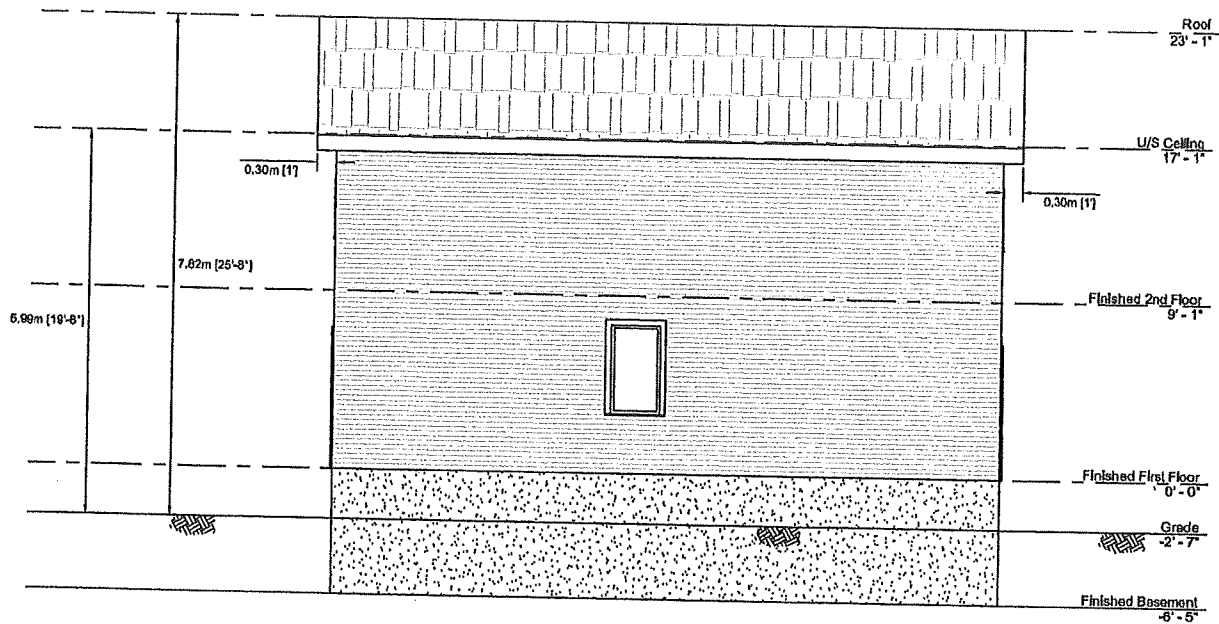
ENGINEER SEAL:		
No.	Revision/Issue	Date

PROJECT:
54 Robins Avenue, Hamilton, Ontario

TITLE:
Section A

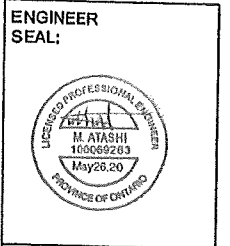
SauzTeq Engineering Inc. www.Sauzteq.ca Tel: 905-330-2431 Email: info@sauzteq.ca
--

SCALE:	DRAWING NO.
DESIGNED BY:	S4.01
APPROVED BY:	



Spatial Separation Between Houses
There is no new opening in the wall

North View
Scale 1:75



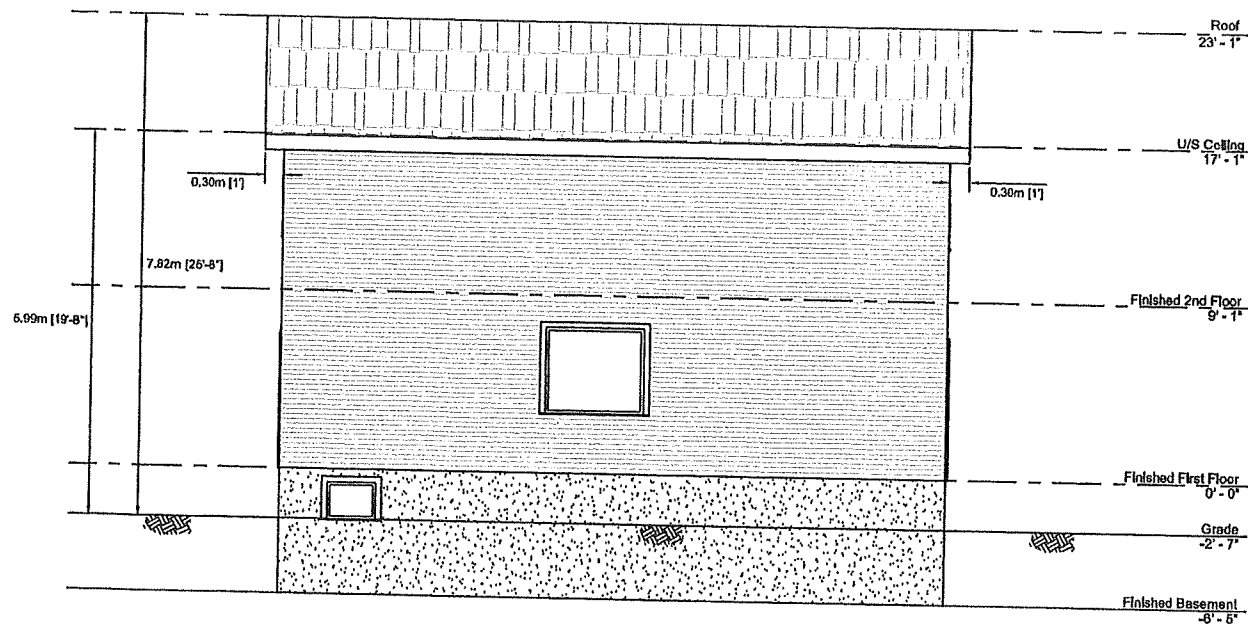
No.	Revision/Issue	Date

PROJECT:
54 Robins Avenue,
Hamilton, Ontario

TITLE:
North View

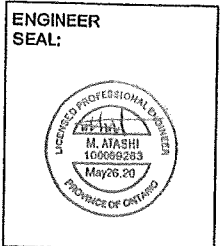
SauzTeq Engineering Inc.
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S2.04
APPROVED BY:	



Spedal Separation Between Houses
There is no new opening in the wall

South View
Scale 1:75



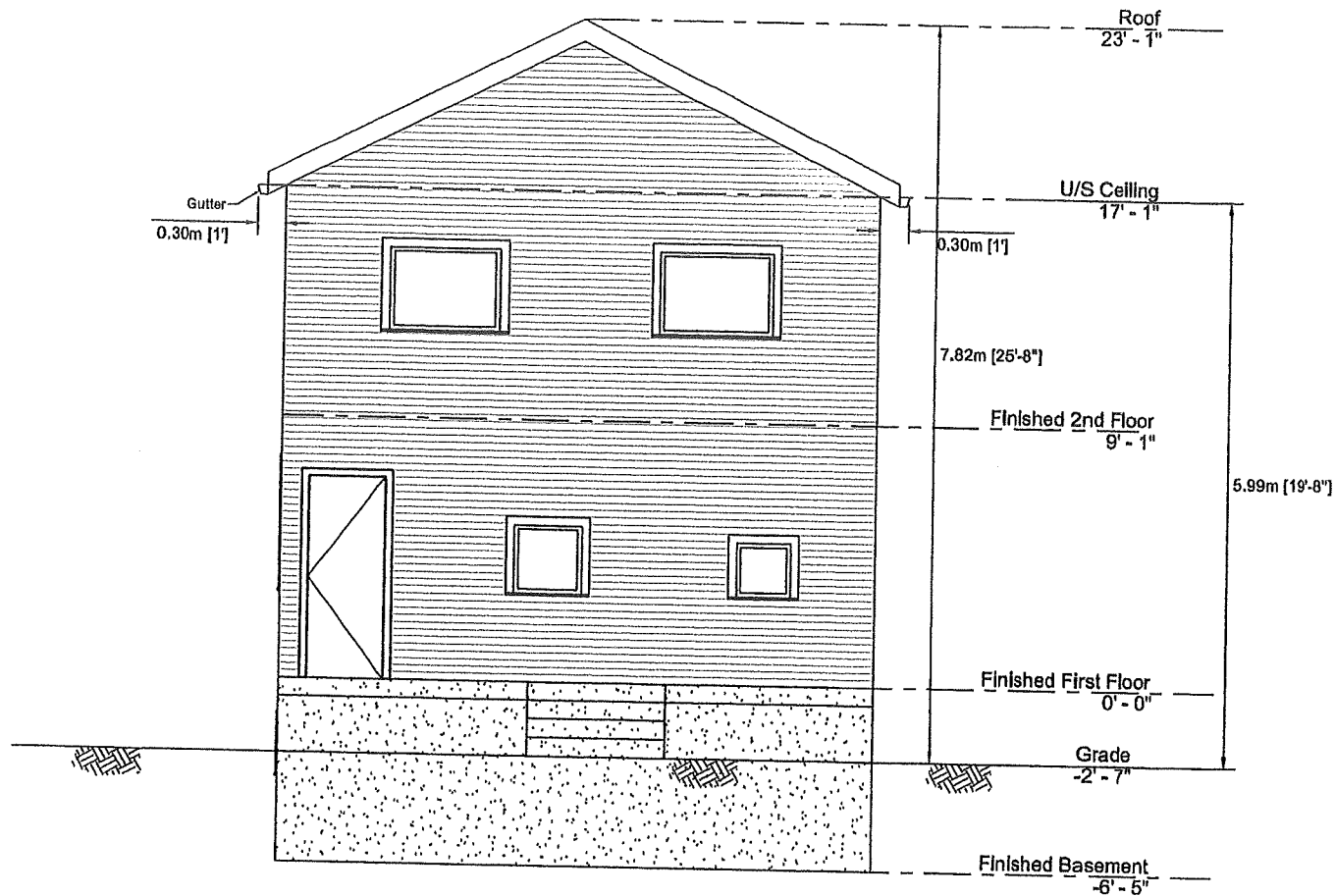
No.	Revision/Issue	Date

PROJECT:
54 Robins Avenue,
Hamilton, Ontario

TITLE:
South View

**SauzTeq
Engineering Inc.**
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S2.03
APPROVED BY:	



East View
Scale 1:50

Spatial Separation Between Houses
 Wall Area = 33.07m²
 The house set back 16.23m
 Percentage of Opening Allowed (OBC 9.10.15.4) = (100%)
 Opening Area Allowed = 33.07 m²
 Opening Area (above grade) = 3.11m²

ENGINEER
SEAL:



No.	Revision/Issue	Date

PROJECT:

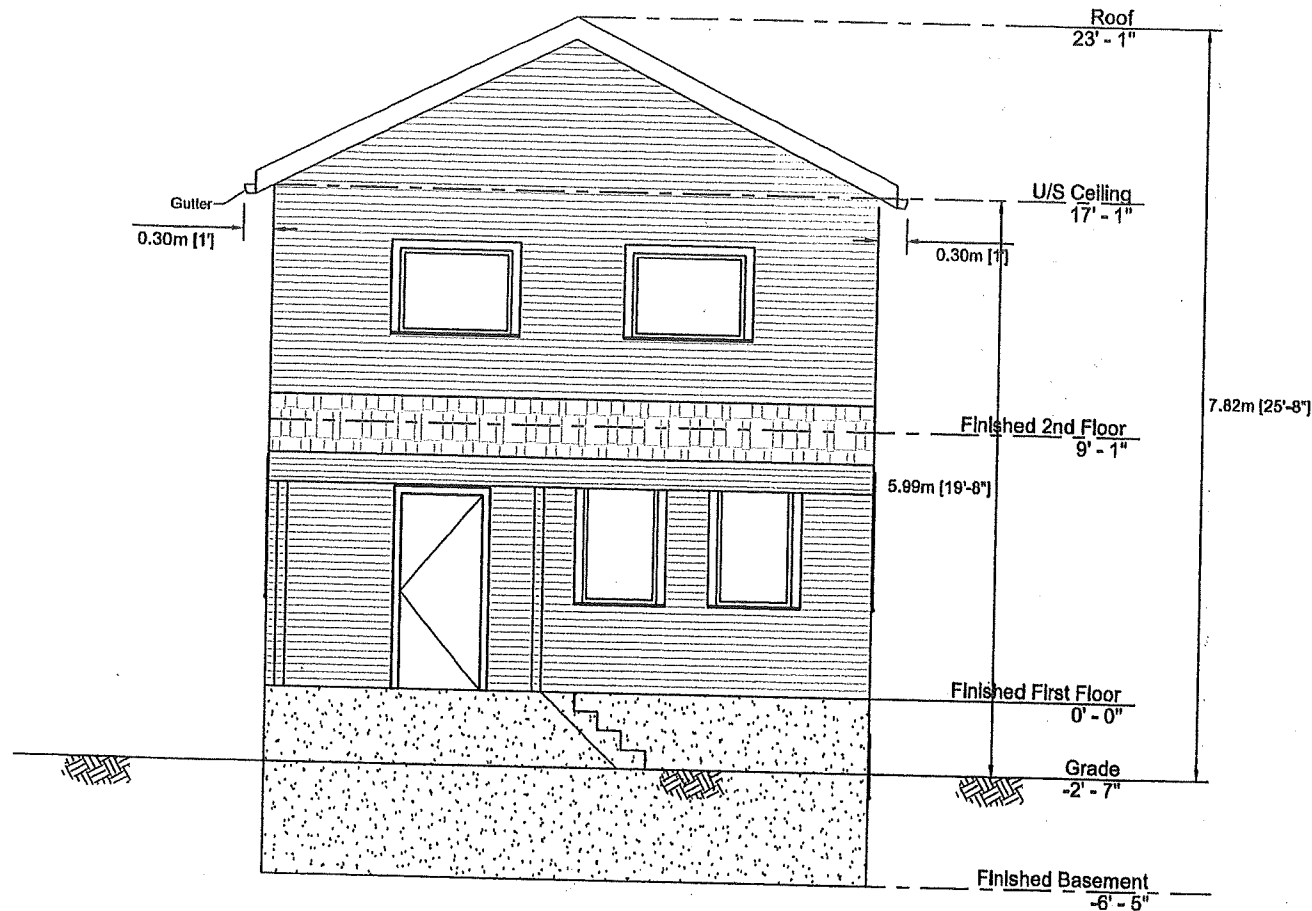
54 Robins Avenue,
Hamilton, Ontario

TITLE:

East View

**SauzTeq
Engineering Inc.**
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca


SCALE:	DRAWING NO.
DESIGNED BY:	S2.02
APPROVED BY:	



West View
Scale 1:50

Spatial Separation Between Houses
 Wall Area = 33.07m²
 The house set back 3.18m
 Percentage of Opening Allowed (OBC 9.10.15.4) = (23%)
 Opening Area Allowed = 7.61 m²
 Opening Area (above grade) = 4.12m²

ENGINEER SEAL:



No.	Revision/Issue	Date

PROJECT:

54 Robins Avenue,
Hamilton, Ontario

TITLE:

West View

SauzTeq Engineering Inc.
 www.Sauzteq.ca
 Tel: 905-330-2431
 Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S2.01
APPROVED BY:	