

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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**APPLICATION NO.:** DN/A-21:101

**APPLICANTS:** Brent Wybenga on behalf of the owners C. & D. Robinson

**SUBJECT PROPERTY:** Municipal address **21 Desjardins Ave., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** "R2" (Single Detached Residential) district

**PROPOSAL:** To permit alterations to an existing single detached dwelling to allow for the conversion of the attached garage to habitable space to be used for a bedroom, notwithstanding that:

1. The minimum northerly side yard shall be 1.3 metres instead of the required minimum 5.0 metres for one side of an interior lot in which there is no garage or carport;
2. A parking space for a single detached dwelling shall be permitted within the required front yard, whereas no parking is permitted within the required front yard;
3. No maneuvering space shall be provided for the required parking space, whereas the Zoning By-law requires a 6.0 metre wide manoeuvring space for a 90 degree parking spaces which shall be provided entirely within the bounds of the parking areas within which such spaces are located.

NOTES:

1. The variance is written as requested by the applicant except additional variances have been included to address the side yard and the removal of the manoeuvring space.

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

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**DATE:** Thursday, May 27th, 2021

**TIME:** 1:40 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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:

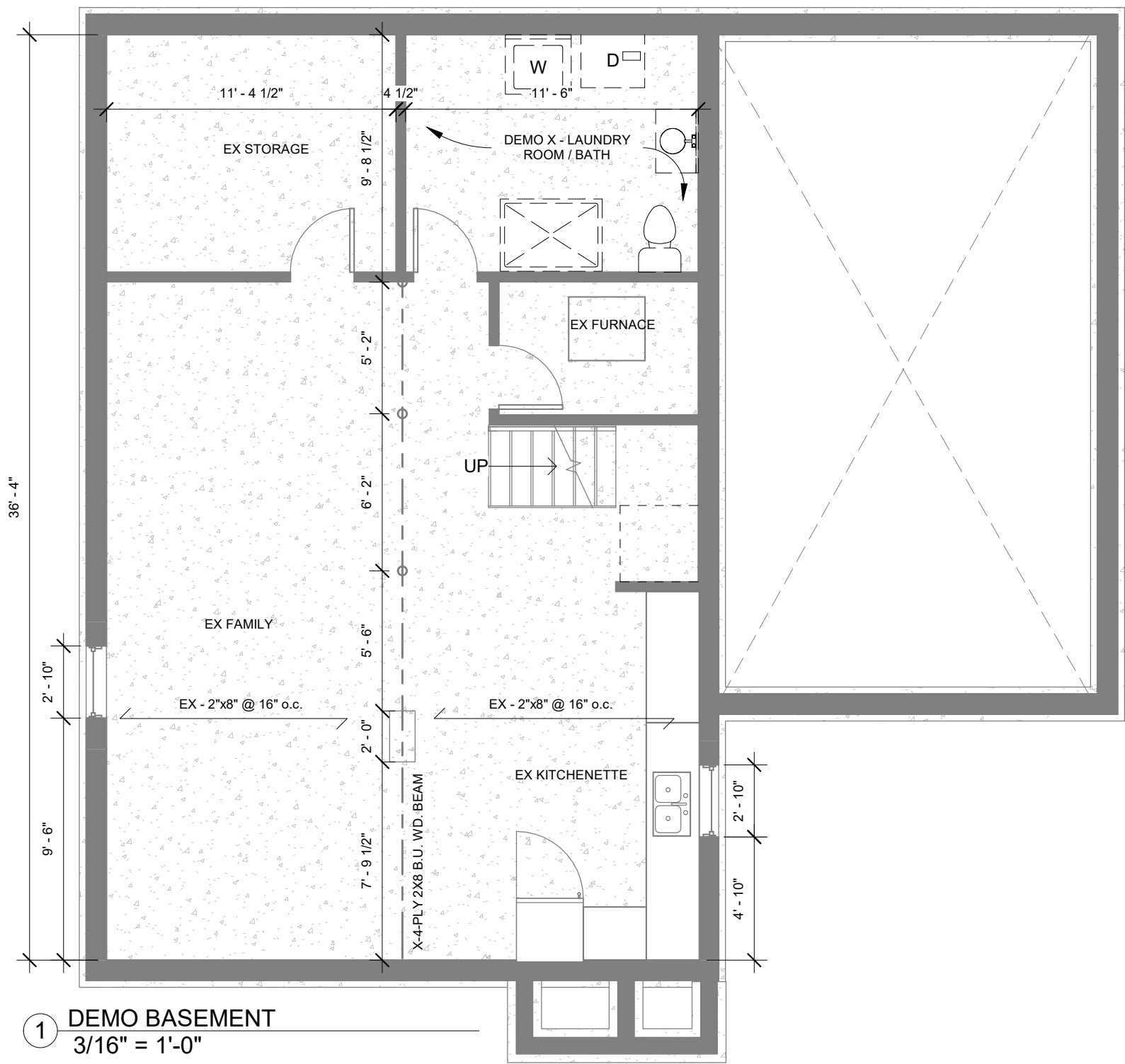
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: May 11th, 2021.

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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.***



PROP. ADDITION AND  
INTERIOR RENOVATIONS

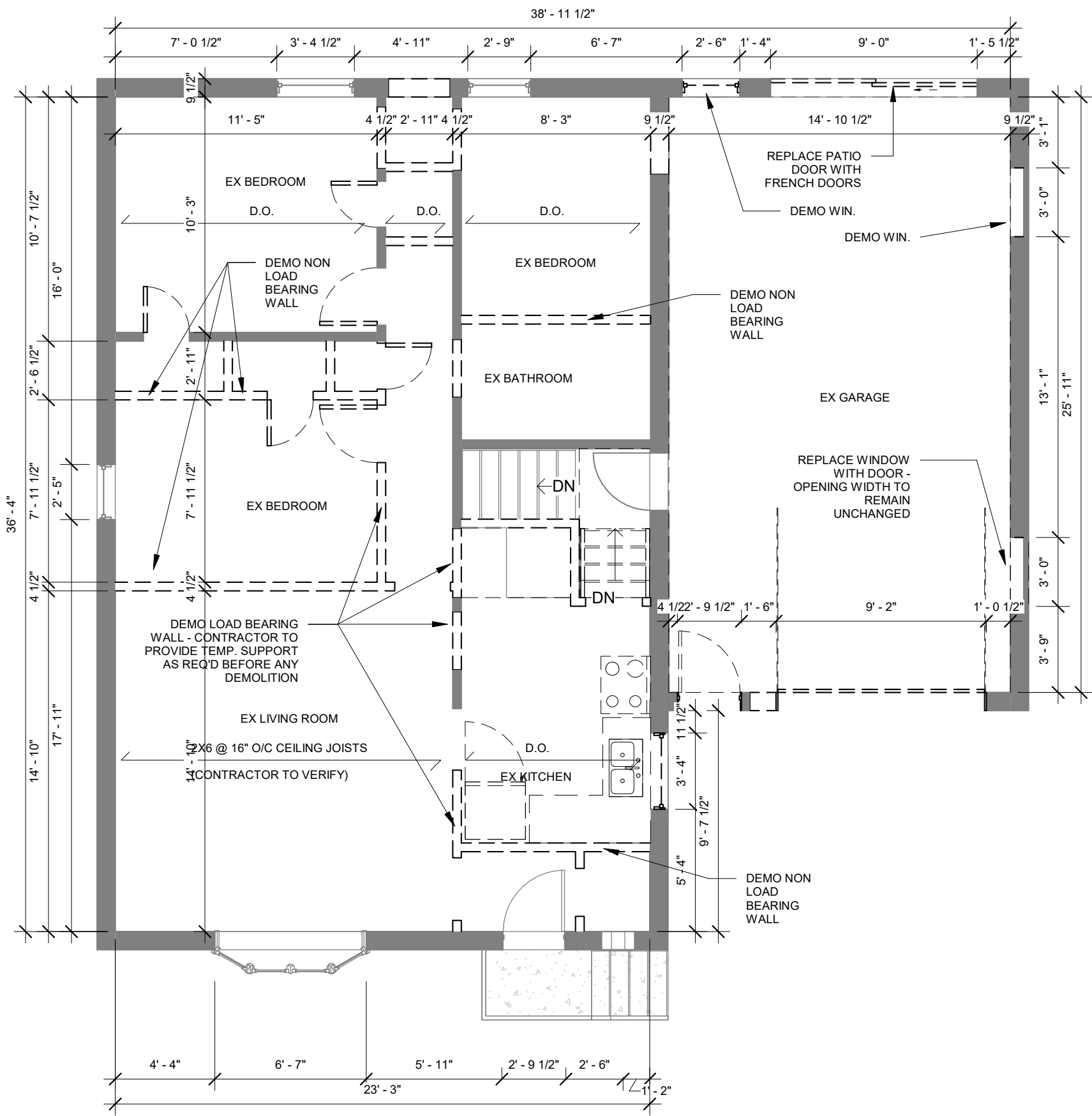
21 DESJARDINS AVE, DUNDAS - ROBINSON RESIDENCE

DEMO BASEMENT

Project number	20063
Date	20/12/30
Drawn by	B.M.W.
Checked by	B.M.W.

A1.01

Scale 3/16" = 1'-0"



1 DEMO GROUND  
3/16" = 1'-0"

PROP. ADDITION AND  
INTERIOR RENOVATIONS

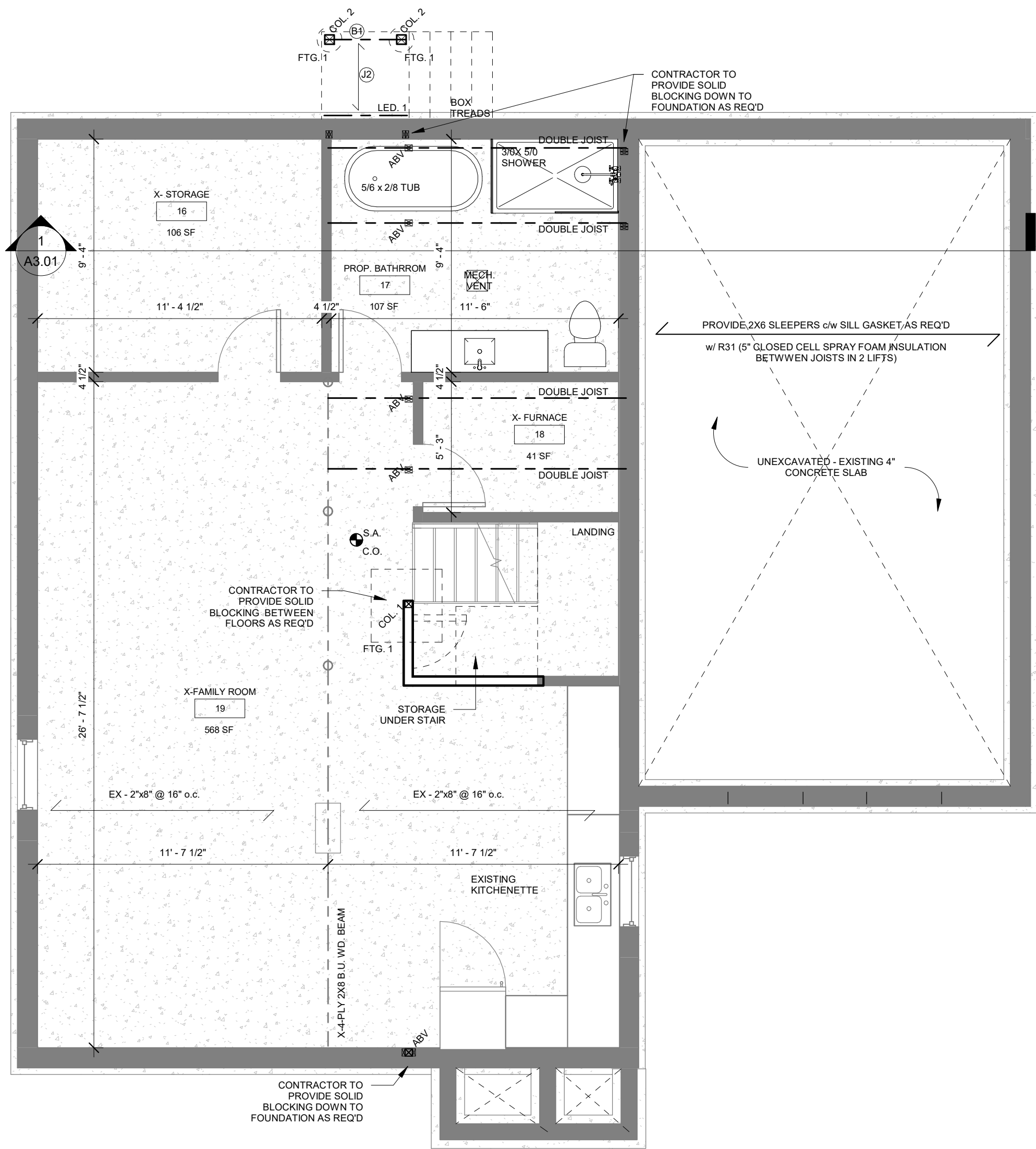
21 DESJARDINS AVE, DUNDAS - ROBINSON RESIDENCE

DEMO GROUND

Project number	20063
Date	20/12/30
Drawn by	BMW
Checked by	BMW

A1.02

Scale 3/16" = 1'-0"



1 PROP. BASEMENT  
1/4" = 1'-0"

PROP. ADDITION AND  
INTERIOR RENOVATIONS

21 DESJARDINS AVE, DUNDAS - ROBINSON RESIDENCE

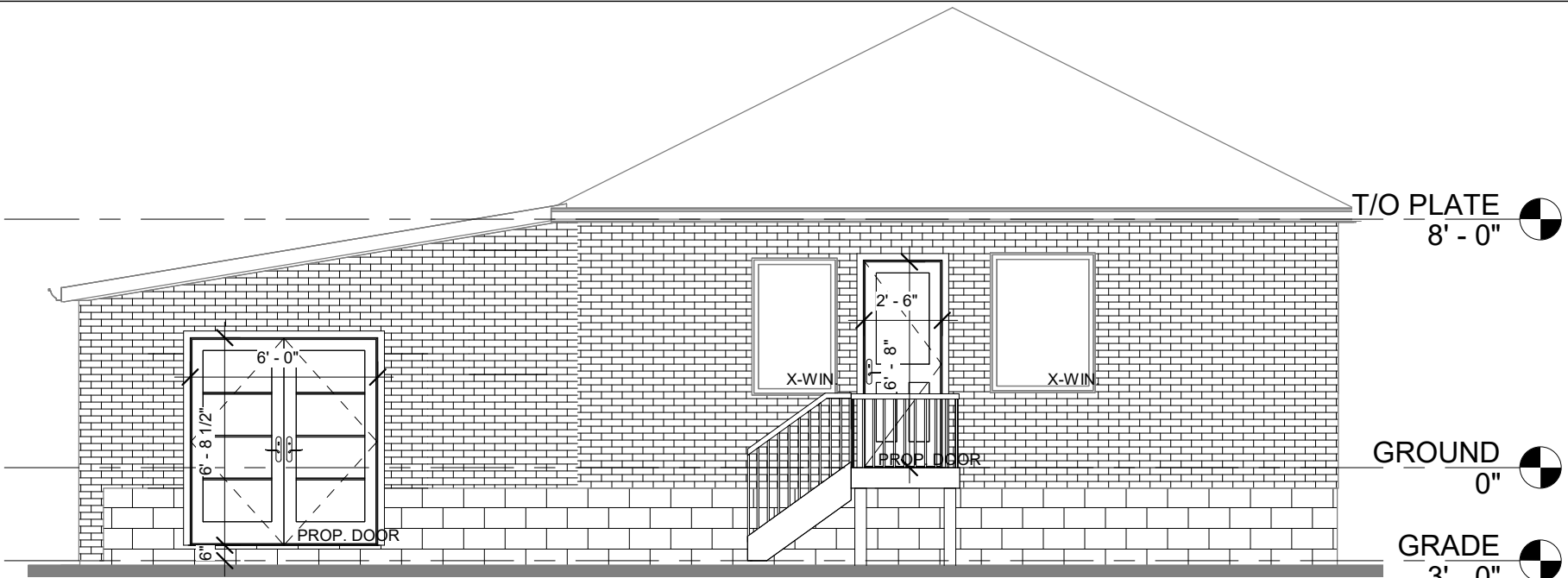
PROP. BASEMENT

Project number	20063
Date	20/12/30
Drawn by	B.M.W.
Checked by	B.M.W.

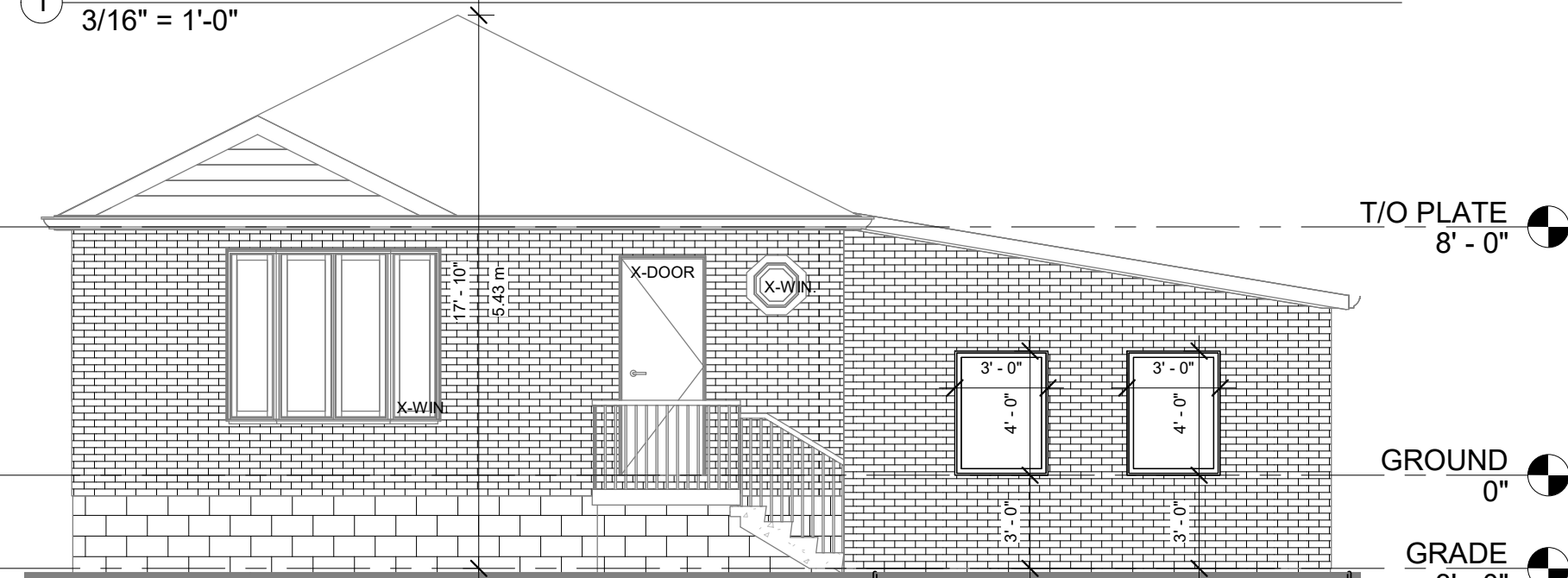
A1.03

Scale 1/4" = 1'-0"

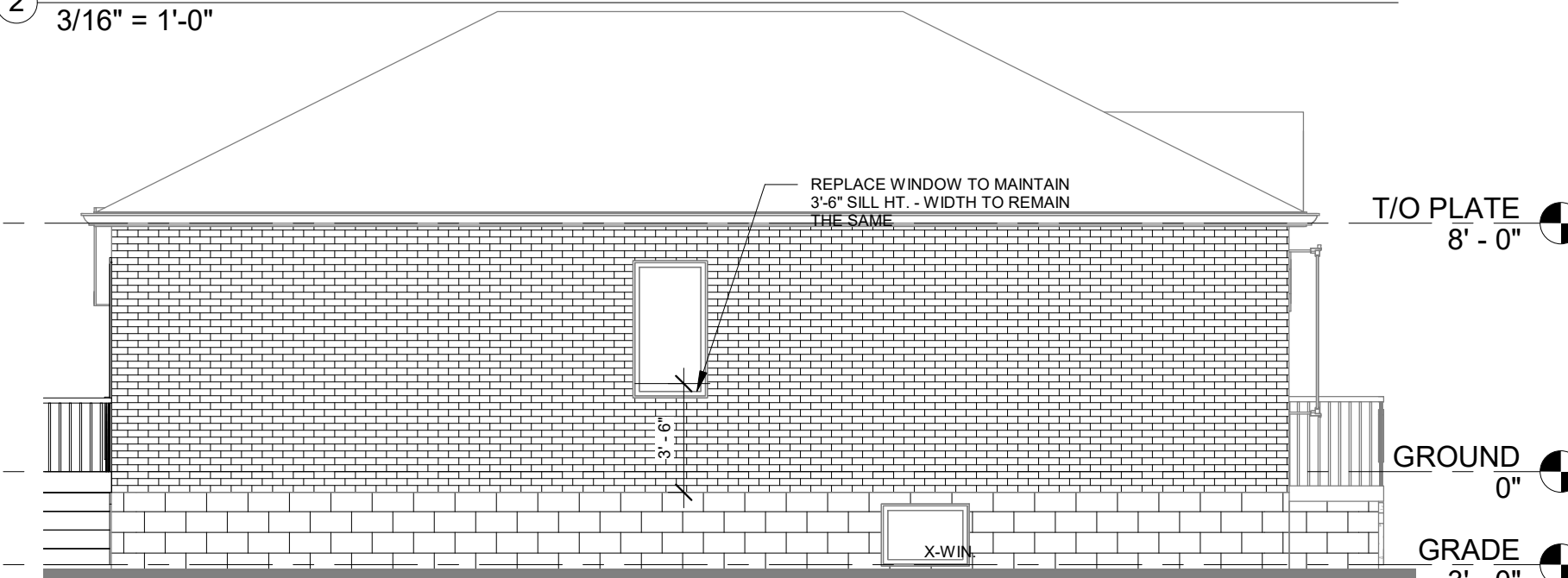




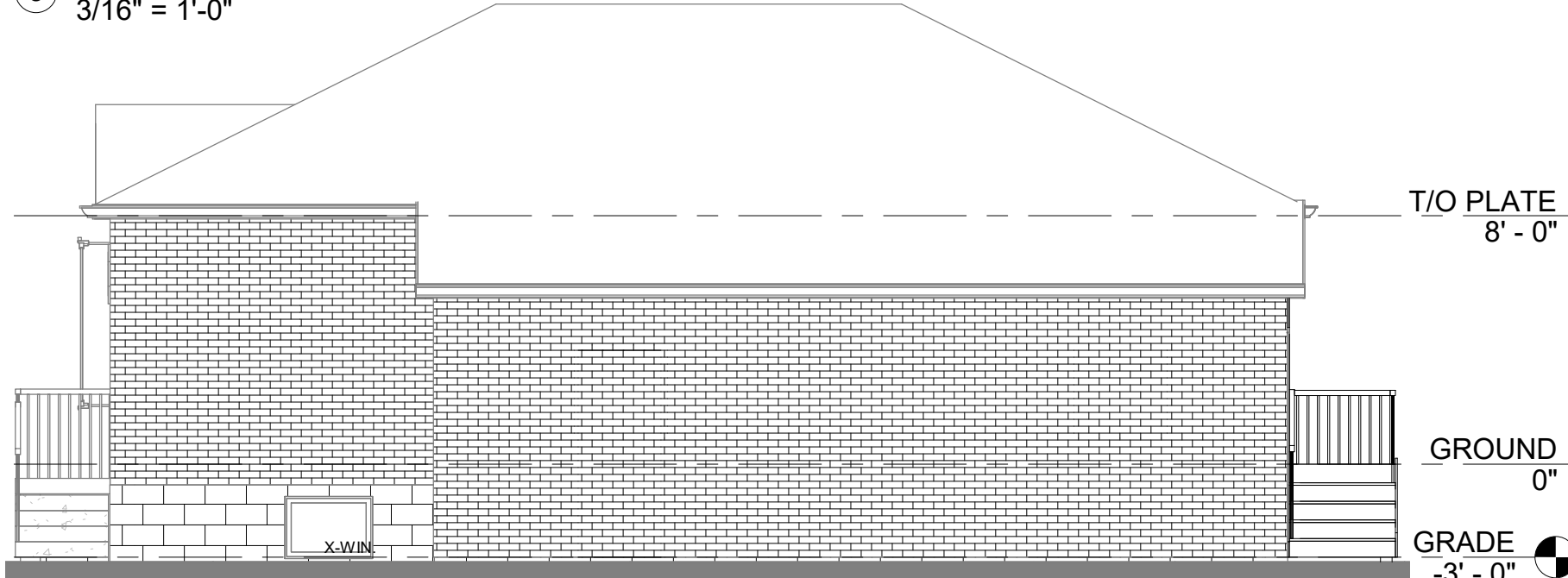
1 BACK  
3/16" = 1'-0"



2 FRONT  
3/16" = 1'-0"



3 SIDE  
3/16" = 1'-0"



4 SIDE GARAGE  
3/16" = 1'-0"

## PROP. ADDITION AND INTERIOR RENOVATIONS

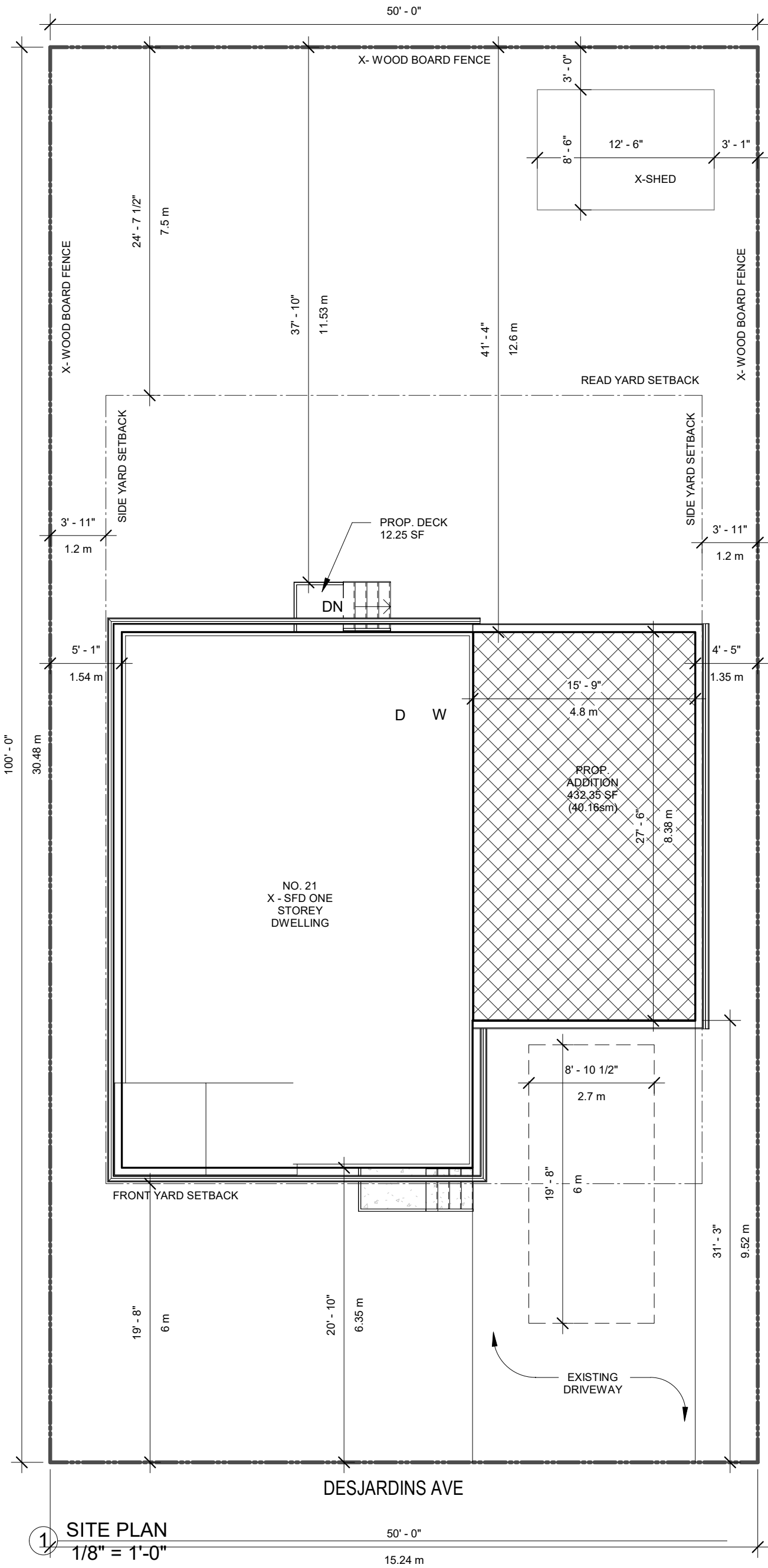
21 DESJARDINS AVE, DUNDAS - ROBINSON RESIDENCE

## ELEVATIONS

Project number	20063
Date	20/12/30
Drawn by	B.M.W.
Checked by	B.M.W.

A1.05

Scale 3/16" = 1'-0"



1 SITE PLAN  
1/8" = 1'-0"

# PROP. ADDITION AND INTERIOR RENOVATIONS

21 DESJARDINS AVE, DUNDAS - ROBINSON RESIDENCE

## SITE PLAN

Project number	20063
Date	20/12/30
Drawn by	B.M.W.
Checked by	B.M.W.

SP1.01

Scale 1/8" = 1'-0"



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE****FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_**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, 2	NAME	ADDRESS	
Registered Owners(s)	Candice and Dan Robinson		Phone: [REDACTED]
			E-mail: [REDACTED]
Applicant(s)*			Phone: [REDACTED]
			E-mail: [REDACTED]
Agent or Solicitor	Park Eight c/o Brent Wybenga		Phone: [REDACTED]
			E-mail: [REDACTED]

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

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

Candice and Dan Robinson  
21 Desjardins Ave Dundas, On., L9H 4R1

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:  
not able to provide 1 parking space behind front face of building as per dundas zoning bylaw
5. Why it is not possible to comply with the provisions of the By-law?  
converting existing garage into living area
6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):  
21 Desjardins Ave Dundas, On., L9H 4R1

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes ☐ No ☒ Unknown ☐
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes ☐ No ☒ Unknown ☐
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes ☐ No ☐ Unknown ☐
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes ☐ No ☒ Unknown ☐
- 8.6 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 ☐
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes ☐ No ☒ Unknown ☐
- 8.8 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 ☐
- 8.9 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 ☐

8.10 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 ☐

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
existing residential subdivision from the 60's/70's with existing house

8.12 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 ☐

#### 9. 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.

2/18/2021  
Date

  
Signature Property Owner

Candice Robinson

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>15.24m</u>
Depth	<u>30.48m</u>
Area	<u>464.5 sm</u>
Width of street	<u>9.15m</u>

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 / gross floor area: 127.7 sm

number of stories: 1

width: 12.36m / length: 11.56m

Height: 5.43m

Proposed

ground / gross floor area: 127.7 sm

number of stories: 1

width: 12.36m / length: 11.56m

Height: 5.43m

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

Existing:

front yard setback: 6.35m, rear yard: 12.6m, side yard: 1.54m / 1.35m

Proposed:

front yard setback: 6.35m, rear yard: 12.6m, side yard: 1.54m / 1.35m



**PART 25 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.

I, BRENT WYBENKA of the City of Hamilton  
in the Province of Ontario solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the  
at the City of Hamilton )  
in the Province )  
of Ontario )  
this 9 day of March A.D. 2021 )

Stephanie Ann Paparella  
A Commissioner, etc.

B Wybenka  
Applicant

Stephanie Ann Paparella,  
a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires June 12, 2021.

**PART 26 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) CANDICE ROBINSON am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

BRENT WYBENKA of DANFORTH

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE 2/18/2021 SIGNED [Signature]

**PART 27 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, CANDICE ROBINSON, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

2/18/2021  
Date

[Signature]  
Signature of Owner