

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-22:55

APPLICANTS: Owners A. Rambert & E. Saulig

SUBJECT PROPERTY: Municipal address **302 Charlton Ave. W., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 17-240

ZONING: "C5a" (Mixed Use Medium Density - Pedestrian Focus) district

PROPOSAL: To permit the construction of a new third storey dormer, as well as the expansion of an existing third storey dormer to the existing Single Detached Dwelling notwithstanding that:

1. A maximum increase of 25% of the existing gross floor area shall be provided whereas the by-law permits a maximum gross floor area increase of 10% of the existing gross floor area.

NOTES:

i. Please be advised that the use of a Single Detached Dwelling is not permitted in the current zoning designation. However, pursuant to subsection 10.5a.4, an addition or alteration to an existing single detached dwelling is permitted provided that the expansion does not increase the gross floor area more than 10% of the buildings existing gross floor area.

The applicant has indicated that the proposed addition results in an increase of 24.3% of the existing gross floor area.

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

DATE: Thursday, April 7th, 2022
TIME: 2:20 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

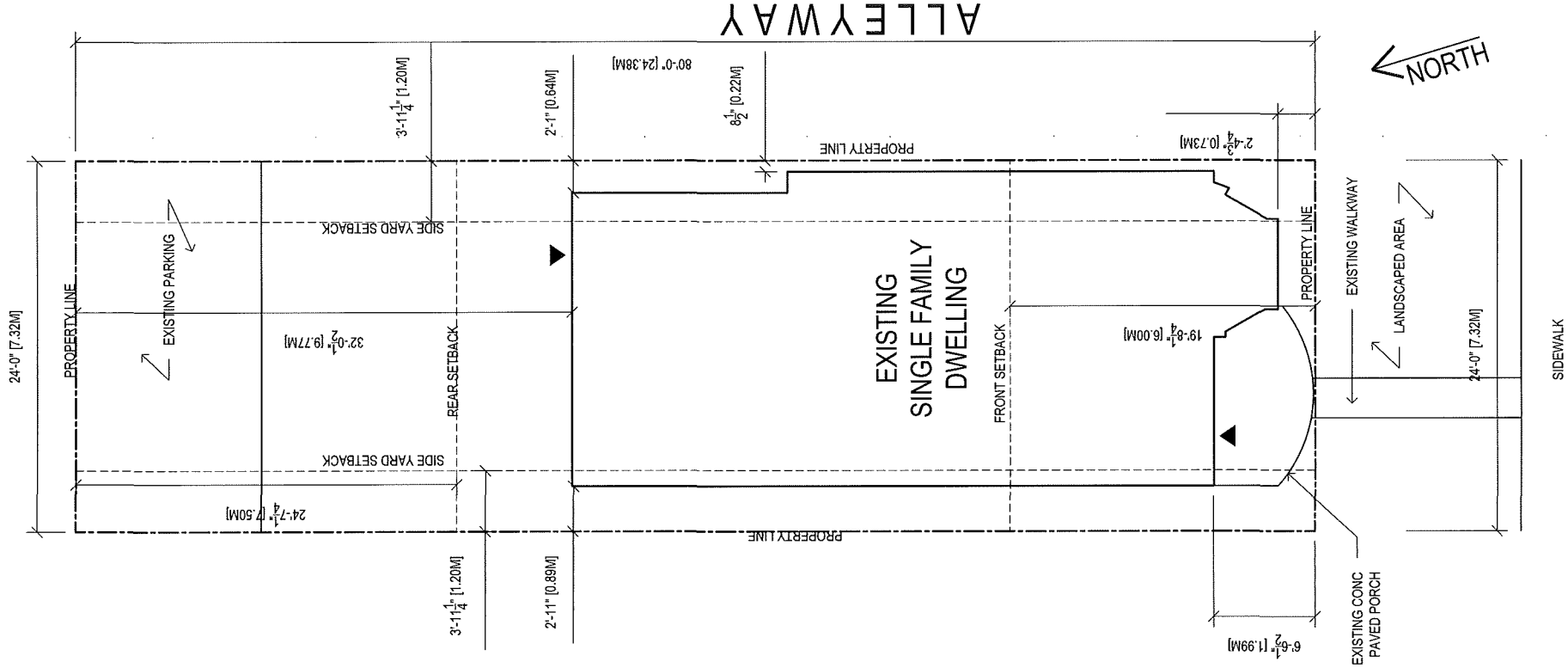
For more information on this matter, including access to drawings illustrating this request:

- 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 22nd, 2022.

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.



NOTES:

ZONE 'C5a'

LOT AREA- 1920 SQ.FT (178.37 SQ. M)

REQ'D SETBACKS

FRONT-6.0 M (19.68 FT.)

REAR-7.5M (24.6 FT)

SIDE YARD- 1.2 M (3.94 FT)

EXISTING SETBACK

FRONT-2.4FT (0.73 M)

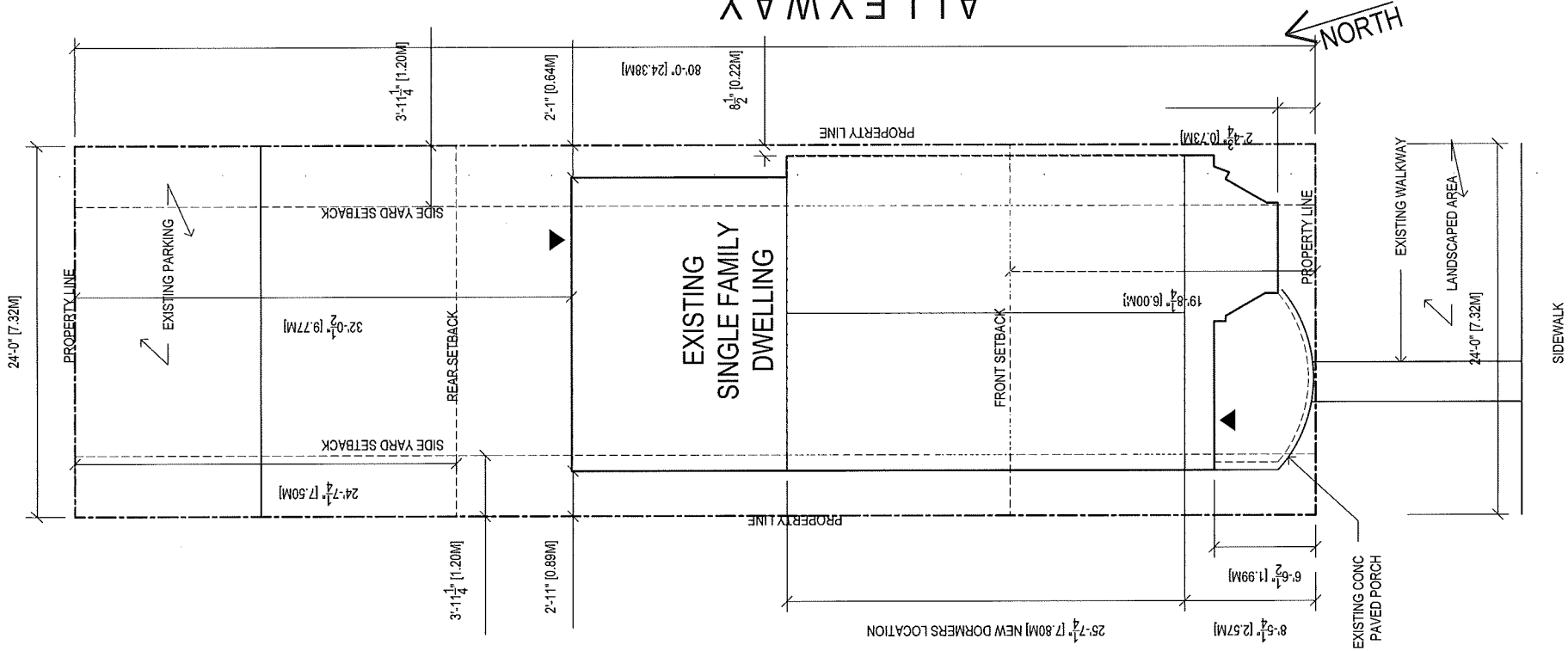
REAR- 32.04' (9.77M)

SIDE (WEST)-2.91' (0.89 M)

SIDE (EAST)- 0.71' (0.22M)

CHARLTON AVE. WEST

Drawing: EXISTING SITE PLAN	Scale:	3/32"=1'-0"	
	Date:	JAN.24, 2020	
Project: 302 CHARLTON AVE W HAMILTON	Project No.	-	Dwg. No.
			A-0



NOTES:

ZONE 'C5a'

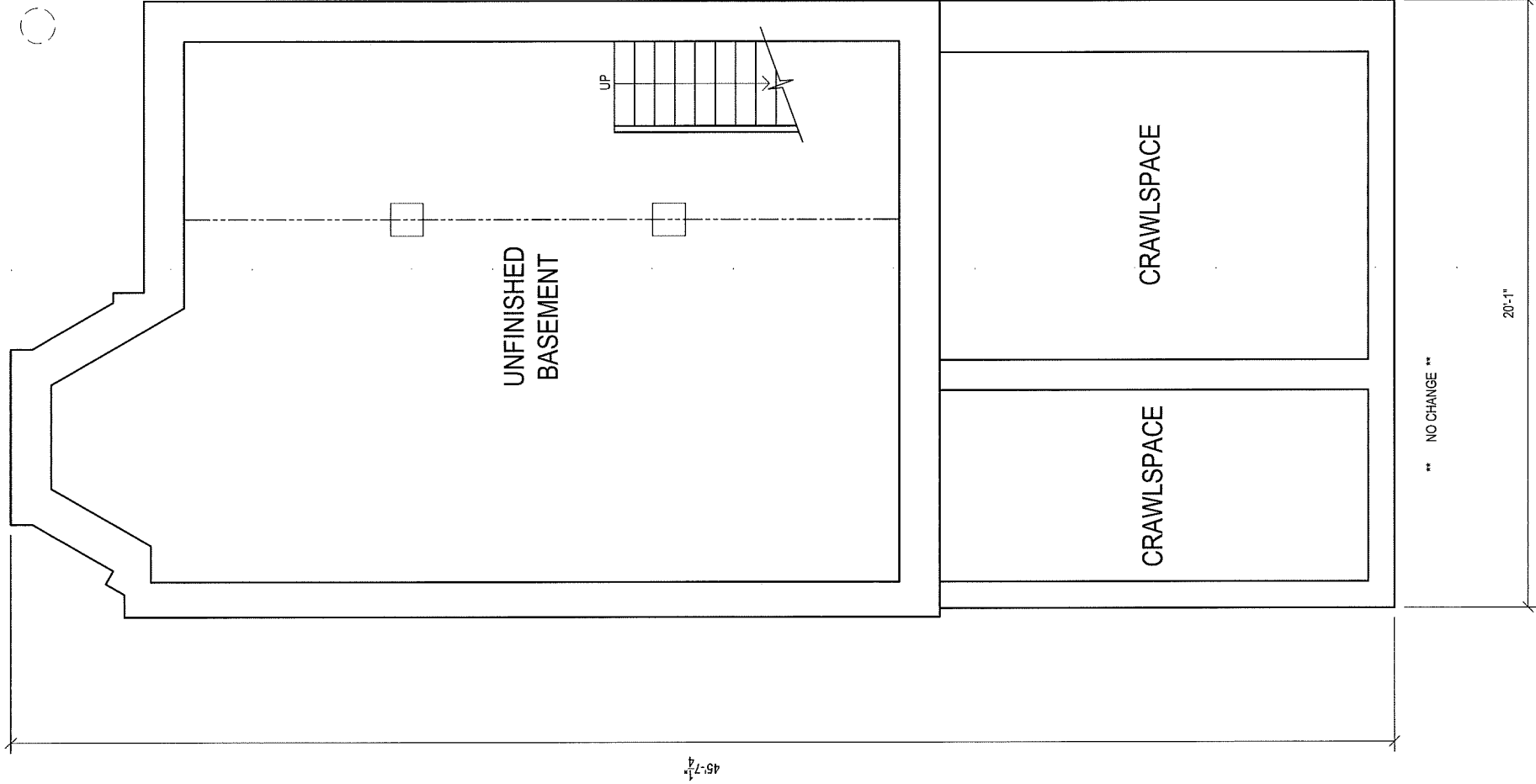
LOT AREA- 1920 SQ.FT (178.37 SQ. M)

REQ'D SETBACKS
FRONT-6.0 M (19.68 FT.)
REAR-7.5M (24.6 FT)
SIDE YARD- 1.2 M (3.94 FT)

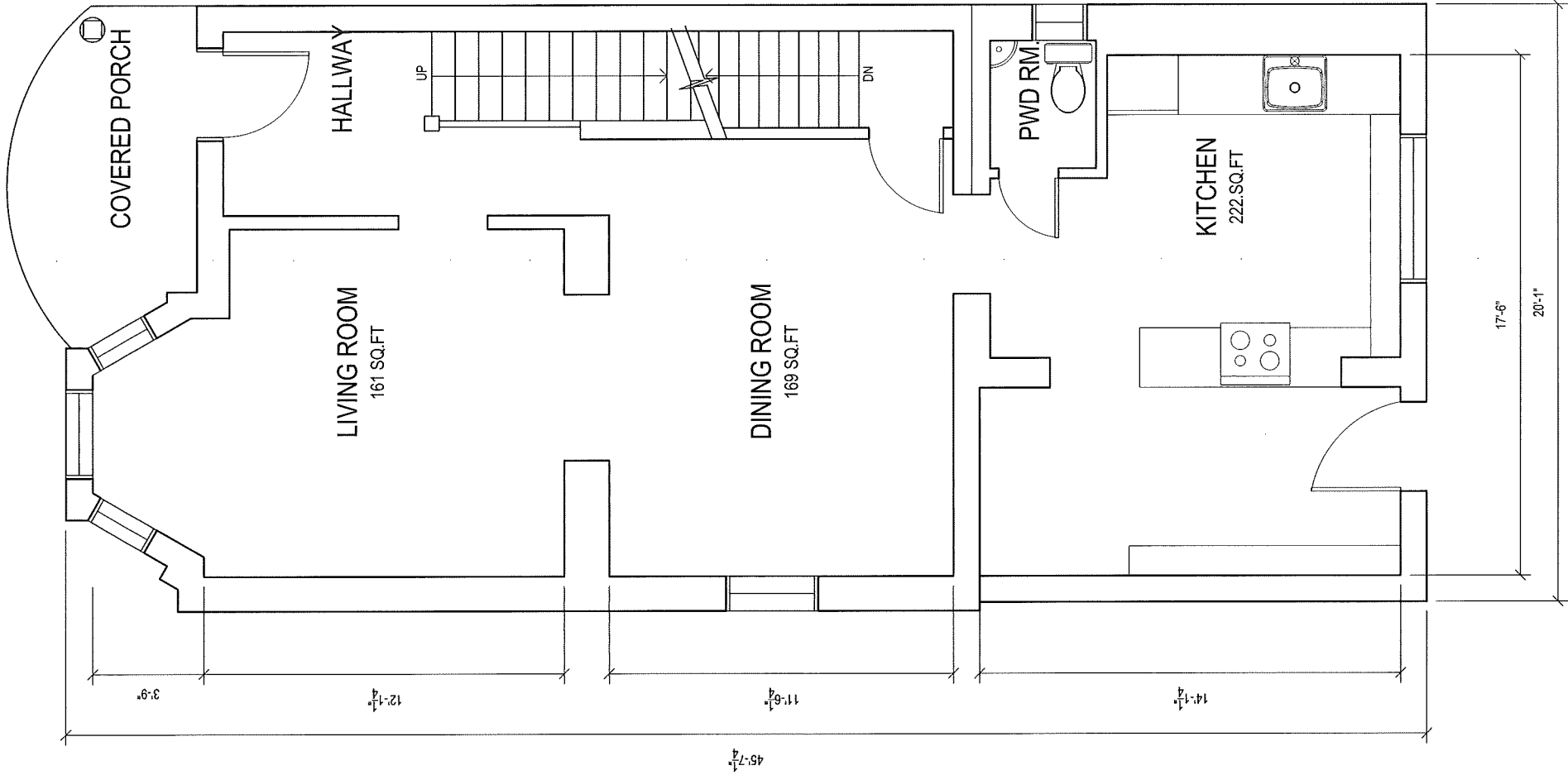
EXISTING SETBACK
FRONT-2.4FT (0.73 M)
REAR- 32.04' (9.77M)
SIDE (WEST)-2.91' (0.89 M)
SIDE (EAST)- 0.71' (0.22M)

CHARLTON AVE. WEST

Drawing:	Scale: 3/32"=1'-0"	
	Date: JAN 24, 2020	
Project:	Project No.	Dwg. No.
	302 CHARLTON AVE W HAMILTON	- A-1

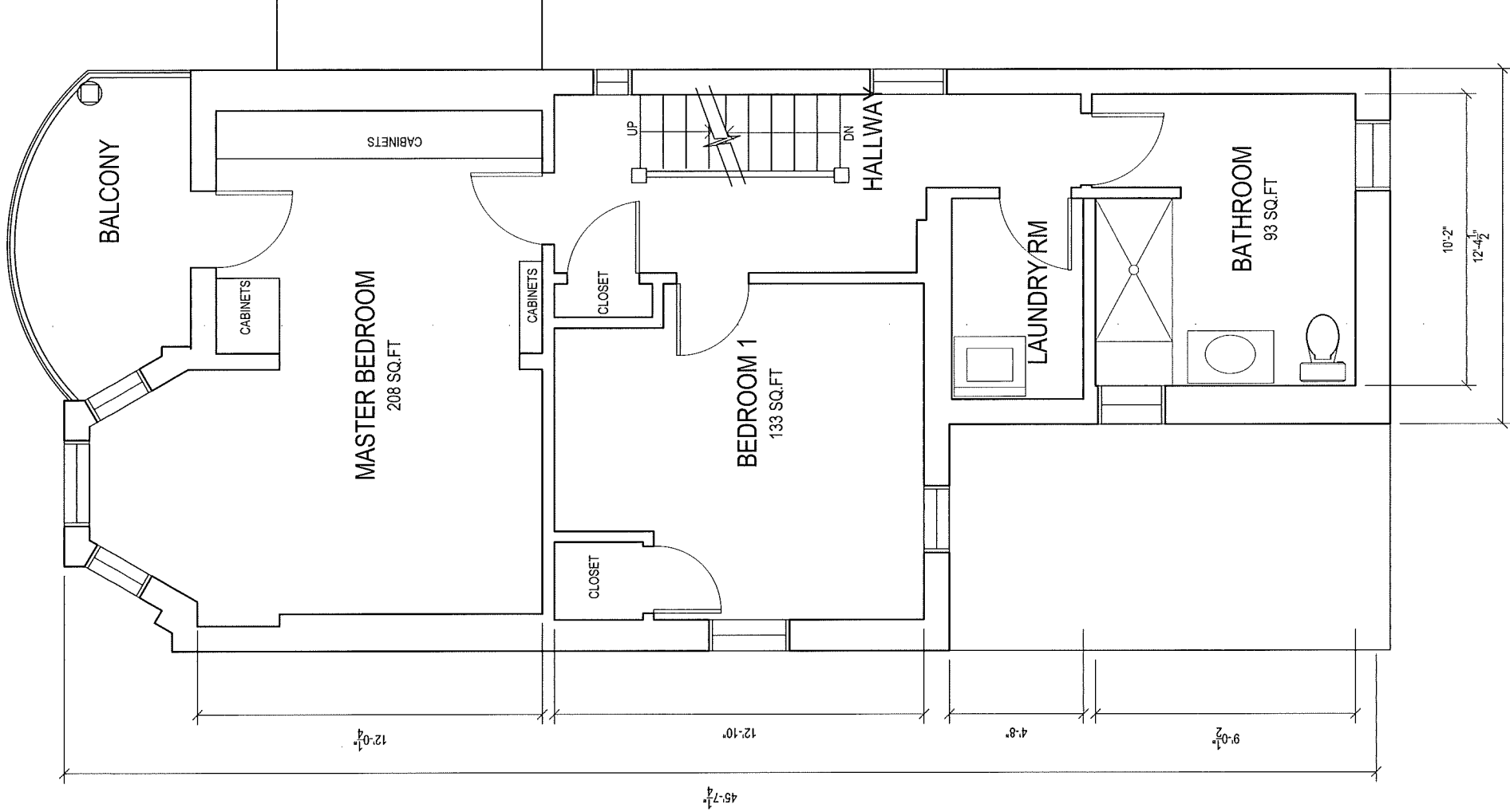


	Drawing: EXISTING BASEMENT FLOOR PLAN	Scale: 3/16"=1'-0"	
		Date: JAN.24, 2020	
	Project: 302 CHARLTON AVE W HAMILTON	Project No. -	Dwg. No. A-2



GFA=719.5 SQ.FT

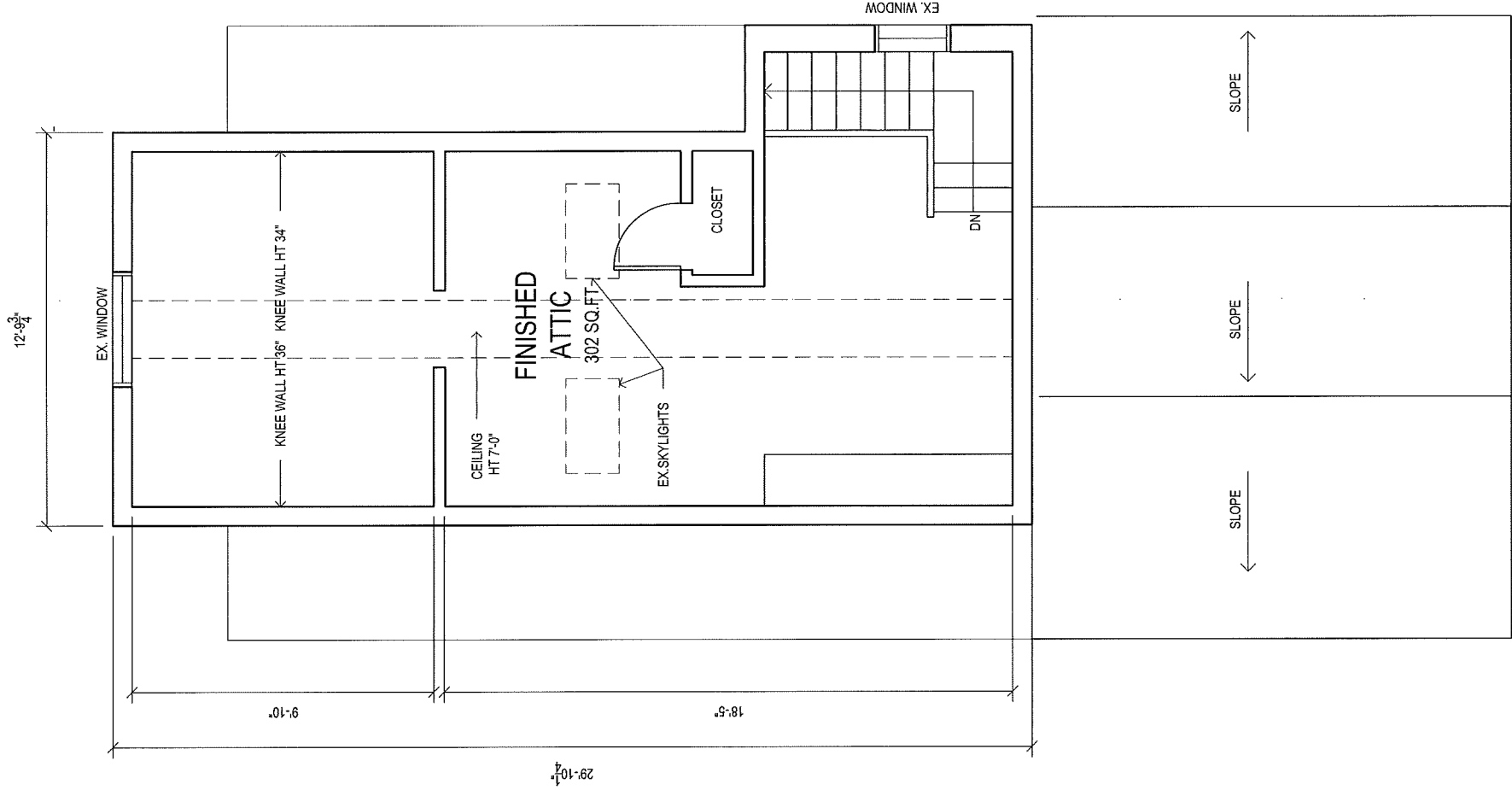
Drawing: EXISTING GROUND FLOOR PLAN	Scale:	3/16"=1'-0"	
	Date:	JAN.24, 2020	
	Project No.	-	Dwg. No. A-3
Project: 302 CHARLTON AVE W HAMILTON			



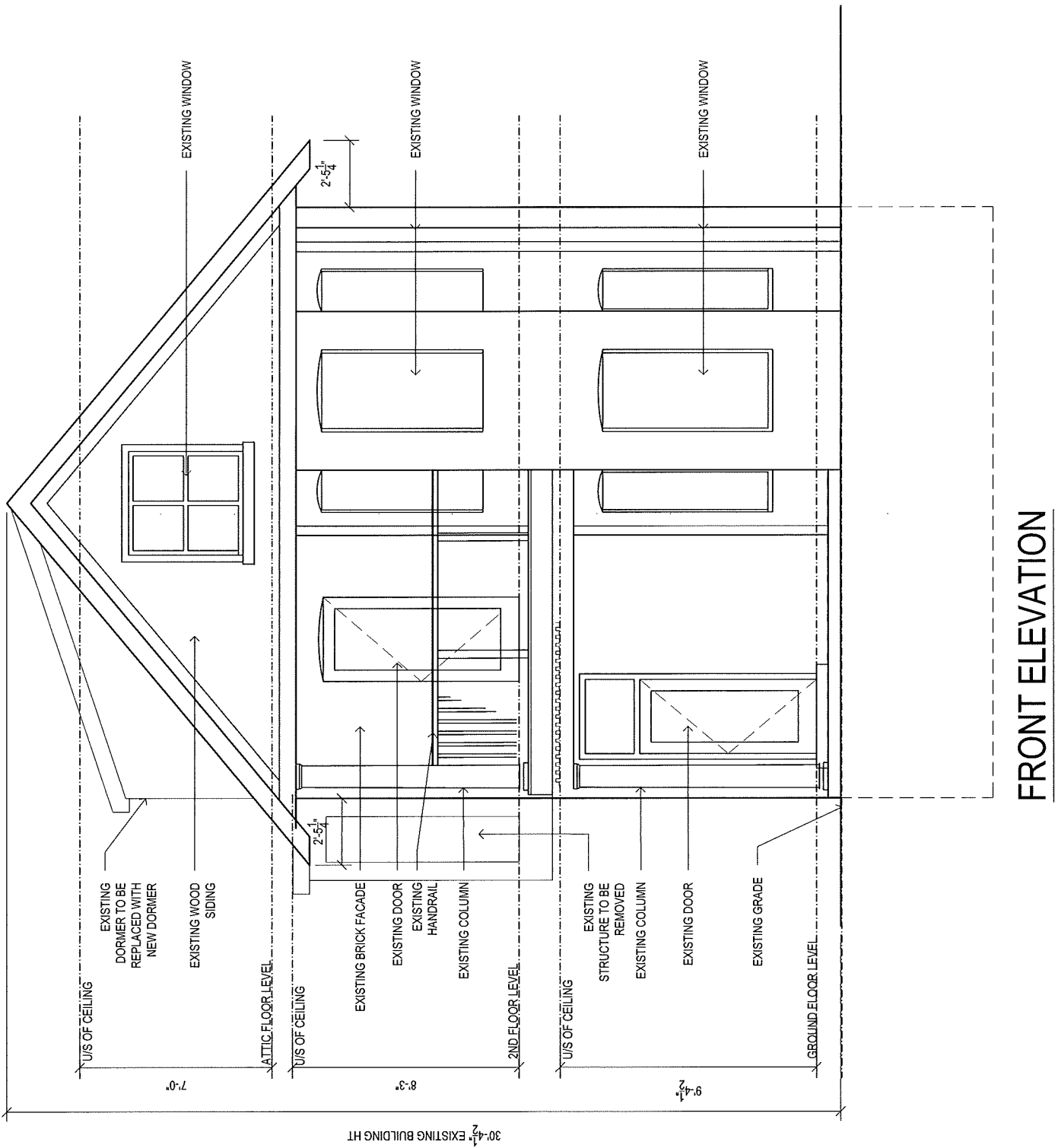
** NO CHANGE **

GFA-596.2 SQ.FT

Drawing:	Scale: 3/16"=1'-0"	
	Date: JAN.24, 2020	
	Project No. -	Dwg. No. A-4
Project: 302 CHARLTON AVE W HAMILTON		

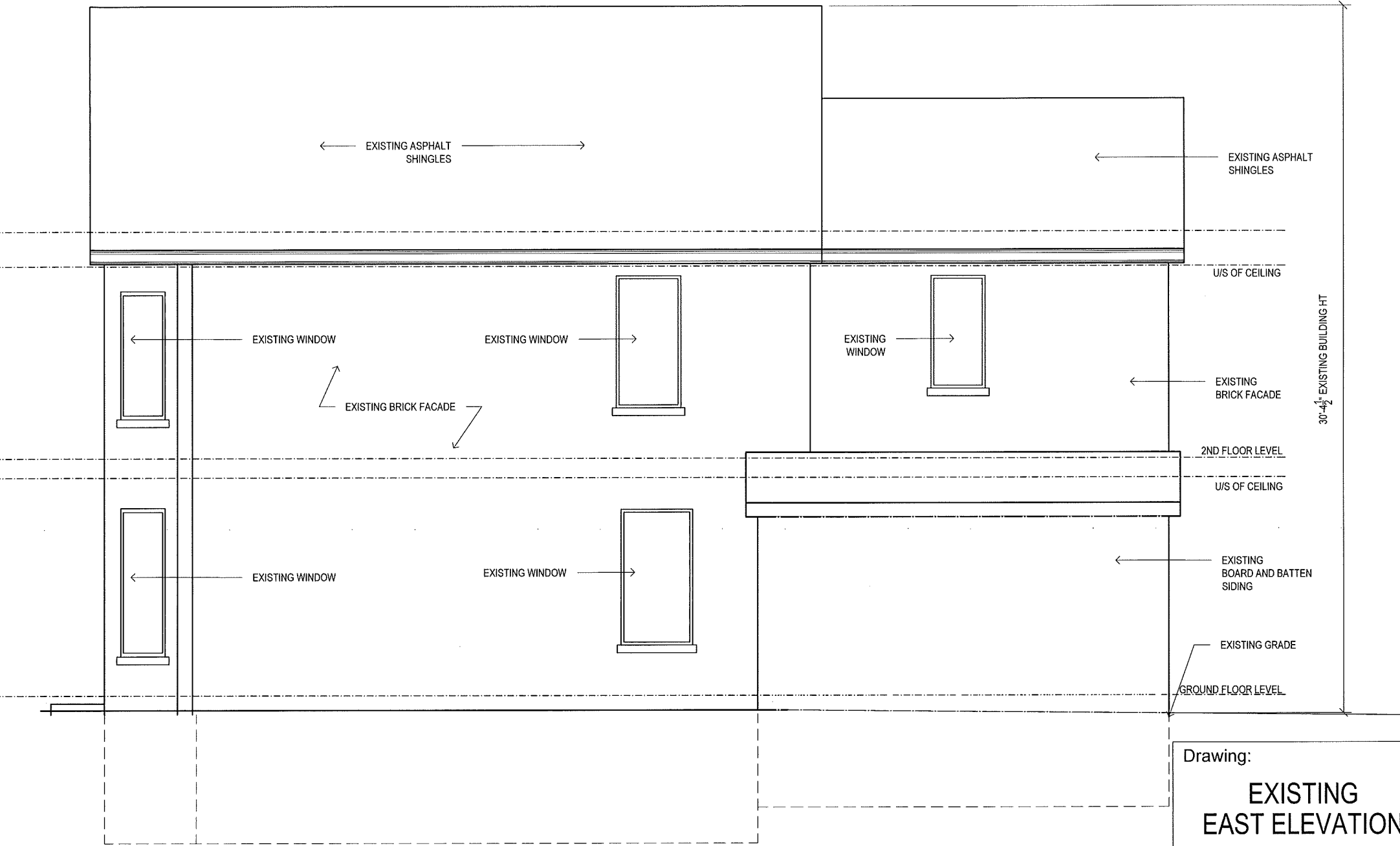


	Drawing:	Scale: 3/16"=1'-0"	
		Date: JAN.24, 2020	
	Project:	Project No. -	Dwg. No. A-5
EXISTING ATTIC PLAN		302 CHARLTON AVE W HAMILTON	



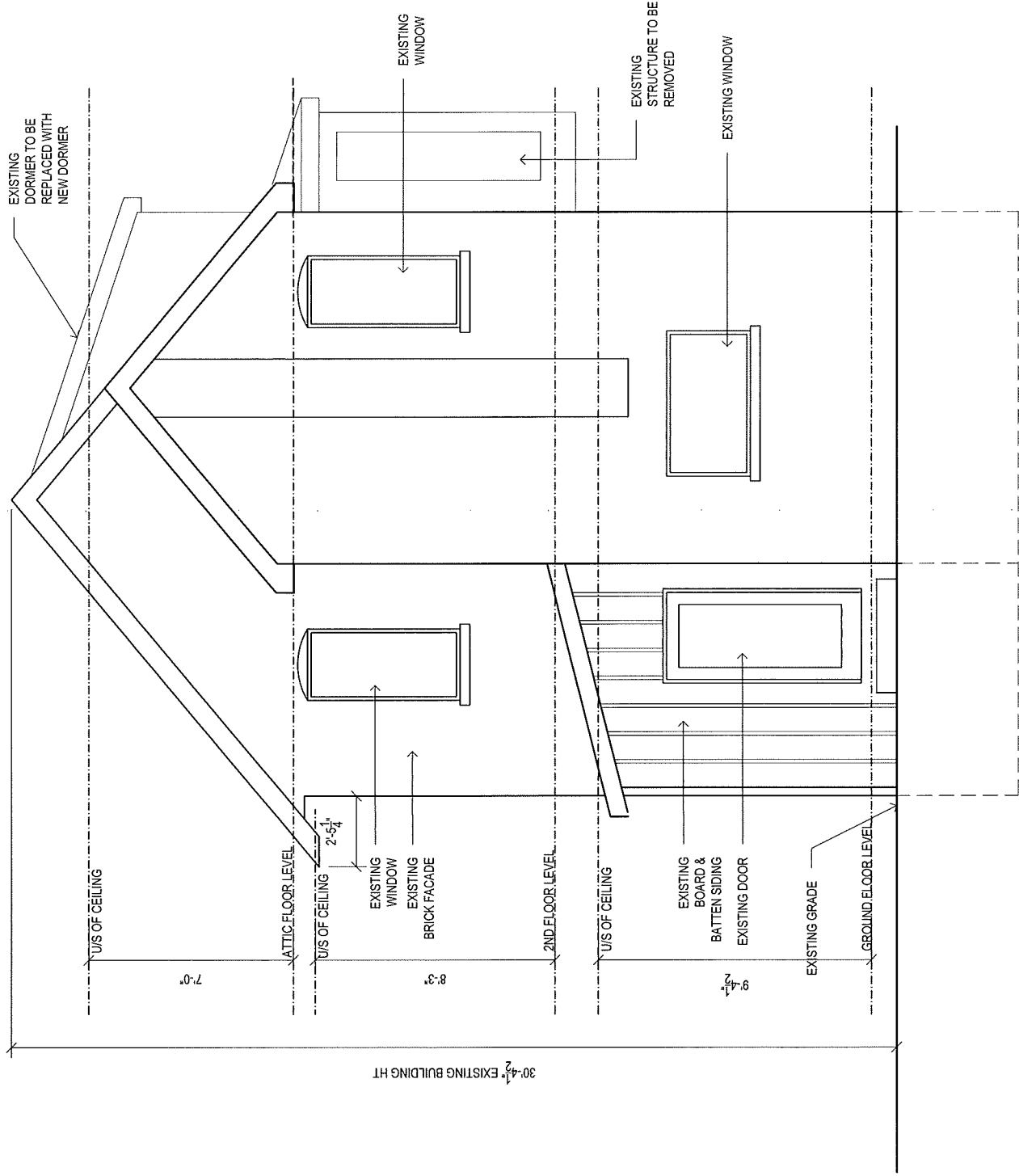
FRONT ELEVATION

Drawing:	Scale: 3/16"=1'-0"	
	Date:	JAN.24, 2020
	Project No.	Dwg. No.
Project:		A-6
302 CHARLTON AVE W HAMILTON		

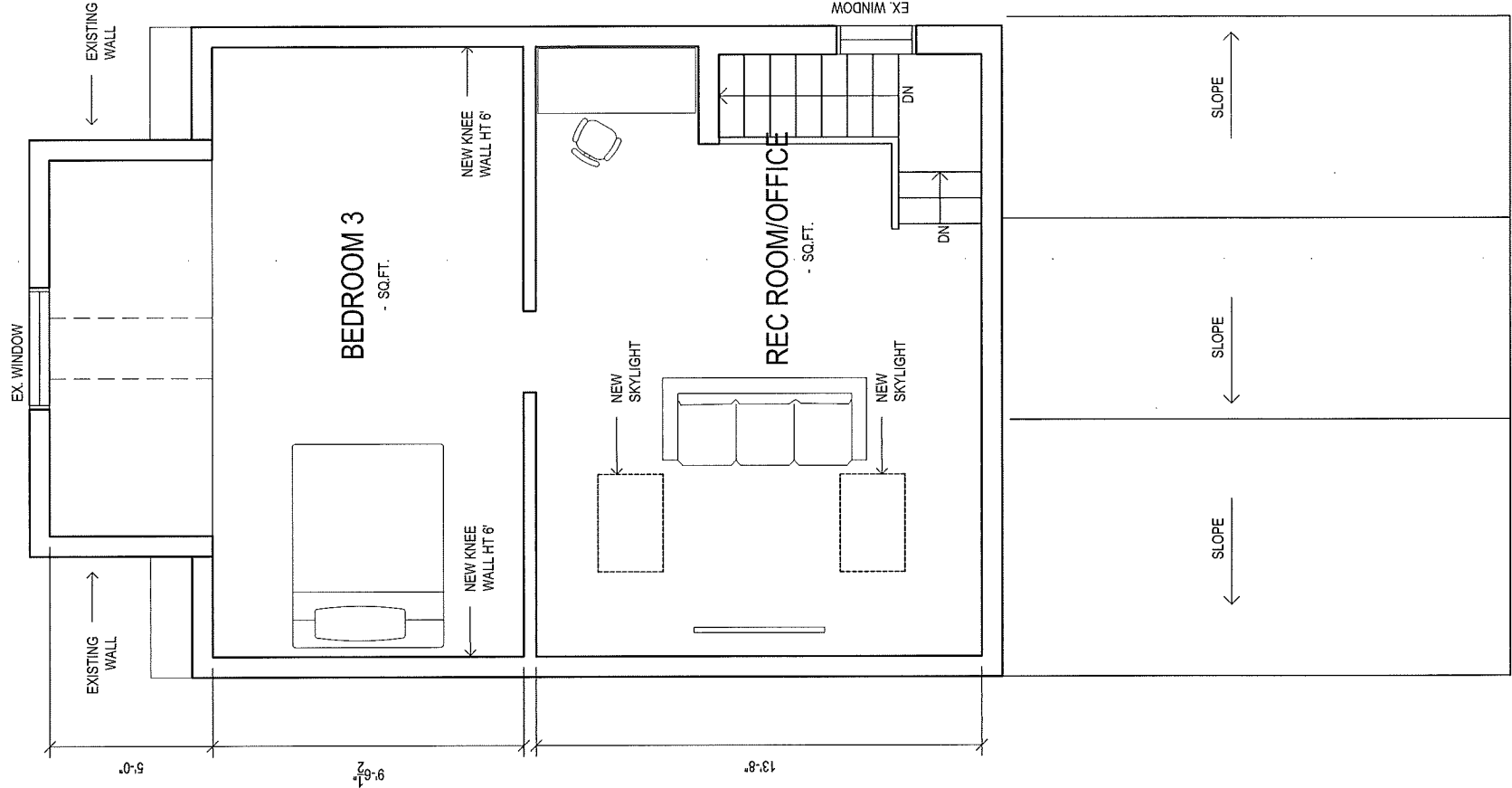


SIDE ELEVATION

Drawing: EXISTING EAST ELEVATION	Scale: 3/16"=1'-0"	
	Date: JAN.24, 2020	
Project: 302 CHARLTON AVE W HAMILTON	Project No. -	Dwg. No. A-8

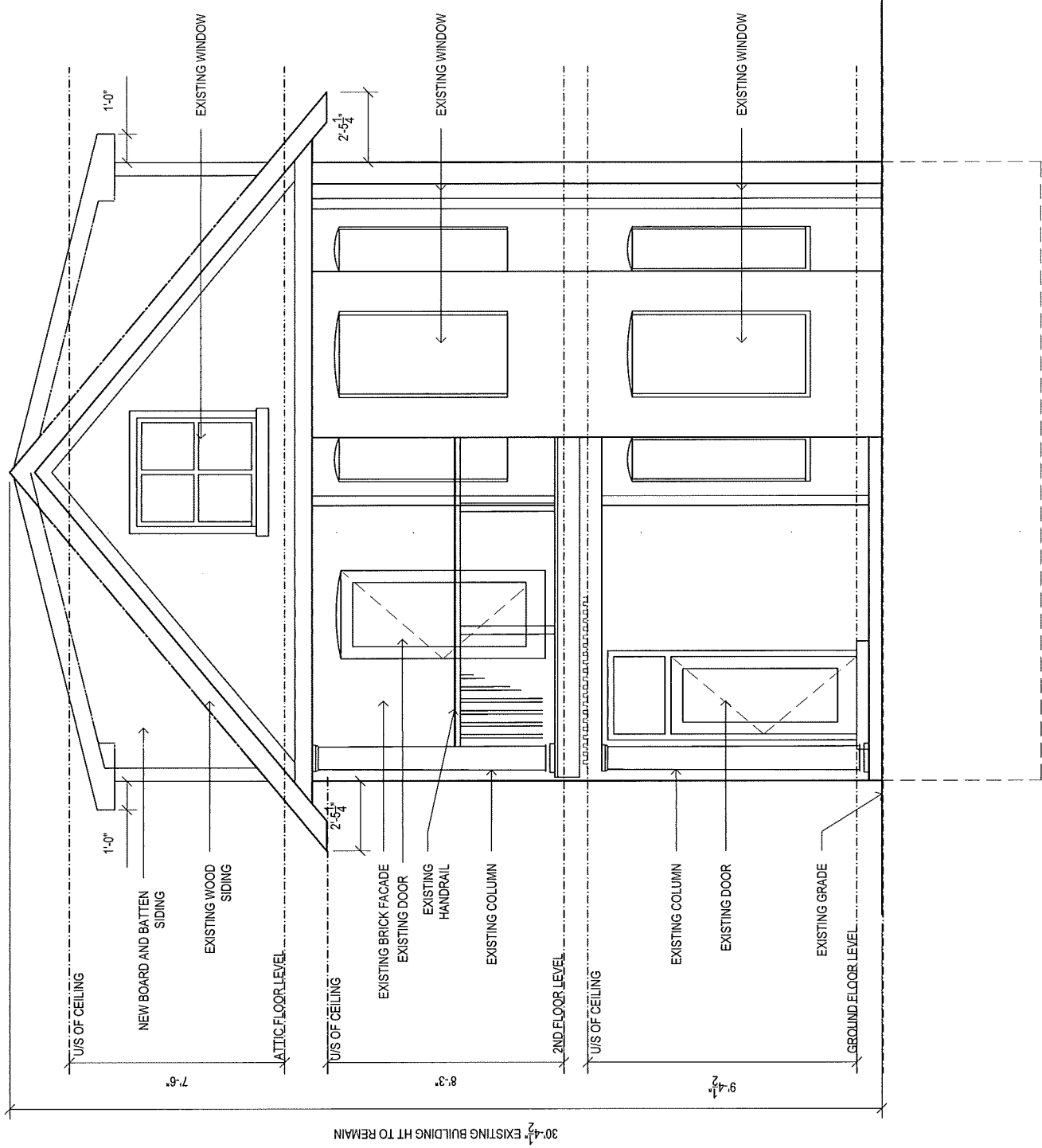


	Drawing: EXISTING REAR ELEVATION	Scale: 3/16"=1'-0"	
		Date: JAN.24, 2020	
	Project: 302 CHARLTON AVE W HAMILTON	Project No. -	Dwg. No. A-9



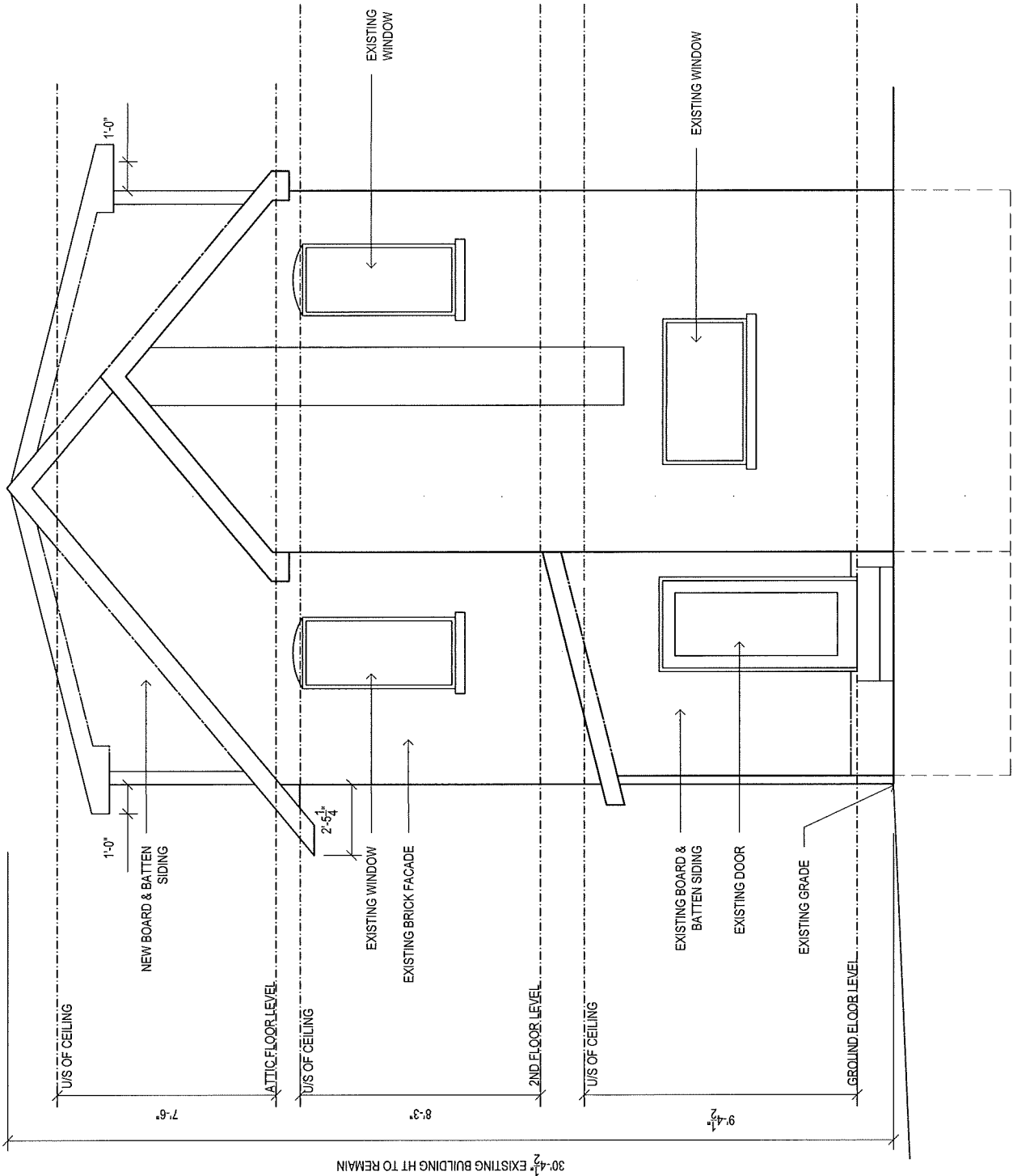
GFA-519.2 SQ.FT

Drawing:	Scale:		3/16"=1'-0"	
	Date:		JAN.24, 2020	
	Project No.		Dwg. No.	
Project:		302 CHARLTON AVE W HAMILTON	- A-10	

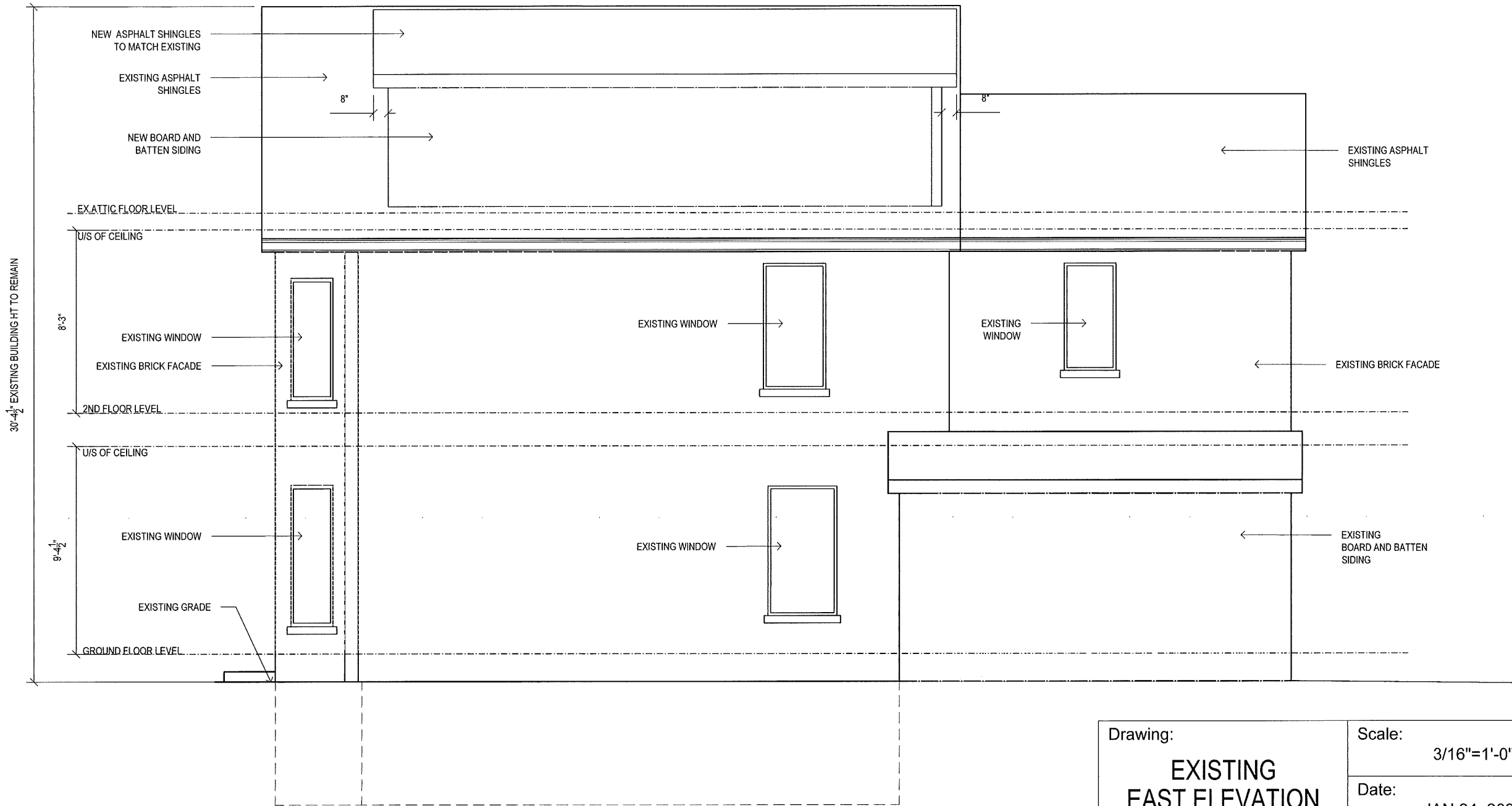


FRONT ELEVATION

Drawing:	Scale: 3/16"=1'-0"	
	Date:	JAN 24, 2020
	Project No.	Dwg. No.
Project:		A-11
302 CHARLTON AVE W HAMILTON		

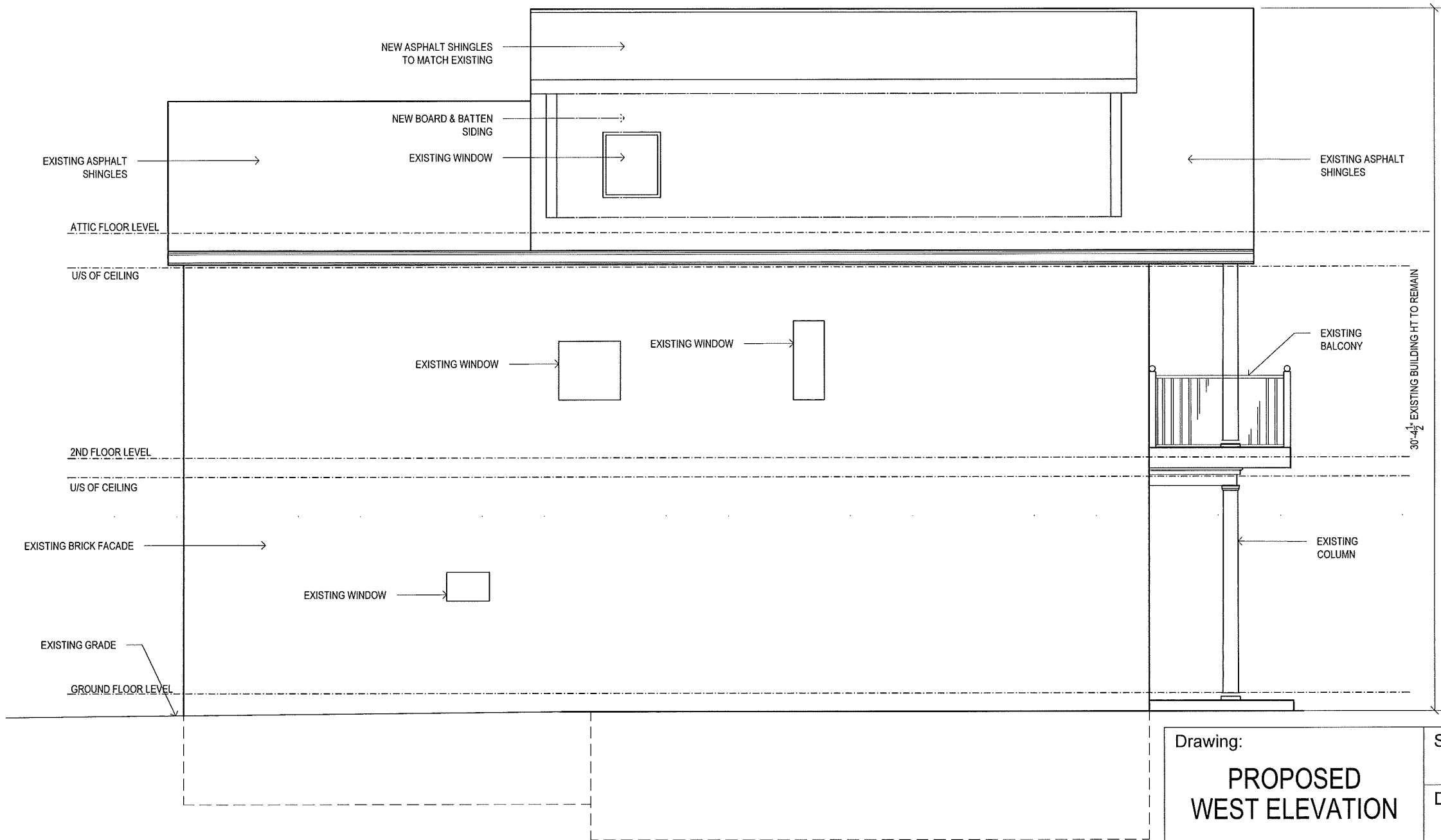


Drawing:	Scale: 3/16"=1'-0"	
	Date: JAN.24, 2020	
	Project No. -	Dwg. No. A-12
Project: 302 CHARLTON AVE W HAMILTON		



SIDE EAST ELEVATION

Drawing: EXISTING EAST ELEVATION	Scale: 3/16"=1'-0"	
	Date: JAN.24, 2020	
Project: 302 CHARLTON AVE W HAMILTON	Project No. -	Dwg. No. A-13



Drawing: PROPOSED WEST ELEVATION	Scale: 3/16"=1'-0"	
	Date: JAN.24, 2020	
Project: 302 CHARLTON AVE W HAMILTON	Project No. -	Dwg. No. A-14

**Committee of Adjustment**

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
Email: 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	MAILING ADDRESS	Phone:
Registered Owners(s)	Adam Rambert & Esme Saulig		
Applicant(s)*	Adam Rambert & Esme Saulig		
Agent or Solicitor	N/A		

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:

RBC, 65 Locke Street, Hamilton, ON, L8P 4A3

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:

The nature of this application is to add dormers to the existing attic space to improve the headroom and more habitable space.

☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

The existing dwelling does not comply with the current setbacks for the zoning by laws. The front yard setback and side yard setbacks requirements are not met.

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**):

302 Charlton Ave West
Hamilton, Ontario
L8P2E5

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 8.1 to 8.10 above?

The information used to determine these answers are due to the current use of the property is residential and only been used as a residential dwelling for over 100 years.

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

Feb. 8, 2022
Date

Esme Saulig
Signature Property Owner(s)

Esme Saulig
Print Name of Owner(s)

DocuSigned by:

Adam Rambert

CB0964175EC8440...

Adam Rambert

10. Dimensions of lands affected:

Frontage 24.00 feet (7.31 m)
Depth 80.00 feet (24.38 m)
Area 1920 sq.feet (178 sq.m)
Width of street 24 feet (7.31m)

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 area=719.5 sq.ft (219.3 sq.m) Second floor Area=596.2 sq.ft (181.7 sq.m) Attic- 302 sq.ft. GFA-1617.7 sq.ft (150.29 sq.m)
2-1/2 Storeys
Building height-30'-4-1/2" (9.26M)

Proposed

Ground floor area=719.5 sq.ft (219.3 sq.m) Second floor Area=596.2 sq.ft (181.7 sq.m) 3rd floor area= -519.2 sq.ft (48.2 sq.m) 1834.9 sq.ft (170.47 sq.m)
3 Storeys
Building height-30'-4-1/2" (9.26M)

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-2.4 ft (0.73m) Rear yard setback -32.04 ft (9.77m)
East side yard setback-2.91 ft (0.89m) West side yard setback- 0.71 ft (0.22m)

Proposed:

Front yard setback-2.4 ft (0.73m) Rear yard setback -32.04 ft (9.77m)
East side yard setback-2.91 ft (0.89m) West side yard setback- 0.71 ft (0.22m)
Existing eaves projections will remain the same.

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family, duplex
17. Length of time the existing uses of the subject property have continued:

18. Municipal services available: (check the appropriate space or spaces)
Water X _____ Connected X _____
Sanitary Sewer X _____ Connected X _____
Storm Sewers X _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Hamilton Official Plan, Mixed use Medium density
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
05-200, 17-240
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
☒ Yes ☐ No
If yes, please provide the file number:
HM/A-15:84
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☐ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
☐ Yes ☒ No
23. Additional Information (please include separate sheet if needed)
There are similar examples of added dormers to the residential dwelling in the area that have been accepted by the City of Hamilton. 300 Charlton Ave W, 294 Charlton Ave W, 15 Pine St., 79 Flatt Ave.
24. 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.