



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-20:174

APPLICANTS: Agent Frank Raso
Owner Valerk Schikolenko

SUBJECT PROPERTY: Municipal address **291 & 293 Jackson St. W., Hamilton**

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

ZONING: D/S-1787 (Urban Protected Residential) district

PROPOSAL: To permit the conveyance of land containing an existing single family dwelling and to retain a lot containing one-half of a semi-detached dwelling in accordance with land severance application HM/B-20:56 notwithstanding that:

Lands to be Conveyed (293 Jackson Street West):

1. A lot width of 7.9m shall be provided instead of the minimum required lot width of 12.0m.
2. A lot area of 245.0m² shall be provided instead of the minimum required lot area of 360.0m²
3. An easterly side yard width of 0.0m shall be provided instead of the minimum required side yard width of 1.2m.
4. No parking spaces shall be provided whereas the by-law requires parking to be provided at a rate of two (2) spaces for the first eight (8) habitable rooms plus an additional 0.5 spaces for each additional habitable room.

NOTES:

- i. These variances are necessary to facilitate land severance application No. HM/B-20:56.
- ii. Please be advised that floor plans are not available for the property known as 293 Jackson Street West. As such, the number of habitable rooms cannot be determined in order to confirm the minimum number of required parking spaces.
- iii. A minimum of one (1) parking space is required to be provided for one half of a semi-detached dwelling (291 Jackson Street West), which shall be at least 2.7m x 6.0m in size. Parking details have not been provided for this property however it appears sufficient space is available on the existing driveway to accommodate the one (1) required parking space. The applicant shall be advised that if one (1) parking space cannot be provided on-site, further variances will be required.

- iv. Variances have been requested to permit a reduced minimum lot width and a reduced minimum lot area for the property known as 291 Jackson Street West (retained lands). However, pursuant to subsection 6(4) of Hamilton Zoning By-law 6593, variances to these provisions are not required for one-half of a semi-detached dwelling.

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

DATE: Thursday, October 1st, 2020

TIME: 2:10 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: September 14th, 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.

PLAN

SHOWING

PART OF LOT 9 - JAMES MILL'S SURVEY

IN THE BLOCK BOUNDED BY

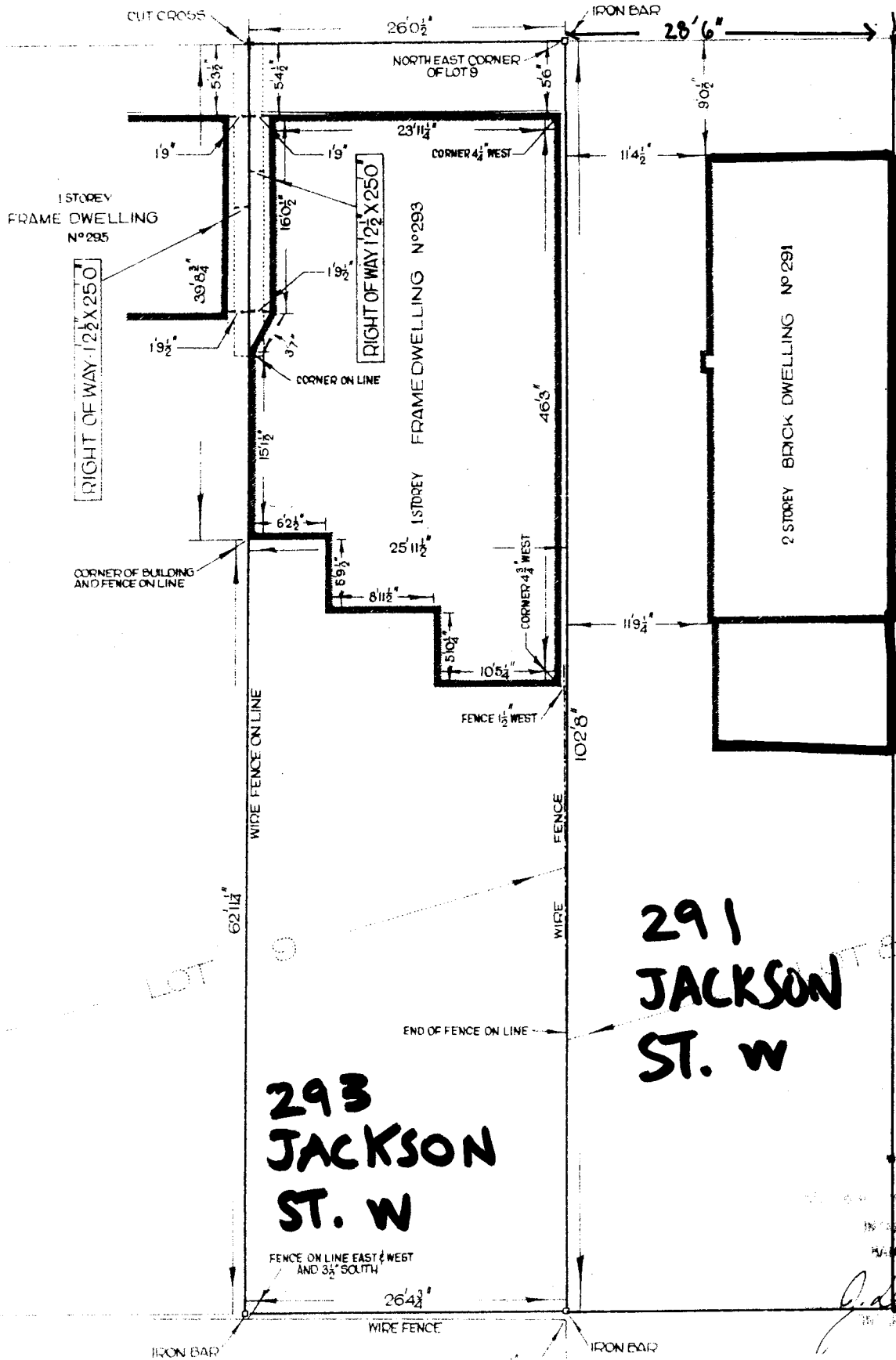
JACKSON, RAY, CANADA & PEARL STREETS

IN THE

CITY OF HAMILTON

SCALE 1" = 10'

JACKSON STREET



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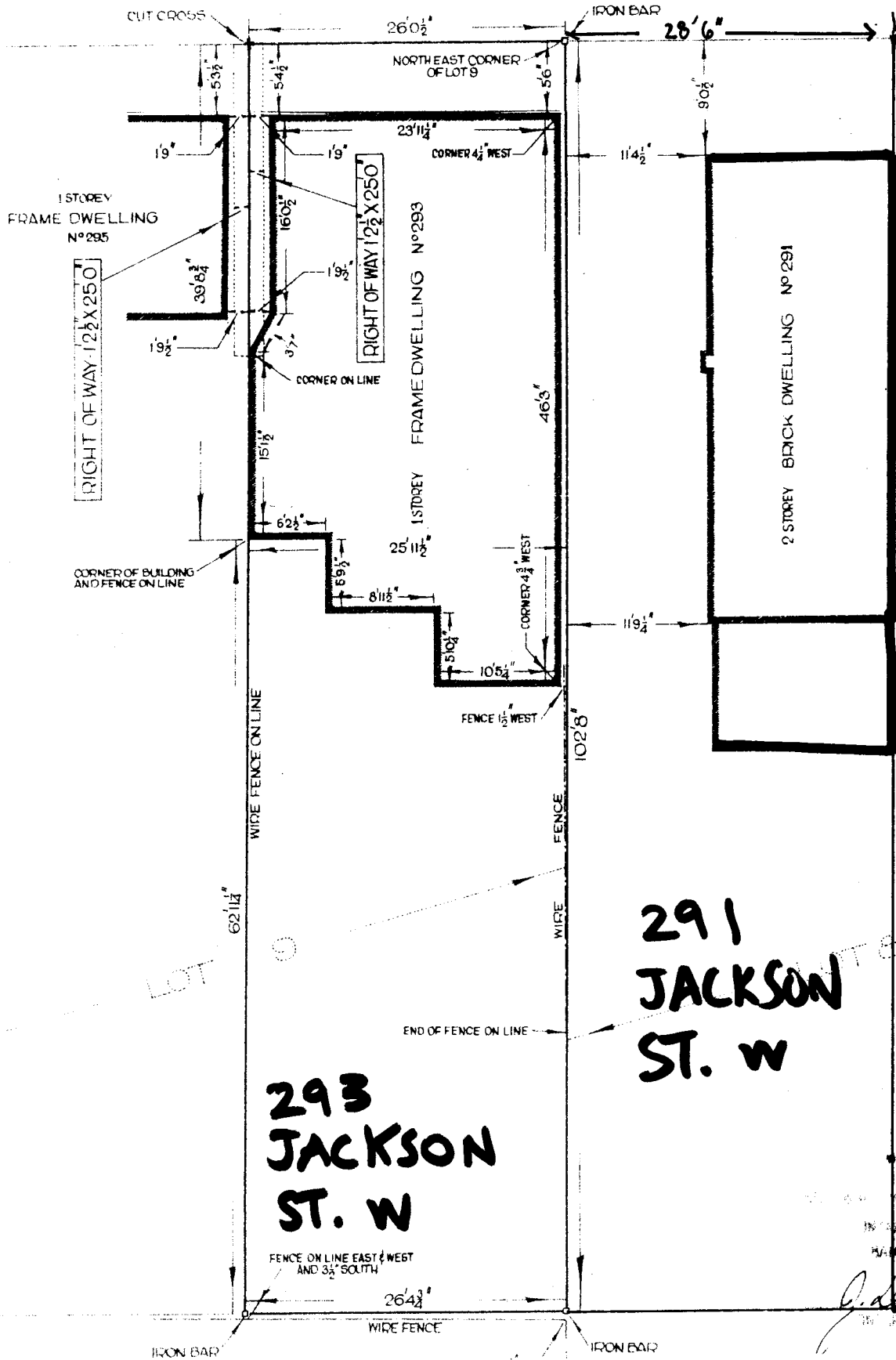
JACKSON, RAY, CANADA & PEARL STREETS

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SCALE 1" = 10'

JACKSON STREET





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. _____	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.

- Name of Owner LILLI SCHIKOLENKO
VALERY SCHIKOLENKO Telephone No. [REDACTED]
- [REDACTED]
- Name of Agent FRANK M. RASO Telephone No. [REDACTED]
- [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
ROYAL BANK OF CANADA
10 YORK MILLS ROAD Postal Code M2P 0A2
3rd FLOOR
TORONTO, ON Postal Code _____

RE: 293 JACKSON ST. WEST (SEVERED LOT)

PERMITTING SEVERANCE OF LOTS DESPITE MIN. FRONTAGE OF 7.92m
INSTEAD OF 12M (39.37 FT) AND MIN. LOT AREA OF (26 FT)
INSTEAD OF 360 m²; $\rightarrow 246m^2$

6. Nature and extent of relief applied for:

RE: 291 JACKSON ST. WEST (RETAINED LOT)

PERMITTING SEVERANCE OF LOTS DESPITE FRONTAGE OF 8.7m
INSTEAD OF 12M (39.37 FT) AND LOT AREA OF (28.5 FT)
INSTEAD OF MIN. LOT AREA OF 360 m²; $\rightarrow 270m^2$

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

THE TWO ADJOINING PROPERTIES ALREADY HAVE HOUSES ON THEM.
THE LOTS ARE BEING SEVERED BECAUSE OF AN UNINTENTIONAL
MERGER OF TITLE WHICH OCCURED UNBEKNOWNST TO THE
OWNERS IN 1981 WHEN THEY PURCHASE 293 JACKSON ST. WEST, HAMILTON
AND ALREDY OWNED 291 JACKSON ST. W, HAMILTON

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

291 JACKSON ST. W: PART LOT 8, BLOCK 2, RANGE 2, JAMES MILL SURVEY
AS IN AB348398

293 JACKSON ST. W: PART LOT 9, BLOCK 2, RANGE 2, JAMES MILL SURVEY,
AS IN CD179444

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?

PROPERTIES ARE IN A WELL ESTABLISHED RESIDENTIAL NEIGHBOURHOOD;
THE CURRENT OWNERS (APPLICANTS) HAVE OWNED THE
PROPERTIES SINCE 1974 (RE: 291 JACKSON ST. W) & 1981 (RE: 293 JACKSON ST. W)

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

N/A

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.

AUG 22 / 20
 Date

[Redacted Signature]

Signature Property Owner

LILLI SCHIKOLENKO VALERIY SCHIKOLENKO
 Print Name of Owner

10. Dimensions of lands affected:	291 JACKSON ST W	293 JACKSON ST. W
Frontage	<u>8.7 M</u>	<u>7.92 M</u>
Depth	<u>31 M</u>	<u>31 M</u>
Area	<u>270 M</u>	<u>246 M</u>
Width of street	<u>APPROX: 5 M</u>	<u>APPROX: 5 M</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: 291 JACKSON ST. W: GROUND FLOOR AREA: 41.6 m²; TWO STOREYS; 5.2 meters (W);
8 M LENGTH; GROSS FLOOR AREA: 80 m²; 8 M HEIGHT
293 JACKSON ST. WEST: GROUND FLOOR: 102 m; GROSS FLOOR AREA: 102 m²
ONE FLOOR; W: 7.9 m; L: 14 m; H: 5 m
 Proposed: NO CHANGES TO EITHER BUILDING.

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

Existing: 291 JACKSON ST. WEST: SIDE: NIL (EAST); 3.45 m (WEST)
REAR: 20.4 M; FRONT: 2.75 M
293 JACKSON ST. WEST: SIDE: 0.25 m (EAST); NIL (WEST)
REAR: 15.25 m; FRONT: 1.63 m

Proposed: NO CHANGES PROPOSED.

13. Date of acquisition of subject lands:

08/20/1974 RE: 291 JACKSON ST. W; 02/13/1981 RE: 293 JACKSON ST. W

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

291 JACKSON ST. W: APPROX 1920; 293 JACKSON ST. W: APPROX 1900.

15. Existing uses of the subject property: RESIDENTIAL - SINGLE FAMILY UNIT ON EACH PROPERTY

16. Existing uses of abutting properties: RESIDENTIAL - SINGLE FAMILY UNIT

17. Length of time the existing uses of the subject property have continued:

SINCE CONSTRUCTION (1920 & 1900 respectively)

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 URBAN PROTECTED RESIDENTIAL

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