

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-21:279

APPLICANTS: Owner Taras Shevchenko Home for the Aged
Agent Michael Sabelli

SUBJECT PROPERTY: Municipal address **227-229 Maplewood Ave., Hamilton**

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

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

PROPOSAL: To permit the creation of two lots through Land Severance application
HM/B-20: 97 notwithstanding that;

Lands to be Retained (227 Maplewood Avenue):

1. A minimum lot area of 262.0 m² shall be provided instead of the minimum required 360.0 m²; and
2. A minimum lot width of 8.2 m shall be provided instead of the minimum required lot frontage of 12.0 m; and
3. 0.0 m side yard width shall be provided on the easterly side lot line where the new lot line is being created instead of the minimum required 2.7 m; and

Lands to be Severed (229 Maplewood Avenue):

4. A minimum lot area of 202.0 m² shall be provided instead of the minimum required 360.0 m²; and
5. A minimum lot width of 7.3 m shall be provided instead of the minimum required lot frontage of 12.0 m; and
6. 0.0 m side yard width shall be provided on the westerly side lot line where the new lot line is being created instead of the minimum required 2.7 m; and
7. 0.0 m side yard width shall be provided for the accessory structure (concrete block garage) instead of the minimum required 0.45 m setback.
8. Only one parking space with no manoeuvring on site shall be provided instead of the minimum required 2 spaces and a minimum required of 6.0 m manoeuvring.

Notes:

Please note that variances for the side yards have been written as requested by the applicant.

If variances for side yards widths are approved, then no encroachments would be required; however, no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.

These variances are necessary to facilitate Land Severance application HM/B-20: 97.

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

DATE:	Thursday, August 26th, 2021
TIME:	2:25 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: August 10th, 2021.

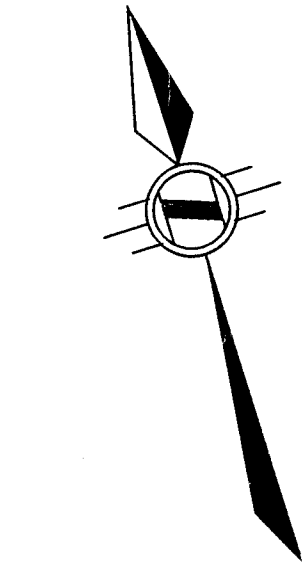
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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 OF SURVEY
OF PART OF
LOT 7, CONCESSION 3
GEOGRAPHIC
TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
SCALE: 1:200 metres



S.D. McLAREN, O.L.S. - 1997



BEARING NOTE:
BEARINGS ARE ASTRONOMIC
AND ARE REFERRED TO THE
WESTERLY LIMIT OF GAGE
AVENUE SOUTH AS SHOWN ON
PLAN 62R-6087 AS N17°22'E.

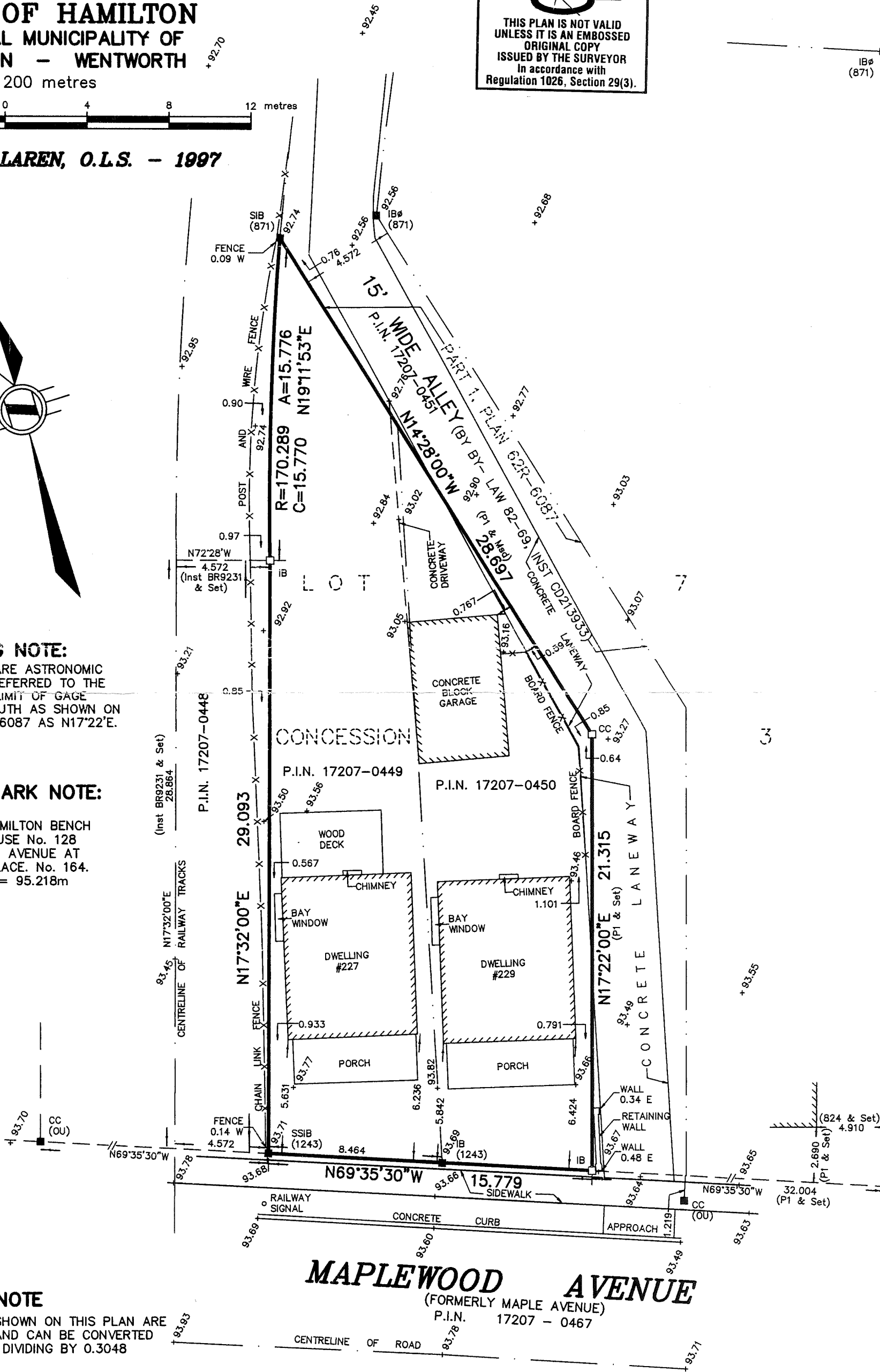
BENCHMARK NOTE:
No. 4-29
CITY OF HAMILTON BENCH
MARK. HOUSE No. 128
MAPLEWOOD AVENUE AT
GILMOUR PLACE. No. 164.
ELEVATION = 95.218m

METRIC NOTE
DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1156800

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

THIS PLAN WAS PREPARED FOR
TARAS SHEVCHENKO



GAGE AVENUE SOUTH
N17°22'00"E
(REFERENCE BEARING)

LEGEND:

□	DENOTES	MONUMENT SET
■		MONUMENT FOUND
IB		IRON BAR
SIB		STANDARD IRON BAR
SSIB		SHORT STANDARD IRON BAR
CC		CUT CROSS
824		A.T. McLaren, O.L.S.
Med		MEASURED
P1		PLAN 62R-6087
OU		ORIGIN UNKNOWN

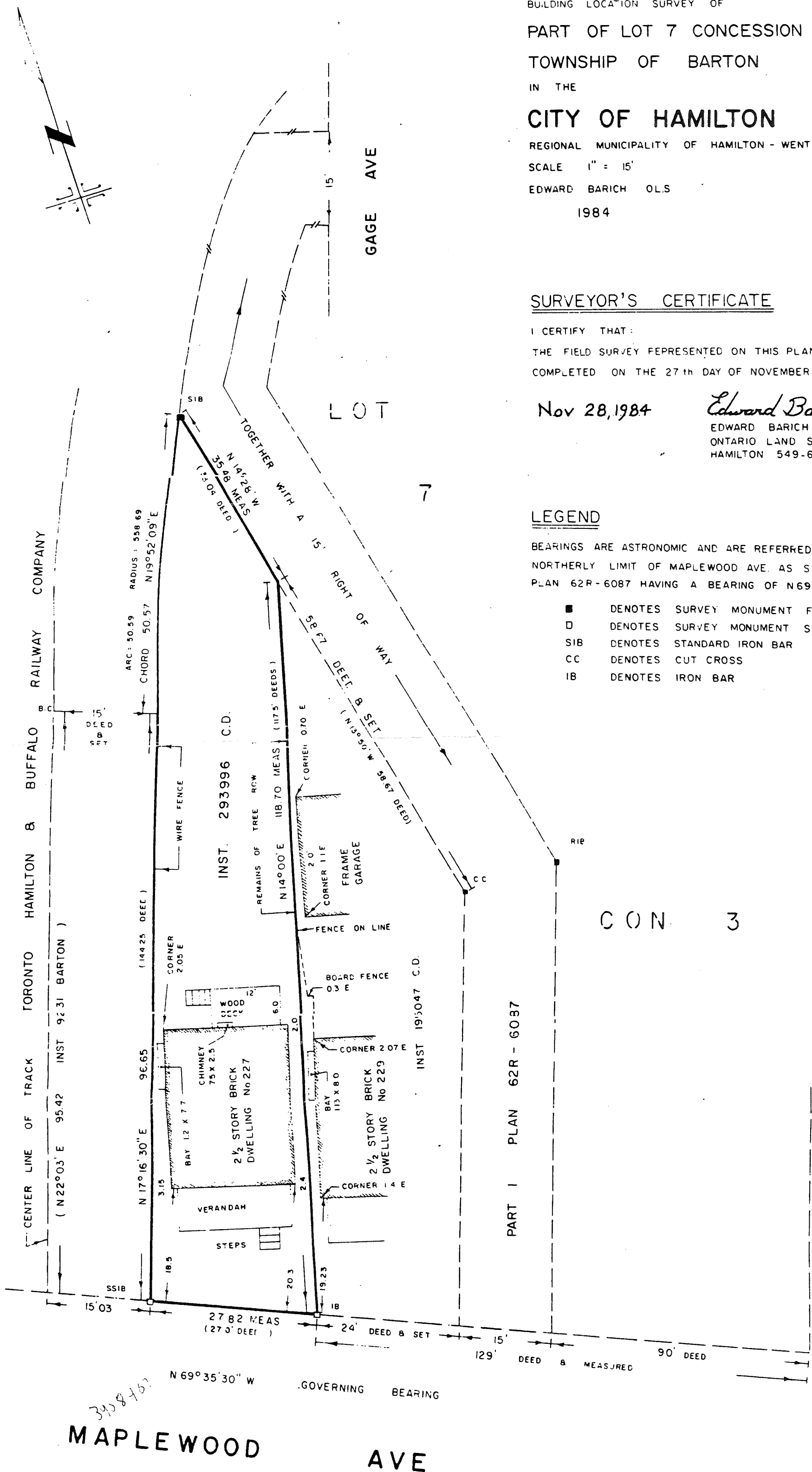
SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM
2. THE SURVEY WAS COMPLETED ON THE 9TH DAY OF DECEMBER, 1997

JANUARY 6, 1998
DATE
S.D. McLAREN, O.L.S.

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REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLaren, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn DG	Checked RBM	Scale 1:200	Dwg.No. 28050
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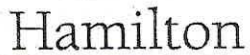












Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

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.

1. Name of Owner TARAS SHEKHENKO
HOME FOR THE AGED Telephone No. [REDACTED]

2.

3. Name of Agent MICHAEL P. SABELLI Telephone No. 905-383-6792

4.

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:

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

SEE ATTACHED SHEET

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

EXISTING SITUATION

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

227-229 MAPLEWOOD AVENUE
HAMILTON

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

9.1 If Industrial or Commercial, specify use

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?

EXISTING OWNER

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.

Date

July 5/2021

Signature Property Owner

Lillian Smith
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>#227 - 8.46m</u>	<u>#229 - 7.315m</u>
Depth	<u>#227 - 29.093m</u>	<u>#229 - 21.315m</u>
Area	<u>#227 - ±246m</u>	<u>#229 - ±156m</u>
Width of street	<u>20.12m</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: #227 - 3 STOREY BRICK DWELLING

#229 - 3 STOREY BRICK DWELLING

Proposed: NO CHANGE

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

Existing: #227 - FRONT YARD - 3.6m SIDEYARD - 0.933m WEST -
0.65m EAST REAR YARD - ±26m

#229 - FRONT YARD - 3.6m SIDEYARD - 0.5m WEST
0.791 EAST REAR YARD - ±25m

Proposed: NO CHANGE

13. Date of acquisition of subject lands:
July 5/2021
14. Date of construction of all buildings and structures on subject lands:
MORE THAN 50 YEARS
15. Existing uses of the subject property: RESIDENTIAL
16. Existing uses of abutting properties: RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
MORE THAN 50 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:
_____ ?
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"D"
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 HM/B-20:97 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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

Variances for 227 Maplewood Avenue

Minimum Front Yard – Required 6.0m, Existing 5.631m

Minimum Side Yard – Required 2.7m, Existing 0.567m

Minimum Lot Area – Required 360.0 sq.m, Existing 262 sq.m

Minimum Lot Width – Required 12.0m, Existing 8.46m

Two (2) parking spaces 2.7m x 6.0m provided in rear with direct access to alley.

Variances for 229 Maplewood Avenue

Minimum Front Yard – Required 6.0m, Existing 5.842m

Minimum Side Yard – Required 2.7m, Existing 0.083m

Minimum Lot Area – Required 360.0 sq.m, Existing 202 sq.m

Minimum Lot Width – Required 12.0m, Existing 7.3m

Minimum Setback from lot line for an

Accessory building – Required Min.045m, Existing 0m

Two (2) parking spaces 2.7m x 6.0m provided in rear with direct access to alley. One space provided in concrete garage.