

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-21:252

APPLICANTS: Agent Andrew Sieders
Owners M. & B. Nyenhuis

SUBJECT PROPERTY: Municipal address **198 Inverness Ave. E., Hamilton**

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

ZONING: "C" (Urban Protected Residential and etc.) district

PROPOSAL: To permit the construction of a 35.1 square metre second storey addition, and a 9.3 square metre front porch addition to a single family dwelling, notwithstanding that:

1. The minimum parking space depth shall be 5.8m instead of the minimum required 6.0m parking space depth;
2. No manoeuvring spaces are required on site instead of two unobstructed 6.0m manoeuvring spaces for a tandem parking space and an unobstructed parking space, for three parking spaces required for a single family dwelling having 10 habitable rooms;
3. The garage parking space shall be obstructed by two driveway parking spaces without tandem parking being provided, whereas only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces where tandem parking is provided.
4. To permit the minimum front yard landscaped area for a single family dwelling to be 49% instead of the minimum 50% landscaped area.

NOTES:

1. The Zoning By-law permits the projection of eaves not more than 0.6m into the required side yard. As the eave projection for the proposed addition was not identified on the submitted elevations, additional variances may apply if the eaves projections into the side yards exceed 0.6m.
2. Variance #2 is based on the expanded single family dwelling having up to ten (10) habitable rooms in which three (3) parking spaces are required.
3. The parking noted in Variances #2 and 3 proposes a parking arrangement in which the garage parking space and the driveway parking spaces do not properly align as tandem parking to allow for unobstructed parking and proper on site manoeuvring.

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

DATE:	Thursday, August 12th, 2021
TIME:	3:15 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

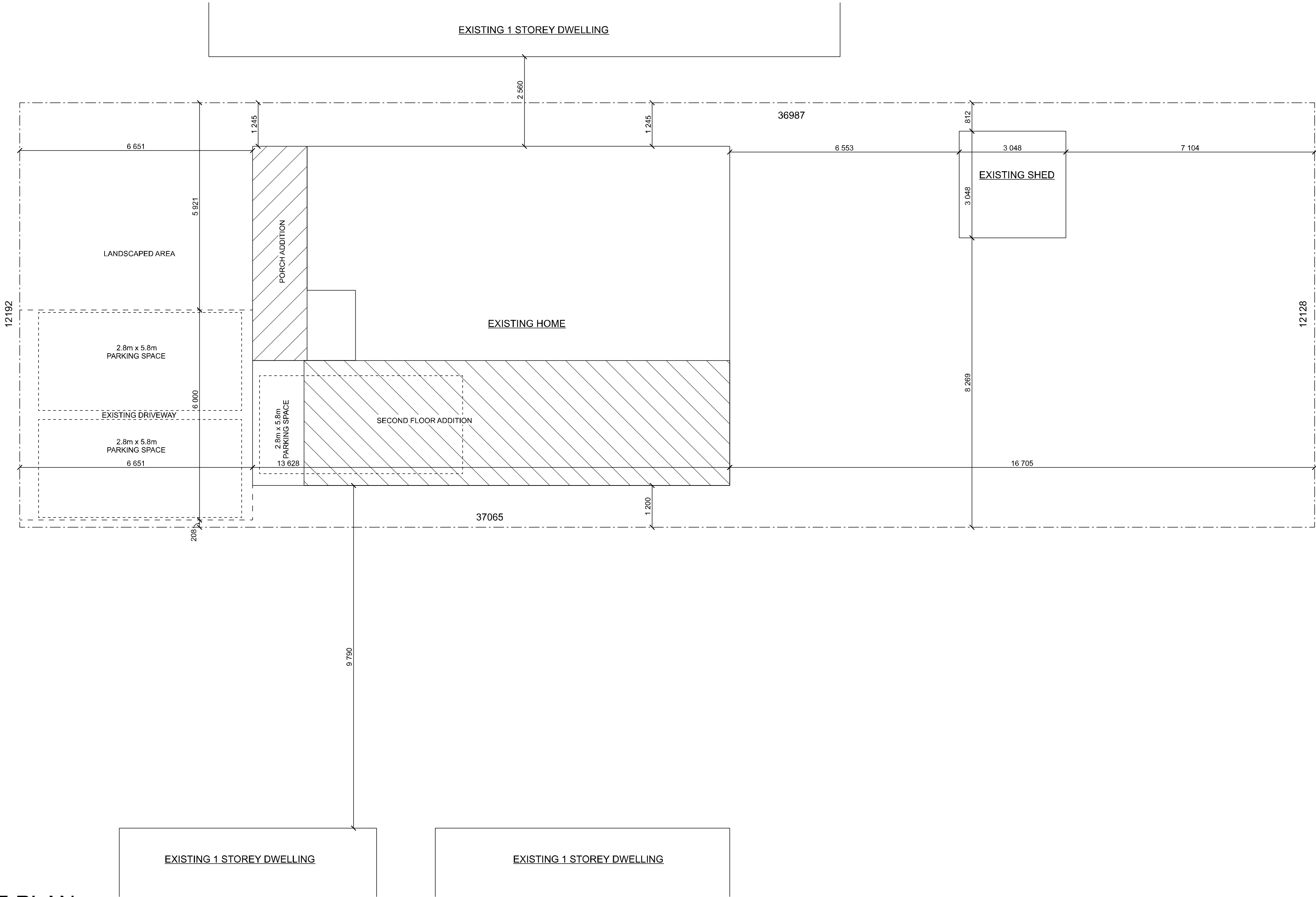
For more information on this matter, including access to drawings illustrating this request:

- 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 27th, 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.



SITE PLAN
SCALE: 1:75

THESE DRAWINGS
MUST BE SIGNED
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PERMIT.
THEY ARE VALID
ONLY FOR THE
ORIGINAL ADDRESS
IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design,
and has the qualifications and meets the requirements set out in the
Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under
Division C-3.2.4.1 of the 2012 O.B.C.
Firm Name: Vanderwoerd Drafting & Design
BCIN 38975



John Vanderwoerd, M.A.A.T.O.
34 Duke Street, Arthur, Ontario N0G 1A0
www.home-design-bcin.ca
519-848-2128

Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Site Plan

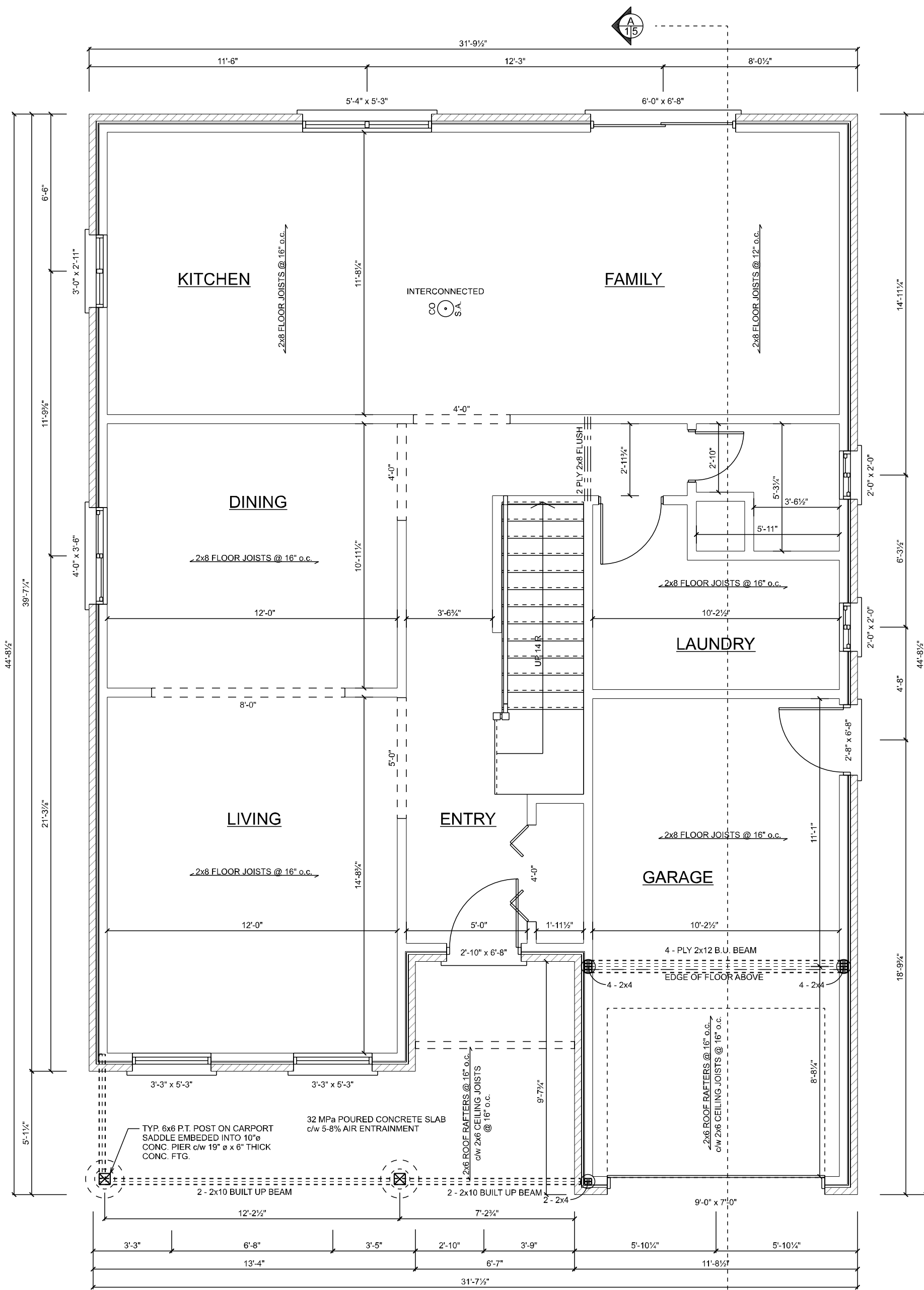
STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

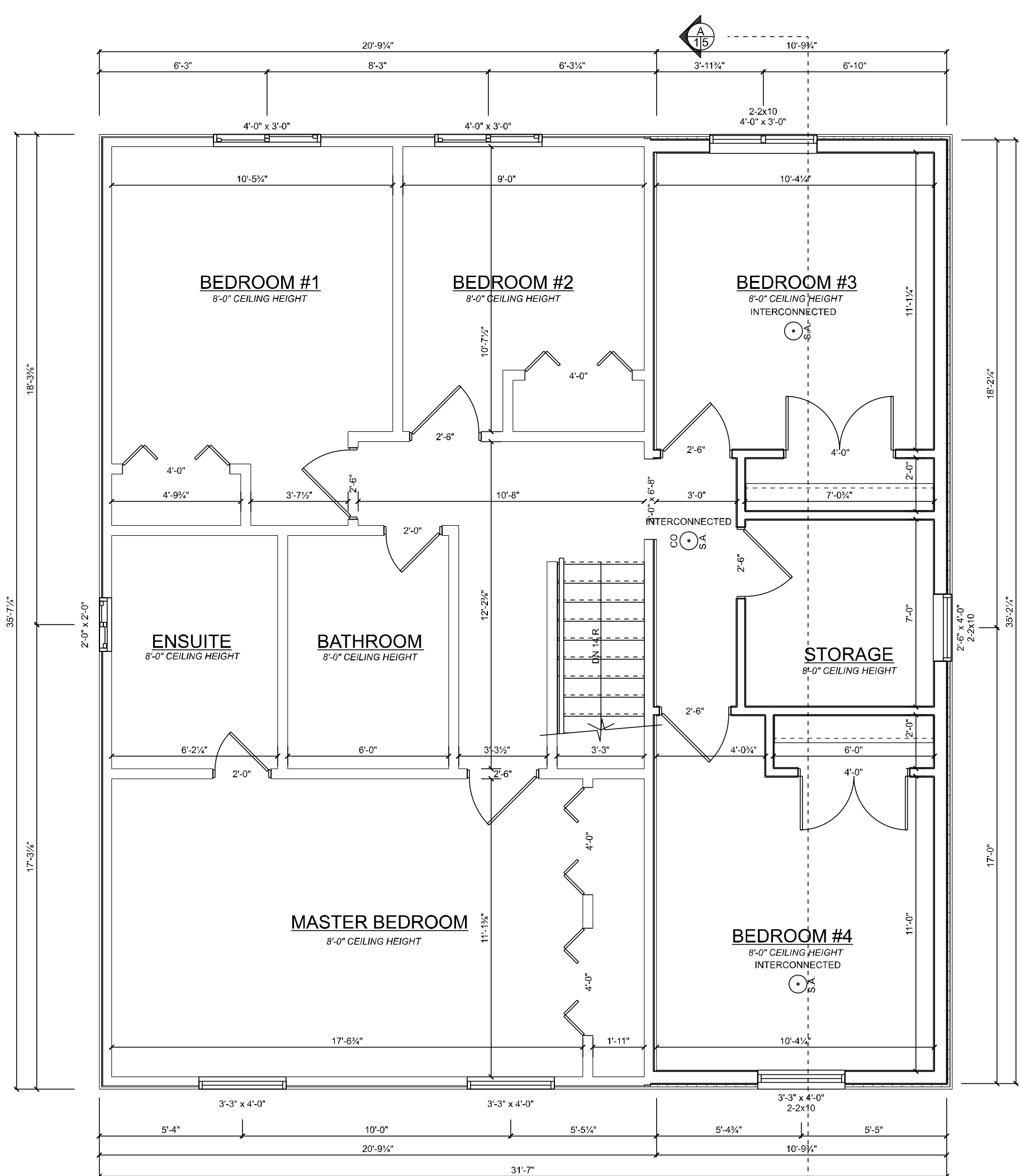
SCALE:
1:75

LAST REVISION DATE:
Jun 9, 2021

PAGE #:
1 of 1



PROPOSED MAIN FLOOR
SCALE: 1/4" = 1'-0"



PROPOSED SECOND FLOOR
SCALE: 1/4" = 1'-0"

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John Vanderwoerd BCIN 21611
Registration Information
Required unless design is exempt under
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Firm Name: Vanderwoerd Drafting & Design
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Bert Nyenhuis
198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Proposed Floor Plans

STARTING DATE:
Jun 4, 2020

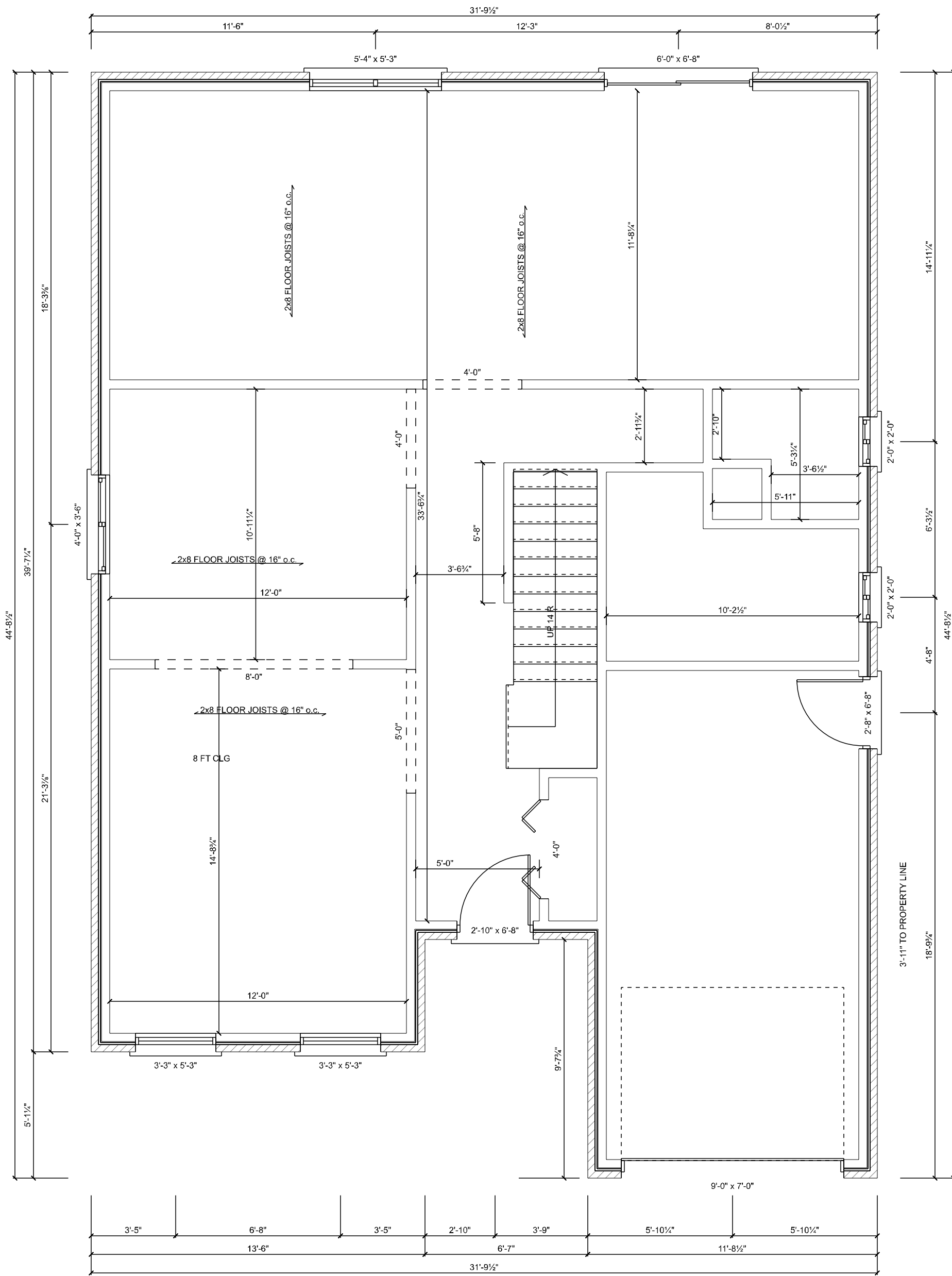
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SCALE:
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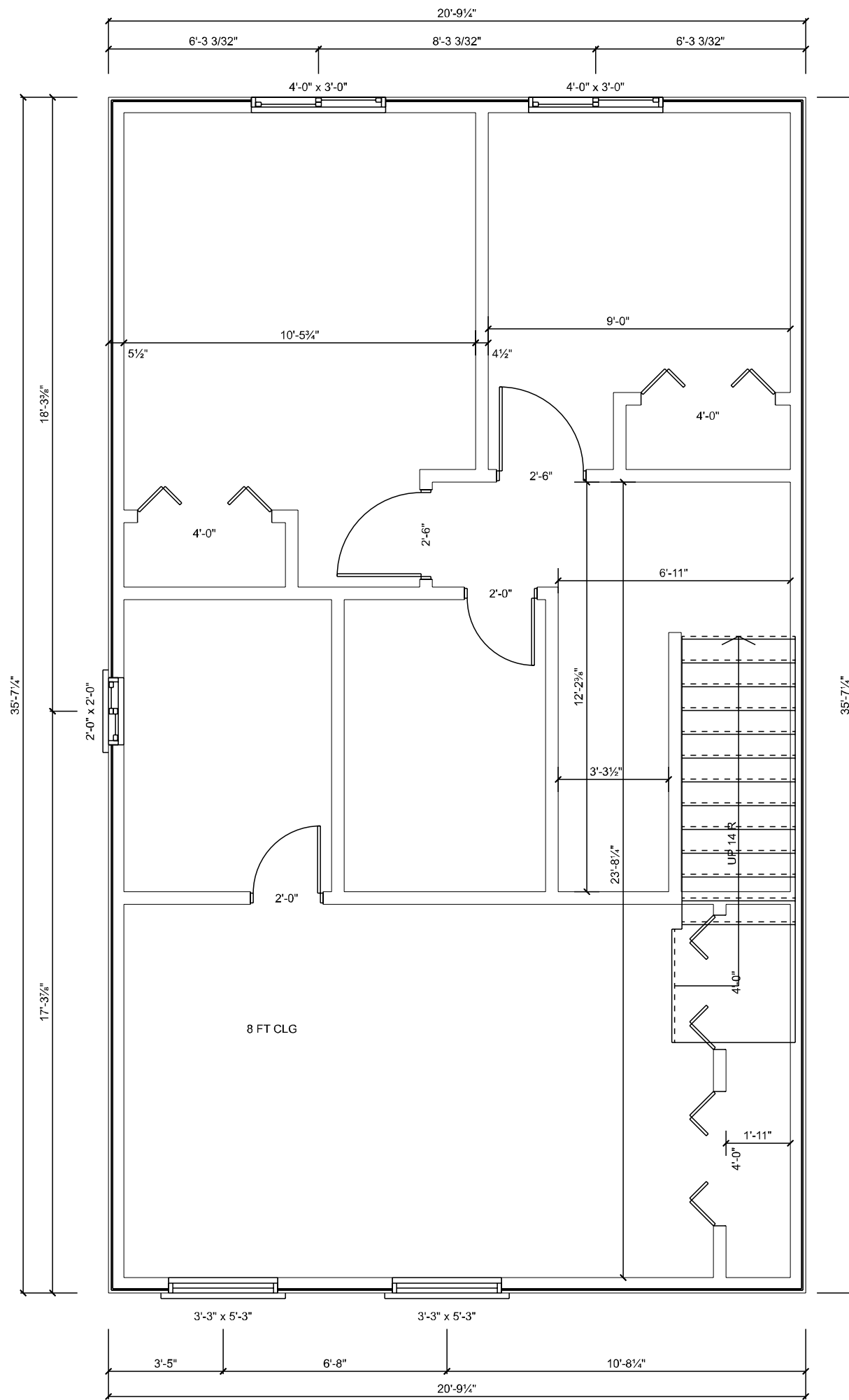
LAST REVISION DATE:
Feb 17, 2021

PAGE #:
1 of 8

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EXISTING MAIN FLOOR
SCALE: 1/4" = 1'-0"



EXISTING SECOND FLOOR
SCALE: 1/4" = 1'-0"

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REGISTRATION INFORMATION
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Hamilton, On

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M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Existing Floor Plans

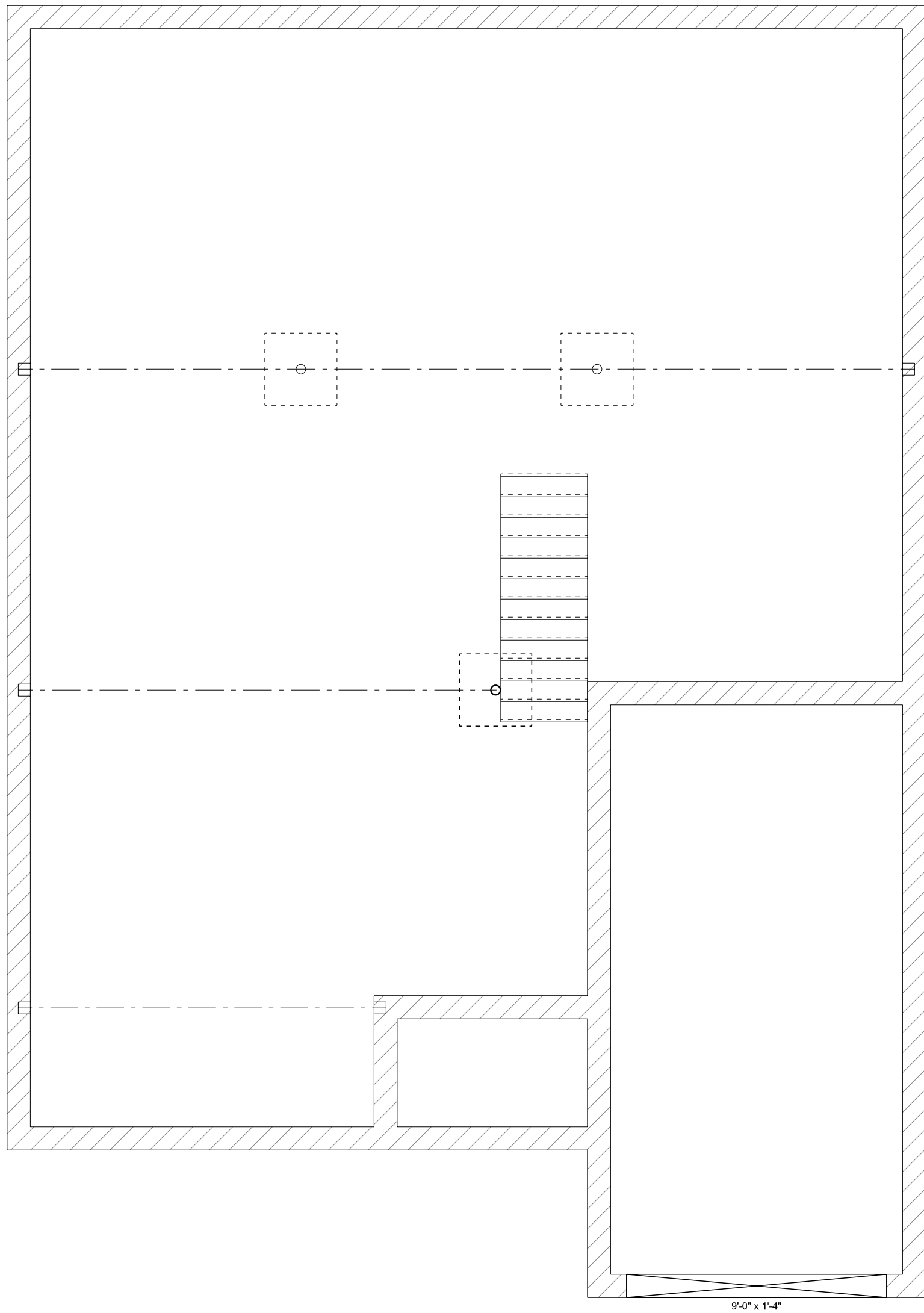
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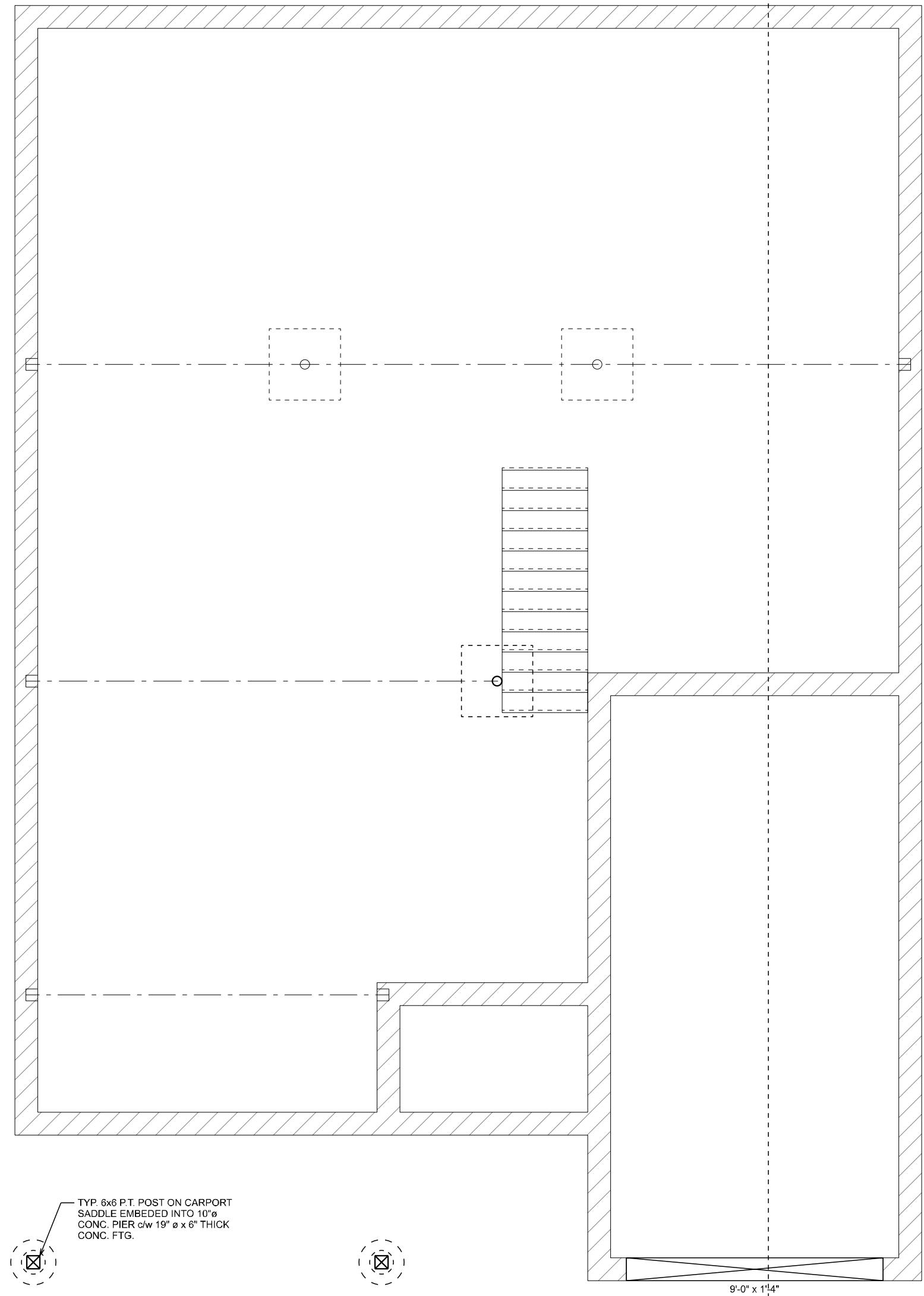
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LAST REVISION DATE:
Jul 28, 2020

PAGE #:
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EXISTING FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



PROPOSED FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

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Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Foundation Plans

STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

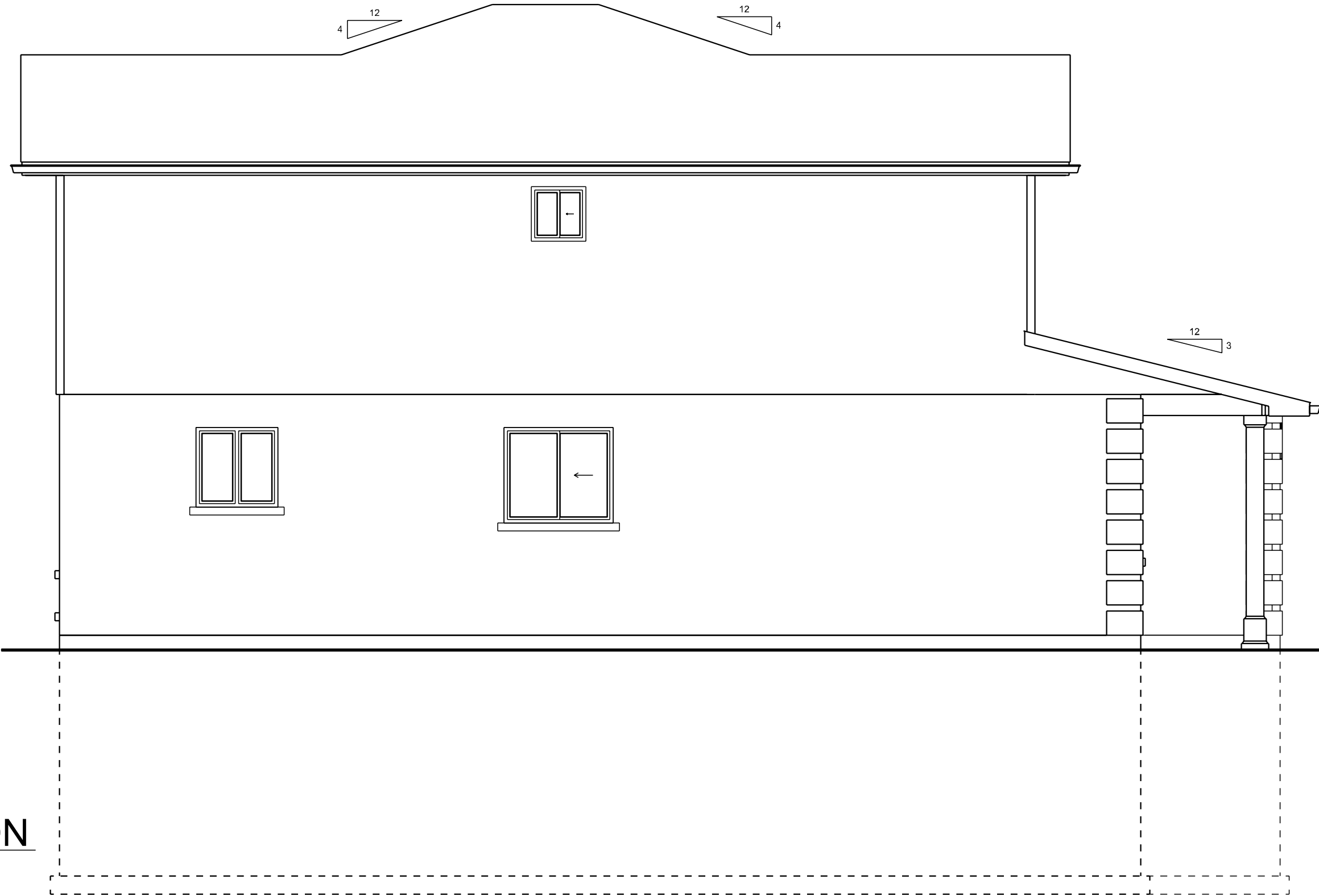
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LAST REVISION DATE:
Jul 28, 2020

PAGE #:
3 of 7



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

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[Signature]

John Vanderwoerd BCIN 21611
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198 Inverness Avenue
Hamilton, On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Front & Left Elevations

STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

SCALE:
1/4" = 1'-0"

LAST REVISION DATE:
Feb 17, 2021

PAGE #:

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RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

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DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
2nd Floor Addition

DRAWING TITLE:
Rear & Right Elevations

STARTING DATE:
Jun 4, 2020

DRAWING #:
20-209

SCALE:
1/4" = 1'-0"

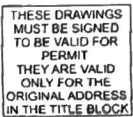
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PAGE #:

6 of 7

SITE PLAN

SCALE: 1/75

[illegible]

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Bert Nyenhuis
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DRAWN BY
JOHN VANDERWOERD,
M.A.T.O. BCIN: 21611

PROJECT
2nd Floor Addition

DRAWING TITLE

Site Plan

STARTING DATE
Jun 4, 2020

DRAWING #
20-209

SCALE 1:75

LAST REVISION DATE
Jun 9, 2021

PAGE 5

1 of 1


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
Registered Owners(s)	Bert + Michelle Nyenhuis	
Applicant(s)*		
Agent or Solicitor	Andrew Sieders Purecraft Renovations Inc.	

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:

Nick Nyenhuis
 261 Stone Church Rd E Unit 241
 Hamilton, ON L9B 1B1

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:

Exception for parking bylaw 6593 Section 18A in order to construct a Second Story addition over the existing single garage

☐ Secondary Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

The existing home has a single garage and a double driveway in front of the building. There is no place for a double driveway

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**):

Single family residential dwelling unit
198 Inverness Ave E. Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

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?

Owner's history

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, for reason of its approval to this Application.

May 28, 2021
Date

Bert Nyenhuis Michelle Nyenhuis
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40'
Depth 120'
Area 4800 Square Ft.
Width of 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: 2 Story single family dwelling with attached single story garage.
Main floor: 1000 s.f. Second floor 700 s.f. gross 1700 s.f. not incl. basement.

Proposed

- Second Story addition adding 2 bedrooms over the existing garage.
10'-9" wide x 35'-2" long approx 350 s.f. floor area
- 5' x 20' covered porch on the front of the house - approx. 100 s.f.

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

Existing: 10' x 10' Shed - 23.5' from rear lot line
2.75' from side lot line
86.5' from front lot line

Proposed:

13. Date of acquisition of subject lands:
March 30, 2007
14. Date of construction of all buildings and structures on subject lands:
March 1980
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family on the West and South Side and East Side
Retail/Commercial
17. Length of time the existing uses of the subject property have continued:
40 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
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:
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. Additional Information
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.