

## **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.:** HM/A-21:431

**APPLICANTS:** Owner N. & M. Van Benthem  
Agent Jordan Station Design Co. Inc.

**SUBJECT PROPERTY:** Municipal address **869 Scenic Dr., Hamilton**

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

**ZONING:** B district (Suburban Agriculture and Residential and etc.)

**PROPOSAL:** To permit the construction of a full second storey addition for a single family dwelling comprising an existing footprint of 156 square metres, as well as the construction of an attached garage addition, a new covered front porch and covered rear patio, notwithstanding that:

1. The minimum southerly side yard shall be 1.8m instead of the minimum required 3.0 side yard;

**NOTES:**

1. The requested variance for the side yard is written as requested by the applicant. An additional variance to request two parking spaces in the front yard as noted in the application and sketch is not required because two of the required parking spaces can be accommodated in the garage. An additional variance for the eaves projection into the side yard as noted in the application and sketch is not required as per Note #2 below.
2. The eaves/gutter projection into the southerly side yard would conform to the Zoning By-law providing the requested variance for the reduced side yard is approved (Variance #1).
3. The Zoning By-law requires parking for a single family dwelling to be based on 2 spaces for the first eight (8) habitable rooms and 0.5 parking spaces for each additional habitable room. As the overall number of habitable rooms was determined to be 10 with the proposed second floor addition, the required parking for this dwelling would consist of 3 parking spaces.
4. The submitted site plan does not reflect a proper orientation of the property based on the provision of a north arrow. Therefore, it should be recognized that the property is located on the westerly side of Scenic Drive. In addition, the driveway side is recognized as the southerly side of the property and the wider side yard is along the northerly side of the property.

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

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<b>DATE:</b>	<b>Thursday, January 20<sup>th</sup>, 2022</b>
<b>TIME:</b>	<b>3:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed at</b>
	<b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>
	<b>for viewing purposes only</b>

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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: January 4<sup>th</sup>, 2022.

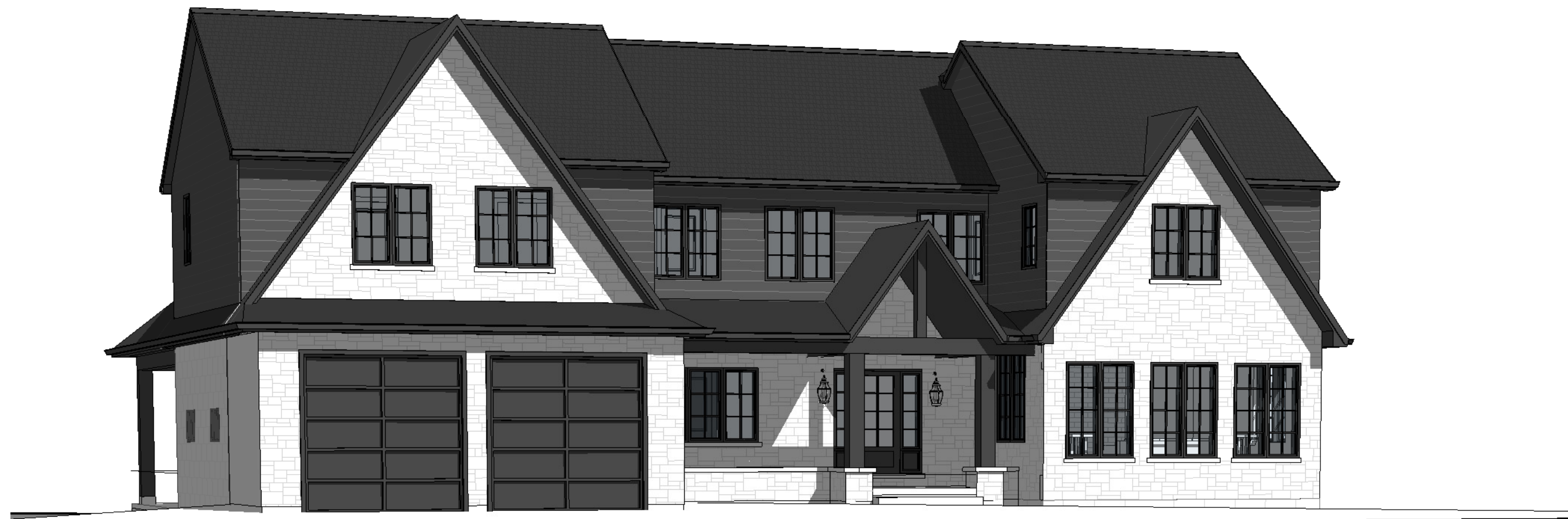
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***







info@jordanstationdesignco.ca

# Nate & Maria's Home Renovation

869 Scenic Dr, Hamilton, ON L9C 1H7

2021-11-19 1:43:30 PM



① REAR (NORTH)  
ELEVATION\_PRESENTATION  
3/16" = 1'-0"



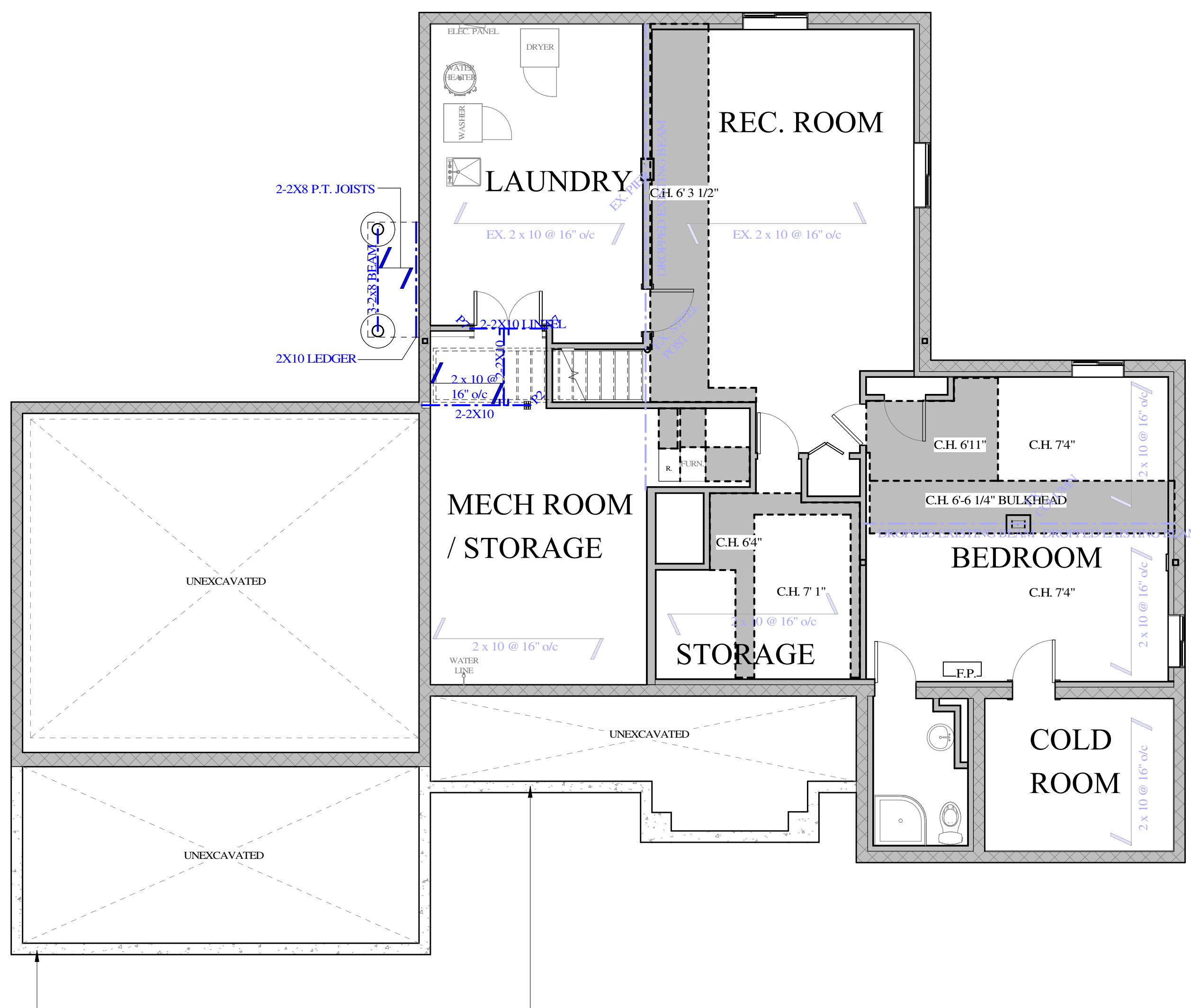
info@jordanstationdesignco.ca

# Nate & Maria's Home Renovation

869 Scenic Dr, Hamilton, ON L9C 1H7

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2021-11-19 1:43:34 PM



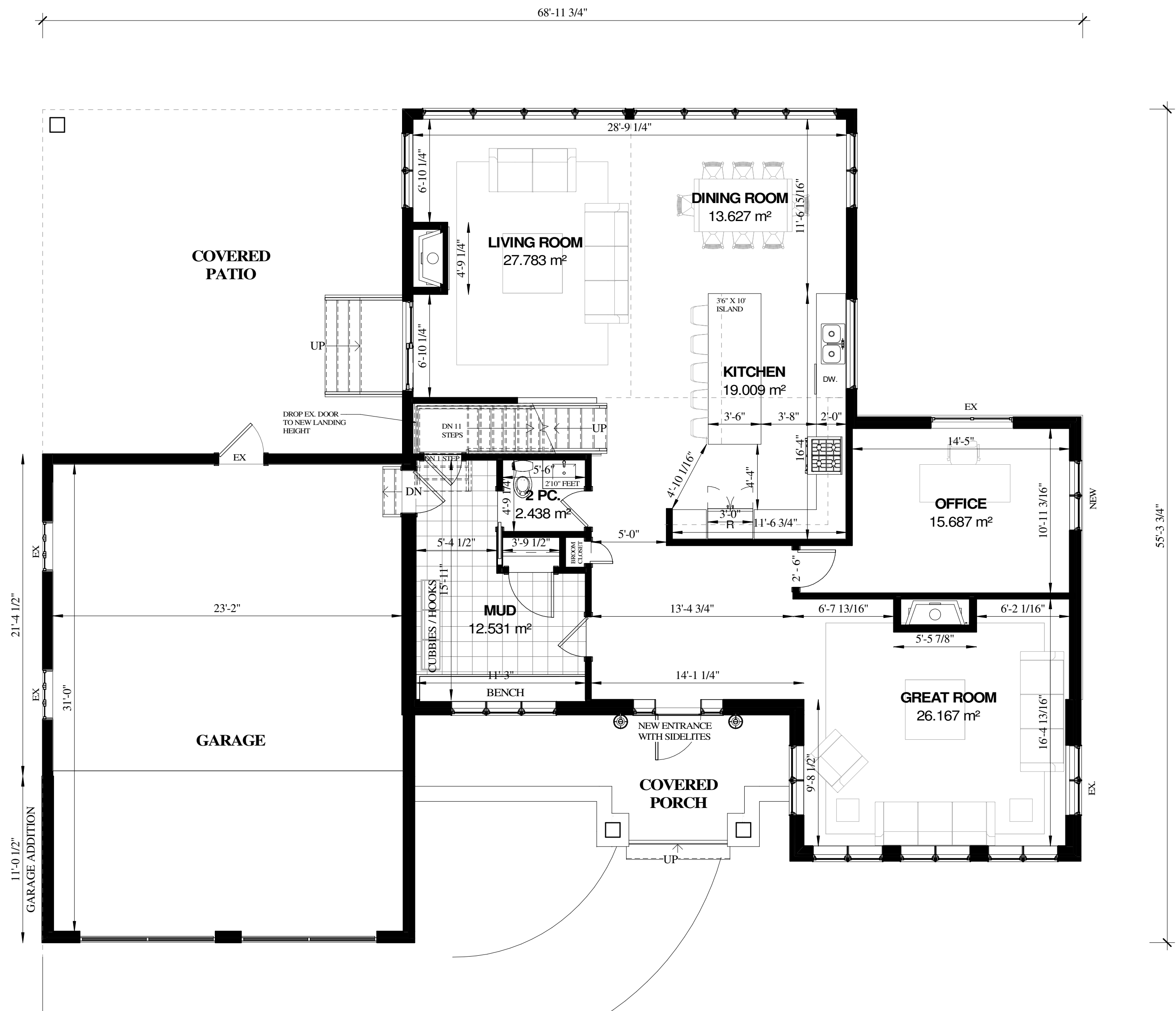
info@jordanstationdesignco.ca

# Nate & Maria's Home Renovation

869 Scenic Dr, Hamilton, ON L9C 1H7

2021-11-19 1:43:25 PM

2021-11-19 1:43:25 PM



1 PROPOSED GROUND FLOOR PLAN  
3/16" = 1'-0"



info@jordanstationdesignco.ca  
**Nate & Maria's Home Renovation**  
869 Scenic Dr, Hamilton, ON L9C 1H7  
2021-11-19 1:43:26 PM





① SECOND FLOOR  
3/16" = 1'-0"



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## Nate & Maria's Home Renovation

869 Scenic Dr, Hamilton, ON L9C 1H7

2021-11-19 1:43:26 PM

2021-11-19 1:43:26 PM





LEFT (WEST)  
 ① ELEVATION PRESENTATION  
 3/16" = 1'-0"



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**Nate & Maria's Home  
 Renovation**

869 Scenic Dr, Hamilton, ON L9C 1H7

2021-11-19 1:43:38 PM



RIGHT (EAST)  
ELEVATION PRESENTATION  
①  
3/16" = 1'-0"



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# Nate & Maria's Home Renovation

869 Scenic Dr, Hamilton, ON L9C 1H7

2021-11-19 1:43:43 PM

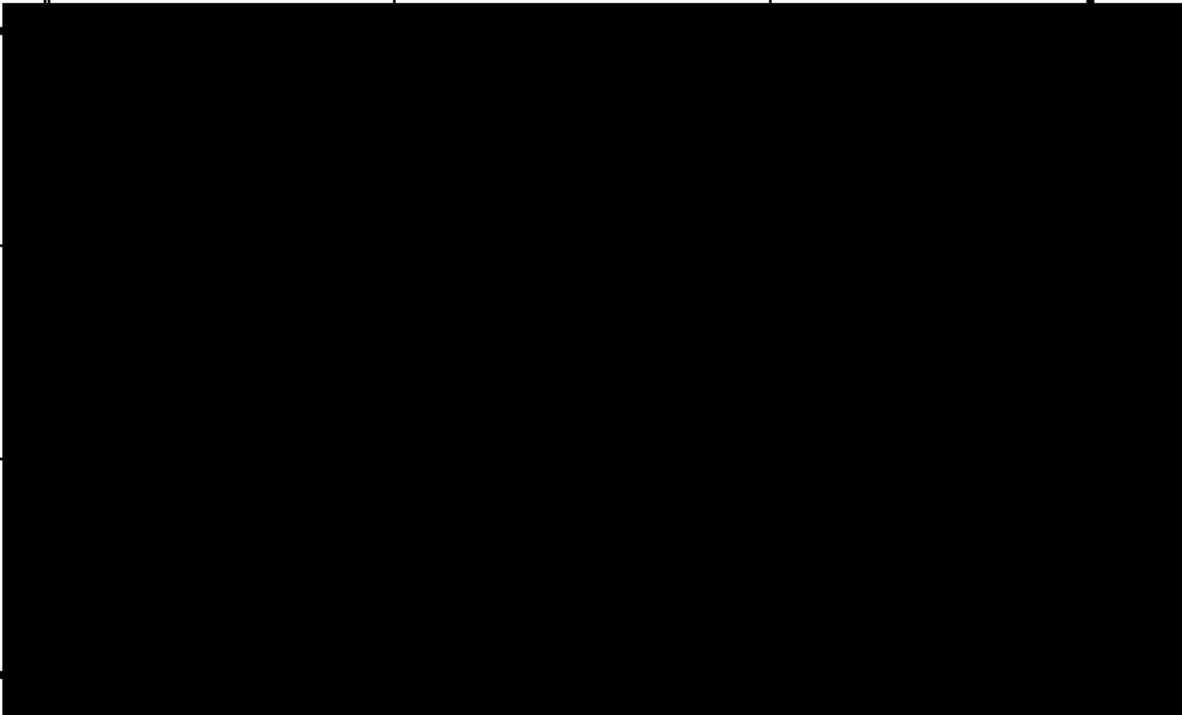
**APPLICATION FOR A MINOR VARIANCE**

<b>FOR OFFICE USE ONLY.</b>	
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	
<b>Registered Owners(s)</b>	
<b>Applicant(s)*</b>	
<b>Agent or Solicitor</b>	

**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:  
Libro Credit Union  
22 Caithness Street East  
Caledonia, Ontario  
N3W2G6

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:

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

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

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**):

869 Scenic DrHamilton, ON L9C 1H7

LTS 11 & 17, PL 699 ; PT WALKER AV, PL 699 , (CLOSED BY ORDER HL317685),  
AS IN CD286359 ; HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential ☒      Industrial ☐      Commercial ☐  
Agricultural ☐      Vacant ☐      Other ☐  
Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use n/a

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?

WHEN WE PURCHASED THE PROPERTY, NOTHING WAS DISCLOSED TO US. THEY SAID ITS BEEN ONE OF THE ORIGINAL PROPERTIES IN THE AREA.

- 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.

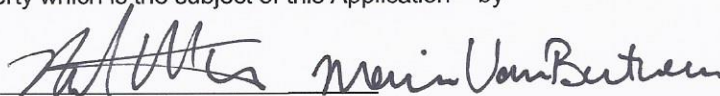
Is the previous use inventory attached? Yes ☐ No ☒

## 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.

November 11, 2021

Date

  
Signature Property Owner(s)

Nate and Maria VanBentham

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	31.07
Depth	93.30
Area	2749 m2
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:

-Existing ground floor: 156 s.m., -Existing garage: 50.3 s.m., -Existing basement: 156 s.m., -Existing building footprint: 206 s.m., -Number of stories: 1., -Width: 21m., Length: 15.2m., -Height: 5.7m.

Proposed

-Existing ground floor: 156 s.m., -New second story: 156 s.m., -Existing basement: 156 s.m., -Existing and new garage: 75 s.m., -New porches/deck/patio: 65.6 s.m., -Building footprint: 298 s.m., -Width: 21m., -Length: 16.83m., -Stories: 2., Height: 9.18m.

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

Existing:

Existing side yard (north): 2.11m  
Existing front yard (west): 25.98m  
Existing rear yard (east): 45.98m  
Existing side yard (south): 6.98m

Proposed:

Propose side yard (north): 1.87m  
Front yard: as existing  
Rear yard: as existing  
Side yard (south): as existing

13. Date of acquisition of subject lands:  
November 15, 2019
- 
14. Date of construction of all buildings and structures on subject lands:  
March 2022
- 
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
17. Length of time the existing uses of the subject property have continued:
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:  
'B' District Suburban Agriculture & Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
BY-LAW NO. 6593 & B/S-1788
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.