

**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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<b>APPLICATION NO.:</b>	<b>HM/A-22:168</b>	<b>SUBJECT PROPERTY:</b>	96 GREYFRIAR DR., HAMILTON
<b>ZONE:</b>	"C" (Urban Protected Residential, etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law 6593, as Amended By-law 87-09

**APPLICANTS:**      Agent Suite Additions – A. Tran  
                              **Owner Grand Canada Holdings – F. Ali Naqvi**

The following variances are requested:

1.     One (1) parking space shall be provided instead of the minimum required three (3) parking spaces.

**PURPOSE & EFFECT:**     To permit the conversion of an existing accessory structure in the rear yard to a Secondary Dwelling Unit – Detached, on a residential parcel of land.

**Notes:**

1.     A building permit is required for the conversion of the existing accessory structure to a Secondary Dwelling Unit - Detached. Be advised that Ontario Building Code regulations may require specific setback and construction types.
2.     A review of Building Division records indicates that Building Permit No. B2-47996 was issued on December 14, 1971 for the construction of the existing single detached dwelling. Based on the plans included as part of the issued building permit and the date of construction of the existing dwelling, one (1) parking space is required for the existing single detached dwelling. Please see review of Section 19(1)(xi) and Section 18A below for more information.
3.     A review of Building Division records indicates that Building Permit No. BZ-51068 was issued on October 16, 1972, to erect a 20' x 30' (approximately 6.10 m x 9.14 m = 55.75 square metres) protected frame private car garage in the rear yard not over 12'.

4. Building Permit No. 18-132435, for a change of use to convert the existing single detached dwelling to a two family dwelling, was issued on October 2, 2018
5. Please note that detailed floor plans were not provided to confirm the number of bedrooms being proposed in the Secondary Dwelling Unit – Detached. As per Section 19(1)(v), a Secondary Dwelling Unit – Detached shall have a maximum of two bedrooms. Additional variances may be required if compliance with Section 19(1)(v) cannot be achieved.
6. Please note that detailed elevation drawings were not provided to confirm the height of the Secondary Dwelling Unit – Detached. As per Section 19(1)(1)(ii)(7), a maximum height of 6.0 is permitted. Additional variances may be required if compliance with 19(1)(1)(ii)(7), cannot be achieved.
7. It is noted that a total of three (3) parking spaces have been indicated on the submitted Site Plan, however as the two (2) parking spaces indicated in the rear yard are partially located in the road allowance (i.e. a minimum parking space size of 5.5 metres cannot be provided on the lot), these spaces have not been counted towards the total number of parking spaces being provided on site and have not been reviewed for zoning compliance.

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

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

DATE:	Thursday, June 23, 2022
TIME:	2:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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.



DATED: June 7, 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, and may include posting electronic versions.

## **PARTICIPATION PROCEDURES**

### **Written Submissions**

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### **Oral Submissions During the Virtual Meeting**

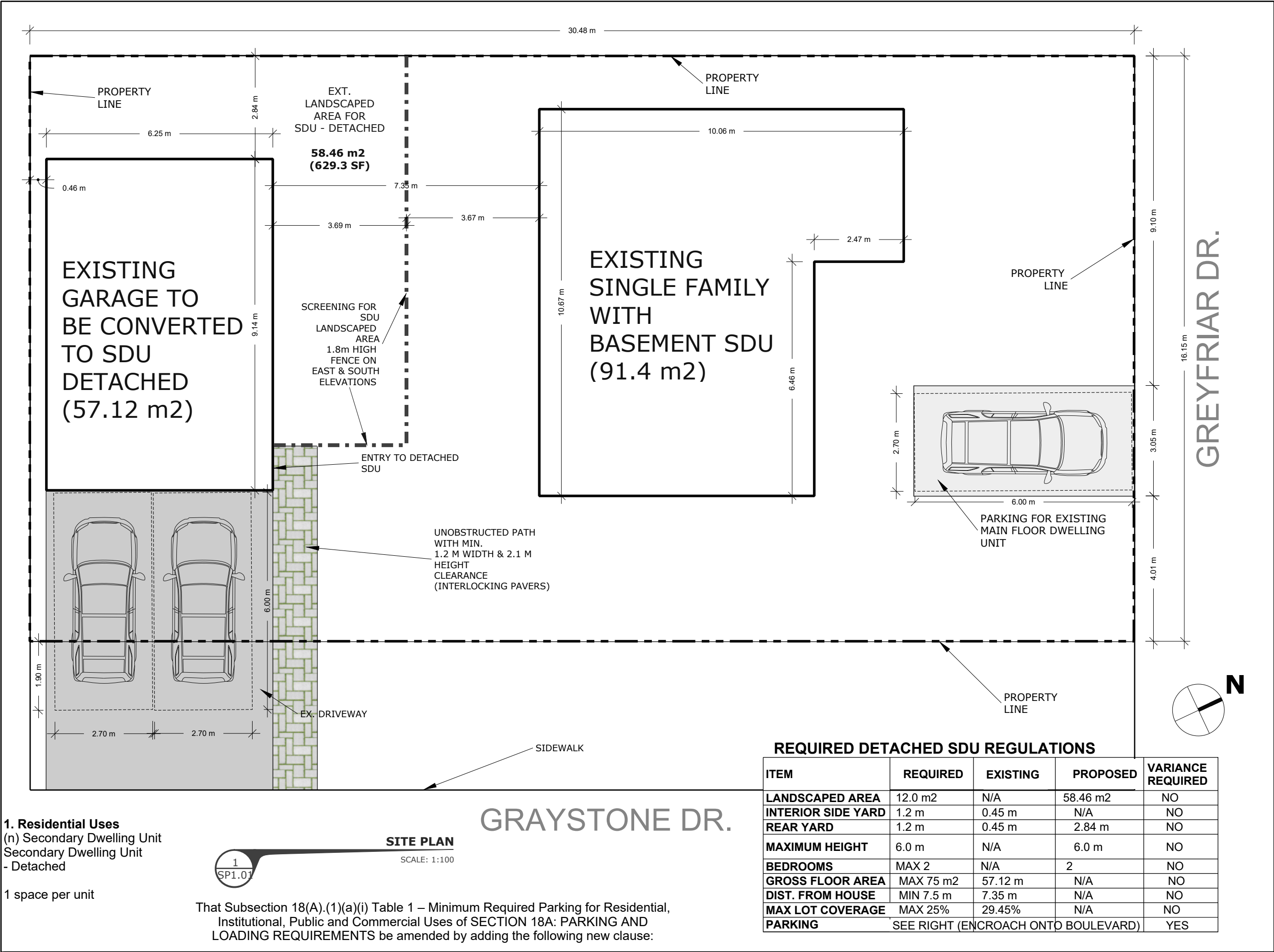
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



**1. Residential Uses**  
(n) Secondary Dwelling Unit  
Secondary Dwelling Unit  
- Detached

1 space per unit

1  
SP1.01

**SITE PLAN**  
SCALE: 1:100

That Subsection 18(A).(1)(a)(i) Table 1 – Minimum Required Parking for Residential, Institutional, Public and Commercial Uses of SECTION 18A: PARKING AND LOADING REQUIREMENTS be amended by adding the following new clause:

**SUITE ADDITIONS INC.**  
3-2375 Brimley Rd, Suite 807  
Toronto, ON, M1S 3L6  
Tel: 416-525-2628  
Email:  
info@suiteadditions.com



Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

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

*Andy Tran*  
Andy Tran - Signature  
Individual BCIN: 102774  
Firm: Suite Additions Inc.  
Firm BCIN: 102497

**PROJECT:**  
CONVERT EX. DETACHED GARAGE TO SDU - DETACHED

**ADDRESS:**  
96 GRAYFRIAR DRIVE, HAMILTON, ON, L9C 4S2

**CLIENT:** FAZLE NAQVI

**DRAWN BY:** ANDY TRAN

**ISSUE DATE:** MAR 1, 2022  
**RE-ISSUE DATE:**

**DESCRIPTION:**  
SITE PLAN, SITE STATISTICS AND DRAWING LIST

**SCALE:** 1:100

**DRAWING NO:**  
**SP1.01**





Hamilton

**Committee of Adjustment**  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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
Registered Owners(s)	FAZLE ALI NAQVI (Grand Canada Holdings Inc.)	
Applicant(s)*	FAZLE ALI NAQVI (Grand Canada Holdings Inc.)	
Agent or Solicitor	ANDY TRAN SUITE ADDITIONS 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:

Bank of Montreal  
865 Harrington Court Burlington ON L7N 3P3  
Phone: +1 888-694-2244



**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:

- To permit parking for 2 vehicles in front of existing detached garage (to be converted to SDU - detached) with encroachment of 1.9m onto municipal property. Boulevard parking agreement to be obtained from Hamilton Municipal Parking System.

☒ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

- Section 18A (7) requires parking dimensions to be 6.0m long. Distance between front of existing garage and property line is 4.1m, and will encroach onto city property by 1.9m (no encroachment to sidewalk).

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**):

96 GREYFRIAR DRIVE, HAMILTON, ON, L9C 4S2

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?

Property was constructed with subdivision

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.

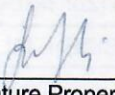
Is the previous use inventory attached? Yes ☐ No ☒

### 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.

29 April 2022

Date

  
Signature Property Owner(s)

Fazle Ali Naqvi

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 7.77 METERS

Depth 30.94 METERS

Area 240.40 METERS

Width of street UNKNOWN

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 = 57.12 m<sup>2</sup>

GROSS FLOOR AREA = 57.12 m<sup>2</sup>

ONE STOREY = 6.25 m WIDE, 9.14 m DEEP, 4.5 m HIGH

Proposed

NO CHANGES

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

Existing:

(W) FRONT SETBACK - 4.02 m

(N) SIDE SETBACK - 0.81 m

(E) REAR SETBACK - 10.92 m

(S) SIDE SETBACK - 1.10 m

Proposed:

NO CHANGES



13. Date of acquisition of subject lands:  
July 16, 2018
14. Date of construction of all buildings and structures on subject lands:  
APPROXIMATELY 1950
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
SINGLE FAMILY HOME
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE FAMILY HOME
17. Length of time the existing uses of the subject property have continued:  
OVER 60 YEARS
18. Municipal services available: (check the appropriate space or spaces)  
Water YES Connected YES  
Sanitary Sewer YES Connected YES  
Storm Sewers YES
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:  
C - URBAN PROTECTED RESIDENTIAL
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:
- 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)  
RESIDENTIAL BOULEVARD PARKING AGREEMENT TO BE OBTAINED FROM HAMILTON MUNICIPAL PARKING SYSTEM
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.