



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:244</b>	<b>SUBJECT PROPERTY:</b>	39 GLOVER ROAD, HAMILTON
<b>ZONE:</b>	M3 (Prestige Business Park)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      Owner - Amer Eqdaih  
                                  **Agent - Archicreation Design Studio**

The following variances are requested:

1. The expansion of the existing legally established non-conforming single detached dwelling shall be permitted through the construction of a front yard addition whereas the use of a single detached dwelling is not permitted.
2. The existing driveway shall be permitted to extend beyond the width of the garage and as close as 0.0m to the southerly side lot line while maintaining the existing driveway width of 6.22m whereas the zoning By-law states that on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage.

**PURPOSE & EFFECT:**      To facilitate the construction of a front yard addition in order to accommodate a private garage for the existing single detached dwelling.

**Notes:**

The applicant shall ensure that any open stair projection into the length of the parking space shall not exceed 0.75m provided that the height of stairway does not exceed 0.5m. Otherwise, further variances may be required.

**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:

<b>DATE:</b>	<b>Thursday, August 25, 2022</b>
<b>TIME:</b>	<b>1:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

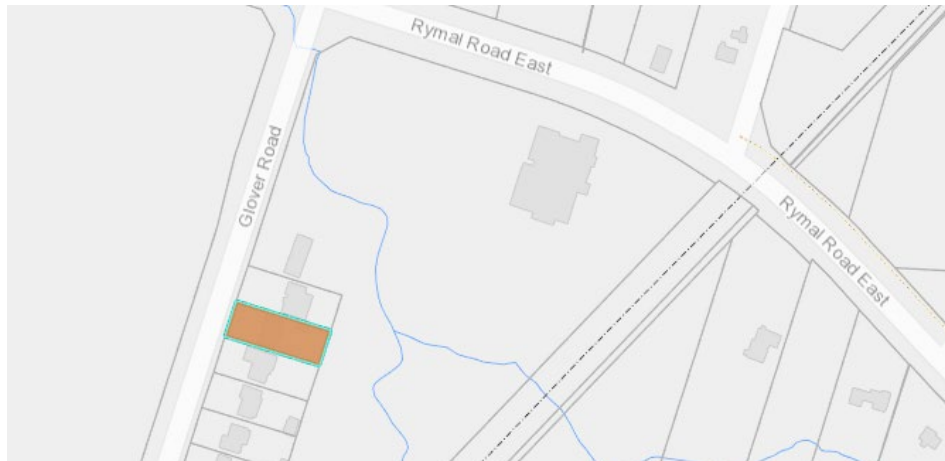
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



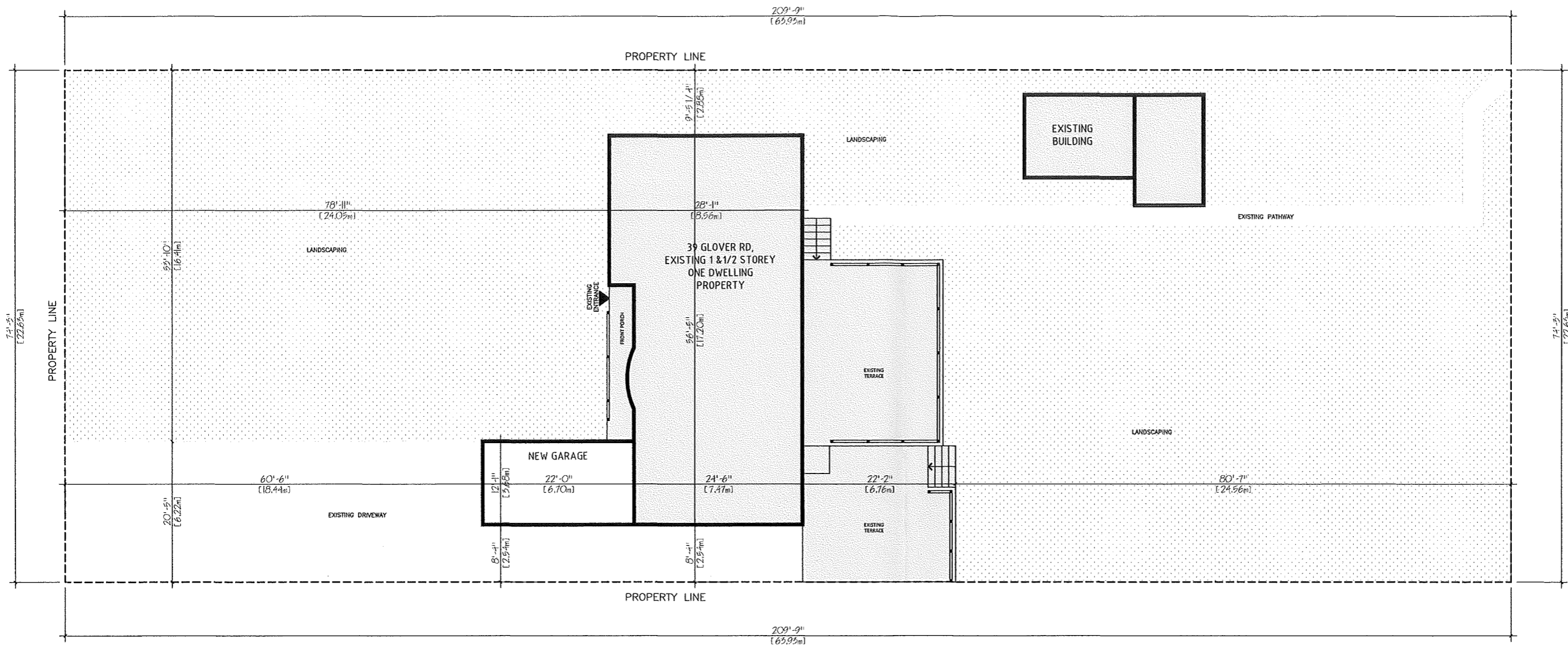
 **Subject Lands**

DATED: August 9, 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.



1 SITE LAYOUT

SITE DATA & ZONING REQUIREMENTS		EXISTING	PROPOSED	REMARKS
ZONING/ USES		1 & 1/2 STOREY RESIDENTIAL 1 DWELLING	NEW ATTACHED GARAGE 1 DWELLING	
LOT WIDTH :		REFER TO SITE PLAN	NO CHANGES	
LOT AREA :		15574 SQ.FT ( 1447 M <sup>2</sup> )	NO CHANGES	
LOT COVERAGE (MAIN DWELLING)		{9.40 %}	NO CHANGES	
LOT COVERAGE (NEW GARAGE)		N/A	{1.70 %}	
LOT COVERAGE (BACK TERRACE)		{6.50 %}	{6.50 %}	
LOT COVERAGE (BACK YARD SHED)		{2.25 %}	{2.25 %}	
LOT COVERAGE (TOTAL)		{18.15 %}	{19.85 %}	
BUILDING HEIGHT		+14'-11" (4.55 m)	NO CHANGES	
SET BACKS	N FRONT	REFER TO SITE PLAN	NO CHANGES	
	W SIDE 1	REFER TO SITE PLAN	NO CHANGES	
	E SIDE 2	REFER TO SITE PLAN	NO CHANGES	
	S REAR	REFER TO SITE PLAN	NO CHANGES	

GFA CALCULATIONS (WITH EXTENSION)	
FIRST FLOOR LEVEL	1757 SQ.FT. 163 M2
BASEMENT	0 AS PER ZONING BYLAW 10.5.40.40.(3).(A)
TOTAL	1757 SQ.FT. 163 M2
GFA CALCULATIONS (EXISTING )-WITHOUT EXTENSION	
FIRST FLOOR LEVEL	1491 SQ.FT. 138.5 M2
BASEMENT	0 AS PER ZONING BYLAW 10.5.40.40.(3).(A)
TOTAL	1491 SQ.FT. 138.5 M2

FRONT YARD LANDSCAPE (29.88 %)  
FRONT YARD DRIVEWAY (7.92 %)

- 1-Contractor to inspect site prior to the commencement of construction and report immediately to the Designer any unacceptable conditions or discrepancies from the contract documents.
- 2-Contractors and Sub-trades to place material orders in a timely fashion.
- 3-Failure to do so will be at Contractor's expense. drawings are not to be scaled, work to dimensions only.
- 4-The design is the property of: ARCHICREATION DESIGN STUDIO Inc. and cannot be used without written approval from the Designer.

Amr Serrag Eldin  
T: (647)924-7611  
E-mail: amr@archicreation.ca

**Legends**  
EX. AREA WITHOUT CHANGES

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 3.2.5.1 of Division "C" of the Ontario Building Code

Amr Serrag Eldin  
NAME SIGNATURE 45460 BCIN #

**REGISTRATION INFORMATION**  
Required unless design is exempt under 3.2.4.1 of Division "C" of the Ontario Building Code

ARCHICREATION DESIGN STUDIO Inc. 101566 FIRM NAME BCIN #

01	Issued For C of A	20-06-22
No.	Description	Date

**ARCHICREATION**  
6-425 Hespeler Rd Suite 118  
Cambridge, ON N1R 8J6 T: (647)924-7611

**House Alteration & Addition**  
39 GLOVER ROAD  
HAMILTON ON L8W 3S8

Sheet Name  
SITE LAYOUT

Project #	22-0507	Checked by	Sherif Saker
Date	MAY 2022	Sheet	SP.01
Scale	1 : 200		



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

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 Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>	Amer Eqdaih		
<b>Applicant(s)*</b>	Amr Serrag Eldin- Archicreation Design Studio Inc		
<b>Agent or Solicitor</b>			Phone:  E-mail:

**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:

Equitable Bank - Address: 30 St Clair Ave W #700, Toronto, ON M4V 3A1  Borrower: Amer Eqdaih & Suhair Eqdaih
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**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:

Permit proposed addition of attached garage to an existing house to allow an expansion of a legal non-conforming use

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Because Residential uses are not permitted within the Prestige Business Park (M3) Zone. The existing single detached dwelling is likely a legally established non-conforming use provided the use has existed since prior to the passing of the Zoning

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**):

39 Glover Rd, Hamilton ON L8W 3S8

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?

Inspection of the lot, Owner's information

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.

June 17, 2022

Date

Signature Property Owner(s)

Amer Eqdaih

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 22.63 m

Depth 63.93 m

Area 1447 sq mt

Width of street 7 m

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:

It is a house with basement and one and half storey, the depth is 8.56 m, the length is 17.20 m, height is 4.5 m, gross floor area is 138.5 sq mt

Proposed

It is a house with basement and one and half storey, the depth is 14.17 m, the length is 17.20 m, height is 4.5 m, gross floor area is 163 sq mt

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

Existing:

Front setback 24.05 m  
Rear setback 31.32 m  
North side setback 2.88 m  
South side setback 2.54 m

Proposed:

Front setback 18.44 m  
Rear setback 31.32 m  
North side setback 2.88 m  
South side setback 2.54 m

13. Date of acquisition of subject lands:  
April 1st 2022
14. Date of construction of all buildings and structures on subject lands:  
YEAR THE HOUSE BEEN BUILT – 50+ years
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:  
YEAR THE HOUSE BEEN BUILT – 50+ years
18. Municipal services available: (check the appropriate space or spaces)  
 Water Municipal Connected Yes  
 Sanitary Sewer Septic System 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:  
 \_\_\_\_\_
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)  
 \_\_\_\_\_
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.