



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: 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

APPLICATION NO.:	HM/A-24:15	SUBJECT PROPERTY:	40 STARLING DRIVE, HAMILTON
ZONE:	"I1" (Neighbourhood Institutional)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: ZEBA SADIA SIDDIQUI
Applicant: VALIUDDIN MOHAMMED

The following variances are requested:

1. Tandem parking on the existing driveway shall be provided whereas the by-law does not permit tandem parking.

PURPOSE & EFFECT: As to permit the construction of a Additional Dwelling Unit within the existing semidetached dwelling.

Notes: N/A

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:	Tuesday, March 26th, 2024
TIME:	12:20 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Written comments must be received no later than noon March 22, 2024.

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing. We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5..



DATED: March 12, 2024

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.



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IN-PERSON 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 advance of the meeting. Comments can be submitted by emailing 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 on the date listed on the Notice of Public Hearing.**

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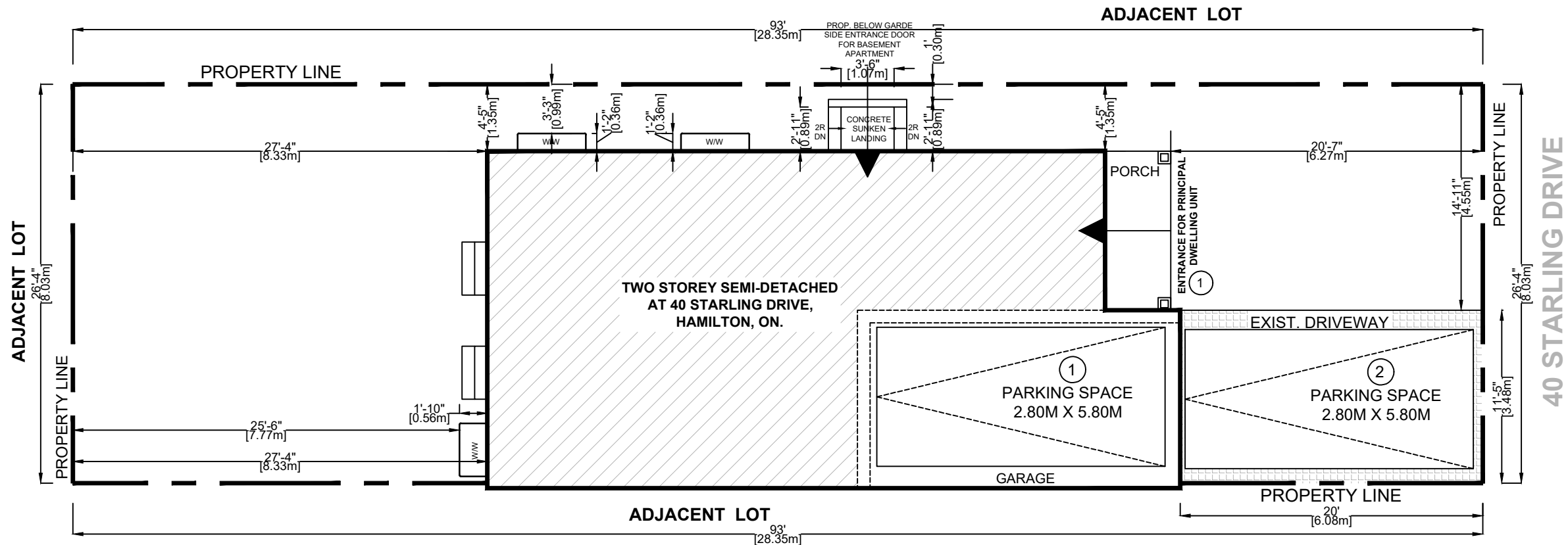
Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating in person at the Hearing.

In person Oral Submissions

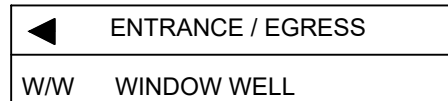
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We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.



SCOPE OF WORK

- ① PROPOSED ACCESSORY DWELLING IN BASEMENT
- ② PROP. SIDE ENTRANCE FOR ACCESSORY DWELLING
- ③ ENLARGEMENT OF ONE EXIST. WINDOW
- ④ PROPOSED TWO NEW WINDOWS



AREA STATISTICS:

GROSS FLOOR AREA CALCULATIONS

A. PRINCIPAL RESIDENCE	
EXISTING GROUND FLOOR GFA	= 650.94 ft ² / 66.47 m ²
EXISTING SECOND FLOOR GFA	= 872.74 ft ² / 81.08 m ²
TOTAL GFA	= 1523.68 ft² / 147.55 m²
B. BASEMENT	
BASEMENT GFA	= 650.94 ft ² / 66.47 m ² = 29.93%

GENERAL NOTES:

DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.

ENGINEER:

Mechways Inc.
 ADDRESS : 2751 THAMESGATE DRIVE, MISSISSAUGA, ON. L4T 1G5
 TEL. : 416-627-4100
 EMAIL : INFO@MECHWAYS.COM
 WEBSITE : WWW.MECHWAYS.COM

PROJECT:
 ACCESSORY DWELLING AT 40 STARLING DRIVE HAMILTON, ON.

SEAL:



SHEET TITLE:
 SITE PLAN

CHECKED: VM
 DRAWN: TP
 SCALE: 1:100
 DATE: AUG/15/ 2023

NO.	DESCRIPTION	DATE
2	ISSUED FOR MINOR VARIANCE	JAN 16, 2024
1	ISSUED FOR BUILDING PERMIT	AUG 15, 2023



DRAWING:
 SP1.01

SURVEYOR'S REAL PROPERTY REPORT
 PART 1, PLAN OF
LOTS 41 & 42
PLAN 62M-1267
 IN THE
CITY OF HAMILTON
 SCALE: 1:200 metres

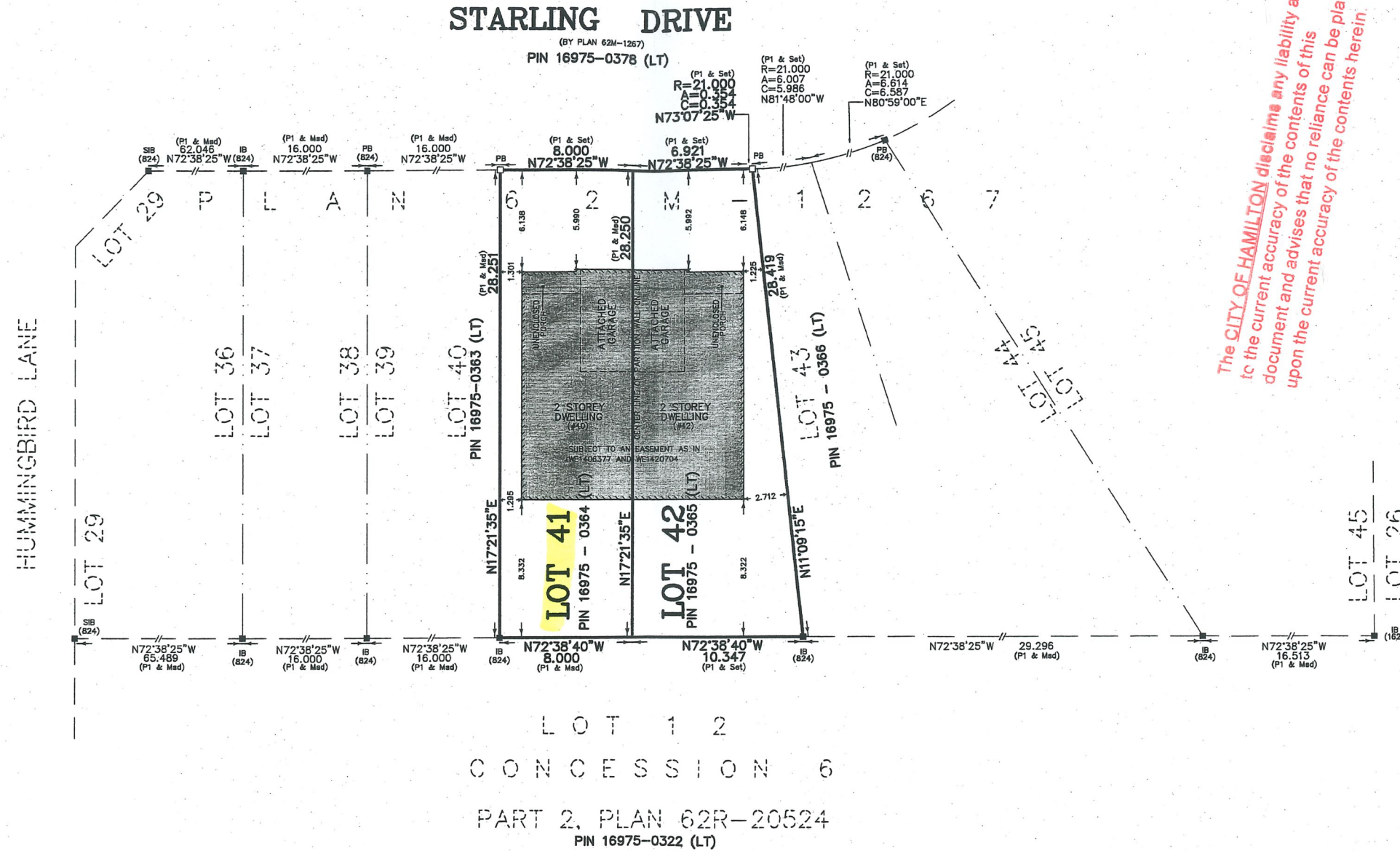
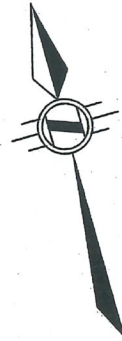


S.D. McLAREN, O.L.S. - 2021

**ASSOCIATION OF ONTARIO
 LAND SURVEYORS**
 PLAN SUBMISSION FORM
 2171637

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

**SURVEYOR'S REAL PROPERTY REPORT
 (PART 2)**
 LOTS 41 & 42, PLAN 62M-1267, ARE SUBJECT
 TO AN EASEMENT AS IN WE1406377, AND AN
 EASEMENT IN GROSS AS IN WE1420704 AS
 ILLUSTRATED ON THE PLAN.
 THIS PLAN DOES NOT CERTIFY COMPLIANCE
 WITH ZONING BY-LAWS.
 THIS PLAN WAS PREPARED FOR
 CARDINAL HEIGHTS DEVELOPMENT CORPORATION.



The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

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

LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- SB STANDARD IRON BAR
- PB PLASTIC BAR
- 624 A.T. McLAREN, O.L.S.
- 1629 B.A. JACOBS, O.L.S.
- Med MEASURED
- P1 PLAN 62M-1267
- // NOT TO SCALE

BEARING NOTE:
 BEARINGS ARE GRID AND ARE REFERRED TO UTM ZONE 17, NAD83(CSRS)(2010.0) DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996761489.

NOTE:
 A.T.M. CONTROL POINTS 8, 12 & 13 HAVE BEEN USED TO RE-ESTABLISH THE BOUNDARIES OF LOTS 41 & 42.

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
 2. THE SURVEY WAS COMPLETED ON THE 21ST DAY OF MAY, 2021.

JUNE 2, 2021
 DATE S.D. McLAREN, O.L.S.

© S.D. McLAREN, O.L.S. - 2021. NO PERSON MAY COPY, 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

89 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2Z9
 PHONE (905) 527-8559 FAX (905) 527-0032

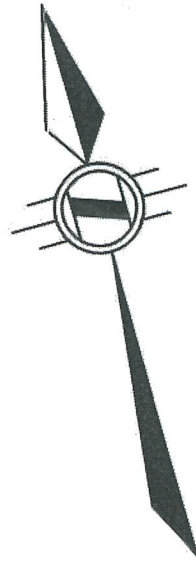
Drawn TC Checked JM Crew Chief MWR Scale 1:200 Dwg.No. 36150-414-42F

SITE AND GRADING PLAN
OF
LOTS 41 & 42
PLAN 62M-1267
IN THE
CITY OF HAMILTON

SCALE: 1:200 metres



S.D. McLAREN, O.L.S. - 2020



CITY OF HAMILTON
 Building Division

Permit No. 20-192401

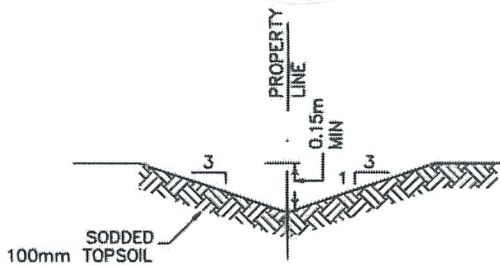
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE

THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW

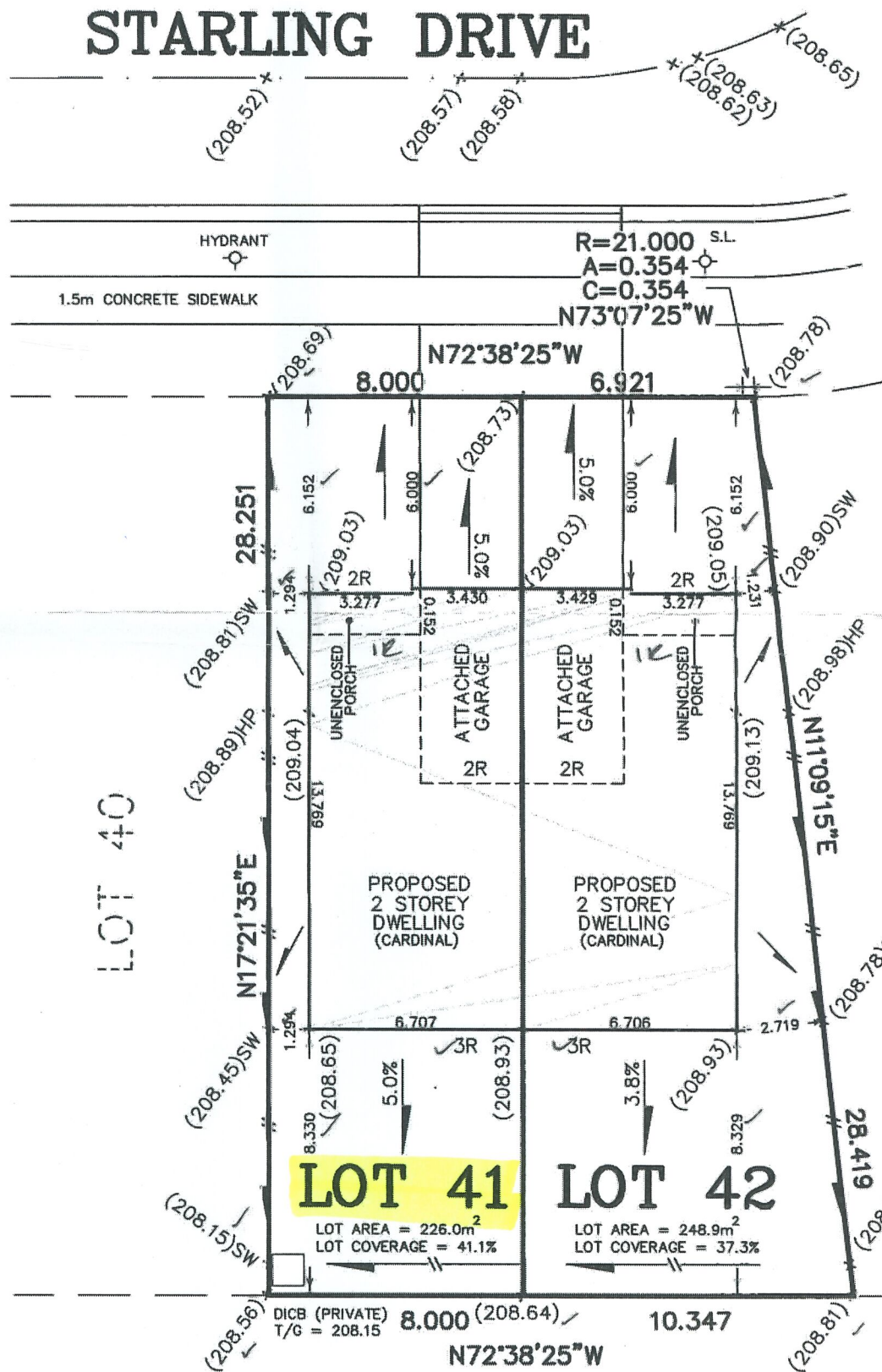
These drawings and/or specifications have been reviewed by

G. Johnson 11/17/20.
 PER CHIEF BUILDING OFFICIAL. DATE

SWALE DETAIL



STARLING DRIVE



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METRIC NOTE

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

BENCHMARK:

MONUMENT 0011965U051

RIDGEMOUNT PUBLIC SCHOOL ON NORTH SIDE OF HESTER STREET, OPPOSITE GREENINGDON DRIVE, AT WEST SIDE OF RONALDSHAY AVENUE, TABLET IN CENTRE OF SOUTH OR FRONT FACE OF CONCRETE FOUNDATION BELOW FIRST COLUMN EAST OF A JUT IN WALL, ABOUT 23 M WEST OF WEST EDGE OF SIDEWALK TO MAIN ENTRANCE, 15 CM BELOW STUCCO FACING.

ELEVATION: 205.493 metres
 CGVD-1928:1978

NOTES:

BUILDER TO VERIFY ELEVATION OF SERVICE CONNECTIONS PRIOR TO BASEMENT EXCAVATION TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED FOR GRAVITY SERVICES.

U/S FOOTINGS TO BE MINIMUM OF 1.2m BELOW FINISHED GRADE.

✓ ALL DWELLINGS TO BE EQUIPPED WITH SUMP PUMPS.

PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 209.03
 TOP OF FOUNDATION = 209.28
 FIRST FLOOR = 209.53
 BASEMENT FLOOR = 206.96 ✓
 U/S OF FOOTING = 206.73

LEGEND:

- 000.00 DENOTES EXISTING ELEVATION
- (000.00) " PROPOSED ELEVATION
- " DIRECTION OF FLOW
- /- " PROPOSED SWALE
- R " RISER
- * " REVISED DIMENSION

C O N C E S S I O N 6

PART 2, PLAN 62R-20524

NOVEMBER 02, 2020.
 DATE

S.D. McLaren
 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 KB | Checked SDM | Scale 1:200 | Dwg.No. 36150-41&42



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

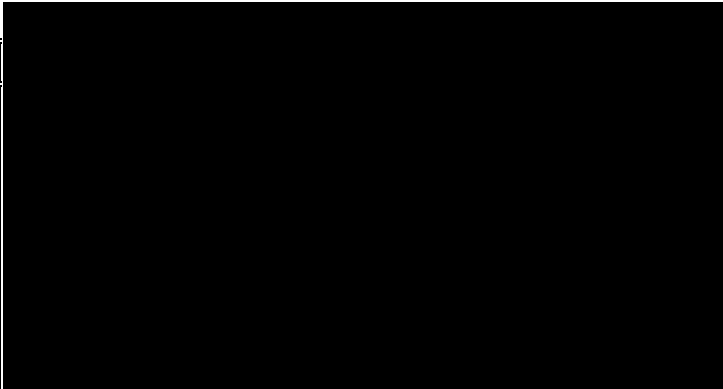
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT


1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Zeba Sadia Siddiqui		
Applicant(s)	Valiuddin Mohammed		
Agent or Solicitor		Phone:	
		E-mail:	

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant AgentSolicitor

1.4 Request for digital copy of sign Yes* No

If YES, provide email address where sign is to be sent 

1.5 All correspondence may be sent by email Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	40 Starling Dr, Hamilton, ON, L9A 2P5		
Assessment Roll Number			
Former Municipality			
Lot	Lot 41	Concession	
Registered Plan Number	62M-1267	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Seeking relief from zoning by-law, to allow tandem parking to accommodate a car parking space measuring (2.80M X 5.80M) on the existing driveway.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing zoning by-law does not permit tandem parking.

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
8.03 M	28.35 M	227.65 Sq M	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 Storey Dwelling	6.08 M	8.33 M	1.35 M	2021

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Dwelling Unit	66.47 Sq M	147.55 Sq M	2	6.09 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

TWO STOREY SEMI-DETACHED SECOND DWELLING UNIT

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

TWO STOREY SEMI-DETACHED DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

07-15-2023

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Residential Single semi-detached dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Residential Single semi-detached dwelling

7.4 Length of time the existing uses of the subject property have continued:

Since 2021

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhood

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? I1

7.8 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: _____

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes No

If yes, please provide the file number: _____

7.10 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

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
-
-