



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

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>A-24:194</b>	<b>SUBJECT PROPERTY:</b>	28 Starling Drive, Hamilton
<b>ZONE:</b>	I1 - Neighbourhood Institutional	<b>ZONING BY-LAW:</b>	Zoning By-law Hamilton 05-200

**APPLICANTS:** Owner: Abhi Kumar Patel  
Applicant: Amrit Sangha

The following variances are requested:

1. To permit a maximum driveway width of 5.64 metres whereas the by-law permits a maximum driveway width of 5.0 metres.
2. To permit a minimum 30% landscaped area in the front yard whereas the by-law requires a minimum of 50% to be landscaped.
3. That the EV parking requirement for the new parking space shall not be required.

**PURPOSE & EFFECT:** So as to facilitate the expansion of a parking area to complement the existing semi-detached 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:

<b>DATE:</b>	<b>Tuesday, September 24, 2024</b>
<b>TIME:</b>	<b>1:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</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

## **PUBLIC INPUT**

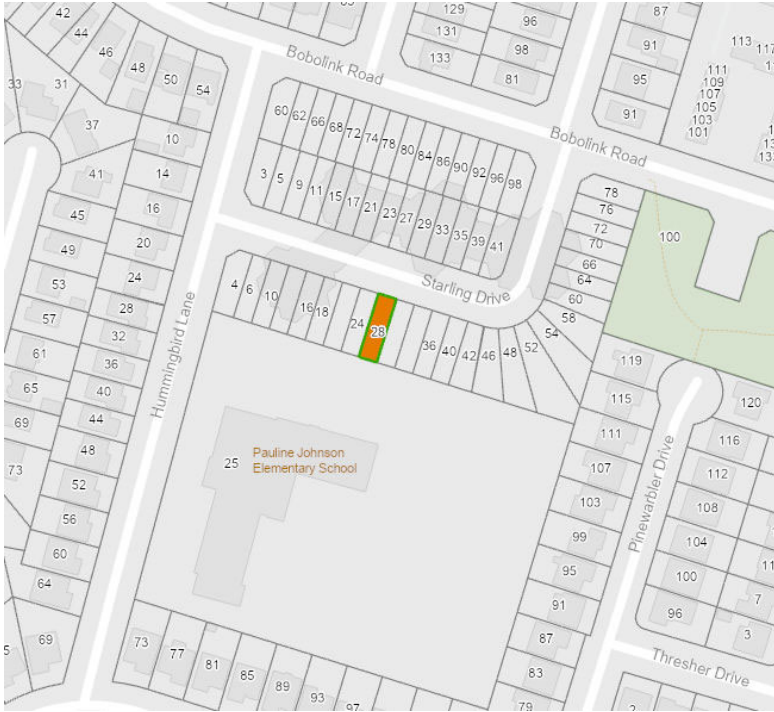
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 20, 2024

**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, registration to participate virtually must be received no later than noon September 23, 2024

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:194, you must submit a written request to [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.

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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: September 5, 2024

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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.



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### 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](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 on the date listed on the Notice of Public Hearing.**

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

#### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

##### 1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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 one business day before the Hearing. Only those registered will be called upon to speak.

##### 2. In person Oral Submissions

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](mailto:cofa@hamilton.ca).

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.

**HOUSE AND LOT SPECIFICATIONS:**

SEMI DETACHED LOT (TWO STOREY)

SECOND UNIT AREA : 470 ft<sup>2</sup> (43.6 m<sup>2</sup>)

TOTAL OWNER'S AREA (GROSS FLOOR AREA): 1,665 ft<sup>2</sup> (154.6 m<sup>2</sup>)

**PROPOSED SCOPE OF MINOR VARIANCE:**

EXTENSION OF DRIVEWAY TO ACCOMMODATE TWO PARKING SPACES FOR SECOND DWELLING UNIT

LOT AREA: 245 SQ M

LOT FRONTAGE: 8.05 M

LOT DEPTH: 30.45 M

TOTAL FRONT YARD AREA

68 SQ M

**DESCRIPTION**

**EXISTING**

**PROPOSED**

**TOTAL**

**% OF FRONT YARD**

DRIVEWAY

37.38 SQ M

10.3 SQ M

47.68 SQ M

70 %

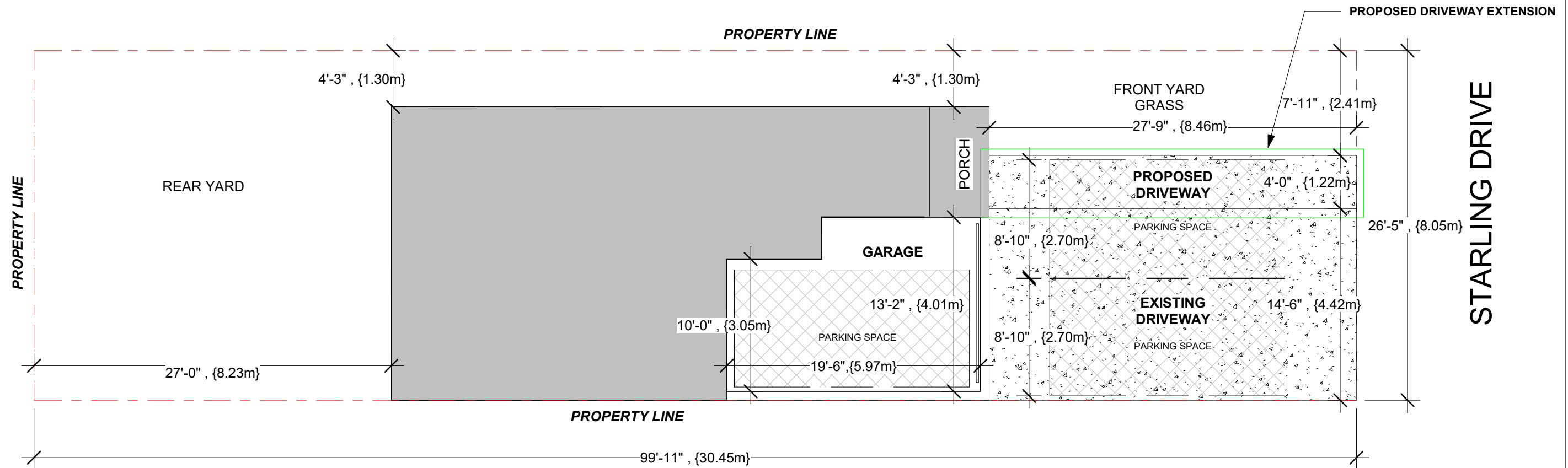
FRONT YARD  
SOFT LANDSCAPING

30.7 SQ M

- 10.3 SQ M

20.4 SQ M

30 %



**SITE PLAN**

ADDRESS:

28 STARLING DR,  
HAMILTON, ON

DRAWN BY: NS

DATE: MAY 12/24

PROJECT NUMBER: 2024-20

SCALE: 1/8" = 1'-0"

DWG No.

A101



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

**1. APPLICANT INFORMATION**

	NAME		
Registered Owners(s)	ABHI KUMAR PATEL		
Applicant(s)	AMRIT SANGHA		
Agent or Solicitor		Phone:	
		E-mail:	

1.2 Primary contact

Applicant

Owner

Agent/Solicitor

1.3 Sign should be sent to

Applicant

Owner

Agent/Solicitor

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.

1.6 Payment type

In person

Cheque

Credit over phone\*

\*Must provide number above



## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	28 STARLING DR		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot		Concession	
Registered Plan Number		Lot(s)	37
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:

DRIVEWAY EXTENSION TO ACCOMODATE TWO PARKING SPACES

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

EXISTING DRIVEWAY IS NOT ENOUGH TO ACCOMMODATE TWO PARKING SPACES REQUIRED FOR SECOND DWELLING UNIT IN BASEMENT

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
8.05 M	30.45 M	245 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
HOUSE	8.46 M	8.2 M	1.2 M	2021

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
HOUSE	8.46 M	8.2 M	1.2 M	2021

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
HOUSE	66.1 SQ M	154.6 SQ M	2	8.12M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
HOUSE	66.1 SQ M	198.2 SQ M	2	8.12 M

- 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 DWELLING UNITS

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

NOVEMBER 2023

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

SINGLE DWELLING UNIT

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

SINGLE DWELLING UNIT

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

8 MONTHS

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

Rural Hamilton Official Plan designation (if applicable): NOT APPLICABLE

Rural Settlement Area: NOT APPLICABLE

Urban Hamilton Official Plan designation (if applicable) NEIGHBORHOODS

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

BECAUSE ITS RESIDENTIAL AREA AND SECOND DWELLING IS PROPOSED

7.6 What is the existing zoning of the subject land? NEIGHBOURHOOD INSTITUTIONAL (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: NEIGHBOURHOOD INSTITUTIONAL (I1 ZONI

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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: \_\_\_\_\_

**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
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