



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.: SC/A-20:281

APPLICANTS: Julia Mancini on behalf of the owner Amer Murad & Trina Sager

SUBJECT PROPERTY: Municipal address **1031 North Service Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 4580-97

ZONING: "RR" (Rural Residential) district

PROPOSAL: To permit the construction of an accessory structure ("pool house") in the rear yard on a residential parcel of land, notwithstanding that;

1. A maximum building height of 6.31 metres shall be permitted for all building's accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall have a maximum building height of 4.5 metres.

NOTE:

1. Specific details regarding total lot coverage were not included as part of this application. Please note that as per Section 5.4.3© of Stoney Creek Zoning By-law No. 3692-92, the maximum permitted lot coverage for all buildings on a lot is 40 percent. Additional variances may be required if compliance with Section 5.4.3© is not possible.
2. Specific details regarding the encroachment of eaves or gutters of the proposed accessory structure ("pool house") have not been provided. Additional variances may be required if compliance with Section 4.19.1© is not possible.
3. Human habitation is prohibited within the proposed accessory building ("pool house"). In addition, the existing accessory building shall only be used for incidental uses associated with the principle use. Any use or storage not associated with the principle uses (i.e. warehousing) is not permitted.
4. Construction of the proposed accessory building ("pool house") is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, February 4th, 2021
TIME: 2:25 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

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

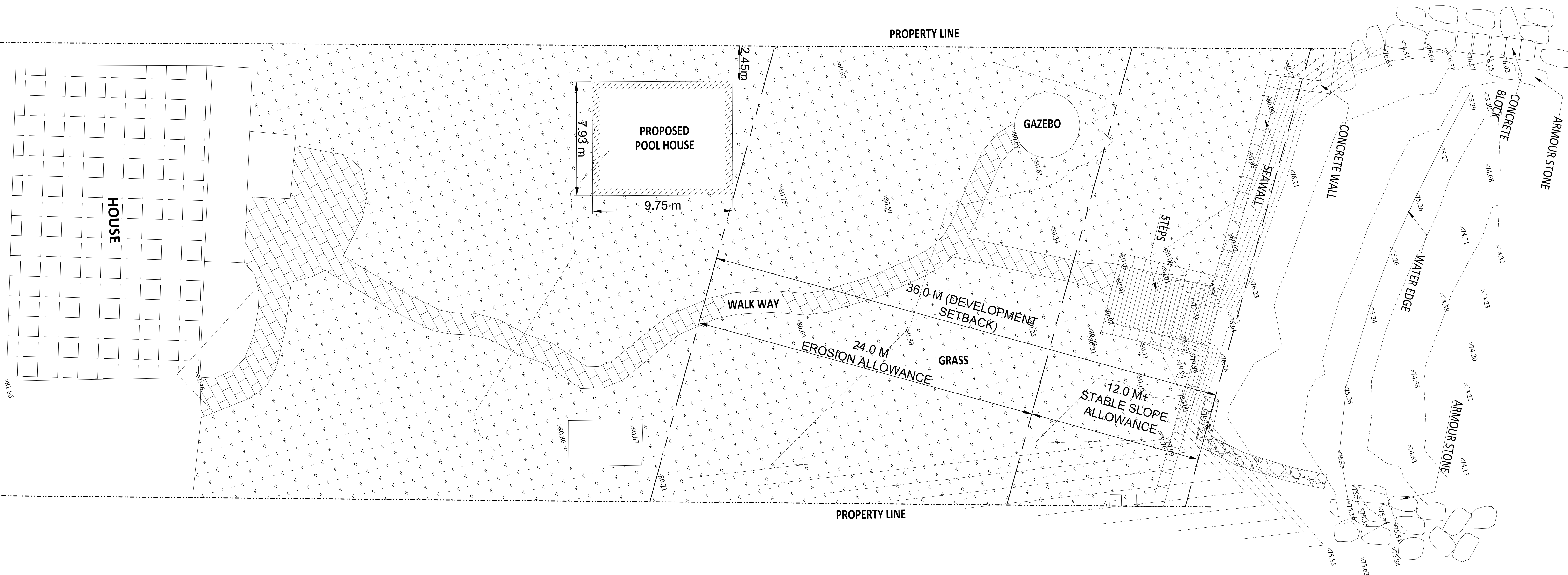
For more information on this matter, including access to drawings illustrating this request:

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

DATED: January 19th, 2021.

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.



1031 NORTH SERVICE ROAD
 SHORELINE HAZARD ASSESSMENT
 SCALE-1:125

NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/13/2020
2.			
3.			
4.			
5.			
6.			

DESIGNED BY:
 Dr. Bahar SM

APPROVED BY:

DRAWN BY:
 Moniruzzaman Rayhan
 DATE: (MM.DD.YYYY)
 08.13.2020
 SHEET No.
 1 of 1
 DWG. No.
 1



SHORELINE HAZARD ASSESSMENT
 FOR
 1031 NORTH SERVICE ROAD






1
SP101

SITE PLAN

Scale 1:600

LOT STATISTICS
1031 North Service Road, Stoney Creek
Zoning Designation - RR Rural Residential
Lot Area: 4044.14 m ²
Lot Coverage: 10% required
Rear Yard: 7.5m required
Side Yard: 1.25m required
Building Height: 4.5m required
VARIANCE

	NEW POOL HOUSE
	EXISTING SINGLE FAMILY DWELLING
	REGULATED AREA- HAZARD LANDS

NOTE:
ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE



 **Ontario**
Ministry of Municipal Affairs & Housing

Qualification Information
The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature Julia Mancini

Julia Mancini, Manco Design
BCIN 113168

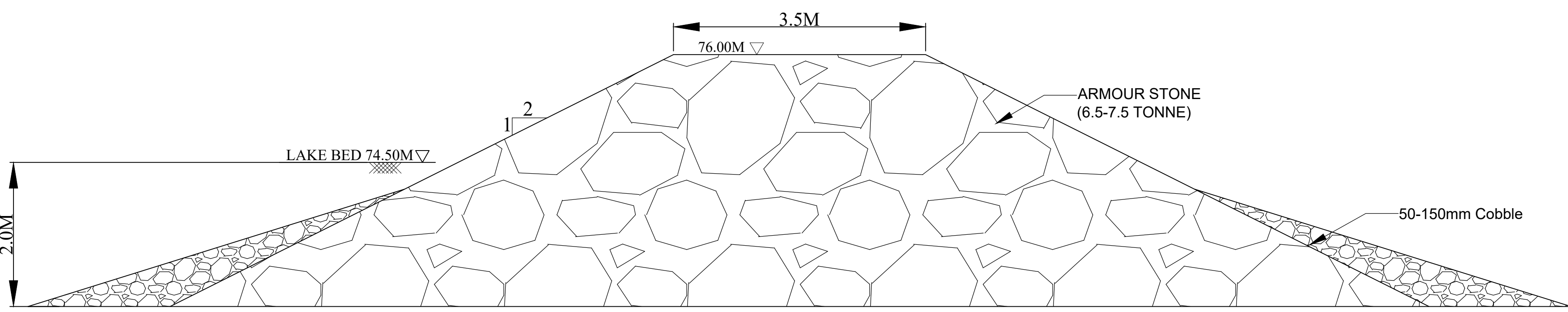
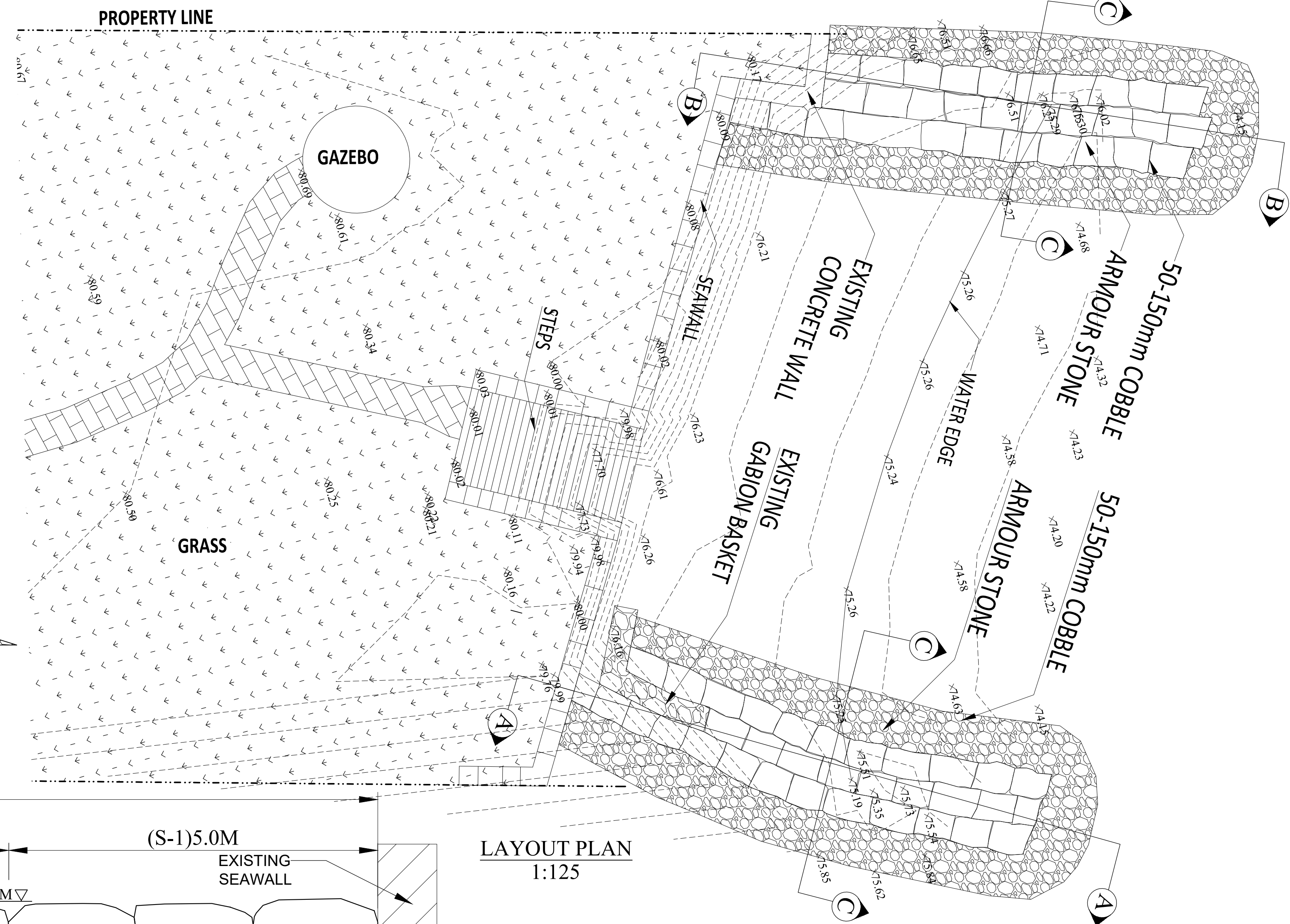


MANCO
ARCHITECTURAL DESIGN
Phone | 905-537-9578
Email | julia@mancodesign.com

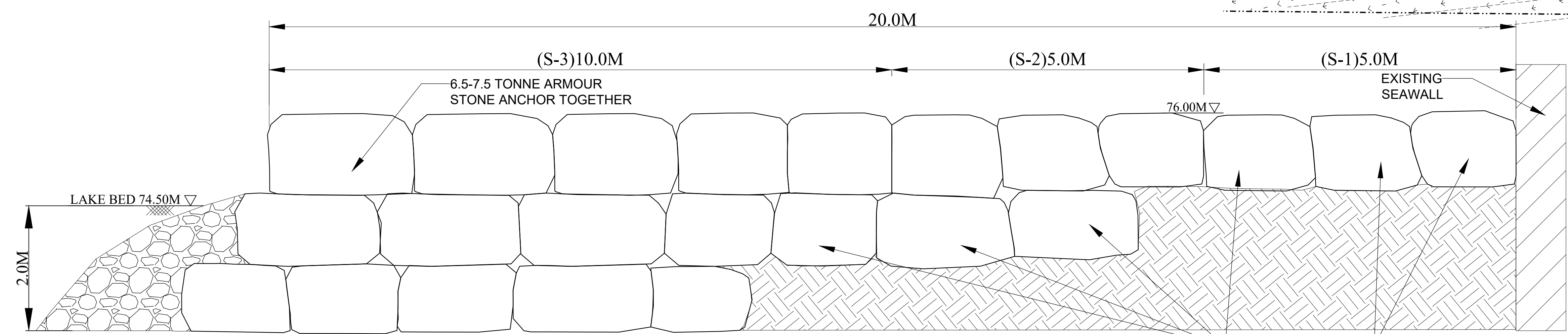
1031 NORTH SERVICE RD.
STONEY CREEK, ONTARIO

DRAWING SUBMISSIONS	
DATE	TYPE
20-12-06	MINOR VARIANCE

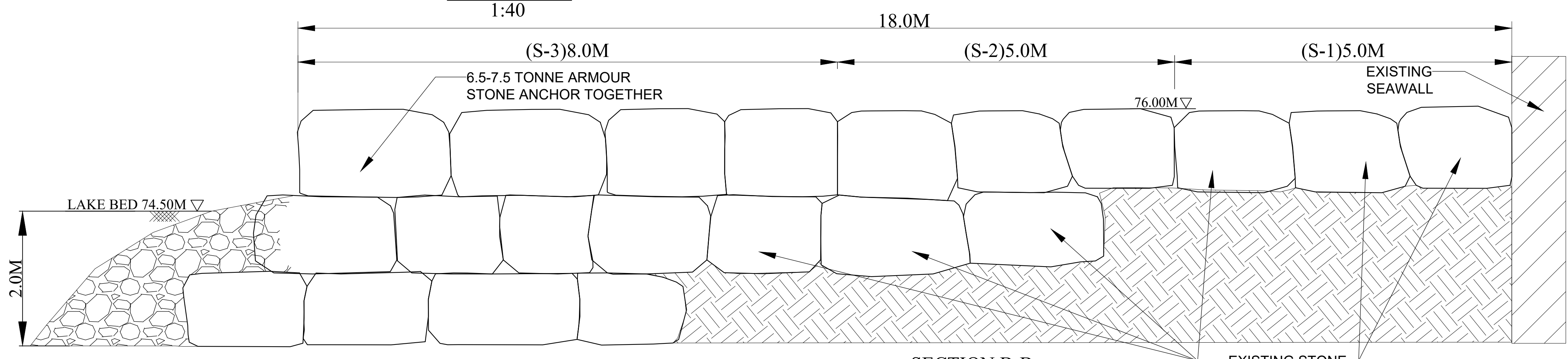
SITE PLAN
SP1.01



SECTION C-C
1:45



SECTION A-A
1:40



SECTION B-B
1:40

LAYOUT PLAN
1:125

NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/08/2020
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DESIGNED BY:
Dr. Bahar SM

APPROVED BY:

DRAWN BY:
Moniruzzaman Rayhan
DATE: (MM.DD.YYYY)
08.08.2020
SHEET No.
1 of 1
DWG. No.
1



GROYNE DESIGN SECTIONS
FOR
1031 NORTH SERVICE ROAD



Committee of Adjustment
 City Hall
 5th Floor 71 Main Street West
 Hamilton, Ontario L8P 1Y5

Planning and Economic Development Department
 Planning Division

Phone: (905) 546-2424 ext. 4221
 Fax: (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND
 RETURN TO THE CITY OF HAMILTON PLANNING
 DEPARTMENT.

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S SIGNATURE _____

CITY OF HAMILTON
 COMMITTEE OF ADJUSTMENT
 HAMILTON, ONTARIO

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.

- Name of Owner Amer Murad & Trina Sabor Telephone No. [REDACTED]
 FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED]
 [REDACTED] Postal Code [REDACTED]
- Name of Agent Julia Mancini Telephone No. [REDACTED]
 FAX NO. [REDACTED] E-mail address [REDACTED]
- Address [REDACTED]
 [REDACTED] Postal Code [REDACTED]

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
N/A
 _____ Postal Code _____
 _____ Postal Code _____

6. Nature and extent of relief applied for:
Per the City of Stony Creek Zoning Bylaw
3095-20, Section 6.1.4 (Bylaw 4580-97)
the maximum height of an accessory building in a
residential zone is 4.5m. A minor variance is requested
for the pool house, as it exceeds 4.5m in height (see attached plans),

7. Why it is not possible to comply with the provisions of the By-law?
The pool house is two levels, with the
second storey it does not comply.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable street and street number):
131 North Dewine Road, Stony Creek

9. PREVIOUS USE OF PROPERTY
Residential Industrial Commercial
Agricultural Vacant
Other _____

9.1 If Industrial or Commercial, specify use

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown

9.6 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

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown

9.8 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

9.9 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

9.10 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

9.11 What information did you use to determine the answers to 9.9 to 9.10 above?

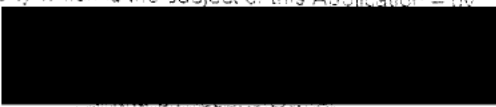
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

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 - on reason of its approval to this Application.

Dec 8 2020
Date



Amer Murad Trina Sayer
Print Name of Owner

10. Dimensions of lands affected:

Frontage 30.98 m
Depth 126.74 m
Area 3918.1 m²
Width of street 12.5 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: 4 m Ft² home +/-, 2 stories,
7.0m w x 4.3m deep.

Proposed: Proposed pool house, 48 m² main and
48 m² upper floor, 2 stories, 6.2m w x 7.92m deep.

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 home family dwelling

Proposed: pool house in the rear yard.

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:

15. Existing uses of the subject property: single family dwelling

16. Existing uses of abutting properties: single family dwellings

17. Length of time the existing uses of the subject property have continued:

18. Municipal services available: (check the appropriate space or spaces)

Water Connected _____

Sanitary Sewer _____ Connected _____

Storm Sewers _____ Property on septic

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:

RR - Rural Residential

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. 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.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps



A Healthy Watershed for Everyone

SC/F,C,A/20/63

November 17, 2020

Amer Murad and Trina Sager
1031 North Service Rd
Stoney Creek, ON L8E 5C8

Dear Mr. Murad and Ms. Sager:

RE: Notice of Decision – Amer Murad and Trina Sager – for the repair and restoration of existing shoreline protection measures in a regulated area associated with Lake Ontario, 1031 North Service Road, Part Lot 8, Broken Front Concession, in the City of Hamilton (former City of Stoney Creek)

Please be advised that Hamilton Conservation Authority staff approved the above noted proposal, subject to the following conditions:

1. The Owner shall retain a copy of the HCA permit and approved plans on-site at all times during construction;
2. The Owner shall adhere to the HCA permit and approved plans, documents and conditions, including HCA redline revisions, herein referred to as the “works”, to the satisfaction of HCA. The Owner further acknowledges that all proposed revisions to the design of this project must be submitted for review and approval by HCA prior to implementation of the redesigned works;
3. The Owner shall notify the HCA Watershed Officer 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein;
4. The Owner shall arrange a final site inspection of the works with the HCA Watershed Officer prior to the expiration date on the permit to ensure compliance with terms and conditions of the permit to the satisfaction of the HCA;
5. THAT all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been restored;
6. THAT all erosion and sediment control measures be inspected after each rainfall to the satisfaction of Authority staff;
7. THAT any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction;

8. THAT all disturbed areas be re-vegetated with permanent cover immediately following completion of construction; and
9. THAT the works are undertaken in accordance with the Drawing Titled Groyne Design Sections for 1031 North Service Road, dated August 8, 2020, prepared by AHYDTECH Geomorphic Ltd.

Please find enclosed Permit #2020-81 issued under the Conservation Authorities Act, pursuant to Ontario Regulation 161/06 - Hamilton Conservation Authority Regulation Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation. Should you have any questions, please contact the undersigned at 905-525-2181, ext. 130.

Yours sincerely,



T. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer/
Director, Watershed Planning and Engineering

TSP:vp
Enc. Permit 2020-81 and approved plan

cc. Dr. Bahar SM, AHYDTECH Geomorphic Ltd., 22 Zecca Dr, Guelph, ON N1L 1T1



Hamilton
Conservation
Authority

A Healthy Watershed for Everyone

838 Mineral Springs Road, PO Box 81067
Ancaster, Ontario L9G 4X1
Telephone: 905-648-4427 Fax: 905-648-4622

PERMIT

N^o 2020-81

ISSUED UNDER THE CONSERVATION AUTHORITIES ACT, PURSUANT TO ONTARIO REGULATION 161/06 – HAMILTON CONSERVATION AUTHORITY DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES REGULATION.

Permission has been granted to: **Amer Murad and Trina Sager** Phone: **416-628-8330**
Mailing Address: **1031 North Service Rd, Stoney Creek, ON L8E 5C8**
Location: **in a regulated area associated with Lake Ontario, in the City of Hamilton**
For the: **repair and restoration of existing shoreline protection measures in a regulated area associated with Lake Ontario, 1031 North Service Road, Part Lot 8, Broken Front Concession, in the City of Hamilton (former City of Stoney Creek)**


on the above property during the period of **November 17, 2020 to November 17, 2022** subject to the following conditions.

1. The Owner shall retain a copy of the HCA permit and approved plans on-site at all times during construction;
2. The Owner shall adhere to the HCA permit and approved plans, documents and conditions, including HCA redline revisions, herein referred to as the "works", to the satisfaction of HCA. The Owner further acknowledges that all proposed revisions to the design of this project must be submitted for review and approval by HCA prior to implementation of the redesigned works;
3. The Owner shall notify the HCA Watershed Officer 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein;
4. The Owner shall arrange a final site inspection of the works with the HCA Watershed Officer prior to the expiration date on the permit to ensure compliance with terms and conditions of the permit to the satisfaction of the HCA;

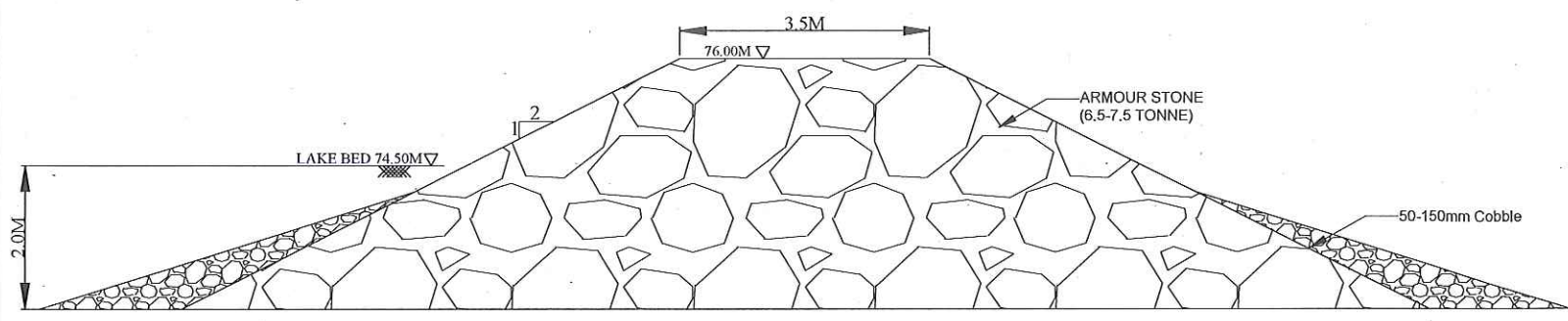
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NOTE:

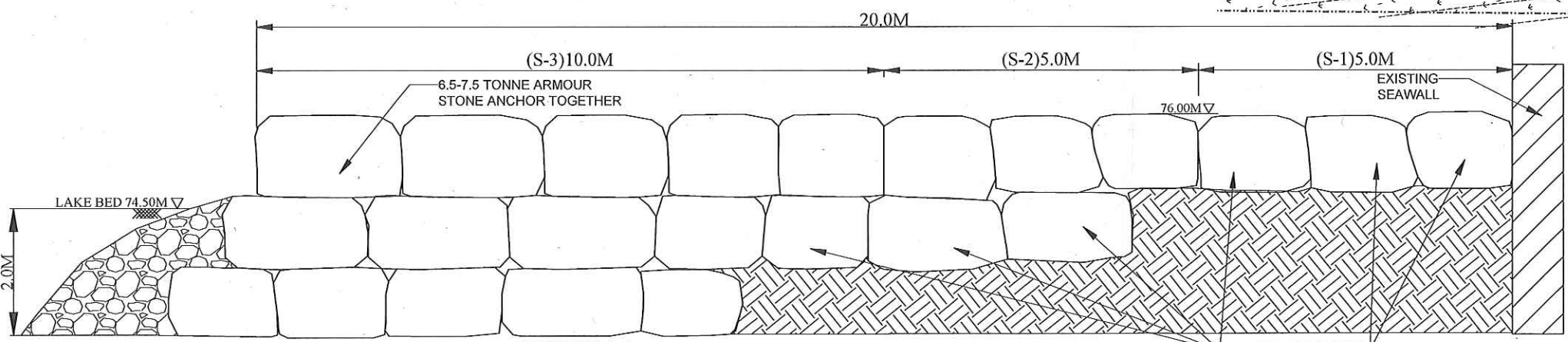
- 1) This permit may be withdrawn by the HCA if the works do not comply with the above noted conditions. Non-compliance with permit conditions also constitutes a violation of the regulation and may result in charges being laid.
- 2) The issuance of this permit does not abrogate the necessity of obtaining all other required permits for development and construction, i.e. permits required by the Niagara Escarpment Commission, Municipality, Ministry of Natural Resources and Forestry, Harbour Commissioners and any or all other agencies.



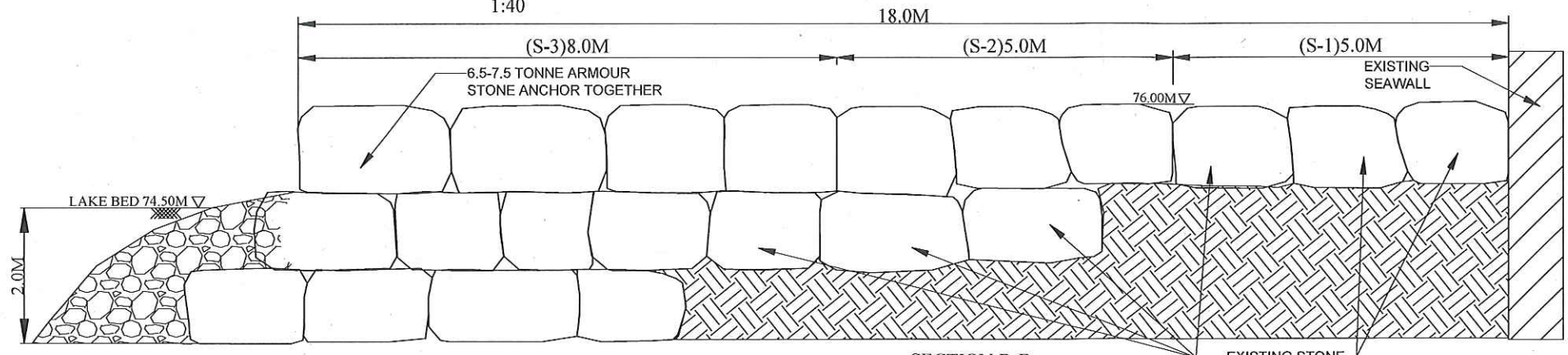
Enforcement Officer
T. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer/
Director, Watershed Planning & Engineering



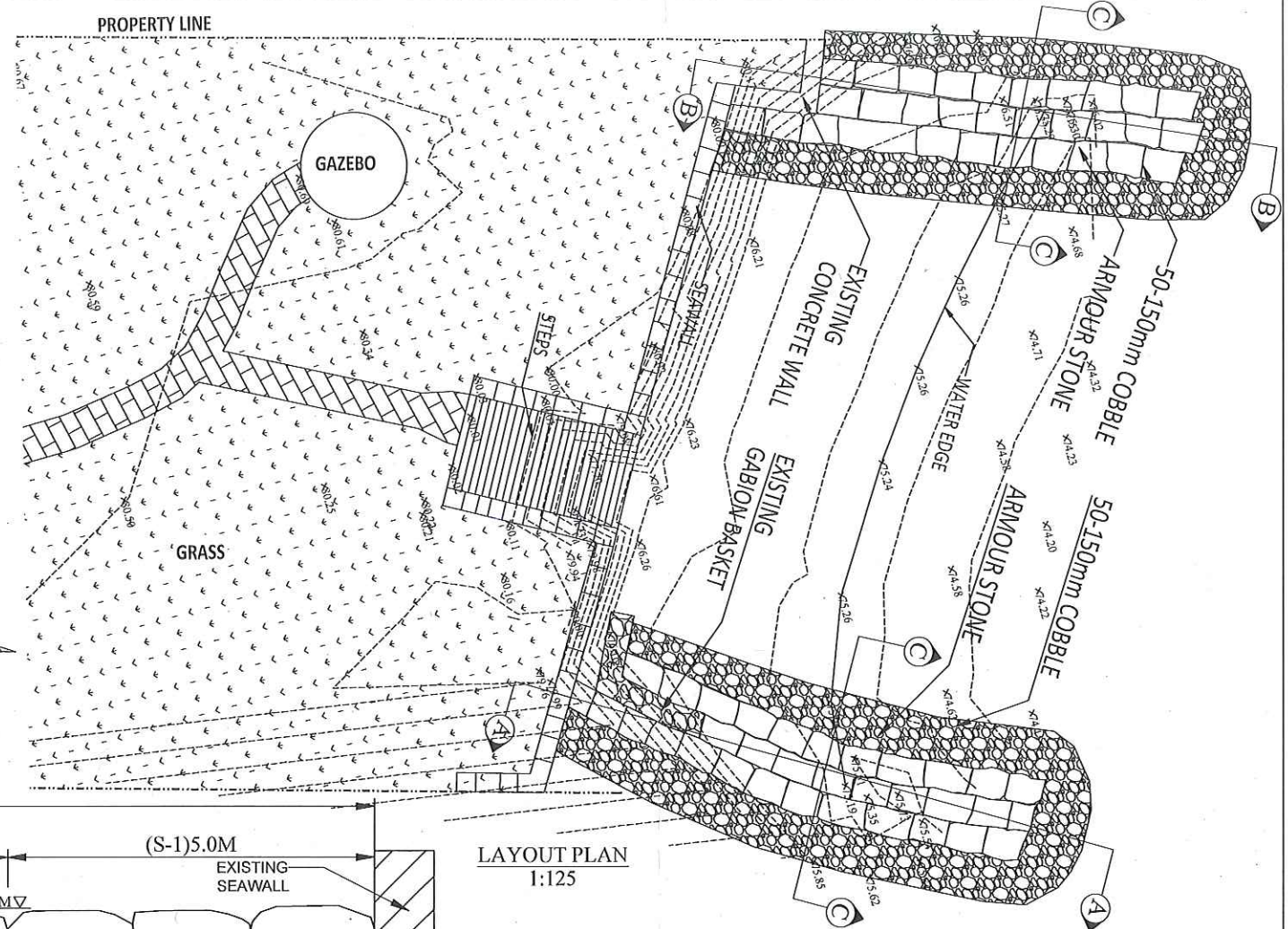
SECTION C-C
1:45



SECTION A-A
1:40



SECTION B-B
1:40



LAYOUT PLAN
1:125



NO.	REVISION	BY	MM/DD/YY
1.	1ST SUBMISSION	MONIRUZZAMAN	08/08/2020
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DESIGNED BY:
Dr. Bahar SM

APPROVED BY:

DRAWN BY:
Moniruzzaman Rayhan
DATE: (MM.DD.YYYY)
08.08.2020
SHEET No.
1 of 1
DWG. No.
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GROYNE DESIGN SECTIONS
FOR
1031 NORTH SERVICE ROAD