

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-21:136

APPLICANTS: Agent On the Snap Billiards & Lounge
Owners Gray 8 Corners

SUBJECT PROPERTY: Municipal address **152 Gray Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 17-240

ZONING: C5 district (Mixed Use Medium Density)

PROPOSAL: To permit a permanent outdoor commercial patio comprising 22 square metres in area to be established on a second floor balcony for a commercial recreation use (billiards), notwithstanding that:

1. The outdoor commercial patio shall be permitted to abut a Residential Zone, whereas the Zoning By-law does not permit an outdoor commercial patio to be established on a lot where any lot line abuts a Residential Zone, Downtown D5 or Downtown D6 Zone or where such lot is separated from a Residential Zone, Downtown D5 or Downtown D6 Zone by a laneway.
2. The outdoor commercial patio shall be permitted to be located in the front yard whereas the Zoning By-law only permits a commercial patio to be established in the front yard where only the rear lot line abuts a Residential Zone, Downtown D5 or Downtown D6 Zone or the lot is separated from the Residential Zone, Downtown D5 or Downtown D6 Zone by a laneway.

NOTES:

1. The proposed outdoor commercial patio is intended to be a permanent use and does not fall under the City's Outdoor Commercial Dining District Program, for temporary outdoor patios which was provided in T6 and T7 of Schedule E and established under amending by-laws 20-181 and 20-215. This is due to the requirement for a building permit for a new second storey doorway entrance to the outdoor commercial patio in which it would not be considered a temporary use.
2. The variance was written as requested by the applicant.
3. The setbacks for the C5 zone do not apply as the development on the property is existing.

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

DATE:	Thursday, May 20th, 2021
TIME:	2:20 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:

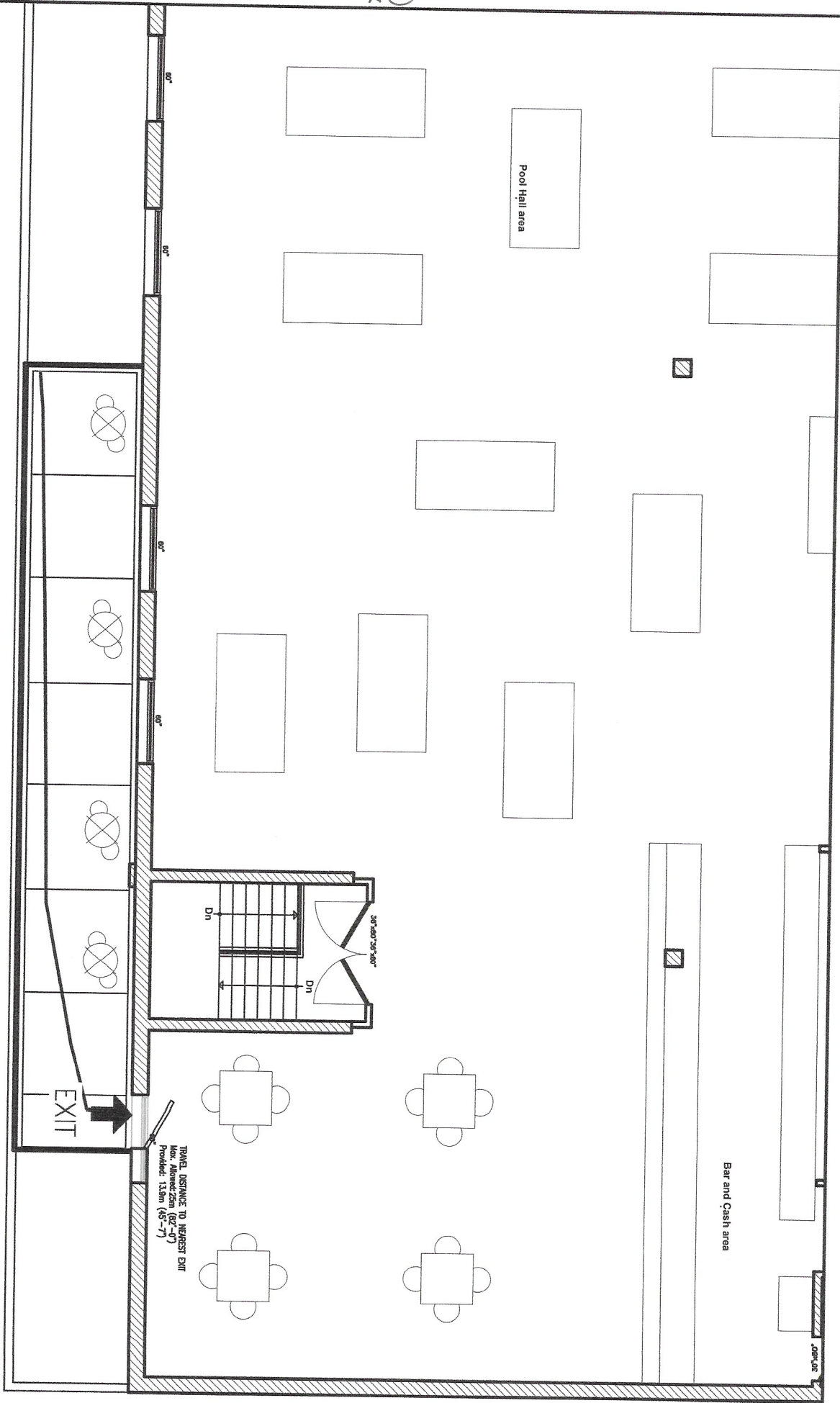
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: May 4th, 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.

A2



Second Floor Plan
SCALE 1/8" = 1'-0"

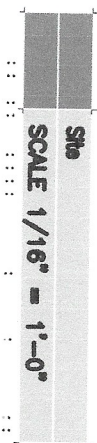
West face of building

South face of building

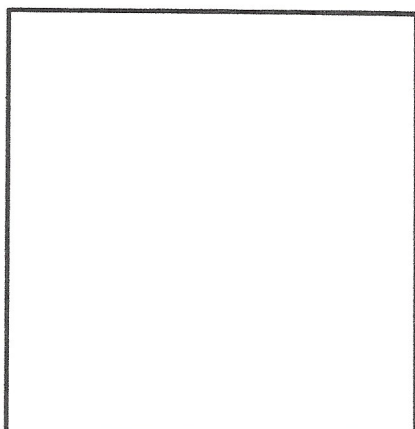
A3

361'-2 5/8" (110.10m)
S 72d7' E

397'-11 5/8" (121.30m)
S 72d2' E



136'-6" (41.61m)
N 16d35' E



A 4

98'-11" (30.15m)
N 16d43' E

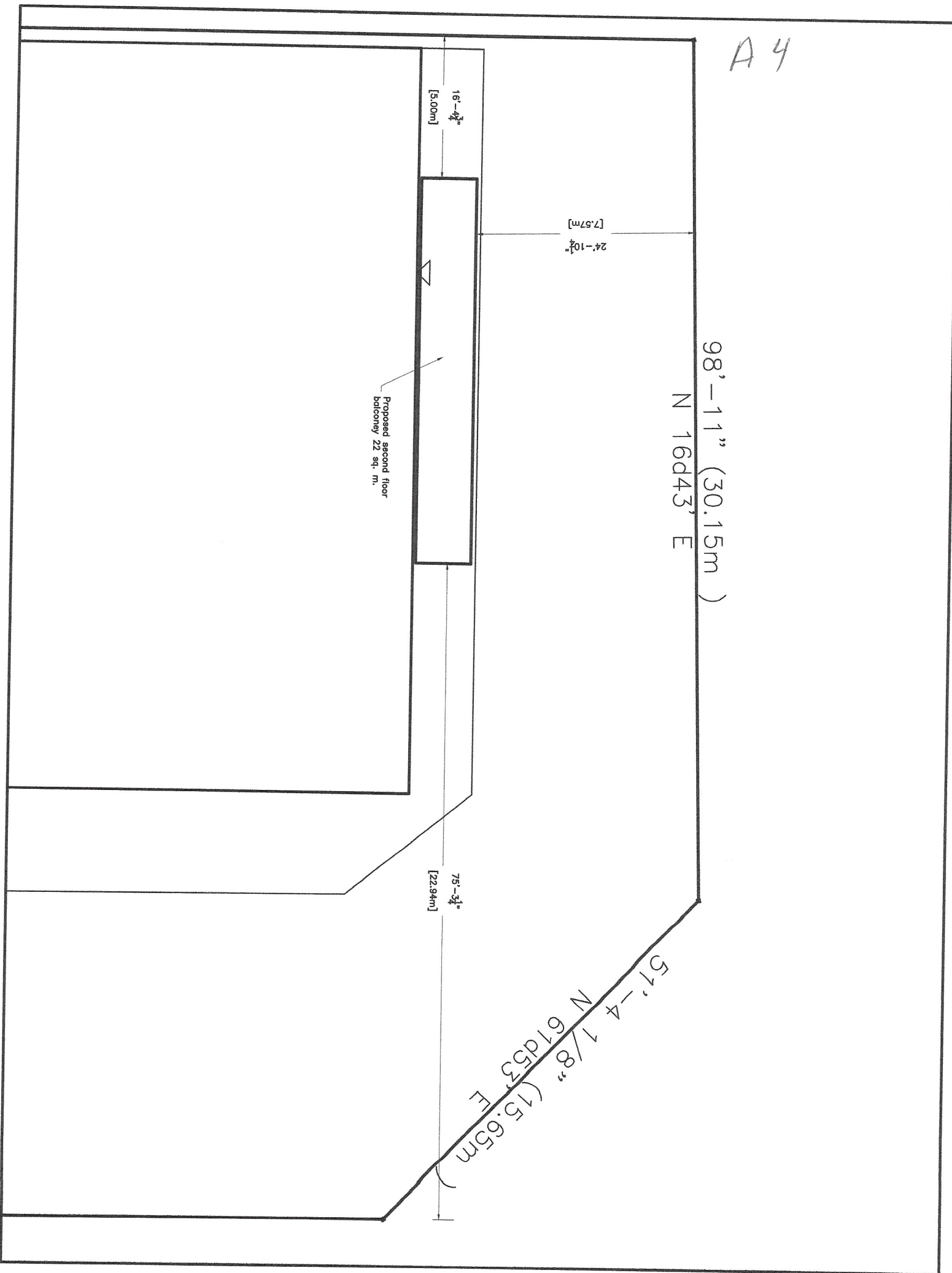
24'-10 3/4"
[7.57m]

16'-4 3/4"
[5.00m]

Proposed second floor
balcony 22 sq. m.

75'-3 1/4"
[22.94m]

51'-4 1/8" (15.65m)
N 61d53' E





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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

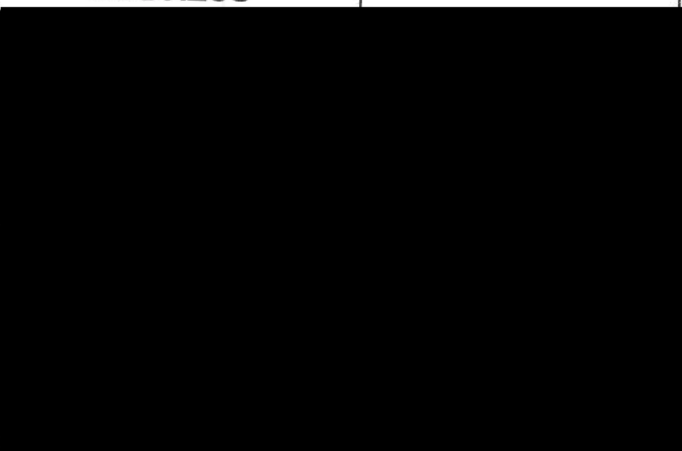
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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	ADDRESS
Registered Owners(s)	GRAY & CORNERS	
Applicant(s)*	ON THE SNAP BILLIARDS & LAUNDRY w/ Full Authority of GRAY'S CORNERS	
Agent or Solicitor		<div>Phone:</div> <div>E-mail:</div>

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

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:

please see attached sheet A1

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

*existing entrance way falls 7 inches within
5 meter requirement.*

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**):

*ON THE SNAP BILLIARDS & LOUNGE LTD
152 GRAY Rd, STONEY CREEK L8G 3V2*

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 ☐

8.10 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 9.1 to 9.10 above?

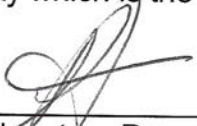
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ☐ No ☒

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.

MAR 4, 2021
Date


Signature Property Owner

Gray & Corners
Print Name of Owner

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area _____
Width of street _____

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: _

Proposed

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

Existing:

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
unknown
15. Existing uses of the subject property:
plaza
16. Existing uses of abutting properties:
streets, commercial, residential
17. Length of time the existing uses of the subject property have continued:
ON THE SNAP HAS BEEN USING PROPERTY FOR LAST 8 yrs.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>/</u> | Connected | <u>/</u> |
| Sanitary Sewer | <u>/</u> | Connected | <u>/</u> |
| Storm Sewers | <u>/</u> | | |
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?
☒ 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. Additional Information
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.