



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-23:346	SUBJECT PROPERTY:	2251 RYMAL ROAD, STONEY CREEK
ZONE:	"C5" (Mixed Use Medium Density)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Applicant: RICHIE KHANNA
 Owner: 2677191 ONTARIO INC
 Agent: JASON FARR

The following variances are requested:

1. A minimum of 9 parking spaces shall be provided whereas 13 parking spaces are required.

PURPOSE & EFFECT: The variance is to facilitate the construct of two outdoor patios for a restaurant.

Notes:

- i) The two outdoor patios were built without a permit, there is currently an active building permit 2023 133113 C3 to legalize them, this variance is required to facilitate the issuance of the building permit.
- ii) The variances are written as requested by applicant.
- iii) Additional 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:

DATE:	Tuesday, February 13, 2024
TIME:	3:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)

	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

PUBLIC INPUT

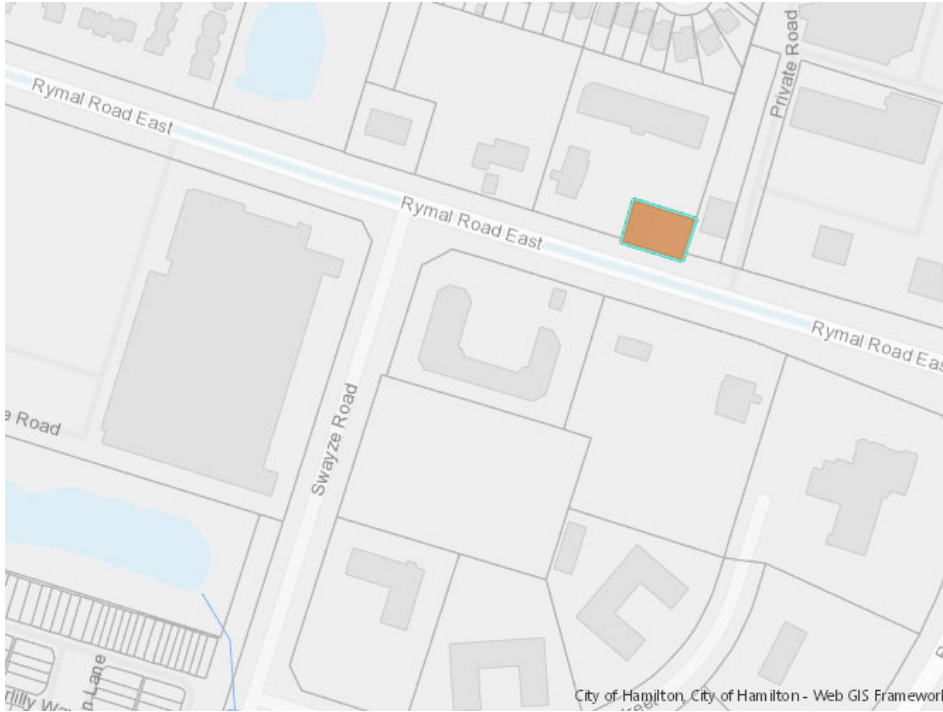
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than February 9, 2024

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 February 12, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:346, 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: January 25, 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.



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

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.**

Comments are available the Friday prior to the Hearing and are available on our website: 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. 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

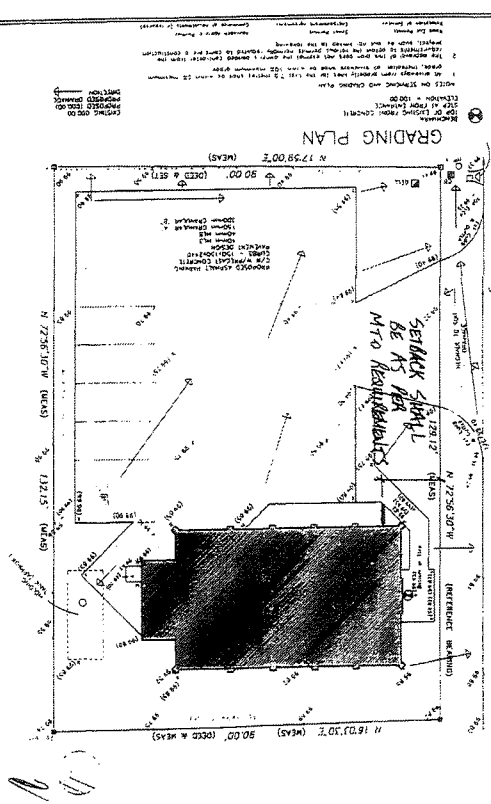
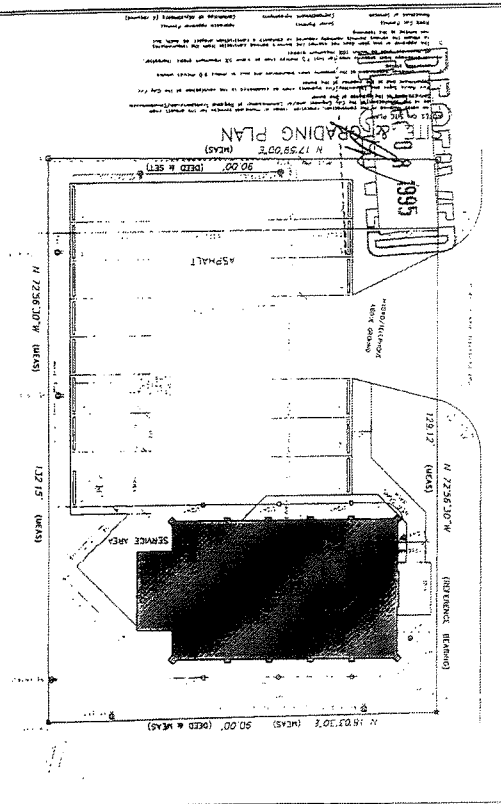
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 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 or by phone at 905-546-2424 ext. 4221.

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.

OFFICE COPY

HIGHWAY NO. 53



DATE	11/05
BY	AM/95
REVISION	
NO. 1	
NO. 2	
NO. 3	
NO. 4	
NO. 5	
NO. 6	
NO. 7	
NO. 8	
NO. 9	
NO. 10	
NO. 11	
NO. 12	
NO. 13	
NO. 14	
NO. 15	
NO. 16	
NO. 17	
NO. 18	
NO. 19	
NO. 20	
NO. 21	
NO. 22	
NO. 23	
NO. 24	
NO. 25	
NO. 26	
NO. 27	
NO. 28	
NO. 29	
NO. 30	
NO. 31	
NO. 32	
NO. 33	
NO. 34	
NO. 35	
NO. 36	
NO. 37	
NO. 38	
NO. 39	
NO. 40	
NO. 41	
NO. 42	
NO. 43	
NO. 44	
NO. 45	
NO. 46	
NO. 47	
NO. 48	
NO. 49	
NO. 50	
NO. 51	
NO. 52	
NO. 53	
NO. 54	
NO. 55	
NO. 56	
NO. 57	
NO. 58	
NO. 59	
NO. 60	
NO. 61	
NO. 62	
NO. 63	
NO. 64	
NO. 65	
NO. 66	
NO. 67	
NO. 68	
NO. 69	
NO. 70	
NO. 71	
NO. 72	
NO. 73	
NO. 74	
NO. 75	
NO. 76	
NO. 77	
NO. 78	
NO. 79	
NO. 80	
NO. 81	
NO. 82	
NO. 83	
NO. 84	
NO. 85	
NO. 86	
NO. 87	
NO. 88	
NO. 89	
NO. 90	
NO. 91	
NO. 92	
NO. 93	
NO. 94	
NO. 95	
NO. 96	
NO. 97	
NO. 98	
NO. 99	
NO. 100	

Cuisine Show Inc.
 2201 Highway 53
 Highway 53, Suite 200
 Regina, Saskatchewan S4S 0A6
 (306) 373-3500

R.E. LINNACK
 ARCHITECT
 INCORPORATED
 748 Queen Street East
 Regina, Saskatchewan S4S 0A6
 (306) 373-3500



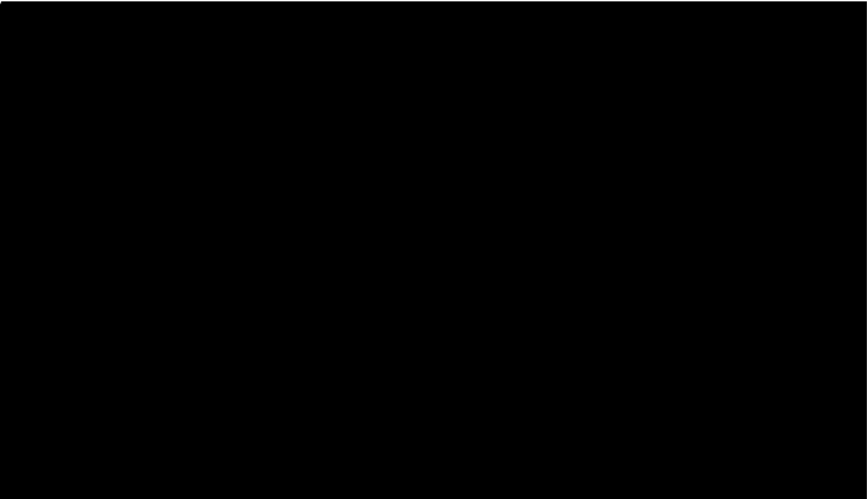
Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

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)	2677191 Ontario Inc.
Applicant(s)	Richie Khanna R&R Designs
Agent or Solicitor ✚	JASON FARR



- 1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.4 Request for digital copy of sign Yes* No
- If YES, provide email address where sign is to be sent [Redacted]
- 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	2251 RYMAL RD E, STONEY CREEK, ON L8J 2V8		
Assessment Roll Number	03100850006000000		
Former Municipality	STONEY CREEK		
Lot	25	Concession	8
Registered Plan Number		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:

Without the two decks (which are shown on proposed site plan), there are 13 parking spots. With two proposed decks the parking has been reduced to 9 spots. We would like to apply for exemption through minor variance for reduced parking.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Decks were already built during covid. Therefore, not possible to provide required parking spots.

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
39.92m	30.26 m	1208.05 sq.m	Existing to remain

4.2 Location of all buildings and structures on or proposed for the subject lands:
 (Specify distance from side, rear and front lot lines)
 Refer to sheet no. SP1.01 & SP1.02

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Brick building	4.98m	6.60m	4.04m,26.29m	Dec 16, 1994
Wooden deck	21.22m	1.68m	4.04m,23.40m	1991

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Wooden deck 1	19.81m	1.91m	23.28m,2.01m	July 2021
Wooden deck 2	6.33m	7.32m	14.10m,19.51m	July 2021

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

Existing: No changes to the brick building. Therefore, Exterior decks areas will not be affected

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Brick building	170.7 sq.m	existing to remain	1	existing to remain
Wooden deck	-	existing to remain	1	existing to remain

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Wooden deck 1	-	99.7 sq.m	1	~0.58m (1'-11")
Wooden deck 2	-	82.0 sq.m	1	~0.58m (1'-11")

- 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
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

July 26, 2019

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

Restaurant

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

Restaurant

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

Client acquired the land 4.5 years ago.

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) mixed use medium density- commercial

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

This application is only to resolve parking issue. Existing restaurant building is to remain as is.

7.6 What is the existing zoning of the subject land? C5

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: _____

8.2 Number of Dwelling Units Proposed: _____

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
-
-