

**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>HM/A-22:99</b>	<b>SUBJECT PROPERTY:</b>	578 CATHARINE STREET N, HAMILTON
<b>ZONE:</b>	"D" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner J. Schoenhardt  
Agent M. Sabelli

The following variances are requested:

1. A front yard depth of 3.0m shall be provided instead of the minimum required front yard depth of 6.0m.
2. No parking spaces shall be provided on-site instead of the minimum required two (2) parking spaces.

**PURPOSE & EFFECT:** So as to permit the construction of a new two (2) storey Single Family Dwelling notwithstanding that:

**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>Thursday, July 28, 2022</b>
<b>TIME:</b>	<b>3:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: July 12, 2022

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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.

## 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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) 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.

CATHARINE STREET NORTH  
( BY NATHANIEL HUGHSON SURVEY-UNREGISTERED, P.I.N. 17155-0245 (L.T.) )

SCALE 1:150

0      2.5      5      7.5      10      12.5 METRES



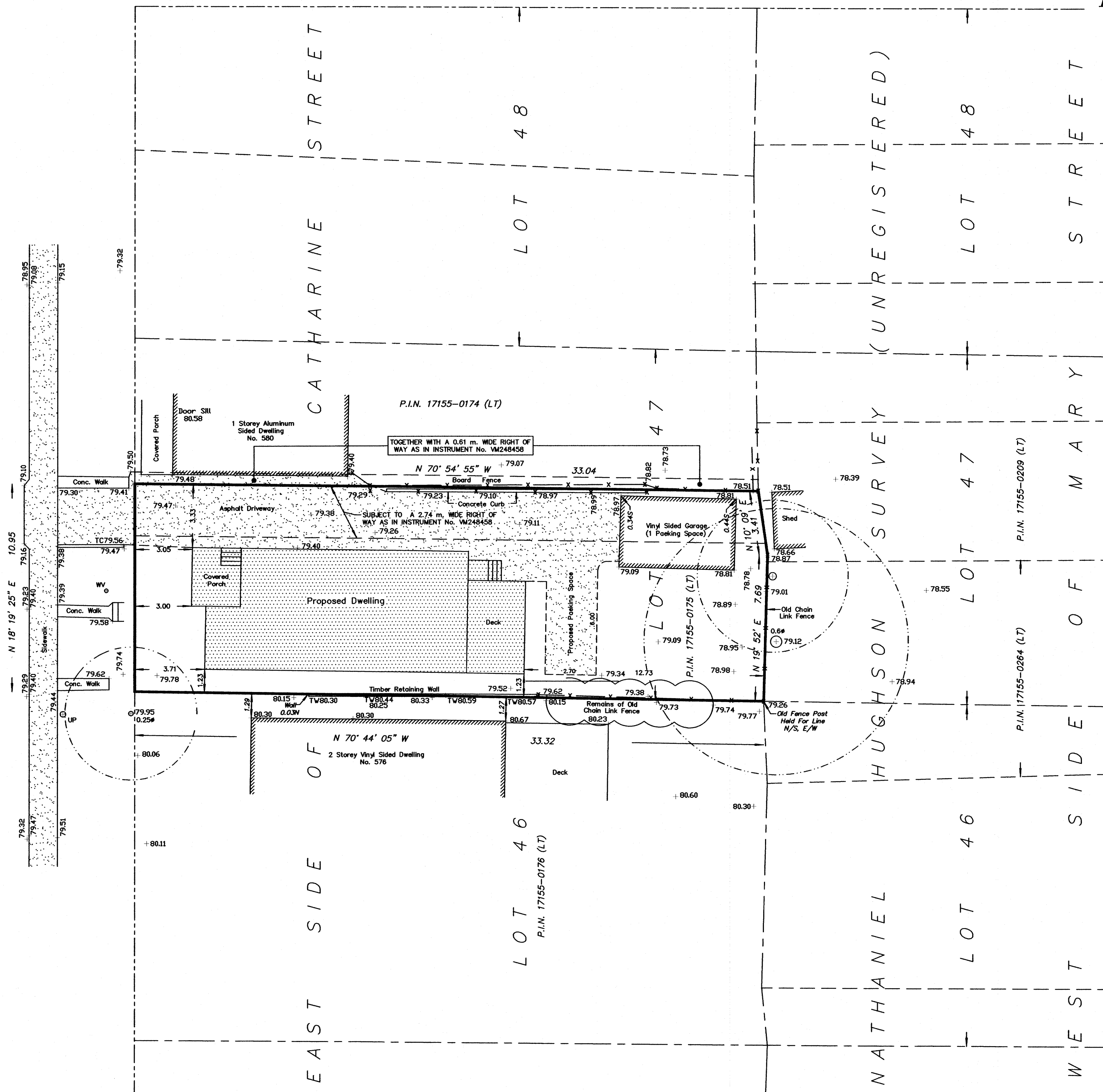
**B.A. JACOBS SURVEYING LTD.**  
**ONTARIO LAND SURVEYOR**

**BEARING NOTE:**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
NORTHERLY LIMIT OF BURLINGTON STREET AS SHOWN ON  
MUNICIPAL SURVEY PLAN No. 690, CONFIRMED OCTOBER 15, 1914,  
HAVING A BEARING OF N 73° 03' 16" E.

***ELEVATION NOTE:***  
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF  
HAMILTON BENCH MARK INDEXED AS No. 3-03.  
LOCATION: HOUSE No. 488 MARY STREET AT NORTHEAST CORNER  
OF MACAULAY STREET. No. 178.  
ELEVATION = 84.501 m.

**LEGEND:**

T.C.	DENOTES TOP OF CURB
T.W.	DENOTES TOP OF WALL
U.P.	DENOTES UTILITY POLE
W.V.	DENOTES WATER VALVE
0.36	DENOTES DIAMETER OF TREE





Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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**

**MAILING ADDRESS**

*rose thic*

**Registered  
Owners(s)**

**Applicant(s)\***

**Agent or  
Solicitor**

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

*None*

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:

FRONT YARD PROVIDED - 3.0M REQUIRED - 6.0M  
LOT WIDTH PROVIDED - 10.95M REQUIRED - 12.0M

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

LOT IS EXISTING.  
FRONT YARD SETBACK VARIANCE TO KEEP UNIFORM  
FRONTAGE WITH EXISTING ADJACENT DWELLINGS

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**):

578 CATHERINE STREET NORTH  
HAMILTON

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 ☐

- 8.8 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 ☐

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 8.1 to 8.10 above?

PREVIOUS OWNER

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

March 16/22  
Date

[Signature]  
Signature Property Owner(s)

James Schoenhardt / Jeffery Schoenhardt  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

10.95 m

Depth

33.04 m

Area

361.79 m

Width of street

20.12 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:

1 STOREY BRICK DWELLING TO BE DEMOLISHED.

Proposed

TWO STOREY 172M<sup>2</sup> DWELLING.  
MAIN FLOOR- 84.5M<sup>2</sup>, SECOND FLOOR- 87.5M<sup>2</sup>  
LENGTH- 14.63m, WIDTH- 6.4m HEIGHT- 8.69m

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

Existing:

TO BE DEMOLISHED.

13. Date of acquisition of subject lands:  
July 9 2012
14. Date of construction of all buildings and structures on subject lands:  
MORE THAN 50 YEARS
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
SINGLE-FAMILY
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE-FAMILY
17. Length of time the existing uses of the subject property have continued:  
MORE THAN 50 YEARS
18. Municipal services available: (check the appropriate space or spaces)
- |                |           |                                     |
|----------------|-----------|-------------------------------------|
| Water          | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
RESIDENTIAL
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
"D" DISTRICT (URBAN PROTECTED RESIDENTIAL)
21. 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:
- 21.1 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
- 21.2 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.
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 (please include separate sheet if needed)
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