



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: 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

APPLICATION NO.:	HM/A-22:246	SUBJECT PROPERTY:	77 PEARL STREET S, HAMILTON
ZONE:	“D” (Urban Protected Residential – One- and Two-Family Dwellings)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner - Reva & Jonathan Schachter
Agent - The Hive Design Co. c/o J. Nigro

The following variances are requested:

1. An open fire escape or open stairway shall be permitted to project a maximum of 0.55m into the required southerly side yard and may be as close as 0.65m to the southerly lot line instead of the maximum 0.4m projection permitted
2. An open fire escape or open stairway shall be permitted to project a maximum of 2.02m into the required rear yard and may be as close as 5.48m to the rear lot line instead of the maximum 1m projection permitted.

PURPOSE & EFFECT: To permit the construction of a new exterior steel staircase replacing the existing wood stair.

Notes:

1. Additional variances for reduced front yard, side yard and rear yard were requested, but were not required for the construction of the proposed staircase
2. Additional variances will be required should further work be proposed to the existing dwelling.

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:	Thursday, August 25, 2022
TIME:	2:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

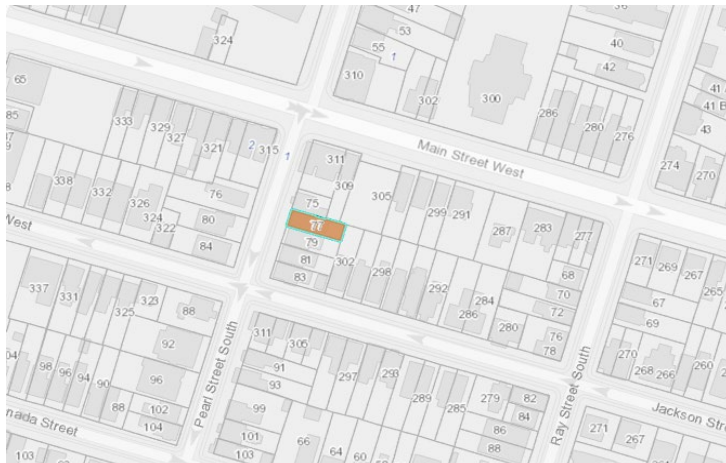
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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, 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.



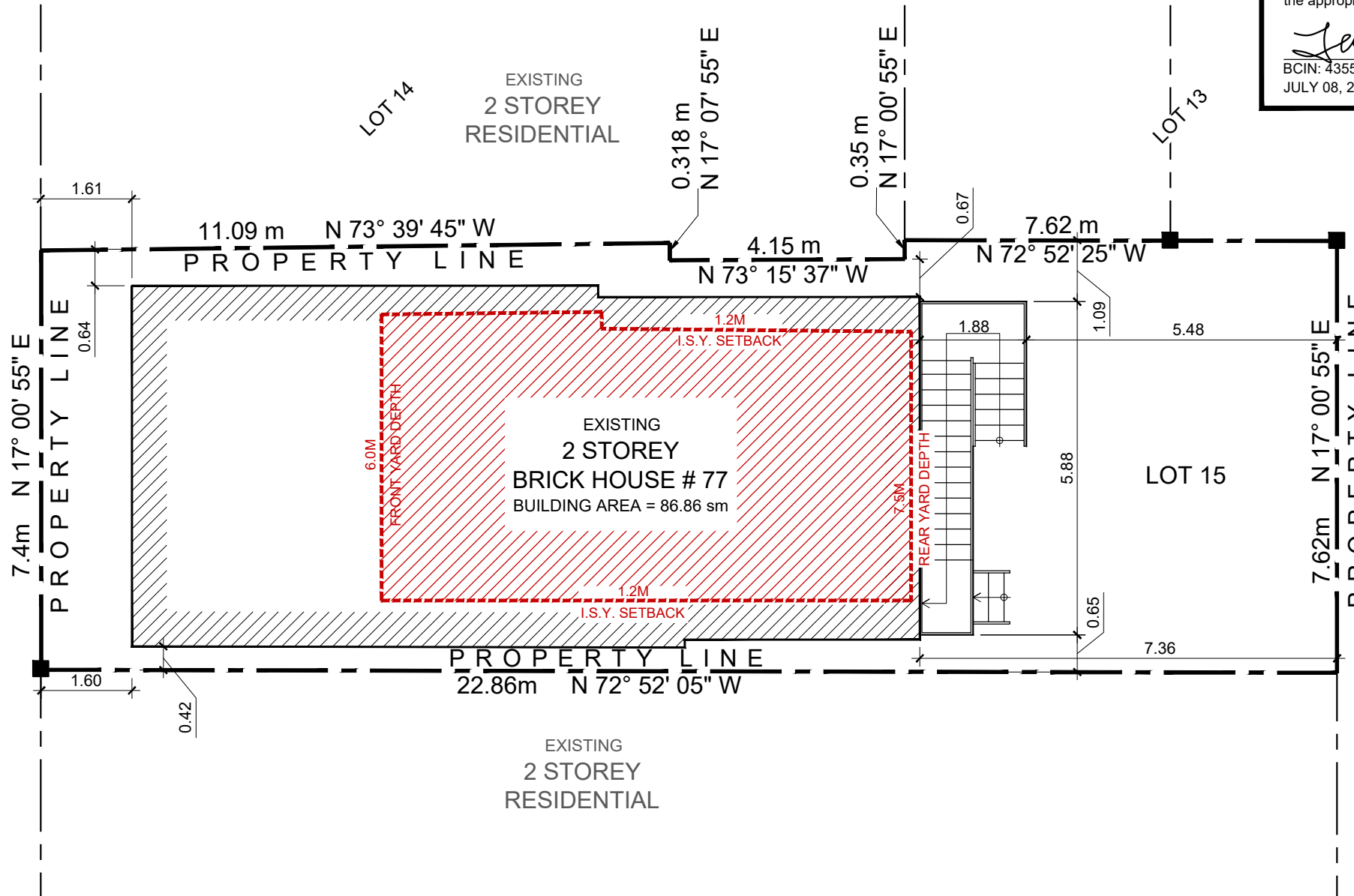
 **Subject Lands**

DATED: August 9, 2022

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.

PEARL STREET S.



I, Justine Nigro have reviewed and take responsibility for the design activities. I am qualified, and registered in the appropriate classes/categories.

Justine Nigro
 BCIN: 43552
 JULY 08, 2022

The Hive Design Co.
 BCIN: 108877

GENERAL NOTES:

- Seal & Signature are by the person that has reviewed and taken responsibility for design activities.
- Do not scale the drawings.
- Check and verify all dimensions and report any discrepancies, contradictions, or ambiguities to the architectural designer prior to issuance to contract.
- All work to be carried out according to the Ontario Building Code, other applicable codes and standards, and any other authority having jurisdiction.

00	MINOR VARIANCE APP.	JULY 08/22
NO.	REVISIONS	DATE

THE HIVE DESIGN CO.
 234 NELSON STREET
 STRATFORD ON
 N5A2K3 519.859.4200
 JUSTINE@THEHIVEDSIGNCO.COM

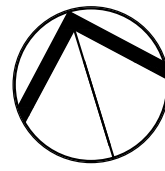
PROJECT
 EXTERIOR STAIR

77 PEARL STREET S.

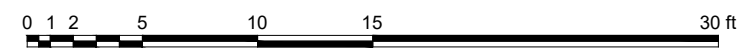
HAMILTON ONTARIO

TITLE
 PROPOSED SITE PLAN

LOT 15, BLOCK 1, RANGE 2
 INSTRUMENT NO. 107485 (1991)
 77 PEARL STREET S.
 IN THE
 CITY OF HAMILTON



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



DISCLAIMER:

SITE AND PROPERTY INFORMATION OBTAINED FROM SURVEY PROVIDED BY CITY OF HAMILTON DEPARTMENT OF BUILDINGS, EXAMINED BY ZONING OFFICIAL AUGUST 1995. THE HIVE DESIGN CO. IS NOT RESPONSIBLE FOR DISCREPANCIES REGARDING LOCATION OF STRUCTURES ON PROPERTY.

	SITE DATA - RESIDENTIAL ZONE - D	REQ'D	EXISTING	PROPOSED
1.	MIN. LOT AREA	540 sm	171 sm	171 sm (no change)
2.	MIN. LOT FRONTAGE	18.0 m	7.4 m	7.4 m (no change)
3.	MIN. FRONT YARD	6.0 m	1.60 m	1.60 m (no change)
4.	MIN. INTERIOR SIDE YARD SETBACK (FOR MAX. 11.0 M OF A BUILDING HEIGHT)			
	NORTH SIDE, EXISTING HOUSE	1.2 m	0.64 m	0.64 (no change)
	SOUTH SIDE, EXISTING HOUSE	1.2 m	0.42 m	0.42 m (no change)
	NORTH SIDE, PROPOSED STAIR	1.2 m	1.09 m	1.09 m
	SOUTH SIDE, PROPOSED STAIR	1.2 m	0.42 m	0.65 m
5.	MIN. REAR YARD			
	EXISTING HOUSE	7.5 m	7.36 m	7.36 m (no change)
	PROPOSED STAIR	7.5 m	6.45 m	5.48 m

DRAWN BY
 A.P. & J.N.
 PROJECT NO.
 22-392
 DATE
 APRIL 05, 2022
 SCALE
 1:100

SP-1

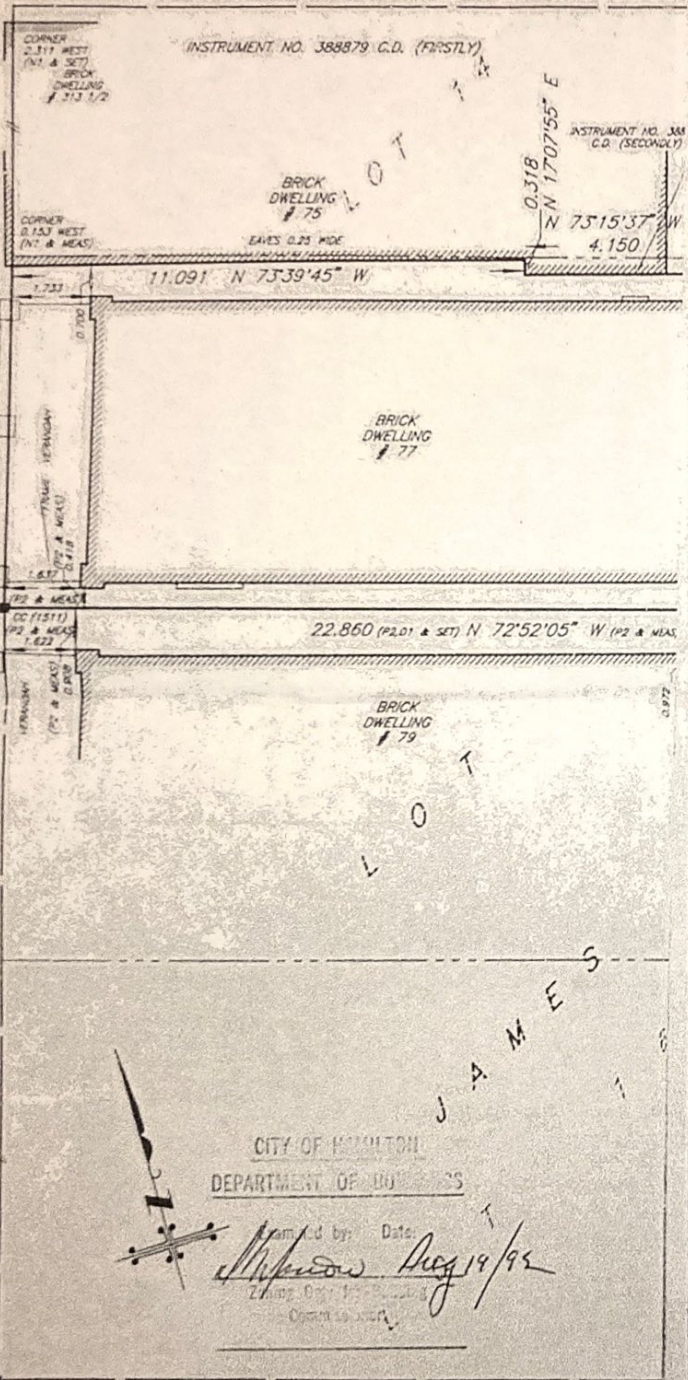
PLAN OF SURVEY (to be read in conjunction with Report Summary)

MAIN STREET

PEARL STREET SOUTH

BEARING REFERENCE

DEDICATED BY JAMES MILLS SURVEY (UNREGISTERED)



CITY OF HAMILTON
DEPARTMENT OF BUILDINGS
Examined by: *[Signature]* Date: *Aug 19/95*
Zoning Officer Building
Commissioner

JACKSON

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

T WEST

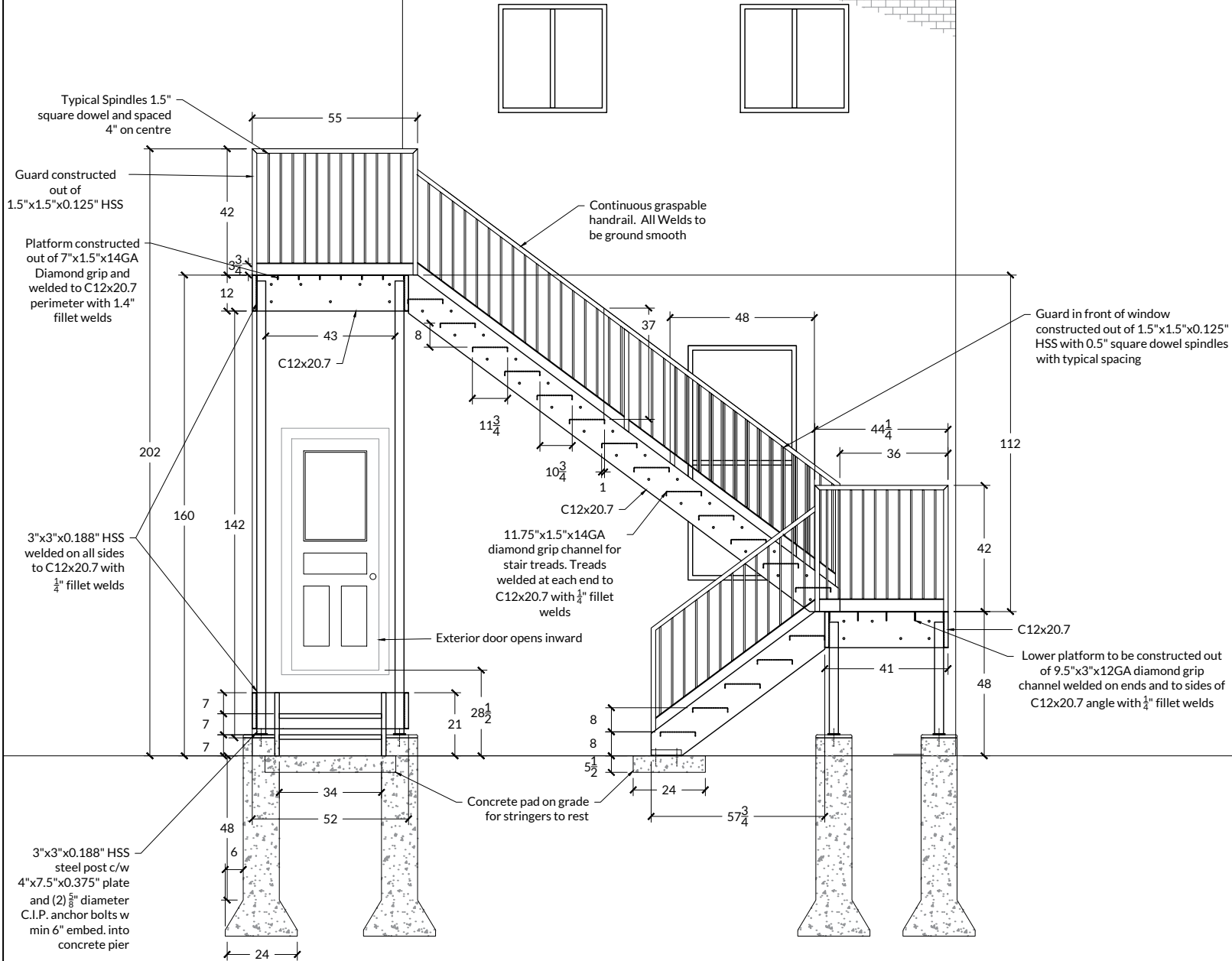


CITY OF HAMILTON
DEPARTMENT OF BUILDINGS
Examined by: *[Signature]* Date: *Aug 19/95*
Zoning Officer Building
Commissioner

STREET WEST

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

East Elevation



BCIN Notes:
 1. These markups assume that this is a single residential dwelling. The stairs herein are a secondary exit. Contact the BCIN designer if this is not the case

Structural Notes:
 1. Install column baseplate on 1" non-shrink grout at 1:1, to ensure full level bearing.
 2. Ensure all footings are founded min. 48" below grade.
 3. All concrete piers to extend min. 6" above grade.

notes:



CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.4.1 OF THE BUILDING CODE

COMPANY BCIN # 44904


THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.5.1 OF THE BUILDING CODE

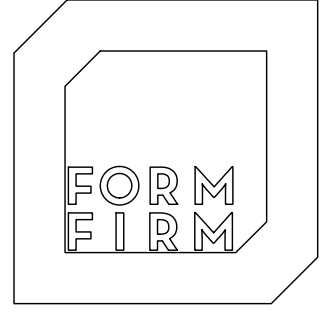
Darryl Cowan 24042
 NAME BCIN

Darryl Cowan Mar. 10, 2022
 SIGNATURE DATE

SEALED FOR STRUCTURAL INFORMATION ONLY



LICENSED PROFESSIONAL ENGINEER
 G. NICHOLSON
 100222422
 Mar. 10, 2022
 PROVINCE OF ONTARIO



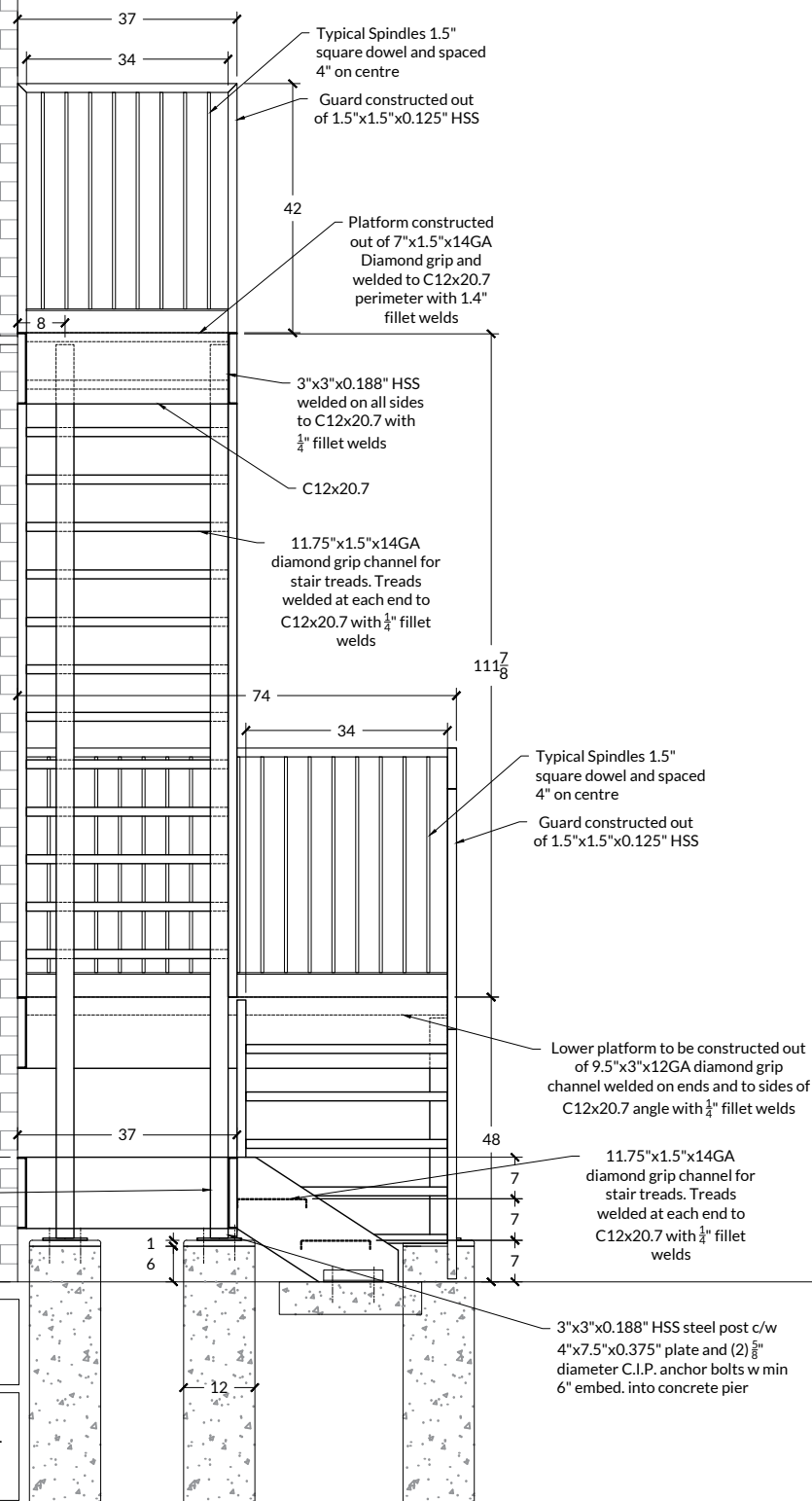
The FORM FIRM
 16-100 Frid Street
 Hamilton ON L8S 4M4

Emergency Exit Stairs
 77 Pearl St N
 Hamilton ON

Jeffrey McGlynn
 jeffrey@theformfirm.com

file	77 Pearl St	sheet	1
date	NOV/30/2021		

South Elevation



Typical Spindles 1.5" square dowel and spaced 4" on centre
Guard constructed out of 1.5"x1.5"x0.125" HSS

Platform constructed out of 7"x1.5"x14GA Diamond grip and welded to C12x20.7 perimeter with 1.4" fillet welds

3"x3"x0.188" HSS welded on all sides to C12x20.7 with 1/4" fillet welds
C12x20.7

11.75"x1.5"x14GA diamond grip channel for stair treads. Treads welded at each end to C12x20.7 with 1/4" fillet welds

Typical Spindles 1.5" square dowel and spaced 4" on centre
Guard constructed out of 1.5"x1.5"x0.125" HSS

Lower platform to be constructed out of 9.5"x3"x12GA diamond grip channel welded on ends and to sides of C12x20.7 angle with 1/4" fillet welds

11.75"x1.5"x14GA diamond grip channel for stair treads. Treads welded at each end to C12x20.7 with 1/4" fillet welds

3"x3"x0.188" HSS steel post c/w 4"x7.5"x0.375" plate and (2) 3/8" diameter C.I.P. anchor bolts w min 6" embed. into concrete pier

3"x3"x0.188" HSS welded on all sides to C12x20.7 with 1/4" fillet welds

BCIN Notes:
1. These markups assume that this is a single residential dwelling. The stairs herein are a secondary exit. Contact the BCIN designer if this is not the case

Structural Notes:
1. Install column baseplate on 1" non-shrink grout at 1:1, to ensure full level bearing.
2. Ensure all footings are founded min. 48" below grade.
3. All concrete piers to extend min. 6" above grade.

notes:

CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.4.1 OF THE BUILDING CODE

COMPANY BCIN # 44904

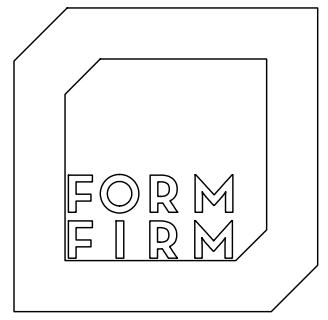
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.5.1 OF THE BUILDING CODE

Darryl Cowan 24042
NAME BCIN

Darryl Cowan Mar. 10, 2022
SIGNATURE DATE

SEALED FOR STRUCTURAL INFORMATION ONLY



The FORM FIRM
16-100 Frid Street
Hamilton ON L8S 4M4

Emergency Exit Stairs
77 Pearl St N
Hamilton ON

Jeffrey McGlynn
jeffrey@theformfirm.com

file	77 Pearl St	sheet	2
date	NOV/30/2021		

Plan View

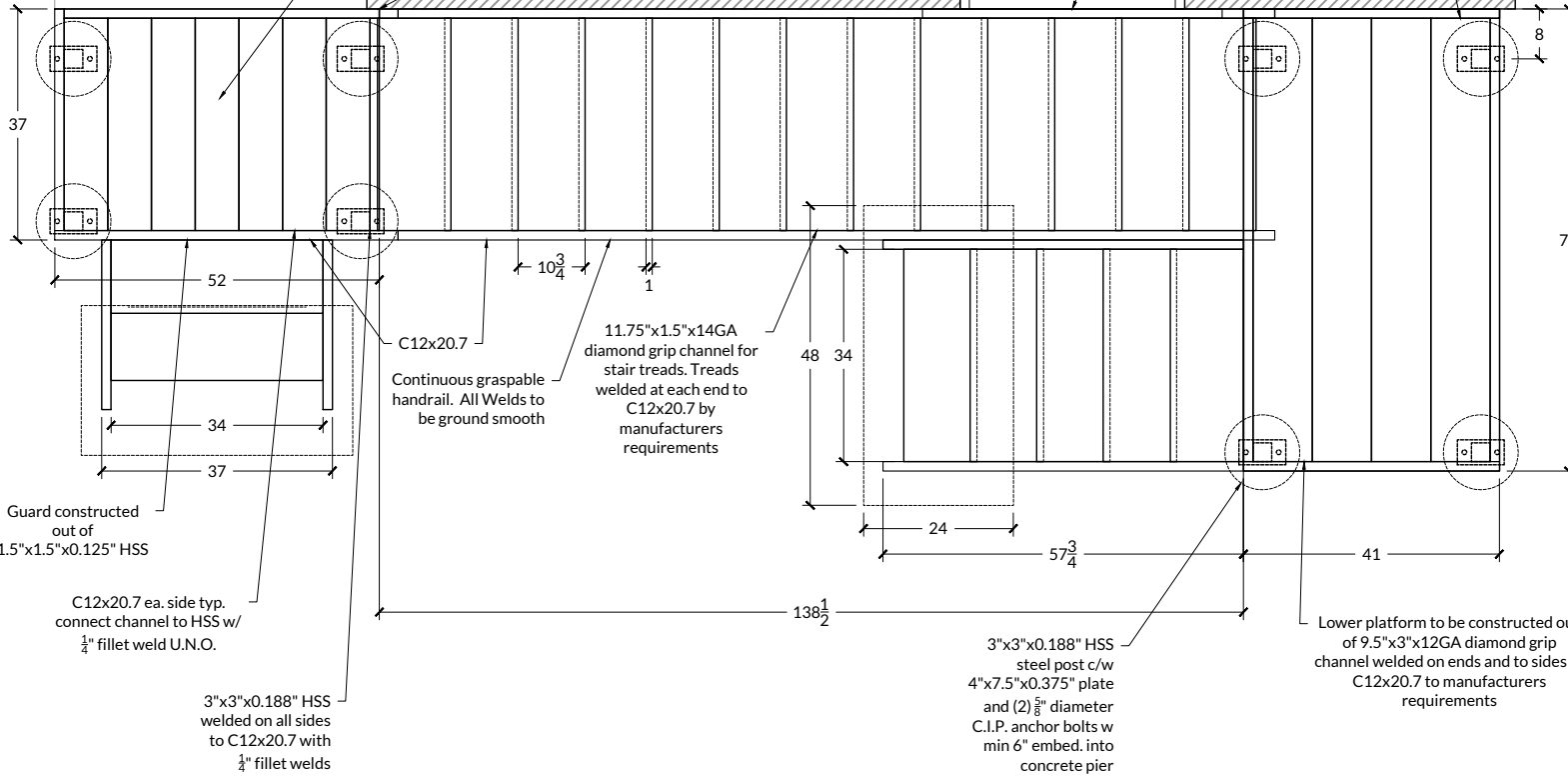
Existing 2nd floor terrace to remain

Platform constructed of 7"x1.5"x14GA diamond grip channels welded to perimeter channels

Fully welded C12 at each end to perp. channel w/ $\frac{1}{4}$ " fillet weld

Fully welded C12 at each end to perp. channel w/ $\frac{1}{4}$ " fillet weld

Guard in front of window constructed out of 1.5"x1.5"x0.125" HSS with 0.5" square dowel spindles with typical spacing



Guard constructed out of 1.5"x1.5"x0.125" HSS

C12x20.7 ea. side typ. connect channel to HSS w/ $\frac{1}{4}$ " fillet weld U.N.O.

3"x3"x0.188" HSS welded on all sides to C12x20.7 with $\frac{1}{4}$ " fillet welds

Continuous graspable handrail. All welds to be ground smooth

11.75"x1.5"x14GA diamond grip channel for stair treads. Treads welded at each end to C12x20.7 by manufacturers requirements

3"x3"x0.188" HSS steel post c/w 4"x7.5"x0.375" plate and (2) $\frac{5}{8}$ " diameter C.I.P. anchor bolts w min 6" embed. into concrete pier

Lower platform to be constructed out of 9.5"x3"x12GA diamond grip channel welded on ends and to sides of C12x20.7 to manufacturers requirements

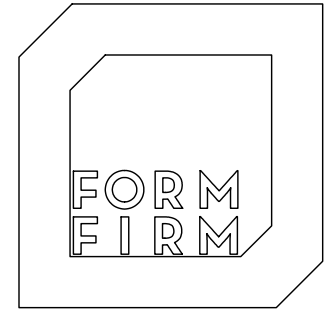
SEALED FOR STRUCTURAL INFORMATION ONLY



notes:

sbm STRIK BALDINELLI MONIZ
 CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL
 COMPANY BCIN # 44904
 REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.4.1 OF THE BUILDING CODE
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 QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.5.1 OF THE BUILDING CODE
 Darryl Cowan 24042
 NAME BCIN
 Signature: *Darryl Cowan* Mar. 10, 2022
 SIGNATURE DATE

NORTH



The FORM FIRM
 16-100 Frid Street
 Hamilton ON L8S 4M4

Emergency Exit Stairs
 77 Pearl St N
 Hamilton ON

Jeffrey McGlynn
 jeffrey@theformfirm.com

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- All concrete piers to extend min. 6" above grade.

file 77 Pearl St

sheet

date NOV/30/2021

3



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** _____

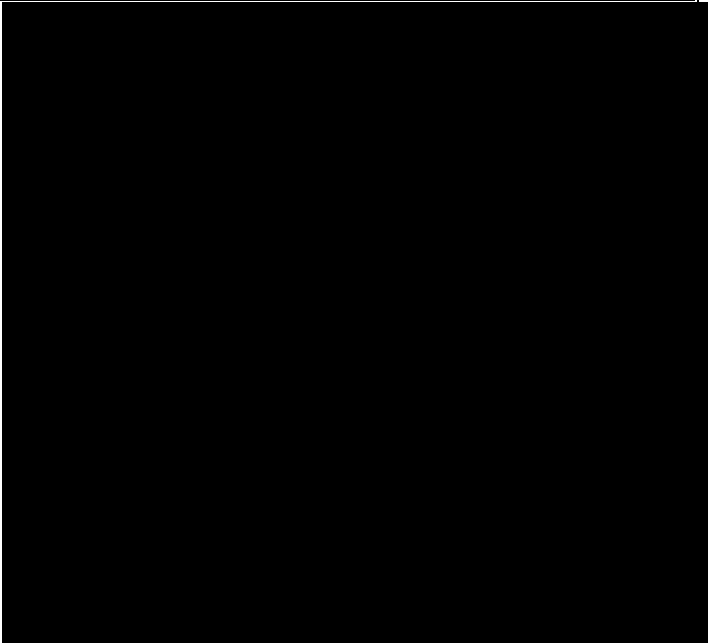
PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

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	MAILING ADDRESS
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:

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:

Second Dwelling Unit Reconstruction of Existing Dwelling

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

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**):

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

8.9 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

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?

The existing house/structure is over 100 years old, in an established neighbourhood with similar 100+ year old homes. The size of the lot does not suggest it would have been used for anything other than a home within the past 100+ years.

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.

July 4, 2022
Date

DocuSigned by: Reva Schachter
Signature Property Owner(s)
Reva Schachter / Jonathan Schachter
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 7.406m
Depth 2.860m
Area 171.1sm
Width of street unknown

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: _

Two storey brick dwelling, 86.86sm ground floor area, 173.72 sm gross floor area. Existing covered front porch. Existing wood stair from 2nd storey down to grade level is proposed to be removed.

Proposed

Removal of existing wood stair (as mentioned above) & replace with steel fabricated stair in place of existing.

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

Existing:

Two storey building: North I.S.Y. setback 0.67m, rear yard depth 7.36m, south I.S.Y. setback 0.42m, front yard depth 1.60m

Proposed:

No changes to two storey building.
Proposed stair: North I.S.Y. setback 1.09m, rear yard depth 5.48m, south I.S.Y. setback 0.65m

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, duplex, retail, factory etc.):

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

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 _____
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? (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 Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.





