



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

|                         |                                    |                          |   |
|-------------------------|------------------------------------|--------------------------|---|
| <b>APPLICATION NO.:</b> | <b>DN/A-24:05</b>                  | <b>SUBJECT PROPERTY:</b> | 63 CROSS STREET, DUNDAS                                 |
| <b>ZONE:</b>            | "R2" (Single Detached Residential) | <b>ZONING BY-LAW:</b>    | Zoning By-law former Town of Dundas 3581-86, as Amended |

**APPLICANTS:**      Owner: DAVID SMITH  
                                 Applicant: ANTHONY VENNARI

The following variances are requested:

1. To permit a maximum height of 5.5 metres for the proposed detached garage instead of the maximum permitted height of 4.0 metres.
2. To permit a maximum size of 54.0 square metres for the proposed detached garage instead of the maximum size permitted of 41.0 square metres.
3. To permit the proposed detached garage to be located closer to the flankage lot line than the principal dwelling.

**PURPOSE & EFFECT:**      To facilitate the construction of a detached garage.

**Notes:**

Please be advised that a portion of this property is under Conservation Management. Please contact Hamilton Conservation at 905-525-2181 prior to any development.

**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>Tuesday, April 9, 2024</b> |
| <b>TIME:</b> | <b>1:50 p.m.</b>              |

|               |  |
|---------------|--|
| <b>PLACE:</b> | <b>City Hall Council Chambers (71 Main St. W., Hamilton)</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

## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. 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. Written comments must be received no later than noon, April 5, 2024

Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

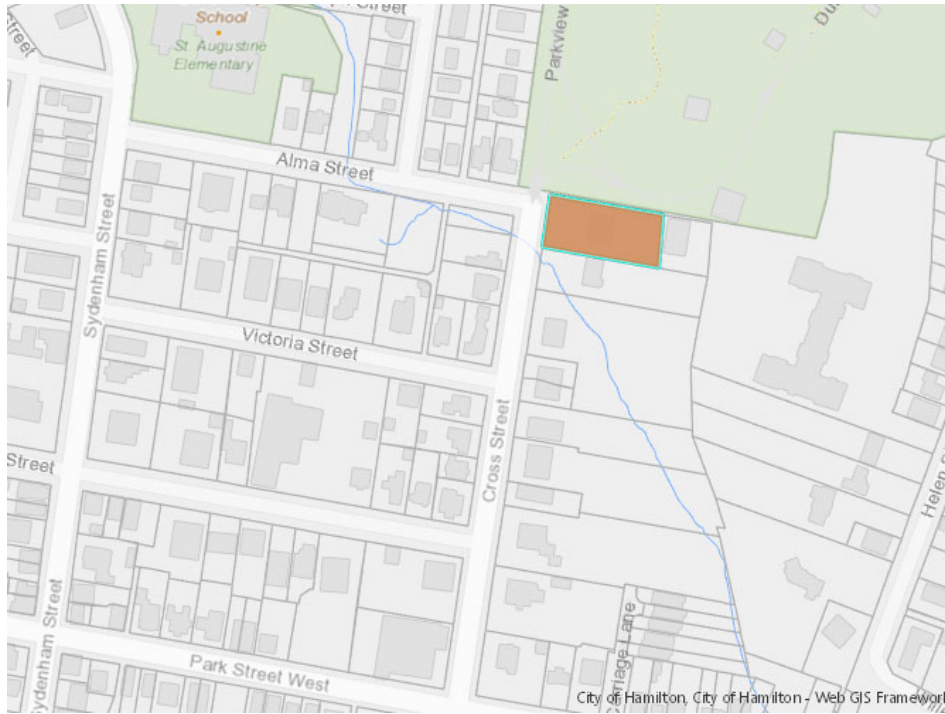
**Orally:** If you would like to speak to this item at the hearing you may do so by attending in person. Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will 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 above.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/A-24:05, you must submit a written request to [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.

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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



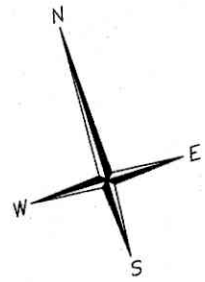
DATED: March 21, 2024

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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.

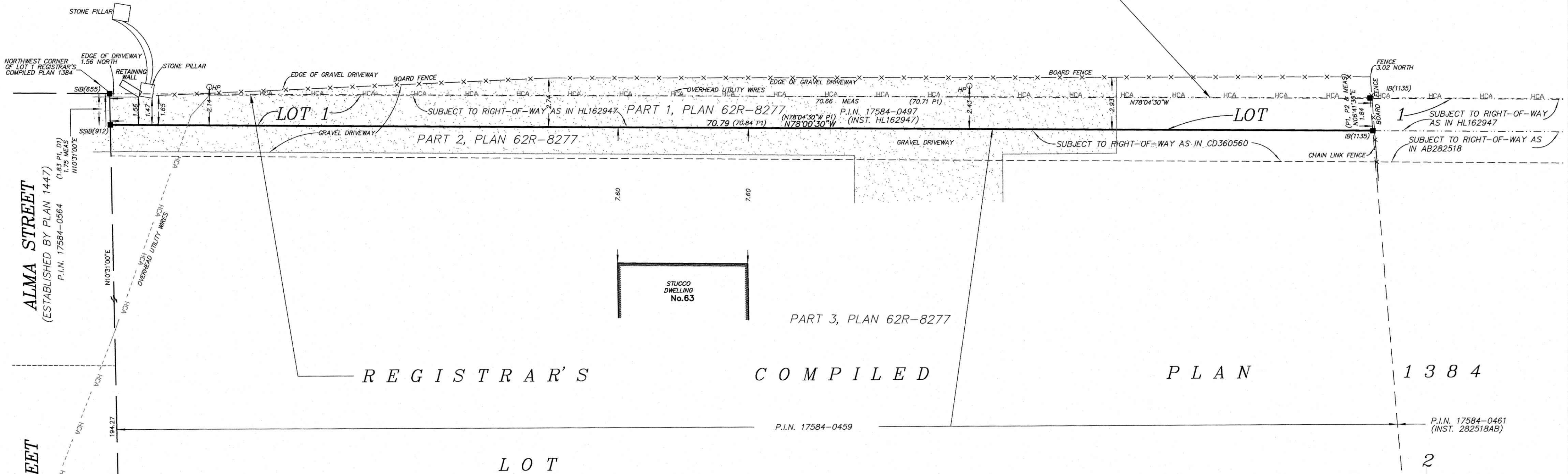
PLAN OF SURVEY OF  
 PART OF THE NORTH LIMIT OF LOT 2  
 REGISTRAR'S COMPILED PLAN 1384  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:150  
 0 5 10 metres  
 NICHOLAS P. MUTH O.L.S.



LOT  
 REGISTRAR'S COMPILED PLAN 1385

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

LEGEND:  
 SIGN THUS  $\square$  DENOTES A SURVEY MONUMENT PLANTED  
 SIGN THUS  $\blacksquare$  DENOTES A SURVEY MONUMENT FOUND  
 IB DENOTES IRON BAR  
 SIB DENOTES STANDARD IRON BAR  
 SSIB DENOTES SHORT STANDARD IRON BAR  
 (600) DENOTES SIDNEY W. WOODS, O.L.S.  
 (655) DENOTES JOHN T. PETERS, O.L.S.  
 (912) DENOTES A. J. CLARKE O.L.S.  
 (1135) DENOTES L. G. WOODS, O.L.S.  
 P1 DENOTES PLAN 62R-8277  
 P2 DENOTES REGISTRAR'S COMPILED PLAN 1384  
 D1 DENOTES INST. HL162947  
 HP DENOTES HYDRO POLE



ALMA STREET  
 (ESTABLISHED BY PLAN 1447)  
 P.I.N. 17584-0564

CROSS STREET

NORTHWEST CORNER  
 OF LOT 11 REGISTRAR'S  
 COMPILED PLAN 1384

SIB(600) LOT 11

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 THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT,  
 IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF  
 A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 V-58360

THIS PLAN IS NOT VALID  
 UNLESS IT IS AN EMBOSSED  
 ORIGINAL COPY  
 ISSUED BY THE SURVEYOR  
 In accordance with  
 Regulation 1026, Section 29(3)

SURVEYOR'S CERTIFICATE:  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE  
 SURVEYS ACT, THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER  
 THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 1ST. DAY OF SEPTEMBER, 2023

SEPTEMBER 8, 2023  
 DATE

NICHOLAS P. MUTH  
 ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
 SURVEYORS • PLANNERS • ENGINEERS  
 25 MAIN STREET WEST, SUITE 300  
 HAMILTON, ONTARIO, L8P 1H1  
 TEL. 905-528-8761 FAX 905-528-2289  
 email: [ajc@ajclarke.com](mailto:ajc@ajclarke.com)

|                 |                    |                        |                     |
|-----------------|--------------------|------------------------|---------------------|
| DRAWN BY:<br>WS | CHECKED BY:<br>NPM | PROJECT No.<br>238128D | INDEX No.<br>R-4836 |
|-----------------|--------------------|------------------------|---------------------|

R-4836

H:\Webb\W-1e-S\WP\1384\102\63\_Cross\_Street\_Dundas (238128D)\Current\_Work\R-4836.dwg

**63 CROSS STREET, DUNDAS**  
**PROPOSED DETACHED GARAGE - STATISTICS**  
 ZONED "R2" (CITY OF HAMILTON ZONING BY-LAW 3581-86)  
 LOT AREA: 2459 m<sup>2</sup> (26,465 ft<sup>2</sup>)

**HEIGHT**

MAX PERMITTED: 4.0 m (13' - 1")  
 PROPOSED: 5.5 m (18' - 0")

**AREA**

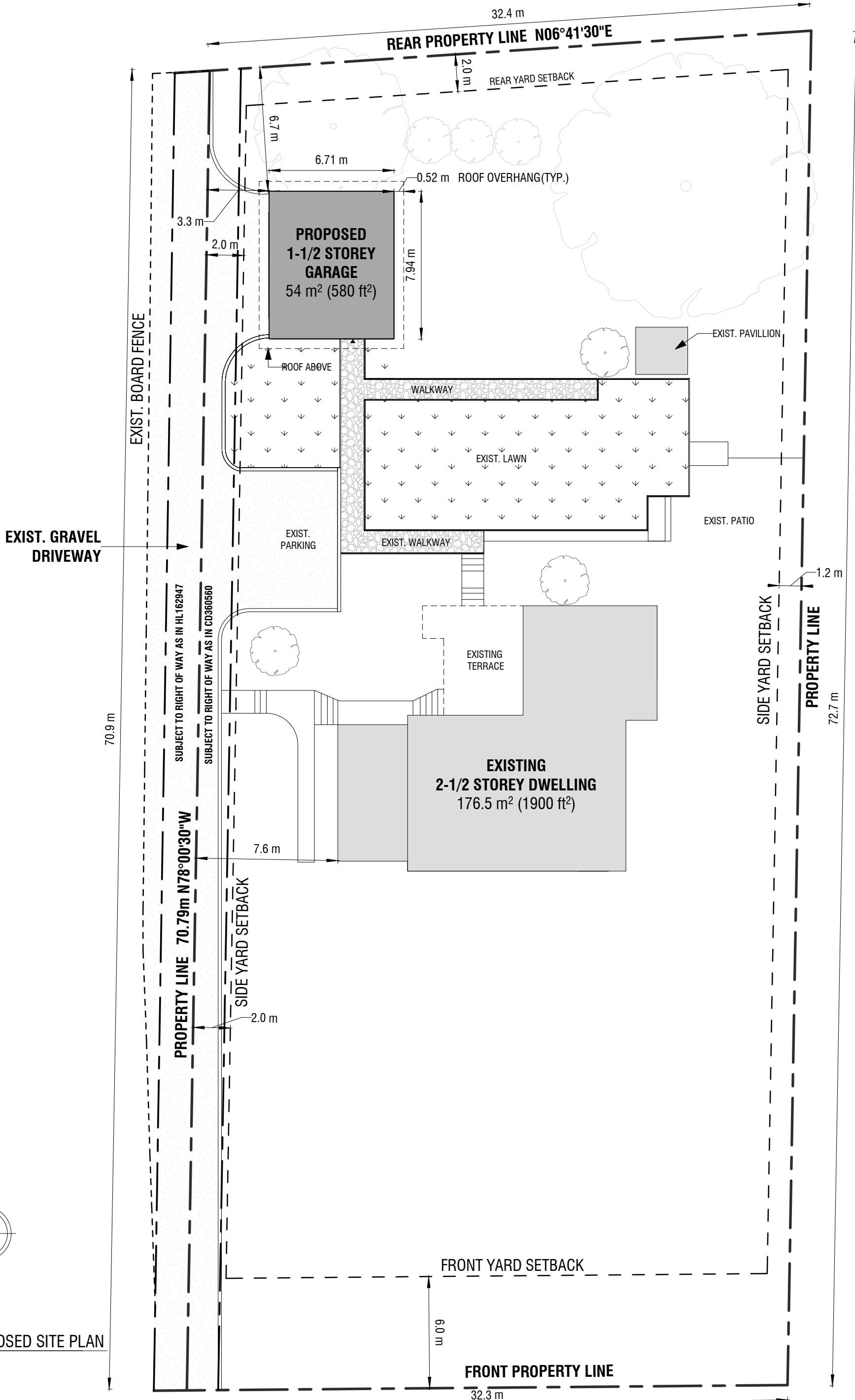
MAX PERMITTED: 41 m<sup>2</sup>(441 ft<sup>2</sup>)  
 PROPOSED: 54 m<sup>2</sup> (580 ft<sup>2</sup>)

**REAR YARD**

REQUIRED: 2.0 m (6' - 6 3/4")  
 PROPOSED: 6.7 m (22' - 0")

**WEST SIDE YARD**

REQUIRED: 2.0 m (6' - 6 3/4")  
 PROPOSED: 3.3 m (10' - 10")





# 63 CROSS STREET - PROPOSED GARAGE

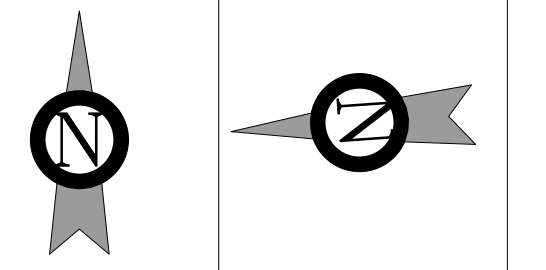


VENNERI  
DESIGN  
STUDIO









**GENERAL NOTES:**

- 1) ALL CONTRACTORS AND/OR TRADES SHALL REVIEW ALL PLANS & REPORT ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
- 2) DO NOT SCALE DRAWINGS.
- 3) USE ONLY LATEST REVISED DRAWINGS.
- 5) DRAWINGS ARE THE PROPERTY OF THE DESIGNER. ANY UNAUTHORIZED USE IS PROHIBITED.

| NO. | DATE       | REVISION                        |
|-----|------------|---------------------------------|
| 1   | 2022-05-12 | SUBMITTED FOR STRUCTURAL REVIEW |
| 2   | 2023-11-04 | REVISED TRUSS DESIGN            |
| 3   | 2024-01-02 | VARIANCE APPLICATION            |

SEAL:

**DRAWING LIST:**

| NO. | TITLE & RENDERINGS                    |
|-----|---------------------------------------|
| A00 | TITLE & RENDERINGS                    |
| A01 | PROJECT STATS, SCHEDULES, & SITE PLAN |
| A02 | GENERAL NOTES                         |
| A03 | PROPOSED PLANS                        |
| A04 | PROPOSED ELEVATIONS                   |
| A05 | PROPOSED SECTIONS                     |

PROJECT:

63 CROSS STREET

A. VENNERI

DATE: 2024.01.02

PROPOSED PLANS

SCALE: AS INDICATED

4 / 6

**A03**

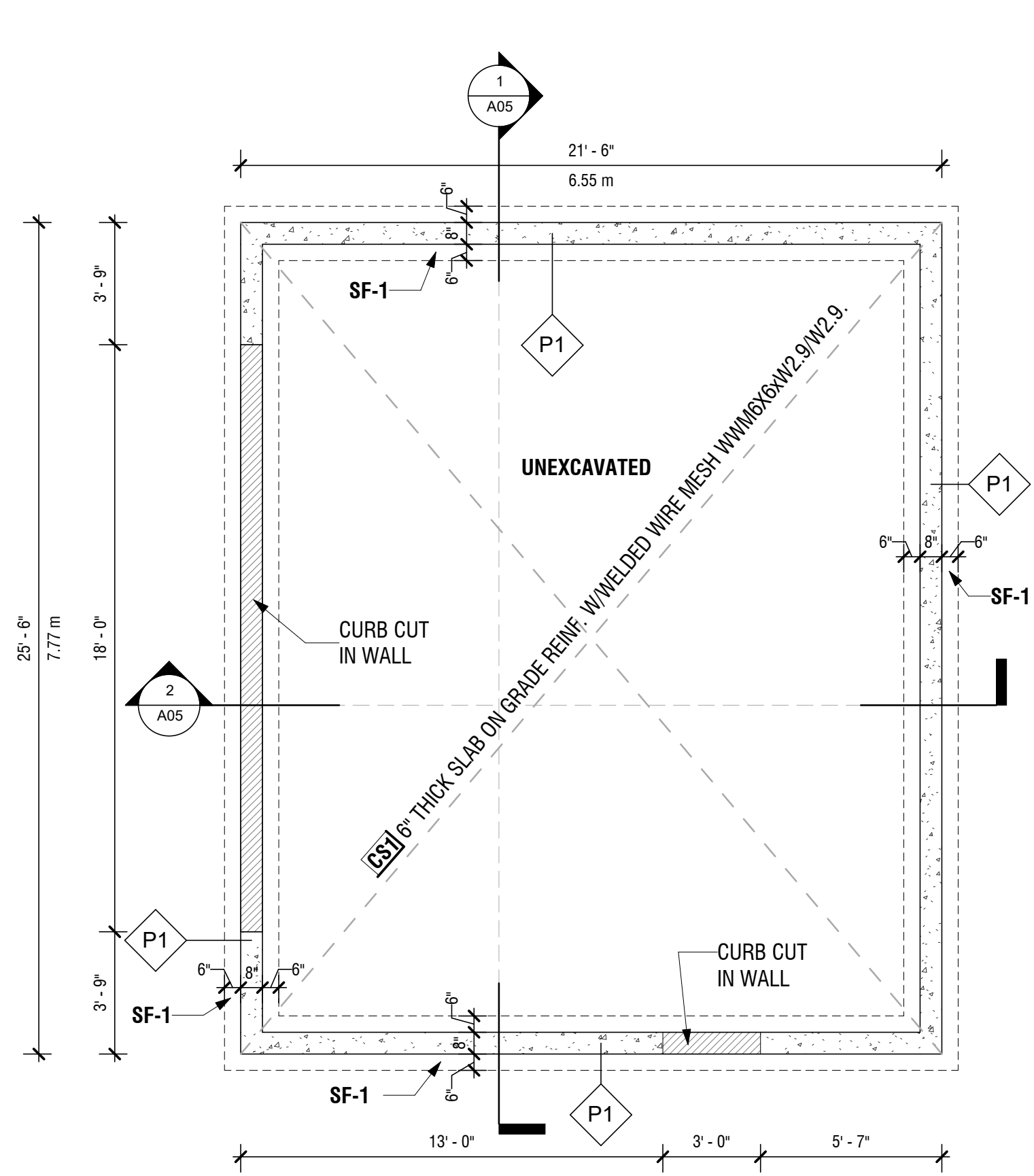
- FOUNDATION & FOOTING NOTES:**
- FOUNDATION WALLS TO BE POURED CONC. WALLS (25MPa)
  - ALL EXTERIOR WALL STRIP FOOTINGS TO HAVE MIN. 6" PROJECTION FROM THE FOUNDATION WALL AND TO BE MIN. 6" THICK, REINFORCED W/ 2-15M, CONT. ALL FOOTINGS TO BE MIN. 4" - 0" BELOW FINISHED GRADE.
  - INSTALL 15M DOWELS (10"x30"V) SPACED AT 16" FOR FOOTING - FOUNDATION WALL CONNECTION.
  - PROVIDE A CAPILLARY BREAK MEMBRANE (DELTA FOOTING BARRIER OR APPROVED EQUAL) BETWEEN FOOTING & FOUNDATION CONNECTION
  - PROVIDE PARING COVE AT FOOTING JOINT
  - 4" WEEPING DIA. WEEPING TILE, 6" CRUSHED STONE WRAPPED w/ GEOTEXTILE OVER AND AROUND ALL FOOTINGS, INCLUDING GARAGE FOOTINGS

- ENGINEERED TRUSS NOTES**
- TRUSSES & GIRDERS TO BE DESIGNED AND ENGINEERED BY TRUSS MANUFACTURER.
  - TRUSS MANUFACTURER SHALL CONFIRM SIZING OF ALL BEAMS, GIRDERS, AND LINTELS SUPPORTING ROOF TRUSSES. THIS SIZING SHALL BE CONFIRMED ON TRUSS MANUFACTURER'S SHOP DRAWINGS.
  - TRUSS MANUFACTURER MUST PROVIDE TRUSS PANEL POINTS AT ALL BEARING WALLS
  - TRUSS SHOP DRAWINGS MUST BE SEALED BY P.ENG. (PEO) AND SUBMITTED TO DESIGNER FOR REVIEW PRIOR TO BUILDING PERMIT SUBMISSION.
  - ERECT AND LATERALLY BRACE TRUSSES IN CONFORMANCE WITH MANUFACTURERS SPECIFICATIONS.

- CONVENTIONAL FRAMING NOTE**
- ALL CONV. FRAMING TO CONFORM WITH PART 9 OF OBC. ROOF RAFTERS THAT CROSS MEET OVER TRUSSES TO BE 2" x 4" SPF#2 @ 24" O.C. WITH A VERTICAL POST TO THE TRUSS UNDERNEATH AT EACH CROSS POINT. VERTICAL POST LONGER THAN 6' - 0" TO HAVE LATERAL BRACING SO THAT THE DISTANCE B/W END POINT AND B/W ROWS OF BRACING DOES NOT EXCEED 6' - 0".

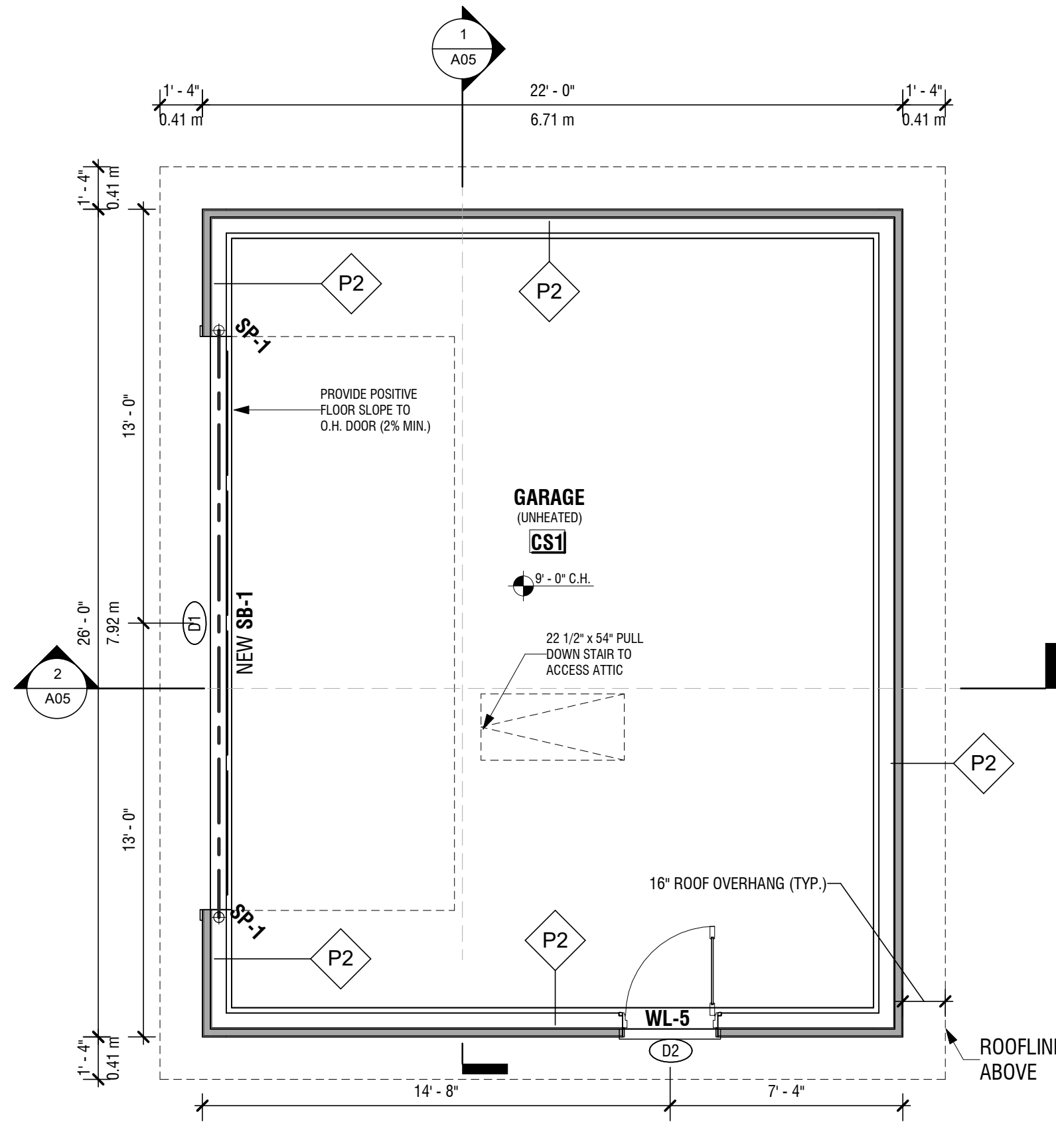
**SYMBOLS & LINE TYPES LEGEND**

- EXISTING WALL ASSEMBLY
- DEMOTES WALL ASSEMBLY TO BE REMOVED
- SOLID SAWN WOOD COLUMN
- BUILT-UP WOOD COLUMN
- ASSEMBLY ABOVE
- CUT LINE
- DIMENSION FROM CENTRE LINE(S) OF STRUCTURAL MEMBERS
- CENTRE LINE OF HORIZONTAL STRUCTURAL MEMBER
- POINT LOAD FROM ABOVE
- INTERCONNECTED SMOKE ALARM WITH A VISUAL SIGNAL
- EXHAUST FAN TO VENT DIRECTLY TO EXTERIOR
- FLOOR DRAIN
- SPOT ELEVATION



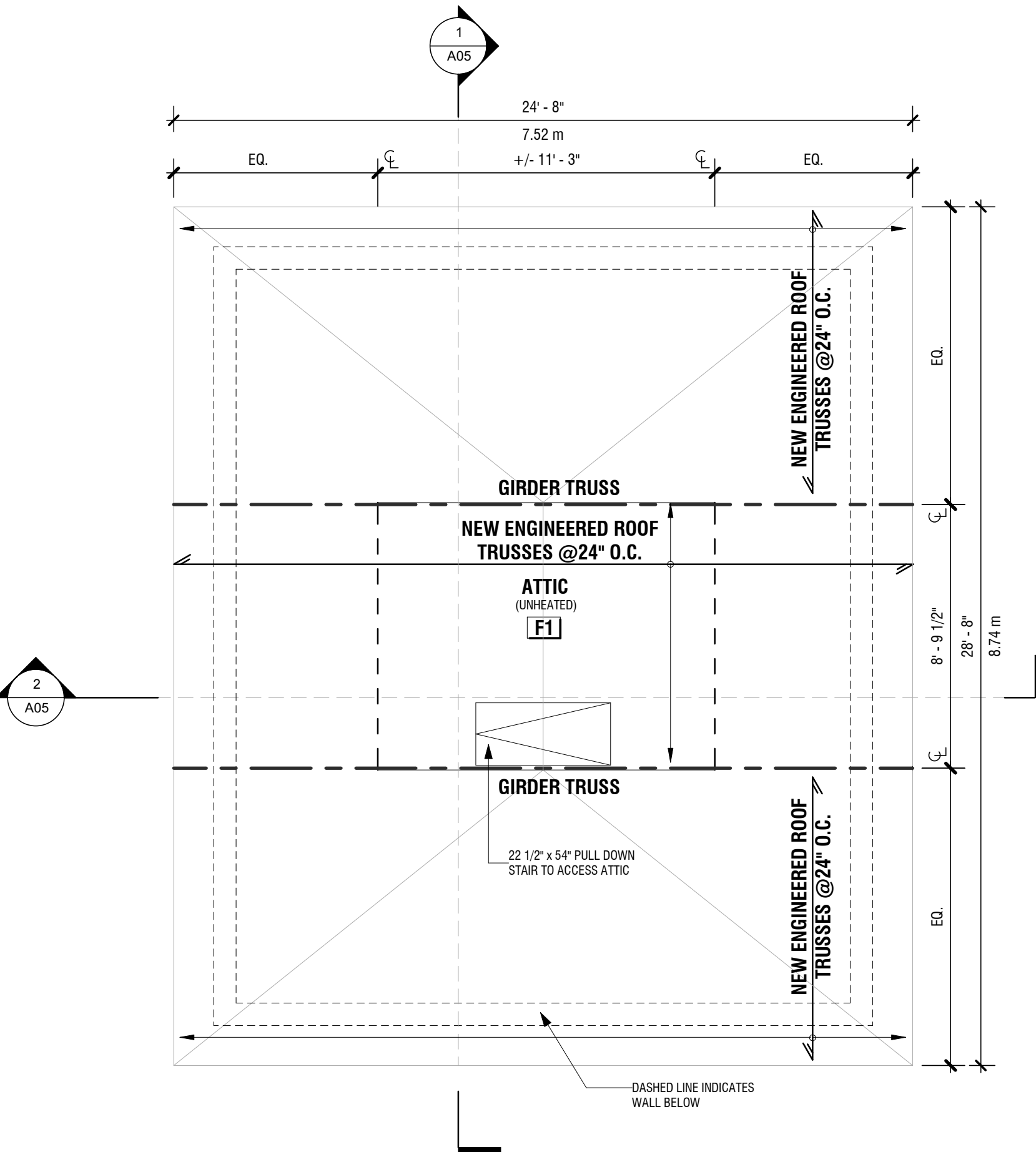
**FOUNDATION PLAN**

1/4" = 1'-0"



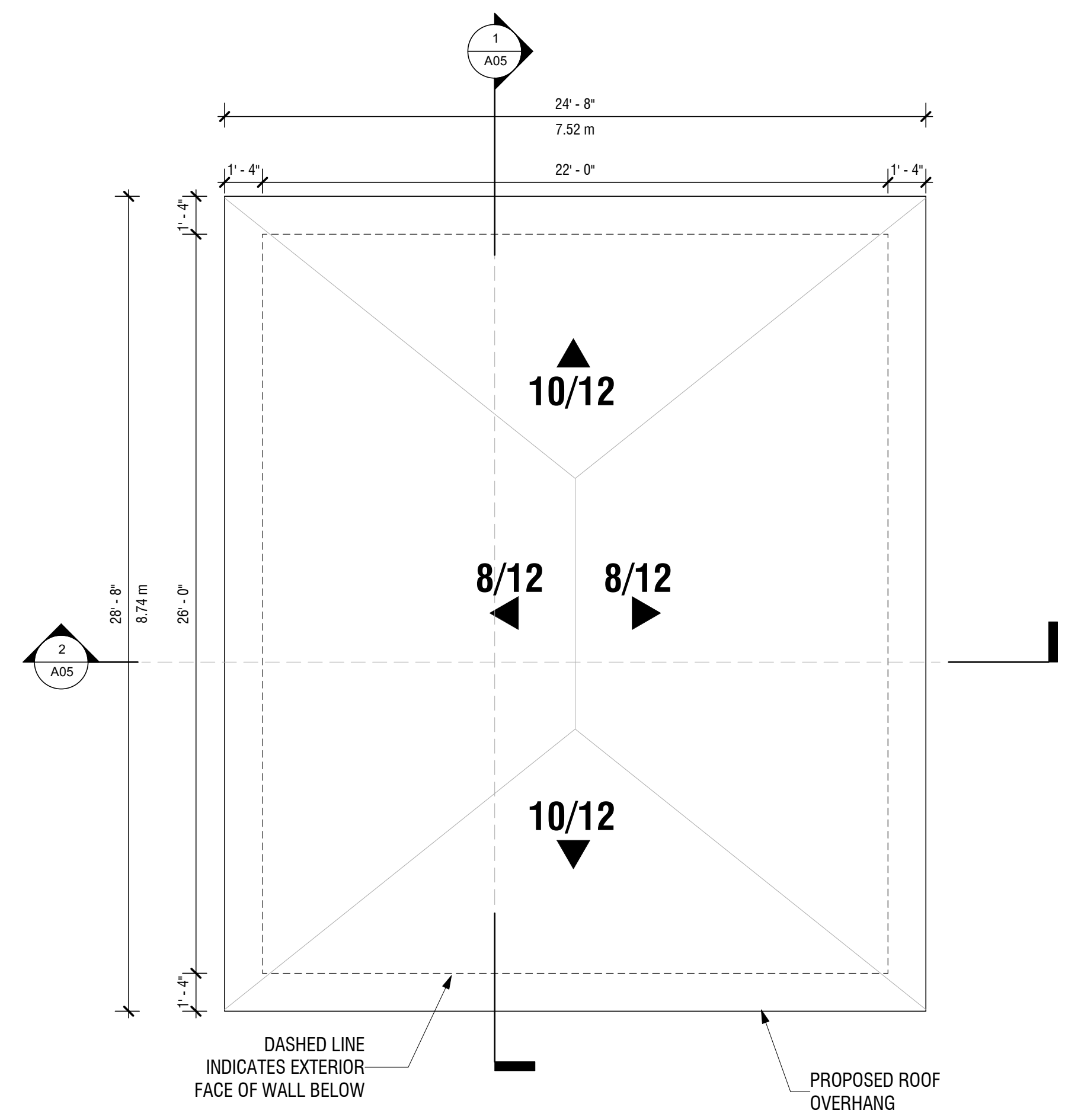
**GROUND FLOOR**

1/4" = 1'-0"



**ATTIC**

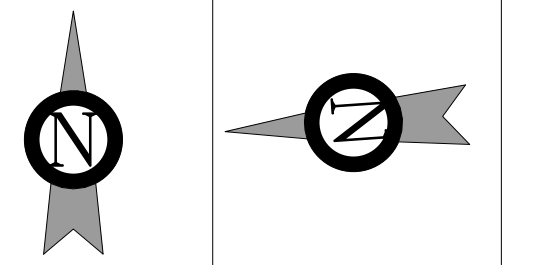
1/4" = 1'-0"



**ROOF PLAN**

1/4" = 1'-0"





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| A05 | PROPOSED SECTIONS                     |

PROJECT:

63 CROSS STREET

A. VENNERI

DATE: 2024.01.02

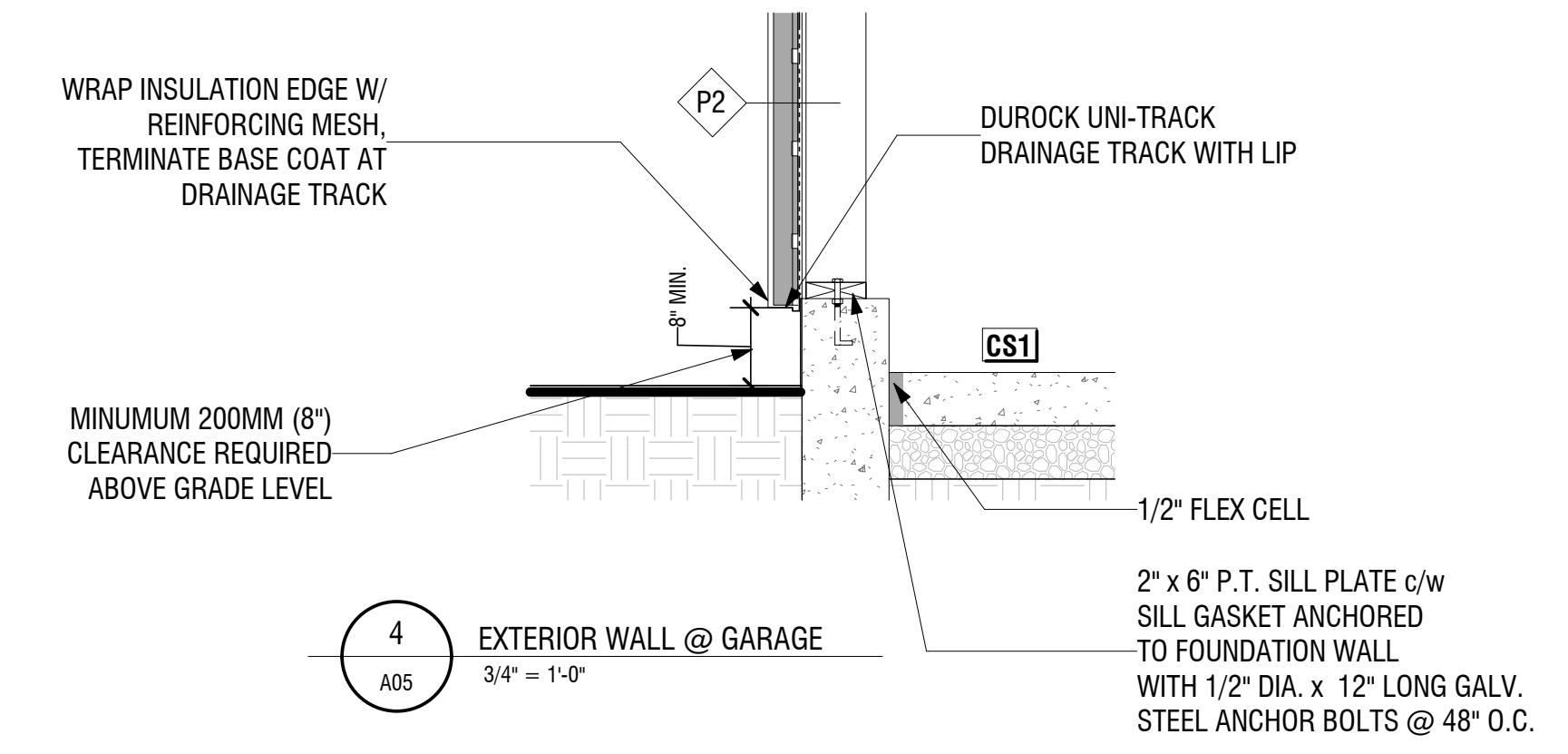
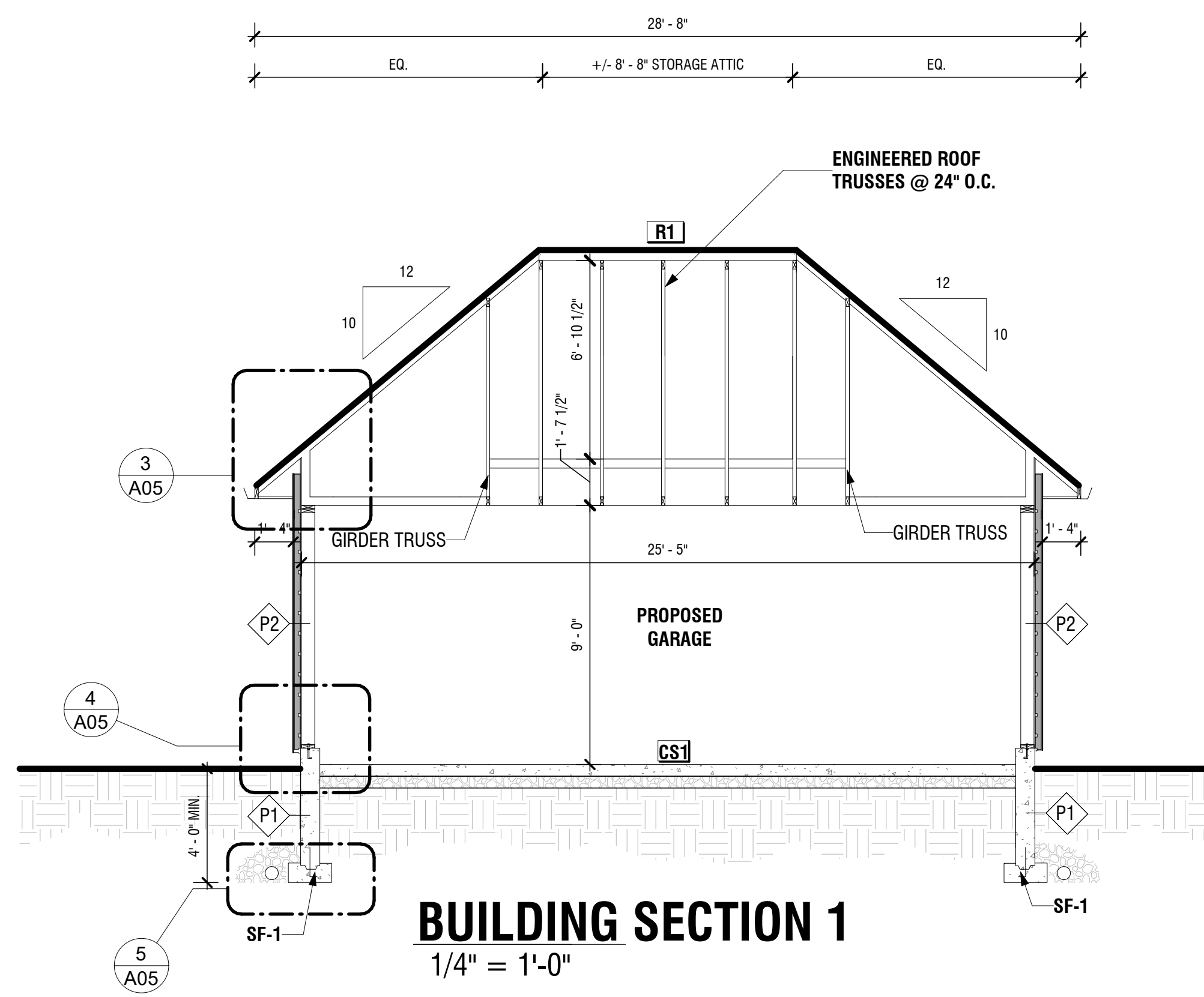
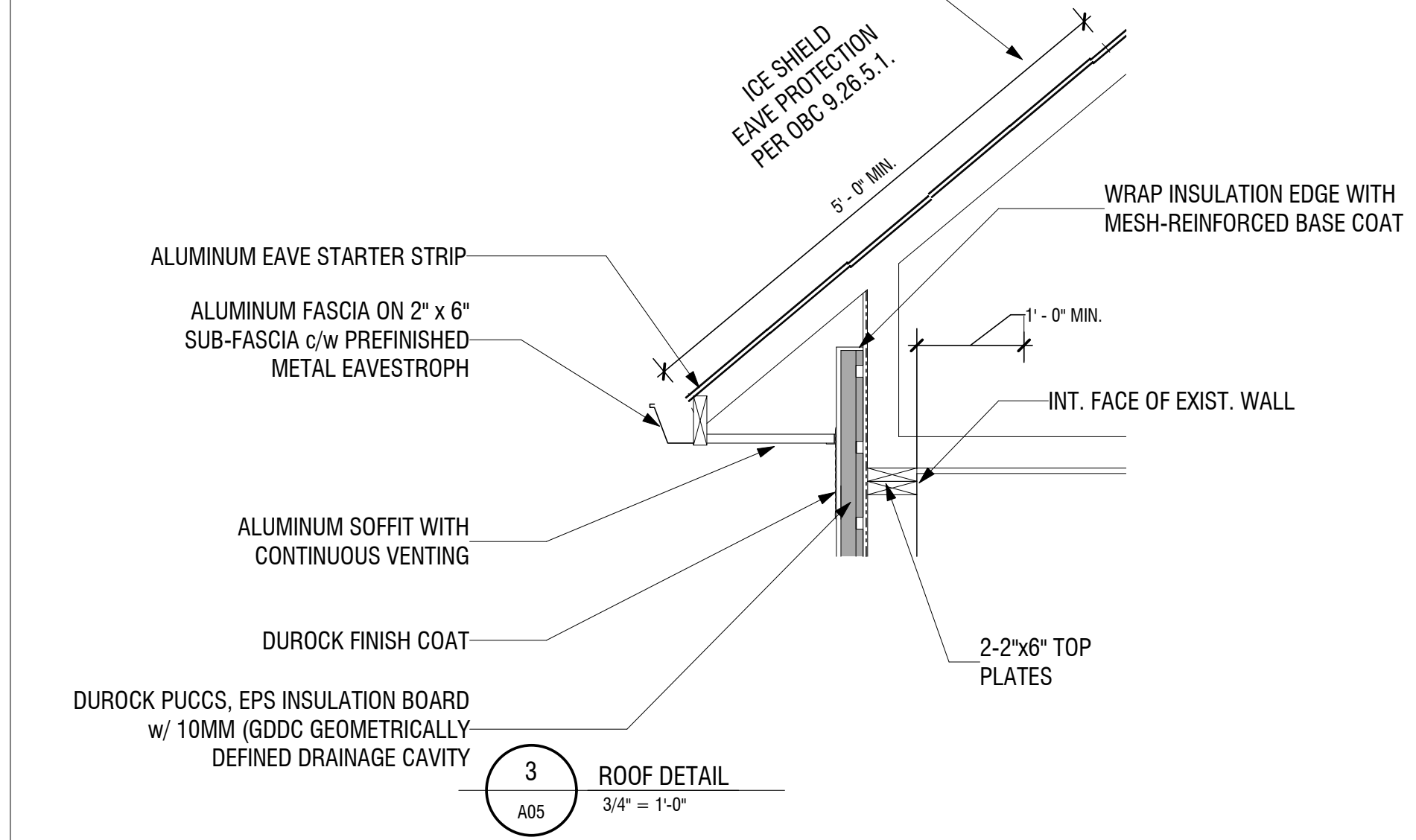
PROPOSED SECTIONS

SCALE: AS INDICATED

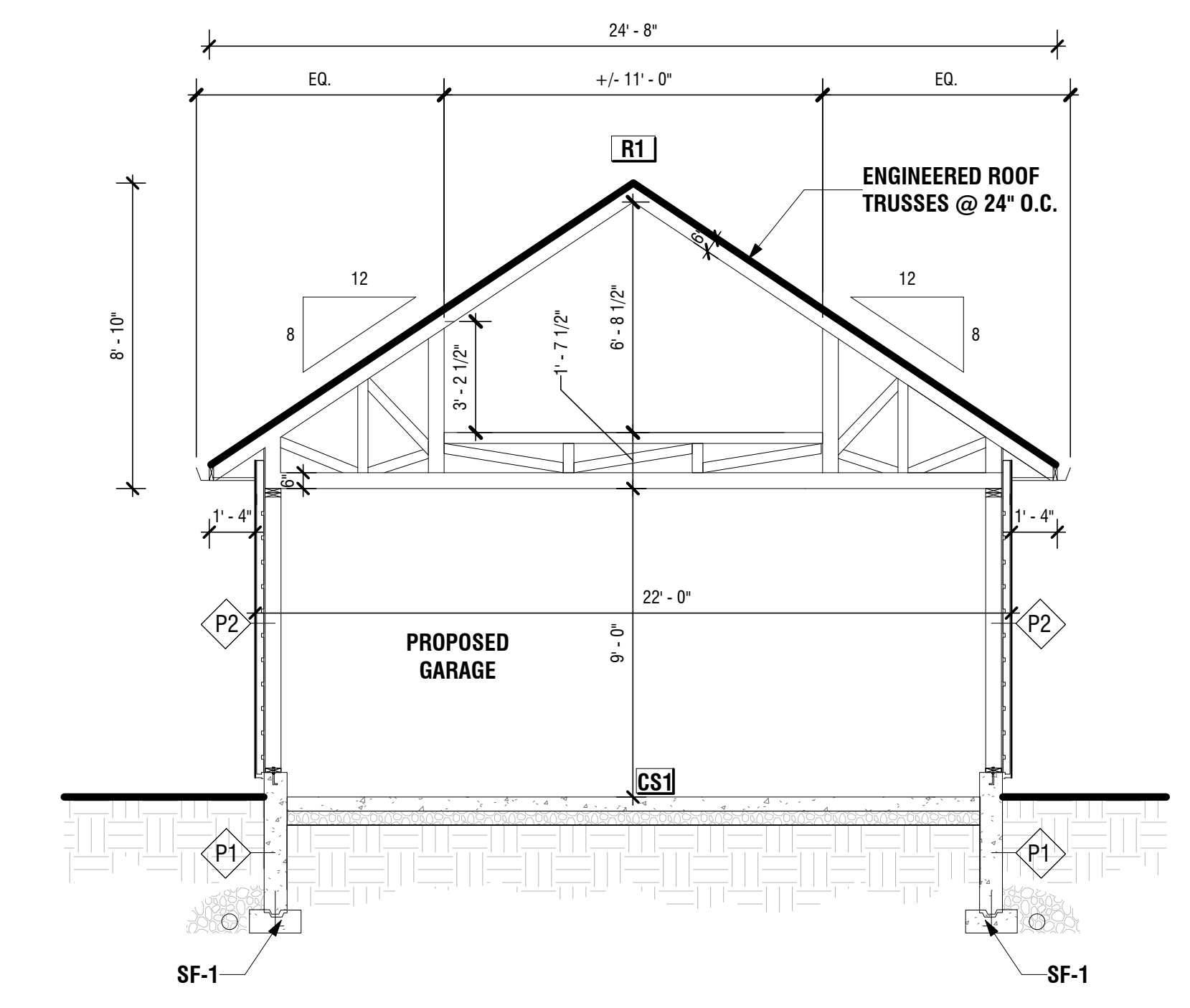
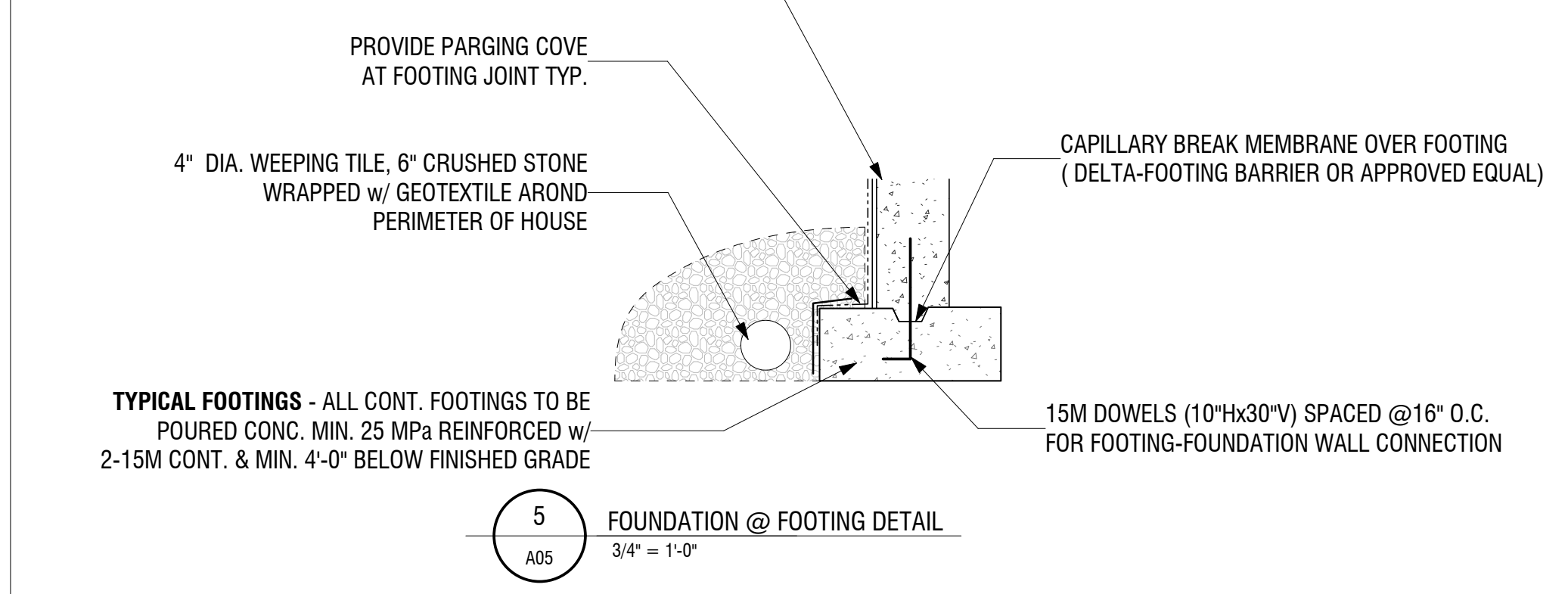
6 / 6

A05

ICE & WATER SHIELD PROTECTIVE MEMBRANE BY W.R. GRACE OR APPROVED EQUAL. APPLY MEMBRANE OVER PLYWOOD SHEATHING. FROM EDGE OF ROOF EXTENDING A MIN. DISTANCE OF 5'-0" UP THE ROOF SLOPE TO A LINE NOT LESS THAN 1'-0" PAST THE INSIDE FACE OF THE EXTERIOR WALL. INSTALL MEMBRANE UP VALLEYS MIN. 1'-6" UP SLOPE EACH WAY TYP.



TYPICAL FOUNDATION WALLS - 2 COATS BITUMINOUS DAMPPROOFING FROM FOOTING COVE TO FINISH GRADE. PROVIDE FDN. WALL DRAINAGE PER OBC 9.14.2.1. OR DELTA-DRAINAGE SYSTEM AS PER MANUF. SPECS





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/PERMISSION**  
UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

|                             | NAME                        |  |                |
|-----------------------------|-----------------------------|--|----------------|
| <b>Registered Owners(s)</b> | DAVID SMITH<br>BRENDA COPPS |  |                |
| <b>Applicant(s)</b>         | ANTHONY VENNERI             |  |                |
| <b>Agent or Solicitor</b>   |                             |  | <b>Phone:</b>  |
|                             |                             |  | <b>E-mail:</b> |

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent



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         | 63 CROSS ST. |            |   |
| Assessment Roll Number    | 26021018800  |            |   |
| Former Municipality       | DUNDAS       |            |   |
| Lot                       |              | Concession |   |
| Registered Plan Number    | 1384         | Lot(s)     | 2 |
| 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:

There is an existing right-of-way on the north side of the property which comprises of the existing gravel driveway. This has been in place for decades and the intention is to continue to use this as a gravel driveway to access the existing house and proposed garage.

### 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:

To permit the construction of a detached garage, with a maximum height of 5.5m instead of the maximum permitted height of 4.0m and area of 54 sq.m instead of the maximum permitted area of 41 sq.m.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Additional height is needed to allow for a storage space above the garage. The additional area is required to comfortably fit the homeowners' 2 vehicles and allow for clearance to access the attic hatch to the storage space above.

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 |
|--------------|-----------|----------|-----------------|
| 32.3m        | 72.7m     | 2317sq.m | 3.5m            |

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

Existing:

| Type of Structure                 | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-----------------------------------|--------------------|-------------------|--------------------|----------------------|
| 2.5 storey single family dwelling | 27.6m              | 30.3m             | 7.6m/7.6m          |                      |
|                                   |                    |                   |                    |                      |
|                                   |                    |                   |                    |                      |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| Detached garage   | 56.4m              | 6.7m              | 3.3m/22.4m         | 04/01/2024           |
|                   |                    |                   |                    |                      |
|                   |                    |                   |                    |                      |

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

Existing:

| Type of Structure                 | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-----------------------------------|-------------------|------------------|-------------------|--------|
| 2.5 storey single family dwelling | 176.5 sq.m        | 374 sq.m         | 2.5               | 10m    |
|                                   |                   |                  |                   |        |
|                                   |                   |                  |                   |        |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|--------|
| Detached garage   | 54 sq.m           | 61 sq.m          | 1.5               | 5.5m   |
|                   |                   |                  |                   |        |
|                   |                   |                  |                   |        |

- 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.):

Single detached dwelling

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

City park to the north & east, single detached dwelling to the south

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1986

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

Single detached dwelling

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

Single detached dwelling

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

37 years

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) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? "R2" (ZONING BY-LAW 3581-86)

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: "R2" (ZONING BY-LAW 3581-86)

---

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: 1

8.2 Number of Dwelling Units Proposed: 0

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
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