



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, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**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

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**APPLICATION NO.:** AN/A-22:88

**APPLICANTS:** Agent Bay Tree Homes Inc. – B. Walker  
Owner C. Canzone

**SUBJECT PROPERTY:** Municipal address **31 Sexton Crescent, Ancaster**

**ZONING BY-LAW:** Zoning By-law Ancaster 87-57, as Amended 12-084

**ZONING:** R5-647 Residential 5 district

**PROPOSAL:** To permit the construction of a covered patio notwithstanding that:

1. A rear yard setback of 7.58m shall be provided instead of the minimum required 14m rear yard setback.

Notes:

1. A rear yard of 14 metres is required when a property abuts a Ministry of Transportation right of way.

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

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**DATE:** Thursday, April 28<sup>th</sup>, 2022  
**TIME:** 2:00 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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**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](http://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](mailto:cofa@hamilton.ca)

DATED: April 12<sup>th</sup>, 2022.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

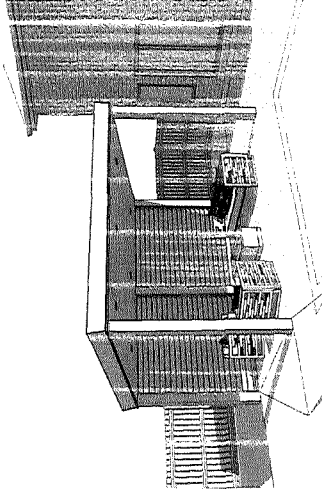
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

# NEW COVERED PATIO

## 31 SEXTON CRESCENT, ANCASTER, ON L9G 2T4



LOCATION PLAN - N.T.S.



### SHEET LIST

Sheet No.	Sheet Name
A0.01	Cover Sheet
A1.01	Proposed Site Plan
A1.02	Proposed Foundation Plan
A1.03	Proposed Ground Floor Plan
A1.04	Proposed Roof Plan
A2.01	Proposed Elevations
A3.01	Building Sections
A4.01	Construction Details

### GENERAL NOTES:

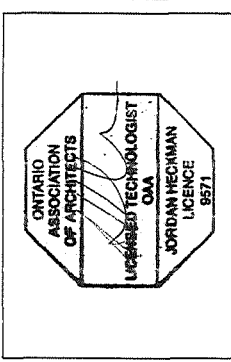
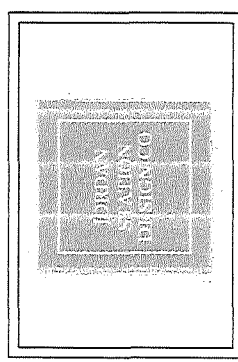
- INFORMATION ON DRAWINGS/NOTES DOES NOT RELIEVE BUILDER(S) FROM COMPLIANCE WITH THE CURRENT BUILDING CODE (O.B.C.), PROVINCIAL REGULATIONS AND/OR BYLAWS, WHICH HAVE JURISDICTION.
- THE CONTRACTOR SHALL NOTIFY JORDAN STATION DESIGN CO INC. IMMEDIATELY WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS WHICH ARE ALLEGED. FAILURE BY THE OWNER OR BUILDING CONTRACTORS DURING CONSTRUCTION OF THE BUILDING TO GIVE PROPER WRITTEN NOTICE TO JORDAN STATION DESIGN CO INC. IN A TIMELY MANNER BEFORE PROCEEDING WITH THE RELATED WORK SHALL CONSTITUTE ACCEPTANCE OF THE "WORK IN PLACE" AND SOLE RESPONSIBILITY OF ANY WORK REQUIRED TO REPLACE, MODIFY OR REMOVE SUCH "WORK IN PLACE". DRAWINGS MUST NOT BE SCALED.
- BY ACCEPTANCE AND PAYMENT OF THESE DRAWINGS, THE OWNER/CLIENT AGREES THAT JORDAN STATION DESIGN CO INC. WILL NOT BE HELD LIABLE FOR WORK COMPLETED WITHOUT THE BENEFIT OF A BUILDING PERMIT. PERMITS MUST BE OBTAINED FOR ALL WORK SHOWN ON THESE DRAWINGS. RED LINED NOTES FROM THE MUNICIPALITY HAVING JURISDICTION SHALL TAKE PRECEDENCE.
- THE SPECIFICATIONS NOTED ON THIS PAGE SHALL BE TAKEN AS MINIMUM REQUIREMENTS TO MEET O.B.C. REQUIREMENTS.
- INFORMATION ON DRAWINGS/NOTES DOES NOT RELIEVE THE BUILDING FROM COMPLIANCE WITH THE CURRENT ONTARIO BUILDING CODE (O.B.C.), PROVINCIAL REGULATIONS AND/OR BYLAWS WHICH HAVE JURISDICTION. CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL DRAWINGS ARE THE PROPERTY OF JORDAN STATION DESIGN CO INC. AND SHALL NOT BE REPRODUCED WITHOUT WRITTEN CONSENT FROM JORDAN STATION DESIGN CO INC.
- WINDOW TYPE, MANUFACTURER AND OPERATION SHALL BE DETERMINED ON SITE BY THE OWNER. REFER TO BUILDING ELEVATIONS FOR GENERAL SCALE AND PROPORTIONS ONLY.
- STRUCTURAL DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL STRUCTURAL INFORMATION SUPPLIED ON THESE DRAWINGS.
- PLUMBING, MECHANICAL AND ELECTRICAL DRAWINGS ARE SUPPLEMENTAL TO THE ARCHITECTURAL DRAWINGS. IT SHALL BE IN THE RESPONSIBILITY OF EACH CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE INSTALLATION OF THEIR WORK.
- BUILDING SYSTEMS AND COMPONENTS NOT SPECIFICALLY DETAILED SHALL BE INSTALLED AS PER MINIMUM MANUFACTURERS' RECOMMENDATIONS AND MUST MEET CURRENT O.B.C. REQUIREMENTS. NOTIFY DESIGNER OF ANY RESULTING CONFLICTS.

### SCOPE OF WORK:

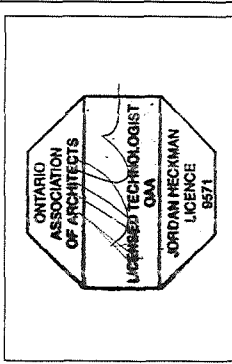
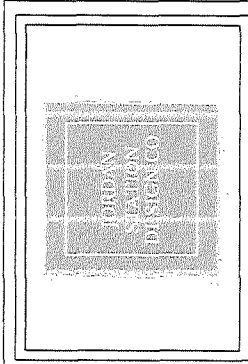
PROPOSED WORK INCLUDES CONSTRUCTION OF A NEW COVERED PATIO ON NEW HELICAL PILES. TOTAL AREA OF WORK: 188.8 SQ FT (17.5 SQ. M.)

### ABBREVIATION LEGEND

AA	As
AF	And
AFP	Above Finished Floor
ALUM	Aluminum
ASMT	Basement
BSND	Basement
BIO	Behind Of
CLG	Cast In Place
CLG	Control Joint
CMU	Concrete Masonry Unit
CONC	Concrete
CONC	Concrete
CONT	Continuous
CPT	Carpet
CT	Ceramic Tile
DI	Double Joint
DM	Finish or Demolition
DIA	Dimension
DM	Dimension
DM	Dimension
DN	Down
DR	Door
DWG	Drawing
E.W.	Each Way
EJ	Expansion Joint
ELEV	Elevation
ELEV	Elevator or Elevation
EX	Exposed
EXT	Exterior
FD	Floor Drain
FND	Foundation
GA	Gauge
GLY	Glazed
GV	Ground
HC	Hollow Core
HM	Hollow Metal
HR	Heating, Ventilating, And Air Conditioning
HVAC	Heating, Ventilating, And Air Conditioning
INSUL	Insulated or Insulation
INT	Interior
MAX	Maximum
MECH	Mechanical
MIN	Minimum
NIC	Not In Contact
NO	Number
OC	On Center
OF	Off
RD	Roof Drain
REQD	Required
RM	Room
SM	Similar
SPEC	Specified OR Specifications
ST	Standard Transmission Coefficient
STRUC	Structural
TAG	Structures or Structural
TELE	Telephone
TOP OF	Top Of
TOP OF CONCRETE	Top Of Concrete
TOP OF FLOOR	Top Of Floor
UNO	Unless Noted Otherwise
UNDERSIDE	Underside
W/	With
WD	Wood



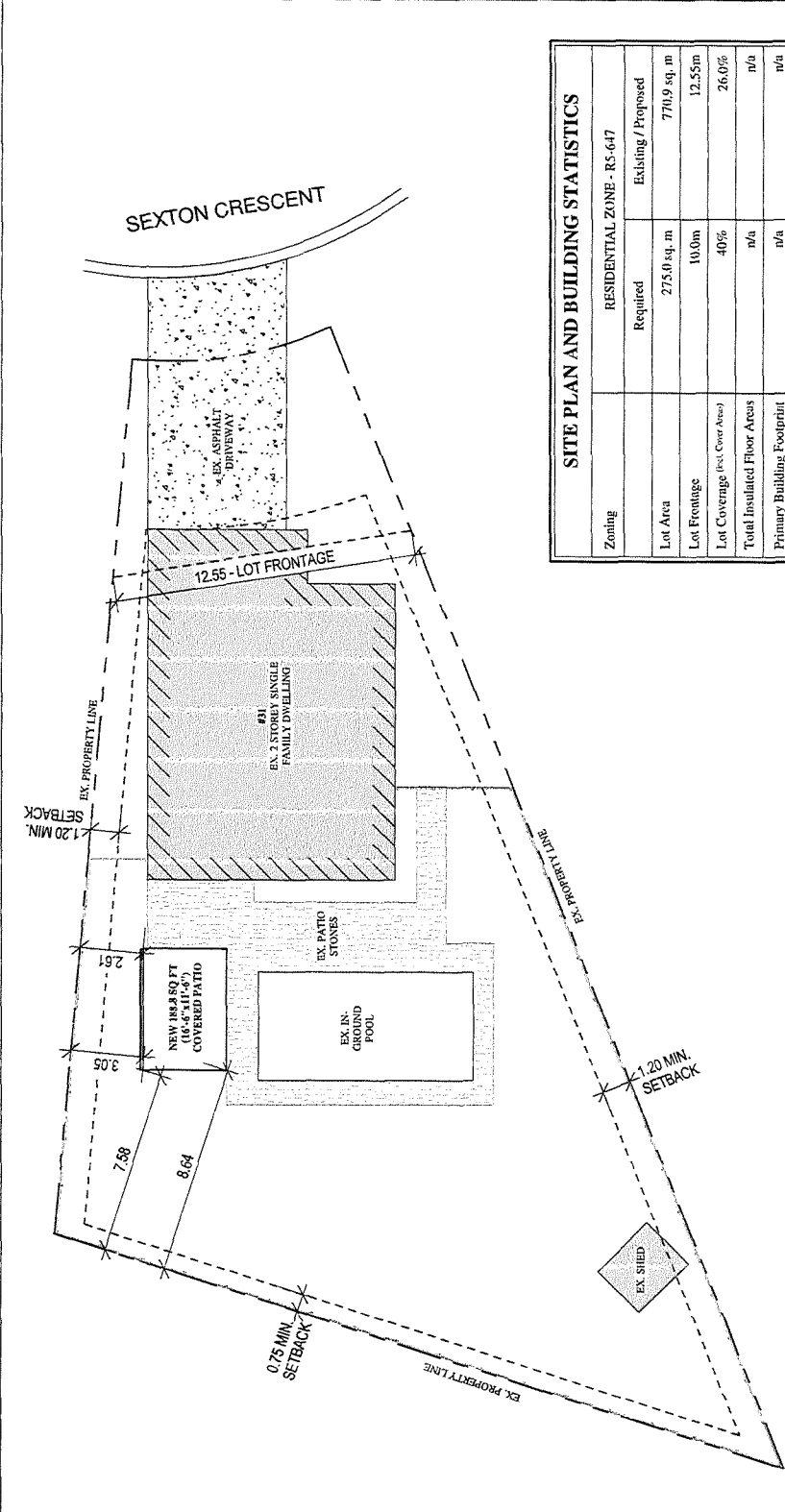
<b>NEW COVERED PATIO</b>	
31 Sexton Crescent, Ancaster, ON L9G 2T4	
Project number	21089
Date	JUN 2021
Drawn by	KM
Designed by	JH
<b>A0.01</b>	
Scale	1/4" = 1'-0"



**NEW COVERED PATIO**  
 31 Sexton Crescent, Ancaster, ON L9G 2T4

Proposed Site Plan  
 Project number: 21089  
 Date: JUN 2021  
 Drawn by: KM  
 Designed by: JH

**A1.01**  
 Scale: 1/16" = 1'-0"



**SITE PLAN AND BUILDING STATISTICS**

Zoning	RESIDENTIAL ZONE - RS-647	
	Required	Existing / Proposed
Lot Area	275.0 sq. m	770.9 sq. m
Lot Frontage	10.0m	12.55m
Lot Coverage (incl. Cover Area)	40%	26.0%
Total Insulated Floor Areas	n/a	n/a
Primary Building Footprint	n/a	n/a
Front Yard Setback	7.0m	n/a
Rear Yard Setback	0.75m	7.58m
Int. Side Yard Setback	1.2m	2.61m
Ext. Side Yard Setback	n/a	n/a
Building Height	4.5m MAX.	3.43m
Landscaped Open Space	n/a	n/a

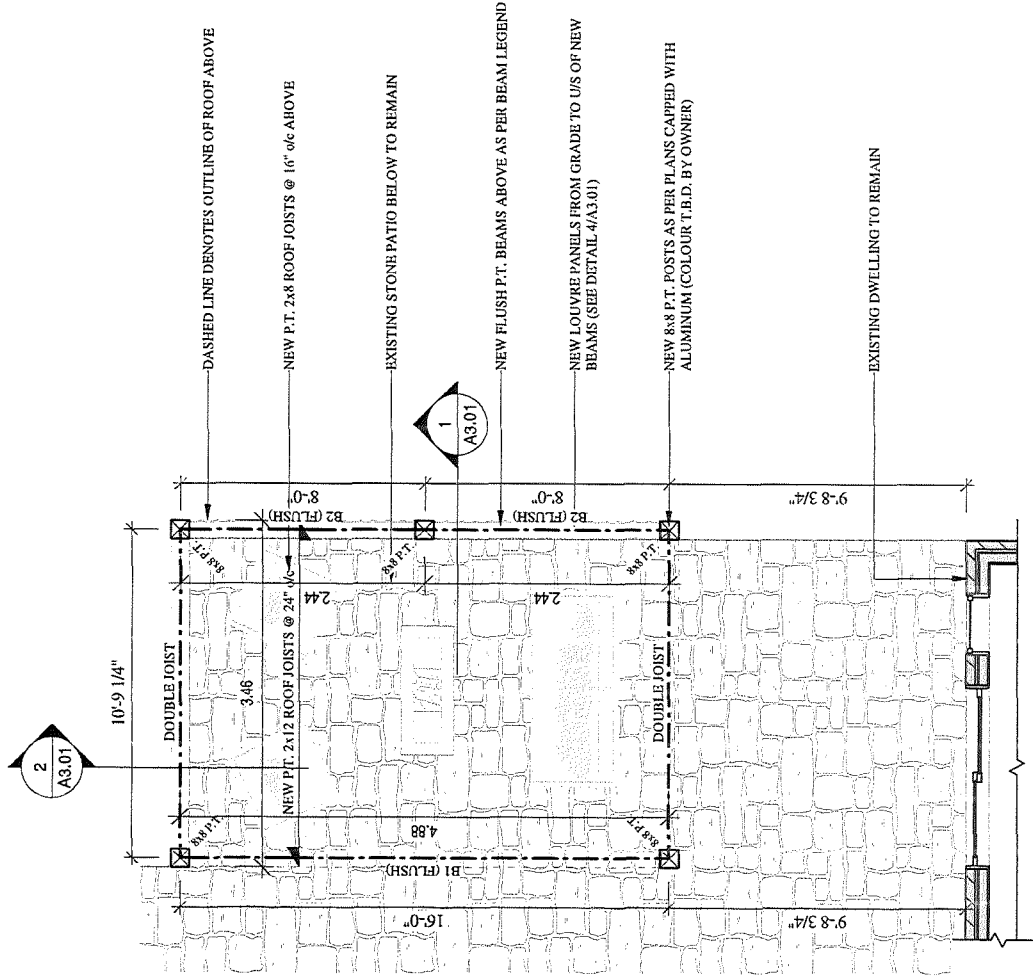
NOTE: SETBACKS, LOT COVERAGE, FLOOR AREAS, AND BUILDING HEIGHTS NOTED ARE FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES (SUBSECTION 7.1.8.) AS PER ZONING BY-LAW NO. 87-57 FOR THE CITY OF ANCASTER.

- \* TOTAL LOT COVERAGE 40% MAX.
- \* ACCESSORY BLDG GREATER THAN 12 sq. m. MUST BE OUTSIDE OF REAR YARD SETBACK
- \* EAVE/GUTTERS CANT EXTEND PASS 0.30m INTO SETBACK

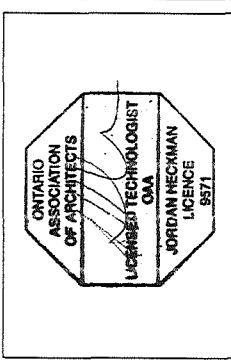
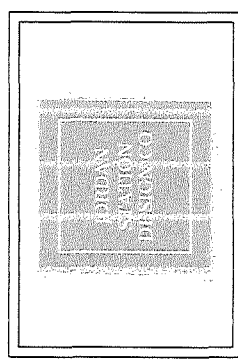
1 PROPOSED SITE PLAN  
 1/16" = 1'-0"

BEAM NUMBER:	B1
TABLE:	TABLE A-12
MAXIMUM SPAN:	5.08m*
BEAM SPAN:	4.88m
BEAM SIZE:	4-2x12 P.T.
BEAM GRADE:	SPF No. 1 or 2
BEAM NUMBER:	B2
TABLE:	TABLE A-12
MAXIMUM SPAN:	5.08m*
BEAM SPAN:	2.44m
BEAM SIZE:	4-2x12 P.T.
BEAM GRADE:	SPF No. 1 or 2

\*AS PER FOOTNOTE (1) ON O.B.C. TABLE A-12, BEAM SPAN HAS BEEN INCREASED BY 25% FOR SUPPORTED LENGTH OF LESS THAN 2.4m.

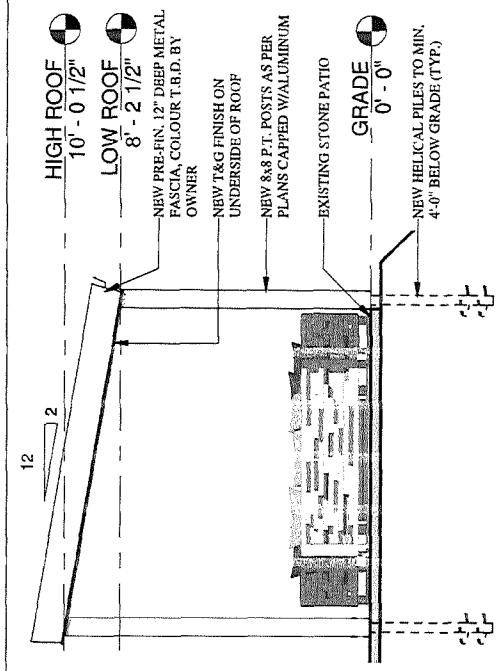


1 PROPOSED GROUND FLOOR PLAN  
1/4" = 1'-0"



<b>NEW COVERED PATIO</b>	
31 Sexton Crescent, Ancaster, ON L9G 2T4	
Proposed Ground Floor Plan	Project number 21089
Date JUN 2021	Drawn by KM
Designed by JH	Scale 1/4" = 1'-0"
<b>A1.03</b>	





**HIGH ROOF**  
10' - 0 1/2"

**LOW ROOF**  
8' - 2 1/2"

NEW PRE-FIN. 12" DEEP METAL FASCIA, COLOUR T.B.D. BY OWNER

NEW T&G FINISH ON UNDERSIDE OF ROOF

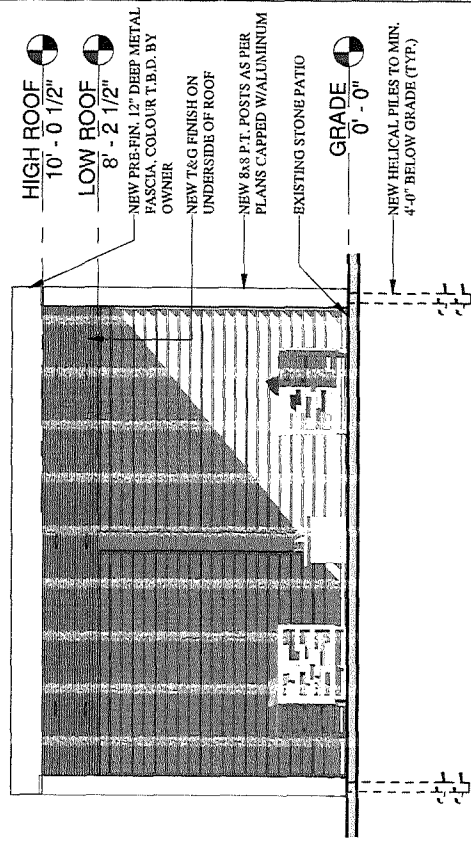
NEW 8x8 P.T. POSTS AS PER PLANS CAPPED W/ALUMINUM

EXISTING STONE PATIO

**GRADE**  
0' - 0"

NEW HELICAL PILES TO MIN. 4'-0" BELOW GRADE (TYP.)

① **FRONT ELEVATION**  
1/4" = 1'-0"



**HIGH ROOF**  
10' - 0 1/2"

**LOW ROOF**  
8' - 2 1/2"

NEW PRE-FIN. 12" DEEP METAL FASCIA, COLOUR T.B.D. BY OWNER

NEW T&G FINISH ON UNDERSIDE OF ROOF

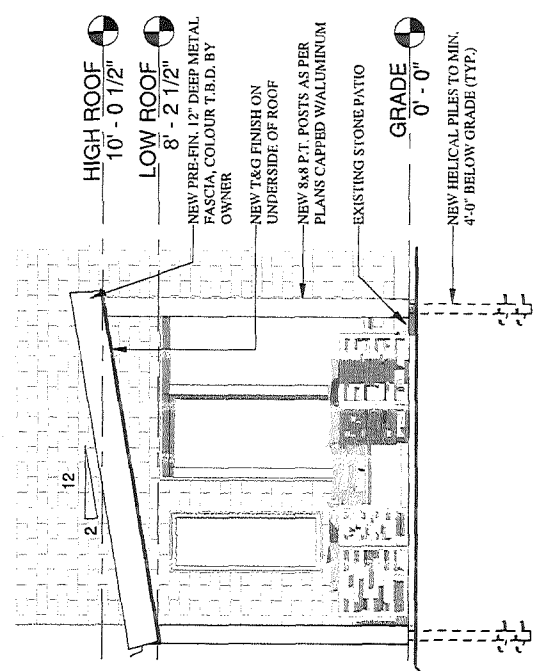
NEW 8x8 P.T. POSTS AS PER PLANS CAPPED W/ALUMINUM

EXISTING STONE PATIO

**GRADE**  
0' - 0"

NEW HELICAL PILES TO MIN. 4'-0" BELOW GRADE (TYP.)

② **SIDE A ELEVATION**  
1/4" = 1'-0"



**HIGH ROOF**  
10' - 0 1/2"

**LOW ROOF**  
8' - 2 1/2"

NEW PRE-FIN. 12" DEEP METAL FASCIA, COLOUR T.B.D. BY OWNER

NEW T&G FINISH ON UNDERSIDE OF ROOF

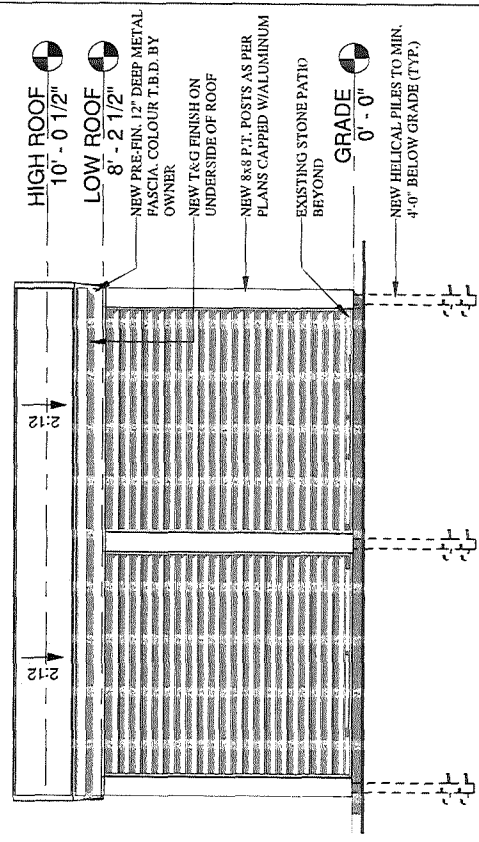
NEW 8x8 P.T. POSTS AS PER PLANS CAPPED W/ALUMINUM

EXISTING STONE PATIO

**GRADE**  
0' - 0"

NEW HELICAL PILES TO MIN. 4'-0" BELOW GRADE (TYP.)

③ **REAR ELEVATION**  
1/4" = 1'-0"



**HIGH ROOF**  
10' - 0 1/2"

**LOW ROOF**  
8' - 2 1/2"

NEW PRE-FIN. 12" DEEP METAL FASCIA, COLOUR T.B.D. BY OWNER

NEW T&G FINISH ON UNDERSIDE OF ROOF

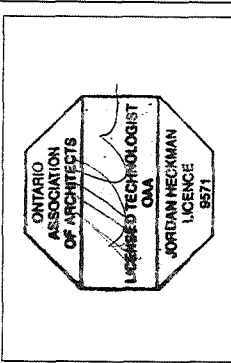
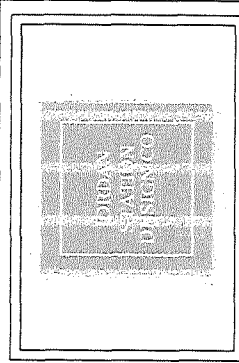
NEW 8x8 P.T. POSTS AS PER PLANS CAPPED W/ALUMINUM

EXISTING STONE PATIO BEYOND

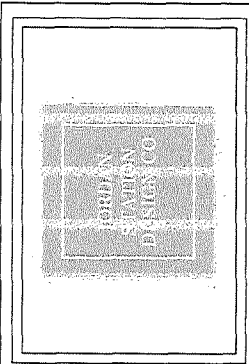
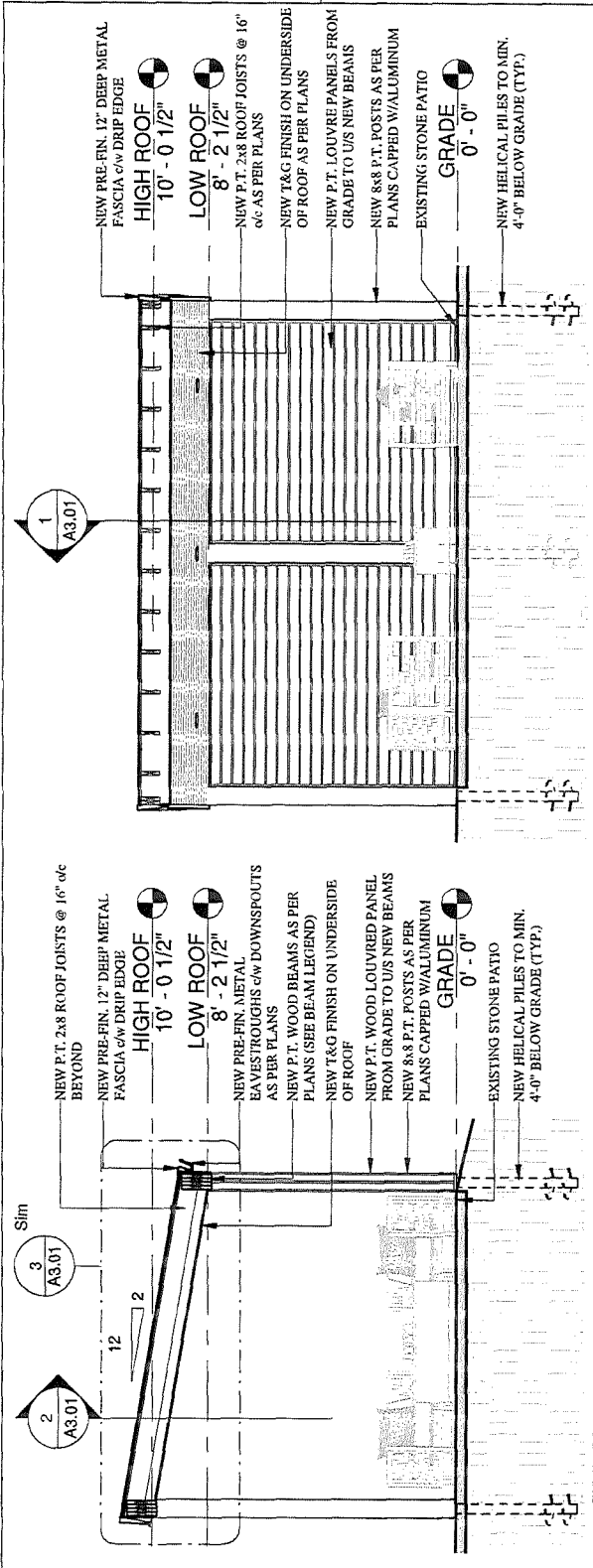
**GRADE**  
0' - 0"

NEW HELICAL PILES TO MIN. 4'-0" BELOW GRADE (TYP.)

④ **SIDE B ELEVATION**  
1/4" = 1'-0"

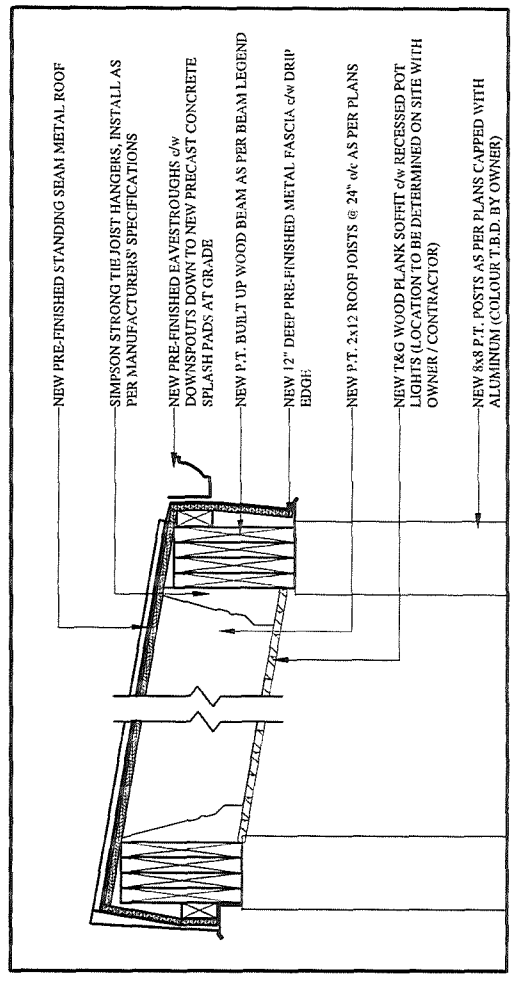
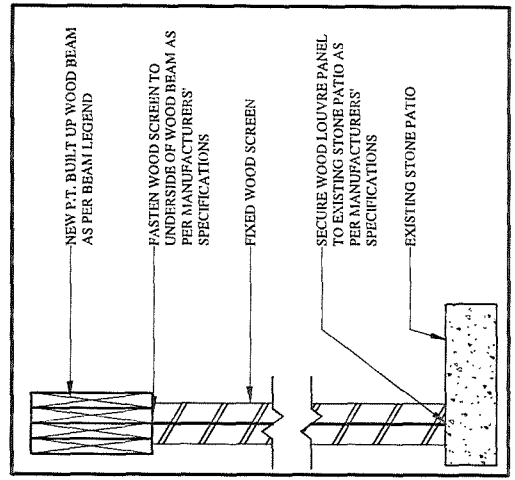


<b>NEW COVERED PATIO</b>	
31 Sexton Crescent, Ancaster, ON L9G 2T4	
Proposed Elevations	
Project number	21089
Date	JUN 2021
Drawn by	KM
Designed by	JH
<b>A2.01</b>	
Scale	1/4" = 1'-0"

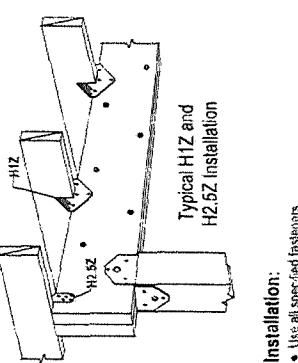


ONTARIO ASSOCIATION OF ARCHITECTS  
 LICENSED TECHNOLOGIST  
 OAA  
 JORDAN NECHMAN  
 LICENCE 9571

<b>NEW COVERED PATIO</b>	
31 Sexton Crescent, Ancaster, ON L9G 2T4	
Building Sections	
Project number	21089
Date	JUN 2021
Drawn by	KM
Designed by	JH
<b>A3.01</b>	
Scale	As indicated



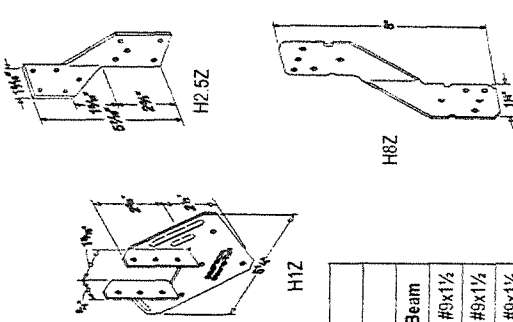




**Typical H1Z and H2.5Z Installation**

**Installation:**

- Use all specified fasteners.



**Typical H1Z and H8Z Installation**

**Installation:**

- Use all specified fasteners.


**HURRICANE TIES (REQUIRED AT ALL JOIST TO BEAM CONNECTION)**

Model No.	Fasteners		
	Nails	To Joist	To Beam
H1Z	6-30x1 1/2	4-80x1 1/2	4-SD #9x1 1/2
H2.5Z	5-80x1 1/2	5-SD #9x1 1/2	5-SD #9x1 1/2
H8Z	5-100x1 1/2	5-SD #9x1 1/2	5-SD #9x1 1/2

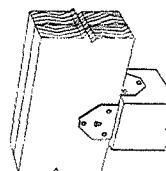
**JOIST TO LEDGER BOARD**

**Installation:**

- BCS: Install drive nails on beam, drive nails at an angle through the beam into the post below.
- BC: Do not install bolts into pilot holes.

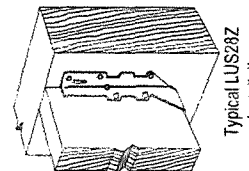


BCS  
(BC Similar)



Typical BCS Installation  
(BC Similar)

**Typical LUS28Z Installation**



**Installation:**

- LUS hangers install with double shear nailing.
- For installations into single 2x headers or joists, use the specified full length fasteners into the joist and the following fasteners into the header for reduced loads in accordance with www.stongtie.com.
- SD #8x1 1/2 for LUS28Z and LUS210Z installations with SD Screws
- SD #10x1 1/2 for LUS28-2Z and LUS210-2Z installations with SD Screws

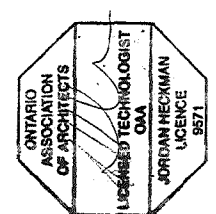
Model No.	Dimensions (in.)				Fasteners		
	W	H	B	J	Nails	Header	Joist
LUS28Z	1 9/16	4 3/4	1 3/4	4-10d	4-10d	4-10d	4-SD #9x2 1/2
LUS28Z	1 9/16	6 5/8	1 3/4	6-10d	6-10d	4-10d	4-SD #9x2 1/2
LUS210Z	1 9/16	7 13/16	1 3/4	8-10d	8-10d	4-10d	4-SD #9x2 1/2
LUS28-2Z	3 1/8	4 7/8	2	4-16d	4-16d	4-SD #10x2 1/2	4-SD #10x2 1/2
LUS210-2Z	3 1/8	9	2	8-16d	8-16d	8-SD #10x2 1/2	8-SD #10x2 1/2

Model No.	Dimensions (in.)				Fasteners		
	W1	W2	L1	L2	H1	H2	SD Screws
BC4Z	3 9/16	3 9/16	2 7/8	2 7/8	3	3	6-SD #10x1 1/2
BC6Z	5 1/2	5 1/2	4 3/8	4 3/8	3 3/8	3 3/8	6-SD #10x1 1/2
BCS2-36Z	3 1/8	3 9/16	2 7/8	2 15/16	2 15/16	8-10d	8-SD #9x2 1/2
BCS2-36Z	4 5/8	5 9/16	4 3/8	2 7/8	3 5/16	2 15/16	6-SD #9x2 1/2

**BEAM TO COLUMN CONNECTION**

**NOTE:**

REFER TO AND UTILIZE THESE DETAILS UNLESS SPECIFICALLY NOTED OTHERWISE IN THE DRAWING PACKAGE.



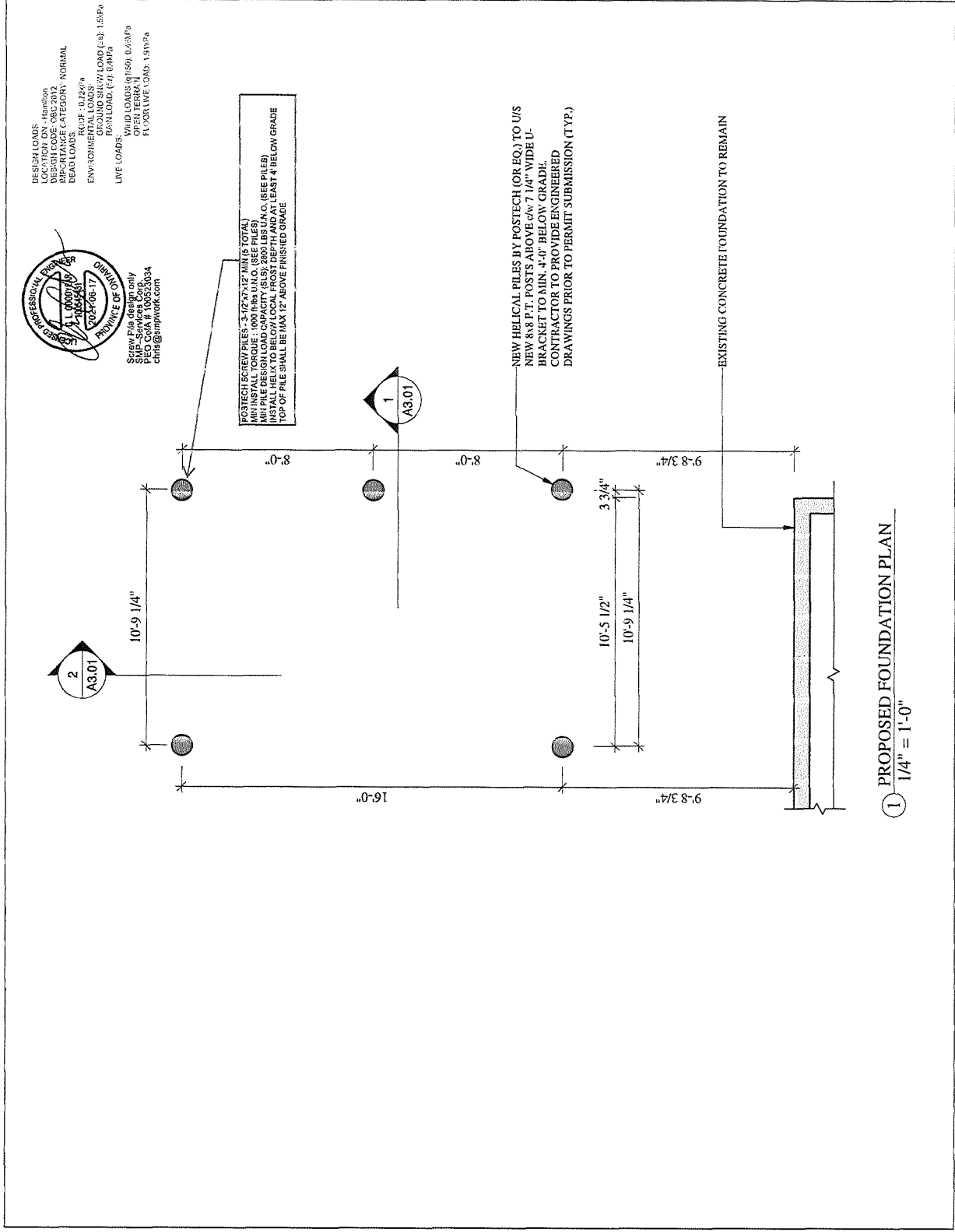
**NEW COVERED PATIO**  
31 Sexton Crescent, Ancaster, ON L9G 2T4

Construction Details

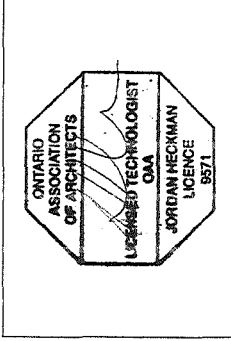
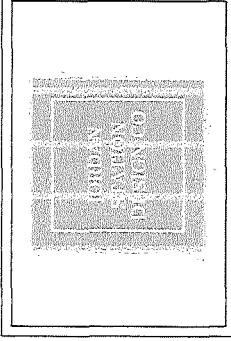
Project number: 21089  
Date: JUN 2021  
Drawn by: KM  
Designed by: JH

A4.01

Scale: 3/8" = 1'-0"



SMIP Engineering  
 5100 Highway 7  
 Scarborough, Ontario  
 M1V 4T7  
 PEO CofA # 109523034  
 chta@smipnotek.com



<b>NEW COVERED PATIO</b>	
31 Sexton Crescent, Ancaster, ON L9G 2T4	
Proposed Foundation Plan	
Project number	21089
Date	JUN 2021
Drawn by	KM
Designed by	JH
<b>A1.02</b>	
Scale	1/4" = 1'-0"

**1** PROPOSED FOUNDATION PLAN  
 1/4" = 1'-0"

Ministry of Transportation

Highway Corridor Management Section - Downsview Office  
159 SIR WILLIAM HEARST AVE, 7TH FLOOR  
DOWNSVIEW, ON M3M 1J8



January 14, 2022

Phil and Chrystine Canzone  
31 SEXTON CRES  
ANCASTER, ON  
L9G 2T4

Dear Phil and Chrystine:

Re: BL-2022-20T-00000016 V1

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Please find attached your Building and land Use Permit, which has been issued in accordance with the **PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT, R.S.O. 1990, P50**.

It is the responsibility of the permit holder to ensure that all employed/contracted personnel performing the work are aware of and adhere to all conditions of the permit.

If you have any questions or require further assistance, please contact the undersigned.

Sincerely,

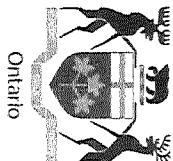
A handwritten signature in black ink that reads "Peter Deluca". The signature is written in a cursive style and is positioned above a horizontal dashed line.

Peter Deluca  
Corridor Management Officer

159 SIR WILLIAM HEARST AVE, 7TH FLOOR  
DOWNSVIEW, ON M3M 1J8

Attach.

MINISTRY OF TRANSPORTATION



Highway Corridor Management  
Building and Land Use Permit  
BL-2022-20T-00000016 V1

**ISSUED TO**

**PROPERTY OWNER:** PHIL AND CHRYSITINE CANZONE, 31 SEXTON CRES, ANCASTER, ON, L9G 2T4  
**APPLICANT/TENANT:**

**LOCATION OF WORK**

**HIGHWAY:** 403

**STREET ADDRESS:** 31 SEXTON CRESCENT, LOT 46, CON 3, ANCASTER

**GPS CO-ORDINATES:** Start: 43.209704, -79.967446 End: N/A

**LOT/SECTION:** 46      **CON:** 3      **GEOGRAPHIC TOWNSHIP:** ANCASTER      **LOT/BLOCK:** N/A      **PLAN NO:** N/A      **MUNICIPALITY:** CITY OF HAMILTON      **REFERENCE PLAN PART:** N/A      **REFERENCE PLAN NO:** N/A

**PERMIT DETAILS**

**USE OF FACILITY:** Residential Building/Land Use      **PURPOSE OF APPLICATION:** Construct

**TYPE OF FACILITY:** Structure (e.g. pool, well, fence)

**DESCRIPTION:** Construction of 17.54 square metre (16ft 6in by 11ft 6in) pavilion/covered patio located in the backyard of the dwelling located at 31 Sexton Crescent, Ancaster, Ontario.  
**EXPIRY DATE:** N/A

**DATED AT:** Downsview Office

**DATED ON:** January 14,  
2022

-----  
Authorized Signatory

A handwritten signature in black ink, appearing to read "T. Hewitt".

**THIS PERMIT IS ISSUED UNDER THE AUTHORITY VESTED IN THE MINISTER BY THE PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT AND THE REGULATIONS PURSUANT THERETO AND IN SUBJECT TO THE CONDITIONS ATTACHED TO THE PERMIT, INCLUDING ANY AGREEMENT APPLICABLE TO THE SIGN AUTHORIZED BY THE PERMIT**

## Highway Corridor Management Permit Conditions

Permit Number: BL-2022-20T-00000016

Permit Version: 1

Date Approved: January 14, 2022

### The permit is subject to the following conditions:

1. In addition to the conditions of this permit, the registered property owner must meet all of the requirements of the local municipality and any other agency having jurisdiction.
2. The work for which this permit is issued must commence within 6 months of the date that the permit is issued, or the permit shall be void and cancelled by the Ministry.
3. All work authorized by this permit shall be carried out in accordance with the approved plans, specifications and agreements and subject to the approval of the Ministry. The registered property owner must bear all expenses related thereto.
4. Vegetation on the right of way must not be cut or trimmed without the written permission of the Ministry. Any cutting or trimming permitted must only be done under the supervision of the Ministry or its authorized agent at the expense of the registered property owner. Any cutting or trimming of vegetation adjacent to the highway right-of-way requires the permission of the land owner.
5. The registered property owner shall ensure that the operation of the highway is not interfered with, and that the right-of-way remains free of debris, earth or other materials.
6. If there is an expiry date on this permit and a further term is required, a request shall be made to the Ministry before the expiry date. An extension may be approved, approved with additional conditions, or denied by the Ministry.
7. If during the life of this permit any Acts are passed or regulations adopted which affect the rights herein granted, the said Acts and regulations shall be applicable to this permit from the date on which they come into force.
8. The registered property owner holds harmless the Ministry for all damages and liabilities caused as a result of the works undertaken pursuant to this permit.
9. This permit may be cancelled at any time for breach of the regulations or conditions of this permit, or for such other reasons as the Ministry at its sole discretion deems proper. When a permit is cancelled for any reason, the registered property owner shall not be entitled to any compensation or damages by reason of or arising from the cancellation of the permit.
10. The use of the land or building(s) shall only be for the use stated on this permit. The use of the land or building(s) for any other purposes may result in the cancellation of this permit. A change in the use of the land or building(s) requires a new permit.
11. Any alterations to the above noted plans or reports will require further approval from the MTO.
12. The owner is responsible to obtain all utility locates.
13. Construction to begin within 6 months of the permit being issued.

## **Highway Corridor Management Permit Conditions**

**Permit Number:** BL-2022-20T-00000016

**Permit Version:** 1

**Date Approved:** January 14, 2022

**The permit is subject to the following conditions:**

14. Vehicles, equipment, or materials are not permitted within the Ministry right-of-way, for the purpose of the development, at any time.



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

<b>FOR OFFICE USE ONLY.</b>	
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:

Construction of 17.54 square metre (16ft 6in by 11ft 6in) pavilion/covered patio located in the backyard of the dwelling located at 31 Sexton Crescent, Ancaster, Ontario.

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Due to MTO Corridor management, the pavilion is inside the required setback for structures. This pavilion will be built in a pool/landscape area that has already received permit approval in 2017, the pavilion variance to the MTO has been approved on January 14, 2022 BL-2022-20T-00000016 V1

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**):

31 SEXTON CRESCENT, LOT 46, CON 3, ANCASTER

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 grading was changed with previous permits relating to the stone patio and inground pool. BL-2016-20T-389

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.

Feb 4, 2022  
Date

  
Signature Property Owner(s)  
Chrystine Phill Canzone  
Print Name of Owner(s)

10. Dimensions of lands affected:  
Frontage n/a  
Depth 7.58  
Area 17.5  
Width of street n/a

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:  

2 storey single family dwelling

Proposed  

16' x12' open wall pavilion located as per attached drawings

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

Existing:  

Lot Frontage 10m  
Front Yard setback 7.0m  
Rear yard setback .75m  
Int. Side Yard setback 1.2m  
ext. side yard setback n/a

Proposed:  

Lot Frontage n/a  
Front Yard setback n/a  
Rear yard setback 7.58m  
Int. Side Yard setback 2.61m  
ext. side yard setback n/a

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.):  
Single family residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single family residential
17. Length of time the existing uses of the subject property have continued:  
\_\_\_\_\_
18. Municipal services available: (check the appropriate space or spaces)  
Water X \_\_\_\_\_ Connected X \_\_\_\_\_  
Sanitary Sewer X \_\_\_\_\_ Connected X \_\_\_\_\_  
Storm Sewers X \_\_\_\_\_
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:  
BL-2016-20T-389 new one BL-2022-20T-00000016 V1
- 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.