



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

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

### **NOTICE OF PUBLIC HEARING** **Consent/Land Severance**

**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>GL/B-22:132</b>	<b>SUBJECT PROPERTY:</b>	9788 TWENTY ROAD W, GLANBROOK
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**APPLICANTS:**      **Owner:** Frank Luongo c/o Angelo Cameracci of Urbex Engineering Ltd.  
                              **Agent:** T. Johns Consulting Group Ltd. c/o Diana Morris

**PURPOSE & EFFECT:** To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained. There is a detached garage and shed to be demolished to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	24.1 m <sup>±</sup>	66.27 m <sup>±</sup>	1559.6 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	20.10 m <sup>±</sup>	66.28 m <sup>±</sup>	1335.8 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): GL/A-22:405

**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, February 2, 2023</b>
<b>TIME:</b>	<b>3:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</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)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

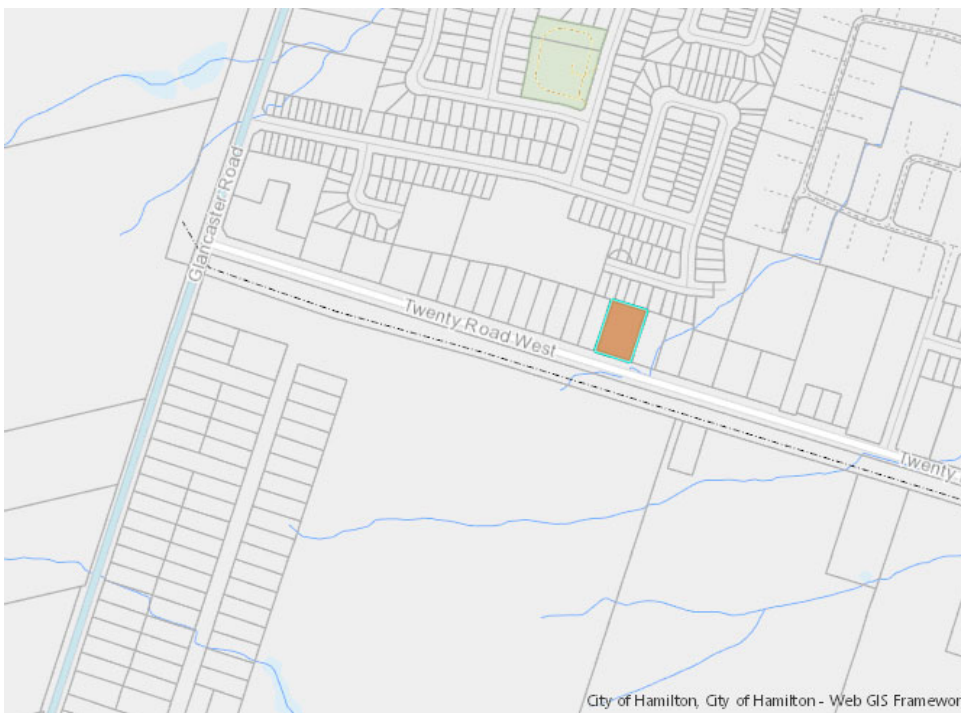
## PUBLIC INPUT

**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 or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding GL/B-22:132, 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.



DATED: January 17, 2023

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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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the Decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

## **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.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments 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 During the Virtual Meeting**

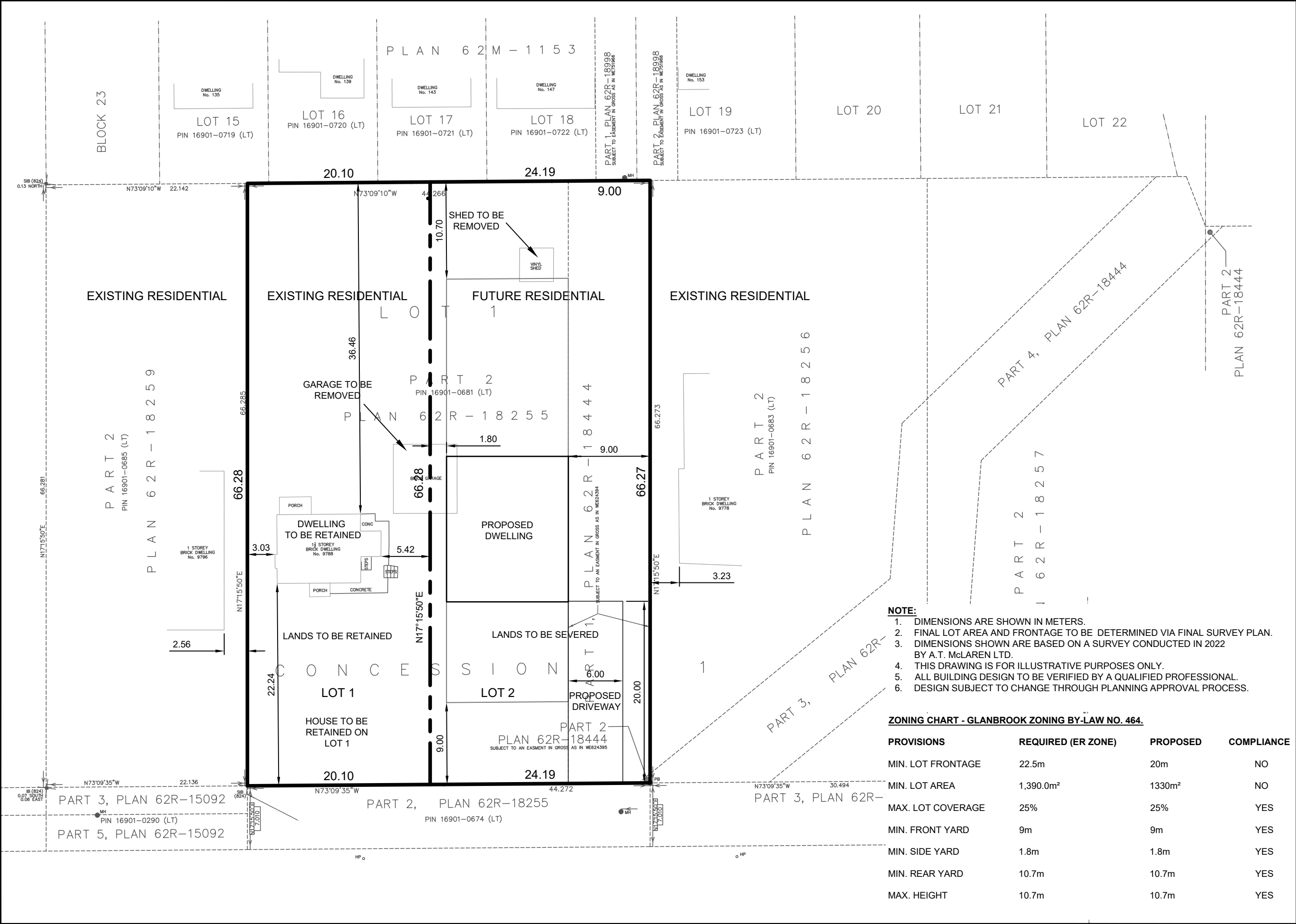
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.



LEGAL DESCRIPTION

REVISIONS


A	REVIEW	14-DEC-2022	JS
REV.	DESCRIPTION	DATE	INIT.

DISCLAIMER  
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.  
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THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

**T. JOHNS CONSULTING GROUP**  
URBAN PLANNING | DESIGN  
PROJECT MANAGEMENT

310 LIMERIDGE ROAD WEST, SUITE 6  
HAMILTON ONTARIO, L9C 2V2

P 905-574-1993  
F 905-527-9559

PROJECT TITLE

9788 TWENTY ROAD WEST

HAMILTON, ONTARIO

DRAWING TITLE

CONSENT SKETCH

DRAWN BY	DESIGNED BY
JS	JS
PRINT DATE	PROJECT NUMBER
14-DEC-2022	
REVISION	DRAWING NUMBER
A	CS1-1
SCALE	
1:300	



**SURVEYOR'S REAL PROPERTY REPORT**

PART 1, PLAN OF PART OF  
**LOT 1**  
**CONCESSION 1**  
 GEOGRAPHIC  
**TOWNSHIP OF GLANFORD**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:200 METRIC

R.A. McLaren, O.L.S. - 2022

**SURVEYOR'S REAL PROPERTY REPORT**

**(PART 2)**  
 PART OF LOT 1, CONCESSION 1, IS SUBJECT  
 TO AN EASEMENT IN GROSS OVER PART 1,  
 PLAN 62R-18444 AS IN WE624394 AND PART 2,  
 PLAN 62R-18444 AS IN WE624395.  
 THIS PLAN DOES NOT CERTIFY COMPLIANCE  
 WITH ZONING BY-LAWS.  
 THIS PLAN WAS PREPARED FOR  
 URBEK ENGINEERING LIMITED.

**NOTE:**

UNDERGROUND SERVICES WERE DERIVED FROM DRAWING BY  
 ODAN DETECH DATED APRIL 1, 2011 (CITY OF HAMILTON  
 DRAWING No. 11-S-48.02) AND CITY OF HAMILTON  
 INSPECTOR REPORT IR08097.

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE  
 VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

**LEGEND:**

- DENOTES MONUMENT SET
- MONUMENT FOUND
- FB IRON BAR
- PC PLASTIC BAR
- CO CUT CROSS
- CM CONCRETE MONUMENT
- SSB SHORT STANDARD IRON BAR
- 824 A.T. McLaren, O.L.S.
- JOB J.D. BARNES LTD.
- OU ORIGIN UNKNOWN
- Md MEASURED
- P1 PLAN 62R-18255
- P2 PLAN 62R-1153
- P3 PLAN 62R-1298
- P4 PLAN BY A.T. McLaren LIMITED
- P5 DATED OCTOBER 19, 2004, FILE No. 33094
- P6 PLAN BY A.T. McLaren LIMITED
- P7 DATED SEPTEMBER 27, 2012, FILE No. 33469-15F
- P8 PLAN BY A.T. McLaren LIMITED
- P9 DATED AUGUST 30, 2011, FILE No. 33469-18F
- P10 PLAN BY A.T. McLaren LIMITED
- P11 DATED AUGUST 17, 2011, FILE No. 33469-17F
- P12 PLAN BY A.T. McLaren LIMITED
- P13 DATED APRIL 18, 2011, FILE No. 33198-18F
- CLF CHAIN LINK FENCE
- CONC CONCRETE
- CBW CONCRETE BLOCK RETAINING WALL
- SRW STONE RETAINING WALL
- EVG EVERGREEN TREE
- MH MAINTENANCE HOLE
- TS TOP OF BANK
- BS BOTTOM OF BANK
- WV WATER VALVE
- # DIAMETER
- \* NOT TO SCALE

**BENCHMARK:**

MONUMENT 07720020030

RIB WITH BRASS CAP, LOCATED IN GLANBROOK,  
 9.0 M SOUTH OF CENTRELINE OF TWENTY ROAD  
 WEST, 20.0 M EAST OF CENTRELINE OF  
 GLANCASTER ROAD AND 23.0 M NORTHEAST OF  
 HYDRO TOWER.

ELEVATION: 242.012 metres CGVD-1928:1978

**BEARING NOTE:**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED  
 REFERENCE POINTS A AND B, BY REAL TIME NETWORK  
 OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
 MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999661996

**INTEGRATION DATA**

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF OREG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4783343.158	587198.950
ORP B	4783293.836	587338.516
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

**TWENTY ROAD WEST**

(GIVEN ROAD)  
 PIN 16901-0052 (LT)

**METRIC NOTE:**

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

**SURVEYOR'S CERTIFICATE:**

I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH  
 THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS  
 MADE UNDER THEM  
 2. THE SURVEY WAS COMPLETED ON THE 6th DAY OF JUNE, 2022

DATE  
 05 JUL 22

ROB A. McLaren, O.L.S.

© R.A. McLaren, O.L.S. - 2022. NO PERSON MAY COPY  
 REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN  
 PART WITHOUT THE WRITTEN PERMISSION OF R.A. McLaren, O.L.S.

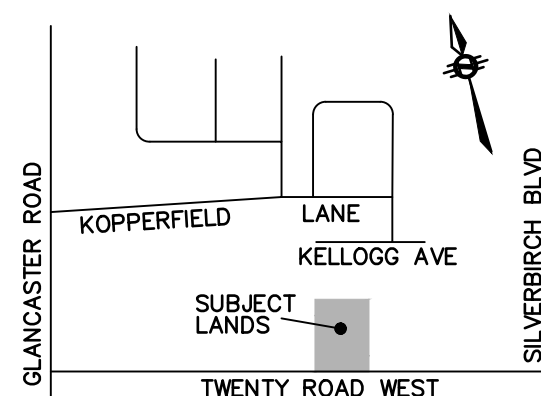


**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B5  
 PHONE (905) 527-8559 FAX (905) 527-0032

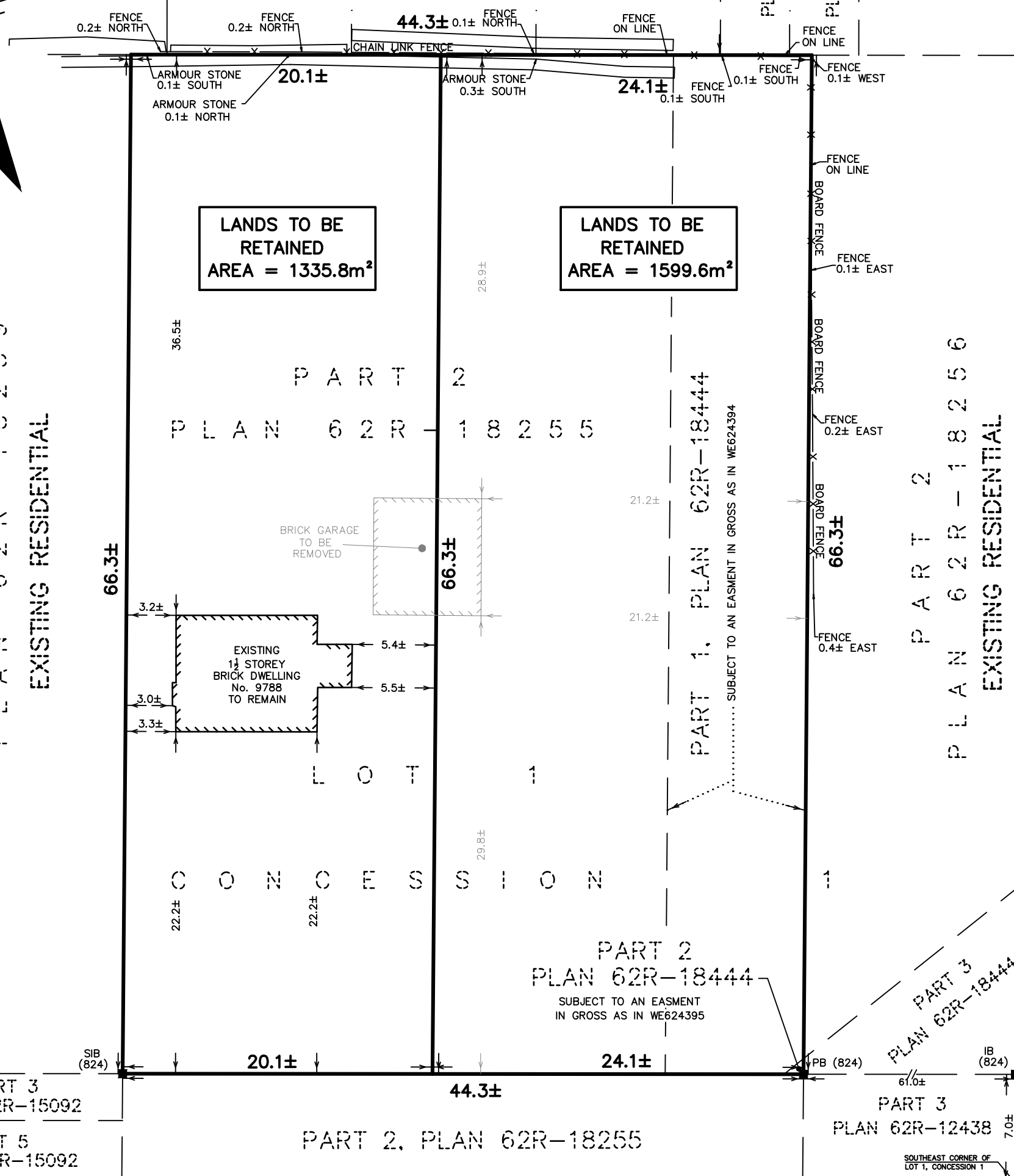
Drawn JC Checked SMW Crew Chief ZA Scale 1:200 Dwg No. 37022

6 3 0 6 12 18 metres

B) THIS SKETCH IS PROTECTED BY  
COPYRIGHT ©



KEY MAP – NOT TO SCALE



TWENTY ROAD WEST

(WIDTH VARIES)

NOVEMBER 25, 2022  
DATE



HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked RBM	Crew Chief ZA	Scale 1:300	Dwg.No. 37022-SK
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December 20, 2022

***Via Digital Submission***

Committee of Adjustment  
City of Hamilton  
Planning and Economic Development Department  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

ATTN: Jamila Sheffield, Secretary-Treasurer

RE: 9788 Twenty Road West, Hamilton (Glanbrook)  
Applications for Consent to Sever and Minor Variance

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T. Johns Consulting Group (“T. Johns”) has been retained by the landowner to submit a Consent to Sever and Minor Variance Applications on their behalf for their property located at 9788 Twenty Road West.

**Site Description**

The subject lands are located on the north side of Twenty Road West, east of Glancaster Road and west of Garth Street. The subject lands are approximately 0.295 hectares (2,959.45sqm) in size with approximately 44.27 metres of frontage on Twenty Road West and a depth of 66.27 metres. The subject lands are currently occupied by one (1) single detached dwelling and a detached garage.

**Planning Status**

The Urban Hamilton Official Plan designates the subject lands “*Neighbourhoods*” on Schedule E-1 - Urban Land Use Designations within Volume 1 and “*Low Density Residential 2*” on Map B.5.3-1 North-West Glanbrook Secondary Plan - Land Use Plan within Volume 2. The lands are zoned “ER” (Existing Residential) in the former City of Glanbrook Zoning By-law No. 464.

**Proposed Development**

The subject lands were subject to a Formal Consultation Process under File No. FC-22-119. The issued Formal Consultation Document stated that a Zoning By-law Amendment and future consent to sever applications would be required to facilitate the development.

Upon further review by City planning staff, it was determined that a Minor Variance application for reduced lot frontage and lot area for proposed lots in the “ER” Zone can be supported, as previous applications along Twenty Road West have been approved through said process.



### Request for Formal Consultation

T. Johns respectfully requests that this letter and enclosed documents be accepted and circulated to all relevant departments. We look forward to discussing the proposal with you.

Please find the enclosed:

- Consent to Sever Application with signatures;
  - Minor Variance Application with signatures;
  - Planning Rationale Report;
  - Survey Plan;
  - Consent Sketch;
  - Concept Plan;
  - Copy of cheque for \$2,985.00 to satisfy the application fee for Consent;
  - Copy of cheque for \$3,465.00 to satisfy the application fee for Minor Variance;
- Note that the cheques were hand delivered to the City on December 20, 2022.*

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,

**T. JOHNS CONSULTING GROUP LTD.**



Diana Morris, BA, RPP, MCIP  
Senior Planner

T. Johns Consulting Group Ltd. (“T. Johns”) has prepared the following Planning Rationale Report in support of the Minor Variance application for 9788 Twenty Road West, Glanbrook (“subject lands”).

### **Description of Subject Lands**

The subject lands are located on the north side of Twenty Road West, east of Glancaster Road and west of Garth Street. The subject lands are approximately 0.295 hectares (2,959.45sqm) in size with approximately 44.27 metres of frontage on Twenty Road West and a depth of 66.27 metres. The subject lands are currently occupied by one (1) single detached dwelling and a detached garage.

The Urban Hamilton Official Plan designates the subject lands “*Neighbourhoods*” on Schedule E-1 - Urban Land Use Designations within Volume 1 and “*Low Density Residential 2*” on Map B.5.3-1 North-West Glanbrook Secondary Plan - Land Use Plan within Volume 2. The lands are zoned “ER” (Existing Residential) in the former City of Glanbrook Zoning By-law No. 464.

### **Proposed Development**

The proposal is to retain the existing home and create an additional lot for the development of one (1) single detached dwelling. The existing detached garage would be removed and the existing concrete driveway would need to be realigned.

The subject lands were subject to a Formal Consultation Process under File No. FC-22-119. The issued Formal Consultation Document stated that a Zoning By-law Amendment and future consent to sever applications would be required to facilitate the development.

Upon further review by City planning staff, it was determined that a Minor Variance application for reduced lot frontage and lot area for proposed lots in the “ER” Zone can be supported, as previous applications along Twenty Road West have been approved through said process.

### **Nature and extent of relief applied for:**

The proposal requires relief from the “ER” (Existing Residential) Zone of the former City of Glanbrook Zoning By-law No. 464 for the lands to be retained. The requested Minor Variances are as follows:

	<b><u>Zoning By-law No. 464</u></b> <b><u>Section</u></b>	<b><u>Purpose</u></b>
1.	12.2 (a)	To allow a minimum lot frontage of 20m, whereas a minimum of 22.5 metres is required.
2.	12.2 (c)	To allow a minimum lot area of 1,330 square metres, whereas a minimum of 1,390 square metres is required.

## PLANNING RATIONALE TO SUPPORT THE VARIANCES:

### Overall Conformity to the *Urban Hamilton Official Plan*

The Urban Hamilton Official Plan (UHOP) identifies and designates the subject lands *Neighbourhoods* on Schedule “E” - Urban Structure and on Schedule “E-1” - Urban Land Use Designations. The existing and proposed single detached dwellings are a permitted use within the designation.

Policy F.1.14.3.1 of the Urban Hamilton Official Plan states the following:

“Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1- Urban Land Use Designation, shall be permitted provided the following conditions are met:

- a) The lots comply with the policies of this Plan, including Secondary Plans, where one exists;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems and;
- f) The lots have frontage on a public road.”

The proposed development for one (1) newly created lot complies to the Official Plan and the North-West Glanbrook Secondary Plan. The existing zone provisions are adhered to subject to the request for minor variance for lot frontage and lot area for the retained lot only. The minor variances are in conformity with the existing neighbourhood/lot pattern. The subject lands can be fully serviced and front onto a public road (Twenty Road West).

Therefore, the proposed severance meets most of the policies noted above respecting land division.

Within Volume 2 of the UHOP, Policy 5.3.2.3 of the North-West Glanbrook Secondary Plan states:

- “a) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum net residential density on lands designated Low Density Residential 2 shall be 25 units per hectare.
- f) The rear portion of the existing large lot residential development fronting Glancaster Road and Twenty Road West shall be encouraged to be redeveloped.”

The existing lot size is approximately 2,935 square metres, and the creation of a new lot results in a proposed density of approximately 6.8 units per hectare. Therefore, the proposed severance complies with the Policy regarding redevelopment of the large lots fronting Twenty Road West.

The proposed variances meet the general intent and purpose of the Official Plan since an adequate building envelope will be provided and will be in keeping with the character of the previously severed lots along Twenty Road West.

Therefore, the proposed lots and associated variances maintain the intent of the UHOP and the North-West Glanbrook Secondary Plan.

### **Glanbrook Zoning By-law No. 464**

The subject lands are zoned Existing Residential “ER” Zone in Glanbrook Zoning By-law No. 464. The existing single detached dwelling and proposed single detached dwelling are permitted uses within the zone. However, the minimum lot frontage and lot area requirements are not being met for the retained lot.

Therefore, a concurrent Minor Variance application has been submitted to facilitate the proposed severance, requesting relief for lot frontage and lot area requirements for the retained lot.

**VARIANCE 1. To allow a minimum lot frontage of 20 metres, whereas a minimum of 22.5 metres is required.**

#### **Why is it not possible to comply with the provision of the by-law?**

The existing lot is not large enough to be severed into two (2) parcels without varying the lot frontage of one lot.

#### **PLANNING RATIONALE TO SUPPORT VARIANCE 1:**

##### **1. Conformity to the Intent of the Zoning By-law**

The general intent and purpose of the minimum lot frontage requirement is to ensure that lot widths are consistent and compatible with the surrounding neighbourhood, and to ensure an adequate building envelope with appropriate setbacks can be provided. A minimum lot frontage of 20.0 metres is being requested, whereas a minimum of 22.5 metres is required. The variance will meet the general intent and purpose of the Zoning By-law since an adequate lot frontage is being provided and associated setbacks of the By-law will be maintained.

##### **2. Is the Variance Minor and Desirable?**

The requested variance to permit a minimum lot frontage of 20.0 metres is minor in nature since the frontage is consistent with the surrounding neighbourhood, an adequate building envelope will be provided, and the reduction will not cause adverse impacts to the adjacent properties and is appropriate for the development and use of the subject lands.

**VARIANCE 2. To allow a minimum lot area of 1,330 square metres, whereas a minimum lot area of 1,390 square metres is required.**

Why is it not possible to comply with the provision of the by-law?

The existing lot is not large enough to be severed into two (2) parcels without varying the lot area requirement for one lot.

**PLANNING RATIONALE TO SUPPORT VARIANCE 2:**

**1. Conformity to the Intent of the Zoning By-law**

The general intent and purpose of the minimum lot area requirement is to ensure that lot areas are consistent and compatible with the surrounding neighbourhood, to provide adequate area for amenity space and parking, and to ensure an adequate building envelope can be provided with appropriate setbacks. A minimum lot area of 1,330 metres is being requested, whereas a minimum of 1,390 square metres is required. The proposed reduction will meet the general intent and purpose of the Zoning By-law since an adequate lot area is being provided to accommodate amenity space, parking and associated setbacks of the By-law will be maintained.

**2. Is the Variance Minor and Desirable?**

The requested variance to permit a minimum lot area of 1,330 square metres is minor in nature since the lot area is consistent with the surrounding neighbourhood, an adequate building envelope will be provided, and the reduction will not cause adverse impacts to the adjacent properties. The proposed reduction is appropriate for the development and use of the subject lands.

**Conclusion**

The above requested variances are necessary to facilitate the concurrent land severance application for the subject lands. The variances are minor in nature, desirable for the appropriate use of the lands, maintain the general intent of the Official Plan and Zoning By-law, and represent good land use planning.

Respectfully Submitted,  
**T. Johns Consulting Group Ltd.**



**Diana Morris, MCIP, RPP**  
Senior Planner





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 CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Purchaser*			Phone: E-mail:
Registered Owners(s)	Frank Luongo c/o Angelo Cameracci of Urbex Engineering Ltd.		
Applicant(s)**	Same as above		
Agent or Solicitor	T. Johns Consulting Group Ltd. c/o Diana Morris		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 All correspondence should be sent to

☐ Purchaser  
☐ Applicant

☐ Owner  
☒ Agent/Solicitor

1.3 Sign should be sent to

☐ Purchaser  
☐ Applicant

☐ Owner  
☒ Agent/Solicitor

1.4 Request for digital copy of sign

☒ Yes\* ☐ No

If YES, provide email address where sign is to be sent dmorris@tjohnsconsulting.com

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	9788 Twenty Road West		
Assessment Roll Number	251890211007200		
Former Municipality	Geographic Township of Glanford		
Lot	Lot 1	Concession	Concession 1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	Part 1

### 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:

A portion of the subject lands are subject to a 9.0m sanitary sewer easement shown as Parts 1 & 2 of Plan 62R-18444. Please see attached survey for details.

## 3 PURPOSE OF THE APPLICATION

### 3.1 Type and purpose of proposed transaction: (check appropriate box)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s)  | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot  | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

### 3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

### 3.3 If a lot addition, identify the lands to which the parcel will be added:

### 3.4 Certificate Request for Retained Lands: ☐ Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

### 4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
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Identified on Sketch as:	Lot 1	Lot 2			
Type of Transfer	N/A	N/A			
Frontage	20.10m	24.1m			
Depth	66.28m	66.27m			
Area	1335.8m <sup>2</sup>	1559.6m <sup>2</sup>			
Existing Use	Residential	Vacant			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	Single-Detached Dwelling & Detached Garage	Vinyl Shed, portion of detached garage			
Proposed Buildings/ Structures	Existing dwelling to be retained	Single-detached			
Buildings/ Structures to be Removed	Detached Garage	Detached Garage and shed			

\* Additional fees apply.

## 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- ☐ provincial highway  
☐ municipal road, seasonally maintained  
☒ municipal road, maintained all year

- ☐ right of way  
☐ other public road

b) Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system  
☐ privately owned and operated individual well

- ☐ lake or other water body  
☐ other means (specify)

c) 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)

## 4.3 Other Services: (check if the service is available)

- ☒ electricity
 ☒ telephone
 ☐ school bussing
 ☒ garbage collection

## 5 CURRENT LAND USE

### 5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: \_\_\_\_\_

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

**5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?**

**If YES, and known, provide the appropriate file number and status of the application.**

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?  
N/A

☐ Yes ☒ No ☐ Unknown

**5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.**

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	125m to Agricultural Field
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

## 6 HISTORY OF THE SUBJECT LAND

- 6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

☐ Yes ☒ No ☐ Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

N/A

- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

- 6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

☐ Yes ☒ No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

N/A

- 6.4 How long has the applicant owned the subject land?

Less than a year

- 6.5 Does the applicant own any other land in the City? ☒ Yes ☐ No

If YES, describe the lands below or attach a separate page.

26 Lake Avenue and 650 Pritchard Road

## 7 PROVINCIAL POLICY

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

☒ Yes ☐ No (Provide explanation)

Proposal is consistent with statements and provincial plans

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

☒ Yes ☐ No (Provide explanation)

Promoting gentle intensification on vacant land where infrastructure (municipal road/servicing) is readily available

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☒ Yes ☐ No (Provide explanation)

Integrating existing infrastructure/additional residential unit--managing growth

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?

☐ Yes ☒ No (Provide explanation)



7.5 Are the subject lands subject to the Parkway Belt West Plan?

☐ Yes

☒ No

(Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes

☒ No

(Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

☐ Yes

☒ No

(Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☒ No

(Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

☐ Yes

☐ No

(Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☐ No

(Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

☐ Yes

☐ No

(Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

## 10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

### 10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

☐ Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

### 10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

### 10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

### 0.4 Description of farm consolidation property:

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

### 10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m <sup>2</sup> or ha):
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0.6 Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
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Front yard set back: \_\_\_\_\_

a) Date of construction:

☐ Prior to December 16, 2004

☐ After December 16, 2004

b) Condition:

☐ Habitable

☐ Non-Habitable