



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: 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

APPLICATION NO.:	B-24:61	SUBJECT PROPERTY:	152 Stone Church Road West, Hamilton
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APPLICANTS: Purchaser: Adriano and Samantha Scarcelli
 Owner: John and Mirella Scarcelli
 Agent: Benny Fortino

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create a new residential building lot and to retain a parcel of land for residential purposes (existing dwelling to remain). The existing pool shed will be demolished to facilitate this application.

	Frontage	Depth	Area
SEVERED LANDS:	24.38 m [±]	34.44 m [±]	839 m ² [±]
RETAINED LANDS:	24.38 m [±]	39.54 m [±]	963.48 m ² [±]

Associated Planning Act File(s): N/A

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:	Tuesday, November 12, 2024
TIME:	3:20 p.m.
PLACE:	City Hall Council Chambers (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:

B-24:61

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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. Please see attached page for complete instructions, written comments must be received no later than noon **November 8, 2024**

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, registration to participate virtually must be received no later than noon **November 11, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:61, you must submit a written request to 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 the Notice of Decision 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 or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

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.



 Subject Lands

DATED: October 24, 2024

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.



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COMMITTEE OF ADJUSTMENT

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E-mail: cofa@hamilton.ca

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 advance of the meeting. Comments can be submitted by emailing 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

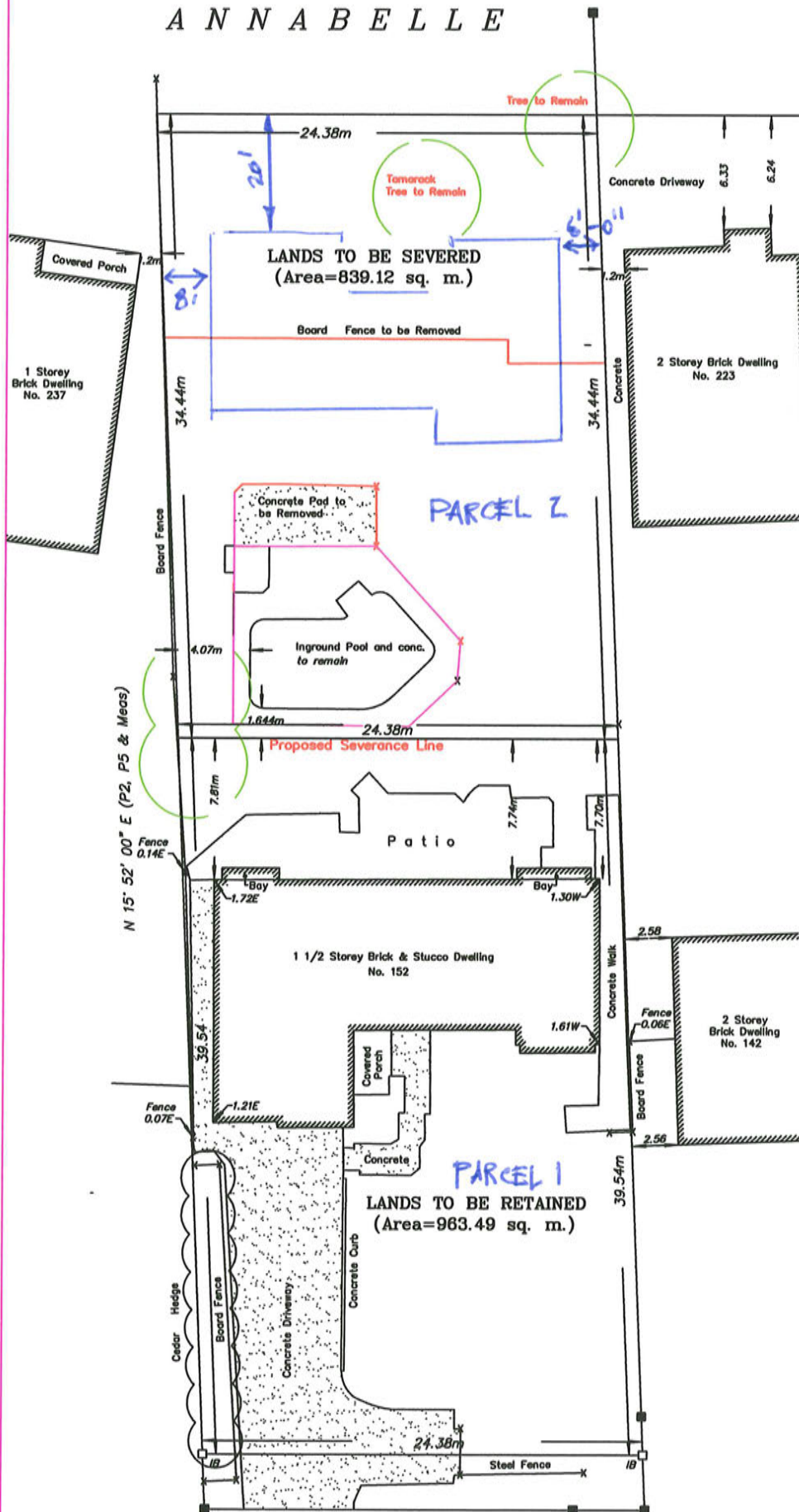
2. In person Oral Submissions

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 on the Notice of Public Hearing.

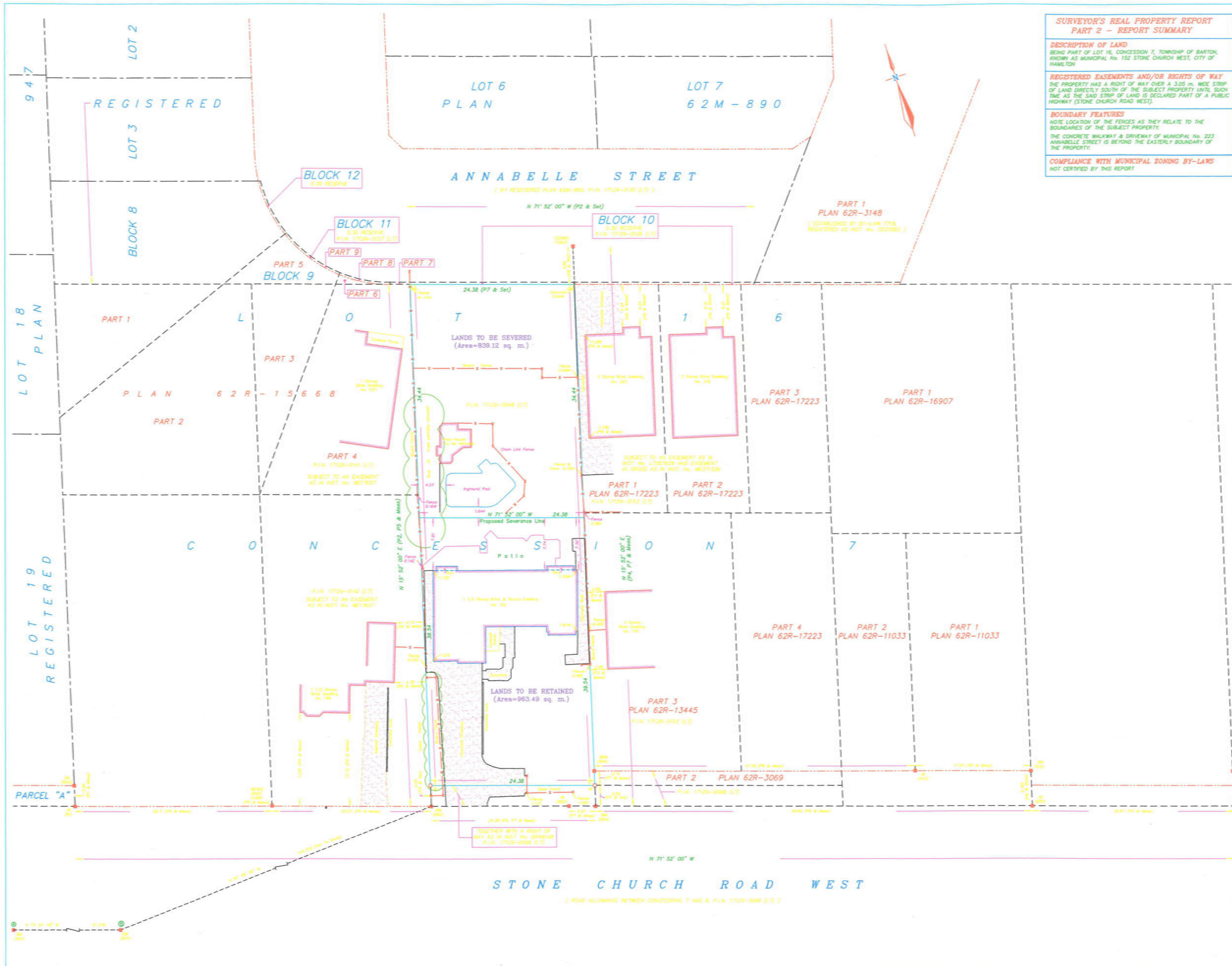
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.

A N N A B E L L E



S T O N E C H U R C H
R O A D W E S T



**SURVEYOR'S REAL PROPERTY REPORT
PART 2 - REPORT SUMMARY**

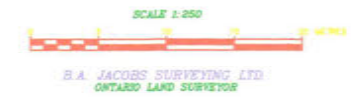
DESCRIPTION OF LAND
BEING PART OF LOT 16, CONCESSION 7, TOWNSHIP OF BARTON,
KNOWN AS MUNICIPAL No. 152 STONE CHURCH WEST, CITY OF
HAMILTON

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY
THE PROPERTY HAS A RIGHT OF WAY OVER A 3.05 m. WIDE STRIP
OF LAND DIRECTLY SOUTH OF THE SUBJECT PROPERTY UNTIL SUCH
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HIGHWAY (STONE CHURCH ROAD WEST).

BOUNDARY FEATURES
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE
BOUNDARIES OF THE SUBJECT PROPERTY.
THE CONCRETE WALKWAY & DRIVEWAY OF MUNICIPAL No. 223
ANNABELLE STREET IS BEYOND THE EASTERLY BOUNDARY OF
THE PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT

**SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF
PART OF LOT 16
CONCESSION 7
(GEOGRAPHIC TOWNSHIP OF BARTON)
CITY OF HAMILTON**



- LEGEND & NOTES:**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SIB DENOTES STANDARD IRON BAR
 - SSB DENOTES SHORT STANDARD IRON BAR
 - RSB DENOTES ROUND STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - IRB DENOTES ROUND IRON BAR
 - CRB DENOTES ROUND IRON BAR
 - WT DENOTES WITNESS
 - (N) DENOTES NOT IDENTIFIABLE
 - P1 DENOTES REGISTERED PLAN 947
 - P2 DENOTES PLAN 62R-15668
 - P3 DENOTES PLAN 62R-13445
 - P4 DENOTES PLAN 62R-17223
 - P5 DENOTES PLAN BY MACKAY MACKAY & PETERS LTD. FILE: 83-1115-113
 - P6 DENOTES PLAN 62R-11033
 - P7 DENOTES PLAN 62R-3069
 - P8 DENOTES PLAN BY ASHENHURST HOUWENS LTD. FILE: 20046-P71
 - P9 DENOTES PLAN BY ASHENHURST HOUWENS LTD. FILE: 20046-P72
 - (855) DENOTES J.T. PETERS O.L.S.
 - (824) DENOTES A.T. McLAUREN O.L.S.
 - (992) DENOTES J.G. FLAHERTY O.L.S.
 - (912) DENOTES A.J. CLARKE O.L.S.
 - (1497) DENOTES J.P. HOUWENS O.L.S.

FOR BEARING COMPARISONS, A ROTATION OF 0°45'30" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P2, P4, P5 & P7

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0) AS NOTED ON PLAN 62R-20835.
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999989.

OBSERVED REFERENCE POINTS, UTM ZONE 17 NAD83 (CSRS) (2010.0) COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF OREG. 216/10 AS NOTED ON PLAN 62R-20835.

POINT ID	NORTHING	EASTING
A	4785098.620	589453.602
B	4785079.772	589511.888

COORDINATES CANNOT IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



THIS REPORT WAS PREPARED FOR JOHN SCARCELLI

SURVEYOR'S CERTIFICATE

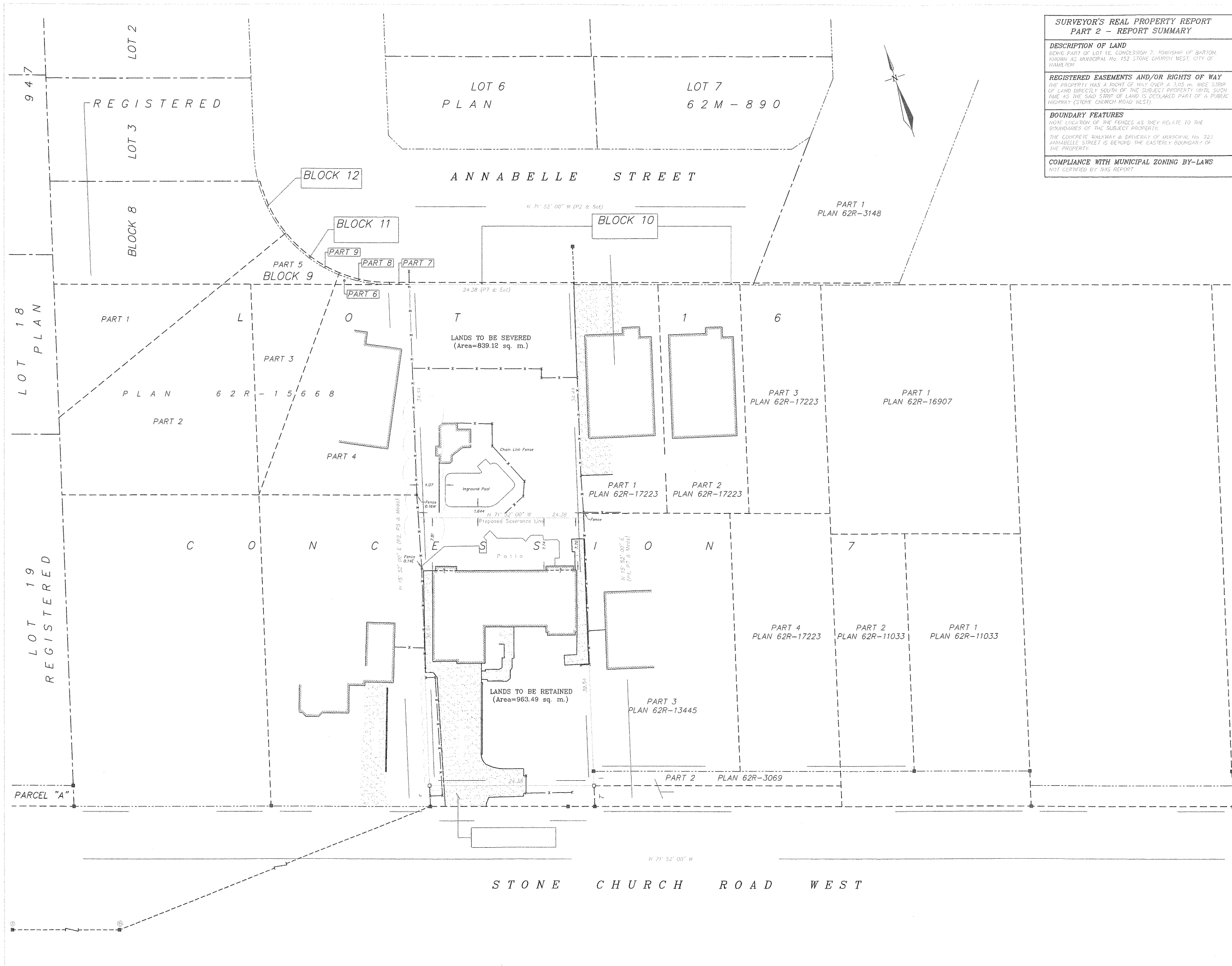
I CERTIFY THAT:

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 AUGUST 12, 2022.

AUGUST 15, 2022
DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
152 JACKSON STREET EAST, SUITE 106
HAMILTON, ONTARIO (L8N 1J3)
PHONE 905-502-1536 ba.jacobs@rogers.com



**SURVEYOR'S REAL PROPERTY REPORT
PART 2 - REPORT SUMMARY**

DESCRIPTION OF LAND
BEING PART OF LOT 16, CONCESSION 7, TOWNSHIP OF BARTON,
KNOX AS MUNICIPAL No. 152, STONE CHURCH WEST, CITY OF
HAMILTON

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THE PROPERTY HAS A RIGHT OF WAY OVER A 3.05 M WIDE STRIP
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HIGHWAY (STONE CHURCH ROAD WEST).

BOUNDARY FEATURES
NONE LOCATION OF THE FENCES AS THEY RELATE TO THE
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THE CONCRETE WALKWAY & DRIVEWAY OF MUNICIPAL No. 223
ANNABELLE STREET IS BEYOND THE EASTERLY BOUNDARY OF
THE PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT

**SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF**

**PART OF LOT 16
CONCESSION 7
(GEOGRAPHIC TOWNSHIP OF BARTON)**

CITY OF HAMILTON

SCALE 1:850

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

LEGEND & NOTES:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SIBS DENOTES SHORT STANDARD IRON BAR
- SIBF DENOTES ROUND STANDARD IRON BAR
- IB DENOTES IRON BAR
- IBF DENOTES ROUND IRON BAR
- CC DENOTES ROUND IRON BAR
- CC DENOTES CUT CROSS
- WT DENOTES WITNESS
- (N) DENOTES NOT IDENTIFIABLE
- P1 DENOTES REGISTERED PLAN 547
- P2 DENOTES PLAN 62R-12666
- P3 DENOTES PLAN 62R-13445
- P4 DENOTES PLAN 62R-17223
- P5 DENOTES PLAN BY MACKAY MACKAY & PETERS LTD
FILE: 93-115-103
- P6 DENOTES PLAN 62R-11033
- P7 DENOTES PLAN 62R-3069
- P8 DENOTES PLAN BY ASHENHURST HOWEHS LTD.
FILE: 28046-P11
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FILE: 28046-P12
- (855) DENOTES J.T. PETERS O.L.S.
- (824) DENOTES A.T. MCLAREN O.L.S.
- (892) DENOTES J.C. FLAHERTY O.L.S.
- (912) DENOTES A.J. CLARKE O.L.S.
- (1497) DENOTES J.P. HOWEHS O.L.S.

FOR BEARING COMPARISONS, A ROTATION OF 0°45'30" COUNTER
CLOCKWISE WAS APPLIED TO BEARINGS ON P.2, P.4, P.5 & P.7

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

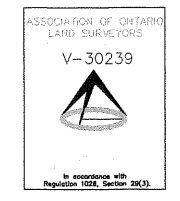
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UTM ZONE 17, HAUGS (CORS) (2010.0) AS NOTED ON PLAN
62R-20835

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MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999669.

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216/10 AS NOTED ON PLAN 62R-20835

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A	4785096.620	589453.602
B	4785079.722	589511.858

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SURVEYOR'S CERTIFICATE

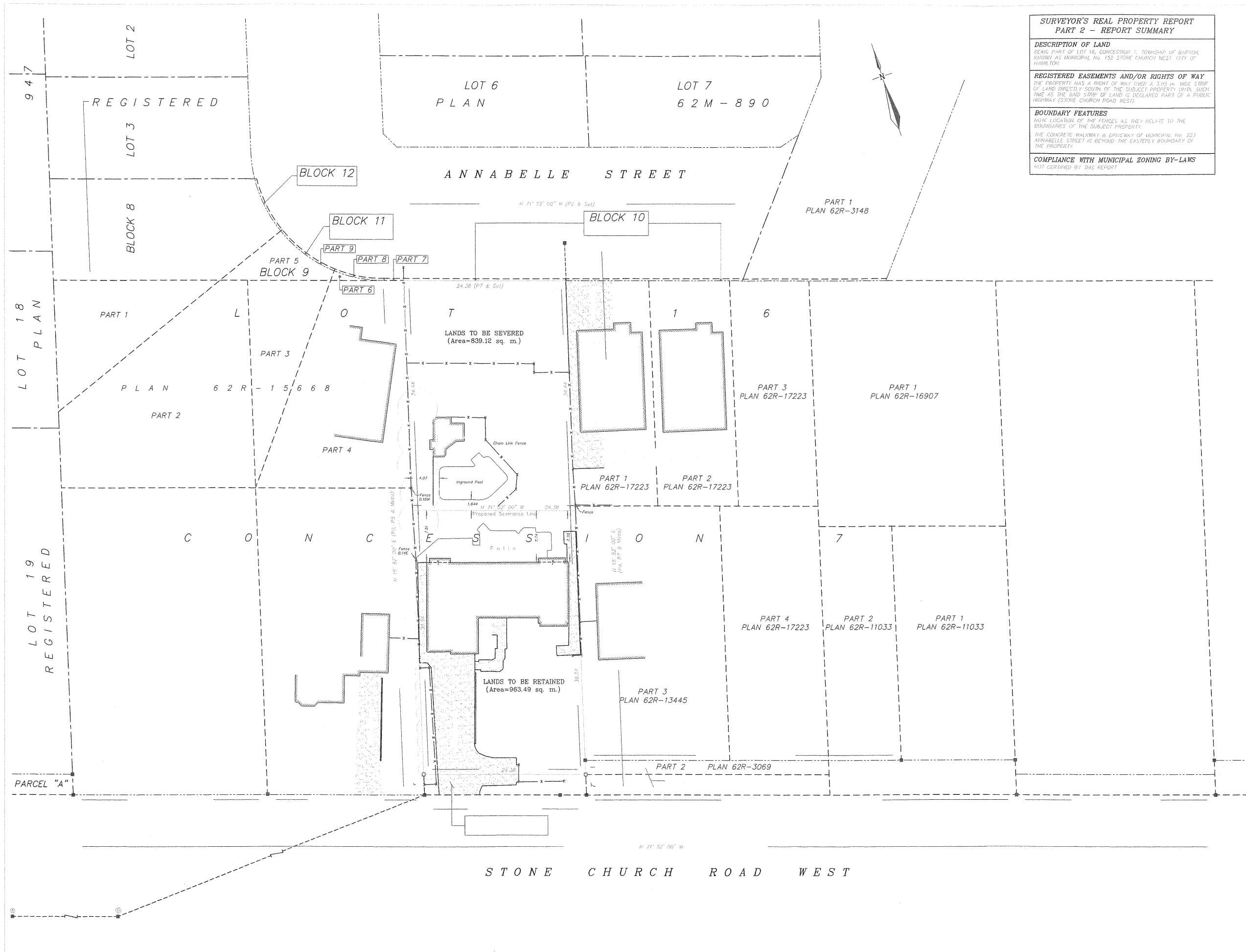
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AUGUST 15, 2022
DATE

BRYAN JACOBS
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B.A. JACOBS SURVEYING LTD.
102 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L9N 1L3)
PHONE: 905-521-1536 bjacobs@rogers.com



**SURVEYOR'S REAL PROPERTY REPORT
PART 2 - REPORT SUMMARY**

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PLAN OF**

**PART OF LOT 16
CONCESSION 7**
(GEOGRAPHIC TOWNSHIP OF BARTON)

CITY OF HAMILTON

SCALE 1:850

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

LEGEND & NOTES:

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- S/SB DENOTES STANDARD IRON BAR
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- S/SB DENOTES ROUND STANDARD IRON BAR
- IB DENOTES IRON BAR
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- (852) DENOTES J.G. FLAMERTY O.L.S.
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CLOCKWISE WAS APPLIED TO BEARINGS ON P2, P4, P5 & P7

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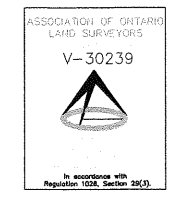
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216/10 AS NOTED ON PLAN 62R-20835

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A	4785098.620	589433.602
B	4785079.772	589511.888

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THIS REPORT WAS PREPARED FOR JOHN SCHARCELLI

SURVEYOR'S CERTIFICATE

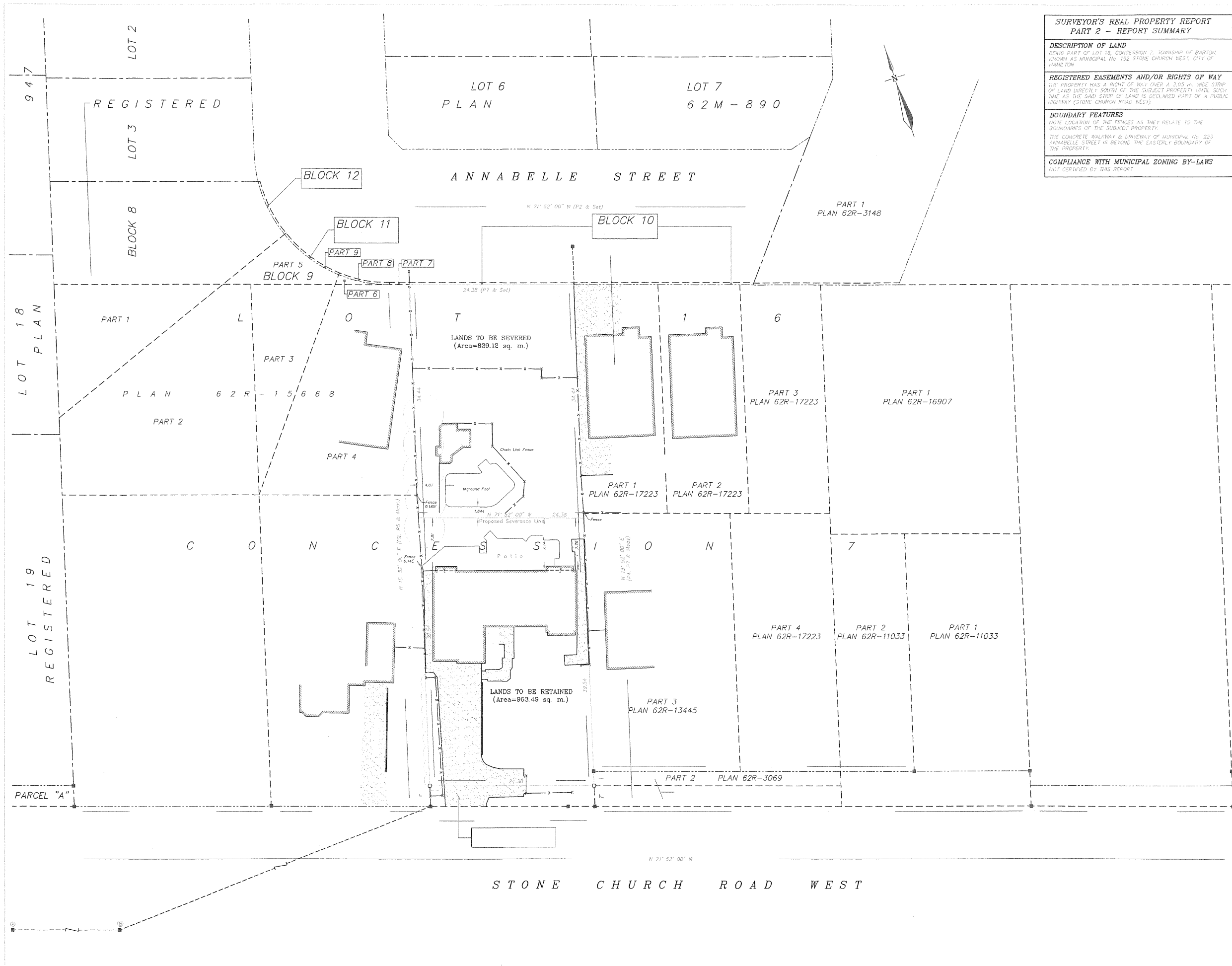
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AUGUST 15, 2022
DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
152 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L4N 1L3)
PHONE: 905-521-1536 bjacobs@rogers.com



**SURVEYOR'S REAL PROPERTY REPORT
PART 2 - REPORT SUMMARY**

DESCRIPTION OF LAND
BEING PART OF LOT 16, CONCESSION 7, TOWNSHIP OF BARTON,
COUNTY AS MUNICIPAL NO. 152, STONE CHURCH WEST, CITY OF
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PLAN OF**

**PART OF LOT 16
CONCESSION 7**
(GEOGRAPHIC TOWNSHIP OF BARTON)

CITY OF HAMILTON

SCALE 1:250

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ONTARIO LAND SURVEYOR

LEGEND & NOTES:

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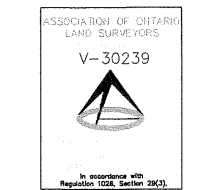
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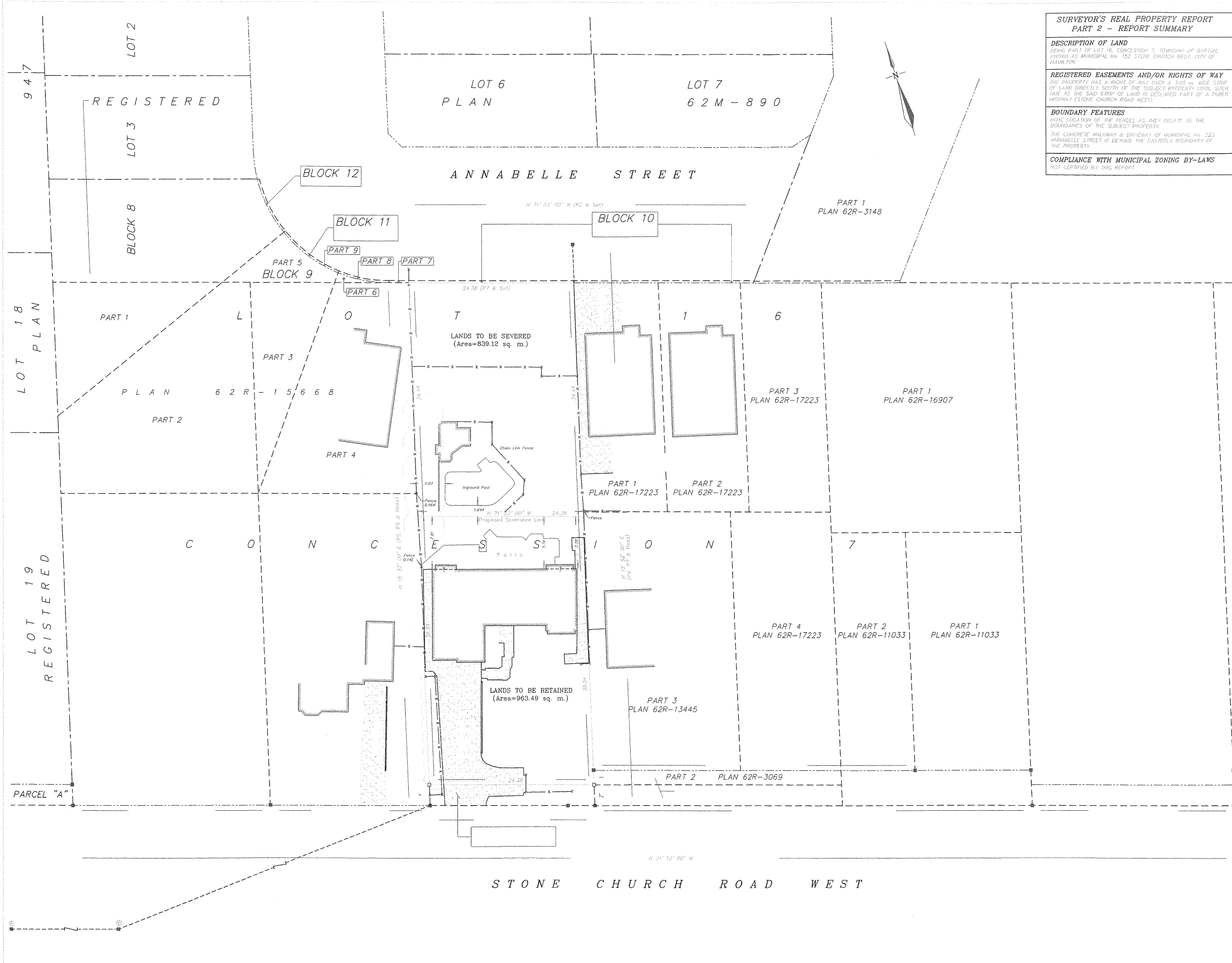
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PHONE: 905-521-1536 bjacob@rogers.com



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PART 2 - REPORT SUMMARY**

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REGISTERED EASEMENTS AND/OR RIGHTS OF WAY
THE PROPERTY HAS A RIGHT OF WAY OVER A 3.05 m. WIDE STRIP
OF LAND DIRECTLY SOUTH OF THE SUBJECT PROPERTY UNTIL SUCH
TIME AS THE SAID STRIP OF LAND IS DECLARED PART OF A PUBLIC
HIGHWAY (STONE CHURCH ROAD WEST)

BOUNDARY FEATURES
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE
BOUNDARIES OF THE SUBJECT PROPERTY.
THE CONCRETE WALKWAY & DRIVEWAY OF MUNICIPAL No 223
ANNABELLE STREET IS BEHIND THE EASTERLY BOUNDARY OF
THE PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT

**SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF**

**PART OF LOT 16
CONCESSION 7**
(GEOGRAPHIC TOWNSHIP OF BARTON)

CITY OF HAMILTON

SCALE 1:250

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

LEGEND & NOTES:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SIB# DENOTES SHORT STANDARD IRON BAR
- SIBF DENOTES FOUND STANDARD IRON BAR
- IB DENOTES IRON BAR
- IB# DENOTES FOUND IRON BAR
- CC DENOTES ROUND IRON BAR
- CM DENOTES CUT CROSS
- WT DENOTES WITNESS
- (N) DENOTES NOT IDENTIFIABLE
- P1 DENOTES REGISTERED PLAN 947
- P2 DENOTES PLAN 62R-15668
- P3 DENOTES PLAN 62R-13445
- P4 DENOTES PLAN 62R-17223
- P5 DENOTES PLAN BY MACKAY MACKAY & PETERS LTD.
FILE: 93-1110-1(L)
- P6 DENOTES PLAN 62R-11033
- P7 DENOTES PLAN 62R-3069
- P8 DENOTES PLAN BY ASHENHURST HOLDINGS LTD.
FILE: 30946-P11
- P9 DENOTES PLAN BY ASHENHURST HOLDINGS LTD.
FILE: 30946-P12
- (655) DENOTES J.T. PETERS O.L.S.
- (824) DENOTES A.J. McLAREN O.L.S.
- (892) DENOTES J.G. FLAHERTY O.L.S.
- (912) DENOTES A.J. CLARKE O.L.S.
- (1497) DENOTES J.P. HOWERS O.L.S.

FOR BEARING COMPARISONS, A ROTATION OF 0°45'30" COUNTER
CLOCKWISE WAS APPLIED TO BEARINGS ON P2, P4, P5 & P7)

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

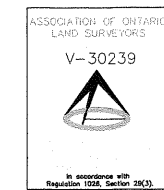
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE
POINTS "A" AND "B" BY REAL TIME NETWORK (RTN) OBSERVATIONS.
UTM ZONE 17, HAUDES (CSRS) (2010) AS NOTED ON PLAN
62R-20835.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY
MULTIPLYING BY THE CONVERSION SCALE FACTOR OF 0.999866.

OBSERVED REFERENCE POINTS, UTM ZONE 17 HAUDES (CSRS) (2010) O
COORDINATES TO UTM ACCURACY PER SEC. 14(2) OF O.P.R.C.
216/10 AS NOTED ON PLAN 62R-20835

POINT ID	NORTHING	EASTING
A	4785096.620	580453.602
B	4785076.772	580511.888

COORDINATES CANNOT IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



THIS REPORT WAS PREPARED FOR JOHN SCARCELLI

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON AUGUST 12, 2022.

AUGUST 19, 2022
DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
155 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L8N 1L3)
PHONE 905-521-1535 bjacobs@rogers.com



Hamilton

RECEIVED

OCT 03 2024

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

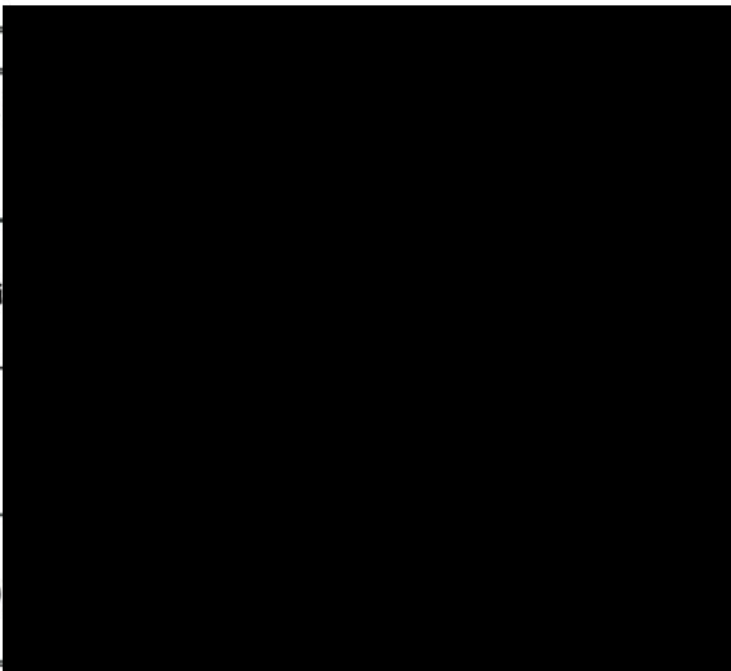
Email: cofa@hamilton.ca

APPLICATION FOR 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

Table with 2 columns: Role (Purchaser, Registered Owners, Applicant, Agent or Solicitor) and Name (Adriano and Samantha Scarcelli, John and Mirella Scarcelli, John and Mirella Scarcelli, Benny Fortino)



*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 [checkbox] Purchaser [checkbox] Owner [checkbox] Applicant [checkbox] Agent/Solicitor

1.3 Sign should be sent to [checkbox] Purchaser [checkbox] Owner [checkbox] Applicant [checkbox] Agent/Solicitor

1.4 Request for digital copy of sign [checkbox] Yes* [checkbox] No
If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email [checkbox] Yes* [checkbox] 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	152 STONE CHURCH RD. WEST		
Assessment Roll Number	080971004000000		
Former Municipality	Hamilton Wentworth		
Lot	16	Concession	7
Registered Plan Number		Lot(s)	
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:

R-1

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)
(i.e. a lot containing a surplus farm dwelling
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:

Adriano and Samantha Scarcelli

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, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:					
Type of Transfer	N/A				
Frontage	24.38	24.38			
Depth	39.54	34.44			
Area	963.48	839			
Existing Use	B-1/ R-1	R-1			
Proposed Use	B-1/ R-1	R-1			
Existing Buildings/ Structures	Detached single family dwelling	Pool Shed			
Proposed Buildings/ Structures	Detached single family dwelling	Detached single family dwelling			
Buildings/ Structures to be Removed		Pool 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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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?

Yes No Unknown

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

✳

5.3 What is the existing zoning of the subject land? R-1 / B-1

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

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

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)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<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.

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

- 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.

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

- 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.

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)

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

Severing the property to construct a Single Family Dwelling

- 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.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

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 ² or ha):
---------------	------------------------------

Existing Land Use: _____ Proposed Land Use: _____

10.6 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

10.7 Surplus farm dwelling

a) Date of construction:

- Prior to December 16, 2004
- After December 16, 2004

b) Condition:

- Habitable
- Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- _____
- _____