



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

Telephone (905) 546-2424, ext. 4221

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

**NOTICE OF PUBLIC HEARING**  
**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>B-24:82</b>	<b>SUBJECT PROPERTY:</b>	3531 Governors Road, Flamborough
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**APPLICANTS:** Purchaser: Todd Renton  
 Owner: Jordan Stewart & Maria Andrea Stewart  
 Agent: Don Robertson

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to be added to property known municipally as 3503 Governors Road, Part Lot 17, Concession 1 Beverly, PA3503 Governors Road RT 4-14, 62R95. All existing structures to remain.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	80 m <sup>±</sup>	537.8 m <sup>±</sup>	105,221 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	131 m <sup>±</sup>	80 m <sup>±</sup>	1 ha <sup>±</sup>

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:

<b>DATE:</b>	<b>Thursday, February 13, 2025</b>
<b>TIME:</b>	<b>2:55 p.m.</b>
<b>PLACE:</b>	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</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:

## **B-24:82**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

## **PUBLIC INPUT**

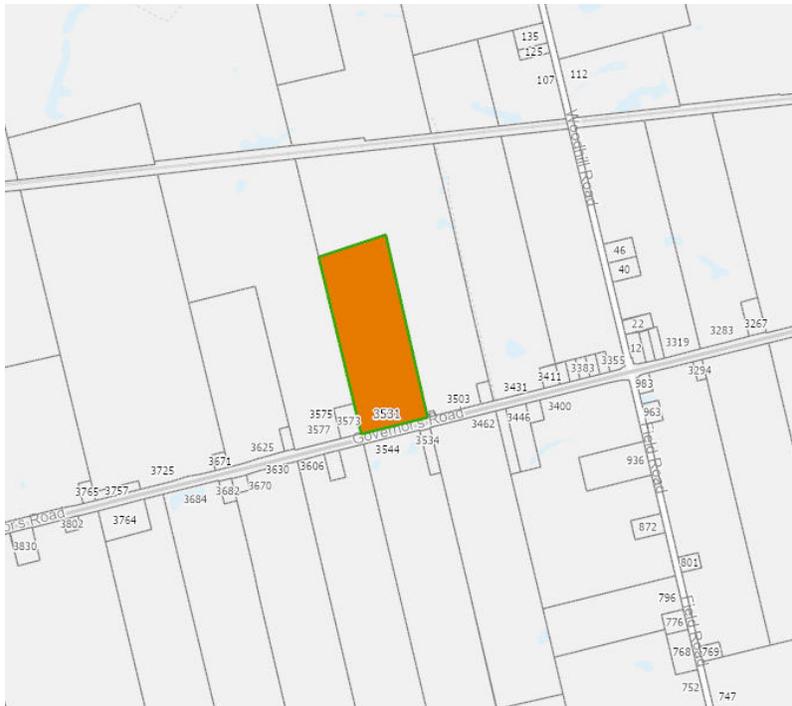
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **February 11, 2025**

**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 **February 12, 2025**

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:82, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided 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](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



 **Subject Lands**

DATED: January 27, 2025

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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.



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## 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](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 on the date listed on the Notice of Public Hearing.**

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

PLAN OF PART OF LOT 17

CONCESSION I FORMERLY IN THE TOWNSHIP OF BEVERLY NOW IN THE TOWN OF FLAMBOROUGH REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE: 1 INCH = 20 FEET

A.T. McLAREN, O.L.S. - 1988



PART	LOT	CON	INST. NO.	AREA
1			13828 BEV (1stly), REM OF 13828 BEV (2ndly)	2,802.45 sq. ft.
2			23025 BEV (1stly)	445.89 sq. ft.
3			INST. 174950 C.D. AS PART OF 174950 C.D.	2,003.90 sq. ft.
4			PART OF 23025 BEV (2ndly)	17,144.90 sq. ft.
5			PART OF 23025 BEV (2ndly)	415.90 sq. ft.
6			13828 BEV (3rdly)	90.90 sq. ft.
7			13828 BEV (3rdly)	16,316.90 sq. ft.
8			13828 BEV (3rdly)	11,030.90 sq. ft.
9			13828 BEV (3rdly)	38,957.45 sq. ft.
10			13828 BEV (3rdly)	5,435.90 sq. ft.
11			13828 BEV (3rdly)	14,835.90 sq. ft.
12			13828 BEV (3rdly)	24,540.90 sq. ft.
13			13828 BEV (3rdly)	1,643.20 sq. ft.
14			13828 BEV (3rdly)	17,200.90 sq. ft.
15			13828 BEV (3rdly)	2,073.90 sq. ft.

PART 3 IS A RAILWAY CROSSING EXISTING AND USED SINCE THE PROPERTY WAS SEVERED BY THE GRAND TRUNK RAILWAY IN 1892.1. OVER 100 YEARS, BUT NO RIGHT OF WAY IN DOCUMENTARY FORM EXISTS.

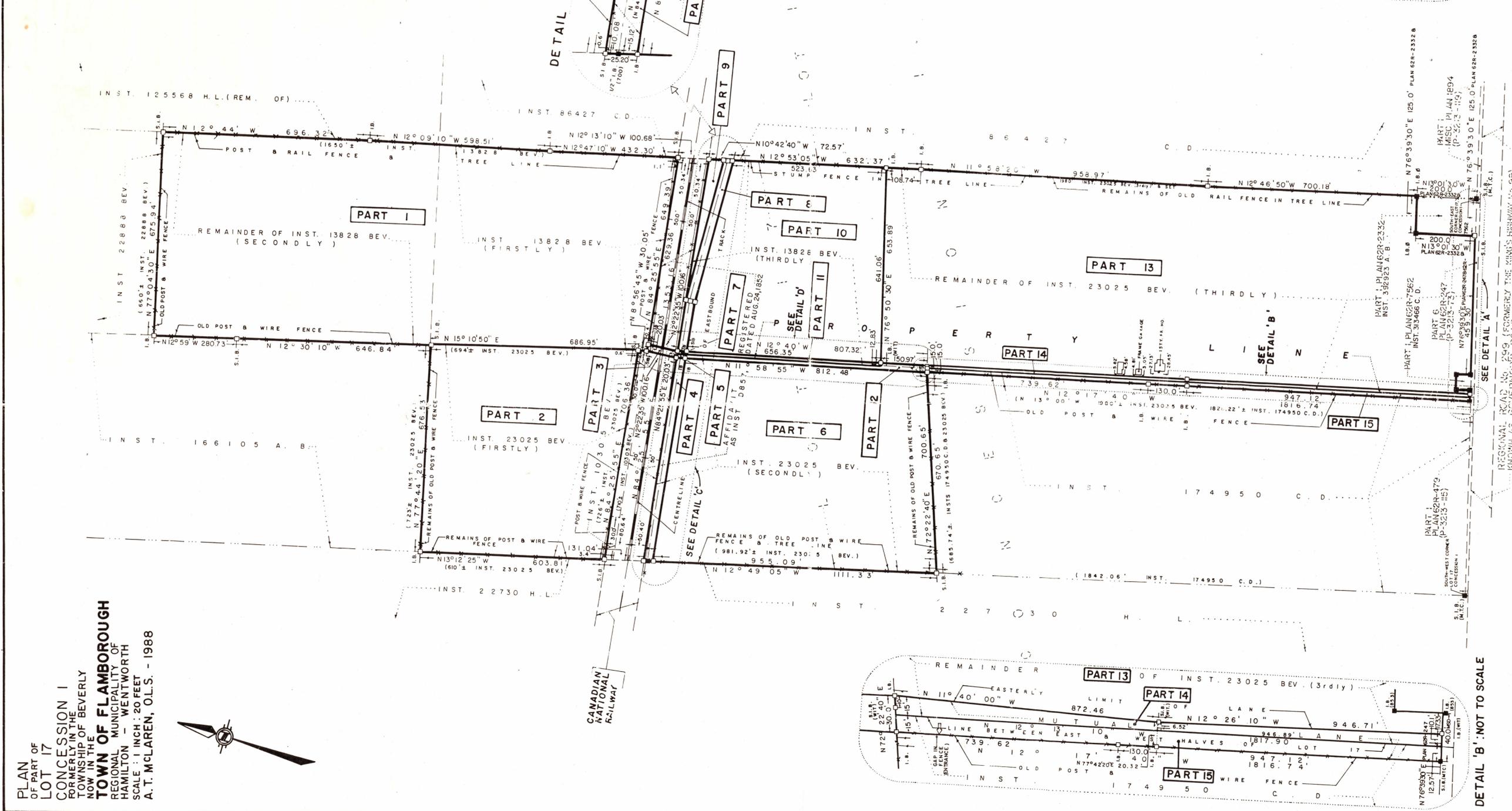
PARTS 4, 5, 7 & 8 ARE SUBJECT TO AN EASEMENT AS SET OUT IN INST. 235638 H.L. (BELL TELEPHONE COMPANY OF CANADA)

INST. 174950 C.D. IS SUBJECT TO A RIGHT OF WAY OVER PART 15 AND TOGETHER WITH A RIGHT OF WAY OVER PART 14.

INST. 23025 BEV (3rdly) IS SUBJECT TO A RIGHT OF WAY OVER PART 14.3 TOGETHER WITH A RIGHT OF WAY OVER PART 15.

PLAN 62R-9561  
RECEIVED AND DEPOSITED DATE 1988 05 17  
A.T. McLAREN, O.L.S.  
REGISTERED SURVEYOR  
REGISTRATION DIVISION OF WENTWORTH

REQUIRE THIS PLAN TO BE RECORDED UNDER THE REGISTRY ACT  
DATE 1988 05 17  
A.T. McLAREN, O.L.S.



DETAIL C: NOT TO SCALE

DETAIL 'D': NOT TO SCALE

DETAIL 'A': SCALE: 1" = 30'

DETAIL 'B': NOT TO SCALE

LEGEND:  
DENOTES MONUMENT SET  
IRON BAR  
STANDARD IRON BAR  
SHORT STANDARD IRON BAR  
ROUND BAR TELEGRAPHIC AND COMMUNICATIONS (M.T.C.)

(853) DENOTES H.V. JEWITT, O.L.S. WITNESS

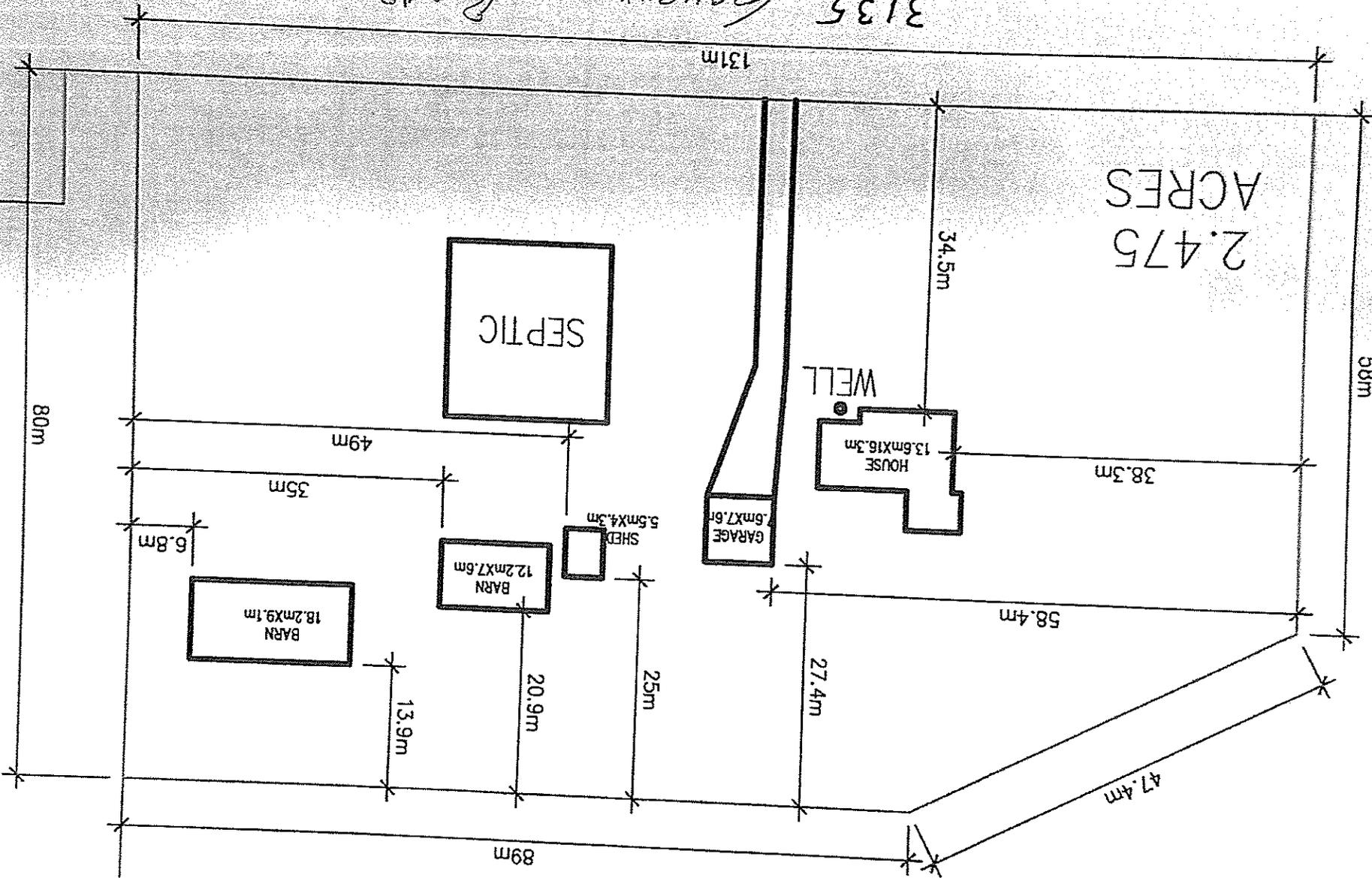
BEARING NOTE:  
BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF REGIONAL ROAD No. 299, AS WIDENED AND SHOWN ON PLANS 62R-7562, AS BEING N 76°39'50" E.

SURVEYOR'S CERTIFICATE  
I CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS THEREUNDER.  
THE SURVEY WAS COMPLETED ON THE 15th DAY OF JANUARY 1988.

A.T. McLAREN LIMITED.  
LAND SURVEYORS  
103 JOHN STREET SOUTH  
HAMILTON ONTARIO  
M5T 0G2  
527-0032  
527-8559  
Checked A.T.M. Scale 1"=200' (Orig. 1/25000)  
Drawn T.P.P.

3135 Governors Road

2.475 ACRES



North ↓

A



211.7m

105221 Sqm

26 acres

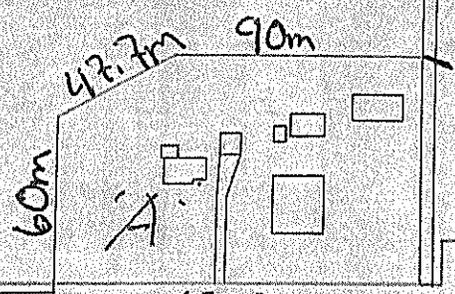
537.8m

B

473.8m

7

3503  
Gover  
nd



80.1m

130m

3135 GOVERNORS ROAD





Hamilton

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

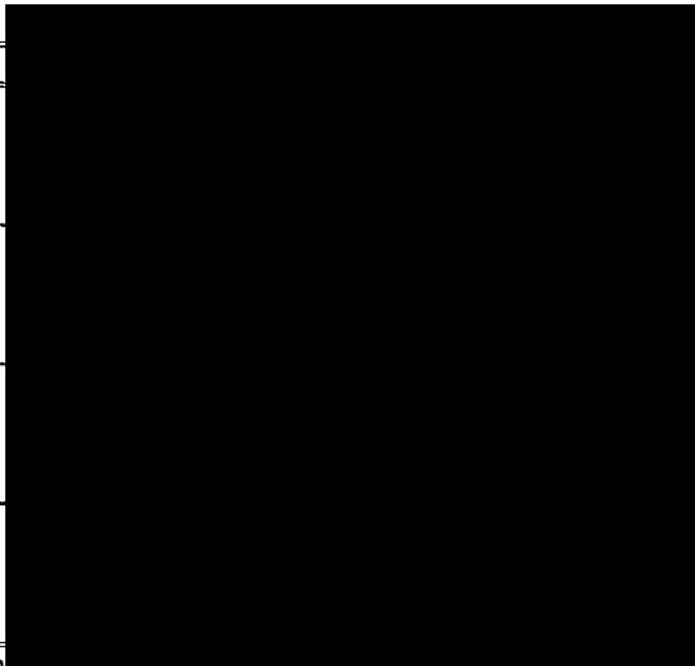
Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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
Purchaser*	Todd Renton
Registered Owners(s)	Jordan Stewart & Maria Andrea Stewart
Applicant(s)**	
Agent or Solicitor	Don Robertson



\*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 Primary contact  Purchaser  Owner  
 Applicant  Agent/Solicitor

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

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type

In person  
 Cheque

Credit over phone\*

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3531 Governors Road Flamborough		
Assessment Roll Number	251830111087400		
Former Municipality	Flamborough		
Lot	Pt LT 17	Concession	Conc 1 Beverly
Registered Plan Number	CD174950,nExcept F	Lot(s)	
Reference Plan Number (s)	62R247	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:

\_\_\_\_\_

## 3 PURPOSE OF THE APPLICATION

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

- creation of a new lot(s)
- addition to a lot
- an easement
- validation of title (must also complete section 8)
- cancellation (must also complete section 9)
- 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)
- concurrent new lot(s)
- a lease
- a correction of title
- a charge

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

Todd Renton

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

3503 Governors Road PT LT 17, CN 1 BEVERLY , PA3503 Governors RDRT 4 - 14 , 62R95

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*
Identified on Sketch as:	Att Sketch A	Att Sketch B			
Type of Transfer	N/A				
Frontage	131 M	80M			
Depth	80M ireg	537.8M			
Area	1HA	1052215sqm			
Existing Use	House area	Agri			
Proposed Use	RES	Agri			
Existing Buildings/ Structures	Home 4 out buildings	none			
Proposed Buildings/ Structures	n/a	n/a			
Buildings/ Structures to be Removed	none	none			

\* 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): Agriculture

Rural Settlement Area: n/a

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

Expansion of farming operation

- 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? A1

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 checked="" type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	X
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.

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- 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.

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

1 year

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- 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)
- 

- 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)  
N/A

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	3503 Governors Road, Sketch C		
Assessment Roll Number			
Former Municipality	Flamborough ( Beberly)		
Lot	17	Concession	1
Registered Plan Number	62R956 PARTS 4 TC	Lot(s)	
Reference Plan Number (s)	62R9561	Part(s)	PARTS 4 TO 14 PT OF

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.

Agri - (t - ve)

10.4 Description of farm consolidation property:

Frontage (m): 139 M	Area (m <sup>2</sup> or ha): 35.94 HA
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Existing Land Use(s): cash crop Proposed Land Use(s): cash crop

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

Frontage (m): <del>130M</del>	Area (m <sup>2</sup> or ha): <del>1HA</del>
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10.6 Existing Land Use: RES LOT Proposed Land Use: RES LOT

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1) 130M	Area (m <sup>2</sup> or ha): (from Section 4.1) 1 HA
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Front yard set back: 34.5M

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
- 
-