

211

**REGION OF HAMILTON-WENTWORTH**  
**- RECOMMENDATION -**

**DATE:** 1992 June 4  
E429-02  
T.L. Misale

**REPORT TO:** Chairman and Members  
Transportation Services Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** (RDS-92-267)

Special Water Service Agreement  
Mr. John Fortino  
west of corner of Twenty and Miles Road, Glanbrook

**RECOMMENDATION:**

That the Chairman, Regional Clerk and Commissioner of Finance be authorized and directed to execute the necessary documentation for the Special Water Service Agreement for Mr. John Fortino for property located west of the corner of Twenty Road and Miles Road, Glanbrook.

  
\_\_\_\_\_  
E.M. Gill, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

continued.....

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June 4, 1992

Special Water Service Agreement  
Mr. John Fortino  
corner of Twenty and Miles Road, Glanbrook

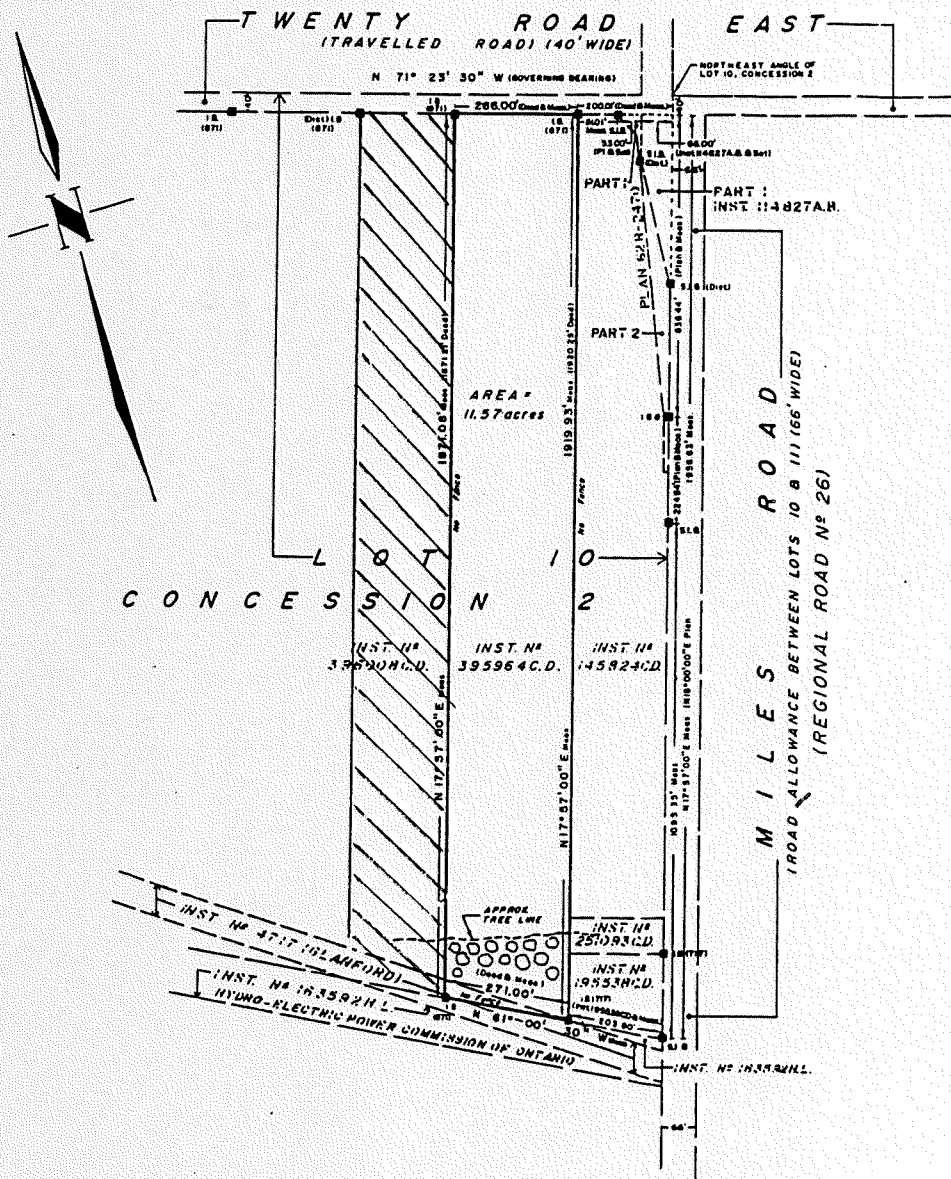
Continued .....

***BACKGROUND:***

A request has been received from Mr. John Fortino, owner of the property located west of the south west corner of Twenty and Miles Roads, Glanbrook. There is no water service fronting this property at this time, and they wish to install a special water service to the main located at the intersection of Twenty and Miles Roads (approximately 122 metres). A single family residence is proposed for this lot.

 TLM

cc: G. Lawson, Commissioner of Finance  
cc: B. Ashenhurst, Manager, Financial Services, Roads Dept.



PLAN OF SURVEY OF  
PART OF LOT 10  
CONCESSION 2  
TOWNSHIP OF GLANBROOK  
(FORMERLY TOWNSHIP OF GLANFORD)  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
(FORMERLY COUNTY OF WENTWORTH)

SCALE: 1" = 200'

GUIDO CONSOLI  
ONTARIO LAND SURVEYOR  
1987.

**BEARING NOTE:**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO  
THE SOUTHERLY LIMIT OF TWENTY ROAD EAST  
AS SHOWN ON REFERENCE PLAN 62R-2470, HAVING  
A BEARING OF  $N 71^{\circ} 23' 30'' W$ .

**LEGEND:**

SURVEY MONUMENT FOUND	-	#
SURVEY MONUMENT PLANTED	-	O
STANDARD IRON BAR	-	S
IRON BAR	-	I
ROUND IRON BAR	-	F
IRON TUBE	-	I
CUT CROSS	-	C
SURVEY NAIL	-	P
CONCRETE MONUMENT	-	C
CUT ARROW	-	C
WITNESS	-	W
BRICK	-	Br
FRAME	-	F
SIDING	-	S
CONCRETE BASE	-	C
REFERENCE PLAN 62R-2470	-	Ph
J. J. KISWAY, O.L.S.	-	71
J. A. HARRINGTON, O.L.S.	-	8
DISTURBED.	-	D

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT  
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS  
COMPLETED ON THE 2nd DAY OF JUNE, 19

JUNE 4, 1987  
DATE

G. V. CONSOLI  
ONTARIO LAND SURVEYOR



GUIDO CONSOLI  
SURVEYING LTD.  
1 DUKE STREET, HAMILTON, SUITE  
TEL (416) 521-1535 • (L8P 1A)

**Transportation Services  
Committee**

**Report 9-92**

**June 16, 1992**

**19. Public Transportation Assistance for Disability Pension Recipients  
(TRA 92-033/SOC 92-147)**

- a) That those persons registered in the previous Group A Program be sent an information letter by the Hamilton Street Railway outlining the transportation assistance available through the Social Services Department and the steps to be followed in applying for this assistance;
  - b) That the Social Services Department staff complement be increased by 0.5 clerical staff to operate this program;
  - c) That the Finance Committee be requested to determine an appropriate means of funding the additional costs of \$20,000 to the Social Services Department to provide the public transportation assistance for the remaining six months of 1992;
  - d) That a progress report on the program be provided to the Transportation Services Committee in three months time;
  - e) That the Commissioner of Finance be directed to identify the appropriate sources of funding.
- Item 4.6**

**20. Red Hill Creek Expressway - Access Control - Regional Roads in the Vicinity of the Red Hill Creek Expressway (RDS 92-201)**

That Regional Council request Hamilton City Council to include as a condition of site plan approval, that a sign be erected on the site, to the satisfaction of the Commissioner of Transportation/Environmental Services, indicating that access to the site will be restricted to right turns in and out because of a future median, such sign to be erected prior to any construction on the site and to remain until all units have been sold.

**Item 4.5**

**21. Special Water Service Agreement - Mr. John Fortino - West corner of Twenty and Miles Road, Glanbrook (RDS 92-267)**

That the Regional Chairman, Regional Clerk and Commissioner of Finance be authorized and directed to execute the necessary documentation for the Special Water Service Agreement for Mr. John Fortino for property located west of the corner of Twenty Road and Miles Road, Glanbrook.

**Item 2.11**

**SCHEDULE " I "**

ALL and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Glanbrook, in the Regional Municipality of Hamilton-Wentworth (formerly in the Township of Glanford, in the County of Wentworth), Province of Ontario and being composed of part of Lot 10, Concession 2, Township of Glanford and which said parcel may be more particularly described as follows:

COMMENCING at a point in the northern limit of Lot 10 being also the southern limit of Twenty Road East, distant therein North 71 degrees, 16 minutes west, (N 71° 16 ' W) four hundred and sixty six feet and one-eighth inches (466 ' 1/8 ") from the north east angle thereof;

THENCE north 71 degrees, 16 minutes west (N 71° 16' W) continuing along the said northern limit of Lot 10, two hundred and sixty six feet (266 ' 0 ");

THENCE south 18 degrees 06 minutes, 30 seconds west (S 18° 6' 30" W), parallel to the eastern limit of Lot 10, being also the western limit of Miles Road (road allowance between Lot 10 and 11) one thousand eight hundred and twenty two feet and 2 inches (1822 ' , 2 ") more or less to the northern limit of the lands of the Hydro Electric Power Commission of Ontario;

THENCE south 60 degrees 50 minutes, 30 seconds east (S 60° 50 ' 30 " E) along the last mentioned limit, two hundred and seventy one feet (271 ' 0 ") more or less to its intersection with a line drawn on a bearing of south 18 degrees 06 minutes, 30 seconds west (S 18° 6 ' 30 " W) from the point of commencement of the herein described parcel;

THENCE north 18 degrees 06 minutes, 30 seconds east (N 18° 6 ' 30 " E) parallel to the aforesaid western limit of Miles Road, one thousand eight hundred and seventy one feet and two and one-half inches (1871 ' 2 1/2 ") more or less to the point of commencement.

The above described parcel containing be admeasurement 11.28 acres be the same more or less. As described in Instrument Number 499981 C.D.



FOR OFFICE USE ONLY

135642

CERTIFICATE OF REGISTRATION  
CERTIFICAT D'ENREGISTREMENT  
WENTWORTH (02) HAMILTON

'92 10 20 15 20

*D. M. [Signature]*

LAND REGISTRAR/REGISTRATEUR

New Property Identifiers

Additional:  
See  
Schedule ☐

Executions

Additional:  
See  
Schedule ☐

(1) Registry <input checked="" type="checkbox"/>	Land Titles <input type="checkbox"/>	(2) Page 1 of 5 pages
(3) Property Identifier(s) Block Property		Additional: See Schedule <input type="checkbox"/>
(4) Nature of Document Notice of Special Water Agreement		
(5) Consideration —TWO— Dollars \$ 2.00		
(6) Description Geographic Township of Glanford Part of Lot 10, Concession 2, in the <del>Town of Glanford</del> , now in the Township of Glanbrook, in the Regional Municipality of Hamilton- Wentworth See Schedule I attached. ROADS DEPARTMENT, SURVEYS DESCRIPTION APPROVED by <i>R. Douglas</i> O.L.S.		
(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:

June 16

A copy of the Special Water Agreement dated ~~July 2nd~~, 1992 between the Regional Municipality of Hamilton-Wentworth and Pileria Fortino and Giovanni Fortino is attached.

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature  
Y M D

THE REGIONAL MUNICIPALITY OF  
HAMILTON-WENTWORTH

Approved  
as to form  
Legal  
Services

Chairman, *R. J. Whydett*  
Clerk, *R. C. Prowse*  
Commissioner of Finance, *G. Lawson*

1992 10 19  
1992 10 16  
1992 10 16

(11) Address  
for Service

P. O. Box 910, 119 King Street West, Hamilton, Ontario, L8N 3V9

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature  
Y M D

*Pileria Fortino*  
Pileria Fortino  
*Giovanni Fortino*  
Giovanni Fortino

1992 08 15  
1992 08 15

(13) Address  
for Service

1075 Old Mohawk Road, R. R. #1, Ancaster, Ontario L9G 3K9

(14) Municipal Address of Property

Twenty Road  
Glanbrook, Ontario

(15) Document Prepared by:

The Regional Municipality  
of Hamilton-Wentworth  
Roads Department, Development Div.  
71 Main Street West,  
6th Floor  
Hamilton, Ontario  
L8N 3T4

FOR OFFICE USE ONLY

Fees and Tax

Registration Fee 27.00

Total

**THIS WATER SERVICE AGREEMENT made in triplicate this 16th day of June , 1992 .**

**BETWEEN:**

**THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,**

**(hereinafter called the "Region ")**

**OF THE FIRST PART**

**- AND -**

**PILERIA FORTINO and GIOVANNI FORTINO**

**(hereinafter called the "Owner ")**

**OF THE SECOND PART**

**WHEREAS the Owner has represented that he is the owner of a certain parcel of land abutting on the southerly side of Twenty Road East, in the Township of Glanbrook, Province of Ontario, more particularly described in Schedule I hereto attached, and in which said highway there is no watermain;**

**AND WHEREAS the said Owner has applied for permission to connect to the existing watermain from the said parcel of land to the watermain located at the intersection of Twenty Road East and Miles Road, in the Township of Glanbrook, in the Province of Ontario;**

**AND WHEREAS on the 16th day of June, 1992, the Council of the Region has approved of Item 21 of Report 9-92 of the Transportation Services Committee and thereby granted such permission upon the terms and conditions hereinafter set forth.**

**NOW WHEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants hereinafter contained, the REGION and the OWNER hereby mutually covenant and agree each with the other as follows:**

- 1. The OWNER shall, upon signing this Agreement, make application in the form provided by the REGION for permission to connect to the REGION's watermain located at the intersection of Twenty Road East and Miles Road, Township of Glanbrook, Province of Ontario (hereinafter referred to as " the said watermain ") from the OWNER's land as described on Schedule I hereto attached to this Agreement.**
- 2. Upon approval of the application referred to in Section 1 herein by the REGION, the REGION agrees to issue a permit to allow the OWNER to connect to the said watermain.**



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3. The OWNER agrees to comply with all conditions, requirements, and terms of the said permit and to pay the sum of Eight Hundred and Ninety Four Dollars (\$894.00) to the REGION for permission to connect to the said watermain.
4. The OWNER agrees not to petition against or oppose the construction of any Regional services including any sewer or watermain on the road upon which any part of the OWNER's land abuts.
5. The OWNER agrees to obtain at his own expense any easements required to facilitate the water service connection aforesaid.
6. The OWNER agrees to install the yard service in accordance with good engineering practices and under the supervision of the Region's Commissioner of Transportation/Environmental Services or his delegate.
7. The water service connection is to be installed by the OWNER pursuant to By-law R84-026, as amended from time to time, at the OWNER's cost.
8. The REGION agrees to provide water service capable only of servicing the existing zoned uses and buildings on the OWNER's land at the time the permit is issued.
9. The OWNER agrees that the REGION may reconnect at the OWNER's cost, the water service connection permitted under this Agreement, to a watermain in the road abutting the OWNER's lands without notice by the REGION, when such a watermain is installed.
10. The OWNER agrees, at his own expenses, to register this Agreement against his land described in Schedule I hereto attached, and to provide the REGION with a duplicate registered copy thereof.
11. The OWNER agrees to indemnify and save harmless the REGION from all losses, damages, expenses and all suits, claims, proceedings, causes of action and demands arising by reason of or connected in any way with this Agreement.
12. This Agreement shall enure to the benefit of and be binding upon the REGION and the OWNER and their respective heirs, executors, administrators, successors and assigns.
13. This Agreement shall be read with such changes of gender and number as the context may require.



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14. The covenants contained herein shall run with the land.

15. That Schedule I hereto attached, is included in and forms part of this Agreement.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement.

SIGNED, SEALED AND DELIVERED )

THE REGIONAL MUNICIPALITY OF  
HAMILTON-WENTWORTH

*J. Randetto*  
Approved

Approved  
as to form  
*me*  
Legal  
Services

*[Signature]*  
Regional Chairman, R. Whynott

*[Signature]*  
Regional Clerk, R. Prowse

*[Signature]*  
Commissioner of Finance, G. Lawson

October 19/92  
Date

*[Signature]*  
Giovanni Fortino

*Pileria Fortino*  
Pileria Fortino

Sept 10/1992  
Date

*[Signature]*  
signature of Witness

Domenic Caraccioli  
print name of witness

159 Dicerio Dr Ham  
address of witness

OFFICE OF THE CLERK  
APPROVED BY COUNCIL

DATE June 16/92  
REPORT 9-92 ITEM 21TSC  
INTL: pl YEAR/FILE 92-635

*[Signature]*