



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-25:057	SUBJECT PROPERTY:	5309 Harrison Road, Glanbrook
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APPLICANTS: Owner: Sante Mario Zizza
Agent: Steven Gee
Applicant: Elizabeth and James Ditommaso

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 3226 Hall Road, Binbrook.

	Frontage	Depth	Area
SEVERED LANDS (Lands to be Severed):	10.668 m [±]	60.96 m [±]	650.321 m ² [±]
RETAINED LANDS (Lands to be Retained by Registered Owner):	231.84 m [±]	124.93 m [±]	21,514.7 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:	Thursday, September 4, 2025
TIME:	4:00 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-25:057

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

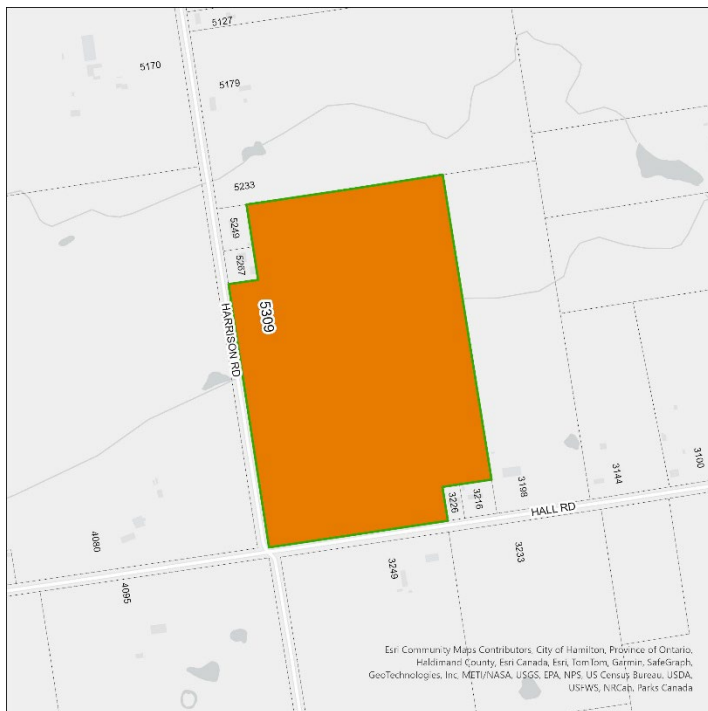
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **September 2, 2025**

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 **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:057, 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.



DATED: August 18, 2025

**Justin Leung,
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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PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only.

In-Person Presentations:

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SCHEDULE "B"

PLAN

OF PART OF
LOT 21, CONCESSION 8
 FORMERLY IN THE
 TOWNSHIP OF BINBROOK
 NOW IN THE
TOWNSHIP OF GLANBROOK
 REGIONAL MUNICIPALITY OF
 HAMILTON - WENTWORTH
 SCALE: 1 INCH = 40 FEET
A. T. McLAREN, O.L.S. - 1984

PART	LOT	CON.	INST. N°	AREA	REMARKS
1	PART OF 21	8	REM. OF 7480 BINBROOK	20000 SQ. FT.	

RECEIVED AND DEPOSITED
 Date 1984.06.27

Miss [Signature]
 LAND REGISTRAR FOR THE
 REGISTRY DIVISION OF
 WENTWORTH.

I REQUIRE THIS PLAN TO BE
 DEPOSITED UNDER THE
 REGISTRY ACT.
 Date JUNE 27, 1984
A.T. McLaren
 A.T. McLAREN, O.L.S.

NOTE:
 BEARINGS ARE ASTRONOMIC AND ARE
 REFERRED TO THE EASTERLY LIMIT OF
 HARRISON ROAD AS SHOWN ON PLAN
 62R-5181 AS BEING N 10°00' E.
LEGEND:
 S.E. - DENOTES MONUMENT SET
 S.E. - IRON BAR
 S.E. - STANDARD IRON BAR
 S.E. - 635 - DENOTES
 CITY - J.T. PETERS, O.L.S.
 CITY OF HAMILTON

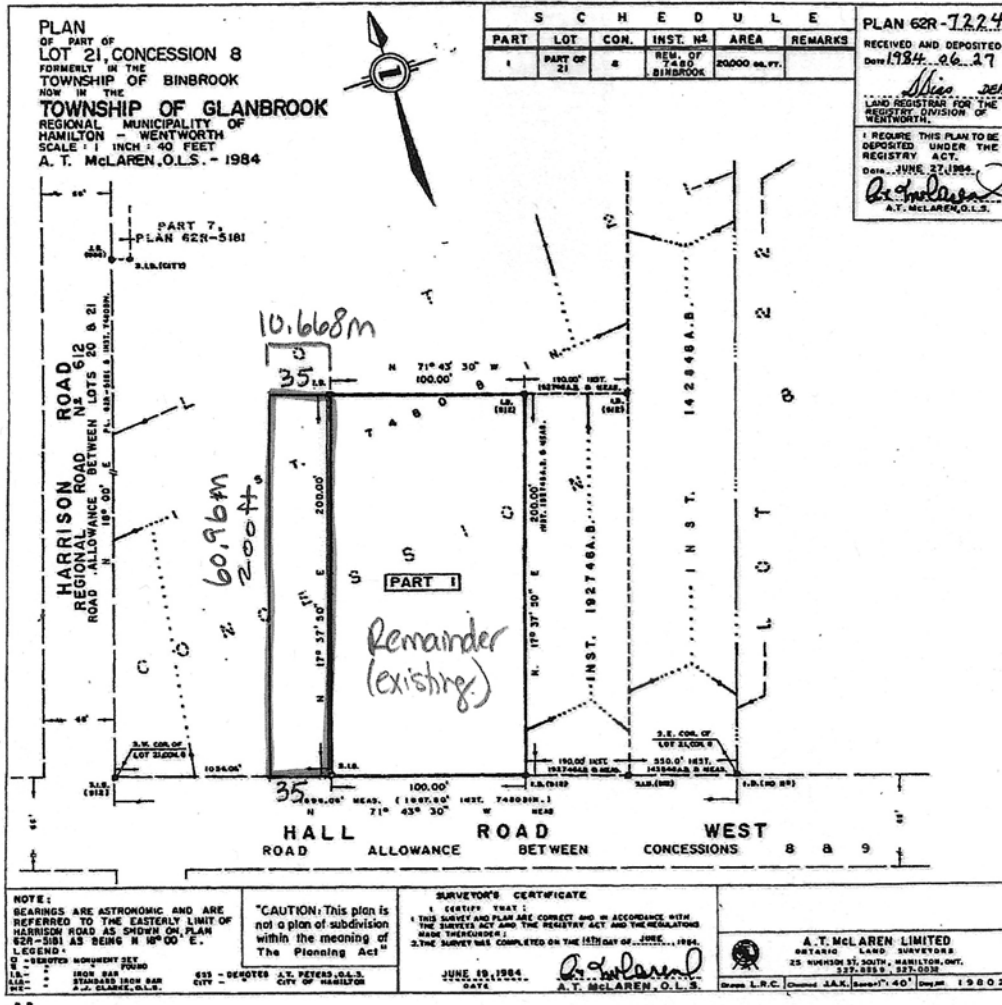
"CAUTION: This plan is
 not a plan of subdivision
 within the meaning of
 The Planning Act"

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
 THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS
 MADE THEREUNDER;
 2. THE SURVEY WAS COMPLETED ON THE 16TH DAY OF JUNE, 1984.
 JUNE 19, 1984
 DATE
A.T. McLaren
 A.T. McLAREN, O.L.S.

A. T. McLAREN LIMITED
 ONTARIO LAND SURVEYORS
 25 HUNSON ST. SOUTH, HAMILTON, ONT.
 327-8889, 327-0038

Drawn L.R.C. Checked J.A.K. Scale 1" = 40' Date 19802

SCHEDULE "B"



$$\text{Area} = 650.321 \text{ m}^2$$

$$\text{Width} = 35 \text{ ft} = 10.668 \text{ m frontage}$$

$$\text{length} = 200 \text{ ft} = 60.96 \text{ m}$$

Subject land = no buildings, no structures
just greenspace

(Schedule B.)

Farmer's Field

41.148m proposed new total

Schedule B

35'

10.668m

100'

36.48m

83.23'

= 25.3685m

Parcel 1

Land to purchase (Greenspace only)

No Structures

60.96m

200'

60.96m

200'

16.58' = 5.0536m

14.2464m

26.5' = 8.0772m

House

6.7056m

10.668m

22' = 6.7056m

Shop

2.225m

60.96m

200'

60.96m

46.74' = 14.2464m

11.1801m

90.27' = 27.5143m

Existing Lot

3226 Hall Rd

35'

10.668m

100'

36.48m

41.148m proposed new total

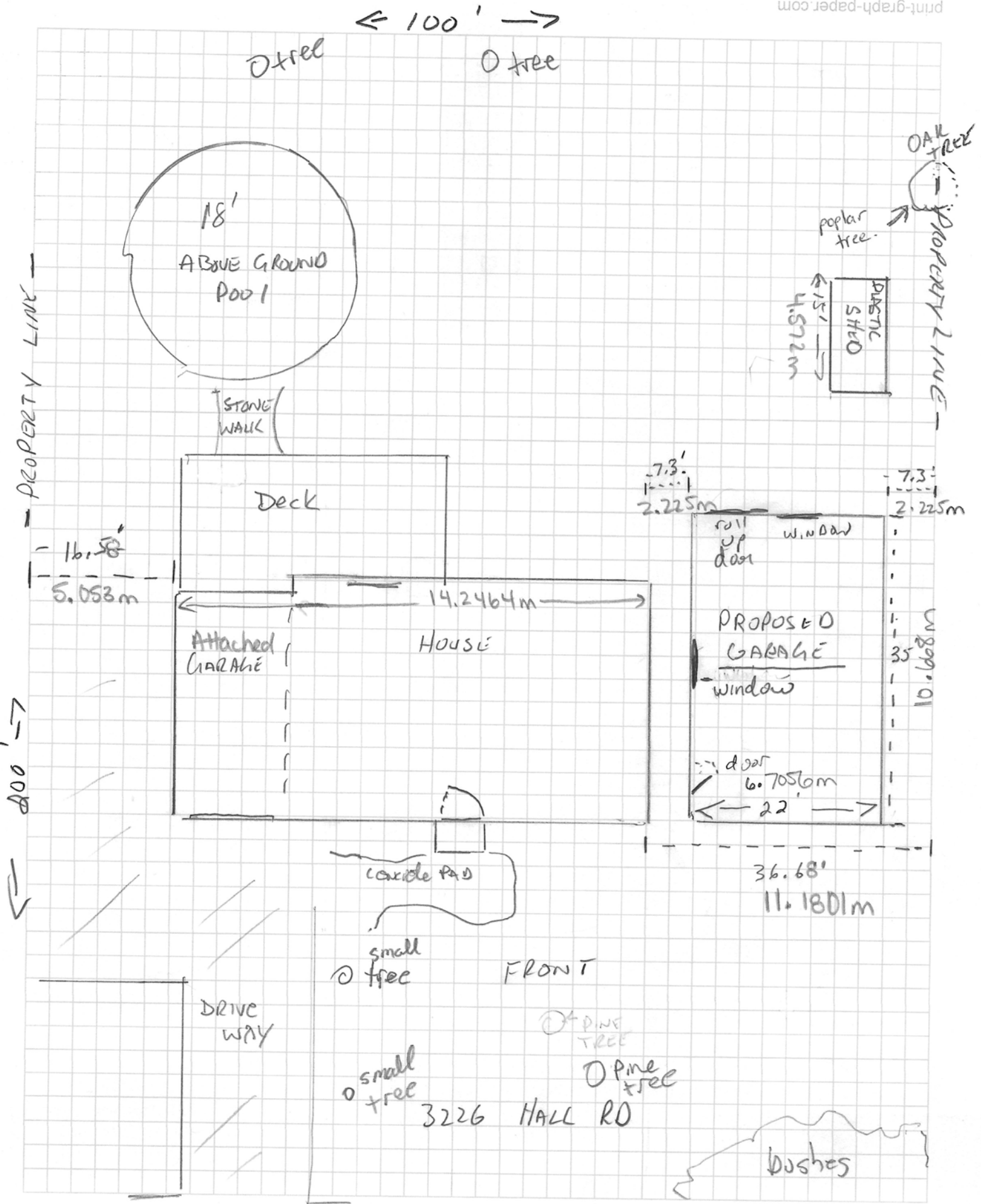
Hall Road

● = stake placed @ property line by Sante

● = stake placed @ property line by Sante

Retained (remainder) Our existing Property

print-graph-paper.com





Hamilton

Jfy 8 emailed w/ site sketch

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

	NAME	MAILING ADDRESS
Purchaser*	James Ditommaso Elizabeth Ditommaso	
Registered Owners(s)	Sante Mario Zizza	
Applicant(s)**	James Ditommaso Elizabeth Ditommaso	
Agent or Solicitor	Steven Gee	

*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
☐ 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 _____

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	5309 Harrison Rd Binbrook		
Assessment Roll Number	25 09 100 710 35000		
Former Municipality	Binbrook		
Lot	Pt Lt 21	Concession	8
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:

3 PURPOSE OF THE APPLICATION

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

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" 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:

James Ditommaso and Elizabeth Ditommaso

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

3226 Hall Road Binbrook ON L0R 1C0 PIN 17383-0063(LT)

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 <i>MERGED</i> Land of Purchase	Parcel 3*	Parcel 4*
Identified on Sketch as:	Remainder	Red Rectangle	Black Rectangle		
Type of Transfer	N/A	Sale Lot Addition	N/A		
Frontage	231.84 m	10.668 m	30.48 m		
Depth	124.93 m	60.96 m	60.96 m		
Area	21,514.7 m ²	650.321 m ²	1858.06 m ²		
Existing Use	Agricultural	Agricultural	Agricultural		
Proposed Use	Agricultural	Agricultural/Port of Entry	Agricultural		
Existing Buildings/ Structures	House, Barn, Shed	N/A	House 14.2464 m x 8.06 m Garage 6.7056 m x 10.668 m		
Proposed Buildings/ Structures	N/A	N/A	N/A		
Buildings/ Structures to be Removed	N/A	N/A	N/A		

* 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)

Existing Cistern 0.

c) Type of sewage disposal proposed: (check appropriate box)

- ☐ publicly owned and operated sanitary sewage system
☒ privately owned and operated individual septic system existing
☐ other means (specify)

4.3 Other Services: (check if the service is available) - None to be added

- ☒ 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: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

This falls under 1.14.2.6 as a minor boundary adjustment.

- 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? Agricultural

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?

1 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.

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)

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):
---------------	------------------------------

10.6 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 ² 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

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
- _____
- _____

