



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-25:060	SUBJECT PROPERTY:	3417 Tyneside Road, Glanbrook
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APPLICANTS: Owner: Sandra Sergio
Agent: UrbanSolutions Planning & Land Development c/o Matt Johnston

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 3325 Tyneside Road, Glanbrook.

	Frontage	Depth	Area
SEVERED LANDS (Lands to be added to 3325 Tyneside Road):	544.78 m [±]	Varies	14.5 ha [±]
RETAINED LANDS (3417 Tyneside Road):	223.11 m [±]	141.0 m [±]	1.2 ha [±]

Associated Planning Act File(s): A-25:171 (3325 Tyneside Road, Glanbrook)

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 25, 2025
TIME:	1:25 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-25:060

- 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 23, 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 24, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:060, 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.



 **Subject Lands**

DATED: September 8, 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.



Hamilton

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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. To register, email cofa@hamilton.ca with the following information:

- 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.



SCALE 1:2500

SITE STATISTICS CHART

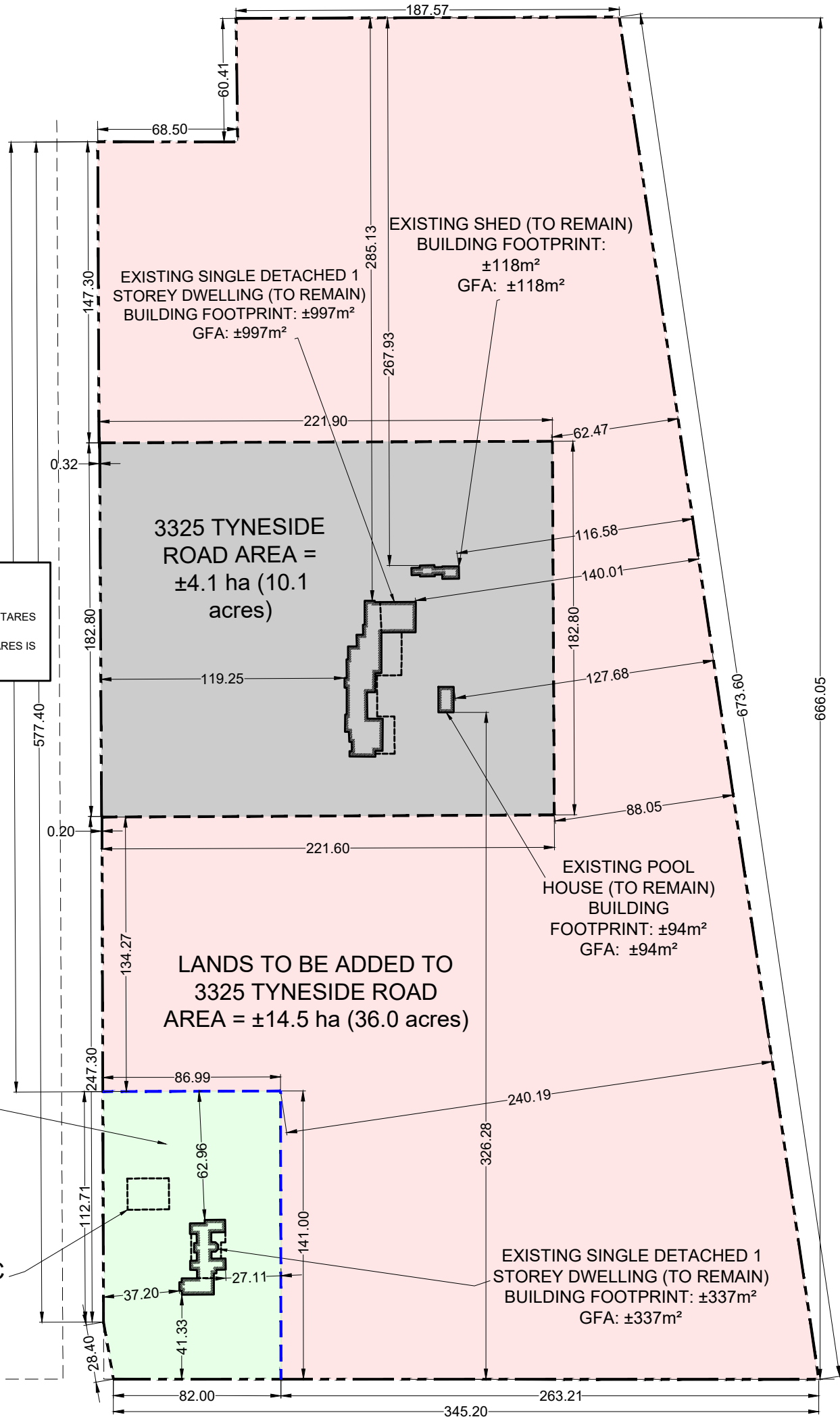
(A1) ZONING BY-LAW		3417 TYNESIDE	
ITEMS	REQUIRED	EXISTING	PROPOSED
Lot Frontage	-	± 768.20 m	±223.11 m
Lot Area	0.4 ha	±15.7 ha	±1.2 ha
Lot Width	30.0m	VARIABLES	±86.99 m
Front Yard	10.0m	±35.0 m	±35.0 m
Side Yard	3.0m	±41.33 m	±41.33 m
Rear Yard	10.0m	±281.77 m	±27.11 m
Use	-	Single Detached Dwelling	

(A1) ZONING BY-LAW		3325 TYNESIDE	
ITEMS	REQUIRED	EXISTING	PROPOSED
Lot Frontage	-	±182.80 m	±727.90 m
Lot Area	40.4 ha	±4.1 ha	±18.6 ha
Lot Width	30.0m	±182.80 m	±666.05 m
Front Yard	15.0m	±119.25 m	±119.25 m
Side Yard	15.0m	±28.89 m	±285.13m
Rear Yard	15.0m	±67.25 m	±140.01 m
Use	-	Single Detached Dwelling	

REQUESTED VARIANCES

VARIANCE NO. 1 - TO PERMIT A MINIMUM LOT AREA OF ±18.6 HECTARES FOR AGRICULTURE USES FOR THE RESULTING PARCEL AT 3325 TYNESIDE ROAD, WHEREAS A MINIMUM LOT AREA OF 40.4 HECTARES IS REQUIRED.

EXISTING AGRICULTURAL



EXISTING AGRICULTURAL

LANDS TO BE RETAINED ON 3417 TYNESIDE ROAD AREA = ±1.2 ha (3.0 acres)

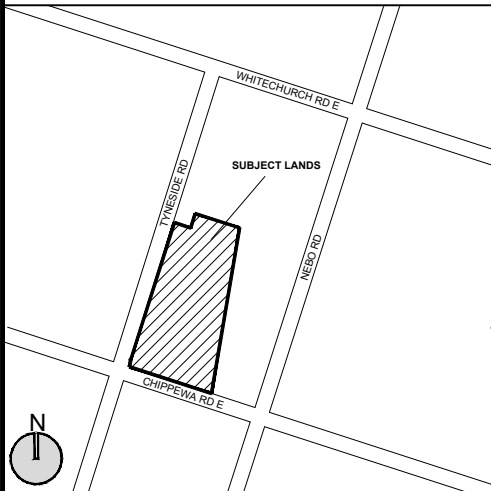
TYNESIDE RD

SEPTIC BED

LANDS TO BE ADDED TO 3325 TYNESIDE ROAD AREA = ±14.5 ha (36.0 acres)

CHIPPEWA RD E

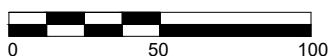
KEY MAP - N.T.S.



LEGEND:

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- EXISTING BUILDINGS
- LANDS ADDED TO 3325 TYNESIDE RD
- LANDS RETAINED ON 3417 TYNESIDE RD
- 3325 TYNESIDE RD

SCALE 1:2500
METRES



PREPARED BY:



3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

TITLE:

COMMITTEE OF ADJUSTMENT SKETCH

PROJECT:

**3325 & 3417 TYNESIDE ROAD
CITY OF HAMILTON**

CLIENT:

SANDRA SERGIO

DESIGN BY: L. TAIBI

CHECKED BY: M. JOHNSTON

DRAWN BY: L. TAIBI

DATE: AUGUST 11, 2025

U/S FILE NUMBER:

SHEET NUMBER:

507-24

1



August 11, 2025

507-24

Via Email & Delivered

Mr. Justin Leung
Secretary Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Mr. Leung,

**RE: 3325 & 3417 TYNESIDE ROAD, GLANBROOK
Application for Consent to Sever and Minor Variance to the City of Hamilton Zoning By-law
No. 05-200**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) have been retained by the registered owners of 3325 Tyneside Road and 3417 Tyneside Road, located in the former Township of Glanbrook. The applicant, Sandra Sergio, is the owner of the lands at 3325 Tyneside Road and has initiated these applications to facilitate a lot line adjustment between the two parcels. On behalf of the owners, UrbanSolutions is pleased to submit the enclosed Consent to Sever and Minor Variance applications.

The subject lands are comprised of two parcels, 3417 and 3325 Tyneside Road, located at the northeast corner of Tyneside Road and Chippewa Road in Glanbrook. The surrounding area is comprised of both rural, non-farm residences as well as large-scale agricultural operations. The lands at 3417 Tyneside Road are an irregularly 'U-shaped' corner lot at the northeast corner of Chippewa Road East and Tyneside Road, with an area of ±15.7 hectares and ±768.30 metres of combined frontage along Tyneside Road and Chippewa Road East. The lands at 3325 Tyneside Road are surrounded by the 3417 Tyneside Road parcel and comprised of a square-shaped, ±4.1-hectare parcel with ±182.80 metres of frontage along the east side of Tyneside Road. Each parcel currently supports a single detached dwelling, which is a permitted use based on the applicable zoning regulations. In addition to the single detached dwelling, 3417 Tyneside Road supports farming on much of the property, forming part of a larger agricultural operation spanning across numerous neighbouring properties. The current application consists of a lot addition which is proposed to transfer ownership of the agriculturally productive lands from 3417 Tyneside Road to 3325 Tyneside Road.

Previous Applications

An alternative lot addition concept differing from the current proposal was brought to the Committee of Adjustment on September 10th, 2024 (File Nos. A-24:188 & B-24:49). Both applications were tabled until the October 22, 2024 Committee of Adjustment hearing to facilitate further discussion with staff but were ultimately denied due to concerns with the reduced maximum parcel size resulting from the lot addition and the fragmentation of agricultural lands. In the initial proposal, the larger of the two parcels was proposed to be reduced from ±15.7 hectares to ±13.1 hectares, with the total farmland on site being shared between the two resulting parcels.

Current Applications

The current applications seek to implement staff's feedback and ensure no fragmentation of agricultural land occurs as a result of this lot addition. As depicted in the enclosed Committee of Adjustment Sketch, the current proposal seeks to transfer a ±14.5-hectare portion of land from 3417 Tyneside Road to merge with 3325 Tyneside Road. Specifically, the lot area adjustment is outlined in the following table:

Parcel	Existing Area	Proposed Area	Net Change
3417 Tyneside	±15.7 ha	±1.2 ha	±14.5 ha Removed
3325 Tyneside	±4.1 ha	±18.6ha	±14.5 ha Added

The lands to be transferred consist of all productive farmland on 3417 Tyneside Road, with the retained land consisting of only the existing single-detached dwelling. However, no lot creation is proposed through this application, and the farming practice on the transferred lands will continue following the approval of the lot line adjustment. It is understood that this revised concept is generally in keeping with staff's previously recommended revisions to the lot addition proposed on these lands.

In order to facilitate this proposal for the transfer of lands between the two parcels, a minor variance to City of Hamilton Zoning By-law No. 05-200 is required as follows:

Minor Variance No. 1 – To permit a minimum lot area of ±18.6 hectares for Agriculture uses for the resulting parcel at 3325 Tyneside Road, whereas a minimum lot area of 40.4 hectares is required.

Policy Framework

The subject lands are both designated 'Protected Countryside' and are within a *Prime Agricultural Area* according to the Greenbelt Plan. The subject lands are also designated as 'Agriculture' in the Rural Hamilton Official Plan (RHOP) Schedule D and are zoned as 'Agriculture (A1) Zone' under the City of Hamilton Zoning By-law No. 05-200.

As previously mentioned, the lands are designated 'Protected Countryside' in the Greenbelt Plan. Section 4.6 e) of the Greenbelt Plan applies to lot additions or boundary adjustments, and states:

"4.6.1 Lot creation is discouraged and may only be permitted for:

...

e) Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in *prime agricultural areas*, including *specialty crop areas*, and there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*."

Regarding lot additions in the Agricultural area, Section F.1.14.2.1 of the RHOP states:

"F.1.14.2.1 d) All proposed lot additions shall:

- i) Comply with the policies of this plan including rural settlement plans where one exists;
- ii) Be compatible with and not hinder surrounding agricultural operations;
- iii) Conform to the Zoning By-law;

- iv) Only be permitted when both lots will retain frontage on a public road;
- v) Meet the requirements of Section C.5.1, Private Water and Wastewater Services, including the requirement for submission of a hydrogeological study regarding existing or proposed private water and wastewater services prior to or at the time of application, except as permitted in F.1.14.2.7 d).

F.1.14.2.1 e) All proposed severances and lot additions shall meet all Minimum Distance Separation requirements in accordance with Section F.1.16, Minimum Distance Separation I and II and the Zoning By-law. Where the required Minimum Distance Separation distance, according to MDS I, is not met for a severance and lot addition, a decision regarding variation of the Minimum Distance Separation shall be made prior to a decision on the severance.

F.1.14.2.1 f) The maximum lot size for all proposed severances and lot additions outside of designated Rural Settlement Areas, except severances or lot additions for agricultural purposes where both the severed and retained lots are proposed to contain *agricultural uses*, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of *agricultural use*.”

Section F.1.14.2.5 of the RHOP further details policy direction regarding lot additions across all designations except Rural Settlement Areas. The applicable policies of Section F.1.14.2.5 state:

“F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:

- a) No new lots shall be created;
- b) All resulting lots shall be:
 - i) a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Wastewater Services of this Plan, except as permitted in F.1.14.2.7 d); and,
 - ii) be compatible with and not hinder surrounding agricultural operations.
- c) For lands within the Agriculture designation where the lot addition is for agricultural uses the minimum lot size of all resulting lots shall be 40.4 hectares (100 acres).
...
- g) The maximum lot size for lot additions outside of designated Rural Settlement Areas, except lot additions for agricultural purposes where both the severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.
- h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties.”

Minor Variance & Consent to Sever Analysis

The proposal demonstrates conformity with the criteria established in Sections F.1.14.2.1 d)-f) and F.1.14.2.5 of the RHOP as the lot addition will be compatible with onsite and surrounding agricultural operations, and conform to the Zoning By-law through approval of a minor variance to establish an appropriate minimum lot size for the respective use of both parcels. Further, both lots will retain frontage on a public road, and both lots will meet the requirements of Section C.5.1 of the RHOP. The proposal will not create a new lot, as the application simply seeks to transfer lands between abutting landowners. Per Guideline #8 of the *Minimum Distance Separation (MDS) Document, 2016*, an MDS I setback is not required for the purpose of minor boundary adjustments which do not result in the creation of a new lot. As such, the proposal is in keeping with the general intent and purpose of the Rural Hamilton Official Plan.

The existing single detached dwelling and agricultural uses are permitted within the existing 'A1' zone. As previously noted, a minor variance is required for the 3325 Tyneside Road property to permit a smaller lot area than what is permitted in the Zoning By-law for agricultural uses in the 'A1' zone. However, the proposed boundary adjustment meets the intent of the Zoning By-law as the area currently used for farming remains to be the same size and retained under a single owner. Furthermore, the resulting lot fabric attributed to 3417 Tyneside Road remains of a sufficient size to accommodate the existing single-detached dwelling with no servicing concerns. As such, the proposal is in keeping with the general intent and purpose of the City of Hamilton Zoning By-law No. 05-200.

The proposed lot addition in essence 'flips' the existing lot fabric, with the larger farming share of land between the two parcels being shifted from 3417 Tyneside Road to 3325 Tyneside Road. Similarly to the existing conditions, the larger of the two parcels will also retain frontage along both Tyneside Road and Chippewa Road. Accordingly, the requested variance does not create a notable deviation from the existing conditions of the subject lands. Further, no new structures are proposed, and the existing uses - inclusive of the farming practice - will remain in place. As the built form on the lands will not change and the established character of the area will not be altered by the proposal, the requested variance is deemed to be minor in nature.

The proposal intends to facilitate a severance that will transfer approximately 14.5 hectares of agricultural land between the two parcels. This land is currently established as a substantial farming operation spanning across a number of different properties in the area. It is also worth noting that the agricultural viability of the lands which are subject to the transfer is not put at risk through this application, as the lands currently used for agricultural purposes are proposed to be transferred in their entirety. Therefore, the variance is desirable for the appropriate development of the lands and continued agricultural viability.

Conclusion

The requested variance satisfies the four tests as per Section 45(1) of the *Planning Act*, R.S.O., 1990, as amended. The application also meets the consent criteria under Section 51(24) and satisfies Section 53(1) as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The proposal is consistent with the Provincial Planning Statement, demonstrates conformity with Section 4.6.1 e) of the Greenbelt Plan, and conforms to the Rural Hamilton Official Plan as the proposal does not seek to create a new lot within a Prime Agricultural area, nor affect the viability of farming on the subject lands. The proposed severance conforms to the criteria outlined in Sections F.1.14.2.1 and F.1.16 of the Rural Hamilton Official Plan.

Additionally, the continued usage of the lands as single-detached dwelling and agriculture implements the intent of the 'A1' zoning applied through the City of Hamilton Zoning By-law No. 05-200. Based on the above analysis, the proposed development represents good land use planning.

In support of this application please find enclosed the following:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Committee of Adjustment sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$4,015.00** made payable to the City of Hamilton for the Minor Variance Application fee; and,
- One (1) cheque in the amount of **\$3,930.00** made payable to the City of Hamilton for the Consent to Sever Application total fee.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Stefano Rosatone, BES
Planner



Hamilton

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 A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	Sandra Sergio	[REDACTED]
Applicant(s)	Same as Owner	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston	

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to 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 [REDACTED]

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 be sent by email.

1.6 Payment type In person Credit over phone* Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3325 Tyneside Road, Glanbrook		
Assessment Roll Number	251890261061800		
Former Municipality	Glanbrook		
Lot	13	Concession	6
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:

N/A

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To permit a smaller lot area for an Agricultural use than what is permitted in the Zoning By-law to facilitate a lot line adjustment.

Second Dwelling Unit Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?

Please refer to cover letter.

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

N/A

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
+/- 182.80 m	+/- 221.90 m	+/- 4.1 ha	+/- 11 m

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached Dwelling	+/- 118.80 m	+/- 67.25 m	+/- 28.89 m (minimum)	2022
Pool House	N/A	+/- 48.92m	+/- 50.41 m	2022
Detached Shed	N/A	+/- 46.03 m	+/- 60.36 m	2022

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached Dwelling	+/- 118.80 m	+/- 140.01 m	+/- 267.93 m (minimum)	2022
Pool House	N/A	+/- 127.68 m	+/- 326.28 m	2022
Detached Shed	N/A	+/- 116.58 m	+/- 267.93 m	2022

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached Dwelling	+/-997 m ²	+/-997m	1	Unkown
Pool House	+/- 94 m ²	+/- 94 m ²	1	Unkown
Detached Shed	+/- 118m ²	+/- 118m ²	1	Unkown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached Dwelling	No Change	No Change	No Change	No Change
Pool House	No Change	No Change	No Change	No Change
Detached Shed	No Change	No Change	No Change	No Change

- 4.4 Type of water supply: (check appropriate box)
- publicly owned and operated piped water system
 - privately owned and operated individual well

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

- 4.5 Type of storm drainage: (check appropriate boxes)
- publicly owned and operated storm sewers
 - swales

- ditches
- other means (specify)

4.6 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) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Single-Detached Dwelling, Agriculture.

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Single-Detached Dwelling, Agriculture.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Unknown.

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single-Detached Dwelling.

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single-Detached Dwelling.

7.4 Length of time the existing uses of the subject property have continued:
Unknown.

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): 'Agriculture' Designation

Rural Settlement Area: n/a

Urban Hamilton Official Plan designation (if applicable) n/a

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

Please refer to the enclosed cover letter.

7.6 What is the existing zoning of the subject land? "A1" Zone [Zoning By-law No. 05-200]

7.8 Has the owner previously applied for relief in respect of the subject property?
(Zoning By-law Amendment or Minor Variance)

Yes

No

If yes, please provide the file number: A-24:188

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: Concurrent Consent Application - see cover letter.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

Please refer to enclosed cover letter.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study



Hamilton

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*	Sandra Sergio	
Registered Owners(s)	Domenic Musitano	
Applicant(s)**	Sandra Sergio	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston	

*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	3417 Tyneside Road, Glanbrook		
Assessment Roll Number	251890261064600		
Former Municipality	Glanbrook		
Lot	13	Concession	6
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:

Sandra Sergio

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

3325 Tyneside Road

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:	3417 Tyneside Road	3325 Tyneside Road	Lands to be added to 3325 Tyneside Road		
Type of Transfer	N/A	Lot Addition	Lot Addition		
Frontage	+/- 223.11 m	+/- 182.80m	+/-544.78 m		
Depth	+/- 141.0 m	+/-221.60 m	Varies		
Area	+/- 1.2 ha	+/- 4.1 ha	+/-14.5 ha		
Existing Use	Residential, Agriculture	Residential	Agriculture		
Proposed Use	Residential	Residential, Agriculture	Agriculture		
Existing Buildings/ Structures	Single Detached Dwelling	Single Detached Dwelling; Pool House; Shed.	Vacant		
Proposed Buildings/ Structures	Existing to remain	Existing to remain	Existing to remain		
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) _____

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' Designation

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) N/A

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

Please refer to enclosed cover letter.

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.

N/A +

5.3 What is the existing zoning of the subject land? "A1" Zone [Zoning By-law No. 05-200]

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

N/A

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.

Concurrent Minor Variance Application - Please refer to enclosed Cover Letter.

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 checked="" 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.

B-24:49 - Denied

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

Please refer to enclosed Cover Letter.

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?

Unknown.

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.

N/A

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)

Please refer to enclosed cover letter.

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

Yes No (Provide explanation)

N/A

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

Yes No (Provide explanation)

N/A

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

Yes No (Provide explanation)

N/A

7.5 Are the subject lands subject to the Parkway Belt West Plan?
 Yes No (Provide explanation)

N/A

7.6 Are the subject lands subject to the Greenbelt Plan?
 Yes No (Provide explanation)

Please refer to cover letter.

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
 Yes No (Provide explanation)

N/A

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):
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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 ² or ha):
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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
