



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-25:039	SUBJECT PROPERTY:	65 Mohawk Road East, Hamilton
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APPLICANTS: Owner: 2713129 Ontario Ltd/ c/o Jessica Tran
Agent: A.J Clarke and Associates Ltd.

PURPOSE & EFFECT: To sever the subject lands to create one (1) additional lot for the purpose of developing two (2) single-detached dwellings, situating one (1) unit on each proposed property. To establish an easement for access for the neighbouring property where the side lot line is reduced. The existing dwelling will be removed to facilitate this application.

	Frontage	Depth	Area
SEVERED LANDS A (PART 1):	8.54 m [±]	76.20 m [±]	649.80 m ² [±]
RETAINED LANDS B (PART 2 & 3):	9.75 m [±]	76.20 m [±]	743.50 m ² [±]
EASEMENT (PART 3):	1.22 m [±]	45.75 m [±]	55.81 m ² [±]

Associated Planning Act File(s): A-25:119

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, August 14, 2025
TIME:	1:35 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

B-25:039

For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

PUBLIC INPUT

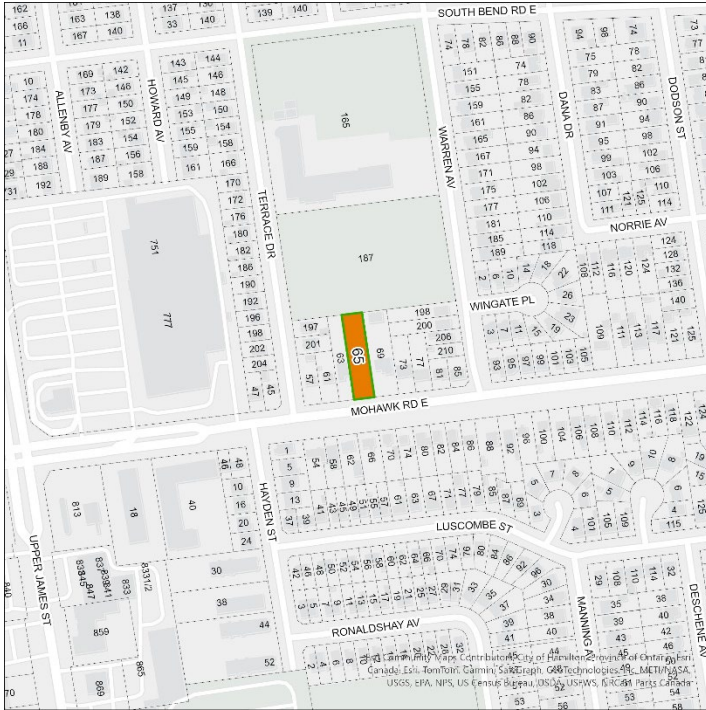
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **August 12, 2025**

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 **August 13, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:039, 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: July 28, 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.



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

PARTICIPATION PROCEDURES

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 date 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.

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.

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.

Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the date 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.

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 no later than 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 in PDF format as a single document. Handouts are permitted only if the same content can be displayed on the presentation screen.

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.

"P1" ZONING - NEIGHBOURHOOD PARK

PIN 17023 - 0154 (LT)

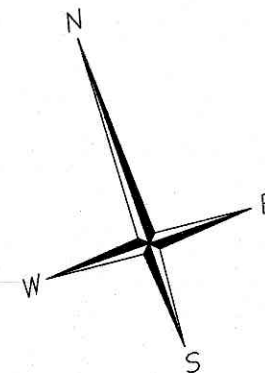
PART 1 PLAN 62R-3521
SUBJECT TO AN EASEMENT AS IN CD67921

"R-1"
LOW
LOT

(A)
PROPOSED SEVERANCE
AREA = 649.80m²

(B)
REMAINING LANDS
OF APPLICANT
AREA = 743.50m²

ZONING
RESIDENTIAL
1 4

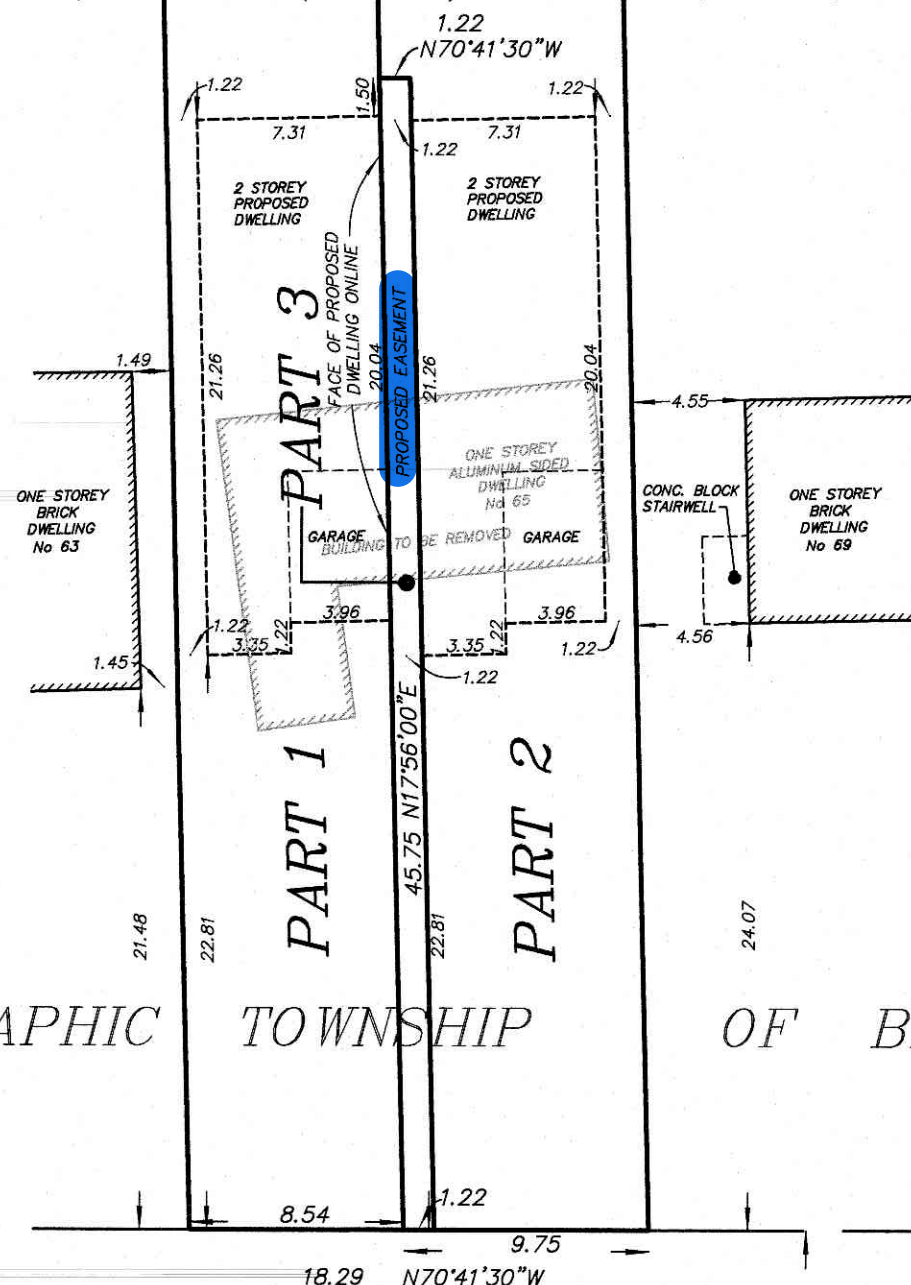


CONCESSION

PIN 17023-0165 (LT)
(INST. No CD19342)

PIN 17023-0164 (LT)
(INST. No VM193361)

PIN 17023-0163 (LT)
(INST. No AB13942)

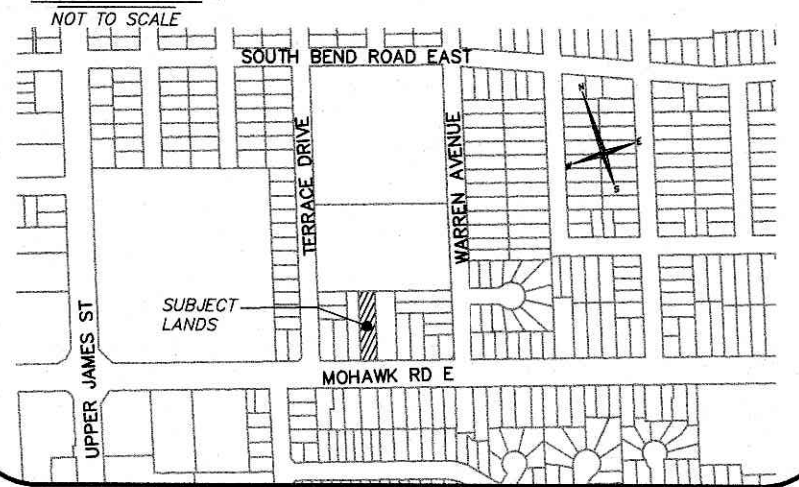


GEOGRAPHIC TOWNSHIP OF BARTON

MOHAWK ROAD EAST

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6)
PIN 17023-0177 (LT)

KEY PLAN



SKETCH TO ACCOMPANY AN
APPLICATION FOR CONSENT
65 MOHAWK ROAD EAST
CITY OF HAMILTON

SCALE 1:300
0 5 10 15 metres

THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED:
PART OF LOT 14, CONCESSION 5
GEOGRAPHIC TOWNSHIP OF BARTON

METRIC:
DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
THIS SKETCH IS COMPILED FROM PLANS AND RECORDS
ON FILE IN THIS OFFICE AND IS NOT BASED ON AN
ACTUAL FIELD SURVEY.

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION
TO THE COMMITTEE OF ADJUSTMENT SEEKING CONSENT FOR
SEVERANCE, FOR AN EASEMENT & FOR MINOR VARIANCES
TO THE EXISTING ZONING AND IS NOT INTENDED FOR
REGISTRATION.

CAUTION:
THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE
USED FOR TRANSACTION OR MORTGAGE PURPOSES.

CONSENT SCHEDULE:
PART 1 - LANDS TO BE SEVERED AREA = 649.80m²
PART 2 & 3 - LANDS TO BE RETAINED AREA = 743.50m²
PART 3 - PROPOSED SIDE YARD MAINTENANCE EASEMENT
IN FAVOUR OF PART 1 LANDS



JUNE 17, 2025
DATE



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

DRAWN BY: MW	CHECKED BY: NPM	PROJECT No. 258054D	INDEX No. E-19002
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A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development
City Hall 5th Floor
71 Main St W, Hamilton, ON L8P 4Y5

June 17, 2025

Attn: Mr. Justin Leung
Secretary Treasurer, Committee of Adjustment (email: Justin.Leung@hamilton.ca)

Re: 65 Mohawk Road East, Hamilton – Severance Application Submission

Dear Mr. Leung:

A.J. Clarke and Associates Ltd. has been retained by the 2713129 Ontario Ltd., c/o Jessica Tran and John Rubino, for the purposes of submitting the enclosed Severance Application Submission. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Consent to Sever Land Application Form for 65 Mohawk Road East;
- One (1) cheque in the amount of \$3,460.00 representing the required application fees for the severance application;
- One (1) digital copy of a sketch dated June 17, 2025, prepared by A.J. Clarke and Associates Ltd.

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan and are zoned “R1 – Low Density Residential” in the City of Hamilton By-law 05-200. The lands are currently occupied by one single-detached dwelling which will be demolished to facilitate the redevelopment.

2713129 Ontario Ltd., the owners of 65 Mohawk Road East, will be severing the subject lands in conjunction with a minor variance application to gain relief from minimum lot width for single-detached dwellings, and minimum side lot line. The purpose and intent of the proposal is to sever the subject lands to create one (1) additional lot for the purpose of developing two (2) single-detached dwellings, situating one (1) unit on each proposed property as well as establish an easement for access for the neighbouring property where the side lot line is reduced.

The resultant lots will be as follows:

	Area	Frontage
Part 1	649.80 sq.m	8.54m
Part 2	743.50 sq.m	9.75m



I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available Committee of Adjustment hearing date. If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

Stephen Fraser MCIP, RPP
Principal, Planner / General Manager
A.J. Clarke and Associates Ltd.

Cc: 2712129 Ontario Ltd. c/o Jessica Tran and John Rubino, via email



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*			Phone: E-mail:
Registered Owners(s)	2713129 Ontario Ltd. c/o Jessica Tran		
Applicant(s)**	Same as Above		
Agent or Solicitor	A.J. Clarke and Associates Ltd.		

*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	65 Mohawk Road East, Hamilton, Ontario		
Assessment Roll Number	251808089300190		
Former Municipality	Hamilton		
Lot	Pt. Lot 14	Concession	5
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 checked="" type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement FOR ACCESS TOO (SEE SKETCH) | <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"/> creation of a new 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:

Owner.

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

3.4 Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Easement	Parcel 3*	Parcel 4*
Identified on Sketch as:	B	A			
Type of Transfer	N/A				
Frontage	+/-9.75m	+/-8.54m	1.22m		
Depth	76.20m	76.20m	45.75m		
Area	+/-743.50 sq.m	+/-649.80 sq.m	+/-55.81 sq.m		
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	Single-detached	Single-detached	Single-detached		
Proposed Buildings/ Structures	Single-detached	Single-detached	Single-detached		
Buildings/ Structures to be Removed	Single-detached	Single-detached	Single-detached		

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- ☐ provincial highway
☐ municipal road, seasonally maintained
☒ municipal road, maintained all year

- ☐ right of way
☐ other public road

b) Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system
☐ privately owned and operated individual well

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

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

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

4.3 Other Services: (check if the service is available)

- ☒ electricity ☒ telephone ☒ school bussing ☒ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposed development provides additional dwelling units within an established neighbourhood through infill as supported by the Urban Hamilton Official Plan.

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

☐ Yes ☒ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? R1 - Low Density Residential

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.

Minor variance application submitted concurrently

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"/>	N/A
A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

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.

N/A

- 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?

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.

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)

Consistent with policy statements and provincial plans.

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

☒ Yes ☐ No (Provide explanation)

PPS promotes range of housing options to support residential intensification in designated lands that effectively use existing infrastructure. This application allows for future development and will help support diverse housing options in the Province/Municipality.

- 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)

N/A

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

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)
----------------------------------	---

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
