



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-17:90

SUBJECT PROPERTY: 117 Highland Rd., Stoney Creek

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
-

APPLICANT(S): Agent A.J. Clarke & Associates Ltd.
Owners J. Kaud, P. Singh, G. Sidhu & S. Sidhu

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

Severed lands:
17.68m[±] x 45.72m[±] and an area of 808.1m^{2±}

Retained lands:
17.68m[±] x 45.72m[±] and an area of 808.1m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 22nd , 2021
TIME: 1:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)

To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

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, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

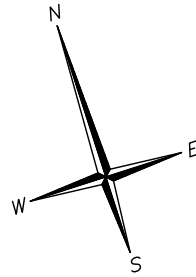
DATED: July 6th, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

HIGHLAND ROAD WEST

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8)



PARCEL 'B' (ROAD WIDENING DEDICATED BY REG. PL. 955)

23.16 WIDE

EXISTING

"R2"

ZONING

Approved Dwelling
as per Permit No.
20 194463 00 R9
(May 6th, 2021)

PART 1
62R-8796

LOT 37

PART 1

PROPOSED SEVERANCE
AREA = 808.1m²

PART 2

REMAINING LANDS
OF APPLICANT
AREA = 808.1m²

ZONING

LOT 35

LOT

36

PLAN

PART 1
62R-8241

REGISTERED

955

17.68

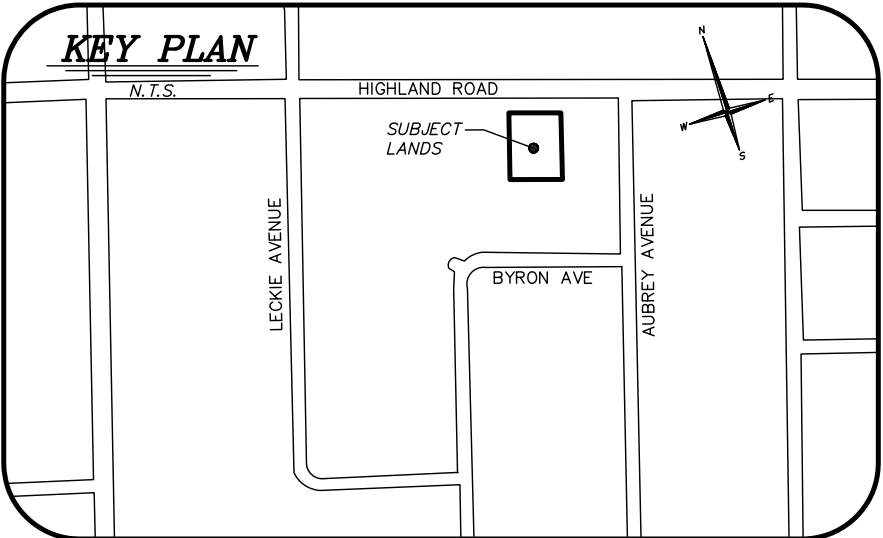
35.36

17.68

LOT 54

LOT 55

EXISTING



SKETCH OF
LOT 36
REGISTERED PLAN 955
IN THE
CITY OF HAMILTON



G.G. ALDWORTH O.L.S.

METRIC:

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

NOTE:

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

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THE BUILDING FOOTPRINTS & LOCATIONS ARE DERIVED FROM AERIAL IMAGES AND ARE APPROXIMATE ONLY.

CAUTION:

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

MAY 25, 2021

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



Terra-Dynamics Consulting Inc.

404 Queenston Street, St. Catharines, ON L2P 2Y2

February 15, 2018

Parmjit Singh Gurjinderpal Singh Sidhu
5404 Redstone Street
Burlington, ON L7L 7J9

transmitted via email: parmjit_sidhu@yahoo.ca

Re: Karst Assessment, 117 Highland Road West, Hamilton (Stoney Creek), ON

Dear Mr. Sidhu:

1.0 Introduction and Background Information

Parmjit Sidhu retained Terra-Dynamics Consulting Inc. (Terra-Dynamics) to complete a Karst Assessment of the 117 Highland Road West property in Stoney Creek, Ontario (Figures 1 and 2).

The purpose of the Karst Assessment is to address a request from the City of Hamilton described in Condition 5 from a November 2, 2017 staff report (see Appendix 1).

Karst hazards are identified as “*hazardous sites*”. The Provincial Policy Statement (PPS) (2014) defines “*hazardous sites*” in Section 6.0 as follows:

“Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).”

The *Hazardous Sites Technical Guide* (Ministry of Natural Resources and Forestry (MNRF), 1997) provides specific methodology for identifying and evaluating hazardous sites. Within the guide, the recommended methodology is summarized into five phases of investigation as follows:

1. Information Study;
2. Initial Site Inspection;
3. Reporting of Visual Inspection;
4. Subsurface Investigation; and
5. Analyses and Reporting.

The karst assessment of the 117 Highland Road West, Hamilton, Ontario property addresses Phases 1, 2, 3 and 5 of the *Hazardous Sites Technical Guide* (MNRF, 1997). The results of the evaluation of existing information and the site inspection are reported herein. The subsurface investigation component (Phase 4) was not completed but subsurface information from the Ministry of the Environment & Climate Change (MOECC) Water Well Records was used to evaluate the depth of clay above the dolostone bedrock. In addition, Terra-Dynamics has a good understanding of the geology, hydrogeology and karst topography of this area of Hamilton. Terra-Dynamics completed the following projects of the lands immediately west of the 117 Highland Road West property as is referenced below:

- Terra-Dynamics Consulting Inc. 2001. Karst Tracer Study, ROPA 9 Lands, Region of Hamilton-Wentworth, Region Urban Boundary Expansion, Glanbrook, ON. Prepared for Multi-Area Developments Inc. and 100 Main Street East Ltd., April, 2001.
- Terra-Dynamics Consulting Inc. 2009, December. Karst & Hydrogeologic Assessment, Ontario Realty Corporation Provincial Parcels E, F, G & H, Hamilton, (Stoney Creek), ON. Prepared for the GSP Group Inc., 33 p. plus tables, figures and appendices.

Terra-Dynamics has also completed studies of karst in the neighbouring area and are referenced as follows:

1. Terra-Dynamics Consulting Inc. 2007. Hydrogeological Assessment, Ontario Realty Corporation Provincial Parcels B & C, Hamilton, (Stoney Creek), ON. Prepared December 20, 2007 for the GSP Group Inc., 15 p. plus tables, figures and appendices.
2. Terra-Dynamics Consulting Inc. 2008. Karst Assessment, Ontario Realty Corporation Provincial Parcels B & C, Hamilton, (Stoney Creek), ON. Prepared December 28, 2008 for the GSP Group Inc., 14 p. plus tables, figures and appendices.
3. Terra-Dynamics Consulting Inc. 2014, January 20. Up-date to Karst and Hydrogeological Assessments, Highland Road Property, Hamilton (Stoney Creek), ON. Prepared for Losani Homes.

The information gathered from these studies is described below with specific reference to the 117 Highland Road West property to address natural karst hazards per the definitions in the PPS and the policies of the Hamilton Conservation Authority and City of Hamilton.

The following presents the findings of our karst assessment.

2.0 Methodology

Terra-Dynamics completed this karst assessment of the 117 Highland Road West property by completing the following tasks:

1. Performed a review of historic aerial photographs (1954 and 1965) and historic and recent aerial photographs (1999 to 2017 from the City of Hamilton's imapper software) focusing on drainage courses and areas of potential sinking streams;
2. Performed a review of former Ontario Geological Survey and MOECC reports, maps and water well records published for this area of Hamilton;
3. Reviewed karst assessment work completed by Terra-Dynamics in 2001 through 2014 for nearby Rymal Road East and Highland Road West properties as is referenced in Section 1.0 herein; and
4. Performed two site walk-overs of the subject property with a focus on depressions, drainage pathways and channels on December 5 and 7, 2018. Photographs are presented in the Photograph Attachment provided herein.

3.0 Review of Existing Geological Information and Historic & Recent Aerial Photographs

Regional Geologic Mapping

Figure 3 shows the Quaternary geologic setting of the subject lands (Feenstra, 1975). The property is identified to be on a veneer of glaciolacustrine clay and silt. The underlying bedrock is identified as the Eramosa Dolostone (Lockport Formation).

Ministry of the Environment & Climate Change Water Well Records

Appendix 2 provides information on the thickness of clay overburden in the area of 117 Highland Road West from the MOECC Water Well Records database. Most of the wells were drilled in the 1950s and the area is now serviced by municipal water. The historic well records provide information on the natural grade of clay above bedrock. Ten water well records were available for the area based on the map provided on the MOECC web site (see Appendix 2). The following is a summary of the water well record number and the depth of clay above the dolostone bedrock reported for the area in the vicinity of the subject lands.

117 Highland Road West MOECC Water Well Record Information

Water Well Record No.	Depth of Clay (m)
6805306	1.8
6805322	2.7
6805135	4.6
6805354	1.8
6805290	1.8
6805309	1.5
6805318	1.2
6805462	1.5
6805363	3.1
6805364	3.1

As is referenced in the Buck et al (2003) report, there was no sinkhole or soil pipe development within the Eramosa Karst Conservation Area (Earth Science Area of Natural Scientific Interest) at clay overburden depths greater than 2.8 m, hence this area of Hamilton including the 117 Highland Road West property has a good potential for sinkholes to form.

Historical Aerial Photographs (1954, 1965 and 1999)

Figures 4, 5 and 6 show historic aerial photographs of the subject property and surrounding area for 1954, 1965 and 1999, respectively. There are no indications on the aerial photographs of sinkholes or remnant drainage courses on the subject property. The un-marked aerial photograph images are presented in Appendix 3.

4.0 On-site Observations

The property contained a small amount of trash and debris making observations of the natural grade of the property difficult in a few areas. An approximate 0.3 m by 0.3 m hole in the overburden south of the dwelling was detected (see Photographs 6, 7 and 8 in the Photograph Attachment). A total of 30 Litres of water was poured into the hole in three increments. The first 10 Litres sank immediately, the second 10 Litres took approximately 2 minutes to sink and the third 10 L took approximately 10 minutes to sink. It is not known if this is a remnant post hole or possibly a karst-based soil pipe. A recommendation is provided for further exploring this location in the backyard when heavy equipment is on-site for demolishing the existing dwelling.

5.0 Karst Assessment Summary

The following are observations from the karst assessment at the 117 Highland Road West, Hamilton property:

1. A suspicious hole was found in the backyard that could be man-made or given the shallow depth of clay above bedrock, could be a karst-based soil pipe. This feature warrants further investigation as is described in *Section 6.0 Recommendations*;
2. Based on a review of historical aerial photographs, it would appear that there were no ancestral drainage pathways across the property that would be an indicator of potential large karst features such as a sinkhole;
3. Based on a review of the historical aerial photographs, no infilling appears to have occurred at 117 Highland Road West. The 1954 aerial photograph was the best historic aerial photograph for coverage and no signs of infilling are evident in 1954;
4. Historic geological maps and Ministry of the Environment & Climate Change water well records indicate that the clay overburden at, and in the immediate vicinity of, the property is shallow (between 1.2 and 2.7 m). It should be noted that the depth of the clay in this area is less than the 2.8 m depth which Buck et al (2003) states was the maximum depth of clay overburden associated with the formation of karst features north of property within the Eramosa Karst Conservation Area; and
5. Based on the above referenced hydrological and hydrogeological observations, further investigation of the anomalous hole in the backyard is warranted.

7.0 Recommendations

The following recommendations are provided for your consideration:

1. The plan for the site is to first demolish the existing house that was constructed in the mid-to-late 1950s. When heavy equipment is on-site such as an excavator or a backhoe, the area associated with the anomalous hole in the backyard should be excavated down to bedrock beneath the location of the hole. The top of the bedrock should be inspected for the presence

of a sinkhole (grike) that, if present will likely appear as a clay-filled, water-worn large crevice in the dolostone bedrock. The inspection should be made by a qualified professional specializing in karst geology or a professional engineer. The excavation should be photo-documented and the photographs should be emailed to the Hamilton Conservation Authority to the attention of Darrin Kenny and/or Nora Jamieson. If a sinkhole is not present, then the excavation can filled-in and no further action is required; and

2. In the event that a buried sinkhole (grike) is present in the backyard of 117 Highland Road West, then the Karst Contingency and Mitigation Plan presented in Appendix 4 should be implemented. A permit will be required by the Hamilton Conservation Authority to remediate the buried sinkhole. The remediation work should be supervised by a qualified professional specializing in karst geology.

7.0 Limitations

Karst assessments, by their nature, have inherent limitations and uncertainties primarily due to the presence of vegetation and the placement of fill material that may obscure surface expressions of karst features. It is believed that these uncertainties have been addressed through conservative interpretation of historic and site-specific data at the places investigated. Conditions may vary in the subsurface at places not investigated and paleo-karst conditions (ancient karst conditions) may be present. The assessment of karst, including the evaluation of risk, is valid only for the assumptions and conditions outlined in this report and the conditions as they were observed at the time of the investigation. Should knowledge of the site conditions change, the assessments of risks posed by the site may differ from that presented in this report.

This report was prepared by Terra-Dynamics Consulting Inc. for Parmjit Singh Gurjinderpal Singh Sidhu. The material in it reflects Terra-Dynamics' best judgment in light of the information available to Terra-Dynamics at the time of preparation. Any use which a third party makes of this report, or any reliance on, or decisions to be made based on it, are the responsibility of such third parties. Terra-Dynamics accepts no responsibility for damages, if any, suffered by any third parties as a result of decisions made, or actions taken, based on this report.

Respectfully submitted,

TERRA-DYNAMICS CONSULTING INC.



David D. Slaine, M.Sc., P.Geo.
Principal Hydrogeologist



c.c.: Spencer Skidmore, A.J. Clarke & Associates Ltd.

Attachments

Figure 1. Location of Subject Lands

Figure 2. Site Location

Figure 3. Quaternary Geology and Bedrock Outcrop Map

Figure 4. 1954 Historic Aerial Photograph

Figure 5. 1965 Historic Aerial Photograph

Figure 6. 1999 Historic Aerial Photograph

Figure 7. 2017 Aerial Photograph

Photograph Attachment

Appendices

1 November 2, 2017 City of Hamilton Staff Report

2 Ministry of the Environment & Climate Change Water Well Records and Location Map

3 Unmarked Historic Aerial Photographs from 1954, 1965 and 1999

4 Kart Contingency and Mitigation Plan

8.0 References

Buck, M., Worthington, S.R.H. and D.C. Ford. 2003. Evaluation of the Eramosa Karst in Stoney Creek, Ontario as a Candidate for an Earth Science Area of Natural Scientific Interest. Prepared for the Ontario Ministry of Natural Resources and the Region of Hamilton-Wentworth, 55 p.

City of Hamilton. 2013, August 16. Urban Hamilton Official Plan.

Feenstra, B. H. 1975. Quaternary Geology, Grimsby Area. Preliminary Map P. 993, Ontario Geological Series, Ontario Geological Survey. Scale 1:50,000.

Hamilton Conservation Authority. 2011 – October. Planning & Regulations Policies and Guidelines, (Section 2.3 Hazardous Sites), 113 p.

Ministry of Natural Resources & Forestry (MNRF). 1997. Hazardous Sites Technical Guide

Ontario Ministry of Municipal Affairs and Housing (MMAH). 2014. Provincial Policy Statement. Queen's Printer, Ontario.

Terra-Dynamics Consulting Inc. 2001. Karst Tracer Study, ROPA 9 Lands, Region of Hamilton-Wentworth, Region Urban Boundary Expansion, Glanbrook, ON. Prepared for Multi-Area Developments Inc. and 100 Main Street East Ltd., April, 2001.

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Parmjit Singh Gurjinderpal Singh Sidhu

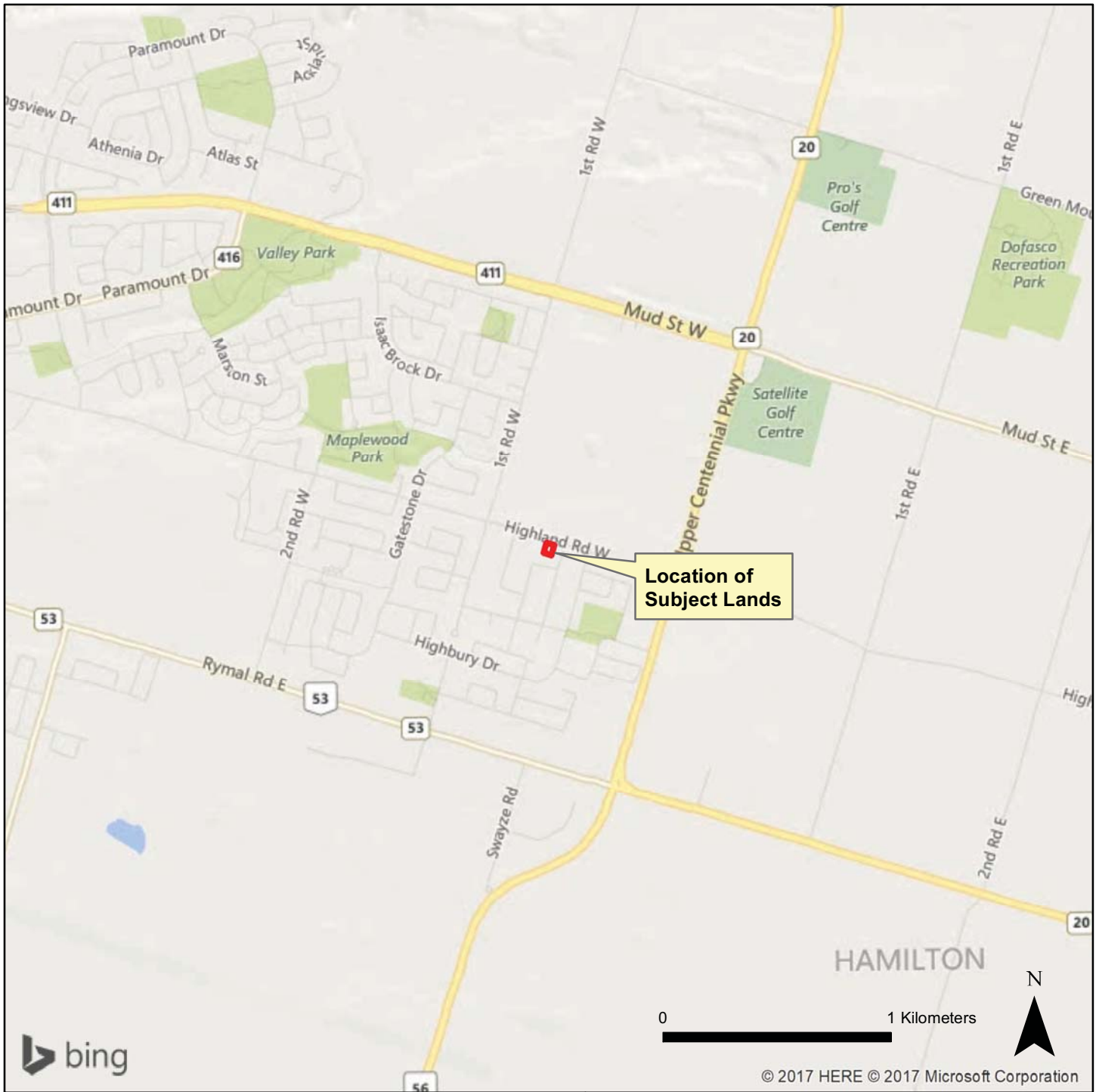
February 15, 2018


Page 7

Terra-Dynamics Consulting Inc. 2008. Karst Assessment, Ontario Realty Corporation Provincial Parcels B & C, Hamilton, (Stoney Creek), ON. Prepared December 28, 2008 for the GSP Group Inc., 14 p. plus tables, figures and appendices.

Terra-Dynamics Consulting Inc. 2009. Karst & Hydrogeologic Assessment, Ontario Realty Corporation Parcels E, F, G & H, Hamilton (Stoney Creek), ON. Prepared for the GSP Group, 33 p. plus tables, figures, photographs and appendices.

Terra-Dynamics Consulting Inc. 2014, January 20. Up-date to Karst and Hydrogeological Assessments, Highland Road Property, Hamilton (Stoney Creek), ON. Prepared for Losani Homes.



<h2>Location of Subject Lands</h2>	
<h3>117 Highland Road West Karst Assessment</h3>	
	
Project No. 341	Figure 1



0 100 Meters



Approximate Site Location

Site Location

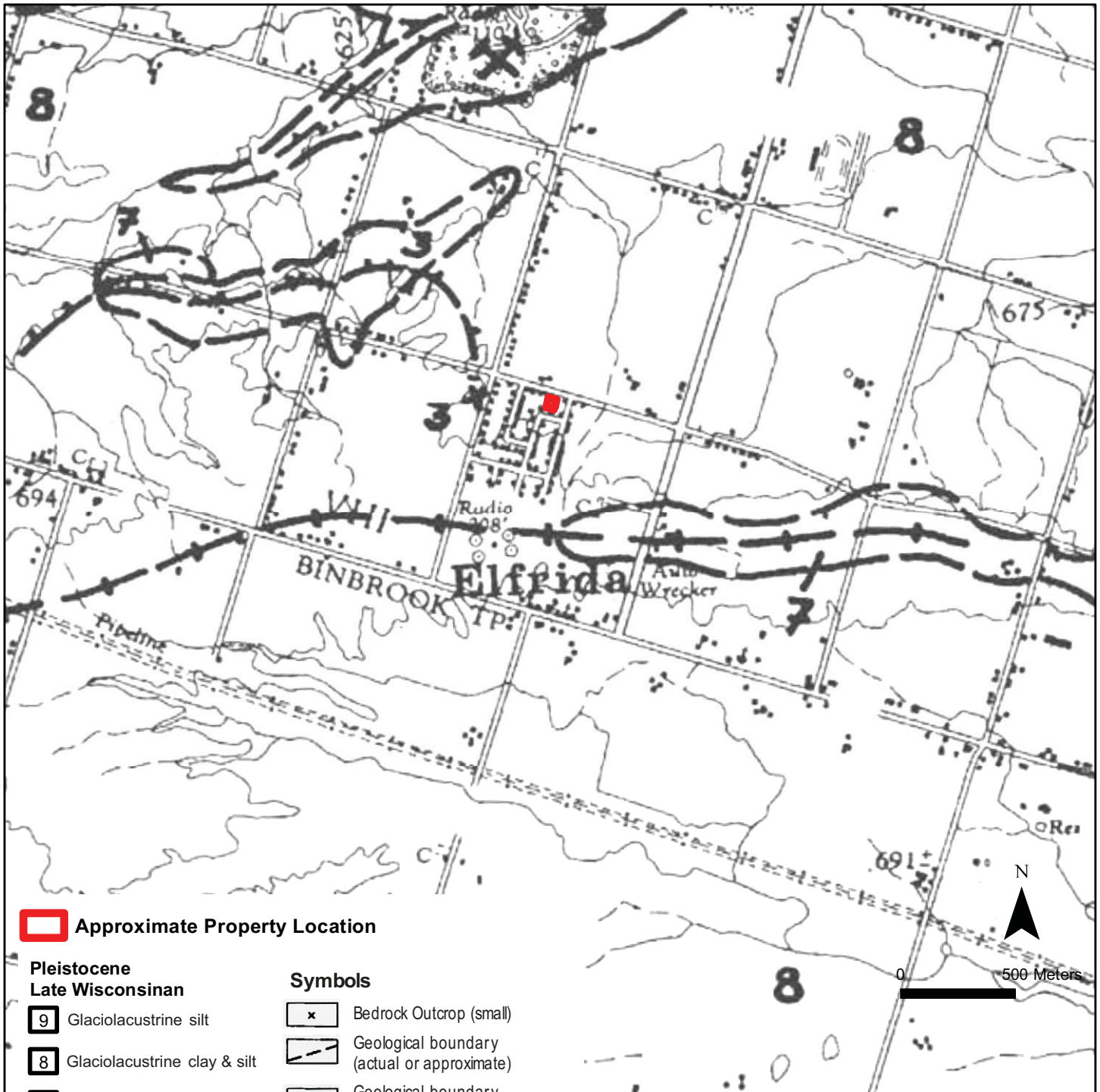
117 Highland Road West Karst Assessment



Terra-Dynamics Consulting Inc.





Project No. 341

Figure 2







 **Approximate Property Location**











**Pleistocene
Late Wisconsinan**


-  Glaciolacustrine silt
-  Glaciolacustrine clay & silt
-  Halton Till: clayey silt-clay till
-  Wentworth Till: gravely silt till (in drumlins)

Paleozoic Silurian

-  Salina Formation: dolostone (shale, gypsum)
-  Guelph Formation: dolostone
-  Lockport Formation: dolostone (limestone, chert, and shale)
-  Clinton and Cataract Groups: sand-stone, shale, limestone, and dolostone

Symbols

-  Bedrock Outcrop (small)
-  Geological boundary (actual or approximate)
-  Geological boundary (assumed)
-  Glacial striae on bedrock (direction of ice movement known)
-  Moraine crest
-  Rock quarry
-  Scarp
-  Sand and gravel pit
-  Shoreline, abandoned
-  Rock drumlin

<h2 style="margin: 0;">Quaternary Geology and Bedrock Outcrop Map</h2>	
<h3 style="margin: 0;">117 Highland Road West Karst Assessment</h3>	
	
<p>Project No. 341</p>	<p>Figure 3</p>



0 200 Meters



Approximate Property Boundary

1954 Historic Aerial Photograph

117 Highland Road West Karst Assessment



Terra-Dynamics Consulting Inc.

Project No. 341

Figure 4



0 200 Meters



Approximate Property Boundary

1965 Historic Aerial Photograph

117 Highland Road West Karst Assessment



Terra-Dynamics Consulting Inc.

Project No. 341

Figure 5



0 200 Meters



Approximate Property Boundary

1999 Historic Aerial Photograph

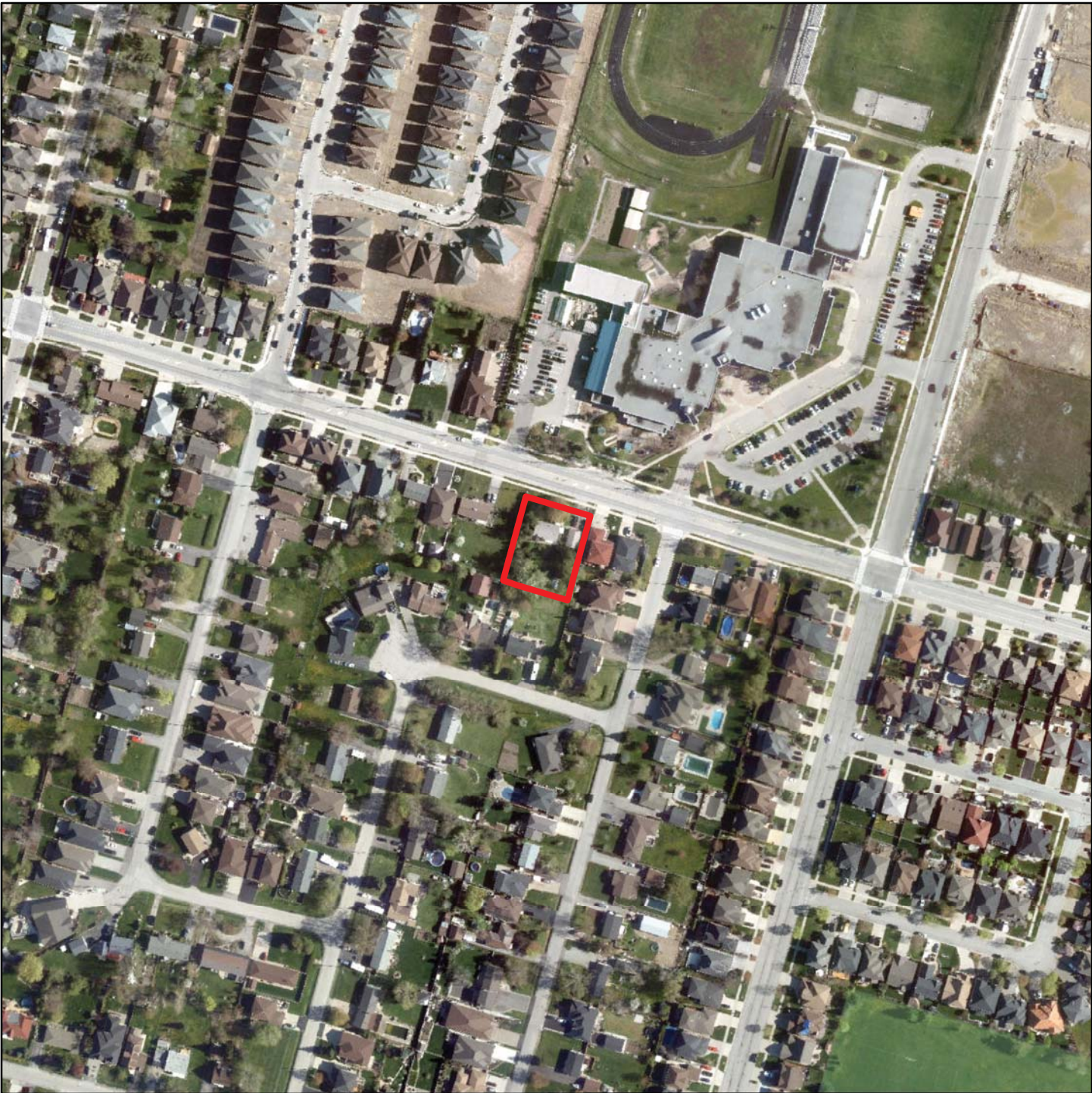
117 Highland Road West Karst Assessment



Terra-Dynamics Consulting Inc.

Project No. 341

Figure 6



0 100 Meters



Approximate Site Location

2017 Aerial Photograph

117 Highland Road West Karst Assessment



Terra-Dynamics Consulting Inc.

Project No. 341

Figure 7

PHOTOGRAPH ATTACHMENT



Photograph 1. Front yard looking west. All photographs were taken December 5 and 7, 2017.



Photograph 2. Backyard looking southwest.



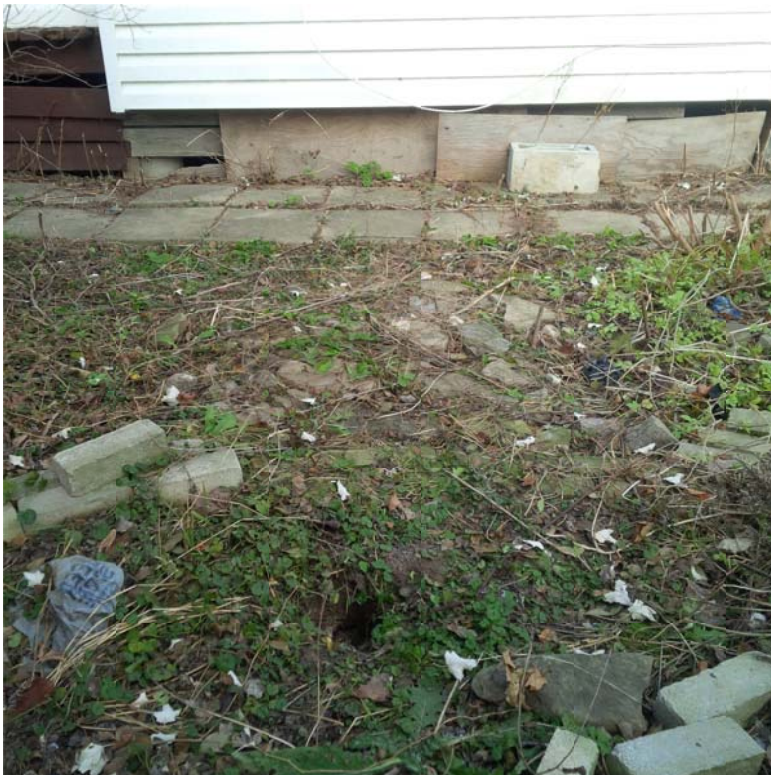
Photograph 3. Backyard looking south.



Photograph 4. Backyard looking west.



Photograph 5. Eastern side yard with debris obscuring view of ground surface.



Photograph 6. Hole in backyard south of building in remnants of old garden.



Photograph 7. Close-up of observed hole. No digging debris is evident as would be present if it was a gopher hole.



Photograph 8. Impromptu falling head test to observe sinking rate. See report for comments.

APPENDIX 1.

November 2, 2017 City of Hamilton Staff Report

November 2nd, 2017

CONSOLIDATION REPORT SEVERANCES

The attached comments have been reviewed with regard to Committee of Adjustment Severance File SC/B-17:90 (117 Highland Road West, Stoney Creek) and the following is submitted:

Should the Committee grant the severance, an approval should be subject to the following conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in hard copy and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.
2. The owner shall demolish all or an appropriate portion of any buildings straddling the proposed property line, to the satisfaction of the Planning and Economic Development Department (Building Division). May be subject to a demolition permit in the normal manner.
3. That the Owner enters into and registers with the City of Hamilton and registers a Consent Agreement to deal with and address issues including, but not limited to: grading and drainage; cash payment requirements for items such as trees, urbanization of the adjacent roads, cost recoveries for existing above and/or underground services, inspection of grading and services to be installed; and securities for items such as: estimated cost of services to be installed, lot grading, driveway approaches, new or re-location of sidewalks adjacent to the subject lands and any damages to the existing City infrastructure or public property during construction.
4. That the Owner dedicate to the City of Hamilton by deed, sufficient land along the entire frontage of both the lands to be conveyed and the remnant parcel along Highland Road West in order to establish the property line 13.10m (43 feet) from the original centreline of this roadway.
5. That the Owner agrees to engage a qualified professional to investigate and determine whether Karst features exist on the subject lands. In the event that a Karst feature or sinkhole is determined to exist or otherwise encountered, appropriate construction techniques to stabilize the area to avoid negative impacts shall be undertaken including any remedial works, as recommended, be implemented, to the satisfaction of the Director of Development Engineering.

6. The owner shall submit to the Committee of Adjustment Office an administration fee of \$17.35, payable to the City of Hamilton, to cover the cost of setting up a new tax account for the newly created lot.
7. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.

NOTE:

1. That if any future development of any single family dwellings is approved, Residential Access Permits will be required for the proposed driveways and culvert entrances. The applications are available from the Parking Investigation at the Hamilton Municipal Parking System (905-546-2424 x4578).

November 2nd, 2017

SC/B-17:90 (117 Highland Road West, Stoney Creek)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – Suburban:

Proposal

The applicant is proposing to sever the subject lands into two lots, approximately 808 square metres each in size, and to construct two single detached dwellings.

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS), namely the Settlement Areas policies 1.1.4 and 1.1.5. Staff are of the opinion that the application is consistent with the policies that manage growth and regeneration within settlement areas.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations, and are designated “Low Density Residential 2b” within the West Mountain Heritage Green Secondary Plan. The proposed single detached dwelling on each lot is a permitted use.

This designation allows single detached dwellings, duplex and semi-detached dwellings, with a maximum density of 29 units per net residential hectare. The density is approximately 12.6 units per hectare for the proposed two residential building lots and therefore would comply with the density.

Consent Policy F.1.14.3.1 in the Urban Hamilton Official Plan states:

“Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

- b) The lots comply with the policies of this Plan, including secondary plans, where one exists;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

...../2

- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.”

The proposed severance is in conformity with the Secondary Plan and Zoning By-law as noted in the zoning review below. Additionally, the proposed severance reflects the general character and scale of the established development pattern and has frontage on a public roadway. In addition, the lots are fully serviced by municipal water and wastewater systems.

General Residential Intensification Policy 2.4.1.4 states:

“Residential intensification developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g) as follows;
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 –Urban Structure;
- e) infrastructure and transportation capacity; and,
- f) the ability of the development to comply with all applicable policies.”

The proposed severance proposes a development that would maintain the existing neighborhood character and will build upon the desirable established patterns and forms since the proposed severance is creating two lots that are similar in comparison to the surrounding lots on Highland Road West. In addition, the proposal will be a

compatible integration of development in terms of scale, form and character. Planning staff defer comments with regard to the drainage to Development Engineering Staff.

Volume 2, Policy 7.6.2.2. of the West Mountain Heritage Green Secondary Plan states:

a) Low Density Residential 2b designation:

i) the permitted uses shall include single detached dwellings, duplex and semi-detached dwellings; and,

ii) the density shall not exceed 29 units per net residential hectare.

The proposed severance represents approximately 12.6 units per net residential hectare for two single detached dwellings and therefore, meets the above noted policy.

Stoney Creek Zoning By-law No. 3692-92

The lands are zoned Single Residential "R2" Zone in Stoney Creek Zoning By-law No. 3692-92. The lands to be conveyed and retained meet the minimum lot frontage and area requirements under the By-law.

Staff note that the existing dwelling will be demolished and two new dwellings will be constructed on the two new lots proposed in this application.

Based on the foregoing, staff support the application.

NOTE (IF APPROVED):

1. That if any future development of any single family dwellings is approved, Residential Access Permits will be required for the proposed driveways and culvert entrances. The applications are available from the Parking Investigation at the Hamilton Municipal Parking System (905-546-2424 x4578).

Building Division:

COMMENTS:

1. The applicant should obtain an appropriate municipal address for the proposed parcel from the Growth Planning Section of the Planning and Economic Development Department prior to the issuance of a building permit.
2. Demolition of all or an appropriate portion of the building straddling the proposed property line shall be a condition of consent. Such demolition is subject to a demolition permit issued in the normal manner.

3. If any existing accessory buildings are intended to remain following the demolition of the existing dwelling, a variance would be required to permit the accessory structures to remain on the retained lands when no main use/building has been established.
4. The current R2 zoning district permits the use of a single detached dwelling only. The applicant may wish to ensure that the proposed uses for the lands to be conveyed and retained are permitted. The construction of all new building shall conform to the requirements of the Stoney Creek Zoning By-law 3692-92 as well as Ontario Building Code regulations. Such construction is subject to the issuance of a building permit in the normal manner.

CONDITIONAL UPON:

1. The owner shall demolish all or an appropriate portion of any buildings straddling the proposed property line, to the satisfaction of the Planning and Economic Development Department (Building Division). May be subject to a demolition permit in the normal manner.

Development Engineering:

The subject property is located on the south side of Highland Road West between Leckie Avenue and Aubrey Street.

This application proposes the conveyance of a 808.1 sq. m (+/-) parcel of land containing an existing residential dwelling [to be demolished] for residential purposes and to retain a 808.1 sq. m (+/-) parcel of land containing an existing detached garage and shed which are also to be demolished for residential purposes.

An existing 200mm watermain, 375mm storm sewer and 375mm sanitary sewer are located along the frontage of these lands on Highland Road West . It appears that the existing house is connected to the sanitary sewer and watermain. These services may be able to be re-used for either lot if the services meet current City standards and in good working condition. If not, the services will have to be abandoned as per City standards.

The owners will be required to enter into a Consent Agreement with the City in order to ensure that the future residential development on these new lots proceed in a proper and orderly manner. This Agreement is required to ensure that drainage from this parcel will be contained and directed to the appropriate outlet without affecting adjacent properties. Please note that the Owner will be responsible for the relocation of any street furniture (i.e. fire hydrant, utility poles etc.) that may be required as a result of this development.

Highland Road West is designated as a collector roadway in accordance with Schedule "C-2" of the City of Hamilton Urban Official Plan [UHOP] and is to have an ultimate right of way maximum width of 26.21m [86 feet]. A 13.10m (43 feet) setback from the original centreline of this roadway will be required. As a condition of the consent approval the applicant/owner will be required to dedicate to the City of Hamilton sufficient lands along the portion of both the lands to be severed and retained having frontage on this roadway. The applicant/owner will be responsible for all costs related to the preparation and registration of legal documents and a Reference Plan for the road widening.

To address environmental concerns related to recent karst discoveries and in the event that a karst formation or sinkhole is encountered during this development, the Owner will be required to engage a qualified professional to investigate and determine whether Karst features exist on the subject lands. In the event that a Karst feature or sinkhole is determined to exist or otherwise encountered, appropriate construction techniques to stabilize the area to avoid negative impacts shall be undertaken including any remedial works, as recommended, be implemented, to the satisfaction of the Director of Development Engineering.

Should this application be approved we recommend that it be subject to the following conditions:

1. That the Owner enters into and registers with the City of Hamilton and registers a Consent Agreement to deal with and address issues including, but not limited to: grading and drainage; cash payment requirements for items such as trees, urbanization of the adjacent roads, cost recoveries for existing above and/or underground services, inspection of grading and services to be installed; and securities for items such as: estimated cost of services to be installed, lot grading, driveway approaches, new or re-location of sidewalks adjacent to the subject lands and any damages to the existing City infrastructure or public property during construction.
2. That the Owner dedicate to the City of Hamilton by deed, sufficient land along the entire frontage of both the lands to be conveyed and the remnant parcel along Highland Road West in order to establish the property line 13.10m (43 feet) from the original centreline of this roadway.
3. That the Owner agrees to engage a qualified professional to investigate and determine whether Karst features exist on the subject lands. In the event that a Karst feature or sinkhole is determined to exist or otherwise encountered, appropriate construction techniques to stabilize the area to avoid negative impacts shall be undertaken including any remedial works, as recommended, be implemented, to the satisfaction of the Director of Development Engineering.

PUBLIC WORKS DEPARTMENT

Source Protection Planning:

No comments.

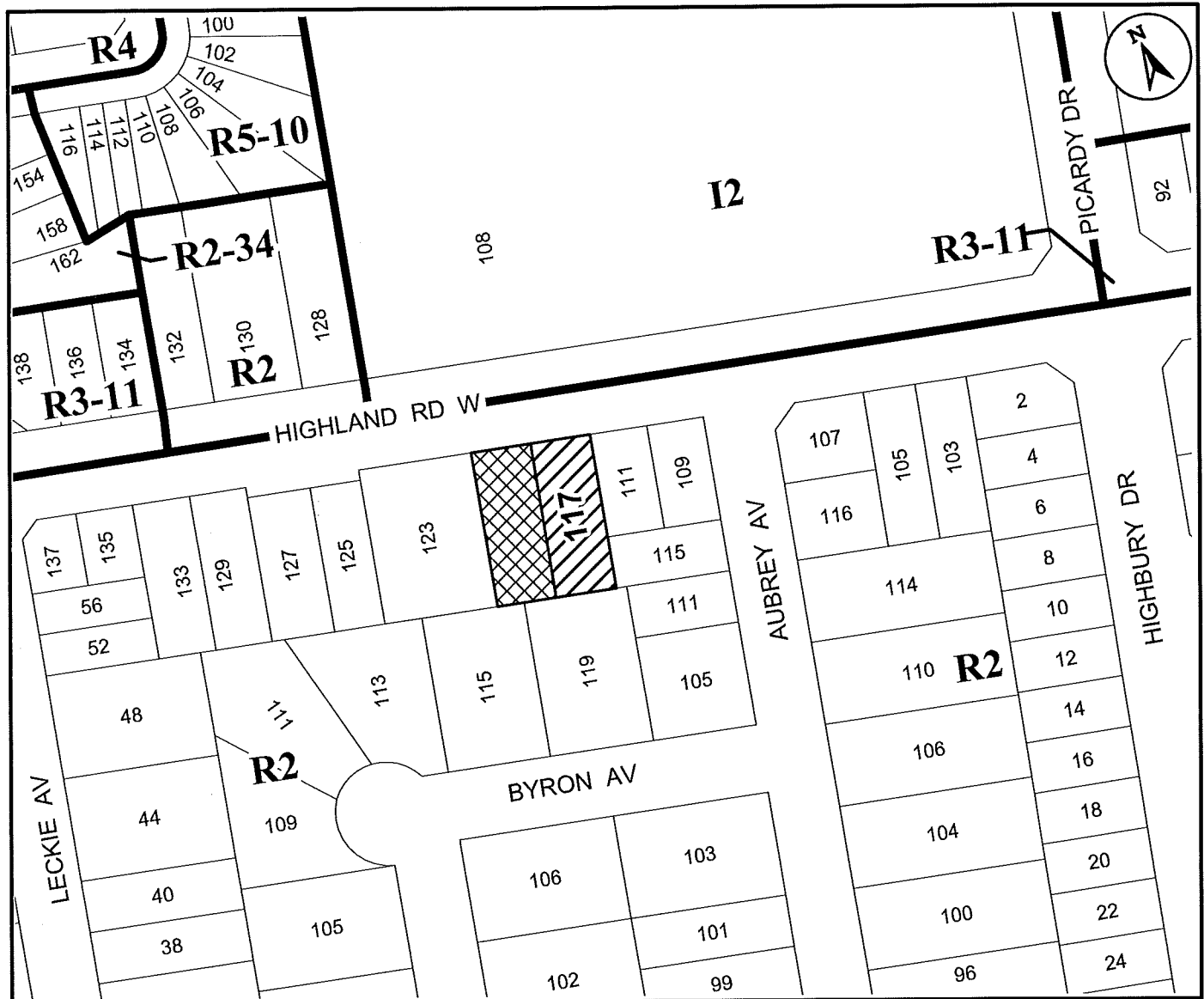
Corridor Management (Traffic):

1. Corridor Management has no objection to the conveyance and retention of lands for residential purposes relating to this Committee of Adjustment Application.
2. It is recommended the City of Hamilton investigate a road allowance widening along the full frontage of the lands currently known as 117 Highland Rd. W. A road allowance widening will ensure the right-of-way aligns with properties to the west.

CORPORATE SERVICES:

Budgets, Taxation & Policy (outstanding taxes):

The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property

117 Highland Road West, Stoney Creek (Ward 9)



Lands to be Retained



Lands to be Severed

File Name/Number:

SC/B-17-90

Date:

Oct. 24, 2017

Technician:

VS

Map Not to Scale

Appendix "A"



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

This map is only for information purposes and does not form part of the application. No part of the application or comments are based on the information on this map.

APPENDIX 2.

MOECC WATER WELL RECORDS AND LOCATION MAP



● ← 6805363 (3.1m)

MOECC Water Well Record (Depth of Native Clay Above Bedrock (m))

MOECC Water Well Record Locations

117 Highland Road West

TDC Terra-Dynamics Consulting Inc.

Project No.
341

Figure
2-A

UTM 7 E
9 R N
 Elev. 9 R 0695
 Basin 24



68 No 5309

RECEIVED
 AUG 26 1956
 GEOLOGICAL BRANCH
 DEPARTMENT of MINES

The Water-well Drillers Act, 1954
 Department of Mines

Water-Well Record

County or Territorial District Wentworth Township, Village, Town or City Saltfleet
 Village, Town or City
 Address 79 Mary St. Hamilton
 Date completed (day) (month) (year)

Pipe and Casing Record

Pumping Test

Casing diameter(s) 4 1/2" Static level 6'
 Length(s) 9' Pumping rate 1.0 gals. min.
 Type of screen Pumping level 1.2 feet
 Length of screen Duration of test 1/2 hr.

Well Log

Water Record

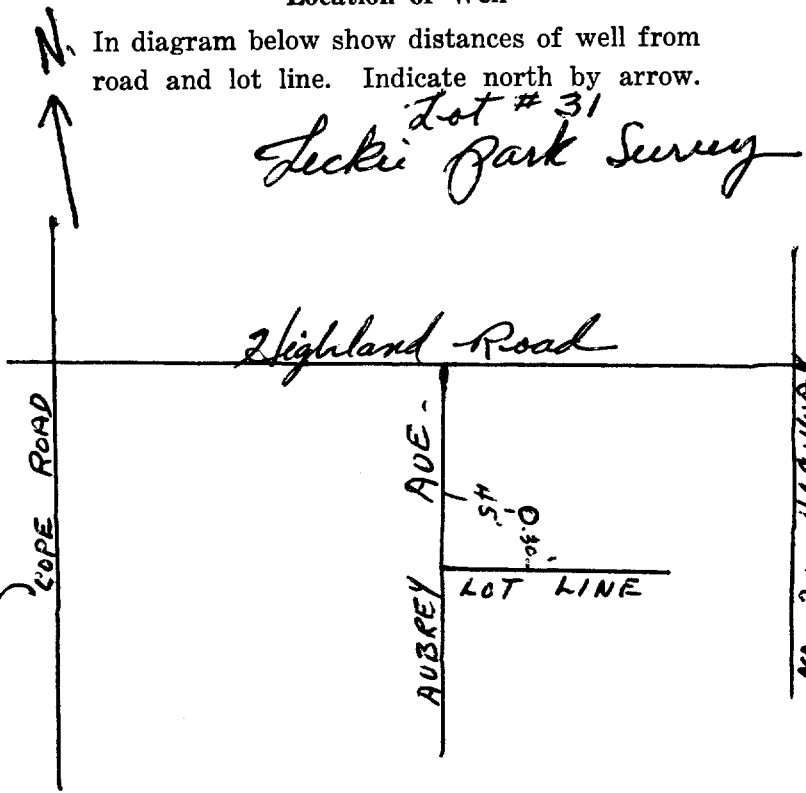
Overburden and Bedrock Record	From ft.	To ft.	Depth (s) at which water (s) found	No. of feet water rises	Kind of water (fresh, salty, or sulphur)
<u>Brown clay</u>	<u>0</u>	<u>5</u>			
<u>Brown limestone</u>	<u>5</u>	<u>35</u>	<u>34</u>	<u>31</u>	<u>fresh</u>

For what purpose(s) is the water to be used? Domestic
 Is water clear or cloudy? clear
 Is well on upland, in valley, or on hillside? upland
 Drilling firm H. W. COMFORT
 Address 14 CORMAN AVE
STONE CREEK ONT.
 Name of Driller H. W. COMFORT
 Address 14 CORMAN AVE
STONE CREEK ONT.
 Licence Number 1026

I certify that the foregoing statements of fact are true.

Date June 29/56 Howard W. Comfort
 Signature of Licensee

Location of Well



CSS.S8

M Z E
 R N
 Elev. R 0698
 Basin 219 V111



GROUND WATER BRANCH
 NOV 13 1958
 68 No 5354
 ONTARIO WATER
 RESOURCES COMMISSION

The Water-well Drillers Act, 1954
 Department of Mines

Water-Well Record

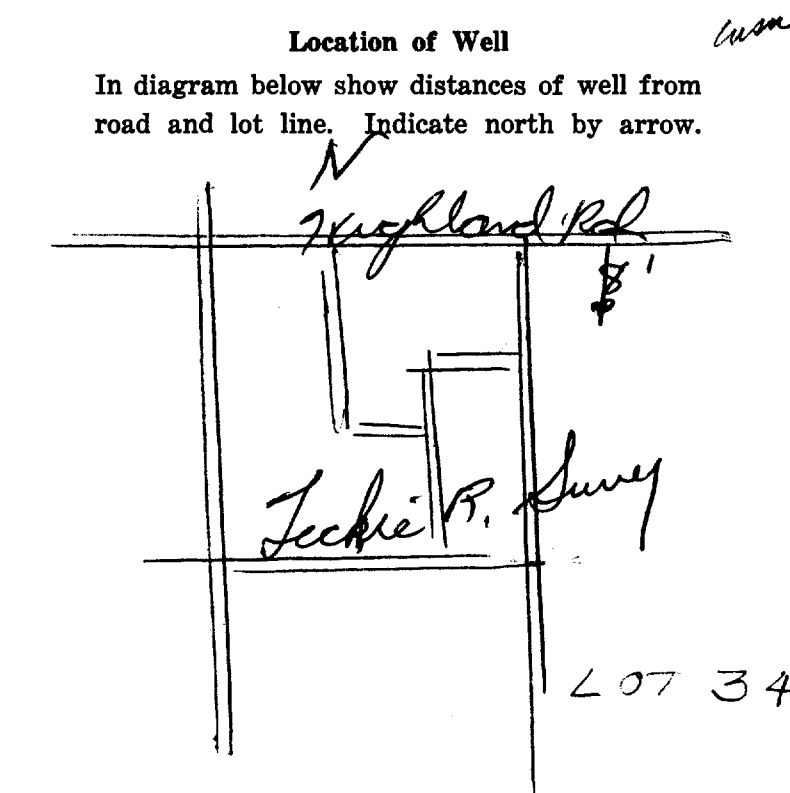
Ship, Village, Town or City..... *Salisbury*
 n Village, Town or City)..... *Jackie P. Survey*
 Address..... *R.R. 1 Stoney Creek*
 Date completed *21* *July* *58*
 (day) (month) (year)

Pipe and Casing Record	Pumping Test
Casing diameter(s) <i>5 5/8</i>	Static level <i>12 ft</i>
Length(s) <i>8 ft 8</i>	Pumping rate <i>1000 gal hour</i>
Type of screen	Pumping level <i>14 ft</i>
Length of screen	Duration of test <i>July 21</i>

Well Log	Water Record				
Overburden and Bedrock Record	From ft.	To ft.	Depth (s) at which water (s) found	No. of feet water rises	Kind of water (fresh, salty, or sulphur)
<i>clay</i>	<i>0</i>	<i>6</i>	<i>33 ft</i>	<i>21 ft</i>	<i>Fresh</i>
<i>magana Rock</i>	<i>6</i>	<i>33</i>			

For what purpose(s) is the water to be used? *Domestic*
 Is water clear or cloudy?..... *Clear*
 Is well on upland, in valley, or on hillside?.....
 Drilling firm *S.W. Merritt*
 Address *R.R. 1 Smithville*
 Name of Driller *Same*
 Address

Licence Number..... *172*
 I certify that the foregoing statements of fact are true.
 Date..... *Nov 10* *Sidney Merritt*
 Signature of Licensee



UTM 17 5 R 0697 E
 Elev. 4 R 0697
 Basin CON VIII



UNION WATER BRANCH
 JAN 12 1959 No 5363
 ONTARIO WATER RESOURCES COMMISSION

The Water-well Drillers Act, 1954
 Department of Mines

LOT 26

Water-Well Record

County or Territorial District Montgomery Township, Village, Town or City Smithville
 Village, Town or City Smithville
 Address Stoney Creek
 Date completed (day) (month) (year)

Pipe and Casing Record

MURPHY

Pumping Test

Casing diameter(s) 5 1/2" Static level 18'
 Length(s) 10' 6" Pumping rate 1.0 gal per hr
 Type of screen Pumping level 18'
 Length of screen Duration of test Nov. 24, 1958

Well Log

Water Record

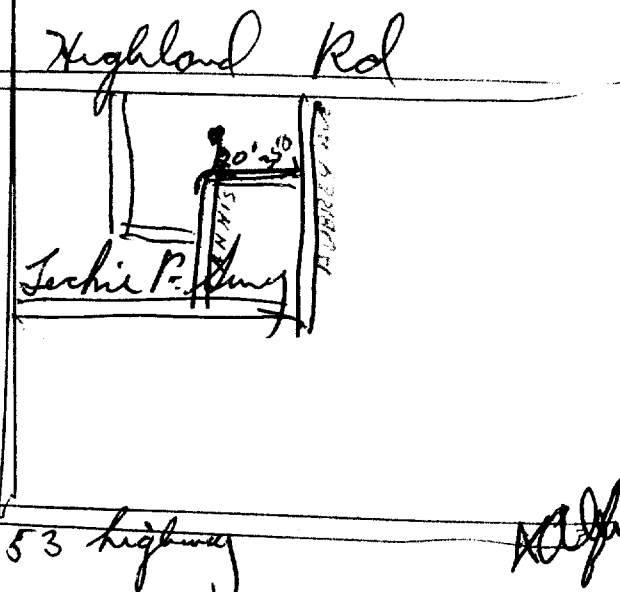
Overburden and Bedrock Record	From ft.	To ft.	Depth (s) at which water (s) found	No. of feet water rises	Kind of water (fresh, salty, or sulphur)
<u>clay</u>	<u>0</u>	<u>10</u>			
<u>magnum rock</u>	<u>10</u>	<u>35</u>	<u>35'</u>	<u>17'</u>	<u>fresh</u>

For what purpose(s) is the water to be used? domestic
 Is water clear or cloudy? clear
 Is well on upland, in valley, or on hillside? upland
 Drilling firm Sidney W. Merritt
 Address B.R.I. Smithville Ont
 Name of Driller
 Address
 Licence Number 172

I certify that the foregoing statements of fact are true.
 Date Jan. 9, 1959 Sidney Merritt
 Signature of Licensee

Location of Well

In diagram below show distances of well from road and lot line. Indicate north by arrow.



Alfida

APPENDIX 3.

Un-marked Aerial Photographs for 1954, 1965 and 1999

117 Highland Road West, Stoney Creek, ON



0 200 Meters



1954 Historic Aerial Photograph

117 Highland Road West Karst Assessment



Project No. 341

Figure 4



0 200 Meters



1965 Historic Aerial Photograph

117 Highland Road West Karst Assessment



Project No. 341

Figure 5



0 200 Meters



1999 Historic Aerial Photograph

117 Highland Road West Karst Assessment



Project No. 341

Figure 6

APPENDIX 4.

**Karst Contingency & Mitigation Plan for
117 Highland Road West, Stoney Creek, ON**

Appendix 4. Karst Contingency and Mitigation Plan

The following is based on the unlikely event of a buried grike (crevice in the bedrock surface) being present at the subject property that has been infilled since the last glaciation event (10,000 to 12,000 years before present). If a grike or other sinking-type karst feature is found on the property of 117 Highland Road West, Stoney Creek, Ontario similar to other developments in this area of Hamilton with similar karst features, the following tasks should be followed to mitigate the features. The Hamilton Conservation Authority should be notified. Before mitigation work can begin, a karst feature close-out permit must be obtained from the Hamilton Conservation Authority (HCA) per HCA Regulation 161/06.

1. Excavation of the perimeter area of the grike, or other karst feature and manual excavation of the throat area (opening or void into the bedrock) of the grike/feature;
2. Water-Pressure washing and water-vacuuming of the bedrock surface at least 1.0 m away from the perimeter of the grike/sinkhole feature. This process may need to be performed two or three times until the bedrock surface and throat area are clean of clay and any other materials such as loose rock or debris;
3. Mapping of the grike/karst feature by a karst expert and obtaining elevations and UTM coordinates of all relevant bedrock features;
4. In-filling of the bottom section of the grike/karst feature with washed, permeable aggregate. Rounded river rock is a preferred fill material;
5. Infilling of the upper section of the grike/karst feature with a low slump concrete to the native grade of the bedrock and allowing the concrete to cure. The thickness of the concrete and any potential cribbing or structure reinforcement should be designed and carried-out by a Professional Engineer;
6. Regrading of the area to conform with future construction activities; and
7. Ensuring that the area is not subject to any future stormwater drainage.

Through the implementation of the measures described above, it is Terra Dynamics opinion that the potential hazards associated with a buried grike/karst feature can be mitigated in accordance with the PPS, the HCA's Planning & Regulation Policies & Guidelines, and the recommendations of the 2003 Earth Science ANSI report to facilitate the development of the property located at 117 Highland Road West, Stoney Creek, Ontario.



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

May 26, 2021

Attn: Ms. Jamila Sheffield

**Re: Severance Application SC/B-17:90 – Resubmission
117 Highland Road West, Stoney Creek (Hamilton)**

On behalf of our client, we are pleased to provide you with the enclosed resubmission package in support of severance application SC/B-17:90, regarding the lands located at 117 Highlands Road West, Stoney Creek. Please find the following enclosed materials:

The original consent (severance) application was submitted in September 2017. At that time, it was identified in the Staff Consolidation Report (dated November 2nd, 2017) that a Karst Assessment would be required in order to facilitate the proposed severance. As such, the application was tabled in order to enable the applicant sufficient time to complete the assessment.

The purpose of this resubmission is to provide the Karst Assessment and recirculate the original severance application accordingly. There have been no changes to the originally proposed severed or retained lots, however it should be noted that Building Permit No. 20 194463 00 R9 (dated May 6th, 2021) has been issued for a dwelling on Part 2 of the subject lands. The dwelling has not yet (at the time of writing) been built. The consent sketch has been revised to illustrate the location of the approved dwelling on the subject lands.

- 1) A cheque in the amount of \$190.00 made payable to the City of Hamilton, in payment of the requisite re-circulation fee;
- 2) One (1) digital copy of Severance Sketch E-18380, prepared by A.J. Clarke & Associates Ltd., dated May 25th, 2021;
- 3) One (1) digital copy of the Karst Assessment, prepared by Terra-Dynamics Consulting Ltd., dated February 15th, 2018;

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.



Yours very truly,

Miles Weekes, MCIP, RPP
A. J. Clarke and Associates Ltd.

Encl.

Copy: Parmjit Sidhu