



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-24:57	SUBJECT PROPERTY:	3392 Homestead Drive, Glanbrook
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APPLICANTS: Owner: Ernesto Costa & Paula Costa
 Applicant: Steven Jefferson / K. Smart Associates Limited
 Agent: Caridad Malebranche

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to remain. To permit the creation of an easement over a portion of land for access and maintenance purposes.

	Frontage	Depth	Area
SEVERED LANDS:	18.0 m [±]	79.5 m [±]	1118 m ^{2±}
SEVERED LANDS (Easement):	4.3 m [±]	5.8 m [±]	25 m ^{2±}
RETAINED LANDS:	27.7 m [±]	79.5 m [±]	2517 m ^{2±}

Associated Planning Act File(s): GL/B-21:91

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:	Tuesday, October 8, 2024
TIME:	1:20 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

B-24:57

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

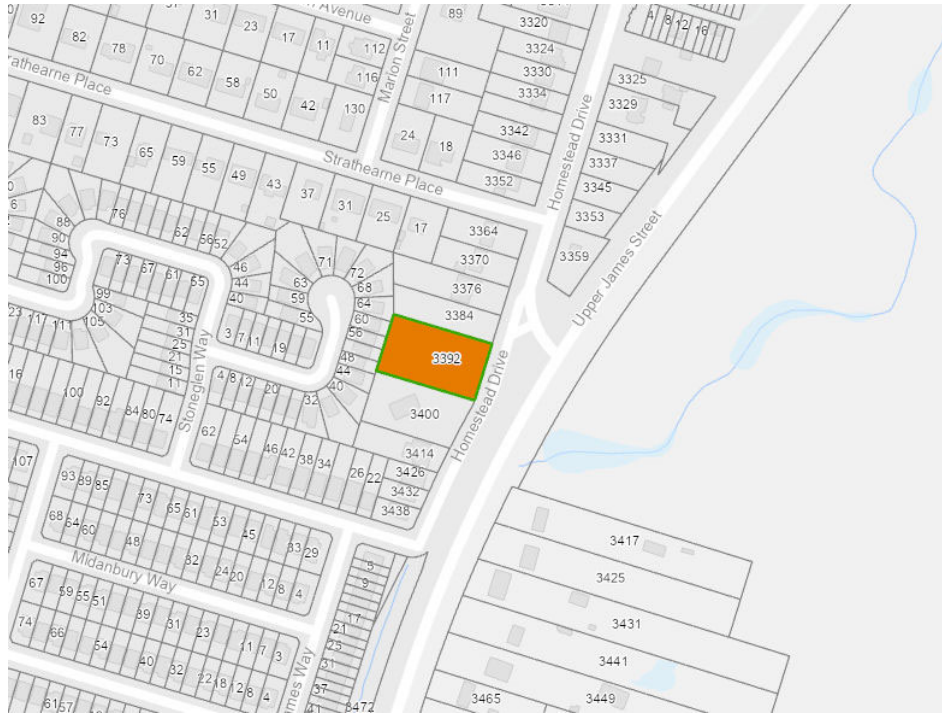
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **October 4, 2024**

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 **October 7, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:57, 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 19, 2024

**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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



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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 Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

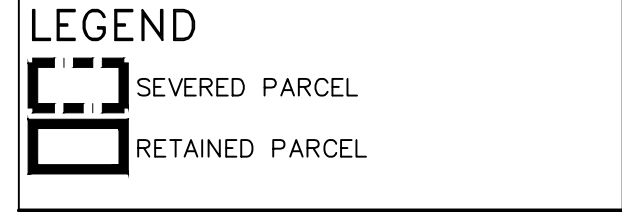
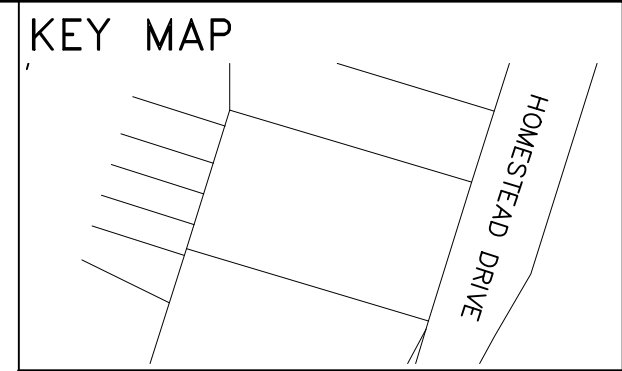
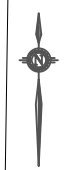
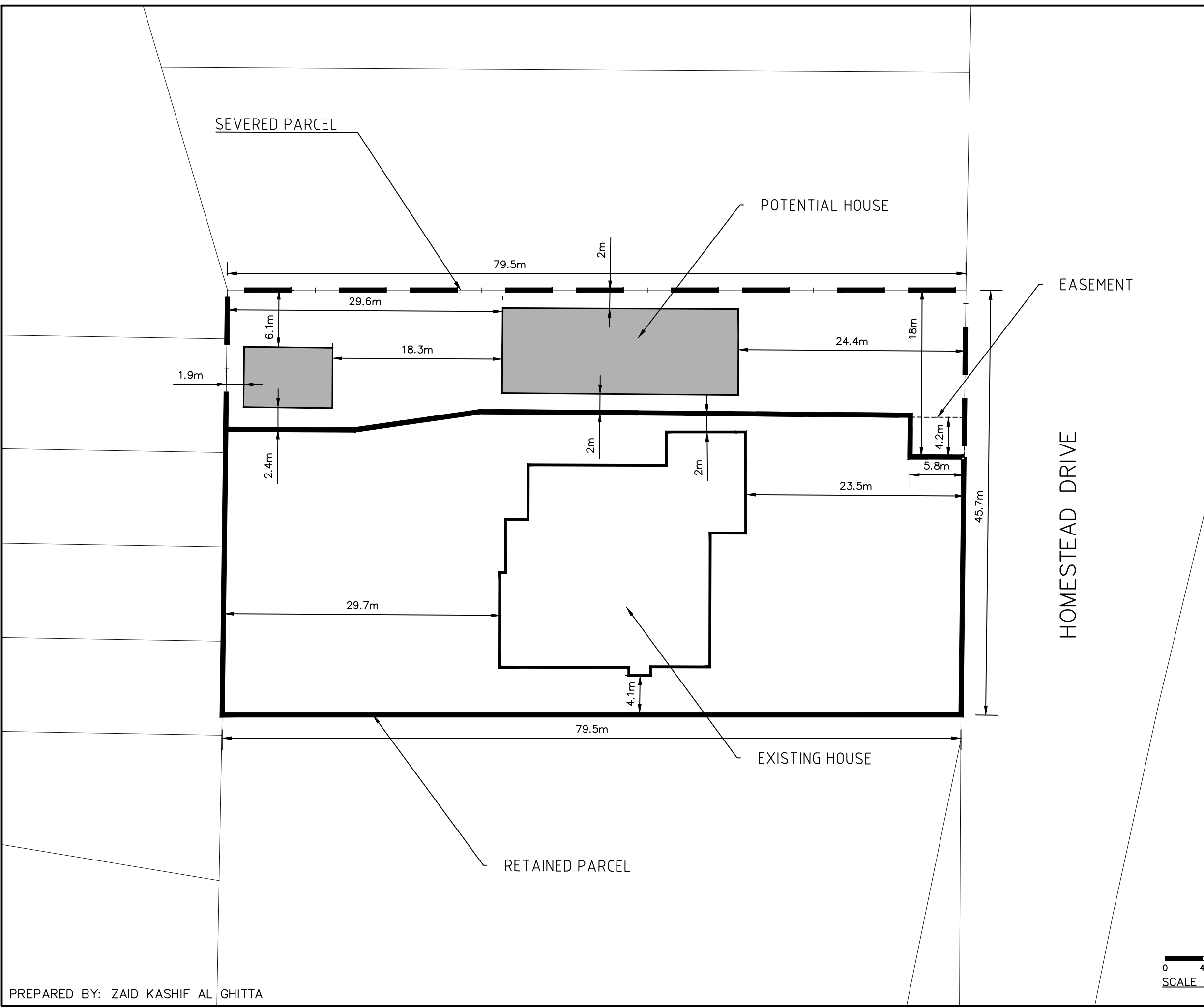
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



SITE PLAN NOTES

SEVERED PARCEL:
 AREA = 1118 sq.m
 FRONTAGE = 18.0m
 DEPTH = 79.5m
 LOT COVERAGE = 20.9%

RETAINED PARCEL:
 AREA = 2517 sq.m
 FRONTAGE = 27.7m
 DEPTH = 79.5m
 LOT COVERAGE = 21.1%

PROPOSED HOUSE FOOTPRINT = 234 sq.m / 2519 sq.ft

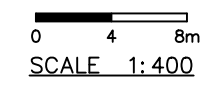
REVISIONS

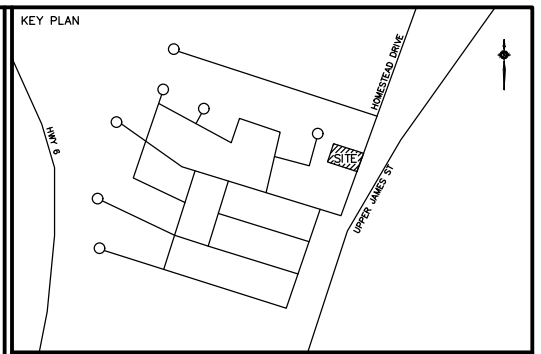
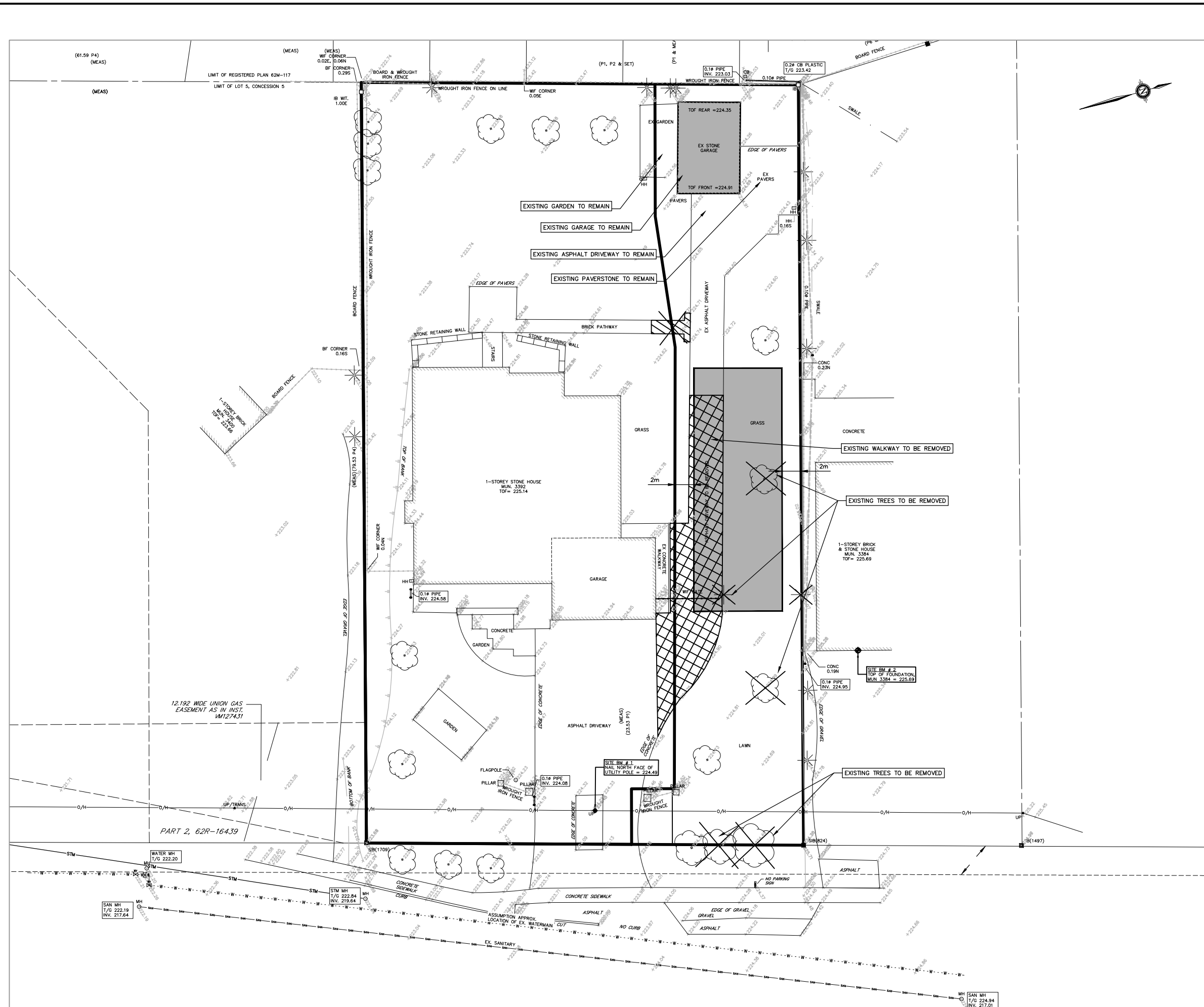
NO.	REVISED BY:	REASON:	DATE:
1	Z.K.	BOUNDARY UPDATE	10.7.2024
2	Z.K.	DIMENSION UPDATE	12.8.2024

JOB NUMBER	DATE	FIGURE
22-227	4 JULY 2024	1

LOT SEVERANCE SITE PLAN

3392 HOMESTEAD DRIVE
 CITY OF HAMILTON
 LOT 5, CON 5 FORMER TWP OF GLANFORD





- NOTES:
- SAN — SAN — EXISTING SANITARY
 - ST — ST — EXISTING STORM
 - — — — EXISTING WATERMAIN
 - X · X — REMOVALS
 - x — — EXISTING FENCE
 - H — H — EXISTING HYDRO
 - G — G — EXISTING GAS
 - B — B — EXISTING BELL
 - EXISTING DECIDUOUS TREE
 - EXISTING CONIFEROUS TREE
- SITE BENCHMARKS:
 ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM GPS OBSERVATION (RTK CAN-NET HT2), AND ARE RELATED TO:
 SITE BM # 1 NAIL IN NORTHERN FACE OF UTILITY POLE, IN LOT 5 CONCESSION 5 ELEVATION 224.49
 SITE BM # 2 TOP OF FOUNDATION, MUN. NO. 3384 ELEVATION 225.69

1	FENCE DETAIL EDIT (NO LONGER TO BE REMOVED)	ZK	1.8.2024
No.	REVISIONS	BY	DATE
	CONSTRUCTION		
	TENDER		
	ISSUE FOR APPROVALS		
	ISSUE BLOCK		

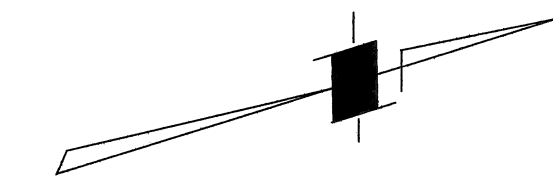
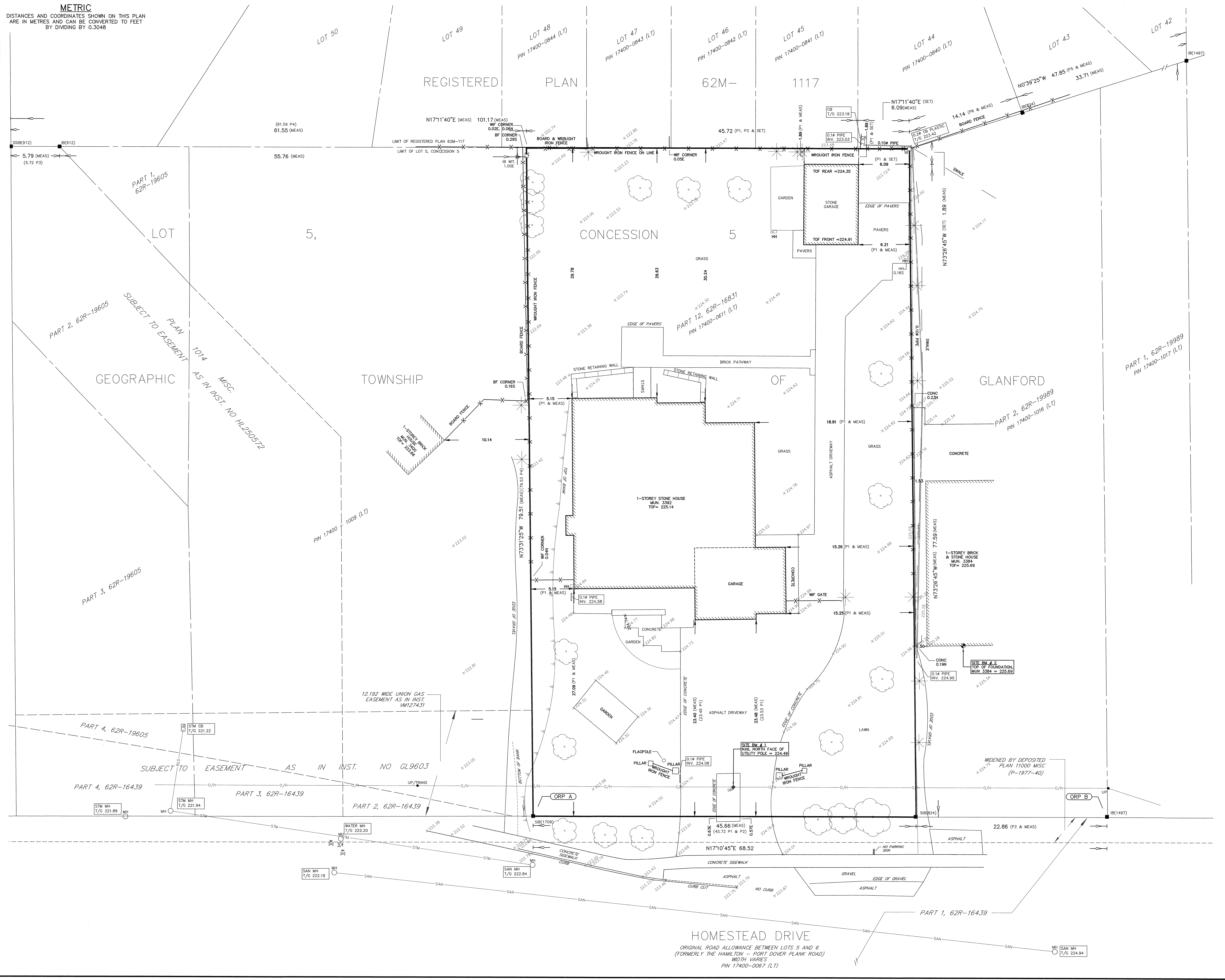
3392 HOMESTEAD DRIVE
 MOUNT HOPE, ONTARIO
 REGION OF HAMILTON— WENTWORTH CITY OF HAMILTON

**EXISTING CONDITIONS
 AND REMOVALS PLAN**

DESIGNED BY: J.G.	0 4 8	DATE: APRIL 17, 2024
CHECKED BY: J.G.	SCALE: 1:200	SHEET
DRAWN BY: T.B.	REVISION No.	1 OF 2
CHECKED BY: J.G.		
FILE No. 22-227		

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

SURVEYOR'S REAL PROPERTY REPORT
 PART 1 PLAN OF SURVEY
 AND TOPOGRAPHIC SKETCH
 OF PART OF
LOT 5
CONCESSION 5
 IN THE
 GEOGRAPHIC TOWNSHIP OF GLANFORD
 NOW IN THE
CITY OF HAMILTON
 SCALE: 1 : 200 METRIC
 M'KECHNIE SURVEYING LTD.
 ONTARIO LAND SURVEYORS
 © 2023 M'KECHNIE SURVEYING LIMITED



**ASSOCIATION OF ONTARIO
 LAND SURVEYORS**
 PLAN SUBMISSION FORM
 V-58753
 THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 In accordance with
 Regulation 1100, Section 24(3)

PART 2, THIS PLAN MUST BE READ IN CONJUNCTION WITH AN ATTACHED LETTER.

ELEVATION INFORMATION

ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM GPS OBSERVATION (RTK CAN-NET HT2), AND ARE RELATED TO:

SITE BM # 1 NAIL IN NORTHERN FACE OF UTILITY POLE, IN LOT 5 CONCESSION 5	224.49
SITE BM # 2 TOP OF FOUNDATION, MUN. NO. 3384	225.69

INTEGRATED SURVEY INFORMATION

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

DISTANCES HEREON ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99960382

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0)

COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4778034.33	588008.38
ORP B	4778099.83	588028.63

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISONS, A ROTATION OF 0°01'00" CLOCKWISE CAN BE APPLIED TO MATCH DEPOSITED PLAN 62R-19989.

LEGEND

□	denotes SET	P3	denotes PLAN 62R-19605
●	denotes FOUND	P4	denotes PLAN 62R-16831
⌀	denotes DIAMETER	P5	denotes PLAN 62R-17176
IB	denotes IRON BAR	P6	denotes PLAN 62M-1117
SIB	denotes STANDARD IRON BAR		
SSIB	denotes SHORT STANDARD IRON BAR		
MEAS	denotes MEASURED		
P1	denotes A.T. McLAREN LTD., JOB NO. 33871-F		
P2	denotes PLAN 62R-19989		

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON OCTOBER 24, 2023

DATE: 2023/10/23

DAVID J. RAIBY, O.S.
 M'KECHNIE SURVEYING LTD.

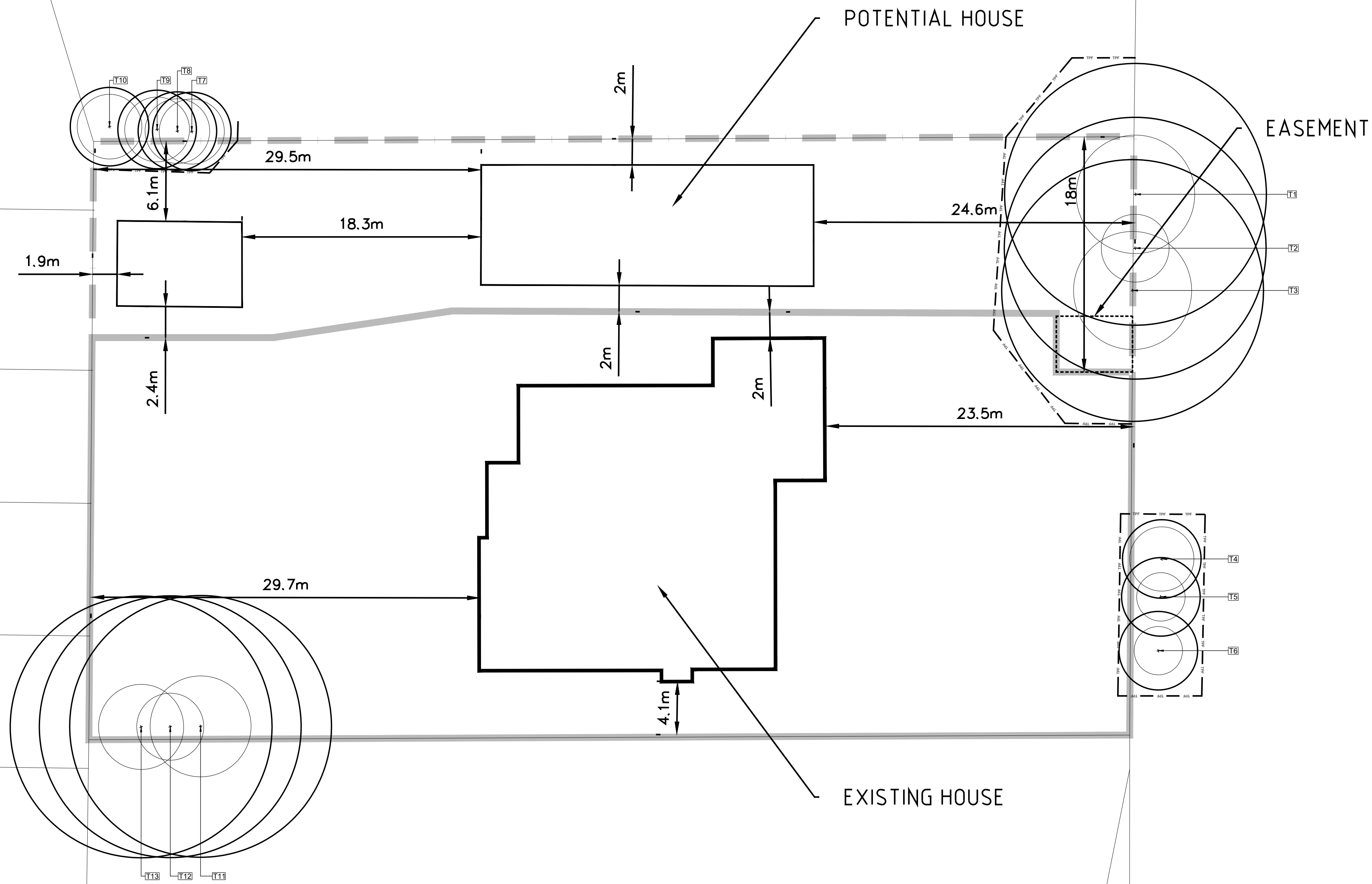
NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF M'KECHNIE SURVEYING LTD.

DRAWN BY: S.R.	CHECKED BY: D.J.R.	FILE NO.: 23-126
FOR: K.SMART ASSOCIATES		
CADD: 2023\23-126_SRPR_Ac		
85 MCINTYRE DRIVE KITCHENER, ONTARIO N2R 1H6		
TEL: (519) 578-5570 email: plans@ksurveyors.ca		

HOMESTEAD DRIVE
 ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 5 AND 6
 (FORMERLY THE HAMILTON - PORT DOVER PLANK ROAD)
 WIDTH VARIES
 PIN 17400-0067 (LT)

23-126

I:\DATA\15-04-PROJECT\30222\ARBORES\2024-04-19\TPP-243A-11.DWG C:\ARBORES\2024-04-19\TPP-243A-11.DWG



Tree No.	Tree Species	DBH (cm) [1,2]	Height (m) [3]	Condition (4)	Location (5)	Proximity to Structure (6)	Proximity to Road (7)	Proximity to Utility (8)	Proximity to Water (9)	Final Recommendation	Comments / Observations
1	Acer saccharum Silver Maple	65	4.2	18	Good	S	P	P	P	P	Slight trunk decay
2	Acer glaberrimum Norway Maple	38 (28, 19, 18)	2.4	11	Poor	S	P	P	P	P	Decayed/rotted outside to ground surface decay
3	Acer saccharum Silver Maple	62	4.2	18	Good	S	P	P	P	P	Shed some moss, undamaged crown
4	Maple sp. Approx	11	2.4	3	Good	M	P	P	P	P	
5	Prunus serrulata Japanese Flowering Cherry	10	1.8	3	Excellent	M	P	P	P	P	
6	Maple sp. Approx	9	1.8	3	Good	M	P	P	P	P	
7	Thuja occidentalis Eastern White Cedar	17 (12, 10, 7)	2.4	3	Good	O	P	P	P	P	
8	Thuja occidentalis Eastern White Cedar	14 (13, 4)	2.4	3	Good	O	P	P	P	P	
9	Thuja occidentalis Eastern White Cedar	15 (11, 8, 4)	2.4	3	Good	O	P	P	P	P	
10	Thuja occidentalis Eastern White Cedar	14 (9, 8, 7)	2.4	3	Good	O	P	P	P	P	Leafy upper
11	Acer saccharum Silver Maple	51	3.6	17	Good	P	P	P	P	P	
12	Acer saccharum Silver Maple	32	2.4	14	Good	P	P	P	P	P	
13	Acer saccharum Silver Maple	50	3.0	16	Good	P	P	P	P	P	

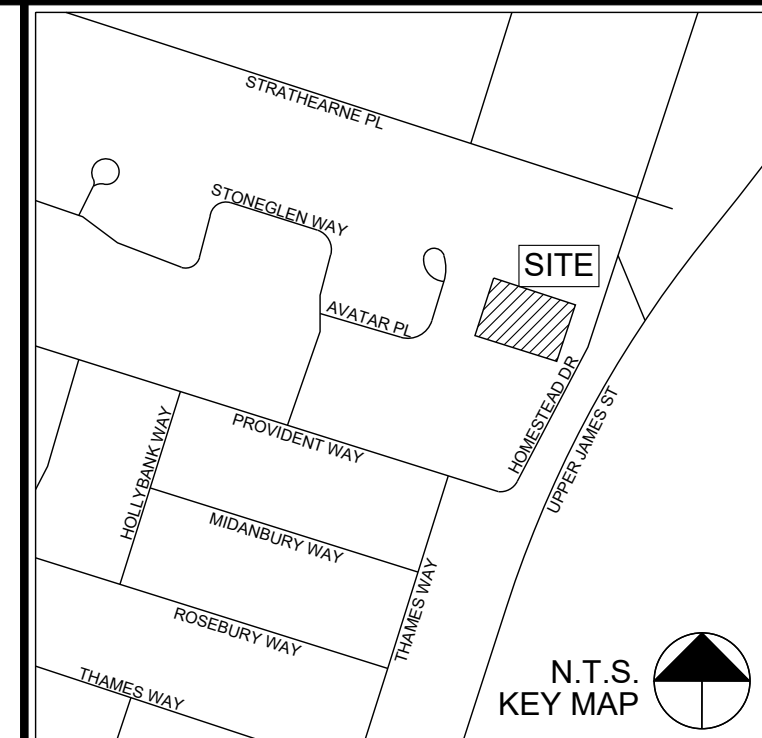
Ownership	Count
Private (On Site) Trees	3
Private (Off Site) Trees	4
Municipal Trees	3
Shared Trees	3
Subtotal	13

Recommendation based on Tree Condition	Count
Preserve Tree Based on Health & Structure	13
Remove Tree Based on Health & Structure	0
Subtotal	13

Recommendation based on Development	Count
Preserve Tree Based on Development Impacts	13
Remove Tree Based on Development Impacts	0
Subtotal	13

Final Recommendations	Count
Final Recommendation: Preserve (P)	13
Final Recommendation: Remove due to Condition (RC)	0
Final Recommendation: Remove due to Development (RD)	0
Final Recommendation: Remove due to Condition and Development (RCD)	0
Total	13

1. DBH (Diameter at breast height) Measurement of tree stem diameter at 1.4 meters above ground.
 2. - Denotes Estimated
 3. [] Denotes Multiple Stems



LEGEND:

- EXISTING TREE
ID NUMBER / OUTER CIRCLE DENOTES APPROX. CROWN RESERVE, INNER CIRCLE DENOTES MINIMUM TREE PROTECTION ZONE (MTPZ)
- PRESERVE TREE
TREE HAS MODERATE TO HIGH BIOLOGICAL HEALTH AND/OR STRUCTURAL CONDITION AND CAN BE INCORPORATED INTO THE PROPOSED DEVELOPMENT
- REMOVE TREE
TREE IS IN CONFLICT WITH PROPOSED DEVELOPMENT
- REMOVE TREE
TREE HAS LOW BIOLOGICAL HEALTH AND/OR LOW STRUCTURAL CONDITION AND IS IN CONFLICT WITH PROPOSED DEVELOPMENT

--- TREE PROTECTION FENCE

- INFORMATION SOURCES**
- Site Plan dated April 19, 2024 obtained from K Smart Associates Ltd.
 - Tree locations collected by an Aboud & Associates Inc. ISA Certified Arborist July 12, 2024.

No.	Description	By	Date
0	ISSUED FOR COORDINATION	JD	JUL-24

REVISIONS: All previous issues of this drawing are superseded

ABOUD & ASSOCIATES INC.
 Consulting Arborists • Ecologists • Landscape Architects
 3-6 Edinburg Road South, Guelph, Ontario, N1H 5N8 • 519.822.6839 • abouding.com

Title:
TREE PRESERVATION PLAN
 Project:
**3392 HOMESTEAD DRIVE
 MOUNT HOPE
 CITY OF HAMILTON**
 Date: JULY 2024 Designer: VG
 Project: AA22-243A Drawn: NB
 Scale: 1:200 Checked: JD

Drawing No:
TPP-1

HOMESTEAD DRIVE

GENERAL TREE NOTES

1. All arboricultural work performed on trees such as pruning of branches and roots shall be conducted by an ISA Certified Arborist.
2. Prune and mitigate limbs and roots damaged by construction work in accordance with ANSI A300 (Part 1) - 2008 Pruning and the Best Management Practices companion publication (revised 2008).
3. Tree Protection Fence to be erected prior to the commencement of any construction or grading, and maintained throughout the duration of the work.
4. Tree Protection Zone is delimited by Tree Protection Fence shown on the drawings.
5. No construction or activities including the following to occur within Tree Protection Zone: equipment parking or access, storage of supplies, topsoil or fill, and refueling.
6. Tree removals (if required) will be undertaken in compliance with the Migratory Birds Convention Act. Efforts will be made to remove vegetation outside the General Nesting period (April 1 - Aug 31) for regions C1 and C2 of Ontario. In the event vegetation must be removed within the General Nesting Period, a qualified avian biologist is to review the site prior to removal to ensure compliance with the Migratory Birds Convention Act.
7. Any soils and vegetation within tree protection zone damaged by the Contractor shall be restored to the satisfaction of the Municipality by the Contractor at no additional cost to the Owner.

CONSTRUCTION WITHIN MINIMUM TREE PROTECTION ZONE

1. An ISA Certified Arborist must be present on site during construction activities within MTPZ to confirm and/or modify mitigation measures for trees to be preserved.
2. Use trenchless methods (e.g. horizontal directional drilling) to install underground services (e.g. sanitary sewers and water lines) within Minimum Tree Protection Zones.

EXISTING UNDERGROUND SERVICES WITHIN TREE PROTECTION ZONES

1. Existing sanitary/storm sewers and watermains to be discontinued within tree protection zones will be filled (as needed) and abandoned.
2. Excavation and access for construction/removal of abandoned underground services will be conducted outside of tree protection zones.

FINISH GRADING WITHIN TREE PROTECTION ZONES

Where finish grading of cuts and fills, and including swales occurs within tree protection zones, the following steps are required.

Grade Cut:

1. Excavate by hand or Air-spade technology to a maximum depth of 100mm.
2. Roots encountered are to be assessed by the Project Arborist to determine the extent of roots to be pruned. Based on findings, other treatments may be required (e.g. crown reduction, tree removal), and which may require approval from the municipality.
3. Based on root findings, local, minor adjustments to grading within the tree protection zone may be required based on field consultation between the Project Arborist and Project Engineer.
4. No access by heavy equipment into tree protection zone is permitted. Fine grading to be carried out using light equipment and/or by hand.

Grade Fill:

5. Add topsoil to meet grade requirements to a maximum of 150mm.
6. No topsoil to be added onto trunk base or above-ground section of trunk base flare.
7. Maintain positive drainage away from trunk base.
8. Based on local conditions (e.g. surface drainage), local, minor adjustments to grading within the tree protection zone may be required based on field consultation between the Project Arborist and Project Engineer.

TREES OWNED BY OTHERS

1. Trees owned by others require permission (i.e. written consent) from the land owner(s) prior to activities that may damage or destroy trees. Trees owned by others are Offsite Trees and Shared Trees:
 - a. Offsite Trees - Trees on property adjacent to the subject property;
 - b. Shared (Boundary) Trees - Trees whose trunk including the basal trunk flare growing on the boundary between the subject property and adjoining property (from Ontario Forestry Act).

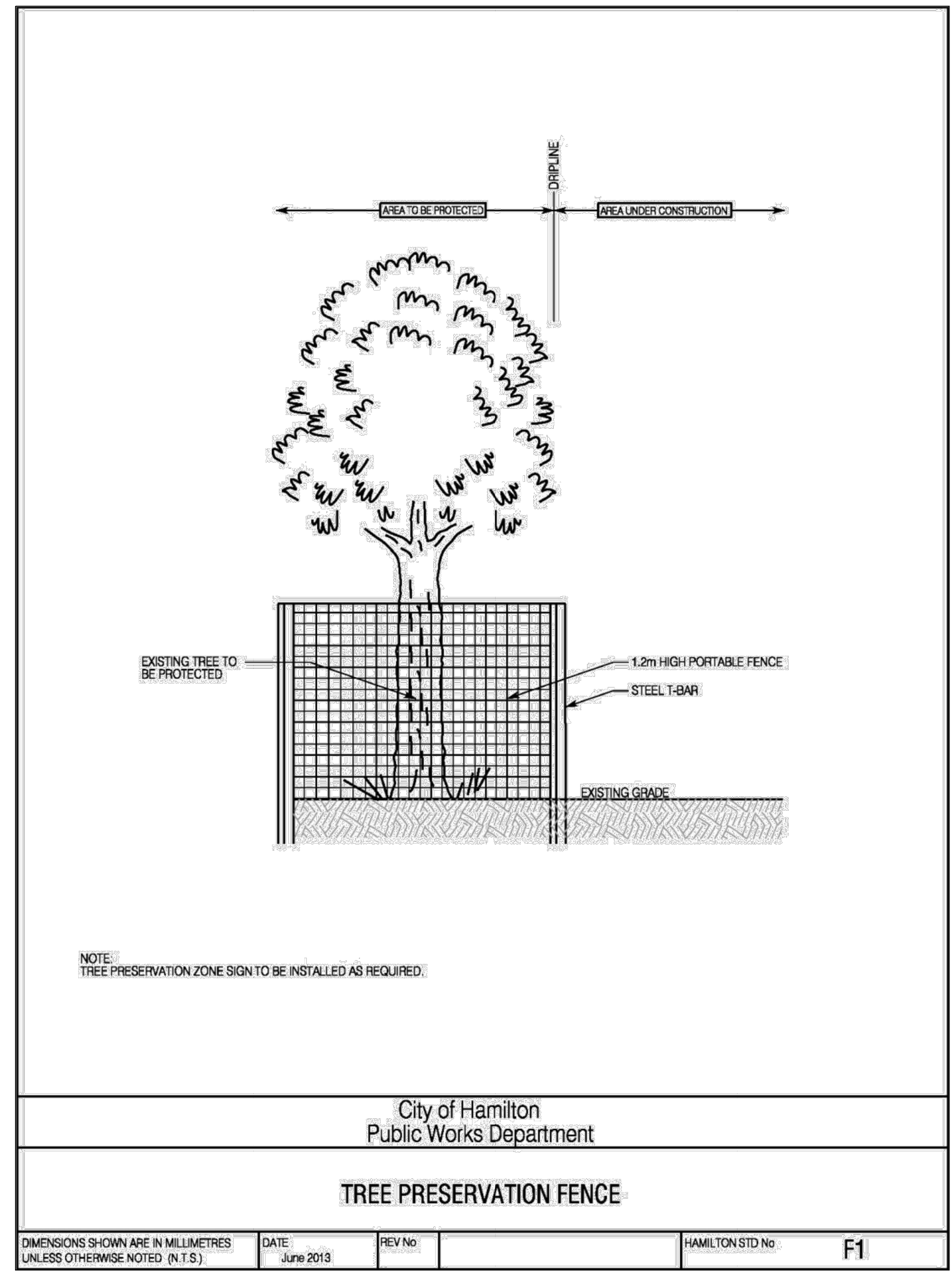
The Provincial Forestry Act, R.S.O. 1990 (Section 10):

10. (2) Every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands. 1990, c. 18 Sched. 1, s. 21.
- (3) Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act. 1998, c. 18, Sched. 1, s. 21.

ROOT SENSITIVE EXCAVATION

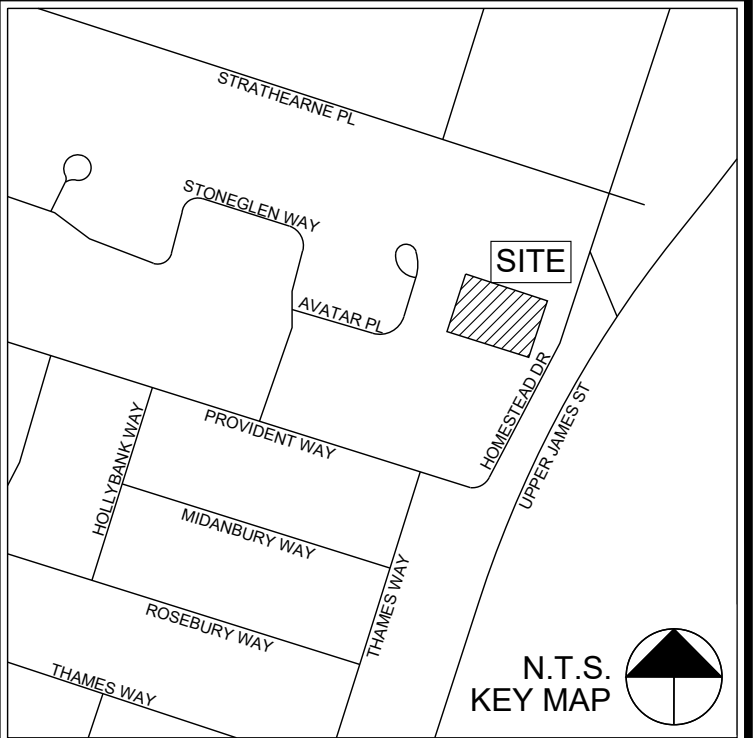
All root sensitive excavation must be performed under the supervision of a qualified arborist. All roots exposed must be documented by the supervising arborist. Every effort should be made to preserve as many exposed roots as possible. Roots approved for pruning should be cleanly cut with a sharp, non-vibrating tool such as a handsaw, secateurs, chainsaw at face of trench such that no further disturbance of the roots are to be expected once mechanical excavation begins. All root pruning is to be performed by the arborist only, as per guidelines below.

1. When root sensitive excavation is performed in regards to the installation of a deep site feature such as a foundation, roots of less than 5cm diameter can be cut sharply, if necessary, unless an abundance of smaller roots are involved. If roots of 5cm diameter or greater or an abundance of smaller roots are exposed in the excavation areas inside or just outside the Tree Protection Zone (TPZ) of bylaw trees they should be preserved.
2. When root sensitive excavation is performed in regards to the installation of site features such as post holes, all roots exposed of under 5cm diameter may be cleanly cut at face of hole such that no further disturbance of the roots are to be expected once mechanical excavation begins for the lower portion of the holes (below hand dug area). If roots of 5cm diameter or greater are uncovered they should be preserved, the post holes filled in with viable soil and the hole moved at least 0.5 metre away to avoid significant roots.
3. When root sensitive excavation is performed in regards to the installation of site features such as driveways, walkways, curbs, etc. roots of less than 5cm diameter can be cut sharply, if necessary, unless an abundance of smaller roots are involved. If roots of 5cm diameter or greater or an abundance of smaller roots are exposed in the excavation areas inside or just outside the TPZ of bylaw trees they should be preserved.
4. When root sensitive excavation is performed in regards to the installation of utilities such as water lines or sewers, every effort should be made to preserve as many exposed roots as possible by installing the utilities underneath the roots without root pruning. If roots of 5cm diameter or greater are uncovered they should be preserved.



1 GENERAL TREE PRESERVATION
TPP-2

2 TYPICAL TREE PROTECTION FENCE DETAIL
TPP-2 N.T.S.



LEGEND:

INFORMATION SOURCES

1. Site Plan dated April 19, 2024 obtained from K Smart Associates Ltd.
- 2.

No.	Description	By	Date
0	ISSUED FOR COORDINATION	JD	JUL-24

REVISIONS: All previous issues of this drawing are superseded

ABOUT & ASSOCIATES INC.
Consulting Arborists • Ecologists • Landscape Architects
3-6 Edinburgh Road South • Guelph, Ontario, N1H 5N8 • 519.822.6839 • aboutand.com

TREE PRESERVATION NOTES AND DETAILS

Project:
**3392 HOMESTEAD DRIVE
MOUNT HOPE
CITY OF HAMILTON**

Date: JULY 2024 Designer: VG
Project: AA22-243A Drawn: NB
Checked: JD

Drawing No:
TPP-2

E:\DATA\15-0000\PROJECT\3392\AA22-243A\2022\HOMESTEAD.MXD - 3392 - HOMESTEAD.TPP-2 (2024-07-15 10:50 AM) - C:\PS\ARBO2007.dwg - PLOTTER: HP DesignJet 2454C, 11 x 17

**SUPPLEMENTARY DOCUMENTATION
Stage 1-2 Archaeological Assessment
3392 Homestead Drive, Mount Hope, Hamilton**

Part of Lot 5 Concession 5,
Geographic Township of Glanford,
Historical County of Wentworth,
Now the City of Hamilton, Ontario

Submitted to:

Caridad Malebranche
3392 Homestead Drive, Mount Hope,
Hamilton, ON, L0R 1W0

and

Ontario's Ministry of Citizenship and Multiculturalism

Submitted by:



Detritus
CONSULTING LTD.
archaeology · heritage

196 Westheights Drive, Kitchener, Ontario, N2N 1J9
Mobile/Office: 519-744-7018
E-mail: garth@golden.net
Web: www.detritusconsulting.ca

Licensee: Walter McCall
License Number: P389
PIF Number: P389-0649-2022
CP Number: 2022-210

ORIGINAL SUPPLEMENTARY DOCUMENTATION

June 11, 2024

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1.0 Aboriginal Engagement

As per Section 7.6.2, Standards 1 and 2 of the *Standards and Guidelines for Consultant Archaeologists* ('Standards and Guidelines'; Government of Ontario, 2011), details regarding the engagement activities conducted by Detritus Consulting Ltd. ('Detritus') as part of the current Stage 1-2 assessment are provided below. Copies of the separate email correspondences between Detritus and Mississaugas of the Credit First Nation ('MCFN'), Six Nations of the Grand River ('SNGR'), and Haudenosaunee Development Institute ('HDI') as well as a copy of the project memo sent to all three communities can be found in Sections 1.1 and 1.2 below.

Detritus was retained to conduct a Stage 1-2 assessment at 3392 Homestead Drive, Mount Hope, Hamilton. As part of Detritus' Aboriginal engagement practices local First Nation communities are contacted prior to every project Detritus is retained to complete. Additionally, Detritus contacts all Proponents on behalf of First Nation communities with regards to sharing their contact information, thereby allowing them to set up a monitoring agreement, if they choose.

On October 7, 2022, Detritus provided Mr. Steve Jefferson (the 'Proponent') with a cost estimate to conduct the Stage 1-2 assessment at 3392 Homestead Drive, Mount Hope. On Page 4 of the Cost Estimate document (see Section 1.1.1 below for a copy of the signed Cost Estimate), Detritus outlines its current engagement policies.

The purpose of this text was to inform the Proponent of the following;

1. That while engagement is not mandated for Stage 1-2 assessments, it is Detritus' current Engagement policy to engage during all stages of investigation;
2. that the MCM also encourages engagement at all stages of archeological investigation;
3. that typically, First Nations communities request that the Proponent retain at cost representatives to serve as on-site monitors;
4. that Detritus must address any request made by First Nations communities for on-site monitors; and
5. that, although not mandated, Detritus encourages the Proponent to retain on-site monitors, and requests that they share their contact information with First Nations communities.

On November 24, 2022, the Proponent returned a signed copy of the cost estimate and did agree to provide their contact information with First Nations communities.

Local First Nation communities were contacted on November 24, 2022, via email to inform them of the project, including a proposed start date of the week of November 28th, 2022 (weather and field conditions dependent). The email also contained a memo outlining Detritus' proposed Stage 1-2 assessment strategies. The purpose of this memo was to provide local First Nation communities an opportunity to provide input on the assessment strategies. In this memo First Nation communities were informed that the Proponent was unwilling to share their contact information; however, representatives were welcome on site as unpaid monitors during the assessment. In lieu of monitors on site Detritus was willing to provide First Nation communities with the results of the fieldwork and a copy of the completed draft report prior to its submission to the Ministry of Citizenship and Multiculturalism.

On November 25, 2022, SNGR and HDI both sent their monitoring agreements to the Proponent. No communication was received from MCFN.

Given that Detritus was unable to conduct the fieldwork during the 2022 field season we informed SNGR, MCFN, and HDI on April 24, 2023 that the fieldwork would take place on April 25, 2023. On April 25, 2023, SNGR sent an updated version of their agreement to the Proponent.

SNGR, MCFN, and HDI were informed by Detritus of the field assessment date. At no time was any fieldwork conducted without the knowledge of all three communities. No representatives were present during the Stage 2 fieldwork.

A draft copy of the report was sent to all three communities on November 13, 2023. No communication was received from SNGR, MCFN, or HDI.

1.1 Email Correspondence

1.1.1 Signed Cost Estimate

-Detritus
CONSULTING LTD.
archaeology · heritage

196 Westheights Drive, Kitchener, ON, N2N 1J9
Mobile/Office: (519) 744-7018
E-mail: garth@golden.net www.detcon.net

October 7, 2022

Mr. Steve Jefferson

K. Smart Associates Ltd.

RE: Archaeological Assessment Stage 1-2, 3392 Homestead Drive, Hamilton, ON.

Dear Steve,

This proposal outlines work that will need to be completed to conduct a stage 1-2 archaeological assessment of this property. Given the new emphasis on the inclusion of Indigenous peoples in archaeology, please give special attention to the section on First Nations Engagement.

Stage 1-2 archaeological assessment consists of the following:

Stage 1: Background Research is conducted in order to determine the proximity of known archaeological sites, to determine the potential for recovering archaeological resources, to locate any mapped historic dwellings, and provide a land use history for the property. This phase of the assessment process includes the analysis of historic and topographic mapping, accessing the National Archaeological Site Database as well as research in the land registry or census records for the subject property.

Stage 2: Survey: conducted in order to physically locate any archaeological resources on the property. Manicured lawn areas will be assessed through test pitting at 5m intervals. Test pits are excavated 5cm into subsoil and are approximately 30cm in diameter. All test pits are refilled to the extent possible. If archaeological resources are discovered, there may be a need for a stage 3 investigation. A decision on this will be made once stage 2 is complete. If a stage 3 is required, Detritus Consulting will issue a new quotation for that fieldwork. If you have more questions about the assessment process, please contact me. *This cost estimate does not reflect any ploughing or stage 3 costs that may be incurred.*

Final Report: A final report will be issued at the conclusion of stage 2 investigations. The stage 1 portion of the report includes a historical and archaeological brief for the property along with information on the site environment, soils, original vegetation, historic land use, registry of nearby archaeological sites and may include title history as well. The stage 2 portion of the report includes a record of fieldwork and results of the stage 2 survey, including maps, photographs and artifact catalogue. If stage 1-2 investigations reveal nothing of significance, a recommendation to clear the property of the archaeological condition will be issued. The report will be submitted to the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) where it will be reviewed, generally on a first come - first serve basis. The Ministry review officer will issue a clearance letter or stipulate what additional work is necessary to satisfy the archaeological condition. This report will follow the reporting format standards in the 2011 MHSTCI Standards and Guidelines for Consultant Archaeologists.

25 Years of Comprehensive Service: Detritus strives to deliver superior customer service in guiding the client through the often-complicated realm of consulting archaeology as quickly and inexpensively as possible. Ask us any question, any time. Along with the final report, the Fee Estimate includes all consulting necessary to advance the project toward clearance as well as submission of an expedited report review request from the MHSTCI if needed.

Fee Estimate

Detritus Consulting agrees to perform all labour necessary to complete the above work.

Stage 1-2 archaeological assessment

* price subject to HST (valid for 9 months)

Invoicing:

Payment is due when the draft report is submitted. In the event that Detritus Consulting Ltd. is delayed or hindered in performance of the assessment due to any occurrence beyond our control, performance of the agreement will be suspended for a period equal to the delay.

Schedule:

Fieldwork can be conducted in mid-late November. Fieldwork will take approximately 1 day to complete depending on findings. Fieldwork is weather dependent and cannot take place in snow, frost, rain or when the ground is saturated. A brief summary of findings can be expected one day later. A draft report can be expected approximately 6-8 weeks after that if nothing is found. Review times from the MHSTCI depend on whether an expedited review is requested. Please contact me to discuss this process.

First Nations Engagement

While it is not strictly required under the Standards and Guidelines to engage First Nations during stage 1-2 assessment, the MHSTCI strongly encourages it. As of July 2018, the MHSTCI has been distributing a weekly email update to all Municipalities, First Nations groups and interested third parties advising them of: the name of each project currently being conducted in the Province, the proponent including contact details as well as the consulting archaeologist, stage of fieldwork and location of the assessment. This information is being supplied as part of the Duty to Consult by the Crown. In addition, the MHSTCI has directed archaeological consultants to engage First Nations at stage 1. As a result, First Nations request contact information for proponents in order to discuss engagement and contracts for the deployment of Field Liaison Representatives (FLRs). Detritus encourages engagement with First Nations/ Aboriginal communities as laid out in the MHSTCI 2011 Standards and Guidelines.

If you have any questions regarding the Duty to Consult or Engagement under the MHSTCI 2011 Standards and Guidelines, please contact us.

Please advise whether you give us permission to provide your contact info to Aboriginal communities with treaty rights in the area of your project.

- I DO agree to allow Detritus to provide local Aboriginal communities with the Proponent's contact information
- I DO NOT agree to allow Detritus to provide local Aboriginal communities with the Proponent's contact information

Agreement:

Detritus Consulting Limited agrees to conduct the work described in the above proposal (stage 1-2 assessment).



Garth Grimes
Consulting Archaeologist
Provincial License No. P017
Detritus Consulting Ltd.

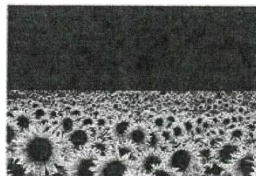
The client accepts this proposal and agrees to remit payment when the draft final report for this archaeological assessment is submitted. Please make all cheques payable to Detritus Consulting.

Oct. 12/22 Date



Client(s)

Upon acceptance please sign and return one copy to Detritus Consulting Ltd. or email an authorization to proceed based on this agreement.



1.1.2 SNGR



Amanda McCall <amandamccall.arch@gmail.com>

Re: 3392 Homestead Dr, Hamilton - Stage 1-2 Memo - Detritus

1 message

Amanda McCall <amandamccall.arch@gmail.com>
To: Tanya Hill-Montour <tanyahill-montour@sixnations.ca>
Cc: Walter McCall <waltermccall.arch@gmail.com>

Mon, Nov 13, 2023 at 2:40 PM

Good afternoon Tanya,

As per the email below and the project memo, please see attached a draft copy of the Stage 1-2 report prior to its submission to the MCM. We anticipate submitting the report two weeks from today.

Take care,
Amanda



Amanda McCall

Detritus Consulting | Archaeologist R470

m: 226-934-8803

w: www.detritusconsulting.ca

e: amandamccall.arch@gmail.com

Follow us:



On Thu, Nov 24, 2022 at 4:04 PM Amanda McCall <amandamccall.arch@gmail.com> wrote:

Good afternoon Tanya,

Detritus has been retained to conduct a Stage 1-2 assessment at 3392 Homestead Dr, Hamilton. We anticipate conducting this fieldwork the week of November 28th, weather permitting. Please see attached the project memo.

Take care,
Amanda



Amanda McCall

Detritus Consulting | Archaeologist R470

m: 226-934-8803

w: www.detritusconsulting.ca

e: amandamccall.arch@gmail.com

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9205K

1.1.3 MCFN



Amanda McCall <amandamccall.arch@gmail.com>

Re: 3392 Homestead Dr, Hamilton - Stage 1-2 Memo - Detritus

1 message

Amanda McCall <amandamccall.arch@gmail.com> Mon, Nov 13, 2023 at 2:41 PM
To: Adam LaForme <Adam.LaForme@mncfn.ca>
Cc: Adrian Blake <Adrian.Blake@mncfn.ca>, Walter McCall <waltermccall.arch@gmail.com>

Good afternoon Adam,

As per the email below and the project memo, please see attached a draft copy of the Stage 1-2 report prior to its submission to the MCM. We anticipate submitting the report two weeks from today.

Take care,
Amanda



Amanda McCall

Detritus Consulting | Archaeologist R470

m: 226-934-8803

w: www.detritusconsulting.ca

e: amandamccall.arch@gmail.com

Follow us:



On Thu, Nov 24, 2022 at 4:01 PM Amanda McCall <amandamccall.arch@gmail.com> wrote:

Good afternoon Adam,

Detritus has been retained to conduct a Stage 1-2 assessment at 3392 Homestead Dr, Hamilton. We anticipate conducting this fieldwork the week of November 28th, weather permitting. Please see attached the project memo.

Take care,
Amanda



Amanda McCall

Detritus Consulting | Archaeologist R470

m: 226-934-8803

w: www.detritusconsulting.ca

e: amandamccall.arch@gmail.com

Follow us:



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1.1.4 HDI



Amanda McCall <amandamccall.arch@gmail.com>

Re: 3392 Homestead Dr, Hamilton - Stage 1-2 Memo - Detritus

1 message

Amanda McCall <amandamccall.arch@gmail.com> Mon, Nov 13, 2023 at 2:40 PM
To: Todd Williams <toddwilliams@hdi.land>
Cc: Sharann Martin <sharannmartin@hdi.land>, Owen Greene <owengreene@hdi.land>, Walter McCall <waltermccall.arch@gmail.com>

Good afternoon Todd,

As per the email below and the project memo, please see attached a draft copy of the Stage 1-2 report prior to its submission to the MCM.
We anticipate submitting the report two weeks from today.

Take care,
Amanda



Amanda McCall
Detritus Consulting | Archaeologist R470
m: 226-934-8803
w: www.detritusconsulting.ca
e: amandamccall.arch@gmail.com

Follow us:



On Thu, Nov 24, 2022 at 4:05 PM Amanda McCall <amandamccall.arch@gmail.com> wrote:
Good afternoon Todd,

Detritus has been retained to conduct a Stage 1-2 assessment at 3392 Homestead Dr, Hamilton. We anticipate conducting this fieldwork the week of November 28th, weather permitting. Please see attached the project memo.

Take care,
Amanda



Amanda McCall
Detritus Consulting | Archaeologist R470
m: 226-934-8803
w: www.detritusconsulting.ca
e: amandamccall.arch@gmail.com

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1.2 Project Memo



Date: November 24, 2022
RE: Stage 1-2 Archaeological Assessment, Part of 3392 Homestead Dr, Hamilton
PIF #: In Progress

INTRODUCTION

Detritus Consulting Ltd. ('Detritus') has been retained by K. Smart Associates Limited on behalf of Caridad Malebranche ('the Proponent') to conduct a combined Stage 1-2 assessment of a Study Area (Parcel A) located at 3392 Homestead Dr, Hamilton in advance of future development on the property. The Study Area represents the portion of the property to be subject to a severance (see Page 3).

The Stage 1-2 assessment will be managed by professional archaeological license (P-license) holder Walter McCall, and will adhere to the archaeological license report requirements under subsection 65 (1) of the *Ontario Heritage Act* and the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) *Standards and Guidelines for Consultant Archaeologists* ('Standards and Guidelines'), established in 2011.

A summary of the applicable project details including key personnel is provided on Page 3.

STAGE 1 STRATEGY

The Study Area will be subject to extensive background research, conducted according to Section 1.1 of the *Standards and Guidelines*. The purpose of this research is to provide a land use history for the Study Area; to identify any registered archaeological sites, historically significant buildings, or registered monuments in the vicinity; and to assess the potential for recovering archaeological resources. It will include an examination of Ontario's Archaeological Sites Database as well as all applicable topographic maps, historical maps, archaeological management plans (when applicable), local plaques and monuments, and any known reports documenting previous archaeological fieldwork conducted within a radius of 50 metres ('m') surrounding the Study Area.

Given the current land use, it is assumed that this Stage 1 assessment will result in the recommendation for a Stage 2 assessment for all or parts of the Study Area according to the criteria listed in Section 1.3 of the *Standards and Guidelines*.

STAGE 2 ASSESSMENT

A Stage 2 field survey will be conducted for the portions of the Study Area that were identified as having archaeological potential during the Stage 1 portion of the assessment. The purpose of this investigation is to physically locate any archaeological resources on the development property.

The Stage 2 assessment will begin with a property inspection as per Section 2.1.8 of the *Standards and Guidelines*, to identify any disturbance areas, permanently wet areas, or steeply sloping areas that are present within the Study Area. Any portions of the Study Area that are confirmed to be previously disturbed, steeply sloping, or permanently wet will be excluded from the Stage 2 field survey, and will be photo documented only as per Section 2.1, Standards 2a and 2b of the *Standards and Guidelines*.

The remainder of the Study Area retaining archaeological potential will be subject to a Stage 2 field assessment. Given the current land conditions, this investigation will consist of a typical test

Stage 1-2 Memo, 3392 Homestead Dr, Hamilton

pit survey of all areas that are not accessible to ploughing. The test pit assessment will be conducted at 5m intervals according to Section 2.1.2, Standards 1 and 2 of the *Standards and Guidelines*. Test pits will be excavated to within 1m of all standing structures, or until they demonstrate evidence of recent ground disturbance as per Section 2.1.2, Standard 4 of the *Standards and Guidelines*. All soil from the test pits will be screened through six-millimetre hardware cloth to facilitate the recovery of small artifacts and then used to backfill the pit, as per Section 2.1.2, Standards 7 and 9 of the *Standards and Guidelines*.

During the test pit survey, if archaeological resources are encountered, the test pit excavation will continue on the survey grid to determine whether there are further positive test pits. If this extended assessment produces sufficient resources to meet the criteria for making a recommendation to carry out a Stage 3 assessment, no further assessment will be conducted. Conversely, if the continued survey of the test pit grid does not produce sufficient archaeological resources to meet the criteria for continuing to Stage 3, the survey coverage around the positive test pits will be intensified to determine whether or not a Stage 3 assessment can be supported, following either Option A or Option B of Section 2.1.2, Standard 2 of the *Standards and Guidelines*, whichever of the two is warranted based on the results.

All artifacts that are encountered will be recorded with reference to their associated test pits and will be retained for laboratory analysis as per Section 2.1.2, Standard 8 of the *Standards and Guidelines*.

The final decision as to whether or not additional Stage 3 assessment may be required will be made once the Stage 2 assessment is complete and the material cultural has been analysed and catalogued.

PROPOSER CONTACT INFORMATION

Detritus has informed the Proponent of our current Aboriginal Engagement policies. As part of this communication, Detritus has requested that the Proponent provide your office with their contact information in advance of any Stage 2 fieldwork.

The Proponent has agreed to provide contact information, which is provided below.

Caridad Malebranche
caridad.malebranche@outlook.com

ENGAGEMENT ACTIVITIES

A representative from Detritus will contact your office with a confirmation of the proposed start date for the Stage 2 field assessment, as well as the proposed meeting place and time (see Page 3). Should a monitoring agreement be reached, any questions or concerns that your representative may have over the course of the investigation can be made directly to the Field Director on site. If the Field Director is unable to address these questions or concerns satisfactorily, please do not hesitate to contact either Garth Grimes, the Project Manager, or Walter McCall, the Licensee (see below for contact information).

Additionally, **your office will be provided with a draft copy of the final Stage 1-2 report, once completed.** Any input on the contents of the report, in particular the methodology and recommendations, may be made directly to the Project Manager or Licensee (see below for contact information). Finally, your office will be notified if Detritus is retained to conduct any subsequent Stage 3 investigation within the Study Area.

PROJECT CONTACT INFORMATION

For more information on this Stage 1-2 assessment, please do not hesitate to contact either Garth Grimes, the Project Manager, or Walter McCall, the Licensee. See contact information on the following page.

Stage 1-2 Memo, 3392 Homestead Dr, Hamilton

Garth Grimes, BA, BEd.
 Company Director
 Professional Archaeology License No. P017
 Tel: 519-744-7018
 Email: garth@golden.net

Walter McCall, PhD
 Company Director
 Professional Archaeology License No. P389
 Tel: 226-922-0297
 Email: waltermccall.arch@gmail.com

PROJECT DETAILS

Address:	3392 Homestead Dr, Hamilton
PIF Number:	In Progress
Licensee:	Walter McCall
Project Manager:	Garth Grimes
Field Director(s):	Mathew Gibson or Jonathan Peart
Proposed Start Date:	Week of November 28th (weather and field condition dependent)
Expected Duration:	1 day
Meeting Time:	to be confirmed
Size of Field Crew:	to be confirmed
Location of the Study Area:	see map below
Required PPE:	safety vest, CSA approved steel toe boots or shoes

STUDY AREA LOCATION



2.0 Correspondence

The following is correspondence from the City of Hamilton (the Approval Authority) regarding the partial property assessment.

From: "Golden, Alissa" <Alissa.Golden@hamilton.ca>
To: "Garth Grimes" <garth@golden.net>
Cc: "Cultural Heritage Planning" <CulturalHeritagePlanning@hamilton.ca>
Sent: 5/24/2024 1:36:41 PM
Subject: RE: Re[2]: 3392 Homestead stage 1-2 archaeological assessment

Thanks Garth. Yes, confirming we are comfortable with you submitting.

I'd be happy to answer any follow-up questions MCM may have.

Cheers,

Alissa Golden *MCIP RPP*
Program Lead, Cultural Heritage
Planning and Economic Development
City of Hamilton
(905) 546-2424

From: Garth Grimes <garth@golden.net>
Sent: Friday, May 24, 2024 4:26 PM
To: Golden, Alissa <Alissa.Golden@hamilton.ca>
Subject: Re[2]: 3392 Homestead stage 1-2 archaeological assessment

External Email: Use caution with links and attachments

Hi Alissa,

no I don't no whether there was a subsequent application or not. I know there was a delay for a while so maybe after the initial application was denied they went for a second one. But in any case, I need to submit this report to the MCM and based on your email, regardless of whether the severance goes through or not it seems you are okay with us just assessing the the parcel to be severed. If not please let me know. Otherwise we'll go ahead and submit.

Garth



Garth Grimes Company Director

Detritus Consulting | Archaeologist P017

m: 519-744-7018

w: www.detritusconsulting.ca

e: garth@golden.net

Follow us:



----- Original Message -----

From: "Golden, Alissa" <Alissa.Golden@hamilton.ca>

To: "Garth Grimes" <garth@golden.net>

Cc: "Cultural Heritage Planning" <CulturalHeritagePlanning@hamilton.ca>

Sent: 5/24/2024 12:03:49 PM

Subject: RE: 3392 Homestead stage 1-2 archaeological assessment

Thanks for reaching out on this, Garth.

Cultural Heritage Planning staff are **supportive of this approach**. We had originally advised in our comments for Committee of Adjustment application GL/B-21:91 that an archaeological assessment was only required for the area to be disturbed, which in this case is the severed portion slated for new infill development, since the retained portion is comprised of an existing home to be maintained.

However, it looks like application GL/B-21:91 was denied by Committee in 2021. There may have been a subsequent application or appeal that I'm not aware of since we are still recovering from the ongoing cybersecurity incident. Are you able to advise if there was a subsequent application or approval for this severance that our team isn't aware of?

Thanks!

Alissa Golden MCIP RPP

Program Lead, Cultural Heritage

Detritus Consulting Ltd.

Planning and Economic Development

City of Hamilton

(905) 546-2424

From: Garth Grimes <garth@golden.net>
Sent: Tuesday, May 21, 2024 11:41 AM
To: Cultural Heritage Planning <CulturalHeritagePlanning@hamilton.ca>
Cc: Steve Jefferson <steve@ksmart.ca>
Subject: 3392 Homestead stage 1-2 archaeological assessment

External Email: Use caution with links and attachments

Good morning,

Our firm conducted an archaeological assessment at this property recently. We were asked to assess the severance parcel while omitting the retained parcel. The Ministry of Citizenship and Multiculturalism who reviews archaeological reports will support this approach only if the approval authority for the severance (City of Hamilton) agrees that only the severance parcel need be assessed. Are you able to provide written approval of this approach?

Thanks.

Garth

Garth Grimes Company Director

Detritus Consulting | Archaeologist P017

m: 519-744-7018

w: www.detritusconsulting.ca

e: garth@golden.net

**Stage 1-2 Archaeological Assessment
3392 Homestead Drive, Mount Hope,
Hamilton**

Part of Lot 5, Concession 5,
Geographic Township of Glanford,
Historical County of Wentworth,
Now the City of Hamilton, Ontario

Submitted to:

Caridad Malebranche
3392 Homestead Drive, Mount Hope,
Hamilton, ON, L0R 1W0

and

Ontario's Ministry of Citizenship and Multiculturalism

Submitted by:



Detritus
CONSULTING LTD.
archaeology · heritage

196 Westheights Drive, Kitchener, Ontario, N2N 1J9
Mobile/Office: 519-744-7018
E-mail: garth@golden.net
Web: www.detritusconsulting.ca

Licensee: Walter McCall
License Number: P389
PIF Number: P389-0649-2022
CP Number: 2022-210

ORIGINAL REPORT

June 11, 2024

Executive Summary

Detritus Consulting Ltd. ('Detritus') was retained by Caridad Malebranche (the 'Proponent') to conduct a Stage 1-2 archaeological assessment on part of Lot 5, Concession 5 in the Geographic Township of Glanford within the Historical County of Wentworth, in what is now the City of Hamilton, Ontario (Figure 1). This assessment was undertaken in advance of future severance and development on the property at 3392 Homestead Drive, Mount Hope, Hamilton (the 'Assessment Property;' Figure 4).

This assessment was triggered by the Provincial Policy Statement ('PPS') that is informed by the *Planning Act* (Government of Ontario, 1990a), which states that decisions affecting planning matters must be consistent with the policies outlined in the larger *Ontario Heritage Act* (Government of Ontario, 1990b). According to Section 2.6.2 of the PPS, "development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved." To meet this condition, a Stage 1-2 assessment was conducted as part of the pre-approval phase of development under archaeological consulting license P389 issued to Dr. Walter McCall by the Ministry of Citizenship and Multiculturalism ('MCM') and adheres to the archaeological license report requirements under subsection 65 (1) of the *Ontario Heritage Act* (Government of Ontario, 1990b) and the MCM's *Standards and Guidelines for Consultant Archaeologists* ('Standards and Guidelines'; Government of Ontario, 2011).

The severance property is a residential property fronting onto Homestead Drive. It measures 0.35 hectares ('ha') and, at the time of assessment, comprised manicured lawns, a driveway, a paved brick area, a large house, and one garage. It is bound by Homestead Drive to the west, residential properties on Homestead Drive to the north and south, and residential properties on Avatar Place to the west.

The property will be severed into two parcels with Parcel A located in the northern third and Parcel B located within the southern two-thirds of the property (Figure 4). Following advice provided by the City of Hamilton, only Parcel A (the 'Study Area') was subject to assessment. This reduced Study Area measures 0.11ha and is bound by Homestead Drive to the east, Parcel B of the Assessment Property to the south, and residential properties located on Homestead Drive to the north and on Avatar Place to the west. At the time of assessment, the Study Area included manicured lawn, a fenced garden, a portion of the driveway, a shed, and a paved brick area.

The Stage 1 background research indicated that portions of the Study Area exhibited moderate to high potential for the identification and recovery of archaeological resources. Therefore, a Stage 2 assessment was recommended for the manicured lawns and garden within the Study Area (Figure 3). The portion of a driveway, shed, and paved brick area were evaluated as having no potential based on the identification of extensive and deep land alteration that has severely damaged the integrity of archaeological resources as per Section 2.1, Standard 2b of the *Standards and Guidelines* (Government of Ontario, 2011). The previously disturbed areas, as confirmed during a Stage 2 property inspection, were mapped and photo documented only in accordance with Section 2.1, Standard 6, and Section 7.8.1, Standards 1a and 1b of the *Standards and Guidelines* (Government of Ontario, 2011).

The Stage 2 field assessment was conducted on April 25th, 2023, and consisted of a typical test pit survey at five-metre intervals. No archaeological resources were observed.

Given the results of the Stage 2 investigation and the identification and documentation of no archaeological resources, **no further archaeological assessment of the Study Area is recommended.**

This recommendation applies to current Study Area only, which comprises Parcel A of the severance property at 3392 Homestead Drive. **If in the future, Parcel B of the severance property, which was not included within the current Study Area (Figure 3), will be impacted by development, then a Stage 1 archaeological assessment is required,** conducted according to Section 1.1 of the *Standards and Guidelines* (Government of Ontario 2011). This investigation will assess the development area's potential for the recovery of

archaeological resources and will provide specific direction for the protection, management and/or recovery of these resources, as per Sections 1.3 and 1.4 of the *Standards and Guidelines* (Government of Ontario 2011).

The Executive Summary highlights key points from the report only; for complete information and findings, the reader should examine the complete report.

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Project Personnel

Project Manager:	Garth Grimes, P017
Field Director:	Jonathan M. Peart, P1263
Field Technician:	Kennedy Bell Brandon McCabe Jonah Schothuis Stephen Heyerdahl
Report Preparation:	Tina Ross
Mapping:	Tina Ross
Licensee Review:	Walter McCall, P389

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1.0 Project Context

1.1 Development Context

Detritus Consulting Ltd. (‘Detritus’) was retained by Caridad Malebranche (the ‘Proponent’) to conduct a Stage 1-2 archaeological assessment on part of Lot 5, Concession 5 in the Geographic Township of Glanford within the historical County of Wentworth, in what is now the City of Hamilton, Ontario (Figure 1). This assessment was undertaken in advance of future severance and development on the property at 3392 Homestead Drive, Mount Hope, Hamilton (the ‘Assessment Property;’ Figure 4).

The property will be severed into two parcels with Parcel A located in the northern third and Parcel B located within the southern two-thirds of the property (Figure 4). Following advice provided by the City of Hamilton, only Parcel A (the ‘Study Area’) was subject to assessment (see the Supplementary Documentation that accompanies this report).

This assessment was triggered by the Provincial Policy Statement (‘PPS’) that is informed by the *Planning Act* (Government of Ontario, 1990a), which states that decisions affecting planning matters must be consistent with the policies outlined in the larger *Ontario Heritage Act* (Government of Ontario, 1990b). According to Section 2.6.2 of the PPS, “development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.” To meet this condition, a Stage 1-2 assessment was conducted as part of the pre-approval phase of development under archaeological consulting license P389 issued to Dr. Walter McCall by the Ministry of Citizenship and Multiculturalism (‘MCM’) and adheres to the archaeological license report requirements under subsection 65 (1) of the *Ontario Heritage Act* (Government of Ontario, 1990b) and the MCM’s *Standards and Guidelines for Consultant Archaeologists* (‘Standards and Guidelines’; Government of Ontario, 2011).

The purpose of a Stage 1 Background Study is to compile all available information about the known and potential archaeological heritage resources within the Study Area and to provide specific direction for the protection, management and/or recovery of these resources. In compliance with the *Standards and Guidelines* (Government of Ontario, 2011), the objectives of the following Stage 1 assessment are as follows:

- To provide information about the Study Area’s geography, history, previous archaeological fieldwork and current land conditions;
- to evaluate in detail, the Study Area’s archaeological potential which will support recommendations for Stage 2 survey for all or parts of the property; and
- to recommend appropriate strategies for Stage 2 survey.

To meet these objectives Detritus archaeologists employed the following research strategies:

- A review of relevant archaeological, historic and environmental literature pertaining to the Study Area;
- a review of the land use history, including pertinent historic maps; and
- an examination of the Ontario Archaeological Sites Database (‘ASDB’) to determine the presence of known archaeological sites in and around the Study Area.

The purpose of a Stage 2 Property Assessment is to provide an overview of any archaeological resources within the Study Area; to determine whether any of the resources might be archaeological sites with cultural heritage value or interest (‘CHVI’); and to provide specific direction for the protection, management, and/or recovery of these resources. In compliance with the *Standards and Guidelines* (Government of Ontario, 2011), the objectives of the following Stage 2 assessment are as follows:

- To document all archaeological resources within the Study Area;
- to determine whether the Study Area contains archaeological resources requiring further assessment; and
- to recommend appropriate Stage 3 assessment strategies for archaeological sites identified.

The licensee received permission from the Proponent to enter the land and conduct all required archaeological fieldwork activities, including the recovery of artifacts.

1.2 Historical Context

1.2.1 Post-Contact Aboriginal Resources

Prior to the arrival of European settlers, much of the central and southern Ontario was occupied by Iroquoian speaking linguistic groups that had united to form confederacies, including the Huron-Wendat, the Neutral (or Attawandaran), and the Petun in Ontario, as well as the Five Nations Iroquois Confederacy in Upper New York State (Birch, 2010; Warrick, 2013). Of these groups, the Huron-Wendat established themselves to the east of the Niagara escarpment and the Neutral, to the west (Warrick, 2000).

Throughout the middle of the 17th century, the Iroquois Confederacy sought to expand upon their territory and to monopolize the fur trade between the European markets and the tribes of the western Great Lakes region. A series of bloody conflicts followed known as the Beaver Wars or the French and Iroquois Wars, contested between the Iroquois Confederacy and the Algonkian speaking communities of the Great Lakes region. Many communities were destroyed including the Huron, Neutral, Susquehannock and Shawnee leaving the Iroquois as the dominant group in the region. By 1653 after repeated attacks, the Niagara peninsula and most of Southern Ontario had been vacated (Heidenreich, 1990).

At this same time, the Anishinaabeg Nation, an Algonkian-speaking community situated inland from the northern shore of Lake Huron, began to challenge the Haudenosaunee for dominance in the Lake Huron and Georgian Bay region in order to advance their own role in the fur trade (Gibson, 2006). The Algonkian-speaking groups that settled in the area bound by Lake Ontario, Lake Erie, and Lake Huron were referred to by the English as the Chippewas or Ojibwas. By 1680, the Ojibwa began expanding into the evacuated Huron-Wendat territory, and eventually into Southern Ontario. By 1701, the Haudenosaunee had been driven out of Ontario completely and were replaced by the Ojibwa (Gibson, 2006; Schmaltz, 1991).

The late 17th and early 18th centuries also mark the arrival of an Ojibwa band known as the Mississaugas into Southern Ontario and, in particular, the watersheds of the lower Great Lakes. 'The Mississaugas' is the name that the Jesuits had used in 1840 for the Algonquin community living near the Mississagi River on the northwestern shore of Lake Huron (Smith D. , 2022). The oral traditions of the Mississaugas, as recounted by Chief Robert Paudash and recorded in 1904, suggest that the Mississaugas defeated the Mohawk Nation, who retreated to their homeland south of Lake Ontario. Following this conflict, a peace treaty was negotiated between the two groups (Praxis Research Associates, n.d.).

From the beginning of the 18th century until the end of the Seven Year War in 1763, the Ojibwa nation, including the Mississaugas, experienced a golden age in trade holding no alliance with either the French or the British (Schmalz, 1991). At the end of the 17th century, the Mississaugas' settled permanently in Southern Ontario (Praxis Research Associates, n.d.). Around this same time, in 1722, the Five Nation Iroquois Confederacy adopted the Tuscarora in New York becoming the Six Nations (Pendergast, 1995).

The Study Area first entered the Euro-Canadian historical record on December 7th, 1792 as part of Treaty No. 3, which included land acquired in the 'Between the Lakes Purchase' dating to May 22, 1784. According to the terms of the treaty, the Mississaugas ceded to the Crown approximately 3,000,000 acres of land between Lake Huron, Lake Erie, and Lake Ontario in return for trade goods valued at £1180.

The limits of the Treaty 3 lands are documented as comprising,

Lincoln County excepting Niagara Township; Saltfleet, Binbrook, Barton, Glanford and Ancaster Townships, in Wentworth County; Brantford, Onondaga, Tusc[a]r[o]ra, Oakland and Burford Townships in Brant County; East and West Oxford, North and South Norwich, and Dereham Townships in Oxford County; North Dorchester Township in Middlesex County; South

Dorchester, Malahide and Bayham Township in Elgin County; all Norfolk and Haldimand Counties; Pelham, Wainfleet, Thorold, Cumberland and Humberstone Townships in Welland County.

Morris, 1943, pp. 17-8

One of the stated objectives of the Between the Lakes Purchase was “to procure for that part of the Six Nation Indians coming into Canada a permanent abode” (Morris, 1943, p. 17). Shortly after the transaction had been finalised in May of 1784, Sir Frederick Haldimand, the Governor of Québec, made preparations to grant a portion of land to those Six Nations who remained loyal to the Crown during the American War of Independence. More specifically, Haldimand arranged for the purchase of approximately 550,000 acres of land adjacent to the Treaty 3 limits from the Mississaugas. This tract of land, referred to as either the Haldimand Tract or the 1795 Crown Grant to the Six Nations, was provided for in the Haldimand Proclamation of October 25th, 1784 and was intended to extend a distance of six miles on each side of the Grand River from mouth to source (Weaver, 1978). By the end of 1784, representatives from each constituent nation of the Six Nations, as well as other allies, relocated to the Haldimand Tract with Joseph Brant (Weaver, 1978; Tanner, 1987).

Throughout southern Ontario, the size and nature of the pre-contact settlements and the subsequent spread and distribution of Aboriginal material culture began to shift with the establishment of European settlers. By 1834 it was accepted by the Crown that losses of portions of the Haldimand Tract to Euro-Canadian settlers were too numerous for all lands to be returned. Lands in the Lower Grand River area were surrendered by the Six Nations to the British Government in 1832, at which point most Six Nations people moved into Tuscarora Township in Brant County and a narrow portion of Oneida Township Page, 1879; Weaver, 1978; Tanner, 1987. Following the population decline and the surrender of most of their lands along the Credit River, the Mississaugas were given 6000 acres of land on the Six Nations Reserve, establishing the Mississaugas of New Credit First Nation, now the Mississaugas of the Credit First Nation (‘MCFN’), in 1847 (Smith D. , 2022)

Despite the encroachment of European settlers on previously established Aboriginal territories, “written accounts of material life and livelihood, the correlation of historically recorded villages to their archaeological manifestations, and the similarities of those sites to more ancient sites have revealed an antiquity to documented cultural expressions that confirms a deep historical continuity to Iroquoian systems of ideology and thought” (Ferris, 2009, p. 114). As Ferris observes, despite the arrival of a competing culture, First Nations communities throughout Southern Ontario have left behind archaeologically significant resources that demonstrate continuity with their pre-contact predecessors, even if they have not been recorded extensively in historical Euro-Canadian documentation.

1.2.2 Euro-Canadian Resources

The current Study Area is located on part of Lot 5, Concession 5 in the Geographic Township of Glanford within the historical County of Wentworth, in what is now the City of Hamilton, Ontario

In 1763, the Treaty of Paris brought an end to the Seven Years’ War, contested between the British, the French, and their respective allies. Under the Royal Proclamation of 1763, the large stretch of land from Labrador in the east, moving southeast through the Saint Lawrence River Valley to the Great Lakes and on to the confluence of the Ohio and Mississippi Rivers became the British Province of Québec (Niagara Historical Society and Museum, 2008).

On July 24, 1788, when Sir Guy Carleton, the Governor-General of British North America, divided the Province of Québec into the administrative districts of Hesse, Nassau, Mecklenburg and Lunenburg (Archives of Ontario, 2012-2024). Further change came in December 1791 when the former Province of Québec was rearranged into Upper Canada and Lower Canada under the *Constitutional Act*. Colonel John Graves Simcoe was appointed as Lieutenant-Governor of Upper Canada. He initiated several initiatives to populate the province including the establishment of shoreline communities with effective transportation links between them (Coyne, 1895).

In July 1792, Simcoe divided Upper Canada into 19 counties stretching from Essex in the west to Glengarry in the east. Each new county was named after a county in England or Scotland; the constituent townships were then given the names of the corresponding townships from each original British county (Powell & Coffman, 1956).

Later that year, the four districts originally established in 1788 were renamed the Western, Home, Midland, and Eastern Districts. As population levels in Upper Canada increased, smaller and more manageable administrative bodies were needed resulting in the establishment of many new counties and townships. As part of this realignment, the boundaries of the Home and Western Districts were shifted and the London and Niagara Districts were established.

In 1816, boundaries of the Home and Niagara Districts were shifted once again resulting in the formation of the Gore District and its two counties; Wentworth County and Halton County. Wentworth County was named after Sir. John Wentworth, the Lieutenant-Governor of Nova Scotia from 1792 to 1808. It originally consisted of seven townships formerly belonging to Haldimand, Lincoln and York Counties; Glanford County was originally part of Lincoln Township. In 1849, Gore District was replaced by the United Counties of Wentworth and Halton. This administrative configuration lasted until 1854. In 1973, Wentworth County was replaced by the Regional Municipality of Hamilton-Wentworth. In 2001, the Regional Municipality and its six constituent municipalities were amalgamated as the 'megacity' of Hamilton (Archives of Ontario, 2012-2024).

The settlement history of Glanford Township began in the 1793 (Hamilton Public Library, 2018). Glanford was the smallest of the townships in the region and settlement was relatively slow. Local historian Sandy Smith notes that the original Crown patents were granted as political rewards to people who had little or no interest in developing the land (Smith S., 2017). The first actual settlers did not arrive until closer to 1810. An early gazetteer noted that by 1815 Glanford had only 50 ratepayers (Vernon, 1896). In 1974, the townships of Binbrook and Glanford were amalgamated in the Regional Municipality of Hamilton-Wentworth as the municipal township of Glanbrook (Hamilton Public Library, 2018). Various waterways transect the township east to west, including Twenty Mile Creek, Three Mile Creek, and the Chippawa Creek.

According to the Glanford Township map in the *Illustrated Historical Atlas of the County of Wentworth, Ont.* (Page & Smith, 1875) Lot 5 was divided into three parcels. The Study Area fronts onto an unnamed road, now Homestead Drive, and occupies a small portion of the central parcel. The central and southern parcel are approximately equal in size and are owned by W.L. Smith and WW. Fink, respectively. The northern most parcel is the smallest of the three and contains a portion of the early community of Mount Hope within its northeastern corner. The remainder of this parcel is owned by Joel Smith. A small orchard and structure are depicted to the north of the Study Area within the parcel owned by Smith. Both Three Mile and Chippawa creeks pass by the Study Area to north and south, respectively, at some one and a half kilometers distance. Looking further afield the Hamilton & Lake Erie Railroad is illustrated to the east of the Study Area.

Although significant and detailed landowner information is available on the historical maps discussed here, it should be recognized that historical county atlases were funded by subscriptions fees and were produced primarily to identify factories, offices, residences and landholdings of subscribers. Landowners who did not subscribe were not always listed on the maps (Caston, 1997, p. 100). Moreover, associated structures were not necessarily depicted or placed accurately (Gentilcore & Head, 1984).

1.3 Archaeological Context

1.3.1 Property Description and Physical Setting

The severance property at 3392 Homestead Drive is a residential property fronting onto Homestead Drive. It measures 0.35 hectares ('ha') and, at the time of assessment, comprised manicured lawns, a driveway, a paved brick area, a large house, and one garage. It is bound by Homestead Drive to the west, residential properties on Homestead Drive to the north and south, and residential properties on Avatar Place to the west.

The property will be severed into two parcels with Parcel A located in the northern third and Parcel B located within the southern two-thirds of the property. As was noted earlier, only Parcel A was subject to assessment. This reduced Study Area measures 0.11ha and is bound by Homestead Drive to the east, Parcel B of the Assessment Property to the south, and residential properties located on Homestead Drive to the north and on Avatar Place to the west. At the time of assessment, the Study Area included manicured lawn, a fenced garden, a portion of the driveway, a shed, and a paved brick area.

The majority of the region surrounding the Study Area has been subject to European-style agricultural practices for over 100 years, having been settled by Euro-Canadian farmers by the mid-19th century. Much of the region today continues to be used for agricultural purposes.

The Study Area is located within Haldimand Clay Plain physiographic region (Chapman & Putnam, 1984). During pre-contact and early contact times, this area comprised a mixture of deciduous trees and open areas. In the early 19th century, Euro-Canadian settlers began to clear the forests for agricultural purposes, which have been ongoing in the vicinity of the Study Area for over 100 years.

Haldimand Clay is slowly permeable, imperfectly drained with medium to high water-holding capacities. Surface runoff is usually rapid, but water retention of the clayey soils can cause it to be droughty during dry periods (Kingston & Presant, 1989). According to Chapman and Putnam,

...although it was all submerged in Lake Warren, the till is not all buried by stratified clay; it comes to the surface generally in low morainic ridges in the north. In fact, there is in that area a confused intermixture of stratified clay and till. The northern part has more relief than the southern part where the typically level lake plains occur.

Chapman & Putnam, 1984, p. 156

Huffman and Dumanski (1986) add that the soil within the region is suitable for corn and soybeans in rotation with cereal grains as well as alfalfa and clover.

The closest source of potable water is the Chippawa Creek that runs east to west approximately 1.6 kilometres ('km') to the south of the Study Area. The Three Mile Creek is of a similar distance (1.8km) running east to west to the north of the Study Area.

1.3.2 Pre-Contact Aboriginal Land Use

This portion of southern Ontario has been demonstrated to have been occupied by people as far back as 11,000 years ago as the glaciers retreated. For the majority of this time, people were practicing hunter-gatherer lifestyles with a gradual move towards more extensive farming practices.

Table 1 provides a general outline of the cultural chronology of Glanford Township (Ellis and Ferris 1990).

Table 1: Cultural Chronology for Glanford Township

Time Period	Cultural Period	Comments
9500–7000 BC	Paleo Indian	first human occupation hunters of caribou and other extinct Pleistocene game nomadic, small band society
7500–1000 BC	Archaic	ceremonial burials increasing trade network hunter-gatherers
1000–400 BC	Early Woodland	large and small camps spring congregation/fall dispersal introduction of pottery
400 BC–AD 800	Middle Woodland	kinship based political system incipient horticulture long distance trade network

Time Period	Cultural Period	Comments
AD 800–1300	Early Iroquoian (Late Woodland)	limited agriculture developing hamlets and villages
AD 1300–1400	Middle Iroquoian (Late Woodland)	shift to agriculture complete increasing political complexity large, palisaded villages
AD 1400–1650	Late Iroquoian	regional warfare and political/tribal alliances destruction of Huron and Neutral

1.3.3 Previous Identified Archaeological Work

In order to compile an inventory of known archaeological resources in the vicinity of the Study Area, Detritus consulted the ASDB. The ASDB, which is maintained by the MCM (Government of Ontario, n.d.) contains information concerning archaeological sites that have been registered according to the Borden system. Under the Borden system, Canada is divided into grid blocks based on latitude and longitude. A Borden Block is approximately 13 kilometres ('km') east to west and approximately 18.5km north to south. Each Borden Block is referenced by a four-letter designator and sites within a block are numbered sequentially as they are found. The Study Area lies within block AgGx.

Information concerning specific site locations is protected by provincial policy and is not fully subject to the *Freedom of Information and Protection of Privacy Act* (Government of Ontario, 1990c). The release of such information in the past has led to looting or various forms of illegally conducted site destruction. Confidentiality extends to all media capable of conveying location, including maps, drawings, or textual descriptions of a site location. The MCM will provide information concerning site location to the party or an agent of the party holding title to a property, or to a licensed archaeologist with relevant cultural resource management interests.

According to the ASDB, 119 archaeological sites have been registered within a 1km radius of the Study Area (Table 2). Of these sites 79 are pre-contact Aboriginal sites, 5 are post-contact Euro-Canadian, and 35 have no registered affinity.

Table 2: Registered Archaeological Sites within 1km of the Study Area

Borden Number	Site Name	Time Period	Affinity	Site Type
AgGs-264	Apricot Glen	Pre-Contact	Aboriginal	scatter
AgGx-114	Jerome 4	Archaic	Aboriginal	Unknown
AgGx-128	Jerome 5			
AgGx-162	Babyzac			
AgGx-163	Hotz	Other		Other camp/campsite
AgGx-164	White Church	Pre-Contact	Aboriginal	Other camp/campsite
AgGx-172				
AgGx-173				
AgGx-174				
AgGx-175				
AgGx-181	Many Splendors A	Archaic, Late	Aboriginal	Unknown
AgGx-182	Many Splendors B	Archaic	Aboriginal	Unknown
AgGx-183	Many Splendors C	Archaic, Late	Aboriginal	Unknown
AgGx-184	Jerome Historic	Post-Contact	Euro-Canadian	cabin, homestead
AgGx-186	Many Splendors D	Archaic	Aboriginal	
AgGx-187	Many Splendors E	Woodland, Late	Aboriginal, Iroquoian	Unknown
AgGx-257	Lancaster	Woodland, Late	Aboriginal, Iroquoian	hamlet
AgGx-285	Strathearne	Archaic, Early	Aboriginal	findspot
AgGx-286	Southern Pine	Pre-Contact	Aboriginal	scatter
AgGx-287	Marion			
AgGx-288	Ferris	Archaic, Late	Aboriginal	findspot
AgGx-289	Miles	Archaic, Early	Aboriginal	scatter
AgGx-290	Nebo	Archaic, Late	Aboriginal	findspot
AgGx-291	Tyneside	Archaic, Middle	Aboriginal	findspot

Stage 1-2 Archaeological Assessment, 3392 Homestead Drive, Mount Hope, Hamilton

Borden Number	Site Name	Time Period	Affinity	Site Type
AgGx-292	Tisdale	Pre-Contact	Aboriginal	scatter
AgGx-293	Longview	Pre-Contact	Aboriginal	scatter
AgGx-294	Mount Hope	Archaic, Early, Archaic, Middle	Aboriginal	Other camp/campsite
AgGx-295	Kirk	Pre-Contact	Aboriginal	scatter
AgGx-296	Woodbrook	Pre-Contact	Aboriginal	scatter
AgGx-297	Glanford	Pre-Contact	Aboriginal	findspot
AgGx-298	Southampton	Archaic, Middle	Aboriginal	Other camp/campsite
AgGx-299	Trimble	Archaic, Early, Archaic, Middle, Pre-Contact	Aboriginal	scatter
AgGx-300	Niapenco	Pre-Contact	Aboriginal	findspot
AgGx-332		Pre-Contact	Aboriginal	findspot
AgGx-333		Post-Contact	Euro-Canadian	findspot
AgGx-334		Pre-Contact	Aboriginal	findspot
AgGx-335		Pre-Contact	Aboriginal	findspot
AgGx-336		Pre-Contact	Aboriginal	findspot
AgGx-337		Pre-Contact	Aboriginal	scatter
AgGx-338		Pre-Contact	Aboriginal	findspot
AgGx-339		Other	Other Neutral	Other findspot
AgGx-340		Pre-Contact	Aboriginal	findspot
AgGx-341		Archaic, Early	Aboriginal	findspot
AgGx-342		Pre-Contact	Aboriginal	findspot
AgGx-343		Archaic	Aboriginal	findspot
AgGx-344		Pre-Contact	Aboriginal	findspot
AgGx-345		Woodland, Middle	Aboriginal	findspot
AgGx-346		Archaic, Late	Aboriginal	findspot
AgGx-470	Mountain Gate I			
AgGx-471	Mountain Gate II	Pre-Contact	Aboriginal	camp / campsite
AgGx-472	Mountain Gate III			
AgGx-473	Mountain Gate IV			
AgGx-474	Mountain Gate V			
AgGx-475				
AgGx-476				
AgGx-477				
AgGx-478	Mountain Gate IX			
AgGx-479				
AgGx-480				
AgGx-481				
AgGx-499		Woodland, Late	Neutral	Unknown
AgGx-500		Archaic, Middle	Aboriginal	Unknown
AgGx-501		Pre-Contact	Aboriginal	scatter
AgGx-587		Archaic, Late, Archaic, Middle		scatter
AgGx-588		Other		Unknown
AgGx-590		Pre-Contact	Aboriginal	scatter
AgGx-591		Woodland, Late	Aboriginal	scatter
AgGx-596		Pre-Contact		scatter
AgGx-597		Archaic, Late	Aboriginal	scatter
AgGx-603		Archaic, Middle, Woodland, Middle	Aboriginal	scatter
AgGx-604		Woodland, Middle	Aboriginal	scatter
AgGx-605		Pre-Contact	Aboriginal	scatter
AgGx-606		Archaic, Early, Archaic, Middle	Aboriginal	Unknown
AgGx-607		Pre-Contact	Aboriginal	scatter
AgGx-608		Post-Contact, Pre-Contact	Aboriginal	homestead, scatter

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Borden Number	Site Name	Time Period	Affinity	Site Type
AgGx-609		Pre-Contact	Aboriginal	findspot
AgGx-618		Pre-Contact	Aboriginal	findspot
AgGx-619		Archaic, Middle	Aboriginal	findspot
AgGx-623		Pre-Contact	Aboriginal	scatter
AgGx-624		Pre-Contact	Aboriginal	scatter
AgGx-625		Pre-Contact	Aboriginal	scatter
AgGx-626		Archaic, Late	Aboriginal	scatter
AgGx-627		Archaic, Middle	Aboriginal	scatter
AgGx-726		Post-Contact		farmstead
AgGx-727	Homestead 2	Archaic, Late	Aboriginal	findspot
AgGx-728		Pre-Contact		camp / campsite
AgGx-729		Pre-Contact		camp / campsite
AgGx-730	Homestead 5	Archaic, Late	Aboriginal	scatter
AgGx-731		Post-Contact, Pre-Contact		camp / campsite, farmstead
AgGx-758	H1	Post-Contact	Euro-Canadian	Unknown
AgGx-759	P1	Archaic, Late		scatter
AgGx-760	P2	Pre-Contact	Aboriginal	scatter
AgGx-761	P3	Woodland, Late	Aboriginal	scatter
AgGx-762	P4	Pre-Contact	Aboriginal	scatter
AgGx-763	P8	Pre-Contact	Aboriginal	scatter
AgGx-764	P9	Pre-Contact	Aboriginal	scatter
AgGx-765	P10	Pre-Contact	Aboriginal	scatter
AgGx-766	P14	Pre-Contact	Aboriginal	scatter
AgGx-965		Post-Contact	Euro-Canadian	residential
AgGx-1001	AgGx-1001	Woodland		camp / campsite
AgGx-1002	AgGx-1002	Pre-Contact		camp / campsite
AgGx-1021		Pre-Contact		Unknown
AgGx-1026		Archaic, Middle		findspot
AgGx-1027		Archaic, Late		findspot
AgGx-1029	WCR-1	Post-Contact, Pre-Contact		Unknown, camp / campsite
AgGx-1030	WCR-2	Post-Contact, Pre-Contact		scatter
AgGx-1033	P2	Pre-Contact	Aboriginal	camp / campsite
AgGx-1034	P3	Pre-Contact	Aboriginal	camp / campsite
AgGx-1037	H6	Pre-Contact	Aboriginal	camp / campsite
AgGx-1038	H4	Post-Contact	Euro-Canadian	farmstead
AgGx-1061		Archaic, Late	Aboriginal	hunting loss
AgGx-1062		Archaic, Late	Aboriginal	hunting loss
AgGx-1063		Woodland, Middle	Aboriginal	hunting loss
AgGx-1064		Archaic, Middle	Aboriginal	hunting loss
AgGx-1065		Archaic, Late	Aboriginal	hunting loss
AgGx-1066		Archaic, Late	Aboriginal	hunting loss
AgGx-1075		Pre-Contact	Aboriginal	camp / campsite
AgGx-1082		Pre-Contact		
AgGx-1083		Pre-Contact	Aboriginal	scatter
AgGx-1084		Pre-Contact	Aboriginal	scatter

A Stage 1-2 archaeological assessment was conducted by Archaeological Services, Inc. ('ASI') on the adjacent property to the southwest (Archaeological Services, Inc, 2002; PIF# 2001-025-024). This investigation consisted of a pedestrian survey at five-metre intervals of a large, ploughed field prior to the current subdivision development, resulting in the documentation of a single site, registered with the MCM as Southern Pine (AgGx-286). ASI's Stage 1-2 report was not available at the time of the current assessment. According to the Site Record form, Southern Pine (AgGx-286) was identified as a scatter of six chert flakes located within a 30m area.

To the best of Detritus' knowledge, no other assessments have been conducted adjacent to the Study Area, and no sites are registered within 50m of the Study Area.

1.3.4 Archaeological Potential

Archaeological potential is established by determining the likelihood that archaeological resources may be present on a subject property. Detritus applied archaeological potential criteria commonly used by the MCM (Government of Ontario, 2011) to determine areas of archaeological potential within Study Area. These variables include proximity to previously identified archaeological sites, distance to various types of water sources, soil texture and drainage, glacial geomorphology, elevated topography, and the general topographic variability of the area.

Distance to modern or ancient water sources is generally accepted as the most important determinant of past human settlement patterns and considered alone may result in a determination of archaeological potential. However, any combination of two or more other criteria, such as well-drained soils or topographic variability, may also indicate archaeological potential. When evaluating distance to water it is important to distinguish between water and shoreline, as well as natural and artificial water sources, as these features affect site locations and types to varying degrees. The MCM (Government of Ontario, 2011) categorizes water sources in the following manner:

- Primary water sources: lakes, rivers, streams, creeks;
- secondary water sources: intermittent streams and creeks, springs, marshes and swamps;
- past water sources: glacial lake shorelines, relic river or stream channels, cobble beaches, shorelines of drained lakes or marshes; and
- accessible or inaccessible shorelines: high bluffs, swamp or marshy lake edges, sandbars stretching into marsh.

As was discussed above, the closest source of potable water is the Chippawa Creek that runs east to west approximately 1.6km to the south of the Study Area. The Three Mile Creek is of a similar distance (1.8km) running east to west to the north of the Study Area.

Soil texture is also an important determinant of past settlement, usually in combination with other factors such as topography. The Study Area is situated within the Haldimand Clay Plain physiographic region. As was discussed earlier, the soils within this region are imperfectly drained, but suitable for pre-contact and post contact Aboriginal agricultural. Considering also the length of occupation of Glanford Township prior to the arrival of Euro-Canadian settlers, as evidenced by the 79 pre-contact Aboriginal sites registered within 1km, the pre-contact and post-contact Aboriginal archaeological potential of the Study Area is judged to be moderate to high.

For Euro-Canadian sites, archaeological potential can be extended to areas of early Euro-Canadian settlement, including places of military or pioneer settlements; early transportation routes; and properties listed on the municipal register or designated under the *Ontario Heritage Act* (Government of Ontario, 1990b) or property that local histories or informants have identified with possible historical events. The *Page & Smith* map of Glanford Township from 1865 shows the Study Area in close proximity to historical infrastructure, including the Hamilton & Lake Erie Railroad. Considering the location of the Study Area near to the early community of Mount Hope, as well as the five post-contact Euro-Canadian and five multi-component sites registered within 1km, the potential for post-contact Euro-Canadian archaeological resources is judged to be moderate to high.

Finally, despite the factors mentioned above, extensive land disturbance can eradicate archaeological potential within a Study Area, as outlined in Section 1.3.2 of the *Standards and Guidelines* (Government of Ontario, 2011). Aerial imagery identified a possible disturbance area within the Study Area in the form a driveway, a shed, and a paved brick area. As per Section 2.1.8 of the *Standards and Guidelines* (Government of Ontario, 2011), it is recommended that these potential disturbances be subject to a Stage 2 property inspection to confirm the limits of the disturbance. Detritus determined that the remainder of the Study Area, including the manicured lawn and garden, demonstrated the potential for the recovery of pre-contact Aboriginal, post-

Stage 1-2 Archaeological Assessment, 3392 Homestead Drive, Mount Hope, Hamilton

contact Aboriginal, and Euro-Canadian archaeological resources, and were recommended for Stage 2 assessment.

2.0 Field Methods

The Stage 2 field assessment was conducted on April 25th, 2023, under archaeological consulting license P389 issued to Dr. Walter McCall by the MCM. The limits of the Study Area were not staked out prior to the assessment; therefore, shapefiles were created based on the development mapping provided by the Proponent and uploaded to Detritus' handheld GPS.

During the Stage 2 field work assessment, the weather was 11° Celsius and sunny. At no time were the field, weather, or lighting conditions detrimental to the recovery of archaeological material as per Section 2.1, Standard 3 of the *Standards and Guidelines* (Government of Ontario 2011). Photos 1 to 10 demonstrate the land conditions at the time of the survey throughout the Study Area, including areas that met the requirements for a Stage 2 archaeological assessment, as per Section 7.8.6, Standards 1a of the *Standards and Guidelines* (Government of Ontario, 2011). Figure 3 provides an illustration of the Stage 2 assessment methods in relation to the proposed severance and development of the Study Area, as well as photograph locations and directions.

The Stage 2 field assessment began with a property inspection conducted as per Section 2.1.8, of the *Standards and Guidelines* (Government of Ontario 2011). According to the results of the inspection, 36.36% (0.04ha) of the Study Area comprised the possible disturbance areas identified on the current aerial imagery of the Study Area (see Section 1.3.4 above). Based on the results of the inspection, the driveway, shed, and paved brick area (Photos 2-5, 7) were evaluated as having no potential based on the identification of extensive and deep land alteration that has severely damaged the integrity of archaeological resources, as per Section 2, Standard 2b of the *Standards and Guidelines* (Government of Ontario, 2011). The previously disturbed areas, as confirmed during the Stage 2 property inspection, were mapped and photo documented in accordance with Section 2.1, Standard 6 and Section 7.8.1, Standards 1a and 1b of the *Standards and Guidelines* (Government of Ontario, 2011).

The remaining 63.64% (0.07ha) of the Study Area consisted of manicured lawn and garden that were deemed inaccessible to ploughing. These areas were subject to a typical Stage 2 test pit survey at 5m intervals (Photos 1, 3, 4 & 6) in accordance with Section 2.1.2 of the *Standards and Guidelines* (Government of Ontario, 2011). The test pit survey was conducted to within 1m of the built structures, as per Section 2.1.2, Standard 4 of the *Standards and Guidelines* (Government of Ontario, 2011). Each test pit was at least 30 centimetres ('cm') in diameter and excavated 5cm into sterile subsoil as per Section 2.1.2, Standards 5 and 6 of the *Standards and Guidelines* (Government of Ontario, 2011). The soils were then examined for stratigraphy, cultural features, or evidence of fill.

The test pits ranged in total depth from 14-25cm and featured a single soil layer (topsoil) above the subsoil (Photos 8 & 9). Considering that each test pit was excavated 5cm into sterile subsoil, the observed topsoil layer ranged in depth from 19cm to 29cm. Soils consisted of a sod layer covering medium-brown heavy clay with a lighter coloured orange-brown heavy clay subsoil. The soils included construction aggregates as well as some asphalt and landscaping geotextile mesh. All soil was checked for stratigraphy and screened through six-millimetre mesh hardware cloth to facilitate the recovery of small artifacts, and then the screened material used to backfill the pit as per Section 2.1.2, Standards 7 and 9 of the *Standards and Guidelines* (Government of Ontario, 2011). No artifacts were encountered during the test pit survey; therefore, no further survey methods were employed.

3.0 Record of Finds

The Stage 2 archaeological assessment was conducted employing the methods described in Section 2.0. An inventory of the documentary record generated by fieldwork is provided in Table 3 below.

Table 3: Inventory of Document Record

Document Type	Current Location	Additional Comments
1 Page of Field Notes	Detritus office	Stored digitally in project file
1 Map provided by the Proponent	Detritus office	Stored digitally in project file
1 Field Maps	Detritus office	Stored digitally in project file
12 Digital Photographs	Detritus office	Stored digitally in project file

No archaeological resources were identified within the Study Area during the Stage 2 assessment; therefore, no artifacts were collected. As a result, no storage arrangements were required.

4.0 Analysis and Conclusions

Detritus was retained by the Proponent to conduct a Stage 1-2 archaeological assessment in advance of future severance and development of the property located at 3392 Homestead Drive. The property will be severed into two parcels with Parcel A located in the northern third and Parcel B located within the southern two-thirds of the property. Only Parcel A was included in the Study Area and was subject to assessment.

The Stage 1 background research indicated that portions of the Study Area exhibited moderate to high potential for the identification and recovery of archaeological resources. Therefore, a Stage 2 assessment was recommended for the manicured lawns and garden within the Study Area.

The Stage 2 field assessment was conducted on April 25th, 2023. The driveway, shed, and paved brick area within the Study Area were evaluated as having no potential based on the identification of extensive and deep land alteration that has severely damaged the integrity of archaeological resources. These previously disturbed areas, as confirmed during a Stage 2 property inspection, were mapped and photo documented only.

The remainder of the Study Area consisted of manicured lawn and garden that were deemed inaccessible to ploughing. These areas were subject to a typical Stage 2 test pit survey at 5m intervals (Photos 1, 3, 4 & 6). No archaeological resources were observed.

5.0 Recommendations

Given the results of the Stage 2 investigation and the identification and documentation of no archaeological resources, **no further archaeological assessment of the Study Area is recommended.**

This recommendation applies to current Study Area only, which comprises Parcel A of the severance property at 3392 Homestead Drive. **If in the future, Parcel B of the severance property, which was not included within the current Study Area (Figure 3), will be impacted by development, then a Stage 1 archaeological assessment is required,** conducted according to Section 1.1 of the *Standards and Guidelines* (Government of Ontario 2011). This investigation will assess the development area's potential for the recovery of archaeological resources and will provide specific direction for the protection, management and/or recovery of these resources, as per Sections 1.3 and 1.4 of the *Standards and Guidelines* (Government of Ontario, 2011).

6.0 Advice on Compliance with Legislation

This report is submitted to the Minister Citizenship and Multiculturalism as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Citizenship and Multiculturalism, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *Ontario Heritage Act*.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the *Ontario Heritage Act*.

The *Cemeteries Act*, R.S.O. 1990 c. C.4 and the *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.

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8.0 Maps

Figure 1: Study Area Location

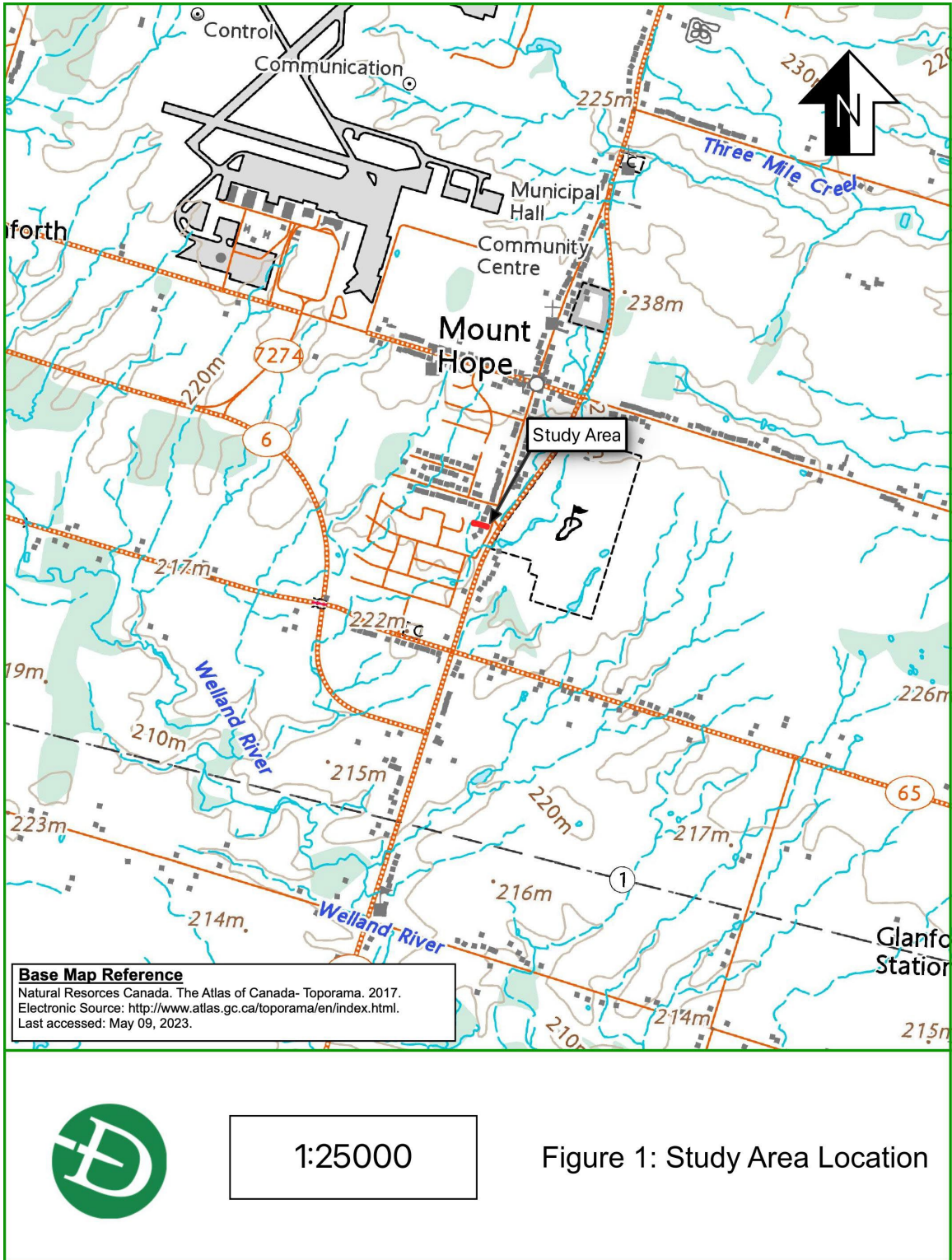


Figure 2: Historic Map Showing Study Area Location



Figure 3: Stage 2 Field Methods Map

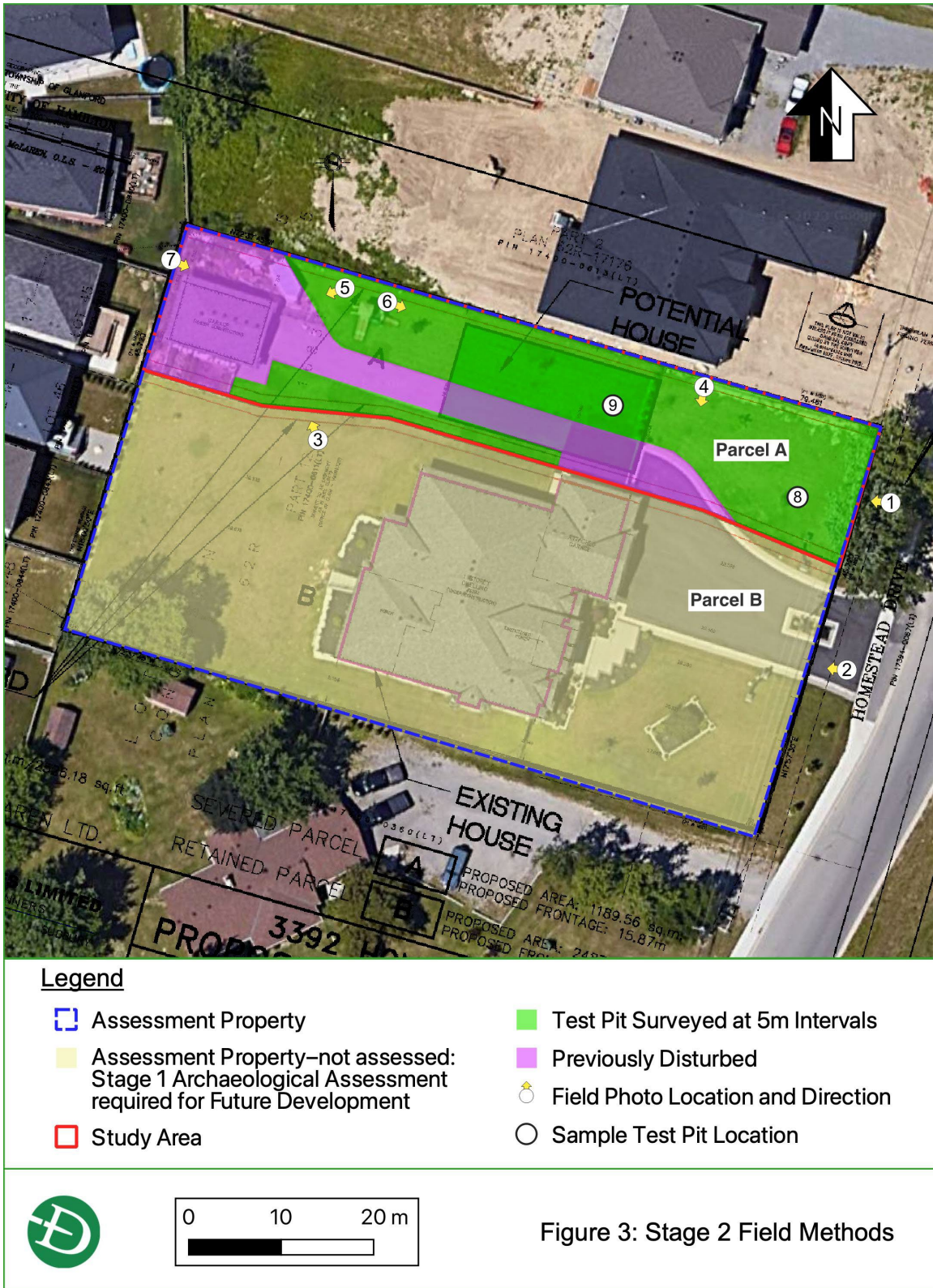
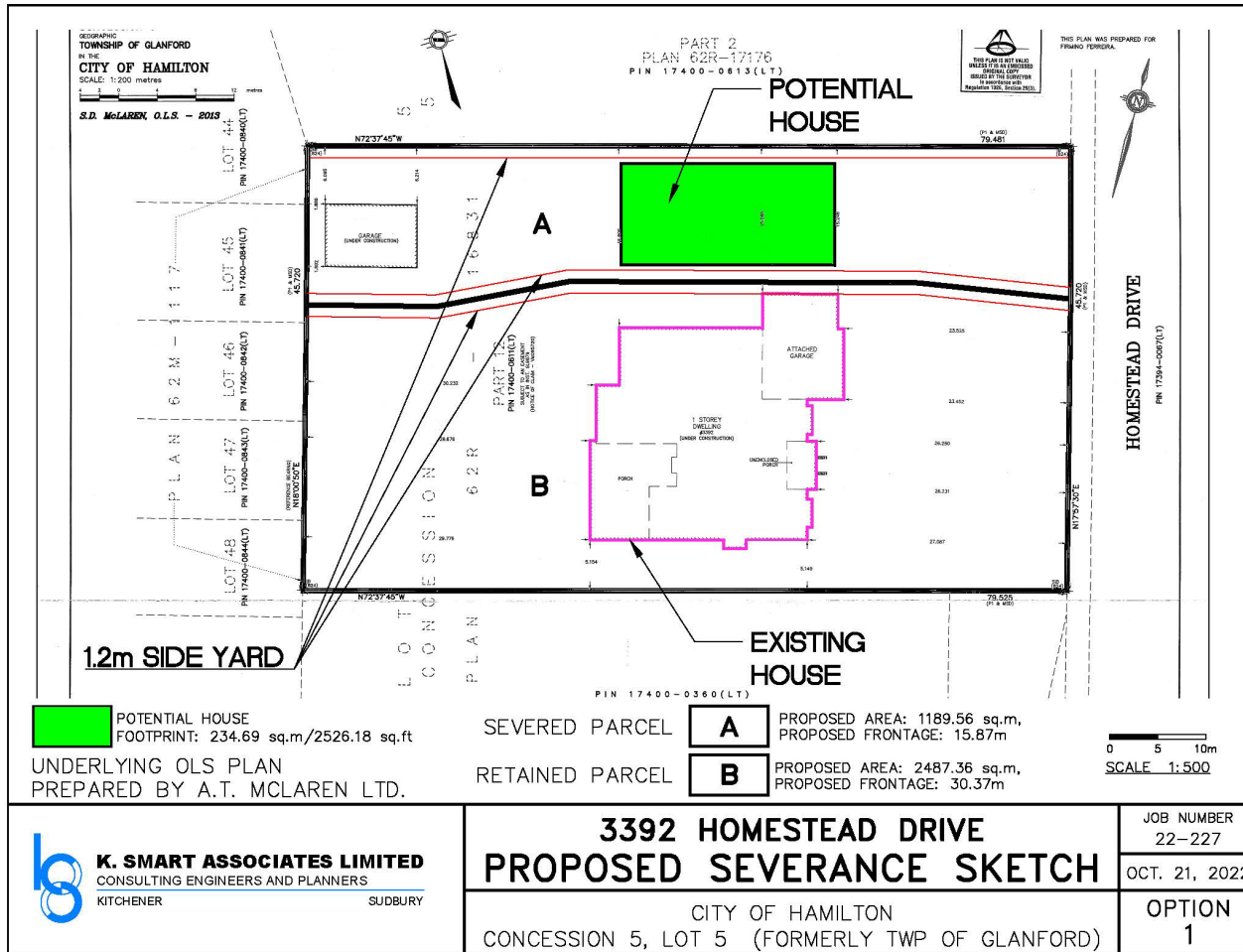


Figure 4: Development Plan



9.0 Images

Photo 1: Manicured Lawn, Test Pit Surveyed, looking west



Photo 2: Driveway, Previously Disturbed, looking west



Photo 3: Manicured lawn and garden, Test Pit Surveyed, and shed and driveway, Previously Disturbed, looking north



Photo 4: Manicured lawn, Test Pit Surveyed, and driveway, Previously Disturbed, looking south



Photo 5: Manicured lawn, Test Pit Surveyed, and driveway, paved brick area, and shed, Previously Disturbed, looking west



Photo 6: Manicured lawn, Test Pit Surveyed, and driveway, Previously Disturbed, looking southeast



Photo 7: Driveway and shed, Previously Disturbed, looking southeast



Photo 8: Sample Test Pit



Photo 9: Sample Test Pit





K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS & PLANNERS

85 McIntyre Drive
Kitchener, ON N2R 1H6

Tel: 519-748-1199
Fax: 519-748-6100

August 9, 2024

File 22-227

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

Regarding: 3392 Homestead Drive, Hamilton – Consent Application Submission

K. Smart Associates has been retained by **Ernesto and Paula Costa** to submit this application on their behalf, who own the residential property at **3392 Homestead Drive, Hamilton**.

This application seeks the following:

- To obtain approval for the severance of an infill residential lot in the north of the subject lands.
- To permit an easement for a driveway feature on the severed parcel.

The submission includes the following required documents and studies:

- Application for Consent to Sever Land form.
- Consent Sketch prepared by K. Smart Associates Limited.
- Ontario Land Surveyor Drawing prepared by McKechnie Surveying Limited.
- Proposed Functional Servicing and Grading Plan prepared by K. Smart Associates Limited.
- Stage 1-2 Archaeological Assessment prepared by Detritus Consulting Limited.
- Tree Preservation Plan prepared by Aboud & Associates Incorporated.

This application is being made under the 'R2 (Low Rise Residential)' zoning category of Zoning By-Law No. 05-200, which was recently approved by Council and is currently under appeal. Submission at this time was reviewed with Tim Vrooman on August 1, 2024.

Please send the required fees to Caridad Malebranche, who is copied on the e-mail containing this letter. We look forward to receiving your comments after your review of this application. If you have any questions, please feel free to contact me at our Kitchener office.

Regards,

Steven Jefferson, MCIP, RPP
Manager, Land Use Planning
K. Smart Associates Limited

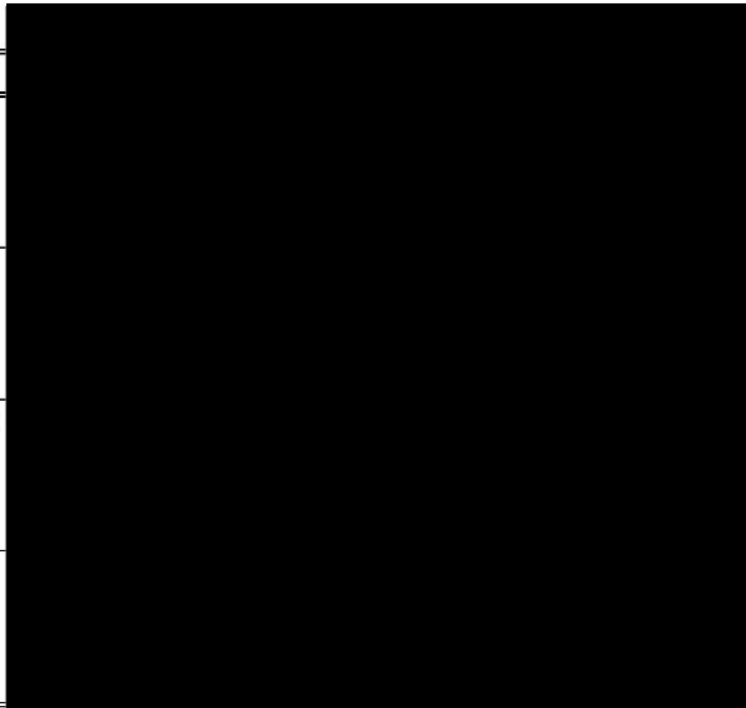
Copy to: Caridad Malebranche, Ernesto Costa, Paula Costa.

**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
Purchaser*	
Registered Owners(s)	Ernesto Costa Paula Costa
Applicant(s)**	Steven Jefferson / K. Smart Associates Limited
Agent or Solicitor	Caridad Malebranche



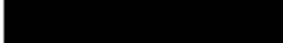
*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** 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	3392 Homestead Drive		
Assessment Roll Number	251890251019400		
Former Municipality	Glanford		
Lot	5	Concession	5
Registered Plan Number	62R-16831	Lot(s)	
Reference Plan Number (s)	17400-0611 (LT)	Part(s)	Part 12

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 type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input checked="" 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:

N/A

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

N/A

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:	Retained parcel	Severed parcel	Easement		
Type of Transfer	N/A	Consent	Easement**		
Frontage	27.7m	18.0m	4.3m		
Depth	79.5m	79.5m	5.8m		
Area	2517 sq m	1118 sq m	25 sq m		
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	Single-detached dwelling	Shed at rear of property	None		
Proposed Buildings/ Structures	None	Single detached dwelling	None		
Buildings/ Structures to be Removed	None	None	None		

* Additional fees apply.

** (in favour of the retained parcel).

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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods, Airport Influence Area

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

Per the Official Plan, residential intensification is encouraged throughout the entire built-up area and 'Neighbourhoods' designation, within which are the subject lands.

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? Residential - R2

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

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

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

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	No
A land fill	<input type="checkbox"/>	No
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	No
A provincially significant wetland	<input type="checkbox"/>	No
A provincially significant wetland within 120 metres	<input type="checkbox"/>	No
A flood plain	<input type="checkbox"/>	No
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	No
An active railway line	<input type="checkbox"/>	No
A municipal or federal airport	<input type="checkbox"/>	Yes

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.

GL/B-21:91, 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.

Severed parcel dimensions and layout altered to conform to Zoning By-law provisions.

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?

Since July 2010

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.

16 Abbington Drive, Hamilton ON L9C 4R3

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)

The proposed application conforms to all policies outlined in Provincial and Municipal plans under the Planning Act.

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

Yes No (Provide explanation)

Residential intensification is encouraged within settlement areas. The severance proposed through this application is residential in nature and within the Hamilton Urban Boundary.

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

Yes No (Provide explanation)

The Growth Plan promotes residential growth within the Hamilton Built-Up Area.

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

Yes No (Provide explanation)

The subject lands are not within the jurisdiction of the Niagara Escarpment Plan.

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes No (Provide explanation)

The subject lands are not within the jurisdiction of the Parkway Belt West Plan.

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

The Hamilton Urban Area is within the Greenbelt Plan.

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3

Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4

Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5

Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

10.6

Existing Land Use: _____ Proposed Land Use: _____

10.7

Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

a) Date of construction:

- Prior to December 16, 2004
- After December 16, 2004

b) Condition:

- Habitable
- Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

Tree Report
