



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-24:45	SUBJECT PROPERTY:	1335 Highway 8, Stoney Creek
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APPLICANTS: Owner: 1849315 Ontario Inc.
Agent: GSP Group - Craig Rohe

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 30 Park Manor Drive.

	Frontage	Depth	Area
SEVERED LANDS (Part 2):	N/A m [±]	12.2 m [±]	321.6 m ² ±
RETAINED LANDS (Part 1):	26.2 m [±]	59.0 m [±]	1,477.3 m ² ±

Associated Planning Act File(s): A-24:173

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, January 21, 2025
TIME:	1:40 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

B-24:45

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

PUBLIC INPUT

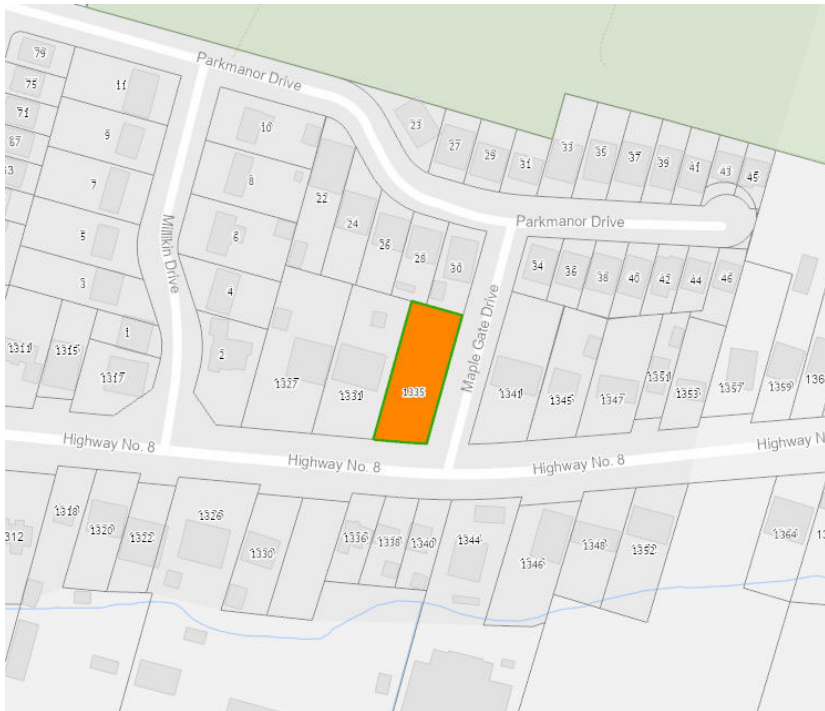
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **January 17, 2025**

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **January 20, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:45, 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: January 2, 2025

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.



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

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.

SKETCH FOR LAND DIVISION
OF
1335 HIGHWAY No. 8
IN THE
CITY OF HAMILTON

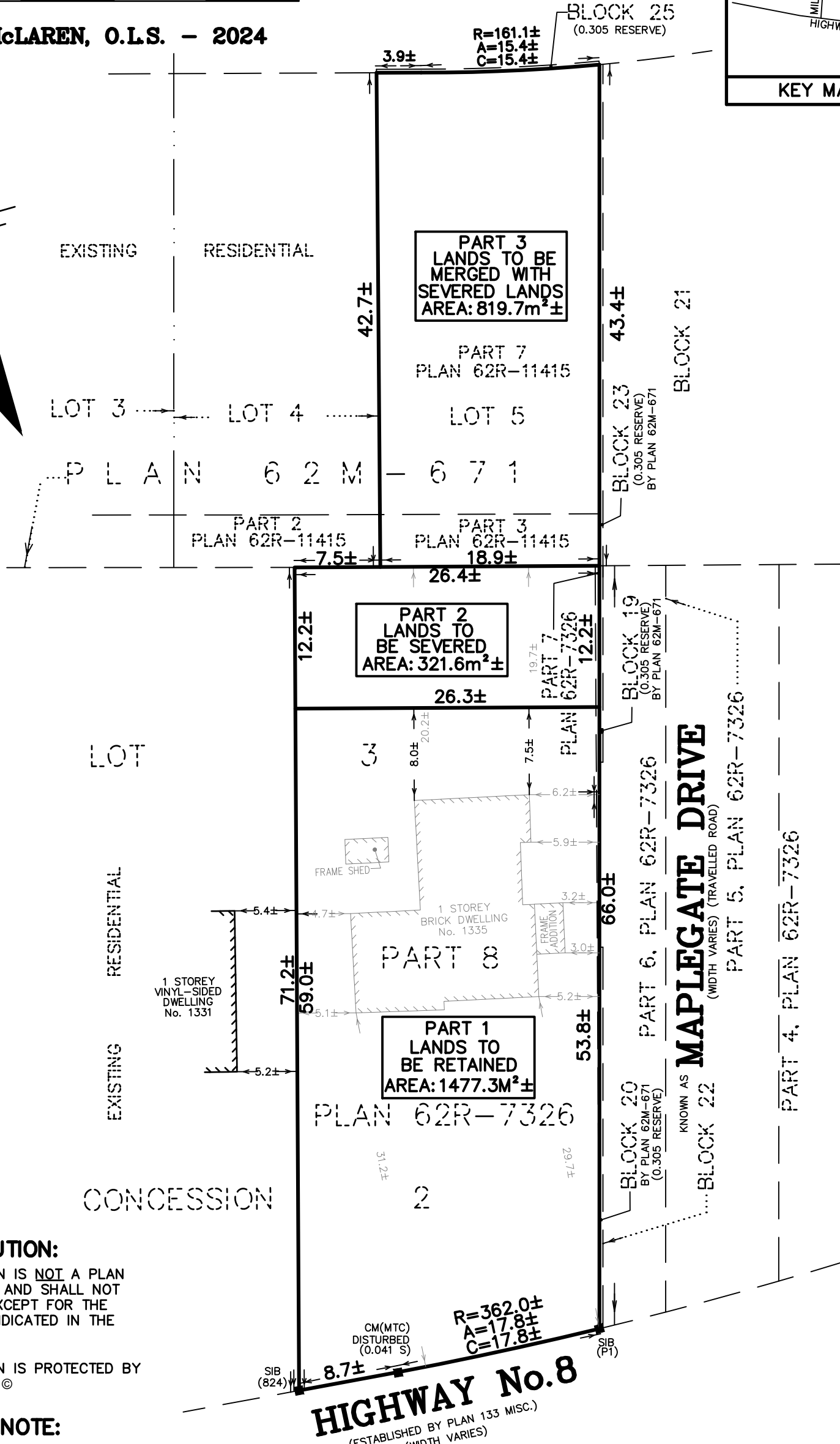
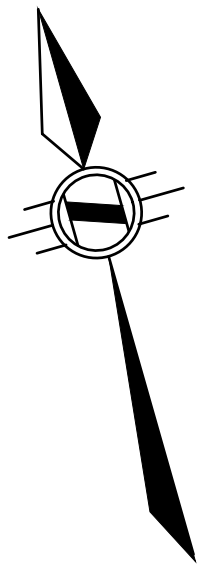
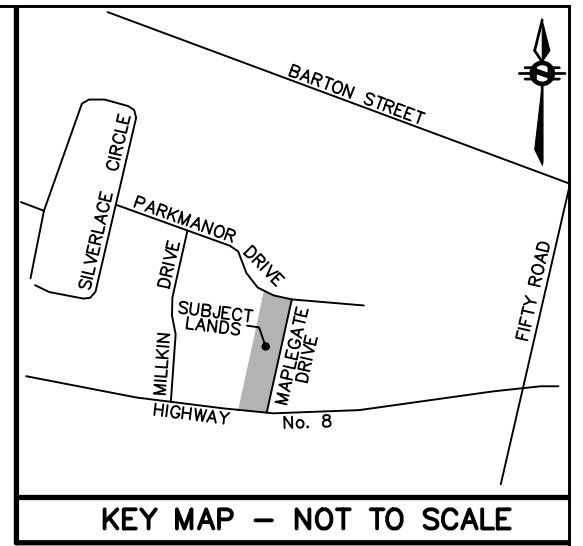
SCALE 1:400 METRIC



R.A. McLAREN, O.L.S. - 2024

PARKMANOR DRIVE

(ESTABLISHED BY PLAN 62M-671)
(WIDTH VARIES)



EXISTING RESIDENTIAL

LOT 3 LOT 4 LOT 5

PLAN 62M-671

PART 2 PLAN 62R-11415 PART 3 PLAN 62R-11415

LOT

EXISTING RESIDENTIAL

CONCESSION

CAUTION:

A) THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

B) THIS PLAN IS PROTECTED BY COPYRIGHT ©

METRIC NOTE:

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

NOTE:

THIS PLAN IS COMPRISED OF PART OF LOT 3, CONCESSION 5, GEOGRAPHIC TOWNSHIP OF SALTFLEET AND DISTANCES SHOWN WERE DERIVED FROM PLAN 62R-7326

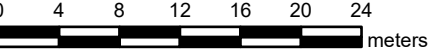
HIGHWAY No. 8
(ESTABLISHED BY PLAN 133 MISC.)
(WIDTH VARIES)

OCTOBER 22, 2024
DATE

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked RBM	Crew Chief DW	Scale 1:300	Dwg.No. 37767-SK
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SCALE



PROPERTY INDEX MAP

WENTWORTH(No. 62)

LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER 0449
- BLOCK NUMBER 08050
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 3, CON 2 SALTFLEET , AS IN CD196755 ; STONEY CREEK CITY OF HAMILTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

1996/07/22

OWNERS' NAMES

1849315 ONTARIO INC.

CAPACITY SHARE

ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
<p>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1996/07/22 ON THIS PIN**</p> <p>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1996/07/22**</p> <p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **</p> <p>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</p> <p>** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</p> <p>** AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</p> <p>** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</p> <p>** CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 1996/07/22 **</p>						
BL1738	1956/01/25	BYLAW				C
REMARKS: (1STLY) (AS TO PIN 17333-0663) ; RE: SUBDIVISION CONTROL						
62R7326	1984/09/13	PLAN REFERENCE				C
WE1053353	2015/07/27	TRANSFER	\$471,000	KUBU, EDWARD JOSEPH	1849315 ONTARIO INC.	C
REMARKS: PLANNING ACT STATEMENTS.						
WE1156667	2016/10/13	CHARGE	\$427,500	1849315 ONTARIO INC.	THE TORONTO-DOMINION BANK	C
WE1156673	2016/10/13	NO ASSGN RENT GEN		1849315 ONTARIO INC.	THE TORONTO-DOMINION BANK	C
REMARKS: WE1156667						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.

NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

Stage 1-2 Archaeological Assessment 1335 Highway 8, Hamilton

Part of Lot 3, Concession 2, Geographic Township of
Saltfleet, Historical County of Wentworth, now the
City of Hamilton

Submitted to:

David DeFaveri
375 McNeilly Road, Stoney Creek,
Ontario, L8E 5H4

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: Garth Grimes
License Number: P017
PIF Number: P017-1112-2024
CP Number: 2024-058

ORIGINAL REPORT

July 15, 2024

Executive Summary

Detritus Consulting Ltd. ('Detritus') was retained by GSP Group on behalf of the proponent (David DeFaveri) to conduct a Stage 1-2 archaeological assessment on part of Lot 3, Concession 2, in the Geographic Township of Saltfleet, within the Historical County of Wentworth, now the Regional Municipality of Hamilton, Ontario (Figure 1). This assessment was undertaken in advance of future development on the property at 1335 Highway 8, Hamilton and the development will span the entire property (the 'Study Area,' 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 application phase of development under archaeological consulting license P017 issued to Mr. Garth Grimes 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 Study Area comprises a rectangular-shaped parcel that fronts onto Highway 8 and measures approximately 0.18 hectares ('ha'). The Study Area is bound by Highway 8 to the north, residential properties to the north and west, and Maple Gate Drive to the east. At the time of assessment, the Study Area included one residential property fronting Highway 8, featuring manicured lawns, one house, two patios, a driveway, and one shed (Figure 3).

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. The Stage 1 background research indicated that the Study Area is within an area of archaeological potential. Therefore, a Stage 2 Property Assessment was recommended for the Study Area.

The subsequent Stage 2 field assessment of the Study Area was conducted on June 11th, 2024. This investigation began with a property inspection, conducted according to Section 2.1.8, which is informed by Section 1.2 of the *Standards and Guidelines* (Government of Ontario, 2011). The inspection revealed that the house, driveway, two patios, and shed retained no, or low, archaeological 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 remainder of the Study Area comprised the manicured lawns throughout the Study Area, which were assessed by means of a typical test pit survey at 5m 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.**

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, PO17
Field Director:	Matthew Gibson, R1160
Field Technician:	Finn Tuohy, Pat Blume, Sasha Zivolak
Report Preparation:	Brittanee Mason, R1362 and Tina Ross
Mapping:	Brittanee Mason, R1362 and Tina Ross
Licensee Review:	Garth Grimes, PO17

Acknowledgments

Generous contributions by Mr. Craig Rohe of GSP Group Inc. and Mr. David De Faveri made this report possible.

1.0 Project Context

1.1 Development Context

Detritus Consulting Ltd. ('Detritus') was retained by GSP Group Inc. on behalf of the proponent (David DeFaveri) to conduct a Stage 1-2 archaeological assessment on part of Lot 3, Concession 2, in the Geographic Township of Saltfleet, within the Historical County of Wentworth, now the Regional Municipality of Hamilton, Ontario (Figure 1). This assessment was undertaken in advance of future development on the property at 1335 Highway 8, Hamilton and the development will span the entire property (the 'Study Area,' Figure 4).

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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 Indigenous 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 (Warrick, 2013; Birch, 2010). 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; Schmalz, 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, 2002). 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 Indigenous 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, in 1847 (Smith, 2002)

Despite the encroachment of European settlers on previously established Indigenous 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 3, Concession 2, in the Geographic Township of Saltfleet, within the Historical County of Wentworth, now the Regional Municipality 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, 2012-2015). 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).

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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 as the Western, Home, Midland and Eastern Districts. The current Study Area is situated in the historic Home District, which comprised lands obtained in the “Between the Lakes Purchases” of 1784 and 1792 (Archives of Ontario, 2012-2015). 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. In 1816, further administrative changes were made, with the creation of the Gore District, which encompassed Wentworth County, including the Township of Saltfleet.

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, 2012-2015)

The Township of Saltfleet was established in Lincoln County in 1791 and became part of Wentworth County in 1816. The name Saltfleet was taken from the village of Saltfleet in Lincolnshire England (Hamilton Public Library, 2018). Settlement began to trickle into the region in 1786, with an influx of loyalist immigrants from New York State began immigrating to Upper Canada in the years following the Revolutionary War. The Township of Saltfleet was laid out in eight concessions between Lake Ontario and the Township of Binbrook to the south. After the American Revolutionary War, Crown Patents were granted to United Empire Loyalists who settled at first below the escarpment.

The *Illustrated Historical Atlas of the County of Wentworth* (*Historical Atlas*), demonstrates the extent to which Saltfleet Township had been settled by 1875 (Page & Smith 1875; Figure 2). Landowners are listed for a large majority of the lots within the township, many of which had been subdivided multiple times into smaller parcels to accommodate an increasing population throughout the late 19th century. Structures and orchards are prevalent throughout the township, almost all of which front early roads.

According to the Saltfleet Township map in the *Illustrated Historical Atlas of the County of Wentworth, Ont.* (Page & Smith, 1875). Lot 3 Concession 2 was owned by J.R. Pettit, whose family also owned Lots to the west and south. The Study Area is located to the south of a historical Road, now Highway 8, that crosses the southern portion of the lot. The Study Area occupies a small portion of Pettit’s property. A single structure is illustrated on the property. The early community and post office of Winona are located to the northwest of the Study in Concession 1 to the north. Looking further afield, Lake Ontario and the Great Western Railroad is to the north 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 Study Area comprises a rectangular-shaped parcel that fronts onto Highway 8 and measures approximately 0.18 hectares ('ha'). The Study Area is bound by Highway 8 to the north, residential properties to the north and west, and Maple Gate Drive to the east. At the time of assessment, the Study Area included one residential property fronting Highway 8, featuring manicured lawns, one house, two patios, a driveway, and one shed (Figure 3).

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 continues to be used for agricultural purposes.

The Study Area is located within the Iroquois Plain Physiographic Region (Chapman & Putnam, 1984). This area is the ancient seabed of glacial Lake Iroquois, which extends around the western shore of Lake Ontario for some 300 kilometres ('km'). The region is characterized by flat topography composed of shallow lacustrine deposits of primarily sand over a clay subsoil. The predominant subsurface strata are Queenston formation shale with glacio-lacustrine silt and clay. Drainage is moderate and provided by a number of small streams and creeks that often end in marshy areas south of the dunes at the Lake Ontario beachfront. Although imperfectly drained with rapid surface runoff, the soils of this region are suitable for pre-contact and post-contact Indigenous agriculture including corn and soybeans in rotation with cereal grains as well as alfalfa and clover (Chapman & Putnam, 1984).

The closest source of potable water is Fifty Mile Creek, approximately 900 m to the south of the Study Area.

1.3.2 Pre-Contact Indigenous Land Use

This portion of southern Ontario was 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 Saltfleet Township (Ellis & Ferris, 1990).

Table 1: Cultural Chronology for Saltfleet 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
AD 800–1300	Early Iroquoian (Late Woodland)	limited agriculture developing hamlets and villages

Time Period	Cultural Period	Comments
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 archaeological resources, the registered archaeological site records kept by the MCM were consulted. In Ontario, information concerning archaeological sites stored in the ASDB (Government of Ontario, n.d.) is maintained by the MCM. This database contains archaeological sites 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 AhGv.

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, eight sites have been registered within a 1km radius of the Study Area (Table 2). Three are pre-contact Indigenous sites, four are Euro-Canadian sites, and one has no registered affinity, but is labelled as a campsite.

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

Borden Number	Site Name	Time Period	Affinity	Site Type
AhGv-51	Smith 3	Post-Contact	Euro-Canadian	farmstead
AhGv-50	Smith 2	Post-Contact		scatter
AhGv-49	Smith 1	Post-Contact		scatter
AhGv-4	Hoffman	Other		Other camp/campsite
AhGv-33		Pre-Contact		camp / campsite
AhGv-32		Pre-Contact		camp / campsite
AhGv-31		Pre-Contact		scatter
AhGv-3	Winona Shelter	Woodland, Late	Aboriginal, Iroquoian	burial

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

Detritus applied archaeological potential criteria commonly used by the MCM to determine areas of archaeological potential within the Study Area. According to Section 1.3.1 of the *Standards and Guidelines* (Government of Ontario, 2011), 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, when 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. As per Section 1.3.1 of the *Standards and Guidelines* (Government of Ontario, 2011), water sources may be categorized 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 Fifty Mile Creek, approximately 900 m to the south 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 Iroquois Plain Physiographic Region (Chapman & Putnam, 1984). As was discussed earlier, the soils within this region are imperfectly drained, but suitable for pre-contact and post contact Indigenous agricultural. Considering also the length of occupation of Saltfleet Township prior to the arrival of Euro-Canadian settlers, as evidenced by the three pre-contact Indigenous sites registered within 1km, the pre-contact and post-contact Indigenous 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 *Historical Atlas* from 1875 show the Study Area in close proximity to historical infrastructure, including the Great Western Railway. Considering the location of the Study Area near to Grimsby, as well as the four post-contact Euro-Canadian 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 the house, driveway, two patios, and shed. 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 demonstrated the potential for the recovery of pre-contact Indigenous, post-contact Indigenous, and Euro-Canadian archaeological resources, and were recommended for Stage 2 assessment.

2.0 Field Methods

The Stage 2 assessment of the Study Area was conducted on June 11th, 2024, under archaeological consulting license PO17 issued to Mr. Garth Grimes by the MCM. The limits of the Study Area were established in the field using a georeferenced shapefile produced using QGIS and uploaded to a hand-held GPS device running Qfield. Buried utility locates were obtained prior to initiating fieldwork.

During the Stage 2 assessment conditions were excellent and 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). The weather during the assessment was overcast and 18°Celsius and the soil was dry and screened easily. Photos 1 to 8 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 development plan, 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 this inspection, approximately 25% of the Study Area comprised the possible disturbance areas identified on the current aerial imagery (see Section 1.3.4 above). The disturbed areas, which include the house, driveway, two patios, and shed, 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 areas of previous disturbance observed within the Study Area were mapped and photo documented in accordance with Section 2.1, Standard 6 and Section 7.8.1, Standard 1b of the *Standards and Guidelines* (Government of Ontario, 2011).

Approximately 75% of the Study Area comprised the manicured lawn that was deemed inaccessible to ploughing. This area was subject to a typical test pit survey at five-metre intervals in accordance with Section 2.1.2 of the *Standards and Guidelines* (Government of Ontario, 2011; Photos 1 to 8). The test pit survey was conducted to within 1m of the built structures or until test pits show evidence of recent ground disturbance, 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 18cm to 29cm and featured three distinct soils, including a reddish-brown loam with clay subsoil, a dark brown loam with clay subsoil, and pea gravel over dark brown clay otop a dark grey clay a single dark brown clay loam soil layer (topsoil) above the light brown clay subsoil (Photos 9 to 11). Considering that each test pit was excavated 5cm into sterile subsoil, the observed topsoil layer ranged in depth from 13cm to 24cm. 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
13 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 development on the property at 1335 Highway 8, Hamilton.

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. The Stage 1 background research indicated that the Study Area is within an area of archaeological potential. Therefore, a Stage 2 Property Assessment was recommended for the Study Area.

The subsequent Stage 2 field assessment of the Study Area was conducted on June 11th, 2024. This investigation began with a property inspection, conducted according to Section 2.1.8, which is informed by Section 1.2 of the *Standards and Guidelines* (Government of Ontario, 2011). The inspection revealed that the house, driveway, two patios, and shed retained no, or low, archaeological 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 remainder of the Study Area comprised the manicured lawns throughout the Study Area, which were assessed by means of a typical test pit survey at 5m intervals. 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.**

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

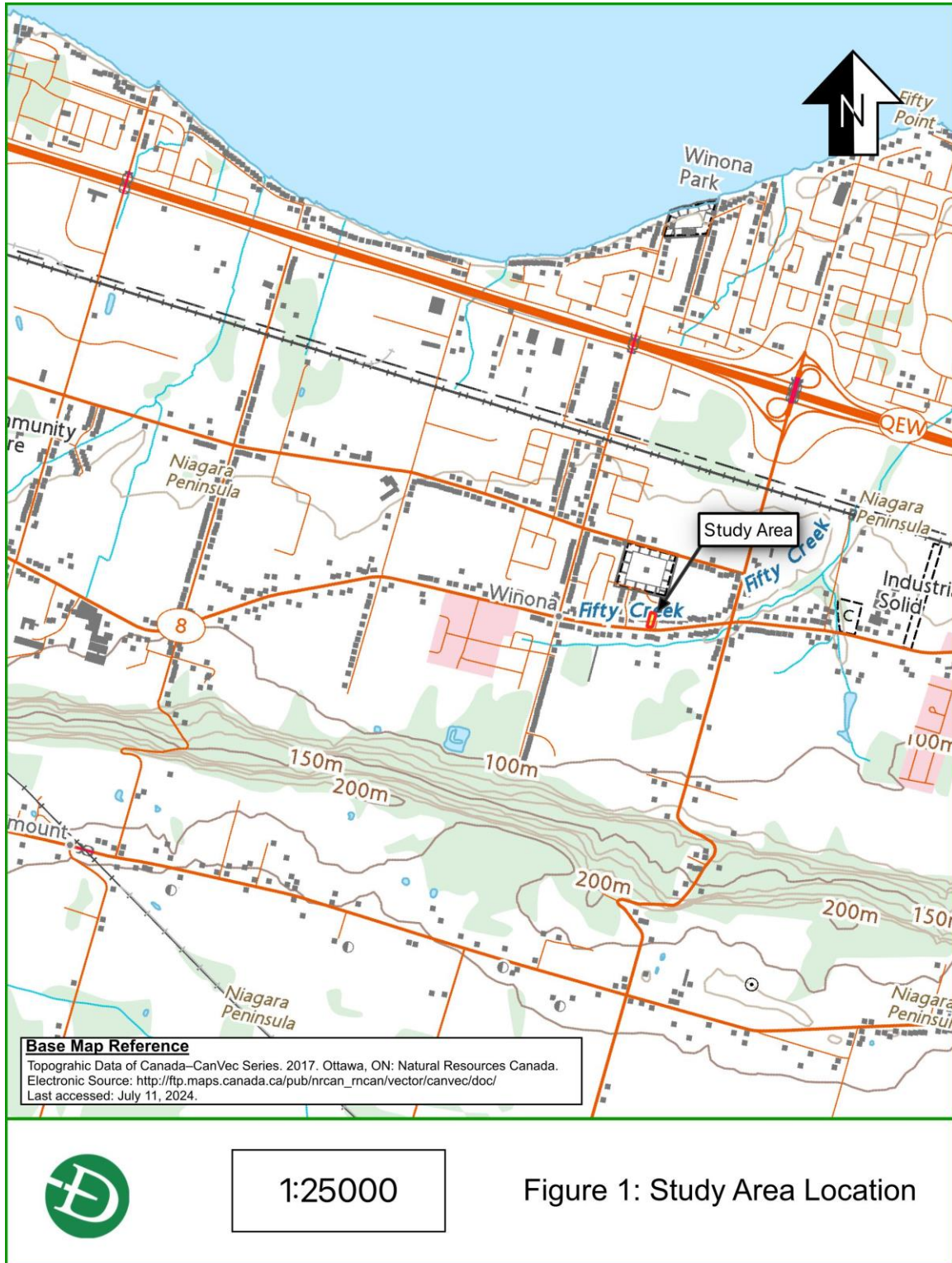


Figure 2: Historic Map Showing Study Area Location

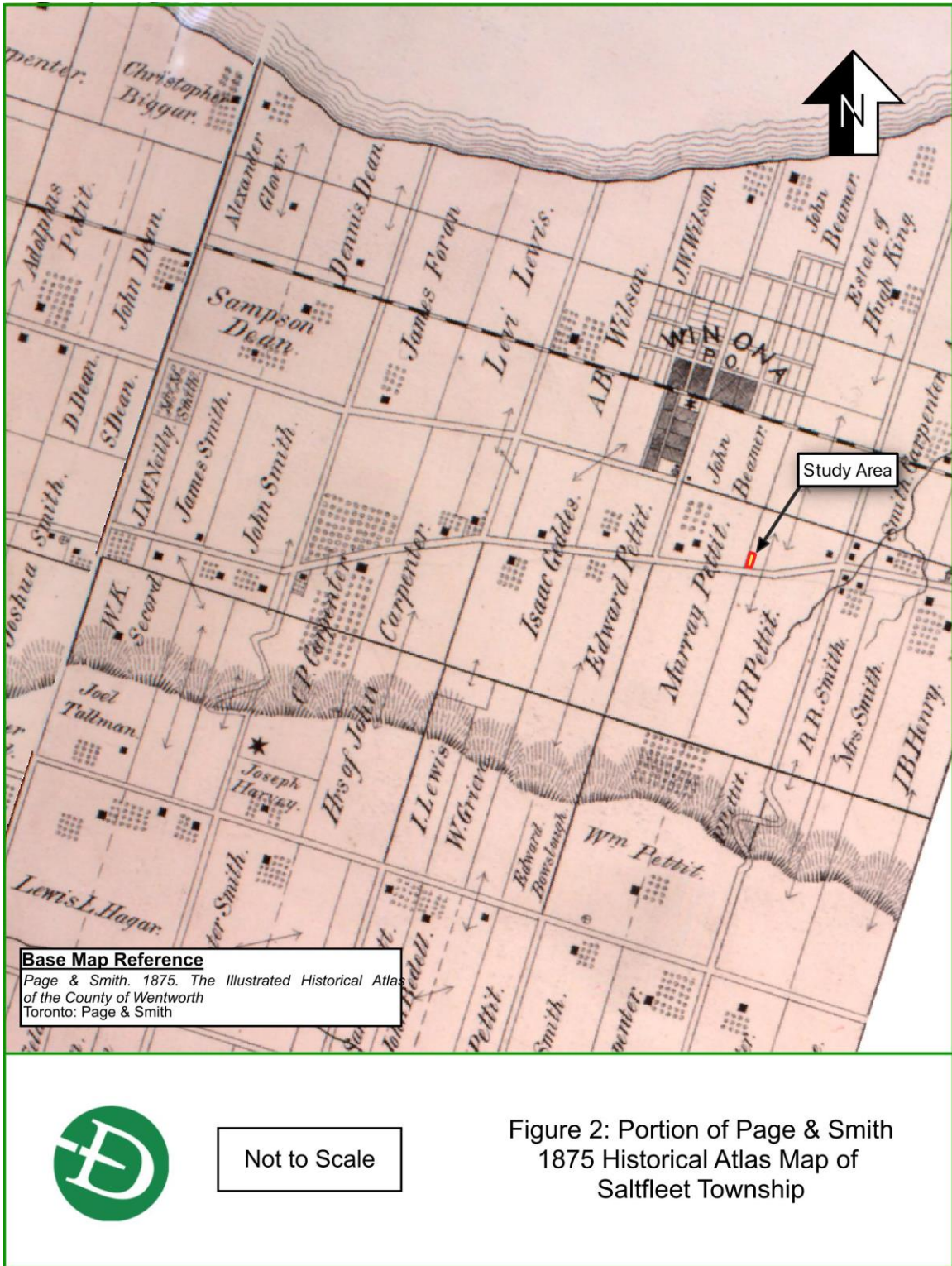


Figure 3: Stage 2 Field Methods Map

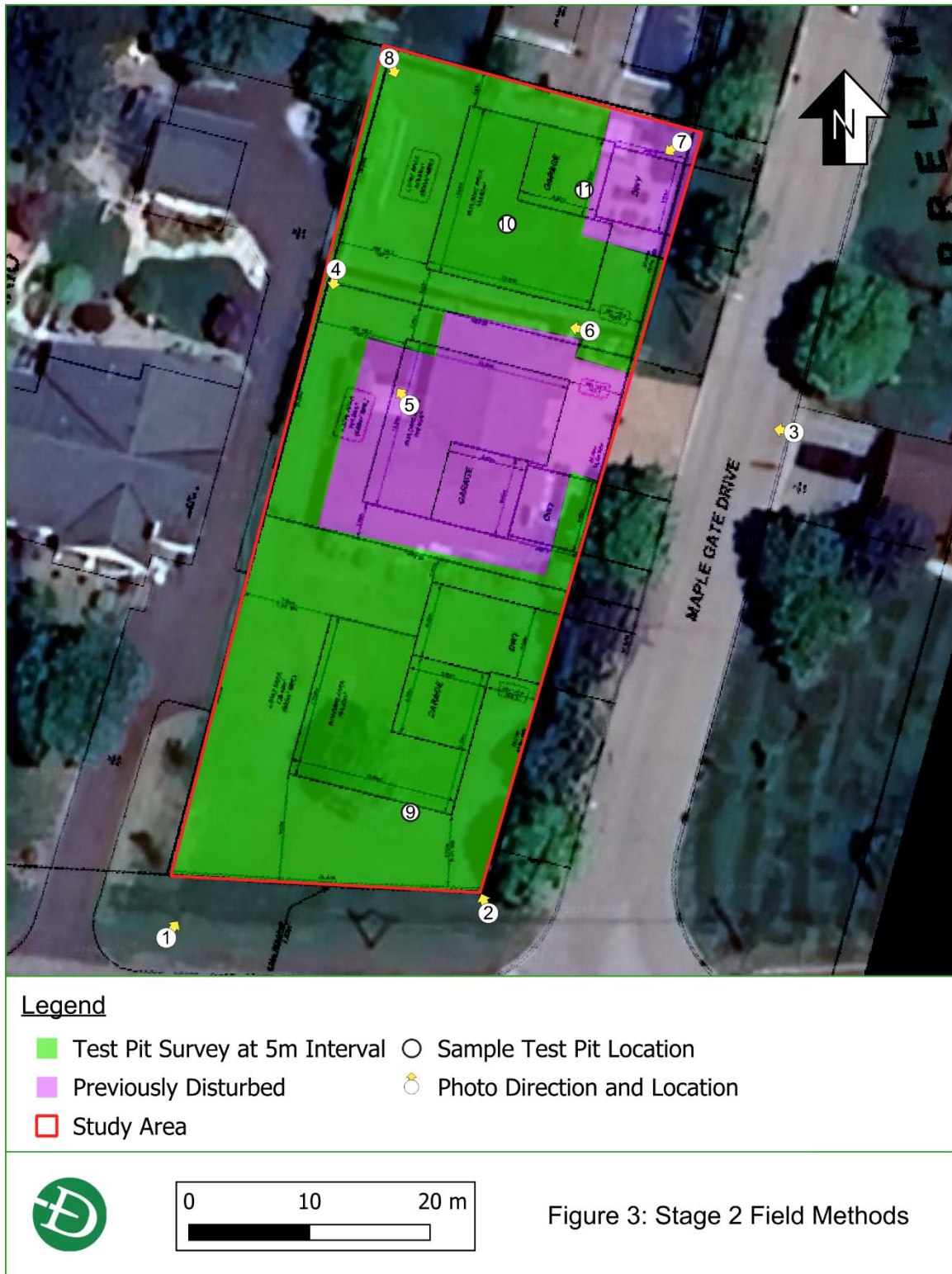
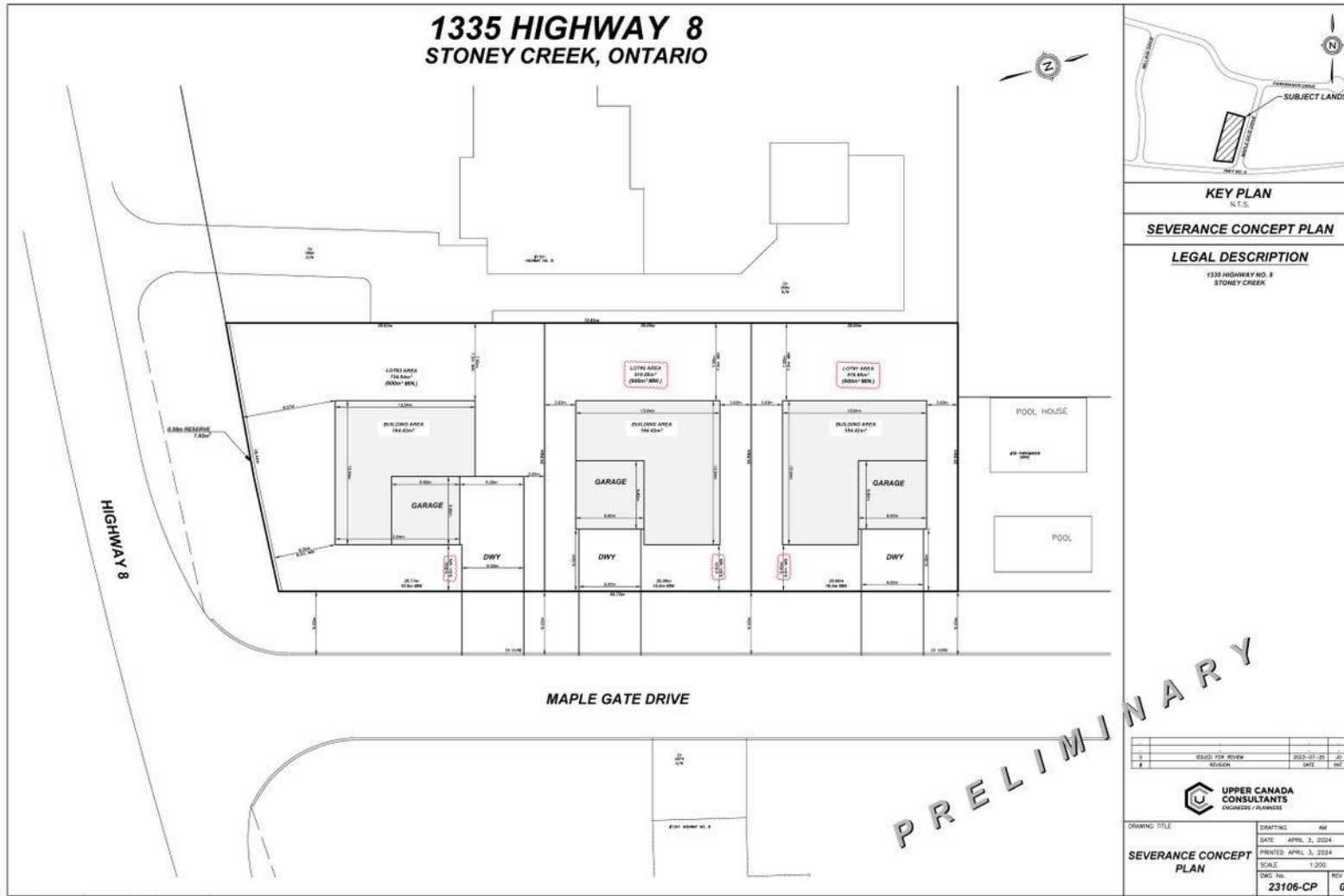


Figure 4: Development Plan



9.0 Images

9.1 Field Photos

Photo 1: Manicured Lawn, Test Pit Surveyed at 5m Intervals, Fieldwork, looking northeast



Photo 2: Manicured Lawn, Test Pit Surveyed at 5m Intervals, and House, looking north



Photo 3: Manicured lawn, Test Pit Surveyed at 5m Intervals, House and Driveway, looking west



Photo 4: Manicured lawn, Test Pit Surveyed at 5m Intervals, Fieldwork, and Shed, looking south



Photo 5: Manicured lawn, Test Pit Surveyed at 5m Intervals, Fieldwork, Patio and Shed, looking northwest



Photo 6: Manicured Lawn, Test Pit Surveyed at 5m Intervals, Fieldwork, House, and Fence looking west



Photo 7: Manicured lawn, Test Pit Surveyed at 5m Intervals. Fieldwork, and Patio, looking southwest



Photo 8: Manicured Lawn, Test Pit Surveyed at 5m Intervals, Fieldwork, and Patio, looking south



Photo 9: Sample Test Pit



Photo 10: Sample Test Pit



November 5, 2024

GSP File No. 24094

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

Attn: Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

**RE: Application for Consent to Sever (Boundary Adjustment) and Partial Discharge of Mortgage (File B.24.45)
1335 Highway 8 and 30 Park Manor Drive, Winona (Stoney Creek)**

On behalf of our client 1849315 Ontario Inc. (the “Owner”), GSP Group is pleased to provide this amended application for Consent to Sever (Boundary Adjustment) between properties known as 1335 Highway 8 and 30 Park Manor Drive in Stoney Creek.

This application has been prepared as a result of new information discovered by City staff through the review of Applications A.24.173 and B.24.45, namely that Maple Gate Drive is not a public roadway and cannot be utilized to support new lot creation. The fees provided for the original applications are being honoured for this resubmission by the City of Hamilton.

The applicants are proposing to transfer 326.1 square metres of land from 1335 Highway 8 to the adjacent property to the north known as 30 Park Manor Drive, which is personally owned residence of the applicants. The lands to be transferred, being Part 2 on the provided severance sketch, are currently used by the applicants for exclusive outdoor amenity purposes associated with 30 Park Manor Drive and are fenced off and inaccessible from 1335 Highway 8. The application intends to convey these lands for formal inclusion as part of their personal property. A Partial Discharge of Mortgage will be required for Part 2 (lands to be transferred).

Accompanying this covering letter and Planning Justification Brief are the following materials:

- One (1) copy of the signed and completed Application Form;
- One (1) copy of the PIN Map and Parcel Register for the subject lands;
- One (1) copy of a Severance Sketch prepared by A.T. McLaren Surveyors (dated October 22, 2024); *and*
- One (1) copy of a Stage 1 & 2 Archaeological Assessment prepared by Detritus Consulting Ltd. and the related Ministry Letter of Concurrence (dated August 20, 2024)

A site visit was undertaken by the report author on July 4, 2024, to evaluate the site and surrounding area. Photographs from that visit are included as **Appendix I** to this report.

PLANNING JUSTIFICATION BRIEF

The following Planning Opinions are provided in relation to the submitted Boundary Adjustment application.

Overview of the Subject Lands and Surrounding Area

The subject lands are located within the Winona community within the City of Hamilton on the north side of Highway 8 and west side of Maple Gate Drive, south of Park Manor Drive. Both properties are located within the Winona Settlement Area Boundary and the Provincially delineated Built Boundary. Further east of the subject lands the Greenbelt Plan applies, and south of Highway 8 the Niagara Escarpment Plan applies. The location of the subject lands in relation to the boundaries of these areas are shown in **Appendix II** to this report.

The property known as 1335 Highway 8 currently contains a one-storey single detached dwelling and accessory structure (shed). The northern portion of the property contains a fenced yard that is utilized exclusively by the owners of 30 Park Manor Drive as additional yard space. The southern yard along Highway 8 is vacant of structures. The boulevard across the flankage with Maple Gate Drive contains several boulevard street trees which appear to have been planted as part of the development of the adjacent subdivision (Plan 62M-671) to the north.

The property that is receiving land is 30 Park Manor Drive. This property is the personal residence of the applicants (1849315 Ontario Inc.) and contains a two-storey single detached dwelling, an accessory structure and pool in the rear yard. The property has driveway access from Park Manor Drive.

The surrounding area is predominantly residential in terms of land uses, containing single detached dwellings and parcels of land of vary scales and ages. Older dwellings and larger lots are generally found along Highway 8. North of these lots are more recent subdivision developments containing newer detached homes on smaller urban lots. The subject lands are located within approximately 335 linear metres of a school (St. Gabriel Catholic Elementary School) and a roughly 200 metre walk from Winona Park.

South of the subject lands are a mix of residential dwellings with on-site commercial and agricultural uses. All lots on the south side of Highway 8 are located within the Niagara Escarpment Plan Area and are subsequently designated as Escarpment Protection Area.

The subject lands, being 1335 Highway 8, have been surveyed by A.T. McLaren to measure +/- 1,798.9 square metres in total land area with 26.5 metres of frontage along Highway 8 and 66.0 metres of flankage along Maple Gate Drive. Based on a review of relevant legal plans, there are also two segments of municipal roadway reserves along Maple Gate Drive, being Block 19 and Block 20 of Plan 62M-671. A copy of the severance sketch is included as **Appendix III** to this report.

The property known as 30 Park Manor Drive was created through Subdivision Plan 62M-671.

Overview of the Development Proposal

The applicants are proposing to sever 321.6 square metres of land from 1335 Highway 8 to be added to the southern yard (rear yard) of 30 Park Manor Drive for continued outdoor amenity use. As noted, and shown in **Figure 1**, these lands are currently utilized exclusively by the owners as part of the functional yard of their personal residence at 30 Park Manor Drive. The lands contain grassed and landscaped area and a patio sitting area and are not accessible from 1335 Highway 8.



Figure 1 - Aerial Image of Lands to be Conveyed

The proposed application will not alter existing lot frontages for either property or alter any existing structures on either property, except for minor fencing adjustments. The proposed severance line has been laid 7.5 metres from the northeast corner of the existing dwelling at 1335 Highway 8, which complies with the minimum rear yard setback requirement of the R1 and R2 Zone.

Official Plan Designation

The Urban Hamilton Official Plan (UHOP) designates the subject lands as “Neighbourhoods” on Schedule E1 (Land Use Designations). The Neighbourhoods designation permits a range of residential dwellings and similar uses, including single detached dwellings.

The Fruitland-Winona Secondary Plan (FWSP) is also applicable to the application. The subject lands are designated on Map B.7.4-1 of the FWSP as “Low Density Residential 1”. This designation permits single detached dwellings exclusively, with a maximum development density of 20 units per hectare permitted.

The subject lands do not contain any mapped natural heritage features or hazards shown on Map B.7.4-2 (Fruitland-Winona Secondary Plan – Natural Heritage System) of the Official Plan.

Zoning By-law

1335 Highway 8 is currently zoned R1 under Zoning By-law 3692-92 (Zoning By-law for the Former Community of Stoney Creek)

30 Park Manor Drive is Zoned as R2 under By-law 3692-92 (Zoning By-law for the Former Community of Stoney Creek)

Zoning Compliance Tables are provided below as **Table 1** and **Table 2**, which show how the proposed lots will comply with the requirements of the relevant Zones.

Through discussions with the City of Hamilton related to the previous application submission, it has been confirmed that Maple Gate Drive is not a public roadway and may be subject to closure at some point in the future. Accordingly, 1335 Highway 8 and 30 Park Manor Drive are to be treated as interior lots under applicable zoning,

TABLE 1 – Zoning Compliance – 1335 Highway 8

Section 6.2.3 Single Residential “R1” Zone”	Provision	Requirement	Currently	Proposed
6.2.3 (a)	Minimum Lot Area (Interior Lot)	600 sq. m.	1,789.9 sq. m.	1,477.3 sq. m.
6.2.3 (b)	Minimum Lot Frontage (Interior Lot)	18 metres	26.2 metres	No Change
6.2.3 (c)	Minimum Front Yard	6 metres	29.7 metres	29.7 metres
6.2.3 (d)	Minimum Side Yard	1.25 metres	3.0 metres	No Change
6.2.3 (e)	Minimum Rear Yard	7.5 metres	19.7 metres	7.5 metres
6.2.3 (f)	Maximum Building Height	11 metres	< 11 metres	No Change
6.2.3 (g)	Maximum Lot Coverage	40%	< 40%	< 40%

TABLE 2 – Zoning Compliance – 30 Park Manor Drive

Section 6.2.3 Single Residential “R2” Zone”	Provision	Requirement	Currently	Proposed
6.3.3 (a)	Minimum Lot Area (Interior Lot)	460 sq. m.	819.7 sq. m.	1,141.3 sq. m.
6.3.3 (b)	Minimum Lot Frontage (Interior Lot)	15 metres	19.3 metres	No Change
6.3 3(c)	Minimum Front Yard	6 metres	6 metres	No Change
6.3.3 (d)	Minimum Side Yard	1.25 metres	1.25 metres	No Change
6.3.3 (e)	Minimum Rear Yard	7.5 metres	~16.5 metres	~28.7 metres
6.3.3 (f)	Maximum Building Height	11 metres	< 11 metres	No Change
6.3.3 (g)	Maximum Lot Coverage	40%	40%	< 40 %

Consent Assessment

Ontario Planning Act - Section 53 – Consents

Applications for Consents to Sever and/or Draft Plans of Subdivision / Condominium are subject to the requirements of Section 53 of the Planning Act. Section 53 (12) requires that the approval authority is to have regard for the legislative framework set forth in Section 51 (24) of the Planning Act, as well.

Section 51 (24) the Act prescribes that “*In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*” items a) to m). This test is also applied to consent applications.

An overview of how each item is addressed by the applications is provide below in italics.

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The development has regard for matters (d), (f), (i), and (j) of Section 2 of the Planning Act. An assessment of each noted criterion is provided herein.

- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The owner commissioned the completion of a Stage 1 and 2 Archaeological Assessment of the subject lands to determine Archaeological potential.

The Stage 1 analysis completed by Detritus Consulting Ltd. recommended assessment of the subject lands. This field work was conducted on June 11, 2024 and consisted of 30 centimetre tests pits being dug at 5 metre intervals throughout the property. Through these efforts no archaeological resources were encountered and the Archaeologist has recommended that no further study is necessary.

The Archaeologist’s report has been submitted to the City and Ontario Ministry of Citizenship and Multiculturalism for review and approval. Ministry clearance was issued on August 20, 2024, and a copy has been provided with this submission.

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

Both properties are currently connected to full municipal services, including utilities. Both lots have access to publicly maintained roadways and received curbside waste collection services. The proposed boundary adjustment will not impact or change this circumstance.

- (h) the orderly development of safe and healthy communities;

The Consent application facilitates the orderly redevelopment of a large-scale property within the Winona community. The revised lotting pattern is deemed to be efficient, balanced, and reflective of lotting sizes found on adjacent streets within the surrounding community. The lands being transferred are currently being used for their intended amenity purposes.

The subject lands are located within walking distance of municipal parkland (Winona Park) and the commercial area centred around Highway 8 / Winona Road, which will assist in supporting active transportation-based trips.

- (j) the adequate provision of a full range of housing, including affordable housing;

The Winona community is predominantly comprised of single detached dwellings. There is an existing range of lot sizes, with larger lots located typically along Highway 8, and smaller lots located to the north within subdivision developments.

The adjustment of the shared boundary between the properties will not impact housing provision, as no new development is proposed.

- b) whether the proposed subdivision is premature or in the public interest;

The application is not premature and is appropriately timed for consideration.

The owners of the properties are seeking to complete an adjustment between the two lots to formally recognize a portion of 1335 Highway 8 which has been used exclusively as additional amenity area for 30 Park Manor Drive.

This matter will not result in any adverse impacts on adjacent lands or affect any matters of public interest.

- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed lots conform to the Official Plan and Fruitland-Winona Secondary Plan as the resultant adjustment will not result in development density that exceeds the maximum threshold of 20 units per hectare

The proposed adjustment will result in a deeper lot for 30 Park Manor Drive, which will be slightly larger than similarly shaped and scales adjacent lots to the east. Although different, the lands to be conveyed have been used exclusively as part of 30 Park Manor Drive for several years. The minor adjustment will not have any impact on adjacent properties or result in an adverse impact on the neighbourhood.

- d) the suitability of the land for the purposes for which it is to be subdivided;

The lands to be conveyed are generally flat and are only accessible through 30 Park Manor Drive, despite being located on 1335 Highway 8. The proposed conveyance can be completed without the need for any dwelling demolition or alteration of existing uses. The fence line should be amended to reflect the survey plan.

- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No new housing is proposed through this application.

- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The existing dwelling on the subject lands utilizes Maple Gate Drive for driveway access. This condition will remain for the time being until such time that Maple Gate Drive may be closed by the City. Access will be required to be established to Highway 8 at a later date.

30 Park Manor Drive will continue to have access provided from Park Manor Drive, which is proximate to both Highway 8 and Barton Street, both of which provide access throughout the surrounding community.

The boundary adjustment will have no impact on access to the subject lands.

- f) the dimensions and shapes of the proposed lots;

The affected lots will continue to be rectangularly shaped.

1335 Highway 8 will be reduced in lot area from 1,798.9 square metres to 1,477.3 square metres with a revised lot depth of 59.0 metres, whereas it is currently 71.2 metres.

30 Park Manor Drive will increase in lot area from 819.7 square metres to 1,141.3 square metres and will have an increased lot depth of 55.6 metres whereas currently it is 43.4 metres.

- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The lands being Transferred (Part 2) are not limited in terms of development potential. The lands are located outside of the existing drainage easement found at the south end of 30 Park Manor Drive identified as Part 3 of Plan 62R-11415 on the severance sketch.

- h) conservation of natural resources and flood control;

The subject lands do not contain and are not adjacent to any watercourses or floodplains. The subject lands do not contain any natural resources.

- i) the adequacy of utilities and municipal services;

Both properties will remain connected to existing municipal services and utilities.

- j) the adequacy of school sites;

The subject lands are located within walking distance of St. Gabriel Catholic Elementary School which is located approximately 335 metres to the north, through Winona Park.

The application does not result in new development or additional housing and will not impact school enrollment.

- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

No lands, exclusive of highways or related elements, are required for dedication to the municipality through this application.

- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

No physical development is being proposed. Energy considerations are not relevant to this application.

- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The application does not propose any physical development and will not be subject to site plan control.

Is the severance consistent with the 2024 Provincial Planning Statement (PPS)?

Yes, the proposed severance is consistent with the Provincial Planning Statement (PPS, 2024).

The proposed development is a minor reconfiguration of two adjacent property boundaries under the same ownership (one personal, one corporate) and has limited growth and development implications. Policies pertaining to this type of application are limited in the PPS.

The development will not conflict with the policies or objectives of the 2024 PPS, specifically the policies of Section 2.2 and 2.3 which relate to housing and settlement areas. The existing dwellings will remain on each lot and will continue to provide housing opportunities within the Settlement Area Boundary. The existing municipal services that support each dwelling will also remain unaffected and in use, consistent with the servicing policies of Section 3.6 of the PPS.

Given the location of the subject lands near the escarpment and Highway 8, an Archaeological Assessment was undertaken by the Applicant. The completion of this assessment is consistent with the policies of Section 4.6 of the PPS, which restricts development and site alteration on properties which exhibit archaeological potential until such time that necessary evaluation has been completed and the protection of archaeological resources is ensured. As noted in the Archaeologists report, the study yielded no finds. A standard warning clause is recommended to be applied to title to ensure that any future development or site alteration activities are mindful that resources may be encountered.

How does the severance conform with the City of Hamilton's Official Plan?

The application is subject to the Urban Hamilton Official Plan (UHOP) and the subsequent Fruitland-Winona Official Plan (FWSP).

Urban Hamilton Official Plan

The subject lands are designated "Neighbourhoods" on Schedule A of the UHOP. This designation permits a range of residential land uses, as well as accessory uses and non-residential uses that are common and compatible within neighbourhood settings.

The Neighbourhoods designation permits single detached dwellings, among other residential dwelling forms. The application conforms with the UHOP as it does not propose new development on either of the affected properties or the removal of existing, permitted dwellings. The existing use of the lands will continue.

Fruitland-Winona Secondary Plan

The Fruitland-Winona Secondary Plan (FWSP) was implemented through Official Plan Amendment 17 and applies to the Fruitland and Winona Settlement Areas. The Secondary Plan schedules and policies are shared amongst the two areas given their similar character and development condition.

The Winona community is subject to a more detailed planning framework than the UHOP which is implemented through the FWSP. Within the FWSP, the subject lands are designated as "Low Density Residential 1" on Map B.7.4-1. This land use designation and related policy framework are more refined in terms of permitted uses and development intensity than the overarching UHOP.

Based on the type and scope of the application, the relevant applicable policy section of the FWSP includes Section 4.4.3 (Low Density Residential 1 Policies). An evaluation of conformity with these policies of the Secondary Plan are provided herein.

7.4.4.3 Low Density Residential 1 Designation

Policy 7.4.4.3 of the FWSP states that:

- a) Notwithstanding Policy E.3.4.3 of Volume 1, the permitted use shall be limited to single-detached dwellings; and,
- b) Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density shall not exceed 20 units per hectare.

The affected lots will continue to contain their respective single detached dwellings, which is the only dwelling form permitted by the Secondary Plan.

The reduced lot area for Part 1 (1335 Highway 8) will not result in a density that exceeds 20 units per hectare – it will increase from 5.5 units per hectare to 6.7 units per hectare due to the reduction in lot area. The density of 30 Park Manor Drive will resultantly decrease from 12.19 units per hectare to 8.76 units per hectare due to the addition of more land.

Additional Planning Considerations

Archaeology

In preparing the application the need for an Archaeological Assessment was anticipated based on the location and context of the site close to the escarpment area and being along Highway 8, which is a historic transportation route.

The Owner has proactively undertaken Stage 1 and 2 Assessments of 1335 Highway 8, inclusive of the proposed lands for conveyance (Part 2), with field investigations completed on June 11, 2024. The related report has been submitted to the Ontario Ministry of Citizenship and Multiculturalism for review and a letter of concurrence was issued on August 20, 2024 approving the report.

Planning Opinion

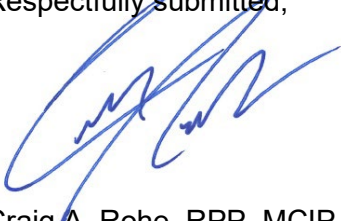
As outlined in this Planning Justification Brief, the proposed boundary adjustment is a minor endeavour being undertaken between two properties that are owned by the same individuals. It is intended that this adjustment be undertaken to formally add lands that have been used functionally as part of 30 Park Manor Drive.

It is my opinion that the submitted application satisfies and have regard for applicable sections of the Planning Act including Sections, 2, 3 (5), 51 (24) and 53. The application is also consistent with the 2024 Provincial Planning Statement and conform with the relevant policies of Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan.

Accordingly, it is my opinion that this application should be supported by the Committee of Adjustment.

Should you have any questions, or require any additional information, please do not hesitate to contact the undersigned at 289-814-3090 or by email at crohe@gspgroup.ca.

Respectfully submitted,



Craig A. Rohe, RPP, MCIP
Senior Planner
GSP Group Inc.

Appendix I – Site and Surrounding Area Photographs (July 4, 2024)



Figure 2 - 1335 Highway 8 - Existing Detached Dwelling - View from Maple Gate Drive



Figure 3 - 1335 Maple Gate Drive - Existing Dwelling - View from Highway 8



Figure 3 - 1335 Highway 8 – West Side of Dwelling and Accessory Structure (Shed)



Figure 4 - 1335 Maple Gate Drive – Interface with 1331 Highway 8 (West Lot Line)



Figure 5 - 1341 Highway 8 – Across from the Subject Lands (East)



Figure 6 - 1331 Maple Gate Drive - View from Highway 8

Figure 7 - 1344 Highway 8 - Existing Dwelling - View from Maple Gate Drive

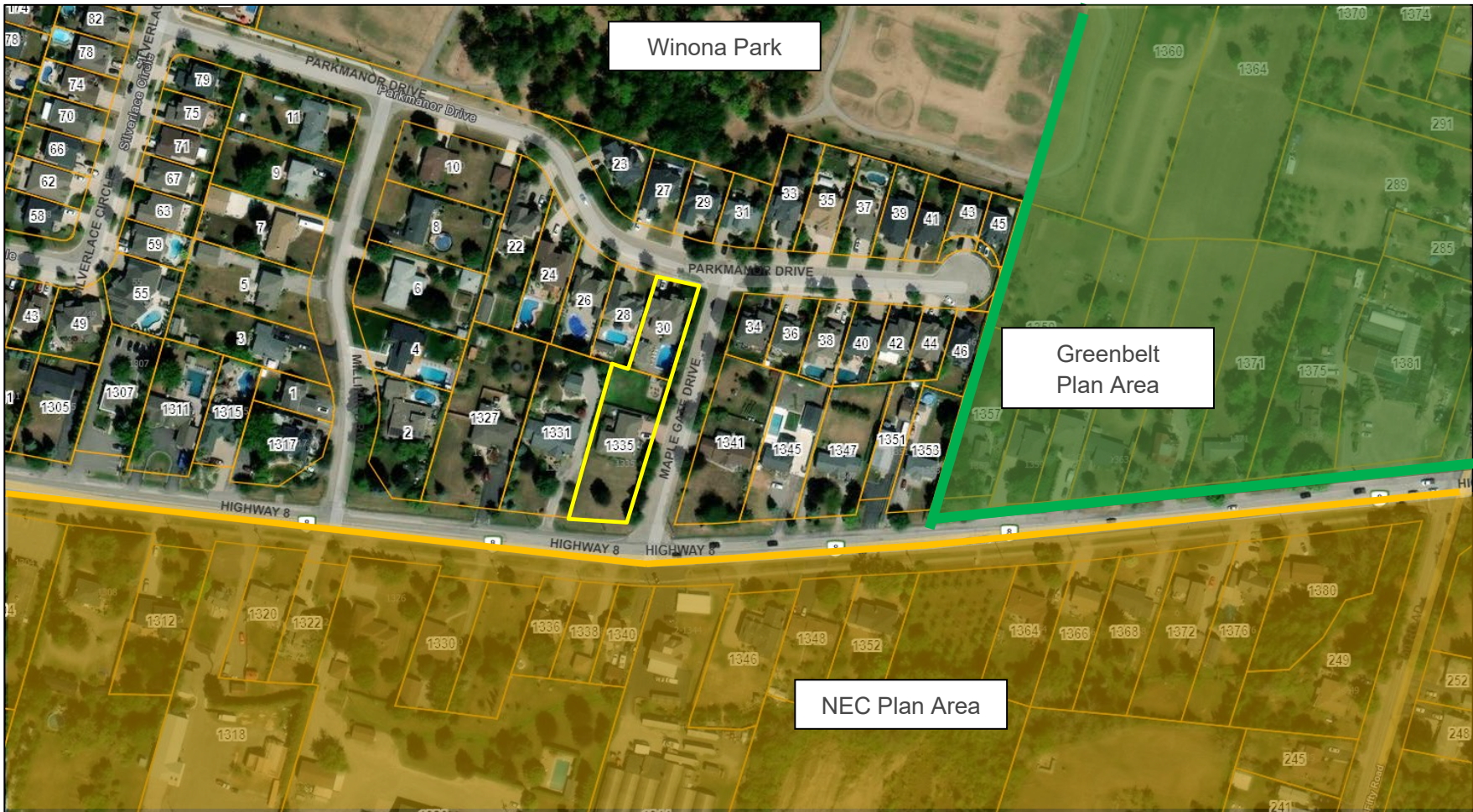


Figure 8 – Maple Gate Drive - Looking South from Park Manor Drive



Figure 4 - 30 Park Manor Drive - Looking Southwest from Park Manor Drive

Appendix II – Surrounding Area and Provincial Plan Boundaries



**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)	
Applicant(s)**	
Agent or Solicitor	

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

** 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*
 If YES, provide email address where sign is to be sent [Redacted]

1.5 All correspondence may be sent by email Yes* No
 If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type

In person
 Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

Fees from original submission to be honoured, per City Staff.

2.1 Complete the applicable sections:

Municipal Address	1335 Highway 8		
Assessment Roll Number	251800321032600		
Former Municipality	Saltfleet		
Lot	Part of Lot 3	Concession	2
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

Also require a Partial Discharge of Mortgage - Part 2 (Severed Lands)

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

David and Kelly DeFaveri (Owners of 30 Park Manor Drive)

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

30 Park Manor Drive

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:	Part 1	Part 2	Part 3		
Type of Transfer	N/A	Lot Addition	To Receive Pt 2		
Frontage	26.2 m	N/A	19.3 m		
Depth	59.0 m	12.2 m (N/S)	43.4 m		
Area	1477.3 sq. m.	321.6 sq. m.	819.7 sq. m.		
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	Detached Dwelling	N/A	Detached Dwelling		
Proposed Buildings/ Structures	N/A	N/A	N/A		
Buildings/ Structures to be Removed	N/A	N/A	N/A		

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year | |

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> 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

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

Please see the provided Planning Justification Brief.

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

Yes No Unknown

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

5.3 What is the existing zoning of the subject land? R1 & R2 via By-law 3692-92 (Stoney Creek)

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

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes No Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

Unknown - never advanced for approval.

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

Originally consents to make 3 new lots, now a lot additional with an adjacent property to North

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

N/A

6.4 How long has the applicant owned the subject land?

Since July 27, 2015.

6.5 Does the applicant own any other land in the City? Yes No
If YES, describe the lands below or attach a separate page.

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

Please see provided Planning Justification Brief.

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

Yes No (Provide explanation)

Please see provided Planning Justification Brief. 2024 Provincial Planning Statement now applies.

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

Yes No (Provide explanation)

Please see provided Planning Justification Brief. No longer applies as of Oct 20/24.

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

Yes No (Provide explanation)

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

Yes No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

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

Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

Yes No (Provide explanation)

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

Yes No (Provide explanation and details on plan)

Owns their personal property next door. (30 Park Manor Drive)

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

N/A

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

Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

a) Date of construction:

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

b) Condition:

- Habitable
- Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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