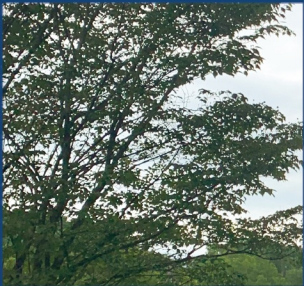


PLANNING RATIONALE REPORT

Sulphur Springs Residential Development

Prepared for Mizrahi Developments





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Appendix A – Conceptual Site Plan

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1.0

INTRODUCTION

The Biglieri Group Ltd. has been retained by 2691715 Ontario Limited to prepare a Planning Rationale Report in support of the proposed redevelopment of 159 and 163 Sulphur Springs Road ("Subject Site" or "Site") in the City of Hamilton for residential purposes.

The property within the development is legally described as:

PT LT 43 CON 2 ANCASTER BEING PT 10 ON 62R8122 AND AS IN VM155603; T/W VM155603 CITY OF HAMILTON; and,

PT LT 43, CON 2 ANCASTER, AS IN VM214200, EXCEPT PARTS 1 & 2 ON PLAN 62R21629; S/T VM214200 CITY OF HAMILTON

The Subject Site is approximately 10.03 hectares (24.78 acres) in size. As the site exists today, there are currently two (2) detached dwellings on the property, a large man-made pond at the north, a smaller man-made pond at the south, and a private trail network throughout the northern portion of the Site. The Site is located on the north side of Sulphur Springs Road, between Wilson Road to the east, and Lovers Lane to the west and has a frontage of approximately 20.75 metres as shown on **Figure 1**. Vehicular access to the site is located along Sulphur Springs Road. Currently, the site contains a gravel driveway leading to the existing dwellings, along with naturalized areas and a large man-made/natural pond in the rear of the site. Specific details, including building footprint and dimensions, setback, site statistics, landscaped areas/buffers and site access, can be seen in the site plan document, Appendix A.

The proposed development requires an Official Plan Amendment and Zoning By-law Amendment to allow for the site to be developed with a Draft Plan of Condominium which contains a mix of townhouses and single-detached dwellings. An application for Site Plan Control will be submitted at a later date.

The proposed development will introduce 75 residential units featuring a mix of townhouses and single-detached dwellings to accommodate a diverse range of incomes and family sizes. In addition, the development will include community amenities to foster social interaction, recreation, and well-being. These will include open/naturalized spaces and other areas for leisure activities, ensuring there are spaces for all ages to enjoy, and connections to the Dundas Valley Conservation Area. The project also emphasizes connectivity, with an expansive and interconnected trail network that encourages active living and links seamlessly with existing regional trails, offering residents convenient access to natural surroundings and recreational opportunities. These features are designed to create a vibrant, inclusive, and well-rounded community.

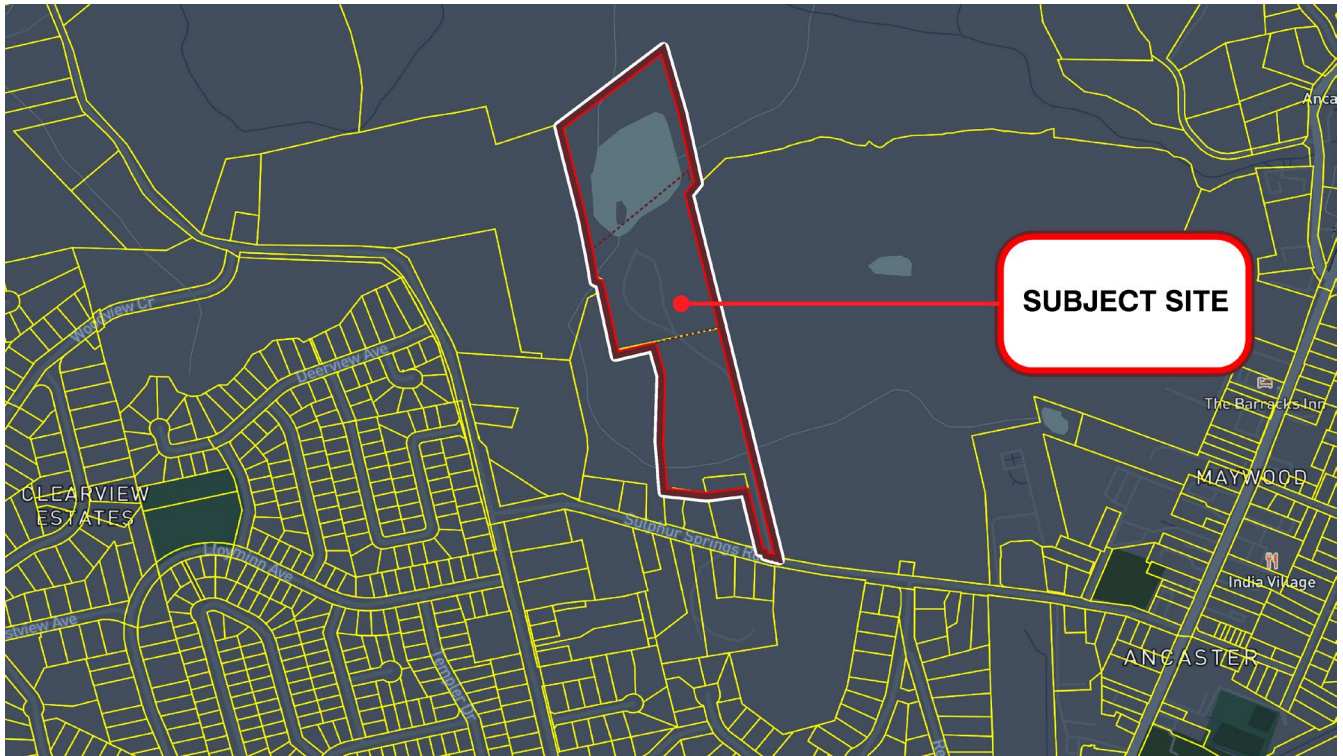
Within the City of Hamilton Rural Official Plan (2013), the Subject Site is designated *Rural and Open Space*. The Site is currently zoned *Conservation / Hazard Land – Rural Zone (P6)* within the City of Hamilton Zoning By-law 05-200. The P6 Zone permits the following uses: Agriculture, Conservation, Flood and Erosion Control Facilities, Passive Recreation, Secondary Uses to Agriculture, and Single Detached Dwellings. The front portion of the property is within the City's Urban Boundary.

To permit the proposed development, applications for Official Plan Amendment and Zoning By-law Amendment are required to redesignate portions of the Open Space and Rural Lands to Residential while retaining parts of the existing protection areas that will be used as private open space and common element areas. The redevelopment of the property will enable the creation of additional residential units, while also protecting the significant environmental areas within the site. The proposal also seeks to rezone portions of the site from Conservation / Hazard Land to Low Density Residential and Low Density Residential – small lot which allows for single-detached and townhouse dwellings. There are no changes proposed to the zoning or designation for the block of lands at the north end of the Site.

This Planning Rationale Report has evaluated the merits of the development proposal in the context of all applicable Provincial and City policies and regulations. We conclude that the application for Official Plan Amendment, Zoning By-law Amendment,

and Draft Plan of Condominium are consistent with and conform to the policy framework articulated in the Provincial Planning Statement (2024), Niagara Escarpment Plan (2017), and City of Hamilton Urban Official Plan (2013) and Rural Official Plan (2012).

Figure 1 – Subject Site



Source: VuMap, 2024

2.0 Proposal

2.1 Description of the Proposed Development

This proposal seeks to redevelop the Subject Site with a residential development consisting of 75 total units, being a mix of single detached and townhouse dwellings, along with additional private outdoor greenspace, a conservation block, and private roads. The development proposes 61 townhouse dwellings and 14 single detached dwellings, which are designed to optimize development based on the existing topographical constraints and preserve natural features. The proposed development will retain and enhance the natural trail system throughout the northern portion of the Site as well as enhance the overall stormwater management system to further protect key natural heritage features. One of the two

existing houses will be retained and incorporated into the overall development design.

The proposed development will utilize the existing entrance along Sulphur Springs Road, widening it slightly to ensure safe access to the site. A new internal road network will be constructed to support the development. The proposed internal road system will be designed to optimize the development potential while considering the changes in terrain and elevation throughout the site.

The entrance along Sulphur Springs Road will include an entrance feature to create a sense of community and instill a sense of place within the development area. This entrance will be designed in a way to maintain the existing look and feel of the property while enhancing the aesthetic and ensuring access for emergency services.

The existing recreational trail around the existing man-made pond and through the naturalized areas will be retained and enhanced to serve residents. This passive recreational trail will serve the future

Figure 2 – Surrounding Area



Source: Google Earth, 2024

residents and provide a space for people to have access to a naturalized area, ultimately promoting an overall healthier lifestyle.

Existing municipal servicing is available along Sulphur Springs Road and will be extended into the Site to service the proposed redevelopment. A complete Stormwater Management strategy will be created to ensure that stormwater is captured and treated on-site. Further to this, a private sanitary pumping station will be installed as a result of the lower elevation at the northern end of the site and requires pumping to achieve necessary pressure to flow to the municipal infrastructure along Sulphur Springs Road.

2.2 Required Approvals

To implement the proposed development, applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Condominium will be required. Additionally, a permit from the Niagara Escarpment Commission (NEC) is required to permit the subdivision of land.

2.2.1 Niagara Escarpment Plan Amendment

An amendment to the Niagara Escarpment Plan (“NEP”) is required to include the lands within the NEP Urban Area of Hamilton. The site is currently outside of the Urban Area and is designated as Escarpment Natural and Escarpment Protection. The proposal will redesignate the Escarpment Protection Area to the Urban Area, whereas the portion of the property designated Escarpment Natural Area is intended to remain outside of the urban area and in the Escarpment Natural Area designation.

2.2.2 Draft Official Plan Amendment

Within Hamilton’s Urban Official Plan (2013), a portion of the Site is designated as Neighbourhoods with the rest designated as *Rural* and *Open Space*. The proposal seeks to redesignate portions of the Site as *Neighbourhoods* as well as retain parts of the *Open Space* designation to accommodate the 75 proposed dwelling units as well as areas for landscaped open space and naturalized areas for residents to use.

Application will also be required to expand the City’s urban boundary to include the portion of the Site proposed for redevelopment.

2.2.3 Draft Zoning By-law Amendment

The Subject Site is zoned as *Conservation / Hazard Land – Rural Zone (P6)* under Zoning By-law 15-173, with a small portion zoned as *Agricultural (A)*. The P6 zone permits Agriculture, Conservation, Flood and Erosion Control Facilities, Passive Recreation, Secondary Uses to Agriculture and Single Detached Dwellings. The P6 zone will remain in place for the northern portion of land as it is proposed to be retained as a natural feature tied into the proposed recreational trails. The Lands proposed to accommodate residential development will require a zoning by-law amendment to rezone lands to *Low Density Residential Zone (R1)* to permit single detached dwellings and *Low Density Residential – Small Lot (R1a)* to permit street townhouse dwellings.

2.2.4 Draft Plan of Condominium

A Plan of Condominium will establish 10 blocks for residential dwellings, private open space, roads, natural areas, and stormwater management blocks. The Plan of Condominium accommodates a total of 75 dwelling units including 14 single detached and 61 townhouse dwellings.

3.0 LOCATION AND SURROUNDINGS

3.1 Subject Site

The Subject Site is located on the north side of Sulphur Springs Road between Lovers Lane to the west and Wilson Road to the east (Figure 2). The Subject Site is approximately 10.03 hectares (24.78 acres) with 20.7 metres of frontage along Sulphur Springs Road.

The Subject Site currently contains two single detached dwellings, naturalized areas, stormwater management features, and a large man-made pond with a recreational trail.

The area proposed for redevelopment is approximately 6.3 hectares (15 acres) in size which includes the proposed residential blocks, parks and open spaces, service areas, and roads/sidewalks/parking areas.

3.2 Surrounding Area

The Subject Site is surrounded by a mix of residential uses and natural heritage features (Figure 2). The residential components of the surrounding lands consist of generally large estate lots, the broader context consisting of low rise and low-density residential developments, including a condominium development similar to what is proposed immediately to the east. The surrounding land uses include the following:

North: Directly north of the Subject Site is a portion of the Dundas Valley Conservation Area. This includes a system of recreational trails and other natural features (Figure 3).

East: Lands to the east include natural heritage areas, and further east is a similar condominium townhouse development and downtown Old Ancaster. These are primarily forested lands. (Figures 4).

West: Lands to the west of the Subject Site include residential estate lots with forested areas, and further east on Sulphur Springs Road is an existing plan of subdivision. (Figures 5).

South: Lands to the south of the Site include low density residential lots with forested areas (Figure 6).

Figure 3 – Lands to the North



Source: Google Earth, 2024

Figure 4 – Lands to the East



Source: Google Earth 2024

Figure 5 – Lands to the West



Source: Google Earth, 2024

Figure 6 – Lands to the South



Source: Google Earth, 2024

3.3 Transportation Network

3.3.1 Road Network

The Subject Site is serviced by Sulphur Springs Road, which is unclassified on as shown on Schedule ‘C’ (Figure 7) in the City’s Urban Hamilton Official Plan. Sulphur Springs Road provides access to Wilson Street which is classified as a Major Arterial Road. Wilson Street East provides access to Highway 403, as well as

secondary routes to access other major areas of Hamilton.

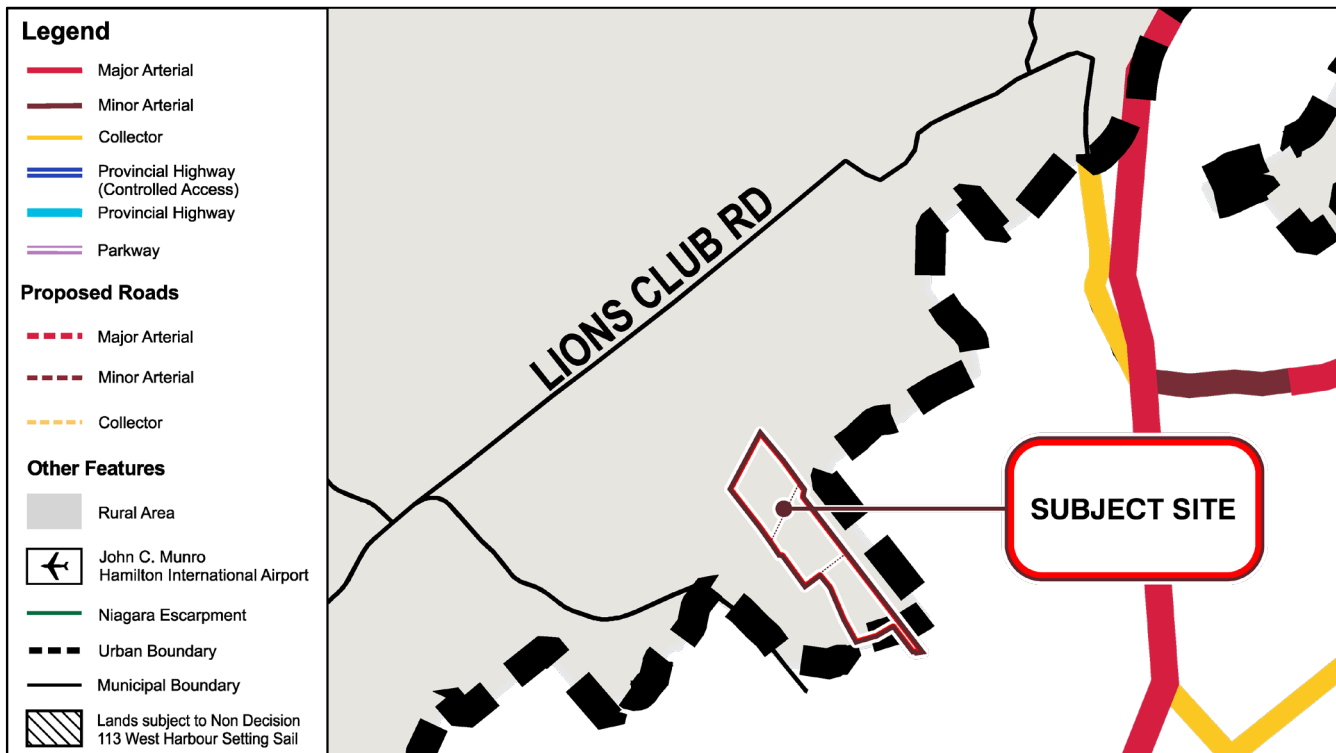
3.3.2 Active Transportation

Given the location of the Site on a minor road in the City, active transportation methods are limited, however, Hamilton Cycling Master Plan identifies bike lanes along parts of Wilson Street. In addition, Lovers Lane includes wider shoulders for bicycle use as well as sidewalks for pedestrian access.

3.3.3 Transit Network

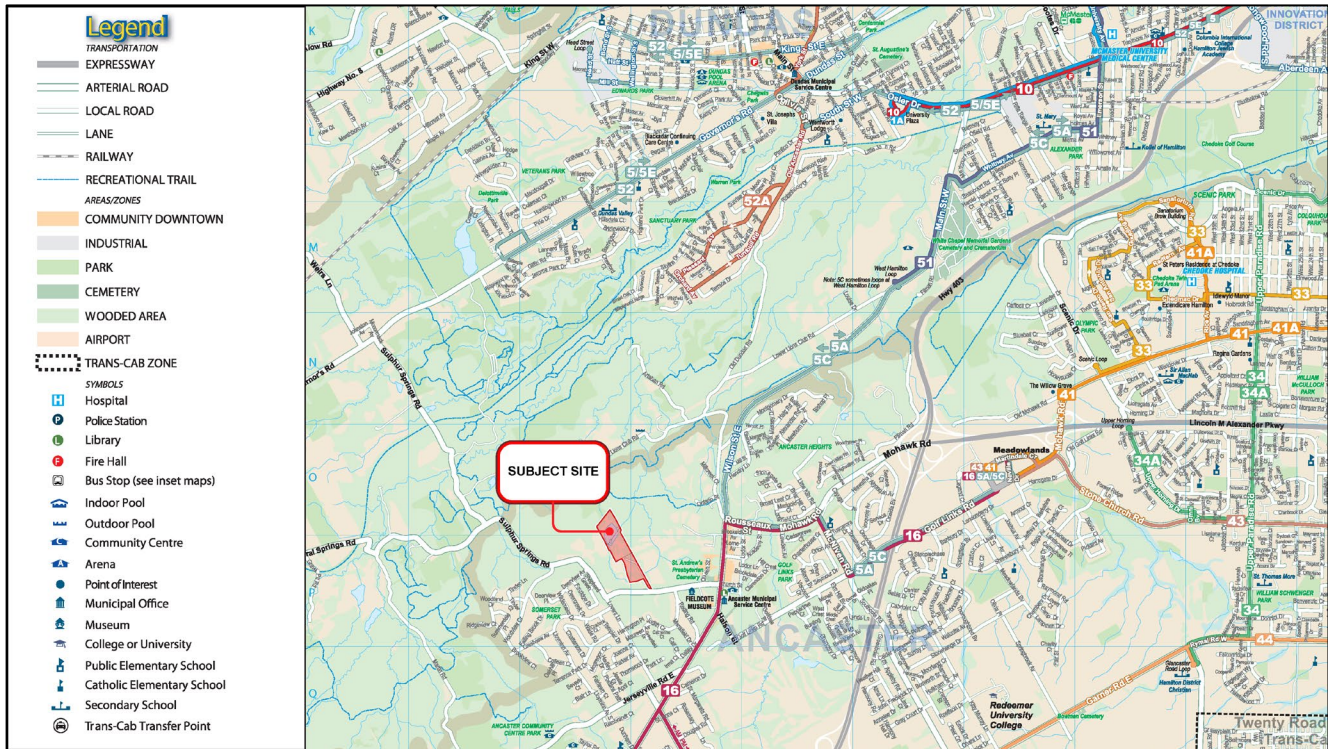
The Subject Site is serviced by the Number 16 Ancaster Bus Route which provides an East-West Connection from Meadowlands to Garner Road and Wilson Street. This route also connects to other major routes such as Route 41, 44, and 5A/5C (Figure 8). As a result, the subject site is well-connected through public transit and bus services that connect this part of Ancaster to the rest of Hamilton and other urban amenities. The Subject Site is located approximately 650 metres (9-minute walk) from the nearest transit stop at the intersection of Wilson Street East and Sulphur Springs/Church Road.

Figure 7 – Urban Official Plan, Schedule C: Functional Road Classification



Source: Hamilton Urban Official Plan. 2012

Figure 8 – HSR System Map



Source: Hamilton Street Railway System Map, 2019

3.4 Public Service Facilities

The Subject Station Site is within a two-kilometre radius of several key public services facilities (Figure 9). Although most of these services are primarily accessible by car, there are still a number of services and amenities available within the general area that can accommodate additional residents anticipated from the proposed development.

The Fieldcote Memorial Park and Museum is located just east of the Site along Sulphur Springs Road. The Ancaster Memorial Arts Centre and the Old Firehall Arts Centre are both located along Wilson Street and are theatre, music, and art entertainment venues in the community. The Ancaster Memorial Arts Centre parking lot fronting onto Wilson Street East is used as a farmer’s market during the summer months.

There are several child-care facilities and elementary schools near the Site which are accessible via current public transit routes. Along Wilson Street, several doctors’ offices and health/wellness facilities are within walking distance of the subject site. Additionally, residents may use many shops and other

services regularly, such as restaurants, grocery stores and other commercial opportunities within proximity to the Site, primarily along Wilson Road.

There are many parks, recreational areas, and naturalized areas for residents to enjoy the outdoors, including Dundas Valley Conservation Area, Ancaster Parks, Sherman Falls, and Hamilton Golf and Country Club.

Within the broader context, the Subject Site is well serviced by fire emergency services and paramedic services, as there is a fire/paramedic station approximately 3 kilometres from the Site on Wilson Street.

3.5 Emerging Context

There are several existing developments in the immediate area, there are several developments that include similar features as the proposed development. Table 1 below outlines development applications within the surrounding area and Figure 10 shows the locations relative to the Subject Site. As shown in Table 1 there are several examples of existing and planned developments within the general area that

can be compared to the proposed development. This demonstrates a demand for this type of housing in Ancaster. Similar planning applications in the area demonstrate a trend towards low to medium-density residential development to address the local housing needs for current and future residents. These comparable projects highlight a growing demand for diverse housing options to support community needs and address planning objectives.

Figure 10 – Comparable Development Applications



Source: City of Hamilton Development Applications Interactive Map

Table 1 – Comparable Development Applications

File No.	File Type	Address	Year	Description	Units
DA-20-079	Site Plan	30 Queen St.	2020	To establish 8 townhouse dwellings accessed from a private internal road. Includes 8 garage parking spaces and 8 driveway parking spaces.	8
DA-16-175	Site Plan	97-111 Wilson St. E.	2019	To construct two townhouse blocks containing 5 units each.	10
DA-17-122	Site Plan	125 Wilson St. E.	2017	To construct a three-storey multiple dwelling containing 19 residential units	19
DA-23-002	Site Plan	154 Wilson St. E.	2023	To construct 17, three storey townhouse dwellings on a private (condominium) road with 2 parking spaces per unit.	17
DA-20-014	Site Plan	280 Wilson St. E.	2020	To construct an 18-unit multiple dwelling at the rear of the subject lands, behind an existing 2.5 storey mixed use building.	18
DA-21-147	Site Plan	15 Church Street	2021	Development of 6 street townhomes with a height of 2.5 storeys and 2 parking spaces per unit.	6
DA-21-031	Site Plan	342 Wilson St. E.	2021	To construct a 3 storey multi-use building with main level commercial and two stories of residential condominium units.	10
DA-23-006	Site Plan	335 Wilson St. E	2023	To construct a 3-storey mixed used building with 5 dwelling units and 276m ² of commercial space.	5
FC-19-022	Formal Consultation	140 and 164 Sulphur Springs Road	2019	To sever a portion of 164 Sulphur Springs Rd and merge it with 140 Sulphur Springs Rd where it is proposed to create an eight-unit vacant land condominium.	8
	Registered Condo	71 Sulphur Springs Road	2002	Residential development consisting of the division of land to create 36 new townhouse dwelling units	36

4.0 Policy Context

4.1 Overview

The proposed development is supported by policy directions set out in the Planning Act (1990), the Provincial Planning Statement (2024), The Niagara Escarpment Plan (2017), City of Hamilton Urban Official Plan (2013), City of Hamilton Rural Official Plan (2012), and City of Hamilton Zoning By-law 05-200 (2005).

4.2 Planning Act (1990)

The Planning Act (“the Act”) is Ontario's provincial legislation that governs land use planning, emphasizing sustainable economic development within a healthy environment. It provides the framework for preparing policy documents which guide provincial interests into municipal planning decisions, creating the basis for official plans, zoning bylaws, land divisions, and citizen involvement in planning proposals. It establishes streamlined planning processes and local planning administration.

4.2.1 Provincial Interest

The *Planning Act* is the provincial legislation that outlines land use planning permissions in Ontario. The purposes of the *Planning Act* are outlined in Section 2 of the *Planning Act* which discusses matters of Provincial interest, including:

(a) the protection of ecological systems, including natural areas, features and functions;

Planning Comment: The lands are impacted by significant woodlands and a cold-water stream. In addition to this, the lands are also within the Niagara Escarpment Plan Area, being designated Escarpment Protection Area and Escarpment Natural Area. The area of development has been laid out to incorporate appropriate buffering to the stream to ensure long term protection and no impacts to the thermal

temperature of the stream. There is an area of the significant woodlands which will be removed as a result of the proposed development; however, the area of removal is at the edge of the feature and minimal in size. The development will also encroach into the required buffer area of the significant woodland, but in most areas, it will not represent a change from the existing manicured lawn and existing dwelling. To mitigate the proposed tree removal, compensations plantings will be incorporated through the development as well as enhanced buffer plantings which are currently not provided on the site. The proposal will protect the most sensitive features located at the north end of the site while allowing the south end of the site to be redeveloped to accommodate additional housing in the community.

(b) the protection of the agricultural resources of the Province;

Planning Comment: The lands are not actively farmed, nor are there any active agricultural operations in the immediate vicinity of the property.

(c) the conservation and management of natural resources and the mineral resource base;

Planning Comment: There are no mineral resources on the property, or natural resources. The proposed development will have no impact on these items of provincial interest.

(e) the supply, efficient use and conservation of energy and water;

Planning Comment: The property will be serviced with municipal water and sewer services. Any additional water saving measures associated with the construction of the units will be incorporated into the design through the Building Permit process.

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

Planning Comment: As previously identified, the site will be serviced with municipal water and sanitary systems, as well as connections to municipal stormwater infrastructure. Access to the site will be from Sulphur Springs Road and the internal road network will be privately maintained but has been

designed to ensure that pedestrian and vehicular safety is maintained.

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

Planning Comment: The Site is already partially located within the urban boundary of the City of Hamilton, and the request is to expand the urban boundary to include all of the developable lands on-site. Further to this, the Site is within an area of residential development and municipal services run along Sulphur Springs Road to the south. The development proposes walking trails through the site, as well as connections to the Dundas Valley Conservation Area to encourage active lifestyles.

(h1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

Planning Comment: The development will comply with Accessibility for Ontarians with Disabilities Act ("AODA") and all Building Code requirements for new construction. Any additional accessibility measures will be at the discretion of future homeowners.

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

Planning Comment: As previously outlined, there are a range of social, entertainment, educational, health, and commercial facilities and businesses to the east along Wilson Street East. This is within walking distance of the Site, although sidewalks are not provided along Sulphur Springs Road in front of the property, and it is likely they will be accessed via car.

(o) the protection of public health and safety;

Planning Comment: The proposed development is designed to consider pedestrian and traffic safety to ensure safe movement throughout the site. Further to that, a geotechnical investigation has been undertaken to confirm the stable top of bank location to ensure that there is no risk to future dwellings.

(p) the appropriate location of growth and development;

Planning Comment: The Site is partially within the urban boundary of the City of Hamilton, and the lands immediately adjacent to the east, south, and west are all within the urban boundary. Municipal services are available along Sulphur Springs Road, and it is within close proximity to downtown Ancaster. The site is in the appropriate location for residential development.

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

Planning Comment: As outlined previously, these lands are not on a transit route, but there are buses that service Ancaster which run along Wilson Street to the east of the Site. The proposal incorporates sidewalks on at least one side of all private streets, and trails are proposed to connect to the Dundas Valley Conservation Area to the north.

*(r) the promotion of built form that,
(i) is well-designed,
(ii) encourages a sense of place, and
(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

Planning Comment: The proposal includes two types of residential dwellings: townhomes and single detached dwellings which will provide a high level of architectural detail and will blend into the existing community. Public spaces have been provided throughout the development to act as community meeting places and additional outdoor amenity spaces. The boulevard entrance to the development will create a sense of place, welcoming property owners and visitors to the community.

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

Planning Comment: Where possible, measures to mitigate greenhouse gas emissions will be incorporated into the design and construction of the dwellings.

In summary, the proposed development respects provincial interests and fulfils Section 2 policies by protecting significant natural features while responsibly accommodating residential growth in a community-focused design.

4.2.2 Subdivision of Land

51 (24) Plan of Subdivision Approvals

Criteria

(24) 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,

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

Planning Comment: The matters of provincial interest in section 2 of the Planning Act have been reviewed above and determined that the application has regard for these matters.

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

Planning Comment: The proposed development is not premature as it is within an area of existing residential development and municipal servicing. The form of housing proposed is consistent and compatible with dwelling types within the immediate area.

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

Planning Comment: An Official Plan Amendment has been submitted in conjunction with the applications for Zoning By-law Amendment and Draft Plan of Condominium to put the entire property into a residential designation and to extend the urban boundary to include the entire property.

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

Planning Comment: The area of the Site which is proposed for redevelopment is not impacted by any environmental constraints. The site has a rolling topography which is incorporated into the design of the property. The lands are not used for agricultural purposes and are partially within the urban boundary of the City of Hamilton. The lands have access to municipal water and sanitary sewers for servicing and

are in an appropriate location for redevelopment and intensification.

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

Planning Comment: There are no affordable housing units proposed as part of this development.

(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;

Planning Comment: Sulphur Springs Road provides access to the site and is a local road. It is anticipated that a road widening will be required along the frontage, but it is a municipally maintained road which can accommodate the anticipated traffic. All roads within the site will be private and designed to accommodate the anticipated level of traffic.

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

Planning Comment: The townhouse units within the Plan of Condominium are proposed to be regular rectangular lots. The proposed single detached lots are primarily rectangular with four (4) premium lots which are irregular in shape.

(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;

Planning Comment: There are no restrictions anticipated with the development of this property.

(h) conservation of natural resources and flood control;

Planning Comment: The northern portion of the property is impacted by a slope, cold water stream, and is adjacent to the Dundas Valley Conservation Area. No development is proposed within this area, however, there is a passive recreational trail which provides recreational opportunities for future

residents. There are woodlands to the east and west, and compensation and mitigation measures have been incorporated into the design.

(i) the adequacy of utilities and municipal services;

Planning Comment: Municipal services and other necessary utilities are available and have capacity to service the subject site.

(j) the adequacy of school sites;

Planning Comment: There are a number of elementary schools within Ancaster, to the south-east and south-west of the Site. There is one secondary school within the immediate area. Through the circulation of this application, capacity will be confirmed by the local school boards.

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

Planning Comment: At this time, it is not proposed that any of the lands be dedicated to the City or the Hamilton Conservation Authority for public use.

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

Planning Comment: The development maximizes the lands on the site to be used for residential development and maintains ample areas for common element use.

(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).

Planning Comment: As a draft plan of condominium is proposed, it is anticipated that an application for Site Plan Control will also be submitted to the City for review and approval in the future.

The proposed development has been carefully planned to meet the criteria outlined in Section 51(24) of the Act, which governs subdivision approvals. These policies emphasize the importance of timing, adequacy, and consideration of current and future site conditions and the potential impact on the natural environment and municipal infrastructure. The development aligns with these policies and considers the provincial and public interests that shape it, particularly regarding housing, environmental protection, and the site's integration with its surrounding context.

This development provides a balanced mix of single-detached and townhouse dwellings, addressing the need for diverse housing options for both current and future residents. The subdivision's layout and density, as well as the configuration of lots, have been designed with the characteristics of the surrounding area in mind, ensuring a seamless fit. Additionally, local public facilities and municipal services are equipped to support this level of residential growth.

The development is committed to conserving and enhancing the natural features on the site by directing development away from sensitive areas where possible and providing enhanced natural buffers. A portion of the site is designated as *Escarpment Protection Area* within the Niagara Escarpment Plan, which emphasizes resource protection and enhancement. The proposed development respects this designation by preserving and enhancing the natural area and adding stormwater management infrastructure to mitigate flood risk.

In conclusion, the proposed development is thoughtfully designed to align with the principles of provincial interest and meets the subdivision criteria set out in Section 51(24). It will establish a well-integrated, sustainable neighbourhood that complements and enriches the existing community within the City.

4.3 Provincial Planning Statement (2024)

The Provincial Planning Statement (2024) ("PPS") is the provincial policy framework that guides land use planning decisions in Ontario. The PPS was issued under Section 3 of the *Planning Act* and approved by

the Lieutenant Governor in Council. It came into effect on October 20th, 2024. All planning decisions must be consistent with the policies in the PPS. A review of the applicable policies can be found in the following section.

4.3.1 Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

4. *To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*
 - a. *maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
 - b. *maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans*

Planning Comment: The proposed residential development includes both single detached dwellings and townhouse dwellings which will support a range of incomes and housing needs. This range in housing types will also add to the overall supply within the City.

Per Section 2.1, the City is required to maintain at all times a minimum 15-year supply of designated lands and a three (3) year supply of lands with servicing capacity. The subject lands are within an area with existing municipal servicing and capacity to accommodate the proposed development. The proposed amendments and plan of condominium will assist the City in maintaining this supply of serviced and available lands and will allow for additional development opportunities in this area.

6. *Planning authorities should support the achievement of complete communities by:*

- a. *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*

Planning Comment: As previously identified, the proposal will provide housing options within a neighbourhood which is predominantly single-detached dwellings. There is a similar townhouse condominium development to the east, and the intent of the subject proposal is to expand the range of housing options in the immediate area. The lands are within walking distance to the commercial core of Ancaster, which provides a range of commercial, institutional, and entertainment opportunities.

The development incorporates open spaces for future residents throughout the site, as well as sidewalks and trails to encourage walking and passive recreation through the site. Although the site is within walking distance to the commercial core of Ancaster, there are currently no sidewalks which would support active transportation.

2.2 Housing

1. *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*
 - b. *permitting and facilitating:*
 - i. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
 - ii. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for*

residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

- c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation*

Planning Comment: The proposal will add new housing units to an existing area with limited opportunities to accommodate infilling and intensification. The proposed development is intended to complement the existing neighbourhood with a similar housing form to what currently exists, but at a higher density. The density of the development is approximately 20 units per gross hectare, which, although higher than what is in the immediate area, is considered to be a low-density residential development.

The site is within an area which has municipal servicing available, and anticipated capacity to accommodate the proposed development. The development proposal includes townhouses and single detached dwellings, as well as larger lot single detached dwellings, which will encompass a range of housing needs and incomes.

The development proposes an efficient use of the developable area on the property, while protecting the natural heritage features at the north of the site. The development balances the need to provide additional housing units and types with being cohesive with the surrounding neighbourhood.

By adding additional housing options in an area identified for residential growth, this development contributes meaningfully to Hamilton's long-term housing supply. It supports the City in meeting its 15-year residential land supply target. The mix of housing types not only promotes housing accessibility but also aligns with broader provincial goals for sustainable, balanced urban growth.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.2 New Settlement Areas and Settlement Area Boundary Expansions

- 1. In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities shall consider the following:*

- a. the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;*
- b. if there is sufficient capacity in existing or planned infrastructure and public service facilities;*
- c. whether the applicable lands comprise specialty crop areas;*
- d. the evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
- e. whether the new or expanded settlement area complies with the minimum distance separation formulae;*
- f. whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and*
- g. the new or expanded settlement area provides for the phased progression of urban development.*

Planning Comment: The south portion of the site is within the urban boundary of the City of Hamilton, according to Schedule E-1 of the Urban Hamilton Official Plan, the remaining north section of the property is outside of the urban area. The proposed application for Official Plan Amendment is to expand the urban boundary by approximately 7 hectares to include the developable area of the property. The natural heritage area at the north of the property would remain outside of the urban boundary.

The property is within a predominantly low-density neighbourhood comprised of single detached dwellings. Although there is a development of

townhouse units to the east, there are limited options for alternative densities of housing in the immediate area. The proposed addition of lands represents a minor increase in the urban area, and the provision of additional housing forms within the immediate area is desirable.

There is existing water and sanitary infrastructure along Sulphur Springs Road which can accommodate the proposed development. The existing road network has capacity to accommodate the additional traffic that will be generated through the redevelopment of the site, as well as the existence of public services and commercial businesses in the immediate area.

The lands are not within an area that is used for agricultural operations, nor is it considered to be specialty crop lands. The development will not impact any adjacent livestock use as the lands to the east and south are within the urban boundary. The subject site is used for residential purposes and consists of manicured lawns. The proposed expansion will have no impact on agricultural uses or lands.

The development will allow for the phased development in the area. The lands are already partially within the urban area, and there are existing services along the road frontage. The development will not require the expansion of services and will not result in the lands being developed out of order with the remaining neighbourhood.

The proposed urban boundary expansion is appropriate, will provide for an intensified land use within the neighbourhood, there is infrastructure existing and available, and the development is not premature.

The development respects and complements the character and context of the surrounding community, integrating housing diversity and the protection enhancement of environmental areas.

4.3.2 Infrastructure and Facilities

3.6 Sewage, Water and Stormwater

1. *Planning for sewage and water services shall:*
 - a. *accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal*

water services and existing private communal sewage services and private communal water services;

- b. *ensure that these services are provided in a manner that:*
 1. *can be sustained by the water resources upon which such services rely;*
 2. *is feasible and financially viable over their life cycle;*
 3. *protects human health and safety, and the natural environment, including the quality and quantity of water; and*
 4. *aligns with comprehensive municipal planning for these services, where applicable.*
- c. *promote water and energy conservation and efficiency;*
- d. *integrate servicing and land use considerations at all stages of the planning process;*

Planning Comment: The development is proposed to be serviced with public water and sanitary facilities serviced from the existing municipal infrastructure. There are existing sanitary and water mains which run along Sulphur Springs Road that will be used to service the proposed development. One of the possible servicing solutions for the property include the installation of a private sanitary pumping station on the property to ensure that there is sufficient pressure to outlet to the municipal sanitary system. The rolling topography of the site will not make a gravity system feasible. An alternative option to the pumping station would involve the installation of low-pressure grinder systems in addition to a pumping system which would allow the wastewater to flow to the highest point in the site and then flow via gravity to the municipal system in the street.

The two (2) existing houses on the property are currently serviced with private well and septic systems. In order to support the proposed development, the existing wells will be decommissioned and the septic systems removed. It is expected that any new development within the City's urban boundary will be required to connect to the municipal infrastructure system. As the services

are available at the property line, the development will not require the expansion of the system to accommodate the proposed 75 residential units.

Any water conservation methods which are incorporated into the development will be in accordance with the Ontario Building Code requirements, as a minimum.

8. *Planning for stormwater management shall:*
 - a. *be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*
 - b. *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
 - c. *minimize erosion and changes in water balance including through the use of green infrastructure;*
 - d. *mitigate risks to human health, safety, property and the environment;*
 - e. *maximize the extent and function of vegetative and pervious surfaces;*
 - f. *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
 - g. *align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.*

Planning Comment: A preliminary Stormwater Management report has been provided in support of the applications. This report outlines how stormwater will be captured on site, treated, and released. Based on the analysis, the stormwater will be treated to an enhanced standard, which will minimize the potential of the development increasing contaminant loads and releasing untreated stormwater. Two underground storage areas will be incorporated into the design to ensure the slow release of stormwater so as to not overload municipal infrastructure or impact neighbouring properties.

In addition to the standard stormwater management infrastructure, where possible, low impact design

systems (LIDs), vegetation, and pervious surfaces will be incorporated.

3.9 public spaces, recreation, parks, trails and open spaces

1. *Healthy, active, and inclusive communities should be promoted by:*
 - a. *planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
 - b. *planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
 - d. *recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

Planning Comment: The proposed development will be constructed on private roads and will include sidewalks along one side of the street. Green spaces and parkettes are scattered throughout the site to provide passive recreational opportunities for future residents. There is also an existing walking trail through the northern block which provides a loop around the existing pond. The proposed development will ensure that residents can use active transportation to travel through the site.

The Dundas Valley Conservation Area is immediately north of the property and includes a number of trails and facilities for people to enjoy nature. The proposed area of development is approximately 200 metres from the Dundas Valley Conservation Area, providing ample buffer between the new residential area and the existing conservation area.

4.1 Natural Heritage

1. *Natural features and areas shall be protected for the long term.*
2. *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

Planning Comment: The northern section of the site contains a man-made pond which has a cold-water stream which flows into it. This block of land will be put into a designation and zone category which will prevent any development within this sensitive natural area. A passive walking trail is located through this block, and the intention is that this will remain, providing a passive recreational space for future residents.

4.2 Water

2. *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.*

Planning Comment: As previously identified, there is a cold-water stream which runs through the private open space block a short distance and then outlets into the man-made pond. The development area is a minimum of 30 metres from the cold-water stream, which provides the appropriate buffer distance to ensure no negative impact. The Environmental Impact Study prepared for the development has identified implementation measures to ensure that the stream is not impacted during construction and the appropriate buffers are implemented. Although the ponds on the site are man-made, the development provides an appropriate buffer to ensure their protection.

Conclusion

In summary, the applications achieve the intent of the PPS. The development provides additional housing in a developed area which has existing municipal

infrastructure. The property is immediately adjacent to the existing urban boundary. The natural heritage features on the site will be protected for their long-term preservation. The proposal efficiently uses the land resources and will create a pedestrian friendly development.

4.4 Niagara Escarpment Commission / Niagara Escarpment Plan (2017)

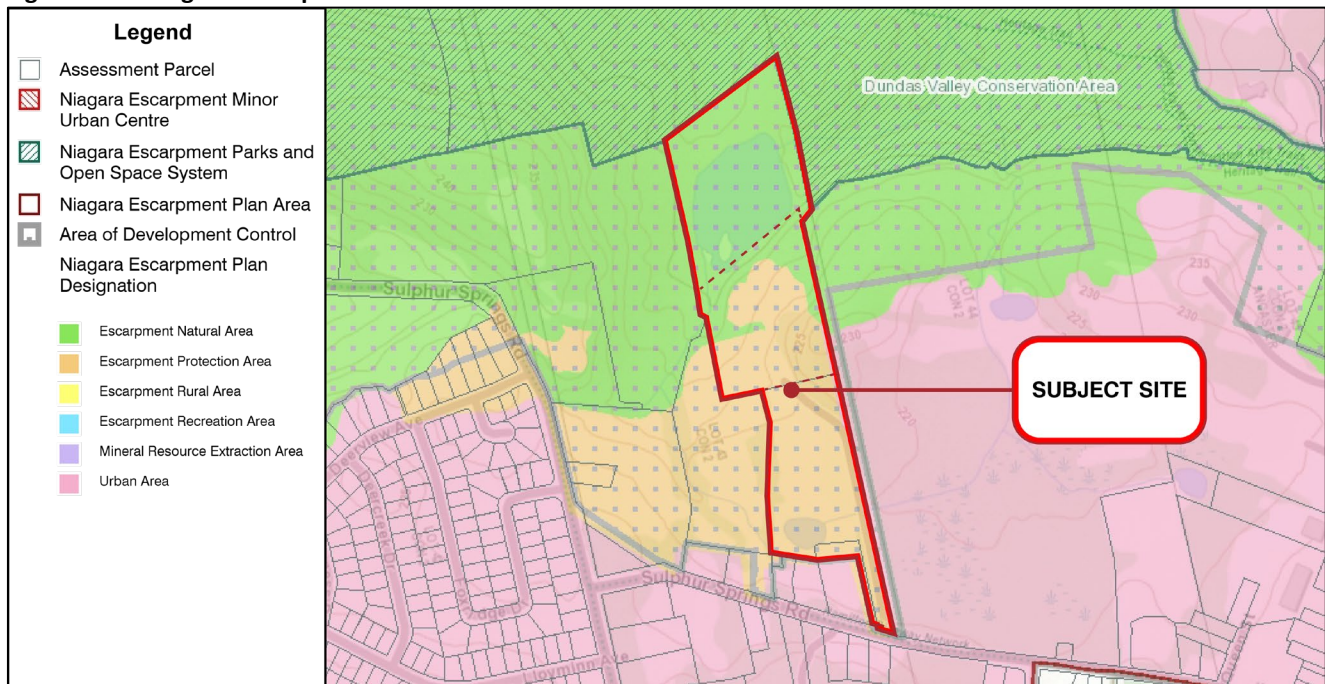
The Niagara Escarpment Plan (“NEP”), effective June 1, 2017, under the Niagara Escarpment Planning and Development Act, guides the sustainable development and protection of Ontario's Niagara Escarpment. It ensures the area is preserved as a natural environment per the Provincial Policy Statement. Municipalities and agencies, including the Niagara Escarpment Commission, must adhere to this Plan, which focuses on protecting ecological and historical sites, maintaining water quality, supporting outdoor recreation, preserving landscapes, and ensuring public access while allowing compatible development.

4.4.1 Protecting Natural Features

The objectives of the Niagara Escarpment Plan are:

1. *To protect unique ecologic and historic areas;*
2. *To maintain and enhance the quality and character of natural streams and water supplies;*
3. *To provide adequate opportunities for outdoor recreation;*
4. *To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;*
5. *To ensure that all new development is compatible with the purpose of the Plan;*
6. *To provide for adequate public access to the Niagara Escarpment; and*
7. *To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act*

Figure 11 – Niagara Escarpment Commission



Source: *Niagara Escarpment Plan Interactive Mapping, 2024*

Planning Comment: As outlined above, objectives of the NEP seek to protect the ecological features and function of natural heritage system within the plan area, ensure that new development is compatible with the surrounding natural environment, and support access to the Niagara Escarpment, especially through outdoor recreation opportunities. The proposed development has been designed to meet the above outlined NEP objectives. Natural heritage features located on the northern portion of the Site are outside of the development limit and will not be impacted by the proposed development, which includes the large man-made pond on the Site. There is an existing trail that loops around the pond that will be maintained which provides access to recreational opportunities in the Niagara Escarpment for current and future residents. A trail connection will be provided from the proposed private open space area at the northeast corner of the development. The development has also been designed with several different outdoor amenity areas that will create seamless transitions with the natural landscape and opportunities for outdoor recreation for future residents. Overall, the proposed development has been designed to be well integrated with the surrounding built and environmental context, which will continue to be a design priority as the project progresses through the application process.

4.4.2 Land Use Policies

Policies in Part One of the NEP provide direction for the different land use designations identified by the Plan. At present, the balance of the Subject Site is designated as *Escarpment Protection Area*, while the northern portion of the Site is designated *Escarpment Natural Area*. As per Policy 1.2.1 of the NEP, land use designations may be changed as long as the Purpose and the Objectives of the Niagara Escarpment Plan are met; a rationale for the amendment is made; the amendment does not adversely affect the purpose and objectives of the Niagara Escarpment Planning and Development Act; and the proposed amendment is considered against development criteria set out in Part Two of the NEP. The proposed development requires an amendment to the NEP that will bring it into adjacent boundary of the Urban Area. The following sections provide a review of the proposed development and how it meets the intent of the NEP, as well as the development criteria set forth in Part Two.

4.4.2.1 Escarpment Natural Area

The following policies regulate the Escarpment Natural Area designation. The northern portion of the

property is designated as being Escarpment Natural Area. The following policies apply:

1.3 Escarpment Natural Area

1.3.1 Objectives

1. To recognize, protect and where possible enhance the natural heritage and hydrological systems associated with the Niagara Escarpment Plan area.
2. To protect the most natural Escarpment features, valleylands, wetlands and related significant natural areas.
3. To conserve cultural heritage resources, including features and areas of interest to First Nations and Métis communities.
4. To encourage compatible recreation, conservation and educational activities.
5. To maintain and enhance the scenic resources and open landscape character of the Escarpment.

1.3.3 Permitted Uses

1. Existing uses (for greater certainty, includes existing agricultural uses, existing agriculture-related uses and existing on-farm diversified uses).
2. Non-motorized trail activities, outside of prime agricultural areas.

Planning Comment: Per the above policies, permitted uses in the *Escarpment Natural Area* designation include, among other things, existing uses and non-motorized trail activities. The portion of the Subject Site designated as *Escarpment Natural Area* is outside of the limit of development and the intention is that this area will remain in a natural, vegetative state. As such, the current uses on this portion of the Site, which includes a walking trail that circles the man-made pond, will be maintained. No new lots or development are proposed within this land use designation. To ensure their long-term protection, these lands are being proposed as a separate block with the plan.

4.4.2.2 Escarpment Protection Area

The remainder of the property is designated as being Escarpment Protection Area. The policies that govern this portion of the property are reviewed below:

1.4 Escarpment Protection Area

1.4.1 Objectives

1. To maintain and enhance the scenic resources and open landscape character of the Escarpment.
2. To provide a buffer to prominent Escarpment features.
3. To recognize, protect and where possible enhance the natural heritage system associated with the Niagara Escarpment Plan area and protect natural areas of regional significance.
4. To conserve cultural heritage resources, including features and areas of interest to First Nation and Métis communities.
5. To encourage forest management, compatible recreation, conservation and educational activities.
6. To encourage agriculture and protect agricultural lands and prime agricultural areas.

Planning Comment: The southern portion of the Subject Site is designated as *Escarpment Protection Area* which is where development and site alteration is proposed to take place, as outlined through this application. The proposed development will meet the objectives of the *Escarpment Protection Area* by protecting the escarpment natural area and maintaining its scenic character. Two private open space blocks will be provided along the northern portion of the Subject Site creating a transition area between the proposed development and the *Escarpment Natural Area*. A trail connection to the natural heritage system is included at the northwest corner of the proposed development limit. It will connect to an existing trail around the man-made pond. This will create recreational opportunities for future residents and will promote access to the Escarpment.

Regarding the preservation of agricultural lands, the Site is currently used for residential purposes. As such,

no loss of existing agricultural lands will occur through the proposed development.

The proposed uses for the development, which include single detached and townhouse residential units, are not a permitted use within the Escarpment Protection Area designation (Policy 1.4.3). Further to this, lot creation as proposed by this application is also not permitted within the Escarpment Protection Area (Policy 1.4.4). For these reasons, an amendment to the NEP is required, which would bring the Subject Site into the Urban Boundary located adjacent to the Site. Although the lands are not within the urban area of the Niagara Escarpment Plan, the front portion of the property is within the designated urban area of the City of Hamilton Official Plan.

1.4.4 Lot Creation

New lots may be created, subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.

1. *A lot may be created by severing one original township lot or original township half lot, from another original township lot or original township half lot, provided there have been no previous lots severed from one of the affected original township lots or original township half lots. Such severances shall only occur along the original township lot line.*
2. *Notwithstanding Part 1.4.4.1, provided no new building lot(s) is created, a severance may be permitted:*
 - a) *for the purpose of correcting conveyances, provided the correction does not include the re-creation of merged lots;*
 - b) *for the purpose of enlarging existing lots;*
 - c) *as part of, or following, the acquisition of lands by a public body;*
 - d) *as part of, or following, the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.*

Planning Comment: The proposal seeks to redesignate the lands from *Escarpment Protection Area* to *Urban Area* which will allow the southern portion of the property to be redeveloped for higher-density residential uses. Although the proposed development is a Draft Plan of Condominium, and technically no new lots will be created, the proposal is an intensification in terms of the development which is currently existing on-site. The proposal will expand the urban designation onto the entire property, and the policies in the urban area will apply, which allows for residential development at the densities proposed.

4.4.2.3 Development and Lot Creation

Section 2.2 of the NEP sets out the general development criteria for all lands within the Niagara Escarpment Area. Although the intent of this application is to change the designation on the lands to urban area, the general development criteria outlined below must be addressed as part of the policy review.

2.2 General Development Criteria

The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.

1. *The Escarpment environment shall be protected, restored and where possible enhanced for the long-term having regard to single, multiple or successive development that have occurred or are likely to occur.*

Planning Comment: The property is currently used for residential purposes, with manicured lawns throughout the property. The northern portion of the property remains in a primarily natural state with a cold-water stream flowing into a man-made pond. The intent of the application is to maintain the natural areas in their current state while redeveloping the remainder of the site. As is outlined in the EIS prepared by SLR, enhanced tree planting and naturalization plans are proposed to ensure that the development provides appropriate and respectful buffers to the existing natural areas to the north and east of the site.

2. *The site shall not be prone to natural hazards, and the development will not impact the control of these natural hazards including flooding hazards, erosion hazards, or other water-related hazards and hazard events*

associated with unstable soil or unstable bedrock.

Planning Comment: The site is not subject to natural hazards, such as flooding or erosion. There are existing slopes on the site which have been incorporated into the overall design, the greatest slope being at the north of the property towards the man-made pond, which the development will avoid. A Geotechnical Investigation has been undertaken to confirm soil stability on the site and has identified the underlying geological composition of the property.

3. *Development is permitted only on an existing lot of record.*

Planning Comment: Both of the lots are existing and have historically been used for residential purposes.

4. *A property listed as a nature preserve in Appendix 4 of this Plan, acquired by an approved conservation organization, shall not be used as a building lot or for any other purpose inconsistent with the maintenance and protection of the natural features and values for which the nature preserve was established.*

Planning Comment: The lands have not been identified as a nature preserve, nor are they in the ownership of an approved conservation authority.

5. *Where a lot is located in more than one designation, development shall be located on that portion of the lot located in the least restrictive designation, except where the impact of development on the Escarpment environment would be reduced by locating the development on a portion of the lot located in a more restrictive designation.*

Planning Comment: The proposed development is within the *Escarpment Protection Area* which is a less restrictive designation than *Escarpment Natural Area*. The proposed development ensures that the most sensitive areas on the property, the northern area that is in a natural state and the cold-water stream are protected and the areas surrounding enhanced.

6. *Any development permitted should be designed and located in such a manner as to promote design and orientation that:*

- a. *maximizes energy efficiency and conservation and considers the mitigating effects of vegetation;*
- b. *maximizes opportunities for the use of renewable energy systems and alternative energy systems; and*
- c. *reduces greenhouse gas emissions so that the development is contributing to the goal of low-carbon communities and net-zero communities in Minor Urban Centres, Urban Areas, and Escarpment Recreation Areas.*

Planning Comment: The development will incorporate native vegetation throughout the site to enhance buffers and naturalize common areas. Where appropriate, energy efficiency and conservation methods will be incorporated into the design, as well as renewable energy generation resources.

2.4 Lot Creation

5. *New lots must:*

- a. *maintain and enhance the existing community character and/or open landscape character of the Escarpment; and*
- b. *protect and enhance existing natural heritage and hydrologic features and functions.*

Planning Comment: The proposed development will enhance the immediate neighbourhood by providing an additional housing that is keeping in character with the townhouse development to the east and the single-detached dwellings to the south and west. The development will provide appropriate buffers to the existing cold-water stream, as well as ensuring that the existing flow of water to the Provincially Significant Wetland ("PSW") to the east continues. Stormwater on site will be treated for both quantity and quality to ensure that waters out letting to the PSW have been appropriately treated.

Water Resources

2.5 Development affecting steep slopes and ravines
The objective is to ensure that development affecting steep slopes (e.g., Escarpment slopes, rock faces, talus

slopes) and ravines is compatible with the Escarpment environment and does not result in unsafe conditions.

1. The crest or brow and toe of the slope or ravine shall be established by means of a site inspection by the implementing authority, and these lines will be plotted on proposed development plans.
2. The implementing authority will establish a minimum development setback from the brow or crest and toe of a slope or ravine, and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur.
3. Development shall not be permitted on slopes in excess of 25 per cent (1:4 slope) or if the stability of the slope or ravine is in question, unless an engineering report has been prepared by the applicant that demonstrates the future stability of the slope would not be affected.
4. During development, a screen of appropriate fencing material (e.g., snow fencing) should be established approximately three (3) metres from the crest of the slope in order to prevent any dumping.

Planning Comment: Both a Geotechnical and a Hydrogeological Investigation have been prepared as part of the submission to identify soil stability and groundwater resources. The Geotechnical Investigation identified the soil composition and provided recommendations on construction methods and considerations for future homes. They have identified that additional boreholes at the north end of the site, including along the embankment of the man-made pond will be completed in the spring.

Appropriate construction fencing and silt screening will be implemented through the construction process, with the expectation that a Construction Management Plan will be submitted to the City for review and approval.

4.4.2.4 Water Resources

Section 2.6 of the NEP outlines the policies regarding development adjacent to existing water resources, both surface and groundwater. As there is a cold-water stream which runs through the north-west area of the property and outlets into the man-made pond, these policies have been reviewed for compliance.

2.6 Development affecting water resources

The objective is to ensure that hydrologic features and functions including the quality, quantity and character of groundwater and surface water, at the local and watershed level, are protected and where possible enhanced.

1. The following are key hydrologic features within the meaning of this Plan:
 - Permanent and intermittent streams
 - Lakes (and their littoral zones)
 - Seepage areas and springs
 - wetlands
2. Development is not permitted in key hydrologic features with the exception of the following, which may be permitted subject to compliance with all other relevant policies of this Plan:
 - a. accessory facilities to a single dwelling outside of a wetland on an existing lot of record, provided that the disturbance is minimal and where possible temporary;
 - b. forest, fisheries and wildlife management to maintain or enhance the feature;
 - c. conservation and flood or erosion control projects, after all alternatives have been considered;
 - d. the Bruce Trail, and other trails, boardwalks and docks on parks and open space lands that are part of the Niagara Escarpment Parks and Open Space System; and,
 - e. infrastructure, where the project has been deemed necessary to the public interest after all other alternatives have been considered.

Planning Comment: As has been previously identified, there is a cold-water stream which runs through the north-west corner of the site and outlets into the man-made pond in the northern block of the property. The cold-water stream flows from the west through the adjacent residential property and then through a culvert into the man-made pond. There are no changes proposed to the existing channel or outlet system. The development blocks are a minimum of 30

metres from the cold-water stream, and, as part of the development, appropriate planting and naturalization through this corridor will be implemented to ensure there is no thermal changes to the stream. Construction mitigation measures, such as silt fencing, will be implemented to ensure that there is no impact to the water quality during construction.

3. *If, in the opinion of the implementing authority, a proposal for development within 120 metres of a key hydrologic feature has the potential to result in a negative impact on the feature and/or its functions, a hydrologic evaluation will be required that:*
 - a. *demonstrates that the development, including any alteration of the natural grade or drainage, will protect:*
 - i. *the key hydrologic feature or the hydrologic functions of that feature,*
 - ii. *the quality and quantity of groundwater and surface water*
 - iii. *natural streams or drainage patterns; and*
 - iv. *the overall water budget for the watershed, including existing and planned municipal drinking water systems.*

Planning Comment: The property is within 120 metres of a cold-water stream and a PSW. A Hydrogeological Investigation has been undertaken to investigate the groundwater location and any impact the development may pose. A fluvial Geomorphological Investigation has also been initiated to examine the water flows on site and to ensure no negative impacts to existing water flows to the natural features. There is no development proposed in the northern area of the site, and therefore no grading changes proposed in the area of the existing cold-water stream.

There is an existing drainage ditch from the man-made pond at the south end of the site which outlets to the PSW to the east. As part of the overall development plan, the existing flows to the PSW will be maintained

to ensure that there is no change to the hydrologic flow.

- b. *identifies planning, design and construction practices that will minimize erosion, sedimentation and the introduction of nutrients or pollutants and protect, and where possible, enhance or restore the health, diversity and size of the key hydrologic feature, including:*
 - i. *natural features should be preserved;*
 - ii. *temporary vegetation and/or mulching should be used to protect critical areas exposed during development;*
 - iii. *topsoil should not be removed from the site, but rather, should be stored and redistributed as a suitable base for seeding and planting;*
 - iv. *sediment control devices should be installed to remove sediment from run-off due to changed soil surface conditions during and after construction; and*
 - v. *construction in or across a watercourse or wetland should be appropriately timed to minimize impacts on fish and wildlife habitat.*

Planning Comment: As part of the detailed design phase of the project, a construction management plan will be created to ensure that silt and construction materials do not end up in the natural environment. As previously stated, there will be no construction within the area of the cold-water stream or the PSW.

- c. *determines the minimum vegetation protection zone required to protect and where possible enhance the key hydrologic feature and its functions.*

Planning Comment: An EIS has been prepared by SLR to review the natural features on the site, as well as identify appropriate buffers and vegetative protection

zones. Detailed planting plans will be provided through the clearance of development conditions.

4. *A vegetation protection zone shall:*
 - a. *be of sufficient width to protect the key hydrologic feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after construction, and where possible, restore or enhance the feature and/or its function; and*
 - b. *be established to achieve and be maintained as natural self-sustaining vegetation.*

Planning Comment: The minimum setback to the cold-water stream is 30 metres from the development blocks. The SLR EIS has identified that the area for re-naturalization around the stream should be 30 metres and planted with native species to ensure the long-term health of the feature.

5. *In the case of permanent and intermittent streams and seepage areas and springs, the determination of the vegetation protection zone shall include, without limitation, an analysis of land use, soil type and slope class.*

Planning Comment: As previously identified, a Hydrogeological Investigation, Geotechnical Investigation, and Fluvial Geomorphological investigation have been completed to evaluate the soil characteristics, ground water, and existing water flows on the site to ensure that the development will not impact groundwater or waterflows on the site.

Water Quality and Quantity

9. *Development shall protect the quality and quantity of groundwater and surface water.*
10. *Changes to the natural draining shall be avoided*

Planning Comment: The development has been designed to ensure that it is outside of the surface water features on site. The stormwater management plan that has been prepared ensures that water flows pre- and post-development, remain unchanged. The fluvial geomorphological investigation ensures that the water flows to the natural features are maintained at the existing flow rates.

4.4.2.5 Development and Natural Heritage

Section 2.7 outlines the policies regarding development adjacent to natural heritage features, including wetlands. As there is an existing PSW on the property immediately adjacent to the east, which also accepts flows from the Site. The Site also includes parts of a significant woodland, which is primarily on the property to the east, as well as the required buffers to the significant woodland. As such, a review of the policies is outlined below.

The objective is to protect and where possible enhance natural heritage features and functions, in order to maintain the diversity and connectivity of the continuous natural environment.

1. *The following are key natural heritage features within the meaning of this Plan:*
 - *Wetlands*
 - *Habitat of endangered species and threatened species*
 - *Fish habitat*
 - *Life Science Areas of Natural and Scientific Interest*
 - *Earth Science Areas of Natural and Scientific Interest*
 - *Significant valleylands*
 - *Significant woodlands*
 - *Significant wildlife habitat*
 - *Habitat of special concern species in Escarpment Natural and Escarpment Protection Areas*

Planning Comment: As highlighted above, the property is adjacent to a PSW, with flows feeding into the wetland and there is a significant woodland to the east with portions of the buffer and woodlands on the Site.

3. *The diversity and connectivity between key natural heritage features and key hydrologic features shall be maintained, and where possible, enhanced for the movement of native plants and animals across the landscape.*

Planning Comment: As previously outlined, the hydrological connection between the existing flows from the Site to the wetland will be maintained, with

the stormwater management plan ensuring both the quality and quantity of stormwater is controlled.

The significant woodlands are primarily contained on the property immediately east, the same property as the existing PSW. There is a small portion of significant woodland which extends onto the site (approximately 2.0 hectares), as well as required buffers. It should be noted that the majority of the area existing on the property, which is considered as buffer area, is currently manicured lawn. A component of the development plan will be to create buffer areas through naturalized plantings which currently do not exist on-site.

4. *Development in other natural features not identified as key natural heritage features or key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible, and the impact of the development on the natural feature and its functions shall be minimized.*

Planning Comment: A small area of significant woodland (approximately 0.48 hectares) will be required to be removed as part of the development proposal. Compensation plantings are proposed throughout the site, as outlined in the EIS and Arborist Report prepared by SLR, which will replace tree removals at a rate of 1:1. The overall impact to the significant woodland will be minor as the trees removed will be on the periphery of the feature and has historically been within a residentially maintained property. The remainder of the woodlot is contained in a property which also has the PSW and is in private ownership.

5. *If in the opinion of the implementing authority, a proposal for development within 120 metres of a key natural heritage feature has the potential to result in a negative impact on the feature and/or its functions, or on the connectivity between key natural heritage features and key hydrologic features, a natural heritage evaluation will be required that:*
 - a. *demonstrates that the development, including any alteration of the natural grade or drainage, will*

protect the key natural heritage feature or the related functions of that feature;

Planning Comment: The Functional Servicing Plan prepared by C.F. Crozier has outlined the stormwater management plan to be implemented, as well as the preliminary grading design. As identified, a fluvial geomorphological investigation has been completed to confirm water flows currently existing on the site will be maintained. The grading associated with the development plan may encroach into the buffer areas associated with the features, however, the buffer areas will be replanted and re-naturalized with native species to ensure no long-term negative impact to the features or their functions.

- b. *identifies planning, design and construction practices that will minimize erosion, sedimentation and the introduction of nutrients or pollutants and protect and, where possible, enhance or restore the health, diversity and size of the key natural heritage feature;*

Planning Comment: A detailed construction management plan will be prepared during the detailed design stage to ensure appropriate construction practices are implemented – including erosion and siltation plans.

- c. *determines the minimum vegetation protection zone required to protect and where possible enhance the key natural heritage feature and its functions; and*

Planning Comment: The EIS prepared for the development has identified the minimum vegetative protection zones as well as minimum buffer areas. The development provides an opportunity to provide buffer plantings and incorporate native species into the planting plans that are currently not present on the property. As the development is proposed to be a condominium, there is greater control to ensure that buffers and plantings are maintained and survive as they will be maintained by the condominium corporation.

- d. *demonstrates that the connectivity between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained and where possible enhanced for the movement of native plants and animals across the landscape, except with respect to a key natural heritage feature that is solely the habitat of endangered species or threatened species, which is subject to Part 2.7.8 below.*

Planning Comment: The EIS, as well as the civil engineering investigations on the property has identified hydrologic connections between the subject site and adjacent properties, as well as ecological and animal connections. The block of land at the north of the site will not be impacted by the development, which will continue to allow for the movement of animals through the site, as well as allow for native species to expand. The proposed area of development is currently fragmented by lawns and houses and the proposed development will not further fragment these features but will increase the planting of native species on the property.

4.4.2.6 Forestry

- 10. *Development where permitted in woodlands should protect and where possible enhance the woodland and associated wildlife habitat. All development involving the cutting of trees requires approval from the implementing authority, subject to the following criteria:*

- a. *cutting of trees and removal of vegetation shall be limited to the minimum necessary to accommodate the permitted use;*

Planning Comment: The trees proposed to be removed, which are currently part of the identified woodland, are on the edge of the feature and represent a minor reduction in the overall woodland area. The tree removal will be minimized to remove only those trees as necessary, and the remainder will be protected and put into common element blocks.

- b. *using tree-cutting methods designed to minimize negative impacts on the*

natural environment, including surface drainage and groundwater;

Planning Comment: Appropriate tree-cutting methods will be implemented to ensure that there are no erosion risks associated with their removal. In addition to this, the tree removal will incorporate construction and erosion fencing where required.

- c. *minimizing disruption to wildlife habitat in the area;*

Planning Comment: All tree removal will occur outside of nesting bird season, where possible. Where this is not possible, a biologist will attend the site prior to removal being initiated to identify any nesting activities.

- d. *retaining the diversity of native species;*

Planning Comment: An Arborist's report has been submitted with this application. No naturally occurring significant species were identified, as a cucumber tree and Kentucky Coffee Tree were identified, but appear to be nursery stock. As part of the compensation planting, a range of native species will be included.

- e. *aiming over the long term to protect and where possible enhance the quality and biodiversity of the woodland;*

Planning Comment: Only the trees along the edge of the significant woodland will be removed. All compensation planting will incorporate native species and will be planned to ensure biodiversity is maintained.

- f. *protecting trees and vegetation to be retained by acceptable means during construction; and*

Planning Comment: Tree protection zones will be implemented throughout the construction period which will clearly identify the limits of excavation to ensure that there is no negative impact to trees to be maintained.

- g. *maintaining existing tree cover or other stabilizing vegetation, on steep*

slopes in excess of 25 per cent (1:4 slope).

Planning Comment: No tree removal on the existing slopes at the north end of the property are proposed.

4.4.2.7 Infrastructure

Section 1.12 of the NEP outlines policies for the installation of new infrastructure. Only those policies which apply to the proposed private development have been reviewed below.

1. *Infrastructure shall be planned in an integrated fashion, to obtain the most value out of existing infrastructure and to ensure that the most sustainable infrastructure alternatives have been identified.*

Planning Comment: Municipal sewer and water infrastructure currently runs in front of the property along Sulphur Springs Road. The proposed development will connect to that existing infrastructure to service the Site. The development will not require the services to be extended to accommodate the development and will utilize the existing infrastructure.

2. *Green infrastructure and low impact development should be considered where appropriate to complement infrastructure.*

Planning Comment: Where appropriate, green infrastructure and low impact designs will be incorporated. These infrastructure solutions will be explored further during the detailed design process.

3. *Infrastructure shall avoid Escarpment Natural Areas, unless the project has been deemed necessary to the public interest after all other alternatives have been considered.*

Planning Comment: All proposed infrastructures are outside of the Escarpment Natural area.

Conclusion

In review of the policies in the NEP, the proposed development protects the natural features, while allowing development to be intensified in areas that have historically been residential. As reviewed in the EIS provided as part of the submission package, the

key natural features will be protected for their long-term preservation. Although the proposal will increase the intensity of the development, the Site has historically been used for residential purposes, with manicured lawns and non-native species being introduced. The development plan will incorporate naturalized plantings, appropriate buffers, and maintain water flows to wetlands and ponds throughout the site. The development will remove a small portion of significant woodlot, but the overall impact to the feature will be minimized through compensation plantings and improved buffering.

4.5 City of Hamilton Urban Official Plan

Hamilton's Urban Official Plan ("UHOP") provides a framework to guide the City towards a sustainable and healthy future and the City's Strategic Plan. It focuses on creating prosperous, inclusive, and adaptable communities through compact urban development, environmental protection, and a balanced transportation network. Key priorities include reducing greenhouse gas emissions, promoting diverse housing, ensuring financial stability, and strategic infrastructure use, all within a flexible policy framework to adapt to Hamilton's changing landscape.

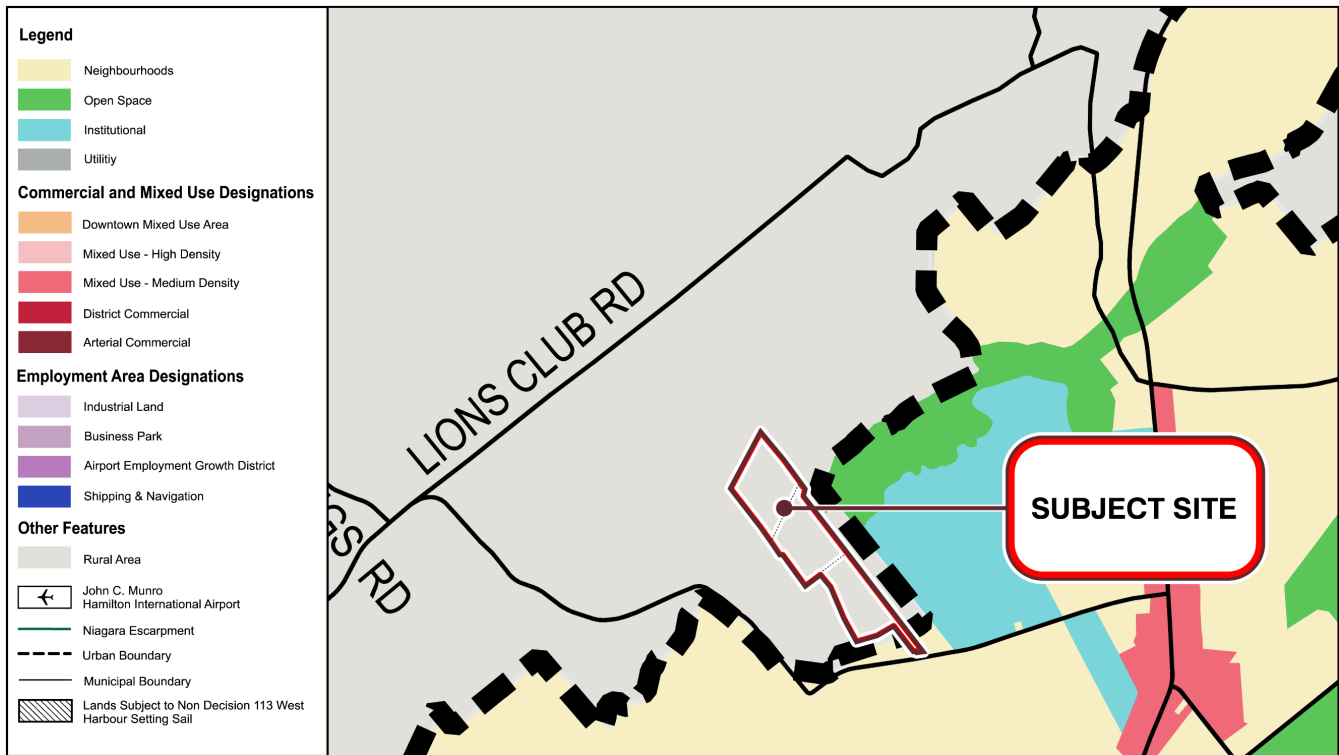
4.5.1 Growth

Chapter B2 reviews the City's Urban Systems and designations. The policies below outline the requirements for urban boundary expansion in the City. It should be noted that these policies are currently being updated to be brought into conformity with the policies in the PPS. These policies will be reviewed, however, the policies in the PPS will take precedence.

Chapter B: 2.2 Urban Boundary Expansion

2.2.1 The City's urban boundary is firm and expansion to accommodate growth to the year 2051 is not required. All planned growth to 2051 shall be accommodated through development of the City's existing designated greenfield area, and intensification throughout the Urban Area, and a

Figure 12 – Urban Official Plan, Schedule E-1: Urban Land Use Designations



Source: Hamilton Urban Official Plan. 2012

limited amount of infill development within Rural Hamilton. (OPA 167)

2.2.2 Notwithstanding Policy B.2.2.1, adjustments to the urban boundary may be permitted through a municipal comprehensive review provided:

- a) there is no net increase in land within the urban area;*
- b) the adjustment would support the City’s ability to meet intensification and redevelopment targets provided in Section A.2.3 – Growth Management Provincial;*
- c) prime agricultural areas are avoided where possible. Alternative locations will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating impacts on the Agriculture System;*
- d) the lands are not located within the Greenbelt Area;*
- e) for lands within the Niagara Escarpment Plan area, the lands are designated Urban Area in the Niagara Escarpment Plan; and,*
- f) there is sufficient reserve infrastructure capacity to service the lands. (OPA 167)*

2.2.3 Expansions of the Urban Area of 40 hectares or less in accordance with policy 2.2.8.5 and 2.2.8.6 of the A Place to Grow: Growth Plan shall not be permitted in advance of a municipal comprehensive review. (OPA 167)

Planning Comment: Although the policies outlined above are still in the City’s Official Plan, a report was presented to City of Hamilton Council on August 16, 2024, which outlined the proposed methodology for processing and evaluating urban boundary expansions.

The City of Hamilton’s Urban Official Plan (2013) (“UHOP”) sets out several policies for maintaining a definitive urban boundary to manage and protect significant urban areas while accommodating residential growth. These policies encourage development in existing greenfield areas, intensification areas, and urban areas while allowing for selective rural infill development. With regards to residential growth and intensification, it is important to consider their compatibility with the surrounding context as well as their impact on the community and the surrounding environment.

The proposed development aligns with these policies related to urban expansion and intensification. It ensures alignment with the surrounding context in terms of the housing typology, scale, and overall implementation. Several examples of existing and proposed developments with similar concepts, housing types, and densities exist. The development also considers the availability of existing community resources and amenities to accommodate the additional residential growth.

Additionally, the proposed development ensures the overall protection and enhancement of key natural heritage features. The development includes significant buffers from wetlands and retains and improves the stormwater management features throughout the site.

4.5.2 Greenfield Areas

3.7 Residential Greenfield Design

3.7.1 New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and infrastructure shall be designed to contribute to this character.

Planning Comment: The proposed development is designed to be well integrated into the existing landscape as it maintains the existing character and streetscape along Sulphur Springs Road. The proposal includes private open spaces and landscaped areas that will enhance the environmental conditions as well as the community character.

3.7.3 The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the greenfield community to the focal point and adjacent neighbourhoods.

Planning Comment: The proposed layout and configuration of the Site allows for convenient access throughout the site for pedestrians, incorporating sidewalks providing access to trails and private open spaces. Additionally, the proposed right-of-ways and entrance features allow for convenient vehicular access throughout the site with minimal impacts of the focal features of the site and adjacent neighborhoods.

3.7.5 New residential development in greenfield areas shall generally be designed and planned to:

- a) minimize changes to existing topography;*
- b) preserve existing trees and natural features; and,*
- c) be compatible with and maintain public views and vistas to prominent City features and landmarks, including the Niagara Escarpment, the waterfronts of Lake Ontario and Hamilton Harbour, Cootes Paradise, and Dundas Valley, or as identified through secondary plans, cultural heritage management plans, cultural heritage conservation plan statements, or other studies.*

Planning Comment: The existing conditions of the Site include a generally sloped topography; sloping from the south to the north of the Site. To minimize changes to the topography while optimizing residential development, the roads will be sloped to contour the existing conditions with roads ranging from 0.5% and 5%, generally (See attached Functional Servicing Report). This will also help maintain the natural slope and drainage throughout the site.

Where feasible, trees on-site will be maintained and protected. Appropriate tree protection measures will be implemented through the construction process to ensure their long-term health. A portion of the existing woodland on the property will be removed to facilitate the development, but compensation plantings will be incorporated elsewhere into the site design.

The proposed development will remain compatible with the public views including the surrounding natural heritage features. To reduce conflicts with the surrounding connections to the Dundas Valley Conservation Area, the development will retain and enhance the bordering natural heritage features.

3.7.6 New development or redevelopment adjacent to open spaces shall:

- a) minimize the impacts on natural heritage features;*
- b) maintain or enhance public access to trails, bikeways, and parks within these features;*
- c) preserve or enhance public views to these features; and*

- d) *use native plant material adjacent to these features.*

Planning Comment: The proposed development ensures the protection of significant natural heritage features. The northern portion of the site, containing a man-made pond and naturalized area with a recreational trail, will be retained and enhanced for residents to enjoy. The proposed re-grading of portions of the site, specifically at the trail entrance, allows for greater accessibility and safety. From the street-front, the development enhances the overall public view with a focal point and landscaped boulevard to create a sense of enclosure and maintain public views. Finally, the creation and enhancement of private open spaces and landscaped areas provides an opportunity to introduce more native plant species compared to the existing vegetation on-site.

4.5.3 Housing and Compatibility

3.2.1 Urban Housing Goals

3.2.1.1 Provide for a range of housing types, forms, and densities to meet the social, health and well-being requirements of all current and future residents.

Planning Comment: The development proposes townhouses, small lot single-detached dwellings, and large lot single-detached dwellings. The variety in forms of housing will attract a range of household incomes and sizes.

3.2.1.2 Provide housing within complete communities.

Planning Comment: The Site is adjacent to the existing urban boundary, with the commercial core of Ancaster to the east, which provides a range of commercial and institutional uses. Transit stops are located along Wilson Street East, providing connections to other locations within Hamilton. The Site is within an area with services and uses which support walking and cycling to the west of the property and supports a complete community.

3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.

Planning Comment: As previously outlined, there is an existing townhouse development to the east, and

other than that development, the existing homes are primarily single detached dwellings. The proposed development will add to the existing housing mix.

3.2.1.7 Promote subdivision design and building orientation to maximize energy efficiency and conservation, improve air quality, reduce greenhouse gas emissions, promote green infrastructure and preserve and/or enhance natural features. (OPA 167)

Planning Comment: To align with the housing policies set out in Section 3.2 of the UHOP, the redevelopment plans on creating a residential development on a Site that can accommodate additional development considering the context of the community and how it borders the existing urban area within the City of Hamilton. This location will offer easy access to various shops, services, and amenities for both current and future residents. The development introduces a mix of housing such as single-detached and townhouse dwellings to cater to different housing preferences for future residents.

Much consideration has gone into the overall layout and orientation of the proposed development to optimize land subdivision. The proposed plan contours to the existing topographic features, allowing for a compatible development that minimizes soil removal and disturbance while maximizing infrastructure efficiency.

4.5.4 Urban Design

3.3.1 Urban Design Goals

3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.

Planning Comment: The development has been designed to create an entrance feature upon entering the development through the inclusion of a boulevard, which is provided for traffic safety as well as to create the sense of place. An additional entrance feature will be provided between the area developed with townhouses and the area developed with single detached dwellings. The intent is to create connected, yet distinct neighbourhoods.

3.3.1.2 Provide and create quality spaces in all public and private development.

Planning Comment: Open spaces for communal use have been created throughout the site, in addition to the walking trail circling the pond to the north. These areas will include paths and seating areas, intended to create passive recreational spaces.

3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.

Planning Comments: All private roads will include sidewalks on at least one side to encourage pedestrian movement through the site. The existing walking path around the trail will also be maintained to encourage walking as a form of exercise and travel through the site.

3.3.1.4 Create communities that are transit-supportive and promote active transportation.

Planning Comment: Although transit is not available along Sulphur Springs Road, it is available on Wilson Street East. The additional population will create the potential to increase ridership.

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

Planning Comment: The proposed townhouse dwellings and single detached dwellings are compatible with the surrounding neighbourhood. The units will be provided with a high level of architectural details which is compatible with the character of the existing neighbourhood. The immediate area includes estate-type lots developed with large dwellings. The development will provide a more attainable housing price, while maintaining the same character as the immediate neighbourhood.

3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes, including the impacts of a changing climate. (OPA 167)

Planning Comment: The development will include Low Impact Design features, where feasible, as well as the implementation of a robust stormwater management plan. A planting and buffering plan will be created to incorporate native plant species, as well as drought tolerant species to the site.

3.3.1.7 Promote development and spaces that respect natural processes and features and contribute to environmental sustainability.

Planning Comment: A fluvial geomorphological investigation has been prepared for the site to ensure that the hydraulic processes on the site are maintained. The existing water flows to the PSW to the east will be maintained to ensure that the water balance of the feature is not negatively impacted as a result of the development.

3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.

Planning Comment: Although only the front portion of the site is within the existing urban boundary, the location does provide an opportunity for infilling and intensification in an area where there is existing infrastructure and services. The Site provides an opportunity to provide additional dwelling units in a more intensive way in the immediate area.

Principles Of Urban Design

3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) respecting existing character, development patterns, built form, and landscape;*
- b) promoting quality design consistent with the locale and surrounding environment;*
- c) recognizing and protecting the cultural history of the City and its communities;*
- d) conserving and respecting the existing built heritage features of the City and its communities;*
- e) conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;*
- f) demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm;*
- g) contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas;*

- h) respecting prominent sites, views, and vistas in the City; and,*
- i) incorporating public art installations as an integral part of urban design*

Planning Comment: To respect the character of the surrounding neighbourhood, the design incorporates elements that connect Sulphur Springs Road with the site entrance, creating a defined sense of place along the street interface. The entrance along Sulphur Springs Road will feature a welcoming gateway that enhances the community identity and blends seamlessly with the local aesthetic while also ensuring full access to emergency services.

In addition to the street interface, the site layout and design complement the existing natural landscape and features. Given the unique elevations, grade changes, and natural characteristics of the subject site, the proposed dwellings are carefully arranged to blend and interact with both the topography and one another. This layout minimizes landscape impact, reducing soil disturbance and erosion risks, while maximizing development potential in a sensitive manner.

The internal arrangement of roads, residential blocks, and open spaces further strengthens the community feel within the development, enhances views, and creates natural focal points. This approach preserves the site's natural heritage and topographic features while ensuring a seamless blend and integration with the surrounding neighbourhood.

4.5.5 Environmental Protection

3.6 Health and Public Safety Policies

Several goals and policies of this Plan, both directly and indirectly contribute to the improvement of air quality and reduce greenhouse gases:

- a) promoting compact, mixed use urban communities;*
- b) integrating the transportation network to include all modes of transportation*
- c) promoting active transportation, including walking and cycling, and the use of public transit; (OPA 167)*

- d) achieving a natural heritage ecosystem through the protection and enhancement of natural heritage features and functions;*
- e) implementing urban design features to reduce fugitive dust;*
- f) enhancing vegetative cover; and,*
- g) reducing the heat island effect through the use of reflective roofs, green roofs, natural landscaping, and increasing the tree canopy*

Planning Comment: The proposal is for a compact development with a mix of housing types and densities. It incorporates private roads as the access to the site, as well as providing sidewalks throughout the internal road network to encourage pedestrian movements. Although there are currently no sidewalks along Sulphur Springs Road in front of the Site, it is identified as being on a cycling route and there are widened shoulders to the east for pedestrians.

The block at the north of the site includes a cold-water stream which runs into a man-made pond. There is no development proposed within this block to ensure that the natural systems are preserved and protected. Buffers and naturalized planting plans will be created through the detailed design process associated with the approval of this development.

Where feasible, additional mitigation measures to offset heat island effects will be incorporated into the design, in addition to the planting plans.

1.1 Niagara Escarpment Plan

1.1.1 Any development within the Niagara Escarpment Plan area, as shown on Schedule A – Provincial Plans, shall meet the requirements of this Plan and the Niagara Escarpment Plan and Section 3.3 of the Greenbelt Plan. Where there is discrepancy between this Plan and the Niagara Escarpment Plan, the most restrictive policies will prevail.

1.1.6 To minimize the impact and further encroachments in the Escarpment environment, for those lands located within the Niagara Escarpment Plan area identified on Schedule A - Provincial Plans, the following policies shall apply:

- a) The design of the development shall be compatible with the visual and natural environment;*

- b) *Setbacks and screening adequate to minimize the visual impact of development on the Escarpment landscape shall be required; and*
- c) *No new lots shall be created in Escarpment Natural or Protection Areas unless such lot creation is for the purposes of correcting conveyances, enlarging existing lots or acquisition by a public body or authority.*

Planning Comment: Sections 3.6 and C1.1 of the UHOP outline policies and goals to improve public health and safety while addressing impacts on the Niagara Escarpment Area. These policies focus on the importance of enhancing air quality and reducing greenhouse gas emissions, which contribute significantly to the health of urban residents and the surrounding environment.

The proposed development aligns with these goals by promoting a compact urban form that contrasts with the site's and surrounding area's existing condition. This compact design optimizes resource and infrastructure use while introducing diverse housing types. The development also integrates community services, amenities, and access to public transit and active transportation options, making it an ideal location for accommodating additional growth.

Additionally, the development prioritizes protecting and enhancing natural heritage features and vegetation. The site consists of expansive manicured lawns with scattered vegetation and trees. The proposal introduces stormwater management ponds, landscaped areas, and private open spaces, fostering more balanced ecosystems. These enhancements contribute to increased vegetation cover, promote biodiversity, and help mitigate urban heat island effects.

The northern portion of the site, designated as *Escarpment Natural Area* under the Niagara Escarpment Plan, will be preserved as a naturalized area with an improved trail network. This area will maintain compatibility with the visual and natural environment, providing connections to a range of trails and the Dundas Valley Conservation Area. By retaining and enhancing this natural area, the development supports ecological integrity while fostering recreational opportunities for the community.

This thoughtful approach ensures that the development seamlessly integrates with the goals of urban health, environmental stewardship, and compatibility with the Escarpment's unique landscape.

4.5.6 Natural Heritage

Section 2 of Chapter C of the UHOP outlines the considerations to be given to development within areas which have natural heritage features. A review of these policies is outlined below.

2.1 Policy Goals

2.1.1 Protect and enhance biodiversity and ecological functions.

Planning Comment: A detailed planting plan will be created which incorporates native species to be planted throughout the site, as well as within buffer areas. The property is predominately manicured lawns and non-native species associated with the residential uses. As part of the redevelopment of the site, opportunities to increase the plant biodiversity of the site will be taken. The development is not proposed in the area of the cold-water stream, but buffer plantings are proposed to ensure the stream temperatures are not altered, and appropriate siltation and erosion control measures will be implemented at the time of construction to ensure no siltation enters the stream. Existing water flows to the PSW east of the site will be maintained to ensure continued hydraulic function.

The plan does not propose changes at the north end of the site, however, does propose a minor reduction to the existing significant woodland on the property. This reduction will be compensated at a rate of 1:1 where feasible on site. Additionally, the plan will also incorporate buffer plantings to the significant woodland to the east of the property. Although the woodland is not on the Site the buffer area falls onto the property. There is currently no buffering to the woodland, but increased buffer plantings will be incorporated onto the eastern edge of development.

2.1.2 Achieve a healthy, functional ecosystem.

Planning Comment: The intention of the development is to maintain the ecological functions on the site, while allowing an increased intensity of

development on the site. Existing hydraulic functions will continue to support features on neighbouring sites, and quality and quantity measures will be implemented. Naturalization and buffering planting plans will also be implemented through the redevelopment of the site.

2.1.3 Conserve the natural beauty and distinctive character of Hamilton's landscape.

Planning Comment: The existing natural area at the north of the site will be preserved and no development is proposed in this area of the site.

2.1.5 Restore and enhance connections, quality and amount of natural habitat.

Planning Comment: As previously outlined, the development will not impact the lands at the immediate north of the property. This will ensure that the natural habitat for flora and fauna is not impacted and allows for the movement of species from the Site to the Dundas Valley Conservation Area immediately north.

2.1.6 Provide opportunities for recreational and tourism uses where they do not impact natural heritage features.

Planning Comment: There is an existing walking trail around the man-made pond to the north. The intention is to maintain this trail in its current state to allow for residents to access these natural areas. The trail in this area is already defined and will provide a clearly identified area for pedestrian access, which reduces damage to the existing forest area where people make their own paths as there is no defined pedestrian area.

2.3 Natural Heritage System – Core Areas

2.3.3 The natural features and ecological functions of Core Areas shall be protected and where possible and deemed feasible to the satisfaction of the City enhanced. To accomplish this protection and enhancement, vegetation removal and encroachment into Core Areas shall generally not be permitted, and appropriate vegetation protection zones shall be applied to all Core Areas.

2.13 Water Resources

2.13.1 The City shall protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for planning and minimizing potential negative impacts, including cross-jurisdictional and crosswatershed impacts.

2.13.2 The City shall promote efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality.

2.13.3 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features and tributaries including those tributaries defined by the City's Source Protection Plan such that these features and their related hydrologic functions and water quality functions shall be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

2.13.4 The City shall protect, improve or restore the quality and quantity of water by evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level. (OPA 167)

Planning Comment: The policies outlined above emphasize the importance of natural heritage and the protection and enhancement of key natural resources within the City of Hamilton. These policies provide a framework for conserving water resources, biodiversity, ecosystems, and significant natural features, ensuring sustainable integration into development plans.

The proposed development is closely aligned with these principles, prioritizing conserving and enhancing key natural features within and beyond the site boundaries. Within the site, there is a cold-water stream that runs across the north of the property, out letting to the man-made pond. The Environmental Impact Study that has been prepared for the development has identified implementation measures to ensure that the stream is not impacted during construction and the appropriate buffers are implemented. Although the ponds on the site are man-made, the development provides an appropriate buffer to ensure their protection.

The development's design carefully considers the site's unique natural features and surrounding context to minimize potential negative impacts. This is achieved by applying appropriate buffers to protect sensitive areas and implementing significant re-vegetation initiatives. These efforts aim to restore and enhance the site's ecological health, fostering more diverse and resilient ecosystems while integrating seamlessly with the existing natural heritage system.

Conclusion:

In conclusion, the proposed development conforms to the policies outlined in the Urban Hamilton Official Plan. The proposed development introduces 75 new dwelling units while also considering the importance of protecting key natural heritage features. The development incorporated single-detached dwellings and townhouse dwellings to provide a greater mix of housing options within the City of Hamilton. Finally, the proposed development introduces stormwater management infrastructure to reduce runoff from the proposed development and help protect the natural heritage features within the site and the surrounding area.

4.6 City of Hamilton Rural Official Plan

Hamilton's Rural Official Plan ("RHOP") provides a framework to balance environmental protection and agricultural protection while promoting sustainable growth within Hamilton's rural areas. The RHOP aims to protect prime agricultural lands, preserve key natural features, and direct development to rural settlement areas to maintain the area's rural character.

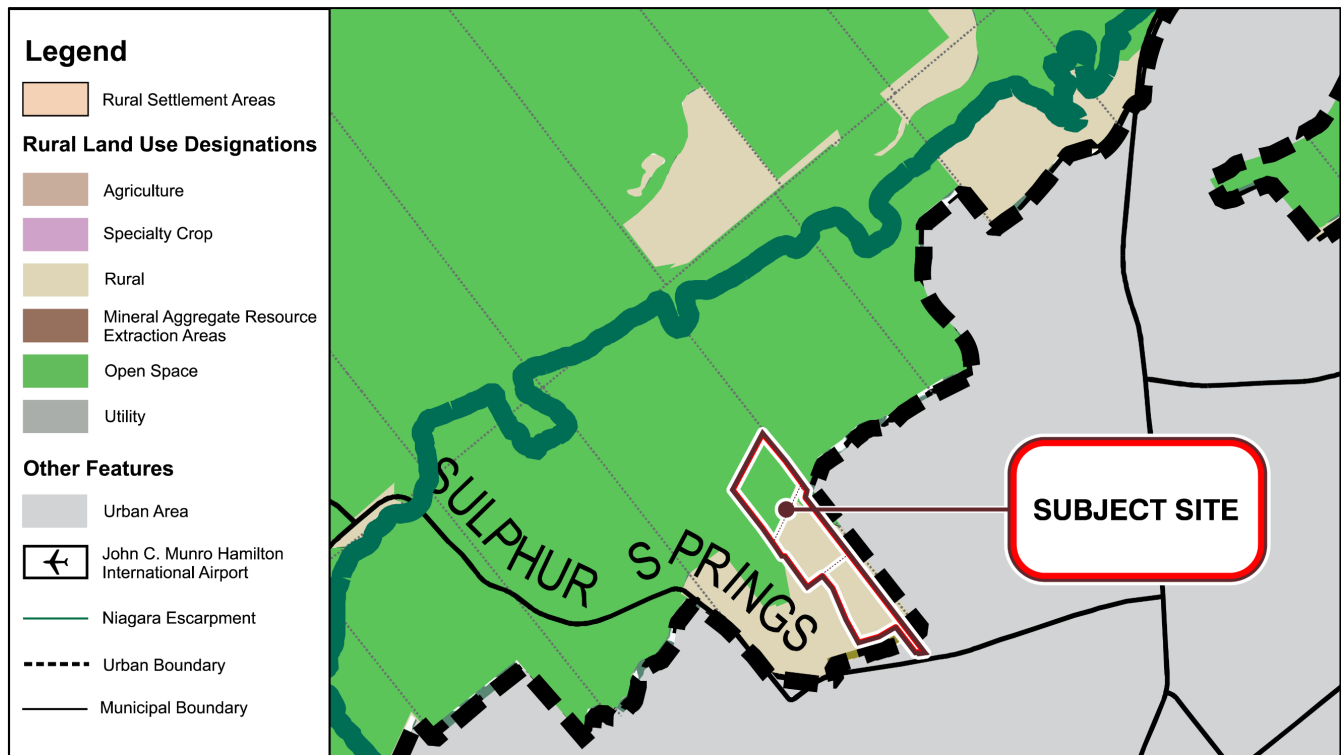
4.6.1 Rural Housing

B.3.2 Housing Policies

3.2.2 General Policies for Rural Housing

3.2.2.1 Small scale housing with supports, including residential care facilities, shall be permitted as a stand alone use in the form of a single detached dwelling in accordance with Policies C.3.1.2 c), C.5.1, and Volume 2, A.1.3.1.

Figure 13 – Rural Official Plan, Schedule D: Rural Land Use Designations



Source: Hamilton Rural Official Plan. 2013

3.2.2.2 *The existing stock of housing in the rural areas shall be retained wherever possible and kept in a safe and adequate condition through use of the City's Property Standards by-law and incentive programs financed by the City or by senior levels of government. (OPA 26)*

3.2.2.3 *Where dwellings are demolished without being replaced on the same site or are demolished and moved to another part of an agricultural parcel, the proponent shall be required to rehabilitate the land to the same average soil quality as any adjacent agricultural lands.*

Planning Comment: The proposed development closely aligns with the rural housing policies outlined in Section B.3.2 of the RHOP. The development increases the available housing stock on lands that border the urban and rural settlement areas. In accordance with policies C.3.1.2 c) the proposed dwellings shall permit a small-scale residential care facility in compliance with policy C.5.1.

With regards to the existing rural housing stock, the development will retain one of the existing detached dwellings and replaces the other detached dwelling that is being demolished. The development will rehabilitate the existing land as part of the preparation for new housing while ensuring adequate draining based on topographical adjustments.

4.6.2 Natural Heritage

2.0 Natural Heritage

2.1 Policy Goals

The following goals apply to designation and management of the Natural Heritage System in Rural Hamilton.

- 2.1.1 *To protect and enhance biodiversity and ecological functions.*
- 2.1.2 *To achieve a healthy, functional ecosystem.*
- 2.1.3 *To conserve the natural beauty and distinctive character of Hamilton's landscape.*
- 2.1.4 *To maintain and enhance the contribution made by the Natural Heritage System to the quality of life of Hamilton's residents.*

- 2.1.5 *To restore and enhance connections, quality and amount of natural habitat.*
- 2.1.6 *To provide opportunities for recreational and tourism uses where they do not impact natural heritage features.*
- 2.1.7 *To monitor and periodically assess the condition of Hamilton's natural environment.*

2.3 Natural Heritage System – Core Areas

Core Areas are the most important components of the Natural Heritage System in terms of biodiversity, productivity, and ecological and hydrological functions. It is the intent of this Plan to preserve and enhance Core Areas, including their environmental features or ecological functions.

2.3.1 *The Greenbelt Plan has identified a Natural Heritage System within the Protected Countryside, which shall be incorporated on Schedule B – Natural Heritage System. In accordance with Greenbelt Plan policies, Schedule B – Natural Heritage System, identifies Core Areas to include key natural heritage features and key hydrologic features and any associated vegetation protection zones. Core Areas of the City's Natural Heritage System also include other locally and provincially significant natural areas that have been identified within and outside the Greenbelt Plan Area. Schedule B – Natural Heritage System will be amended when new Core Areas are identified.*

2.3.2 *Core Areas include key natural heritage features, key hydrologic features, including any associated vegetation protection zones, and provincially significant and local natural areas that are more specifically identified by Schedules B-1 to B8 – Detailed Natural Heritage Features.*

2.3.3 *Any development or site alteration within or adjacent to Core Areas shall not negatively impact their environmental features of ecological functions.*

Planning Comment: The natural heritage policies outlined in Section 2.0 of the Rural Hamilton Official Plan are similar, or the same as the natural heritage policies outlined in the Urban Hamilton Official Plan. The proposed development maintains the same intent

related to preserving, protecting, and enhancing naturalized features. For further details about the consistency and conformity to these natural heritage policies, refer to section 4.4.5 – Natural Heritage of this report.

Conclusion:

In summary, the proposed development conforms to the policies and guidelines set out in the RHOP. The development seeks bring a portion of the Subject Site into the urban boundary while ensuring key natural heritage features are protected and remain within the rural area. The development adds to the housing stock in an area that is primarily residential with no impact on prime agricultural lands.

4.7 City of Hamilton Zoning By-law

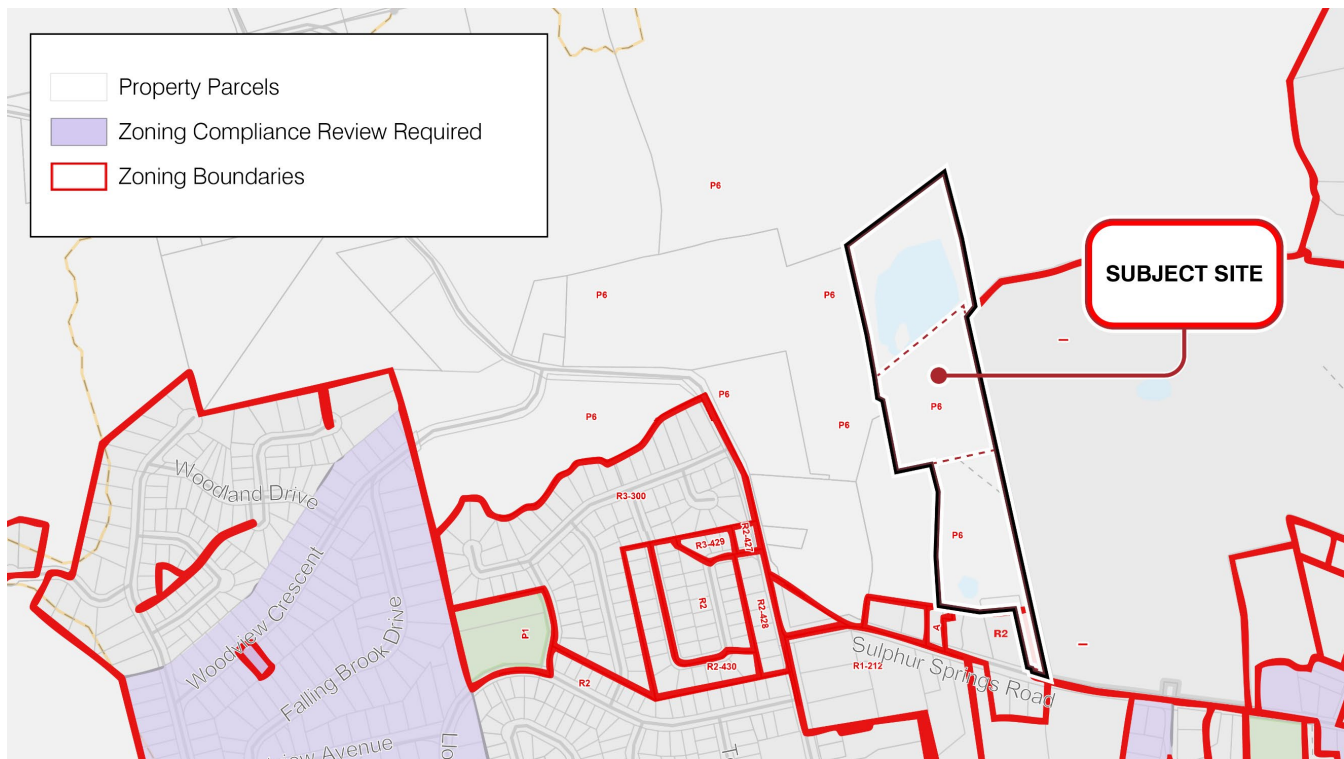
The Subject Site is currently zoned as P6 – Conservation / Hazard Land (Rural Zone) in the City of Hamilton’s Zoning By-law 05-200. A small portion of the Site is zoned as Agriculture (A), within The Ancaster Zoning By-law 87-57.

The P6 Zone applies to lands identified as Environmentally Significant Areas or Key Natural Heritage Features in the Rural Hamilton Official Plan. New development in the P6 Zone may require a Site Plan Control application, along with an Environmental Impact Statement, to ensure no negative impacts on Core Area features. No buildings or land in the P6 Zone can be used for purposes other than those allowed in the Conservation/Hazard Land Rural zone or related uses.

The Agricultural zone permits agricultural activities with associated buildings, structures, a single detached dwelling, and accessory uses. It also permits home occupations and kennels existing before the by-law’s enactment and allows for establishing wayside pits with related structures.

The P6 Zone permits Agriculture, Conservation, Flood and Erosion Control Facilities, Passive Recreation, Secondary Uses to Agriculture and Single Detached Dwellings. The P6 Zone will remain on a portion of the Subject Site that will be dedicated to Conservation uses and open space.

Figure 14 – Hamilton Zoning By-law 05-200, Interactive Mapping



Source: City of Hamilton Interactive Zoning Map

Lands proposed to accommodate residential development will require a zoning by-law amendment to rezone lands to the following residential zones:

- Low Density Residential (R1) Zone to permit single-detached dwellings
- Low Density Residential – Small Lot (R1a) Zone to permit street townhouse dwellings

5.0 Supporting Studies

5.1 Functional Servicing Report and Stormwater Management

A Functional Servicing and Preliminary Stormwater Management Report was prepared by C.F. Crozier & Associates Inc. and is dated November 2024. This report is to outline the proposed servicing and stormwater management strategy for the Subject Site. Based on the findings from the report, the proposed development can be adequately serviced. The development will have one access point along Sulphur Springs Road that is accessible for emergency services, along with adequate internal private roads. Preliminary grading of the site has shown that overland flow routes to the proposed SWM Facilities are feasible. The grading work is within the development boundaries. The development will use a gravity sewer system directing wastewater to a pumping station connecting to the Sulphur Springs Road sewer. Contingency plans are in place if needed. The development will use drinking water through a private watermain connecting to Sulphur Springs Road.

The development includes extending the Sulphur Springs Road water main for redundancy, two underground stormwater management facilities for quantity control, and enhanced water quality protection via OGS units. Utility perimeter extensions are possible. Erosion controls, including silt traps and fencing, will be installed and maintained during construction to prevent sediment runoff.

5.2 Hydrogeological Investigation

A Hydrogeological Investigation was completed by SLT Consulting Ltd. dated December 2024. The purpose of this investigation was to document key

hydrogeological characteristics of the Site and complete a pre- and post-development assessment of groundwater levels, soil, groundwater conditions, water balance targets and potential hydrogeological constraints.

From October 31 to November 13, 2024, 11 boreholes with eight completed as groundwater monitoring wells at depths of 5.5 to 6.1 m. The site's geology included coarse and fine-textured glaciolacustrine silt and sand, with hydraulic conductivity ranging from 1.6×10^{-8} to 1.5×10^{-5} m/s. Groundwater levels were shallow, ranging from -0.02 to 4.32 m, with flow trending northwest and northeast toward Hamilton Harbour. Groundwater chemistry was generally good but showed elevated sodium and chloride, likely due to road salting.

Post-development, infiltration decreased by 26% while runoff doubled. LID measures such as swales can mitigate this. The site is in an SGRA and HVA, with no recharge policies applying. Slab-on-grade construction is recommended due to high groundwater levels, and SWM ponds would require clay liners to separate stormwater from groundwater. No significant environmental or water use impacts are anticipated.

5.3 Preliminary Geotechnical Investigation

A Preliminary Geotechnical Investigation was completed by SLR Consulting Ltd. dated December 2024. The purpose of this preliminary investigation is to determine the subsurface conditions within the area of the proposed development. This was completed with the use of 10 exploration boreholes.

Section 4 of the report outlines key recommendations for the residential development at 159-163 Sulphur Springs Road. Foundations should be built on undisturbed native soils or engineered fill, with bedrock excavation as needed. Use frost protection and conduct inspections during construction. For slab-on-grade construction, ensure floor slabs avoid existing fill and include a moisture barrier, while basements must be at least 1 meter above the seasonal high groundwater level. Proper drainage systems are essential to manage lateral earth pressures on foundation walls and prevent hydrostatic pressure buildup. Expect native soils and possibly

bedrock during excavation, and use imported granular materials for backfill in wet conditions.

The site is classified as Seismic Site Class D, suitable for the design, though further testing could enhance this classification. Recommendations for pavement thickness emphasize good subgrade preparation and drainage for durability. A slope stability analysis is also recommended for safe development. Overall, these guidelines highlight the importance of adhering to best practices for safe construction.

5.4 Transportation Impact Study

A Transportation Impact Study was completed by C.F. Crozier & Associates Inc. to evaluate any potential transportation impacts related to the development and recommend any mitigation measures if required. The study examines the proposed development's impact on the transportation network, including road conditions, traffic operations, and the need for external improvements. It also assesses site access safety and evaluates the parking supply against the City's Zoning By-law requirements.

The transportation review concludes that the proposed development can be supported from an operational perspective. Existing and future traffic analyses show intersections, including Wilson Street East and Sulphur Springs Road/Church Street, operating efficiently with manageable impacts from site-generated trips. No queuing exceedances or auxiliary turn lane warrants have been identified, and the parking supply meets the zoning requirements outlined in Hamilton's Zoning By-Law 24-052. Sight distance for site access is adequate with minor tree adjustments, and access complies with spacing, width, and clear throat length standards. Overall, the proposed development can be supported from a transportation perspective.

5.5 Arborist Report & Tree Preservation Plan

An Arborist Report and Tree Preservation Plan were prepared by SLR Consulting (Canada) Ltd., dated December 2024. This report provides a review of relevant policies related to tree management, protection, and compensation, provides an overall tree inventory, and provides recommendations for protection and removal when required.

The Tree Protection Plan outlines measures to safeguard trees on the property during all project phases. Pre-construction, tree protection fencing will be installed, and tree removal will comply with bird nesting and endangered bat timing windows. During construction, protective fencing must remain intact, and the arborists will oversee critical stages, inspect retained trees, and submit reports to the City. Post-construction barriers will be removed only after construction ends, and retained trees will be inspected. Compensation planting will follow, with monitoring over two growing seasons. Of the 468 inventoried trees, 239 will be removed, 214 retained, and 15 are at risk.

5.6 Environmental Impact Study

An Environmental Impact Study was prepared by SLR Consulting Ltd. dated December 2024. This EIS provides an initial evaluation of the natural heritage features and ecological functions of the Subject Property and assesses the impacts from the proposed development in addition to mitigation measures are included for features requiring protection. A review of relevant policies and legislation, including the Provincial Planning Statement, City of Hamilton Official Plans, and Conservation Authority guidelines, was conducted with consideration for required mitigation.

The proposed development mostly impacts cultural vegetation and includes a small woodland edge encroachment (0.48 ha). Given the low habitat quality, minimal ecological impact is expected. Key natural features like the deciduous forest and watercourse corridor will be preserved. Woodland edge encroachment will be mitigated through native restoration plantings in private spaces.

While no wetlands are present on the property, adjacent wetlands will be protected by maintaining hydrological conditions. Erosion and sediment control measures will be implemented to reduce impacts on Sulphur Creek tributaries. The study determined that vegetation removal will occur outside the bird nesting season (April 1–August 31), or active nest surveys will be conducted if needed.

Based on the findings from this EIS further ecological assessment is needed to fully understand the ecological features of the Subject Property and adjacent lands, as well as the potential impacts of the

proposed development on natural heritage features. This assessment will inform recommended mitigation measures, including a detailed restoration and compensation plan, and may require refinement of the proposed development.

5.7 Archaeological Assessment

A Stage 1 and Stage 2 Archaeological Assessment were prepared by Archaeological Consultants Canada, dated December 2024. The Stage 1 Archaeological Assessment indicated general archaeological potential within the Subject Site due to the well-drained conditions suitable for agriculture and human habitation, proximity to historical transportation routes, and proximity to other significant archaeological sites. As a result of these findings, a Stage 2 Archaeological Assessment was required.

The Stage 2 Archaeological Assessment determined that no artefacts or archaeological resources exist. Therefore, no further assessment of the property is required.

5.8 Fluvial Geomorphological Assessment and Erosion Hazard Delineation

A fluvial geomorphological assessment and erosion hazard delineation was completed by GeoMorphix to understand the geomorphological conditions of the Subject Site. This assessment includes a desktop review of aerial photographs, existing geology and topographic mapping, and reach delineation. Additionally, an erosion hazard delineation was completed for the main tributary through the northern portion of the Subject Site.

The fluvial geomorphic assessment and erosion hazard delineation determined that the Subject Site features a tributary of Sulphur Creek with a large online pond in the northern area and minor drainage features in the south. Erosion hazard delineation identified three reaches: SCT1 is confined within a valley with a 5 m toe erosion allowance, SCT2 includes the pond with no active channel processes but requires a 5 m allowance, and SCT3 is partially confined with a 10 m meander belt width and 5 m toe erosion allowance near valley slopes. A geotechnical study is recommended to confirm stable slope allowances.

6.0 Conclusion

The Biglieri Group Ltd. has been retained by 2691715 ONTARIO LIMITED to prepare planning applications and obtain the required municipal approvals to facilitate the proposed development of 159 and 163 Sulphur Springs Road. The proposal seeks an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Condominium. The existing Rural and Open Space designations as well as the Conservation / Hazard Land zoning do not permit residential development. The proposed development consists of the creation of 14 detached dwellings and 61 block townhouse dwellings, private open space, landscaped areas, and a trail surrounding the retained natural heritage features of the Site.

This Planning Rationale Report has evaluated the merits of the proposed applications in the context of all applicable Provincial, Municipal, and Environmental Agency policies. It is our opinion that the proposed development is consistent with the policies set out in the Planning Act (1990), Provincial Planning Statement (2024), conforms to the Niagara Escarpment Plan (2017), and conforms with the Urban Hamilton and Rural Hamilton Official Plans (2013).

For all the foregoing reasons, as well as other reasons outlined in this report, it is our professional opinion that the proposed development is appropriate and desirable, represents good planning, and warrants the support of the City of Hamilton.

If you should have any questions or concerns, please contact the undersigned at your earliest convenience.

Respectfully submitted,
THE BIGLIERI GROUP LTD.



Rachelle Larocque, BES, MSc, RPP, MCIP
Partner



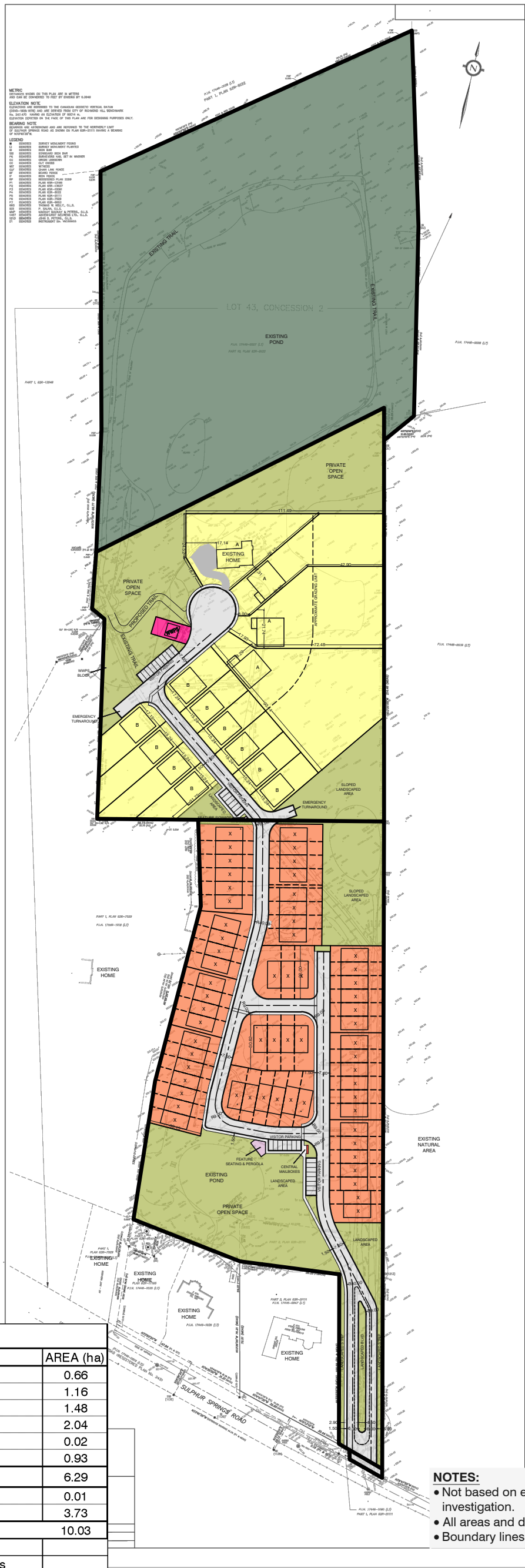
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APPENDIX A

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METRIC:
 ALL DIMENSIONS ON THIS PLAN ARE IN METERS
 UNLESS OTHERWISE NOTED TO THE CONTRARY

ELEVATION NOTE:
 ELEVATIONS REFER TO THE DATUM OF THE SURVEY
 CONTOUR LINES AND ARE DERIVED FROM THE SURVEY
 TO THE DATUM OF THE SURVEY
 ELEVATIONS SHOWN ON THE FACE OF THIS PLAN ARE FOR INFORMATION ONLY
 OF RECORD AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES

LEGEND:

1	EXISTING
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3	PROPOSED
4	PROPOSED
5	PROPOSED
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SITE STATISTICS

DESCRIPTION	UNITS	AREA (ha)
DETACHED (15.24/50ft.)	10	0.66
DETACHED (18.29m/60ft.)	4	1.16
BLOCK TOWNHOUSE (7.62m/25ft.)	61	1.48
PARKS AND OPEN SPACE		2.04
WW PUMPING STATION		0.02
PRIVATE ROAD/SIDEWALK/PARKING		0.93
NET DEVELOPMENT TOTAL	75	6.29
ROAD WIDENING		0.01
NATURAL HERITAGE SERVICE		3.73
TOTAL	75	10.03
SERVICED ROAD LENGTH	700m	
VISITOR PARKING	31 spaces	

NOTES:

- Not based on engineering, environmental or any other required technical investigation.
- All areas and dimensions are approximate and subject to change.
- Boundary lines are based on available PDF of a plan of survey.

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