1. **APPROVAL OF AGENDA**
   (Added Items, if applicable, will be noted with *)

2. **DECLARATIONS OF INTEREST**

3. **APPROVAL OF MINUTES OF PREVIOUS MEETING**
   3.1 September 4, 2018

4. **DELEGATION REQUESTS**
   4.1 Joe Pryziak, wishing to address the issue of making Cartier Crescent a through street. (For today's meeting.) (Item 8.3)

5. **CONSENT ITEMS**
   5.1 Terrapure Stoney Creek Regional Facility EA - Preliminary Draft Environmental Assessment - Staff Comments to Proponent and MECP (PED16184(b)) (Ward 9)
   5.2 Cannabis Legislation Update (PED18174) (City Wide)
   5.3 Elfrida Growth Area Study - Update (PED18182) (Wards 9 and 11)
   5.4 Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18192) (City Wide)
5.5 Committee of Adjustment Consent Application - AN/B-18:27, 28 Maureen Drive, Ancaster - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED18202) (Ward 12)

5.6 Expanding Administrative Penalty System (APS) to include the Property Standards By-law 10-221 (PED18205) (City Wide)

5.7 Demolition Permit for 14 Copes Lane (Stoney Creek) (PED18215) (Ward 11)

5.8 Enforcement of Section 7.1(b) of the Yard Maintenance By-law Prohibiting Discharging Pool Water to Sewers (PED18216) (City Wide) (Outstanding Business List)

5.9 Dundas Urban Design Guidelines (PED18217) (Ward 13)

5.10 Expanding Administrative Penalty System (APS) to include the Vacant Building Registry By-law 17-127 (PED18219) (City Wide)

5.11 Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan (PED18222) (Ward 2) (Outstanding Business List Item)

6. PUBLIC HEARINGS / DELEGATIONS

6.1 Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 5050 Harrison Road, Glanbrook (PED18204) (Ward 11)

6.2 Application to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11)

6.3 Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek) (PED18211) (Ward 9)

6.4 Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (PED18173) (Ward 8)

6.5 Application for Approval of a Draft Plan of Condominium (Common Element) and Draft Plan of Subdivision for Lands Located at 1831 Rymal Road East (Stoney Creek) (PED18218) (Ward 9)

6.6 Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) (Ward 3)
6.7 Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9)

6.8 City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11)

6.9 Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4)

6.10 Community Renewal Community Improvement Project Area Amendment (PED16236(b)) (Ward 4)

7. STAFF PRESENTATIONS

8. DISCUSSION ITEMS

8.1 Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 261 King Street East (Stoney Creek) (PED18209) (Ward 10)

8.2 Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2)

8.2.a Appellant - Vincent R. Formosi, President & CEO Blackfish Investments Incorporated

8.3 Cartier Crescent Extension - Information Report (PED18206) (Ward 7)

8.3.a Delegation - Alan Wilson, approved September 4, 2018

8.4 Cigarette Butt Litter Enforcement (PED18154(a)) (City Wide) (Outstanding Business List Item)

8.5 Digital Sign Strategy (PED18184) (City Wide) (Outstanding Business List)

8.6 Creative Industries and Film Production Studios on the Barton and Tiffany Lands (PED18210) (Ward 2)
9. MOTIONS

10. NOTICES OF MOTION

11. GENERAL INFORMATION / OTHER BUSINESS

11.1 Outstanding Business List

11.1.a Items requiring new due dates:
Item “D” - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)

Due date: September 18, 2018

New due date:

Item “J” - That Planning staff be directed to report to the Planning Committee about the City’s policies respecting Boulevard Standards and that the report outline the options & alternatives that are available for future designs.

Due date: September 18, 2018

New due date:

Item “Q” - Staff to report back in 6 mons on the status of the accessible taxi plate apps including the number applied for and the number in service.

Due date: September 18, 2018

New due date: December 11, 2018
11.1.b Items identified as completed to be removed:
Item “G” - That staff be directed to present to the Planning Committee an updated digital sign by-law.

(Item 8.5 on this agenda.)

Item “BB” - Laneway houses report and by-law including ‘tiny homes’

(Item 6.9 on this agenda.)

Item “CC” - Staff to review and report back on validity of regulation 7.1(b) of the ‘Yard Maintenance By-law”

(Item 5.8 on this agenda.)

Item “EE” – That staff report back on feasibility of assigning 10%-20% of existing staff time to cigarette butt enforcement, any cost recovery and to include stats on PHS staff enforcement at rec grounds

(Item 8.4 on this agenda.)

Item “FF(a)” (a) Staff to meet with the Macassa Bay Year-Round Liveaboard Association reps re: accommodation plan for 2018/2019 winter season within the parameters of the existing zoning and other City by-laws and report in Sept with update.

Item 5.11 on this agenda.

12. PRIVATE AND CONFIDENTIAL

12.1 Process and procedures for appeals files at the Local Planning Appeal Tribunal (LS18054) (City Wide) (Distributed under separate cover.)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
12.2 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (Ward 10) (LS18050) (Distributed under separate cover.)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

12.3 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) (Ward 9) (LS18046/PED18193) (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

13. ADJOURNMENT
Present: Mayor F. Eisenberger
Councillors A. Johnson (Chair), J. Farr (1st Vice-Chair), D. Conley (2nd Vice Chair), C. Collins, T. Anderson, M. Pearson, M. Green, B. Johnson, J. Partridge, and R. Pasuta.

Also present: Councillors L. Ferguson, T. Whitehead and S. Merulla

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Waterdown Community Node Secondary Plan: Background Report (PED18181) (Ward 15) (Item 5.1)

(Partridge/Eisenberger)
That Report PED18181 respecting Waterdown Community Node Secondary Plan: Background Report, be received.

CARRIED

2. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 961 and 989 Garner Road East (Ancaster) (PED18189) (Ward 12) (Item 6.1)

(Collins/Farr)
(a) That Draft Plan of Condominium Application 25CDM-201706, by A.J. Clarke & Associates Inc., on behalf of Marz Homes (Garner) Inc., owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks and pedestrian pathway, landscaped areas, 56 visitor parking spaces, and centralized mailboxes, on lands located at 961 and 989 Garner Road East (Ancaster), as shown on Appendix “A”, attached to Report PED18189, be APPROVED subject to the following conditions:

(i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201706 applies to the plan prepared
by A.J. Clarke & Associates, Ltd., certified by B. J. Clarke, and dated October 13, 2017, consisting of a condominium road network, sidewalks and pedestrian pathway, landscaped areas, 56 visitor parking spaces, and centralized mailboxes, in favour of 38 maisonette and 73 townhouse dwelling units, attached as Appendix “B” to Report PED18189;

(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201706, attached as Appendix “C” to Report PED18189, be received and endorsed by City Council;

(b) **That there were no public submissions received regarding this matter.**

Main Motion, as Amended, CARRIED

3. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1) (Item 6.2)

(Eisenberger/Pearson)

(a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-11 by Plaza Imports Limited (c/o John Lecluse), Owner, to re-designate the southerly portion of “Block 1” from “Open Space” to “Neighbourhoods” in Volume 1; and to re-designate lands shown as “Block 1” from “Local Commercial” and “General Open Space” to “High Density Residential 1” and to add a site specific policy to permit a maximum building height of 62.0 metres (18 storeys) and a maximum density of 250 units per gross hectare in the Ainslie Wood Westdale Secondary Plan to permit a mixed use building consisting of commercial uses at grade with a lodging house above in two tower elements having a maximum building height of 62.0 metres (18 storeys) and 56.0 metres (16 storeys), on lands located at 925 Main Street West and 150 Longwood Road South, Hamilton, as shown on Appendix “A” to Report PED18199, be APPROVED, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18199, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Places to Grow Plan.

(b) That Amended Zoning By-law Amendment Application ZAC-16-029 by Plaza Imports Limited (c/o John Lecluse), Owner, for a change in zoning from the “H/S-1361” (Community Shopping and Commercial, Etc.) District, Modified, “H/S-1331” (Community Shopping and Commercial, Etc.) District, Modified and “C/S-1361” (Urban Protected Residential, Etc.)
District, Modified to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone and Conservation / Hazard Land (P5) Zone to permit a mixed used building consisting of commercial uses at grade and a lodging house above in two tower elements having a maximum height of 62.0 metres (18 storeys) and 56.0 metres (16 storeys) as shown on Appendix “A” to Report PED18199.

(i) That the draft By-law, attached as Appendix “C” to Report PED18199 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “C” to Report PED18199, be added to Map No. 949 of the City of Hamilton Zoning By-law No. 05-200;

(iii) That Schedule “D” – Holding Provisions of Zoning By-law No. 05-200, be amended by adding additional Holding Provisions as follows:

For the lands identified as Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone on Map No. 949 of Schedule A – Zoning Map, and described as 925 Main Street West, development shall not proceed until:

(a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

(b) The Owner acquires the lands at 150 Longwood Road South required to implement the proposed development and merges the lands on title with 925 Main Street West, to the satisfaction of the Director of Planning and Chief Planner.

(iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. XX;

(c) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED
4. **Applications to Amend the City of Hamilton Rural Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 163 and 167 Highway No. 5 West, Flamborough (PED18161) (Ward 15) (Item 6.3)**

(Partridge/Collins)

(a) That Rural Hamilton Official Plan Amendment Application RHOPA-18-019 by KENEL INC. (Owner), to refine the boundary of the existing Site Specific Area R-4 to reflect the existing use of the lands located at 167 Highway No. 5 West, Flamborough as shown on Appendix “A” to Report PED18161, be APPROVED on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18161 be enacted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Greenbelt Plan (2017).

(b) That Zoning By-law Amendment Application ZAR-18-019, by KENEL INC. (Owner), for a change in zoning from the Open Space (P4, 80) Zone to the Rural (A2, 104) Zone and from the Rural (A2, 104) Zone to the Open Space (P4, 80) Zone in order to recognize the locations of the existing Garden Centre and Golf Course for a portion of the lands located at 163 and 167 Highway No. 5 West, in accordance with the conditions of consent approval as shown on Appendix “A” to Report PED18161, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED18161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That this By-law will comply with the Rural Hamilton Official Plan upon approval of Rural Hamilton Official Plan Amendment No. XX.

(c) That there were no public submissions received regarding this matter.

Main Motion, as Amended, CARRIED

5. **Application to Amend the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 5 Hamilton Street North, Flamborough (PED18179) (Ward 15) (Item 6.5)**

(Partridge/Pearson)

(a) That Amended Zoning By-law Amendment Application ZAR-18-015 by Hawk Ridge Homes Inc. c/o Dinesh Mahabir (Owner), for a modification to the Urban Commercial "UC" Zone to permit a six storey, 74 unit mixed use building for lands located at 5 Hamilton Street North (Flamborough), as
shown on Appendix “A” to Report PED18179, be APPROVED on the following basis:

(i) That the Draft By-law, attached as Appendix “B” to Report PED18179, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed modification in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan and West Waterdown Secondary Plan.

(b) That approval be given for a modification to the Mixed Use – Medium Density (C5, 582) Zone to permit a six storey, 74 unit mixed use building for lands located at 5 Hamilton Street, as shown on Appendix “A” to Report PED18179 be APPROVED on the following basis:

(i) That the Draft By-law, attached as Appendix “C” to Report PED18179, be held in abeyance until such time as By-law 17-240 (Commercial and Mixed Use Zones) is in force and effect;

(ii) That staff be directed to bring forward the draft By-law, attached as Appendix “C” to Report PED18179, for enactment by City Council, once By-law No. 17-240 is in force and effect;

(iii) That the proposed modification in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan and West Waterdown Secondary Plan.

(c) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED

6. Application for a Zoning By-law Amendment for Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue, Hamilton (PED18190) (Ward 4) (Item 6.6)

(Collins/Partridge)

(a) That the Amended Zoning By-law Amendment Application ZAR-18-027, by Indwell Community Homes, Owner, for a modification to the “H” (Community Shopping and Commercial, Etc.) District to permit a four storey, 50 unit multiple dwelling on the same lot as a three storey 57 unit mixed use building, on lands located at 256 Parkdale Avenue North and 205 Melvin Avenue, Hamilton as shown on Appendix “A” to Report PED18190 be APPROVED on the following basis:
(i) That the draft By-law, attached as Appendix “B” to Report PED18190 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “B” to Report PED18190 be added to District Map E75 of Zoning By-law No. 6593 as “H/S-1764”;

(iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed four storey multiple dwelling.

The Holding Provision “H/S-1764-H” (Community Shopping and Commercial, etc.) District, Holding, Modified, be removed to allow the multiple dwelling on the same lot as a three storey mixed use building, conditional upon:

(1) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition; or,

(2) A signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). The RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee.

(iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and complies with the Urban Hamilton Official Plan.

(b) That approval be given for a modification to the Mixed Use – Medium Density (C5) Zone to the Mixed Use – Medium Density (C5, 698, H71), to permit a four storey, 50 unit multiple dwelling on the same lot as a 57 unit mixed use building, on lands located at 256 Parkdale Avenue North and 205 Melvin Avenue, as shown on Appendix “A” to Report PED18190, subject to the following.

(i) That the draft By-law, attached as Appendix “C” to Report PED18190, be held in abeyance until such time as By-law No. 17-240 (Commercial and Mixed Use Zones) is in force and effect;

(ii) That staff be directed to bring forward the draft By-law, attached as Appendix “C” to Report PED18190, for enactment by City Council,
once By-law No. 17-240 (Commercial and Mixed Use Zones) is in force and effect;

(iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and complies with the Urban Hamilton Official Plan.

(c) That there were no public submissions received regarding this matter.

Main Motion, as Amended, CARRIED

7. Application to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands located at 154 Main Street East and 49 Walnut Street South, Hamilton (PED18196) (Ward 2) (Item 6.7)

(Farr/Pearson)

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-018, by 1970703 Ontario Inc., Owner, for a re-designation from “Medium Density Residential” to “Central Business District” to facilitate a 25 storey mixed use building comprised of 267 residential dwelling units, ground floor commercial uses and structured parking for 253 vehicles by permitting a commercial parking facility and commercial uses on the ground floor, for lands located at 49 Walnut Street South, as shown on Appendix “A” to Report PED18196, be APPROVED, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18196, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(b) That Amended Zoning By-law Amendment Application ZAR-17-074 by 1970703 Ontario Inc., Owner, for a change in zoning from the Downtown Mixed Use (D3) Zone and Downtown Multiple Residential (D6) Zone to the Downtown Central Business District (D1, 702, H107) Zone, to permit a mixed use building with a maximum building height of 80.0 m (25 storeys) for lands located at 154 Main Street East, and ground floor commercial and seven storeys of structured parking for 253 vehicles for lands located at 49 Walnut Street South, as shown on Appendix “A” to Report PED18196, be APPROVED on the following basis:

(i) That the Draft By-law, attached as Appendix “C” to Report PED18196, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
(ii) That the amending By-law, attached as Appendix “C” to Report PED18196, be added to Schedules 952 and 953 of Zoning By-law No. 05-200;

(iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned “Downtown Central Business District (D1, 702, H107) Zone, on Maps 952 and 953 of Schedule A – Zoning Maps, and described as 154 Main Street East and 49 Walnut Street South (Hamilton), development shall not proceed until:

a. The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

b. The Owner purchase the alleyway required to implement the proposed development and merge the lands on title with the balance of the lands, to the satisfaction of the Director of Planning and Chief Planner.

(iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and will comply with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. XX.

That Amended Zoning By-law Amendment Application ZAR-17-074 by 1970703 Ontario Inc., Owner, for a modification to the Downtown Central Business District (D1, H17) Zone, to permit a mixed use building with a maximum building height of 80.0 m (25 storeys) for lands located at 154 Main Street East and ground floor commercial and seven storeys of structured parking for 253 vehicles for lands located at 49 Walnut Street South, as shown on Appendix “A” to Report PED18196, be APPROVED on the following basis:

(i) That the REVISED Draft By-law, attached as Appendix “D” to Report PED18196, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
(ii) That the amending By-law, attached as Appendix “D” to Report PED18196, be added to Schedules 952 and 953 of Zoning By-law No. 05-200;

(iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned “Downtown Central Business District (D1, 702, H107) Zone, on Maps 952 and 953 of Schedule A – Zoning Maps, and described as 154 Main Street East and 49 Walnut Street South (Hamilton), development shall not proceed until:

a. The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

b. The Owner purchase the alleyway required to implement the proposed development and merge the lands on title with the balance of the lands, to the satisfaction of the Director of Planning and Chief Planner.

(iv) That the REVISED Draft By-law, attached as Appendix “D” to Report PED18196, be brought into force and effect once By-law 18-114 (Downtown Zones) is in force and effect;

(v) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and will comply with the Urban Hamilton Official.

(d) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED

8. Applications for an Amendment to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 71 Rebecca Street, Hamilton (PED18195) (Ward 2) (Item 6.8)

(Farr/Partridge)
(a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-023, by Sonoma Development Group Inc., Owner to create a
site specific policy area in the DTSP to permit a gross residential density of 1,010 units per net hectare to allow for a mixed use building with a maximum height of 97 m (30 storeys) and to exempt the development from any road widening requirements for lands located at 71 Rebecca Street, as shown on Appendix “A” to Report PED18195 be APPROVED, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(b) That Amended Zoning By-law Amendment Application ZAC-17-053 by Sonoma Development Group Inc., Owner for a change in zoning from the Downtown Mixed Use (D3) Zone to the Central Business District (D1, 701, H105) Zone to permit a mixed use building with a maximum building height of 97 m (30 storeys) for lands located at 71 Rebecca Street, as shown on Appendix “A” to Report PED18195, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED18195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “C” to Report PED18195, be added to Schedule 953 of Zoning By-law No. 05-200;

(iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned Downtown Central Business District (D1, 701, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps and described as 71 Rebecca Street, development shall not proceed until:

(a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.
(iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of  Urban Hamilton Official Plan Amendment No. XX and that the proposed change in zoning is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(c) That Amended Zoning By-law Amendment Application ZAC-17-053 by Sonoma Development Group Inc., Owner, for a change in zoning from the Central Business District (D1, H17, H19, H20) Zone to the Central Business District (D1, 701, H17, H105) Zone to permit a mixed use building with a maximum building height of 97 m (30 storeys) for lands located at 71 Rebecca Street, as shown on Appendix “A” to Report PED18195, be APPROVED on the following basis:

(i) That the Draft By-law, attached as Appendix “D” to Report PED18195, be held in abeyance until such time as By-law 18-114 (Downtown Zones) is in force and effect;

(ii) That the amending By-law, attached as Appendix “D” to Report PED18195, be added to Schedule 953 of Zoning By-law No. 05-200;

(iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps and described as 71 Rebecca Street, development shall not proceed until:

(a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.

(iv) That the Draft By-law, attached as Appendix “D” to Report PED18195, be held in abeyance until such time as By-law 18-114 (Downtown Zones) is in force and effect;

(v) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to Report PED18195, for enactment by City Council, once By-law No. 18-114 is in full force and effect;
(vi) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and will comply with the Urban Hamilton Official Plan.

(d) That staff be directed to waive the requirement for the road widenings for 71 Rebecca Street, Hamilton subject to the following:

(i) That the owner enters into a cost sharing agreement with the City of Hamilton for the construction of Rebecca Street from John Street to Catherine Street as a Woonerf;

(ii) That the owner be responsible for all costs for designing the Woonerf to the satisfaction of the Director of Transportation Planning and Parking -Growth Management;

(iii) That the owner be responsible for all costs associated with constructing the Woonerf from the building face to the centreline of Rebecca Street, with the exception of any underground utilities or services under the City’s sidewalk or roadway that are not associated with the owner’s development, which shall be the sole responsibility of the City;

(iv) That in the event that Planning and Economic Development Department staff are unable to reach a satisfactory cost sharing agreement with the owner that achieves (i) through (iii) above, the owner of the subject lands will be required to equitably dedicate the necessary lands to establish Rebecca Street to a minimum right-of-way width of 15.24 m and 26.22 m for John Street North. All required building setbacks will be required to be met from the new property line and no element of the building shall be permitted to overhang or encroach upon the City right-of-way.

(e) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED


(B. Johnson/Pearson)

(a) That approval be given to Official Plan Amendment No. XX to the Rural Hamilton Official Plan (RHOP-Volume 1) to amend the definition and associated regulations for a marihuana growing and harvesting facility to incorporate non-medical cannabis (recreational marihuana) production facilities, on the following basis:
(i) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED18194 be adopted by Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).

(b) That approval be given to Official Plan Amendment No. XX to the Urban Hamilton Official Plan (UHOP-Volume 1) to amend the definition and regulations for medical marihuana growing and harvesting facility to incorporate non-medical cannabis (recreational marihuana) production facilities, on the following basis:

(i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED18194, be adopted by Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).

(c) That approval be given to City Initiative CI-18-H to amend the definition and associated regulations for a medical marihuana growing and harvesting facility in Zoning By-law No. 05-200 to incorporate non-medical cannabis (recreational marihuana) production facilities, on the following basis:

(i) That the REVISED Draft By-law, attached as Appendix “C” to Report PED18194, which have been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(ii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of Official Plan Amendment (OPA) No.____;

(iii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of Official Plan Amendment (OPA) No.____; and,

(iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).

(d) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED
10. To Repeal Official Plan Amendment By-law No. 107 and Approve Urban Official Plan Amendment; to Amend Zoning By-law No. 05-200; and to update all materials related to Draft Plan of Subdivision 25T-201507 to Correct Inadvertent Address Numbering Errors for Lands Located at 56, 74, 78, 90, 96, Parkside Drive and 546 Highway No. 6, Flamborough (PED18133(a)) (Ward 15) (Item 6.10)

(Partridge/B. Johnson)

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-012 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), to remove existing Core Areas (Significant Woodlands and Streams) and Linkages and add new Core Areas (Significant Woodlands) and Linkages on Schedules B, B-2 and B-8; designate Clappison Avenue as a Minor Arterial on Schedule C and establish a Site Specific Policy Area to protect the existing Natural Heritage features, as shown on Appendix “B” to Report PED18133, be APPROVED on the following basis:

(i) That By-law No. 18-194, respecting 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough, relating to approved and final and binding UHOPA No. 107 be repealed in its entirety;

(ii) That Draft Official Plan Amendment, respecting 56, 74, 78, 90, 96 Parkside Drive and 546 Highway No. 6 attached as Appendix “B” to Report PED18133(a) be enacted by City Council; and,

(iii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(b) That Amended Zoning By-law Amendment Application ZAC-15-039 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), for changes in zoning from the Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, and Prestige Business Park (M3, 388) Zone to Conservation / Hazard Land (P5) Zone (Blocks 1, 2, and 3) to protect natural features and from Prestige Business Park (M3) Zone to Prestige Business Park (M3, 437) Zone (Block 5) to permit a Fitness Club and Medical Clinic for lands located at 56, 74, 78, 90, 96, Parkside Drive and 546 Highway No. 6 Flamborough, as shown on Appendix “A” to Report PED18133, be APPROVED on the following basis:

(i) That By-law No. 18-195, respecting 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough be amended to cite the correct property addresses of the subject lands;

(ii) That Amended Draft By-law attached as Appendix “C” to Report PED18133 (a), which cites corrected 56, 74, 78, 90, 96 Parkside
Drive and 546 Highway No. 6 and which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(iii) That the amending By-law be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200;

(iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.

(c) That staff be authorized to update the Notices of Intent and associated Draft Plan Conditions of Approval for Draft Plan of Subdivision Application 25T-201507 by Flamborough Power Centre Inc., Flamborough Capital Corporation Inc., and Ankara Realty Ltd., (Owners) with the correct municipal addresses, that, being the following correct addresses: 56, 74, 78, 90, 96 Parkside Drive and 546 Highway No. 6.

(d) That the public submissions received regarding this matter did not affect the decision.

Main Motion, as Amended, CARRIED

11. Hamilton Municipal Heritage Committee Report 18-008 (Item 8.1)

(Pearson/B. Johnson)

(a) Inventory & Research Working Group Meeting Notes – June 25, 2018 (Item 8.1)

(i) 1320 Woodburn Road, Glanbrook

That the property at 1320 Woodburn Road, Glanbrook be included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest and be added to the staff work plan.

(b) Hamilton Municipal Heritage Committee Terms of Reference Review (Item 8.2)

WHEREAS, in order to achieve their Council approved mandate, the volunteer work of the Hamilton Municipal Heritage Committee, its Working Groups and Sub-Committees may be more demanding than other municipal committees and boards; and

WHEREAS, it is important to offer transparency during the application process, to provide potential applicants with a better understanding of the scope of work, roles and responsibilities, and to facilitate a more informed decision;

THEREFORE, BE IT RESOLVED:
That Hamilton Municipal Heritage Committee Terms of Reference, be amended by adding the following sub-sections to read as follows:

(1) To advise and assist City staff and Council on all matters relating to the designation of property, the review of heritage permit applications and other cultural heritage conservation measures under Parts IV and V of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18.

(2) To advise and assist City staff and Council in the preparation, evaluation and maintenance of a list of properties and areas worthy of conservation.

(3) To advise and assist City staff and Council on any other matters relating to the conservation of listed properties or areas of cultural heritage value or interest.

(4) To advise City staff and Council on programs and activities to increase public awareness and knowledge of heritage conservation issues.

(5) To prepare, by the 31st day of January each year, an annual report of the previous year’s activities.

(6) To participate, where possible, on at least one of the following Working Groups of the Hamilton Municipal Heritage Committee:

- Inventory and Research (Meets monthly for a minimum of 2 hours)
- Policy and Design (Meets monthly, or as needed, for a minimum of 2 hours)
- Education and Communication (Meets monthly or as needed, for a minimum of 2 hours)
- Heritage Permit Review Sub-Committee (Meets monthly – membership includes selected members of HMHC, but is completed through a separate application process, for a minimum of 2 hours)

(7) To participate, where possible in other external groups and/or stakeholder committees.

(8) To participate, where possible in heritage events and activities, such as the Annual Hamilton Municipal Heritage Recognition Awards.
(ii) That staff be directed to review the standard meeting times, format and locations of the Hamilton Municipal Heritage Committee to make them inclusive and accessible; and,

(iii) That staff be directed to forward a copy of the Code of Conduct, for signature by each volunteer member of the Hamilton Municipal Heritage Committee’s Working Groups.

(c) Proposed Amendments to the Hamilton Municipal Terms of Reference and Recruitment Process (Item 8.2(a))

(i) That the Proposed Amendments to the Hamilton Municipal Heritage Committee Terms of Reference and Recruitment Process, attached hereto as Appendix “A”, be approved; and

(ii) That the information found in the Proposed Amendments to the Hamilton Municipal Terms of Reference and Recruitment Process be included in the call for volunteer members of the Hamilton Municipal Heritage Committee; effective for the 2018 application process and future terms.

(d) Hamilton Municipal Heritage Committee Masonry Guidelines (Item 8.3)

WHEREAS, the City of Hamilton is home to many historic buildings and structures constructed of masonry;

WHEREAS, the exposure to harsh weather conditions and building construction failure makes masonry susceptible to deterioration, requiring regular maintenance and often the need for alteration and restoration;

WHEREAS, heritage guidelines are useful reference tools for heritage planning staff, the Heritage Permit Review Subcommittee and Hamilton Municipal Heritage Committee (HMHC) for their processes of reviewing applications for alteration under the Ontario Heritage Act;

WHEREAS, these guidelines are an educational resource for heritage property owners, architects and contractors to carry out a successful masonry restoration; fulfilling the HMHC’s mandate for public education and community outreach; and

WHEREAS, these guidelines follow the format of a preceding document entitled Heritage Window Guidelines; as approved by Hamilton City Council, on December 17, 2014;

THEREFORE, BE IT RESOLVED:
That the Heritage Masonry Guidelines, produced by the Policy and Design Working Group of the HMHC and attached hereto as Appendix “B”, be approved.

CARRIED

12. **Fruitland Winona Secondary Plan – Block Servicing Strategy Completion (Block 2) (PED18203) (Ward 11) (Item 8.2)**

*B. Johnson/Pearson*

That Report PED18203 respecting Fruitland Winona Secondary Plan – Block Servicing Strategy Completion (Block 2), be received.

CARRIED

13. **Residential Drainage Assistance Program (Item 9.1)**

*Farr/Pearson*

WHEREAS, in October 2011, Council approved staff report PED10091(d) creating Residential Drainage Assistance Program to help facilitate and advance solutions for drainage problems throughout the City;

WHEREAS, the main criteria of the program includes addressing properties that are located in the older areas of the City of Hamilton, where multiple properties are affected, and multiple flood events have occurred with significant drainage issues;

WHEREAS, most of the homes in the Rosedale Neighbourhood were originally constructed in the 1950s, prior to the existence of any formal grading policies;

WHEREAS, there is a history of chronic surface flooding on the properties bordering the homes on Charlotte Street and Erin Avenue during heavy rainfall events;

WHEREAS, staff have visited the aforementioned properties to verify the associate flooding problems and conclude the homes meet the council adopted criteria of the Residential Drainage Assistance Program;

WHEREAS, the Planning Committee approved a motion on May 16, 2017 directing staff to retain the services of a private engineering firm to conduct a phase 1 assessment of the drainage patterns between the properties of Charlotte Street and Erin Avenue; and

WHEREAS, the study has been completed and recommends the installation of a “below ground runoff storage pit” between the properties of 115 Charlotte Street, 125 Charlotte Street, 114 Erin Avenue, 120 Erin Avenue, and 126 Erin Avenue at an estimated cost of $35,000;
THEREFORE, BE IT RESOLVED:

(a) That in accordance with the Residential Drainage Assistance Program, Planning and Economic Development – Growth Management staff be directed to obtain 3 quotes for the installation of a “below ground runoff storage pit” between the properties of 115 Charlotte Street, 125 Charlotte Street, 114 Erin Avenue, 120 Erin Avenue, and 126 Erin Avenue at an estimated cost of $35,000, coordinate the work with the affected homeowners, and implement the plan as recommended in the drainage assessment;

(b) That the works be funded from the Ward 5 Area Rating Reserve (Account #108055);

(c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such term and conditions in a form satisfactory to the City Solicitor with respect to the improvements outlined in subsection (a).

CARRIED

14. Private Retail Cannabis Stores (Item 9.2)

(Partridge/B. Johnson)
WHEREAS, recreational cannabis will be legalized in Canada as of October 17, 2018;

WHEREAS, the Province of Ontario has indicated that the Ontario Cannabis Store website will be the only legal option for purchasing recreational cannabis once it becomes legalized on October 17, 2018;

WHEREAS, the Province of Ontario has indicated that it will be introducing legislation that would open up a regulated private retail model for cannabis that would launch by April 1, 2019;

WHEREAS, the Province of Ontario is currently consulting on the scope of its proposed legislation for a regulated private retail model for cannabis;

WHEREAS, the Province has indicated that the new legislation will include some form of “opt out clause” that municipalities may exercise within a very limited time window;

WHEREAS, it is not yet determined what regulatory authorities municipalities will have for the regulation of private retail cannabis stores other than their existing zoning powers which in Hamilton generally would permit this use in any commercially zoned property; and

WHEREAS, there will be a very limited amount of time for the City of Hamilton to put in place any local regulations with respect to private retail cannabis stores,
including the potential use of the “opt-out clause”, prior to the opening of retail stores on April 1, 2019;

THEREFORE, BE IT RESOLVED:

(a) That staff be directed to prepare a report with recommendations with respect to the regulation of private retail cannabis stores in the City of Hamilton for the first Planning Committee meeting of the new term of Council;

(b) That the report outline options for Council’s consideration for the potential application of the Province’s proposed “opt-out” clause;

(c) That staff be directed to meet with the local interested proprietors to discuss the potential impacts on the private retail cannabis industry and that the input be used as a market sounding for inclusion in the report;

(d) That the Mayor write to the Premier, appropriate Ministers and Ministries, and to the Association of Municipalities of Ontario, to communicate to them that it is the City’s position that the Province’s approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:

(i) separation distances from sensitive land uses such as parks, schools, daycares and healthcare facilities
(ii) over-concentration of dispensaries in one area of the city
(iii) the total number of dispensaries city-wide and within particular areas of the city
(iv) general issues of urban design such as location of entrances and transparency of facades
(v) on-site advertising and signage
(vi) hours of operation
(vii) property standards compliance
(viii) ability to restrict or prohibit operations by operators that routinely violate municipal standards such as noise, nuisance or property standards.

Main Motion, as Amended, CARRIED
15. Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law No. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) (Ward 12) (LS18004/PED18052) (Item 12.1)

(Partridge/B. Johnson)
That the recommendations of Report LS18004/PED18052 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law No. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) be approved and remain confidential pending Council’s approval.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED DELEGATION REQUESTS

   4.1 Alan Wilson, to oppose the planned throughfare of Cartier Crescent (For next meeting.)

2. ITEM REMOVED

   6.4 Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) – Will be on September 18, 2018 agenda.

3. ITEM 6.7

   6.7 Application to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands located at 154 Main Street East and 49 Walnut Street South, Hamilton (PED18196) (Ward 2)

   • Staff have advised that Appendix “D” is REVISED.

   • Added written comments:

     6.7(a) Mary Margaret Kachurowsk, 175 Hunter Street East

     6.7(b) Jessica Merolli, 166 Walnut St South
4. **ITEM 6.9**

6.9 Proposed Changes to the Official Plans and Zoning By-law No. 05-200 Relating to Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses (CI-18-H) (PED18194) (City Wide)

- Staff have advised that Appendix “C” is REVISED.
- Added written comments:

6.9(a) Signe Leisk, Cassels Brock Lawyers on behalf of The Green Organic Dutchman Ltd.

5. **ADDED WRITTEN COMMENTS**

6.10(a) Vince Farraiuolo, owner of 32 Parkside Drive, resubmitting the comments prepared by his agent, Terrance Glover of Urban in Mind respecting Item 6.10 To Repeal Official Plan Amendment By-law No. 107 and Approve Urban Official Plan Amendment; to Amend Zoning By-law No. 05-200; and to update all materials related to Draft Plan of Subdivision 25T-201507 to Correct Inadvertent Address Numbering Errors for Lands Located at 56, 74, 78, 90, 96, Parkside Drive and 546 Highway No. 6, Flamborough (PED18133(a)) (Ward 15)

6. **ADDED NOTICE OF MOTION**

10.1 Private Retail Cannabis Stores

7. **CHANGE TO THE OUTSTANDING BUSINESS LIST:**

11.1 Outstanding Business List

(a) Item requiring new due date:

- Item "I" - That staff report back on any past resolutions or ongoing engagement between the HMHC and the property owners’ surrounding the Gore and how these resolutions or ongoing dialogues may be affected as a result of proceeding with a Heritage Conservation District and the merits of a Heritage Conservation District.
  
  Due Date: September 4, 2018
  
  New due date: February 5, 2019

8. **ADDED WRITTEN COMMENTS**

6.2(a) Pitman Patterson, Borden Ladner Gervais on behalf of Wilstar Management Limited respecting Item 6.2 Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-
law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1)

(Anderson/Partridge)
That the agenda for the September 4, 2018 meeting be approved, as amended.  
CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Mayor Eisenberger declared an interest with respect to Items 6.9 and 10.1 as he is an investor in the cannabis industry.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) August 14, 2018 (Item 3.1)

(Partridge/B. Johnson)
That the Minutes of the August 14, 2018 meeting be approved.  
CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Farr/Pearson)
That the following delegation request be approved to address Committee at the September 18, 2018 meeting:

(i) Alan Wilson, to oppose the planned throughfare of Cartier Crescent (Item 4.1)  
CARRIED

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 961 and 989 Garner Road East (Ancaster) (PED18189) (Ward 12) (Item 6.1)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Condominium (Common Element), the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
No member of the public came forward.

(Partridge/B. Johnson)
That the public meeting be closed.  

CARRIED

(Anderson/Collins)
That the staff presentation be waived. 

CARRIED

Stephen Fraser of A.J. Clarke and Associates Limited, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

Ward Councillor Ferguson was in attendance and indicated that he is in support of the applications.

(Partridge/B. Johnson)
That the recommendations be amended by adding the following subsection (b) and re-lettering the balance:

(b) That there were no public submissions received regarding this matter.

Amendment CARRIED

For disposition of this matter refer to Item 2.

(ii) Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1) (Item 6.2)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law Amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Written Comments

6.2(a) Pitman Patterson, Borden Ladner Gervais on behalf of Wilstar Management Limited
That the added written comments 6.2(a) be received.  
CARRIED

Adam Lucas, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City’s website.

Chair A. Johnson relinquished the Chair to Vice-Chair Farr.

That the staff presentation be received.  
CARRIED

Sergio Manchia from UrbanSolutions Planning and Land Development Consultants, representing the applicant addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City’s website.

That the agent’s presentation be received.  
CARRIED

Registered Speakers

1. **Gordon McNulty, Hamilton Naturalists Club**

   Gordon McNulty addressed Committee and expressed concerns with the project.

   A copy of his letter was distributed and a copy is available for viewing on the City’s website.

   (Conley/Green)
   That the delegation be received.  
   CARRIED

2. **John Terpstra, 62 Locke Street North**

   John Terpstra addressed Committee and expressed concerns with the project.

   A copy of his letter was distributed and a copy is available for viewing on the City’s website.

   (Conley/Green)
   That the delegation be received.  
   CARRIED
3. Dr. Lynda Lukasik, Environment Hamilton

Dr. Lukasik addressed Committee and expressed concerns with the project.

(Green/A. Johnson)
That the delegation be received.

CARRIED

4. Jordana Helfand, 982 Main Street West

Jordana Helfand addressed Committee and described the impacts of living near Columbia College.

(Green/A. Johnson)
That the delegation be received.

CARRIED

5. Matias Rozenberg, 87 Wilson Street

Matias Rozenberg addressed Committee and expressed his concerns with the proposal and believes that more time is required for consideration of this matter.

(Pearson/Conley)
That the delegation be received.

CARRIED

(A. Johnson/Green)
That the report be TABLED until the September 18, 2018 meeting in order to continue the public meeting.

This motion was DEFEATED on the following standing recorded vote:

Yeas: A. Johnson, B. Johnson, M. Green
Total: 3

Total: 7

Absent: R. Pasuta
Total: 1

(Eisenberger/Pearson)
That the recommendations be amended by adding the following subsection (c):

(c) That the public submissions received regarding this matter did not affect the decision.

Amendment CARRIED
The main motion, as amended, CARRIED on the following standing recorded vote:

Total:  7
Nays:  A. Johnson, B. Johnson, M. Green
Total:  3
Absent: R. Pasuta
Total:  1

For disposition of this matter refer to Item 3.

Chair A. Johnson assumed the Chair.

(iii) Applications to Amend the City of Hamilton Rural Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 163 and 167 Highway No. 5 West, Flamborough (PED18161) (Ward 15) (Item 6.3)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendments and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Partridge/Anderson)
That the public meeting be closed.

CARRIED

(Collins/Green)
That the staff presentation be waived.

CARRIED

John Ariens of IBI Group was in attendance representing the applicant and advised that the applicant is in support of the staff report.

(Partridge/Collins)
That the recommendations be amended by adding the following subsection (c):

(c) That there were no public submissions received regarding this matter.

Amendment CARRIED
For disposition of this matter refer to Item 4.

(iv) Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11 (Item 6.4)

This Item was removed under changes to the agenda and will be included on the September 18, 2018 agenda.

(v) Application to Amend the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 5 Hamilton Street North, Flamborough (PED18179) (Ward 15 (Item 6.5)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Partridge/Pearson)
That the public meeting be closed.  
CARRIED

(Anderson/Collins)
That the staff presentation be waived.  
CARRIED

Jared Marcus of IBI Group was in attendance representing the applicant. Mr. Marcus indicated that the applicant is in agreement with the staff report.

(Partridge/Pearson)
That the recommendations be amended by adding the following subsection (c):

(c) That the public submissions received regarding this matter did not affect the decision.  
Amendment CARRIED
For disposition of this matter refer to Item 5.

(vi) Application for a Zoning By-law Amendment for Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue, Hamilton (PED18190) (Ward 4) (Item 6.6)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Anderson/Collins)
That the public meeting be closed.

CARRIED

(Pearson/Partridge)
That the staff presentation be waived.

CARRIED

Cheryl Selig of T. Johns Consulting Group Limited and Sylvia Harris of Indwell Community Homes were in attendance. Ms. Selig advised that the owners are in agreement with the staff report.

Graham Cubitt, Director of Projects and Development for Indwell Community Homes addressed Committee with the aid of a PowerPoint presentation and a copy is available for viewing on the City’s website.

(Collins/Partridge)
That the recommendations be amended by adding the following subsection (c):

(c) That there were no public submissions received regarding this matter.

Amendment CARRIED

For disposition of this matter refer to Item 6.
(vii) Application to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands located at 154 Main Street East and 49 Walnut Street South, Hamilton (PED18196) (Ward 2) (Item 6.7)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Written Comments

6.7(a) Mary Margaret Kachurowsk, 175 Hunter Street East

6.7(b) Jessica Merolli, 166 Walnut St South.

(B. Johnson/Partridge)
That the added written comments, Item 6.7(a) and 6.7(b) be received.

CARRIED

Daniel Barnett, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of the presentation is available for viewing on the City’s website.

(Farr/Pearson)
That the staff presentation be received.

CARRIED

Sergio Manchia from UrbanSolutions Planning and Land Development Consultants, representing the applicant responded to questions from Committee with the aid of some photographic images.

(Farr/Pearson)
That the agent’s presentation be received.

CARRIED

Registered Speakers

1. Chris Labenski, 3 – 96 Victoria Avenue North

Chris Labenski was unable to attend
2. **Nicole Smith, 6 Foster Street**

Nicole Smith addressed Committee and expressed her concerns with this proposal.

3. **Jessica Merolli, 166 Walnut Street South**

Jessica Merolli was unable to attend

4. **David Capizzano, 150 Charlton Avenue West**

David Capizzano addressed Committee with the aid of a PowerPoint presentation and expressed concerns with the proposed building materials. The presentation is available for viewing on the City’s website.

4. **Taras Hemon, 71 Walnut Street South**

Taras Hemon addressed Committee and spoke in support of the proposal but requested that the City continue to promote affordable housing.

(Farr/Pearson)
That all the delegations be received.  
CARRIED

(Farr/Collins)
That the public meeting be closed.  
CARRIED

(Farr/Pearson)
That the recommendations be amended by adding the following subsection (d):

(d) That the public submissions received regarding this matter did not affect the decision.  
Amendment CARRIED

For disposition of this matter refer to Item 7.
Applications for an Amendment to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 71 Rebecca Street, Hamilton (PED18195) (Ward 2) (Item 6.8)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

George Zajac, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of the presentation is available for viewing on the City’s website. He noted the following correction to subsection (d)(ii) of the recommendations:

(d)(ii) That the owner be responsible for all 50% of the costs for designing the Woonerf to the satisfaction of the Director of Transportation Planning and Parking Growth Management;

(Pearson/Conley)
That the staff presentation be received.

CARRIED

Nancy Frieday of Welling Planning Consultants Inc. representing the applicant was in attendance. Ms. Frieday addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City’s website.

(Farr/Green)
That the agent’s presentation be received.

CARRIED

Registered Speakers

1. Matias Rozenberg, 87 Wilson Street

Matias Rozenberg addressed Committee and advised that he supports the development but expressed some personal concerns.

2. Rob Fiedler, Beasley Neighbourhood Association

Rob Fiedler of the Beasley Neighbourhood Association spoke in support of the proposal and confirmed the Association’s desire to continue to be engaged in planning matters.

Matt Johnston, representing Kaneff Properties Limited, owner of 80 John Street North, addressed Committee and referenced their letter sent to Council outlining concerns with the proposal. He submitted a copy to the Clerk for the public record.

4. David Premi, DPAI Architecture Inc.

David Premi, the project architect addressed Committee outlining the proposed design of the building.

(Conley/Farr)
That the delegations be received. CARRIED

(Farr/Green)
That the public meeting be closed. CARRIED

(Farr/Partridge)
(a) That subsection (d)(ii) be amended as outlined below:

(d)(ii) That the owner be responsible for all 50% of the costs for designing the Woonerf to the satisfaction of the Director of Transportation Planning and Parking Growth Management;

(b) That subsection (e) be added as follows:

(e) That the public submissions received regarding this matter did not affect the decision. Amendment CARRIED

For disposition of this matter refer to Item 8.

Chair A. Johnson relinquished the Chair to Councillor J. Partridge.

(ix) Proposed Changes to the Official Plans and Zoning By-law No. 05-200 Relating to Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses (CI-18-H) (PED18194) (City Wide) (Item 6.9)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of
Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**Written Comments**

6.9(a) Signe Leisk, Cassels Brock Lawyers on behalf of The Green Organic Dutchman Ltd.

*(Conley/B. Johnson)*

That the added written comments Item 6.9(a) be received. **CARRIED**

Joanne Hickey Evans, Manager addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City’s website.

*(A. Johnson/Anderson)*

That the staff presentation be received. **CARRIED**

**Registered Speakers**

1. **John Ariens, IBI Group on behalf of The Green Organic Dutchman**

   John Ariens addressed Committee on behalf of the Green Organic Dutchman and opposed the proposed 150 metres setbacks and some of the performance standards in the amending by-law. He referenced the letter in 6.9(a).

   *(Anderson/A. Johnson)*

   That the delegation be received **CARRIED**

2. **Marc Ripa, 1428 Sandhill Drive**

   Marc Ripa addressed Committee and indicated that he is the owner of AB Laboratories and AB Ventures and he wishes to clarify some inaccuracies. The problems are caused by the “personal use production licence” holders not by the larger licensed producers.

   *(A. Johnson/B. Johnson)*

   That the delegation be received **CARRIED**

   *(Green/Pearson)*

   That the public meeting be closed. **CARRIED**
(B. Johnson/Pearson)

That the recommendations be amended by adding the following subsection (d) and re-lettering the balance:

(d) That the public submissions received regarding this matter did not affect the decision.

Amendment CARRIED

For disposition of this matter refer to Item 9 and information Item (h)(b).

Chair A. Johnson assumed the Chair.

(x) To Repeal Official Plan Amendment By-law No. 107 and Approve Urban Official Plan Amendment; to Amend Zoning By-law No. 05-200; and to update all materials related to Draft Plan of Subdivision 25T-201507 to Correct Inadvertent Address Numbering Errors for Lands Located at 56, 74, 78, 90, 96, Parkside Drive and 546 Highway No. 6, Flamborough (PED18133(a)) (Ward 15) (Item 6.10)

In accordance with the provisions of the Planning Act, Chair A. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Written Comments

6.10(a) Vince Farraiuolo, owner of 32 Parkside Drive, resubmitting the comments prepared by his agent, Terrance Glover of Urban in Mind

(Partridge/Pearson)

That the added written comments Item 6.10(a) be received. CARRIED

No members of the public came forward.

(Partridge/Pearson)

That the public meeting be closed. CARRIED
Planning Committee
Minutes 18-013

September 4, 2018
Page 36 of 39

(Partridge/B. Johnson)

That the recommendations be amended by adding the following subsection (d):

(d) That the public submissions received regarding this matter did not affect the decision.

Amendment CARRIED

For disposition of this matter refer to Item 10.

(f) MOTIONS

(i) Private Retail Cannabis Stores (Item 9.2)

(Partridge/B. Johnson)

WHEREAS recreational cannabis will be legalized in Canada as of October 17, 2018;

WHEREAS the Province of Ontario has indicated that the Ontario Cannabis Store website will be the only legal option for purchasing recreational cannabis once it becomes legalized on October 17, 2018;

WHEREAS the Province of Ontario has indicated that it will be introducing legislation that would open up a regulated private retail model for cannabis that would launch by April 1, 2019;

WHEREAS the Province of Ontario is currently consulting on the scope of its proposed legislation for a regulated private retail model for cannabis;

WHEREAS the Province has indicated that the new legislation will include some form of “opt out clause” that municipalities may exercise within a very limited time window;

WHEREAS it is not yet determined what regulatory authorities municipalities will have for the regulation of private retail cannabis stores other than their existing zoning powers which in Hamilton generally would permit this use in any commercially zoned property; and

WHEREAS there will be a very limited amount of time for the City of Hamilton to put in place any local regulations with respect to private retail cannabis stores, including the potential use of the “opt-out clause”, prior to the opening of retail stores on April 1, 2019;

THEREFORE, BE IT RESOLVED:

(a) That staff be directed to prepare a report with recommendations with respect to the regulation of private retail cannabis stores in the City of Hamilton for the first Planning Committee meeting of the new term of Council;
(b) That the report outline options for Council’s consideration for the potential application of the Province’s proposed “opt-out” clause;

(c) That the Mayor write to the Premier, appropriate Ministers and Ministries, and to the Association of Municipalities of Ontario, to communicate to them that it is the City’s position that the Province’s approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:

(i) separation distances from sensitive land uses such as parks, schools, daycares and healthcare facilities
(ii) over-concentration of dispensaries in one area of the city
(iii) the total number of dispensaries city-wide and within particular areas of the city
(iv) general issues of urban design such as location of entrances and transparency of facades
(v) on-site advertising and signage
(vi) hours of operation
(vii) property standards compliance
(viii) ability to restrict or prohibit operations by operators that routinely violate municipal standards such as noise, nuisance or property standards.

(Green/Farr)
That the following Subsection (c) be added and the balance be re-lettered accordingly:

(c) That staff be directed to meet with the local interested proprietors to discuss the potential impacts on the private retail cannabis industry and that the input be used as a market sounding for inclusion in the report;

Amendment CARRIED

For disposition of this matter refer to Item 14.

(g) NOTICES OF MOTION (Item 10)

(i) Private Retail Cannabis Stores (Added Item 10.1)

Councillor Partridge introduced a Notice of Motion respecting Private Retail Cannabis Stores.
(Partridge/Farr)  
That the rules of order be waived in order to allow for the introduction of a Motion respecting Private Retail Cannabis Stores.  

CARRIED

For disposition of this matter refer to Information Item (f)(i).

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Pearson/B. Johnson)  
(a) That the following new due date be approved:

Item "I" - That staff report back on any past resolutions or ongoing engagement between the HMHC and the property owners’ surrounding the Gore and how these resolutions or ongoing dialogues may be affected as a result of proceeding with a Heritage Conservation District and the merits of a Heritage Conservation District.
Due Date: September 4, 2018  
New due date: February 5, 2019

(b) That the following Item be identified as completed and removed:

Item "N"(a) - That Planning staff consult with Fed & Prov deports & ministries re: the regulatory and land use planning framework for the marijuana industry; (b) - That staff review & report back on the revisions to the Ec Dev Strategy, OP Policies and Zoning Regs re: medical & recreational marijuana production, distribution and sales; (c) - That until the review is completed that any apps for relief or deviation from the zoning by-law regs within the rural area be considered premature. (Item 9)

CARRIED

(i) PRIVATE AND CONFIDENTIAL (Item 12)

Committee approved the following Item without moving into Closed Session:

(i) Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law NO. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) (LS18004/PED18052) Ward 12 (Distributed under separate cover) (Distributed under separate cover.) (Item 12.1)

For disposition of the matter refer to Item 15.
(j) **ADJOURNMENT (Item 13)**

(Anderson/Green)
That, there being no further business, the Planning Committee be adjourned at 5:05 p.m.

**CARRIED**

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk
Form: Request to Speak to Committee of Council
Submitted on Tuesday, September 4, 2018 – 3:33 pm

==Committee Requested==
Committee: Planning Committee

==Requestor Information==
Name of Individual: Joe Pyziak
Name of Organization: self (from the neighbourhood)
Contact Number:
Email Address:
Mailing Address:

Reason(s) for delegation request: Future Planning Meeting which has the discussion for making Cartier Crescent a through street or not to Acadia Drive. I believe the planning committee date is Sep.18.2018

Will you be requesting funds from the City? No
Will you be submitting a formal presentation? Yes
CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Terrapure Stoney Creek Regional Facility EA – Preliminary Draft Environmental Assessment - Staff Comments to Proponent and MECP (PED16184(b)) (Ward 9)

WARD(S) AFFECTED: Ward 9

PREPARED BY: Tiffany Singh (905) 546-2424 Ext. 1221

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Council endorse the staff comments submitted to Terrapure Environmental and GHD Pty Ltd. (their consultants) on August 31, 2018 outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018”, attached as Appendix “A” to Report PED16184(b);

(b) That Report PED16184(b) be adopted as the City of Hamilton’s formal comments on the second phase of the “Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018”;

(c) That the City Clerk be authorized and directed to forward Report PED16184(b) to the Ministry of Environment, Conservation and Parks (MECP).

EXECUTIVE SUMMARY

The Stoney Creek Regional Facility (SCRF) is owned and operated by Revolution Landfill LP, operating as Terrapure Environmental, referred to as Terrapure (Owner, Proponent). The SCRF is an existing landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the former City of Stoney Creek (Ward 9), as shown on Appendix “B” to Report PED16184(b).
The existing landfill was approved under the Environment Protection Act ("EPA") and operates under the Environmental Certificate of Approval (ECA) No. A181008 to receive 2,000,000 cubic metres ($m^3$) of industrial fill/soils ("non-waste") and 6,320,000 $m^3$ of solid, non-hazardous residual materials from commercial, industrial and institutional sources (that have exhausted all recycling options) for a total approved site capacity of 8,320,000 $m^3$, with an approved maximum annual volume of 750,000 tonnes of residual material.

Terrapure is proposing to modify the site to increase the approved capacity of solid, non-hazardous industrial residual material SCRF by 3,680,000 $m^3$, which would bring the total site capacity to a range between 10,000,000 $m^3$ to 12,000,000 $m^3$ (depending on which alternative method is approved), so that Terrapure can continue to receive post-diversion solid, non-hazardous residual material generated within the Hamilton and Greater Toronto Area. The proposal would not change the type or annual volume of residual materials currently accepted at the facility, nor the maximum number of permitted vehicles to the site per day. However, as the proponent is proposing to increase the total waste disposal capacity of the SCRF beyond 100,000 $m^3$, they are subject to Part II of the EA Act, which requires a proponent to undertake the 2-step EA process. An Individual Environmental Assessment (EA) approved by the Ministry of the Environment, Conservation and Parks (MECP) (previously known as the Ministry of the Environment and Climate Change - MOECC) is required.

On April 18, 2017, Planning staff brought forward Report PED16184(a) to Planning Committee seeking Council endorsement on staff comments submitted to the Ministry of the Environment, Conservation and Parks (MECP) on March 10, 2017 and forwarding the report (PED16184(a)) to the Ministry outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”. Further, Council reiterated that the City opposes the application made by Terrapure Environmental to increase the capacity of their landfill.

Terrapure made a number of revisions to the Proposed Terms of Reference (ToR) based on the comments received from review agencies (including the City of Hamilton) and as required by the MECP. On November 9, 2017, the Minister of the MECP approved the Amended ToR for the SCRF Expansion EA. Since then, the proponent has engaged in several webinar presentations to inform staff on where they are in the process. The proponent has also submitted working draft chapters to staff to proactively obtain feedback and ensure that potential impacts of the undertaking related to their individual mandates were considered and addressed. A list of these documents and dates of when staff comments were made are attached as Appendix “F” to Report PED16184(b).

This Report responds to the request for comments received from the proponent on July 30, 2018 on the “Preliminary Draft EA for the Stoney Creek Regional Facility Landfill...
Expansion” (Attached as Appendix “C” to Report PED16184(b)). Once the EA has been formally submitted to MECP, the City of Hamilton as well as other stakeholders will have the following opportunities to provide comments directly to MECP for their consideration:

- **Draft EA for Public Review** – 7 week review period for stakeholder review
- **Final EA is submitted with the Notice of Submission** – 7 week review period for stakeholder review of Final version of EA from date of Notice
- **Public Inspection of Ministry Review** – 5 weeks for public to comment on the Ministry’s review

**Alternatives for Consideration – See page 16**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A  
Staffing: N/A  
Legal: The MECP is the approval authority for the EA. The comments requested from the City of Hamilton are for the Preliminary Draft EA prepared by GHD Pty Ltd. (consultants) on behalf of Terrapure Environmental (proponent, owner). If the EA is approved by MECP, the proponent will be permitted to implement the project and monitor compliance. The City of Hamilton will have no further opportunities to submit comments once approval is granted by MECP.

**HISTORICAL BACKGROUND**

**Terrapure Stoney Creek Regional Facility**

Terrapure is the owner and operator of the SCRF, a landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the former City of Stoney Creek (Ward 9). The landfill was approved under the EPA and operates under the Environmental Certificate of Approval (ECA) No. A181008. The ECA allows the facility to have a total disposal capacity of 6,320,000 m$^3$ of solid, non-hazardous residual materials from commercial, industrial and institutional sources (that have exhausted all recycling options), with an additional allowance for acceptance of 2,000,000 m$^3$ of industrial fill / soils, for a site total of 8,320,000 m$^3$. Appendix “B” to Report PED16184(b) shows the location of the SCRF.
The annual maximum approved fill rate for the site is 750,000 tonnes per year. The SCRF operates Monday to Friday, from 7:00 a.m. to 5:00 p.m., and is permitted to receive up to 250 trucks per day.

2016 - SCRF Environmental Assessment Proposed Draft Terms of Reference

In June, 2016, Terrapure and its consultants (GHD Pty Ltd.) circulated the SCRF EA Draft Proposed ToR and solicited comments from the community, stakeholders, and interested agencies. In the Draft Proposed ToR, Terrapure was proposing to reconfigure the SCRF back to a footprint close to the original that was approved in 1996 but to retain the current approved height limits. This reconfiguration would permit an additional 3,680,000 m³ of solid non-hazardous residual material (by reallocating the 2,000,000 m³ allowance for industrial fill / soils and adding some additional capacity), for a total site capacity of 10,000,000 m³. This proposal would extend the footprint of the landfill back towards Green Mountain Road West to what was initially approved in 1996.

Terrapure screened a number of alternatives for consideration to address the available opportunity to provide regional solid, non-hazardous industrial residual material disposal capacity. Terrapure identified Alternative 3 – Reconfigure Existing SCRF, to allow for additional capacity, as the preferred alternative. For Alternative 3, Terrapure proposed two reconfigured footprints (“alternative footprints”) to create additional capacity at the SCRF. The Draft Proposed ToR included a preliminary overview of the alternative footprints. These two alternatives would extend the footprint of the landfill back towards Green Mountain Road West, close to what was initially approved in 1996 and would entail an approximate 2.5 m crest height increase and potential overall peak height increase of up to 4 m.

Planning staff coordinated comments from a number of City departments on the Draft Proposed ToR in response to Terrapure’s request for comments. Report PED16184, approved by Council on September 28, 2016, provided a summary of concerns and issues identified by staff. Detailed comments on the Draft Proposed ToR were included in Appendix “A” to Report PED16184. Staff concerns included:

- Reduced buffering / setbacks and impacts to approved residential building lots;
- Traffic concerns;
- Drainage and servicing impacts;
- Noise;
- Lack of data on the GHG emissions;
- Confusing / Conflicting information on the total amount of waste / fill; and,
- Visual Impacts.

In addition to these concerns, staff considered that the full range of options / alternatives had not been explored through this process and suggested that Terrapure investigate...
other alternatives to those presented in the draft ToR. In particular, it was recommended that Terrapure review alternative footprints to increase the buffer between the residual waste area and the lands approved for development through Draft Plans of Subdivision located at 22 Green Mountain Road West and 420 First Road West. Given the approvals are in place for the residential development, it is important to consider the effects of the proposed changes on these future residents.

City Council indicated concerns with this proposal to change the facility’s footprint being put forward only six months after the removal of the Holding Zone on the approved Draft Plans of Subdivisions north of Green Mountain Road. Given the approvals are in place for the residential development, it is important to consider the effects of the proposed changes on these future residents.

City Council also indicated concerns regarding odours allegedly coming from the facility. Odours coming from the facility need to be investigated and mitigated, and if warranted, a “one odour” unit should be implemented, meaning that the odour coming from the facility’s operations should be kept within the boundaries of the property.

In addition, City Council expressed serious concerns regarding the proposed height increase of the landfill and the resulting visual impacts.

2017 - Proposed Landfill Expansion (Proposed Environmental Assessment ToR)

Terrapure made a number of revisions to the ToR based on the comments received from review agencies, including the City of Hamilton and the MECP, Aboriginal communities, and the public. On February 8, 2017, Terrapure submitted the Proposed ToR to the MECP for review as required under the Environmental Assessment Act for the City’s review. Planning Committee received the staff Report PED16184(a) and presentation at its April 18, 2017 meeting. City Council, at its April 26, 2017 meeting, issued the following formal position regarding the SCRF EA:

(a) That the Minister of the Environment and Climate Change be advised that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway;

(b) That the Staff comments submitted to the Ministry of Environment and Climate Change on March 10, 2017 outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”, attached as Appendix “A” to Report PED16184(a), be endorsed;
OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

(c) That the City Clerk’s Office be authorized and directed to forward Report PED16184(a) to the Ministry of Environment and Climate Change and this Report is considered the City of Hamilton’s formal comments on the second phase of the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”.

Council’s formal position, staff recommendation, and comments included in report PED16184(a) were forwarded to Terrapure and to the Minister of the Environment, Conservation and Parks. On November 9, 2017, the Minister of the MECP approved the Amended ToR.

Terrapure is seeking approval under the Ontario Environmental Assessment Act (EA Act) to increase the total approved capacity for post diversion solid, non-hazardous industrial residual material at the SCRF by 3,680,000 m³. The proposal would not change the type or annual volume of residual materials currently accepted at the facility, nor the maximum number of vehicles to the site per day. In order to achieve the proposed increased volume of solid, non-hazardous industrial residual material, Terrapure has identified six options of carrying out the undertaking (“Alternative Methods”). These six Alternative Methods have been considered as part of the EA process and include the following:

- Alternative Method No. 1: Reconfiguration of the SCRF
- Alternative Method No. 2: Horizontal Footprint Expansion of the SCRF
- Alternative Method No. 3: Vertical Height Expansion of the SCRF
- Alternative Method No. 4: Reconfiguration and Horizontal Footprint Expansion of the SCRF
- Alternative Method No. 5: Reconfiguration and Vertical Height Expansion of the SCRF
- Alternative Method No. 6: Horizontal and Vertical Expansion of the SCRF

The Alternative Methods were evaluated and compared through the following three steps: (1) assessment of the Alternative Methods; (2) comparative evaluation of the Alternative Methods and selection of the recommended Method; and, (3) identification of the Preferred Method.

Terrapure’s recommended option was confirmed as Alternative Option # 5 and it is referred to as the ‘Preferred’ Landfill Footprint (also referred to as the Preferred Method).

Alternative Option 5 has the following general attributes:

- Option 5 reflects a combination of Options 1 and 3. The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-
hazardous industrial residual material. The entire area at the SCRF currently approved for receiving either industrial fill or post-diversion solid, non-hazardous industrial residual material would be expanded vertically, so that additional residual material could be received.

- The SCRF would no longer be approved to receive industrial fill, but only post-diversion solid, non-hazardous industrial residual material. Thus the total site capacity would be 10,000,000 m³.
- A minimum 30 m buffer would be established around the entire area for receiving post-diversion solid, non-hazardous industrial residual material.
- Option 5 would not include a horizontal expansion, but would include a vertical height expansion of 2.5 m (note: approved height limits indicate the total height at the closure of the SCRF operation not during the operational phase). The peak height currently approved would be increased.

Alternative Option #5 was recommended by Terrapure for the following reasons:

- A technically feasible design that provides for the additional capacity being sought through the EA. This will allow Terrapure to continue to support the growing local economy by providing disposal capacity for industrial residual material generated within Hamilton and the GTA.
- A lower height increase compared to Options 3 and 6, which can be screened through such measures as constructed berms, tree plantings, fencing, etc.
- A low potential for adverse effects to the natural environment which would be further minimized through the use of standard mitigation measures.
- Maintains the existing stormwater management ponds.
- A low potential for adverse effects to area residents which would be further minimized through the use of standard mitigation measures.
- Maximizes the economic benefits to the City of Hamilton, Upper Stoney Creek, and local industry.

If the MECP grants approval of the EA, the SCRF expansion will be implemented and monitored in accordance with the approved EA.

**Chronology**

**Prior to 1977:** Taro East Quarry: These lands were used for bedrock extraction.

**1996:** Taro Aggregates received the Environmental Compliance Approval ECA No. A181008 from the MOE and started the operation of the SCRF. The site was acquired by Newalta Corporation (“Newalta”) in 2006; Terrapure took over ownership in 2015.
2006: The Nash Neighbourhood Secondary Plan, adopted by Council in 2006, designated the East Quarry/Landfill lands (now SCRF) as “Open Space” and “Special Policy Area B”. The Secondary Plan also includes a policy requiring a Holding Zone provision for all lands intended for residential use within 160 m of the working licensed limits of the former quarry under rehabilitation (see Policy Implications and Legislated Requirements section) to avoid any potential land use conflicts as a result of new residential development.

2010 – 2015: Two Draft Plans of Subdivisions located north of Green Mountain Road West were approved: 22 Green Mountain Road West and 420 First Road West. Both subdivisions included the provision for a holding zone to be applied to all residential lands within 160 m of the working licensed limits of the former quarry under rehabilitation until the completion of rehabilitation of the site have been finalized to the City’s satisfaction.

2013: Amendment to Waste Receipts & Service Area. The MOE approved amendments to the SCRF ECA to allow the SCRF to continue to receive up to 750,000 tonnes of waste per any consecutive 12 month period instead of the calendar year. In addition, it was requested to allow the site to receive approved wastes from anywhere within the Province of Ontario.

2014: Landfill Footprint Reconfiguration. In 2014, the MOE approved an amendment to the facility’s ECA allowing reducing the size of the residual material footprint from what was originally approved in 1996. There was no change to the approved total disposal volume for non-hazardous residual material (6,320,000 m³). However, the reconfiguration effectively increased the maximum crest height of the landfill by approximately 4.5 m, while reducing the overall footprint for residual material from 59.1 ha to 41.5 ha. As part of the change, Newalta was authorized to accept approximately 2,000,000 m³ of fill to complete the final site grading (non-waste).

As a result, the setback distance between the limit of residual material and Green Mountain Road West was increased from 30 m to a minimum of 140 m.

2015: The Holding Zones lifted: Council approved staff’s recommendation to lift the residential holding zone from the two Draft Plans of Subdivisions located at 22 Green Mountain Road West and 420 First Road West as they were no longer located within 160 m of the limits of

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
the of area receiving residual industrial material (solid non-hazardous residual material). The decision was made based on an application from the developer, which included the submission of an amendment to the Revised Landfill Impact Assessment report. The developer indicated in the application that the realignment of the footprint moved the landfill limit southward, resulting in a greater distance between the limits of the area receiving residual material and the proposed development lands thus rendering the Holding Provision unnecessary.

2016: SCRF Environmental Assessment Proposed Draft Terms of Reference. In June 2016, Terrapure and its consultants (GHD Pty Ltd.) circulated the SCRF EA Draft Proposed ToR and solicited comments from the community, stakeholders, and government interested agencies. In the Draft Proposed ToR, Terrapure was proposing to reconfigure the SCRF back to a footprint close to the original that was approved in 1996 but to retain the current approved height limits. This reconfiguration would permit an additional 3,680,000 m$^3$ of solid non-hazardous residual material (by reallocating the 2,000,000 m$^3$ allowance for industrial fill/soils and adding some additional capacity), for a total site capacity of 10,000,000 m$^3$. This proposal would extend the footprint of the landfill back towards Green Mountain Road West to what was initially approved in 1996.

Report PED16184, approved by Council on September 28, 2016, provided a summary of concerns and issues identified by staff and Council.

2017: Amended Terms of Reference. On February 8, 2017 Terrapure submitted the Proposed ToR to the MECP (previously known as MOECC) after making a number of revisions to the ToR based on the comments received from stakeholders (including the City of Hamilton). On April 18, 2017 Report PED16184(a) was endorsed by Planning Committee, which included the City’s official comments regarding the Proposed ToR. Further, Council reiterated that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill. On November 9, 2017, the Minister of the MECP approved the Amended ToR for the SCRF Expansion EA. Since then, the proponent has engaged in several open houses and webinar presentations to consult with stakeholders and provide the opportunity to review working draft chapters of the EA.
Notable Events Since ToR Approved by MECP:

**Dec 7, 2017:** Public Open House #1 – Consultation on the Approved ToR and approved options for evaluation

**Dec 8, 2017:** Webinar for Government Review Team

**Mar 22, 2018:** Public Open House #2 – Consultation on the evaluation process, comparison of the options, and identification of the preferred recommended option.

**Mar 23, 2017:** Webinar for Government Review Team

**Jun 19, 2018:** Public Open House #3 – reviewing the impact assessment results of the preferred option and recommended mitigation and monitoring measures.

**Jun 20, 2018:** Webinar for Government Review Team

**Jul 30, 2018:** Received Preliminary Draft EA chapters for review and commenting (this was provided to the City early due to the report timing of the last scheduled Planning Committee meeting before the upcoming Municipal Election and closure of City Council from October 2018 until December 2018.

**Aug 14, 2018:** Report LS18045/FCS18072 requesting authorization for staff to enter into discussions regarding updating existing compensation agreement documents was tabled until a decision has been made by the Ministry respecting the proposed expansion and Environment Assessment.
POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Regulation

The planning and operation of the Terrapure SCRF must be consistent with the Provincial Policy Statement (PPS), conform to the Places to Grow, Growth Plan for the Greater Golden Horseshoe, 2013 and comply with the EA Act and the MECP Guidelines D-1: Land Use Compatibility & D-4: Land Use On or Near Landfills and Dumps. In addition, the planning of the landfill will have to comply with the Bill 73 - Waste Free Ontario, 2016, which includes a final draft Strategy for a Waste Free Ontario: Building the Circular Economy. Report PED16184 included a description of the main elements of these provincial regulations, as apply to the subject site.

Urban and Rural Hamilton Official Plans

The SCRF site is located within the jurisdiction of the Urban Hamilton Official Plan, however, the EA identifies a 1.5 km preliminary Study Area which extends into lands within the Rural Hamilton Official Plan (refer to Appendix “D” to Report PED16184(b) for a map showing the study area).

Urban Hamilton Official Plan

The SCRF is identified as “Neighbourhoods” on Schedule E (Urban Structure) and designated as “Open Space” on Schedule E-1 (Land Use Designations) of the Urban Hamilton Official Plan, Vol. 1. The SCRF site is located within the Nash Neighbourhood Secondary Plan. The site is designated as “General Open Space” and contains a Site Specific Policy Area, “Area B” (refer to Appendix “E” to Report PED16184(b) for the Nash Neighbourhood Secondary Plan land use map).

The following policies of the Nash Neighbourhood Secondary Plan are to be considered:

B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.

B.7.5.11 Environment Policies

B.7.5.11.3 Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that
there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City.

B.7.5.13 Implementation

B.7.5.13.4 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

Site Specific Policy - Area B

B.7.5.14.2 For Lands shown as Site Specific Policy - Area B on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:

a) In addition to the uses permitted in Section C.3.3 - Open Space Designation and Policy E.5.3.6 of Volume 1, the existing waste disposal facility shall be permitted in Site Specific Policy - Area B.

b) Site Specific Policy - Area B is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for landfill and quarry operations in accordance with the Terms and Conditions of the Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; the existing licence to extract mineral aggregate resource issued under the Aggregate Resources Act and any amendments to the aforementioned documents.

c) Final closure of this site, and the after-use of this site for recreational and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended, and surrender of the Aggregate Resources Act licence.
d) Recreational and open space uses, when approved by the Minister of Environment, can occur without amendment to this Plan subject to the surrender of the Aggregate Resources Act licence and any necessary Site Plan and Development Agreements being approved by the City.

The southern boundary of the Study Area identified in the EA extends into the West Mountain Area (Heritage Green) Secondary Plan. The following policies are to be considered:

B.7.6.1.2 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws, of Volume 1. The Holding Zone shall not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

B.7.6.1.3 Proponents of development proposals for residential and other sensitive land uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site shall be required to submit studies demonstrating there are no adverse effects on the development or that the effects can be mitigated. These studies may include, but not be limited to, ground and surface water, leachate migrating onto the subject lands, traffic, air quality, noise, soil contamination and hazardous waste and landfill generated gases, subject to the requirements of the City.

Rural Hamilton Official Plan

The western boundaries of the study area extend into area designated under the Rural Hamilton Official Plan. The lands located east of Upper Centennial Parkway, north of Mud Street East are designated as “Specialty Crop”. The lands located east of Upper Centennial Parkway, south of Mud Street East are designated “Rural” and “Open Space”.

City of Stoney Creek Zoning By-law

The SCRF site conforms to the City of Stoney Creek Zoning By-law No. 3692-92 under Section 9.8.5 ‘Special Exemptions’, as ME-1. In addition to permitted uses under Extractive Industrial "ME" Zone, lands zoned ME-1 are permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources.
RELEVANT CONSULTATION

A working group of City staff was formed to inform and gather input on the Preliminary Draft EA material (refer to Appendix “C” to Report PED16184(b)). The working group included staff from the Planning Division, Growth Management Division, Economic Development Division, Hamilton Public Health, Public Works Department, and Legal Services. The working group met for the three webinar sessions with the proponent and their consultants, and held an internal meeting afterwards to discuss the material presented and comments.

It should be noted, that the City of Hamilton is a commenting agency on this EA process. The MECP is the ultimate approval authority for the EA and has the responsibility of seeking and collecting comments. In addition to the City of Hamilton, the MECP requests comments from Federal, Provincial and Local agencies (i.e., Government Review Team - GRT), Aboriginal Communities, and the public. As such, the proponent has engaged with these groups throughout the development of their Draft EA. According to the Preliminary Draft EA, input was obtained from interested parties, including review agencies, Aboriginal Communities, and the public.

The consultation activities for the SCRF EA included:

- Meetings and presentations, including individual/ group meetings, Community Liaison Committee meetings, and presentation to the City of Hamilton.

- Public open houses, proposed as follows:
  - Public Open House 1 – discussion on the developed Alternative Methods, the evaluation criteria and indicators, and the evaluation methodology to be utilized.
  - Public Open House 2 – reviewing the comparative evaluation results of the Alternative Methods and identifying the recommended Alternative Method.
  - Public Open House 3 – reviewing the impact assessment results of the Preferred Method.

- Project-specific Website and Social Media commenting.

The following notification methods were used:

- Notifications using direct mail and emails
- Social media notices under the Terrapure SCRF handle
- Ads in both the Hamilton Spectator and Stoney Creek News
ANALYSIS AND RATIONALE FOR RECOMMENDATION

Terrapure is proposing to reconfigure the SCRF to permit an additional 3,680,000 m³ of post-diversion solid, non-hazardous industrial residual material. The proposal does not intend on changing the type (post-diversion, solid non-hazardous industrial residual material) or annual volume (750,000 tonnes per year) of residual material currently accepted at the Facility, nor the maximum number of vehicles to the Site per day (250 per day).

The Terrapure has indicated that the current economics and market dynamics for industrial fill, the original market demand is significantly less than what was anticipated. Accordingly, Terrapure wants to take advantage of the economic opportunity for capturing post-diversion solid, non-hazardous industrial residual materials by increasing its approved capacity for this material by 3,680,000 m³.

The proposed expansion would allow Terrapure to continue to provide its existing regional customer base (i.e., local industrial clients, major public infrastructure undertakings within Hamilton and the Greater Toronto Area) with a disposal option for post-diversion, solid non-hazardous industrial residual materials that are typically generated by commercial, industrial and institutional redevelopment sources (that have exhausted all recycling options).

Staff have reviewed the Preliminary Draft EA material that has been provided thus far and have outlined outstanding concerns and comments to the proponent. Staff reserve the right to continue to provide comments on updated EA material as they are provided.

Future Opportunities to Comment

The City and other stakeholders, including the public will be provided the following opportunities to comment on the EA Submission material at the following milestones:

- Draft EA (7 week commenting period) – anticipated to end October 24th, 2018
- Final EA Submitted to MECP (7 week commenting period) – anticipated to end February 22nd, 2019
- Public Inspection of MECP Review (5 week commenting period) – anticipated to end May 3rd, 2019
Summary of Staff Comments Regarding the Preliminary Draft EA

To facilitate Council submission of comments on preliminary Draft EA material prior to the municipal election period, Planning staff coordinated comments from City departments on the preliminary Draft EA material in response to Terrapure’s request for comments. The following section includes a summary of the key comments from staff. Detailed comments are included in Appendix “A” to Report PED16184(b).

Staff reiterate that Council opposes the application made by Terrapure Environmental to increase the capacity of their landfill. In addition, staff has a number of outstanding concerns that have not been adequately addressed in the Preliminary Draft Environmental Assessment. These concerns include:

- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts
- The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated.
- The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.
- The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.
- Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

ALTERNATIVES FOR CONSIDERATION

The City could forego the opportunity to provide comments to the proponent on the Preliminary Draft EA material.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.
Clean and Green

*Hamilton* is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

*Hamilton* is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – City of Hamilton Letter and Staff Comments on the Preliminary Draft Environmental Assessment
Appendix “B” – SCRF Location
Appendix “C” – Preliminary Draft Environmental Assessment Chapters
Appendix “D” – Environmental Assessment Study Area
Appendix “E” – Nash Neighbourhood Secondary Plan Land Use Map
Appendix “F” – List of Working Draft Document and Dates of Comments

TS:am
August 31, 2017

GHD Consulting
Blair Shoniker
Senior Waste & Environmental Planner
65 Sunray Street
Whitby, ON L1N 8Y3

RE: Comments on the Terrapore Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment

Dear Mr. Shoniker,

In response to your communication dated July 30, 2018, requesting comments on the Stoney Creek Regional Facility (SCRF) Environmental Assessment – Preliminary Draft Environmental Assessment, please find attached the consolidated comments from City of Hamilton staff. These comments are planned to be discussed by the City’s Planning Committee at their September 18, 2018 meeting. The Staff Report and Council’s resolution will be forwarded to the Ministry of Environment, Conservation and Parks following the September 26, 2018 Council Meeting.

The City of Hamilton previously reviewed the Proposed Terms of Reference, dated February 8, 2017. Planning Committee received the Staff Report PED16184(a) and presentation at its April 18, 2017 meeting. City Council, at its April 26, 2017 meeting, approved the staff recommendation and the comments included in report PED16184(a) were forwarded to Terrapore and to the Minister of the Environment, Conservation and Parks. On November 9, 2017, the Minister of the MECP approved the Amended ToR.

As Council has not deliberated on these matters since April 26, 2017, Council’s current position remains the same as their motion passed on April 26, 2017, stating “that the City of Hamilton opposes the application made by Terrapore Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway”.

Therefore, the proposed changes, as indicated in the Preliminary Draft Environmental Assessment, are contrary to Council’s position.

Summary of Comments

Staff have a number of outstanding issues that have not been adequately addressed through the Preliminary Draft Environmental Assessment. These issues include:

- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts
• The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated.

• The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.

• The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.

• Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

We thank you for the opportunity to comment on the Preliminary Draft Environmental Assessment. Should you have questions or comments, please contact Tiffany Singh, Planner, at 905-546-2424 Ext. 1221 or via email at Tiffany.Singh@hamilton.ca.

Regards,

Steve Robichaud, MCIP OPP RPP
Director of Planning and Chief Planner, Planning Division
Planning and Economic Development Department
City of Hamilton

SR:ts
Attachment

cc:
Doug Conley, Councillor Ward 9
Maria Pearson, Councillor Ward 10
Chad Collins, Councillor Ward 5
Dan McKinnon, General Manager, Public Works
Emil Prpic, Manager of Recycling and Waste Disposal Operations
Tony Sergi, Senior Director, Growth Management
Joanne Hickey-Evans, Manager Policy Planning & Zoning By-law Reform
Christine Newbold, Manager Community Planning & GIS
Anita Fabac, Manager Development Planning, Heritage & Design
Matt Lawson, Manager, Public Health Services
Justyna Hidalgo, Solicitor
Debbie Edwards, Deputy City Solicitor
Samantha Blackley, Capital Budgets
Udo Ehrenberg, Manager Hamilton Water
Paul Widmeyer, Hamilton District Manager (Acting), Ministry of Environment, Conservation and Parks (paul.widmeyer@ontario.ca)
ATTACHMENT:

Terrapure Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, dated July 30, 2018

City of Hamilton Comments

The City of Hamilton appreciates the opportunity to comment on the Preliminary Draft Environmental Assessment and acknowledges the changes that have been made in relation to our comments provided between January 31st, 2018 to July 30th, 2018. However, staff note that there are still outstanding revisions that were not completed at the time of their review and commenting deadline in order to meet the reporting deadline for the last municipal Planning Committee and Council meeting dates before the 2018 Municipal Election. As such, staff will continue to review additional revised material and provide comments to you during the following upcoming commenting periods:

- Draft EA for Public Review – 7 week review period for stakeholder review
- Final EA is submitted with the Notice of Submission – 7 week review period for stakeholder review of Final version of EA from date of Notice
- Public Inspection of Ministry Review – 5 weeks for public to comment on the Ministry’s review

As Council has not deliberated on these matters since April 26, 2017, Council’s current position remains the same as their motion passed on April 26, 2017:

(a) That the Minister of the Environment and Climate Change be advised that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway;

(b) That the Staff comments submitted to the Ministry of Environment and Climate Change on March 10, 2017 outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”, attached as Appendix “A” to Report PED16184(a), be endorsed;

(c) That the City Clerk’s Office be authorized and directed to forward Report PED16184(a) to the Ministry of Environment and Climate Change and this Report is considered the City of Hamilton’s formal comments on the second phase of the “Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017”.

Therefore, the proposed changes, as indicated in the Preliminary Draft Environmental Assessment, are contrary to Council’s position.

Summary of Staff Comments

Staff has a number of outstanding issues that have not been adequately addressed through the Proposed Preliminary Terms of Reference. These issues include:
- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts.

- The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated.

- The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.

- The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.

- Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

**Detailed Comments**

<table>
<thead>
<tr>
<th>Real Estate</th>
<th>Based on the response from the consultant, the proponent does not intend on providing the requested land economic and property tax impact analysis and information requested until a later date – with the release of their actual Draft EA document. We cannot comment further on the material provided except to acknowledge that they intend to address the request, albeit later.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning - Noise</td>
<td>Please provide the Stamson sheets which were used to calculate the ambient (background) sound level at POR1, 3, and 4. The Detailed Impact Assessment report refers to the sheets being attached as Appendix 1, but we cannot locate them. The report indicates that the ambient (background) sound level at POR1 will be 60 dBA, accounting for future residential development. The report identifies 60dBA as the sound performance limit, based on the ambient sound level. The predicted future sound levels at POR1 resulting from the landfill are 60 dBA, just meeting the performance limit. Staff therefore need to review the Stamson sheets to confirm that the ambient sound level was calculated correctly and are based on the appropriate traffic volumes. If the ambient sound level is actually below 60dBA, this would result in a need for noise mitigation requirements. Therefore, this review is needed. While it appears that GHD has addressed staff's remaining comments, without an updated Noise Impact Assessment it is not possible to confirm.</td>
</tr>
<tr>
<td>Source Water Protection</td>
<td>Source Water Protection recommends that any available domestic water quality downgradient from the property be sampled to demonstrate the level of off-site impact originating from landfill operations. If offsite groundwater quality can not be obtained, Source Water Protection and Cambium recommend that Terrapure collaborate with neighbouring property owners to verify that no offsite impacts are observed downgradient, and to verify their conceptual...</td>
</tr>
</tbody>
</table>
The applicant should provide methodologies as to how RUC trigger values were calculated in their original submission. As a result, Source Water Protection and Cambium cannot verify the validity of the RUC calculations.

Upon review of the Design and Operations as well as the Facility Characteristics Report, details on compatibility testing other than puncture risks were not found. The applicant should provide specific details as per Cambium’s request.

GHD shall provide details of this analysis to the satisfaction of Cambium and Source Water Protection, as they were not provided in GHD’s response.

A number of groundwater monitoring wells along the downgradient property boundary show exceedances of Ontario Drinking Water Quality Standards, exceedances of Hamilton’s Sewer Use Bylaw, or both. Parameters such as sulphate, boron, pH, and uranium exceed such standards.

As a result, if construction dewatering is required for future development downgradient of the operating and/or closed landfill (25T-201301, 25T-201510, 25T-201601, 25T-201612, 25T-201611, 25T-201701), these applicants should be aware that groundwater quality may be compromised, and special agreements with Hamilton Water and/or the Ministry of Environment, Conservation and Parks may be required.

Refer to attached formal peer review of the submitted hydrogeological report from Cambium Inc.

| Public Health | Hamilton Public Health Services (PHS) has reviewed discussion documents "Stoney Creek Regional Facility Environmental Assessment - Human Health Assessment Review Workplan" (Intrinsic Science Consulting, 2018), as well as the Community Health Assessment Review (2017 Annual Monitoring and Operations Report, Appendix E - Intrinsic Science Consulting, 2018). Other supplemental technical papers included but not limited to as part of the Draft Environmental Approval Process - Chapter 6 "Detailed Impact Assessment of the Undertaking" (GHD -2018) have also been reviewed.

PHS has no objection to the comparative evaluation chosen to identify the "recommended landfill footprint" - Option 5. No information reviewed within the above-referenced documents suggests air quality or leachate pose an unacceptable risk to the health of the surrounding community.

PHS recommends that as the EA process advances, all requirements
set forth in the Environmental Compliance Approval for the SCRF are abided by. As well, environmental best management practices should be maintained.

| Finance | Current terms and conditions of the existing Compensation Agreements should be revisited and revised as part of any approval to changes to the existing ECA. |

Conclusion

City of Hamilton staff have identified a number of gaps that should be adequately addressed in the actual Draft EA material. As such, staff reserve the right to provide the proponent with further comments once all of the Draft EA material including full impact assessments have been revised accordingly and are available for review and commenting.
Legend

- Terrapure Stoney Creek Regional Facility
- 1500 meter buffer around Study Area

Key Map

Terrapure Stoney Creek Regional Facility

Date: February 23, 2017

Not To Scale

© Teranet Land Information Services Inc. and its licensors. [2017] May Not be Reproduced without Permission.

THIS IS NOT A PLAN OF SURVEY
Table of Contents

1. Introduction and Background ................................................................. 1
   1.1 Introduction ......................................................................................... 1
   1.2 Proponent ......................................................................................... 3
   1.3 Site History & Operations.................................................................... 3
       1.3.1 Amendments to the SCRF ECA ...................................................... 6
       1.3.2 Annual Waste Receipts and Service Area ...................................... 6
       1.3.3 Landfill Footprint Reconfiguration ................................................ 6
   1.4 Stoney Creek Regional Facility (SCRF) Landfill Expansion Environmental Assessment ....... 8

Figure Index

Figure 1.1 Location of the Proposed Undertaking ................................................. 2
Figure 1.2 2013 Amendment to ECA ............................................................... 7
1. Introduction and Background

1.1 Introduction

This Environmental Assessment (EA) Report documents the process followed and the results of the EA carried out for the proposed expansion of the Stoney Creek Regional Facility (SCRF), located at 65 Green Mountain Road West, in Hamilton, Ontario. In November 2017, the Minister of the Environment, Conservation and Parks (previously known as the Minister of the Environment and Climate Change) approved the Amended Terms of Reference (ToR) for the SCRF Expansion EA. An EA is a 2-step process, which includes a Terms of Reference (ToR) and the EA itself. The first step is the development and approval of the ToR. The ToR is a document prepared by a Proponent that sets out the framework or work plan for the planning and decision-making process to be followed during preparation of the EA. Once approved, the proponent then undertakes the EA in accordance with the approved ToR.

The SCRF is owned and operated by Revolution Landfill LP, operating as Terrapure Environmental, herein referred to as Terrapure (Owner, Proponent). The SCRF is located at the northwest corner of Mud Street and Upper Centennial Parkway in the City of Hamilton (formerly the City of Stoney Creek, Figure 1.1). The SCRF has been in operation since it was approved by the Ministry of the Environment, Conservation and Parks (MECP) (previously known as the Minister of the Environment and Climate Change (MOECC)) in 1996. The SCRF, which operates under Environmental Compliance Approval (ECA) No. A181008 (Appendix B), as amended, has a total approved site capacity of 8,320,000 cubic metres (m³) (6,320,000 m³ for solid, non-hazardous residual material and approximately 2,000,000 m³ for industrial fill), with an approved maximum annual volume of 750,000 tonnes of residual material. The approved service area for the SCRF is the Province of Ontario, which will not change as a result of this EA.

Terrapure is proposing to increase the total approved capacity for post-diversion solid, non-hazardous industrial residual material at the SCRF by 3,680,000 m³ so that Terrapure can continue to operate its business and receive this material to support local industry. The proposal would not change the type or annual volume of residual materials currently accepted at the facility, nor the maximum number of permitted vehicles to the site per day. Ontario Regulation (O. Reg) 101/07 outlines the EA Act requirements for waste management projects in the Province of Ontario. If a Proponent is proposing to increase the total waste disposal volume of an existing waste management facility by more than 100,000 m³, then the proposal or “undertaking” is subject to Part II of the EA Act. This undertaking is therefore subject to Part II of the EA Act, which requires a proponent to undertake the 2-step EA process described above.

Based on the current economics and market dynamics for industrial fill, the original market demand is significantly less than what was forecasted. Accordingly, Terrapure undertook an internal review of the SCRF and its future role within their solid waste business. As per the business case established by Terrapure, given that there is a continued strong market demand for residual disposal capacity for the foreseeable future, Terrapure wants to take advantage of the economic opportunity for capturing post-diversion solid, non-hazardous industrial residual materials by increasing its approved capacity for this material by 3,680,000 m³. The proposed undertaking will allow the facility to maintain its standing as a regional facility and provide continued service to the Hamilton & Greater Toronto Area (GTA) market for local and regional customers.
Figure 1.1 Location of the Proposed Undertaking
1.2 Proponent

The Proponent for the SCRF EA is Terrapure, the owner and operator of the SCRF. As the Proponent, Terrapure is responsible for preparing the EA in accordance with the amended approved ToR. Terrapure is a leading Canadian provider of professional, cost-effective environmental services and recycling solutions that help address industry’s environmental challenges. With an unwavering focus on environmental and health and safety excellence, the company provides services that minimize waste and maximize the recovery or recycling of valuable industrial by-products through a coast-to-coast facility network and on customer sites.

Terrapure is supported by a third party consulting team that undertook the EA on their behalf. The Proponent’s contact information is as follows:

Kim Bailey
Office: 905.548.5870 Fax: 905.549.4515
Email: kbailey@terrapureenv.com
65 Green Mountain Road W
Stoney Creek, ON L8J 1X5

1.3 Site History & Operations

The SCRF has been a fixture in the Stoney Creek/Hamilton area for 20 years, providing environmental services to numerous local and Ontario-based generators of solid, non-hazardous industrial residual material.

The SCRF has been in operation since 1996, when it was approved by the then Minister of Environment, following the successful completion of an EA. The SCRF’s total approved disposal capacity under the Environmental Protection Act (EPA) approvals is 6,320,000 m³ for residual materials, with an additional allowance for acceptance of approximately 2,000,000 m³ of industrial fill/soils, for a site total of 8,320,000 m³. The annual maximum approved fill rate for the site is 750,000 tonnes of residual material per year. Newalta Corporation acquired the site in 2006 from PSC Industrial Services Canada, and Terrapure took over ownership in 2015 with its acquisition of the former industrial division of Newalta.

The SCRF is an engineered landfill site that ensures groundwater protection and leachate collection through a double-liner system. The site is constructed with two levels of natural clay liner and a single geosynthetic membrane liner, along with extensive leachate and groundwater collection systems. The liner system is approximately 3 m thick and provides protection to the natural environment. The facility operates in accordance with the requirements of its ECA and other applicable provincial legislation.

The SCRF is regulated by the MECP under ECA No. A181008 (Appendix B). The SCRF operates Monday to Friday, from 7:00 a.m. to 5:00 p.m., and is permitted to receive up to 250 trucks per day. The SCRF provides a safe and efficient disposal option for industrial residual material, and is in a unique position based on the types of materials it accepts, as well as the proximity to where the industrial residual material is generated in Ontario. The SCRF is permitted to receive solid, non-hazardous residual material from the commercial, industrial and institutional sectors, consisting mainly of waste from the steel making industry (i.e., basic oxygen furnace oxide, slag) and soils from infrastructure development. The SCRF is not permitted to accept any residual materials that
are putrescible (i.e., waste that contains organic matter which is capable of decomposing and may generate methane, and carbon dioxide gases and odours, and has the ability to attract vectors, such as seagulls, vermin, etc.). Because the site does not accept waste capable of decomposing and generating gases, it has received a MECP exemption from the requirement to have a corresponding gas collection system in place (as stated in O. Reg. 232/98), based on supporting documentation, including a gas emission study and annual confirmatory monitoring.

The material accepted at the SCRF comes from a variety of customers and businesses that divert materials at their own operations and have implemented their own diversion and recovery systems to minimize any remaining residual materials. Terrapure has Standard Operating Procedures (SOP) that address the screening and verification of material that is received on-site to ensure the materials received on-site match the Generator’s Waste Profile, and that the generator of the material has made the determination that the material cannot reasonably be diverted. Diversion at the source of the residual material from generators and customers considers both the economic viability of diversion, as well as ensuring that there is a viable end market for the diverted material. Although there is minimal waste material received at the SCRF that has the potential to be reasonably diverted or recycled, as part of the EA process, Terrapure has examined and evaluated the feasibility and viability of implementing an on-site diversion program as per the commitment made in the Amended Approved ToR. Further details are provided in Chapter 6 of this EA Report.

With respect to the SOP, prior to receiving waste, Terrapure requires a Generator’s Waste Profile to be completed. The waste generator must complete the Waste Profile, which is checked by environmental technicians, and the waste requiring disposal is then analyzed by accredited, independent labs to ensure it does not contain unacceptable waste, and is compared against approved requirements. If the analytical results do not meet the criteria, or the waste contains unacceptable materials, a Waste Rejection Report is issued. Upon receipt at the SCRF, incoming waste is subject to inspections and random sampling to ensure it is consistent with the pre-screening analysis. Terrapure maintains full-time staff dedicated to ensuring environmental compliance at the SCRF.

Upon arrival at the SCRF, all trucks drive onto the scale for a gross weighing, unless the truck has already been weighed and recorded on the weigh bill. Drivers then proceed to the scale house for a document check. If the attendant determines that the paperwork is inappropriate, the load is rejected and the environmental technician issues a Waste Rejection Report. If the attendant determines that the paperwork is appropriate, the load is accepted and the attendant records the arrival information. If the load is to be subject to the random compliance testing program, it is segregated within the fill area and subjected to sampling and compliance testing.

Trucks are then directed to the active disposal area, and are directed to park underneath a camera to have the load inspected before proceeding to the tipping area. The landfill operator directs the waste vehicle to an appropriate tipping area at the tipping face and instructs the driver to begin emptying the load onto the ground. While the truck is unloading, the operator observes the waste for any non-compliant materials. Once unloaded, the material is spread in even lifts. If any non-compliant material is discovered, the operator contacts the Environmental Technicians (ET) and appropriate actions are taken to remove the non-compliant materials.

The ETs at the SCRF investigate material, and if they deem it non-compliant, they inform Terrapure site management of this finding. Terrapure then contacts the Generator to notify them of non-
compliant material and offers the Generator the option of returning material to the generator site or, if applicable, have the material sent to another facility that can receive and process the material. The non-compliant material is then removed from site and Terrapure issues an internal rejection report. The load rejections are also summarized in the Annual Monitoring Reports submitted to the MECP.

In addition to the residual material area and industrial fill area, the Site generally includes the following infrastructure:

- Access points on Upper Centennial Parkway and First Road West.
- A site office and parking area for administration staff.
- A weigh scale and scalehouse site office (for field technicians and operations staff).
- A truck wash facility to clean wheels and truck undercarriages prior to them exiting the Site, helping to reduce dust emissions and track-out onto surrounding roads.
- A maintenance building used for maintaining and repairing Site equipment.
- A training centre also used for storage.
- A leachate management system, consisting of a base liner system, collection pipes, pumping stations, equalization pond, and discharge to a sanitary sewer.
- A stormwater management system, consisting of final cover, drainage ditches, forebays, detention ponds, and outlet to a storm sewer.
- A groundwater management system, consisting of collection trenches, pipes, pumping station, and outlet to a sanitary sewer.

Regulatory requirements specify a minimum on-Site buffer width of 100 m between the limit of the residual footprint and the property boundary, but allow this to be reduced to 30 m if it is shown to be appropriate based on a site specific assessment (e.g., if the buffer provides adequate space for vehicle movements, ancillary facilities, and ensures that potential effects from the Site operations do not have unacceptable impacts outside of the Site).

Minimum buffer distances of 30 m are approved and maintained around the entire perimeter of the residual material area. These buffers extend to approximately 65 m in various areas along the east and south sides of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site.

The buffers improve the ability to mitigate potential nuisance effects (e.g., noise, odour, and dust) to surrounding receptors through physical separation and the implementation of additional Site controls. In addition, the buffer areas are used for the construction of on-Site infrastructure, such as roads, buildings, monitoring systems, maintenance structures, stormwater drainage ditches, visual screening (e.g., fences, earth berms), and vegetation.
1.3.1 Amendments to the SCRF ECA

It should be noted that since opening in 1996, the SCRF’s ECA has been amended a number of times, including the following:


Both of these alterations were undertaken in accordance with appropriate legislative requirements, including the Environmental Screening Process under the Waste Management Projects Regulation – O. Reg 101/07 and the EPA, respectively.

A copy of the consolidated ECA is provided in Appendix B.

1.3.2 Annual Waste Receipts and Service Area

In 2012, the SCRF was subject to an Environmental Screening Process under O. Reg. 101/07 to amend the existing ECA to accomplish the following:

1. Allow the SCRF to continue to receive up to 750,000 tonnes of waste a year, but to allow for the limit to occur over any consecutive 12 month period, instead of the calendar year. This change provided operational flexibility by accommodating busier months of receiving waste.
2. Allow the SCRF to receive approved wastes from anywhere within the Province of Ontario. This change allowed for operational efficiency, as material from outside of Hamilton previously had to be processed at other facilities in Hamilton prior to being transported to the SCRF for disposal.

The amendments were approved by the MECP in 2013, improving the flexibility and efficiency of operations while significantly reducing truck traffic and related air emissions in the north-end industrial core of Hamilton around Terrapure’s other waste management facilities.

1.3.3 Landfill Footprint Reconfiguration

In 2013, the size of the residual material footprint at the SCRF was reduced from the originally approved 59.1 hectares (ha) to an area consistent with the base liner system that had been constructed to date at that time. There was no change to the approved total disposal volume (6,320,000 m³), and the reconfiguration effectively increased the height, while reducing the overall residual material footprint to approximately 41.5 ha. As a result, the setback distance between the limit of residual material and Green Mountain Road was increased from 30 m to a minimum of 140 m (Figure 1.2). This revision was approved by the MECP in 2014 as an amendment to the ECA under the EPA.
In addition to the revised footprint, the SCRF was permitted to accept approximately 2,000,000 m³ of fill to complete the final site grading in the area of the site that would no longer receive residual material. The fill material for the final site grading is to be “Table 3” industrial fill, which is “non-waste”.

1.4 Stoney Creek Regional Facility (SCRF) Landfill Expansion Environmental Assessment

This EA Report describes the process undertaken to assess and evaluate how the SCRF could add additional capacity and meet the requirements of the EA Act. The EA was initiated in November 2017, following approval of the amended ToR by the MECP on November 9, 2017. Terrapure is proposing to increase the total approved capacity for post-diversion solid, non-hazardous industrial residual material at the SCRF by 3,680,000 m³, so that Terrapure can continue to operate its business and receive this material to support local industry. The additional capacity Terrapure is seeking through this EA is based on current economics and market dynamics, and was established based on a reasonable business-planning scope for the next 10-15 years. The proposal will not change the type or annual volume of residual material currently accepted at the Facility, nor the maximum number of vehicles to the Site per day. The SCRF will include the extension of the same liner system currently in place and as described in Section 1.3. Minimum on-Site buffer distances of between 30 m and 130 m will be maintained around the perimeter of the residual material area. Further details on the proposed undertaking are provided in subsequent chapters of this EA Report.

1 Notice of Commencement issued November 17, 2017.
Table of Contents

2. Overview of the Environmental Assessment Process and Study Organization .......................................................... 1
    2.1 Environmental Assessment Process ....................................................................................................................... 1
    2.2 Ontario Environmental Assessment Act .................................................................................................................. 3
    2.3 Canadian Environmental Assessment Act 2012 ................................................................................................. 4
    2.4 Organization of the EA Report ............................................................................................................................ 4

Figure Index

Figure 2.1 Stoney Creek Regional Facility EA Process .................................................................................................. 2

Table Index

Table 2.1 EA Act Requirements & Where They Are Addressed in the EA Report ..................................................... 6
2. Overview of the Environmental Assessment Process and Study Organization

This chapter of the EA Report provides an overview of the EA process carried out for the SCRF Expansion EA, describes the study organization, and provides an overview of the EA Report.

2.1 Environmental Assessment Process

This EA was conducted and prepared in accordance with the Approved Amended SCRF ToR approved by the Minister of the Environment, Conservation and Parks (MECP) on November 9, 2017 (see Appendix C), as per Section 6(2)(c) and 6.1(3) of the EA Act. The ToR was the first step of a two-step EA Act approval process for the proposed undertaking in the Province of Ontario, with the second step being the EA. An overview of the process followed for this EA is provided in Figure 2.1.
Figure 2.1  Stoney Creek Regional Facility EA Process
This EA Report has been prepared in accordance with and having regard for the following MECP Guidance Documents:

- Code of Practice Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (MECP, January 2014)
- Code of Practice Preparing and Reviewing Environmental Assessments in Ontario (MECP, January 2014)
- Code of Practice Consultation in Ontario’s Environmental Assessment Process (MECP, January 2014)
- Guide to Environmental Assessment Requirements for Waste Management Projects in Ontario (MECP, March 2007)
- Guide: Considering Climate Change in the Environmental Assessment in Ontario (October, MECP, 2017)

The methodology described in this EA Report, as well as within the Minister-approved ToR, reflects a focused process that meets the requirements of the EA Act and Ontario Regulation 101/07, the Waste Management Projects Regulation, made under the EA Act.

During preparation of this EA, as well as the Minister-approved ToR, the Proponent has consulted with the MECP, other federal, provincial and local government agencies, the public, Aboriginal communities, and other interested persons.

### 2.2 Ontario Environmental Assessment Act

The overall purpose of the EA Act is to promote sound environmental planning through the protection, conservation, and wise management of Ontario’s environment. The intent is to predict environmental effects of proposed initiatives or projects before they are carried out. In order to achieve this, the EA Act ensures that environmental problems and opportunities associated with the project are considered along with project alternatives, and that potential effects are investigated and mitigated through the planning process prior to implementation and construction. A key component of the EA Act, in addition to requirements for thorough planning, is to ensure that reasonable and meaningful consultation opportunities for members of the public, agencies, other key stakeholders and Indigenous communities are provided throughout the process.

As noted previously, the EA Act requires a ToR to be prepared and approved by MECP prior to undertaking the EA. The ToR sets the framework for how the EA will be undertaken and prepared and provides overall direction for the EA. The SCRF Landfill Expansion EA ToR (approved November 2017) outlines the considerations required in the EA, as well as Proponent commitments and the overall framework to be followed. Appendix D of this EA Report details how the EA has fulfilled the requirements listed in the approved ToR. The EA was prepared in accordance with the requirements set out in the approved ToR and the EA Act, including:

- A description of the purpose of the undertaking;
- A description of the undertaking based on the consideration of alternative methods and detailed impact assessment;
- The rationale for the proposed undertaking;
• A description of the environment potentially affected by the undertaking;
• An assessment of the alternative methods of carrying out the undertaking;
• A description of the effects that will be caused or that might reasonably be expected to be caused on the environment by the undertaking or the alternative methods;
• A description of mitigation measures that are necessary to prevent or reduce significant adverse effects on the environment including a discussion of the undertaking and its effects on climate change;
• An evaluation of the advantages and disadvantages to the environment as a result of the undertaking and the alternative methods;
• An assessment of the cumulative effects; and,
• A description of consultation undertaken by Terrapure in association with the EA.

2.3 Canadian Environmental Assessment Act 2012

While the proposed undertaking is subject to the requirements of the EA Act, the Canadian Environmental Assessment Act, 2012 (CEAA 2012) does not apply. The proposed undertaking is not on the list of Activities subject to CEAA 2012 described in the Regulations Designating Physical Activities under CEAA 2012.

2.4 Organization of the EA Report

The EA Report is composed of the following sections, appendices, and supporting documents for addressing the requirements set out in the approved amended ToR and is organized according to the MECP’s Preparing and Reviewing Environmental Assessments in Ontario Codes of Practice.

EA Sections

Section 1.0 - Introduction and Background

This section provides an introduction to and background information regarding the EA and the Proponent, Terrapure.

Section 2.0 - Overview of the Environmental Assessment Process and Study Organization

This section provides an overview of the EA Process and Study Organization, and describes the process used to carry out the EA, as well as outlining EA Act requirements and an overview of the EA Report.

Section 3.0 - Overview of the Undertaking

This section provides an overview of the Undertaking, identifies the purpose of and rationale for the Undertaking, and identifies the Preferred Alternative to the Undertaking.

Section 4.0 - Description of the Environmental Potentially Affected by the Undertaking

This section describes potential effects to the environment resulting from the Undertaking and details existing environmental conditions within the Study Area.
Section 5.0 - Alternative Methods of Carrying out the Undertaking

This section describes the Alternative Methods of Carrying Out the Undertaking (six expansion alternatives); describes the potential environmental effects, recommended mitigation measures, and resultant net environmental effects associated with the Alternative Methods; and summarizes the comparative evaluation processes leading to the identification of a Recommended Alternative Method.

Section 6.0 - Detailed Impact Assessment of the Undertaking

This section provides a detailed description of the Undertaking (Preferred Landfill Footprint) and presents an impact assessment of the Undertaking.

Section 7.0 - Public and Agency Consultation

This section summarizes the consultation process carried out as part of the EA.

Section 8.0 - Commitments and Monitoring of the Undertaking

This section describes the commitments, monitoring strategy, and schedule for the Preferred Undertaking.

Section 9.0 - Approvals and Agreements Required for the Undertaking

This section outlines the anticipated approvals required for implementing the Preferred Undertaking following EA Act approval.

Section 10.0 - Amending the EA

This section details the process for carrying out potential amendments to the EA.

Appendices

Appendix A – Glossary of Terms
Appendix B – ECA No. A181008
Appendix C – Approved Amended Terms of Reference
Appendix D – Terms of Reference Commitments Table
Appendix E – Existing Conditions Reports
Appendix F – Conceptual Design Report
Appendix G – List of Studies and Reports
Appendix H – Alternative Methods Report
Appendix I – Facility Characteristics Report
Appendix J – Detailed Impact Assessment Reports

Supporting Documents

Supporting Document No. 1 – Record of Consultation
Table 2.1 identifies where each of the *EA Act* requirements are addressed in the EA Report and its appendices.

<table>
<thead>
<tr>
<th>EA Act Requirements</th>
<th>Section/Document where Requirement is Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A description of the purpose of the Undertaking</td>
<td>Section 3.0 &amp; Appendix C</td>
</tr>
<tr>
<td>A description of and a statement of the rationale for (i) the Undertaking</td>
<td>Section 3.0 &amp; Appendix C</td>
</tr>
<tr>
<td>A description of and a statement of the rationale for (ii) alternative methods of carrying out the Undertaking</td>
<td>Section 5.0, Appendix C, &amp; Appendix H</td>
</tr>
<tr>
<td>A description of and a statement of the rationale for (iii) the alternatives to the Undertaking</td>
<td>Section 3.0 &amp; Appendix C</td>
</tr>
<tr>
<td>A description of (i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly, by the undertaking, the alternative methods of carrying out the Undertaking and the alternatives to the Undertaking</td>
<td>Section 4.0, Section 5.0, Appendix C, &amp; Appendix F</td>
</tr>
<tr>
<td>A description of (ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, by the Undertaking, the alternative methods of carrying out the Undertaking</td>
<td>Section 5.0, Section 6.0 &amp; Appendix H</td>
</tr>
<tr>
<td>A description of (iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the Undertaking, the alternative methods of carrying out the Undertaking</td>
<td>Section 5.0, Section 6.0 &amp; Appendix H</td>
</tr>
<tr>
<td>An evaluation of the advantages and disadvantages to the environment of the Preferred Undertaking</td>
<td>Section 6.0 &amp; Appendix I</td>
</tr>
<tr>
<td>A description of any consultation about the Undertaking by the Proponent and results of the consultation</td>
<td>Section 7.0 &amp; Supporting Document No. 1</td>
</tr>
</tbody>
</table>
Table of Contents

3. Purpose of and Rationale for the Undertaking
   3.1 Description of the Undertaking ................................................................. 1
   3.2 Purpose of the Undertaking ......................................................................... 1
      3.2.1 Purpose / Opportunity Statement ....................................................... 1
   3.3 Rationale for the Undertaking ................................................................. 2
      3.3.1 Waste Management Framework in Ontario ....................................... 2
      3.3.2 Industrial Waste Diversion Rate & Disposal Capacity ....................... 2
      3.3.3 Historic Waste Volumes Received at the SCRF ................................. 3
      3.3.4 Market & Local Business Considerations ......................................... 3
      3.3.5 Environmental Solution ................................................................... 5
   3.4 Predetermined Alternative To the Undertaking ......................................... 5
   3.5 Benefits of the Undertaking ................................................................. 6
3. Purpose of and Rationale for the Undertaking

As committed to in the MECP approved Amended ToR for the SCRF EA, Terrapure has reviewed and confirmed the purpose of and rationale for the proposed Undertaking as part of the EA process.

3.1 Description of the Undertaking

The Undertaking proposed by Terrapure is an expansion of the existing Terrapure owned SCRF to increase the approved capacity for post-diversion, solid non-hazardous industrial residual material generated predominantly within the H&GTA by 3,680,000 m$^3$. The proposed undertaking will not change the type (post-diversion, solid non-hazardous industrial residual material) or annual volume (750,000 tonnes per year) of residual material currently accepted at the Facility, nor the maximum number of vehicles to the Site per day (250 per day). The expansion will incorporate technology and processes as set out in Ontario Regulation (O. Reg.) 232/98 Landfill Standards to ensure safety and efficiency, including a double-liner design, leachate collection systems, and monitoring to ensure long-term protection of air, groundwater, and surface water.

3.2 Purpose of the Undertaking

The purpose of the Undertaking is to take advantage of the economic opportunity for capturing post-diversion solid, non-hazardous industrial residual materials by increasing it approved capacity for this material by 3,680,000 m$^3$. Given that there is a continued strong market demand for residual disposal capacity for the foreseeable future, Terrapure is proposing to increase the capacity at the SCRF to allow Terrapure to continue operating their solid waste management business in Ontario and provide continued service to the Hamilton & Greater Toronto Area (H&GTA) market for local and regional customers.

The business opportunity was determined based on the following factors:

- Current waste management policies and initiatives in Ontario;
- Historic volumes of material received at the SCRF;
- Current industrial waste diversion rate and disposal capacity in Ontario;
- Market and local business considerations;
- Minimizing environmental impacts by offering a modern, engineered landfill as a local solution for waste disposal (rather than exporting).

3.2.1 Purpose / Opportunity Statement

The purpose of the undertaking is to increase the approved capacity of the SCRF by 3,680,000 m$^3$ so that Terrapure can continue to receive post diversion solid, non-hazardous industrial residual material generated predominantly within the H&GTA.

Based on the current economics and market dynamics for industrial fill, the original market demand is significantly less than what was forecasted. As per the business case established by Terrapure, given that there is a continued strong market demand for residual disposal capacity for the foreseeable future, Terrapure wants to take advantage of the economic opportunity for capturing
post-diversion solid, non-hazardous industrial residual materials by increasing its approved capacity for this material by 3,680,000 m³. The proposed undertaking will allow the facility to maintain its standing as a regional facility and provide continued service to the H&GTA market for local and regional customers.

### 3.3 Rationale for the Undertaking

#### 3.3.1 Waste Management Framework in Ontario

Recently, the Ontario Government introduced the Waste-Free Ontario Act (WFOA), 2016 and its accompanying “Strategy for a Waste-Free Ontario: Building the Circular Economy” (Strategy). The WFOA and accompanying Strategy establish a framework for fundamental changes with regards to responsibility for the management of resources. It seeks to alter the current linear pattern of production, consumption and disposal towards circularity. By doing so, economic growth and prosperity is reconciled with environmental outcomes. However, as the Strategy outlines, while Ontario works towards its aspirational goal of "zero waste", there will still be a need for landfill space in the interim. The Strategy forecasts the need for approximately 16 new or expanded landfills required by 2050, based on current waste generation rates. As a result, the following commitment was made under Action #7 of the Strategy: Ensure landfills are well planned and managed to minimize their need to reduce greenhouse gas (GHG) emissions.

Based on the above, increasing the capacity of an existing modern, well-managed, state of the art non-hazardous solid waste landfill site, such as SCRF, would ensure that a new landfill would not be required while the Province is working towards implementing the policies to get Ontario on track to be waste free. As the majority of the waste received at the SCRF is considered residual waste (i.e., remaining material once recovery/recycling options have been exhausted at-source), the expansion of the SCRF further supports the Strategy’s action to divert more waste from disposal. In addition, the proposed Undertaking supports the provincial government’s desire to ensure that while the Province is looking to move to become "waste free", disposal capacity is maintained in Ontario, to ensure the waste that is generated within the Province, is managed in the Province. The Strategy also calls for focusing on expanding existing facilities that are already permitted, well-designed, and environmentally-secure.

This expansion would allow Terrapure to continue to accommodate solid, non-hazardous industrial residual waste disposal from H&GTA and the surrounding area while the Province rolls out the policies and programs within the WFOA over the next several years to work towards a "waste-free" Ontario. Furthermore, the Undertaking aligns with the government’s direction on continuing to require a permitted, well-designed, environmentally-secure facility to manage residual materials, namely through the Strategy for a Waste Free Ontario: Building The Circular Economy.¹

#### 3.3.2 Industrial Waste Diversion Rate & Disposal Capacity

The Statistics Canada Waste Management Industry Survey, produced in 2014, estimated that Ontario produced approximately 11.5 million tonnes of waste, of which approximately 70% was generated by the non-residential or Industrial, Commercial and Institutional (IC&I) sector. Of this total, approximately half were landfilled in Ontario, with a quarter landfilled in other jurisdictions (i.e., across the border to Michigan or New York), and another quarter diverted from landfill

---

¹ Strategy for Waste Free Ontario and Circular Economy, Page 27
(e.g., through recycling, composting, etc.). While IC&I waste makes up approximately 70% of the waste produced in Ontario, approximately only 10% of IC&I sector waste is diverted from landfill at present.

In 2016, the Ontario Waste Management Association (OWMA) published a State of Waste in Ontario: Landfill Report, which provided a breakdown on the amount of waste landfilled in Ontario, as well as the amount of waste exported to other jurisdictions, specifically Michigan and New York State. In 2014, Ontario landfills received a total of 7.7 million tonnes of waste. This includes MSW, industrial waste, hazardous waste, contaminated soil, and additional materials used for daily cover. These numbers do not include the nearly 3.5 million tonnes of waste that is exported annually to the United States. In its last report, Michigan indicated that 2.4 million tonnes of Canadian waste was imported, while New York has consistently imported around 1 million tonnes of waste from Ontario. The OWMA Report calculated Ontario’s existing landfill capacity to be between 11.4 years (if all waste generated in Ontario were to be disposed of in Ontario) to 16.5 years (if 30% of Ontario’s waste continues to be sent to the US for disposal). Recognizing that this represents all types of waste from various sectors, this quantification demonstrates the significant amount of waste generated in Ontario, landfilled in Ontario, and the impacts on landfill capacity of exporting waste to the United States. Further, it reinforces the fact that the amount of landfill capacity remaining in Ontario is decreasing – for all sectors. The expansion sought by Terrapure will address this crucial need and enable capacity to continue to accommodate solid, non-hazardous industrial residual waste disposal and support the transition to a zero waste province.

3.3.3 Historic Waste Volumes Received at the SCRF

As part of the business case established by Terrapure, a review of historical tonnages received at the SCRF was undertaken to understand the amount of post-diversion solid, non-hazardous industrial residual material generated within the approved service area of the SCRF. The SCRF has consistently accepted a high volume of solid, non-hazardous industrial residual material and the amount of this material has generally increased over the last 19 years. Over the last 5 years, the SCRF has accepted approximately 3.5 million tonnes of material, with a yearly average of approximately 700,000 tonnes. Based on the historic tonnages accepted at the SCRF, Terrapure determined that there is a sustainable economic opportunity for the company to continue to provide disposal capacity for post-diversion solid, non-hazardous industrial residual material.

3.3.4 Market & Local Business Considerations

The existing SCRF has been successfully operating since 1996, and wishes to remain an active member of the community through the continued operation of this site. Terrapure recognized an economic opportunity to respond to the growing demands from local customers, particularly those in the H&GTA and allow the company to continue providing waste management services and remain economically competitive in the waste sector in Ontario.

Based on the current economics and market dynamics for industrial fill, the original market demand is significantly less than what was forecasted and the financial viability of the SCRF is therefore negatively affected under the current approvals. As per the business case established by Terrapure, given that there is a continued strong market demand for residual disposal capacity for the foreseeable future, Terrapure wants to take advantage of the economic opportunity for capturing post-diversion solid, non-hazardous industrial residual materials by increasing its approved capacity
for this material by 3,680,000 m³. The proposed Undertaking will allow the Facility to maintain its standing as a regional facility and provide continued service to the H&GTA market for local and regional customers. The additional capacity Terrapure is seeking through this EA is based on current economics and market dynamics, and was established based on a reasonable business-planning scope for the next 10-15 years.

The SCRF plays a critical role in supporting local industry and the local economy with a well-located, environmentally sound disposal outlet for post-diversion industrial residual materials. Nearly 50% of the materials received at the facility come from industrial operations directly located within the City of Hamilton, while more than 93% of the materials received at the SCRF are generated at locations within the H&GTA.

Terrapure intends to continue serving its existing customer base and is responding to the economic opportunity of providing waste management services to address the continued and growing demand from local and regional industries that require a facility that is permitted to manage the residual materials they generate. This is especially true for those businesses and operations within the local Hamilton area. Local businesses, such as the steel industry and local infrastructure projects, rely on the SCRF to provide a safe and environmentally sound disposal facility. This in turn supports the growth of the local Hamilton economy, as well as portions of the GTA. To demonstrate the types of projects that the SCRF supports, a list of recent projects is provided as follows:

- Pan-am Aquatics Centre 2013
- McMaster Children’s Hospital Expansion 2014/2015
- St. Joseph’s Healthcare Centre 2014/2015
- James Street CN/GO Station/Metrolinx 2014/2015
- CN Centennial Parkway 2014/2015
- Stoney Creek Dairy (future site of retirement home) 2014
- Good Shepherd Centre 2015
- Upper James Road Remediation 2013
- Joseph Brant Hospital Expansion (Burlington) 2015-2016
- Burlington Bay James N. Allan Skyway Bridge refurbishing 2013-ongoing

In addition to the recent key projects, there are a number of future projects that Terrapure is aware of within the Hamilton area that are expected to occur within the next 3-5 years, including redevelopment of key areas of the City (i.e., Pier 7 & 8, other sites along Hamilton Harbour, etc.) that will require a facility that can manage residual materials.

If local SCRF customers had to transport residual waste to alternative landfill sites the increase in disposal costs is estimated to range from $4.8 million to $17.5 million per year. In present value terms, these higher costs range from about $28 million to $100 million over the course of the proposed additional residual capacity lifespan of the SCRF under the proposed Undertaking. The economic impacts of these increased costs are considerable, as four principal sectors of the Ontario economy would be affected – non-residential construction, waste management and remediation services, steel manufacturers, and petroleum refining operations.
The proposed Undertaking will allow Terrapure to continue to provide its existing regional customer base (i.e., local industrial clients, major public infrastructure undertakings within the H&GTA) with a local, reliable, secure and cost effective disposal option for post-diversion, solid non-hazardous industrial residual materials.

3.3.5 Environmental Solution

Terrapure believes that providing a local disposal option for post-diversion, solid non-hazardous industrial residual materials generated locally is an environmentally responsible practice and wishes to continue to provide this service. The proposed Undertaking will minimize the environmental impacts of GHG emissions through a reduction in the number of waste related trucks hauling material over longer distances.

3.4 Predetermined Alternative To the Undertaking

Given that Terrapure is successfully operating the Site and wishes to continue the business opportunity at this Site, the establishment of a new landfill site or an alternative form of waste disposal facility (e.g., a new landfill site or a thermal treatment facility) elsewhere are not feasible options. As a result, the expansion of the capacity of the existing Site is the only practical, environmentally sound, and financially feasible means of addressing Terrapure's solid, non-hazardous waste disposal business opportunity for the foreseeable future (approximately 10-15 years).

Factors influential to the Proponent's business opportunity (i.e., geography, financial constraints, and a need for local, cost-effective, solid, non-hazardous waste disposal capacity) demonstrate that an EA undertaken in accordance with Section 6.(2)(c) of the *EA Act* is justified and appropriate in this case.

Terrapure examined different ways of meeting this economic opportunity and formally assessed “Alternatives To” the proposed Undertaking. During the ToR phase, Terrapure established a business plan where four potential options (Alternatives To) were developed and reviewed. However, as a private sector Proponent with a current facility (i.e., the SCRF), there are a limited number of reasonable ways of approaching or dealing with the opportunity of providing additional disposal capacity. These would typically include the establishment of a new facility or expanding the capacity of an existing facility, such as the SCRF. Expansion of the existing facility is the most reasonable solution to addressing the economic opportunity because:

- The SCRF is the only residual waste disposal facility that Terrapure owns and operates in Ontario.
- Terrapure does not own any other properties that would be suitable for a new facility that could accept post-diversion solid, non-hazardous industrial residual material.
- It would not be economically cost effective to buy additional properties and develop a new facility that could accept post-diversion solid, non-hazardous industrial residual material.
- The existing SCRF has waste management infrastructure in place that can be utilized and expanded.

Accordingly, it is generally accepted that the most reasonable way of approaching this opportunity of providing increased disposal capacity by a private sector proponent with an existing, permitted...
and operational facility, would be to look at the various ways in which capacity can be increased at
an existing site.

Terrapure is a privately owned and operated company, conducting business in the Province of
Ontario. As such, the question as to whether there is a need for the services that Terrapure
provides is largely based on business decisions. Similarly, the question as to how the company
provides these services within the given regulatory framework is a Terrapure business decision. For
example, an influential consideration related to the proposed undertaking that Terrapure has
recently encountered is a stronger and more consistent market for residual material than for
industrial fill.

There is an economic opportunity associated with the ability of the existing SCRF to accept
additional post-diversion solid, non-hazardous industrial residual material. This opportunity is based,
in part, on an internal business case for adding disposal capacity at the existing SCRF, which
included a review of historic industrial waste generation in Ontario. This analysis determined there
will be a continued demand for disposal capacity for this type of waste, and that the demand will
significantly exceed the disposal capacity needed for industrial fill and soils, particularly as the
Province moves forward with its updated Excess Soil Management Policy and subsequent
regulatory updates to promote reuse of excess soils.

Based on the opportunity for expansion that has prompted the initiation of the EA process and the
fact that Terrapure is a private sector Proponent, as stated above there are a limited number of
reasonable ways in which the economic opportunity can be addressed; and, the most reasonable
way of addressing the opportunity is to examine the various ways in which capacity can be added at
the existing SCRF.

Discussion on the business plan and economic opportunity (Purpose of the Undertaking), as well as
what options (Alternatives To) Terrapure considered, was prepared within the context of Terrapure
operating the SCRF as a private facility within the Province of Ontario and is highlighted in
Supporting Document #1 to the Approved Amended ToR (also found in Appendix C to this EA
Report).

3.5 Benefits of the Undertaking

As described above, the proposed Undertaking will allow Terrapure to continue to provide local
solutions to address in province waste management needs in an environmentally responsible and
financially sound manner, and provides secure waste management infrastructure for the existing
customer base.

The main benefits of the proposed Undertaking are as follows:

- A reliable, secure and environmental sound disposal option for post-diversion, solid non-
  hazardous industrial residual material;
- A new landfill facility for this type of material will not need to be established;
- Less of this type of waste will be exported to landfills in the other jurisdictions (other Provinces
  or to the United States);
• Material brought to the SCRF from the predominant customer base (H&GTA) will prevent additional transportation costs and GHG emissions associated with customers hauling lengthier distances;

• Continued generation of significant economic activity in the City of Hamilton;

• The proposed Undertaking aligns with the government’s direction on continuing to require a permitted, well-designed, environmentally-secure facility to manage residual materials as the province transitions to a circular economy.
Table of Contents

4. Description of the Environmental Potentially Affected by the Undertaking ........................................... 1
   4.1 Environmental Components ........................................................................................................ 1
   4.2 Study Areas .................................................................................................................................. 1
   4.3 Existing Conditions ....................................................................................................................... 4
      4.3.1 Natural Environment ........................................................................................................ 4
      4.3.2 Built Environment ......................................................................................................... 60
      4.3.3 Social Environment ..................................................................................................... 97
      4.3.4 Economic Environment ........................................................................................ 119
      4.3.5 Cultural Environment .................................................................................................. 119
      4.3.6 Design and Operations .................................................................................................. 120

Figure Index

Figure 4.1 Study Areas ........................................................................................................................... 3
Figure 4.2 Overburden Geology of the Local Study Area ........................................................................ 6
Figure 4.3 Bedrock Topographic Elevation of the Study Areas ................................................................ 8
Figure 4.4 Cross-section - Geologic Sequence and Groundwater Control Features ................................. 10
Figure 4.5 Intake Protection Zones .................................................................................................... 13
Figure 4.6 Site Plan and Monitoring Network ..................................................................................... 17
Figure 4.7 Surface Water Monitoring Locations .................................................................................. 25
Figure 4.8 Physiography ....................................................................................................................... 30
Figure 4.9 Significant Natural Features ................................................................................................ 32
Figure 4.10 Ecological Land Classification – Local Study Area ............................................................. 35
Figure 4.11 Ecological Land Classification - Primary Habitat Types .................................................... 39
Figure 4.12 Species at Risk ................................................................................................................... 40
Figure 4.13 On-Site Wind Class Frequency Distribution (2012 – 2016) .................................................. 42
Figure 4.14 On-Site Wind Rose (2012 – 2016)..................................................................................... 43
Figure 4.15 MECP Wind Class Frequency Distribution (1996 – 2000) ................................................... 45
Figure 4.16 MECP Wind Rose (1996 – 2000) .................................................................................... 46
Figure 4.17 Noise Receptor Assessment .............................................................................................. 57
Figure 4.18 Noise Measurement Receptors – Aerial Overview .............................................................. 58
Figure 4.19 Official Plan Mapping – Nash Neighbourhood Secondary Plans ........................................ 62
Figure 4.20 Site Study Area Zoning Map ............................................................................................. 65
Figure 4.21 Historical Residential Development Activity ...................................................................... 67
Figure 4.22 Land Uses within 500 m .................................................................................................... 73
Figure 4.23 OMAFRA Soil Classifications ............................................................................................. 78
Figure 4.24 Secondary Plans within the Local Study Area ................................................................. 80
Figure 4.25 West Mountain Area (Heritage Green) Secondary Plan .................................................... 81
Figure 4.26 Old Town Secondary Plan ............................................................................................... 82
Figure 4.27 Rural Hamilton Official Plan Land Uses .......................................................... 89
Figure 4.28 Zoning within 500 m of the Site Study Area – City of Hamilton Interactive Zoning Map. 91
Figure 4.29 Hamilton Zoning Index Map 'H' .................................................................. 92
Figure 4.30 Rural Zoning Map 150 .................................................................................. 93
Figure 4.31 Rural Zoning Map 151 .................................................................................. 94
Figure 4.32 Rural Zoning Map 156 .................................................................................. 95
Figure 4.33 Traffic Local Study Area .............................................................................. 99
Figure 4.34 Existing Traffic Volumes .............................................................................. 101
Figure 4.35 Local Study Area Photo Log Locations ...................................................... 107
Figure 4.36 Agricultural Photo Locations ...................................................................... 117
Figure 4.37 Approved Landfill Footprint ...................................................................... 121

**Table Index**

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 4.1</td>
<td>Groundwater Flow Zones</td>
<td>9</td>
</tr>
<tr>
<td>Table 4.2</td>
<td>Secondary Source Information Reviewed</td>
<td>27</td>
</tr>
<tr>
<td>Table 4.3</td>
<td>Weather Conditions During Breeding Bird Surveys</td>
<td>28</td>
</tr>
<tr>
<td>Table 4.4</td>
<td>Monitoring Station Information</td>
<td>47</td>
</tr>
<tr>
<td>Table 4.5</td>
<td>Regional PM$_{2.5}$ Monitoring Data (2012 – 2016)</td>
<td>50</td>
</tr>
<tr>
<td>Table 4.6</td>
<td>On-Site PM$_{10}$ Monitoring Data (2012 – 2016)</td>
<td>50</td>
</tr>
<tr>
<td>Table 4.7</td>
<td>Regional PM$_{10}$ Monitoring Data (2012 – 2016)</td>
<td>51</td>
</tr>
<tr>
<td>Table 4.8</td>
<td>Regional SPM Monitoring Data (2012 – 2016)</td>
<td>51</td>
</tr>
<tr>
<td>Table 4.9</td>
<td>Current Landfill Gas Monitoring Program at the SCRF</td>
<td>53</td>
</tr>
<tr>
<td>Table 4.10</td>
<td>Complaint Records by Type</td>
<td>54</td>
</tr>
<tr>
<td>Table 4.11</td>
<td>Stoney Creek Secondary Plans – Nash Neighbourhood Secondary Plan (Site Study Area)</td>
<td>64</td>
</tr>
<tr>
<td>Table 4.12</td>
<td>Residential Development Activity – Registered Plans of Subdivision &amp; Registered Plans of Condominium</td>
<td>68</td>
</tr>
<tr>
<td>Table 4.13</td>
<td>Stoney Creek Secondary Plans – Inventory of Existing Land Use Designations</td>
<td>83</td>
</tr>
<tr>
<td>Table 4.14</td>
<td>Stoney Creek Secondary Plans – Designation Descriptions and Restrictions</td>
<td>84</td>
</tr>
<tr>
<td>Table 4.15</td>
<td>Local Study Area – Existing Zoning Designations</td>
<td>96</td>
</tr>
<tr>
<td>Table 4.16</td>
<td>Existing Conditions Capacity Analysis</td>
<td>103</td>
</tr>
</tbody>
</table>
4. **Description of the Environmental Potentially Affected by the Undertaking**

The approved ToR for this EA included a preliminary description of the existing environmental conditions at the SCRF (Section 6.0 of the approved ToR, November 2017). A commitment was made in the ToR that a more detailed description of the existing environment would be provided in the EA. This section of the EA Report provides an overview of the existing environmental conditions associated with the Study Areas for the SCRF Landfill Expansion EA. Individual discipline Existing Condition Reports are provided in Appendix E. A complete list of all the studies conducted for the SCRF EA is provided in Appendix G.

4.1 **Environmental Components**

The environment, as defined by the EA Act, includes the natural, cultural, social, economic, and built environments, specifically:

i. air, land or water,

ii. plant and animal life, including human life,

iii. social, economic and cultural conditions that influence the life of humans or a community,

iv. any building, structure, machine or other device or thing made by humans,

v. any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities, or

vi. any part or combination of the foregoing and the interrelationships between any two or more of them, in or of Ontario.

4.2 **Study Areas**

As outlined in the approved ToR, a preliminary study area was established, which extends 1.5 kilometers (km) from the four roads that border the existing SCRF (i.e., The preliminary study area for the SCRF EA (i.e., Upper Centennial Parkway to the east, Mud Street West to the south, First Road West to the west, and Green Mountain Road West to the north) (Figure 4.1). The preliminary study area was defined based on the following:

- The range of Alternative Methods that will be considered as part of preparing the SCRF EA (all of the Alternative Methods are situated within the confines of the four roads surrounding the existing SCRF).
- The study area identified as part of 1996 Taro East Quarry EA, which was 1500 m (or 1.5 km) from the proposed Taro East Quarry (now known as the SCRF).
- The data from monitoring the existing SCRF for the past 20 years, which demonstrates compliance with the approved ECA for the Facility and limited potential for and extent of off-Site adverse environmental effects.

As part of the Approved ToR, a commitment was made that the preliminary study area would be reviewed, modified (as required) and finalized during preparation of the SCRF EA. Each technical
Discipline has completed a review of the preliminary study area relative to their specific environmental components. The preliminary study area serves as a starting point for technical disciplines and where the study area has been modified, a rationale for the change has been provided. Further, all technical disciplines characterized the environment for their specific components based on a Site Study Area, as well as the larger Local Study Area (see Figure 4.1). This allowed for more a more focused description of the environment for potential effects on-site, as well as those potential effects that may occur outside of the on-site operations. The Site Study area and the Local Study area are generally defined as:

- **Site Study Area**, including all lands within the existing, approved boundaries of the SCRF, as defined by ECA No. A181008, as amended. The site retains an additional 18 ha for industrial fill area, as well as an additional 15 ha (approx.) of buffer zone; and

- **Local Study Area**, including all lands within a 1.5 km radius of the Site Study Area boundaries.

Further descriptions on the Study Areas are provided for each technical discipline and, where modified to suit the requirements of individual environmental components, a rationale for the alteration is provided.
Figure 4.1 Study Areas
4.3 Existing Conditions

A description of the environment within the Study Areas addressing all components of the EA Act definition of the environment is provided in the following sections.

4.3.1 Natural Environment

4.3.1.1 Geology & Hydrogeology

For Geology and Hydrogeology components, both the Site Study Area and the Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the natural environment as a result of the proposed undertaking. The Local Study Area represents a likely potential zone of influence with respect to potential groundwater impacts from the existing facility or its proposed expansion. Information on the Geology and Hydrogeology existing conditions within the Study Areas was gathered from a combination of secondary source research and Site-specific reports including:


The existing SCRF is located within fractured bedrock of the Niagara Escarpment in a former quarry. The closed Terrapure landfill, historically referred to as the "West Landfill" (closed landfill), located to the west of the SCRF (across 1st Road West), is also located within a former quarry. The SCRF and closed landfill are underlain by a sequence of shale and dolostone of the Lockport and Clinton formations.

Site Geology

A review of Quaternary geology mapping indicates that overburden geology in the Local Study Area is primarily comprised of glaciolacustrine deposits consisting of silt and clay with minor amounts of
sand, and silt to silty clay of the Halton Till closer to the escarpment. Beyond the Site Study Area, but within the Local Study Area, the overburden ranges in thickness, from 0.0 m where bedrock is exposed, to as much as 12.3 m where man-made materials have been deposited. The overburden geology of the Local Study Area is illustrated on Figure 4.2.
Figure 4.2 Overburden Geology of the Local Study Area
The prominent geologic feature in the Local Study Area is the Niagara Escarpment, located approximately 800 m to the north of the Site Study Area. This escarpment is approximately 80 m in height in the Local Study Area, and is illustrated by the apparent change in bedrock topographic elevation illustrated on Figure 4.3.
Figure 4.3 Bedrock Topographic Elevation of the Study Areas
An additional notable geologic feature within the Site Study Area is a small escarpment known as the Eramosa Scarp, located along the northern extent of both the SCRF and closed landfill. The Eramosa Scarp was formed by the removal of some rock units at the surface during glacial advancement. Subsequent glacial activity has resulted in burial of the Eramosa Scarp beneath a veneer of overburden.

**Site Hydrogeology**

Previous investigations have identified five distinct bedrock groundwater flow zones within the Local Study Area. The following table summarizes these flow zones by name and associated lithologic unit.

<table>
<thead>
<tr>
<th>Flow Zone</th>
<th>Lithology Unit</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eramosa Flow Zone</td>
<td>Eramosa Dolostone</td>
<td>Water table aquifer within uppermost bedrock unit</td>
</tr>
<tr>
<td>Vinemount Flow Zone</td>
<td>Vinemount Shale</td>
<td>Upper 0.5 m of a 5 m thick shale unit is horizontally permeable. This zone represents the Vinemount Flow Zone</td>
</tr>
<tr>
<td>Goat Island Upper Flow Zone</td>
<td>Goat Island Dolostone</td>
<td>1.5 m layer of interbedded dolostone and shale within the upper portion of Goad Island Unit</td>
</tr>
<tr>
<td>Goat Island Mid Flow Zone</td>
<td>Goat Island Dolostone</td>
<td>Later split into Upper Mid and Lower Mid Flow Zones</td>
</tr>
<tr>
<td>Goat Island Lower Flow Zone</td>
<td>Ancaster Chert Beds</td>
<td></td>
</tr>
</tbody>
</table>

The flow zones and their respective lithologic units are also illustrated on Figure 4.4.
Figure 4.4 Cross-section - Geologic Sequence and Groundwater Control Features
The Eramosa Dolostone and Vinemount Shale do not extend to the north of the Eramosa Scarp, as they were eroded by glacial advancement. Where these units do not exist, the water table generally occurs within the overburden, however seasonal fluctuations have historically dropped the water table to within the Goat Island Dolostone during dryer periods.

Beneath the Ancaster Chert Beds lie the Gasport Dolostone and Decew Dolostones. These units are interpreted to be less than 2 m in thickness in the Local Study Area, and do not represent significant groundwater flow zones. A Unit known as the Rochester Shale underlies the Decew Dolostone. Previous studies have determined that the Rochester Shale has a horizontal hydraulic conductivity of less than $10^{-8}$ cm/sec. Vertical hydraulic conductivities have been estimated between $10^{-8}$ and $10^{-10}$ cm/sec. On this basis, the Rochester Shale is interpreted to be an effective aquitard, and represents the bottom of active groundwater flow within the Local Study Area.

Natural groundwater flow direction in these flow zones within the Local Study Area would be to the northwest towards the Niagara Escarpment; however, there are several natural and man-made features that influence the movement of groundwater in the vicinity of the Local Study Area. These features are discussed in detail in the following section. Prior to quarry development and construction of several sub-surface infrastructure projects, groundwater flow was likely consistently northwest in all five flow zones.

In the northern portion of the Local Study Area, closer to the Niagara Escarpment, the rock units are more fractured and interconnected. This interconnecting of units results in a more vertical component of groundwater flow (downward) prior to reaching the Escarpment. As a result, groundwater springs along the Escarpment face are infrequent.

Numerous private water supply wells were historically used within the Local Study Area. Water supply in the Local Study Area is currently obtained through the municipal water distribution system, with no known private water supply wells in use. The long-term environmental monitoring program for the SCRF historically included two private water supply wells as part of the groundwater sampling program; however, these wells are no longer included in the program, and it is suspected that the properties formerly serviced by these private wells are now serviced by municipal water supply. As part of the alternatives assessment, a review of groundwater use within the Local Study Area will be undertaken.

**Source Water Protection**

In 2006, the provincial government made a commitment to the citizens of Ontario by passing the Clean Water Act, which aims to protect municipal drinking water in the province with a multi-barrier approach, starting with Source Water Protection. Within the City of Hamilton, the Halton-Hamilton Source Protection Committee has prepared a Source Water Protection Plan, which outlines potential vulnerable areas, as well as policy to address the potential threats to Source Water.

Source Water Protection Plans identify four vulnerable areas:

- **Wellhead Protection Areas (WHPA)** - Wellhead protection areas are areas on the land around a municipal well, the size of which is determined by how quickly water travels underground to the well, measured in years. The WHPA ranges from WHPA-A to WHPA-D, which represents a travel time between 0 - 25 years.
• **Intake Protection Zones (IPZ)** – Intake protection zones are the area on the water and land surrounding a municipal surface water intake. The size of each zone is determined by how quickly water flows to the intake, in hours.

• **Highly Vulnerable Aquifers (HVA)** – An aquifer is an area underground that is highly saturated with water – enough water that it can be drawn for human use. A highly vulnerable aquifer is one that is particularly susceptible to contamination, because of either its location near the ground’s surface, or because of the type of materials found in the ground around it (for instance, clay versus sand versus fractured rock).

• **Significant Groundwater Recharge Areas (SGRA)** - These are areas on the landscape that are characterized by porous soils, such as sand or gravel, that allow the water to seep easily into the ground and flow to an aquifer. A recharge area is considered significant when it helps maintain the water level in an aquifer that supplies a community with drinking water.

The existing SCRF is not located within a WHPA or an IPZ. The mapping provided by the Source Water Protection Plan for Halton-Hamilton does show portions of the SCRF as HVA and SGRA. In reviewing the Clean Water Act, Table 1 identifies a number of Drinking Water Threats with respect to the establishment, operation, or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act. The Source Water Protection Policies for waste disposal sites apply to sites that are a ‘Significant Threat’, Vulnerability score of 8 to 10. Based on the Halton-Hamilton Source Water Protection Plan, portions of the SCRF are labelled HVA-6.

While mapping shows part of the SCRF falling within the HVA and SGRA, the existing SCRF is a fully engineered and lined facility that ensures groundwater protection. Further, as the area has developed over time, there are few (if any) drinking water sources (i.e., wells) for private use. The majority of the area is serviced by the municipal drinking water system. However, it should be noted that as part of further analysis and evaluation, the HVA and SGRA will be considered as part of the alternative methods evaluation process.

It should be noted that the municipal water supply is derived from an intake located within Lake Ontario. Source Water Protection zone mapping (Figure 4.5) indicates that with the exception of a very small area, the Local Study Area is located outside the limit of the IPZ, which has been based on the interpreted zone of potential groundwater influence on the City of Hamilton’s water intake in Lake Ontario.

---

1 Assessment Report Hamilton Region Source Protection Area, Figure 7-11 (August 5, 2015).
Figure 4.5 Intake Protection Zones
Potential Man-Made Influences on Groundwater Movement

Various construction and infrastructure projects within and in the vicinity of the Local Study Area have influenced local groundwater flow directions and/or gradients. For example, construction of sewers within or below groundwater flow zones can influence groundwater flow by creating preferential pathways for groundwater movement within the granular trench bedding. The following points summarize construction projects that have intersected the groundwater flow zones, and thus affected the movement of groundwater:

- A 2.1 m diameter storm sewer was installed within the median of Mud Street to the south of the landfill during 1994. Construction of this sewer involved removal of portions of the Eramosa Dolostone and the Vinemount Shale.

- Construction of a 42.7 m deep vertical sanitary sewer drop shaft began in 1974, as part of the Upper Stoney Creek subdivision development within the western portion of the Local Study Area. This drop shaft connects the sanitary sewer at the top of the Niagara Escarpment to the sanitary sewer system at the base of the Escarpment. Construction of this vertical shaft involved blasting and excavating through rock, and thus resulted in connection of the various groundwater flow zones in the immediate vicinity of the vertical shaft. A similar vertical shaft was constructed in the vicinity of Green Mountain Road West and Highway 20 between 2011 and 2012. A trunk sanitary sewer line construction trench which parallels Davis Creek penetrates the bedrock below the creek, and acts as an interceptor drain for groundwater flow where the trench intersects active flow zones. The trunk sanitary sewer was constructed during widening of Mud Street in 1994.

- The Centennial Parkway Trunk Sanitary Sewer (CPTSS) extension consists of a 2,550 mm diameter tunnel bored into the base of the Niagara Escarpment, roughly following the alignment of Highway 20. The 2.55 km tunnel is connected via a series of vertical shafts to the portion of the trunk sewer extension that runs along Upper Centennial Parkway to the east of the Site, towards the Town of Binbrook. Dewatering of the tunnel boring for the trunk sewer has been ongoing through construction, and the effects of this dewatering have been evident in water level monitoring within the Local Study Area. Phase One of the extension to the CPTSS began in September 2010.

- A former quarry dewatering sump referred to as the South Sump was excavated into the Vinemount Shale within the footprint of the SCRF in approximately 1990. The South Sump has been operating during construction of four of the landfill cells, in order to keep conditions dry for construction. This sump is connected to a series of granular trenches constructed for the purpose of expanding groundwater collection below the SCRF liner system. It should be noted that this construction took place early on in the life of the Site.

- A lower quarry excavation located within the footprint of the SCRF was completed into the Goat Island Dolostone for aggregate production in the early 1980s. The eastern portion of this excavation included a 9 m deep dewatering sump. At the completion of quarrying this lower portion, the excavation was backfilled with rubble and capped with a 3 m thick clay plug in 1991. The clay plug was placed at the elevation of the Vinemount Shale. Despite placement of a clay plug, the perimeter of the excavation represents a vertical connection between the Upper and Lower Flow Zones. A pumping well (M4) was installed below the clay plug in 1993, in order to use the highly permeable lower excavation as a source of groundwater capture.
• A series of Containment Wells are operated along the northern limit of the closed landfill for the purpose of groundwater collection. Operation of these wells affects groundwater flow.

• A Perimeter Drain was installed in 2001 and 2002 between the closed landfill and the operating SCRF for the purpose of mitigating the movement of impacted groundwater from the closed landfill to the operating SCRF. Eastward movement of groundwater from the closed landfill to the operating SCRF is the result of active groundwater pumping at the South Sump and pumping well M4. The Perimeter Drain system includes groundwater collection trenches and a grout curtain installed to reduce movement of groundwater in the Vinemount and Upper Flow Zones.

**Closed Site – West of SCRF**

Previous investigations undertaken within the Site Study Area identified groundwater impacts related to the closed landfill to the west of the existing SCRF. The impacts are the result of infiltrated rainwater coming into direct contact with buried waste within the un-engineered landfill cells. No impacts to groundwater from the SCRF are evident, as the SCRF is fully lined and under-drained. Historically, impacts from the closed Site have been primarily noted within the Eramosa, Vinemount, Upper and Mid Flow Zones. In response to the identified impacts, several groundwater remediation strategies have been implemented. The principal groundwater remediation strategy is through active leachate or groundwater extraction and control in the areas of identified impact. The following points summarize the groundwater remediation systems currently in place at the closed landfill.

• A series of Containment Wells are located along the northern boundary of the closed landfill. The locations of these wells correspond largely with the presence of the buried Eramosa Scarp. A total of seven Containment Wells have been installed and historically operated with groundwater pumped and discharged to the sanitary sewer system. With implementation of the Shatter Trench system (described below) and progressive closure of the closed landfill, decreases in available drawdown have been observed at the Containment Wells. These effects, combined with decreased performance due to mineral precipitation, have reduced the active network from 7 to 2 wells, as of 2017. Currently, only CW3 and CW16 continue to actively pump.

• A horizontal collection pipe runs along the western boundary of the closed landfill. This collection pipe was installed in 1994, and is intended to control the westward migration of impacted groundwater.

• A groundwater collection trench and grout curtain was constructed between the closed landfill and operating SCRF, for the purpose of reducing migration of impacted water from the closed landfill to the east.

• Operation of pumping well M4 is located within the lower excavation to the north of the operating SCRF. Operation of this pumping well controls groundwater impacts within the Upper and Mid Flow Zones.

• Operation of pumping well L1 near the west side of the closed landfill. L1 was installed in 1995, and has been in continuous operation since, with the exception of interruptions for maintenance, etc. L1 draws water from the Lower Flow zone.
• Operation of pumping wells within a Shatter Trench located to the north of the closed landfill. The Shatter Trench pumping wells remove groundwater from the Upper Flow Zone and the Upper-Mid Flow Zone. Currently, two pumping wells actively remove groundwater from the Shatter Trench (M5A, M5R). During 2016, decreased performance of the Shatter Trench pumping wells was observed in part due to decreased static water levels in the UFZ and the Upper-Mid Flow Zone, from the operation of M4 and the extensive dewatering conducted for the Centennial Parkway Trunk Sewer Extension.

The locations of these measures are presented in profile on Figure 4.4 (where possible) and in plan view on Figure 4.6 (where possible).
Figure 4.6 Site Plan and Monitoring Network
The results of the monitoring program for the closed landfill to the west of the SCRF has demonstrated that operation of the groundwater remediation systems has been effective at collecting and controlling impacted groundwater at the closed Site. As is discussed in Section 4.4, decreases in the effectiveness of the groundwater remediation systems were noted between 2009 and 2011. The decrease in effectiveness was due to deterioration of pumping rates, primarily at the Shatter Trench pumping wells, the M4 pumping well and the L1 pumping well. In 2014, M4 was inspected and performance tested, and underwent extensive rehabilitation and was re-equipped with a new pump and controller to allow a constant pumping level to be maintained. In 2015, L1, CW3, CW16, M5A, and M5R were inspected and performance tested. L1 was extensively redeveloped and, as a result, the specific capacity was significantly improved and production increased significantly in 2016. The other containment wells were also rehabilitated in 2016.

Improvements to the systems effectiveness were implemented as of 2012 through a well rehabilitation program, and improvements in groundwater quality following rehabilitation efforts have been observed through the closed landfill and SCRF groundwater monitoring programs.

As mentioned above, significant decreases in the available drawdown within the Shatter Trench Wells were observed in 2015 and 2016. These decreases are attributed to an observed lowering of the water table locally. The lowering of the water table is interpreted to be the result of improved groundwater extraction at M4 and the effects of extensive dewatering conducted in the eastern portion of the Local Study Area for the Centennial Parkway Trunk Sewer Extension.

Groundwater Flow

The regional groundwater flow system within the Local Study Area is generally characterized by groundwater movement from the southeast to the northwest towards the Niagara Escarpment. However, due to the various influences on groundwater movement in the Local Study Area, groundwater flow is complex. The following description is taken from the 2014-2016 Annual Reports for the closed landfill, and provides a conceptual description of the movement of groundwater through the Local Study Area.

“Shallow groundwater flow in the Local Study Area occurs largely in the uppermost bedrock unit (Eramosa Dolostone). Groundwater flow in the area of the closed landfill flows from the south side of the Site Study Area toward the waste footprint and into the Vinemount Flow Zone, continuing on towards the northern portion of the Site Study Area. Some shallow groundwater will be intercepted by the perimeter drain, located between the closed landfill and operating SCRF, and some will be intercepted by the horizontal collector drain, which is located on the west side of the closed landfill. Beyond the northern limit of waste, the majority of this shallow groundwater is captured by pumping systems located along the Eramosa Scarp (Containment Wells and Shatter Trench pumping wells).

In the vicinity of the operating SCRF, shallow groundwater enters from the south within the Eramosa Dolostone. The majority of the shallow groundwater is intercepted by the groundwater collection trenches located in the southern portion of the operating Site. From these trenches, groundwater is directed to the Groundwater Pumping Station, where it is pumped to the sanitary sewer system.”

Groundwater flow in the deeper bedrock flow zones within the Site Study Area is largely affected by the groundwater remediation systems currently in operation, with influences from infrastructure
being apparent (e.g., vertical sewer shaft at Green Mountain West and Highway 20, Centennial Parkway Trunk Sewer Extension). The dominant horizontal hydraulic gradients in the lower flow zones indicate an overall groundwater flow direction from east to west, or towards Davis Creek and the Niagara Escarpment. As groundwater in each flow zone approaches the Niagara Escarpment, where vertical and horizontal fracturing is more frequent, groundwater moves downward as much as it moves horizontally. This pattern results in groundwater moving through deeper flow zones prior to reaching the escarpment. Groundwater that flows beyond the escarpment discharges to Lake Ontario.

**Groundwater Quality**

The groundwater monitoring network for the closed landfill and operating SCRF consists of:

- 23 monitoring locations within the closed landfill property
- 15 monitoring locations within the SCRF (operating Site)
- 23 off-property monitoring locations

Leachate was historically characterized through sampling the quarry underdrain, where the collected water discharged to a surface water pond north of the Site. Discharge ceased in 1993, following completion of the connection to the sanitary sewer system. Subsequent leachate characterization has been through sampling of individual leachate monitors. Leachate quality has been characterized as elevated in the following parameters:

- pH (historical range of 11 to 13)
- chloride (historical range of 17 to 35,000 mg/L)
- ammonia (historical range of 3 to 150 mg/L)
- phenols (historical range of 0.049 to 12 mg/L)

Detectable concentrations of various organic compounds including BTEX (benzene, toluene, ethylbenzene and xylenes), PAHs (polycyclic aromatic hydrocarbons), 2,4-dimethylphenol and PCBs (polychlorinated biphenyls) have also been historically detected in leachate samples.

Natural groundwater quality in the flow zones monitored beneath the closed landfill and operating SCRF ranges from generally non-potable shallow groundwater to saline or concentrated brine at depth. The natural poor groundwater quality is the result of the characteristics of the bedrock units and the relatively slow groundwater flow velocity. The Shale and Dolostone formations within the Local Study Area contain readily soluble salts, which result in naturally elevated total dissolved solids. Previous studies have concluded that the degree of groundwater salinity increases with depth.

**Eramosa Flow Zone**

Water quality within the Eramosa Flow Zone is variable spatially and seasonally. In general, landfill-related water quality alterations within this shallow flow zone have been improving during recent monitoring years. Closure of the closed landfill and operation of the leachate and groundwater collection systems has resulted in long-term trends of improving water quality.

Recent Reasonable Use Trigger Assessments of water quality in this flow zone have concluded that none of the wells considered in the assessment are leachate impacted. Very few Trigger Level
exceedances have been noted, and the exceedances noted are attributable to natural water quality variability or other sources (e.g., road salt).

**Vinemount Flow Zone**

An area of impacted groundwater within the Vinemount Flow Zone has been described in annual monitoring reports. This area extends beneath and along the southern boundary of the closed landfill, as well as east to the lower excavation and the former South Sump/Groundwater Pumping Station. A small area of impacted groundwater within the Vinemount Flow Zone is also apparent to the south of the operating SCRF. The distribution of this impacted groundwater within the Vinemount Flow Zone is interpreted to be the result of:

- Leachate circulation that occurred at the closed landfill during 1992-1993
- Ongoing operation of the Groundwater Pumping Station
- The presence of the lower excavation and active pumping at M4, completed within the lower excavation

Annual Reports for the closed landfill have concluded that the remedial systems in operation at the SCRF and closed landfill are generally effective in controlling the observed impacts within the Vinemount Flow Zone. The 2016 Annual Report recommended additional improvements to operation of the remedial systems to enhanced control of groundwater impacts within this flow zone.

**Upper Flow Zone**

A zone of impacted groundwater within the Upper Flow Zone has historically been observed. Leachate recirculation practices carried out in 1992-1993 are suspected to be the primary source of contaminant migration within this unit. Operation of the Containment Well system, the Shatter Trench pumping wells and M4 pumping well has historically resulted in a reduction in the spreading of impacted groundwater within this flow zone. Continued improvements in water quality have been noted within the majority of monitors located within this flow zone.

The southwest corner of the Site continues to show minor impact in the perimeter monitors. In 2014, M4 was rehabilitated, and new pumping equipment was installed in late 2015. These upgrades have made it possible to maintain a constant pumping level close to that of 2007, when historical lows were noted in monitors in this flow zone. In July of 2016, CW3, CW16, M5A and M5R were also rehabilitated, and this work is expected to improve the containment efficiency of the Containment Well system.

**Upper Mid Flow Zone**

As with the Upper Flow Zone, a zone of impacted groundwater is apparent within the Upper Mid Flow Zone. The source of groundwater impacts to this flow zone is interpreted to be leachate recirculation practices undertaken in 1992-1993, as well as connection of this flow zone to shallower flow zones as a result of construction activities (e.g., lower excavation).

Overall improvements in groundwater quality were observed within this flow zone following construction and operation of the various remedial systems in place. However, between 2009 and 2012, decreases in water quality were also observed in various wells completed within the Upper Mid Flow Zone. The changes in water quality are interpreted to be the result of decreasing...
performance of several remedial systems, including the Shatter Trench pumping wells and the M4 pumping well during this period.

Improvements in the operation of the containment systems were implemented between 2012 and 2014, and a corresponding improvement in water quality within Upper Mid Flow Zone monitors has been observed. In addition, improvements to the operation of M4 have been demonstrated through 2016. Once the hydraulic effects of the Centennial Parkway Trunk Sewer Extension have abated, additional improvements in the effectiveness of M4 should be apparent.

**Lower Mid Flow Zone**

A zone of impacted groundwater exists within the Lower Mid Flow Zone, however, the real extent of impacts is smaller than that observed in the Upper Mid Flow Zone. In general, the area extends along the Eramosa Scarp in the vicinity of the closed landfill and extends east to the lower excavation. Previous interpretations have stated that construction of the Shatter Trench resulted in a temporary spread of impacted groundwater into this flow zone.

Active groundwater pumping at Shatter Trench pumping well M5R, and lower excavation pumping well M4 has reduced vertical gradients between the flow zones in these vicinities, and has reduced the spread of impacted groundwater. Pumping well L1, located to the west of the closed landfill also collects groundwater from the Lower Mid Flow Zone and, as such, helps to reduce contaminant migration.

**Lower Flow Zone**

Groundwater quality within the Lower Flow Zone is naturally poor, making interpretation of leachate-related water quality impacts more difficult. The pattern of landfill-related water quality impacts within the Lower Flow Zone is similar to that observed within the Lower Mid Flow Zone, running from the northern portion of the closed landfill in the vicinity of the Eramosa Scarp to the lower excavation.

A zone of impacted water quality within the Lower Flow Zone also exists to the west of the closed landfill. Pumping well L1 draws water from the Lower Flow Zone in this area to control the observed groundwater impacts, however, variable pumping patterns at L1 have been reported. The 2014 Annual Report for the closed landfill recommended that pumping patterns at this well be stabilized, and that the pumping level be set at approximately 178.5 m AMSL, in order to improve the zone of capture of this well. As referenced above, L1 was rehabilitated in 2015 and the pump and controller were replaced in October 2016. Since these works have been undertaken, improvements in performance at L1 have been demonstrated, with the largest total annual water taking from this well since installation occurring during 2016.

Recent improvements to the M4, CW3 and CW16 Containment Wells are expected to significantly improve containment, which will result in continued improvements in Lower Flow Zone water quality. It is expected that the effectiveness of these wells will be further improved once the hydraulic influence of the Centennial Parkway Trunk Sewer Extension project is eliminated.
Niagara Escarpment Seepage Sampling

Based on the results of seepage sampling conducted at various locations along the Niagara Escarpment, the groundwater seepage has not been impacted by historic landfilling activities within at the Site. It should be noted that the majority of seep locations are considered unsafe for sampling and, as such, have not been sampled during recent monitoring periods.

4.3.1.2 Surface Water

For Surface Water both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the natural environment as a result of the proposed undertaking.

Available secondary sources of information were collected and reviewed to characterize surface water existing conditions within the study areas. The following sources of secondary information were collected and reviewed:

- Closed Hamilton (Stoney Creek) Landfill, ECA Annual Report – 2016
- Hamilton (Stoney Creek) Landfill, Provisional Certificate of Approval Annual Report – 2016
- Newalta Stoney Creek Landfill Footprint Reconfiguration Supporting Document, October 2013
- Considerations for Reduction of Newalta Stoney Creek Landfill Footprint Memo, October 9, 2012
- Amended ECA, No. A181008, Stoney Creek Landfill, March 1, 2016
- Certificate of Approval – Industrial Sewage Works, Newalta Stoney Creek Landfill, May 1, 2008

The Local Study Area is situated in the Stoney/Battlefield Creek Watershed. Three subwatersheds exist within the Local Study Area: Lower Davis Creek, Battlefield Creek and Stoney Creek.

Tributaries within the Battlefield Creek subwatershed drain the northern flank of the Niagara Falls Moraine to a main channel with westerly flowing water. Water flows within the eastern extent of the Felker's Falls Escarpment ESA and the western extent of the Devil's Punchbowl Escarpment ESA. The creek reaches Centennial Parkway, a major transportation corridor that ascends the Niagara Escarpment. At Centennial Parkway, Battlefield Creek flows down a natural valley between residential areas.

The Stoney Creek subwatershed almost completely surrounds the Battlefield Creek subwatershed. A network of tributaries drains the Niagara Falls Moraine in an easterly direction where they connect with the main channel. Water within the main channel flows in a westerly direction along the base of the Vinemount Moraine, an Area of Natural and Scientific Interest. This channel drains the Vinemount South Swamp and Tapleytown Woods ESAs.

Drainage Patterns

The Local Study Area is situated in the Stoney/Battlefield Creek Watershed which is regulated under the Hamilton Conservation Authority (HCA) jurisdiction. Several natural water features are present within the Local Study Area. Lower Davis Creek crosses a limited area of the western portion of the Local Study Area. Battlefield Creek, an intermittent watercourse, is present immediately northeast of the SCRF within the Local Study Area. On HCA regulated areas mapping,
a very small portion of the northeast corner of the SCRF is shown as regulated area, due to the presence of Battlefield Creek in the vicinity. An intermittent tributary of Stoney Creek is also shown to occur southeast of the SCRF within the Local Study Area. Lower Davis Creek and Battlefield Creek are both identified as having a warm water thermal regime within and in the vicinity of the Local Study Area.

The Lower Davis Creek receives water from the Upper Davis Creek at Felker’s Falls. It also drains the lands above the escarpment to the east of Upper Davis Creek. Tributaries also drain the Felker’s Falls Escarpment ESA along the face of the escarpment. Below the escarpment, the subwatershed is completely urbanized, primarily as residential properties. The only natural area is within the Red Hill Creek Escarpment Valley ESA. Lower Davis Creek joins Montgomery Creek and flows a short distance to empty into Red Hill Creek.

Source Water Protection mapping indicates that approximately 50% of the Local Study Area is within an area that has highly vulnerable aquifers. It should be noted that the municipal water supply is derived from an intake located within Lake Ontario, and not from the aquifers underlying the Site Study Area. Source Water Protection zone mapping also indicates that a small area in the northern portion of the Local Study Area is located within the limit of the Intake Protection Zone, which has been based on the interpreted zone of potential groundwater influence on the City of Hamilton’s water intake in Lake Ontario.

The Local Study Area consists of residential, agricultural and park areas. The residential areas are located to the north, northwest, west, southwest and south of the Site. The minor storm flows within the residential areas drain into catchbasins, which drain into the storm sewer collection system and discharge into the creeks. Major flows within the residential areas are conveyed by the roadways until discharging into the creeks. The park and agricultural areas make up the remaining Local Study Area, and these areas drain through overland flow. Major and minor flows from these areas are carried overland into the roadways or roadside ditches before discharging to the creeks.

The existing surface water conveyance and treatment system for the Site (see Appendix E) consists of a set of swales, sumps, and forcemains that convey stormwater runoff to a stormwater management pond in the northwest corner of the property for water quality treatment and runoff peak flow control. The drainage swales along the south and west sides of the landfill are in their final location. All other drainage swales and forcemains are temporary and will be moved as Site construction progresses. Under currently approved final closure conditions, the swales will wrap around the perimeter of the landfill area, as well as the remaining area on the northern portion of the Site, and convey stormwater runoff from the landfill cap to the stormwater management pond. The stormwater management pond will provide quantity and quality control for site runoff. The outlet for the stormwater management pond is near the southeast corner of First Road West and Green Mountain Drive. The outlet structure discharges into a manhole located at the southeast corner of the intersection of First Road West and Green Mountain Road. The flows then discharge into a sewer under First Road West. The outlet structure formerly discharged into the roadside swale on the west side of First Road West. In 2017, construction on Green Mountain Road caused the outlet to be redirected to the First Road West storm sewer. The outlet structure is equipped with a sluice gate that can be closed in the event of a trigger parameter failing during regular testing. If a trigger parameter fails twice in a row, the gate will be closed and the stormwater management pond will accumulate water until it overflows into the neighbouring leachate collection pond via the emergency overflow weir.
The leachate collection pond is a detention pond located in the northwest corner of the Site, sandwiched between the forebay and main cell of the current stormwater management pond. The detention pond receives water fed from groundwater pumping well M4 of the groundwater collection system and runoff from the truck wash pad. The water in the detention pond is periodically pumped to the leachate equalization pond, west of the SCRF. Any precipitation that falls within an active working area is collected by the leachate collection system and pumped to the equalization pond. The equalization pond flows via a gravity sewer west of the Site to a City of Hamilton sanitary sewer on Mistywood Drive, north of Mud Street. In the future, the collection pond will be removed and the stormwater management pond will be reconfigured to have two forebays to capture inflows from the south/west and east/north perimeter swales.

Perimeter berms along the edges of the property direct stormwater runoff away from the working area towards roadside swales surrounding the property. Stormwater runoff from the landfill cap will not come into contact with “clean” stormwater runoff from the edges of the Site or off-Site.

The storm sewer under First Road West flows north to Ridgeview Drive, where it turns west towards the Niagara Escarpment. The flow is conveyed over some falls along the escarpment and into storm sewers associated with a residential subdivision. The flow is eventually conveyed through the subdivision and discharged to Lower Davis Creek.

**Surface Water Quality**

Annual surface water quality monitoring is completed in accordance with the requirements of the Amended ECA and Certificate of Approval for Industrial Sewage Works. The monitoring program has been historically performed by Jackman Geoscience Inc., and involves monitoring for both the closed west landfill (located on the west side of First Road West) and the SCRF. For the purposes of this report, only monitoring relevant to the SCRF will be discussed. The purpose of the surface water monitoring program is to:

- Assess whether the SCRF is in compliance with the surface water quality policies of the MECP.
- Evaluate the effectiveness of on-Site sediment control measures.

Surface water monitoring related to the SCRF occurs at three locations within the Site Study Area and 18 locations in the Local Study Area. The exact monitoring program description is contained within Schedule D of ECA A181008, and Section 5 of C of A number 5400-7DSSHU. The surface water, monitoring locations are illustrated on [Figure 4.7](#).
Figure 4.7 Surface Water Monitoring Locations
Since the completion of construction for the existing stormwater management pond, sampling has indicated that concentrations of phosphorus have exceeded the associated trigger level in the C of A in both the Site Study Area and the Local Study Area. Due to the exceedance of trigger levels for phosphorus, the stormwater management pond has been operated with the sluice gate closed, and has not discharged any stormwater into the storm sewer under First Road West or the roadside ditch along First Road West since its inception. The stormwater has been diverted into the leachate collection pond, which eventually discharges into the City sanitary sewer. Because the stormwater management pond has been operated with the sluice gate closed, none of the water samples obtained from monitoring locations within the Local Study Area are affected by SCRF surface water discharges. All of the Local Study Area surface water samples are affected by other sources within the Local Study Area.

Sampling at other surface water monitoring locations (within the Site Study Area and the Local Study Area) during 2016 periodically showed water quality results that exceeded Provincial Water Quality Objectives or trigger levels. However, as documented in the 2016 Annual Monitoring Report, these exceedances are not the result of landfill-related impacts from the SCRF, as all runoff that could have come in contact with waste is diverted to the retention pond, and eventually to City sanitary sewers. PWQO exceedances are interpreted to be largely related to background surface water quality. For example, during 2016 aluminum and Zinc were detected at concentrations above PWQO’s at all off-Site sampling locations, for a majority of the sampling events, including upstream monitoring stations. Dissolved oxygen levels were above PWQO’s at all sampling locations except for one occasion at station T-1R, which is a pond that receives impacted groundwater (located on the Closed Hamilton (Stoney Creek) Landfill).

During 2016, sampling location T-3, located downstream of the stormwater management pond, demonstrated water quality impacts that are interpreted to be the result of a combination of minor landfill-related and construction-related sources. Drag-out from trucks exiting the SCRF is suspected to be the primary source of landfill-related water quality impacts at T-3. The 2016 Annual Monitoring Report recommended that Terrapure investigate additional means to control drag-out from the SCRF as a means to improving off-Site surface water quality.

Sampling location T-3 no longer exists as drainage has been re-configured as part of the reconstruction of First Road West. Discharge from the stormwater management pond is now routed to a new storm sewer that has been installed under First Road West. A replacement sampling location for sampling location T-3 will be determined once construction activities are completed.

Given that the stormwater management pond has been operating with its outlet closed since its inception, any off-Site detection of any parameter at concentrations above PWQO’s, or other trigger levels, is not a result of the discharge of impacted stormwater, as no stormwater has been discharged from the Site since the pond was built.

Sample results from the leachate collection pond, or other locations along the leachate conveyance system, had concentrations of various parameters that exceed PWQO’s; however, the water from those ponds is discharged into the sanitary sewer system.

### 4.3.1.3 Terrestrial & Aquatic Environment

For the Terrestrial and Aquatic Environments, both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential
changes to the natural environment as a result of the proposed undertaking. Information on the terrestrial and aquatic environment existing conditions within the Study Areas was gathered from a combination of secondary source review, multiple site visits in 2016 and 2017, and agency consultation. A formal request for information was put in with the Ministry of Natural Resources and Forestry (MNRF), and a response was received on November 18, 2016. The following sources of secondary information were collected and reviewed:

### Table 4.2 Secondary Source Information Reviewed

<table>
<thead>
<tr>
<th>Source</th>
<th>Information reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Natural Resources and Forestry (MNRF)</td>
<td>• Species at Risk (SAR)</td>
</tr>
<tr>
<td></td>
<td>• Natural Heritage Information Center (NHIC) mapping</td>
</tr>
<tr>
<td></td>
<td>• Natural Heritage Features data layers from Land Information Ontario</td>
</tr>
<tr>
<td>Fisheries and Oceans Canada (DFO)</td>
<td>• Aquatic Species at Risk Mapping (2017)</td>
</tr>
<tr>
<td>Ontario Reptile and Amphibian Atlas</td>
<td>• Reptiles and Amphibian species records for Study Areas</td>
</tr>
<tr>
<td>Ontario Breeding Bird Atlas</td>
<td>• Breeding Bird Data for Study Areas</td>
</tr>
<tr>
<td>Ontario Butterfly Atlas</td>
<td>• Butterfly Records for Study Areas</td>
</tr>
<tr>
<td>Jackman Geoscience Inc. (June 30, 2015)</td>
<td>• Closed Hamilton (Stoney Creek) Landfill: Environmental Compliance Approval</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-1 – Life Science ANSI</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-2 – Significant Woodlands</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-3 – Alvar and Tallgrass Prairie</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-4 – Wetlands</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-5 – Lakes and Littoral Zone</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-6 – Environmentally Significant Areas</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-7 – Earth Science ANSI</td>
</tr>
<tr>
<td></td>
<td>• Schedule B-8 – Streams</td>
</tr>
<tr>
<td>Hamilton Conservation Authority</td>
<td>• Regulated areas mapping</td>
</tr>
<tr>
<td></td>
<td>• Natural Areas Inventory data</td>
</tr>
<tr>
<td>eBird</td>
<td>• Avian species records in vicinity of Study Areas</td>
</tr>
<tr>
<td>Government of Canada</td>
<td>• The Atlas of Canada- Toporama</td>
</tr>
<tr>
<td>FishWerks</td>
<td>• Mapped barriers to fish passage</td>
</tr>
</tbody>
</table>

In order to characterize dominant vegetation communities, GHD conducted an Ecological Land Classification (ELC) of the Site and Local Study Areas. ELC mapping of select areas within the Site Study Area was completed in 2016, with minor revisions in 2017. ELC mapping was prepared in accordance with Lee et al (1998). The updated ELC categories were applied in the absence of suitable 1998 ELC categories (e.g., CV1-2 Disposal). ELC mapping of the Local Study Area was created at a coarser level, and was completed by interpreting aerial imagery and utilizing HCA Natural Areas Inventory (NAI) data for the NAI mapped natural areas present within the Local Study Area.

Breeding bird surveys were conducted in 2017 with the main purpose of documenting the presence of Species at Risk (SAR) bird species utilizing the SCRF and determining the probability of breeding within the SCRF boundaries. Surveys were conducted on June 21, June 28, and July 6, 2017, following a modified version of the point count methodology from the Ontario Breeding Bird Atlas.
(Cadman et al., 2007). Three rounds of surveys were completed between 5:00 am and 10:00 am within the breeding bird window of May 24 and July 10, with at least a week between each visit. A 10-minute point count recorded all species heard or observed within a 100 m radius of the surveyor. A transect was then walked connecting the point counts with any new observations recorded. Point counts were spaced a minimum 250 m apart to prevent duplicate observations. For each observation, breeding evidence was recorded to determine if the species was a possible, probable, or confirmed breeder.

At each survey, weather conditions were recorded. Surveys were only completed during suitable weather conditions, including good visibility and wind speeds lower than 19 km/hr (or less than 3 on the Beaufort scale). Table 4.3 summarizes the weather conditions of each visit. Weather conditions were stable across point counts, with only small variations in temperature and cloud cover.

**Table 4.3 Weather Conditions During Breeding Bird Surveys**

<table>
<thead>
<tr>
<th>Date</th>
<th>Temperature (°C)</th>
<th>Wind (Beaufort Scale)</th>
<th>Visibility</th>
<th>Precipitation</th>
<th>Cloud Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 21, 2017</td>
<td>17</td>
<td>0</td>
<td>Good</td>
<td>None</td>
<td>30%</td>
</tr>
<tr>
<td>June 28, 2017</td>
<td>18.9</td>
<td>1-2</td>
<td>Good</td>
<td>None</td>
<td>0%</td>
</tr>
<tr>
<td>July 6, 2017</td>
<td>22.6</td>
<td>0-1</td>
<td>Good</td>
<td>None</td>
<td>30%</td>
</tr>
</tbody>
</table>

The Site and Local Study Areas encompass a variety of land uses. North of the Site Study Area, there is active development and the creation of residential neighbourhoods. Actively farmed and/or fallow agricultural fields are present to the east of the Site Study Area, as well as a field to the immediate southwest of the Site Study Area. Two golf courses are present to the east and south, and patches of deciduous forest are present to the southeast and to the northwest of the Site Study Area, with another small patch of deciduous forest present to the north in the area of residential development. To the west is Heritage Green Community Trust Passive Park, a former landfill which has been capped and vegetated, and which now hosts a sports park, leash free dog park, pollinator gardens and walking trails.

**Topography and Hydrology**

The Site and Local Study Areas encompass several physiographic units, as shown on Figure 4.8. These units include till moraines, clay plains, and escarpments, with beaches and sand plains at the northernmost portion of the Local Study Area.

There are several significant natural landforms within the Local Study Area. The Niagara Escarpment is located in the northwest portion of the Local Study Area. Within the Local Study Area, the Niagara Escarpment is a north-facing cliff, approximately 70 m high, running roughly east west (Jackman Geoscience Inc., 2015). The Eramosa Escarpment is a buried mini escarpment which is located at the north side of the closed west landfill (Heritage Green Park). The Eramosa Escarpment is mostly buried by glacial till laid down during the last glacial period (Jackman Geoscience Inc., 2015).

The Local Study Area is situated in HCA jurisdiction. Several natural water features are present within the Local Study Area. Davis Creek crosses a limited area of the western portion of the Local Study Area. Battlefield Creek, an intermittent watercourse, is present immediately northeast of the SCRF within the Local Study Area. On HCA regulated areas mapping, a very small portion of the northeast corner of the SCRF is shown as regulated area due to the presence of Battlefield Creek in
the vicinity. An intermittent tributary of Stoney Creek is also shown to occur southeast of the SCRF within the Local Study Area. These water features are discussed in further detail.

There are also several manmade water features (e.g., stormwater management ponds and drainage ditches) within the Site and Local Study Areas. Surface water features are discussed in greater detail in the Surface Water Existing Conditions Report (GHD, 2017) (see Section 4.3.2 and Appendix E). Aquatic features within the Site Study Area are discussed in further detail as they relate to aquatic habitat.
Figure 4.8 Physiography
Significant Natural Features

Significant natural features within the Site and Local Study Areas are shown on Figure 4.9.

No Significant Ecological Areas (SEA) or Provincially Significant Wetlands (PSW) are identified to occur within the Local Study Area; however, several significant natural heritage features are identified on Schedule B of the Urban Hamilton Official Plan (OP) and the Rural Hamilton OP as occurring within the Local Study Area. The majority of the area west of Centennial Parkway, including the Site Study Area, is under regulation of the Urban Hamilton OP, while the remainder of the eastern Local Study Area is under regulation of the Rural Hamilton OP.

Immediately to the northwest of the Site Study Area, at the junction of Green Mountain Road West and First Road West, there is a forested area which extends into the Niagara Escarpment. This area is identified as Significant Woodland, Environmentally Significant Area, and Core Area and was observed to consist of a relatively young deciduous forest with a mixed canopy of maple, poplar and ash species with a dense understory of staghorn sumac and grape vines. Small Linkages are identified on Schedule B of the Urban Hamilton OP west and north of the Site Study Area. The Linkage immediately north of the SCRF, in the area of current residential development, was found to be an open willow and maple dominant deciduous forest, with a dense mixed understory of staghorn sumac and dogwood. Immediately south of the SCRF, in the vicinity of Penny Lane, there is a forested area with a small wetland to the south, which is identified on Schedule B as Significant Woodland and a Key Hydrologic Feature. It was observed to consist of maple, ash and poplar forest with a dense understory of dogwood, sumac and herbaceous species, such as asters and goldenrod. A wet area is also present, determined by phragmites observed in the vicinity of Penny Lane. Another Key Hydrologic Feature (Davis Creek) is located to the west of the Site Study Area near the border of the Local Study Area, and is discussed in further detail in Section 4.5.

Within the eastern portion of the Local Study Area addressed by the Rural Hamilton OP, Linkages are identified along Green Mountain Road to the east of the Site Study Area. Patches of Core Areas are shown to occur throughout the northeastern portion of the Local Study Area, with associated designations as Significant Woodlands. Several Key Hydrologic Features are also identified and are associated with various pond features in the northeastern and eastern portion of the Local Study Area.

With respect to Areas of Natural or Scientific Interest (ANSI), there are two that fall just within the Local Study Area, namely Felker’s Falls ANSI and Devils Punch Bowl ANSI, and one that borders the southern portion of the Local Study Area, namely the Eramosa Karst ANSI.

The Felker’s Falls Escarpment Valley contains Felker’s Falls, a waterfall and plunge pool created by Davis Creek as it crossed the escarpment. A high concentration of Butternut (Juglans cinerea) is present on the talus slopes of the escarpment. Vegetation communities in this feature within the Local Study Area consists of deciduous forest, swamp thicket, shrub bluff, treed talus, and various cultural communities, including cultural thicket, old field, and coniferous plantation (HCA, 2014).

Devil’s Punch Bowl is a 23 m high waterfall where Stoney Creek has eroded a semi-circular plunge pool. Vegetation communities in this feature within the Local Study Area include treed talus, deciduous forest, deciduous woodland, and deciduous savanna (HCA, 2014).
Figure 4.9 Significant Natural Features
The terrestrial environment of the Study Areas was assessed and classified using both secondary source resources (e.g., aerial photography, natural features records), and direct Site observations based on various Site visits between 2016 and 2017. Detailed field investigations were not conducted within the Local Study Area; ecological communities were mapped based on aerial imagery interpretation and secondary source information. ELC mapping of the Local Study Area is shown on Figure 4.10. Different types of vegetation communities include cultural meadow, deciduous forest, deciduous woodland, shrub bluff, treed talus, deciduous savanna, and swamp thicket. Anthropogenic communities include agricultural communities, as well as constructed areas, recreational areas, and golf courses.

Within the Site Study Area, main types of habitat available were classified using ELC, and are displayed on Figure 4.11. Eight ecological land classification community classes are represented within the Site Study Area and include wetland, upland and cultural systems. Characteristics of each of the identified community types are provided in the following paragraphs.

### Wetland Communities

**MAMM1-2: Cattail Graminoid Mineral Meadow Marsh**

This unit consists of a small anthropogenic wetland feature south of the access road that was dry at the time of observation. This unit hosted larger amounts of graminoids and robust emergent vegetation, generally dominated by cattails (*Typha sp.*) with some phragmites (*Phragmites australis subsp. australis*) around the perimeter.

**OAW: Open Water**

Small man-made open water habitats are present throughout the northern portion of the Site Study Area. These areas include a water taking pond, groundwater pond, and various storm water ponds. The water taking pond is located immediately north of the access road, and had cattails and phragmites around its perimeter. The ground water pond hosted phragmites around its perimeter, and the other water feature immediately to the south had limited vegetation consisting primarily of cattails. The stormwater pond in the northwest corner was dry and did not have any aquatic vegetation at the time of observation. The large pond at the northeast corner of the property had very minimal aquatic vegetation, generally consisting of small pockets of phragmites. The water feature to the south of the access road on the west side of Site Study Area also had limited vegetation consisting primarily of cattails.

### Upland Communities

**TAGM5: Fencerow**

This unit represents the fencerow surrounding a large portion of the SCRF. This area generally hosts a mixed forb/graminoid understory, with a variety of planted deciduous and coniferous tree species. The western and northern fencerows are dominated by spruces (*Picea sp.*), whereas the section bordering the agricultural field at the southwest corner is mixed deciduous and coniferous.
MEGM: Dry-Fresh Graminoid Meadow Ecosite

The dry-fresh graminoid meadow is mainly characterized by relatively low growing grass species. The soil on this site has been disturbed as this is a capped area of the SCRF and the vegetation present is typical of a disturbed site. There is a gravel road/pathway which runs through the meadow near the southern portion of the Site Study Area. This unit is generally dominated by fescues (*Festuca* sp.) in the southern portion, with reed canary grass (*Phalaris arundinacea*) becoming more dominant in northwest portion.

**Cultural Communities**

**CUM1: Mineral Cultural Meadow Ecosite**

This unit hosts upland vegetation species common in disturbed areas, such as coltsfoot (*Tussilago farfara*), common teasel (*Dipsacus fullonum*), vetches (*Vicia* sp.), and clovers (*Trifolium* sp.), with large patches of bare ground and exposed patches of gravel and angular stone.

**CUT: Cultural Thicket**

This unit hosts a variety of smaller trees, shrubs and herbaceous species common in disturbed areas. Low growing staghorn sumac (*Rhus typhina*), Manitoba maple (*Acer negundo*), and a variety of other shrub species are present, with an herbaceous ground layer consisting of common species in disturbed areas.

**CGL-2: Parkland**

This area surrounds the main office and consists primarily of manicured lawn, with several isolated trees scattered throughout.

**CVI-2: Disposal**

This is the area of active landfilling activities, including access roads and associated on-Site amenities.
Figure 4.10 Ecological Land Classification – Local Study Area
Aquatic Environment and Habitat

As previously mentioned, several aquatic features traverse the Local Study Area, including Davis Creek, Battlefield Creek, and an intermittent tributary of Stoney Creek. Davis Creek and Battlefield Creek are both identified as having a warm water thermal regime within and in the vicinity of the Local Study Area. An impassable barrier to fish passage is identified on FishWerks mapping on Battlefield Creek, north of Green Mountain Road. On Davis Creek, a moderate barrier to fish passage is located around Greenhill Avenue. Davis Creek flows over Felker’s Falls at the Niagara Escarpment and continues through a step-pool sequence downstream. The fish community in the vicinity of Felker’s Falls Escarpment has been assessed as part of the Hamilton NAI, with eight species having been documented (HCA, 2014). As previously mentioned, intermittent tributaries of Stoney Creek traverse the southeastern portion of the Local Study Area. Immediately outside of the Local Study Area, Stoney Creek has eroded the escarpment below and formed the ‘punch bowl’ landform associated with the Devil’s Punch Bowl ANSI (HCA, 2014).

Within the Site Study Area, several man-made aquatic features are present. These include a water taking pond, stormwater and groundwater ponds in the northwest corner of the SCRF, and drainage ditches along the perimeter of the property, with substrates ranging from sediment to gravel. Aquatic vegetation is generally minimal to absent, with some ponds hosting robust emergent vegetation, such as phragmites and cattails around their perimeter. Based on observations during the Site visits, these aquatic features appear to currently provide limited nesting habitat, but some foraging opportunities to wildlife species. The northwest pond was also noted to provide nesting material (mud) for barn swallows (Hirundo rustica).

Wildlife

Breeding bird surveys, with the main purpose of documenting breeding of SAR birds, were completed in 2017, and incidental observations of wildlife were collected during the 2016 and 2017 Site visits. A list of incidental wildlife observations, including species detected during the breeding bird surveys, is provided in Appendix E. A total of 31 bird species were observed within the Site and Local Study Areas during the various Site visits. This included two provincially Threatened bird species.

There is also anecdotal evidence provided by Site staff of additional species using the Site Study Area, in particular white-tailed deer (Odocoileus virginianus), coyote (Canis latrans), and wild turkey (Meleagris gallopavo). However, the occurrence of these species within the Site Study Area has reportedly decreased in recent years. In addition, a number of common urban wildlife species have been observed in the Local Study Area (raccoons, skunks, squirrels, etc.).

No issues or interactions with wildlife as it relates to operations were observed, as confirmed by Site staff.

Species at Risk

In order to determine the potential for presence of SAR within the Study Areas, secondary sources of information were reviewed, the MNRF was consulted to request species records, incidental observations of SAR were collected at all Site visits, and breeding bird surveys were conducted in 2017 to determine the presence of SAR birds and their use of the SCRF as breeding habitat.
Provincially tracked species records for the Local Study Area are shown on Figure 4.12. The majority of records are historical (pre-1996) sightings, prior to the development of the existing SCRF; the most recent occurrence is of a snapping turtle (*Chelydra serpentina*) within the Site Study Area in 2010. No aquatic SAR have been identified on Fisheries and Oceans Canada (DFO) Fish and Mussel mapping (2017) as occurring within either the Site or Local Study Area.

A SAR screening activity was conducted to determine the potential for SAR within the Local Study Area, and is provided as Appendix E. Although much of the Local Study Area is developed in nature, many areas still may provide habitat for a number of species, in particular the areas associated with the Niagara Escarpment. Through this activity, the potential for 49 provincially listed SAR was identified within the Local Study Area. Of these 49 species, 31 were determined to have a moderate to high potential of occurrence within the Local Study Area, based on the availability of potentially suitable habitat.

From the list in Appendix E, SAR which were detected in the Site Study Area during the Site visits, or for which potentially suitable habitat is present within the Site Study Area, are detailed in the following paragraphs.

**Eastern Meadowlark**

The eastern meadowlark is a provincially Threatened species, and receives protection of both individuals and their habitat under the provincial *Endangered Species Act* (ESA). During field investigations in 2016, an eastern meadowlark was observed singing in suitable breeding habitat on the capped portion of the footprint in the MEGM ELC unit. To determine the extent which this species uses the Site, GHD completed breeding bird surveys during the 2017 field season.

Multiple eastern meadowlarks were observed singing on all three breeding bird survey visits in 2017, and GHD is of the opinion that this species is using the capped portion of the property for breeding. MNRF will be contacted as part of the design stage to determine if the proposed works qualify for an exemption, or if they will require an application for a Notice of Activity or an Overall Benefit Permit from the MNRF.

**Barn Swallow**

Barn swallows are a provincially Threatened species. They are typically found in agricultural areas, cities, and suburbs, and along highways (Rodewald, 2016). Numerous barn swallows were observed foraging during the Site visits in multiple areas of the Site Study Area. One barn swallow was observed gathering mud from one of the on-Site ponds to be used in nest building activities. Nesting sites may exist within the Site Study Area where suitable structures exist (e.g., buildings, large culverts), whereas suitable foraging habitat is presumed to occur within the Site Study Area. No barn swallow nests were documented during the Site investigations, however targeted surveys of suitable habitat (e.g., buildings and large culverts) are recommended if it is determined that these structures may be altered through the course of the proposed works.

**Snapping Turtle**

Snapping turtle is a provincially Special Concern species which may have the potential to occur within the Site Study Area. Snapping turtles prefer shallow waters with soft substrate (MNRF, 2017a), habitat which may be present in the multiple ponds present on Site (mapped as OAW).
However, the hard substrate and limited aquatic vegetation in the ponds reduces the likely usage of most on Site ponds by snapping turtles.

**Butternut**

Butternut (*Juglans cinerea*) is a provincially Endangered species that MNRF has identified during consultation as having the potential to occur within the Local Study Area. In Ontario, this species occurs in deciduous forests, preferring moist, well-drained soil and is often found along streams. This species does not do well in the shade, and often grows in sunny openings and near forest edges (MNRF, 2017b). Based on habitat available within the SCRF, GHD suspects that there is a low likelihood of presence within the Site Study Area, due to the lack of deciduous forest; however, this species is known to occur in the Felker’s Falls area within the northwest corner of the Local Study Area.
Figure 4.11 Ecological Land Classification - Primary Habitat Types
Figure 4.12 Species at Risk
4.3.1.4 Atmospheric - Air and Odour

From an Atmospheric (air quality and odour) environment perspective both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the atmospheric (air and odour) environment as a result of the proposed undertaking. Information on the atmospheric (air quality and odour) existing conditions within the Study Areas was gathered from a combination of secondary source research and Site-specific reports including:

- Ambient on-Site PM10 Monitoring Program (Rotek Environmental 2012, 2013, 2014, 2015, and 2016), which include wind speed and wind direction measurements
- Environment Canada’s National Air Pollution Surveillance (NAPS) network
- Hamilton Air Monitoring Network (HAMN)
- Ministry of the Environment, Conservation and Parks (MECP) dispersion meteorological data set for the area (MECP, 2017)

**Meteorology**

The SCRF is located in an area zoned as "Special Policy Area B", which has been identified as the Taro East Quarry Landfill. The surrounding area is made up of community parkland, open space, low-density residential, high-density residential, institutional, and general commercial. As part of the ECA the Facility is currently operating under, the Facility is required to monitor wind speed and wind direction, and provide monthly data to the City of Hamilton. The wind speed is monitored hourly by Rotek Engineering and included in the Facility’s annual PM10 monitoring Report. Between 2012 and 2016, the Facility was able to provide wind speed and direction data for more than 99% of the reporting period.

**Figure 4.13** presents the wind class frequency distribution from the Facility’s monitoring station for the 2012 through 2016 period, showing the most common wind speed categories are 2.1 to 3.6 m/s (at 31.5% of the time) and 3.6 to 5.7 m/s (at 30.2% of the time).

**Figure 4.14** presents a three-year Wind Rose diagram from the Facility’s monitoring station for the 2012 through 2016 period. Winds are predominantly from the southwest, with significant contributions from south-southwest through west-southwest.
Figure 4.14 On-Site Wind Rose (2012 – 2016)
For comparison, the same figures are provided below for the 1996 to 2000 dispersion meteorological data set from the MECP for this area. The data are identified as “West Central - Crops”, as the area is not “urban”, which is specific to the built-up downtown areas of cities, nor is the area wooded. The “Crops” data are suitable for this area, as much of the surrounding area within 3 km of the Facility is low-density industrial or commercial, with significant grass areas, few trees, and generally low buildings.

**Figure 4.15** shows that the most common wind speed categories in the MECP regional data set are 3.6 – 5.7 m/s (at 31.8% of the time) and 0.5 to 2.1 m/s (at 29.5% of the time). Also in this data set, **Figure 4.16** shows that the predominant wind direction is from the west (northwest through southwest being the most common winds), with a secondary direction of winds from the east. The differences between these two wind roses are not likely the result of typical year-to-year variation. It is more likely that the differences are due to the different locations from which the data were obtained, as the MECP regional data set is based on surface data from London, Ontario, approximately 110 km west-southwest of the Facility, and 70 m higher in base elevation above sea level.

Based on the data presented, the MECP standard dispersion modelling data set is not representative of weather conditions at the Facility, and a Site-specific meteorological data set will be required for the dispersion modelling assessment for the EA for this Facility.
Figure 4.15  MECP Wind Class Frequency Distribution (1996 – 2000)
Figure 4.16 MECP Wind Rose (1996 – 2000)
Air Quality

The air contaminants of greatest concern from this Facility are particulate matter and odour. Particulate matter is emitted primarily from vehicle traffic on paved and unpaved roads on-Site and fugitive windblown dust. The particulate matter less than 10 micrometres (PM$_{10}$) is the inhalable particle size fraction. Larger particle sizes are likely to settle on or very close to the Facility.

As part of its ECA, the SCRF is required to monitor PM$_{10}$ daily and provide to the City of Hamilton the PM$_{10}$ concentration at an on-Site location. This program has continued to the current day, with reports being compiled and submitted annually.

For the purposes of assessing “background” concentrations, the on-Site particulate monitoring data are not the most appropriate, as it is anticipated that the Facility contributes significantly to the measured concentrations at that location. Therefore, regional stations have been considered as a source of background particulate data.

Odour complaints directed toward the SCRF are also compiled annually, and have been assessed based on local wind direction, date, time, and location of the complaint, to determine if the complaint may be related to the Facility. Odour is not part of any federal or provincial air quality monitoring program, and so is addressed herein based on the registered complaints.

Not all species of interest are measured at ambient air quality monitoring stations that are representative of the Site (either in proximity of the Facility, but not influenced by it; or located in similar types of locations, such as mixed residential/commercial/light industrial in close proximity to a major city with significant heavy industrial sources). In order to assess the existing background concentrations of species of interest, the following stations have been assessed for the 2012 – 2016 period (Table 4.4).

Table 4.4 Monitoring Station Information

<table>
<thead>
<tr>
<th>Station</th>
<th>ID</th>
<th>Distance from Site (km)</th>
<th>Electronic Data Availability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>SPM</td>
</tr>
<tr>
<td>On-Site station</td>
<td>—</td>
<td>0</td>
<td>—</td>
</tr>
<tr>
<td>Hamilton Downtown</td>
<td>60512</td>
<td>10</td>
<td>—</td>
</tr>
<tr>
<td>Hamilton Mountain</td>
<td>60513</td>
<td>8</td>
<td>—</td>
</tr>
<tr>
<td>St. Catharines</td>
<td>61302</td>
<td>44</td>
<td>—</td>
</tr>
<tr>
<td>Brantford</td>
<td>61402</td>
<td>43</td>
<td>—</td>
</tr>
<tr>
<td>Kitchener</td>
<td>61502</td>
<td>66</td>
<td>—</td>
</tr>
<tr>
<td>Guelph</td>
<td>61802</td>
<td>56</td>
<td>—</td>
</tr>
<tr>
<td>Simcoe</td>
<td>62601</td>
<td>56</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29102</td>
<td>9</td>
<td>2012 - 2016</td>
</tr>
<tr>
<td>HAMN</td>
<td>29113</td>
<td>8</td>
<td>2012 - 2013</td>
</tr>
<tr>
<td>HAMN</td>
<td>29153</td>
<td>6.5</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29154</td>
<td>11.5</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29160</td>
<td>10</td>
<td>2012 - 2016</td>
</tr>
<tr>
<td>HAMN</td>
<td>29164</td>
<td>8.5</td>
<td>2012 - 2016</td>
</tr>
<tr>
<td>HAMN</td>
<td>29166</td>
<td>6</td>
<td>2012 - 2016</td>
</tr>
</tbody>
</table>
Table 4.4 Monitoring Station Information

<table>
<thead>
<tr>
<th>Station</th>
<th>ID</th>
<th>Distance from Site (km)</th>
<th>Electronic Data Availability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>SPM</td>
</tr>
<tr>
<td>HAMN</td>
<td>29168</td>
<td>7</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29170</td>
<td>9</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29180</td>
<td>8</td>
<td>2014 - 2016</td>
</tr>
<tr>
<td>HAMN</td>
<td>29565</td>
<td>6</td>
<td>—</td>
</tr>
<tr>
<td>HAMN</td>
<td>29567</td>
<td>10</td>
<td>2012 - 2016</td>
</tr>
</tbody>
</table>

A brief description of each station follows, indicating why it was selected and how it compares to the Facility. Specific locations for the various stations may be found in the NAPS and HAMN annual reports.

**Hamilton Downtown (60512)** is a NAPS continuous monitoring station. This station is located in the downtown area of Hamilton, south of the portlands, where much of the heavy industry in the city is located. This is a highly urban monitoring location, significantly affected by highly-travelled roads, industrial emissions, marine emissions, and others. This station is unlikely to be representative of air quality at the Facility, but has been presented for the purposes of comparison, and likely represents an upper bound for any comparisons of regional air quality in the vicinity of the Facility.

**Hamilton Mountain (60513)** is a NAPS continuous monitoring station. This station is located at the top of Hamilton Mountain, at higher elevation than the downtown area and portlands. The area is urban-residential with less industrial influence, though in proximity to several highly travelled roadways. This location is generally “upwind” of Hamilton’s significant air quality sources, and is more likely to be representative of conditions near the Facility.

**St. Catharines (61302)** is a NAPS continuous monitoring station. This station is located in the City of St. Catharines, east of Hamilton. The station is in an urban residential location.

**Brantford (61402)** is a NAPS continuous monitoring station. This station is located in the Town of Brantford, west of Hamilton. The station is in a low density/low population urban residential location.

**Kitchener (61502)** is a NAPS continuous monitoring station. This station is located in the City of Kitchener, west of Hamilton. The station is in an urban residential location.

**Guelph (61802)** is a NAPS continuous monitoring station. This station is located in the City of Guelph, west of Hamilton. The station is in an urban residential location.

**Simcoe (62601)** is a NAPS continuous monitoring station. This station is located outside the Town of Simcoe at a rural location. Air quality measurements at this station are therefore likely to represent the lower bounds of what would be expected near the Facility.

**HAMN STN29102** is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, near the Burlington Skyway bridge. This station is in close proximity to, and generally downwind of, Hamilton’s highly industrialized portlands, and air quality measurements are likely to be higher than those near the Facility.
HAMN STN29113 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, located south of Hamilton’s portlands. Measured air quality at this location is likely to be strongly influenced by local industrial sources.

HAMN STN29153 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, located on the east side of the portlands, and air quality at this location is likely to be strongly impacted by nearby industrial activities.

HAMN STN29154 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, near the west end of the Burlington Skyway bridge. Air quality measurements are likely to be highly influenced by highway traffic, but will be less influenced by Hamilton’s heavy industry areas.

HAMN STN29160 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, at the west end of Hamilton’s portlands. Air quality at this location is likely to be affected by nearby industrial activities, but it is generally upwind of many of Hamilton’s major industrial locations.

HAMN STN29164 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, near the Burlington Skyway bridge. Air quality at this location is likely to be strongly affected by both the traffic over the bridge and the nearby industrial sites.

HAMN STN29166 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, toward the east end of Hamilton’s downtown area. Air quality at this location is likely to be strongly affected by both traffic and nearby industrial sides.

HAMN STN29168 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, located south of the portlands, near Hamilton’s downtown. Air quality at this location is likely to be strongly affected by nearby industrial activities.

HAMN STN29170 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, located at the west side of the portlands. Air quality at this location is likely to be affected by nearby industrial activities, but it is generally upwind of many of Hamilton’s major industrial locations.

HAMN STN29180 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, near the Burlington Skyway bridge. Air quality at this location is likely to be strongly affected by both the traffic over the bridge and the nearby industrial sites.

HAMN STN29565 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, east of the portlands. Air quality at this location is likely to be strongly affected by both traffic and nearby industrial sites.

HAMN STN29567 is a non-continuous (one 24-hour sample collected every 12 days) HAMN station, west of the portlands. This location is upwind of many of Hamilton’s industrial sources and may be more representative of conditions near the Facility.
**Particulate Matter – PM\textsubscript{2.5}**

PM\textsubscript{2.5} is not measured on-site. **Table 4.5** summarizes the measured PM\textsubscript{2.5} concentrations at the regional stations identified.

**Table 4.5  Regional PM\textsubscript{2.5} Monitoring Data (2012 – 2016)**

<table>
<thead>
<tr>
<th>Station</th>
<th>ID</th>
<th>Ambient Monitoring Results (24-hour µg/m\textsuperscript{3})</th>
<th>\hline</th>
<th>Average</th>
<th>Median</th>
<th>75\textsuperscript{th} %ile</th>
<th>90\textsuperscript{th} %ile</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton Downtown</td>
<td>60512</td>
<td>9.8</td>
<td></td>
<td>8.0</td>
<td>13.0</td>
<td>18.0</td>
<td>45.0</td>
<td></td>
</tr>
<tr>
<td>Hamilton Mountain</td>
<td>60513</td>
<td>8.5</td>
<td></td>
<td>7.0</td>
<td>11.0</td>
<td>16.0</td>
<td>42.0</td>
<td></td>
</tr>
<tr>
<td>St. Catharines</td>
<td>61302</td>
<td>7.7</td>
<td></td>
<td>7.0</td>
<td>10.0</td>
<td>14.0</td>
<td>29.0</td>
<td></td>
</tr>
<tr>
<td>Brantford</td>
<td>61402</td>
<td>8.1</td>
<td></td>
<td>7.0</td>
<td>10.0</td>
<td>15.0</td>
<td>30.0</td>
<td></td>
</tr>
<tr>
<td>Kitchener</td>
<td>61502</td>
<td>8.2</td>
<td></td>
<td>7.0</td>
<td>11.0</td>
<td>15.0</td>
<td>38.0</td>
<td></td>
</tr>
<tr>
<td>Guelph</td>
<td>61802</td>
<td>7.8</td>
<td></td>
<td>7.0</td>
<td>10.0</td>
<td>14.0</td>
<td>38.0</td>
<td></td>
</tr>
<tr>
<td>Simcoe</td>
<td>62601</td>
<td>7.6</td>
<td></td>
<td>7.0</td>
<td>10.0</td>
<td>13.8</td>
<td>28.0</td>
<td></td>
</tr>
</tbody>
</table>

During the 2012 to 2015 period for which data are available, five of the seven stations included in this assessment measured at least one exceedance of the MECP's guideline of 30 µg/m\textsuperscript{3} (shown in **bold**) for 24-hour PM\textsubscript{2.5}. Of these monitoring locations, Hamilton Downtown measured the highest concentrations. It is likely this station is not representative of the area around the Facility, due to the proximity of heavy industry and high level of urbanization. Hamilton Mountain also shows the influence of Hamilton's heavy industry in the measured PM\textsubscript{2.5} concentrations, though it is more similar to the other locations at the 90\textsuperscript{th} percentile level. For the purposes of this assessment, a 90\textsuperscript{th} percentile of 15.0 µg/m\textsuperscript{3} for 24-hour concentrations (shown in *italics*) appears most reasonable, this being the mid-point for monitoring data from urban locations not directly downwind of heavy industry, which is most representative for the SCRF.

**Particulate Matter – PM\textsubscript{10}**

PM\textsubscript{10} is measured on-site and reported annually, and the reports are summarized in **Table 4.6** summarizing existing air quality at the Facility.

**Table 4.6  On-Site PM\textsubscript{10} Monitoring Data (2012 – 2016)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Exceedances of 24-hour Limit</th>
<th>Exceedances not Attributable to SCRF Operations</th>
<th>Ambient Monitoring Results (24-hour µg/m\textsuperscript{3})</th>
<th>\hline</th>
<th>Maximum</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>29</td>
<td>1</td>
<td>225</td>
<td></td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>23</td>
<td>5</td>
<td>202</td>
<td></td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>11</td>
<td>2</td>
<td>178</td>
<td></td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>14</td>
<td>3</td>
<td>98</td>
<td></td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>2016</td>
<td>12</td>
<td>2</td>
<td>123</td>
<td></td>
<td>18</td>
<td></td>
</tr>
</tbody>
</table>

The City of Hamilton’s monitoring program (Hamilton Air Monitoring Network, or HAMN) reports summary statistics for PM\textsubscript{10} at a number of locations in Hamilton. Full statistics are not reported, but the available regional data have been summarized below in **Table 4.7**.
Table 4.7  Regional PM$_{10}$ Monitoring Data (2012 – 2016)

<table>
<thead>
<tr>
<th>Station</th>
<th>ID</th>
<th>Ambient Monitoring Results (24-hour µg/m$^3$)</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Average</td>
<td>Median</td>
<td>75$^{th}$ %ile</td>
<td>90$^{th}$ %ile</td>
<td>Maximum</td>
</tr>
<tr>
<td>HAMN</td>
<td>29102</td>
<td>26</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>163</td>
</tr>
<tr>
<td>HAMN</td>
<td>29113</td>
<td>23</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>133</td>
</tr>
<tr>
<td>HAMN</td>
<td>29153</td>
<td>39</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>200</td>
</tr>
<tr>
<td>HAMN</td>
<td>29154</td>
<td>16</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>113</td>
</tr>
<tr>
<td>HAMN</td>
<td>29168</td>
<td>22</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>104</td>
</tr>
<tr>
<td>HAMN</td>
<td>29170</td>
<td>30</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>311</td>
</tr>
<tr>
<td>HAMN</td>
<td>29180</td>
<td>30</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>99</td>
</tr>
<tr>
<td>HAMN</td>
<td>29565</td>
<td>21</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>104</td>
</tr>
<tr>
<td>HAMN</td>
<td>29567</td>
<td>24</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>94</td>
</tr>
</tbody>
</table>

Concentrations higher than the MECP’s 24-hour guideline of 50 µg/m$^3$ were measured at every station each year, from 2012 through 2016, averaging between 4 and 89 exceeding days per year (depending on the station). Exceedances are shown in Table 4.7 in **bold**. For the purposes of the air quality assessment, it has been assumed to be the mid-point of the average of the 24-hour values available, or 23 µg/m$^3$ (shown in *italics*).

PM$_{10}$ is typically measured in concentrations of 1.5 to 2 times the measured PM$_{2.5}$. Based on the assumed background of 15 µg/m$^3$ for PM$_{2.5}$, the estimated value of 23 µg/m$^3$ for PM$_{10}$ appears reasonable for this Facility. It should also be noted that the average PM$_{10}$ concentrations measured throughout Hamilton are similar to those measured on-Site, indicating that regional sources and long-range transport represent most of the “average” concentration being measured at the on-Site station (which is reported at 18 – 24 µg/m$^3$).

*Total Suspended Particulate Matter (SPM)*

SPM is not measured on-Site. The City of Hamilton’s monitoring program (HAMN) reports summary statistics for SPM from several stations. Full statistics are not reported, but the available data have been summarized below in Table 4.8.

Table 4.8  Regional SPM Monitoring Data (2012 – 2016)

<table>
<thead>
<tr>
<th>Station</th>
<th>ID</th>
<th>Ambient Monitoring Results (24-hour µg/m$^3$)</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Average</td>
<td>Median</td>
<td>75$^{th}$ %ile</td>
<td>90$^{th}$ %ile</td>
<td>Maximum</td>
</tr>
<tr>
<td>HAMN</td>
<td>29102</td>
<td>49</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>206</td>
</tr>
<tr>
<td>HAMN</td>
<td>29113</td>
<td>53</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>212</td>
</tr>
<tr>
<td>HAMN</td>
<td>29160</td>
<td>63</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>590</td>
</tr>
<tr>
<td>HAMN</td>
<td>29164</td>
<td>61</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>339</td>
</tr>
<tr>
<td>HAMN</td>
<td>29166</td>
<td>49</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>355</td>
</tr>
<tr>
<td>HAMN</td>
<td>29180</td>
<td>57</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>220</td>
</tr>
<tr>
<td>HAMN</td>
<td>29567</td>
<td>52</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>225</td>
</tr>
</tbody>
</table>

As all these stations are in close proximity to significant industrial sources, it is likely that these SPM values are larger than actual background concentrations in the vicinity of the Facility.
Concentrations higher than the MECP’s 24-hour AAQC of 120 µg/m³ were measured at every station each year from 2012 through 2016, averaging between 4 and 9 exceeding days per year (depending on the station). Exceedances are shown in Table 4.8 in bold. Because these stations are closer to the industrial centres of Hamilton than the Facility, the assumed background concentration for the purposes of the air quality assessment has been assumed to be the mid-point of the average of the 24-hour values available, or 52 µg/m³ (shown in italics).

SPM is typically measured in concentrations of 1.5 to 2 times the measured PM10. Based on this typical ratio, the estimated background concentration for SPM of 52 µg/m³ is reasonable or slightly higher than would be expected, based on the measured regional PM10 concentrations from Table 4.7, making this a conservatively high estimate of background total particulate concentrations.

**Landfill Gas**

Because the Facility does not receive putrescible or organic material, very little landfill gas is produced at the SCRF and, as such, the Facility is not required to have a landfill gas collection system in place. Ontario Regulation 232/98 requires that a gas recovery system be installed at landfills with a capacity that exceeds 1.5 million m³, unless it can be demonstrated that the Site does not generate significant quantities of landfill gas. In the past, Terrapure successfully applied to the MECP for an exemption from this requirement. The exemption application was supported by a gas emission study which included sampling for surface and point source gas (e.g., leachate collection clean-out structures) emissions, analysis of the samples for methane, carbon dioxide, hydrogen sulphide, and non-methane organic compounds, and predictive gas emission modelling (Newalta Stoney Creek East Landfill Gas Emission Study, dated January 24, 2011). Some of the key conclusions of this study are summarized as follows:

1. Site-wide emissions of methane, CO₂, and H₂S at the Site are estimated to be:
   - 9.8% of the estimated emissions from a mixed municipal waste landfill (MMWL) receiving the same volume of waste.
   - 21% of the estimated emissions from a MMWL with 1.5 million m³ of waste.
2. Site-wide emissions of NMOCs at the Site are estimated to be:
   - 2.4% of the estimated emission from a MMWL receiving the same volume of waste.
   - 5.1% of estimated emissions from a MMWL with 1.5 million m³ of waste.
3. Actual sampling results support the predictive modelling and suggest that the model estimates for the Terrapure site are conservative. Sampling results reflect 65%, 49%, 17% and 14% of the model results for methane, CO₂, H₂S, and NMOCs, respectively.

Notwithstanding this, the ECA for the SCRF requires that as each phase of the Site is constructed, gas monitors be installed around the Site. Eight monitoring wells have been installed around the perimeter of the SCRF since 2003. Ongoing monitoring has shown very few instances of combustible gas being detected. In cases where combustible gas was detected, all readings were well below the Lower Explosive Limit for Methane, and subsequent readings quickly returned to non-detectable levels. The leachate controls at the Site include a geomembrane/clay composite primary liner and a clay secondary liner. This design is considered to be very protective of the environment and effective in limiting the escape of landfill gas that may be present in the waste to the subsurface.
Based on the above, the current landfill gas monitoring program at the SCRF is as follows:

As each phase of the Site is constructed and capped, gas monitors should be installed in the waste, plus progressively every 200 m around the landfill, into the water table in the Eramosa bedrock. Monitoring will include combustible gas concentrations in all monitors.

**Table 4.9 Current Landfill Gas Monitoring Program at the SCRF**

<table>
<thead>
<tr>
<th>Monitoring</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine Monitoring of Waste and Perimeter Monitors</td>
<td>Monthly</td>
</tr>
<tr>
<td>Monitoring of Perimeter Monitors After Detection of Combustible Gas</td>
<td>Weekly (until no further detection of combustible gas for 4 consecutive weeks)</td>
</tr>
<tr>
<td>Sampling of Waste Monitors</td>
<td>Frequency</td>
</tr>
<tr>
<td>One Gas Sample at Each Location (CO₂, CH₄, N₂, O₂, H₂, NMOCs)</td>
<td>Annually</td>
</tr>
</tbody>
</table>

Landfill gas emissions are not anticipated to change at the Site as a result of the proposed changes, and so these are not being carried forward for further review. The Site is also the only local source of landfill gases (other than CO₂, which is a naturally-occurring atmospheric gas, as well as being a product of combustion), and therefore background landfill gases in the vicinity of the Facility are likely dominated by the Site’s emissions.

**Odour**

In recent years, the SCRF has implemented procedures to ensure that odour is continuously controlled. The major potential odour sources consist of the leachate pumping station, equalization tank, retention pond, and the working landfill face. The SCRF has implemented several odour abatement strategies to mitigate the potential for odour release. Given that the Facility is not permitted to accept putrescible material, odorous waste received at the Site is a rare occurrence. Notwithstanding this, any potential material that is brought to the Site that may have an odour is identified upon arrival and, once deposited in a cell, is immediately covered with another non-odorous material (impacted soil, other type of waste). The Facility also uses an odour control dosing system at the leachate pumping station and an aeration system at the equalization basin.

Of the few odour complaints received over the past five years from neighbouring residents and which were attributable to the SCRF, generally, the complaints were the result of pumping leachate into the retention ponds or equalization basins. The Facility typically only operates the pumps on weekdays during site operating hours. On occasion, during periods of high leachate generation (spring rains and snow melt), the facility may discharge leachate on weekends as well. If an odour complaint is received, and it has been determined the odour is coming from the retention ponds, the pumping operations are shut down until the odour can be mitigated.
Complaints

The Facility maintains a record of all environmental complaints received at the Site and has put in place the following standard procedures for responding to complaints:

- All complaints received will be assigned a control number and recorded electronically.
- Details of the complaint are forwarded to Terrapure Management for follow-up.
- Terrapure Management will ensure that the complaint is investigated and resolved in a timely manner.
- Terrapure Management will be advised of the result of the investigation.
- Terrapure Management will send a confirmation letter to the complainant within 10 days of receiving the details.
- Terrapure Management will notify the Community Liaison Committee (CLC) via email of the complaint immediately after the investigation has been completed.
- Complaints will be summarized for inclusion in the Annual Report.

A review of the complaint records from the past five years indicates that out of the 43 complaints received about the SCRF, 40 were related to odour perceived to be from the Site, and one (1) was related to dust from the Site. The Site also received a complaint for drag out along First Road West, and a complaint regarding a rusty waste vehicle.

When an odour complaint is received by the Facility or by the MECP, the Facility immediately completes an odour investigation at the complainant’s location to confirm the odour and identify if the SCRF may be responsible or not. Many complaints have been demonstrated to be not attributable to the SCRF due to wind direction at the time of the complaint (i.e., winds at the time were not blowing from the SCRF toward the location of the complaint, and so the SCRF could not be responsible for the odour). However, because many of the complaints occur after hours, inspections cannot always occur the same day, making it difficult to accurately identify the potential source of the odour. Therefore, many of the odour complaints between 2012 and 2016 cannot be accurately attributed to on-site or off-Site sources. Table 4.10 summarizes the complaints received per year by the Facility.

### Table 4.10 Complaint Records by Type

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Complaints</th>
<th>Complaints for Noise</th>
<th>Complaints for Odour</th>
<th>Complaints for Dust</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>2013</td>
<td>20</td>
<td>0</td>
<td>20</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2014</td>
<td>7</td>
<td>0</td>
<td>6</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>2015</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2016</td>
<td>9</td>
<td>0</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2017</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

As detailed in the complaints record, the number of complaints for odour decreased following the reconfiguration in 2013, as the Facility augmented best management practices, such as installing a
new dosing/aeration system and mitigation measures based on the monitoring data to reduce potential effects from and air quality and odour perspective.

Concerned residents or businesses can call the Facility directly, the City of Hamilton, or the MECP if a nuisance effect is perceived to have occurred because of the Facility. All complaints are recorded and investigated in accordance with the SCRF standard complaint procedures and templates. Each complaint is logged and, in many cases, Site staff will go to the location where the nuisance was recorded and conduct on-Site investigations. The date and time of the complaint are cross-referenced with data from the Facility, in order to determine if any adjustments to operations need to be made on-Site due to operating procedures. Each complaint received at the Facility is reported to the MECP.

Odour emissions are not anticipated to change as a result of the proposed site modifications, therefore, odour has not been carried forward for further assessment.

4.3.1.5 Atmospheric Environment - Noise

From a noise perspective both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the atmospheric (noise) environment as a result of the proposed undertaking. It should be noted though, that the MECP Noise Screening Process Questionnaire requires that industries with significant potential environmental noise profiles or equipment evaluate the off-Site environmental noise impact within 1 km (rather than 1.5 km) from the Site; the noise impact beyond 1 km is expected to be environmentally insignificant. Maximum sound level impacts will occur close to the property line and within a 500 m radius, which is representative of a more detailed and worst-case scenario assessment, however all receivers within the 1.5 km Study Area were considered when establishing the Noise existing conditions.

The rationale for the Local Study Area for the noise discipline is that the off-Site environmental noise impact from the existing Facility, or the development of the proposed alternatives to provide additional capacity, will be defined by the sound power generated by the equipment and activities on-Site and the proximity and line-of-sight noise exposure to the off-Site receiver locations which are the subjects of this analysis. In the absence of other developments and intervening built structures, such as businesses or institutions, the rural residential dwellings within the Local Study Area represent the receiver locations which are the subject of the assessment.

The nearest existing residential dwelling is approximately 110 m northeast of the existing property boundary. The nearest residential dwelling currently under construction is approximately 35 m north of the existing property boundary, approximately 55 m from site infrastructure (i.e., surface water ponds), near the intersection of Green Mountain Road West and First Road West. There are approximately 3,000 existing residential dwellings within the Local Study Area with the largest concentrations to the south and southwest of the Site along Mud Street. An additional subdivision is being constructed to the north.

Information on the Noise existing conditions within the Study Areas was gathered from a combination of secondary source research and Site-specific reports including:

- Review of historic complaints
- Review of current zoning plans, definitions and land use designations
• Aerial photographic mapping and field reconnaissance to confirm off-Site receptors
• Landfill design and operation data and associated topography
• Rotek Environmental Inc. Semi-Annual Noise Report – June 2016 – historic ambient monitoring data and road traffic modelling used to determine the existing acoustical conditions for the area
• AECOM Acoustic Assessment Report – June 2013
• Applicable MECP guidelines and technical standards (i.e., Noise guidelines for landfill sites, Oct 1998, NPC-103, NPC104, NPC-207 and NPC-300)

The environmentally significant noise sources or activities occurring on-Site and the subject of this analysis include:

• 1 x Water Truck
• 2 x Bulldozers
• 2 x Excavators
• 1 x Sweeper Truck
• 1 x Idling Trucks at Weigh Station
• 1 x Clean Fill Haul Route Trucks
• 1 x Waste Fill Haul Route Trucks

These noise sources generate continuous steady state mechanical noise. There are no ground-borne vibration sources at the Facility as defined in MECP Noise Pollution Control publication (NPC-207).

Characterization of the Existing Environment

The Terrapure SCRF currently conforms to the City of Stoney Creek Zoning By-law No. 3692-92 under Section 9.8.5 ‘Special Exemptions’, as ME-1. In addition to permitted uses under the Extractive Industrial "ME" Zone, lands zoned ME-1 are permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources (City of Hamilton, 2015(a)). The supporting information for the existing zoning and allowed uses has been referenced from GHD’s Land Use and Social Environment Existing Conditions Report (See Appendix E). The surrounding area is made up of community park, open space, low density, high density, institutional and general commercial. The Facility is currently operating under ECA No. A181008.

The Facility is located approximately 6 km southwest of Stoney Creek and 13 km southeast of Hamilton. The closest residential building is approximately 120 m from the Site and there are no other major industrial sources within the Local Study Area as indicated in Figure 4.1.

With respect to background noise generation, there are four roads located within the Study Area including:

1. First Road West is a two-lane urban road with minimal local traffic only.
2. Mud Street West is a four-lane road with dominant local traffic.
3. Upper Centennial Parkway is a major four-lane road with significant 24-hour road traffic and is a major throughway for the City of Hamilton.

4. Green Mountain Road West is a two-lane urban road with minimal local traffic only.

Green Mountain Road West and First Road West experience low traffic volumes as confirmed by the past traffic studies, as well as through the traffic counts/surveys undertaken by GHD (further details provided in the Traffic Existing Conditions Report in Appendix E). Mud Street West and Upper Centennial Parkway traffic volumes are elevated during the morning and evening rush hour period as confirmed by previous traffic studies.

Background Noise Study Results

Adjacent road traffic travelling along the Mud Street West and Upper Centennial Parkway arterial roads are the predominant 24-hour ambient noise sources.

The historical background noise studies indicated that the ambient one-hour Leq sound levels during the daytime periods ranged from 63 dBA to 67 dBA. Nighttime levels were not documented, as the SCRF does not operate at night.

Semi-Annual Noise Monitoring Survey

A semi-annual noise monitoring survey was completed during 2016 to measure noise levels at the nearest receptors around the SCRF. In addition, road traffic noise modeling was completed. The survey results are documented in Figure 4.17:

![Figure 4.17 Noise Receptor Assessment](image)

Figure 4.17 Noise Receptor Assessment

The annual noise monitoring report documented measured noise levels at the receivers around the SCRF (NR1-NR3) which included heavy contributions from adjacent road traffic. The existing Facility operations are predicted to be well below the predicted traffic impact.

Figure 4.18 details the locations of the sensitive receptors around the Facility that were the subjects of the previous Acoustic Assessment Reports and the Annual Noise Monitoring Survey for the SCRF. Sensitive receiver NR4 has been added to evaluate the proposed residential development to the North West along Green Mountain Road. The receivers are adjacent to major arterial roads that surround the Facility and have no blocked line-of-sight to roadways or landfill operations. The
maximum sound level impacts will occur close to the property line and within a 500 m radius, which is representative of a more detailed and worst-case scenario assessment, however all receivers within the larger 1.5 km Study Area were considered for evaluation.

Figure 4.18 Noise Measurement Receptors – Aerial Overview

Location of Noise Receptors and On-Site Noise Measurements
December 13th and 14th, 2016

Terrapure Property Line
- On-Site Noise Measurements
- Off-Site Noise Measurements
- Landfill Working Faces

Figure 4.18 Noise Measurement Receptors – Aerial Overview
MECP Technical Guidelines and Standards

On-Site operations at the SCRF are compared directly against a daytime one-hour leq sound level limit of 55 dBA for landfill operations that are limited to 7 a.m. to 7 p.m. under the “Noise Guidelines for Landfill Sites” (N-1).

The acoustic character of the Study Area will be defined in accordance with the MECP guidelines NPC-300 “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning,” October 2013.

As stated in the guideline:

A “Class 1 Area” means an area with an acoustical environment typical of a major population centre, where the background noise is dominated by the urban hum.

“Class 2 Area” means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low ambient sound level, normally occurring only between 23:00 and 07:00 hours in Class 1 Areas, will typically be realized as early as 19:00 hours.

Other characteristics which may indicate the presence of a Class 2 Area include:

- Absence of urban hum between 19:00 and 23:00 hours.
- Evening background sound level defined by natural environment and infrequent human activity.
- No clearly audible sound from stationary sources other than from those under impact assessment.

“Class 3 Area” means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:

- A small community with less than 1000 population.
- Agricultural area.
- A rural recreational area, such as a cottage or a resort area.
- A wilderness area.

The Study Area is surrounded by urban land uses and is considered to be an urban Acoustic Class 1 Area.

Complaints

The Facility maintains a record of all environmental complaints received at the SCRF and has put in place the following standard procedures for responding to complaints:

- All complaints received will be assigned a control number and recorded electronically.
- Details of the complaint are forwarded to Terrapure Management for follow-up.
- Terrapure Management will send a confirmation letter to the complainant within 10 days of receiving the details.
• Terrapure Management will ensure that the complaint is investigated and resolved in a timely manner.
• Terrapure Management will be advised of the result of the investigation.
• Terrapure Management will forward a letter or report to the complainant detailing the results of the investigation.
• Terrapure Management will notify the Community Liaison Committee (CLC) via email of the complaint immediately after the investigation has been completed.
• Complaints will be summarized for inclusion in the Annual Report.

A review of the complaint records from the past three years, summarized in Table 4.10 above indicates that out of the 31 complaints, zero were related to noise perceived from the Facility.

Concerned residents or businesses can call the Facility directly, the City of Hamilton, or the MECP if a nuisance effect is perceived to have occurred because of the Facility. All complaints are recorded and investigated in accordance with the Facility standard complaint procedures and templates. Each complaint is logged and, in many cases, Site staff will go to the location where the nuisance was recorded and conduct on-Site investigations. The date and time of the complaint are cross-referenced with data from the Facility in order to determine if any adjustments to operations need to be made at the Site. Each complaint received at the Facility is reported to the MECP.

4.3.2 Built Environment

4.3.2.1 Land Use

From a Land Use perspective both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the built environment as a result of the proposed undertaking.

Information on the Land Use existing conditions within the Study Areas was gathered from a combination of the following secondary sources:

• Bill 151, Waste-Free Ontario Act, 1996
• Ontario Planning Act
• Provincial Policy Statement (2014)
• Provincial Guideline D-1: Land Use Compatibility
• Provincial Guideline D-4: Land Use On or Near Landfills and Dumps
• Urban Hamilton Official Plan (2013)
• Rural Hamilton Official Plan (2012)
• City of Stoney Creek Zoning By-law No. 3692-92
• City of Hamilton Zoning By-law No. 05-200
• City of Hamilton Development Applications Mapping (online tool)
**Existing Land Use Conditions**

The Terrapure SCRF is under the jurisdiction of the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92. The SCRF is also directly adjacent to areas designated under the Rural Hamilton Official Plan. The SCRF falls within the Nash Neighbourhood Secondary Plan Area designated under the Urban Hamilton Official Plan. **Figure 4.19** represents land use designations with the Nash Neighbourhood Secondary Plan.
Figure 4.19 Official Plan Mapping – Nash Neighbourhood Secondary Plans
Urban Hamilton Official Plan (2013) Designations

The Urban Hamilton Official Plan identifies the Urban Structural Elements, Functional Road Classifications and Urban Land Use Designation comprising the Terrapure SCRF:

**Urban Structure Elements (Schedule E)**

Urban Structure Elements related to the Terrapure SCRF include the following (City of Hamilton, 2013):

- Neighbourhoods
- Secondary Corridor – Upper Centennial Parkway

**Functional Road Classifications (Schedule C)**

Classifications for the four roads encompassing the Terrapure SCRF are as follows (City of Hamilton, 2013):

- Major Arterial – Mud Street.
- Collectors – First Road West, Green Mountain Road, Upper Centennial Parkway.

**Urban Land Use Designations (Schedule E-1)**

Urban Land Use Designations for the Terrapure SCRF include the following (City of Hamilton, 2013):

- Open Space – As a result of recent official plan amendments, the Terrapure SCRF resides within land designated as General Open Space, in accordance with Schedule E-1 of the Urban Hamilton Official Plan (2013).
- Commercial and Mixed Use Designations – Arterial Commercial.
### Table 4.11 Stoney Creek Secondary Plans – Nash Neighbourhood Secondary Plan (Site Study Area)

<table>
<thead>
<tr>
<th>Secondary Plan Designations</th>
<th>Description of Built Form/Permitted Uses</th>
<th>Restrictions on Land Use (Density/GFA/Prohibited Uses)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial and Mixed Use Designations</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Arterial Commercial | Permitted uses include:  
(a) commercial uses including banquet halls, restaurants including garden centres, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;  
(b) automotive related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations;  
(c) commercial recreational uses, commercial entertainment uses, excluding theatres;  
(d) industrial supply and service and contractor sales;  
(e) accommodation, excluding residential uses;  
(f) enclosed storage including mini warehousing;  
and,  
(g) accessory uses. | Prohibited uses include:  
(a) department stores;  
(b) food stores;  
(c) residential uses; and,  
(d) stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise. |
| **Parks and Open Space Designations** | | N/A |
| General Open Space | Includes: golf courses, urban farms, community gardens, pedestrian and bicycle trails, walkways, picnic areas, beaches, remnant parcels of open space lands, and urban plazas, squares and core spaces. These areas do not function as parks but are used for both active and passive recreational activities. | |

**City of Stoney Creek Zoning By-law No. 3692-92**

The Terrapure SCRF currently conforms to the City of Stoney Creek Zoning By-law No. 3692-92 under Section 9.8.5 ‘Special Exemptions’, as ME-1, identified in Figure 4.20. In addition to permitted uses under the Extractive Industrial *ME* Zone, lands zoned ME-1 are permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources (City of Hamilton, 2015(a)).
Figure 4.20 Site Study Area Zoning Map
Local Study Area: Existing Land Use Conditions

Historic Residential Development Activity

Areas within the identified Local Study Area have recently undergone residential development. Table 4.12 summarizes residential development activity for sites within the Local Study Area (City of Hamilton, 2015(b)). Figure 4.21 provides a visual representation of residential development activity within the 1.5 km Study Area, and corresponds to Table 4.12.
<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Registered Plans of Subdivision (Pre 1996)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>PLAN#: 623 Highland Park Estates</td>
<td>8/4/1989</td>
<td>N/A</td>
<td>108 Single Units 30 Multi Units (138 Total Units)</td>
</tr>
<tr>
<td>2</td>
<td>PLAN#: 695 Highgate Mills</td>
<td>3/18/1992</td>
<td>N/A</td>
<td>9 Single Units 45 Multi Units (54 Total Units)</td>
</tr>
<tr>
<td>3</td>
<td>PLAN#: 354 Canfield Place</td>
<td>8/18/1983</td>
<td>N/A</td>
<td>Total Units 25</td>
</tr>
<tr>
<td>4</td>
<td>PLAN#: 636 Highland Gardens, Ph. 1</td>
<td>11/8/1989</td>
<td>N/A</td>
<td>Total Units 82</td>
</tr>
<tr>
<td>5</td>
<td>PLAN#: 732 Highland Gardens, Ph. 2</td>
<td>5/6/1993</td>
<td>N/A</td>
<td>Total Units 5</td>
</tr>
<tr>
<td>6</td>
<td>PLAN#: 737 Highland Gardens, Ph. 3</td>
<td>7/21/1993</td>
<td>N/A</td>
<td>Total Units 53</td>
</tr>
<tr>
<td>7</td>
<td>PLAN#: 774 Highland, St.1</td>
<td>1/17/1995</td>
<td>N/A</td>
<td>Total Units 68</td>
</tr>
<tr>
<td>8</td>
<td>PLAN#: 543 Heritage Green, St.2, Ph.1</td>
<td>1/20/1988</td>
<td>N/A</td>
<td>Total Units 163</td>
</tr>
<tr>
<td>9</td>
<td>PLAN#: 691 Heritage Green, St.2, Ph.2</td>
<td>11/4/1991</td>
<td>N/A</td>
<td>Total Units 32</td>
</tr>
<tr>
<td>10</td>
<td>PLAN#: 692 Heritage Green, St.2, Ph.3</td>
<td>1/24/1992</td>
<td>N/A</td>
<td>Total Units 94</td>
</tr>
<tr>
<td>11</td>
<td>PLAN#: 166 Gordon Drummond</td>
<td>7/15/1975</td>
<td>N/A</td>
<td>Total Units 75</td>
</tr>
<tr>
<td>12</td>
<td>PLAN#: 365 Heritage Green, Ph.4</td>
<td>11/29/1983</td>
<td>N/A</td>
<td>Total Units 105</td>
</tr>
<tr>
<td>13</td>
<td>PLAN#: 378 Heritage Green, Ph.4b</td>
<td>6/4/1984</td>
<td>N/A</td>
<td>Total Units 45</td>
</tr>
<tr>
<td>14</td>
<td>PLAN#: 499 Heritage Green, Ph.6</td>
<td>3/25/1987</td>
<td>N/A</td>
<td>Total Units 95</td>
</tr>
<tr>
<td>15</td>
<td>PLAN#: 254 Saltfleet Community Development</td>
<td>8/28/1978</td>
<td>N/A</td>
<td>Total Units 361</td>
</tr>
<tr>
<td>16</td>
<td>PLAN#: 168 Ridell Dalton Kelsey</td>
<td>7/3/1975</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>17</td>
<td>PLAN#: 155 John Murray Street Subdivision</td>
<td>4/3/1975</td>
<td>N/A</td>
<td>Total Units 137</td>
</tr>
<tr>
<td>18</td>
<td>PLAN#: 156 Rand Street Subdivision</td>
<td>4/8/1975</td>
<td>N/A</td>
<td>Total Units 154</td>
</tr>
<tr>
<td>19</td>
<td>PLAN#: 648 Heritage Green, Albion, St.1</td>
<td>3/1/1990</td>
<td>N/A</td>
<td>Total Units 263</td>
</tr>
<tr>
<td>ID#</td>
<td>Development</td>
<td>Date Registered</td>
<td>Original Address</td>
<td>Number of Units</td>
</tr>
<tr>
<td>-----</td>
<td>-------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>20</td>
<td>PLAN#: 549</td>
<td>3/29/1988</td>
<td>N/A</td>
<td>Total Units 48</td>
</tr>
<tr>
<td></td>
<td>Paramount Gardens</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>PLAN#: 181</td>
<td>2/12/1975</td>
<td>N/A</td>
<td>Total Units 286</td>
</tr>
<tr>
<td></td>
<td>Albion Estates, Ph.1, St.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>PLAN#: 95</td>
<td>9/30/1972</td>
<td>N/A</td>
<td>Total Units 115</td>
</tr>
<tr>
<td></td>
<td>Glendale Estates, No.4, Ph.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>PLAN#: 65</td>
<td>6/16/1971</td>
<td>N/A</td>
<td>Total Units 83</td>
</tr>
<tr>
<td></td>
<td>Glendale Estates, No.2, Ph.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>PLAN#: 3</td>
<td>6/12/1968</td>
<td>N/A</td>
<td>Total Units 186</td>
</tr>
<tr>
<td></td>
<td>Veevers Estates, No.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>PLAN#: 106</td>
<td>4/12/1973</td>
<td>N/A</td>
<td>Total Units 156</td>
</tr>
<tr>
<td></td>
<td>Veevers Estates, No.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>PLAN#: 28</td>
<td>7/15/1969</td>
<td>N/A</td>
<td>Total Units 126</td>
</tr>
<tr>
<td></td>
<td>Veevers Estates, No.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>PLAN#: 569</td>
<td>7/11/1988</td>
<td>N/A</td>
<td>Total Units 92</td>
</tr>
<tr>
<td></td>
<td>Greenhill Gardens, Ph.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>PLAN#: 597</td>
<td>2/17/1989</td>
<td>N/A</td>
<td>Total Units 29</td>
</tr>
<tr>
<td></td>
<td>Desantis Gardens</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Registered Plans of Subdivision (Post 1996)**

<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>PLAN#: 1199</td>
<td>1/21/2014</td>
<td>22 Green Mountain Road</td>
<td>49 Single Units</td>
</tr>
<tr>
<td></td>
<td>Victory Ridge, Ph. 1</td>
<td></td>
<td></td>
<td>62 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(111 Total Units)</td>
</tr>
<tr>
<td>30</td>
<td>PLAN#: 1206</td>
<td>7/24/2014</td>
<td>22 Green Mountain Road</td>
<td>112 Single Units</td>
</tr>
<tr>
<td></td>
<td>Victory Ridge, Ph. 2</td>
<td></td>
<td></td>
<td>67 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(179 Total Units)</td>
</tr>
<tr>
<td>31</td>
<td>PLAN#: 1172</td>
<td>2/29/2012</td>
<td>222 First Road W.</td>
<td>47 Single Units</td>
</tr>
<tr>
<td></td>
<td>Penny Lane Estates, Ph. 1</td>
<td></td>
<td></td>
<td>52 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(99 Total Units)</td>
</tr>
<tr>
<td>32</td>
<td>PLAN#: 1182</td>
<td>11/30/2012</td>
<td>222 First Road W.</td>
<td>91 Single Units</td>
</tr>
<tr>
<td></td>
<td>Penny Lane Estates, Ph. 2</td>
<td></td>
<td></td>
<td>121 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(212 Total Units)</td>
</tr>
<tr>
<td>33</td>
<td>PLAN#: 1208</td>
<td>11/14/2014</td>
<td>222 First Road W.</td>
<td>35 Single Units</td>
</tr>
<tr>
<td></td>
<td>Penny Lane Estates, Ph. 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>PLAN#: 1223</td>
<td>12/11/2015</td>
<td>222 First Road W.</td>
<td>15 Multi Units</td>
</tr>
<tr>
<td></td>
<td>Penny Lane, Ph. 4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>PLAN#: 1219</td>
<td>9/9/2015</td>
<td>198 First Road W.</td>
<td>87 Single Units</td>
</tr>
<tr>
<td></td>
<td>198 First Road W., Ph. 2</td>
<td></td>
<td></td>
<td>102 Semi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>29 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(218 Total Units)</td>
</tr>
<tr>
<td>36</td>
<td>PLAN#: 1138</td>
<td>4/23/2010</td>
<td>Upper Centennial Parkway</td>
<td>38 Single Units</td>
</tr>
<tr>
<td></td>
<td>Highgate Meadows</td>
<td></td>
<td></td>
<td>52 Multi Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(90 Total Units)</td>
</tr>
<tr>
<td>37</td>
<td>PLAN#: 1141</td>
<td>6/25/2010</td>
<td>Highbury Drive</td>
<td>61 Single Units</td>
</tr>
<tr>
<td></td>
<td>Mountain Gardens</td>
<td></td>
<td></td>
<td>99 Multi Units</td>
</tr>
<tr>
<td>ID#</td>
<td>Development</td>
<td>Date Registered</td>
<td>Original Address</td>
<td>Number of Units</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------</td>
<td>----------------</td>
<td>--------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>38</td>
<td>PLAN#: 888 Highland Heights</td>
<td>9/13/1999</td>
<td>N/A</td>
<td>(160 Total Units)</td>
</tr>
<tr>
<td>39</td>
<td>PLAN#: 977 Highland West</td>
<td>2/25/2003</td>
<td>247 Highland Road W.</td>
<td>41 Single Units</td>
</tr>
<tr>
<td>40</td>
<td>PLAN#: 918 Shadyglen, Ph.1</td>
<td>11/30/2000</td>
<td>N/A</td>
<td>254 Total Units</td>
</tr>
<tr>
<td>41</td>
<td>PLAN#: 1134 Carlson Street Extension, Ph. 1</td>
<td>12/11/2009</td>
<td>218-250 Highland Road W.</td>
<td>12 Single Units, 4 Semi Units (16 Total Units)</td>
</tr>
<tr>
<td>42</td>
<td>PLAN#: 1130 Carlson Estates</td>
<td>11/4/2009</td>
<td>264 Highland Road W.</td>
<td>8 Single units</td>
</tr>
<tr>
<td>43</td>
<td>PLAN#: 878 Dalma Gardens</td>
<td>4/27/1999</td>
<td>N/A</td>
<td>18 Single Units</td>
</tr>
<tr>
<td>44</td>
<td>PLAN#: 852 Valley Park, St.6</td>
<td>10/16/1998</td>
<td>N/A</td>
<td>42 Single Units</td>
</tr>
<tr>
<td>45</td>
<td>PLAN#: 1204 Paramount</td>
<td>4/3/2014</td>
<td>Mud Street</td>
<td>114 Single Units, 48 Semi Units, 164 Multi Units, 32 Apt Units (358 Total Units)</td>
</tr>
<tr>
<td>46</td>
<td>PLAN#: 965 Nash Orchard Heights South, Ph.1</td>
<td>8/2/2002</td>
<td>N/A</td>
<td>110 Single Units</td>
</tr>
<tr>
<td>47</td>
<td>PLAN#: 1225 Vienna Orchards, Ph.1</td>
<td>1/21/2016</td>
<td>70 Webster Rd.</td>
<td>63 Single Units</td>
</tr>
<tr>
<td>48</td>
<td>PLAN#: 1232 Red Hill, Ph. 1</td>
<td>8/17/2016</td>
<td>N/A</td>
<td>61 Single Units, 65 Multi Units (126 Total Units)</td>
</tr>
<tr>
<td>49</td>
<td>PLAN#: 1234 Red Hill, Ph. 2</td>
<td>10/19/2016</td>
<td>NA</td>
<td>61 Single Units, 103 Multi Units (164 Total Units)</td>
</tr>
</tbody>
</table>

Registered Plans of Condominium (Pre 1996)

<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>PLAN#: 72001 350 Quigley Rd.</td>
<td>7/17/1972</td>
<td>350 Quigley Rd.</td>
<td>Total Units 278</td>
</tr>
<tr>
<td>51</td>
<td>PLAN#: 75 Veevers Estates</td>
<td>5/30/1978</td>
<td>N/A</td>
<td>Total Units 64</td>
</tr>
</tbody>
</table>

Registered Plans of Condominium (Post 1996)

<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>52</td>
<td>PLAN#: 201307 Parkside Development</td>
<td>4/12/2014</td>
<td>36 Waterbridge Street</td>
<td>N/A</td>
</tr>
<tr>
<td>53</td>
<td>PLAN#: 200311 Highland Park Ph.1</td>
<td>5/17/2004</td>
<td>39 Pinewoods Drive</td>
<td>30 Multi Units</td>
</tr>
<tr>
<td>54</td>
<td>PLAN#: 200311 Highland Park Ph. 2</td>
<td>4/13/2005</td>
<td>39 Pinewoods Drive</td>
<td>33 Multi Units</td>
</tr>
<tr>
<td>55</td>
<td>PLAN#: 2011113 Mountain Gardens</td>
<td>12/20/2012</td>
<td>70 Highgate Drive</td>
<td>N/A</td>
</tr>
<tr>
<td>ID#</td>
<td>Development</td>
<td>Date Registered</td>
<td>Original Address</td>
<td>Number of Units</td>
</tr>
<tr>
<td>-----</td>
<td>-------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>56</td>
<td>PLAN#: 201405 Stockridge Gardens</td>
<td>1/29/2016</td>
<td>42 Westbank Trail</td>
<td>N/A</td>
</tr>
<tr>
<td>57</td>
<td>PLAN#: 201403 Paramount Subdivision</td>
<td>6/25/2015</td>
<td>201 Westbank Trail</td>
<td>N/A</td>
</tr>
<tr>
<td>58</td>
<td>PLAN#: 201114 Greenhill Glen</td>
<td>1/16/2013</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>59</td>
<td>PLAN#: 85033 Vienna Orchards</td>
<td>11/27/1985</td>
<td>70 Webster Rd</td>
<td>Total Units 34</td>
</tr>
<tr>
<td>60</td>
<td>PLAN#: 201301 Red Hill, Ph.2 (aka Red Hill, Ph. 3/4)</td>
<td>3/15/2013</td>
<td>435 First Rd W</td>
<td>Total Units 340</td>
</tr>
<tr>
<td>61</td>
<td>PLAN#: 200803 Victory Ridge (formerly Nash Neighbourhood)</td>
<td>4/17/2008</td>
<td>22 Green Mountain Rd W</td>
<td>Total Units 120</td>
</tr>
<tr>
<td>62</td>
<td>PLAN#: 200908 198 First Road West (Paletta Lands)</td>
<td>11/10/2009</td>
<td>198 First Road West</td>
<td>Total Units 457</td>
</tr>
<tr>
<td>63</td>
<td>PLAN#: 200714 Carlson Street Extension</td>
<td>11/22/2007</td>
<td>218250 Highland Rd W</td>
<td>Total Units 20</td>
</tr>
<tr>
<td>73</td>
<td>Plan#: 201510</td>
<td>11/09/2015</td>
<td>440 First Road West</td>
<td>Single Units 27 Multi Units 11 (Total Units 38)</td>
</tr>
</tbody>
</table>

**Draft Approved Plans of Subdivision (Pre 1996)**

None

**Draft Approved Plans of Subdivision (Post 1996)**

<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>64</td>
<td>PLAN#: 201606 23 Echovalley Drive</td>
<td>06/02/2016</td>
<td>23 Echovalley Dr.</td>
<td>Total Units 22</td>
</tr>
</tbody>
</table>

**Draft Approved Plans of Condominium (Pre 1996)**

None

**Draft Approved Plans of Condominium (Post 1996)**

<table>
<thead>
<tr>
<th>ID#</th>
<th>Development</th>
<th>Date Registered</th>
<th>Original Address</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>Development Application: 25T- 201503 165 Upper Centennial Parkway</td>
<td>12/22/2014</td>
<td>165 Upper Centennial Parkway</td>
<td>Total Units 450</td>
</tr>
<tr>
<td>66</td>
<td>Development Application: 25T-201608 56 Highland Road West</td>
<td>03/26/2017</td>
<td>56 Highland Road West</td>
<td>Total Units 50</td>
</tr>
<tr>
<td>67</td>
<td>Development Application: 25T-201601 2 Glover Mountain</td>
<td>02/11/2015</td>
<td>2 Glover Mountain</td>
<td>Total Units 6</td>
</tr>
<tr>
<td>68</td>
<td>Development Application: 25T- 201701 City View Estates</td>
<td>12/21/2016</td>
<td>15 Ridgeview Drive</td>
<td>Total Units 97</td>
</tr>
<tr>
<td>69</td>
<td>Development Application: 25T-201612 Nash Neighbourhood Phase 3</td>
<td>11/01/2016</td>
<td>464 First Road West</td>
<td>Total Units 135</td>
</tr>
<tr>
<td>ID#</td>
<td>Development</td>
<td>Date Registered</td>
<td>Original Address</td>
<td>Number of Units</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>----------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>70</td>
<td>Development Application: 25T-201611 Nash Neighbourhood Phase 2</td>
<td>11/01/2016</td>
<td>490 First Road West</td>
<td>Total Units 197</td>
</tr>
<tr>
<td>71</td>
<td>Development Application: ZAC-17-077 50 Green Mountain Road West</td>
<td>File Year 2017</td>
<td>50 Green Mountain Road West</td>
<td>Total Units 189</td>
</tr>
<tr>
<td>72</td>
<td>Development Application: ZAC-16-056 157, UHOPA-16-020 Upper Centennial Parkway,</td>
<td>File Year 2016</td>
<td>157 Upper Centennial Parkway</td>
<td>Total Units 52</td>
</tr>
</tbody>
</table>

**Land Uses within 500m of the Site**

Land uses within the Local Study Area include residential, commercial, recreational and institutional uses. Figure 4.16 highlights the location of each of the land uses within 500 m with respect to the location of the Terrapure SCRF.
Figure 4.22  Land Uses within 500 m
Residential

The nearest residential dwelling (currently under construction) is approximately 35 m north of the existing property boundary, approximately 55 m from site infrastructure (i.e., surface water ponds), near the intersection of Green Mountain Road West and First Road West. The nearest existing residential dwelling in relation to the southern SCRF property boundary is approximately 60 m south (from the SCRF property line to the nearest residential property line).

There are approximately 1,200 existing or registered residential dwellings within 500 m of the Site Study Area boundary, with the largest concentrations to the north along Green Mountain Road, and south and southwest along Mud Street. An additional subdivision is under construction to the north of the SCRF. These residential properties are primarily located within the Urban Area, as identified in the Urban Hamilton Official Plan.

The majority of residential uses within the Local Study Area are located south of the SCRF. Lands to the south consist of existing and proposed phases of the Penny Lane Estates subdivision.

In accordance with the City of Hamilton’s filed registered and draft approved plans of subdivision, there are approximately 6,800 residential units both existing and proposed within the preliminary Study Area. Of the approximate 6,800 residential units within the Local Study Area, approximately 5,800 residential units currently exist (registered), and the remaining approximately 1,000 residential units are proposed (draft approved).

Commercial

A cluster of commercial operations exists within the Local Study Area along major roads, including along Upper Centennial Parkway and Mud Street towards Red Hill.

There are 11 commercial uses within 500 m of the Study Area boundary. The commercial uses are as follows:

- Empire Developments (22 Green Mountain Road West) – Located In Urban Area
- Pro's Golf Centre (22 Green Mountain Road East) – Located in Rural Area
- Starlite Drive-In (59 Green Mountain Road East) – Located in Rural Area
- Green Mountain Gardens (398 Upper Centennial Parkway) - Located in Rural Area
- Pioneer Gas Station (333 Upper Centennial Parkway) – Located in Urban Area
- Esso Gas Station (249 Upper Centennial Parkway) – Located in Urban Area
- Tim Hortons (On the Run) (249 Upper Centennial Parkway) – Located in Urban Area
- Wendy's Restaurant (244 Upper Centennial Parkway) – Located in Rural Area
- Tim Horton's (244 Upper Centennial Parkway) – Located in Rural Area
- Queenston Tire & Rim (225 Upper Centennial Parkway) – Located in Urban Area
- JD's Grooming (225 Upper Centennial Parkway) – Located in Urban Area

Recreational

Heritage Green Community Sports Park, Heritage Green Passive Park, and Heritage Green Community Trust Leash Free Dog Park reside within 500 m of the Study Area boundary to the west.
These recreational parks are located within the Urban Area. Felker’s Falls Conservation Area is located further west within the Local Study Area, past the Heritage Green parks.

**Institutional**

Institutional uses within 500 m of the Study Area boundary include St. James the Apostle Catholic Elementary School, which is approximately 270 m from the Terrapure SCRF property boundary, located within the Urban Area.

In accordance with the Nash Neighbourhood Secondary Plan, an institutional land use designation is present at the northwest corner of Green Mountain Road West and First Road West (435 First Road West). This land is reserved for the future development of a school (zoned Neighbourhood Institutional (I1), as approved by council on November 11, 2015, By-law No. 15-260); however, at this time, the property is owned by a developer.

Institutional uses within the Local Study Area consist of the following primary and secondary schools, public facilities and community services:

- Saltfleet High School (108 Highland Road West, approximately 700 m south of the SCRF)
- St. James the Apostle Catholic Elementary School (29 John Murray Street, approximately 500 m southwest of the SCRF)
- Mount Albion Public School (24 Kennard Street, approximately 1.2 km southwest of the SCRF)
- Hamilton Fire Station 17 (415 Arvin Avenue, approximately 1 km southwest of the SCRF)
- Family Church of Heritage Green (360 Isaac Brock Drive, approximately 800 m southwest of the SCRF)
- Heritage Green Child Care (360 Isaac Brock Drive, approximately 800 m southwest of the SCRF)
- Heritage Green Seventh Day Adventist Church (360 Isaac Brock Drive, approximately 900 m southwest of the SCRF)
- Salvation Army Winterberry Heights Church (300 Winterberry Drive, approximately 1.2 km west of the SCRF)
- Paramount Drive Alliance Church (1035 Paramount Drive, approximately 1.4 km west of the SCRF)
- Valley Park Recreation Centre and Arena (970 Paramount Drive, approximately 1.5 km southwest of the SCRF)
- Heritage Green Nursing Home (353 Isaac Brock Drive, approximately 1.1 km southwest of the SCRF)
- Heritage Green Seniors Centre (351 Isaac Brock Drive, approximately 1.1 km southwest of the SCRF)
- St. Paul Catholic Elementary School (24 Amberwood Street, approximately 1.5 km west of the SCRF)
- Billy Green Elementary School (1105 Paramount Drive North, approximately 1.5 km west of the SCRF)
- Gatestone Elementary School (127 Gatestone Drive, approximately 1.5 km south of the SCRF)

**Agricultural**
Agricultural Lands within 500m

There are currently four properties zoned for agricultural uses under City of Hamilton Zoning By-law 05-200 within 500 m of the Site. The location of these four properties relative to the Site are depicted in Figure 4.16. The four agricultural zoned properties have no registered municipal address and are referred to as follows:

- Part lot 24 Concession 5 Saltfleet Part 1 62R11599 except Part 1 62R15170; Stoney Creek, City of Hamilton, owned by 839993 Ontario Inc.
- Part Lot 24, Concession 6 Saltfleet, as in CD466796, except Part 1, 62R11668; Stoney Creek, City of Hamilton, owned by 779493 Ontario Limited
- Part Lot 24, Concession 6 Saltfleet, as in AB302248; Stoney Creek, City of Hamilton, owned by Paletta International
- 274 Highway 20 South; Stoney Creek, City of Hamilton, owned by 290 Upper Centennial Parkway Inc.

Soil Classifications

This assessment identifies soil classifications within the Local Study Area, as in accordance with Canadian Land Inventory, which is part of the National Soil Database. The following soil classes occur within the Local Study Area, as depicted in Figure 4.17:

- **Class 1**: Soils in Class 1 are level to nearly level, deep, well to imperfectly drained and have good nutrient and water holding capacity. They can be managed and cropped without difficulty. Under good management they are moderately high to high in productivity for the full range of common field crops.

- **Class 2**: These soils are deep and may not hold moisture and nutrients as well as Class 1 soils. The limitations are moderate and the soils can be managed and cropped with little difficulty. Under good management they are moderately high to high in productivity for a wide range of common field crops.

- **Class 3**: The limitations are more severe than for Class 2 soils. They affect one or more of the following practices: timing and ease of tillage; planting and harvesting; choice of crops; and methods of conservation. Under good management these soils are fair to moderately high in productivity for a wide range of common field crops.

- **Class 5**: The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants and may be improved through the use of farm machinery. Feasible improvement practices may include clearing of bush, cultivation, seeding, fertilizing or water control.

- **Class 6**: These soils may provide some sustained grazing for farm animals, but the limitations are so severe that improvement through the use of farm machinery is impractical. The terrain may be unsuitable for the use of farm machinery, or the soils may not respond to improvement, or the grazing season may be very short.

- **Class 7**: This class includes marsh, rockland and soil on very steep slopes.

The following subclasses are present within the Local Study Area:

- **Subclass D**: Undesirable soil structure and/or low permeability: This subclass is used for soils which are difficult to till, or which absorb or release water very slowly, or in which the depth of rooting zone is restricted by conditions other than a high water table or consolidated bedrock.

---

2 OMAFRA, 2017. "Classifying Prime and Marginal Agricultural Soils and Landscapes: Guidelines for Application of the Canada Land Inventory in Ontario".

3 Ibid.
In Ontario this subclass is based on the existence of critical clay contents in the upper soil profile.

- **Subclass E - Erosion**: Loss of topsoil and subsoil by erosion has reduced productivity and may in some cases cause difficulties in farming the land e.g., land with gullies.

- **Subclass I - Inundation by streams or lakes**: Flooding by streams and lakes causes crop damage or restricts agricultural use.

- **Subclass R - Consolidated bedrock**: The occurrence of consolidated bedrock within 100 cm of the surface restricts rooting depth and limits moisture holding capacity. Conversely, in poorly drained soils the presence of the bedrock may, depending on depth, make artificial drainage impossible.

- **Subclass T - Topography**: This subclass denotes limitations due to slope steepness and length. Such limitations may hinder machinery use, decrease the uniformity of crop growth and maturity, and increase water erosion potential.

- **Subclass W - Excess water**: This subclass indicates the presence of excess soil moisture due to poor or very poor soil drainage. It is distinguished from **Subclass I - water inundation** which indicates risk of flooding from adjacent lakes or streams.
Figure 4.23  OMAFRA Soil Classifications
Urban Hamilton Official Plan (2013)

As previously mentioned, the Terrapure SCRF resides within the Urban Area, as designated under the Urban Hamilton Official Plan, 2013, but is also directly adjacent to lands that fall under the jurisdiction of the Rural Hamilton Official Plan, 2012. The Urban Hamilton Official Plan identifies the Urban Structural Elements, Functional Road Classifications and Urban Land Use Designation and Secondary Plan Areas, adjacent to the Terrapure SCRF and that fall within the Local Study Area.

Urban Structure Elements (Schedule E)

Urban Structure Elements related to the Local Study Area, include the following (City of Hamilton, 2013):
- Neighbourhoods
- Major Open Space
- Community Node
- Secondary Corridor – Upper Centennial Parkway
- Other Features – Niagara Escarpment

Functional Road Classification (Schedule C)

Classifications for the road network within the Local Study Area are as follows (City of Hamilton, 2013):
- Major Arterial – Mud Street, Rymal Road
- Secondary Arterial – Paramount Drive
- Collectors – First Road West, Green Mountain Road, Upper Centennial Parkway, Issac Brook Drive, Gatestone Drive, Highbury Drive, Highland Road West
- Proposed Collectors – Extension of Isaac Brock Drive and Highbury Drive.

Urban Land Use Designations (Schedule E-1)

Urban Land Use Designations for the Local Study Area include the following (City of Hamilton, 2013):
- Open Space
- Neighbourhoods
- Utility
- Institutional
- Commercial and Mixed Use Designations – Arterial Commercial
- Commercial and Mixed Use Designations – Medium Density

Secondary Plan Areas

As demonstrated in Figure 4.24, the Local Study Area infringes upon three Secondary Plan Areas within the Stoney Creek Rural Settlement Area. The Stoney Creek Secondary Plan Areas within the Local Study Area include the following:
1. Nash Neighbourhood Secondary Plan (Figure 4.24)
2. West Mountain Area (Heritage Green) Secondary Plan (Figure 4.25)
3. Old Town Secondary Plan (Figure 4.26)
Figure 4.24 Secondary Plans within the Local Study Area
Figure 4.25  West Mountain Area (Heritage Green) Secondary Plan
Table 4.13 identifies existing secondary plan designations within each secondary plan area residing within the 1.5 km Local Study Area.

Table 4.13 Stoney Creek Secondary Plans – Inventory of Existing Land Use Designations

<table>
<thead>
<tr>
<th>Secondary Plan Designations</th>
<th>Nash Neighbourhood</th>
<th>West Mountain Area (Heritage Green)</th>
<th>Old Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Designations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Density Residential 2</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Density Residential 2(a)</td>
<td>x</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Low Density Residential 2(b)</td>
<td>x</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Low Density Residential 3(c)</td>
<td>x</td>
<td>✓</td>
<td>x</td>
</tr>
<tr>
<td>Medium Density Residential 2</td>
<td>✓</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Medium Density Residential 3</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>High Density Residential 1</td>
<td>x</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Commercial and Mixed Use Designations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Commercial</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Arterial Commercial</td>
<td>✓</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Mixed Use – Medium Density</td>
<td>x</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Mixed Use – High Density</td>
<td>x</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Parks and Open Space Designations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighbourhood Park</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Community Park</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>City Wide Park</td>
<td>x</td>
<td>✓</td>
<td>x</td>
</tr>
<tr>
<td>Parkette</td>
<td>x</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>General Open Space</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Natural Open Space</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Other Designations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional</td>
<td>✓</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Utility</td>
<td>✓</td>
<td>x</td>
<td>✓</td>
</tr>
</tbody>
</table>

Table 4.14 describes each secondary plan designation existing within the 1.5 km Local Study Area and identifies existing restrictions on land use within these secondary plan areas.
<table>
<thead>
<tr>
<th>Secondary Plan Designations</th>
<th>Description of Built Form/Permitted Uses</th>
<th>Restrictions on Land Use (Density/ GFA/Prohibited Uses)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Designations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Density Residential 2</td>
<td>(a) Includes only single and semi-detached dwellings</td>
<td>20 – 40 units per hectare (uph)</td>
</tr>
<tr>
<td></td>
<td>(b) Includes single, semi, and duplex dwellings</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) Includes street, block, and courtyard townhouses, as well as other innovative ground oriented attached housing forms</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) Includes single and semi-detached dwellings, row houses, and stacked and blocked townhouses, as well as innovative forms of attached housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(e) Includes single and semi-detached dwellings, duplex, link dwellings, cluster homes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(f) Includes single and semi-detached dwellings, duplex, and triplex</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(g) Single detached, semi-detached and duplex dwellings, converted dwellings, shared accommodation, rooming and boarding houses and other similar forms of housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(h) Street and block townhouse dwellings, and other forms of multiple dwellings such as duplexes, triplexes and stacked townhouses.</td>
<td></td>
</tr>
<tr>
<td>Low Density Residential 2(a)</td>
<td>Includes only single and semi-detached dwellings</td>
<td>20 – 40 uph</td>
</tr>
<tr>
<td>Low Density Residential 2(b)</td>
<td>Includes single, semi, and duplex dwellings.</td>
<td>20 – 40 uph</td>
</tr>
<tr>
<td>Low Density Residential 3(c)</td>
<td>Low rise apartments, Row houses, Stacked &amp; Block Townhouses &amp; innovative forms of attached housing</td>
<td>40 – 60 uph</td>
</tr>
<tr>
<td>Medium Density Residential 2</td>
<td>(a) Low rise apartments</td>
<td>60 – 75 uph</td>
</tr>
<tr>
<td></td>
<td>(b) Stacked townhouses &amp; low rise apartments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) Apartments, townhouses, stacked townhouse dwellings and other forms of multiple attached dwellings as single form/mixed form.</td>
<td></td>
</tr>
<tr>
<td>Medium Density Residential 3</td>
<td>Full range of housing forms – no singles or semis</td>
<td>75 – 100 uph</td>
</tr>
<tr>
<td>High Density Residential 1</td>
<td>All forms of townhouses, apartments, and other forms of multiple dwellings</td>
<td>100 – 200 uph</td>
</tr>
<tr>
<td>Secondary Plan Designations</td>
<td>Description of Built Form/Permitted Uses</td>
<td>Restrictions on Land Use (Density/ GFA/ Prohibited Uses)</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------------------------------------</td>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Commercial and Mixed Use Designations</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Local Commercial | The following uses are permitted:  
(a) retail and service uses such as a craftsperson shop, day nursery, commercial school, financial establishment, medical office, business office, professional office, motor vehicle service station, personal service, place of worship, repair service, restaurant, studio, art gallery, tradesperson shop, and veterinary service;  
(b) medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses; and,  
(c) residential uses, in accordance with Policy E.3.8.10 – Residential units located in the same building as local commercial uses, generally above the ground floor. | Maximum Gross Floor Area (GFA) – 500 square metres (sq. m.)  
Maximum GFA for grouped Local Commercial Uses – 1500 sq. m. |
| Arterial Commercial | Permitted uses include:  
(a) commercial uses including banquet halls, restaurants including garden centres, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;  
(b) automotive related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations;  
(c) commercial recreational uses, commercial entertainment uses, excluding theatres;  
(d) industrial supply and service and contractor sales;  
(e) accommodation, excluding residential uses;  
(f) enclosed storage including mini warehousing; and,  
(g) accessory uses. | Prohibited uses include:  
(a) department stores;  
(b) food stores;  
(c) residential uses; and,  
(d) stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise. |
| Mixed Use – Medium Density | Permits a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale. | Maximum building heights of six stories. |
### Secondary Plan Designations

<table>
<thead>
<tr>
<th>Secondary Plan Designations</th>
<th>Description of Built Form/Permitted Uses</th>
<th>Restrictions on Land Use (Density/ GFA/ Prohibited Uses)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) arts, cultural, entertainment, and recreational uses; (e) hotels; (f) multiple dwellings; and, (g) accessory uses.</td>
<td>(c) garden centres as a primary use.</td>
<td></td>
</tr>
</tbody>
</table>

### Mixed Use – High Density

Permitted uses include:
- (a) commercial uses such as retail stores, auto and home centres, home improvement supply stores, offices, personal services, financial establishments, live work units, artist studios, restaurants, gas bars and drive-through facilities;
- (b) Notwithstanding Policy E.4.5.5 a), drive-through facilities on pedestrian predominant streets shall only be permitted in accordance with Section E.4.5.21 and all other applicable policies of this Plan.
- (c) institutional uses such as hospitals, places of worship, and schools;
- (d) arts, cultural, entertainment, and recreational uses;
- (e) hotels, conference and convention centres;
- (f) multiple dwellings; and,
- (g) accessory uses.

Prohibited uses include:
- (a) gas bars and car washes on pedestrian predominant streets;
- (b) vehicle dealerships; and,
- (c) garden centres as a primary use.

### Parks and Open Space Designations

<table>
<thead>
<tr>
<th>Neighbourhood Park</th>
<th>Primarily cater to the recreational needs and interests of the residents living within its general vicinity. Residents can easily walk or bike to these parks. Neighbourhood Parks are generally comprised of municipal parkland, containing a mixture of passive areas, sports facilities, informal and formal play areas, and may include natural areas. They serve a population of approximately 5,000 people and have a minimum size of approximately 2 hectares.</th>
<th>Parkland Standards: 0.7 ha/1000 population 800 m service radius/walking distance.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Park</td>
<td>Serve more than one neighbourhood, but are not intended to serve the City as a whole. Community Parks have more intensive recreational facilities such as sports fields, and recreational and community centres. These facilities shall have good transportation access along adjacent arterial or collector roadways and provide adequate parking to meet anticipated demand. Community Parks in the urban area should appropriately be located along transit routes. They serve a population of approximately 20,000 people and have a minimum size of approximately 7 hectares city wide.</td>
<td>Parkland Standards: 0.7 ha/1000 population 2 km service radius/walking distance.</td>
</tr>
<tr>
<td>Secondary Plan Designations</td>
<td>Description of Built Form/Permitted Uses</td>
<td>Restrictions on Land Use (Density/ GFA/ Prohibited Uses)</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>City Wide Park</td>
<td>Municipally, regionally, provincially or nationally significant destinations that meet the needs of residents and are of interest to visitors. These facilities are often associated with major recreation, education or leisure activities and may have natural, historic, or unique features. They range greatly in size and type.</td>
<td>Parkland Standards: 0.7 ha/1000 pop. N/A m service radius/ walking distance.</td>
</tr>
<tr>
<td>Parkette</td>
<td>Small open spaces which have no or limited recreational facilities. They are generally located in the older urban areas where they serve an important function in the provision of open space opportunities.</td>
<td>N/A</td>
</tr>
<tr>
<td>General Open Space</td>
<td>Includes: golf courses, urban farms, community gardens, pedestrian and bicycle trails, walkways, picnic areas, beaches, remnant parcels of open space lands, and urban plazas, squares and core spaces. These areas do not function as parks but are used for both active and passive recreational activities.</td>
<td>N/A</td>
</tr>
<tr>
<td>Natural Open Space</td>
<td>Include lands with significant natural features and landscapes such as woodlots, hazard lands, forested slopes, creek/ravine corridors, the Niagara Escarpment, environmentally sensitive areas (of natural and scientific interest), and areas of wildlife habitat. These areas perform important biological and ecological functions and provide passive recreational opportunities.</td>
<td>N/A</td>
</tr>
<tr>
<td>Other Designations</td>
<td>INSTITUTIONAL: (a) educational facilities, except commercial schools; (b) religious facilities; (c) cultural facilities; (d) health care facilities; (e) long term care facilities; (f) day care facilities; (g) accessory uses; and, (h) ancillary uses, in accordance with Policy E.6.2.3.</td>
<td>Lands used for institutional purposes less than 4 hectares shall be permitted within the Neighbourhoods designation.</td>
</tr>
<tr>
<td></td>
<td>UTILITY: Permitted uses include: (a) major facilities, corridors, easements and rights–of-way for utilities and services, such as electric power, natural gas and oil pipelines, telecommunication, storm water management, solid waste management outside Employment Areas, water and wastewater service; (b) municipal works yards outside Employment Areas; (c) parking lots in conjunction with adjacent uses; (d) open space uses such as trails, urban farms and community gardens; (e) transportation yards; (f) heavy rail corridors and main lines; and, (g) Waste management facilities.</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Rural Hamilton Official Plan (2012)

Lands to the east of Upper Centennial are designated under the Rural Hamilton Official Plan, as follows (City of Hamilton, 2012):

- Agricultural
- Specialty Crop
- Rural
- Open Space

Figure 4.27 is representative of the lands with these designations with respect to the Terrapure SCRF.
Figure 4.27  Rural Hamilton Official Plan Land Uses
City of Stoney Creek Zoning By-law No. 3692-92 & City of Hamilton Comprehensive Zoning By-law No. 05-200

Lands to the north within 500 m of the Site Study Area generally conform to the City of Stoney Creek Zoning By-law No. 3692-92. Lands to the northwest, west and east of the SCRF within 500 m of the Site Study Area generally conform to the City of Hamilton Zoning By-law No. 05-200. Figure 4.28 shows the most current zoning information for the area within 500 m of the Site Study Area, as provided on the City of Hamilton website interactive zoning mapping tool.
Figure 4.28  Zoning within 500 m of the Site Study Area – City of Hamilton Interactive Zoning Map
Figures 4.29 to 4.27 highlight applicable zoning in accordance with the City of Stoney Creek Zoning By-law No. 3692-92 & City of Hamilton Comprehensive Zoning By-law No. 05-200, with respect to the lands with the Local Study Area.

Figure 4.29 Hamilton Zoning Index Map 'H'
Figure 4.31  Rural Zoning Map 151
Figure 4.32  Rural Zoning Map 166
Table 4.15 identifies existing zoning designations. A full listing of the existing zoning designations and respective permissible uses within the Local Study Area, in accordance with both the City of Stoney Creek Zoning By-law No. 3692-92, and the City of Hamilton Comprehensive Zoning By-law No. 05-200, is provided in Appendix E.

<table>
<thead>
<tr>
<th>Zoning Designations</th>
<th>Zone Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Agricultural</td>
</tr>
<tr>
<td>GC</td>
<td>General Commercial</td>
</tr>
<tr>
<td>GC-52, GC-56</td>
<td>General Commercial</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions</td>
</tr>
<tr>
<td>HC</td>
<td>Highway Commercial</td>
</tr>
<tr>
<td>HC-5, HC-6H</td>
<td>Highway Commercial</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions</td>
</tr>
<tr>
<td>IR2</td>
<td>Intensive Recreation</td>
</tr>
<tr>
<td>LC(H1)</td>
<td>Local Commercial (Hold)</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions – 420 First Road West</td>
</tr>
<tr>
<td>LC(H2)</td>
<td>Local Commercial (Hold)</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions – 420 First Road West</td>
</tr>
<tr>
<td>MR</td>
<td>Rural Industrial</td>
</tr>
<tr>
<td>ND</td>
<td>Neighbourhood Development</td>
</tr>
<tr>
<td>ND3</td>
<td>Neighbourhood Development</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions – West of First Road West, North of Mud Street West</td>
</tr>
<tr>
<td>ND-5</td>
<td>Neighbourhood Development</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions – West of Centennial Parkway, South of Mud Street West</td>
</tr>
<tr>
<td>OS</td>
<td>Open Space</td>
</tr>
<tr>
<td>OS3</td>
<td>Open Space</td>
</tr>
<tr>
<td></td>
<td>Special Exemption – Niagara Escarpment Slope, Lots 1 to 33 (inclusive), Concessions 2 to 6 (inclusive)</td>
</tr>
<tr>
<td>R1</td>
<td>Single Residential</td>
</tr>
<tr>
<td>R2</td>
<td>Single Residential – Two</td>
</tr>
<tr>
<td>R3</td>
<td>Single Residential – Three</td>
</tr>
<tr>
<td>R4</td>
<td>Single Residential – Four</td>
</tr>
<tr>
<td>R4-24, R4-26, R4-27, R4-28, R4-31, R4-32</td>
<td>Single Residential – Four</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions</td>
</tr>
<tr>
<td>R5, R5-10</td>
<td>Residential – Five</td>
</tr>
<tr>
<td>R6</td>
<td>Residential – Six</td>
</tr>
<tr>
<td>Zoning Designations</td>
<td>Zone Description</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>RM2</td>
<td>Multiple Residential</td>
</tr>
<tr>
<td>RM2-19, RM2-20,</td>
<td>Multiple Residential</td>
</tr>
<tr>
<td>RM2-23, RM2-26,</td>
<td>Special Exemptions</td>
</tr>
<tr>
<td>RM2-40, RM2-40(H1,</td>
<td></td>
</tr>
<tr>
<td>H2), RM2-41, RM2-41(H), RM2-54</td>
<td></td>
</tr>
<tr>
<td>RM3</td>
<td>Multiple Residential</td>
</tr>
<tr>
<td>RM3-37, RM3-38</td>
<td>Multiple Residential</td>
</tr>
<tr>
<td></td>
<td>Special Exemptions</td>
</tr>
<tr>
<td>RR</td>
<td>Rural Residential</td>
</tr>
<tr>
<td>SC2-5(H)</td>
<td>Community Shopping Centre</td>
</tr>
<tr>
<td></td>
<td>Special Exception – 165 Upper Centennial Parkway</td>
</tr>
<tr>
<td>A1</td>
<td>Agriculture</td>
</tr>
<tr>
<td>E1</td>
<td>Existing Rural Commercial</td>
</tr>
<tr>
<td>I1</td>
<td>Neighbourhood Institutional</td>
</tr>
<tr>
<td>I2</td>
<td>Community Institutional</td>
</tr>
<tr>
<td>I3</td>
<td>Major Institutional</td>
</tr>
<tr>
<td>P1</td>
<td>Neighbourhood Park</td>
</tr>
<tr>
<td>P3</td>
<td>City Wide Zone</td>
</tr>
<tr>
<td>P4</td>
<td>Open Space</td>
</tr>
<tr>
<td>P5</td>
<td>Conservation/Hazard Lands</td>
</tr>
<tr>
<td>P5 Exception: 23</td>
<td>Special Exception</td>
</tr>
</tbody>
</table>

4.3.3 Social Environment

4.3.3.1 Traffic

From a traffic perspective, existing conditions are characterized through the consideration of intersections in the vicinity of the SCRF. The Study Area intersections that comprise the Local Study Area and that are to be reviewed in this existing conditions report include:

- Highway 20 at Green Mountain Road (signalized);
- Highway 20 at Highway 20 Site Access (entrance only);
- Highway 20 at Mud Street (signalized);
- Mud Street at First Road West (signalized);
- First Road West at First Road West Site Access (entrance and exit);
- Mud Street at Isaac Brock Drive (signalized); and
- Mud Street at Paramount Drive (signalized).
The future roundabout intersection of Green Mountain Road at First Road West will be analyzed under future conditions and will be included as part of the modeling that will take place for the alternative methods (footprint options) evaluation.

The Local Study Area intersections are identified in Figure 4.33.
Figure 4.33  Traffic Local Study Area
The following secondary sources of information were collected and reviewed to characterize existing traffic conditions within the Local Study Area:

- Amended Environmental Compliance Approval (ECA) No. A181008, dated May 16, 2016, as amended, Ministry of the Environment, Conservation and Parks
- 2010-2015 SCRF Truck Count Data
- 1997-2015 SCRF Tonnage Reports
- Traffic Impact Study Guidelines, City of Hamilton, Public Works Department, July 2009

Road Network

The following roads provide access to the SCRF site:

- **Highway 20 (Upper Centennial Parkway)** from Green Mountain Road to Mud Street is a north-south oriented four lane undivided arterial road with a posted speed limit of 70 km/h. It has a rural cross-section with gravels shoulders.
- **Green Mountain Road** from Highway 20 to First Road West is an east-west oriented two lane undivided local road with a posted speed limit of 60 km/h. The existing rural cross-section is currently being urbanized to include curb and gutters and sidewalk on the north side only.
- **Mud Street** from Highway 20 to Paramount Drive is an east-west oriented four lane divided arterial road with a posted speed limit of 70 km/h. It generally has a rural cross-section with gravel shoulders and a wide raised centre median with curb and gutter.
- **First Road West** from Mud Street to Green Mountain Road is a north-south oriented two lane undivided local road with a posted speed limit of 60 km/h. The existing rural cross-section is currently being urbanized to include curb and gutters and sidewalk on the west side only.
- **Isaac Brock Drive** intersects Mud Street and is a north-south oriented two-lane undivided collector road with a posted speed limit of 50 km/h north of Mud Street and 40 km/h south of Mud Street. It has an urban cross-section with curb and gutter.
- **Paramount Drive** intersects Mud Street and is a north-south oriented two-lane undivided collector road with a posted speed limit of 40 km/h north of Mud Street and 50 km/h south of Mud Street. It has an urban cross-section with curb and gutter. Paramount Drive curves to the south of Mud Street into an east-west orientation and transitions into Stone Church Road East which is an arterial road.

Traffic Volumes

Traffic data was collected at all Local Study Area intersections fronting the subject Site (intersections 1 to 5 as per Figure 4.33) on Tuesday May 24, 2016, and at the Isaac Brock Drive and Paramount Drive intersections on Mud Street (intersection 6 and 7 as per Figure 4.33) on Tuesday October 31, 2017, during a.m. and p.m. peak periods. The resulting a.m. and p.m. peak hour volumes are summarized in Figure 4.34. Detailed turning movement data sheets are provided in Appendix E.
Figure 4.34  Existing Traffic Volumes
**SCRF Vehicle Operations**

Material is currently received at the Site between the hours of 7:00 a.m. and 5:00 p.m. on weekdays only. Inbound trips to the Site are typically from the north entering from Upper Centennial Parkway, while outbound trips from the Site are typically from the First Road West exit heading southbound.

The maximum annual tonnage of approved residual material received at the SCRF is restricted to 750,000 tonnes, with the maximum daily tonnage of approved residual material received at the Site not exceeding 8,000 tonnes. As per historical tonnage reports, the SCRF received an annual five-year average (2011-2015) of 704,652 tonnes. The highest recorded monthly five-year average of tonnage received was during July 2015, at 79,148 tonnes. Therefore, it can be assumed that an average of approximately 3,598 tonnes were received daily based on 22 July weekdays (excluding statutory holidays), which would represent peak daily operations.

The daily maximum number of vehicles depositing waste at the Site is restricted to 250 vehicles. As per five-year historical waste vehicle counts (2011-2015) at the SCRF, the Site received an average of 24,415 vehicles per year, or approximately 90-100 vehicles per day. It should be noted that one year within the five-year average was an anomaly, which increased the historical averages higher.

As per collected turning movement counts on Tuesday, May 24, 2016, at the Site’s eastern access on Highway 20, during the a.m. peak traffic period (7:00 a.m. to 9:00 a.m.), 9 trucks were counted exiting the Site and travelling southbound, and 2 trucks were counted entering the Site from the south. During the p.m. peak traffic period (3:00 p.m. to 5:00 p.m.), 1 truck was counted entering the SCRF from the north. However, this truck traffic is not considered to be waste vehicles, as all waste vehicles are to exit the Site from First Road West.

As per collected turning movement counts on Tuesday, May 24, 2016, at the Site’s western access on First Road West, during the a.m. peak traffic period, 6 trucks were counted exiting the Site and travelling southbound, and 1 truck was counted entering the Site from the south. During the p.m. peak traffic period, 8 trucks were counted exiting the SCRF and travelling southbound.

Based on the counts conducted on Tuesday, May 24, 2016, overall from 7:00 a.m. to 9:00 a.m., a total of 18 truck trips were generated, including 3 inbound trips and 15 outbound trips. From 3:00 p.m. to 5:00 p.m., a total of 9 truck trips were generated, including 1 inbound trip and 8 outbound trips. In comparing these peak period truck volumes with the above estimated vehicles per day (90-100 trucks per day), as per historical tonnage rates, it is evident that truck volumes at the Site accesses do not significantly “peak” with the peak operating periods of the surrounding Local Study Area intersections.

**Intersection Capacity Analysis**

As a measure of the capacity on the adjacent road network surrounding the SCRF at peak traffic periods, the Local Study Area intersections were analyzed using the peak operations turning movement volumes for the weekday a.m. and p.m. peak hours.

The capacity analysis identifies how well the intersections and driveways are operating. The analysis contained within this report utilized the Highway Capacity Manual (HCM) 2000 procedure within the Synchro Version 9 Software package. The reported intersection volume-to-capacity ratios (v/c) are a measure of the saturation volume for each turning movement, while the levels-of-service (LOS) are a
measure of the average delay for each turning movement. Queuing characteristics are reported as the predicted 95th percentile queue for each turning movement.

In accordance with the City of Hamilton’s Traffic Impact Study Guidelines, the analysis must highlight movements at signalized intersections where v/c ratios for through movements or shared through/turning movements will operate at 0.85 or greater, v/c ratios for exclusive movements will operate at 0.95 or greater, or queues for an individual movement are projected to exceed available turning lane storage. The analysis must also highlight movements at unsignalized intersections where LOS is “D” or greater, or queues for an individual movement are projected to exceed available turning lane storage.

A summary of the capacity analysis is contained below in Table 4.16, with detailed Synchro reports included in Appendix E.

Table 4.16 Existing Conditions Capacity Analysis

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Movement</th>
<th>v/c ratio (LOS) 95th Percentile Queue</th>
<th>A.M. Peak Hour</th>
<th>P.M. Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway 20 at Green Mountain Road</td>
<td>Eastbound Left-Through-Right</td>
<td>Overall: 0.43 (A)</td>
<td>0.64 (D) 27m</td>
<td>0.45 (D) 18m</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td></td>
<td>0.07 (C) &lt;1 veh</td>
<td>0.16 (D) 9m</td>
</tr>
<tr>
<td></td>
<td>Westbound Through-Right</td>
<td></td>
<td>0.16 (C) 16m</td>
<td>0.38 (D) 20m</td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td></td>
<td>0.02 (A) &lt;1 veh</td>
<td>0.03 (A) &lt;1 veh</td>
</tr>
<tr>
<td></td>
<td>Northbound Through-Right</td>
<td></td>
<td>0.36 (A) 37m</td>
<td>0.23 (A) 18m</td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td></td>
<td>0.09 (A) &lt;1 veh</td>
<td>0.13 (A) 10m</td>
</tr>
<tr>
<td></td>
<td>Southbound Through</td>
<td>Overall: 0.38 (D)</td>
<td>0.20 (A) 25m</td>
<td>0.40 (A) 55m</td>
</tr>
<tr>
<td></td>
<td>Southbound Through-Right</td>
<td></td>
<td>0.02 (A) &lt;1 veh</td>
<td>0.07 (A) &lt;1 veh</td>
</tr>
<tr>
<td></td>
<td>Overall: 0.41 (A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway 20 at Access</td>
<td>Eastbound Left-Right</td>
<td>Overall: 0.29 (A)</td>
<td>0.00 (A) &lt;1 veh</td>
<td>0.00 (A) &lt;1 veh</td>
</tr>
<tr>
<td></td>
<td>Northbound Left-Through</td>
<td></td>
<td>0.00 (A) &lt;1 veh</td>
<td>0.00 (A) &lt;1 veh</td>
</tr>
<tr>
<td></td>
<td>Overall: 0.32 (A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway 20 at Mud Street</td>
<td>Eastbound Left</td>
<td>Overall: 0.61 (C)</td>
<td>0.55 (C) 37m</td>
<td>0.67 (C) 44m</td>
</tr>
<tr>
<td></td>
<td>Eastbound Through</td>
<td></td>
<td>0.46 (C) 51m</td>
<td>0.64 (C) 74m</td>
</tr>
<tr>
<td></td>
<td>Eastbound Right</td>
<td></td>
<td>0.13 (C) 15m</td>
<td>0.22 (C) 20m</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>Overall: 0.22 (C)</td>
<td>0.22 (C) 15m</td>
<td>0.27 (C) 16m</td>
</tr>
<tr>
<td></td>
<td>Westbound Through-Right</td>
<td></td>
<td>0.67 (C) 51m</td>
<td>0.67 (D) 52m</td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td>Overall: 0.75 (D)</td>
<td>0.75 (D) 59m</td>
<td>0.79 (D) 71m</td>
</tr>
<tr>
<td></td>
<td>Northbound Through-Right</td>
<td></td>
<td>0.44 (B) 60m</td>
<td>0.33 (B) 42m</td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td>Overall: 0.56 (E)</td>
<td>0.56 (E) 11m</td>
<td>0.53 (D) 24m</td>
</tr>
<tr>
<td></td>
<td>Southbound Through</td>
<td></td>
<td>0.37 (C) 40m</td>
<td>0.71 (C) 86m</td>
</tr>
<tr>
<td></td>
<td>Southbound Right</td>
<td>Overall: 0.06 (B)</td>
<td>0.06 (B) 1 veh</td>
<td>0.21 (B) 24m</td>
</tr>
<tr>
<td></td>
<td>Overall: 0.39 (B)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mud Street at First Road West</td>
<td>Eastbound Left</td>
<td>Overall: 0.40 (B)</td>
<td>0.18 (B) 8m</td>
<td>0.30 (B) 10m</td>
</tr>
<tr>
<td></td>
<td>Eastbound Through-Right</td>
<td></td>
<td>0.57 (C) 46m</td>
<td>0.67 (B) 60m</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td>Overall: 0.25 (B)</td>
<td>0.25 (B) 11m</td>
<td>0.34 (B) 11m</td>
</tr>
<tr>
<td></td>
<td>Westbound Through-Right</td>
<td></td>
<td>0.68 (C) 57m</td>
<td>0.64 (B) 56m</td>
</tr>
<tr>
<td></td>
<td>Northbound Left-Through-Right</td>
<td>Overall: 0.26 (A)</td>
<td>0.26 (A) 27m</td>
<td>0.14 (B) 15m</td>
</tr>
<tr>
<td></td>
<td>Southbound Left-Through-Right</td>
<td></td>
<td>0.07 (A) 1 veh</td>
<td>0.12 (A) 13m</td>
</tr>
<tr>
<td></td>
<td>Overall: 0.39 (B)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersection</td>
<td>Movement</td>
<td>v/c ratio (LOS) 95th Percentile Queue</td>
<td>A.M. Peak Hour</td>
<td>P.M. Peak Hour</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------------------------------------</td>
<td>--------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>First Road West at Access</td>
<td>Westbound Left-Right</td>
<td>Overall: 0.15 (A)</td>
<td>0.01 (A) &lt;1 veh</td>
<td>0.00 (A) &lt;1 veh</td>
</tr>
<tr>
<td></td>
<td>Southbound Left-Through</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Overall: 0.17 (A)</td>
<td>0.01 (A) &lt;1 veh</td>
<td>0.00 (A) &lt;1 veh</td>
</tr>
<tr>
<td>Isaac Brock Drive at Mud Street</td>
<td>Eastbound Left</td>
<td>Overall: 0.60 (B)</td>
<td>0.12 (A) &lt;1 veh</td>
<td>0.53 (A) 28m</td>
</tr>
<tr>
<td></td>
<td>Eastbound Through-Right</td>
<td></td>
<td>0.60 (A) 68m</td>
<td>0.50 (A) 53m</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td></td>
<td>0.23 (A) 10m</td>
<td>0.43 (A) 20m</td>
</tr>
<tr>
<td></td>
<td>Westbound Through-Right</td>
<td></td>
<td>0.54 (A) 58m</td>
<td>0.51 (A) 58m</td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td></td>
<td>0.60 (B) 48m</td>
<td>0.55 (C) 46m</td>
</tr>
<tr>
<td></td>
<td>Northbound Through-Right</td>
<td></td>
<td>0.06 (B) 9m</td>
<td>0.05 (B) 9m</td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td></td>
<td>0.07 (B) 8m</td>
<td>0.09 (B) 10m</td>
</tr>
<tr>
<td></td>
<td>Southbound Through-Right</td>
<td></td>
<td>0.06 (B) 8m</td>
<td>0.01 (B) 6m</td>
</tr>
<tr>
<td>Paramount Drive at Mud Street</td>
<td>Eastbound Left</td>
<td>Overall: 0.78 (C)</td>
<td>0.63 (D) 46m</td>
<td>0.78 (D) 89m</td>
</tr>
<tr>
<td></td>
<td>Eastbound Through-Right</td>
<td></td>
<td>0.51 (B) 64m</td>
<td>0.65 (C) 106m</td>
</tr>
<tr>
<td></td>
<td>Westbound Left</td>
<td></td>
<td>0.35 (D) 19m</td>
<td>0.64 (D) 56m</td>
</tr>
<tr>
<td></td>
<td>Westbound Through-Right</td>
<td></td>
<td>0.84 (C) 124m</td>
<td>0.88 (D) 145m</td>
</tr>
<tr>
<td></td>
<td>Northbound Left</td>
<td></td>
<td>0.13 (C) 10m</td>
<td>0.10 (D) 12m</td>
</tr>
<tr>
<td></td>
<td>Northbound Through-Right</td>
<td></td>
<td>0.61 (C) 46m</td>
<td>0.78 (D) 91m</td>
</tr>
<tr>
<td></td>
<td>Southbound Left</td>
<td></td>
<td>0.68 (C) 45m</td>
<td>0.78 (D) 79m</td>
</tr>
<tr>
<td></td>
<td>Southbound Through-Right</td>
<td></td>
<td>0.22 (B) 22m</td>
<td>0.32 (C) 51m</td>
</tr>
</tbody>
</table>

Based on the results of the existing conditions capacity analysis, all intersections and individual movements are expected to be operating very well with ample reserve capacity, low levels of delay, and any queueing is expected to be accommodated within existing auxiliary turn lanes.

It is evident that existing truck traffic volumes servicing the Site are not having any negative identifiable operational impact on the Local Study Area intersections, including the Site accesses, and it is expected that the SCRF accesses could accommodate a substantial increase in truck traffic volumes without operational concerns. However, the proposed capacity expansion of the Site is not expected to impact average truck volumes, and therefore the Site will continue to operate satisfactorily, as per existing conditions.

**Sightline Review**

The Site access on First Road West provides the only exit point for all waste trucks, with the vast majority of vehicles destined to the south towards Mud Street in order to access either the Red Hill Valley Expressway to the west or Highway 20 to the east. This access is also used as an entrance/exit point for Site vehicles, deliveries, construction equipment, and other Site-related activities. As this access is the only designated egress point onto the surrounding road network, a sightline review was conducted in order to determine if existing sightlines meet industry sight distance requirements.

The Site access on Highway 20 is designated as entrance only, with the majority of waste trucks utilizing this access for Site entrance. Therefore no sightline review is required.
The First Road West access in its current location satisfies the sight distance requirements for trucks departing from the SCRF. First Road West has little deviation in the vertical and horizontal alignment of the roadway. The existing sight distance at this access greatly exceeds 200 m, which is the Transportation Association of Canada’s (TAC) sight distance requirement for a posted speed limit of 60 km/h (70 km/h design speed).

4.3.3.2 Neighbourhood & Community Character

From a Socio-economic environment perspective both the Site Study Area and Local Study Area described in Section 4.2 are appropriate to establish existing conditions and to assess potential changes to the economic environment as a result of the proposed undertaking. Information on the Economic existing conditions within the Study Areas was gathered from a combination of secondary source research:

- Stoney Creek Community Profile (2009)
- Statistics Canada Census Profile, 2016 Census, Hamilton, City (2016)
- Economic Impacts of the Stoney Creek Regional Facility
- Most recent aerial photos available of the Study Area

The existing SCRF Site is a 75.1 ha (185.5 acre) parcel of land at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20) in the community of upper Stoney Creek, squarely in the middle of The City of Hamilton’s Ward 9, and within the Federal/Provincial electoral district of Niagara West-Glanbrook. The population of Ward 9 is reported to be 30,015 persons, which is approximately 5.6 percent of the total population of Hamilton (Statistics Canada, 2016). Population projections for Ward 9 show an increase of approximately 57 percent by 2031 (based on 2011 population data), coupled with a 44 percent increase in dwelling units from 10,165 in 2006, to 18,020 units in 2031 (City of Hamilton, 2011).

According to 2011 census data, the age group with the largest representation within Ward 9 is the 50 to 54 cohort, accounting for 8.3 percent of the population. In 2011, 51.2 percent of Ward 9 residents reported having some form of postsecondary certificate, diploma or degree, as compared to 50.9 percent of the total population of Hamilton (City of Hamilton, 2011). As of the 2011 census, the top three ethnicities within Ward 9 included English, Canadian, and Scottish (City of Hamilton, 2011). Twenty-two percent of Ward 9 residents identify as immigrants, of which 1.3 percent were considered recent immigrants in 2011 (City of Hamilton, 2011).

The nearest residential dwelling property boundary (currently under construction) is approximately 35 m north of the existing property boundary, approximately 55 m from site infrastructure (i.e., surface water ponds), near the intersection of Green Mountain Road West and First Road West. The nearest existing residential dwelling in relation to the southern SCRF property boundary is approximately 60 m south (from the SCRF property line to the nearest residential property line).

There are approximately 5,800 existing residential dwellings (built, under construction or approved) within the Local Study Area, with the largest concentrations to the south and southwest of the Site along Mud Street West. An additional subdivision is under construction to the north.
Visual

A combination of earth berms, vegetation, and fences are established around the perimeter of the Site to screen views of the SCRF from the surrounding built-up areas. These features will be maintained throughout the life of the SCRF operation, and will be left in place for as long as practical, until the final cover has been constructed or as directed in the closure plan. These features will also be upgraded periodically as required to accommodate changes in site operations or changes to the surrounding land uses.

Views of the existing SCRF from locations in and around the Local Study Area are provided in the photo log below, and the locations from which each of the photos were taken are shown on Figure 4.35.

As noted above, views of the SCRF from the surrounding built-up areas are generally obscured. Locations from which the SCRF operations are somewhat visible include: Heritage Green Community Sports Park; Heritage Green Passive Park; Heritage Green Community Trust Leash Free Dog Park; north along First Road West within approximately 500 m of the Site Study Area boundary, to the west of the SCRF; and along First Road East, near the eastern extreme of the Local Study Area. Views of the SCRF from the roads surrounding the SCRF site perimeter to the north (Green Mountain Road West), east (Upper Centennial Parkway), and south (Mud Street West) are primarily of the earth berms, vegetation, and fences.

Section 5.0 to this report consists of viewshed renderings related to the existing conditions as well as the proposed Alternative Methods (landfill footprints) considered in Terrapure’s Approved Amended Terms of Reference for the Stoney Creek Regional Facility.
Figure 4.35 Local Study Area Photo Log Locations
<p>| Photo 1: Corner Morrisey Blvd. &amp; Green Mountain Rd. W. | Photo 2: Green Mountain Rd. W., east of Morrisey Blvd. |
| Photo 3: Northeast corner Upper Centennial Pkwy. &amp; Green Mountain Rd. W. | Photo 4: Upper Centennial Pkwy. &amp; north of Mud St. W. |
| Photo 5: Southeast corner Upper Centennial Pkwy. &amp; Mud St. W. | Photo 6: Southwest corner Upper Centennial Pkwy. &amp; Mud St. W. |
| Photo 7: Corner Penny Ln. &amp; Waterbridge St. | Photo 8: Southeast corner Mud St. W. &amp; Trafalgar Dr. |</p>
<table>
<thead>
<tr>
<th>Photo 9: Southwest corner Mud St. W. &amp; First Rd. W.</th>
<th>Photo 10: Heritage Green Community Trust Leash Free Dog Park Parking Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="Photo 9" /></td>
<td><img src="image2" alt="Photo 10" /></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image3" alt="Photo 11" /></td>
<td><img src="image4" alt="Photo 12" /></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Photo 13: Northwest corner First Rd. W. &amp; Glover Mountain Rd.</th>
<th>Photo 14: Ridgeview Dr. east of First Rd. W.</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image5" alt="Photo 13" /></td>
<td><img src="image6" alt="Photo 14" /></td>
</tr>
<tr>
<td>Photo 15: Crafters Cres. west of Sherway St.</td>
<td>Photo 16: Northwest corner Morrisey Blvd. &amp; Aldgate Ave.</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td><img src="image1" alt="Photo 15" /></td>
<td><img src="image2" alt="Photo 16" /></td>
</tr>
<tr>
<td>Photo 17: Ridge Rd north of Centennial Pkwy.</td>
<td>Photo 18: Devil’s Punchbowl lookout</td>
</tr>
<tr>
<td><img src="image3" alt="Photo 17" /></td>
<td><img src="image4" alt="Photo 18" /></td>
</tr>
<tr>
<td><img src="image5" alt="Photo 19" /></td>
<td><img src="image6" alt="Photo 20" /></td>
</tr>
<tr>
<td>Photo 21: First Rd. E. north of Mud St. E.</td>
<td>Photo 22: Mud St. E. east of First Rd. E.</td>
</tr>
<tr>
<td><img src="image7" alt="Photo 21" /></td>
<td><img src="image8" alt="Photo 22" /></td>
</tr>
<tr>
<td>Photo 23: Mud St. E. east of Upper Centennial Pkwy.</td>
<td>Photo 24: Northeast corner Highland Rd. W. &amp; First Rd. E.</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td><img src="image1" alt="Photo 23" /></td>
<td><img src="image2" alt="Photo 24" /></td>
</tr>
<tr>
<td>Photo 25: Northwest corner of commercial plaza at northwest corner Upper Centennial Pkwy. &amp; Mud St. W.</td>
<td>Photo 26: Highbury Dr. south of Slinger Ave.</td>
</tr>
<tr>
<td><img src="image3" alt="Photo 25" /></td>
<td><img src="image4" alt="Photo 26" /></td>
</tr>
<tr>
<td>Photo 27: Southeast corner First Rd. W. &amp; Slinger Ave.</td>
<td>Photo 28: North parking lot Salt Fleet High School</td>
</tr>
<tr>
<td><img src="image5" alt="Photo 27" /></td>
<td><img src="image6" alt="Photo 28" /></td>
</tr>
<tr>
<td>Photo 29: Unassumed road south of Salt Fleet High School</td>
<td>Photo 30: Southeast corner Trafalgar Dr. &amp; unassumed road south of Bellroyal Cres.</td>
</tr>
<tr>
<td><img src="image7" alt="Photo 29" /></td>
<td><img src="image8" alt="Photo 30" /></td>
</tr>
<tr>
<td>Photo 31: Trafalgar Dr. south of Waterbridge St.</td>
<td>Photo 32: Southeast corner Isaac Brock Dr. &amp; Beachgrove Cres.</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td><img src="image1.png" alt="Photo 31" /></td>
<td><img src="image2.png" alt="Photo 32" /></td>
</tr>
<tr>
<td>Photo 33: Maplewood Park parking lot</td>
<td>Photo 34: Southeast corner Isaac Brock Dr. &amp; Mud St. W. (Family Church of Heritage Green)</td>
</tr>
<tr>
<td><img src="image3.png" alt="Photo 33" /></td>
<td><img src="image4.png" alt="Photo 34" /></td>
</tr>
<tr>
<td>Photo 35: Northeast corner Mud St. W. &amp; Paramount Dr.</td>
<td>Photo 36: Echovalley Dr. north of Mud St. W.</td>
</tr>
<tr>
<td><img src="image5.png" alt="Photo 35" /></td>
<td><img src="image6.png" alt="Photo 36" /></td>
</tr>
</tbody>
</table>
**Photo 37:** Echovalley Dr. north of Mud St. W.  

**Photo 38:** Felkers Falls parking lot

**Photo 39:** Felkers Falls Conservation Area

**Photo 40:** Heritage Green Passive Park

**Photo 41:** Heritage Green Community Sports Park, south field

**Photo 42:** Heritage Green Community Sports Park, northwest field
Local Businesses, Institutions, Public Facilities and Community Services

As residential development with the Local Study Area is most highly concentrated in the south and southwest, so too are the majority of local businesses, institutions, public facilities and community services. There are also a number of local businesses to the southeast and east, as well as a few to the north.

Local Businesses (within 500 m)

- Empire Developments (22 Green Mountain Road West)
- Pro's Golf Centre (22 Green Mountain Road East)
- Starlite Drive-In (59 Green Mountain Road East)
- Green Mountain Gardens (398 Upper Centennial Parkway)
- Pioneer Gas Station (333 Upper Centennial Parkway)
- Esso Gas Station (249 Upper Centennial Parkway)
- Tim Hortons (On the Run) (249 Upper Centennial Parkway)
- Wendy's Restaurant (244 Upper Centennial Parkway)
- Tim Horton's (244 Upper Centennial Parkway)
- Queenston Tire & Rim (225 Upper Centennial Parkway)
- JD's Grooming (225 Upper Centennial Parkway)

Institutions

- Saltfleet High School (108 Highland Road West, approximately 700 m south of the SCRF)
- St. James the Apostle Catholic Elementary School (29 John Murray Street, approximately 500 m southwest of the SCRF)
- Mount Albion Public School (24 Kennard Street, approximately 1.2 km southwest of the SCRF)
- Heritage Green Child Care (360 Isaac Brock Drive, approximately 800 m southwest of the SCRF)
- Heritage Green Nursing Home (353 Isaac Brock Drive, approximately 1.1 km southwest of the SCRF)
- St. Paul Catholic Elementary School (24 Amberwood Street, approximately 1.5 km west of the SCRF)
- Billy Green Elementary School (1105 Paramount Drive North, approximately 1.5 km west of the SCRF)
- Gatestone Elementary School (127 Gatestone Drive, approximately 1.5 km south of the SCRF)

Public Facilities

- Hamilton Fire Station 17 (415 Arvin Avenue, approximately 1 km southwest of the SCRF)
- Family Church of Heritage Green (360 Isaac Brock Drive, approximately 800 m southwest of the SCRF)
- Heritage Green Seventh Day Adventist Church (360 Isaac Brock Drive, approximately 900 m southwest of the SCRF)
- Salvation Army Winterberry Heights Church (300 Winterberry Drive, approximately 1.2 km west of the SCRF)
- Paramount Drive Alliance Church (1035 Paramount Drive, approximately 1.4 km west of the SCRF)

**Community Services**

- Valley Park Recreation Centre and Arena (970 Paramount Drive, approximately 1.5 km southwest of the SCRF)
- Heritage Green Seniors Centre (351 Isaac Brock Drive, approximately 1.1 km southwest of the SCRF)

**Recreation**

There are a number of recreational facilities that support the surrounding residential developments in the vicinity of the SCRF. The following parks and recreational facilities are located within 500 m of the SCRF:

- Heritage Green Passive Park & Heritage Green Community Trust Leash Free Dog Park
- Heritage Green Community Sports Park
- Pro's Golf Centre
- Starlite Drive-In

Within the wider Local Study Area the parks and recreational facilities include:

- Maplewood Green Park
- Maplewood Park
- Felker Park
- Dofasco Park
- Felker’s Falls Conservation Area

**Agricultural Operations**

Through a review of secondary sources and conducting a windshield survey of the agricultural zoned parcels within 500 m of the Site (as depicted in Figure 4.29 and enhanced with a photo log from February 28, 2018), and previous field investigations of the Local Study Area, it is evident that these properties are used for crop production. Based on visual inspection of the properties conducted from the existing municipal right-of-way, without permission of access and seasonal restrictions, it is difficult to determine the exact species of flora at these locations. However, there is evidence of soy bean production, a typical cash crop of Southern Ontario, as well as the presence of a fruit or nut tree orchard.

A total of 41 additional properties within the Local Study Area are zoned for agricultural use, as in accordance with City of Hamilton Zoning By-law No. 05-200, and City of Stoney Creek Zoning By-law No. 3692-92.

**4.3.3.3 Human Health**

As part of the Approved ToR, Terrapure committed to reviewing Human Health as part of the environmental assessment process. On an annual basis, Terrapure completes a Community Health
Assessment Review as part of the ongoing operation of the SCRF (as required under the current approvals). The existing data and methodology established as part of the Community Health Assessment for the past 20 years, will be used during the alternative methods and impact assessment stage of the EA to analyze the potential effects to human health. The analysis relies on the Community Health Assessment Review reports along with the existing conditions reports for Air Quality, Geology/Hydrogeology and Surface Water. Further details on Human Health Assessment has been included in Section 5.0 and Section 6.0 of this EA Report.
Figure 4.36  Agricultural Photo Locations
<table>
<thead>
<tr>
<th>Photo 1: Property owned by 779493 Ontario Limited, facing north</th>
<th>Photo 2: Property owned by 779493 Ontario Limited, facing northeast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural field—farmed for wheat or corn. Some marshy areas close to corner of Mud and Upper Centennial</td>
<td>Agricultural field—farmed for wheat or corn. Some marshy areas close to corner of Mud and Upper Centennial</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Photo 3: 290 Upper Centennial Parkway Inc., facing northeast</th>
<th>Photo 4: Property owned by Paletta International, facing northeast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural field located east of Site on Upper Centennial - Mix of agricultural land and natural marshy land</td>
<td>Agricultural field located east of the Site on Upper Centennial - potentially farmed for corn or soybeans or wheat</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Photo 5: Property owned by 839998 Ontario Inc., facing northeast</th>
<th>Photo 6: Property owned by 839998 Ontario Inc., facing east</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural property located northeast of the Site with some cleared fields</td>
<td>Appears to be a fruit or nut tree orchard in several locations on the property. It is unclear what type of trees they are and if they are currently being farmed.</td>
</tr>
</tbody>
</table>
4.3.4 Economic Environment

4.3.4.1 Local Employment, Labour Supply and Economic Base

In 2011, the total labour force aged 15 years and over within Ward 9 was 14,580 (City of Hamilton, 2011). The largest portion of the Ward 9 labour force (22.4 percent) was employed in the "sales and service" field in 2011, followed by "business, finance, and administration" (17.5 percent), and "trades, transport, agriculture, and related production" (16.7 percent) (City of Hamilton, 2011).

The unemployment rate within Ward 9 was 7.3 percent (as compared to 8.7 percent for Hamilton) in 2011 (City of Hamilton, 2011).

The SCRF directly employs approximately 13 people on a full-time basis.

An economic impact assessment was completed by RIAS Inc. in early-2016 regarding reconfiguration and vertical expansion of the SCRF and the potential output to the local economy. Based on the historical fill rate of 559,000 tonnes per year, the study determined the SCRF site generates $28.7 million in economic activity in the Hamilton area per year, adding $17.9 million in GDP, 51 jobs, and almost $2.6 million in wages for local workers (RIAS Inc., 2017). The SCRF’s remaining lifespan, based on its current configuration, will generate between $94 million and $104 million in total economic activity in the Hamilton area, between $59 million and $65 million in GDP, and 164 to 190 jobs for local workers, earning a total of $8.4 million to $9.6 million in wages (RIAS Inc., 2017). The existing SCRF generates $2.2 million per year in local taxes, royalties and fees paid by Terrapure (RIAS Inc., 2017).

As a result of a potential capacity expansion of 3.68 million m$^3$ of residual material, using the reconfiguration and vertical expansion option, total economic activity in the Hamilton area generated by the SCRF is expected to range from $349 million to $372 million, with GDP from $218 million to $232 million, and an estimated total jobs to be between 662 and 671 (RIAS Inc., 2017).

Existing Compensation Agreements – Heritage Green Community Trust & City of Hamilton

It is important to note that $1 per tonne of residual material accepted at the SCRF is provided to the Heritage Green Community Trust and to the City of Hamilton (each) – this does not continue with the current future requirement for receiving industrial fill. If Terrapure were to proceed with the option to add disposal capacity at the SCRF, the financial contributions to both the Heritage Green Community Trust and the City of Hamilton would continue\(^4\).

4.3.5 Cultural Environment

4.3.5.1 Archaeology and Built Heritage

For the Cultural Environment, the Local Study Area is applicable based on the previous analysis completed for the Site Study area during the original EA in 1996. Available secondary sources of information were collected and reviewed to determine Archaeological and Built Heritage existing conditions within the Local Study Area. The following sources of secondary information were collected and reviewed:

- City of Hamilton’s Heritage Resource Mapping

Archaeological Resources

The entire SCRF has been subjected to recent, extensive and intensive disturbance and it is therefore considered that the Site Study Area does not have any archaeological potential. While there may be areas within the Local Study Area that have archaeological potential, as these areas will not be disturbed by the proposed expansion options, it was concluded that an assessment of the archaeological potential within the Local Study Area was not necessary. The completed "Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist" provided in Appendix E confirms that the Site does not possess archaeological potential.

Cultural & Heritage Resources

Following a review of the City of Hamilton’s Heritage Resource Mapping it was concluded that there are no heritage properties located within the Local Study Area. The completed "Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes: A Checklist for the Non-Specialist" contained in Appendix E identifies the Site as having no potential for cultural heritage resources.

4.3.6 Design and Operations

Site Capacity and Fill Rate

The SCRF has a total approved site capacity of 8,320,000 m³ (6,320,000 m³ for solid, non-hazardous residual material and approximately 2,000,000 m³ for industrial fill), with an approved maximum annual volume of 750,000 tonnes of residual material. No changes are being proposed to the maximum approved fill rate of up to 750,000 tonnes per year.

Footprint Size

As shown in Figure 4.37, the current approved footprint for the residual material is 41.5 ha, while the industrial fill material covers a footprint of approximately 17.6 ha. The maximum allowable footprint for the Site is limited by the size of the property currently owned by Terrapure. The property currently covers a total area of 75.1 ha, and is bounded by Green Mountain Road West in the north, Upper Centennial Parkway in the east, Mud Street in the south, and First Road West in the west. There are a few properties around the periphery of the Site that are privately owned and are not being considered for expansion of the SCRF footprint. Additional requirements surrounding buffers and setbacks from these properties are discussed further below.
Figure 4.37 Approved Landfill Footprint
**Final Contours and Slopes**

The regulatory requirements specify a maximum slope of four units horizontal to one unit vertical (4H to 1V, or 25%) and a minimum slope of 20H to 1V (5%), but allow variance where it can be shown to be appropriate with respect to slope stability, erosion potential, end uses, and infiltration requirements for groundwater protection. Slopes of a minimum 33.3H to 1V (3%) are currently approved at the SCRF.

**Peak Elevation and Height**

The peak elevation of the SCRF refers to the highest point of the Site measured in metres above mean sea level (mAMSL), while the height of the SCRF is measured relative to the surrounding landscape. There are no regulatory requirements specifically constraining peak elevations or landfill height. However, the peak elevation is limited by the geometry of the Site and the maximum height is indirectly governed by regulatory requirements to ensure that adequate foundation conditions exist and that slopes are stable. There screening measures have been implemented as required based on the development of the Site and surrounding area.

**Buffer Areas**

Regulatory requirements specify a minimum buffer width of 100 metres (m) between the limit of the residual footprint and the Site boundary, but allow this to be reduced to 30 m if it is shown to be appropriate based on a site specific assessment (e.g., if the buffer provides adequate space for vehicle movements, ancillary facilities, and ensures that potential effects from the Site operations do not have unacceptable impacts outside of the Site).

As shown in Figure 4.37, minimum buffer areas of 30 m are currently approved around the perimeter of the residual material area. These buffers extend to approximately 65 m in various areas along the east and south side of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site.

**Setbacks to Surrounding Developments**

In addition to the on-Site buffers noted above that will be maintained in relation to the SCRF, additional buffer separation is achieved through road allowances and setbacks for other developments required in accordance with local planning by-laws.

The closest residential dwellings to the south of the Site is situated approximately 60 m from the property line, while the closest residential dwelling (currently under construction) to the property line in the north is situated approximately 35 m away. The closest existing residential dwelling to the east is situated approximately 150 m from the property line, while the closest residential dwellings in the west are situated approximately 795 m from the property line.

**Infrastructure Requirements**

The SCRF requires various infrastructure components in order to operate the Site, including:

- Site entrance and exit
- Scale facility
- Administrative facility
• Maintenance facility
• Groundwater management system
• Leachate management system
• Stormwater management system

The existing Site entrance is from Upper Centennial Parkway and the existing Site exit on to First Road West.

**Groundwater Management**

Groundwater is currently collected through a network of trenches and piping excavated within the bedrock below the base liner system. Groundwater drains by gravity to a pumping station in the southeast corner of the Site, where it is subsequently recovered for use in Site operations (i.e., dust control) or discharged to the sanitary sewer.

**Leachate Management**

Leachate is currently collected through a network of perforated pipes on top of the base liner system, under the residual material area, where it drains by gravity to a leachate pumping station in the southeast of the Site. Leachate is then pumped to the surface where it is discharged to a gravity main that flows to the equalization pond within the adjacent closed west Site before being discharged to the sanitary sewer under Mistywood Drive. However, Terrapure has started discussions with relevant stakeholders in order to establish a new connection to the sanitary trunk sewer currently under construction under Upper Centennial Parkway. Should a new discharge connection be established, it may allow the existing gravity main and equalization pond to be decommissioned.

**Stormwater Management**

O. Reg. 232/98 requires that landfill sites be designed to protect surface water to specified performance standards based on the following principles:

• Divert or control clean surface water flowing onto the Site.
• Control quality and quantity of runoff discharging from the Site to control erosion, sediment transport, and flooding.

Under the current design, clean runoff is shed from the final cover into perimeter drainage ditches, where it drains by gravity to a series of ponds (i.e., sediment forebay and detention pond) in the northwest corner of the Site before being discharged to the storm sewer under First Road West.

**Gas Management**

Because the Site does not accept waste capable of decomposing and generating gases, it has received a MECP exemption\(^5\) from the requirement to have a gas collection system, (as stated in O. Reg. 232/98), based on supporting documentation, including a gas emission study and annual confirmatory monitoring.

---

\(^5\) Confirmed by MECP in 2011 when the then owners of the site (Newalta) successfully applied for an exemption from a landfill gas collection requirement. Annual reports submitted by Terrapure identify the site as exempt from landfill gas collection requirements under O. Reg. 232/98.
Under the current ECA for the SCRF, Terrapure is required to monitor for landfill gas and provide the results in the Annual Monitoring Report submitted to the MECP by June 30th every calendar year. A Landfill Gas Assessment was conducted in 2011, demonstrating that very little gas is generated at the SCRF.

**Operations**

O. Reg. 232/98 requires that landfills be designed and operated to ensure that nuisance impacts are minimized, and the regulation requires that the proponent prepare a report describing all aspects of the operation as well as maintenance procedures that will be followed.

A key objective of Site operations is to minimize nuisance impacts including noise, litter, vectors, dust, and odour. Typical operating practices relating to these issues include:

- Vehicles transporting waste to and around the Site are covered to prevent odour and dust
- All materials received at the Site are verified and recorded to ensure compliance with regulatory conditions
- On-Site equipment is operated in such a manner as to minimize noise and visual impacts wherever possible
- All equipment required for the development, operation, or closure of the Site should comply with the noise levels outlined in applicable MECP guidelines and technical standards
- All vehicles leaving the Site must drive through a wheel-wash to minimize track-out of mud/dirt
- The Site design includes screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise complaints
Table of Contents

5. Alternative Methods of Carrying out the Undertaking ................................................................. 1
   5.1 Alternative Methods for Expansion .......................................................................................... 1
       5.1.1 Conceptual Design Basis .............................................................................................. 2
       5.1.2 Description of Landfill Footprint Options ...................................................................... 8
   5.2 Rationale for Alternative Methods of Carrying Out the Undertaking .................................. 18
   5.3 Assessment Methodology ...................................................................................................... 18
   5.4 Net Effects Assessment ........................................................................................................ 25
   5.5 Natural Environment ............................................................................................................. 25
       5.5.1 Geology and Hydrogeology ......................................................................................... 25
       5.5.2 Surface Water .............................................................................................................. 33
       5.5.3 Terrestrial and Aquatic (Natural) Environment ............................................................ 39
       5.5.4 Atmospheric Environment - Air and Odour ............................................................... 41
       5.5.5 Atmospheric Environment – Noise ............................................................................. 44
   5.6 Built Environment ................................................................................................................ 46
       5.6.1 Land Use ..................................................................................................................... 46
   5.7 Social Environment ................................................................................................................ 50
       5.7.1 Traffic ......................................................................................................................... 50
       5.7.2 Human Health ............................................................................................................. 51
   5.8 Economic Environment ........................................................................................................ 59
   5.9 Cultural Environment .......................................................................................................... 63
       5.9.1 Archaeology and Built Heritage ................................................................................... 63
   5.10 Design and Operations ........................................................................................................ 65
   5.11 Summary of Net Effects ...................................................................................................... 73
   5.12 Comparative Evaluation & Identification of the Preferred Alternative Solution ................. 80
       5.12.1 Ranking of the Options and Selection of the Recommended Option ...................... 85

Figure Index

Figure 5.1 Current Approved Landfill Footprint ............................................................................. 4
Figure 5.2 Option 1 – Reconfiguration ......................................................................................... 12
Figure 5.3 Option 2 – Footprint Expansion .................................................................................... 13
Figure 5.4 Option 3 – Height Increase ............................................................................................ 14
Figure 5.5 Option 4 – Reconfiguration and Footprint Expansion ................................................ 15
Figure 5.6 Option 5 – Reconfiguration and Height Increase ......................................................... 16
Figure 5.7 Option 6 – Footprint Expansion and Height Increase .................................................. 17
Figure 5.8 Alternative Methods Assessment ................................................................................ 19
**Table Index**

| Table 5.1 | Comparison of Alternatives | 11 |
| Table 5.2 | Evaluation Criteria and Indicators | 20 |
| Table 5.3 | Considerations for Indicators | 25 |
| Table 5.4 | Predicted Leachate Generation Rates | 28 |
| Table 5.5 | Contaminating Lifespan using the Rowe Model | 30 |
| Table 5.6 | Peak Flow Comparison | 33 |
| Table 5.7 | Total Runoff Volume Comparison | 34 |
| Table 5.8 | Option 1 – Summary of Net Effects | 74 |
| Table 5.9 | Option 2 – Summary of Net Effects | 75 |
| Table 5.10 | Option 3 – Summary of Net Effects | 76 |
| Table 5.11 | Option 4 – Summary of Net Effects | 77 |
| Table 5.12 | Option 5 – Summary of Net Effects | 78 |
| Table 5.13 | Option 6 – Summary of Net Effects | 79 |
| Table 5.14 | Comparative Evaluation Options Summary | 81 |
5. **Alternative Methods of Carrying out the Undertaking**

### 5.1 Alternative Methods for Expansion

A series of criteria and assumptions were established to guide the development of the Alternative Methods for the SCRF. These include Terrapure’s projected waste disposal capacity requirements, and regulatory requirements relating to SCRF design geometry. In addition, O. Reg. 232/98 and the accompanying Landfilling Standards Guideline specify requirements and/or provide recommendations for key Site design parameters. Assumptions were also made relating to operational traffic levels, leachate generation rates, and aspects of Site design and operations. The criteria and assumptions used in the development of the Alternative Methods are discussed in the sections that follow. The conceptual designs of the Alternative Methods were developed to a conceptual level of detail and will be further developed during the technical design stage for the Preferred Alternative Method. The conceptual designs are based on the following characteristics:

- Site capacity and fill rate
- Footprint size
- Final contours and slopes
- Peak elevation and height relative to surrounding landscape
- Buffer areas between the SCRF footprint and the property boundary
- Setbacks to surrounding developments
- Infrastructure requirements
- Leachate management
- Stormwater management
- Gas management
- Traffic
- Operations

Furthermore, the Alternative Methods were prepared in consideration of the requirements outlined in the following documents:

- Approved Amended Terms of Reference, SCRF EA, GHD, November 2017
- O. Reg. 101/07 – Waste Management Projects, under the *EA Act*
- O. Reg. 232/98 – Landfilling Sites, under the *Environmental Protection Act* (Last amendment: O. Reg. 268/11, October 31, 2011)
- Landfill Standards: A Guideline on the Regulatory and Approval Requirements for New or Expanding Landfilling Sites, Ontario Ministry of the Environment (Last revision: January, 2012)
- ECA No. A110302 for Waste

These parameters and criteria are discussed in more detail in the following sections. The full Conceptual Design Report (CDR) has been included in Appendix F for reference.
5.1.1 Conceptual Design Basis

Site Capacity and Fill Rate

Currently, the SCRF has a total approved site capacity of 8,320,000 m³ (6,320,000 m³ for solid, non-hazardous residual material and approximately 2,000,000 m³ for industrial fill), with an approved maximum annual volume of 750,000 tonnes of residual material. The expansion proposed under this EA is to increase the total approved capacity for post-diversion solid, non-hazardous industrial residual material at the SCRF by 3,680,000 m³. No changes are being proposed to the maximum approved fill rate of up to 750,000 tonnes per year.

Footprint Size

As shown in Figure 5.1, the current approved footprint for the residual material is 41.5 ha, while the industrial fill material covers a footprint of approximately 17.6 ha. The maximum allowable footprint for the Site is limited by the size of the property currently owned by Terrapure. The property currently covers a total area of 75.1 ha, and is bounded by Green Mountain Road West in the north, Upper Centennial Parkway in the east, Mud Street in the south, and First Road West in the west. There are a few properties around the periphery of the Site that are privately owned and are not being considered for expansion of the SCRF footprint. Additional requirements surrounding buffers and setbacks from these properties are discussed further below.

Final Contours and Slopes

The regulatory requirements specify a maximum slope of four units horizontal to one unit vertical (4H to 1V, or 25%) and a minimum slope of 20H to 1V (5%), but allow variance where it can be shown to be appropriate with respect to slope stability, erosion potential, end uses, and infiltration requirements for groundwater protection. Slopes of a minimum 33.3H to 1V (3%) are currently approved at the SCRF. Final contours for the Alternative Methods were developed based on these slope requirements and in consideration of other aspects such as footprint configuration and stormwater management.

Peak Elevation and Height

The peak elevation of the SCRF refers to the highest point of the Site measured in metres above mean sea level (mAMSL), while the height of the SCRF is measured relative to the surrounding landscape. There are no regulatory requirements specifically constraining peak elevations or landfill height. However, the peak elevation is limited by the geometry of the Site and the maximum height is indirectly governed by regulatory requirements, to ensure that adequate foundation conditions exist and that slopes are stable. The suitability of the proposed height increase relative to the subsurface conditions will be evaluated in more detail, once a Preferred Alternative is chosen. Screening measures are currently in place at the Site to mitigate potential impacts from a visual and noise standpoint, including earth berms and fences. Additional screening measures will be implemented as required, based on the development of the Site and surrounding area.

Buffer Areas

Regulatory requirements specify a minimum buffer width of 100 metres (m) between the limit of the residual footprint and the Site boundary, but allow this to be reduced to 30 m if it is shown to be appropriate based on a site specific assessment (e.g., if the buffer provides adequate space for
vehicle movements, ancillary facilities, and ensures that potential effects from the Site operations do not have unacceptable impacts outside of the Site). As shown in Figure 5.1, minimum buffer areas of 30 m are currently approved around the perimeter of the residual material area. These buffers extend to approximately 65 m in various areas along the east and south side of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site.
Figure 5.1 Current Approved Landfill Footprint
Setbacks to Surrounding Developments

In addition to the on-Site buffers noted above that will be maintained in relation to the SCRF, additional buffer separation is achieved through road allowances and setbacks for other developments required in accordance with local planning by-laws. The closest residential dwellings to the south of the Site is situated approximately 60 m from the property line, while the closest residential dwelling (currently under construction) to the property line in the north is situated approximately 35 m away. The closest existing residential dwelling to the east is situated approximately 150 m from the property line, while the closest residential dwellings in the west are situated approximately 795 m from the property line.

Infrastructure Requirements

The SCRF requires various infrastructure components in order to operate the Site, including:

- Site entrance and exit
- Scale facility
- Administrative facility
- Maintenance facility
- Groundwater management system
- Leachate management system
- Stormwater management system

The existing Site entrance from Upper Centennial Parkway and the existing Site exit to First Road West are anticipated to be maintained in their current locations. However, if they need to be relocated to accommodate other infrastructure or Site operations, Upper Centennial Parkway and First Road West will remain as the preferred connection points. The scale facility, administrative facility, and maintenance facility will be relocated as required, in order to accommodate development of the Site. This may include relocation to the buffer area, the industrial fill area, residual material area, or to an off-Site location. The groundwater management system, leachate management system, and stormwater management system will be reconfigured as required to accommodate the Alternative Methods. Further details are provided in the sections that follow.

Groundwater Management

Groundwater is currently collected through a network of trenches and piping excavated within the bedrock below the base liner system. Groundwater drains by gravity to a pumping station in the southeast corner of the Site, where it is subsequently recovered for use in Site operations (i.e., dust control) or discharged to the sanitary sewer. The groundwater collection system trenches and piping will be extended as required underneath any new residual material areas. No changes are anticipated to the groundwater pumping station or the discharge to the sanitary sewer.

Leachate Management

Leachate is currently collected through a network of perforated pipes on top of the base liner system, under the residual material area, where it drains by gravity to a leachate pumping station in the southeast of the Site. Leachate is then pumped to the surface, where it is discharged to a gravity main that flows to the equalization pond within the adjacent closed west Site, before being discharged to the sanitary sewer under Mistywood Drive. However, Terrapure has started
discussions with relevant stakeholders in order to establish a new connection to the sanitary trunk sewer currently under construction under Upper Centennial Parkway. Should a new discharge connection be established, it may allow the existing gravity main and equalization pond to be decommissioned.

The leachate collection system piping will be extended as required in any residual material areas where a new liner system is proposed. Alternate and/or additional locations for the leachate pumping station(s) and discharge location(s) may be required based on the Alternative Methods.

The leachate generation rate is an important parameter used in assessing the operational and environmental performance of a landfill site. Estimated leachate generation rates for each Option are summarized below in subsequent sections, and are supported by the calculations presented in Appendix F. However, it should be noted that the leachate generation rate will vary over the operational and post-closure period of the Facility, and is influenced by factors including precipitation, degree of landfill development (e.g., area of landfill that is actively undergoing development versus areas where interim/final cover has been placed), final cover design, and other factors.

**Stormwater Management**

O. Reg. 232/98 requires that landfill sites be designed to protect surface water to specified performance standards based on the following principles:

- Divert or control clean surface water flowing onto the Site.
- Control quality and quantity of runoff discharging from the Site to control erosion, sediment transport, and flooding.

Under the current design, clean runoff is shed from the final cover into perimeter drainage ditches, where it drains by gravity to a series of ponds (i.e., sediment forebay and detention pond) in the northwest corner of the Site, before being discharged to the storm sewer under First Road West.

While the overall function of the stormwater management system is not expected to change, the location and alignment of the existing ponds and ditches may need to be relocated to accommodate the Alternative Methods. The outlet to the existing storm sewer under First Road West will remain under all Alternative Methods. The capacity of the existing stormwater management system will be confirmed against each Alternative Method, although significant changes to the capacity are not expected to be required, since the overall catchment area of the Site will remain largely unchanged.

The design of the final cover system will not change under any of the Alternative Methods, with each consisting of 0.60 m of compacted clay and 0.15 m of vegetated topsoil.

**Gas Management**

Because the SCRF does not accept waste capable of decomposing and generating gases, it has received a MECP exemption from the requirement to have a gas collection system (as stated in O. Reg. 232/98), based on supporting documentation, including a gas emission study and annual confirmatory monitoring. Under the current ECA for the SCRF, Terrapure is required to monitor for
landfill gas and provide the results in the Annual Monitoring Report submitted to the MECP by June 30 every calendar year. A Landfill Gas Assessment was conducted in 2011, demonstrating that very little gas is generated at the SCRF. Notwithstanding this, a commitment was made in the Approved Amended ToR that an update of the 2011 Assessment will be carried out as part of the SCRF EA, to determine the necessity, or lack thereof, of a landfill gas collection system being required. This assessment will be carried out once a Preferred Alternative Method (i.e., footprint) has been identified.

Traffic

Vehicle traffic associated with the development of the Site is important in assessing the potential impacts of the Site on various receptors. Traffic levels were estimated based on the following:

- Each Alternative Method is projected to increase the total approved capacity for post-diversion solid, non-hazardous industrial residual material at the SCRF by up to 3,680,000 m³
- Some Alternative Methods will also include the placement of up to 2,000,000 m³ of industrial fill
- Although some material stockpiles currently exist on-Site (i.e., liner clay, topsoil, aggregate), to be conservative, all construction materials are assumed to be imported from off-Site
- Total vehicle traffic volumes were calculated based on assumed vehicle types and average capacities
- Traffic associated with staff vehicles or other Site operations is assumed to be negligible
- Traffic levels are kept within the approved limit of 250 vehicles/day

Estimated traffic levels for each Option are supported by the calculations presented in Appendix F. However, it should be noted that traffic levels will vary depending on Site operations and construction scheduling. Traffic volumes will be further refined during the detailed impact assessment of the Preferred Alternative.

Operations

O. Reg. 232/98 requires that landfills be designed and operated to ensure that nuisance impacts are minimized, and the regulation requires that the proponent prepare a report describing all aspects of the operation, as well as maintenance procedures that will be followed. A key objective in planning Site operations is to minimize nuisance impacts, including noise, litter, vectors, dust, and odour. Typical operating practices relating to these issues include:

- Vehicles transporting waste to and around the Site are covered to prevent odour and dust
- All materials received at the Site are verified and recorded to ensure compliance with regulatory conditions
- On-Site equipment is operated in such a manner as to minimize noise and visual impacts wherever possible
- All equipment required for the development, operation, or closure of the Site should comply with the noise levels outlined in applicable MECP guidelines and technical standards
- All vehicles leaving the Site must drive through a wheel-wash to minimize track-out of mud/dirt
- The Site design includes screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise
These operating practices will be common to all Alternative Methods. While these would not significantly influence the comparative analysis, they should nevertheless be considered in reviewing the Alternative Methods. Any modifications to the design and operations will be outlined during the detailed impact assessment of the Preferred Alternative.

5.1.2 Description of Landfill Footprint Options

The Approved ToR presented six preliminary Alternative Methods that have been refined and developed further during the EA for comparative analysis, and have been identified herein as Options 1 to 6. It should be noted that as committed to in the Approved ToR, the Status Quo or Do Nothing Option will be considered to assist in the assessment of Options 1-6. The Status Quo or Do Nothing option is represented as the currently approved footprint and has been included to represent what would happen if none of the six options were carried out. The ‘Do Nothing’ alternative has been considered as a benchmark (but not as a viable option to implement) against the Recommended Alternative Method as a way of measuring and comparing the environmental advantages and disadvantages. Further discussion is included in Section 6 of this report.

The intent of the Alternative Methods described below are to provide a maximum increase in capacity for post-diversion solid, non-hazardous industrial residual material of 3,680,000 m³ at the SCRF.

The six Alternative Methods were identified in consideration of the criteria and indicators outlined in Approved ToR (Appendices B and C) and reviewed and finalized based on agency and public input received during the first consultation event for the EA. A summary of the criteria and indicators follows the description of alternative methods:

**Alternative Option 1 - Reconfiguration**

Option 1 is shown in Figure 5.2 and has the following general attributes:

- The area at the SCRF currently approved for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. As a result, the SCRF would no longer be approved to receive industrial fill with Option 1.
- The area at the SCRF currently approved for receiving residual material would remain unchanged.
- Option 1 would not include either a horizontal or vertical expansion.

**Alternative Option 2 – Footprint Expansion**

Option 2 is shown in Figure 5.3 and has the following general attributes:

- The area at the SCRF currently approved for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill with Option 2.
- The areas at the SCRF not currently approved for receiving either industrial fill or residual material would be expanded into, so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.
- A minimum 30 m buffer would be established around the entire area for receiving industrial fill or post-diversion solid, non-hazardous industrial residual material.
• Option 2 would include a horizontal expansion, but not a vertical expansion. The peak height currently approved would remain unchanged.

Alternative Option 3 – Height Increase

Option 3 is shown in Figure 5.4 and has the following general attributes:

• The area at the SCRF currently approved for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill with Option 3.

• The area at the SCRF currently approved for receiving residual material would be expanded vertically, so that additional post-diversion solid, non-hazardous industrial residual material could be received.

• Option 3 would not include a horizontal expansion, but would include a vertical expansion, increasing the overall height of the area currently approved to receive post-diversion solid, non-hazardous industrial residual material.

Alternative Option 4 – Reconfiguration and Footprint Expansion

Option 4 is shown in Figure 5.5 and has the following general attributes:

• Option 4 reflects a combination of Options 1 and 2. The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. In addition, the areas at the SCRF not currently approved for receiving either industrial fill or residual material would be expanded into, so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.

• The SCRF would no longer be approved to receive industrial fill, but only post-diversion solid, non-hazardous industrial residual material.

• A minimum 30 m buffer would be established around the entire area for receiving post-diversion solid, non-hazardous industrial residual material.

• Option 4 would include a horizontal expansion, but would not include a vertical expansion. The peak height currently approved would remain unchanged.

Alternative Option 5 – Reconfiguration and Height Increase

Option 5 is shown in Figure 5.6 and has the following general attributes:

• Option 5 reflects a combination of Options 1 and 3. The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. The entire area at the SCRF currently approved for receiving either industrial fill or post-diversion solid, non-hazardous industrial residual material would be expanded vertically, so that additional residual material could be received.

• The SCRF would no longer be approved to receive industrial fill, but only post-diversion solid, non-hazardous industrial residual material.

• A minimum 30 m buffer would be established around the entire area for receiving post-diversion solid, non-hazardous industrial residual material.

• Option 5 would not include a horizontal expansion, but would include a vertical expansion. The peak height currently approved would be increased.
**Alternative Option 6 – Footprint Expansion and Height Increase**

Option 6 is shown in **Figure 5.7** and has the following general attributes:

- Option 6 reflects a combination of Options 2 and 3. The existing approved area at the SCRF for receiving industrial fill would remain unchanged. Therefore, the SCRF would still be approved to receive industrial fill with Option 6.

- The area at the SCRF currently approved for receiving post-diversion solid, non-hazardous industrial residual material would be expanded vertically, and the areas at the SCRF not currently approved for receiving either industrial fill or post-diversion solid, non-hazardous industrial residual material would be expanded into, so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.

- A minimum 30 m buffer would be established around the entire area for receiving industrial fill or post-diversion solid, non-hazardous industrial residual material.

- Option 6 would include both horizontal and vertical expansions, thus increasing the currently approved peak height.

**Summary**

A summary table comparing the details of each of the Options is presented in **Table 5.1**.
### Table 5.1: Comparison of Alternatives

<table>
<thead>
<tr>
<th>Description</th>
<th>Scenario 1</th>
<th>Scenario 2</th>
<th>Scenario 3</th>
<th>Scenario 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parameter A</td>
<td>Value 1</td>
<td>Value 2</td>
<td>Value 3</td>
<td>Value 4</td>
</tr>
<tr>
<td>Parameter B</td>
<td>Value 5</td>
<td>Value 6</td>
<td>Value 7</td>
<td>Value 8</td>
</tr>
<tr>
<td>Parameter C</td>
<td>Value 9</td>
<td>Value 10</td>
<td>Value 11</td>
<td>Value 12</td>
</tr>
</tbody>
</table>

Note: Further detailed analysis and comparison can be found in Appendix "C" to Report PED16184(b).
Figure 5.2 Option 1 – Reconfiguration
Figure 5.4 Option 3 – Height Increase
Figure 5.5 Option 4 – Reconfiguration and Footprint Expansion
Figure 5.7 Option 6 – Footprint Expansion and Height Increase
5.2 Rationale for Alternative Methods of Carrying Out the Undertaking

The preceding Alternative Methods of Carrying Out the Undertaking were included for consideration in the SCRF EA for a number of reasons. Firstly, all of the Alternative Methods represent different ways of performing the same activity (i.e., increasing the approved capacity of the SCRF by 3,680,000 m³ so that Terrapure can continue to receive post diversion solid, non-hazardous industrial residual material generated within the H&GTA). Secondly, all of the Alternative Methods are situated within Terrapure’s existing SCRF property boundary. Thirdly, all of the Alternative Methods will reflect the regulatory design requirements under O. Reg. 232/98: Landfilling Sites (e.g., setbacks, slopes, etc.). Finally, all of the Alternative Methods are within the ability of Terrapure to implement.

The preceding Alternative Methods maximize the use of Terrapure’s current property ownership at the SCRF. Consequently, Terrapure would have to purchase additional property from a private land owner in order to consider any other Alternative Methods. However, Terrapure would only be able to purchase additional property from a “willing seller” because, unlike a public authority (i.e., municipality), it does not have a statutory power to expropriate private lands and premises to achieve the purpose of the proposed undertaking. Even if a private land owner was willing to sell, Terrapure would be subject to the terms and conditions established by the “willing seller” including the price of land, which would be cost prohibitive.

Also, the use of any additional private property would require amendments to both the City of Hamilton’s Official Plan and Zoning By-Law so that landfilling of the residual material is a permitted use on the newly purchased lands. In both cases, the City would have to approve the proposed amendments. Consequently, the dependence upon both a “willing seller” and the City means that any alternative method reliant upon additional property would be outside of Terrapure’s ability to implement on its own.

In addition, the existing SCRF is bordered on all four sides by publically travelled roads (i.e., City of Hamilton ownership). As a result, a horizontal expansion in any direction beyond any one of the existing publically travelled roads would represent, for all intents and purposes, a new waste management facility separated from the existing SCRF. This means that the existing waste management infrastructure associated with the SCRF could not be used to accommodate the additional capacity being sought to address the economic opportunity. Instead, Terrapure would have to establish entirely new waste management infrastructure, which would be cost prohibitive.

5.3 Assessment Methodology

Following the identification of the alternative landfill footprints, a detailed assessment and evaluation of the six footprints was undertaken. The multi-step process began with confirming the evaluation criteria and indicators proposed in approved ToR and confirmed at public meetings, including Open House #1. With a final list of evaluation criteria and indicators established, they were applied to each of the six footprint options through a “net effects analysis” to determine the net positive or negative environmental effects. Next, a Reasoned Argument method was carried out using this information to determine the advantages and disadvantages to the environment and ultimately identify a recommended landfill footprint. Figure 5.8 below highlights the process of the Alternative Methods assessment.
The assessment and evaluation of the alternative landfill footprints was conducted in three steps:

- **Step 1** – Confirm Evaluation Criteria and Indicators/Measures
- **Step 2** – Undertake the Net Effects Analysis
- **Step 3** – Carry out the Comparative Evaluation

Figure 5.8 Alternative Methods Assessment

Each step is described in further detail below.

**Step 1 – Confirm Evaluation Criteria and Indicators/Measures**

Prior to undertaking the net effects analysis, the evaluation criteria, indicators, and measures previously developed in the ToR were reviewed with the public during Open House events and confirmed for application to each of the landfill footprint alternatives. As part of the amended ToR, a commitment to analyze the potential effects to human health during Alternative Methods utilizing the existing data and methodology established as part of the on-going SRCF Community Health Assessment was made. Given that the studies in the EA will be completed and be benchmarked against human health parameters, such as air quality and groundwater, Terrapure will not only continue to complete the annual Community Health Assessment Review as part of the ongoing operation of the SCRF (as required under the current approvals), but will also utilize the existing data and methodology established as part of the Community Health Assessment for the past 20 years, to analyze the potential effects to human health during the Alternative Methods assessment and evaluation. Evaluation criteria were developed for each Environmental Component listed below:

- Geology and Hydrogeology;
- Surface Water Resources;
- Terrestrial and Aquatic Environment;
• Land Use
• Atmospheric Environment (Air Quality, Odour and Noise);
• Human Health
• Transportation
• Economic
• Archaeology and Built Heritage; and,
• Design and Operations.

The approved SCRF ToR set out the draft criteria and indicators for evaluating the ‘Alternative Methods’ (i.e., alternative landfill footprint options) in the EA. As a result, the draft criteria, indicators, and measures provided for in the ToR were reviewed and modified appropriately to suit the evaluation of the landfill footprint alternatives. Specifically, the criteria and indicators were modified in consultation with review agencies and the public to ensure that an appropriate level of scrutiny and rigour was applied in evaluating the landfill footprint alternatives. In doing so, the results of the evaluation phase will consist of clearly defined net effects for each landfill footprint alternative. The list of criteria and indicators can be seen in Table 5.2 below.

**Table 5.2 Evaluation Criteria and Indicators**

<table>
<thead>
<tr>
<th>Component</th>
<th>Criteria</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>Groundwater Quality</td>
<td>Predicted effects to groundwater quality at property boundaries and off-Site</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted effects to Source Water Protection Area</td>
</tr>
<tr>
<td></td>
<td>Groundwater Flow</td>
<td>Predicted effects to groundwater flow at property boundaries and off-Site</td>
</tr>
<tr>
<td>Surface Water Resources</td>
<td>Surface Water Quality</td>
<td>Predicted effects on surface water quality on-Site and off-Site</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted change in drainage areas</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted occurrence and degree of off-Site effects</td>
</tr>
<tr>
<td>Terrestrial and Aquatic Environment</td>
<td>Terrestrial ecosystems</td>
<td>Predicted impact on vegetation communities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted impact on wildlife habitat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted impact on vegetation and wildlife including rare, threatened or endangered species</td>
</tr>
<tr>
<td></td>
<td>Aquatic ecosystems</td>
<td>Predicted impact on aquatic habitat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Predicted impact on aquatic biota</td>
</tr>
<tr>
<td>Atmospheric Environment</td>
<td>Air quality on off-Site receptors</td>
<td>Predicted off-Site point of impingement concentrations (µg/m³) of indicator compounds</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Number of off-Site receptors potentially affected (residential properties, public facilities, businesses and institutions)</td>
</tr>
<tr>
<td></td>
<td>Odours on off-Site receptors</td>
<td>Predicted off-Site odour concentrations (µg/m³ and odour units)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Number of off-Site receptors potentially affected (residential properties, public facilities, businesses and institutions)</td>
</tr>
<tr>
<td></td>
<td>Noise on off-Site receptors</td>
<td>Predicted off-Site noise level</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Number of off-Site receptors potentially affected (residential properties, public facilities, businesses and institutions)</td>
</tr>
<tr>
<td>Land Use</td>
<td>Effect on existing land use</td>
<td>Current land use</td>
</tr>
<tr>
<td></td>
<td>Effect on views of the Facility</td>
<td>Predicted changes in views of the Facility from the surrounding area</td>
</tr>
<tr>
<td>Human Health</td>
<td>Air Quality</td>
<td>Predicted impacts to air quality and their potential effects on human health</td>
</tr>
</tbody>
</table>
### Table 5.2 Evaluation Criteria and Indicators

<table>
<thead>
<tr>
<th>Component</th>
<th>Criteria</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leachate Quantity</td>
<td>Predicted effects of leachate quality (inorganic and organic chemicals) on human health</td>
<td></td>
</tr>
<tr>
<td>Groundwater Quality</td>
<td>Predicted impacts to groundwater quality and their potential effects on human health</td>
<td></td>
</tr>
<tr>
<td>Surface Water Quality</td>
<td>Predicted impacts to surface water quality and their potential effects on human health</td>
<td></td>
</tr>
<tr>
<td>Soil Quantity</td>
<td>Predicted impacts to soil and their potential effects on human health</td>
<td></td>
</tr>
<tr>
<td><strong>Transportation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effect on Traffic</td>
<td>Potential for traffic collisions</td>
<td>Level of Service at intersections around the SCRF</td>
</tr>
<tr>
<td><strong>Economic</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effect on approved/planned land uses</td>
<td>Number, extent, and type of approved/planned land uses affected</td>
<td></td>
</tr>
<tr>
<td>Economic benefit to the City of Hamilton and Local Community</td>
<td>Total Employment at site (number and duration)</td>
<td></td>
</tr>
<tr>
<td><strong>Archaeology and Built Heritage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Effect on known or potential significant archaeological resources</td>
<td>Number and type of potentially significant, known archaeological sites affected</td>
<td>Area (ha) of archaeological potential (i.e., lands with potential for the presence of significant archaeological resources) affected</td>
</tr>
<tr>
<td>Effect on built heritage resources and cultural heritage landscapes</td>
<td>Number and type of built heritage resources and cultural heritage landscapes displaced or disrupted</td>
<td></td>
</tr>
<tr>
<td><strong>Design and Operations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential to Provide Service for Disposal</td>
<td>Ability to provide 3,680,000 m$^3$ of additional disposal capacity for post diversion solid, non-hazardous industrial residual material</td>
<td></td>
</tr>
<tr>
<td>Leachate Management</td>
<td>Design and operating complexity</td>
<td></td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>Design and operating complexity</td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Complexity and constructability of components</td>
<td></td>
</tr>
<tr>
<td>Site Operations</td>
<td>Complexity and operability of components</td>
<td></td>
</tr>
<tr>
<td>Closure and Post-Closure</td>
<td>Flexibility of design and operations</td>
<td></td>
</tr>
<tr>
<td>Cost of Facility</td>
<td>Approximate relative cost of Alternative Methods</td>
<td></td>
</tr>
</tbody>
</table>

**Step 2 – Undertake the Net Effects Analysis**

With the evaluation criteria, indicators and measures confirmed through the preceding step, a net effects analysis of the alternative landfill footprint options was carried out, consisting of the following activities:

- Identify potential effects on the environment;
- Develop and apply impact management measures (avoidance/ mitigation/ compensation/ enhancement measures); and,
- Determine net effects on the environment.
Each of these activities will be documented in a separate table for each alternative landfill footprint options.

**Identify the Potential Effects**

Potential effects on the environment are based on the information contained in the Existing Conditions reports. After determining the alternatives, the evaluation criteria will be applied to each alternative landfill footprint option to determine the potential environmental effects. Specifically, this will be accomplished by applying the indicators to each alternative landfill footprint option. The results of applying these indicators will be expressed in the context of their corresponding measures, either quantitatively or qualitatively, as appropriate, in the potential effects column of the net effects table.

**Develop and Apply the Impact Management Measures**

Once the potential effects on the environment have been identified for each alternative landfill footprint option, the appropriate impact management measures (avoidance/ mitigation/ compensation/ enhancement measures) will be developed and documented in the net effects table for each indicator. The intent of these measures is as follows:

- **Avoidance**: The first priority is to prevent the occurrence of negative effects (adverse environmental effects) associated with implementing an alternative.

- **Mitigation**: Where adverse environmental effects cannot be avoided, it will be necessary to develop the appropriate measures to remove or alleviate to some degree the negative effects associated with implementing the alternative.

- **Compensation**: In situations where appropriate mitigation measures are not available, or significant net adverse effects will remain following the application of mitigation, compensation measures may be required to counterbalance the negative effect through replacement in kind, or provision of a substitute or reimbursement.

- **Enhancement**: Wherever possible, the opportunity should be taken to enhance the positive environmental effects associated with implementing an alternative rather than simply mitigate and/or compensate.

With these intentions in mind, the impact management measures will be developed based on the professional expertise of the Project Team reflecting current procedures, historical performance, and existing environmental conditions. These developed measures will be documented in the avoidance/ mitigation/ compensation/ enhancement measures column of the net effects table.

**Determine the Net Effects**

Once the appropriate impact management measures have been developed and applied to the potential environmental effects of each alternative landfill footprint option, the remaining net negative or net positive effect will be determined and documented by the Project Team members in the “net effects” column of the net effects table. In cases where the net negative or net positive effect cannot be addressed through the application of avoidance/ mitigation/ compensation/ enhancement measure(s), the potential net effect will remain unchanged and therefore, will still be identified as the “net effect”.

Appendix "C" to Report PED16184(b)
The net effects associated with each alternative landfill footprint option will be identified and carried forward to Step 3.

**Step 3 – Carry out the Comparative Evaluation**

In Step 3, the net effects identified for each alternative landfill footprint option in Step 2 were compared to one another in order to identify a “recommended landfill footprint”. The comparison of net effects was completed using a “Reasoned Argument” evaluation methodology, as provided for in the approved SCRF EA ToR.

This method is based on the following two activities:

- **1st Activity**: Identify the level of effect (‘No’, ‘Low’, ‘Moderate’ or ‘High’) associated with each alternative landfill footprint option for each indicator
- **2nd Activity**: Rank each alternative landfill footprint option from most preferred to least preferred through:
  - Criteria rankings for each landfill footprint option (1st through 6th, tied for 1st, etc. based on the identified level of effect from each indicator
  - Factor specific rankings (preferred) for each landfill footprint option; and,
  - Overall landfill footprint rankings (most preferred to least preferred).

The process followed in Step 3 and the results of these two activities are described in further detail in the following sections.

*Level of Effect Determination of the Alternative Landfill Footprint Options*

As mentioned, the “Reasoned Argument” method will be used to highlight the relative level of effect of each landfill footprint option based on the net effects determined in Step 2. More specifically, a level of effect ranging from ‘No effect’, ‘Low effect’, ‘Moderate effect’ or ‘High effect’ will be determined for each landfill footprint option by each indicator.

*Ranking of the Alternative Landfill Footprint Options*

The net effects identified for each alternative in the previous step will then be compared to one another in order to identify a “recommended” footprint location. The comparison of net effects will be completed using a “Reasoned Argument”, as provided for in the approved ToR.

Under the Reasoned Argument approach, the difference in net effects associated with the various alternatives is highlighted. Based on these differences, the advantages and disadvantages of each alternative are identified according to the evaluation of the various evaluation criteria and indicators. The relative significance of potential impacts is examined to provide a clear rationale for the selection of a Recommended Alternative.

Each alternative will be compared against the others to distinguish relative differences in terms of advantages and disadvantages to the environment, taking into account possible mitigation measures.

For example, during the detailed Comparative Evaluation of the alternative landfill footprints, the rankings (1st-6th) will be combined (aggregated) for each Environmental Indicator and Criteria into
preference ranking/rationale for each environmental component. These results will be aggregated further into a single preference rating for each alternative landfill footprint in order to rank the alternatives (incorporating advantages/disadvantages and professional judgement) and identify a Recommended Alternative landfill footprint.

This method is based on the following two activities (example provided below):

- **1st Activity**: Identify the level of effect (‘No Effect’, ‘Low’, ‘Medium’ or ‘High’) associated with each alternative for each indicator

- **2nd Activity**: Rank each alternative from most preferred to least preferred based on the identified level of effect from each indicator; Criteria rankings for each alternative landfill footprint option (1st-6th); component specific rankings based on rationale for preference for each alternative landfill footprint option; and, overall alternative landfill footprint option rankings (most preferred to least preferred).

Each team member first assigned rankings for each individual Criteria based on the level of effect determined for each Indicator under that Criteria. For example, the “Atmospheric Environment” Environmental Component has three Criteria, each of which have two Indicators that will be given a level of effect (‘No’, ‘Low’, ‘Medium’ or ‘High’) and then consolidated to determine an overall Criteria ranking. After each Criteria are ranked, a rationale will be provided to rank by preference each Environmental Component based on the rankings (1st-6th) from each evaluation criteria. For example, in the case of the Atmospheric Environment component, the Technical Consultant will consider the identified rankings for an alternative corresponding to their evaluation criteria (incorporating advantages/disadvantages and their professional judgment) in determining the Atmospheric Environment component ranking.

Following this, the Project Team determined an overall ranking of each alternative based on the individual Environmental Component preference rankings. With this in mind, the Team will then assign an overall ranking of Most Preferred to Least Preferred for the overall landfill evaluations demonstrating key advantages/disadvantages to the environment.

**Do Nothing or Status Quo**

In addition and as previously mentioned, the *Status Quo* ("Do Nothing") option has been included to serve as a benchmark against other alternatives. The Status Quo represents the currently approved footprint and would mean that all existing approvals for the SCRF would be maintained and the current SCRF would no longer have the capacity to accept post-diversion solid, non-hazardous industrial residual material after the currently approved capacity for waste is exhausted in the coming years, but would still continue to operate by accepting industrial fill. Under the *Status Quo* option, a number of long-standing users of the SCRF, including major Hamilton steel making businesses, would be forced to haul their industrial residual material further to an appropriately sized and approved facility (the closest facility is approximately 50 km further east from the SCRF, one way travel). This would increase the cost to users to manage their residual material, and would increase the associated carbon footprint. In addition, the SCRF has provided the Hamilton and Greater Toronto Area (H&GTA) with the closest regional option for waste generated during major infrastructure and development projects in the H&GTA, including the McMaster Children’s Hospital expansion, the new James Street GO Station, and the Stoney Creek Dairy future site remediation, thereby negating long-haul trips and reducing GHG output.
The “Do Nothing” option is included as part of the SCRF EA to serve as a benchmark against all other landfill options (Alternative Methods). The “Do Nothing” option does not address the Purpose of the Undertaking, as described in the Approved Amended ToR for the SCRF EA, dated November 9, 2017, and is therefore not a viable option. The “Do Nothing” option is used as a matter of best practice, in order to establish a “benchmark” when evaluating and assessing the advantages and disadvantages of following alternative landfill footprint options (Alternative Methods) being considered.

### 5.4 Net Effects Assessment

Now that the methodology of the Assessment of Alternative Methods has been presented, the following sections will review the net effects analysis for each of the Landfill footprint options by technical discipline, followed by a summary for each Option. The net effects analysis has taken into account the construction, operation and closure/post-closure periods of the proposed undertaking and, where possible, used highly conservative estimates which will be refined at the Detailed Impact Assessment stage of the EA when more construction, operation and closure/post-closure details are provided on the preferred Alternative.

### 5.5 Natural Environment

#### 5.5.1 Geology and Hydrogeology

The net effects relating to the Geology and Hydrogeology for all Options considered the following criteria and indicators;

**Groundwater Quality:**
- Predicted effects to groundwater quality at property boundaries and off-Site
- Predicted effects to Source Water Protection Area

**Groundwater Flow:**
- Predicted effects to groundwater flow at property boundaries and off-Site
- Predicted effects to Source Water Protection Area

**Considerations and General Assumptions**

In order to fully characterize these indicators and to adopt measures by which potential effects could be identified, several considerations were developed for each indicator. These considerations are shown below in **Table 5.3:**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Indicators</th>
<th>Considerations</th>
</tr>
</thead>
</table>
| Groundwater Quality | • Predicted effects to groundwater quality at property boundaries and off-Site  
                      | • Predicted effects to Source Water                                         | • Leachate generation estimates  
                      |                                                                                     | • Leachate quality – how will leachate leakage from the SCRF affect existing groundwater quality?  
                      |                                                                                     | • Existing groundwater quality – what is background groundwater quality? Is it impacted by the existing landfill or other sources? What is the predicted future quality? |
Table 5.3 Considerations for Indicators

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Indicators</th>
<th>Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protection Area (SWPA)</td>
<td>• Leachate breakthrough – how does the design of the Alternatives affect the ability for leachate to break through the liner?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Monitorability – the ability to define, identify and monitor the hydrostratigraphic units; to understand the groundwater flow gradients &amp; velocities; to define low head areas; and to distinguish impacts from the new landfill versus other sources.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Ability to mitigate effects on groundwater quality</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• SWPA impacts – how will the impacts to groundwater quality change the quality of groundwater and surface water within the SWPA?</td>
<td></td>
</tr>
<tr>
<td>Groundwater Flow</td>
<td>• Predicted effects to groundwater flow at property boundary and off-Site</td>
<td>• Hydraulic characteristics of hydrostratigraphic units – ability to identify units; hydraulic conductivity, flow directions</td>
</tr>
<tr>
<td></td>
<td>• Results of flow modelling – predicted changes to the groundwater flow with each alternative</td>
<td></td>
</tr>
</tbody>
</table>

The potential effects for each alternative were then identified on the basis of these considerations. As described above, the two groundwater criteria (groundwater quality and groundwater flow) were assessed by evaluating the indicators presented in Table 5.2. The following sections explain the evaluation methodology used to assess the criteria.

**Groundwater Quality**

The effects on groundwater quality for each alternative were assessed by:

- Estimating the leachate generation rate;
- Predicting the leachate discharge through the liner;
- Assessing the leachate quality;
- Determining the effect on downgradient groundwater quality; and,
- Determining the effect on groundwater and surface water within the SWPA.

The groundwater quality was assessed for each alternative under closed conditions (i.e., final cover in place) and assumed the leachate collection system was operating to minimize leachate head. The alternatives were assessed under closure conditions in order to allow a comparative analysis of the effects of each alternative on the indicators.

The leachate generation rate was estimated using the Hydrologic Evaluation of Landfill Performance (HELP) model for each of the alternatives. The HELP model is a USEPA recognized program that is commonly used to estimate water balance for landfill sites. Local or site-specific data is used in the calculations, including precipitation, vegetation, soil/ geosynthetic liner types, layer thicknesses, hydraulic conductivities, and slopes. The HELP model was used to calculate daily, monthly, and annual averages for the amount of surface water runoff, evapotranspiration, drainage, and leachate collection. The HELP model was also used to predict the theoretical leachate discharge through the liner. Separate HELP models were created to simulate the differing final landfill configurations for each alternative. A more detailed description of the HELP modelling undertaken as part of this evaluation is included in Appendix H.
In order to estimate groundwater quality at the downgradient Site boundary for the various Site closure configurations, a generalized water balance and mass balance approach was used. A water balance was developed to quantify the hydrogeologic characteristics and functioning in the vicinity of the landfill. The water balance was used to estimate groundwater flow (flux) beneath the landfill and to incorporate predicted leachate discharge through the liner (calculated using the HELP model). A contaminant mass balance using the groundwater flux and predicted leachate discharge (mass loading) was used to calculate the contaminant concentrations at the Site boundary. Contaminant concentrations were compared to established trigger levels for the Site in order to identify potential compliance issues for each alternative. The impacts on local groundwater quality will be used to determine potential effects on groundwater and surface water within the SWPA.

Groundwater Flow

Groundwater flow could be impacted by the alternatives by affecting the groundwater flow direction and/or groundwater flow rates. The direction and flow rate of groundwater is dependent on hydraulic conductivities, saturated thicknesses, and hydraulic gradients (i.e., the change in hydraulic head over a horizontal length).

Of these parameters, the hydraulic gradient is the variable that could potentially be impacted. An increase in leachate leakage through the liner could affect the distribution of hydraulic head under the landfill footprint, and thus changing horizontal hydraulic gradients. The results of the HELP modeling were used to calculate the potential change in hydraulic head through the use of the estimated leakage rate through the liner system under each alternative. The change in hydraulic head was used to determine the potential alterations of hydraulic gradients and subsequently, impacts on groundwater flow rates and direction. A detailed description of the groundwater flow calculations is provided in Appendix H.

Contaminating Lifespan

In order to evaluate the differences in contaminating lifespans for the various alternatives, the contaminating lifespan for each alternative was calculated using two different modelling approaches. The first approach involved simulating the degradation of leachate indicator parameters utilizing the 1DTRANSEN model (One-Dimensional Mass Transport and Sensitivity Analysis). The second approach utilized a model developed by Rowe (1991), which projects the decrease in leachate strength for a conservative contaminant species (e.g., chloride) where the decrease in strength is essentially due to dissolution as water infiltrates through the waste over time. A detailed description of the contaminating lifespan calculations using the models referenced above is provided in Appendix H.

Evaluation Results

Groundwater Quality

This section discusses the evaluation results in terms of the predicted effects of each alternative on groundwater quality. Discussions of predicted leachate generation and leakage through the liner are included as these are integral parts of the groundwater quality evaluation.
**Leachate Generation**

As discussed in Section 4, the HELP model was used to predict the leachate generation rates for each alternative. Leachate generation rates are provided by the HELP model as leakage through the final cover system into the waste mound. Based on the HELP modelling conducted, Table 5.4 summarizes the predicted leachate generation rates under closure conditions for the six alternatives, as well as the existing approved configuration.

**Table 5.4 Predicted Leachate Generation Rates**

<table>
<thead>
<tr>
<th>Landfilling Section</th>
<th>Area (ha)</th>
<th>Leachate Generation Rate (m³/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Approved</td>
<td>54.4</td>
<td>121,143</td>
</tr>
<tr>
<td>Alternative 1</td>
<td>54.4</td>
<td>158,891</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>59.3</td>
<td>135,509</td>
</tr>
<tr>
<td>Alternative 3</td>
<td>54.4</td>
<td>121,182</td>
</tr>
<tr>
<td>Alternative 4</td>
<td>62.3</td>
<td>181,948</td>
</tr>
<tr>
<td>Alternative 5</td>
<td>54.4</td>
<td>158,896</td>
</tr>
<tr>
<td>Alternative 6</td>
<td>59.3</td>
<td>135,373</td>
</tr>
</tbody>
</table>

The results presented in Table 5.4 demonstrate that leachate generation rates for all six Alternatives being considered are similar, however Alternatives 1, 4 and 5 result in greater leachate generation than the remainder of the alternatives. Further details on the HELP model is provided in Appendix H.

**Effects on Downgradient Water Quality**

A generalized water balance and mass balance approach was used to estimate groundwater quality at the downgradient Site boundary for each of the six alternatives. The water balance considered the primary inputs, and movements of water across the Site using both Site hydrogeologic data and theoretical calculations. The water balance and groundwater flow beneath the landfill was estimated by using Site specific groundwater elevations, gradients, and hydraulic conductivities. Based on the groundwater flux and contaminant mass loadings from predicted leachate leakage, downgradient groundwater quality was then estimated for each alternative.

A detailed description of calculation methodology and individual parameter results are provided in Appendix H.

It is important to note the following with respect to the results of the groundwater quality assessment:

1. The downgradient groundwater quality predictions have not taken into account the groundwater control systems incorporated into the landfill design. These systems are currently in operation...
and will be expanded as part of continued landfill development. These systems are discussed further in Section 6 (Mitigation Measures).

2. The predicted downgradient groundwater quality for each of the six Alternatives is very similar to the predicted downgradient groundwater quality for the existing approval under closure conditions, modelled using the same methodology.

**Effects on Source Water Protection**

Any potential impacts to groundwater and/or surface water quality within the SWPA will be dependent on groundwater quality from the alternative options migrating into the IPZ for the City of Hamilton water intake. All six Alternative options show minimal effects on predicted groundwater quality prior to implementation of mitigation measures.

It is important to note that these predictions to downgradient groundwater and/or surface water quality within the SWPA do not consider the use of the groundwater control systems (mitigation measures). These systems will be operated and expanded as part of the continued landfill development and will mitigate the migration of potentially contaminated groundwater offsite. With the continued operation of the groundwater control systems, it is anticipated there will be no impacts on groundwater quality entering the IPZ.

**Groundwater Flow**

The estimated theoretical leakage rate of leachate through the liner, calculated using the HELP model, was used to determine the potential impacts of each alternatives on groundwater flow (See Appendix H). The HELP outputs show that leakage from the landfill liner will contribute approximately 0.064 mm each year. This leakage will predominantly enter the Vinemount Flow Zone (which directly underlies the base of the landfill footprint in each of the six alternatives), which could increase the hydraulic head beneath the landfill footprint. The increase in hydraulic head could affect groundwater flow by altering horizontal hydraulic gradients.

Based on the 2017 groundwater elevations measured at the Site, groundwater levels within the Vinemount Flow Zone are heavily influenced by groundwater extraction at M4 as well as the Phase One Centennial Parkway Trunk Sanitary Sewer (CPTSS) construction; however, historic reports (Taro East Quarry Environmental Assessment Hydrogeological, Impact Assessment Final Report, Gartner Lee, January 1995) show that the baseline potentiometric surface ranges from 201.0 to 192.6 mAMSL across the Site. Thus, the change in hydraulic head across the Site is on the order of several metres across a distance of approximately 900 m (i.e., $i = (201.0\text{mAMSL} - 192.6\text{mAMSL}) / 900 \text{ m} = 0.093 \text{ m/m}$).

Under each scenario of landfill expansion (Alternatives 1 through 6), the theoretical landfill leakage contributes, an additional hydraulic head of 0.064 mm/year. Conservatively assuming this will happen instantaneously, the hydraulic gradient under the various alternatives is equal to the additional hydraulic head added to the downgradient groundwater elevation. Thus, the maximum increase in hydraulic gradient due to leachate leakage under all alternatives is negligible. The change in hydraulic gradient will produce negligible changes to groundwater flow rate and no observable change in direction.
Contaminating Lifespan

As discussed above, a detailed description of the predicted contaminating lifespan for each alternative is provided in Appendix H.

Three scenarios were modeled using the Rowe Model, as follows.

- **Scenario 1**: Maximum anticipated indicator parameter concentration in leachate and average indicator parameter percentage in waste
- **Scenario 2**: Average anticipated indicator parameter concentration in leachate and average indicator parameter percentage in waste
- **Scenario 3**: Maximum anticipated indicator parameter concentration in leachate and maximum indicator parameter percentage in waste

The Rowe model differentiates between alternatives by taking into consideration waste area, volume and mass. **Table 5.5** below summarizes the contaminating lifespans calculated for chloride, as estimated using the Rowe Model, for each of the three scenarios for the approved existing conditions and the six alternatives.

<table>
<thead>
<tr>
<th>Alternative Option</th>
<th>Contaminating Lifespan (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Scenario 1</td>
</tr>
<tr>
<td>Approved</td>
<td>19</td>
</tr>
<tr>
<td>Alternative 1</td>
<td>19</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>19</td>
</tr>
<tr>
<td>Alternative 3</td>
<td>26</td>
</tr>
<tr>
<td>Alternative 4</td>
<td>18</td>
</tr>
<tr>
<td>Alternative 5</td>
<td>21</td>
</tr>
<tr>
<td>Alternative 6</td>
<td>19</td>
</tr>
</tbody>
</table>

A comparison of the contaminating lifespan values indicates that Alternatives 1, 2, 4, and 6 perform similarly to the existing approved design. Calculated contaminating lifespans are longer for Alternatives 3 and 5, both of which involve height increases without an expansion of the landfill footprint. The contaminating lifespan for Alternative 3 is significantly higher than the other options, primarily due to the increased elevation, and subsequent waste thickness, relative to the other options.

Potential Environmental Effects

**Alternative Option 1**

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area. Minimal anticipated impacts to water quality within the SWPA.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns.
Alternative Option 2

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area. Minimal anticipated impacts to water quality within the SWPA.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns.

Alternative Option 3

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area. Minimal anticipated impacts to water quality within the SWPA.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns. Minimal anticipated impacts to water quality within the SWPA.

Alternative Option 4

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns. Minimal anticipated impacts to water quality within the SWPA.

Alternative Option 5

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns. Minimal anticipated impacts to water quality within the SWPA.

Alternative Option 6

Minor increases in leachate indicator parameters in downgradient groundwater quality, as well as reaching upgradient limits reaching wellhead protection area. Minimal anticipated impacts to water quality within the SWPA.

No changes in groundwater flow as the proposed alternative will have minimal effect on groundwater recharge patterns.

Mitigation Measures

The evaluation of potential environmental effects provided above has been completed without taking into consideration several environmental control systems incorporated into the landfill design. These control systems are important aspects of the Site’s groundwater protection strategy and accordingly they are being taken into consideration as mitigation measures for each of the six alternatives. The following paragraphs describe the environmental control systems in place at the SCRF and their relevance to the predicted environment performance of the six alternatives.
**Groundwater Extraction Well M4**

Around 1985, the Lower Excavation portion of the active quarry (at the time), was made through the Vinemount Shale floor to allow access to the Goat Island Dolostone. Dewatering for this quarrying operation from the Lower Excavation created a draw of impacted groundwater from the closed landfill located immediately to the west. The Lower Excavation ceased to be used and was backfilled in 1990 with clean rock rubble with a 3 m thick clay plug installed to simulate the low permeability of the former Vinemount Shale floor of the quarry. The contact between the clay plug was imperfect and flow from the VFZ and UFZ mixed within the rock rubble with groundwater from the lower flow zones. In order to control movement and extract contaminated groundwater migrating from the closed landfill, M4 extraction well was established in one corner of the former Lower Excavation.

Based upon observations of the system performance, a target pumping level was set for the M4 pumping well as a means of maintaining inward gradients toward the pumping well. Monitoring well observations during initial testing indicated that monitors across the length of the north boundary responded to the pumping of M4.

Potentiometric groundwater surfaces provided in the 2016 Annual Monitoring Report (Jackman, June 2017) show groundwater flow in each of the flow zones was heavily influenced by the operation of M4. Inwards, horizontal hydraulic gradients are shown across the northern Site boundary of both the SCRF and closed landfill.

In 2016, M4 extracted an average of 70,000 L/day (when in operation) which is greater than the combined flux estimates for the VFZ, UFZ, and UMFZ/LMFZ. It should be noted that in 2016, groundwater levels at the SCRF were being affected by dewatering associated with sewer construction along HWY. 20 which resulted in a historically low extraction volume from M4.

Based on data presented in the 2016 Annual Monitoring Report (Jackman, June 2017) (extraction greater than estimated flux values and measured inward horizontal hydraulic gradients), operation of M4 will be sufficient to capture potential future landfill-related water quality impacts within the VFZ, UFZ, and UMFZ/LMFZ.

**Groundwater Collection Trench Network**

The existing developed portion of the SCRF includes a network of shallow groundwater collection trenches that surround the landfill footprint and connect through a network of trenches underlying the landfill liner. These trenches are excavated through the VFZ and keyed into the underlying Vinemount Shale aquitard. The trenches are connected to a groundwater pumping station located at the southeast corner of the SCRF. Accordingly, the groundwater collection trench system is capable of containing all groundwater flow within the VFZ below the landfill footprint. As the VFZ would be the primary receptor of direct leachate leakage from the liner, this system is capable of mitigating leakage from the liner, should this condition be observed in the future.

**Hydraulic Control Layer**

The liner system for the SCRF includes a hydraulic control layer (HCL) between the two 1 m sections of compacted clay liner. The HCL consists of a coarse granular material, which, once fully constructed, will be flooded and maintained at a specified hydraulic head to induce an upward
vertical gradient across the upper portion of the compacted clay liner. Maintaining an upward hydraulic gradient across the clay liner will ensure that downward leaking of leachate across the clay cannot occur. Accordingly, operation of the HCL will provide a substantial degree of additional protection against discharge of leachate through the liner into the natural environment.

**Geology/Hydrogeology Net Effects**

The result of the Net Effects Analysis is that for each of the alternatives, no effects to groundwater quality or groundwater flow are anticipated. The key factors leading to this result are the use of the mitigation measures described in Section 6 and the use of these mitigation measures at this site for over 2 decades.

### 5.5.2 Surface Water

The net effects relating to the Surface Water components for all Options considered the following criteria and indicators;

**Surface Water Quality:**
- Predicted effects to surface water quality at property on and off-Site

**Surface Water Quantity:**
- Predicted change in drainage areas;
- Predicted occurrence and degree of off-Site effects.

**Surface Water Modelling**

Predictive modelling was performed using PCSWMM Version 7.1 with SWMM5 version 5.1.012 for the current approved design of the SCRF (baseline condition) and each of the alternate options being considered. This modelling served to evaluate the changes to the peak flows and runoff volumes for each of the alternatives when compared to the baseline condition. The results of the modeling of the peak flows and runoff volume for each condition are summarized in the tables below. The modelling results assume uncontrolled flows, meaning it was assumed that there were no measures to contain and capture the runoff (i.e., perimeter ditches and stormwater management ponds).

#### Table 5.6 Peak Flow Comparison

<table>
<thead>
<tr>
<th>Options</th>
<th>Uncontrolled 2-year Storm</th>
<th>Uncontrolled 100-year Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Peak Flow (m³/s)</td>
<td>Percent Difference to Baseline</td>
</tr>
<tr>
<td>Existing/Baseline</td>
<td>0.969</td>
<td>N/A</td>
</tr>
<tr>
<td>Option 1 (Reconfiguration)</td>
<td>0.967</td>
<td>-0.21%</td>
</tr>
<tr>
<td>Option 2 (Footprint Expansion)</td>
<td>0.929</td>
<td>-4.13%</td>
</tr>
<tr>
<td>Option 3 (Height Increase)</td>
<td>0.971</td>
<td>0.21%</td>
</tr>
<tr>
<td>Option 4</td>
<td>0.925</td>
<td>-4.54%</td>
</tr>
</tbody>
</table>
Table 5.6 Peak Flow Comparison

<table>
<thead>
<tr>
<th>Options</th>
<th>Uncontrolled 2-year Storm</th>
<th>Uncontrolled 100-year Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Peak Flow (m³/s)</td>
<td>Percent Difference to Baseline</td>
</tr>
<tr>
<td>(Reconfiguration and Footprint Expansion)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Option 5 (Reconfiguration and Height Increase)</td>
<td>0.969</td>
<td>0.00%</td>
</tr>
<tr>
<td>Option 6 (Footprint Expansion and Height Increase)</td>
<td>0.933</td>
<td>-3.72%</td>
</tr>
</tbody>
</table>

Table 5.7 Total Runoff Volume Comparison

<table>
<thead>
<tr>
<th>Options</th>
<th>Uncontrolled 2-year Storm</th>
<th>Uncontrolled 100-year Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Runoff Volume (m³)</td>
<td>Percent Difference to Baseline</td>
</tr>
<tr>
<td>Existing/Baseline</td>
<td>14,051</td>
<td>N/A</td>
</tr>
<tr>
<td>Option 1 (Reconfiguration)</td>
<td>15,501</td>
<td>10.32%</td>
</tr>
<tr>
<td>Option 2 (Footprint Expansion)</td>
<td>14,343</td>
<td>2.08%</td>
</tr>
<tr>
<td>Option 3 (Height Increase)</td>
<td>14,108</td>
<td>0.41%</td>
</tr>
<tr>
<td>Option 4 (Reconfiguration and Footprint Expansion)</td>
<td>15,881</td>
<td>13.02%</td>
</tr>
<tr>
<td>Option 5 (Reconfiguration and Height Increase)</td>
<td>15,564</td>
<td>10.77%</td>
</tr>
<tr>
<td>Option 6 (Footprint Expansion and Height Increase)</td>
<td>14,438</td>
<td>2.75%</td>
</tr>
</tbody>
</table>

As can be seen in the tables, the options that involve reconfiguration or a footprint expansion result in increased runoff volume. Most options showed a decrease in peak flows. This can be attributed to the fact that the average slopes in most of the options was slightly less than in the baseline condition. Generally, an increase in height resulted in an increase in peak flows. In some cases, there was very little or no increase in peak flows due to a height increase and this may be attributed to other factors, such as reconfiguration of the Site changing the flow length or travel time of flows over the Site and to the outlet. The Net effects analysis is described for each option below.

Potential Effects to Surface Water Quality and Quantity

Alternative Option 1

Option 1 maintains the same footprint and height as the current approved design of the SCRF (baseline condition). The area currently approved for industrial fill will be used for residual material that will require a less pervious final cover during closure conditions. The final cover for the residual
material will produce more runoff than the final cover for industrial fill since the residual material final cover requires a layer of clay that is 600 mm thick. The clay layer will be less pervious than the cover for the industrial fill resulting in a larger runoff volume.

**Surface Water Quality**

The effect on surface water quality is minimal when compared to the baseline condition, as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is total suspended solids (TSS) which occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels. The height of the residual material is also the same as the baseline, which will result in similar peak flows, minimizing any additional TSS that may be collected from the final cover during a storm event.

**Surface Water Quantity - Change in Drainage Areas**

The overall drainage area is the same as in the baseline condition. The area will be less permeable due to the increased area of residual material with the clay layer as part of the final cover. This will result in an increase in runoff volume.

**Surface Water Quantity - Occurrence and Degree of Off-Site Effects**

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce a larger runoff volume than the baseline condition. The predicted increase in runoff volume is approximately 10% during the 2-year event and 6% during the 100-year event. There is no expected increase in peak flows due the height of the residual fill staying the same as baseline conditions. Runoff will flow off-Site and cause an increase in flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

**Alternative Option 2**

Option 2 maintains the same height as the current approved design of the SCRF (baseline condition) and the SCRF will continue to receive industrial fill. The buffer area will be reduced to a minimum of 30 m and the SWM pond will be placed within the buffer area in the northwest corner of the Site. This results in an increased area for residual material. An increase in residual material area with a final cover that requires a layer of less pervious clay will result in a larger runoff volume.

**Surface Water Quality**

The effect on surface water quality is minimal when compared to the baseline condition as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is TSS that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels. The height of the residual material is also the same as the baseline that will result in similar peak flows, minimizing any additional TSS that may be collected from the final cover during a storm event.
Surface Water Quantity - Change in Drainage Areas

The overall residual/fill drainage area is larger than the baseline condition. The area will be less permeable due to the increased area of residual material with the clay layer as part of the final cover. This will result in an increase in runoff volume.

Surface Water Quantity - Occurrence and Degree of Off-Site Effects

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce a larger runoff volume than the baseline condition. The predicted increase in runoff volume is approximately 2% during the 2-year event and 1% during the 100-year event. There is no expected increase in peak flows due to the height of the residual fill staying the same as baseline conditions. Runoff will flow off-Site and cause an increase in flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

Alternative Option 3

Option 3 maintains the same footprint area as the current approved design of the SCRF (baseline condition). The SCRF will continue to receive both industrial fill and residual material. The volume of runoff produced from the Site will be similar to baseline conditions due to similar areas being reserved for both industrial fill and residual material. The final cover in Option 3 will be similar to the final cover in the currently approved design. The residual material will have a vertical expansion, resulting in a larger area with steeper slopes. This will cause an increase in peak flows.

Surface Water Quality

The effect on surface water quality is minimal when compared to the baseline condition, as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is TSS that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels. The height of the residual material will increase which will result in higher peak flows, which may cause additional TSS to be collected from the final cover during a storm event.

Surface Water Quantity - Change in Drainage Areas

The overall drainage area is the same as in the baseline condition but there will be a height increase. The area will have a similar permeability due to similar areas of industrial fill and residual material. This will result in an increase to peak flows but similar runoff volumes.

Surface Water Quantity - Occurrence and Degree of Off-Site Effects

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce a similar runoff volume than the baseline condition but having higher peak flows. The predicted increase in peak flows is less than 1% during the 2-year event and approximately 5% during the 100-year event. Runoff will flow off-Site and cause an increase in peak flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.
**Alternative Option 4**

Option 4 maintains the same height as the current approved design of the SCRF (baseline condition) and the SCRF will no longer receive industrial fill. The buffer area will be reduced to a minimum of 30 m and the SWM pond will be placed within the buffer area in the northwest corner of the Site. This results in an increased area for residual material. An increase in residual material area with a final cover that requires a layer of less pervious clay will result in a larger runoff volume.

**Surface Water Quality**

The effect on surface water quality is minimal when compared to the baseline condition as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is TSS that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels. The height of the residual material is also the same as the baseline that will result in similar peak flows, minimizing any additional TSS that may be collected from the final cover during a storm event.

**Surface Water Quantity - Change in Drainage Areas**

The overall residual material drainage area is larger than the baseline condition. The area will be less permeable due to the increased area of residual material with the clay layer as part of the final cover. This will result in an increase in runoff volume.

**Surface Water Quantity - Occurrence and Degree of Off-Site Effects**

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce a larger runoff volume than the baseline condition. There is no expected increase in peak flows due the height of the residual fill staying the same as baseline conditions. The predicted increase in runoff volume is approximately 13% during the 2-year event and 8% during the 100-year event. Runoff will flow off-Site and cause an increase in flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

**Alternative Option 5**

Option 5 maintains the same footprint area as the current approved design of the SCRF (baseline condition) but there will be an increase in height. SCRF will no longer receive industrial fill so the area currently approved for industrial fill will be used for residual material. The additional residual material will require a less pervious final cover during closure conditions. The final cover for the residual material will produce more runoff than the final cover for industrial fill since the residual material final cover requires a layer of clay that 600 mm thick. The clay layer will be less pervious than the cover for the industrial fill resulting in a larger runoff volume. The residual material will have a vertical expansion, resulting in steeper slopes. The reconfiguration of the Site to have additional residual area will cause an increase in flow length and travel time of the runoff. This will cause a reduction in peak flows.
**Surface Water Quality**

The effect on surface water quality is minimal when compared to the baseline condition, as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is TSS that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels.

**Surface Water Quantity - Change in Drainage Areas**

The overall drainage area is the same as in the baseline condition but there will be a height increase. The area will have lower permeability due to the replacement of industrial fill with residual material. This will result in an increase in peak flows and runoff volumes.

**Surface Water Quantity - Occurrence and Degree of Off-Site Effects**

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce more runoff volume and higher peak flows than the baseline condition. The predicted increase in runoff volume is approximately 11% during the 2-year event and 6% during the 100-year event.

Runoff will flow off-Site and cause increased flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

**Alternative Option 6**

Option 6 provides an increase in footprint and height from the current approved design of the SCRF (baseline condition). The SCRF will continue to receive industrial fill. The buffer area will be reduced to a minimum of 30 m and the SWM pond will be placed within the buffer area in the northwest corner of the Site. This results in an increased area for residual material. An increase in residual material area with a final cover that requires a layer of less pervious clay will result in a larger runoff volume.

**Surface Water Quality**

The effect on surface water quality is minimal when compared to the baseline condition, as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed of. The SCRF will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is TSS that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels. The height of the residual material will increase which will result in higher peak flows, which may cause additional TSS to be collected from the final cover during a storm event.

**Surface Water Quantity - Change in Drainage Areas**

The overall residual material drainage area is larger than the baseline condition and there will be a height increase. The area will be less permeable due to the increased area of residual material with the clay layer as part of the final cover. This will result in an increase in peak flows and runoff volume.
**Surface Water Quantity - Occurrence and Degree of Off-Site Effects**

During the 2-year through 100-year storm events, uncontrolled flows from the SCRF (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce a larger runoff volume than the baseline condition. There will also be an increase in peak flows due the height increase of the residual fill. The predicted increase in runoff volume is approximately 3% during the 2-year event and 2% during the 100-year event. Peak flows are expected to only increase by less than 1% during the 100-year event. The increased runoff volume will flow off-Site which will cause increased peak flows and flow volumes in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

**Mitigation**

The addition of perimeter ditches that can convey up to the 100-year storm event will prevent any flows from leaving the Site. A stormwater management pond with two forebays can be designed to treat the runoff to the required levels and to control the release of the 2-year- through 100-year storm events to pre-development levels. This will prevent erosion and flooding off-Site.

The allocated SWM pond area is large enough to size a pond that can treat and control the Site runoff. There may be some complications in the design of the pond due to the elevation difference between the residual material toe of slope and the elevations of the roads adjacent to the SWM pond. The berm separating the SWM pond from Green Mountain Road West and First Road West will need to have significant design considerations. This may result in a costly design and construction of the SWM pond. Since the SWM pond will be built within the 30 m buffer area, the berm sloping from the SWM pond to the roads will take up more than half the width allocated for the pond. This will cause additional design and construction constraints.

The pond design will include emergency shut-off valves so that stormwater will not be released into the storm sewer system below First Road West, which ultimately discharges into Davis Creek, if water quality testing determines that the water quality is not suitable for discharge. Contingency measures include “status quo”, which is to discharge stormwater to the sanitary sewer for treatment at the City’s water pollution control plant.

**Surface Water Net Effects**

The SWM pond and perimeter ditches will able to treat and control the runoff from the Site to the same level as the current approved design and results in low net environmental effects from all Alternative Options.

### 5.5.3 Terrestrial and Aquatic (Natural) Environment

The net effects relating to the Natural Environment for all Options considered the following criteria and indicators:

Effect on terrestrial ecosystems:

- Predicted impact on vegetation communities, wildlife habitat including rare, threatened or endangered species.
Effect on Aquatic Ecosystems:

- Predicted impact on aquatic habitat and aquatic biota

Potential Effects on Terrestrial Ecosystems

Through the Net Effects Analysis process, potential effects on terrestrial ecosystems were identified for all alternatives. Potential effects included temporary loss of existing vegetation communities (e.g., marsh, meadow, and thicket habitat) and associated wildlife habitat as a result of regrading activities and expansion into buffer areas (for Options 2, 4 and 6) as well as temporary loss of approximately 13 ha of habitat of a threatened species (eastern meadowlark) in the dry-fresh graminoid meadow ecosite at the south and west portion of the Site. No off-Site impacts are anticipated as a result of any of the alternatives. The effects were identified as ‘Temporary’ based on the assumptions that not all vegetated areas will be disturbed simultaneously and that habitats will be re-established on-Site following landfill closure. Additional details are provided in Appendix H.

Effects on Aquatic ecosystems

Through the Net Effects Analysis process, potential effects on aquatic ecosystems were identified for all alternatives. This included:

- Loss of on-Site aquatic habitat and disturbance of aquatic biota associated with open water habitats in stormwater infrastructure due to regrading activities and modifications to stormwater ponds at the northwest corner of the Site (for Alternatives 2, 4 and 6).

No off-Site impacts are anticipated as a result of any of the alternatives. Additional details are provided in Appendix H.

Mitigation Measures

In order to mitigate these potential effects to terrestrial ecosystems, the following mitigation measures will be employed:

- Conduct any vegetation removal activities outside of the breeding bird window (i.e., no removals between late March - late August).
- Consult with MNRF to determine if there is a need for any registrations, permits or approvals related to the presence of eastern meadowlark to avoid contravention of the provincial Endangered Species Act. Incorporate graminoid meadow habitats into the closure landscape plan, managed for grassland birds.
- Compensation for the loss of vegetation communities could occur elsewhere on-Site where there are areas that could be revegetated. Where possible, salvage plant material for restoration from areas where vegetation is removed.

Best Management Practices (BMPs) that are recommended across all alternatives include the following:

- Use of dust suppressants;
- Installation of protective fencing (where required);
• Conduct a nest survey of on-Site facilities and infrastructure prior to relocation or removal of structures to mitigate impacts to bird species which may use anthropogenic structures for nesting. If nests are found, consult a biologist/MNRF for further direction;

• Any wildlife incidentally encountered during Site operation activities will not be knowingly harmed and will be allowed to move away from the area on its own;

• In the event that an animal encountered during Site operation activities does not move from the area, or is injured, the Site Supervisor, a biologist, and MNRF will be notified;

• In the event that the animal is a known or suspected SAR, the Site Supervisor will contact MNRF SAR biologists for advice; and,

• Include naturalized landscape features into the stormwater management facilities design (e.g., emergent robust vegetation, shallow slope).

In order to mitigate the potential effects to aquatic ecosystems, the following mitigation measures will be employed:

• Characterize use of on-Site aquatic features by fish and wildlife prior to modification/removal. Obtain necessary permits for and complete fish/wildlife rescue activities prior to initiation of any in-water works, as appropriate.

• Install erosion and sediment control (ESC) measures to mitigate impacts to water quality and to act as wildlife exclusion fencing prior to construction, and maintain them appropriately throughout landfill construction and operation.

**Natural Environment Net Effects**

With the implementation of the mitigation measures described above including BMPs, net effects on terrestrial and aquatic ecosystems are anticipated to be low for all Alternative Options.

5.5.4 **Atmospheric Environment - Air and Odour**

Atmospheric Environment criteria were evaluated with indicators for each landfill footprint alternative (including number and significance) to support the reasoned argument in the comparative rankings:

**Effect of Air Quality on Off-Site Receptors**

• Predicted off-Site point of impingement concentrations of particulate matter size fractions

**Effect of Odours on off-Site Receptors**

• Predicted off-Site point of impingement concentrations of volatile organic compounds

**General Assumptions**

Assumptions included in the assessment for each indicator include the following, for each alternative:

**Air Quality**

• Predicted concentrations of three size fractions of particulate matter (TSP, PM10 and PM2.5) at off-Site receptors compared to the MECP’s Point of Impingement Standards and Ambient Air Quality criteria (for 24-hour and annual averaging periods).
• Likelihood of predicted concentrations of the particulates to be similar to, greater than, or less than the concentrations resulting from the currently approved plan for the Facility.
• Location and extent of potentially affected off-Site receptors.
• The maximum permitted 250 trucks per day was assumed for all alternative landfill footprints – this is highly conservative as the vehicle movements on-Site are typically half. This was used as a starting point and will be refined during the impact assessment stage in concert with mitigation measures to more realistic and current truck per day movements.

**Odour**

• Predicted concentrations of volatile and semi-volatile compounds present in the impacted leachate (such as benzene, toluene, xylenes and others, which are odourous).
• Likelihood of predicted concentrations of odourous species to be similar to, greater than, or less than the concentrations resulting from the currently approved plan for the Facility.
• Location and extent of potentially affected off-Site receptors.

**Net Effects for Air and Odour**

The following assumptions were made for the emissions estimates and dispersion modelling:

• All numerical modelling was carried out using the U.S. EPA AERMOD model (v. 16216r, for the inclusion of annual averages), and MECP-provided terrain and meteorological data for the vicinity of the Facility.
• Operational hours of the landfill are from 7 AM to 5 PM (10 hours per day).
• A single footprint and elevation was assessed for each alternative. Elevations were assumed to conform to final (maximum) elevations.
• Unpaved roads were assumed for all scenarios.
• The maximum permitted 250 trucks per day was assumed for all alternative landfill footprints – this is highly conservative as the vehicle movements on-Site are typically half. This was used as a starting point and will be refined during the impact assessment stage in concert with mitigation measures to more realistic and current truck per day movements.
• The active area was assumed to be within the area defined by the proposed haul route for each alternative.
• Material handling was assumed to consist of drop operations, as 250 trucks per day unloaded their waste; and earth moving/bulldozing of the waste material into the working area – this is highly conservative as the vehicle movements on-Site are typically half. This was used as a starting point and will be refined during the impact assessment stage in concert with mitigation measures to more realistic and current truck per day movements.
• The annual average was assessed assuming maximum daily operations at the Site, 365 days per year – this is a conservative estimate as the Site’s ECA allows for normal operating hours from Monday to Friday only (The ECA explicitly states that the Site shall be closed on weekends and statutory holidays).
• Odour emissions were assumed to be mostly originating from the leachate pumping station, where pre-treated leachate is brought to the surface for treatment, prior to being pumped back underground, and diverted to holding areas or the municipal sanitary sewer.
These assumptions are highly conservative, and take into account Best Management Practices (BMP), but will require more specific mitigation measures at the impact assessment stage (discussed further in Chapter 6.0) and so a qualitative analysis has been undertaken, comparing the worst-case for each option. It is understood that a refinement to the existing customized BMP for dust mitigation will be required for the Facility, which will ensure suitable and appropriate mitigation is implemented to allow the Facility to operate within MECP guidelines.

The greatest differences between the various alternative scenarios consisted of the location and length of the on-Site haul route, and the final elevation of the landfill. Two alternatives also included the addition of a second pre-treatment leachate pumping station, potentially affecting the emission of odourous compounds.

**Air and Odour Potential Effects**

Under worst-case (maximum) operating conditions, with minimum dust mitigation, predicted off-Site concentrations of particulate species (TSP, PM10, and PM2.5) were predicted to exceed existing AAQC or POI standards at one or more off-Site receptors for all options. Once a recommended option is selected, specific mitigation measures will be designed in order for the Facility to meet MECP air quality criteria.

From an odour perspective, there is little difference between the identified options for this site. The addition of a second leachate pumping station at the opposite side of the Site may potentially reduce some odours because pre-treatment leachate will be split between the two pumping stations. Odours are not anticipated to change significantly between the proposed options and currently approved operations. Odour mitigation measures currently implemented at the Site will be required to be adequately maintained and operated in order for the Facility to meet MECP odour guidelines.

**Mitigation**

Mitigation measures and effectiveness will be determined based on the recommended alternative and will include Best Management Practices (BMPs) as well as other options including:

- Paving on-Site roads
- Road cleaning (watering, application of calcium chloride or other dust suppressants)
- Re-routing on-Site roads so they are further from the Site fenceline
- Limiting vehicle speeds on on-Site roads
- Review of the number of vehicles accessing the Site on a daily basis
- Detailed assessment of the progression of the Site operations for the Preferred Alternative
- Other options as identified during the design of the Preferred Alternative

Based on the identified mitigation required for the Preferred Alternative, a refined Dust Management Plan will be developed and implemented at the Facility.

**Air and Odour Net Effects**

From an atmospheric environment perspective, the Facility will be required to meet MECP criteria for air quality and odour. Through the implementation of effective and best practice mitigation
measures, the Facility will operate in accordance with MECP criteria for air quality. All six Options will be able to implement mitigation measures to meet the specified criteria to ensure there are no off-Site exceedances and meet MECP criteria.

### 5.5.5 Atmospheric Environment – Noise

The net effects relating to the Atmospheric Environment Noise components for all Options considered the following criteria and indicators:

**Effect on Noise:**
- Predicted off-Site noise level
- Number of off-Site receptors potentially affected (residential, commercial, institutional)

**General Assumptions**

The worst-case equipment locations were selected based on proximity and elevated line-of-sight exposure to the off-Site residential dwellings. The worst-case elevation was selected based on landfill cell development and the corresponding topography detail.

The analysis also accounts for the potential residential development on the residentially zoned vacant lots to the north and the agricultural zoned lot to the East which allows a single detached dwelling to be built.

**Environmental Effects to Noise and Mitigation**

Up to 75 off-Site residential dwellings located in the Study Area will be potentially impacted by noise from the landfill activities. The predicted noise impacts at the residential areas range from 40 to 59 dBA (rounded). The existing and potential residences near the northwest corner of the landfill are the most impacted as they are either approaching or exceeding the 55 dBA daytime noise limit for the six landfill design Alternatives.

- From a potential noise impact exposure perspective, Alternative Methods 1, 2 and 4 are nearly identical as the final landfill height is similar to existing conditions as discussed below. However, the now shortened separation distance from Site activities to adjacent residential areas due to the expansion will result in a potential change to the line-of-sight noise impact exposure for the off-Site residential dwellings.
- The increased height of the final landfill in addition to the shortened separation distances to residential areas for Alternative methods 3, 5 and 6 will result in a potential changes to the line-of-sight noise impact exposure to the off-Site residential dwellings.
- Landfill activities and on-Site operations are compared directly against a daytime one-hour Leq sound level limit of 55 dBA for landfill operations that are limited to 7 a.m. to 7 p.m. under the MECP “Noise Guidelines for Landfill Sites” (N-1).

In order to meet the noise limit, the north property line berm height needs to be constructed at an appropriate height to block the line of sight to the residential areas to the north. The required height of the berm varies between 7 and 10 meters above the base landfill elevations. Further information is provided in **Appendix H**.
**Alternative Method 1**

Potential change to the predicted off-Site noise impacts occur due to increased line-of-sight due to the landfill reconfiguration associated with Alternative Method 1 and the decrease in the separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 7 m above existing base elevations (199 m ASL to 207 m ASL).

**Alternative Method 2**

Potential changes to the predicted off-Site noise impacts occur due to the Footprint Expansion associated with Alternative Method 2 and the decrease in the separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 10 meters above existing base elevations (203 m ASL to 210 m ASL).

**Alternative Method 3**

Potential changes to the predicted off-Site noise impacts occur due increased line-of-sight due to the elevation change associated with Alternative Method 3 and the decrease in the separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 7 m above existing base elevations (200 m ASL to 207 m ASL).

**Alternative Method 4**

Potential changes to the predicted off-Site noise impacts occur due to the Reconfiguration and Footprint Expansion associated with Alternative Method 4 and the decrease in the separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 9 m above existing base elevations (201 m ASL to 208 m ASL).

**Alternative Method 5**

Potential changes to the predicted off-Site noise impacts occur due increased line-of-sight from the elevation change associated with Alternative Method 5 and the decrease in the separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 8 m above existing base elevations (201 m ASL to 208 m ASL).
Alternative Method 6

Potential changes to the predicted off-Site noise impacts occur due increased line-of-sight from the elevation change associated with Alternative Method 6 and the decrease in separation distance between the landfill activities and the adjacent residential properties.

Potential noise mitigation measures include berms at the landfill perimeter to the north. The height of barriers and/or berm are required to be an additional 9 meters above existing base elevations (202 m ASL to 209 m ASL).

Noise Net Effects

After mitigation measures, noise levels at receptors will be below the applicable noise criteria at the each receptor, which is based on the higher of the background sound level and the MECP’s minimum sound level limits. Further details are provided in Appendix H.

5.6 Built Environment

5.6.1 Land Use

The net effects relating to the Land Use components for all Options considered the following criteria and indicators:

Effect on existing Land Use:
- Current land Use

Effect on views of the Facility:
- Predicted changes in views of the Facility from the surrounding area

General Considerations for Land Use

The current land use of the SCRF is designated under the Urban Hamilton Official Plan and is designated as Open Space. The Site is currently zoned as ME-1 under City of Stoney Creek Zoning By-law No. 3692-92, which is a special designation that permits operations associated with non-hazardous waste from industrial, commercial and institutional sources. Land uses within 500 m of the Site and within the 1500 m Local Study Area are identified and consist of a mix of residential, commercial, institutional, recreational, and agricultural uses. For each of the alternatives, the environmental effects with respect to existing land uses are primarily the removal or loss of the existing land uses and their replacement with a waste management facility. There are no mitigation measures proposed with respect to the existing land use indicator; consequently, the potential and net effects are considered the same. Further detail is provided below.

Residential

The nearest existing residential dwelling is approximately 60 m south of the Site (across Mud Street). Approximately 1,200 existing residential units registered under a plan of subdivision post 1996 are located within 500 m of the Site. These residential properties are primarily located within the Urban Area, as identified in the Urban Hamilton Official Plan (2013). The majority of the existing residential uses within the Local Study Area are located south of the SCRF. Lands to the south
consist of existing and proposed phases of the Penny Lane Estates subdivision. In accordance with the City of Hamilton’s filed registered and draft approved plans of subdivision, there are approximately 6,800 residential units both existing and proposed within the preliminary Study Area. Of the approximate 6,800 residential units within the Local Study Area, approximately 5,800 (registered) residential units currently exist. All landfill footprint options do not physically extend or impede on the existing residential parcel fabric of the Local Study Area. As such, neighbouring residential uses to the Site and within the Local Study Area are not subject to direct physical impact requiring alteration of land or change in land use or zoning.

Commercial

A cluster of 11 existing commercial properties resides within 500 m of the Site, along the arterial roads along Upper Centennial Parkway and Mud Street towards Red Hill Valley Parkway (i.e., Gas station(s), Golf course, Restaurants, Mixed Use, etc). The locations of these commercial properties are located in both the Urban Area and Rural Area, as identified in the Urban Hamilton Official Plan (2013). All landfill footprint options do not physically extend or impede on the potential use and/or operations of the 11 commercial facilities within 500 m of the Site. As such, the 11 existing commercial facilities are not subject to direct physical impact requiring alteration of land or change in land use or zoning.

Recreational

Heritage Green Community Sports Park, Heritage Green Passive Park, and Heritage Green Community Trust Leash Free Dog Park reside within 500 m of the Site. All landfill footprint options do not physically extend or impede on the potential use and/or operations of the recreational facilities within 500 m. As such, these facilities are not subject to direct physical impact requiring alteration of land or change in land use or zoning.

Parks and recreational facilities located within the Local Study Area include Felker’s Falls Conservation Area, Dofasco Park, Felker Park, Maplewood Park, and Maplewood Green Park. All landfill footprint options do not physically extend or impede on the potential use and/or operations of the recreational uses within the Local Study Area. As such, the recreational uses within the Local Study Area are not subject to direct physical impact requiring alternation of land or change in land use or zoning.

Institutional

Institutional uses within 500 m of the Site include St. James the Apostle Catholic Elementary School. This property is not subject to direct physical impact requiring alternation of land or change in land use or zoning. The Local Study Area consists of 15 existing institutional uses, including primary and secondary schools, public facilities and community services. Institutional uses within the Local Study Area are not subject to direct physical impact requiring alternation of land or change in land use or zoning. As such, no net effects to the physical location of institutional uses resulting from the landfill footprint options considered are anticipated.

Agricultural

Four agricultural properties/parcels are located within 500 m of the Site and are located along Upper Centennial Parkway between Mud Street and Green Mountain Rd. and at the corner of
Mud Street. As per the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) soil classifications, the four agricultural properties consist of Class 1, 2, and 6 soils. Soil classes 1 and 2 are described as moderately high to high productivity of common field crops. Soil class 6 is consistent with severe limitations to soil capabilities. All landfill footprint options do not physically extend or impede on the potential use and operations of the four agricultural properties within 500 m of the Site. As such, no net effects to agricultural lands as a result of the landfill footprint options considered are anticipated.

A total of 41 additional properties within the Local Study Area are currently zoned for agricultural use, as in accordance with City of Hamilton Zoning By-law No. 05-200 and City of Stoney Creek Zoning By-law No. 3692-92. All landfill footprint options do not physically extend or impede on the potential use and operations of the agricultural properties within Local Study Area. As such, no net effects to agricultural lands within the Local Study Area as a result of the landfill footprint options considered are anticipated.

**Mitigation**

Mitigation Measures are not required for existing land uses within the Local Study Area, since each landfill footprint option and relative 30 m buffer requirement is not anticipated to expand or impede on these properties. Mitigation measures would be established to manage any potential nuisance influenced by site operations of each landfill footprint options relative to noise, air quality (including odour), and traffic, as described in the Comparative Analysis Memos for noise, air quality, and traffic.

**Existing Land Use Mitigation and Net Effects**

All landfill footprint options considered do not warrant a change to the existing land use designation or zoning designation of the Site and do not warrant a change to existing land use designations or zoning designations of the adjacent properties, properties and land uses within 500 m, and properties and land uses within the Local Study Area. As such, no physical impact to properties or change in land use of properties within the Local Study Area are anticipated resulting from the potential implementation of the landfill footprint options considered.

**General Considerations for Visual Aspects**

Photographic renderings of the 6 options were developed (Appendix H) to show what each of the options would look like from various viewpoints. The viewpoints include:

- First Road West looking South
- Morrissey Blvd. looking South
- Green Mountain Rd. West looking South
- Green Mountain Rd. West and Centennial Parkway looking southwest
- First Rd. East Looking West
- Upper Centennial Parkway and Mud Street East looking North West
- Trafalgar Drive Looking North
- Mud Street East and First Rd. West Looking Northeast
- Heritage Green Community Trust Leash Free Dog Park Looking East
**Potential Effects – Visual Perspectives**

The visual net effects analysis used the renderings described above to determine how the views of the Facility might change.

**Alternative Option 1**

Option 1 does not result in a height change, but a reconfiguration of the waste within the landfill. Views are therefore minimally affected by the reconfiguration. Application of visual screening and vegetation would mitigate the views and result in low effects.

**Alternative Option 2**

Option 2 maintains the same height as the current approved design of the SCRF (baseline condition) but requires a change to the current footprint and the buffer areas are reduced to 30 m minimum. The change in footprint results in increased views of the Facility from neighboring residential properties, as the residual material will be closer to the property boundary. Application of visual screening and vegetation would mitigate the views and result in low effects.

**Alternative Option 3**

Option 3 maintains the same footprint area and buffer areas as the current SCRF (baseline condition), but results in a height increase of 12 m. From a visual perspective, a 12 m increase results in a noticeable change to the views of the Facility from adjacent and surrounding properties in all directions. The residual material would be highly visible from all viewpoints. The installation of additional visual screens will help to mitigate some of the view, however, some views will still be visible particularly from adjacent residential properties along Mud Street and Green Mountain Road. Option 3 results in High Net Effects.

**Alternative Option 4**

Option 4 maintains the same height as the current approved design of the SCRF (baseline condition) but requires a change to the current footprint and the buffer areas are reduced to 30 m minimum. The views of the Facility are minimally affected by the reconfiguration and expansion. Application of visual screening and vegetation would mitigate the views and result in low effects.

**Alternative Option 5**

Option 5 results in a small height increase of 2.5 m and reconfiguration, but maintains current buffers and footprint. The slight height increase will result in slight view change to the Facility in all directions. However, the application of additional visual screens will mitigate the view. Application of visual screening and vegetation would mitigate the views and result in low effects.

**Alternative Option 6**

Option 6 results in a height increase of 8 m, and the buffer areas are reduced to 30 m minimum. The height increase as well as changes to the current footprint will result in changes to views of the Facility. The residual material will not only become closer to the property boundary, but will also become quite visible with an 8 m increase. The material will be visible from all directions, but particularly from adjacent properties. Installation of visual screens and added vegetation will
mitigate views, but will not be able to mitigate all views. Option 6 results in a high change to the viewsheds analyzed.

**Mitigation**

A combination of earth berms, vegetation, and fences are established around the perimeter of the Site to screen the views of the SCRF from the surrounding built-up areas. Installation of additional visual screening elements, such as adding additional vegetation or increasing the berm height would help to mitigate the view from surrounding areas. However, visual mitigation measures may not be able to sufficiently block or mitigate all changing views, particularly for Options 3 and 6.

**Visual Net Effects**

In regards to visual impacts, it was determined that there would be varying levels of effects from the options. All of the Options will cause a change to view sheds from neighboring and adjacent properties. However, Options 3 and 6 will result in high effects as the height increases will be difficult to mitigate completely.

### 5.7 Social Environment

#### 5.7.1 Traffic

The net effects relating to the Transportation components for all Options considered the following criteria and indicators;

Effect on Traffic:

- Potential for traffic collisions
- Level of Service at intersections around the SCRF

**Traffic Effects**

With respect to the “Potential for traffic collisions” indicator, the expected effect of each alternative option on future frequency and severity of traffic collisions within the Local Study Area was assessed. All alternative options are not expected to impact average daily SCRF truck volumes. Therefore with no expected change in SCRF truck volumes within the Local Study Area for any of the alternative options, all alternative options are considered to have an equally negligible impact on the potential for traffic collisions in the Local Study Area. No mitigation measures are required, with no resulting net effects.

New residential housing is being planned and built adjacent to the property in the North and it is expected that this new housing will bring additional traffic to the area. However, despite an increase in background traffic, the number of trucks on the Site will not be increasing and therefore potential for collisions will not increase. For example, if 10 site trucks occur in one hour, with each Alternative, the maximum number of collisions with a site truck is still 10.

With respect to the “Level of Service at intersections around the SCRF” indicator, the expected effect of each alternative option on intersection Level of Service within the Local Study Area was assessed. Level of Service, with respect to intersection traffic operations, is a measure of the average delay for each turning movement at the selected intersection. As per the completed
Existing Traffic Conditions Report, it was concluded that existing SCRF truck volumes servicing the Site are not having any negative identifiable operational impact on the Local Study Area intersections, including with respect to Level of Service among other key measures.

**Mitigation**

All alternative options are not expected to impact average daily SCRF truck volumes. Therefore with no expected change in SCRF truck volumes within the Local Study Area for any of the alternative options, all alternative options are considered to have an equally negligible impact on the Level of Service at intersections in the Local Study Area. No mitigation measures are required, with no resulting net effects.

**Traffic Net Effects**

Based on the fact that the Site will continue to operate under current conditions and there won’t be an increase in additional vehicles at the Site on a daily basis, no net effects are expected for Traffic for all Alternative Options. Further details are provided in Appendix H.

5.7.2 **Human Health**

As previously mentioned, the amended ToR made a commitment to analyze the potential effects to human health during Alternative Methods assessment and evaluation utilizing the existing data and methodology established as part of the on-going SRCF Community Health Assessment Review (CHAR), which is completed on an annual basis. Given that the studies in the EA will be completed and be benchmarked against human health parameters, such as air quality and groundwater, data from the technical disciplines net effects analysis as was coupled with the data collected and used to complete the annual CHAR (20+ years of data) to analyze the potential effects to human health for each of the footprint options. With the exception of impacts to soil, the criteria below have been evaluated in the annual Community Health Assessment Review that Intrinsik has conducted since 1996. The evaluation of potential human health effects with these five (5) indicators has been completed by utilizing the existing annual CHAR report as a basis and enhancing it to sufficiently meet the MECP’s requirements. The proposed approach will incorporate existing data and any new modelled data provided by other technical disciplines (Hydrogeology, Surface Water, Air Quality) as part of the EA process, and compare the current projected data to those used in the original 1996 Community Health Assessment Study (CHAS) to determine, much like the annual CHAR, whether the proposed expansion would result in any potential change in the conclusions of the original CHAS. Further, more detailed analysis will be completed during the impact assessment stage of the EA.

Five criteria were evaluated for each landfill footprint alternative (including number and significance) to support the reasoned argument in the comparative rankings:

**Effect on Air Quality:**
- Predict impacts to air quality and their potential effects on human health

**Effect of Leachate Quality:**
- Predict effects of leachate quality (inorganic and organic chemicals) on human health
Effect on Groundwater Quality

- Predict impacts to groundwater quality and their potential effects on human health
- Effect on Surface Water Quality
- Predict impacts to surface water quality and their potential effects on human health

Effect on Soil Quality

- Predict impacts to soil and their potential effects on human health

**Alternative Option 1**

*Air Quality*

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of PM2.5 size fraction would be higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. When one evaluated the PM10 size fraction, short-term (i.e., 24-hour) concentrations have the potential under worst-case conditions to marginally exceed health-based benchmarks, compared to the existing base case. It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigative measures be considered at the design phase to reduce ambient PM10 particulate concentrations.

*Leachate Quality*

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.

*Groundwater Quality*

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.

*Surface Water Quality*

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.

*Soil Quality*

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the
existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

**Mitigation**

It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigation measures be considered at the design phase to reduce ambient PM10 particulate concentrations. Standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.

**Net Effect**

Marginal increase in larger particulate size fractions (i.e., PM10) compared to the existing approved landfill design with the potential for transient short-term health concerns. All of the other criteria do not result in any net effects when compared to the existing approved landfill design.

**Alternative Option 2**

**Air Quality**

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of PM2.5 size fraction would be higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. When one evaluated the PM10 size fraction, short-term (i.e., 24-hour) concentrations have the potential under worst-case conditions to marginally exceed health-based benchmarks, compared to the existing base case. It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigative measures be considered at the design phase to reduce ambient PM10 particulate concentrations.

**Leachate Quality**

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.

**Groundwater Quality**

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.
Surface Water Quality

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.

Soil Quality

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

Mitigation

It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigation measures be considered at the design phase to reduce ambient PM10 particulate concentrations. Standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.

Net Effect

Marginal increase in larger particulate size fractions (i.e., PM10) compared to the existing approved landfill design with the potential for transient short-term health concerns. All of the other criteria do not result in any net effects when compared to the existing approved landfill design.

Alternative Option 3

Air Quality

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of the PM10 and PM2.5 size fractions would be marginally higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community.

Leachate Quality

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.
**Groundwater Quality**

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.

**Surface Water Quality**

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.

**Soil Quality**

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

**Mitigation**

It is recommended that standard mitigation measures be employed to minimize dust generation, as well as standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.

**Net Effect**

No predicted net effects when compared to existing approved landfill design.

**Alternative Option 4**

Option 4 maintains the same height as the current approved design of the SCRF (baseline condition) and the SCRF will no longer receive industrial fill. The currently approved area at the SCRF for receiving industrial fill would be replaced with post-diversion solid, non-hazardous industrial residual material. In addition, the areas at the SCRF not currently approved for receiving either industrial fill or residual material would be expanded into so that they would be able to receive post-diversion solid, non-hazardous industrial residual material.

A minimum 30 m buffer would be established around the entire area for receiving post-diversion solid, non-hazardous industrial residual material. Therefore, this option would include a horizontal expansion, but would not include a vertical expansion, with the peak height currently approved remaining unchanged.
**Air Quality**

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of PM2.5 size fraction would be higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. When one evaluated the PM10 size fraction, short-term (i.e., 24-hour) concentrations have the potential under worst-case conditions to marginally exceed health-based benchmarks, compared to the existing base case. It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigative measures be considered at the design phase to reduce ambient PM10 particulate concentrations.

**Leachate Quality**

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.

**Groundwater Quality**

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.

**Surface Water Quality**

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.

**Soil Quality**

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

**Mitigation**

It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigation measures be considered at the design phase to reduce ambient PM10 particulate concentrations. Standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.
**Net Effect**

Marginal increase in larger particulate size fractions (i.e., PM10) compared to the existing approved landfill design with the potential for transient short-term health concerns. All of the other criteria do not result in any net effects when compared to the existing approved landfill design.

**Alternative Option 5**

**Air Quality**

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of PM2.5 size fraction would be higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. When one evaluated the PM10 size fraction, short-term (i.e., 24-hour) concentrations have the potential under worst-case conditions to marginally exceed health-based benchmarks, compared to the existing base case. It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigative measures be considered at the design phase to reduce ambient PM10 particulate concentrations.

**Leachate Quality**

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.

**Groundwater Quality**

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.

**Surface Water Quality**

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.

**Soil Quality**

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.
Mitigation

It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigation measures be considered at the design phase to reduce ambient PM10 particulate concentrations. Standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.

Net Effect

Marginal increase in larger particulate size fractions (i.e., PM10) compared to the existing approved landfill design with the potential for transient short-term health concerns. All of the other criteria do not result in any net effects when compared to the existing approved landfill design.

Alternative Option 6

Air Quality

Results of the air quality assessment indicate that this VOC emissions from this method would be equivalent to the existing approved landfill design.

Particulate modelling indicated that while predicted concentrations of PM2.5 size fraction would be higher than the existing approved landfill design, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. When one evaluated the PM10 size fraction, short-term (i.e., 24-hour) concentrations have the potential under worst-case conditions to marginally exceed health-based benchmarks, compared to the existing base case. It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigative measures be considered at the design phase to reduce ambient PM10 particulate concentrations.

Leachate Quality

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, this Alternative Method would not be expected to result in any health risks different than the existing approved landfill design.

Groundwater Quality

Results of the hydrogeology assessment indicate that this Alternative Method has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design.

Surface Water Quality

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards.
Soil Quality

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this proposed Alternative Method should not be significantly different than those experienced with the existing approved landfill design. Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

Mitigation

It is recommended that further refinements to the air dispersion modelling be considered to reduce uncertainties, or further mitigation measures be considered at the design phase to reduce ambient PM10 particulate concentrations. Standard planned leachate treatment and management is required to prevent direct exposure to leachate. Finally, continue existing particulate/dust control mitigation measures with ongoing monitoring to confirm compliance with ambient guidelines to prevent soil quality impacts over the lifetime of the landfill.

Human Health Net Effect

Marginal increase in larger particulate size fractions (i.e., PM10) compared to the existing approved landfill design with the potential for transient short-term health concerns. All of the other criteria do not result in any net effects when compared to the existing approved landfill design.

Further details are provided in Appendix H.

5.8 Economic Environment

The net effects relating to the Economic components for all Options considered the following criteria and indicators;

Effect on approved/planned Land Uses:
- Number, extent, and type of approved/planned land uses affected

Economic benefit to the City of Hamilton and Local Community:
- Employment at site (number and duration)

Potential Effects – Approved/Planned Land Uses

Located within 500 m of the Site are several planned residential and institutional uses. The net effects of the landfill footprint options considered on these planned land uses, relative to potential economic implications, is further assessed, as follows:

Residential

The closest residential dwelling (currently under construction) is located approximately 35 m north of the Site.

There are currently four draft approved plans of subdivision within the Local Study Area, as well as eight proposed plans of subdivision currently under municipal review, totaling approximately 2,100
future residential units to be developed within the Local Study Area. This includes a development application (ZAC-17-077) to re-zone 50 Green Mountain Road West from ND (Neighbourhood Development) to RM-3 (Multiple Residential). The effects on approved/planned and proposed residential uses within the Local Study Area is contingent on direct physical impact requiring alteration of land or change in land use or zoning required as a result of the landfill footprint options considered. However, all landfill footprint options considered, and relative 30 m buffer, do not physically extend or impede on planned residential uses. Therefore, no net effects to the physical location of planned residential uses resulting from the landfill footprint options considered are anticipated. Further, application of landfill operation best management practices and mitigation measures from other environmental components (i.e., noise, dust, traffic) will ensure there are no effects on future planned land uses.

**Institutional**

In accordance with the Nash Neighbourhood Secondary Plan, an institutional land use designation is present at the northwest corner of Green Mountain Road West and First Road West (435 First Road West). This land is reserved for the future development of a school (zoned Neighbourhood Institutional (I1), as approved by council on November 11, 2015, By-law No. 15-260); however, at this time the property is owned by a developer. All landfill footprint options do not physically extend or impede on the potential future use and/or operation of 435 First Road West. As such, no net effects to the physical location or site alteration of this property resulting from the options considered are anticipated. Further, application of landfill operation best management practices and mitigation measures from other environmental components (i.e., noise, dust, traffic) will ensure there are no effects on future planned land uses.

**Mitigation**

Mitigation Measures are not required for approved/planned and/or proposed land uses within the Local Study Area, since each landfill footprint option and relative 30 m buffer requirement is not anticipated to expand or impede on these properties. Mitigation measures would be established to manage any potential nuisance influenced by site operations of each landfill footprint options relative to noise, air quality (including odour), and traffic, as described in the Comparative Analysis Memos for noise, air quality, and traffic.

**Approved/Planned Land Use Net Effects**

In regards to the economic indicators, specifically the potential effect on approved/planned land uses including; number, extent, and type of approved/planned land uses affected, all six of the alternative options result in no net effects. Landfill operation best management practices and mitigation measures such as; storm water management pond, landfill liner system, dust and noise control measures will ensure potential effects to land uses are managed and mitigated. None of the presented landfill footprint options results in a change to proposed land uses within the Site or local study area. Therefore, there are no net effects and no mitigation steps required for the approved/land use indicator.
Potential Effects - Economic Benefits to the City of Hamilton and Local Community

Alternative Option 1

Option 1 allows for an increase in capacity at the SCRF, but does not meet the economic opportunity for Terrapure. The economic benefits to the City and local community are low as the City and community compensation would be reduced based on the current $ per tonne agreements. Further, reduced expansion capacity would not allow for maximum economic activity as demonstrated through the economic analysis\textsuperscript{2}. Employment opportunities at the Site would be reduced (year over year) under Option 1 based on the reduced amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 180 years.

Alternative Option 2

Option 2 allows for an increase in capacity at the SCRF, but does not meet the economic opportunity for Terrapure. The economic benefits to the City and local community are low as the City and community compensation would be reduced based on the current $ per tonne agreements. Further, reduced expansion capacity would not allow for maximum economic activity as demonstrated through the economic analysis (RIAS Inc). Employment opportunities at the Site would be reduced (year over year) under Option 2 based on the reduced amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 170 years.

Alternative Option 3

Option 3 allows for an increase in capacity at the SCRF and meets the economic opportunity for Terrapure to allow for a 3.68 million m\textsuperscript{3} increase in capacity. Option 3 would result in total economic activity of $349 million to $372 million, with GDP from $218 million to $232 million. The economic benefits to the City and local community are high as the City and community compensation would be maintained and maximized based on the current $ per tonne agreements. Employment opportunities at the Site would be increased (year over year) under Option 3 based on the increased amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 250 years.

Alternative Option 4

Option 4 allows for an increase in capacity at the SCRF, but does meet the economic opportunity for Terrapure (slightly under the increase of 3.68 million m\textsuperscript{3}) Option 4 would result in total economic activity similar to Options 3, 5 and 6 based on the total increase in capacity for post diversion solid, non-hazardous residual material. The economic benefits to the City and local community are high as the City and community compensation ($ per tonne) would be slightly lower than other options.

\textsuperscript{2} Economic Impacts of the Stoney Creek Regional Facility, RIAS Inc., 2017
based on the total increase in capacity. Employment opportunities at the Site would be increased (year over year) under Option 4 based on the increased amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 240 years.

**Alternative Option 5**

Option 5 allows for an increase in capacity at the SCRF and meets the economic opportunity for Terrapure to allow for a 3.68 million m³ increase in capacity. Option 5 would result in total economic activity of $349 million to $372 million, with GDP from $218 million to $232 million. The economic benefits to the City and local community are high as the City and community compensation would be maintained and maximized based on the current $ per tonne agreements. Employment opportunities at the Site would be increased (year over year) under Option 5 based on the increased amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 250 years.

**Alternative Option 6**

Option 6 allows for an increase in capacity at the SCRF and meets the economic opportunity for Terrapure to allow for a 3.68 million m³ increase in capacity. Option 6 would result in total economic activity of $349 million to $372 million, with GDP from $218 million to $232 million. The economic benefits to the City and local community are high as the City and community compensation would be maintained and maximized based on the current $ per tonne agreements. Employment opportunities at the Site would be increased (year over year) under Option 6 based on the increased amount of employees required for the amount of residual material that this Option could be expanded by. Staffing requirements would be 15 full-time equivalents on site while the total years of employment for all employees for construction, operation and post-closure monitoring would be approximately 250 years.

**Economic Net Effects**

In regards to the potential economic benefit to the City of Hamilton and local community, specifically in regards to total economic activity, city and community compensation and employment at the Site, all of the options presented result in positive effects. An economic impact assessment was completed in 2017 (RIAS Inc.) regarding the reconfiguration and vertical expansion of the SCRF and the potential output to the local economy. Based on the historical fill rate, it was determined that the current SCRF site generates $28.7 million in economic activity in the Hamilton area, adding 17.9 million in GDP and 51 jobs for local workers. Based on the current configuration and remaining lifespan, the SCRF will generate between $94 and $104 million in total economic activity and 164 to 190 local jobs. It was concluded in the assessment that if an expansion of 3.68 million m³ of residual material was approved, total economic activity is expected to range between $349 and $372 million, with GDP from $218 million to $232 million and an estimated total jobs between 662 and 671 (RIAS Inc., 2017). Further, the options that allow for Terrapure to realize the economic opportunity for the SCRF (i.e., increase the capacity by 3.68 million m³) would ensure maximum return with respect to the compensation agreements ($ per tonne). Based on the above estimated
figures, it was determined that Options 3, 5 and 6 result in high positive effects as the option allows for potential capacity of 3.68 million m³ of residual material. Option 1, 2 and 4 were ranked as having medium positive effects because although they will result in increased residual material, they would not yield the 3.68 million m³ of residual material and therefore would yield a lower overall economic benefit and would result in fewer jobs. Further details are provided in Appendix H.

5.9 Cultural Environment

5.9.1 Archaeology and Built Heritage

The net effects relating to the Archaeology and Built Heritage components for all Options considered the following criteria and indicators:

Effect on known or potential significant archaeological resources:
- Number and type of potentially significant, known archaeological sites affected
- Area (ha) of archaeological potential (i.e., lands with the potential for the presence of significant archaeological resources) affected.

Effect on built heritage resources and cultural heritage landscapes:
- Number and type of built heritage resources and cultural heritage landscapes displaced or disrupted

Archaeology and Built Heritage Potential Effects

Alternative Option 1

Option 1 does not require a change to the current footprint. The Site has been previously excavated and quarried and only one cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 1 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.

Alternative Option 2

Option 2 requires a slight change to the footprint. However, the change in footprint occurs within previously excavated lands. One cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 2 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.

Alternative Option 3

Option 3 does not require a change to the current footprint. The Site has been previously excavated and quarried and only one cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 3 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.
**Alternative Option 4**

Option 4 requires a slight change to the footprint. However, the change in footprint occurs within previously excavated lands. One cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 4 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.

**Alternative Option 5**

Option 5 requires a slight change to the footprint. However, the change in footprint occurs within previously excavated lands. One cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 5 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.

**Alternative Option 6**

Option 6 requires a slight change to the footprint. However, the change in footprint occurs within previously excavated lands. One cultural heritage landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), Option 6 does not affect a known or potential archaeological resource and therefore no mitigation measures are required.

**Mitigation**

No mitigation is required as no potentially significant archaeological resources or built heritage landscapes will be disturbed or displaced because of any of the Alternative Options.

**Archaeology and Built Heritage Net Effects**

The current SCRF site is located within a former quarry and is therefore considered to be previously disturbed from a cultural heritage and archaeological perspective. A copy of the quarry license and permit is included as Appendix H to demonstrate the extent of the quarry limits/disturbed area relative to the alternative footprint options. All of the lands have been previously excavated and therefore it is concluded that there will be no potentially significant or known archeological sites or lands with the presence of archaeological resources disturbed or affected. No Net Effects or Mitigation measures are anticipated or required from an archaeological perspective.

A review of the designated culturally significant built heritage and cultural landscapes was completed to assist in the Land Use Existing Conditions report. The review determined that there was only one designated built heritage resource, known as the Billy Green House, 30 Ridge Rd (Appendix H) located within the 1.5km of the SCRF. None of the 6 Options will result in the designated resource to be disturbed or displaced and therefore No Net Effects and no mitigation measures are anticipated or required from a built/cultural heritage resource perspective.

It should be noted that as part of the 1996 Taro East EA, which established the currently approved facility, the Ministry of Culture, Tourism and Recreation (now known as Ministry of Tourism, Culture
and Sport) confirmed that there was a low potential for impacting cultural heritage resources on site due to the fact that the study area (for the landfill footprint) is limited to an exhausted quarry pit.

5.10 Design and Operations

Seven criteria were evaluated with seven indicators for each landfill footprint alternative (including number and significance) to support the reasoned argument in the comparative rankings. It should be noted that this factor area was expanded upon to include additional criteria and indicators based on commitments made within the Approved SCRF ToR. This includes a commitment to review how the existing leachate system would be able to accommodate the proposed alternatives and whether further upgrades would be required. This has been captured in the criteria “Leachate Management”. Further, a commitment around closure and post-closure was also made in the SCRF ToR, which has been assessed under the Criteria “Closure and Post Closure”. Further details on the broad framework for closure and post-closure is described in Section 6.

- Potential to Provide Service for Disposal
- Ability of Alternative Methods to provide disposal capacity for post-diversion, solid, non-hazardous residual material
- Cost of Facility
- Approximate relative cost of Alternative Methods
- Leachate Management
- Design and operating complexity
- Stormwater Management
- Design and operating complexity
- Construction
- Complexity and constructability of components
- Site Operations
- Complexity and operability of components
- Closure and Post-Closure
- Flexibility of design and operations

Effects Analysis

The net effects analysis serves to assess the changes to the additional design and operational requirements associated with each of the options when compared to the current approved design of the SCRF (baseline condition).

The changes for each of the options are discussed in further detail below.

---

3 See Supporting Document #2 to the Stoney Creek Regional Facility Environmental Assessment Minister Approved Amended Terms of Reference for correspondence.
Alternative Option 1

Potential to Provide Service for Disposal

Option 1 only provides 8,830,000 m³ of total disposal capacity for residual material. Option 1 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Leachate Management

Option 1 requires the design and construction of additional base liner and leachate collection system for the expanded residual material area. The residual material is placed in a single area with one leachate pumping station. The shape and contours of the residual area are generally uniform. The larger footprint of the residual material area will see a moderate increase to the leachate generation rate.

Stormwater Management

Option 1 includes a triangular stormwater pond layout which is consistent with the current approved design. The layout of the stormwater pond provides design and operational flexibility.

Construction

Option 1 will require the construction of additional base liner and leachate collection system for the expanded residual material area. Option 1 does not require expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has an open layout with a simple configuration and dedicated areas for the various components.

Site Operations

Option 1 does not include the importing of industrial fill, meaning that his material will no longer need to be managed. Leachate will be managed from a single area with one leachate pumping station. The proposed layout of the stormwater management pond provides operational flexibility. Access and egress from the Site will be maintained in their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.

Closure and Post-Closure

Option 1 reflects an open and uniform configuration that will simplify site closure requirements. The overall layout and contours of the Site do not limit the flexibility of potential post-closure uses.

Cost of Facility

Option 1 will see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will be no additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure. Potential savings could be realized by no longer having to manage industrial fill material.
Mitigation

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 1, the magnitude of the potential effects is anticipated to be small relative to the current approved layout since many aspects of the Site will only require minor modifications from their existing configuration.

Net Effect

Option 1 will have low net effects relative to the current approved layout since many aspects of the Site will only require minor modifications from their existing configuration. However, Option 1 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Alternative Option 2

Potential to Provide Service for Disposal

Option 2 only provides 7,420,000 m³ of total disposal capacity for residual material. Option 2 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Leachate Management

Option 2 requires the design and construction of additional base liner and leachate collection system for the expanded residual material area. The residual material is placed in two separate areas with two separate leachate pumping stations. The shape and contours of the residual area are irregular. The larger footprint of the residual material area will see a small increase to the leachate generation rate.

Stormwater Management

Option 2 includes an “L” shaped stormwater pond layout which is not consistent with the current approved design. The layout of the stormwater pond limits design and operational flexibility.

Construction

Option 2 will require the construction of additional base liner and leachate collection system for the expanded residual material area. Option 2 requires expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has a complex layout with an integrated configuration of the various components.

Site Operations

Option 2 includes the importing of industrial fill, meaning that his material will continue to be managed. Leachate will be managed from two separate areas with two separate leachate pumping stations. The proposed layout of the stormwater management pond limits operational flexibility. Access and egress from the Site will be modified from their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.
Closure and Post-Closure

Option 2 reflects a complex layout with an integrated configuration that may complicate site closure requirements. The overall layout and contours of the Site limit the flexibility of potential post-closure uses.

Cost of Facility

Option 2 will see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will be additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure.

Mitigation

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 2, the magnitude of the potential effects is anticipated to be large relative to the current approved layout since many aspects of the Site will require significant modifications from their existing configuration.

Net Effect

Option 2 will have high net effects relative to the current approved layout since many aspects of the Site will require significant modifications from their existing configuration. However, Option 2 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Alternative Option 3

Potential to Provide Service for Disposal

Option 3 provides 10,000,000 m³ of total disposal capacity for residual material. Option 3 meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Leachate Management

Option 3 does not require the design and construction of additional base liner and leachate collection system for an expanded residual material area. The residual material is placed in a single area with one leachate pumping station. The shape and contours of the residual area are irregular. Since the footprint of the residual material area is consistent with the current approved design, the leachate generation rate is also expected to remain relatively consistent with the current rate.

Stormwater Management

Option 3 includes a triangular stormwater pond layout which is consistent with the current approved design. The layout of the stormwater pond provides design and operational flexibility.
**Construction**

Option 3 will not require the construction of additional base liner and leachate collection system for an expanded residual material area. Option 3 does not require expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has a complex layout with an integrated configuration of the various components.

**Site Operations**

Option 3 includes the importing of industrial fill, meaning that his material will continue to be managed. Leachate will be managed from a single area with one leachate pumping station. The proposed layout of the stormwater management pond provides operational flexibility. Access and egress from the Site will be maintained in their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.

**Closure and Post-Closure**

Option 3 reflects a complex layout with an integrated configuration that may complicate site closure requirements. The overall layout and contours of the Site limit the flexibility of potential post-closure uses.

**Cost of Facility**

Option 3 will not see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will be no additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure.

**Mitigation**

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 3, the magnitude of the potential effects is anticipated to be small relative to the current approved layout since some aspects of the Site will require modifications from their existing configuration.

**Net Effect**

Option 3 will have low net effects relative to the current approved layout since many aspects of the Site will only require minor modifications from their existing configuration. Option 3 also meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m$^3$.

**Alternative Option 4**

**Potential to Provide Service for Disposal**

Option 4 only provides 9,580,000 m$^3$ of total disposal capacity for residual material. Option 4 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m$^3$. 
Leachate Management

Option 4 requires the design and construction of additional base liner and leachate collection system for the expanded residual material area. The residual material is placed in a single area with one leachate pumping station. The shape and contours of the residual area are generally uniform. The larger footprint of the residual material area will see a large increase to the leachate generation rate.

Stormwater Management

Option 4 includes an “L” shaped stormwater pond layout which is not consistent with the current approved design. The layout of the stormwater pond limits design and operational flexibility.

Construction

Option 4 will require the construction of additional base liner and leachate collection system for the expanded residual material area. Option 4 requires expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has an open layout with a simple configuration and dedicated areas for the various components.

Site Operations

Option 4 does not include the importing of industrial fill, meaning that his material will no longer need to be managed. Leachate will be managed from a single area with one leachate pumping station. The proposed layout of the stormwater management pond limits operational flexibility. Access and egress from the Site will be modified from their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.

Closure and Post-Closure

Option 4 reflects an open and uniform configuration that will simplify site closure requirements. The overall layout and contours of the Site do not limit the flexibility of potential post-closure uses.

Cost of Facility

Option 4 will see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will also be additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure. Potential savings could be realized by no longer having to manage industrial fill material.

Mitigation

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 4, the magnitude of the potential effects is anticipated to be small relative to the current approved layout since some aspects of the Site will require modifications from their existing configuration.
Net Effect

Option 4 will have moderate net effects relative to the current approved layout since some aspects of the Site will require significant modifications from their existing configuration. However, Option 4 does not meet the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Alternative Option 5

Potential to Provide Service for Disposal

Option 5 provides 10,000,000 m³ of total disposal capacity for residual material. Option 5 meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Leachate Management

Option 5 requires the design and construction of additional base liner and leachate collection system for the expanded residual material area. The residual material is placed in a single area with one leachate pumping station. The shape and contours of the residual area are generally uniform. The larger footprint of the residual material area will see a moderate increase to the leachate generation rate.

Stormwater Management

Option 5 includes a triangular stormwater pond layout which is consistent with the current approved design. The layout of the stormwater pond provides design and operational flexibility.

Construction

Option 5 will require the construction of additional base liner and leachate collection system for the expanded residual material area. Option 5 does not require expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has an open layout with a simple configuration and dedicated areas for the various components.

Site Operations

Option 5 does not include the importing of industrial fill, meaning that his material will no longer need to be managed. Leachate will be managed from a single area with one leachate pumping station. The proposed layout of the stormwater management pond provides operational flexibility. Access and egress from the Site will be maintained in their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.

Closure and Post-Closure

Option 5 reflects an open and uniform configuration that will simplify site closure requirements. The overall layout and contours of the Site do not limit the flexibility of potential post-closure uses.
**Cost of Facility**

Option 5 will see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will be no additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure. Potential savings could be realized by no longer having to manage industrial fill material.

**Mitigation**

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 5, the magnitude of the potential effects is anticipated to be small relative to the current approved layout since some aspects of the Site will require modifications from their existing configuration.

**Net Effect**

Option 5 will have low net effects relative to the current approved layout since many aspects of the Site will only require minor modifications from their existing configuration. Option 5 also meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

**Alternative Option 6**

**Potential to Provide Service for Disposal**

Option 6 provides 10,000,000 m³ of total disposal capacity for residual material. Option 6 meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

**Leachate Management**

Option 6 requires the design and construction of additional base liner and leachate collection system for the expanded residual material area. The residual material is placed in two separate areas with two separate leachate pumping stations. The shape and contours of the residual area are irregular. The larger footprint of the residual material area will see a small increase to the leachate generation rate.

**Stormwater Management**

Option 6 includes an “L” shaped stormwater pond layout which is not consistent with the current approved design. The layout of the stormwater pond limits design and operational flexibility.

**Construction**

Option 6 will require the construction of additional base liner and leachate collection system for the expanded residual material area. Option 6 requires expanding the base liner and leachate collection system horizontally to include other areas of the Site. This option has a complex layout with an integrated configuration of the various components.
**Site Operations**

Option 6 includes the importing of industrial fill, meaning that his material will continue to be managed. Leachate will be managed from two separate areas with two separate leachate pumping stations. The proposed layout of the stormwater management pond limits operational flexibility. Access and egress from the Site will be modified from their current configuration. Development of the Site will require the relocation or removal of existing infrastructure.

**Closure and Post-Closure**

Option 6 reflects a complex layout with an integrated configuration that may complicate site closure requirements. The overall layout and contours of the Site limit the flexibility of potential post-closure uses.

**Cost of Facility**

Option 6 will see increased costs related to the design, construction, operation, and maintenance of additional base liner and leachate collection system. There will also be additional construction costs associated with the excavation of adjacent areas of the Site to expand the base liner and leachate collection system. Additional costs will be incurred for the relocation or removal of existing infrastructure.

**Mitigation**

The potential effects associated with design and operational changes to the SCRF can only be mitigated through modifications to the Site’s design and/or operation. There are also design and operating limitations that can affect the ability to mitigate these effects. For Option 6, the magnitude of the potential effects is anticipated to be high relative to the current approved layout since some aspects of the Site will require significant modifications from their existing configuration.

**Net Effect**

Option 6 will have moderate net effects relative to the current approved layout since some aspects of the Site will require significant modifications from their existing configuration. Option 6 also meets the economic opportunity put forward by Terrapure to increase the total approved capacity for post-diversion, solid, non-hazardous residual material at the SCRF by 3,680,000 m³.

Further details are provided in Appendix H.

**5.11 Summary of Net Effects**

The net effects for each environmental component and details on the mitigation for each of the 6 options can be viewed in the Net Effects Tables (6 total) as part of Appendix H. However, a brief overview of the net effects is summarized below.
**Option 1**

Table 5.8 summarizes the net effects of each environmental component for Option 1:

**Table 5.8 Option 1 – Summary of Net Effects**

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>No Net Effects to surface water quality or quantity are anticipated.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. Low Net Effects to views of the Facility are anticipated. Installation of visual screening elements would obscure views of the Facility from sensitive receptors.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. Low (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated. Low Net Effects to human health resulting from effects to air quality are anticipated. VOC emissions would be equivalent to the existing approved landfill design, where concentrations are expected to be below heath-based benchmarks.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 1 fails to meet the objectives for disposal and requires a small increase in cost relative to expansion.</td>
</tr>
</tbody>
</table>
**Option 2**

*Table 5.9 summarizes the net effects of each environmental component for Option 2:*

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>Low Net Effects to surface water quality and quantity are anticipated. There may be the potential for limitations to the design and construction of perimeter ditches and the stormwater management pond within the allocated areas.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. Low Net Effects to views of the Facility are anticipated. Installation of visual screening elements would obscure views of the Facility from sensitive receptors.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. Low (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated. Low Net Effects to human health resulting from effects to air quality are anticipated. VOC emissions would be equivalent to the existing approved landfill design, where concentrations are expected to be below health-based benchmarks.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 2 fails to meet the objectives for disposal and requires a large increase in cost relative to expansion.</td>
</tr>
</tbody>
</table>
Table 5.10 summarizes the net effects of each environmental component for Option 3:

**Table 5.10 Option 3 – Summary of Net Effects**

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>No Net Effects to surface water quality or quantity are anticipated.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. High Net Effects to views of the Facility are anticipated. Option 3 results in a height increase of 12 m and cannot be sufficiently mitigated.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. High (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to air quality, leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 3 does not deviate in current design and supports adequate disposal capacity and results in high economic benefits.</td>
</tr>
</tbody>
</table>
Option 4

Table 5.11 summarizes the net effects of each environmental component for Option 4:

Table 5.11 Option 4 – Summary of Net Effects

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>Low Net Effects to surface water quality and quantity are anticipated. There may be the potential for limitations to the design and construction of perimeter ditches and the stormwater management pond within the allocated areas.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. Low Net Effects to views of the Facility are anticipated. Installation of visual screening elements would obscure views of the Facility from sensitive receptors.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. Low (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated. Low Net Effects to human health resulting from effects to air quality are anticipated. VOC emissions would be equivalent to the existing approved landfill design, where concentrations are expected to be below heath-based benchmarks.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 4 fails to meet the objectives for disposal and requires a small increase in cost relative to expansion.</td>
</tr>
</tbody>
</table>
Option 5

Table 5.12 summarizes the net effects of each environmental component for Option 5:

**Table 5.12 Option 5 – Summary of Net Effects**

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>No Net Effects to surface water quality or quantity are anticipated.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. Low Net Effects to views of the Facility are anticipated. Installation of visual screening elements would obscure views of the Facility from sensitive receptors.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. High (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated. Low Net Effects to human health resulting from effects to air quality are anticipated. VOC emissions would be equivalent to the existing approved landfill design, where concentrations are expected to be below heath-based benchmarks.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 5 supports adequate disposal capacity and results in high economic benefits.</td>
</tr>
</tbody>
</table>
Option 6

Table 5.13 summarizes the net effects of each environmental component for Option 6:

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Summary of Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>No Net Effects to groundwater quality or groundwater flow are anticipated. Off-Site groundwater receptors and source water protection areas are not anticipated to be affected upon implementation of mitigation measures.</td>
</tr>
<tr>
<td>Surface Water</td>
<td>Low Net Effects to surface water quality and quantity are anticipated. There may be the potential for limitations to the design and construction of perimeter ditches and the stormwater management pond within the allocated areas.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Low Net Effects to terrestrial and aquatic ecosystems are anticipated. Predicted effects on vegetation communities, wildlife habitat, aquatic habitat and biota would be mitigated through the implementation of Best Management Practices.</td>
</tr>
<tr>
<td>Land Use</td>
<td>No Net Effects to existing land uses within the Local Study area are anticipated. High Net Effects to views of the Facility are anticipated. Option 6 results in a height increase of 8 m and cannot be sufficiently mitigated.</td>
</tr>
<tr>
<td>Economic</td>
<td>No Net Effects to approved or planned land uses within the Local Study Area are anticipated. High (positive) Net Effects on economic benefits to the City of Hamilton and local community are anticipated.</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Low Net Effects to air quality affecting off-Site receptors are anticipated. Application of Dust BMPs and reduction in daily vehicle limits will mitigate effects to acceptable and approvable levels from an air quality for off-Site receptors. No Net Effects to odours affecting off-Site receptors are anticipated. Low Net Effects to noise affecting off-Site receptors are anticipated upon implementation of on-Site mitigation measures.</td>
</tr>
<tr>
<td>Human Health</td>
<td>No Net Effects to human health resulting from predicted effects to leachate quantity, groundwater quality, surface water quality, or soil quantity are anticipated. Low Net Effects to human health resulting from effects to air quality are anticipated. VOC emissions would be equivalent to the existing approved landfill design, where concentrations are expected to be below health-based benchmarks.</td>
</tr>
<tr>
<td>Transportation</td>
<td>No Net Effects to road user safety or intersection Level of Service are anticipated in the Local Study Area.</td>
</tr>
<tr>
<td>Archaeology and Built Heritage</td>
<td>No Net Effects to known or potential archaeological resources or built and cultural heritage resources are anticipated.</td>
</tr>
<tr>
<td>Design and Operations</td>
<td>Option 6 fails to meet the objectives for disposal and requires a large increase in cost relative to expansion.</td>
</tr>
</tbody>
</table>
5.12 Comparative Evaluation & Identification of the Preferred Alternative Solution

As described above, the comparative evaluation of the Alternative Methods was completed using a “Reasoned Argument” method, with evaluation criteria as the basis for comparison. Under the Reasoned Argument approach, the differences in the net effects associated with each Alternative Method are highlighted in a Comparative Evaluation Table included in Appendix H. Based on these differences, the advantages and disadvantages of each alternative can be identified according to the evaluation between the various evaluation criteria and indicators. The comparative evaluation results are summarized within the sections below with additional details provided in Appendix H. Table 5.14 provides a summary of the results, while full details are provided within Appendix H.
<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Evaluation Criteria</th>
<th>Option 1</th>
<th>Option 2</th>
<th>Option 3</th>
<th>Option 4</th>
<th>Option 5</th>
<th>Option 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Built</td>
<td>Land Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effect on existing land uses</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Effect on views of the facility</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>Options 1, 2, and 4 are all more preferred because there is either no proposed height increase or a relatively low height increase and the views can be minimized through screening. Option 5 includes a greater height increase and views can be minimized through screening. Options 3 and 6 are less preferred because there is a relatively greater height increase and the views cannot be fully minimized through screening.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic</td>
<td>Economic benefit to the City of Hamilton and local community</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>Options 3, 5, and 6 are all more preferred because they would yield the highest benefit to the City of Hamilton and local economy in terms of economic activity and jobs. Options 1, 2, and 4 are less preferred because they all result in the lowest economic benefit to the City and local economy.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural</td>
<td>Archaeology and Built Heritage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effect on known or potential significant archaeological resources</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Effect on built heritage resources and cultural heritage landscapes</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>All Options are equally preferred from a Cultural Environment perspective because no cultural or heritage landscapes would be disturbed or displaced and the site has been previously excavated and disturbed for quarrying. Therefore, no archaeological resources would be adversely affected.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geology &amp; Hydrogeology</td>
<td>Effect on groundwater quality</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Effect on groundwater flow</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>All Options are equally preferred from a groundwater quality and flow perspective because no adverse effects are expected.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural</td>
<td>Surface Water Resources</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effect on surface water quality</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Effect on surface water quantity</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>Options 1, 3, and 5 are all more preferred because they maintain the site’s existing stormwater management ponds. Options 2, 4, and 6 are all less preferred because the site’s existing stormwater management ponds would need to be relocated/redesigned to accommodate the proposed footprint.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrestrial &amp; Aquatic Environment</td>
<td>Effect on terrestrial ecosystems</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Effect on aquatic ecosystems</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
<td>⬤</td>
</tr>
<tr>
<td></td>
<td>Rationale</td>
<td>All Options are equally preferred because they would all have a low potential for adverse effects to the terrestrial and aquatic ecosystems, which would be further minimized through the use of standard mitigation measures.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Component</td>
<td>Evaluation Criteria</td>
<td>Option 1</td>
<td>Option 2</td>
<td>Option 3</td>
<td>Option 4</td>
<td>Option 5</td>
<td>Option 6</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------------------------------------------</td>
<td>----------</td>
<td>----------</td>
<td>----------</td>
<td>----------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>Natural</td>
<td>Effect of air quality on off-site receptors</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Effect of odours on off-site receptors</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Effect of noise on off-site receptors</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td><strong>Rationale</strong></td>
<td>All Options are equally preferred because there would be a low potential for adverse effects to area residents from a dust and noise perspective, which would be further minimized through the use of standard mitigation measures and no effects from an odour perspective.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>Effect on traffic</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td><strong>Rationale</strong></td>
<td>All Options are equally preferred because the number of trucks permitted at the site would remain unchanged resulting in no adverse effects on road user safety or intersection capacity.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social</td>
<td>Air Quality</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Leachate Quantity</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Groundwater Quality</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Surface Water Quality</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Soil Quality</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td><strong>Rationale</strong></td>
<td>Option 3 is considered preferred from a human health perspective. All other options are considered less preferred, but would have a low potential for adverse effects with the continuation of the existing site's mitigation measures augmented with additional Best Management Practices, where proposed, and ongoing monitoring.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td>Potential to provide service for disposal</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Leachate Management</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Stormwater Management</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Construction</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Site Operations</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Closure and Post-Closure</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Cost of facility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td><strong>Rationale</strong></td>
<td>Options 3 and 5 are both considered more preferred compared to the other Options from a design and operations perspective including their ability to provide the additional capacity being sought through the EA, but Option 3 is more preferred because it would be easier to construct and have a lower overall capital cost.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legend:
- No Negative or Positive Net Effect
- Low Negative Net Effect
- Moderate Negative Net Effect
- High Negative Net Effect
Geology and Hydrogeology

All six alternatives are considered equivalent from the perspective of net environmental effects on the geologic and hydrogeological receptors and therefore all alternatives are all are ‘preferred.’

Surface Water Resources

The triangular pond layout from Options 1, 3 and 5 is preferred over the narrower “L” shaped layout from Options 2, 4 and 6. This preference is due to the limitations and complications that may occur during the design and construction of the SWM pond in the “L” shaped layout within the buffer zone. The berm that will need to be constructed will utilize more than half the area allocated to constructing the SWM pond (conservatively estimated 30% compared to the conservative 50% assumed for the triangular SWM pond layout). This will be slightly more limiting and complex in design and construction that the triangular pond layout. For these reasons, Options 1, 3 and 5 are more preferred.

Terrestrial and Aquatic

Although Options 2, 4, and 6 result in a greater initial amount of vegetation and associated wildlife habitat (in the buffer areas) as well as disturbance to aquatic habitat and biota (stormwater pond relocations), the loss is temporary and can be mitigated to the same levels as Options 1, 3 and 5. Therefore, all options are equally preferred because they would all have a low potential for adverse effects to the terrestrial and aquatic ecosystems, which would be further minimized through the use of standard mitigation measures.

Land Use and Economic

All options are preferred from a current land use perspective, as no change or effects to the current land use both on site and to surrounding properties. From a visual perspective, Options 1, 2, and 4 are more preferred, because there is either no proposed height increase or a relatively low height increase and the views can be minimized through screening. Options 3, and 6 are less preferred because there is a relatively greater height increase and the views cannot be fully minimized through screening.

Further, Options 3, 5 and 6 are all more preferred because they would yield the highest benefit to the City of Hamilton and local economy in terms of economic activity and jobs. Options 1, 2 and 4 are less preferred because they all result in the lowest economic benefit to the City and local economy.

Air and Odour

From an atmospheric environment perspective, the Facility will be required to meet MECP criteria for air quality and odour. The desired facility footprint and operations will be required, regardless of the option selected, to implement effective mitigation such that the Facility will operate in accordance with MECP criteria. During the detailed impact assessment, more in-depth and detailed mitigation measures/ plan will be applied to the recommended option demonstrating that the Facility can operate in accordance with provincial air quality and odour criteria.

All Options are equally preferred because there would be a low potential for adverse effects to area residents from a dust perspective, which would be further minimized through the use of standard
mitigation measures. All six options are capable of operating within MECP guidelines with suitable dust mitigation measures implemented.

**Human Health**

All of the options, except Option 3, have low net effects due to a marginal increase in larger airborne particulate size fractions (i.e., PM10) modelled in the surrounding community compared to the existing approved landfill design with the potential for transient short-term health concerns. Option 3 did not have this concern. However, it is expected that these predicted exceedances are due to conservatism built into the Air Quality assessment.

Option 3 is considered preferred from a human health perspective. All other options are considered less preferred, but would have a low potential for adverse effects with the continuation of the existing site's mitigation measures augmented with additional Best Management Practices, where proposed, and on-going monitoring.

**Noise**

The mitigation measure considered in this assessment are building a barrier on top of the future built screening berm at landfill perimeter at the North of the landfill perimeter. All of the alternatives can achieve the required noise limits. The construction of a berm along the north property line will effectively shield the residences to the north. The height of the berm is dependent on the alternative and the final detailed design put forward for approval. All Options are equally preferred because there would be a low potential for adverse effects to area residents from a noise perspective, which would be further minimized through the mitigation measures proposed.

**Transportation**

There is no distinction between the alternative options in terms of their effects on the potential for collisions and Level of Service at intersections in the Local Study Area. All Options are equally preferred because the number of trucks permitted at the Site would remain unchanged resulting in no adverse effects on road user safety or intersection capacity.

**Archeology and Built Heritage**

All of the footprint changes will occur on already previously excavated and quarried lands and the one designated heritage landscape (located off-Site) will not be disturbed or displaced. Therefore, all options are equally preferred from a Cultural Environment perspective because no cultural or heritage landscapes would be disturbed or displaced and as the Site has been previously excavated and disturbed for quarrying, no archaeological resources would be adversely affected.

**Design and Operations**

Options 3 and 5 are both considered more preferred compared to the other Options from a design and operations perspective including their ability to provide the additional capacity being sought through the EA, but Option 3 is more preferred because it would be easier to construct and have a lower overall capital cost.
5.12.1 Ranking of the Options and Selection of the Recommended Option

Based the relative rankings and preference rankings for each alternative at the criteria and factor levels summarized above (See Appendix H for further detail), the overall ranking for each Option is as follows:

- Option 1 – Less Preferred
- Option 2 – Least Preferred
- Option 3 – Less Preferred
- Option 4 – Less Preferred
- Option 5 – Most Preferred
- Option 6 – Less Preferred

Using the reasoned argument approach, the Recommended Alternative as “Most Preferred” is #5: Reconfiguration and Height Increase. From an advantages/disadvantages perspective, Alternative #5 is Recommended as it represents:

- A technically feasible design that provides for the additional capacity being sought through the EA. This will allow Terrapure to continue to support the growing local economy by providing disposal capacity for industrial residual material generated within Hamilton and the GTA.
- A lower height increase compared to Options 3 and 6, which can be screened through such measures as constructed berms, tree plantings, fencing, etc.
- A low potential for adverse effects to the natural environment which would be further minimized through the use of standard mitigation measures.
- Maintains the existing stormwater management ponds.
- A low potential for adverse effects to area residents which would be further minimized through the use of standard mitigation measures.
- Maximizes the economic benefits to the City of Hamilton, Upper Stoney Creek, and local industry.

Option 5 is therefore put forward at this point in the process as the Recommended Option for consultation and feedback. Following this feedback, we will confirm the Preferred option, which will be carried forward to the impact assessment stage, which will allow for additional details to be developed from a design and operations perspective, as well as more detail on the impact management measures (mitigation/avoidance/compensation/enhancement).
# Table of Contents

6. Detailed Impact Assessment of the Undertaking .............................. 1
   6.1.1 Description of the Preferred Landfill Footprint .......................... 1
   6.1.2 Facility Characteristic Report ............................................... 4
   6.1.3 Study Area ........................................................................... 4
   6.1.4 Impact Assessment Methodology .......................................... 4

6.2 Net Effects Assessment ............................................................... 5

6.3 Natural Environment ................................................................. 5
   6.3.1 Geology and Hydrogeology .................................................. 5
   6.3.2 Surface Water ....................................................................... 11
   6.3.3 Terrestrial and Aquatic Environment .................................... 16
   6.3.4 Atmospheric Environment - Air and Odour ......................... 22
   6.3.5 Atmospheric Environment – Noise ...................................... 24

6.4 Built Environment ........................................................................ 28
   6.4.1 Land Use .............................................................................. 28

6.5 Social Environment ................................................................. 33
   6.5.1 Transportation ...................................................................... 33
   6.5.2 Human Health ....................................................................... 33

6.6 Economic Environment ............................................................ 38

6.7 Cultural Environment ............................................................... 44
   6.7.1 Archaeology and Built Heritage ............................................ 44

6.8 Design and Operations ............................................................... 44

6.9 Cumulative Effects of the Environment ....................................... 53
   6.9.1 Projects and Activities at the Site and Local Study Area .......... 54
   6.9.2 Valued Ecosystem Components (VECs) ................................. 56
   6.9.3 Cumulative Effects Analysis and Results ............................... 57
   6.9.4 Significance Assessment ....................................................... 59

6.10 Climate Change Considerations ................................................ 64
   6.10.1 Historical Climate and Meteorological Trends ...................... 64
   6.10.2 Potential Effects of the Undertaking on Climate Change ...... 69
   6.10.3 Effect of Climate Change on the Undertaking ..................... 70

6.11 On-Site Diversion Assessment .................................................. 75
   6.11.1 Background ........................................................................ 75
   6.11.2 Terrapure’s Current Diversion Initiatives .............................. 75
   6.11.3 Assessment Methodology .................................................... 76
   6.11.4 Viability of Identified Diversion Options .............................. 77

6.12 Impact Assessment Summary .................................................... 78

6.13 Advantages & Disadvantages of the Undertaking ......................... 83
Figure Index

Figure 6.1 Preferred Landfill Footprint ................................................................................................ 3
Figure 6.2 Existing SWM Pond Layout ............................................................................................. 14
Figure 6.3 Potential Future SWM Pond Layout ................................................................................ 15
Figure 6.4 Example of Graminoid Meadow as Part of Final Cover .................................................. 19
Figure 6.5 Example of Pollinator Habitat. Source: http://beeandbutterflyfund.org/our-solution ............................................................ 20
Figure 6.6 Example of Naturalized Aquatic Landscape Feature (Wet Meadow).............................. 20
Figure 6.7 Noise Contour Plot – 4.5 m Above Grade ....................................................................... 27
Figure 6.8 View of Current Berm and Fence with Dark Green Privacy Screen on Upper Centennial Parkway .................................................................................................. 31
Figure 6.9 View of Current Vegetation Screening on Green Mountain Road ................................... 31
Figure 6.10 Example of Fencing with Hedge Screen ......................................................................... 31
Figure 6.11 Example of Fencing with Live Vegetation ................................................................... 31
Figure 6.12 Mechanically Stabilized Earth Berm (Strata System) ...................................................... 31
Figure 6.13 Green Wall (Greenscreen®) ........................................................................................ 31
Figure 6.14 Cost of Raw Iron Ore Compared to Cost of Recovering Steel Wastes Through BOF Oxide Recovery/Processing Process ........................................................................ 78

Table Index

Table 6.1 Predicted Leachate Generation Rates .............................................................................. 5
Table 6.2 Predicted Leachate Leakage Rates .................................................................................. 6
Table 6.3 Predicted Downgradient Groundwater Quality .............................................................. 7
Table 6.4 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Geology and Hydrology .............................................................. 11
Table 6.5 Peak Flow Comparison ................................................................................................... 11
Table 6.6 Total Runoff Volume Comparison ..................................................................................... 12
Table 6.7 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Surface Water ................................................................. 16
Table 6.8 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Terrestrial and Aquatic ................................................................. 21
Table 6.9 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Air Quality and Odour ................................................................. 23
Table 6.10 Point of Reception Noise Impact ..................................................................................... 26
Table 6.11 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Noise ............................................................................................. 28
Table 6.12 Land Use – Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects ................................................................................... 32
Table 6.13 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Traffic .......................................................................................... 33
Table 6.14 Predicted Worst-case Concentration Ratios for 24-hour PM2.5 Exposures at each Sensitive Receptor Location in the Surrounding Community ........................................ 34
<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.15</td>
<td>Predicted Worst-case Concentration Ratios for Annual Average PM2.5 Exposures at each Sensitive Receptor Location in the Surrounding Community</td>
<td>35</td>
</tr>
<tr>
<td>6.16</td>
<td>Predicted Worst-case Concentration Ratios for 24-hour PM10 Exposures at each Sensitive Receptor Location in the Surrounding Community</td>
<td>35</td>
</tr>
<tr>
<td>6.17</td>
<td>Predicted Worst-case Concentration Ratios for Annual Average PM10 Exposures at each Sensitive Receptor Location in the Surrounding Community</td>
<td>36</td>
</tr>
<tr>
<td>6.18</td>
<td>Comparison of Predicted Annual Total Particulate Deposition for the Existing Configuration and the Various Phases of the Preferred Landfill Footprint</td>
<td>37</td>
</tr>
<tr>
<td>6.19</td>
<td>Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Human Health</td>
<td>38</td>
</tr>
<tr>
<td>6.20</td>
<td>Economic Environment – Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects</td>
<td>43</td>
</tr>
<tr>
<td>6.21</td>
<td>Summary of Accepted Materials (1997-2017)</td>
<td>45</td>
</tr>
<tr>
<td>6.22</td>
<td>Estimated Leachate Generation Rates</td>
<td>48</td>
</tr>
<tr>
<td>6.23</td>
<td>Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Design and Operations</td>
<td>52</td>
</tr>
<tr>
<td>6.24</td>
<td>Rationale for Potential VEC’s</td>
<td>56</td>
</tr>
<tr>
<td>6.25</td>
<td>Cumulative Effects Table</td>
<td>57</td>
</tr>
<tr>
<td>6.26</td>
<td>Significance Assessment Framework</td>
<td>60</td>
</tr>
<tr>
<td>6.27</td>
<td>Cumulative Effects Significance Assessment Summary</td>
<td>62</td>
</tr>
<tr>
<td>6.28</td>
<td>Mean Temperature Profiles from 1981 to 2010 at Hamilton A Station</td>
<td>65</td>
</tr>
<tr>
<td>6.29</td>
<td>Minimum and Maximum Temperature Extremes</td>
<td>65</td>
</tr>
<tr>
<td>6.30</td>
<td>Mean Monthly Precipitation Profiles from 1981 to 2010 at Hamilton A Station</td>
<td>67</td>
</tr>
<tr>
<td>6.31</td>
<td>Extreme Daily Precipitation at Hamilton A Station</td>
<td>67</td>
</tr>
<tr>
<td>6.32</td>
<td>Extreme Daily Precipitation</td>
<td>68</td>
</tr>
<tr>
<td>6.33</td>
<td>Average Observed Speed of the Max Gust from Hamilton A Station from 2000 to 2011</td>
<td>68</td>
</tr>
<tr>
<td>6.34</td>
<td>Estimated Sensitivity of the Undertaking to Potential Climate Change Effects</td>
<td>71</td>
</tr>
<tr>
<td>6.35</td>
<td>Potential Severity of Climate Impacts on Components of the Waste Management Infrastructure</td>
<td>73</td>
</tr>
<tr>
<td>6.36</td>
<td>Preferred Undertaking – Potential Environmental Effects, Mitigation Measures &amp; Net Effects</td>
<td>79</td>
</tr>
<tr>
<td>6.37</td>
<td>Advantages and Disadvantages of the Preferred Undertaking</td>
<td>83</td>
</tr>
</tbody>
</table>
6. Detailed Impact Assessment of the Undertaking

In March of 2018, the recommended landfill expansion option (Option # 5 - Reconfiguration and Height Increase) was presented to the public, stakeholders, and the Government Review Team (GRT) for comments and feedback. Following stakeholder and agency engagement, the recommended option was confirmed and Option # 5 became the 'Preferred' Landfill Footprint (also referred to as the Preferred Method). Following confirmation of the Preferred Landfill Footprint a detailed impact assessment was carried out.

The intent of the impact assessment is to allow for additional details to be developed on the Preferred Landfill Footprint from a design and operations perspective and to then review the impact management measures and resultant net effects described in the Alternative Methods stage within the context of the more detailed design for the Preferred Landfill Footprint. Specifically, the following can be accomplished:

- Potential environmental effects can be identified with more certainty
- More site-specific impact assessment measures can be developed for application
- Net environmental effects can be identified with more certainty
- Appropriate monitoring requirements can be clearly defined
- Specific approval/permitting requirements for the proposed undertaking can be identified

At the completion of the impact assessment of the Preferred Landfill Footprint, the advantages and disadvantages to the environment of the Preferred Landfill Footprint were identified. Climate change mitigation and adaptation measures will also be reviewed as part of the detailed site design established for the Preferred Landfill Footprint. In addition, during the impact assessment stage of the SCRF EA, Terrapure completed an assessment of the cumulative effects of the proposed undertaking and other non-SCRF projects/activities that are existing, planned/approved or reasonably foreseeable within the Study Area.

A Facilities Characteristics Report (FCR) for the SCRF has been prepared so that potential environmental effects and mitigation or compensation measures identified for the Preferred Landfill Footprint during the Alternative Methods phase of the EA could be more accurately defined, along with enhancement opportunities and approval requirements.

The discipline-specific work plans developed during the ToR outlined how impacts associated with the Preferred Landfill Footprint would be assessed. The results of these assessments have been documented in the following nine standalone Detailed Impact Assessment Reports:

- Atmospheric including:
  1) Air Quality and Odour, and 2) Noise
- Geology and Hydrogeology
- Surface Water
- Terrestrial and Aquatic
- Transportation
- Land Use and Economic
- Design and Operations
- Human Health

6.1.1 Description of the Preferred Landfill Footprint

The proposed expansion of the SCRF will increase the overall size of the landfill. Vertical limits will extend higher increasing the peak height by approximately 2.5 m. Horizontal limits will extend
further toward the north, back to original approved footprint of the SCRF. The area currently approved to accept industrial fill will be replaced with a base liner system to accept residual material.

The proposed refined layout of the SCRF is presented in Figure 6.1 below. The limits of the base liner system will be expanded back to the original approved footprint of 59.1 ha. The overall Site area of 75.1 ha. will not change. The figure shows the final extent of the landfill area after the final cover has been installed (the Post-Closure phase).

Minimum on-Site buffer distances of 30 m will be maintained around the perimeter of the residual material area throughout all phases. On-Site buffers currently extend to approximately 65 m in various areas along the east and south side of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site. These buffer distances will also be maintained.

As previously stated, the proposed expansion of the SCRF will increase the approved capacity by 3,680,000 m³, resulting in a total Site capacity of 10,000,000 m³ for post-diversion, solid, non-hazardous residual material. No changes are being proposed to the maximum approved fill rates of up to 750,000 tonnes of residual material in any consecutive 12 month period, or up to 8,000 tonnes per day.

The SCRF will continue to accept post-diversion, solid, non-hazardous industrial residual material. The SCRF will no longer be approved to accept industrial fill material. The SCRF will continue to accept residual material from sources from within the Province of Ontario. The overall composition of the residual material is expected to remain relatively consistent as the main sources (i.e., steel making industry, soils from infrastructure development projects) will not change. Additional descriptive details on the design of the Preferred Landfill Footprint can be found in the detailed Facilities Characteristics Report (Appendix I).
Figure 6.1 Preferred Landfill Footprint
6.1.2 Facility Characteristic Report

The FCR presents preliminary design and operations information for the Preferred Landfill Footprint and provides information on all main aspects of landfill design and operations including:

- site layout design including existing and proposed site characteristics;
- stormwater management;
- leachate management;
- landfill gas management; and,
- landfill development sequence and daily operations.

The FCR also provides estimates of parameters relevant to the detailed impact assessment, including estimates of leachate generation, contaminant flux through the liner system, landfill gas generation, and traffic levels associated with waste and construction materials haulage. The full FCR has been included in Appendix I for reference.

6.1.3 Study Area

The specific Site Study Area, and Local Study Area for the Preferred Landfill Footprint used for the Impact Assessment for each Environmental Component are consistent with the Study Areas used during the Alternative Methods phase (see Section 5.3).

6.1.4 Impact Assessment Methodology

The assessment of impacts associated with the Preferred Alternative Landfill Footprint was undertaken through a series of steps that were based, in part, on a number of previously prepared reports (Existing Conditions Report, Alternative Methods Report Assessment of Landfill Expansion Alternatives). The net effects associated with the Six Alternative Landfill Footprint Options identified during the Alternative Methods phase of the EA were based on Conceptual Designs. These effects were reviewed within the context of the detailed design plans developed for the Preferred Alternative, as identified in the FCR, to determine the type and extent of any additional investigations required to ensure a comprehensive assessment of net effects. Additional investigations were then carried out, where necessary, in order to augment the previous work undertaken.

With these additional investigations in mind, the potential impact on the Natural, Built, Social, Economic and Cultural environment of the Preferred Alternative was documented.

With a more detailed understanding of the Natural, Built, Social, Economic and Cultural environment developed, the previously identified potential effects and recommended impact management measures associated with the Preferred Alternative (documented in the Alternative Methods Report March 2018) were reviewed to ensure their accuracy in the context of the preliminary design. Based on this review, the potential effects, mitigation or compensation measures, and net effects associated with the Preferred Alternative were confirmed and documented. In addition to identifying mitigation or compensation measures, potential enhancement opportunities associated with the preliminary design for the Preferred Alternative were also identified, where possible.

Following this confirmatory exercise, the requirement for monitoring in relation to net effects was identified, where appropriate (See Chapter 8 of this EA Report). Finally, any additional approvals
required as part of the implementation of the Preferred Alternative were also identified (See Chapter 9 of this EA Report).

6.2 Impact Assessment Results

The findings of the impact assessment are summarized in the following sections. The impact assessment has taken into account the construction, operation, and closure/post-closure periods of the proposed undertaking.

6.3 Natural Environment

6.3.1 Geology and Hydrogeology

This section discusses the evaluation results in terms of the predicted effects of the Preferred Landfill Footprint on groundwater quality and groundwater flow. Discussions of predicted leachate generation and leakage through the liner are included, as these are integral parts of the groundwater quality evaluation.

The net effects relating to the Geology and Hydrogeology considered the following criteria and indicators;

Groundwater Quality:
- Predicted effects to groundwater quality at property boundaries and off-Site
- Predicted effects to Source Water Protection Area

Groundwater Flow:
- Predicted effects to groundwater flow at property boundaries and off-Site
- Predicted effects to Source Water Protection Area

6.3.1.1 Potential Effects on Geology and Hydrogeology

Groundwater Quality

Leachate Generation

As discussed in Appendix J, the HELP model was used to predict leachate generation rates for the Preferred Landfill Footprint. Leachate generation rates are provided by the HELP model as leakage through the final cover system into the waste mound. Based on the HELP modeling conducted, Table 6.1 summarizes the predicted leachate generation rates under various stages of landfill development, including closure conditions for the Preferred Landfill Footprint, as well as the existing approved configuration.

Table 6.1 Predicted Leachate Generation Rates

<table>
<thead>
<tr>
<th>Landfilling Section</th>
<th>Active Landfilling Area (ha)</th>
<th>Leachate Generation Rate (m³/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Conditions</td>
<td>28.9</td>
<td>164,712</td>
</tr>
<tr>
<td>Phase 1</td>
<td>40.2</td>
<td>183,219</td>
</tr>
<tr>
<td>Phase 2</td>
<td>21.8</td>
<td>153,084</td>
</tr>
<tr>
<td>Phase 3</td>
<td>16.8</td>
<td>172,634</td>
</tr>
</tbody>
</table>
The leachate generation rates presented above represent the total volume of leachate generated per year during various the Phases of landfill development. Leachate generation was modeled for the developed landfill footprint during each Phase, with the portion of the developed landfill footprint as active landfilling area taken into consideration in the modeling, as indicated. The results presented in Table 6.1 demonstrate that leachate generation rates are variable during the different stages of landfill development. Leachate generation is predicted to be the highest during Phase 4, with 203,357 m³ of leachate generated per year. It is important to note that the predicted post-closure leachate generation for the Preferred Landfill Footprint is essentially the same as the predicted post-closure leachate generation for the existing approved landfill configuration.

**Leachate Leakage Through Liner**

To understand the possible impacts of leachate leakage through the liner system, it is necessary to model the amount of leachate that could potentially leak through the liner. In order to ensure this step in the impact assessment is conservative, the leakage modeling is undertaken as a “worst case” scenario by excluding the additional protection resulting from the hydraulic control layer. The liner system incorporated into the landfill design is highly protective of the natural environment and the likelihood of leachate leakage is very remote. Notwithstanding, the following paragraphs describe the results of leachate leakage modeling undertaken for the purpose of this conservative assessment.

The HELP model was used to predict the potential leakage rates through the liner system for the Preferred Landfill Footprint during the stages of landfill development. Based on the HELP modeling conducted, Table 6.2 summarizes the predicted leachate leakage rates under existing conditions, four Phases of development, and closure conditions for the Preferred Landfill Footprint.

**Table 6.2 Predicted Leachate Leakage Rates**

<table>
<thead>
<tr>
<th>Landfilling Section</th>
<th>Active Landfilling Area (ha)</th>
<th>Leachate Leakage Rate (m³/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Conditions</td>
<td>28.9</td>
<td>34.7</td>
</tr>
<tr>
<td>Phase 1</td>
<td>40.2</td>
<td>38.4</td>
</tr>
<tr>
<td>Phase 2</td>
<td>21.8</td>
<td>32.3</td>
</tr>
<tr>
<td>Phase 3</td>
<td>16.8</td>
<td>36.7</td>
</tr>
<tr>
<td>Phase 4</td>
<td>18.8</td>
<td>43.2</td>
</tr>
<tr>
<td>Post Closure</td>
<td>0</td>
<td>37.0</td>
</tr>
<tr>
<td>Existing Approved Post Closure</td>
<td>0</td>
<td>34.7</td>
</tr>
</tbody>
</table>

The results presented in Table 6.3 demonstrate that the modeled potential leachate leakage rates are low (not actually occurring), with the highest rate modeled during Phase 4 of landfill
development under the Preferred Landfill Footprint. In order to ensure a conservative approach to predicting the effects of landfill development on future groundwater quality and flow, the Phase 4 leakage rates presented in Table 6.4 have been used for the purposes of the groundwater quality and flow assessments discussed below.

It is important to note that the predicted post-closure leachate leakage rate for the Preferred Landfill Footprint is essentially the same as the predicted post-closure leachate leakage rate for the existing approved landfill configuration.

**Effects on Downgradient Water Quality**

A generalized water balance and mass balance approach was used to estimate groundwater quality at the downgradient Site boundary for the Preferred Landfill Footprint. The water balance considered the primary inputs, and movements of water across the Site using both Site hydrogeologic data and theoretical calculations. The water balance and groundwater flow beneath the landfill was estimated by using Site specific groundwater elevations, gradients, and hydraulic conductivities. Based on the groundwater flux and contaminant mass loadings from predicted leachate leakage, downgradient groundwater quality was then estimated.

A detailed description of calculation methodology and individual parameter results is provided in Appendix J.

Additional contaminant mass from leachate leakage marginally increases some contaminant concentrations at the downgradient boundary. For the purposes of comparing the effects of the preferred Landfill Footprint on downgradient groundwater quality, chloride has been selected as a surrogate for leachate impacts. Chloride is a contaminant species where changes in concentration are due to physical, non-destructive, processes (e.g., mechanical dispersion, dilution) and is not subject to biochemical breakdown, precipitation, or adsorption. Thus, chloride provides a conservative estimate of potential future impacts. Table 6.4 provides a summary of the forecasted chloride concentrations in monitoring wells located at the downgradient boundary under final development (closure conditions) for both the Preferred Landfill Footprint, as well as the existing approved final closure conditions. The table provides a summary of the monitoring wells within the Vinemount Flow Zone (VFZ). The VFZ directly underlies the landfill liner and has comparatively limited upgradient flux. Thus, the VFZ is anticipated to be most affected by leachate mass loading. In order to ensure the results of the projected concentrations are conservative and comparable, the projections have been made assuming all leachate leakage would enter the VFZ.

### Table 6.3 Predicted Downgradient Groundwater Quality

<table>
<thead>
<tr>
<th>Well ID</th>
<th>Existing Approved</th>
<th>Preferred Landfill Footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Chloride (mg/L)</td>
<td>Chloride (mg/L)</td>
</tr>
<tr>
<td>47-III</td>
<td>300</td>
<td>320</td>
</tr>
<tr>
<td>48-V</td>
<td>880</td>
<td>890</td>
</tr>
<tr>
<td>60-III</td>
<td>400</td>
<td>420</td>
</tr>
<tr>
<td>61-III</td>
<td>550</td>
<td>570</td>
</tr>
</tbody>
</table>

Notes: all concentrations are in mg/L (m³/year / m³/day ) leachate leakage rate
As shown in Table 6.3, the predicted downgradient groundwater quality is very similar for the Preferred Landfill Footprint and the Existing Approved scenarios. The detailed results for predicted groundwater quality, including general chemistry and metals leachate indicator parameters, are included in Tables B.1 through B.4 within Appendix B of the Geology and Hydrogeology Impact Assessment Report (Appendix J). The results included in the tables show a consistent pattern in that the predicted downgradient groundwater quality is similar to, but with slightly higher concentrations in water quality parameters than existing water quality. This is not unexpected as the modeling has added contaminant mass to the flow zone. The most significant modeled increases in downgradient parameter concentrations noted are for chloride and sodium.

Although the modeled parameter increases are relatively minor, it is important to note the following with respect to the results of the groundwater quality assessment:

1. The downgradient groundwater quality predictions have not taken into account any attenuation of leachate impacts. The modeling has maintained the contaminant mass from the point of discharge beneath the liner system to the downgradient boundary.

2. The HELP modeling that was used to estimate the liner leakage did not take into account the hydraulic control layer component of the liner system.

3. The downgradient groundwater quality predictions have not taken into account the groundwater control systems incorporated into the landfill design. These systems are currently in operation and will be expanded as part of continued landfill development. These systems are discussed further in Section 6.3.1.2 (Proposed Mitigation Measures).

Points 1 through 3 provided above are relevant in that they speak to the very conservative nature of the predictive modeling presented here. Despite these conservative elements of the approach, the predicted downgradient groundwater quality for the Preferred Landfill Footprint is very similar to the predicted downgradient groundwater quality for the existing approval under closure conditions, modeled using the same methodology.

**Effects on Source Water Protection**

Any potential impacts to groundwater and/or surface water quality within the Source Water Protection Area (SWPA) will be dependent on groundwater quality migrating into the Intake Protection Zone (IPZ) to the City of Hamilton water intake. As detailed in Table 6.3, conservative predictions of downgradient groundwater quality show very similar results for the Preferred Landfill Footprint and the existing approval. The modeling results show minimal effects on predicted groundwater quality prior to implementation of mitigation measures.

It is important to note that these predictions to downgradient groundwater and/or surface water quality within the SWPA do not consider the use of the groundwater control systems (mitigation measures). These systems will be operated and expanded as part of the continued landfill development and will mitigate the migration of potentially contaminated groundwater off-Site. With the continued operation of the groundwater control systems, it is anticipated there will be no impacts on groundwater quality entering the IPZ.

**Groundwater Flow**

The estimated potential leakage rate of leachate through the liner (which is not actually occurring but modeled), calculated using the HELP model, was used to determine the potential impacts of each Alternative on groundwater flow. The HELP outputs show that leakage from the landfill liner
will contribute approximately 0.056 mm of hydraulic head each year. This leakage will predominantly enter the VFZ (which directly underlies the base of the landfill footprint), which could increase the hydraulic head beneath the landfill footprint. The increase in hydraulic head could affect groundwater flow by altering horizontal hydraulic gradients.

Based on the 2017 groundwater elevations measured at the Site, groundwater levels within the VFZ are heavily influenced by groundwater extraction at M4, as well as the Phase One Centennial Parkway Trunk Sanitary Sewer (CPTSS) construction; however, historic reports (Taro East Quarry Environmental Assessment Hydrogeological, Impact Assessment Final Report, Gartner Lee, January 1995) show that the baseline potentiometric surface ranges from 201.0 to 192.6 mAMSL across the Site. Thus, the change in hydraulic head across the Site is on the order of several metres across a distance of approximately 900 m (i.e., \( i = (201\text{mAMSL} - 192.6\text{mAMSL}) / 900 \text{ m} = 0.093 \text{ m/m}) \).

Under the landfill expansion with the Preferred Landfill Footprint, predicted landfill leakage would contribute an additional hydraulic head of 0.056 mm/year. Thus, the maximum increase in hydraulic gradient due to leachate leakage is negligible. The change in hydraulic gradient will produce negligible changes to groundwater flow rate and no observable change in direction.

### 6.3.1.2 Mitigation and/or Compensation Measures

The evaluation of potential environmental effects provided above has been completed without taking into consideration several environmental control systems incorporated into the landfill design. These control systems are important aspects of the Site’s groundwater protection strategy and accordingly they are being taken into consideration as mitigation measures for the Preferred Landfill Footprint. Because of the minor changes in downgradient water quality predicted, new mitigation measures are not being proposed for the Preferred Alternative. The existing groundwater control systems at the SCRF, properly maintained and operated, will provide adequate additional protection of the groundwater flow systems.

The following paragraphs describe the environmental control systems in place at the SCRF and their relevance to the predicted environment performance of the Preferred Landfill Footprint.

#### Groundwater Extraction Well M4

Groundwater extraction well M4 was completed within the Lower Excavation of the former quarry, originally for the purpose of controlling the movement of historical groundwater impacts from the closed landfill. M4 is located within the northwest quadrant of the SCRF landfill footprint and accordingly is ideally located to optimally affect hydraulic gradients in the vicinity of the SCRF. The location of M4 is illustrated on Figure 4.2. M4 has been operated as a means of maintaining inward gradients towards the well and minimizing the potential for downgradient migration of landfill-affected water quality. Potentiometric groundwater surfaces provided in the 2016 Annual Monitoring Report (Jackman, June 2017) show groundwater flow in each of the flow zones was heavily influenced by the operation of M4. Inwards, horizontal hydraulic gradients are shown across the northern Site boundary of both the SCRF and closed landfill. This observation is consistent with previous presentations of groundwater flow with extraction well M4 in operation.

In 2016, M4 extracted an average of 70,000 L/day (when in operation) which is greater than the combined flux estimates for the VFZ, UFZ, and UMFZ/LMFZ. It should be noted that in 2016,
groundwater levels at the SCRF were being affected by dewatering associated with sewer construction along Highway 20, which resulted in a historically low extraction volume from M4. Recent monitoring data has demonstrated a rebound in static groundwater elevations at the SCRF, indicating a progressive reduction in the influence of the sewer construction dewatering.

Based on data presented in the 2016 Annual Monitoring Report (Jackman, June 2017) (extraction greater than estimated flux values and measured inward horizontal hydraulic gradients), operation of M4 will be sufficient to capture potential future landfill-related water quality impacts within the VFZ, UFZ, and UMFZ/LMFZ. On the basis of historical performance of this extraction well, potential leakage from the landfill under the scenario of Preferred Landfill Footprint development will be mitigated by operation of M4.

It is recommended that extraction well M4 is maintained and operated for the purpose of collecting potentially impacted groundwater and maintaining inward gradients under the scenario of landfill development with the Preferred Landfill Footprint.

**Groundwater Collection Trench Network**

The existing developed portion of the SCRF includes a network of shallow groundwater collection trenches that surround the landfill footprint and connect through a network of trenches underlying the landfill liner. These trenches are excavated through the VFZ and keyed into the underlying Vinemount Shale aquitard. The trenches are connected to a groundwater pumping station located at the southeast corner of the SCRF. Accordingly, the groundwater collection trench system is capable of containing all groundwater flow within the VFZ below the landfill footprint. As the VFZ would be the primary receptor of direct leachate leakage from the liner, this system is capable of mitigating leakage from the liner, should this condition be observed in the future.

It is recommended that construction of the network of groundwater collection trenches is completed beneath the liner system as landfill cells are constructed (as per the existing design). Evacuation of these collection trenches via the groundwater pumping station will assist in controlling the lateral movement of potentially impacted shallow groundwater.

**Hydraulic Control Layer**

The liner system for the SCRF includes a hydraulic control layer (HCL) between the two 1 m sections of compacted clay liner. The HCL consists of a coarse granular material, which, once fully constructed, will be flooded and maintained at a specified hydraulic head to induce an upward vertical gradient across the upper portion of the compacted clay liner. Maintaining an upward hydraulic gradient across the clay liner will ensure that downward leaking of leachate across the clay cannot occur. Accordingly, operation of the HCL will provide a substantial degree of additional protection against discharge of leachate through the liner into the natural environment.

**6.3.1.3 Geology and Hydrogeology Net Effects**

The net environmental effects of the Preferred Landfill Footprint on geology and hydrogeology have been determined through applying the mitigation measures described above to the potential environmental effects identified in Sections 6.3.1.1.

In consideration of the minor variations in predicted downgradient groundwater quality between the Preferred Landfill Footprint and the Existing Approval, and the very conservative nature of the
modeling performed to predict the potential environmental effects, the mitigation measures described in Section 6.3.1.2 will adequately negate any potential environmental effects related to Site development under the Preferred Landfill Footprint.

On the basis of the above, it is concluded that there will be no net environmental effects from the Preferred Landfill Footprint on the geologic or hydrogeologic conditions within the Site Study Area.

### Table 6.4 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Geology and Hydrology

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leachate leakage through the primarily liner</td>
<td>Maintaining inward gradient across the liner system through flooding the HCL.</td>
<td>No net effect on downgradient groundwater quality</td>
</tr>
<tr>
<td>Leachate leakage through the secondary liner</td>
<td>Collection of impacted water and hydraulic control of local groundwater through operation of M4 extraction well, shatter trench wells and containment wells.</td>
<td>No net effect on downgradient groundwater quality</td>
</tr>
</tbody>
</table>

### 6.3.2 Surface Water

As mentioned, the previously identified potential effects and recommended mitigation or compensation measures associated with the Preferred Landfill Footprint were reviewed to ensure their accuracy in the context of the preliminary design of the Preferred Alternative, based on the more detailed understanding of the Surface Water environment developed through the additional investigations. With this in mind, the confirmed potential effects, mitigation or compensation measures, and net effects are described in detail in the sections below.

Predictive modeling was performed using PCSWMM Version 7.1 with SWMM5 version 5.1.012 for the current approved design of the Site (baseline condition) and the Preferred Landfill Footprint. This modeling served to evaluate the changes to the peak flows and runoff volumes for Preferred Landfill Footprint when compared to the baseline condition. Modeling from the Alternative Methods Evaluation was used to demonstrate the uncontrolled flows from the Site, meaning it was assumed that there were no measures to contain and capture the runoff (i.e., perimeter ditches, stormwater management ponds, etc.). Additional modeling was performed which includes preliminary SWM measures, which means the modeling results assume controlled flows. Rough preliminary sizing was performed so that measures that contain and capture the runoff could be shown in the modeling results. This was done to show that the proposed mitigation measures are able to function at the Site.

The results of the modeling of the uncontrolled peak flows and runoff volumes for each condition are summarized in the tables below. The net effects relating to the Surface Water components considered the following criteria and indicators:

#### Table 6.5 Peak Flow Comparison

<table>
<thead>
<tr>
<th>Options</th>
<th>Uncontrolled 2-year Storm</th>
<th>Uncontrolled 100-year Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Peak Flow (m³/s)</td>
<td>Percent Difference to Baseline</td>
</tr>
<tr>
<td>Existing/Baseline</td>
<td>0.969</td>
<td>N/A</td>
</tr>
<tr>
<td>Preferred Landfill Footprint (Option #5)</td>
<td>0.969</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
### Table 6.6 Total Runoff Volume Comparison

<table>
<thead>
<tr>
<th>Options</th>
<th>Uncontrolled 2-year Storm</th>
<th>Uncontrolled 100-year Storm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Peak Flow (m³/s)</td>
<td>Percent Difference to Baseline</td>
</tr>
<tr>
<td>Existing/Baseline</td>
<td>14,051</td>
<td>N/A</td>
</tr>
<tr>
<td>Preferred Landfill Footprint (Option #5)</td>
<td>15,564</td>
<td>10.77%</td>
</tr>
</tbody>
</table>

**Surface Water Quality:**
- Predicted effects to surface water quality at property on- and off-Site

**Surface Water Quantity:**
- Predicted change in drainage areas
- Predicted occurrence and degree of off-site effects.

#### 6.3.2.1 Potential Effects on Surface Water Quality and Quantity

The effect on surface water quality is minimal when compared to the baseline condition, as the same material (post diversion solid, non-hazardous industrial residual material) will continue to be accepted and disposed. The Site will receive final cover with vegetation similar to the current approved design. The only contaminant of concern is Total Suspended Solids (TSS) that occurs as stormwater flows over the final cover of the SCRF. With a similar cover, there will be similar TSS levels.

The overall drainage area is the same as in the baseline condition but there will be a height increase. The area will have lower permeability due the replacement of industrial fill with residual material. This will result in an increase peak flows and runoff volumes.

During the 2-year through 100-year storm events, uncontrolled flows from the Site (assuming there are no perimeter ditches or stormwater management pond to capture runoff) will produce more runoff volume and higher peak flows than the baseline condition. The predicted increase in runoff volume is approximately 11% during the 2-year event and 6% during the 100-year event. Runoff will flow off-Site and cause increased flows in the roadside ditches and creeks within the local study area. There may also be erosion or flooding in these areas during larger storm events.

#### 6.3.2.2 Mitigation and/or Compensation Measures

The existing SWM measures at the Site include perimeter ditches to the south and west, a forebay and a detention pond. The forebay and detention pond are located in the northwest corner of the Site. The ponds have been sized to provide quantity and quality control for the current Phase 1 of the landfill. The detention pond has an outlet shut-off valve that allows the outlet to be closed if the stormwater is not meeting water quality objectives. The valve can be re-opened once water quality issues have been addressed and water quality objectives are being met. The existing SWM ponds are shown on Figure 6.2.

The addition of perimeter ditches that can convey up to the 100-year storm event will prevent any flows from leaving the Site. A SWM pond with two forebays can be designed to treat the runoff to the required levels and to control the release of the 2-year- through 100-year storm events to pre-development levels. This will prevent erosion and flooding off-Site.
The allocated SWM pond area is large enough to size a pond that can treat and control the Site runoff. There may be some complications in the design of the pond due to the elevation difference between the residual material toe of slope and the elevations of the roads adjacent to the SWM pond. The berm separating the SWM pond from Green Mountain Road West and First Road West will need to have significant design considerations. This may result in a costly design and construction of the SWM pond. Since part of the SWM pond will be built within the 30 m buffer area, the berm sloping from the SWM pond to the roads will take up more than half the width of the buffer area. This means there is less area available for the SWM pond.

The preliminary SWM measure sizing used in the predictive modeling shows that minor alterations to the current SWM ponds will be able to provide adequate storage for quality and quantity control. This means that the SWM pond will have enough volume to remove TSS and to contain the 2-year through 100-year storms. The minor alterations to the current SWM ponds include additional ditches along the north and west perimeter of the Site, converting the current SWM detention pond into a second forebay and re-grading the future detention pond to increase the depth and surface area of the pond. The future detention pond is currently the pond used for wheel wash and dust control water storage. For the predictive modeling the perimeter ditches were assumed to have a bottom width of 1m, depth of 1m, 3H:1V side slopes and a longitudinal slope of 0.7%. The approximate SWM pond sizing used in in the predictive modeling is shown in Figure 6.3.
Figure 6.2 Existing SWM Pond Layout
Figure 6.3 Potential Future SWM Pond Layout
The pond design will include emergency shut-off valves so that stormwater will not be released into the storm sewer system below First Road West, which ultimately discharges into Davis Creek, if water quality testing determines that the water quality is not suitable for discharge. Contingency measures include “status quo”, which is to discharge stormwater to the sanitary sewer for treatment at the City’s water pollution control plant.

### 6.3.2.3 Surface Water Net Effects

Based on the controlled conditions modeling (which includes preliminary SWM measures), the SWM pond and perimeter ditches will able to treat and control the runoff from the Site to the same level as the current approved design and results in low net environmental effects.

**Table 6.7 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Surface Water**

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/ Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface quality to be similar to baseline since additional residual material will have final cover. Contaminants of concern in the runoff are TSS.</td>
<td>The existing stormwater management pond will be altered as required and described (provide adequate permanent pool volume and active storage volume) to treat TSS from the stormwater runoff. Stormwater from the pond will not be released to surface water body (i.e., storm sewer system that drains into Davis Creek) until testing determines all parameters have been met to discharge. Contingency measures include “status quo”, which is to discharge stormwater to sanitary sewer for treatment at the City’s water pollution control plant.</td>
<td>Discharge to either surface water or to sanitary sewer with no increase in TSS and related parameter concentrations</td>
</tr>
<tr>
<td>The increased area of residual material results in an increase in impermeable area due to the residual material final cover. This will produce an increase runoff volume of 11% during the 2-year storm event and 6% during the 100-year storm event. Increased runoff volume will result in increased flooding ditches to the northwest, in the sewer below First Road West and Davis Creek. Erosion of the creek and ditches may also occur because of the increased runoff volume.</td>
<td>Perimeter ditches will keep the increased runoff on-Site and direct flows to the modified stormwater management pond. The stormwater management pond will be sized to capture the 2-year through 100-year storm events and control the release rate to prevent flooding and erosion off-site. Contingency measures include “status quo”, which is to discharge excess stormwater to sanitary sewer for conveyance to the City’s water pollution control plant.</td>
<td>No increase in peak flows to the roadside ditches to the northwest of the Site, sewer under First Road West and Davis Creek</td>
</tr>
</tbody>
</table>

### 6.3.3 Terrestrial and Aquatic Environment

As mentioned, the previously identified potential effects and recommended mitigation or compensation measures associated with the Preferred Landfill Footprint were reviewed to ensure their accuracy in the context of the preliminary design of the Preferred Landfill Footprint, based on the more detailed understanding of the Terrestrial and Aquatic environment developed through the additional investigations. With this in mind, the confirmed potential effects, mitigation or compensation measures, and net effects are described in detail in the sections below.
The net effects relating to the Natural Environment considered the following criteria and indicators:

**Effect on terrestrial ecosystems:**
- Predicted impact on vegetation communities, wildlife habitat including rare, threatened or endangered species.

**Effect on Aquatic Ecosystems:**
- Predicted impact on aquatic habitat and aquatic biota

### 6.3.3.1 Potential Effects on the Natural Environment

A photographic log with examples of the types of habitats to be affected as part of the Preferred Landfill Footprint is provided as Appendix J.

**Construction-related Effects**

During construction, there will be the potential for effects to the terrestrial and aquatic environment as the Site is prepared for accepting additional waste, and include impacts to vegetation, wildlife habitat, aquatic habitat, and aquatic biota.

As part of the Preferred Landfill Footprint, there would be a temporary loss of approximately 18.5 ha of existing vegetation communities (e.g., meadow and thicket habitat), as well as the wildlife habitat value that these areas currently provide. Furthermore, the habitat of a Threatened bird species (eastern meadowlark) will be removed as part of the regrading activities that will occur during Phase 1 in the south and southwest portion of the Site. In total, approximately 11.5 ha of habitat for this species will be temporarily lost in the dry-fresh graminoid meadow ecosite as a result of Site preparation and regrading activities.

Furthermore, a loss of on-Site aquatic habitat and disturbance to aquatic biota in open water habitats associated with the Site stormwater infrastructure is also anticipated as a result of construction due to changes in Site configuration throughout the project stages.

Off-Site impacts to the terrestrial and aquatic environment during construction are not anticipated as a result of the Preferred Landfill Footprint.

**Operation-related Effects**

Similar to during construction, daily operations (including but not limited to Site grading, relocation of Site infrastructure including buildings and ponds, building of access roads) have the potential to affect the terrestrial and aquatic environment. The potential effects from the Preferred Landfill Footprint on the terrestrial and aquatic environment during operation include impacts to vegetation, wildlife habitat, aquatic habitat, and aquatic biota.

As part of the Preferred Landfill Footprint, there would likely be a temporary loss of existing vegetation communities (e.g., meadow and thicket habitat) that are anticipated to naturally re-generate in disturbed areas during the progressive Site operation, as has occurred under existing Site operation conditions activities. As these regenerating areas continue to be disturbed, there would also be a loss of associated wildlife habitat value.
With regard to the habitat of eastern meadowlark, it is assumed that the majority of impact to this species will be during the construction phase, when the existing capped portion of the Site is removed to allow for further acceptance of waste. Habitat will be created for this species incidentally throughout operation as areas are capped and planted with the final vegetative cover, which will incorporate graminoid meadow habitat.

There are also potential effects during operation to another threatened bird species during operation. Barn swallow (observed on Site in 2016 and 2017) may be affected by the removal and/or relocation of Site structures as part of Phases 2, 3, and closure. Barn swallow may use these anthropogenic structures for nesting, and their habitat may be destroyed during building relocation, should active or remnant nests be present.

Furthermore, a loss of on-Site aquatic habitat and disturbance to aquatic biota associated in open water habitats associated with the Site stormwater infrastructure is also anticipated throughout operation, as a result of regrading activities and changes in Site configuration throughout the project stages.

Off-Site or local study area impacts to the terrestrial and aquatic environment during operation are not anticipated as a result of the Preferred Landfill Footprint.

6.3.3.2 Mitigation and/or Compensation Measures

Construction

In order to mitigate the impacts to eastern meadowlark during construction related to the destruction of habitat, the following mitigation measures are required:

- A Notice of Activity process will be followed, to ensure protection of the species and their habitat and compliance with the Endangered Species Act. This process will involve registering the work with MNRF, and preparing and following a Habitat Management Plan, which will also describe how new or enhanced habitat will be created and managed. Within 12 months of the date development begins, the new or enhanced habitat will be created, subject to minimum size and species composition parameters specified by the MNRF. The created habitat will be managed and monitored for at least five years, and a report detailing mitigation followed, status of new habitat, results of annual monitoring efforts will also be prepared on an annual basis.

- Incorporate graminoid meadow habitats into the closure landscape plan (see Figure 6.4 below for an example)

Impacts to vegetation communities and their associated wildlife habitat function, as well as impacts to aquatic habitat and biota, can be minimized by implementing the best management practices during construction and the Compensation/Restoration Plan (Section 8).
In order to mitigate potential impacts during operation to migratory bird species (including barn swallow) which may nest on anthropogenic structures, the following measures are required:

- A qualified avian biologist should conduct a nest survey of on-Site facilities and infrastructure prior to relocation or removal of structures to determine use by migratory bird species for nesting. If nests of protected migratory bird species are found, the biologist will determine the appropriate mitigation to ensure protection of the nest (e.g., removal of the structure outside of the breeding bird season). Should active or remnant nests of barn swallow be found, a Notice of Activity process under the *Endangered Species Act* will be followed to ensure protection of the species and their habitat and compliance with the *Endangered Species Act*.

Impacts to vegetation communities and their associated wildlife habitat function, as well as impacts to aquatic habitat and biota, can be minimized by implementing the best management practices (*Section 8*) during operation. A Compensation/Restoration Plan will be developed as the project progresses to identify areas where compensation may occur on Site during operation, and also provide recommendations for plantings as part of the landfill closure plan. The plan will also detail habitat enhancement opportunities, such as the creation of pollinator habitat in buffer areas (see *Figure 6.5* below for example of pollinator habitat).
Furthermore, to compensate for the temporary loss of aquatic habitat, naturalized landscape features can be incorporated into the stormwater management facilities design (e.g., wet meadows, robust emergent vegetation, shallow slope). See Figure 6.6 below for an example of a naturalized aquatic landscape feature.
6.3.3.3 Terrestrial and Aquatic Net Effects

Net effects as they relate to the terrestrial and aquatic environment are discussed in Table 6.8 below.

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/ Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
</table>
| • Temporary loss of approximately 18.5 ha of existing vegetation communities (e.g. marsh, meadow, and thicket habitat) and associated wildlife habitat as a result of regrading activities. | • Conduct any vegetation removal activities outside of the breeding bird window (i.e., no removals between late March - late August).  
• Retain vegetation and compensate for vegetation loss to the extent possible (e.g., create pollinator habitat in buffer areas)  
• Incorporate graminoid meadow habitats into the closure landscape plan | • The temporary loss of approximately 18.5 ha of vegetation and wildlife habitat will be minimized through implementation of the mitigation measures. |
| • Temporary disturbance to terrestrial species during Site works and landfilling operations. | • Implement BMP’s including:  
• Use of dust suppressants  
• Installation of protective fencing (where required)  
• Conduct a nest survey of on-Site facilities and infrastructure prior to relocation or removal of structures to mitigate impacts to bird species which may use anthropogenic structures for nesting. If nests are found, consult a biologist/MNRF for further direction.  
• Any wildlife incidentally encountered during Site operation activities will not be knowingly harmed and will be allowed to move away from the area on its own.  
• In the event that an animal encountered during Site operation activities does not move from the area, or is injured, the Site Supervisor and MNRF will be notified.  
• In the event that the animal is a known or suspected SAR, the Site Supervisor will contact MNRF SAR biologists for advice.  
• Include naturalized landscape features into the stormwater management facilities design (e.g. wet meadows, emergent robust vegetation, shallow slope) | • The temporary disturbance to terrestrial species will be minimized through implementation of the mitigation measures. |
| • Temporary loss of approximately 11.5 ha of habitat of a Threatened species (eastern meadowlark) in the dry-fresh graminoid meadow ecosite at the south and west portion of the Site. | • Consult with MNRF to determine specific requirements (e.g. habitat enhancement and/or creation requirements) of the Notice of Activity process related to the presence of eastern meadowlark to avoid contravention of the provincial Endangered Species Act. Incorporate graminoid meadow habitats into the closure landscape plan.  
• As part of the Notice of Activity process, a Habitat Management Plan will be created and implemented prior to the initiation of any construction. This plan which will document the areas to be affected and detail where and how new habitat will be created or enhanced. | • The temporary loss of SAR habitat will be minimized through implementation of the mitigation measures. |
| • Loss of on-Site aquatic habitat and disturbance to aquatic biota associated with open water habitats in stormwater infrastructure due to regrading activities. | • Install ESC measures to mitigate impacts to water quality and to act as wildlife exclusion fencing prior to construction, and maintain them appropriately throughout landfill construction and operation.  
• Characterize use of on-Site aquatic features by fish and wildlife prior to modification/removal. Obtain necessary approvals for/complete fish/wildlife rescue activities prior to initiation of any in-water works, as appropriate. | • The temporary loss of on-Site aquatic habitat and disturbance to aquatic biota will be minimized through implementation of the mitigation measures. |
6.3.4 Atmospheric Environment - Air and Odour

Atmospheric Environment criteria were evaluated with indicators to support the reasoned argument in the comparative rankings:

Effect of Air Quality on Off-Site Receptors
- Predicted off-Site point of impingement concentrations of particulate matter size fractions

Effect of Odours on Off-Site Receptors
- Predicted off-Site point of impingement concentrations of volatile organic compounds

6.3.4.1 Potential Effects on Air Quality and Odour

The SCRF is anticipating operating 10 hours per day, with up to 100 trucks per day of waste coming onto the site and being deposited into the active area of the landfill. While some roads on Site are currently paved (or may be paved in future), unpaved roads and material handling operations are known to be potentially significant sources of fugitive dust, which can have an effect on nearby sources. In order to mitigate potential effects of these operations on local and regional air quality, in particular airborne dust, it is necessary for mitigation measures to be implemented, and special care may be required if operations are occurring in close proximity to the Facility fence line. Dispersion modeling has shown that with reasonable mitigation, the Facility is able to meet air quality criteria during future operations. When operations are particularly close to the fenceline, it is possible that the MECP’s SPM standard may be exceeded (up to 5 times per year or 1.3% of the time), including background contributions to air quality.

Based on differences in road and active area configuration, there are some differences between the predictions of airborne dust for the different phases of this project. The potential sources of odour emissions remain the same (the leachate pumping station and the aeration pond) throughout the life of the project, and so potential future effects on odour from site operations are identical to the current scenario (i.e., there is no measurable change for odour between current and future operations).

6.3.4.2 Mitigation and/or Compensation Measures

The SCRF currently has a dust mitigation plan. For the purposes of this assessment, best practices dust mitigation were assumed to be implemented at the site for all phases of the work, including:

- Paving Site access roads (entry and exit) within the buffer area, including any roads which do not cross active or closed portions of the landfill;
- Use of road watering on paved and unpaved roads, to minimize dust generation on Site;
- Minimizing the level of daily activity, or increasing dust mitigation activities, when operations are near the fenceline; and
- Continued use of the wheel-washing station near the Site exit, to reduce track-out of material from the Site onto First Road West.

For the purposes of the assessment, it was assumed the Site would achieve a 75% overall re-suspended road dust suppression. This is highly achievable in this area, as Hamilton already receives measurable precipitation 156 days per year (Environment Canada, 2018), providing
natural dust mitigation, so additional watering on dry days should provide adequate dust suppression.

It has also been assumed that on-Site vehicles will not travel more than 30 km/hr, and that material handling operations will be undertaken in such a way as to limit, as much as reasonable, fugitive dust emissions (such as from drop operations, or the use of loaders, bulldozers, or graders on active landfill sections).

Finally, it was assumed that once a section has been filled to the planned capacity, the area will be capped and re-vegetated to eliminate windblown dust.

These measures were included in the emissions estimates for this Facility, and therefore included in the dispersion modeling and the effects assessment for the planned capacity increase for the SCRF.

### 6.3.4.3 Air Quality and Odour Net Effects

A facility such as the SCRF may periodically contribute to local elevated particulate concentrations, particularly under windy or dry conditions which can increase fugitive dust emissions from the Site. With the implementation of appropriate mitigation measures, particularly for the control of fugitive dust from paved and unpaved roads, and material handling on Site, the net effects of the proposed activities on the local and regional air quality is expected to be able to meet MECP guidelines and current and future Federal CAAQS, with some added mitigation or slightly reduced operations during periods when operations are occurring near the Facility fenceline, particularly in Phase 3 when operations may be occurring near the north side of the property.

The Facility will be expected to continue to document air quality complaints related to dust or odour, and to investigate complaints to attempt to identify those which are related to Facility operations (versus those related to off-Site/unrelated air quality concerns). The Net Effects as assessed in this Impact Assessment are summarized in Table 6.9.

**Table 6.9** Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Air Quality and Odour

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevated dust concentrations in the local study area</td>
<td>Implementation of dust mitigation plan. Logging of complaints and investigation into contribution(s) of the site to local air quality issues.</td>
<td>Facility can meet MECP and CAAQS guidelines, provided care is taken when operations are occurring near the fenceline.</td>
</tr>
<tr>
<td>Odour in the local study area</td>
<td>Logging of complaints and investigation into contribution(s) of the site to local air quality issues.</td>
<td>The site is unlikely to contribute to significant odour issues in the area.</td>
</tr>
</tbody>
</table>
6.3.5 Atmospheric Environment – Noise

The net effects relating to the Atmospheric Environment Noise components considered the following criteria and indicators:

**Effect on Noise:**
- Predicted off-Site noise level
- Number of off-Site receptors potentially affected (residential, commercial, institutional)

6.3.5.1 General Assumptions and Additional Modeling

The worst-case equipment locations were selected based on proximity and elevated line-of-sight exposure to the off-Site residential dwellings. The worst-case elevation was selected based on landfill development staging phases and the corresponding topography detail.

The analysis also accounts for the potential residential development on the residentially zoned vacant lots to the north and the agricultural zoned lot to the East which allows a single detached dwelling to be built.

Cadna A modeling assumptions used in this Study are presented below:

- **Noise Sources:** All sources were modeled using the 1/1 octave band data source measurements; and reference materials.
- **Reflection Order:** A maximum reflection order of 1.0 was used to evaluate indirect noise impact from one reflecting surface.
- **Ground Absorption:** The model included soft/porous ground (G=1), gravel (G=0.5) and pavement (G=0.25).
- **Receptor Elevation:** POR receptor heights were modeled appropriately to represent the worst-case elevation.
- **Associated Terrain:** Contour lines up to 500 m around site were used and on Site final development topography were considered.

GHD conducted road traffic noise modeling to evaluate the sound levels generated by road traffic at the closest sensitive receptor (i.e., POR1) shown on Figure 5.2. The modeling was necessary in order to quantify the significant noise generated by vehicular traffic in the area and the effect on the sensitive PORs.

GHD used the MECP STAMSON ORNAMENT (STAMSON) acoustic model to quantify the noise of the road traffic. The STAMSON model is the required industry and MECP standard for line type noise generated from road traffic. Facility-specific noise exposure conditions were input, including the number of road segments, number of house rows, the positional relationship of the receptor to a noise source or barrier in terms of physical separation distance and angle of exposure, ground/receptor/source elevation(s), the basic Site topography, the ground surface type, road traffic volumes and composition, and the posted speed limit.

GHD reviewed the Traffic Detailed Impact Assessment Report (Traffic Study) completed by GHD dated June 19, 2018 as part of the Stoney Creek Regional Facility Environmental Assessment. The
Traffic Study predicts the future 2023 AM and PM peak hour traffic volumes based on the anticipated additional future traffic based on increased traffic volumes from the developing communities. GHD used the future 2023 hourly traffic counts for Green Mountain Road between First Road West and Highway 20. The daytime Average Hourly Volume on Green Mountain Road was determined by utilizing the Ontario Traffic Manual’s formula based on the AM and PM peak periods. The daytime Average Hourly Volume was used to estimate the future background sound levels due to road traffic for stationary impact assessments as per the MECP NPC-300 guideline document.

GHD used the following STAMSON inputs to estimate the sound level impact at the PORs:

- The receptor height was set to 4.5 metres (m) for consistency with the evaluation of stationary noise impacts. A 25 meter distance was measured from the south façade of POR1 shown in Figure 6.7 to the centre of the roadway. For the purposes of the analysis, GHD assumed traffic on this section of Green Mountain Road consisted of 5% medium trucks and 5% heavy trucks.

The rounded STAMSON modeling results are summarized in Section 5 and a sample printout of the STAMSON calculations are provided in Appendix I.

The applicable noise criteria at the PORs are based on the higher of the background sound level and the MECP’s minimum sound level limits. Based on the STAMSON model predicted future background sound level for POR1 is 60 dBA for daytime hours of 7:00 am to 7:00 pm.

### 6.3.5.2 Potential Effects on Noise

Up to 75 off-Site residential dwellings located in the Study Area will be potentially impacted by noise from the landfill activities. The predicted noise impacts at the residential areas range from 40 to 60 dBA (rounded). The existing and potential residences near the north of the landfill are the most impacted as they are either approaching or exceeding the 55 dBA daytime noise limit for the landfill design Preferred Alternative.

The increased height of the landfill in addition to the shortened separations distance to residential areas for the Preferred Landfill Footprints will result in a potential changes to the line-of-sight noise impact exposure to the off-Site residential dwellings.

Landfill activities and on-Site operations are compared directly against a daytime one-hour Leq sound level limit of 55 dBA for landfill operations that are limited to 7 a.m. to 7 p.m. under the “Noise Guidelines for Landfill Sites” (N 1) or Site-specific noise limits based on an ambient evaluation of the road traffic noise in the area.

The Noise Impact Assessment is based on the worst case cumulative Site wide sound levels estimated at each POR, based on the worst-case location of the noise sources relative to the closest POR, dependent on which phase is active. The sound levels estimated at the PORs are summarized in Table 6.10. The noise contour plot is provided on Figure 6.7.
### Table 6.10 Point of Reception Noise Impact

<table>
<thead>
<tr>
<th>Point of Reception</th>
<th>Phase-1 Sound Levels (Leq) (dBA)</th>
<th>Phase-2 Sound Levels (Leq) (dBA)</th>
<th>Phase-3 Sound Levels (Leq) (dBA)</th>
<th>Phase-4 Sound Levels (Leq) (dBA)</th>
<th>Performance Limit(^{(1)}) (Leq) (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>POR-1</td>
<td>54</td>
<td>52</td>
<td>60</td>
<td>60</td>
<td>60 (^{(2)})</td>
</tr>
<tr>
<td>POR-2</td>
<td>47</td>
<td>46</td>
<td>47</td>
<td>44</td>
<td>55</td>
</tr>
<tr>
<td>POR-3</td>
<td>55</td>
<td>51</td>
<td>39</td>
<td>37</td>
<td>63 (^{(2)})</td>
</tr>
<tr>
<td>POR-4</td>
<td>45</td>
<td>42</td>
<td>36</td>
<td>36</td>
<td>63 (^{(2)})</td>
</tr>
<tr>
<td>POR-5</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>46</td>
<td>55</td>
</tr>
</tbody>
</table>

Notes:
1. Minimum MECP sound level limits as defined in "Noise Guidelines for Landfill Sites" (N 1)
2. Site specific noise limits based on road traffic predictions.

Since noise levels estimated at all PORs will meet the MECP sound level limit for Landfill operations or the Site-specific noise limits based on road traffic predictions, noise mitigation measures are not required.
6.3.5.3 Mitigation and/or Compensation Measures

Based on the background noise levels, no further mitigation measures are required.

Table 6.11 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Noise

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potential change to the predicted off-Site noise impact based on increased line-of-sight due to reconfiguration and the decrease in the separation distance between the landfill activities and the adjacent residential properties.</td>
<td><strong>Existing Residential Properties: No Mitigation measures required.</strong></td>
<td>Net sound level change for all off-Site receptors is 5 dBA or lower. There are some residences to the north which may experience a noise level increases of up to +5 dBA from the existing conditions.</td>
</tr>
<tr>
<td>POR1=60 dBA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POR2=47 dBA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POR3=55 dBA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POR4=45 dBA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POR5=55 dBA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net sound level change for up to 200 off-Site receptors is 5 dBA or lower:</td>
<td>No Mitigation measures required.</td>
<td>Noise levels at receptors are below the MECP sound level limits, and Site specific noise limits.</td>
</tr>
<tr>
<td>▪ Approximately 75 residences (to the north): +5 dBA change</td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ POR5=55 dBA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6.3.5.4 Noise Net Effects

Net sound level change for all off-Site receptors is 5 dBA or lower. There are some residences to the north which may experience a noise level increases of up to +5 dBA from the existing conditions.

6.4 Built Environment

6.4.1 Land Use

The net effects relating to the Land Use components considered the following criteria and indicators:

Potential Effect on existing Land Use: For the Preferred Landfill Footprint there is no change to the existing land use or zoning of the SCRF during the SCRF’s operational lifespan. As such, there are no potential effects associated with the Preferred Landfill Footprint relative to the site and adjacent land uses. Therefore, any mitigation measures identified as part of the existing land use criteria are specifically considered in order to address any nuisance related effects to adjacent land uses identified from an air quality, noise and/or traffic perspective.

Potential Effects to Views: As part of the detailed impact assessment on visual components, GHD developed visual renderings and cross sections of the Preferred Landfill Footprint, to confirm...
the impacts that the Preferred Landfill Footprint may have on existing views as the level of visual impact varies from different locations around the Site. These renderings and cross sections are included in Appendix J.

6.4.1.1 Mitigation and/or Compensation Measures

As there are no potential effects associated with the Preferred Landfill Footprint relative to the Site and adjacent land uses, no mitigation measures are required with respect to the existing land use indicator beyond basic landfill operating measures. Impacts to sensitive land uses are not anticipated based on the proposed mitigation measures put forward by other disciplines, including air quality, noise, traffic and human health, therefore existing land uses are considered to have no net effects resulting from the Preferred Landfill Footprint. Mitigation measures are not required for existing land uses within the Local Study Area, since the Preferred Landfill Footprint and relative 30 m buffer requirement is not anticipated to expand or impede on these properties. Mitigation measures identified relative to the existing land use indicator are established to manage any potential nuisance related effects influenced by site operations relative to noise, air quality (including odour), and traffic, as described in the respective Impact Assessment Reports. Basic landfill operating mitigation measures are described below. Additional details on landfill operations can be found in the FCR.

6.4.1.1.1 Proposed Mitigation / Compensation Measures for Existing Land Uses

The following mitigation measures for existing land uses within the Local Study Area are only applicable to potential nuisance related effects due to on-Site construction and operations:

- Maintain buffers for nuisance reduction;
- Basic landfill operations for nuisance mitigation; and
- Best Management Practices (BMPs) for nuisance mitigation.

Maintain Buffers for Nuisance Reduction

Regulatory requirements specify a minimum on-Site buffer width of 100 m between the limit of the residual footprint and the property boundary, but allow this to be reduced to 30 m if it is shown to be appropriate based on a site specific assessment (e.g., if the buffer provides adequate space for vehicle movements and ancillary facilities, and ensures that potential effects from the Site operations do not have unacceptable impacts outside of the Site).

Minimum buffer distances of 30 m are approved and maintained around the entire perimeter of the residual material area. These buffers extend to approximately 65 m in various areas along the east and south sides of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site.

Minimum buffer distances of 30 m will be maintained around the perimeter of the residual material area throughout all phases of site operations. The buffers improve the ability to mitigate potential nuisance effects (e.g., noise, odour, and dust) to surrounding receptors and land uses through physical separation and the implementation of additional Site controls. In addition, the buffer areas are used for the construction of on-Site infrastructure, such as roads, buildings, monitoring systems, maintenance structures, stormwater drainage ditches, visual screening (e.g., fences, earth berms), and vegetation.
**Basic Landfill Operations for Nuisance Mitigation**

Landfill design and operations will minimize potential nuisance impacts including noise, litter, vectors, dust, and odour. Typical operating practices relating to these issues will include:

- Vehicles transporting waste to and around the Site will be covered to prevent odour and dust;
- All materials received at the Site will be verified and recorded to ensure compliance with regulatory conditions;
- On-Site equipment will be operated in such a manner as to minimize noise and visual impacts wherever possible;
- All equipment required for the development, operation, or closure of the Site will comply with the noise levels outlined in applicable MECP guidelines and technical standards;
- All vehicles leaving the Site will be required to drive through a wheel-wash to minimize track-out of mud/dirt; and,
- The Site design will include screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise.

**Best Management Practices (BMP) for Nuisance Mitigation**

Landfill operation best management practices and mitigation measures, such as stormwater management pond, landfill liner system, dust and noise control measures will ensure potential effects to land uses are managed and mitigated. BMP’s relative to potential nuisance effects to existing land uses may include:

- Use of Dust suppressants;
- Installation of protective fencing;
- Naturalized landscape features;
- Erosion and Sediment control (ESC) measures;
- Leachate Management and Control;
- Stormwater and Groundwater Management.

**6.4.1.1.2 Proposed Visual Mitigation / Compensation Measures**

The Site design will include screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise. Specific screening techniques will be developed further during detailed design to mitigate the visual impact from the surrounding community. Screening techniques will be tailored to site conditions and anticipated visual impact from surrounding vantage points. Screening techniques that are being considered include the following:

- Traditional berms, which currently exist within the buffer on all sides of the SCRF (see Figure 6.8). Traditional berms can be built with a typical slope of 3:1.
- Vegetation. Currently a single layer of Spruce trees have been planted in several locations within the buffer on the north, south and west sides of the SCRF (see Figure 6.9). Additional vegetation screening could be considered to provide a more naturalistic look through layering, uneven spacing and/or riparian vegetation.
- Fencing with privacy screen or vegetation. Privacy screen may include coloured mesh screen, which currently exists at several locations within the buffer (see Figure 6.8); or a hedge screen (see Figure 6.10). Alternatively, live vegetation may be used for screening (see Figure 6.11). An exemption would be required from the City of Hamilton Fence By-Law 10-142 if fencing is more than 3 m.
- Mechanically stabilized earth berm (see Figure 6.12). Since they are internally reinforced mechanically stabilized earth berms can be built with steeper slopes than traditional berms.
• Freestanding green wall (see Figure 6.13). Green walls are freestanding structures with integrated vegetation.
### 6.4.1.2 Summary of Net Effects to Land Use

**Table 6.12**, below, summarizes the net effects to the existing land use and views of the Facility as derived from the identified potential effects and proposed mitigation / compensation measures relative to the Preferred Landfill Footprint.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Indicators</th>
<th>Potential Effect</th>
<th>Mitigation / Compensation</th>
<th>Net Effects</th>
</tr>
</thead>
</table>
| Effect on existing land use     | Current land use                                 | No change to the current land use designation (Open Space / Commercial) and no change to Land Use Zoning (ME-1). | No mitigation measures are required as there are no anticipated change required to existing site-specific and adjacent land uses and zoning of the facility during operation; no change anticipated to existing adjacent land uses as a result of the implementation of the Preferred Landfill Footprint. The following existing mitigation / compensation measures will continue to be in effect:  
  • Maintain Buffers for Nuisance Reduction  
  • In effect nuisance preventative measures for landfill operating practices  
  • Best Management Practices for landfill operations | No change in current site-specific and study area land uses |
| Effect on views of the facility | Predicted changes in views of the facility from the surrounding area | Slight height increase and property buffers are maintained. Visibility increased mostly for sensitive receptors and properties adjacent to site including residential dwellings to South on Green Mountain Rd. as well as homes along Mud Street. | Maintaining the existing screening berms and fencing will assist with visual screening from residential areas, but will not be able to mitigate views completely. Additional screening guards and vegetation can be implemented to mitigate views for sensitive receptors. Progressive capping of the landfill will assist in revegetating areas as the site is of the site to create a natural look | Installation of visual screening elements will sufficiently obscure a majority of views of the facility from sensitive receptors. Relative to the existing conditions, the changes are minimal. |
6.5 Social Environment

6.5.1 Transportation

The net effects relating to the Transportation components considered the following criteria and indicators;

**Effect on Traffic:**
- Potential for traffic collisions
- Level of Service at intersections around the SCRF

6.5.1.1 Potential Effects on Traffic

The Preferred Landfill Footprint is not expected to result in any additional daily SCRF truck traffic to current volumes generated by the Site. Furthermore, as per the results of the 2023 future conditions intersection analysis, assuming daily SCRF truck traffic was to increase to the maximum allowable 250 vehicles per day, the operational impact is expected to be negligible, with any change in intersections operations not expected to be identifiable from a driver's perspective.

6.5.1.2 Mitigation and/or Compensation Measures

No improvements to the study area intersections are recommended in response to the SCRF Site truck traffic (Table 6.13).

6.5.1.3 Traffic Net Effects

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/ Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change to the existing level of road user safety and intersection Level of Service within the Local Study Area</td>
<td>No mitigation measures required.</td>
<td>No net effects.</td>
</tr>
</tbody>
</table>

6.5.2 Human Health

The net effects relating to the Human Health components considered the following criteria and indicators;

**Effect on Air Quality:**
- Predict impacts to air quality and their potential effects on human health

**Effect of Leachate Quality:**
- Predict effects of leachate quality (inorganic and organic chemicals) on human health

**Effect on Groundwater Quality**
- Predict impacts to groundwater quality and their potential effects on human health
- Effect on Surface Water Quality
- Predict impacts to surface water quality and their potential effects on human health
Effect on Soil Quality

- Predict impacts to soil and their potential effects on human health

6.5.2.1 Potential Effects on Human Health

Air Quality

Air quality modeling of particulate concentrations indicated that while predicted concentrations of the PM2.5 size fraction would be slightly higher than the existing approved landfill design at some receptor locations, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. In other words, as noted in Tables 6.14 and 6.15 below, all predicted short- and long-term Concentration Ratios – both landfill-specific and cumulative – were less than the CR benchmark of 1 (i.e., predicted exposures were all less than the respective regulatory health-based benchmark). In fact, in most cases, emissions from the landfill are expected to be a minimal to negligible addition to existing background conditions.

Table 6.14 Predicted Worst-case Concentration Ratios for 24-hour PM2.5 Exposures at each Sensitive Receptor Location in the Surrounding Community

<table>
<thead>
<tr>
<th>Receptors</th>
<th>PM2.5 24-Hour Concentration Ratio (CR)</th>
<th>Back ground</th>
<th>Existing</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
<td>Cumul</td>
</tr>
<tr>
<td>HHRA1</td>
<td></td>
<td>0.32</td>
<td>0.0044</td>
<td>0.33</td>
<td>0.063</td>
<td>0.33</td>
<td>0.0025</td>
</tr>
<tr>
<td>HHRA2</td>
<td></td>
<td>0.32</td>
<td>0.028</td>
<td>0.35</td>
<td>0.030</td>
<td>0.35</td>
<td>0.013</td>
</tr>
<tr>
<td>HHRA3</td>
<td></td>
<td>0.32</td>
<td>0.025</td>
<td>0.35</td>
<td>0.025</td>
<td>0.35</td>
<td>0.010</td>
</tr>
<tr>
<td>HHRA5</td>
<td></td>
<td>0.32</td>
<td>0.027</td>
<td>0.35</td>
<td>0.038</td>
<td>0.36</td>
<td>0.013</td>
</tr>
<tr>
<td>HHRA6</td>
<td></td>
<td>0.32</td>
<td>0.024</td>
<td>0.35</td>
<td>0.034</td>
<td>0.36</td>
<td>0.010</td>
</tr>
<tr>
<td>HHRA7</td>
<td></td>
<td>0.32</td>
<td>0.012</td>
<td>0.34</td>
<td>0.015</td>
<td>0.34</td>
<td>0.0090</td>
</tr>
<tr>
<td>HHRA8</td>
<td></td>
<td>0.32</td>
<td>0.0088</td>
<td>0.33</td>
<td>0.013</td>
<td>0.34</td>
<td>0.0078</td>
</tr>
<tr>
<td>HHRA9</td>
<td></td>
<td>0.32</td>
<td>0.0071</td>
<td>0.33</td>
<td>0.012</td>
<td>0.34</td>
<td>0.0050</td>
</tr>
<tr>
<td>HHRA10</td>
<td></td>
<td>0.32</td>
<td>0.0065</td>
<td>0.33</td>
<td>0.012</td>
<td>0.34</td>
<td>0.0045</td>
</tr>
<tr>
<td>HHRA11</td>
<td></td>
<td>0.32</td>
<td>0.0060</td>
<td>0.33</td>
<td>0.0094</td>
<td>0.33</td>
<td>0.0049</td>
</tr>
<tr>
<td>MAXIMUM</td>
<td></td>
<td>0.32</td>
<td>0.028</td>
<td>0.35</td>
<td>0.038</td>
<td>0.36</td>
<td>0.013</td>
</tr>
</tbody>
</table>

Note: Background refers to predicted risks from regional background air concentrations measured as part of the Hamilton Air Monitoring Network (HAMN); Landfill refers to predicted risks arising from emissions from the landfill itself; and, Cumul refers to predicted risks based on cumulative exposures from both background + landfill emission sources.
Table 6.15  Predicted Worst-case Concentration Ratios for Annual Average PM2.5 Exposures at each Sensitive Receptor Location in the Surrounding Community

<table>
<thead>
<tr>
<th>Receptors</th>
<th>PM2.5 Annual Average Concentration Ratio (CR)</th>
<th>Existing</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Back ground</td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
</tr>
<tr>
<td>HHRA1</td>
<td>0.92</td>
<td>0.00068</td>
<td>0.92</td>
<td>0.00087</td>
<td>0.92</td>
<td>0.00041</td>
</tr>
<tr>
<td>HHRA2</td>
<td>0.92</td>
<td>0.0019</td>
<td>0.92</td>
<td>0.0022</td>
<td>0.92</td>
<td>0.0010</td>
</tr>
<tr>
<td>HHRA3</td>
<td>0.92</td>
<td>0.0046</td>
<td>0.93</td>
<td>0.0051</td>
<td>0.93</td>
<td>0.0025</td>
</tr>
<tr>
<td>HHRA5</td>
<td>0.92</td>
<td>0.0020</td>
<td>0.92</td>
<td>0.0033</td>
<td>0.92</td>
<td>0.0011</td>
</tr>
<tr>
<td>HHRA6</td>
<td>0.92</td>
<td>0.0016</td>
<td>0.92</td>
<td>0.0025</td>
<td>0.92</td>
<td>0.00085</td>
</tr>
<tr>
<td>HHRA7</td>
<td>0.92</td>
<td>0.00090</td>
<td>0.92</td>
<td>0.0012</td>
<td>0.92</td>
<td>0.00051</td>
</tr>
<tr>
<td>HHRA8</td>
<td>0.92</td>
<td>0.00073</td>
<td>0.92</td>
<td>0.0010</td>
<td>0.92</td>
<td>0.00042</td>
</tr>
<tr>
<td>HHRA9</td>
<td>0.92</td>
<td>0.00034</td>
<td>0.92</td>
<td>0.00047</td>
<td>0.92</td>
<td>0.00019</td>
</tr>
<tr>
<td>HHRA10</td>
<td>0.92</td>
<td>0.00033</td>
<td>0.92</td>
<td>0.00046</td>
<td>0.92</td>
<td>0.00017</td>
</tr>
<tr>
<td>HHRA11</td>
<td>0.92</td>
<td>0.00025</td>
<td>0.92</td>
<td>0.00034</td>
<td>0.92</td>
<td>0.00015</td>
</tr>
<tr>
<td>MAXIMUM</td>
<td>0.92</td>
<td>0.0046</td>
<td>0.93</td>
<td>0.0051</td>
<td>0.93</td>
<td>0.0025</td>
</tr>
</tbody>
</table>

Note: Background refers to predicted risks from regional background air concentrations measured as part of the Hamilton Air Monitoring Network (HAMN); Landfill refers to predicted risks arising from emissions from the landfill itself; and, Cumul refers to predicted risks based on cumulative exposures from both background + landfill emission sources.

Like the PM2.5 results, particulate modeling indicated that while predicted 24-hour concentrations of PM10 size fraction would be slightly higher than the existing approved landfill design at some receptor locations, concentrations are still expected to be less than the respective short- and long-term health-based benchmarks at all receptor locations in the surrounding community. In other words, as noted in Table 6.16 below, all predicted short-term Concentration Ratios – both landfill-specific and cumulative – were less than the CR benchmark of 1 (i.e., predicted exposures were all less than the respective regulatory health-based benchmark). In fact, in most cases, emissions from the landfill are expected to be a minimal to negligible addition to existing background conditions.

Table 6.16  Predicted Worst-case Concentration Ratios for 24-hour PM10 Exposures at each Sensitive Receptor Location in the Surrounding Community

<table>
<thead>
<tr>
<th>Receptors</th>
<th>PM10 24-Hour Concentration Ratio (CR)</th>
<th>Existing</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Back ground</td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
<td>Cumul</td>
<td>Landfill</td>
</tr>
<tr>
<td>HHRA1</td>
<td>0.46</td>
<td>0.019</td>
<td>0.48</td>
<td>0.029</td>
<td>0.49</td>
<td>0.025</td>
</tr>
<tr>
<td>HHRA2</td>
<td>0.46</td>
<td>0.13</td>
<td>0.59</td>
<td>0.14</td>
<td>0.60</td>
<td>0.11</td>
</tr>
<tr>
<td>HHRA3</td>
<td>0.46</td>
<td>0.10</td>
<td>0.56</td>
<td>0.11</td>
<td>0.57</td>
<td>0.094</td>
</tr>
<tr>
<td>HHRA5</td>
<td>0.46</td>
<td>0.12</td>
<td>0.58</td>
<td>0.18</td>
<td>0.64</td>
<td>0.096</td>
</tr>
<tr>
<td>HHRA6</td>
<td>0.46</td>
<td>0.11</td>
<td>0.57</td>
<td>0.16</td>
<td>0.62</td>
<td>0.080</td>
</tr>
<tr>
<td>HHRA7</td>
<td>0.46</td>
<td>0.052</td>
<td>0.51</td>
<td>0.071</td>
<td>0.53</td>
<td>0.060</td>
</tr>
<tr>
<td>HHRA8</td>
<td>0.46</td>
<td>0.039</td>
<td>0.50</td>
<td>0.057</td>
<td>0.52</td>
<td>0.053</td>
</tr>
<tr>
<td>HHRA9</td>
<td>0.46</td>
<td>0.029</td>
<td>0.49</td>
<td>0.057</td>
<td>0.52</td>
<td>0.033</td>
</tr>
<tr>
<td>HHRA10</td>
<td>0.46</td>
<td>0.026</td>
<td>0.49</td>
<td>0.055</td>
<td>0.52</td>
<td>0.028</td>
</tr>
<tr>
<td>HHRA11</td>
<td>0.46</td>
<td>0.026</td>
<td>0.49</td>
<td>0.043</td>
<td>0.50</td>
<td>0.033</td>
</tr>
<tr>
<td>MAXIMUM</td>
<td>0.46</td>
<td>0.13</td>
<td>0.59</td>
<td>0.18</td>
<td>0.64</td>
<td>0.11</td>
</tr>
</tbody>
</table>

Note: Background refers to predicted risks from regional background air concentrations measured as part of the Hamilton Air Monitoring Network (HAMN); Landfill refers to predicted risks arising from emissions from the landfill itself; and, Cumul refers to predicted risks based on cumulative exposures from both background + landfill emission sources.
However, when one evaluates predicted annual average concentrations of the PM10 size fraction, typical background concentrations already exceed the regulatory health-based benchmark under worst-case conditions in the Hamilton Area. These worst-case values are based on data provided by the Hamilton Air Monitoring Network (HAMN), which includes monitoring stations located in the industrialized areas of Hamilton and are not specifically located at the landfill itself. It was also extrapolated from worst-case 24-hour monitoring data. As such, it is expected that this regional background level used in this assessment is conservative and overestimating potential background concentrations of PM10 in the area in and around the landfill.

When one then compares the background concentration to that predicted from the existing landfill and the various phases of the preferred landfill design, it demonstrates that the landfill results in a negligible impact on human health. As noted in Table 6.18, the worst case CR for PM10 emissions from the existing landfill is 0.016 and 0.018 for the worst case phase of the preferred landfill design (i.e., predicted worst-case annual average concentrations are only 1.6% and 1.8% of the regulatory health-based benchmark, respectively). This is further illustrated by the fact that the predicted cumulative concentration is the same as the background concentration in all cases (i.e., 1.2) showing the negligible contribution from the landfill to annual average PM10 concentrations in the surrounding community.

Based on the results of this screening level human health risk assessment on air quality impacts, the Preferred Landfill Footprint would not be expected to result in any health risks to the surrounding community and would not be expected to be any different than the existing approved landfill design.

**Leachate Quality**

As humans will not be directly exposed to leachate, and all leachate will be treated and meet municipal discharge standards, the Preferred Landfill Footprint would not be expected to result in any health risks different than the existing approved landfill design.
Groundwater Quality

Results of the hydrogeology assessment indicate that Preferred Landfill Footprint has leachate leakage rates through the liner that are substantially similar to the existing approved landfill design. Furthermore, the predicted downgradient groundwater quality is predicted to be very similar to the existing approved landfill design, which has more than 20 years of ongoing groundwater monitoring demonstrating the lack of adverse impact.

Surface Water Quality

Results of the surface water study indicate that stormwater management ponds and perimeter ditches will be sized to the required level, and any discharge will be treated to meet appropriate regulatory standards. As such, no human health risks are expected.

Soil Quality

Results of the Air Quality Assessment indicate that if airborne particulate emissions are sufficiently mitigated to meet ambient guidelines at the fenceline (a condition that is, for the most part, being met under current operations, based on ongoing monitoring), then predicted deposition for this Preferred Landfill Footprint should not be significantly different than those experienced with the existing approved landfill design. This is borne out by the results of particulate deposition modeling conducted as part of the Air Quality Assessment (GHD, 2018b).

Table 6.18 Comparison of Predicted Annual Total Particulate Deposition for the Existing Configuration and the Various Phases of the Preferred Landfill Footprint

<table>
<thead>
<tr>
<th>Receptor</th>
<th>Maximum Predicted Annual Total Deposition (g/m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing Configuration</td>
</tr>
<tr>
<td></td>
<td>Phase 1</td>
</tr>
<tr>
<td>HHRA1</td>
<td>0.33</td>
</tr>
<tr>
<td>HHRA2</td>
<td>0.47</td>
</tr>
<tr>
<td>HHRA3</td>
<td>2.02</td>
</tr>
<tr>
<td>HHRA5</td>
<td>0.66</td>
</tr>
<tr>
<td>HHRA6</td>
<td>0.52</td>
</tr>
<tr>
<td>HHRA7</td>
<td>0.19</td>
</tr>
<tr>
<td>HHRA8</td>
<td>0.15</td>
</tr>
<tr>
<td>HHRA9</td>
<td>0.05</td>
</tr>
<tr>
<td>HHRA10</td>
<td>0.05</td>
</tr>
<tr>
<td>HHRA11</td>
<td>0.04</td>
</tr>
</tbody>
</table>

As noted in Table 6.18, the maximum predicted annual total deposition of particulate in the surrounding community is typically less than those modeled for the existing landfill, which is evaluated as part of the annual monitoring program and has not shown any potential health risks to date. Only the brief construction phase (i.e., Phase 1) showed predicted particulate deposition to be slightly above the existing configuration. Given the brief duration of this phase, with the remainder of the phases showing significantly less particulate deposition than the existing configuration, the Preferred Landfill Footprint is not expected to result in any significant long-term particulate impacts to soil within the Study Area and beyond.
Therefore, predicted impacts on soil quality in the surrounding community would be expected to be negligible.

6.5.2.2 Mitigation and/or Compensation Measures

As noted in the Air Quality Assessment report (GHD, 2018b), the SCRF currently has a dust mitigation plan. For the purposes of the Air Quality assessment, best practices for dust mitigation were assumed to be implemented at the site for all phases of the work. To account for this mitigation, the Air Quality Study assumed a 75% reduction in re-suspended road dust from the Site, as well as other standard mitigation measures such as restriction of on-Site vehicles from travelling more than 30 km/hour.

Furthermore, it is recommended that the annual Community Health Assessment Review be continued as part of the approvals process to ensure the assumptions and conclusions of the original 1996 Community Health Assessment Study and this report hold in the future.

As with the Air Quality Study, these mitigation measures are necessary to ensure the conclusions of the Human Health Study that there are no potential health risks.

6.5.2.3 Human Health Net Effects

As noted in the Air Quality Study (GHD, 2018b), there is the potential for local elevated particulate concentrations arising from the SCRF, particularly under windy or dry conditions which can increase fugitive dust emissions from the site. These are expected to be addressed through the implementation of appropriate mitigation measures (e.g., control of fugitive dusts from paved and unpaved roads, careful management of construction activities, and appropriate material handling on site) (Table 6.19).

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/ Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevated dust concentrations in the local study area.</td>
<td>Implementation of dust mitigation plan and ongoing monitoring/assessment</td>
<td>Acceptable dust concentrations with no unacceptable health risks to surrounding community.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ongoing monitoring, assessment and reporting on an annual basis to demonstrate this to all stakeholders.</td>
</tr>
</tbody>
</table>

6.6 Economic Environment

The net effects relating to the Economic components considered the following criteria and indicators:

**Effect on approved/planned Land Uses:**
- Number, extent, and type of approved/planned land uses affected

**Economic benefit to the City of Hamilton and Local Community:**
- Employment at site (number and duration)
6.6.1.1 Potential Effects on Approved/Planned Land Uses

Residential

The closest residential dwelling (currently under construction) is located approximately 35 m north of the Site. There are currently four (4) draft approved plans of subdivision within the Local Study Area, as well as eight (8) proposed plans of subdivision currently under municipal review, totaling approximately 2,100 future residential units to be developed within the Local Study Area. This includes a development application (ZAC-17-077) to re-zone 50 Green Mountain Road West from ND (Neighbourhood Development) to RM-3 (Multiple Residential). The effects on approved/planned and proposed residential uses within the Local Study Area is contingent on direct physical impact requiring alteration of land or change in land use or zoning required as a result of the landfill footprint considered. However, landfill footprint the Preferred Landfill Footprint, and relative 30 m buffer, will not physically extend or impede on planned residential uses. Therefore, no net effects to the physical property of planned and proposed residential uses resulting from the Preferred Landfill Footprint are anticipated. Further, application of landfill operation best management practices and mitigation measures from other environmental components (i.e., noise, dust, traffic) will ensure there are no net effects causing physical disturbance to future planned residential land uses, as well as minimal nuisance related effects to future planned residential land uses.

Institutional

In accordance with the Nash Neighbourhood Secondary Plan, an institutional land use designation is present at the northwest corner of Green Mountain Road West and First Road West (435 First Road West). This land is reserved for the future development of a school (zoned Neighbourhood Institutional (I1), as approved by council on November 11, 2015, By-law No. 15-260); however, at this time, the property is owned by a developer. The Preferred Landfill Footprint will not physically extend or impede on the potential future use and/or operation of 435 First Road West. As such, no potential effects to the physical location or site alteration of this property resulting from the Preferred Landfill Footprint are anticipated. Further, application of landfill operation best management practices and mitigation measures from other environmental components (i.e., noise, dust, traffic) will ensure there are no net effects causing physical disturbance to future planned institutional land uses, as well as minimal nuisance related effects to future planned institutional land uses.

Summary of Potential Effects on Approved/Planned Land Uses

In regards to the economic indicators, specifically the potential effect on approved/planned land uses, including number, extent, and type of approved/planned land uses affected, the Preferred Landfill Footprint results in no potential, and therefore no net effects. Landfill operation best management practices and mitigation measures, such as storm water management pond, landfill liner system, dust and noise control measures will ensure potential effects to land uses are appropriately managed and mitigated. The Preferred Landfill Footprint will not result in a change to proposed land uses within the Site or Local Study Area. Therefore, there are no net effects and no mitigation measures required for approved/planned land uses. However, any mitigation measures identified as part of the planned/approved land use criteria are specifically considered in order to address any potential nuisance related effects to planner or approved land uses within the Local Study Area, as identified from an air quality, noise and/or traffic perspective.
6.6.1.1 Potential Effects - Economic Benefits to the City of Hamilton and Local Community

In regards to the potential economic benefit to the City of Hamilton and local community, specifically in regards to total economic activity, city and community compensation and employment at the Site, the Preferred Landfill Footprint will result in positive socioeconomic effects. An economic impact assessment was completed in 2017 (RIAS Inc.) regarding the reconfiguration and vertical expansion of the SCRF and the potential output to the local economy. Based on the historical fill rate, it was determined that the current SCRF site generates $28.7 million in economic activity in the Hamilton area, adding $17.9 million in GDP and 51 jobs for local workers. Based on the current configuration and remaining lifespan, the SCRF will generate between $94 and $104 million in total economic activity and 164 to 190 local jobs. It was concluded in the assessment that if an expansion of 3.68 million m$^3$ of residual material was approved, total economic activity is expected to range between $349 million and $372 million, with GDP from $218 million to $232 million and an estimated total jobs between 662 and 671 (RIAS Inc., 2017). Further, the Preferred Landfill Footprint would allow for Terrapure to realize the economic opportunity for the SCRF (i.e., increase the capacity by 3.68 million m$^3$) would ensure maximum return with respect to the compensation agreements ($ per tonne). The Preferred Landfill Footprint results in high positive potential effects as the Preferred Landfill Footprint allows for potential capacity of 3.68 million m$^3$ of residual material.

The Preferred Landfill Footprint would allow for an increase in capacity at the SCRF and meets the economic opportunity for Terrapure to allow for a 3.68 million m$^3$ increase in capacity. The Preferred Landfill Footprint would result in total economic activity of $349 million to $372 million, with GDP from $218 million to $232 million. The economic benefits to the City and local community are high as the City and community compensation has the potential to add up to $14 Million based on the current $ per tonne agreements. Employment opportunities at the site would be increased as a result of the Preferred Landfill Footprint, based on the operational requirements. The Preferred Landfill Footprint results in additional staffing requirements of 15 full-time equivalents on-Site during operation and post-closure monitoring, as required for approximately 250 years.

Based on the land use, Terrapure pays a higher property tax rate than for lands that would be zoned open space recreational (which is the future anticipated land use). In 2011, Terrapure paid $339,028 in property taxes, while in 2017 Terrapure paid $584,021 in property taxes.

6.6.1.2 Mitigation and/or Compensation Measures

As mentioned above, the Preferred Landfill Footprint will not result in any negative effects to the Economic environment, and therefore no mitigation measures beyond the basic landfill operating measures will be required. Impacts to land uses are not anticipated based on the proposed mitigation measures put forward by other disciplines, including air quality, noise, traffic and human health, therefore existing land uses are considered to have no net effects resulting from the Preferred Landfill Footprint. Mitigation measures identified relative to the existing land use indicator are established to manage any potential nuisance related effects influenced by Site operations relative to noise, air quality (including odour), and traffic, as described in the respective Impact Assessment Reports. Basic landfill operating mitigation measures are described below. Additional details on landfill operations can be found in the FCR. In addition, the City will continue to be paid property taxes that are higher than the future anticipated land use (open space recreational).
6.6.1.2.1 Mitigation / Compensation Measures for Approved / Planned Land Uses

The following mitigation measures for approved/planned land uses within the Local Study Area are only applicable to potential nuisance related effects due to on-Site construction and operations:

- Encourage Surrounding Land Use Development
- Encourage buffers for nuisance reduction;
- Encourage minimum setback distances for residential development;
- Basic landfill operations for nuisance mitigation; and
- BMPs for nuisance mitigation.

Encourage Surrounding Land Use Development

Lands surrounding the Site are expected to continue to include a mix residential, commercial, and recreational uses. Additional development is anticipated in the area to the northwest of the Site, and possibly to the east of the Site in the future. Existing residential lands to the south of the Site are expected to remain relatively unchanged. Additional recreational facilities may be established in the existing park to the west of the Site.

Off-Site separation distances are expected to remain similar to current conditions in areas to the north, south, and west of the Site over all phases. Current separation distances to the east of the Site may change if development of the existing properties occurs in the future.

Encourage Buffers for Nuisance Reduction

Regulatory requirements specify a minimum on-Site buffer width of 100 m between the limit of the residual footprint and the property boundary, but allow this to be reduced to 30 m if it is shown to be appropriate based on a site specific assessment (e.g., if the buffer provides adequate space for vehicle movements, ancillary facilities, and ensures that potential effects from the Site operations do not have unacceptable impacts outside of the Site).

Minimum buffer distances of 30 m are approved and maintained around the entire perimeter of the residual material area. These buffers extend to approximately 65 m in various areas along the east and south sides of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site.

Minimum buffer distances of 30 m will be maintained around the perimeter of the residual material area throughout all phases of site operations. The buffers improve the ability to mitigate potential nuisance effects (e.g., noise, odour, and dust) to surrounding receptors and land uses through physical separation and the implementation of additional Site controls. In addition, the buffer areas are used for the construction of on-Site infrastructure, such as roads, buildings, monitoring systems, maintenance structures, stormwater drainage ditches, visual screening (e.g., fences, earth berms), and vegetation.

Encourage Minimum Setback Distances for Residential Development

In addition to the on-site buffers noted above, separation from surrounding developments and land uses is also achieved through road allowances and setbacks for other developments required in
accordance with local planning by-laws. The following provides a general overview of the setbacks to surrounding developments:

- The closest residential dwelling (currently under construction) to the north is situated approximately 35 m from the property line.
- The closest residential dwelling to the east is situated approximately 150 m from the property line.
- The closest residential dwelling to the south is situated approximately 60 m from the property line.
- The closest residential dwelling to the west is situated approximately 795 m from the property line.

**Basic Landfill Operations for Nuisance Mitigation**

Landfill design and operations will minimize potential nuisance impacts including noise, litter, vectors, dust, and odour. Typical operating practices relating to these issues will include:

- Vehicles transporting waste to and around the Site will be covered to prevent odour and dust;
- All materials received at the Site will be verified and recorded to ensure compliance with regulatory conditions;
- On-Site equipment will be operated in such a manner as to minimize noise and visual impacts wherever possible;
- All equipment required for the development, operation, or closure of the Site will comply with the noise levels outlined in applicable MECP guidelines and technical standards;
- All vehicles leaving the Site will be required to drive through a wheel-wash to minimize track-out of mud/dirt; and,
- The Site design will include screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise.

**Best Management Practices (BMP) for Nuisance Mitigation**

Landfill operation best management practices and mitigation measures, such as stormwater management pond, landfill liner system, dust and noise control measures will ensure potential effects to land uses are managed and mitigated. More detailed information on BMPs can be found in the Impact Assessment Report. BMP’s relative to potential nuisance effects to existing land uses may include:

- Use of Dust suppressants;
- Installation of protective fencing;
- Naturalized landscape features;
- Erosion and Sediment control (ESC) measures;
- Leachate Management and Control;
- Stormwater and Groundwater Management;

**6.6.1.2.2 Proposed Mitigation / Compensation Measures for Economic Factors**

As a result of high positive potential effects to economic factors, as well as economic benefits resulting from the Preferred Landfill Footprint, mitigation and compensation measures are not
Positive net effects are anticipated as a result of the implementation of the Preferred Landfill Footprint.

### 6.6.1.3 Economic Environment Net Effects

**Table 6.20**, below, summarizes the net effects to the Economic environment as derived from the identified potential effects and proposed mitigation / compensation measures relative to the Preferred Landfill Footprint.

**Table 6.20 Economic Environment – Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Indicators</th>
<th>Potential Effect</th>
<th>Mitigation / Compensation</th>
<th>Net Effects</th>
</tr>
</thead>
</table>
| Effect on approved/planned land uses | Number, extent, and type of approved/planned land uses affected | Approximately 1,200 residential dwellings, 11 commercial units, 4 agricultural properties, 1 recreational, 1 institutional within 500 m of site. No anticipated effects to these land uses through various landfill operation mitigation measures. | No mitigation measures are required as there is no anticipated change required to existing site-specific and adjacent land uses and zoning of the facility during operation; no change anticipated to existing adjacent land uses as a result of the implementation of the Preferred Landfill Footprint. Basic landfill operation mitigation measures including; storm water management, leachate treatment, dust and noise control will assist in mitigating effects to surrounding properties. The following existing mitigation / compensation measures will continue to be in effect:  
• Maintain Buffers for Nuisance Reduction  
• In effect nuisance preventative measures for landfill operating practices  
• Best Management Practices for landfill operations | No net effects to approved/planned land uses. |

| Economic benefit to the City of Hamilton and the local community | Employment at site (number and duration) | Expansion and reconfiguration would result in maximum increase of jobs and increase to economy and GDP (Range of economic activity between $349 and $372 million with GDP from $218-$232 million and between 662-671 jobs)  
Property taxes paid to City at a higher rate will continue | No mitigation or compensation measures are required. | Positive economic benefits to local community. Meets Disposal objectives. |
6.7 Cultural Environment

6.7.1 Archaeology and Built Heritage

Based on the Preferred Undertaking and through correspondence with the Ministry of Tourism, Culture and Sport (MTCS), it was determined that there are no net effects on archaeological resources or built heritage landscapes.

The current SCRF site is located within a former quarry and is therefore considered to be previously disturbed from a cultural heritage and archaeological perspective. A copy of the quarry license and permit is included as Appendix H to demonstrate the extent of the quarry limits/disturbed area relative to the alternative footprint options. All of the lands have been previously excavated and therefore it is concluded that there will be no potentially significant or known archeological sites or lands with the presence of archaeological resources disturbed or affected. Therefore, no net effects or mitigation measures are anticipated or required from an archaeological perspective.

A review of the designated culturally significant built heritage and cultural landscapes was completed to assist in the Land Use Existing Conditions report. The review determined that there was only one designated built heritage resource, known as the Billy Green House, 30 Ridge Rd (Appendix H) located within the 1.5km of the SCRF. None of the 6 Options will result in the designated resource to be disturbed or displaced and therefore No Net Effects and no mitigation measures are anticipated or required from a built/cultural heritage resource perspective.

It should be noted that as part of the 1996 Taro East EA, which established the currently approved facility, the Ministry of Culture, Tourism and Recreation (now known as Ministry of Tourism, Culture and Sport) confirmed that there was a low potential for impacting cultural heritage resources on site due to the fact that the study area (for the landfill footprint) is limited to an exhausted quarry pit.²

6.8 Design and Operations

6.8.1.1 Potential Effects on Design and Operations

Accepted Materials

The SCRF will continue to accept post-diversion, solid, non-hazardous industrial residual material from sources from within the Province of Ontario. The SCRF will no longer be approved to accept industrial fill material.

Detailed records of the residual materials accepted at the Site each year are documented in the Annual Monitoring Report. Table 6.21 provides a summary of the residual materials accepted at the Site and their approximate fraction of the overall total based on records from 1997 to 2017. The general composition of the residual material accepted at the Site in the future is not expected change significantly since the primary sources of material (i.e., steel making industry, soils from infrastructure development projects) are expected to remain the same.

² See Supporting Document #2 to the Stoney Creek Regional Facility Environmental Assessment Minister Approved Amended Terms of Reference for correspondence.
Table 6.21 Summary of Accepted Materials (1997-2017)

<table>
<thead>
<tr>
<th>Material</th>
<th>Approximate Fraction of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Hazardous Industrial Waste</td>
<td>60.4%</td>
</tr>
<tr>
<td>Non-Hazardous Contaminated Soils</td>
<td>15.7%</td>
</tr>
<tr>
<td>Basic Oxygen Furnace Oxide</td>
<td>13.7%</td>
</tr>
<tr>
<td>Mixed Waste</td>
<td>8.5%</td>
</tr>
<tr>
<td>Construction &amp; Demolition Waste, Asbestos, Slag Fines</td>
<td>1.7%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

**Fill Rate**

No changes are being proposed to the maximum approved fill rate for residual material of up to 750,000 tonnes in any consecutive twelve month period, or up to 8,000 tonnes per day.

**Timing**

The proposed expansion of the SCRF will increase the approved capacity by 3,680,000 m³ for post-diversion, solid, non-hazardous residual material. Based on the total tonnage and volume of residual material received at the Site between 1997 and 2017, an in-situ, compacted density of approximately 1.9 tonnes/m³ has been achieved for the residual material. Using a density conversion of 1.9 tonnes/m³ would yield additional capacity for approximately 6,992,000 tonnes of residual material.

Assuming the maximum allowable fill rate of up to 750,000 tonnes per year, the Site could reach capacity in as little as 10 years. Using the actual average fill rate between 1997 and 2017 of approximately 562,000 tonnes per year, the Site would reach capacity in 13 years. Allowing for up to an additional 2 years to achieve Site closure, it is anticipated that the operating stage of the SCRF would be between approximately 10-15 years. However, it should be noted that these values represent estimates based on currently available information and may change depending on actual operating conditions encountered at the Site.

Construction activities associated with the SCRF (e.g., base liner system, stormwater management system, Site infrastructure) will be undertaken as required, but will occur concurrently with Site operations over the entire operating period of approximately 15 years. Post-Closure activities (e.g., maintenance and monitoring) are expected to last for a minimum of 25 years immediately following the closure of the Site.

**Site Infrastructure**

There are no additional requirements beyond the existing Site infrastructure as a result of the implementation of the Preferred Landfill Footprint. The existing Site infrastructure will generally be reconfigured as follows over the life of the Site:

- Trucks will continue to use the Site entrance from Upper Centennial Parkway and the Site exit onto First Road West throughout all phases.
- Site offices and parking areas will be relocated to the southeast buffer area during Phase 2.
• New, paved access roads will be established in the east buffer and north buffer areas during Phase 2.
• The weigh scale and scale house will be relocated to the southeast buffer area during Phase 2.
• The maintenance facility will be relocated to the northeast buffer area during Phase 3.
• The truck wash facility will be relocated to the northwest buffer area during Phase 3.
• The training center will be decommissioned during Phase 3.

All Site infrastructure (with the potential exception of the Site entrance and exit) will be decommissioned during the closure stage, as dictated by the proposed end use(s) for the Site.

**Buffers**

Minimum on-Site buffer distances of 30 m will be maintained around the perimeter of the residual material area throughout all phases. On-Site buffers currently extend to approximately 65 m in various areas along the east and south side of the Site, and up to approximately 130 m in the vicinity of the existing stormwater management facility in the northwest corner of the Site. These buffer distances will also be maintained. It should be noted that while the residual material area will expand toward the north of the Site, this area would have been occupied by industrial fill under the current configuration, which also would have maintained a minimum 30 m separation with the northern property boundary.

The buffer area will be used for the construction of on-Site infrastructure such as roads, buildings, monitoring systems, maintenance structures, stormwater drainage ditches, visual screening (e.g., fences, earth berms), and vegetation.

Off-Site separation distances are expected to remain similar to current conditions in areas to the north, south, and west of the Site over all phases. Current separation distances to the east of the Site may change if development of the adjacent properties occurs in the future.

**Base Liner System**

The design of the base liner system as presented in Section 2.11 of the FCR will remain unchanged as a result of the implementation of the Preferred Landfill Footprint. The base liner system will continue to be constructed in stages as required by landfilling operations and will be connected to the existing base liner system. The base liner system will be constructed in the northeast portion of the Site in Phase 2, and in the northwest portion of the Site in Phase 3.

In order to verify the suitability of the proposed height increase, it was also necessary to check that the installed geotextile would continue to provide sufficient protection of the HDPE liner from being punctured by the overlying granular material. Detailed calculation are provided in Appendix J.

It was determined that the existing 445 g/m² non-woven, needle-punched geotextile installed for the protection of the HDPE geomembrane meets the required factor of safety for protection against puncture. It was also determined that a geotextile with a minimum mass of 405 g/m² would be required to prevent damage to the HDPE geomembrane from construction, which is less than the proposed geotextile mass of 445 g/m², therefore the protection form construction procedures is fully satisfied.
Daily Operations

General Site operations are not expected to change from current practices (as presented in Section 2.12 of the FCR (Appendix I)) as a result of the implementation of the Preferred Landfill Footprint. This includes:

- Operating hours
- Staffing
- Equipment
- Waste receiving process
- Site administration
- Operations management
- Maintenance work
- Environmental monitoring

The key objective for the landfill design and operations will continue to be the minimizing of potential nuisance impacts including noise, litter, vectors, dust, and odour. Typical operating practices relating to these issues will continue to include:

- Vehicles transporting waste to and around the Site will be covered to prevent odour and dust;
- All materials received at the Site will be verified and recorded to ensure compliance with regulatory conditions;
- On-Site equipment will be operated in such a manner as to minimize noise and visual impacts wherever possible;
- All equipment required for the development, operation, or closure of the Site will comply with the noise levels outlined in applicable MECP guidelines and technical standards;
- All vehicles leaving the Site will be required to drive through a wheel-wash to minimize track-out of mud/dirt; and,
- The Site design will include screening features, such as fences, berms and tree plantings, which mitigate visual impact and noise.

Traffic

No changes are being proposed to the current maximum allowable traffic limit of 250 vehicles/day. Traffic levels for the expanded SCRF are anticipated to remain similar to the current average of approximately 70-100 vehicles/day.

Trucks will continue to use the existing entrance and exit over the life of the Site. New, paved access roads will be constructed in the east and north buffers during Phase 2. The location of other internal access roads will vary over the life of the Site depending on construction staging and the location of the active landfilling area.

Truck traffic associated with the operation of the landfill will generally include transfer trailers, tri-axles, and roll-off trucks hauling waste to the Site. Construction activities will also require the
importation of materials using tri-axles, flatbeds, and transfer trailer trucks. Traffic volumes will vary over the life of the Site depending on construction and landfilling activities.

**Leachate Management**

Leachate is formed when precipitation infiltrates into waste materials and dissolves various minerals, elements, and chemical compounds out of the waste. As the leachate infiltrates the landfill, it is collected through a network of perforated pipes on top of the base liner system which covers the entire landfill footprint. The leachate collection system is sloped at 0.5% towards the southeast where it drains by gravity to a leachate pumping station. The leachate is then pumped to the surface of the landfill where it is discharged to a gravity main that flows to the equalization pond in the adjacent closed west Site.

The SCRF currently produces leachate that exceeds various regulatory limits for surface and groundwater quality and thus cannot be released to the environment. Terrapure currently has a sewer use agreement with the City of Hamilton which allows for the controlled discharge of leachate from the Site to the sanitary sewer under Mistywood Drive.

The leachate generation rate will vary over the life of the Site depending on precipitation, waste characteristics, the size of the constructed base liner system, and the progress of final cover construction. The leachate generation rate in the post-closure condition (i.e., with final cover constructed) was estimated to be approximately 4.2 litres per second (L/s) in the Design and Operations Report. The amount of leachate generated and discharged from the Site is documented in the Annual Monitoring Report. In 2016, approximately 98,000,000 litres of leachate was discharged to the sanitary sewer, corresponding with a leachate generation rate of approximately 3.1 L/s.

In order to determine the potential future impacts related to leachate as a result of the implementation of the Preferred Landfill Footprint, GHD utilized the Hydrologic Evaluation of Landfill Performance (HELP) modeling to determine leachate management requirements. The anticipated leachate generation rates for each Site configuration are presented in Table 6.22. Detailed HELP modeling results are presented in Appendix I.

**Table 6.22 Estimated Leachate Generation Rates**

<table>
<thead>
<tr>
<th></th>
<th>Existing Conditions</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
<th>Post-Closure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leachate generation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>rate (L/s)</td>
<td>5.3</td>
<td>5.9</td>
<td>4.9</td>
<td>5.5</td>
<td>6.5</td>
<td>5.5</td>
</tr>
</tbody>
</table>

As can be seen, leachate generation rates are anticipated to increase as a result of the expanded SCRF when compared to current estimates. This is to be expected since the generation rate is largely tied to the overall footprint of the residual material area. However, it should also be noted that the values presented are assumed to be conservative, since the HELP model provides a much higher estimate for the leachate generation rate under existing conditions than the actual recorded values.

The existing sewer use agreement with the City of Hamilton to allow the controlled discharge of leachate would need to be amended. Leachate discharge from the Site is expected to increase.
slightly compared to current operations. The leachate quality (i.e., chemistry) is expected to be similar to current operations since the residual materials accepted at the Site are expected to remain relatively consistent.

It is anticipated that no changes would be required to the existing leachate collection system at the SCRF to accommodate the leachate from the expanded footprint. As per the current plans, the leachate pumping station will be reconfigured into its final location in the southeast corner of the Site. Terrapure are also looking into establishing a new discharge point to the existing sanitary sewer under Upper Centennial Parkway.

**Final Cover**

The final cover acts as a barrier between the waste and the environment. The cover also serves to intercept clean stormwater, reducing infiltration and leachate generation. The approved final cover design consists of 0.60 m of compacted clay overlain by 0.15 m of vegetated topsoil.

The regulatory requirements specify a maximum slope of four units horizontal to one unit vertical (4H to 1V, or 25%) and a minimum slope of 20H to 1V (5%), but allow variance where it can be shown to be appropriate with respect to slope stability, erosion potential, end uses, and infiltration requirements for groundwater protection. Slopes of a minimum 33.3H to 1V (3%) are currently approved at the SCRF.

The general design of the final cover system will remain unchanged as a result of the implementation of the Preferred Landfill Footprint. Final cover will be constructed as active landfilling areas are progressively filled to the approved final contours, eventually covering the entire landfill. The progression of final cover construction over the operating and closure stages of the Site will generally be as follows:

- Existing final cover over the south east portion of the Site will be removed in Phase 1
- Final cover will be constructed over the south east portion of the Site in Phase 2
- Final cover will be constructed over the east central portion of the Site in Phase 3
- Final cover will be constructed over the north east portion of the Site in Phase 4
- Prior to closure, final cover will be constructed over all remaining areas in the north west portion of the Site

**Stormwater Management**

Ontario Regulation 232/98 requires that landfill sites be designed to protect surface water to specified performance standards based on the following principles:

- Divert or control clean surface water flowing onto the Site.
- Control quality and quantity of run-off discharging from the Site to control erosion, sediment transport, and flooding.

Under the current design, clean surface run-off is shed from the final cover into perimeter drainage ditches, where it drains by gravity to a series of ponds (i.e., sediment forebay and detention pond) in the northwest corner of the Site before being discharged to the storm sewer under First Road West.
While the overall function of the stormwater management system will not change as a result of the implementation of the Preferred Landfill Footprint, the location and alignment of the existing ponds and ditches will be updated over the life of the Site to reflect current conditions.

The existing stormwater management system consists of perimeter ditching along the south and west sides of the capped landfill, as well as a forebay and detention pond in the northwest corner of the Site. This configuration would be maintained until Phase 3, when perimeter ditching will be constructed on the east and north sides of the capped landfill, and the existing ponds will be reconfigured to allow for two separate forebays and one large detention pond.

The existing stormwater outlet to the storm sewer under First Road West will remain. Significant changes to the approved configuration or capacity of the stormwater management system are not expected to be required since the overall catchment area of the Site will remain largely unchanged. Additional details are presented in the Detailed Impact Assessment for the Surface Water Discipline.

**Landfill Gas Management**

Ontario Regulation 232/98 requires that landfills greater than 1.5 million m³ in capacity have a landfill gas control system in place. However, this applies primarily to sites that accept wastes that are capable of decomposing and generating gases. Since the SCRF does not accept these types of materials, a landfill gas emission study was prepared in 2011 demonstrating that very little gas is generated at the SCRF, and the Site was granted an exemption from the MECP from the requirement to have a landfill gas collection system.

The relatively small amount of landfill gas generated at the SCRF is passively vented to the atmosphere through the final cover system. Confirmatory monitoring for landfill gas is documented in the Annual Monitoring Report.

In order to provide an estimate of the potential future impacts related to landfill gas as a result of the implementation of the Preferred Landfill Footprint, GHD utilized a form of the Scholl Canyon equation in order to model the maximum methane generation rate within the landfill. The methane generation within a landfill for a given year can be calculated based on historical waste records and future projections of the annual waste acceptance rate.

Results of the landfill gas modeling carried out using the Scholl Canyon model are presented in Appendix I. The Scholl Canyon model projects a maximum of 4,766 tonnes of methane to be generated in 2028, which equates to 119,154 tonnes of carbon dioxide equivalents (CO₂e) assuming a global warming potential of 25 for methane. Accounting for cover oxidation, the total portion of methane emitted in 2028 is anticipated to be approximately 3,575 tonnes (89,636 CO₂e).

For comparison purposes, a model run was also performed assuming that the SCRF is composed of 100% municipal solid waste (MSW). Under this scenario, the maximum methane generated was estimated to be approximately 50,422 tonnes (1,260,547 CO₂e). As such, it is estimated that the expanded SCRF would have methane and CO₂e emissions that are approximately 7.1% of emissions anticipated from a similar sized MSW landfill.

Based on these projections, it is anticipated that a gas collection system would not be warranted for the expanded SCRF, and that an exemption from the related requirements of Ontario Regulation...
232/98 would again be granted by the MECP. Notwithstanding this, an update to the landfill gas emission study will also be undertaken during the summer of 2018.

**Groundwater Management**

The dissolution of constituents from the residual material into leachate is an ongoing process, and, eventually, a sufficient amount of these constituents will be removed from the waste so that the leachate can no longer adversely impact the environment. The “contaminating lifespan” is thus defined as the length of time that the wastes can produce leachate that is unacceptable for direct release to the environment. The contaminating lifespan of the SCRF was estimated to be in the range of 200 to 300 years in the Design and Operations Report.

GHD is currently undertaking a detailed review of the contaminating lifespan calculations for the SCRF, and believes that the original estimate of 200 to 300 years is very conservative. This is based on the following preliminary observations:

- Previous modeling assumed a much higher amount of evapotranspiration than the value determined through current HELP modeling, reducing the amount of precipitation available for infiltration (i.e., precipitation surplus). Despite applying a higher percentage of this precipitation surplus as infiltration than current HELP modeling indicates, previous modeling returned a much lower infiltration rate, resulting in a more conservative estimate of the contaminating lifespan due to less water being available to dissolve contaminants from the waste mass.

- The target concentrations for the contaminants of concern should be evaluated against the reasonable use guideline (MECP Guideline B-7) which requires compliance at the boundary of the adjacent property. Horizontal migration of leachate between the base of the landfill and the compliance boundary would further reduce contaminant concentrations, further lowering the contaminating lifespan.

- Original estimates assumed that the full amount of each parameter would be available for dissolution. In reality, numerous parameters will be in a low solubility form, meaning that the initial contaminant concentrations in the leachate would be lower, in turn leading to a lower contaminating lifespan.

For these reasons it is anticipated that the updated modeling will yield a much lower contaminating lifespan for the SCRF. Additional details of the potential effects of leachate on groundwater are presented in the Detailed Impact Assessment for the Geology and Hydrogeology Discipline.

**Site Closure and End Use**

Closure of the Site will be undertaken immediately following the completion of landfilling to the approved final contours. Closure activities will include the construction of final cover, removal of roads and other infrastructure (e.g., weigh scales, truck wash, maintenance facility) that is not required in the post-closure period, and the implementation of a long-term monitoring and maintenance program. The overall Site closure requirements will remain unchanged as a result of the implementation of the Preferred Landfill Footprint.

Site end use will be determined through consultation with the local community and other stakeholders as part of the EA approvals process. Potential end uses may include public open
space (e.g., park) that could accommodate various passive or active recreational activities, or a restricted access open space.

Ongoing landfill monitoring and maintenance requirements will need to be incorporated into end use planning. Specific considerations will include but are not limited to:

- Access to leachate and gas control systems for ongoing operations, maintenance and monitoring;
- Access to environmental monitoring locations;
- Prevention of public access to operational or monitoring areas; and,
- Impact of potential end use activities on the Site’s leachate, or surface water controls.

6.8.1.2 Mitigation and/or Compensation Measures

The potential effects associated with design and operational changes to the SCRF as a result of the implementation of the Preferred Landfill Footprint can only be mitigated through modifications to the Site’s design and/or operations. There are also design and operating limitations that can affect the ability to mitigate these effects. Overall, the magnitude of the net effects from a Design and Operations standpoint is anticipated to be small since many aspects of the Site would have required modifications from their existing configuration in order to achieve their approved final configuration anyways.

6.8.1.3 Design and Operations Net Effects

The potential effects, mitigation or compensation measures, and net effects associated with the Preferred Landfill Footprint as they relate to the Design and Operations Discipline are summarized below in Table 6.23.

Table 6.23 Potential Effects, Proposed Mitigation and Compensation Measures, and Resulting Net Effects, Design and Operations

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Mitigation/Compensation</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leachate Management</td>
<td>Design of new base liner system to integrate seamlessly with existing base liner system. Use of only one leachate pumping station. Establish new connection to sanitary sewer. Maintain uniform shape and contours of the residual material area.</td>
<td>Small increase in complexity relative to current leachate management system associated with: additional base liner and leachate collection system; increased leachate generation rate.</td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>Design of new stormwater management system to integrate seamlessly with existing stormwater management system. Extend perimeter drainage ditches to accommodate new residual material area. Maintain current approved location and layout of stormwater pond. Maintain existing stormwater outlet to storm sewer.</td>
<td>No increase in complexity relative to current stormwater management system. The design and layout of the stormwater management system provides design and operational flexibility.</td>
</tr>
<tr>
<td>Groundwater Management</td>
<td><strong>Potential Effect</strong></td>
<td><strong>Mitigation/Compensation</strong></td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Increased design and operating complexity of groundwater management system</td>
<td>Design of new groundwater management system to integrate seamlessly with existing groundwater management system. Extend groundwater collection trenches to accommodate new residual material area. Maintain existing location of groundwater outlet. Establish new connection to sanitary sewer.</td>
<td>No increase in complexity relative to current groundwater management system. The design and layout of the groundwater management system provides design and operational flexibility.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landfill Gas Management</th>
<th><strong>Potential Effect</strong></th>
<th><strong>Mitigation/Compensation</strong></th>
<th><strong>Net Effect</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased design and operating complexity of landfill gas management system</td>
<td>Continue acceptance of waste types that do not decompose and generate significant quantities of gas. Maintain MECP exemption from the requirement to have a gas collection system.</td>
<td>No increase in complexity relative to current passive system for management of landfill gas. No requirement to implement gas collection system.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Construction</th>
<th><strong>Potential Effect</strong></th>
<th><strong>Mitigation/Compensation</strong></th>
<th><strong>Net Effect</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased complexity and reduced constructability of facility components</td>
<td>Design of new base liner system to integrate seamlessly with existing base liner system. Design of new final cover system to integrate seamlessly with existing final cover system. Maintain open layout with simple configuration and dedicated areas for the various infrastructure components.</td>
<td>Small increase in complexity relative to current construction requirements associated with: additional base liner and leachate collection system, additional final cover.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Operations</th>
<th><strong>Potential Effect</strong></th>
<th><strong>Mitigation/Compensation</strong></th>
<th><strong>Net Effect</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased complexity and reduced operability of facility components</td>
<td>Maintain design and function of existing systems (leachate, stormwater, groundwater, gas) and infrastructure (access, roads, weigh scale, wheel wash). Maintain operational flexibility of existing systems and infrastructure.</td>
<td>No increase in complexity or reduction in operability relative to current site operations.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Closure and Post-Closure</th>
<th><strong>Potential Effect</strong></th>
<th><strong>Mitigation/Compensation</strong></th>
<th><strong>Net Effect</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased closure and post-closure requirements and reduced flexibility of potential end uses</td>
<td>Maintain open and uniform configuration that will simplify Site closure requirements. Maintain overall layout and contours that do not limit the flexibility of potential end uses.</td>
<td>Simplified closure requirements and increased flexibility of potential end uses relative to current design.</td>
<td></td>
</tr>
</tbody>
</table>

### 6.9 Cumulative Effects of the Environment

During the ToR, Terrapure committed to including a discussion of the cumulative effects of the SCRF expansion on the environment. Terrapure committed to completing an assessment of the cumulative effects of the proposed undertaking and other non-SCRF projects/activities that are existing, planned/ approved or reasonably foreseeable within the Study Area.

Although an assessment of cumulative environmental effects is not required as part of the provincial EA process, the Code of Practice for preparing an Environmental Assessment in Ontario

---

2 The term “reasonably foreseeable” is defined in the Cumulative Effects Assessment Practitioners Guide as projects that are, “directly associated with the project under review, identified in an approved development plan or identified in an approved development plan in which approval is imminent.”
encourages proponents to include information about potential cumulative effects of the project in combination with past, present and reasonably foreseeable future activities where possible. Proponents are advised to consult with government agencies to identify projects that will be built in the future and to consider their future cumulative effects. Terrapure consulted and reviewed examples of how to approach cumulative effects as part of the federal EA process, as described in the Canadian Environmental Agency’s Operational Policy Statement and the Cumulative Effects Assessment Practitioners Guide.

Cumulative environmental effects are defined as effects that are likely to result from the proposed project in combination with other projects or activities that have been or will be carried out within the foreseeable future. The cumulative effects assessment completed for this project focused on the resultant net effects of the Preferred Landfill Footprint combined with the other planned and approved or reasonably foreseeable projects in the Local Study Area.

6.9.1 Projects and Activities at the Site and Local Study Area

Stoney Creek Regional Facility (SCRF) Activities

In operation since 1996, the SCRF is an engineered landfill site that currently accepts industrial residual waste generated in Ontario. Prior to being an active landfill the SCRF study area was a former Quarry (Taro East Quarry). Typical operating activities at the site include; vehicles (trucks and construction vehicles) transporting waste to and around the site, as well as scale-house and wheel-wash activities. The site currently receives on average 70 to 80 trucks per day of waste material and is permitted to receive 750,000 tonnes of material annually.

Site and Local Study Area Land Uses and Activities

There are approximately 1,200 existing or registered residential dwellings within 500 m of the Site Study Area boundary, with the largest concentrations to the north along Green Mountain Road, and south and southwest along Mud Street. An additional subdivision is under construction to the north of the SCRF. These residential properties are primarily located within the Urban Area, as identified in the Urban Hamilton Official Plan. The majority of residential uses within the Local Study Area are located south of the SCRF. Lands to the south consist of existing and proposed phases of the Penny Lane Estates subdivision. In accordance with the City of Hamilton’s filed registered and draft approved plans of subdivision, there are approximately 6,800 residential units both existing and proposed within the preliminary Study Area. Of the approximate 6,800 residential units within the Local Study Area, approximately 5,800 residential units currently exist (registered), and the remaining approximately 1,000 residential units are proposed (draft approved).

Located directly west of the SCRF are recreational uses consisting of the Heritage Green Sports Park and off-leash Dog Park. The Heritage Green Sports Park opened in 2005 and is a former closed landfill site. Institutional uses within 500 m of the Study Area boundary include St. James the Apostle Catholic Elementary School, which is approximately 270 m from the Terrapure SCRF property boundary, located within the Urban Area. There are currently four properties zoned for agricultural uses under City of Hamilton Zoning By-law 05-200 within 500 m of the Site. A cluster of commercial operations exists within the Local Study Area along major roads, including along Upper

Centennial Parkway and Mud Street towards Red Hill. There are 11 commercial uses within 500 m of the Study Area boundary.

The SCRF is under the jurisdiction of the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92. The SCRF is also directly adjacent to areas designated under the Rural Hamilton Official Plan. The SCRF falls within the Nash Neighbourhood Secondary Plan Area designated under the Urban Hamilton Official Plan. The Urban Hamilton Official Plan identifies the Urban Structural Elements, Functional Road Classifications and Urban Land Use Designation comprising the Terrapure SCRF.

The SCRF currently conforms to the City of Stoney Creek Zoning By-law No. 3692-92 under Section 9.8.5 ‘Special Exemptions’, as ME-1. In addition to permitted uses under the Extractive Industrial “ME” Zone, lands zoned ME-1 are permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources. In accordance with the City of Hamilton’s Urban and Rural Official Plans, Zoning By-law 05-200 and the City of Stoney Creek Zoning By-law No. 3692-92 land use designations within 1500m preliminary study area of the SCRF primarily include residential, commercial, recreational, institutional and agricultural uses as described above.

As mentioned above, there are over 1,000 residential developments proposed to be constructed within the Study area suggesting there will be continued construction works around and adjacent to the Site Area including improvements and additions to the transportation corridors to accommodate the increased residential and associated traffic and pedestrian growth. In addition to potential residential growth, an institutional land use designation is present at the northwest corner of Green Mountain Road West and First Road West (435 First Road West). This land is reserved for the future development of a school (zoned Neighbourhood Institutional (I1), as approved by council on November 11, 2015, By-law No. 15-260); however, at this time, the property is owned by a developer. Additional information regarding the current and planned land uses can be found in the Existing Land Use Conditions Report (Appendix E) and the Detailed Land Use Impact Assessment Report (Appendix J).

**Existing and Planned Traffic Corridor and Networks**

The study area includes major road corridors of Upper Centennial Parkway and Mud Street. Both of these roads carry the predominant traffic as they feed into the Red Hill Expressway and to the QEW highway. Major intersections around the SCRF also include:

- Upper Centennial Parkway at Green Mountain Road (signalized)
- Upper Centennial Parkway at Upper Centennial Parkway Access (entrance only)
- Upper Centennial Parkway at Mud Street (signalized)
- Mud Street at First Road West (signalized)
- First Road West at First Road West Access (entrance and exit)

Given the current development applications planned for the area including 1,000 residential homes and a school, it is likely that alterations or additions to the current road corridors will be made to accommodate increased vehicular and pedestrian traffic in the area. There is current roadway improvements being completed on Upper Centennial and improvements are planned for First Road...
West to accommodate increased growth in the area. Traffic Impact Studies completed for Empire Communities (2013) recommended infrastructure improvements for roads in the study area based on proposed residential development and within the horizon year of 2018.

Additional information about current and future Traffic Conditions and activities can be found in the Traffic Existing Conditions Report (Appendix E) and the Detailed Traffic Impact Assessment Report (Appendix F).

### 6.9.2 Valued Ecosystem Components (VECs)

In a typical cumulative effects analysis, Valued Ecosystem Components (VEC) are identified which represent specific features or attributes of the environment that are considered to be important for regulatory reasons, or because of their social, cultural, economic or ecological value. VEC’s are the assessment endpoints and represent meaningful measures of the environmental effects that may be caused by a project. The VEC’s for the analysis of the SCRF EA were taken from the list of Criteria and Indicators used in the Alternative Methods and Impact Assessment evaluation. Based on the net effects analysis completed during the Alternative Methods stage and the findings of the Detailed Impact Assessment the VEC’s under consideration include the following:

#### Table 6.24 Rationale for Potential VEC’s

<table>
<thead>
<tr>
<th>VEC</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Quality Sensitive Receptors</td>
<td>1. Assess compliance in terms of Provincial regulations</td>
</tr>
<tr>
<td></td>
<td>2. Changes in air quality have the potential to affect receptors and socio-economic conditions</td>
</tr>
<tr>
<td></td>
<td>3. Potential for changes in air quality</td>
</tr>
<tr>
<td>Noise Sensitive Receptors</td>
<td>4. Assess compliance in terms of Provincial regulations</td>
</tr>
<tr>
<td></td>
<td>• Changes in noise levels have the potential to affect receptors and socio-economic conditions</td>
</tr>
<tr>
<td></td>
<td>• Potential for changes in sound levels during construction</td>
</tr>
<tr>
<td></td>
<td>• Type and timing of construction activities</td>
</tr>
<tr>
<td></td>
<td>• Absolute sound exposure levels (55 dBA) at Noise Sensitive Areas</td>
</tr>
<tr>
<td></td>
<td>• Change in sound exposure levels (55 dBA) at Noise Sensitive Areas</td>
</tr>
<tr>
<td>Natural Environment (Aquatic and Terrestrial Ecosystems)</td>
<td>5. Specialized and sensitive wildlife habitat provide unique habitat functions and contribute to biodiversity</td>
</tr>
<tr>
<td></td>
<td>6. Species at Risk are indicators of specialized conditions in study areas. They contribute to biodiversity and need to be considered under the Species At Risk Act.</td>
</tr>
<tr>
<td></td>
<td>• Presence and effects on:</td>
</tr>
<tr>
<td></td>
<td>• Breeding bird species richness and diversity</td>
</tr>
<tr>
<td></td>
<td>• Habitat diversity</td>
</tr>
<tr>
<td></td>
<td>• Vegetation</td>
</tr>
<tr>
<td></td>
<td>• Species of Conservation Concern</td>
</tr>
<tr>
<td></td>
<td>• Amphibian breeding habitat</td>
</tr>
<tr>
<td></td>
<td>• Habitat block size</td>
</tr>
<tr>
<td></td>
<td>• Habitat continuity</td>
</tr>
<tr>
<td></td>
<td>• Presence and effects on habitats for Species At Risk</td>
</tr>
</tbody>
</table>

Appendix "C" to Report PED16184(b)
7. Nuisance effects from proximity to the SCRF have the potential to affect use and enjoyment of private property including Agricultural land uses.

8. Changes in landscape composition by way of views and viewsheds

These VEC’s are utilized to conduct the cumulative effects analysis, which looks at the combined effects of the proposed landfill and other WCEC facilities, both on a temporal and spatial basis. Cumulative effects are analyzed when one project effect acts in a cumulative fashion with the effects of other projects and their effects.

### 6.9.3 Cumulative Effects Analysis and Results

**Table 6.25** provides a summary of the likely cumulative effects and mitigation measures of the Project in combination with other projects and activities.

<table>
<thead>
<tr>
<th>Environmental Factors</th>
<th>Effects of the Project</th>
<th>Project Phase</th>
<th>Cumulative Effects</th>
<th>Mitigation/Compensation</th>
<th>Residual Cumulative Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Quality</td>
<td>Infrequent occasions where exceedance of applicable threshold occurs. The largest effect on air quality is due to releases of TSP (i.e. fugitive dust).</td>
<td>Construction</td>
<td>• Exceedance of TSP may occur more frequently. This cumulative effect is most likely to occur when project construction activities are being undertaken simultaneously with other projects being undertaken in close proximity such as housing construction in the immediate study area.</td>
<td>• Effective mitigation of adverse cumulative effects can be achieved by controlling the timing and coordination of multiple projects and activities</td>
<td>Increased dust levels</td>
</tr>
</tbody>
</table>
| Noise                  | Increased noise levels around the Site. | Construction & Operation | • Exceedance of noise may occur more frequently. This cumulative effect is most likely to occur when project construction activities are being undertaken simultaneously with other projects being undertaken in close proximity | • Effective mitigation of adverse cumulative effects can be achieved by controlling the timing and coordination of multiple construction projects  
• Noise levels are at acceptable levels with background traffic being the dominant source and maintaining existing noise barriers (berm) | Increased noise levels around the Site |
<table>
<thead>
<tr>
<th>Environmental Factors</th>
<th>Effects of the Project</th>
<th>Project Phase</th>
<th>Cumulative Effects</th>
<th>Mitigation/Compensation</th>
<th>Residual Cumulative Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Environment</td>
<td>Disruption to Aquatic, Vegetative and Terrestrial Habitat</td>
<td>Construction</td>
<td>• 18 ha cumulative loss (temporary) of vegetation communities (marsh, meadow, and thicket habitat, threatened bird species (eastern meadowlark), and threatened bird species; barn swallow, where structures will be removed and relocated as part of Phase 2, 3, and closure. &lt;br&gt;• Loss of on-Site aquatic habitat and disturbance of aquatic biota associated with open water habitats associated with the Site stormwater infrastructure is also anticipated as a result of regrading activities and changes in Site configuration throughout the project stages.</td>
<td>• Restore and enhance elsewhere or as appropriate.</td>
<td>Some loss of vegetation and vegetation communities</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Socio-Economic</td>
<td>Disruption to use and enjoyment of private property</td>
<td>Construction and Operation</td>
<td>• The project has the potential to affect up to approximately 7,000 properties (number of receptors within 500m of the Site) due to disruption of their use and enjoyment of property resulting from nuisance related effects</td>
<td>• Implement dust, air and noise mitigation measures &lt;br&gt;• Effective mitigation of adverse effects on the socio-economic environment can be achieved by ensuring that all future development meets the broader planning objectives of the Provincial Policy Statement (2005) and policies set out in the City of Ottawa official plan</td>
<td>Disruption to use and enjoyment of private property</td>
</tr>
</tbody>
</table>
### Environmental Factors

<table>
<thead>
<tr>
<th>Socio-Economic</th>
<th>Effects of the Project</th>
<th>Project Phase</th>
<th>Cumulative Effects</th>
<th>Mitigation/Compensation</th>
<th>Residual Cumulative Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in landscape composition</td>
<td>Operation</td>
<td>Change in visual appearance, topography, loss of agricultural land</td>
<td>Implement appropriate screening measures</td>
<td>Changes in landscape composition</td>
<td></td>
</tr>
</tbody>
</table>

#### 6.9.4 Significance Assessment

The following criteria were defined in relation to assessing the significance of the residual adverse effects from the SCRF EA:

- **Magnitude** The size or degree of the effects compared against baseline conditions or reference levels, and other applicable measurement parameters (i.e., standards, guidelines, objectives).
- **Extent** The geographic area over or throughout which the effects are likely to be measurable.
- **Duration** The time period over which the effects are likely to last.
- **Frequency** The rate of recurrence of the effects (or conditions causing the effect).
- **Permanence** The degree to which the effects can or will be reversed (typically measured by the time it will take to restore the environmental attribute or feature).

**Ecological Context** The importance of the environmental attribute or feature to ecosystem health and function.

Table 6.26 provides the framework that was used to assess the degree of residual adverse effects. This framework includes the assessment criteria and definitions for three degrees of residual effects - low, medium and high. The determination of the degree of residual effects framed to generally reflect provincial regulatory and industry standards and guidelines to the extent possible. Specific documents were also consulted to determine the significance level of the effects in conjunction with reasonably foreseeable projects and activities within the Site and Local Study Area. Some of the documents used to identify potential activities and projects include:

- **City of Hamilton Development Application Mapping Tool**[^5] – Used to determine potential location and size of developments within the Local Study Area.
- **City of Hamilton Transportation Master Plan Review and Update Future Travel Demands Background Report**[^6] – Used to determine intersection and roadway improvements planned for Local Study Area
- **City of Hamilton Official Plan**[^7] – Used to determine land uses and zoning around Site and Local Study Area.
- **Land Use Existing Conditions** and **Alternative Methods Reports** for the Terrapure SCRF EA

[^5]: https://www.hamilton.ca/develop-property/planning-applications/development-applications-mapping
- **Traffic Impact Study – Red Hill Residential Development – Phase 2 (2013)** – Documents traffic impact for proposed residential development located in the North-West quadrant of the Green Mountain Road West/First Road West


In cases where these points of reference were not available, the assessments were made based on best professional judgement concerning the type and nature of the environmental effects and the surrounding study area and land uses.

### Table 6.26 Significance Assessment Framework

<table>
<thead>
<tr>
<th>Significance Assessment Criteria</th>
<th>Magnitude of Effect</th>
<th>Extent of Effect</th>
<th>Duration/Timing (of effect)</th>
<th>Frequency (or probability)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
<td>Medium</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td><strong>Magnitude of Effect</strong> Project-specific and/or cumulative effects may be noticeable and/or measureable, but are not likely to exceed a reference criterion or guideline value.</td>
<td>Project-specific and/or cumulative effects are likely to be noticeable and measureable, representing a small change relative to existing condition. Adverse effects may exceed a reference criterion or guideline value on occasion and/or at an individual location.</td>
<td>Project-specific and/or cumulative effects are likely to be noticeable and measureable within the Study Area.</td>
<td>Project-specific and/or cumulative effects are ongoing effects that are likely to persist beyond the Construction and/or Operations phases of the SCRF and their effects are not readily reversible despite the implementation of mitigation and/or compensation measures (see Permanence criterion below).</td>
<td>Conditions or phenomena causing a Project-specific effect occur infrequently or are effectively one-time events during the project phase in which they occur. A few other projects or activities causing cumulative effects are likely to occur with the SCRF. They will occur periodically over the planning horizon (i.e., 10 years)</td>
</tr>
<tr>
<td><strong>Extent of Effect</strong> Project-specific and/or cumulative effects are likely to be measureable within an area immediately surrounding the SCRF, generally within 500 m.</td>
<td>Project-specific and/or cumulative effects are likely to be noticeable and or measureable within the Study Area.</td>
<td>Project specific and/or cumulative effects are likely to be noticeable or measureable within the Study Area. Adverse effects will be experienced by VECs beyond the Study Area.</td>
<td>Project-specific and/or cumulative effects are ongoing effects that are likely to persist beyond the Construction and/or Operations phases of the SCRF and their effects are not readily reversible despite the implementation of mitigation and/or compensation measures (see Permanence criterion below).</td>
<td>Conditions or phenomena causing a Project-specific effect occur at regular but infrequent intervals during the project phase in which they occur. Several projects or activities causing cumulative effects are likely to occur along with the SCRF. They will occur periodically over the planning horizon (i.e., 10 years)</td>
</tr>
<tr>
<td><strong>Duration/Timing (of effect)</strong> Project-specific and/or cumulative effects result from short-term events, are considered to be short-term disturbances or losses limited to within the planning horizon (i.e., 10 years)</td>
<td>Project-specific and/or cumulative effects are ongoing effects related to the Construction and/or Operations phases of the SCRF</td>
<td>Project-specific and/or cumulative effects are ongoing effects that are likely to persist beyond the Construction and/or Operations phases of the SCRF and their effects are not readily reversible despite the implementation of mitigation and/or compensation measures (see Permanence criterion below).</td>
<td>Project-specific and/or cumulative effects are ongoing effects that are likely to persist beyond the Construction and/or Operations phases of the SCRF and their effects are not readily reversible despite the implementation of mitigation and/or compensation measures (see Permanence criterion below).</td>
<td>Conditions or phenomena causing a Project-specific effect occur at regular and frequent intervals, or are ongoing conditions during the project phase in which they occur. The majority of projects or activities causing cumulative effects are likely to occur along with the SCRF. They are likely to occur frequently or repeatedly over the planning horizon (i.e., 10 years).</td>
</tr>
<tr>
<td><strong>Frequency (or probability)</strong> Conditions or phenomena causing a Project-specific effect occur infrequently or are effectively one-time events during the project phase in which they occur. A few other projects or activities causing cumulative effects are likely to occur with the SCRF. They will occur periodically over the planning horizon (i.e., 10 years)</td>
<td>Conditions or phenomena causing a Project-specific effect occur at regular but infrequent intervals during the project phase in which they occur. Several projects or activities causing cumulative effects are likely to occur along with the SCRF. They will occur periodically over the planning horizon (i.e., 10 years)</td>
<td>Conditions or phenomena causing a Project-specific effect occur at regular and frequent intervals, or are ongoing conditions during the project phase in which they occur. The majority of projects or activities causing cumulative effects are likely to occur along with the SCRF. They are likely to occur frequently or repeatedly over the planning horizon (i.e., 10 years).</td>
<td>Conditions or phenomena causing a Project-specific effect occur at regular and frequent intervals, or are ongoing conditions during the project phase in which they occur. The majority of projects or activities causing cumulative effects are likely to occur along with the SCRF. They are likely to occur frequently or repeatedly over the planning horizon (i.e., 10 years).</td>
<td></td>
</tr>
<tr>
<td><strong>Significance Assessment Criteria</strong></td>
<td><strong>Significance Level</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Permanence (of effect)</strong></td>
<td><strong>Low</strong></td>
<td><strong>Medium</strong></td>
<td><strong>High</strong></td>
<td></td>
</tr>
<tr>
<td>Measureable or noticeable project-specific and/or cumulative effects are not likely to persist over the planning horizon (i.e., 10 years). Project-specific mitigation and/or compensation measures and potentially those of other projects and activities will ensure that long term cumulative effects attributable to the Project are not measureable.</td>
<td>Measureable or noticeable project-specific and/or cumulative effects are likely to persists for some time over the planning horizon. Adverse regional trends and cumulative effects attributable to the Project are potentially reversible.</td>
<td>Project-specific and/or cumulative effects are not readily reversible despite the implementation of mitigation and/or compensation measures. Adverse regional trends and cumulative effects attributable to the Project are likely to persist.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ecological Importance (of a resource or VEC)</strong></td>
<td><strong>Not Applicable</strong></td>
<td><strong>The resource / VEC is common and abundant. The resource / VEC will continue to fulfill its ecological functions.</strong></td>
<td><strong>The resource / VEC is not common across the LSA. Abundance and quality is required for the resource / VEC to continue to fulfill its ecological functions.</strong></td>
<td></td>
</tr>
</tbody>
</table>

Based on the application of this framework, an effect could be categorized as negligible, minor, moderate or significant, according to the following definitions:

a) **Negligible Effect (Not Significant)** are those environmental effects which, after taking into consideration applicable mitigation measures have been assessed to have a “low” level of significance for the majority of the significance criteria described above; or having a “low” or “medium” level of significance for the majority of the criteria with “low” permanence.

b) **Minor Adverse Effects (Not Significant)** are those environmental effects which, after taking into consideration mitigation measures, have been assessed to have a “low” or “medium” level of significance for the majority of the criteria described above.

c) **Moderate Adverse Effects (Not Significant)** are those environmental effects which, after taking into consideration mitigation measures, have been assessed to have a “medium” level of significance for the majority of the criteria described above or having a “low” or “medium” level of significance for the majority of the criteria with “high” permanence.

d) **Significant Adverse Effects** are those environmental effects which, after taking into consideration mitigation measures, have a magnitude that has a “high” magnitude, “high” extent and “high” duration.

**Table 6.27** provides the significance assessment for the residual adverse effects, which includes the consideration of the residual adverse effects of the Project (i.e., Project-specific effects) and cumulative effects.
### Table 6.27 Cumulative Effects Significance Assessment Summary

<table>
<thead>
<tr>
<th>Residual Adverse Effects</th>
<th>Project Phase</th>
<th>VEC Affected</th>
<th>Significance Levels</th>
<th>Extent</th>
<th>Duration</th>
<th>Frequency</th>
<th>Permanence</th>
<th>Ecological Importance (of resource or VEC)</th>
<th>Overall Significance of Residual Adverse Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased dust levels</td>
<td>Construction</td>
<td>Air Quality Sensitive Receptors</td>
<td>Low</td>
<td>Increased dust levels during construction of the SCRF and cumulative effects will be mitigated to the reference criterion or guideline value</td>
<td>Low</td>
<td>Increased dust levels due to the Project and in combination with other projects and activities are likely to be measurable within 500 m of the SCRF</td>
<td>Medium</td>
<td>Adverse effects are ongoing effects related to both the Construction and/or the Operations and Maintenance Phases of the SCRF</td>
<td>Low</td>
</tr>
<tr>
<td>Increased noise levels</td>
<td>Construction &amp; Operation</td>
<td>Noise Sensitive Receptors</td>
<td>Low</td>
<td>Noise levels during construction may exceed a reference criterion or guideline value on occasion or at an individual receptor location</td>
<td>Low</td>
<td>Adverse effects are likely to be measurable within 500 m of the SCRF</td>
<td>Medium</td>
<td>Adverse effects are ongoing effects related to both the Construction and/or the Operations and Maintenance Phases of the SCRF</td>
<td>Low</td>
</tr>
<tr>
<td>Disruption to Natural Environment (Aquatic and Terrestrial Ecosystems)</td>
<td>Construction</td>
<td>Specialized and Sensitive Wildlife, Aquatic and Vegetative Habitat</td>
<td>Low</td>
<td>Disruption may be noticeable and/or measurable. Adverse effects may exceed a reference criterion or guideline value at an individual location</td>
<td>Low</td>
<td>Adverse effects are likely to be measurable in close proximity to the SCRF and/or other projects and activities</td>
<td>Medium</td>
<td>Adverse effects are ongoing effects related to the Construction and Operations Phases of the SCRF and/or</td>
<td>Medium</td>
</tr>
</tbody>
</table>
## Significance of Residual Adverse Effects

<table>
<thead>
<tr>
<th>Residual Adverse Effects</th>
<th>Project Phase</th>
<th>VEC Affected</th>
<th>Significance Levels</th>
<th>Overall Significance of Residual Adverse Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Magnitude</td>
<td>Extent</td>
</tr>
<tr>
<td>Disruption to Species at Risk</td>
<td>Construction</td>
<td>Species at Risk</td>
<td>Low</td>
<td>Adverse effects are likely to be measurable and/or noticeable within the known habitats of these species within proximity of the SCRF</td>
</tr>
<tr>
<td>Disruption to use and enjoyment of private property</td>
<td>Construction and Operation</td>
<td>Use and Enjoyment of Private Property</td>
<td>Low</td>
<td>Adverse effects represent small changes relative to baseline conditions</td>
</tr>
<tr>
<td>Change in landscape composition</td>
<td>Operation</td>
<td>Landscape Composition</td>
<td>Low</td>
<td>Adverse effects due to changes in landscape/viewshed composition are likely to represent a small change relative to baseline conditions in a Local Study Area context.</td>
</tr>
</tbody>
</table>

### Disruption to Species at Risk
- **Construction** phase
- **Species at Risk** affected
- **Low** significance:
  - **Magnitude**: Adverse effects are likely to be measurable and/or noticeable within the known habitats of species within proximity of the SCRF.
  - **Extent**: Those of other projects and activities
  - **Duration**: (compensation) has occurred.
  - **Frequency**: Ecological functions.
- **Overall Significance**: Negligible Effect (Not Significant)

### Disruption to Use and Enjoyment of Private Property
- **Construction and Operation** phases
- **Use and Enjoyment of Private Property** affected
- **Low** significance:
  - **Magnitude**: Adverse effects are likely to be noticeable within 500 m of the SCRF.
  - **Extent**: Project-specific effects will occur periodically.
  - **Frequency**: Given the Endangered Species Act requirements for mitigation, measurable project-specific and cumulative effects attributable to the SCRF are not likely to persist over the planning horizon.
  - **Permanence**: Low species at Risk habitats are common in the Study Area.
- **Overall Significance**: Negligible Effect (Not Significant)

### Change in Landscape Composition
- **Operation** phase
- **Landscape Composition** affected
- **Low** significance:
  - **Magnitude**: Adverse effects are likely to be noticeable in a limited portion of the built-up areas within proximity to the SCRF.
  - **Extent**: Project-specific effects will occur periodically.
  - **Frequency**: Adverse effects are likely to persist for some time over the planning horizon for existing residents.
  - **Permanence**: N/A
- **Overall Significance**: Minor Adverse Effect (Not Significant)
6.10 Climate Change Considerations

In support of the province of Ontario’s Climate Change Action Plan the MECP has developed a Guide entitled “Consideration of Climate Change in Environmental Assessment in Ontario” (the Guide). The guide provides direction on ways to incorporate climate change consideration into environmental assessments, including the consideration of:

- greenhouse gas (GHG) emissions;
- the effects of a project on climate change;
- the effects of climate change on a project; and,
- identifying and minimizing negative effects during project design.

The guide was consulted in preparation of this report, in particular the Guide was reviewed when considering the Alternative Methods as well as the Preferred Landfill Footprint from a Climate Change perspective and addressing potential climate risks to key infrastructure components at the landfill site.

6.10.1 Historical Climate and Meteorological Trends

In order to sufficiently determine the potential net effects from a climate change perspective, considering accepts such as potential power outages, physical damage, stormwater management and reduced access to the Site, and to develop potential climate change adaptation and mitigation measures, an in-depth understanding of the historical climate/meteorological trends, as well as the potential for extreme weather events must be established. The following sections provides a brief summary of the historical climate/meteorological trends Hamilton, which is in the southern part of Ontario. Southern Ontario has a humid continental climate influenced by the Great Lakes with warm summers and no dry season. The Great Lakes moderate the effects of the weather of the surrounding areas. Hamilton wraps around the westernmost part of Lake Ontario and has an escarpment that divides upper and lower parts of the city, which creates noticeable differences in weather over short distances. Hamilton experiences warm summers, moderate temperatures in the spring and fall with higher precipitation rates and cold winters.

**Temperature**

Regional baseline climate data (climate normal data) were obtained from Environment Canada (EC). The closest EC climate station to the SCRF with 30-year climate normal data from 1981 to 2010 available is the Hamilton A Station (John C. Munro Hamilton International Airport) (climate ID 6153194) approximately 14 km south-west of the SCRF. The Hamilton A Station is located at latitude 43.10 N, longitude 79.56 W (Elevation: 237.7 m). The temperature data for the Hamilton A Station are provided in Table 6.28. The annual mean temperature is estimated as 7.9°C. The mean summer high temperature is 20.9°C for July, while the winter mean low temperature is -5.5°C in January. The lowest extreme minimum temperature was in January of 2004 at -30.0°C, and the highest extreme maximum was in July of 1988 at 37.4°C (Table 6.29).
### Table 6.28 Mean Temperature Profiles from 1981 to 2010 at Hamilton A Station

<table>
<thead>
<tr>
<th></th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Average (°C)</td>
<td>-5.5</td>
<td>-4.6</td>
<td>-0.1</td>
<td>6.7</td>
<td>12.8</td>
<td>18.3</td>
<td>20.9</td>
<td>20.0</td>
<td>15.3</td>
<td>9.3</td>
<td>3.7</td>
<td>-2.3</td>
<td>7.9</td>
</tr>
<tr>
<td>Daily Maximum (°C)</td>
<td>-1.7</td>
<td>-0.5</td>
<td>4.3</td>
<td>11.8</td>
<td>18.5</td>
<td>23.9</td>
<td>26.5</td>
<td>25.3</td>
<td>21.2</td>
<td>14.1</td>
<td>7.5</td>
<td>1.2</td>
<td>13.7</td>
</tr>
<tr>
<td>Daily Minimum (°C)</td>
<td>-9.3</td>
<td>-8.6</td>
<td>-4.5</td>
<td>1.5</td>
<td>7.1</td>
<td>12.6</td>
<td>15.2</td>
<td>14.5</td>
<td>10.4</td>
<td>4.5</td>
<td>-0.2</td>
<td>-5.8</td>
<td>3.1</td>
</tr>
</tbody>
</table>

Note:
Source: EC 1981 to 2010 Canadian Climate Normals (climate ID: 6153194)

### Table 6.29 Minimum and Maximum Temperature Extremes

<table>
<thead>
<tr>
<th></th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extreme Maximum (°C)</td>
<td>16.7</td>
<td>15.8</td>
<td>25.0</td>
<td>29.7</td>
<td>33.1</td>
<td>35.0</td>
<td>37.4</td>
<td>36.4</td>
<td>34.4</td>
<td>30.3</td>
<td>24.4</td>
<td>20.7</td>
</tr>
<tr>
<td>Extreme Minimum (°C)</td>
<td>-30.0</td>
<td>-26.7</td>
<td>-24.6</td>
<td>-12.8</td>
<td>-3.9</td>
<td>1.1</td>
<td>5.6</td>
<td>1.1</td>
<td>-2.2</td>
<td>-7.8</td>
<td>-19.3</td>
<td>-26.8</td>
</tr>
</tbody>
</table>

Note:
Source: EC 1981 to 2010 Canadian Climate Normals (climate ID: 6153194)
Precipitation

The mean climate normal monthly precipitation data are provided in Table 6.30. The mean annual average precipitation is 929.8 mm. Approximately 85 percent of the total precipitation was in the form of rain and 15 percent as snowfall. The extreme daily participation amounts are shown form 1981 to 2010 (Table 6.31). The highest rainfall experienced was 107.0 mm in 1989 and the highest snowfall experienced was 43.2 cm in 1966.
Table 6.30 Mean Monthly Precipitation Profiles from 1981 to 2010 at Hamilton A Station

<table>
<thead>
<tr>
<th></th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precipitation (mm)</td>
<td>64.0</td>
<td>57.8</td>
<td>68.4</td>
<td>79.1</td>
<td>79.4</td>
<td>84.9</td>
<td>100.7</td>
<td>79.2</td>
<td>81.9</td>
<td>77.4</td>
<td>84.3</td>
<td>73.0</td>
<td>929.8</td>
</tr>
<tr>
<td>Rainfall (mm)</td>
<td>29.7</td>
<td>28.2</td>
<td>42.6</td>
<td>71.3</td>
<td>78.7</td>
<td>84.9</td>
<td>100.7</td>
<td>79.2</td>
<td>81.9</td>
<td>76.5</td>
<td>74.4</td>
<td>43.8</td>
<td>791.7</td>
</tr>
<tr>
<td>Snowfall (cm)</td>
<td>40.8</td>
<td>35.1</td>
<td>26.5</td>
<td>8.4</td>
<td>0.5</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.7</td>
<td>11.0</td>
<td>33.5</td>
<td>156.5</td>
<td></td>
</tr>
</tbody>
</table>

Note: Source: EC 1981 to 2010 Canadian Climate Normals (climate ID: 6153194)

Table 6.31 Extreme Daily Precipitation at Hamilton A Station

<table>
<thead>
<tr>
<th></th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extreme Daily Precipitation (mm)</td>
<td>44.6</td>
<td>54.1</td>
<td>42.8</td>
<td>45.2</td>
<td>39.9</td>
<td>66.6</td>
<td><strong>107.0</strong></td>
<td>90.8</td>
<td>59.4</td>
<td>91.0</td>
<td>58.8</td>
<td>56.8</td>
</tr>
<tr>
<td>Extreme Daily Rainfall (mm)</td>
<td>39.3</td>
<td>54.1</td>
<td>41.0</td>
<td>45.2</td>
<td>39.9</td>
<td>66.6</td>
<td><strong>107.0</strong></td>
<td>90.8</td>
<td>59.4</td>
<td>91.0</td>
<td>58.8</td>
<td>56.8</td>
</tr>
<tr>
<td>Extreme Daily Snowfall (cm)</td>
<td><strong>43.2</strong></td>
<td>30.4</td>
<td>28.0</td>
<td>29.2</td>
<td>11.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>23.6</td>
<td>21.5</td>
<td>35.6</td>
<td></td>
</tr>
</tbody>
</table>

Note: Source: EC 1981 to 2010 Canadian Climate Normals (climate ID: 6153194)
Rainfall Intensity Duration Frequency (IDF) data for 2010 were obtained from the Ontario Ministry of Transportation's (MTO) IDF Curve Look-up for the Site at latitude 43.19, longitude -79.77 (Table 6.33). The maximum estimated amount of rain is 127.8 mm for a 100-year 24 hour storm event. It should be noted that the information presented in Table 6.32 is not a prediction of the future, but an estimation of the probability of a storm occurring within a certain time period (return period) for a certain duration and the intensity of that storm based on statistical analysis of past data.

### Table 6.32 Extreme Daily Precipitation

<table>
<thead>
<tr>
<th>Return Period (year)</th>
<th>Rainfall Depth (mm) by Storm Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5 min</td>
</tr>
<tr>
<td>2</td>
<td>10.5</td>
</tr>
<tr>
<td>5</td>
<td>13.9</td>
</tr>
<tr>
<td>10</td>
<td>16.2</td>
</tr>
<tr>
<td>25</td>
<td>19.0</td>
</tr>
<tr>
<td>50</td>
<td>21.2</td>
</tr>
<tr>
<td>100</td>
<td>23.2</td>
</tr>
</tbody>
</table>

Source: MTO IDF Curve Look-up for the SCRF (latitude 43.19, longitude -79.77)

### Wind

The speed of the monthly maximum gust obtained from 2000 to 2010 data from Hamilton A Station (climate ID: 6153194) are representative of those that typically occur in much of Ontario and are presented in Table 6.33 (EC 2016b). Predominate wind comes from the west (36 percent of the time), south west (13 percent of the time), and east (12 percent of the time). In winter, typically there are more high-speed winds coming mainly from the west. The average maximum gust speed was the highest in December, which was approximately 78 km/h. Winds are the lowest in the summer months; the lowest average maximum gust speed was in August, which was approximately 60 km/h. In the summer, the southwestern component is the strongest, with roughly 17 percent of the wind coming from the southwest.

### Table 6.33 Average Observed Speed of the Max Gust from Hamilton A Station from 2000 to 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Observed Average Speed of Max Gust (2000-2011) (km/h)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>71.00</td>
</tr>
<tr>
<td>February</td>
<td>75.27</td>
</tr>
<tr>
<td>March</td>
<td>74.64</td>
</tr>
<tr>
<td>April</td>
<td>77.09</td>
</tr>
<tr>
<td>May</td>
<td>71.55</td>
</tr>
<tr>
<td>June</td>
<td>66.64</td>
</tr>
<tr>
<td>July</td>
<td>67.09</td>
</tr>
<tr>
<td>August</td>
<td>60.18</td>
</tr>
<tr>
<td>September</td>
<td>71.55</td>
</tr>
<tr>
<td>October</td>
<td>71.45</td>
</tr>
<tr>
<td>November</td>
<td>73.18</td>
</tr>
<tr>
<td>December</td>
<td>77.82</td>
</tr>
</tbody>
</table>

Source: EC Historical Data (climate ID: 6153194)

---

8 Based on historical records from Hamilton RBG CS Station (climate ID: 6153301) from 2005 to 2012.
The historical climate and climate trends described above were used to identify any possible climate change risks of concern for the construction, operation, closure, and post-closure stages of the landfill.

6.10.2 Potential Effects of the Undertaking on Climate Change

The SCRF receives primarily non-hazardous industrial fill with very little waste containing organics such as municipal solid waste (MSW). As a result, the potential to produce methane and other GHGs is significantly lower than a MSW landfill of the same size. Any gas produced at the Site migrates to the surface and dissipates into the atmosphere; there is currently no landfill gas collection system in place, nor is one required under O. Reg. 232/98 and the "Landfill Standards: A Guideline on the Regulatory and Approval Requirements for New or Expanding Landfill Sites" (MECP, 2012). Terrapure is required (under current approval) to monitor for landfill gas and provide results in the Annual Monitoring Report (submitted to the MECP every calendar year on June 30th). A landfill gas assessment was conducted in 2011, which confirmed that very little gas is generated at the SCRF.

Section 6.1.12 provides an overview of the landfill gas generation, as well as the estimated GHG emissions estimates.

Upon closure, the landfill will be sealed with a clay cap. This will significantly reduce the already low amount of GHGs released by the landfill. During post-closure the landfill will release less and less GHG emissions as each year passes.

6.10.2.1 Mitigation

In order to minimize or offset the effects of the Undertaking on climate change, in particular to reduce the GHG emissions associated with the construction, operation, closure and post-closure stages of the landfill, mitigation measures will be implemented. The MECP Guide defines mitigation as "The use of measures or actions to avoid or reduce greenhouse gas emissions, to avoid or reduce effects on carbon sinks, or to protect, enhance, or create carbon sinks" (MECP 2016, Page 40). Mitigation measures include actions such as utilizing different technologies and construction materials. Mitigation measures and BMPs to reduce the Undertaking’s effect on the environment will be determined and implemented at the onset of each stage of the landfill. Possible BMP/mitigation measures for the four stages of the landfill include:

- Implement and enforce an anti-idling policy for all vehicles and machinery on Site during the construction stage and operation stage
- Try to use materials that have a lower carbon footprint and a long lifespan
- Reduce the size of the uncovered/working area
- Replace and plant additional vegetation to create a carbon sink

In addition to the above mitigation measures the Air Quality Monitoring Program will continue to ensure all emissions fall within accepted standards.

As the GHGs released by the landfill are already below required standards and with the implementation of BMP/mitigation measures the proposed Undertaking is not anticipated to have a potential effect on climate change.
6.10.3 Effect of Climate Change on the Undertaking

Key potential effects of climate change that may occur during the Undertaking may include:

- Increasing frequency of unusually high or low daily temperature extremes.
- Long-term increasing or decreasing mean annual temperatures and/or precipitation.
- Increasing or decreasing frequency of storm events (e.g., rainfall, snowfall, extreme wind).

Extreme and adverse weather could affect the Site operations. As an example, an increase in storm events could affect the facilities and systems that have been engineered for the Site as part of the Undertaking, such as the stormwater management system. Furthermore, extreme weather events could also cause potential power outages, physical damage and reduced access to the Site. The potential impacts for the Preferred Landfill Footprint are considered to be "low" or "nil". "Low" indicates that the effect may cause a minor impact on the Site, Site operations or the Site design/features. "Nil" indicates that no effect is projected due to the potential change. Table 6.34, below, summarizes the assessment of potential adverse effects of climate change on the SCRF.
### Table 6.34 Estimated Sensitivity of the Undertaking to Potential Climate Change Effects

<table>
<thead>
<tr>
<th>Climate Parameters</th>
<th>Landfill Stage</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Construction 10</td>
<td>Operation 11</td>
</tr>
<tr>
<td>Mean Temperature</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>Frequency and/or Severity of Extreme Temperature</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Total Annual Rainfall</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Total Annual Snowfall</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Frequency and/or Severity of Precipitation and Weather Extremes</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Soil Moisture &amp; Groundwater</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Evaporation Rate</td>
<td>LOW</td>
<td>LOW</td>
</tr>
<tr>
<td>Wind Velocity</td>
<td>LOW</td>
<td>LOW</td>
</tr>
</tbody>
</table>

9 Table modified from: "Incorporating Climate Change Considerations in Environmental Assessment: General Guidance for Practitioners" (Federal-Provincial-territorial Committee on Climate Change, November 2003).

10 Excavation and grading of new waste cells; placement and grading of final cover on closed cells.

11 Placement, grading, and compaction of waste during life of each active cell.

12 Placement and grading of final cover on remaining active areas of waste area, decommissioning of ancillary Site facilities.

13 Monitoring of surface water and groundwater, observation, and repair (as necessary) of closed Site conditions (e.g., erosion, vegetation re-planting, etc.).
A slight change in annual precipitation and frequency and/or severity of precipitation and weather extremes does not have the potential to impact specific stages (construction, operation, closure and post closure) of the undertaking, or cause any severe damage to any of the landfill components, except potentially the leachate management system and the stormwater system during closure and post-closure (Table 6.35). The leachate and stormwater management systems have been designed to accommodate a Regional storm, which is much greater than the historical daily maximum precipitation amount of 107 mm (Table 6.31), and the rainfall depth estimated for the 100-year storm event for the SCRF of 127.8 mm (Table 6.32). The leachate and stormwater management systems are designed to return to normal operating conditions within approximately two days. There is also a slight potential for the berms to be impacted through erosion and impact to vegetation cover due to an increase in intensity and frequency of precipitation events. Changes to soil moisture and groundwater, evaporation rate and wind velocity as a result of changes to temperature and precipitation will have little to no impact to the landfill components during any stage of the landfill. There is a slight potential for an increase in wind velocity, changes to soil moisture and evaporation rates to lead to issues with erosion and vegetation establishment on the final cover during post-closure affecting the quality of surface water runoff.
<table>
<thead>
<tr>
<th>Climate Parameters</th>
<th>Waste Management Infrastructure Components</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Berms</td>
<td>Geotextile Liner</td>
</tr>
<tr>
<td>Mean Temperature</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>Frequency and/or Severity of Extreme Temperature</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>Total Annual Rainfall</td>
<td>LOW</td>
<td>NIL</td>
</tr>
<tr>
<td>Total Annual Snowfall</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>Frequency and/or Severity of Precipitation and Weather Extremes</td>
<td>LOW</td>
<td>NIL</td>
</tr>
<tr>
<td>Soil Moisture &amp; Groundwater</td>
<td>LOW</td>
<td>NIL</td>
</tr>
<tr>
<td>Evaporation Rate</td>
<td>NIL</td>
<td>NIL</td>
</tr>
<tr>
<td>Wind Velocity</td>
<td>LOW</td>
<td>NIL</td>
</tr>
</tbody>
</table>
Monitoring of groundwater and surface water is currently carried out for the Site, and a report summarizing these results and other Site conditions is submitted to the MECP annually. These measures mitigate the kinds of potential extreme adverse effects and events noted above; longer-term, more gradual changes are managed through regulatory changes and adaptive management by Terrapure.

As part of the Detailed Impact Assessment of the Preferred Landfill Footprint climate change was considered for each environmental component. Specific discussion on climate change and potential mitigation or adaptation from the perspective of various environmental components are discussed in detail within their respective reports.

6.10.3.1 Adaptation

Additional analysis was undertaken to determine what adaptation measures may be required for the Site. Adaptation will be focused on addressing effects of climate change on the Undertaking. The MECP's Guide defines adaptation as “The process of adjustment in the built and natural environments in response to actual or expected climate change and its effects. In human systems, adaptation seeks to moderate or avoid harm or exploit beneficial opportunities. In some natural systems, human intervention may facilitate adjustment to expected climate and its effects” (MECP 2016, Page 38). Although it was determined climate change will have no appreciable adverse effects on the proposed Undertaking identification of possible adaptation measures was undertaken to increase both the project’s and the local ecosystem's resilience to climate change.

To increase the project's and the local ecosystem’s resilience to climate change, the project's and local ecosystem’s vulnerability to climate change need to be reduced. The degree of vulnerability is associated with unpredictability of climate change. The unpredictability of climate change increases over time. Therefore the stage with the greatest vulnerability (e.g., most likely to be impacted by climate change) is the stage that occurs over a long period of time, which is post-closure. As such resources will be focused on employing adaption measures upon closure of the landfill to ensure the landfill is resilient to climate change during post-closure stage.

Adaptation measures will be aimed at strengthening and increasing the resilience of the landfill cover and leachate management system. Such measures could include:

- Choosing vegetation known, to withstand erosion and climatic stressors such as extreme heat, drought tolerance, and flood resistance;
- Planting additional vegetation every five to ten years; and
- Modification of existing stormwater management ponds, if necessary.

The above is by no means a comprehensive list of the additional adaption measures that will be considered upon closure of the Site. As required by Section 31 of the O. Reg. 232/98 a Closure Report is to be created two years before the anticipated closure date of a landfill or when 90 percent of the waste disposal volume is reached. In addition to detailing the activities for post-closure care the Closure Report will state the commitments to climate change adaptation and how they will be implemented. Emerging technologies and current climate projections will be reviewed during the development of the adaptation measures in the Closure Report. In addition, the development of BMP’s will be prepared such that they can flexible enough to adapt to a changing climate.
6.11 On-Site Diversion Assessment

6.11.1 Background

The SCRF is a unique facility in Ontario in that it only accepts post-diversion solid, non-hazardous industrial residual material, consisting mainly of material from the steel making industry (i.e., basic oxygen furnace oxide, slag) and excavated soils from infrastructure development projects. The majority of these waste materials have exhausted all recycling or recovery options and cannot otherwise be utilized.

Although there is minimal material received at the SCRF that has the potential to be reasonably diverted or recycled, Terrapure has reviewed and evaluated the potential for on-Site diversion of waste materials received at the Site. The Minister Approved ToR requested that on-Site diversion be considered as part of the environmental assessment. In addition, considering the possibility of on-Site diversion is in keeping with the goals for the Province’s new Waste Free Ontario Act (WFOA) and its Strategy for a Waste-Free Ontario: Building the Circular Economy for managing residual material in attempt to move the Province to an aspirational goal of “zero waste”.

As such, Terrapure committed in the ToR to examine and evaluate the feasibility and viability of implementing an on-Site diversion program as part of the environmental assessment process. This includes the consideration and assessment of a reasonable number of ways in which to divert the types of waste materials typically received at Site. Further, Terrapure has reviewed the potential for on-Site diversion in accordance with best management practices and in consideration of new and emerging technologies.

Currently the material accepted at the SCRF comes from a variety of customers and businesses that have implemented their own diversion and recovery systems, as per the WFOA and the Strategy for a Waste-Free Ontario, which places emphasis on requiring the industrial, commercial, and institutional (IC&I) sector to divert more of the waste they produce.

6.11.2 Terrapure’s Current Diversion Initiatives

Terrapure has Standard Operating Procedures (SOP) that dictate that materials received at the SCRF are screened and verified to ensure they match the Generator’s Waste Profile, and that the Generator of the material has made the determination that the material cannot reasonably be diverted or reintroduced into the circular economy from both an economical and technical feasibility perspective. Diversion at the source of the generated residual material from generators and customers considers both the economic viability of diversion, as well as ensuring that there is a viable end market for the diverted material.

Terrapure understands the importance of WFOA, its diversion goals and the need to establish a circular economy. To this end, Terrapure is constantly reviewing diversion technologies for existing waste generating customers. Terrapure’s new Business Transformation Team (BTT) is leading initiatives to achieve higher performance and efficiency throughout the company. One of these initiatives is exploring the opportunity to recycle steel making waste through the BOF (basic oxygen furnace) steel making process with waste received from ArcelorMittal Dofasco (AMD). The production of wastes with high iron content, such as mill scale, dust and sludge are unavoidable during the steel making process. The re-use of these wastes is extremely important in preserving our non-renewable natural resources (Kumar, et al., 2017). An attractive option to recycle these
wastes is through the BOF process, where BOF oxide waste is converted into briquettes using various binding agents and then is reintroduced back into the steel making process as a feedstock (Kumar, et al., 2017).

By converting the BOF oxide into a usable form, a substantial volume of material could be diverted from SCRF. This is an indication of the efforts that large companies such as AMD make in diverting materials from landfill and that landfill is typically only chosen when other viable options are not available. Additionally, Terrapure regularly explores opportunities to divert and recover materials within its own operations network to prevent unnecessary material ending up at the SCRF for disposal.

6.11.3 Assessment Methodology

Terrapure conducted an assessment of potential on-Site diversion programs, through a literature review to explore other jurisdictions’ best management practices and possible new and emerging technologies for diverting industrial residual materials. A challenge encountered during the literature review was the majority of information discusses diversion of residual mixed solid waste, rather than the diversion of residual solid non-hazardous industrial waste. As previously mentioned, the SCRF is a unique facility in Ontario in that it only accepts post-diversion solid, non-hazardous industrial residual material, thus finding similar examples was difficult.

Mainly the literature discusses technologies involving thermal and combustion processes, as well as chemical and biological processes and fuel development alternatives. However, it should be noted that as per the Strategy for a Waste-Free Ontario: Building the Circular Economy, the conversion of waste to energy or alternative fuels (thermal and combustion processes), while permitted as waste management options, does not count towards diversion in Ontario.\(^\text{14}\)

The technologies (some still theoretical in nature) discussed for diversion of residual mixed solid waste in the literature include:

- Mechanical biological treatment (MBT)
- Refuse-derived fuel (RDF) with stoker firing
- RDF with fluidized bed combustion
- Catalytic depolymerization
- Hydrolysis
- Pyrolysis
- Gasification
- Plasma arc gasification

Although as listed above there are a number of technologies for dealing with residual mixed solid waste, landfills are still the most common method to address residual industrial waste. However, trends are emerging to attempt to reduce the amount of material that requires disposal to landfill.

\(^{14}\) Strategy for a Waste Free Ontario, p.10
**In-Situ Stabilization of Contaminated Soils**

One such trend is the use in-situ stabilization techniques in Ontario, which are being applied to various site remediation locations where brownfield legislation issued by the MECP allows low levels of contaminants to remain at a site when there, will be limited after use of the site. An example of this is at a brownfield site in Sudbury, where heaps of slag, the by-product from iron and nickel ore mining operations, were regraded, 18 inches of silty-clay was added and wildflower seed mix was planted to remediate the site (Sudbury Star, 2014). This program resulted in a significant amount of material being diverted from landfills. Stabilized waste materials have also been used as landfill cover.

**Thermal & Combustion Technologies**

Although, as stated above, thermal and combustion technologies are not considered as diversion in Ontario, these technologies were investigated for the purpose of completing a thorough review of how other jurisdictions are diverting industrial waste. In Australia, thermal waste to energy technologies have shown potential in treating a wide range of industrial wastes (WSP, 2013). However, it was noted that using thermal waste to energy technologies to treat industrial waste, is not yet financially viable and that fiscal measures/incentives would have to be provided for the technologies to be financially competitive with landfills (WSP, 2013).

### 6.11.4 Viability of Identified Diversion Options

In 2010, it was determined that the cost of disposing waste in a landfill is about 40% lower than the cost of recovering waste (MECP, 2010). In addition to the large discrepancy in cost between recovering waste versus sending it to a landfill, the technology to recover waste, specifically waste heading to the SCRF, has not progressed enough to make it as affordable as processing raw materials. For example in 2017, the cost associated with BOF oxide process described above was more than double the price of iron ore (Figure 6.14). The high cost of drying the sludge and the binders required to provide strength for the recycling of steel wastes into feedstock is the main reason that makes BOF processing economically unattractive (Singh et al., 2011). This demonstrates the need for further development and improvement of the BOF processing technology before it can become a financially viable solution to divert waste from landfills.
At this time, the solutions for diversion of residual industrial waste discussed above, including the recovery of steel making wastes through BOF recovery and processing, are still in their formative stages. Information on the generation and flow rates in Ontario is required to ensure the financial viability and strength of the end market.

In addition to the technologies investigated not being technically feasible and economically viable at this time, the infrastructure associated with the technologies would require greater space than currently available at the SCRF. The only potential location for an on-Site diversion program would be in the buffer areas surrounding the SITE’s footprint; however, the size of the buffer areas will not be large enough to accommodate the required infrastructure footprint. Therefore, it is not appropriate or reasonable at this time for Terrapure to develop a diversion plan at the SCRF given that the volumes of material that could be potentially diverted are minimal, the lack of an established and financially viable end-market, as well as the limited space on Site for required infrastructure.

As Terrapure continues to develop its business, it will continue to investigate emerging technologies for potential diversion options, both on- and off-Site as more information on emerging technologies' financial viability becomes available. As per the commitment in the Environmental Compliance Approval (ECA) the SCRF operates under, Terrapure will also continue to review the 3R’s technology with respect to landfill diversion every five years. Terrapure will also continue to work with its customers to ensure diversion at the source of the generated material takes place. Furthermore, Terrapure will monitor the introduction of regulations that may assist in creating more financially viable diversion tools, as well as the establishment of viable end-markets for the diverted material.

6.12 Impact Assessment Summary

The information presented in Section 6.2 to 6.4 has been summarized and included in Table 6.36. As the table indicates ‘No’ to ‘Low’ net effects are anticipated across all environmental components considered for the implementation of the Preferred Alternative. Net effects for all environmental components are listed in Table 6.37 along with a summary of associated mitigation measures.
<table>
<thead>
<tr>
<th>Environmental Component/Criteria</th>
<th>Potential Effects</th>
<th>Mitigation Measures</th>
<th>Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>1. Leachate leakage through the primarily liner</td>
<td>1. Maintaining inward gradient across the liner system through flooding the HCL.</td>
<td>1. No net effect on downgradient groundwater quality.</td>
</tr>
<tr>
<td></td>
<td>2. Leachate leakage through the secondary liner</td>
<td>2. Collection of impacted water and hydraulic control of local groundwater through operation of M4 extraction well, shatter trench wells and containment wells.</td>
<td>2. No net effect on downgradient groundwater quality.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface Water</td>
<td>1. Surface quality will be similar to baseline since additional residual material will have final cover. Contaminants of concern in the runoff are TSS. 2. The increased area of residual material results in an increase in impermeable area due to the residual material final cover. This will produce an increase runoff volume of 11% during the 2-year storm event and 8% during the 100-year storm event. Increased runoff volume will result in increased flooding ditches to the northwest, in the sewer below First Road West and Davis Creek. Erosion of the creek and ditches may also occur because of the increased runoff volume.</td>
<td>1. The existing stormwater management pond will be altered as required and described (provide adequate permanent pool volume and active storage volume) to treat TSS from the stormwater runoff. 2. Stormwater from the pond will not be released to surface water body (i.e., storm sewer system that drains into Davis Creek) until testing determines all parameters have been met to discharge. Contingency measures include “status quo”, which is to discharge stormwater to sanitary sewer for treatment at the City’s water pollution control plant.</td>
<td>1. Discharge to either surface water or to sanitary sewer with no increase in TSS and related parameter concentrations 2. No increase in peak flows to the roadside ditches to the northwest of the Site, sewer under First Road West and Davis Creek Based on the controlled conditions modeling (which includes preliminary SWM measures), the SWM pond and perimeter ditches will able to treat and control the runoff from the Site to the same level as the current approved design and results in low net environmental effects.</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>1. Temporary loss of approximately 18.5 ha of existing vegetation communities (e.g. marsh, meadow, and thicket habitat) and associated wildlife habitat as a result of regrading activities. 2. Temporary disturbance to terrestrial species during Site works and landfilling operations. 3. Temporary loss of approximately 11.5 ha of habitat of a Threatened species (eastern meadowlark) in the dry-fresh graminoid meadow ecosite at the south and west portion of the Site. 4. Loss of on-Site aquatic habitat and disturbance to aquatic biota associated with open water habitats in stormwater infrastructure due to regrading activities.</td>
<td>1. Conduct any vegetation removal activities outside of the breeding bird window (i.e., no removals between late March - late August). Retain vegetation and compensate for vegetation loss to the extent possible (e.g., create pollinator habitat in buffer areas) Incorporate graminoid meadow habitats into the closure landscape plan 2. Implement BMP’s including: Use of dust suppressants Installation of protective fencing (where required) Conduct a nest survey of on-Site facilities and infrastructure prior to relocation or removal of structures to mitigate impacts to bird species which may use anthropogenic structures for nesting. If nests are found, consult a biologist/MNRF for further direction. Any wildlife incidentally encountered during Site operation activities will not be knowingly harmed and will be allowed to move away from the area on its own. In the event that an animal encountered during Site operation activities does not move from the area, or is injured, the Site Supervisor and MNRF will be notified. In the event that the animal is a known or suspected SAR, the Site Supervisor will contact MNRF SAR biologists for advice. Include naturalized landscape features into the stormwater management facilities design (e.g. wet meadows, emergent robust vegetation, shallow slope)</td>
<td>1. The temporary loss of approximately 18.5 ha of vegetation and wildlife habitat will be minimized through implementation of the mitigation measures. 2. The temporary disturbance to terrestrial species will be minimized through implementation of the mitigation measures. 3. The temporary loss of SAR habitat will be minimized through implementation of the mitigation measures. 4. The temporary loss of on-Site aquatic habitat and disturbance to aquatic biota will be minimized through implementation of the mitigation measures.</td>
</tr>
</tbody>
</table>
### Table 6.36 Preferred Undertaking – Potential Environmental Effects, Mitigation Measures & Net Effects

<table>
<thead>
<tr>
<th>Environmental Component/Criteria</th>
<th>Potential Effects</th>
<th>Mitigation Measures</th>
<th>Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Atmospheric</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Air & Odour                      | 1. Elevated dust concentrations in the local study area | 3. Consult with MNRF to determine specific requirements (e.g. habitat enhancement and/or creation requirements) of the Notice of Activity process related to the presence of eastern meadowlark to avoid contravention of the provincial Endangered Species Act. Incorporate graminoid meadow habitats into the closure landscape plan.  
4. Install ESC measures to mitigate impacts to water quality and to act as wildlife exclusion fencing prior to construction, and maintain them appropriately throughout landfill construction and operation.  
Characterize use of on-Site aquatic features by fish and wildlife prior to modification/removal. Obtain necessary approvals for/complete fish/wildlife rescue activities prior to initiation of any in-water works, as appropriate. | 1. Facility can meet MECP and CAAQS guidelines, provided care is taken when operations are occurring near the fenceline.  
2. The site is unlikely to contribute to significant odour issues in the area. |
| Noise                            | 1. Odour in the local study area | 1. Implementation of dust mitigation plan.  
Logging of complaints and investigation into contribution(s) of the site to local air quality issues.  
2. Logging of complaints and investigation into contribution(s) of the site to local air quality issues. | 1. Net sound level change for all off-Site receptors is 5 dBA or lower. There are some residences to the north which may experience a noise level increases of up to +5 dBA from the existing conditions. |
|                                 | 1. Potential change to the predicted off-Site noise impact based on increased line-of-sight due to reconfiguration and the decrease in the separation distance between the landfill activities and the adjacent residential properties. | 1. Existing Residential Properties: No Mitigation measures required.  
Potential Future Development of Surrounding Properties: No Mitigation measures required.  
2. No Mitigation measures required. | 2. Noise levels at receptors are below the MECP sound level limits, and Site specific noise limits. |
|                                 | 2. Net sound level change for up to 200 off-Site receptors is 5 dBA or lower:  
• Approximately 75 residences (to the north): +5 dBA change | | |
|                                 | 1. POR5=55 dBA | | |
|                                 | 2. POR5=55 dBA | | |

### Environmental Component/Criteria

#### Potential Effects

#### Mitigation Measures

#### Net Effects
Table 6.36 Preferred Undertaking – Potential Environmental Effects, Mitigation Measures & Net Effects

<table>
<thead>
<tr>
<th>Environmental Component/Criteria</th>
<th>Potential Effects</th>
<th>Mitigation Measures</th>
<th>Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. No change to the current land use designation (Open Space / Commercial) and no change to Land Use Zoning (ME-1).</td>
<td>1. No mitigation measures are required as there are no anticipated change required to existing site-specific and adjacent land uses and zoning of the facility during operation; no change anticipated to existing adjacent land uses as a result of the implementation of the Preferred Landfill Footprint. The following existing mitigation / compensation measures will continue to be in effect:</td>
<td>1. No change in current site-specific and study area land uses.</td>
<td>2. Installation of visual screening elements will sufficiently obscure a majority of views of the facility from sensitive receptors. Relative to the existing conditions, the changes are minimal.</td>
</tr>
<tr>
<td>2. Slight height increase and property buffers are maintained. Visibility increased mostly for sensitive receptors and properties adjacent to site including residential dwellings to South on Green Mountain Rd. as well as homes along Mud Street.</td>
<td>2. Maintaining the existing screening berms and fencing will assist with visual screening from residential areas, but will not be able to mitigate views completely. Additional screening guards and vegetation can be implemented to mitigate views for sensitive receptors. Progressive capping of the landfill will assist in revegetating areas as the site is of the site to create a natural look.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **Human Health** | Elevated dust concentrations in the local study area. | Implementation of dust mitigation plan and ongoing monitoring/assessment | Acceptable dust concentrations with no unacceptable health risks to surrounding community. Ongoing monitoring, assessment and reporting on an annual basis to demonstrate this to all stakeholders. |

| **Transportation** | No change to the existing level of road user safety and intersection Level of Service within the Local Study Area | No mitigation measures required. | No net effects. |

| **Economic** | Approximately 1,200 residential dwellings, 11 commercial units, 4 agricultural properties, 1 recreational, 1 institutional within 500 m of site. No anticipated effects to these land uses through various landfill operation mitigation measures. 2. Expansion and reconfiguration would result in maximum increase of jobs and increase to economy and GDP (Range of economic activity between $349 and $372 million with GDP from $218-$232 million and between 662-671 jobs) Property taxes paid to City at a higher rate will continue | 1. No mitigation measures are required as there is no anticipated change required to existing site-specific and adjacent land uses and zoning of the facility during operation; no change anticipated to existing adjacent land uses as a result of the implementation of the Preferred Landfill Footprint. Basic landfill operation mitigation measures including; storm water management, leachate treatment, dust and noise control will assist in mitigating effects to surrounding properties. The following existing mitigation / compensation measures will continue to be in effect: | 1. No net effects to approved/planned land uses. 2. Positive economic benefits to local community. Meets Disposal objectives. |

<p>| <strong>Archaeology and Built Heritage</strong> | The Recommended Option requires a slight change to the footprint. However, the change in footprint occurs within previously excavated lands. One cultural heritage | No mitigation is required as no potentially significant archaeological resources or built heritage landscapes will be disturbed or displaced. | No Net Effects or Mitigation measures are anticipated or required from an archaeological perspective. |</p>
<table>
<thead>
<tr>
<th>Environmental Component/Criteria</th>
<th>Potential Effects</th>
<th>Mitigation Measures</th>
<th>Net Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape exists within 1.5 km of the SCRF (Billy Green House), which will not be impacted, displaced or disturbed. Due to the previous disturbance on-Site (excavation for quarry operation), the Recommended Option does not affect a known or potential archaeological resource.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **Design and Operations** | 1. Increased design and operating complexity of leachate management system  
2. Increased design and operating complexity of stormwater management system  
3. Increased design and operating complexity of groundwater management system  
4. Increased design and operating complexity of landfill gas management system  
5. Increased complexity and reduced constructability of facility components  
6. Increased complexity and reduced operability of facility components  
7. Increased closure and post-closure requirements and reduced flexibility of potential end uses | 1. Design of new base liner system to integrate seamlessly with existing base liner system. Use of only one leachate pumping station. Establish new connection to sanitary sewer. Maintain uniform shape and contours of the residual material area.  
2. Design of new stormwater management system to integrate seamlessly with existing stormwater management system. Extend perimeter drainage ditches to accommodate new residual material area. Maintain current approved location and layout of stormwater pond. Maintain existing stormwater outlet to storm sewer.  
3. Design of new groundwater management system to integrate seamlessly with existing groundwater management system. Extend groundwater collection trenches to accommodate new residual material area. Maintain existing location of groundwater outlet. Establish new connection to sanitary sewer.  
4. Continue acceptance of waste types that do not decompose and generate significant quantities of gas. Maintain MECP exemption from the requirement to have a gas collection system.  
5. Design of new base liner system to integrate seamlessly with existing base liner system. Design of new final cover system to integrate seamlessly with existing final cover system. Maintain open layout with simple configuration and dedicated areas for the various infrastructure components.  
6. Maintain design and function of existing systems (leachate, stormwater, groundwater, gas) and infrastructure (access, roads, weigh scale, wheel wash). Maintain operational flexibility of existing systems and infrastructure.  
7. Maintain open and uniform configuration that will simplify Site closure requirements. Maintain overall layout and contours that do not limit the flexibility of potential end uses. | 1. Small increase in complexity relative to current leachate management system associated with: additional base liner and leachate collection system; increased leachate generation rate.  
2. No increase in complexity relative to current stormwater management system. The design and layout of the stormwater management system provides design and operational flexibility.  
3. No increase in complexity relative to current groundwater management system. The design and layout of the groundwater management system provides design and operational flexibility.  
4. No increase in complexity relative to current passive system for management of landfill gas. No requirement to implement gas collection system.  
5. Small increase in complexity relative to current construction requirements associated with: additional base liner and leachate collection system, additional final cover.  
6. No increase in complexity or reduction in operability relative to current site operations.  
7. Simplified closure requirements and increased flexibility of potential end uses relative to current design. |
6.13 Advantages & Disadvantages of the Undertaking

In accordance with the approved ToR, the advantages and disadvantages to the environment of the Preferred Undertaking are summarized in Table 6.37, below. The advantages and disadvantages are based on the net effects described above and on the rationale for the undertaking described in Section 3.0 of the EA Report. The proposed landfill expansion, with specific mitigation and impact management programs in place, will have low and acceptable net effects on all environmental components and the facility construction and operation will have a positive economic impact in the community.

**Table 6.37 Advantages and Disadvantages of the Preferred Undertaking**

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and Hydrogeology</td>
<td>• Minor variations in predicted downgradient groundwater quality will be mitigated primarily through existing environmental control systems outlined in Section 6.2.1</td>
<td>• Potential minor variations in groundwater quality prior to mitigation</td>
</tr>
<tr>
<td></td>
<td>• Low net environmental effects owing to the ability of the surface water management pond and perimeter ditches to treat runoff, No change from current approved operating conditions</td>
<td>• Potential minor variations in surface water quality runoff prior to mitigation</td>
</tr>
<tr>
<td>Surface Water</td>
<td>• Habitat enhancement through mitigation measures</td>
<td>• Temporary loss of habitat and disturbance to aquatic biota</td>
</tr>
<tr>
<td></td>
<td>• Naturalized landscape features</td>
<td></td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>• Visual screening elements will obscure the majority of views of the facility from sensitive receptors. Relative to existing conditions, changes are minimal</td>
<td>• Minimal visual changes for sensitive receptors</td>
</tr>
<tr>
<td></td>
<td>• A new landfill facility will not need to be established</td>
<td>• BMPs will be implemented to manage nuisance related effects during construction and operation for nearby residences and business</td>
</tr>
<tr>
<td>Economic</td>
<td>• A technically feasible design that provides for additional capacity. This will allow Terrapure to continue to support the growing local economy by providing disposal capacity for industrial residual material generated within Hamilton and the GTA</td>
<td>• Site will be partially visible from surrounding agricultural areas and businesses</td>
</tr>
<tr>
<td></td>
<td>• Continued generation of significant economic activity in the City of Hamilton</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The Undertaking aligns with the provincial government’s direction on continuing to require a permitted, well-designed, environmentally-secure facility to manage residual materials as the province transitions to a circular economy</td>
<td></td>
</tr>
<tr>
<td>Environmental Component</td>
<td>Advantages</td>
<td>Disadvantages</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------</td>
<td>---------------</td>
</tr>
</tbody>
</table>
| **Atmospheric Air Quality** | • Regulatory guidelines can and will be met regarding particulate matter  
• Reduced/maintained Site boundary and off-Site odour concentrations | • Minimal increase in dust to some receptors |
| **Noise** | • Predicted noise levels at receptors are below regulatory limits | • Some receptors may experience a temporary noise level increase |
| **Human Health** | • Ongoing monitoring, assessment, and reporting will maintain dust concentrations that pose no risk to human health  
• A reliable, secure and environmental sound disposal option for post-diversion solid non-hazardous waste | • Minimal increase in dust to some receptors |
| **Transportation** | • No road improvements required  
• No bird strike hazard to aircraft in Local Study Area  
• The SCRF can continue to accept residual waste which will prevent additional transportation costs and GHG emissions associated with customers have to haul waste further away | • Minor temporary construction-related effects (lane closures, movement of exit location during different phases of operation) |
| **Archaeology & Cultural Heritage** | • No loss of or disturbance to cultural and heritage resources and archaeological resources within the Local Study Area | • There are no disadvantages to the Archaeology and Cultural Heritage Environment |
| **Site Design & Operations** | • Proposed expansion utilizes existing environmental control systems | • There are no disadvantages to Site Design & Operations |
## Table of Contents

7. Public and Agency Consultation

7.1 Overview of the Consultation Process ................................................. 1
7.2 Key Decision Making Milestones and Consultation Activities .......... 1
7.3 Ongoing Consultation Activities ......................................................... 3
  7.3.1 Project Website ......................................................................... 3
  7.3.2 Social Media ............................................................................. 3
  7.3.3 Educational Videos .................................................................... 4
  7.3.4 Media Relations ........................................................................ 4
  7.3.5 Toll-Free Telephone Number .................................................. 4
7.4 Agencies .......................................................................................... 4
  7.4.1 Agencies Consulted ................................................................... 4
  7.4.2 Overview of Consultation Activities with Agencies ................. 5
  7.4.3 GRT Webinars .......................................................................... 5
  7.4.4 Individual Meetings .................................................................. 7
  7.4.5 Circulation of Draft Reports .................................................... 8
  7.4.6 Consideration of Comments Received and Issues Raised .......... 9
7.5 Indigenous Communities ................................................................. 44
  7.5.1 Indigenous Communities Consulted .......................................... 44
  7.5.2 Haudenosaunee Development Institute .................................... 44
  7.5.3 Métis Nation of Ontario ............................................................ 45
  7.5.4 Mississaugas of the New Credit First Nation ......................... 45
  7.5.5 Six Nations of the Grand River First Nation ....................... 47
7.6 Public Stakeholders ........................................................................ 58
  7.6.1 Public Participants Consulted .................................................. 58
  7.6.2 Overview of Consultation Activities with Public Stakeholders .... 58
  7.6.3 Notices of Commencement and Open Houses ......................... 58
  7.6.4 Public Open Houses .................................................................. 61
  7.6.5 Individual Meetings, Emails and Telephone Calls ................. 63
  7.6.6 Community Liaison Committee Workshop ......................... 63
7.7 Peer Review ..................................................................................... 74
7.8 Issues Resolution Strategy .............................................................. 74
7.9 Review of the Draft Environmental Assessment ............................ 75
  7.9.1 Availability for and Notification of the Review of the Draft SCRF EA .. 75
  7.9.2 Consideration of Comments Received on the Draft SCRF EA Report .. 75
7.10 Submission of the Environmental Assessment ............................... 75
  7.10.1 Availability for and Notification of the Review of the SCRF EA ... 75
7.11 Commitments for On-Going Consultation ........................................ 75
7.12 Consideration of Comments Received and Issues Raised during the Stoney Creek Regional Assessment Environmental Assessment .................................. 75
Table Index

Table 7.1 Review Agency Comments and Consideration by Terrapure ............................................. 11
Table 7.2 Indigenous Community Comments and Consideration by Terrapure ................................. 48
Table 7.3 Public Stakeholder Comments and Consideration by Terrapure ........................................... 65
Table 7.4 Meetings Held in Association with the Review of the Draft SCRF EA Report ...................... 75
Table 7.5 Review Agency Comments Received on the Draft SCRF EA Report ...................................... 75
Table 7.6 Indigenous Community Comments Received on the Draft SCRF EA Report ....................... 75
Table 7.7 Public Stakeholder Comments Received on the Draft SCRF EA Report ............................... 75
Table 7.8 Review Agency Comments Received on the Final SCRF EA Report ..................................... 75
Table 7.9 Indigenous Comments Received on the Final SCRF EA Report ........................................... 75
Table 7.10 Public Stakeholders Comments Received on the Final SCRF EA Report ......................... 75

Figure Index

Figure 7.1 Consultation Key Milestones .................................................................................................. 2
7. Public and Agency Consultation

7.1 Overview of the Consultation Process

This section of the EA Report provides an overview of the consultation program undertaken as part of the SCRF EA. In accordance with the MECP’s *Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario* (January 2014) and as required by Section 5.1 of the EA Act, a comprehensive consultation program involving review agencies, public stakeholders and Indigenous communities was carried out throughout the EA process.

The EA Consultation Plan included in the Approved Amended Terms of Reference (2017) included the following four elements:

- Key decision making milestones when consultation would occur during the SCRF EA (Section 7.2).
- Interested participant groups from which input would be obtained and specified how that input would be obtained from each group during the SCRF EA. Specifically the Consultation Plan identifies three categories of participants: review agencies, Indigenous communities, and the public (Sections 7.4.1, 7.5.1 and 7.6.1).
- Consultation activities to be carried out during the SCRF EA. The consultation activities carried out were similar to those undertaken during the ToR. While some consultation activities were used to engage all three participant groups (Section 7.3), many were tailored to each (Sections 7.4, 7.5, and 7.6).
- Issues resolution strategy for resolving potential issues or disputes raised during the SCRF EA (Section 7.7).

7.2 Key Decision Making Milestones and Consultation Activities

A wide variety of consultation activities were carried out throughout the preparation of the EA. The consultation activities provided multiple opportunities and a variety of methods for review agencies, Indigenous communities, and public stakeholders to be involved and provide comments for consideration during the preparation of the EA.

The SCRF EA Consultation Plan outlined three key decision making milestone points where consultation would specifically occur during the preparation of the SCRF EA. As a result, Terrapure sought and obtained input from the interested participants at these key decision making points prior to moving forward with the next phase of the EA process. The key decision making milestone points outlined in the Consultation Plan are provided in Figure 7.1. The first key decision making milestone point listed in Figure 7.1 was held as part of the preparation of the SCRF EA ToR.
Figure 7.1 Consultation Key Milestones

Key Decision-Making Milestone

- Terms of Reference
  - SCRF ToR Open House
  - Individual meetings with Agencies
  - Individual meetings with Public Stakeholders

Proposed Alternative Methods and Evaluation Criteria

- SCRF EA Open House #1 (In-person & Online)
- CLC Workshop
- GRT Webinar #1
- Individual meetings with Agencies (City of Hamilton, HWCDSB, MTCS, OMAFRA, MECP)
- Meetings with Mississaugas of the New Credit First Nation and Haudenosaunee Development Institute

Recommended Alternative Method

- SCRF EA Open House #2 (In-person & Online)
- GRT Webinar #2
- Individual meetings with Agencies (City of Hamilton, MECP)
- Meeting with Six Nations First Nations

Impact Assessment

- SCRF EA Open House #3 (In-person & Online)
- GRT Webinar #3
- Individual meetings with Agencies (City of Hamilton, HWCDSB, MECP)

Draft SCRF EA Report
7.3 Ongoing Consultation Activities

Terrapure undertook several consultation activities that lasted the duration of the EA and were used to engage all participant groups. Primarily, these activities were undertaken to increase the level of understanding of the SCRF, the Project, and of the EA process, and included easy-to-understand plain language communications tools. Specifically, this included:

- Project website (see Section 7.3.1)
- Social media (see Section 7.3.2)
- Educational Videos (see Section 7.3.3)
- Media Relations (see Section 7.3.4)
- Toll-Free Telephone Number (see Section 7.3.5)

Further, Terrapure implemented an adaptive management strategy to consultation, adding activities as necessary. For example, Terrapure heard from community members during the ToR that it would be beneficial to have access to videos as a tool for understanding the complexities of the environmental protection measures required of the SCRF if the EA was approved. As a result of this suggestion, Terrapure produced three videos that described environmental protection at the SCRF, the waste acceptance process, and the proposed capacity increase.

These activities are each described in the following subsections.

7.3.1 Project Website

A project specific website (www.terrapurestoneycreek.com) was launched during the ToR stage and maintained throughout the EA process. The website was established to provide clear and accurate information to participants as well as to give feedback to Terrapure. During the SCRF EA process, Terrapure posted up-to-date information on the website about project activities, available documents for review, and notices of upcoming consultation opportunities to provide feedback and comment.

In addition, participants were able to submit questions, comments or feedback directly on the website and subscribe to project notifications.

Finally, the project website was used for three Online Open Houses to augment the In-Person Open Houses. The Online Open Houses are further described in Section 7.6.4.

7.3.2 Social Media

In addition to a project specific website, Terrapure was active on social media throughout the EA process. Through engagement on Facebook (@TerrapureStoneyCreek) and Twitter (@TerrapureSCRF), Terrapure was able to:

- Increase awareness of the project, key dates for consultation opportunities, potential benefits of the project to the community and ongoing operational activities.
- Increase transparency and active communication throughout the EA process.
- Allow Terrapure to engage meaningfully with hard to engage demographics by responding to concerns and comments raised on social media.

Although the SCRF social media accounts received limited attention and followers during the EA phase, there were a few noteworthy engagement moments identified including invitations to the
Public Open Houses, the promotion of the Heritage Green Community Trust funds, and the educational videos.

7.3.3 Educational Videos

In response from comments received from the public, Terrapure created two education videos: Stoney Creek Regional Facility Environmental Protection, and Stoney Creek Regional Facility Waste Acceptance Process. These two videos were developed and published in November 2017. As of July 2018, the Stoney Creek Regional Facility Environmental Protection video received 110 views and the Stoney Creek Regional Facility Waste Acceptance Process received 179 views.

At the third Open House on June 19, 2018, Terrapure released a new video which provided further details about the preferred undertaking. Specifically, the video described the changes from the existing approved to the preferred undertaking including changes to the footprint (i.e., horizontal and vertical alterations), moving on-Site operational infrastructure and phasing plan for landfilling.

7.3.4 Media Relations

At key milestones throughout the preparation of the EA Terrapure engaged with the media to provide updates and answer questions about the progress of the SCRF EA. A representative from the Stoney Creek News was in attendance at each of the Public Open Houses. Following each Public Open House, a related article was published in the Stoney Creek News.

In addition to articles related to the Public Open Houses, Terrapure participated in in-person interviews on Cable 14 News on December 19, 2017, and March 27, 2018.

7.3.5 Toll-Free Telephone Number

The dedicated project specific toll-free telephone number established during the ToR phase and was continued during the EA phase (1 844 898 2380). The purpose of the toll free telephone number was to handle inquiries related to the SCRF EA.

Phone calls received were primarily related to a stakeholder looking for additional information after receiving an invitation(s) to an upcoming Public Open House.

7.4 Agencies

7.4.1 Agencies Consulted

During the ToR, Terrapure consulted broadly with review agencies, including federal departments, provincial ministries and agencies, and regional and local agencies. From the original 18 review agencies contacted¹, only 12 responded with interest in reviewing the ToR. As such, the following 12 agencies were consulted during the preparation of the SCRF EA, including provincial ministries and agencies, and regional and local agencies:

---

¹ The six agencies not included in the SCRF EA confirmed that they would not be involved in reviewing the SCRF EA during the Terms of Reference and requested to be removed from the contact list.
Federal and Provincial Agencies

<table>
<thead>
<tr>
<th>Environment Canada</th>
<th>Ministry of Economic Development and Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Agriculture, Food, and Rural Affairs</td>
<td>Ministry of Natural Resources and Forestry</td>
</tr>
<tr>
<td>Ministry of the Environment, Conservation, and Parks</td>
<td>Ministry of Tourism, Culture, and Sport</td>
</tr>
<tr>
<td>Ministry of Transportation</td>
<td>Ontario Provincial Police</td>
</tr>
</tbody>
</table>

Municipal and Regional Agencies

| Hamilton Conservation Authority | Hamilton-Wentworth Catholic District School Board |
| City of Hamilton: Planning, Economic Development, Water, Public Health, Transportation, Legal, City manager | Hamilton-Wentworth District School Board |

Staff from government ministries and agencies who contribute to the review of the environmental assessment documentation are collectively known as the Government Review Team (GRT).

From the 12 agencies consulted during the preparation of the SCRF EA, some agencies, including the City of Hamilton, the Hamilton-Wentworth District School Board, and the Ministry of Environment, Conservation, and Parks were more substantially interested and involved.

7.4.2 Overview of Consultation Activities with Agencies

A number of consultation activities took place with review agencies throughout the SCRF EA process, including the following:

- Circulation of the Notices of Commencement and Public Open Houses (see Section 7.6.1)
- Four GRT Webinars (see Section 7.4.3)
- Individual meetings (see Section 7.4.4)
- Circulation of draft reports (see Section 7.4.5)
- Circulation of the Draft Environmental Assessment and posting of the Final Environmental Assessment (see Sections 7.8 and 7.9)

7.4.3 GRT Webinars

GRT Webinars were held immediately after Public Open Houses and were an opportunity for agencies to receive an update on the project and ask questions. All members of the GRT received an invitation to participate.
7.4.3.1 GRT Webinar #1

Date: December 8, 2017 at 2:00 p.m.

Attendees:

- City of Hamilton (Community Planning)
- City of Hamilton (Public Health)
- City of Hamilton (Public Works)
- Hamilton Conservation Authority
- Hamilton-Wentworth Catholic School Board
- Hamilton-Wentworth District School Board
- Ministry of Agriculture, Food and Rural Affairs
- Ministry of the Environment and Climate Change (Approvals Branch)
- Ministry of the Environment and Climate Change (West Central Region)
- Ministry of Natural Resources and Forestry
- Ministry of Tourism and Culture

Purpose: Provide agencies with an overview of the project, detail the role of the GRT during the EA, discuss the approval of the Amended ToR and recap on the Public Open House #1, and the next steps for the project.

Questions and Comments:

- A question was raised by the City of Hamilton’s Department of Public Health looking for clarification on what the health assessment will include. Terrapure explained that they will be using the Annual Community Health Review as the basis for the health assessment in this EA.

7.4.3.2 GRT Webinar #2

Date: March 23, 2018 at 2:00 p.m.

Attendees:

- City of Hamilton (Community Planning)
- City of Hamilton (Public Health)
- City of Hamilton (Public Works)
- Ministry of Agriculture, Food and Rural Affairs

Purpose: Provide a project update including presenting the results of the Alternative Evaluation Assessment, the details of the Public Open House #2, upcoming review timelines and next steps.

Questions and Comments:

- None of the GRT members asked questions during this call. The GRT was informed that they would receive an email with an electronic copy of the Draft Alternative Assessment Report, with a specific request to review and provide comment on the relevant technical information by April 27, 2018.

7.4.3.3 GRT Webinar #3

Date: June 20, 2018 at 1:00 p.m.

Attendees:
• Ministry of Agriculture, Food, and Rural Affairs

Purpose: Present the Preferred Alternative and details of the Impact Assessment, discuss cumulative effects and climate change and finally, and provide details for review timelines and next steps for the EA.

Questions and Comments:

• The Ministry of Agriculture, Food, and Rural Affairs had no comments or questions during this call. Terrapure requested the review agencies provide their comments on the Draft Impact Assessment Report by July 20, 2018.

7.4.4 Individual Meetings

In-person meetings and conference calls were held with individual review agencies on an as needed basis to discuss the project and provide project updates. These meetings primarily coincided with key milestones and provided an opportunity for review agencies to discuss their comments on the progress of the SCRF EA including on the Existing Conditions, Alternative Methods, Preferred Alternative, and Detailed Impact Assessment.

Specifically, meetings were held with the following agencies:

<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>Name of Agency or Organization</th>
<th>Meeting Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>24-Nov-2017</td>
<td>Ministry of the Environment, Conservation and Parks</td>
<td>Discuss the upcoming SCRF EA process based on the Amended Approved ToR.</td>
</tr>
<tr>
<td>8-Jan-2018</td>
<td>City of Hamilton</td>
<td>Review and discuss any outstanding comments submitted during the SCRF ToR.</td>
</tr>
<tr>
<td>17-Jan-2018</td>
<td>Ministry of Tourism, Culture, and Sport</td>
<td>Discussion with Terrapure on MTCS’s mandate, a review of the Alternative Methods, and if any of the Alternatives would go beyond the previously disturbed quarry lands.</td>
</tr>
<tr>
<td>1-Feb-2018</td>
<td>Ministry of Agriculture, Food and Rural Affairs</td>
<td>Discussion regarding the Land Use Existing Conditions Report</td>
</tr>
<tr>
<td>13-Mar-2018</td>
<td>Hamilton-Wentworth Catholic District School Board</td>
<td>Present the comparative evaluation on the Alternative Methods and discuss concerns such as traffic, road safety, and increased urbanization</td>
</tr>
<tr>
<td>26-Mar-2018</td>
<td>City of Hamilton</td>
<td>SCRF EA project update and review and discussion of key milestones and review timelines for the City of Hamilton</td>
</tr>
<tr>
<td>20-Apr-2018</td>
<td>Ministry of Environment, Conservation, and Parks</td>
<td>SCRF EA project update with technical review team at the MECP to discuss the Comparative Evaluation of the Alternative Methods and upcoming review timelines.</td>
</tr>
<tr>
<td>1-May-2018</td>
<td>City of Hamilton</td>
<td>Meeting with Mayor to provide an update on the SCRF EA and the involvement to-date by the City of Hamilton staff</td>
</tr>
</tbody>
</table>
7.4.5 Circulation of Draft Reports

Terrapure proactively circulated draft reports to agencies for their review and comment throughout the SCRF EA. This was done to ensure the potential impacts of the undertaking related to their individual mandates were considered and addressed. Specifically, the following draft documents were circulated for review and comment:

  o Received correspondence from: City of Hamilton

- Draft Geology and Hydrogeology Work Plan and Draft Geology and Hydrogeology Existing Conditions Report – December 14, 2017
  o Received correspondence from: City of Hamilton

  o Received correspondence from: City of Hamilton, Ontario Ministry of Agriculture, Food and Rural Affairs, Ministry of the Environment, Conservation, and Parks,

  o Received correspondence from: Ministry of Natural Resources and Forestry

  o Received correspondence from: City of Hamilton, Ministry of the Environment, Conservation, and Parks

  o Received correspondence from: City of Hamilton

- Draft Archaeological and Built Heritage Work Plan – December 14, 2017
  o Received correspondence from: Ministry of Tourism, Culture, and Sport

- Draft Alternative Methods Report – March 29, 2018
  o Received correspondence from: Ministry of Natural Resources and Forestry, City of Hamilton (Council, Planning, Public Works, Legal, Capital Budgets), Hamilton Wentworth Catholic District School Board, Hamilton Wentworth District School Board, Ministry of Tourism, Culture, and Sport, Conservation Hamilton

- Draft Facility Characteristics Report – June 25, 2018
- Draft Air, Odour, and Meteorology Detailed Impact Assessment Report – June 25, 2018
• Draft Geology and Hydrogeology Detailed Impact Assessment Report – June 25, 2018  
  o Received correspondence from: Hamilton Conservation Authority
• Draft Land Use and Economic Detailed Impact Assessment Report – June 25, 2018
• Draft Natural Environment Detailed Impact Assessment Report – June 25, 2018
• Draft Noise Existing Conditions Detailed Impact Assessment Report – June 25, 2018
• Draft Surface Water Detailed Impact Assessment Report – June 25, 2018  
  o Received correspondence from: Hamilton Conservation Authority
• Draft Traffic Detailed Impact Assessment Report – June 25, 2018

7.4.6 Consideration of Comments Received and Issues Raised

In light of the numerous consultation activities carried out by Terrapure with review agencies during the preparation of the SCRF EA, various comments were received reflecting a number of issues. In response, Terrapure considered these comments and attempted in good faith to resolve the raised issues so that both they and the interested person(s) had an agreeable resolution during the SCRF EA.

• As noted in Section 7.4.1, agencies that were more substantially interested and involved included the City of Hamilton, the Hamilton-Wentworth District School Board, Ministry of Agriculture, Food, and Rural Affairs, and the Ministry of Environment, Conservation, and Parks. A summary of the comments received from these agencies and how those comments were considered is described in the following subsections.

• A description of comments received from all review agencies and how they were considered by Terrapure is included in Table 7.1. This table is organized by review agency in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).

7.4.6.1 City of Hamilton

As the host municipality of the proposed SCRF, Terrapure regularly communicated and consulted with various staff and councillors at the City of Hamilton throughout the EA process. The City of Hamilton has particular interest related to traffic, property value, and the visual impacts from the revised height of the proposed capacity increase. Specifically, as a result of this consultation the following changes were made to the SCRF EA:

• Request to include a section that references to the existing compensation agreement as part of the Land Use and Economic Existing Conditions Report.  
  o A section on existing compensation was added.

• The Residential Development Activity should include a reference to residential development proposals currently being reviewed by the City of Hamilton that fall within the Study Area.  
  o Residential Development Activity was added to the Land Use and Economic Existing Conditions Report.

• Change the nearest residential dwelling to 60 m in the Noise Existing Conditions Report  
  o The location of the nearest dwelling was changed to 60 m.

• Reference historical background noise to substantiate the ambient sound level as part of the Noise Control Study in the future.  
  o References to the background noise reports were added.
Add a figure identifying location of approved residential developments to the north, which must be included as a sensitive receptor.
  
  - A figure identifying the residential properties was added to identify as a sensitive receptor.

Request to add within the conclusion section of the Alternative Methods Report, the details for next steps which should include assessing impacts the SCRF EA will have on existing agreements with the City and Heritage Green Community Trust.

  - Terrapure has committed to meeting with the City to discuss the possibility of establishing a new host/compensation agreement in relation to the proposed undertaking.

### 7.4.6.2 Hamilton-Wentworth District School Board

The Hamilton-Wentworth District School Board is proposing an elementary school site located at the northwest corner of Green Mountain Road and First Road West. Presently, it is anticipated that the new school will open by 2023. Their concerns, as was stated during the ToR and reinforced during the SCRF EA, are with any potential adverse effects of the proposal on the planned elementary school including air quality, noise, traffic, groundwater and leachate. In response, potential impacts on the proposed elementary school was assessed as part of the SRCF EA.

### 7.4.6.3 Ontario Ministry of Agriculture, Food and Rural Affairs

During the review of the Land Use and Economic Environment Existing Conditions Report, the Ontario Ministry of Agriculture, Food, and Rural Affairs indicated that they would like to see a list for agricultural lands or farm lands within the report, specifically a list of the farms and farm operations within the Local Study Area.

In response, Terrapure added a section on Agriculture in the Land Use and Economics Existing Conditions Report, including discussion of existing Agriculture properties, types, and uses.

### 7.4.6.4 Ministry of the Environment, Conservation and Parks

As a technical review agency and the coordinator of the Ministry review of the SCRF EA Report, the MECP plays a critical role in the SCRF EA project. Terrapure provided the MECP Project Officer with frequent updates by phone and email, which also provided Terrapure the opportunity to address any concerns or respond to questions from the MECP.
<table>
<thead>
<tr>
<th>Review Agency</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Review Agency</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton Conservation Authority</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td></td>
<td>8-Dec-2017</td>
<td>GRT Meeting</td>
<td>Conservation Hamilton participated in the GRT Meeting #1 Webinar</td>
<td>Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.</td>
<td>8-Dec-2018</td>
<td>GRT Meeting</td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided an email with electronic links to the Conceptual Design, Work Plans and Existing Conditions Reports to review agencies</td>
<td>14-Dec-2017</td>
<td>Email</td>
</tr>
<tr>
<td></td>
<td>19-Jan-2018</td>
<td>Email</td>
<td>Thank you for emailing me the meeting request and advising that you are now a key contact person on the project. We are very appreciated that you are keeping us in loop regarding the project flow. We also understand that it was GHD’s recommendation to setup separate meetings with all interested parties including the Hamilton Conservation Authority. At this stage of the design, we believe that it is not necessary to setup a meeting or teleconference as we will rely on the MOECC and City of Hamilton commenting issues related to surface water quality and quantity controls respectively. However, we would request GHD keeping us informed about further changes in the project including the surface drainage, groundwater and leachate sampling and other monitoring programs. If we will find that it is necessary to discuss project constrains with GHD and owners, we will request a meeting or teleconference.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
</tbody>
</table>
Hi,

It is our understanding that the Assessment of Landfill Expansion Alternatives emailed to us on the 29th of March, 2018, recommends to adopt Alternative 5 for the landfill expansion. It is also our understanding that a PCSWMM model developed for the alternatives comparison demonstrates that the uncontrolled flow volumes will be increased for all range of storm events as a result of the re-development. However, a SWM facility within the landfill likely is intended to provide appropriate quantity control of the surface runoff that can be generated within the landfill. Recommendations related to the surface water quality control and groundwater and leachate management also seem reasonable. Therefore, we have no further comment on the selected alternative.

Please continue keeping us informed about the project updates.

Thanks

Good Morning,

Thank you for the email and we appreciate your engagement in this process.

We will continue to provide you applicable documents and keep you informed of any project updates.

Have a great day!

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018.

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018.

Good Morning,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest report for review. For the last several months our Technical team has been assessing the expansion options (6 total) and Terrapure recently hosted a public open house (March 22, 2018) to present the technical assessment of the alternative options and to let the public know that the most preferred option from a technical, environmental, social and economic perspective is Option #5. Over the next several weeks Terrapure will be receiving feedback on the selected option from the public and the technical review team and will then begin a detailed impact assessment of the preferred Option (Option 5).

I have attached the Draft Alternative Methods Report for your review and comment. This report provides a description of each of the potential expansion Options and also summarizes the technical/environmental analysis of each of the Options. Detailed analysis supporting the results can be found in Appendix B of the report. We would appreciate your review and comments by April 27th, 2018.

In addition if you would like to view any additional materials/reports please go to the project website here: http://www.terrapurestoneycreek.com/document-library/

Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018.

Good Afternoon,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the
proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:

Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

N.A  N.A  N.A

I am contacting you because you received the email below a few weeks ago providing an update on the Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports).

As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018.

Thank you for your interest and engagement in this project.

18-Jul-2018  Email

We provide the following comments for your consideration
1. Calculations supporting the sediment settling and dispersion lengths are recommended to demonstrate that the forebays are designed as per the MOE Guideline, 2003 recommendations
2. The MOE Guideline, 2003 recommends to demonstrate that the drawdown time does not exceed 48 hours.
3. It is recommended to check velocities in the forebays as per the MOE Guideline, 2003 in order to demonstrate that the average velocity in both forebays is less than 0.15m/s.
4. It is recommended to discuss whether or not hydrocarbons from the truck/wheel wash area will discharge to the SWM facility, and if so, is any additional treatment proposed?
5. A safe overland spillway from the pond is recommended to divert flows that may exceed the 100-year storm event or in case of the system clogging.
6. The stability of the berm separating the SWM pond from Green Mountain Road West and First Road West may need to be investigated in order to demonstrate that the berm is designed to withstand the anticipated hydrostatic and hydrodynamic forces.

Aug-2018  Email/Letter
We have no comments on the hydrogeology report.

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Details</th>
<th>Email Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</td>
<td>17-Nov-2017</td>
<td>Email &amp; Mailed Letter</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 on December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017</td>
<td>28-Nov-2017</td>
<td>Email</td>
</tr>
<tr>
<td>5-Dec-2017</td>
<td>Email</td>
<td>Thank you! I think we have about 7 people who intend on coming so far.</td>
<td>5-Dec-2017</td>
<td>Email</td>
</tr>
<tr>
<td>7-Dec-2017</td>
<td>Open House</td>
<td>Terrapure hosted the SCRF EA Open House #1</td>
<td>7-Dec-2017</td>
<td>Open House</td>
</tr>
<tr>
<td>8-Dec-2017</td>
<td>GRT Meeting</td>
<td>City of Hamilton Staff participated at the GRT Meeting #1 webinar</td>
<td>8-Dec-2017</td>
<td>GRT Meeting</td>
</tr>
<tr>
<td>14-Dec-2017</td>
<td>Email</td>
<td>Thank you for this information. Attached is a draft copy of the summary of comments comparing our March 10th, 2017 comments to the approved ToR. I am expecting potentially some more comments from staff so this is still a draft chart. Once I have heard back from everyone I will send an updated version to you so you have time to prepare for the January 8th meeting with City staff.</td>
<td>14-Dec-2017</td>
<td>Email</td>
</tr>
<tr>
<td>8-Jan-2018</td>
<td>Meeting</td>
<td>Purpose of the meeting was to meet with representatives from the City of Hamilton to review and discuss outstanding comments previously submitted by the City on the SCRF ToR</td>
<td>8-Jan-2018</td>
<td>Meeting</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In addition, the group discussed ideas for how Terrapure can consult with new residents in Empire Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Overview of City’s Comments Received: GHD and Terrapure reviewed the written responses to the 11 comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Visual Impacts: Question on if fencing will be part of the solution. Terrapure indicated that ideally berms and vegetation is better.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Draining, servicing impacts, and future urbanization: On the 20 years of reporting of surface quality monitoring completed by Terrapure that gets distributed to Matt Lawson at the City who hires a toxicologist to review and who has never had any issues</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transportation and Traffic: About the current average truck traffic being between 70-80 trucks/day with a 250 max.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Terrapure provided the City with an update on the status of the SCRF EA and went through the comments response table submitted by the City. Terrapure answered and discussed any outstanding questions for clarification.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Discussed the need for a review of current agreement with City of Hamilton: Terrapure and the City can continue to have discussions although they are subject to the approval of the EA and noted that the MOECC has not been involved in these previous discussions.

Discussed submission timeline for the EA:

Next Steps: The City representatives will provide comments on the Draft Existing Conditions Report by the end of January 2018

8-Jan-2018 Email

Thank you for coming in today and addressing the comments and questions from staff directly. Please send me a PDF copy of your PowerPoint presentation to circulate to the City Staff. I will be setting up another meeting in three weeks for staff only, to consolidate our comments regarding your draft existing conditions reports. All feedback received will be communicated to you directly at the end of the month.

With regards to further public consultation to residents who are not yet living in the area, we agree with Sally’s suggestion that having a notification sign (similar to a development application notification sign) posted in an area of the site that is visible to future residents driving by is the most efficient. Many home buyers check out the progress of their property every few weeks in anticipation of their move-in date and hopefully they will notice the sign when they swing by.

Please find attached formal responses from Terrapure to the comments provided in your December 14, 2017 email.

Let me know if you have any questions or concerns.

26-Jan-2018 Email

Impacts on approved and planned residential development to the north of the facility if a reduced distance between the residual material and the residential developments is approved by MOECC:

- The EA should include the Holding Zone as one of the indicators in the evaluation criteria regarding the “Effect on Existing Land Uses” and “Effect on approved/planned land uses”.
- “Effect on approved/planned land uses” is not included in the Land Use Work Plan, but is included in Appendix D-7 Economic Environment Work Plan, unclear why the differentiation is made under the Economic Environment Work Plan but not the Land Use Work Plan
- Preliminary study area boundary is 1.5 km (1500 metres), which is beyond the former 160 metre holding zone radius

- The areas within the holding zone are included as “approved/planned land uses”.
- The “effect on the approved/planned land uses” is included in the Economic Environment Work Plan and reflects the “environment” definition in the EA Act & MOECC’s Code of Practice
- Correct, the study area boundary is 1.5km

14-Dec-2017 Email/Letter

Need for a Landfill Impact Assessment to be carried as part of the EA:

- Staff requests that 6.2.6.2 Investigative Studies should include a Landfill Impact Assessment, or similar detailed study regarding the potential effects and compatibility of the Alternative Methods on the approved residential developments north of Green Mountain Road West.
- The list provided in 6.2.6.2 does state, “The investigative studies include, but are not limited to, the following…”

- The Land Use and Social Environment Existing Conditions report include details on the Landfill Impact Assessment
- For context purposes, in 2010, a Landfill Impact Assessment (LIA) was completed by the owner of lands to the north of the SCRF as part of the draft plan of subdivision conditions. This LIA was prepared by MTE Consultants, peer reviewed (at the request of the City) by AMEC and submitted to the City to satisfy the condition to develop lands to the north of the SCRF as residential housing.
- The LIA determined that no mitigation measures were required to be placed on the proposed development lands beyond 500 m from the limit of fill at the SCRF, which under the SCRF’s original approval which was in place at the time was 30 m from the property boundary. Therefore, the
current potential proposed changes to the SCRF should not affect the clay barrier requirements. Regardless, it should also be noted that Terrapure revised the ToR to include additional alternative methods for consideration in the SCRF EA.

- Terrapure is carrying out studies that will evaluate the potential effects on the environment, similar to the types of studies that would be undertaken through an LIA. The key difference is that an LIA is undertaken by a developer wishing to develop residential properties within close proximity to an existing or closed landfill, while Terrapure is subject to the Ontario Environmental Assessment Act and the process laid out in this legislation and O. Reg. 101/07 (Waste Management Regs).

Visual Impacts: A comprehensive visual impact assessment must be included in the EA:

- Visual impacts from increased height of the landfill must be studied in detail. Staff requests that 6.2.6.2 Investigative Studies should include a “detailed visual assessment”. Is included in the Land Use Work Plan Appendix D-4, but not as an Investigative Study
- Niagara Escarpment Commission (NEC) should be contacted regarding any proposed changes to the maximum height and associated visual impacts.

- As part of the SCRF EA, a visual assessment will be carried out, where view sheds will be analyzed and appropriate screening measures determined. Screening measures may include earth berms, vegetation, and fencing, which would be used to ensure that views of the SCRF are minimized/mitigated from the surrounding community. Detailed visual assessment is included as part of Land Use Investigative Study
- The NEC was notified of the commencement of the SCRF EA Terms of Reference (ToR) process and was invited to comment on the Draft ToR. The NEC has confirmed that the SCRF is not located within the Niagara Escarpment Plan Area and is outside the area of Development Control. For this reason, the NEC has indicated that they will not be commenting on the draft ToR.
- The NEC correspondence is found in the Record of Consultation of the Minister Approved ToR.

Air Quality and Noise Impacts:

- The dwellings in the approved residential development to the north side of Green Mountain Road must be considered as “sensitive receptors” in these studies. Not specifically included, but Appendix D-5 Table 5.1 states the following under indicators, “Number of off-site receptors potentially affected (residential properties, public facilities, businesses, and institutions)”

- Residences in Empire Victory residential development are included as sensitive receptors in the noise and air quality existing conditions reports and will analyzed as part of the alternative methods evaluation as well.

Financial Assessment. An assessment of potential changes in property value and assessment value must be included in the EA:

- Evaluation and indicator criteria does not specify temporary and/or long-term impacts to approved and planned land uses
- Evaluation and indicator criteria does not specifically include an assessment of potential changes to residential property value

- Areas within the holding zone are included as “approved/planned land uses”.
- In April 2017, Terrapure committed to working with the City of Hamilton to design a property value assessment (e.g., research, consult with experts – land economists, etc.) for implementation during the Impact Assessment of the Preferred Method stage of the SCRF

Drainage, servicing impacts, and future urbanization of roads abutting the subject lands:

- The Surface Water Resources work plan does not include a potential spillage contingency plan.
- The Surface Water Resources work plan does not speak about future water quality and quantity monitoring plan.

- Existing Stormwater Contingency and Remedial Action Plan is in place in accordance with ECA 5400-7DSSHU
- Please refer to Surface Water Existing Conditions Report for the monitoring plan

Transportation and traffic, specifically the items expected to be addressed during the EA phase:

- The Traffic Impact Analysis boundaries are 1.5km
- There is no change proposed to the maximum number of vehicles to the site per day or annually.
- Transportation work plan does not explicitly state in the boundaries of the traffic impact analysis, but it is assumed that it will be the same as the preliminary study area for the SCRF EA which extends 1500 m (or 1.5 km) from the four roads that border the existing SCRF (i.e., Upper Centennial Parkway to the east, Mud Street West to the south, First Road West to the west, and Green Mountain Road West to the north) (page 23 of the PDF or 31 of PDF)
- Specific truck routes are not identified in Transportation work plan
- Transportation is listed in the list of Investigative Studies (p. 34 or 42 of PDF)
- Truck Route Master Plan is not identified in work plan
- Pedestrian and cyclist impacts are not identified in work plan
- Clarity on if the work plan will assess ultimate service ability versus predicted service

Source water protection, specifically the items expected to be addressed during the EA phase:
- The Geology and Hydrogeology work plan does not clearly outline leachate collection system and future leachate chemistry monitoring details as requested in City’s previous comments
- Further details regarding future monitoring plan for all monitoring stations has not been included
- Work plan appears to be relying on existing data and not additional field work investigation. The work plan should include additional geology and hydrogeology investigation (borehole work) to document existing/baseline conditions of groundwater systems
- Work plan does not include groundwater quantity impact assessment

Confusing/conflicting information on the total amount of waste/fill:
- The SCRF’s total approved disposal capacity under the Environmental Protection Act (EPA) approvals is 6,320,000 m³ for residual materials, with an additional allowance for acceptance of approximately 2,000,000 m³ of industrial fills/sols, for a site total of 8,320,000 m³
- Increasing the approved capacity of the SCRF by 3,680,000 m³ additional post-diversion solid, non-hazardous industrial residual material
- The limit in question relates to residual material waste
- The proposed undertaking is an expansion of the existing SCRF so as to increase its approved capacity by 3,680,000 m³ to receive additional post-diversion solid, non-hazardous industrial residual material.

EA Process: Pre-determination of the “Alternatives To” and the exclusion of a null option:
- “Null Option” was added - Section 5.1 Description of the Alternative Methods of Carrying Out the Undertaking (p. 22 or p. 30 of PDF)
- It is not explicitly listed as an alternative that will be evaluated through the EA process. It appears the 6 alternatives remain the same and that the “Null Option” is considered a base for comparison only
- “Null Option” is included to represent the benchmark
- The “Do Nothing” option does not address the Purpose of the Undertaking and is therefore not a viable option; however it will be utilized in the alternative methods evaluation as a benchmark against all other alternative methods.

Need for a review of current agreements with City of Hamilton:
- The Economic work plan does refer to defining costs of services to customers and economic benefits to local

- The service ability is addressed in the Existing Conditions report
- With respect to pedestrian and cyclist impacts, this will be factored in to the potential for traffic collisions indicator.

- For the leachate collection system and future chemistry monitoring details, please refer to the Geology and Hydrogeology Existing Conditions Report
- Additional future monitoring, if required, will be identified as part of the Impact Assessment
- No additional borehole work is anticipated based on existing groundwater monitoring well network
- Effect on groundwater flow is included as an evaluation criteria

- Terrapure is willing to review these specific arrangements with the City while the SCRF EA is being carried out.
municipality, which may capture reviewing existing compensation agreements. Clarification is needed - The Economic work plan does not directly address the impacts to existing compensation agreements nor does it mention revisiting them

- Any revisions to the Trust and Royalty Program would be subject to EA Act approval being received from the Minister for the Proposed Undertaking

A figure that indicates the location of receptors will be added within the 1.5 km of site. Indicating receptors at the 5.0 km mark fall outside of the Preliminary Study Area identified in the Minister Approved Terms of Reference. Further, given the type of facility, the operational data and through professional air quality experts, the 1.5 km preliminary study is determined to be appropriate and reasonable to establish existing conditions to complete an effects assessment. The Air Quality team will undertake dispersion modelling using MOECC guidance regarding receptor spacing and extent (ADGMO v3, February 2017, PBs #516#03) within the 1.5 km study area. The sources at the SCR复杂的 Ground-based (re-suspended road dust, material handling by trucks, loaders, and dozers), therefore maximum predicted concentrations are anticipated to be predicted on or very near the property boundary. The property 1.5 km radius out from the property boundary is anticipated to fully encompass the region most likely to experience any potential effects from site operations as it relates to air quality.

The Economic work plan does not directly address the impacts to existing compensation agreements nor does it mention revisiting them.

Air and Odour Existing Conditions Report & Atmospheric Environmental Work Plan: Include a figure that indicates the location of receptors within 1.5 km and 5.0 km of the subject site.

A figure that indicates the location of receptors will be added within the 1.5 km of site. Indicating receptors at the 5.0 km mark fall outside of the Preliminary Study Area identified in the Minister Approved Terms of Reference. Further, given the type of facility, the operational data and through professional air quality experts, the 1.5 km preliminary study is determined to be appropriate and reasonable to establish existing conditions to complete an effects assessment. The Air Quality team will undertake dispersion modelling using MOECC guidance regarding receptor spacing and extent (ADGMO v3, February 2017, PBs #516#03) within the 1.5 km study area. The sources at the SCR复杂的 Ground-based (re-suspended road dust, material handling by trucks, loaders, and dozers), therefore maximum predicted concentrations are anticipated to be predicted on or very near the property boundary. The property 1.5 km radius out from the property boundary is anticipated to fully encompass the region most likely to experience any potential effects from site operations as it relates to air quality.

Geology & Hydrogeology Existing Conditions Report & Work Plan: There should be consideration/discussion regarding future growth as there are several developments approved yet to be built, and other development proposals under review.

Future growth and development is considered and discussed within the Land Use report and will be assessed further during the Alternative methods evaluation and impact assessment stage of the EA.

Geology & Hydrogeology Existing Conditions Report & Work Plan: There should be consideration/discussion regarding future growth as there are several developments approved yet to be built, and other development proposals under review.

Future growth and development is considered and discussed within the Land Use report and will be assessed further during the Alternative methods evaluation and impact assessment stage of the EA.

Land Use and Economic Environment Existing Conditions Report & Work Plan: Include a section that references existing compensation agreements with the City of Hamilton.

A section on the existing compensation agreements will be added.

Land Use and Economic Environment Existing Conditions Report & Work Plan: There is no reference to conducting a Visual Impact Assessment of the 6 alternative methods. Utilize the baseline photographic information collected from selected visual receptors/point areas and show a superimposed visual change to the landscape based on each proposed alternative method and mitigative measures to manage potential impacts (i.e. screening, buffering/filtering) at each viewpoint.

We agree with your comment and provided existing viewsheds within the Land Use and economic conditions report. We have also completed renditions for each of the footprint options from various viewsheds, which were presented at Public Open House #1 and are available on the project website.

It should be noted that visual impacts will be considered during the alternative methods evaluation stage, which will also identify visual mitigation measures.

Land Use and Economic Environment Existing Conditions Report & Work Plan: Residential Development Activity section should also include reference to residential development proposals currently being reviewed by the City of Hamilton within the study area:

- UHOPA-17-01/ZAC-17-001 – 15 Ridgeview Drive – 97 Units
- ZAC-17-077 – 50 Green Mountain Road West – 189 Units
- ZAC-16-056 – 157 Upper Centennial Parkway – 52 Units
- UHOPA-16-27/ZAC-16-068 – 464 First Road West – 135 Units
- More information can be obtained at map.hamilton.ca/development

Residential development activity will be added to the report.

Noise Existing Conditions Report: On page 2 the report states that the nearest residential dwelling is 100 m northeast of the property. On page 5 the report states that the nearest residential

The location of the nearest dwelling will be corrected to 60 m.
building is 120 m from the property. Both of these comments are incorrect. The nearest residential dwellings are located approximately 60 m to the south of the property.

**Noise Existing Conditions Report:** On page 5, the report identifies “historical background noise studies” indicated the ambient sound levels to be 63dBA to 67 dBA. These “historical background noise studies” should be identified, and the data must be provided to substantiate the ambient sound level as part of the Noise Control Study in the future.

**Noise Existing Conditions Report:** A figure identifying the locations of the recently approved residential developments to the north, which must be included as sensitive receptors, should be provided.

**Reference to the background noise reports will be added.**

**A figure identifying the residential properties will be added and identified as sensitive receptors.**

**Surface Water Existing Conditions Report & Work Plan:** Relying too heavily on secondary sources (previous studies) to establish existing conditions

Terrapure collects monitoring data on an annual basis and has done so for over 20 years. Therefore, the existing conditions report for surface water is based on both primary and secondary sources. Copies of the Annual Monitoring Report are provided to both the MOECC and the City of Hamilton for review. During the Alternative methods evaluation and the impact assessment stages of the EA, predictive modelling will be undertaken to determine the overall net effects and impacts to Surface Water.

**Traffic Existing Conditions Report & Transportation Work Plan:** No comments

**Natural Environment Existing Conditions Report & Terrestrial Aquatic Environment Work Plan:** No comments

**Design & Operations Work Plan:** No comments

**Acknowledged**

**Miscellaneous Comments:** Staff feel strongly that there should be signage on Terrapure’s site, similar to that of a development application sign to notify new home owners who are not yet living in the study area of the EA process underway (as discussed in the January 8th meeting with City Staff)

Thank you for the suggestion. As we discussed with the City, Terrapure has been exploring a number of potential ways to communicate with new homeowners in the study area, in the interest of being as transparent as possible in sharing information with potentially interested stakeholders.

**Thank you for the suggestion. Upon considering the concept of providing push SMS notification, we do not believe it is technologically possible nor legal to track the location of mobile phone users without their permission or send mobile phone users unsolicited SMS messages.**

I am emailing because we would like to schedule a meeting with you, Christine and Steve to go over a few items regarding the Terrapure SCRF EA. Some of the items we would like to discuss include:

- Review of comments/responses on draft existing conditions, address any outstanding comments/questions;
- Review project schedule and review timeline for upcoming reports; and,
- Discuss content of upcoming Public Open House #2 on March 22, 2018

Please provide a time and location that works for you, Christine and Steve and let us know if you have any other items you would like to discuss. One hour should be sufficient to go over these items.

**01-Mar-2018**

**Email**

**Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018**

**22-Mar-2018**

**Open House**
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Details</th>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>23-Mar-2018</td>
<td>GRT Meeting</td>
<td>City of Hamilton Staff participated in the GRT Meeting #2 Webinar.</td>
<td>23-Mar-2018</td>
<td>GRT Meeting</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The purpose of the meeting was to provide a project update including presenting the results of the Alternative Evaluation Assessment, the details of the Public Pen House #2, upcoming review timelines and next steps.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26-Mar-2018</td>
<td>Meeting</td>
<td>Purpose of the meeting was to discuss remaining key milestones and timelines for review by the City of Hamilton. The City of Hamilton highlighted specific key dates including the planning committee meeting in September 2018 and a reminder for the upcoming municipal election.</td>
<td>26-Mar-2018</td>
<td>Meeting</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Terrapure provided details of the progress of the SCRF EA including anticipated remaining timelines and review milestones.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A</td>
<td>30-Mar-2018</td>
<td>Email</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thanks again for taking the time to meet with us on Monday. As mentioned, here are the key milestone dates we are driving towards for your internal planning purposes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Comments back from GRT/Stakeholders on Recommended Option – April 27</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Public Open House to present detailed design and impact assessment results – Second last week of June</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Draft EA Report – published in late August to late September (6 weeks)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Revise Draft EA Report based on comments received from GRT/ Stakeholders – Nov-Dec (Oct would be used for receiving comments on Draft)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Finalize and submit EA to MOECC – 1st week of Jan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19-Apr-2018</td>
<td>Email</td>
<td>Thank you for sending this. I will ensure staff and Councillors receive it. Please find attached the a matrix of the visual renderings as you requested. It has also been uploaded to the website document library here: <a href="http://www.terrapurestoneycreek.com/document-library/">http://www.terrapurestoneycreek.com/document-library/</a> I hope this is what you were looking for and can assist in showing what each of the options would look like more easily to city staff and councilors. Let me know if you have questions.</td>
<td>19-Apr-2018</td>
<td>Email</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email</td>
<td>Please see the attached PDF letter containing staff comments regarding the latest Draft Alternative Methods Evaluation Report. Let me know if you have any comments or need clarification on anything. I just wanted to send a friendly reminder that the comments on the Alternative Methods Report are due back to us by this Friday April 27th 2018. Please let me know if you have questions/concerns.</td>
<td>23-Apr-2018</td>
<td>Email</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A</td>
<td>24-Apr-2018</td>
<td>Email</td>
</tr>
<tr>
<td></td>
<td></td>
<td>As part of our commitments made during the Terms of Reference (ToR) phase of the EA we committed to working with the City of Hamilton to determine financial value/assessment of the properties surrounding the landfill and how they are/have been potentially impacted. We committed to completing this research and findings during the next phase (Impact Assessment) of the EA and therefore is something we would like to get started on very soon given the tight schedule. Attached is the comment (last row) from the City as well as our response/commitment. To get the ball rolling, I think it may be best to set up a phone call or in person meeting so that we can determine the best approach for completing this research. Let me know your thoughts and we can go from there.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01-May-2018</td>
<td>Meeting</td>
<td>Meeting with the City of Hamilton and the Mayor to provide an update on the process, the recommended option selected, what we heard from the public at the 2nd Open House. City staff provided the details to the Mayor regarding the comments submitted on the Draft Alternative Methods Report. Discussed the terms of the existing Royalty Program. Terrapure provided an update on the status of the SCRF EA progress and answered clarifying questions</td>
<td>1-May-2018</td>
<td>Meeting</td>
</tr>
<tr>
<td>Date</td>
<td>Type</td>
<td>Recipient</td>
<td>Comment</td>
<td>Response</td>
</tr>
<tr>
<td>------------</td>
<td>---------------</td>
<td>----------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email/Letter</td>
<td>City of Hamilton – Council Members</td>
<td>Council have expressed concerns that a null and void option was not reviewed as a 7th Alternative Option for base comparison purposes.</td>
<td>Thank you for your comment. Within the Alternative Methods Report a ‘do nothing’ or “null and void” option was discussed in Section 4.1.1. The “Do Nothing” option was used as a matter of best practice, in order to establish a “benchmark” when evaluating and assessing the advantages and disadvantages of 6 alternative landfill footprint options (Alternative Methods) that were considered and evaluated. While the ‘do nothing’ option was included and assessed as described above, it should be noted that it does not address the Purpose of the Undertaking as described in the Approved Amended Terms of Reference and therefore is not a viable option. The Do Nothing option was also assessed during the Terms of Reference as part of the Alternatives To/Options to address the economic opportunity, which was included as Supporting Document #1 to the Amended ToR.</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email/Letter</td>
<td>City of Hamilton – Planning and Economic Development Department, Community Planning Section, Development Planning Section</td>
<td>Within the conclusion section of this report there should be a section regarding next steps which should include assessing impacts this EA will have on existing agreements with the City and Heritage Green Community Trust. It is imperative that this be reviewed as part of the Environmental Assessment process.</td>
<td>Thank you for your comment.</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email/Letter</td>
<td>Public Works Department, Environmental Services</td>
<td>From a technical standpoint, staff have no issues with the listed options. Thank you for your comment.</td>
<td>Planning and Economic Development Department, Infrastructure Planning: Overall we concur with their preferred option 5 as this option allows Terrapure to achieve their economic goals while minimizing impacts. Thank you for your comment.</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email/Letter</td>
<td>Public Health, Health Hazards Program</td>
<td>Public Health Services’ staff have reviewed the report “Draft Alternative Methods Report Assessment of Landfill Expansion Alternatives” for the Stoney Creek Regional Facility Environmental Assessment and provide the following comments: 1. The Evaluation of expected human health impact, based upon indicators of leachate, groundwater, surface water, and soil quality for all alternative options are expected to have no net effect on human health. 2. The evaluation of expected human health impacts based upon the indicator of air quality indicates that “option 5” is preferred. That said, all alternative options are indicated to present “low potential for adverse effects with the continuation of the existing site’s mitigation measures augmented with additional Best Management Practices, where proposed, and on-going monitoring.” 3. If summary tables or charts for modelled end values be included for all 6 options. Parameters would include Pm2.5 and 10 and Tsp and VOCs. Full modelling datasets are not required.</td>
<td>Thank you for your comment. Summary tables including parameters of Pm 2.5 and 10 and Tsp and VOCs will be provided at the detailed impact stage/assessment for the preferred alternative (Alternative #5) once further modeling has been undertaken.</td>
</tr>
<tr>
<td>24-May-2018</td>
<td>Email/Letter</td>
<td>City Manager’s Office, Dispute Resolution Section (Legal Services):</td>
<td>The EA should consider revisiting the Compensation Agreements as part of the proposed reconfiguration of the site.</td>
<td>As the existing agreements relate to the current approvals at the SCRF and therefore come to an end when the current capacity for residual materials is reached, Terrapure has committed to meeting with the City to discuss the possibility of establishing a new host/compensation agreement in relation to the proposed undertaking. We understand that a meeting between Terrapure and the City (through Finance and Legal departments) is being coordinated to occur within the next few weeks.</td>
</tr>
<tr>
<td>Date</td>
<td>Subject</td>
<td>Details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19-Jun-2018</td>
<td>Open House</td>
<td>City Staff attended the SCRF EA Open House #3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 20-Jun-2018 | Email                                                                  | I have a meeting from 9 – 12 on Tuesday. So could one of the following work:
9 – 10 am Wednesday June, 27th
9 – 10 am Thursday June, 28th
10 - 11 am Thursday June, 28th                                                                                                                                                                                                                                         |
| N.A.      | N.A.                                                                   | Good Afternoon,
I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:
Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

Draft Detailed Impact Assessment Reports for the Preferred Option
<table>
<thead>
<tr>
<th>N.A.</th>
<th>N.A.</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-Jun-2018</td>
<td>Email &amp; Mailed Letter</td>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018</td>
</tr>
<tr>
<td>19-Jun-2018</td>
<td>Open House</td>
<td>Terrapure hosted the SCRF EA Open House #3</td>
</tr>
</tbody>
</table>
| 20-Jun-2018 | Email                                                                  | For the update call/webinar as we discussed last night how is next Tuesday (26th) sometime between 9am and 2pm or Wednesday (27th) at 2pm. We would need an hour.
Let me know what works best for you and other staff. Below is the agenda and presentation content:
Agenda Items:
1. Welcome and Introductions
2. EA Process
3. Summary of Technical Work/Reports
4. Preferred Option
5. Detailed Impact Assessment Results and Mitigation Measures
6. Cumulative Effects and Climate Change
7. Overview of Open House # 3
8. Upcoming Review/Project Milestones
9. Questions and Discussions                                                                                                                                                                                                                                          |
| 25-Jun-2018 | Email                                                                  | Email                                                                                                                                                                                                                                                                                                                                  |
| N.A.      | N.A.                                                                   | Email                                                                                                                                                                                                                                                                                                                                  |
We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

### Meeting Notes

#### 28-Jun-2018 Meeting

The City of Hamilton and City councillors asked clarifying questions about the status of the project, upcoming review timelines, and the detailed impact assessment results. Some of the discussion questions included:
- Can you elaborate on the timeframe for MOECC review and process?
- Can you provide the visual cross sections and explain them?
- Can you explain progressive capping and when you will begin the process?
- Have you done a Traffic Impact Study?
- How did you come up with 2.5m? Can you reduce to 1.5m?
- Is there any way to restrict the truck limit to around 100 per day instead of 250?
- How often have you reached the 250 limit or how close have you gotten?
- Will the Heritage Green Community Trust be discussed?
- What about assessing property value and property taxes?
- How was this done?

Terrapure presented the EA process, the technical work completed, the detailed impact assessment of the preferred option, how cumulative effects and climate change were incorporated as well as an overview of the Open House #3 and the upcoming project milestones and next steps. In addition, Terrapure answered questions asked by City of Hamilton staff and councillors.

#### EA Phase Timeline

<table>
<thead>
<tr>
<th>Phase</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-submission or Draft EA</td>
<td>Terrapure committed to a pre-submission/draft in the Terms of Reference. This will be for 5 weeks for review and comment by stakeholders (including the City, comments come directly to Terrapure) August 24th 2019 to September 28th 2018.</td>
</tr>
<tr>
<td>After Pre-submission</td>
<td>Terrapure will make changes and addresses comments on draft EA to finalize for submission October 1st 2018 to December 2018.</td>
</tr>
<tr>
<td>Final EA</td>
<td>Final EA is submitted with the Notice of Submission – 7 week review period for stakeholder review of Final version of EA from date of Notice (City will provide comments to MOECC at this time) Jan 4th 2019 to Feb 22nd 2019. Notice of Completion of Ministry Review of EA – 5 week review period for Ministry to review Final EA and the comments received during the 7 week period, Ministry posts their review (in the form of a review document) at the end of 5 week period. The review is focused on things like, did the proponent undertake the EA in accordance with the approved Terms of Reference, what are advantages/disadvantages to the environment, what consultation was undertaken and how was it incorporated into the EA, etc) Feb 22nd 2019 to March 29th 2019.</td>
</tr>
</tbody>
</table>
Public Inspection of Ministry Review – 5 weeks for public to comment on the Ministry’s review (City can comment here as well)  
March 26th 2019 to May 3rd 2019  
Minister Review and Decision - Minister has 13 weeks after the 5 week public inspection period to make a decision  
May 3rd 2019 to August 2nd 2019

<table>
<thead>
<tr>
<th>N.A.</th>
<th>N.A.</th>
<th>N.A</th>
</tr>
</thead>
</table>

I wanted to just send a friendly reminder that we are looking to get any comments and feedback on the detailed impact assessment reports for the SCRF EA by this Friday July 20th 2018. Thank you for coordinating and let me know if you need anything for me.  
18-Jul-2018 Email

20-Jul-2018 Email/Letter

Planning and Economic Development Department, Community Planning Section, Development Planning Section:  
In the Traffic Detailed Impact Assessment Report (Draft for Discussion), prepared by GHD, dated June 19, 2018, the summary of 7.1 Potential Effects on Traffic, states that with the 2023 future conditions intersection analysis, the operational impact is expected to be negligible. The current maximum allowable vehicles today is 250 vehicles, whereas the site currently receives on average 100 vehicles per day. Please provide more detail on the analysis leading to the opinion that increasing the vehicular traffic by 1.5 times will be negligible.

Planning and Economic Development Department, Community Planning Section, Development Planning Section:  
With regards to the Noise Detailed Impact Assessment Report (Draft for Discussion), prepared by GHD, dated June 19, 2018, the following comments and questions should be addressed:

- A Noise Impact Assessment must be signed and stamped by a qualified professional, preferably an engineer specializing in environmental acoustics. Ensure that future versions meet this requirement.

- Please provide the background noise studies which were conducted to identify the ambient sound level of 62 dBA based on local traffic volumes. This is critical because the measured sound levels at POR 1 exceed the MOECP sound level limit but are deemed to comply with the ambient sound level limit of 62 dBA. The background study needs to be reviewed to confirm the ambient sound level.

- Page 8 identifies POR 3 as being located approximately 130 m south of the site. It appears that POR 3 is actually 60 m south of the site limits. Please clarify.

- Please provide the CadnaA modelling information which was used to calculate the sound levels at each POR. This should be provided as an appendix to the report.

- Table 6.1 on page 16 - is the site specific noise limit 62 or 63 dBA? On page 5 it was listed as 62 dBA, but the table indicates both values. Again, this stresses the need for the background noise studies, as indicated above, to clarify the ambient sound level limit.

- The study concludes that noise mitigation measures will not be required. However, the previous study ‘Draft Appendix “C” to Report PED16184(b)’ page 350 of 416
- Methods Report Assessment of Landfill Expansion Alternatives, March 22, 2018 had identified that noise mitigation in the form of a berm on the north side would be required for any of the options. Please provide further explanation.

- Page 18, section 6.3 Net Effects, includes the statement “There are some residences to the north which may experience a noise level increase of +5 dBA from the existing conditions”. This is vague -which residences will be impacted (how many), and does this require mitigation? Impacted residences should be plotted on a figure.

Public Works Department, Source Water Protection:
The following comments are provided regarding the Geology and Hydrogeology Impact Assessment Report and the Design & Operations Detailed Impact Assessment (Draft for Discussion), both prepared by GHD, dated June 19, 2018:

- Clay Liner construction details should be provided discussing how the liner was continued after being capped. What Quality control or testing was completed to ensure seamless construction and similarly of source material.

- Off-Site domestic water quality information should be provided to Hamilton Water, Source Water Protection.

- Details pertaining to the establishment of true background water quality and RUC calculations should be provided.

- Clay liner leachate compatibility testing should be provided. Clay liner hydraulic performance under the range of pressures associated with the range of waste depths proposed should be assessed.

Planning and Economic Development Department, Real Estate:
The Land Use and Economic Detailed Impact Assessment Report (Draft for Discussion), prepared by GHD, dated June 19, 2018, appears to have gaps within the analysis regarding tax and property valuation impacts. During the draft Terms of Reference phase, staff had recommended that Terrapure and its consultants undertake some research on the impacts of landfill developments on property value and consult with an expert such as a Land Economist. It was recommended that they also include an assessment of the impact on the City’s tax assessment base. Further, it was recommended that they engage a land economist and an appraiser to complete this detailed analysis.

Public Health, Health Hazards Program:
At this point Public Health Services staff has no formal detailed comments as it deals with the environmental technical reports. However, future comments may be expected upon our review of the modified Human Health Risk Assessment Report (HHRA).

Corporate Services (Capital Budgets):
There are no comments regarding the draft detail impact assessments. However, we express that future discussions regarding compensation agreements should consider the details of the preferred alternative option and design and these agreements should be finalized before the completion of the EA

City Council:
Restated that their position on the SCRF size and configuration is according to the Environmental Compliance Approval (ECA) No. A181008, as amended in 2013.

Thank you for your comment.

Thank you for your comment.
Furthermore, Council does not support any expansion and reconfiguration of the proposed facility and they have expressed concerns that a null and void option was not reviewed as a 7th Alternative Option for base comparison purposes.

<table>
<thead>
<tr>
<th>Hamilton-Wentworth Catholic District School Board</th>
<th>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</th>
<th>17-Nov-2017</th>
<th>Email &amp; Mailed Letter</th>
</tr>
</thead>
<tbody>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
</tbody>
</table>

Terrapure provided the Notice of the SCRF EA Public Open House #1 on December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017.

<table>
<thead>
<tr>
<th>08-Dec-2017</th>
<th>GRT Meeting</th>
<th>Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.</th>
<th>8-Dec-2018</th>
<th>GRT Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td></td>
</tr>
</tbody>
</table>

Terrapure provided an email with electronic links to the Conceptual Design, Work Plans and Existing Conditions Reports to review agencies.

<table>
<thead>
<tr>
<th>24-Jan-2018</th>
<th>Email</th>
<th>Thank you for sending the reports to us. I have forwarded them to our Planning Department Staff for their review and thoughts. If we have any comments I will get them back to you by the 31st.</th>
<th>24-Jan-2018</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>HWCDSB attended the GRT#1 Webinar</td>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018.</td>
<td>08-Mar-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td></td>
</tr>
</tbody>
</table>

Terrapure provided an email with several reports for your review including: Land Use & Economic Work Plan and Draft Existing Condition Report and the Draft Conceptual Design Report.

<table>
<thead>
<tr>
<th>31-Jan-2018</th>
<th>Email</th>
<th>No problem, we would be happy to meet and discuss. Please let me know a date/time and location that work for you and Nicole and I will get it scheduled.</th>
<th>1-Feb-2018</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nicole and I have reviewed the documents and think that it would be worthwhile to be able to meet with you. If you are able to provide some dates, we can proceed to set something up.</td>
<td>HWCDSB provided information and questions including: Public School planned for North of Heritage Green Passive Park. In review of Secondary Plan, no need for addition Catholic school, but potential for addition to St. Paul and replacement at St. James with larger school. As residential development increases, so will need for additional school capacity, no defined timeline. Ministry of Education reviews need for capital project and St. James was identified as a high priority but no funding received yet. - Approval process usually 1.5 years to build</td>
<td>13-Mar-2018</td>
<td>Meeting</td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
</tbody>
</table>
- Interested in project safety including safe streets, sidewalks, and bus routes
- Would like to see safety be addressed in Traffic Impact Assessment

Sorry for the delay, but I wanted to pass along my meeting notes from our discussion on the 13th regarding the Terrapure EA and traffic impacts. Please let me know if you have any questions, comments or additions.

Also, here is the link to our project website which contains all of the reports/documents completed so far: http://www.terrapurestoneycreek.com/document-library/.

The most recent report and the topic of our last public open house (March 22) is the DRAFT Alternative Methods Evaluation report which highlights the results of our net effects analysis of each option on the various environmental components including Traffic and also states the reasoning behind choosing the selected/preferred option (Option #5). Please feel free to browse the document and let me know if you have questions or would like to discuss in person/phone call.

Thank you again for your engagement and interest in this project.

28-Mar-2018 Email

We are reviewing the report and will have comments to you by Friday.

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest report for review. For the last several months our Technical team has been assessing the expansion options (6 total) and Terrapure recently hosted a public open house (March 22, 2018) to present the technical assessment of the alternative options and to let the public know that the most preferred option from a technical, environmental, social and economic perspective is Option #5. Over the next several weeks Terrapure will be receiving feedback on the selected option from the public and the technical review team and will then begin a detailed impact assessment of the preferred Option (Option 5).

I have attached the Draft Alternative Methods Report for your review and comment. This report provides a description of each of the potential expansion Options and also summarizes the technical/environmental analysis of each of the Options. Detailed analysis supporting the results can be found in Appendix B of the report. We would appreciate your review and comments by April 27th, 2018.

In addition if you would like to view any additional materials/reports please go to the project website here: http://www.terrapurestoneycreek.com/document-library/.

Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

29-Mar-2018 Email

Thank you for providing us with an opportunity to review the Terrapure Stoney Creek Regional Facility Environmental Assessment and Alternative Methods Report. We have completed our review and the following are our comments.

Terrapure is seeking the approval to increase the capacity for post diversion solid and non-hazardous industrial residual materials by 3.68 million cubic meters at the Stoney Creek Regional Facility (SCRF). The proposed additional capacity would be used by Terrapure to continue to provide disposal capacity for industrial residual material generated within the Hamilton and the Greater Toronto Area. Option 5 has been identified as the preferred option.

Thank you for your comment and information regarding the local schools and busses. Based on current information from the City of Hamilton, no sidewalks are being proposed fronting the SCRF. Sidewalks will be on the north side of Green Mountain Road, and the west side of First Road. In addition, site trucks will not be utilizing Green Mountain Road – same as is the case today. Trucks will enter the site from Centennial Parkway, and exit the site on First Road, heading south. This is as per the existing approvals for the site (Environmental Compliance Approval).

Further, students attending St. James will likely be walking the length of First Rd West to cross at Mud Street. At this time there is no pedestrian crossing at Mud Street at this location (signalized intersection) but we believe it appropriate that for the City to install pedestrian signals and painted

24-May-2018 Letter
The Stoney Creek Regional Facility is located at 65 Green Mountain Road West. The developing residential community immediately adjacent to the north of the facility is accommodated at St. James Catholic Elementary School, St. Paul Catholic Elementary School and Bishop Ryan Catholic Secondary School. Students are bused to these schools on a daily basis.

Through the development of the community, it is expected that First Road West will become urbanized with municipal sidewalks. As a result, and in accordance to the Transportation policy of the Board, the provision of school bus transportation services is expected to be reduced in the area. Therefore, students are expected to rely on other modes of transportation, including walking, cycling etc. to and from school.

The Stoney Creek Regional Facility relies entirely on industrial truck traffic for the operation of the facility and up to 250 vehicles are anticipated to continue to operate at the facility on a daily basis. Industrial truck traffic is not considered compatible with neighbourhood residential and pedestrian traffic.

Based on the above and in order to ensure student safety, we request that all truck traffic associated with the facility be prohibited on First Road West. It is our understanding that the truck traffic is currently prohibited on Green Mountain Road West.

crosswalk once a sidewalk is constructed for the length of the west side of First Rd W. Further, there are pathways for active transportation through the Heritage Green Community Park that students may choose to utilize over the sidewalk on the west side of First Road West.

The Facility is permitted to accept a maximum of 250 trucks per day, however, on average the site sees approximately 70 trucks per day.

Terrapure takes safety to the surrounding community seriously and we would be pleased to discuss this important issue with you further to provide up-to-date information on the sidewalks being planned on the west side of First Road West.

<table>
<thead>
<tr>
<th>N.A.</th>
<th>N.A.</th>
<th>N.A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018</td>
<td>04-Jun-2018</td>
<td>Email &amp; Mailed Letter</td>
</tr>
<tr>
<td>I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: <a href="http://www.terrapurestoneycreek.com/document-library/">http://www.terrapurestoneycreek.com/document-library/</a>) or can be found through direct links below. As you have indicated previously, of most interest to you will likely be the Traffic report which discusses traffic impacts in the areas as well as proposed mitigation and safety measures.</td>
<td>25-Jun-2018</td>
<td>Email</td>
</tr>
<tr>
<td>We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so. Report Links:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Draft Detailed Impact Assessment Reports for the Preferred Option</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Air Quality and Odour</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Geology and Hydrogeology</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Land Use and Economic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Terrestrial and Aquatic Environment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Noise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Surface Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Type</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>26-Jul-2018</td>
<td>Meeting</td>
<td>Project update</td>
</tr>
<tr>
<td>19-Jul-2018</td>
<td>Letter</td>
<td>Thank you for providing us with an opportunity to review the latest Terrapure Stoney Creek Regional Facility Environmental Assessment Reports. We have completed our review and reaffirm our comments of April 27, 2018. We have also received a request from your consultant team for a meeting next week, which we understand will provide an update to the project.</td>
</tr>
<tr>
<td>17-Nov-2017</td>
<td>Email &amp; Mailed Letter</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</td>
</tr>
<tr>
<td>28-Nov-2017</td>
<td>Email</td>
<td>Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.</td>
</tr>
<tr>
<td>3-Nov-2017</td>
<td>Email</td>
<td>Thank you for participating in the GRT meeting on December 8, 2017. As a follow up from this meeting please see attached the Land Use &amp; Economic Work Plan and Draft Existing Condition Report and the Draft Conceptual Design Report for your review.</td>
</tr>
<tr>
<td>14-Dec-2017</td>
<td>Email</td>
<td>If you would like to review other Work Plans and Existing Condition Reports, we would be happy to send them to you or you can view them on the Project website here. The Work Plan attached was previously circulated to you during the Terms of Reference process and is the final version that was included as part of the Amended Approved Terms of Reference. We are passing on the Work Plan as a reminder of the proposed methodology of the assessment and the criteria and indicators that will be used.</td>
</tr>
<tr>
<td>24-Jan-2018</td>
<td>Email</td>
<td>Once you have reviewed the attached material we would like to set up a meeting with you either in-person or by conference call. Please advise on a date between January 4 and January 12, 2017 that works best for you.</td>
</tr>
<tr>
<td>18-Jul-2018</td>
<td>Email</td>
<td>I am contacting you because you received the email below a few weeks ago providing an update on the Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports). As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018. Thank you for your interest and engagement in this project.</td>
</tr>
</tbody>
</table>
If you have any comments or questions on these reports please provide by Wednesday January 31st, 2018. If you would like to schedule a meeting or phone call to discuss, please respond back and we can have this set up. Alternatively, if you would like to be removed from the project contact/distribution list please let me know.

If you would like to review other Work Plans or reports, we would be happy to send them to you or you can view them on the Project website here. The Work Plan attached was previously circulated to you during the Terms of Reference process and is the final version that was included as part of the Amended Approved Terms of Reference. We are passing on this work plan as a reminder of the proposed methodology of the assessment and the criteria and indicators that will be used.

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018.

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Details</th>
</tr>
</thead>
</table>
| 08-Mar-2018 | Email | I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest report for review. For the last several months our Technical team has been assessing the expansion options (6 total) and Terrapure recently hosted a public open house (March 22, 2018) to present the technical assessment of the alternative options and to let the public know that the most preferred option from a technical, environmental, social and economic perspective is Option #5. Over the next several weeks Terrapure will be receiving feedback on the selected option from the public and the technical review team and will then begin a detailed impact assessment of the preferred Option (Option 5).

I have attached the Draft Alternative Methods Report for your review and comment. This report provides a description of each of the potential expansion Options and also summarizes the technical/environmental analysis of each of the Options. Detailed analysis supporting the results can be found in Appendix B of the report. We would appreciate your review and comments by April 27th, 2018.

In addition if you would like to view any additional materials/reports please go to the project website here: http://www.terrapurestoneycreek.com/document-library/

Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so. |
| 29-Mar-2018 | Email | Thank you for the continued summary/update on the SCRF EA. HWDSB has no additional comments other than those expressed regarding the Terms of Reference – letters dated February 2017 and November 2016. HWDSB looks forward to continued updates. |
| 25-Apr-2018 | Email | Thank you for your continued engagement on this project and process. We appreciate the HWDSB taking the time to review the summary and update. We will be sure to send you future project updates. |
| 24-May-2018 | Letter | Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018. |
| 04-Jun-2018 | Email & Mailed Letter | Good Afternoon,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team. |
| 25-Jun-2018 | Email | Thank you for your continued engagement on this project and process. We appreciate the HWDSB taking the time to review the summary and update. We will be sure to send you future project updates. |
and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:

Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

I am contacting you because you received the email below a few weeks ago providing an update on the Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports).

As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018.

Thank you for your interest and engagement in this project.

Good morning,

Thank you for participating in the GRT meeting on December 8, 2017. As a follow up from this meeting please see attached the Surface Water, Terrestrial and Aquatic/Natural Environment and Geology & Hydrogeology Work Plans and Draft Existing Condition Reports and the Draft Conceptual Design Report for your review.

The Work Plans and Existing Condition Reports attached reflect the MNRF’s jurisdictional mandate. If you would like to review other Work Plans or reports, we would be happy to send them to you or you can view them on the Project website here. The Work Plans attached were previously circulated to you during the Terms of Reference process and are the final versions that were included as part of the Amended Approved Terms of Reference. We are passing on these work plans as a reminder of the proposed methodology of the assessment and the criteria and indicators that will be used.
Once you have reviewed the attached material we would like to set up a meeting with you either in-person or by conference call. Please advise on a date between January 4 and January 12, 2017 that works best for you.

Please let me know if you have any questions.

Kind Regards,

18-Dec-2017

Email

MNRF staff have reviewed the natural environment work plan, and have no comments to add. Once the work has been completed, MNRF staff can provide assistance as required (e.g. advice regarding species at risk, mitigation, etc).

Would you mind clarifying what the conference call in January would be for? Please let us know how we can be of further assistance.

Thank you for confirming that you have reviewed the natural environment work plan, and that you have no comments to add. The purpose of the conference call in January is to go through the Natural Environment Existing Condition Report with you to obtain any feedback or comments that you may have.

18-Dec-2017

Email

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018

08-Mar-2018

Email

Hi,

Thank you for the opportunity to review the latest report as part of the Terrapure Stoney Creek Regional Facility EA and the Information Gathering Form (IGF) submitted April 2, 2018. Our review was undertaken to assess the potential impacts of the proposal on species protected under the Endangered Species Act, 2007 (ESA 2007). Please find Ministry of Natural Resources and Forestry (MNRF) comments below:

Eastern Meadowlark:
Based on a review of the information, MNRF staff have determined the activities associated with this project, as they are currently

Thank you for the response. Our natural environment scientists and technical team are in the process of developing a plan to address Eastern Meadowlark and habitat and will continue to engage and consult with the MNRF during the next stage of the EA – the Impact Assessment. Our team are aware of the online registry process and prior to any work commencing, the team will register the work with MNRF through the online registry. The Guelph MNRF office will continue to be sent project updates and any applicable changes that may affect the Natural Environment.

24-May-2018

Letter
proposed, will adversely affect Eastern Meadowlark and its habitat and therefore would be prohibited under Section 9 (species protection) and/or Section 10 (habitat protection) of the ESA 2007 without authorization from MNRF.

This project may be eligible for online registry under Section 23.6 of O.Reg. 242/08. An email from Lisa Horn at GHD (April 26, 2018) indicated that the area of habitat for Eastern Meadowlark would be approximately 11.5 hectares. The regulation stipulates that impacts less than 30 hectares in size may be eligible to register if the rules in regulation are followed. More information is available on the MNRF’s website: https://www.ontario.ca/page/bobolink-and-eastern-meadowlark-habitats-and-land-development.

If the rules in regulation cannot be met, the proponent may require a permit under section 17(2)(c) to provide an overall benefit to the species. Please be advised that applying for a permit does not guarantee approval.

Barn Swallow:
The information gathering form did not identify any features currently being used by Barn Swallow for nesting. If further studies show that nests are present on any anthropogenic structures that are being removed or relocated, the proposed work may be eligible to be registered if the project parameters meet the criteria described in Section 23.5 of O.Reg. 242/08. If no impacts to nests are anticipated, the activities will not likely contravene the ESA 2007, and no authorization would be required with respect to this species.

Please be advised that it is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws, other MNRF approvals or required approvals from other agencies.

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018.

Hi,
Our Management Biologist, has had the opportunity to review the updated reporting (Terrestrial and Aquatic Environment), and can provide the following comments:

From an Endangered Species Act (ESA) perspective, the project team has identified the need to register for the impacts to Eastern Meadowlark, and if nesting Barn Swallows are found, the need to follow the ESA to register has been identified.

At this time, there do not appear to be any other requirements under the ESA. Please note, however, that the ESA is dynamic and can change. It is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws, other MNRF approvals or required approvals from other agencies.

Good Afternoon,
I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:
legislation, with species being uplisted and downlisted, and any changes should be considered throughout the whole process.

Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

N.A

As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018.

Thank you for your interest and engagement in this project.

Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment

Terrapure provided the Notice of the SCRF EA Public Open House #1 on December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017

Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.

Terrapure provided an email with electronic links to the Conceptual Design, Work Plans and Existing Conditions Reports to review agencies.
these materials by the ministry cannot take place until the final EA is submitted. Accordingly, ministry staff will, where appropriate, provide an opinion as to whether these materials meet or address the ministry’s legislative requirements and expectations. Based on the conclusions of the ministry’s review, we can work towards determining whether there is a need to meet.

Should you have any questions or concerns, please feel free to contact me at your earliest convenience.

31-Jan-2018 Email

I have reviewed the noise document: “Draft Noise Existing Conditions Report” for the Terrapure Stoney Creek Regional Facility and have no additional noise comments on this file at this time.

N.A. N.A. N.A

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018

08-Mar-2018 Email

20-Apr-2018 Meeting

SCRF EA Update Meeting
- Provide an update on where Terrapure is at in the process, outcomes of the last Open House on March 22, 2018.
- Reviewed next steps
- Reviewed stakeholder engagement/indigenous consultation
- Reviewed timelines for agency review during the Impact Assessment

The Public Open House #2 Summary report is now available on the Project Website (www.terrapurestoneycreek.com) or by clicking here.

The report summarizes the Public Open House held as part of the Stoney Creek Regional Facility Environmental Assessment. This was the second of three open houses that will be held during this EA. The Public Open House #2 included an In-Person Open House held on March 22, 2018 and an Online Open House held between March 22 and April 20, 2018.

We have started planning the final Public Open House #3. It is currently planned for Tuesday June 19, 2018 as the date. More details to come!

18-May-2018 Email

24-May-2018 Meeting

Meeting to discuss closure planning

N.A. N.A. N.A

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018

04-Jun-2018 Email & Mailed Letter

N.A. N.A. N.A

Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment

17-Nov-2017 Email & Mailed Letter

N.A. N.A. N.A

Terrapure provided the Notice of the SCRF EA Public Open House #1 on December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017

28-Nov-2017 Email

8-Dec-2017 GRT Meeting

MTCS participated in the GRT Meeting #1 Webinar

Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.

8-Dec-2018 GRT Meeting

15-Dec-2017 Email

Thank you for forwarding these materials.

Terrapure provided an email with electronic links to the Conceptual Design, Work Plans and Existing Conditions Reports to review agencies

14-Dec-2017 Email

17-Jan-2018 Teleconference

Discussion on the MTCS mandate for this project and reference to the existing documentation provided by the Ministry of Culture.

Terrapure proposed and committed to send copies of the Archaeological and Cultural Heritage screenings to MTCS with supporting documentation (i.e. extent

17-Jan-2018 Teleconference
Tourism and Recreation (now known as MTCS) in 1994 with regarding no concerns with landfill proposal from a cultural heritage perspective due to the fact that there was low potential for impacting cultural heritage given the site is an exhausted quarry pit.

This was agreed upon but the MTCS questioned the alternatives that go beyond the original approved footprint that we have put forward for analysis – do any of the proposed alternatives go beyond the licensed quarry area/ previously disturbed lands by quarry operations. While it would still be a low archaeological potential, having this information would be helpful in addressing the MTCS mandate on this undertaking.

MTCS agreed with this approach and asked that GHD ensure consideration of the adjacent properties when completing the cultural heritage screening in terms of potential sites and impacts from a visual perspective (i.e. height increase for some options).

<table>
<thead>
<tr>
<th>N.A.</th>
<th>N.A.</th>
<th>N.A.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Good Morning,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>We wanted to provide you an update on the Terrapure SCRF EA project and would appreciate your review/comment on some items.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For the last several months our Technical team has been assessing the expansion options (6 total) and Terrapure recently hosted a public open house (March 22, 2018) to present the technical assessment of the alternative options and to let the public know that the most preferred option from a technical, environmental, social and economic analysis is Option #5. Over the next several weeks Terrapure will be receiving feedback on the selected option and the technical team will then begin a detailed impact assessment of the preferred Option (Option 5).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I have attached the Draft Alternative Methods Report for your review and comment. This report provides a description of each of the potential expansion Options and also summarizes the technical/environmental analysis of each of the Options. Detailed analysis supporting the results can be found in Appendix B of the report. Within the report, Section 5.10 describes and summarizes the analysis of each Option from a Archeology and Built Heritage perspective. Due to the fact that Option 5 is essentially going back to the Original approved footprint, which was an excavated quarry pit (See attached Quarry Permit License) it was determined that there will be no effects to any archeologically significant resources. In addition, as identified in the attached memo on Designated Cultural Heritage Buildings/Sites, there is only one building (Billy Green House) within the local study area that is a designated cultural heritage building but will not be disrupted or displaced by the expanding footprint/slight height increase. I have also attached the Screening Checklists for your review.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In addition if you would like to view any additional materials/reports please go to the project website here: <a href="http://www.terrapurestoneycreek.com/document-library/">http://www.terrapurestoneycreek.com/document-library/</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>08-Mar-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>27-Mar-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Type</td>
<td>To</td>
</tr>
<tr>
<td>------------</td>
<td>--------</td>
<td>----------</td>
</tr>
<tr>
<td>27-Apr-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24-May-2018</td>
<td>Letter</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>04-Jun-2018</td>
<td>Email &amp; Mailed Letter</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25-Jun-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-Jul-2018</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17-Nov-2017</td>
<td>Email &amp; Mailed Letter</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28-Nov-2017</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14-Dec-2017</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ministry of Transportation (MTO)

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>To</th>
<th>From</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-Nov-2017</td>
<td>Email &amp; Mailed Letter</td>
<td></td>
<td></td>
<td>Terrapure provided the Notice of Terms of Reference Approval and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Commencement of the Stoney Creek Regional Facility Environmental</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Assessment (EA) and links to the most recent reports available for review</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(Detailed Impact Assessment Reports).</td>
</tr>
<tr>
<td>28-Nov-2017</td>
<td>Email</td>
<td></td>
<td></td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 on</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Good morning,</td>
</tr>
<tr>
<td>14-Dec-2017</td>
<td>Email</td>
<td></td>
<td></td>
<td>Sorry you were not able to participate in the GRT meeting on December 8,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2017. As a follow up from this meeting please see attached the Transportation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Work Plan</td>
</tr>
</tbody>
</table>
and the Draft Traffic Existing Condition Report and the Draft Conceptual Design
Report for your review.

The Work Plan attached reflects your Agency’s jurisdictional mandate. If you would
like to review other Work Plans or reports, we would be happy to send them to you
or you can view them on the Project website here. The Work Plan attached was
previously circulated to you during the Terms of Reference process and is the final
version that was included as part of the Amended Approved Terms of Reference.
We are passing on this work plan as a reminder of the proposed methodology of
the assessment and the criteria and indicators that will be used.

Once you have reviewed the attached material we would like to set up a meeting
with you either in-person or by conference call. Please advise on a date between
January 4 and January 12, 2017 that works best for you.

Please let me know if you have any questions.

Kind Regards,

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public
Open House #2 on March 22, 2018 and a GRT specific webinar on March 23,
2018

Good Morning,

I wanted to touch base to provide you an update on the Terrapure SCRF EA
project and to provide you the latest report for review. For the last several months
our Technical team has been assessing the expansion options (6 total) and
Terrapure recently hosted a public open house (March 22, 2018) to present the
technical assessment of the alternative options and to let the public know that the
most preferred option from a technical, environmental, social and economic
perspective is Option #5. Over the next several weeks Terrapure will be receiving
feedback on the selected option from the public and the technical review team and
will then begin a detailed impact assessment of the preferred Option (Option 5).

I have attached the Draft Alternative Methods Report for your review and
comment. This report provides a description of each of the potential expansion
Options and also summarizes the technical/environmental analysis of each of the
Options. Detailed analysis supporting the results can be found in Appendix B of the
report. We would appreciate your review and comments by April 27th, 2018.

In addition if you would like to view any additional materials/reports please go to
the project website here: http://www.terrapurestoneycreek.com/document-library/

Thank you very much for taking the time to engage with us on the project and
please let me know if you have questions or comments on anything I have
provided. If you would like to schedule a meeting/phone call to discuss we would
be happy to do so.

Good Morning,

A few weeks ago I sent the email below providing you a summary and update on
the Stoney Creek Regional Facility Environmental Assessment (SCRF EA) and the
most recent report (Alternative Methods Report) available for comment/feedback.

If you have comments on the attached report please provide them to me by this
Friday April 27th 2018.

Thank you for your interest and engagement in this project and if you have any
questions please let me know.

N.A.  N.A.  N.A

08-Mar-2018  Email

N.A.  N.A.  N.A

29-Mar-2018  Email

N.A.  N.A.  N.A

23-Apr-2018  Email
N.A.  N.A.  N.A.  Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018  04-Jun-2018  Email & Mailed Letter

N.A.  N.A.  N.A.  Good Afternoon,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:

Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

25-Jun-2018  Email

N.A  N.A.  N.A.  I am contacting you because you received the email below a few weeks ago providing an update on the Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports).

As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018.

Thank you for your interest and engagement in this project.

18-Jul-2018  Email

8-Dec-2018  GRT Meeting  Ontario of Agriculture, Food and Rural Affairs (OMAFRA)  Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment

Terrapure provided the Notice of the SCRF EA Public Open House #1 on December 7, 2017 and invitation to GRT Meeting #1 on December 8, 2017

Terrapure hosted the GRT Meeting #1. The purpose of the meeting was to provide agencies with an overview of the project, discuss the role of review agencies, discuss the approval of the Amended Terms of Reference, recap the Public Open House #1, and the next steps for the project.

8-Dec-2018  GRT Meeting

N.A.  N.A.  N.A.  Good Afternoon,

In mid-December you received an email from my colleague as a follow up to a meeting you attended for the Terrapure Stoney Creek Regional Facility Environmental Assessment on December 8th, 2017. The email included several reports for your review including; Land Use & Economic Work Plan and Draft Existing Condition Report and the Draft Conceptual Design Report.

14-Dec-2017  Email
If you have any comments or questions on these reports please provide by Wednesday January 31st, 2018. If you would like to schedule a meeting or phone call to discuss, please respond back and we can have this set up. Alternatively, if you would like to be removed from the project contact/distribution list please let me know.

The Work Plan attached reflects OMAFRA’s jurisdictional mandate. If you would like to review other Work Plans or reports, we would be happy to send them to you or you can view them on the Project website here. The Work Plan attached was previously circulated to you during the Terms of Reference process and is the final version that was included as part of the Amended Approved Terms of Reference. We are passing on this work plan as a reminder of the proposed methodology of the assessment and the criteria and indicators that will be used.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-Feb-2018</td>
<td>Teleconference</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Discussion regarding the Agriculture section n the Land Use Report including:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Land use report did not mention or list agricultural lands or farms in LSA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Would like to see list of farms and farm operations within the LSA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Need to address other factors such as; how would surface water be affected and how will this affect agriculture, how will transportation affect agriculture?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Table 4.1 in CDR – What criteria/indicators will be used to assess agriculture, how will business/economics be assessed?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Do not clump agriculture in with other businesses, ensure you look at agricultural businesses separate than commercial for example.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Better organization of reports on website would be appreciated, organize so you can see what phase of the EA process you are in, possibly provide dates within title of report.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Terrapure let OMAFRA know that these factors will be assessed as part of alternative methods evaluation</td>
<td>01-Feb-2018 Teleconference</td>
</tr>
<tr>
<td></td>
<td>- The criteria and indicators will be used (as listed in ToR)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #2 on March 22, 2018 and a GRT specific webinar on March 23, 2018</td>
<td>08-Mar-2018 Email</td>
</tr>
<tr>
<td>23-Mar-2018</td>
<td>GRT Meeting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Terrapure provided the details for the results of the comparative evaluation on the Alternative Methods as well as the details for the Public Open House on March 22, 2018.</td>
<td>23-Mar-2018 GRT Meeting</td>
</tr>
<tr>
<td>20-Jun-2018</td>
<td>GRT Meeting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018</td>
<td>04-Jun-2018 Email &amp; Mailed Letter</td>
</tr>
<tr>
<td></td>
<td>Terrapure provided an update regarding the SCRF EA Detailed Impact Assessment and an overview of the Public Open House #3</td>
<td>20-Jun-2018 GRT Meeting</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td></td>
</tr>
<tr>
<td>Good Afternoon,</td>
<td>I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: <a href="http://www.terrapurestoneycreek.com/document-library/">http://www.terrapurestoneycreek.com/document-library/</a>) or can be found through direct links below:</td>
<td>25-Jun-2018 Email</td>
</tr>
</tbody>
</table>
Draft Detailed Impact Assessment Reports for the Preferred Option
- Air Quality and Odour
- Geology and Hydrogeology
- Land Use and Economic
- Terrestrial and Aquatic Environment
- Noise
- Surface Water
- Traffic
- Design & Operations
- Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

I am contacting you because you received the email below a few weeks ago providing an update on the Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports).

As a friendly reminder we are looking for any feedback and comments to be sent by no later than this Friday July 20th, 2018.

Thank you for your interest and engagement in this project.

Good morning,

Sorry you were not able to participate in the GRT meeting on December 8, 2017. As a follow up from this meeting please see attached the Transportation Work Plan and the Draft Traffic Existing Condition Report and the Draft Conceptual Design Report for your review.

If you would like to review other Work Plans or reports, we would be happy to send them to you or you can view them on the Project website here. The Work Plan attached was previously circulated to you during the Terms of Reference process and is the final version that was included as part of the Amended Approved Terms of Reference. We are passing on this work plan as a reminder of the proposed methodology of the assessment and the criteria and indicators that will be used.

Once you have reviewed the attached material we would like to set up a meeting with you either in-person or by conference call. Please advise on a date between January 4 and January 12, 2017 that works best for you.

Please let me know if you have any questions.

Good Morning,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest report for review. For the last several months our Technical team has been assessing the expansion options (6 total) and
Terrapure recently hosted a public open house (March 22, 2018) to present the technical assessment of the alternative options and to let the public know that the most preferred option from a technical, environmental, social and economic perspective is Option #5. Over the next several weeks Terrapure will be receiving feedback on the selected option from the public and the technical review team and will then begin a detailed impact assessment of the preferred Option (Option 5).

I have attached the Draft Alternative Methods Report for your review and comment. This report provides a description of each of the potential expansion Options and also summarizes the technical/environmental analysis of each of the Options. Detailed analysis supporting the results can be found in Appendix B of the report. We would appreciate your review and comments by April 27th, 2018.

In addition if you would like to view any additional materials/reports please go to the project website here: http://www.terrapurestoneycreek.com/document-library/

Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

Terrapure provided an email to the GRT with an invitation to the SCRF EA Public Open House #3 on June 19, 2018 and a GRT specific webinar on June 20, 2018.

Good Afternoon,

I wanted to touch base to provide you an update on the Terrapure SCRF EA project and to provide you the latest reports for review. For the last several months our Technical team has been completing a detailed impact assessment of the preferred Option #5 (Reconfiguration and Height Increase) and outlining the proposed mitigation measures and monitoring plans. Over the next several weeks Terrapure will be receiving feedback on the detailed impact assessment and proposed mitigation measures from the public and the government review team and will then begin to draft the Environmental Assessment Report. Several reports have been completed (located on Project Website here: http://www.terrapurestoneycreek.com/document-library/) or can be found through direct links below:

- Draft Detailed Impact Assessment Reports for the Preferred Option
  - Air Quality and Odour
  - Geology and Hydrogeology
  - Land Use and Economic
  - Terrestrial and Aquatic Environment
  - Noise
  - Surface Water
  - Traffic
  - Design & Operations
  - Facility Characteristics Report

We would appreciate your comment and review by Friday July 20th 2018. Thank you very much for taking the time to engage with us on the project and please let me know if you have questions or comments on anything I have provided. If you would like to schedule a meeting/phone call to discuss we would be happy to do so.

I am contacting you because you received the email below a few weeks ago providing an update on the Stoney Creek Regional Facility Environmental Assessment (EA) and links to the most recent reports available for review (Detailed Impact Assessment Reports).
<table>
<thead>
<tr>
<th>Ministry of Environment and Climate Change Canada</th>
<th>N.A.</th>
<th>N.A.</th>
<th>N.A.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>18-Dec-2017</strong></td>
<td><strong>Email</strong></td>
<td>Hello. As indicated in our response to Gavin Battarino of the Ontario Ministry of Environment &amp; Climate Change (on February 8, 2017) regarding the Terms of Reference for the Terrapure Stoney Creek Regional Facility, Environment &amp; Climate Change Canada will not be participating in this provincial environmental assessment review. Regards</td>
<td>14-Dec-2017</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ministry of Economic Development and Growth</th>
<th>N.A.</th>
<th>N.A.</th>
<th>N.A.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>14-Dec-2017</strong></td>
<td><strong>Email</strong></td>
<td>Thank you for sharing information on the Terrapure Stoney Creek Regional Facility Environmental Assessment and for the invitation to December 8, 2017 meeting. As a general practice, the Ministry of Economic Development and Growth provides comments only on those proposals that have a significant regional or province wide supply chain economic development and/or employment impact. Examples include a major mineral development, energy infrastructure or manufacturing investment, or other proposals where business stakeholders have come forward to the Ministry and expressed a strong interest. Beyond this scope, the Ministry lacks the technical expertise to comment on Environmental Assessments in detailed fashion. If you would still like to discuss, my schedule is currently open January 4, 5, 8 and 9.</td>
<td>21-Dec-2017</td>
</tr>
</tbody>
</table>

| | **27-Dec-2017** | It would be appropriate to remove MEDG from the contact list. Thanks and Happy Holidays | N.A. | N.A. | N.A. | 27-Dec-2017 | Email |
7.5 Indigenous Communities

7.5.1 Indigenous Communities Consulted

Indigenous communities identified during the ToR for continued consultation during the preparation EA include:

- Haudenosaunee Development Institute on behalf of Haudenosaunee Confederacy Chiefs Council
- Métis Nation of Ontario
- Mississaugas of the New Credit First Nation
- Six Nations of the Grand River First Nation

Indigenous communities were consulted in accordance with the Indigenous Consultation Plan established at the outset of the SCRF EA. Recognizing that the Haudenosaunee Confederacy Chiefs Council, the Métis Nation of Ontario, the Mississaugas of the New Credit First Nation, and the Six Nations of the Grand River First Nation are separate communities with distinct interests, consultation was undertaken with each community individually. Input from each community was obtained through individual meetings, telephone calls, and written and email correspondence.

From the consultation activities carried out by Terrapure with Indigenous communities during the preparation of the SCRF EA, Terrapure considered comments received and attempted in good faith to resolve the raised issues so that both Terrapure and the Indigenous Community member had an agreeable resolution during the SCRF EA.

The following subsections describe how consultation was undertaken with each community, what, if any, comments were received, and how those comments were considered by Terrapure.

7.5.2 Haudenosaunee Development Institute

During the ToR, the Haudenosaunee Confederacy Chiefs Council confirmed by phone in January 2017 that all correspondence should be directed to the Haudenosaunee Development Institute (HDI).

With that direction in mind, Terrapure provided the Notice of Commencement to HDI on November 17, 2017, by email and registered letter. On November 24, 2017, Terrapure sent the Notice of the SCRF EA Public Open House #1 by email. That email also included an invitation for an in-person meeting at the convenience of HDI.

In response to that request, GHD met with HDI on March 8, 2018. The purpose of the meeting was for GHD to provide an introduction to the project, and for HDI to provide information on how they review these types of projects. HDI indicated that if they had an interest in this project, they would provide Terrapure with a development application. Once the application is submitted HDI would then review the project. HDI indicated that they could not review any project information until the application is received.

Terrapure provided the Notices of Open House #2 and Open House #3 to HDI on March 8, 2018, and June 5, 2018, respectively.

Following this meeting, Terrapure indicated by email that they would be interested in completing the development application. As of July 2018, a complete development application has not been provided to Terrapure and HDI has not provided comments on the Project.
Table 7.2 describes the email, letter and telephone correspondence with HDI. This table is organized by Indigenous community in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).

7.5.3 Métis Nation of Ontario

During the ToR, the Métis Nation of Ontario (MNO) indicated that they had no comments on the draft ToR, but requested to be kept informed on forthcoming reports and commenting opportunities during the EA.

With that direction in mind, Terrapure provided the Notice of Commencement to MNO on November 17, 2017 by email and registered letter. On November 24, 2017, Terrapure sent the Notice of the SCRF EA Public Open House #1 by email, which was followed up by a voicemail message on November 30, 2017. That email and voicemail message also included an invitation for an in-person meeting at the convenience of MNO.

Since no response to the above notifications were received, on January 30, 2018, Terrapure provided a project update by email, which included an invitation to review and provide comments on the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report. This was followed up by a phone call on February 25, 2018, at which point MNO advised that they will not be reviewing the documents provided, but would like to continue to be kept informed.

Terrapure provided the Notice of Open House #2 on March 8, 2018, by email and registered letter. Since no response to this letter was received, on May 9, 2018, Terrapure provided a project update by email, which included an invitation to review and provide comments on the Draft Alternative Methods Report. While MNO confirmed by phone on May 30, 2018, that they received the email, they did not indicate whether they were interested in reviewing the document.

Terrapure provided the Notice of Open House #3 on June 5, 2018, by email and registered letter. Since no response to this letter was received, on June 29, 2018, Terrapure provided a project update by email, which included an invitation to review the draft Impact Assessment Reports and Facility Characteristics Report. This was followed up by a phone call on July 13, 2018, where MNO confirmed they received the email and would follow-up.

As of July 2018, MNO had not provided any comments for consideration in the SCRF EA. Table 7.2 describes the email, letter and telephone correspondence with MNO. This table is organized by Indigenous community in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).

7.5.4 Mississaugas of the New Credit First Nation

During the ToR the Mississaugas of the New Credit First Nation (MNCFN) indicated that they wanted Terrapure to follow the Nation’s best practices for consultation which includes:

- Engage early in the planning process, before decisions are made.
- Provide information in meaningful and understandable formats.
- Convey willingness to transparently describe the project and consider any MNCFN concerns.
- Recognize the significance of cultural activities and traditional practices of the MNCFN.
• Demonstrate a respect for MNCFN knowledge and uses of land and resources.
• Understand the importance of youth and elders in First Nation communities.
• Act with honour, openness, transparency and respect.
• Be prepared to listen and allow time for meaningful discussion.

With that direction in mind, Terrapure provided the Notice of Commencement to MNCFN on November 17, 2017, by email and registered letter. On November 24, 2017, Terrapure sent the Notice of the SCRF EA Public Open House #1 by email, which was followed up by a voicemail message on November 30, 2017. That email also included an invitation for an in-person meeting at the convenience of MNCFN.

In response to these notifications, MNCFN requested a meeting with Terrapure, which was held on February 6, 2018. Prior to this meeting, Terrapure provided the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report and invited the MNCFN to review and provide comments on those reports. At the meeting, MNCFN gave a presentation on the history of their people and Terrapure gave a presentation on the project and answered questions about the SCRF and Project, including:

• Where does the SCRF receive waste from?
• What was the feedback from the community at the Public Open House #1?
• What was the condition of approval of the ToR?
• Is rehabilitation part of the Environmental Assessment?
• When was the west landfill closed?

MNCFN indicated they would review the documents previously emailed and follow-up if they had any questions or comments. A summary of this meeting is included in Appendix X. Following the meeting, Terrapure did not receive any comments from MNCFN on the documents provided.

Terrapure provided an update on the SCRF EA, as well as an invitation to the Public Open House #2 on March 22, 2018. Following this, Terrapure gave a project update by phone and email on April 11, 2018. This included an invitation to review the draft Impact Assessment Reports and Facility Characteristics Report. Emails were exchanged between Terrapure and MNCFN between April 11, and April 17, 2018.

Within that email exchange, it was agreed to have a conference call/Webex to present the impact assessment reports, once they were available in draft. As well, in response to a request from the MNCFN, Terrapure committed to invite MNCFN Field Liaison Representatives to participate in any future field surveys to be undertaken during the EA, and discuss involvement in post-EA monitoring activities once those monitoring requirements are established. As of July 2013, no additional field surveys had been undertaken.

Terrapure provided the Notice of Open House #3 on June 5, 2018, by email and registered letter. Following up on the earlier committed to setup a conference call to discuss the results of the impact assessment, Terrapure sent an email to MNCFN on June 29, 2018, to setup that conference call, which was followed up by a voicemail. That email also included links to the Impact Assessment Reports and Facility Characteristics Report. As of July 2018, no response to that email had been received.
Table 7.2 describes the comments received from MNCFN through correspondence (written and electronic), telephone calls, and meetings and how they were considered by Terrapure, as well as all email, letter and telephone correspondence with MNCFN. This table is organized by Indigenous community in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).

7.5.5 Six Nations of the Grand River First Nation

Terrapure provided the Notice of Commencement to Six Nations of the Grand River First Nation (Six Nations) on November 17, 2017, by email and registered letter. On November 24, 2017, Terrapure sent the Notice of the SCRF EA Public Open House #1 by email, which was followed up by a voicemail message on November 30, 2017. That email and voicemail message also included an invitation for an in-person meeting at the convenience of Six Nations.

Since no response to the above notifications were received, on January 30, 2018, Terrapure provided a project update by email, which included an invitation to review and provide comments on the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report. This was followed up by a voicemail on February 26, 2018. In response Six Nations responded to setup a meeting, which was held on April 6, 2018.

Prior to that meeting Terrapure provided the Notice of Open House #2 on March 8, 2018, by email and registered letter.

At the April 6, 2018 meeting, Six Nations provided information on the history of their people and their interest in the SCRF EA. Terrapure presented information on the SCRF EA, the proposed capacity increase, the alternatives and how they were evaluated to inform the recommended alternative.

There were no specific comments raised by Six Nations about the SCRF EA during the meeting. As an outcome of the meeting, Terrapure committed to continue to engage and provide updates as the EA continued to move forward.

On May 9, 2018, Terrapure provided a project update by email, which included an invitation to review and provide comments on the Draft Alternative Methods Report, Draft Existing Conditions Report, and Draft Conceptual Design Report. No response to this email was received.

Terrapure provided the Notice of Open House #3 on June 5, 2018, by email and registered letter. Since no response to this letter was received, on June 29 2018, Terrapure provided a project update by email, which included an invitation to review the draft Impact Assessment Reports and Facility Characteristics Report. This was followed up by a voicemail. As of July 2018, no response to that email had been received.

As of July 2018, Six Nations had not provided any comments for consideration in the SCRF EA. Table 7.2 describes the email, letter and telephone correspondence with Six Nations. This table is organized by Indigenous community in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).
### Indigenous Community Comments and Consideration by Terrapure

<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haudenosaunee Confederacy Chiefs Council</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</td>
<td>17-Nov-2017</td>
<td>Email &amp; Registered Mail Letter</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 and an invitation for an in-person meeting at the convenience of the Indigenous community.</td>
<td>24-Nov-2017</td>
<td>Email</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure made follow up telephone calls and left voicemail to Indigenous Communities with information regarding the Notice of Commencement and Public Open House #1</td>
<td>30-Nov-2017</td>
<td>Voicemail</td>
</tr>
<tr>
<td>8-Mar-2018 Meeting</td>
<td></td>
<td></td>
<td></td>
<td>The meeting purpose was information gathering and provided Terrapure an opportunity to meet with, introduce themselves and learn from HDI. HDI provided an overview of their process including three components: assessment, monitoring of operations, and land.</td>
<td>8-Mar-2018</td>
<td>Meeting</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided background information about the Terrapure site, the purpose of the SCRF EA and the consultation activities to date. Terrapure clarified what materials are accepted at the SCRF and what health studies have been completed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided an update on the SCRF EA as well as an invitation to the Public Open House #2 on March 22, 2018 where Terrapure will present the recommended option for the capacity increase based on technical feasibility, potential environmental impacts and input received from the public, agencies, and Indigenous groups.</td>
<td>8-Mar-2018</td>
<td>Email &amp; Registered Mail</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provide an update on the SCRF EA as well as an invitation to the Public Open House #3 on June 19, 2018 where Terrapure will present the detailed impact assessment for the preferred option for capacity increase to the community.</td>
<td>5-Jun-2018</td>
<td>Email &amp; Registered Mail</td>
</tr>
<tr>
<td>Métis Nation of Ontario</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment.</td>
<td>17-Nov-2017</td>
<td>Email &amp; Registered Mail Letter</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 and an invitation for an in-person meeting at the convenience of the Indigenous community.</td>
<td>24-Nov-2017</td>
<td>Email</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure made follow up telephone calls and left voicemail to Indigenous Communities with information regarding the Notice of Commencement and Public Open House #1</td>
<td>30-Nov-2017</td>
<td>Voicemail</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Following up on our email below, I am writing to give you an update on the Terrapure Stoney Creek Regional Facility Environmental Assessment. As mentioned in our previous correspondence, we would be pleased to meet with the Métis Nation of Ontario at your convenience to discuss the project, present the information provided at the Open House and bring our technical experts to answer any questions you may have.</td>
<td>30-Jan-2018</td>
<td>Email</td>
</tr>
</tbody>
</table>

As part of this stage of the EA, below are links to the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report. As well, I have attached a copy of the MTCS Screening Checklist for Archaeological Potential. We are requesting that you confirm what material you are interested in reviewing, if any. You may download these documents from our website, or we would then be happy to send you printed or electronic copies directly.

Work Plans (See Appendix D, pg 170)
- Geology and Hydrogeology Work Plan
- Surface Water Resources Work Plan
- Terrestrial and Aquatic Environment Work Plan
- Land Use Work Plan
- Atmospheric Environment Work Plan (including Air Quality, Odour and Noise)
- Transportation Work Plan
- Economic Work Plan
<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Draft EA Report – Chapter 7 – Public and Agency Consultation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Draft Conceptual Design Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>For context, the Proposed Work Plans were included in the Amended Approved Terms of Reference. They outline the proposed methodology for the assessment and the criteria and indicators that will be used. The Draft Existing Conditions Reports document the results of site investigations and review of existing data sources. The Draft Conceptual Design Report presents the conceptual design for each of the six options.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>If you have any questions on the preceding information or would like to set up a meeting please contact me directly by phone at 416-866-2365 or 647-326-4302. Thank you in advance and I look forward to your reply.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>25-Feb-2018</td>
<td>Telephone</td>
<td>Requested to be kept in the loop of the SCRF EA but that the MNO would not be reviewing the Comparative Evaluation or the Archaeology Work Plan for the project but that the MNO would like to continue to be informed about the project</td>
<td>Phoned the MNO to provide an update on the SCRF EA, discuss the MNO’s interest in the SCRF EA and to see if there were any questions or concerns about the project at this time. Committed to following up by email and continuing to engage and keep the MNO in the loop as the project progresses.</td>
<td>25-Feb-2018</td>
<td>Telephone</td>
</tr>
<tr>
<td></td>
<td>27-Feb-2017</td>
<td>Email</td>
<td>Thank you</td>
<td>Thanks for talking with me earlier this week. Just to confirm our conversation (and for our records), you will not be reviewing the materials below; however if someone from MNO would like to be further involved you will let me know. We will continue to keep you informed as the project progresses.</td>
<td></td>
<td>27-Feb-2018</td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided an update on the SCRF EA as well as an invitation to the Public Open House #2 on March 22, 2018 where Terrapure will present the recommended option for the capacity increase based on technical feasibility, potential environmental impacts and input received from the public, agencies, and Indigenous groups. Included in the email was a request to confirm what material the MNO is interested in reviewing, if any. Email fto keep the MNO updated on the progress of the SCRF EA. I am writing to keep you apprised of progress on this Environmental Assessment as per our earlier discussions. If more efficient to discuss over the phone please feel free to give me a call.</td>
<td></td>
<td>8-Mar-2018</td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>At the time of the call, the MNO had not reviewed any of the materials provided by email about the SCRF EA. There has been a change in the staff at the MNO. There was interest in continuing to be kept engaged on the project. Since I last emailed you in late January, we have completed the assessment of the Alternative Methods and identified the recommended option for Terrapure’s proposed capacity increase – to reconfigure the site within its existing property boundaries and increase the height. Currently, our technical experts are further developing the landfill expansion design, refining the proposed mitigation measures to address any environmental effects, and developing monitoring plans. Below are links to the most recent documentation released and available for comment. If you’d like a quicker primer, I suggest taking a look at the Online Open House:</td>
<td></td>
<td>9-May-2018</td>
</tr>
<tr>
<td></td>
<td>30-May-2018</td>
<td>Telephone</td>
<td></td>
<td>Draft Alternative Methods Report – This report documents the method used to the evaluation the six options for the capacity increase, and the results of the evaluation from the perspective of the various environmental disciplines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous Communities</td>
<td>Comment Date</td>
<td>Method</td>
<td>Comments from Aboriginal Community</td>
<td>Terrapure’s Response</td>
<td>Response Date</td>
<td>Method</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------------</td>
<td>--------</td>
<td>-----------------------------------</td>
<td>----------------------</td>
<td>--------------</td>
<td>--------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Air, Odour and Meteorology Existing Conditions Report – Has had minor updates to address comments from review agencies
- Land Use and Economic Environment Existing Conditions Report – Has had minor updates to address comments from review agencies

I am again requesting that you confirm what material you are interested in reviewing, if any. You may download these documents from our website, or we would then be happy to send you printed or electronic copies directly.

**Next Steps**

We are currently in the Impact Assessment stage. We expect that the draft Impact Assessment Reports for each of the seven disciplines will be available in June for review and comment. We expect the Draft Environmental Assessment Report will be available for review and comment in early fall, followed by the Final Environmental Assessment Report.

When we submit the Final Environmental Assessment Report to the Ministry of the Environment and Climate Change, both us and the Ministry will ask you for acknowledgment that your community is satisfied that its specific rights and interests have been adequately identified and considered during the Environmental Assessment. With that in mind, can you advise whether your community’s rights and interests have been adequately considered up to this point in the EA?

As previously discussed, I will continue to send you updates and links to EA documents and information for your review and comment. If you are not interested in reviewing or providing comment on specific documents, just let me know. If you do not have sufficient resources or capacity to participate, please let me know and we will work with you to identify a solution.

Terrapure provide an update on the SCRF EA as well as an invitation to the Public Open House #3 on June 19, 2018 where Terrapure will present the detailed impact assessment for the preferred option for capacity increase to the community.

Following up on our phone call on May 30, I am writing to give you an update on this Environmental Assessment. I know my earlier emails got caught by your junk mail folder so I will give you a call early next week to confirm you received this.

For the last several months the technical team has been completing a detailed impact assessment of the preferred option (reconfigure the site within its existing property boundaries and increase the height), including outlining the proposed mitigation measures and monitoring plans. This is documented in several draft impact assessment reports, available for review and comment.

Below are links to the most recent documentation that is available for review and comment. The Online Open House also provides a good summary of the information:
- Facility Characteristics Report

All documents are always available in the Document Library section of the website.

I am requesting that you confirm what material you are interested in reviewing, if any. You may download these documents from our website, or we would then be happy to send you printed or electronic copies directly. I will continue to send you updates and links to EA documents and information for your review and comment. If you are not interested in reviewing or providing comment on specific documents, just let me know.

**Next Steps**

The Draft Environmental Assessment (EA) Report will be available for review and comment from August 24 to September 28 (tentative). The review period for the Final EA Report is tentatively scheduled for...
<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississaugas of the New Credit First Nation</td>
<td>13-Jul-2018</td>
<td>Telephone</td>
<td>Confirmed with MNO that they have received the email with the request to acknowledge the receipt of the SCRF EA documents and the MNO’s interest in reviewing. Said would get back to Terrapure once back from vacation.</td>
<td>Terrapure left a voicemail following up on the last email and telephone call regarding the MNO’s interest in reviewing the SCRF EA documents.</td>
<td>13-Jul-2018</td>
<td>Telephone</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</td>
<td>17-Nov-2017</td>
<td>Email &amp; Registered Mail Letter</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 and an invitation for an in-person meeting at the convenience of the Indigenous community.</td>
<td>24-Nov-2017</td>
<td>Email</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure made follow up telephone calls and left voicemail to Indigenous Communities with information regarding the Notice of Commencement and Public Open House #1</td>
<td>30-Nov-2017</td>
<td>Voicemail</td>
</tr>
<tr>
<td>19-Dec-2017</td>
<td>Email</td>
<td>Thank you for the notice on the Terms of Reference for the increase of materials for the Stoney Creek Regional Facility. We would like to meet with you to discuss this project. Does the capacity increase mean an expansion in lands? And what types of materials does the facility accept? Please get in touch with me to schedule a meeting for the month of February.</td>
<td>Hi – thanks for the email. The expansion is limited to the lands that Terrapure currently owns and in some cases, the footprint would go back to the original approved footprint from the 1996 EA. The facility accepts industrial waste only, and is not allowed to accept MSW or other putrescible (organic) wastes. We can certainly expand on these items when we meet and look forward to sitting down with you in February. I will provide some potential dates after I have checked with others on the team that would attend the meeting as well. Hello, We are looking forward to meeting you next Tuesday. In preparation, please find attached our proposed agenda (see attached). Please let me know if you have any comments or revisions to this. Additionally, as part of this stage of the EA, below are links to the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report. As well, I have attached a copy of the MTCS Screening Checklist for Archaeological Potential. We are requesting that you confirm what material you are interested in reviewing, if any. You may download these documents from our website, or we would then be happy to bring printed copies to our meeting. Work Plans (See Appendix D, pg 170) Geology and Hydrogeology Work Plan Surface Water Resources Work Plan Terrestrial and Aquatic Environment Work Plan Land Use Work Plan Atmospheric Environment Work Plan (including Air Quality, Odour and Noise) Transportation Work Plan Economic Work Plan Archaeology and Built Heritage Work Plan Design and Operations Work Plan.</td>
<td>19-Dec-2017</td>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>30-Jan-2018</td>
<td>Email</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Email</td>
</tr>
</tbody>
</table>
The following is a summary of comments and questions raised by MNCFN:

Conserving and preserving water and restoring watersheds is currently an important issue for band members.

- Where does the SCRF receive waste from?
- What was the feedback from the community?
- What was the condition of approval of the Terms of Reference?
- Is rehabilitation part of the Environmental Assessment?
- When was the west landfill closed?
- Fawn requested copies of any archaeological reports.
- Caron noted that she will review the documents previously emailed and follow-up with GHD if she has any questions or comments.

The SCRF receives waste from Ontario with nearly 50% of materials coming directly from City of Hamilton. Comments from the community have been primarily related to the height and when will the site will close.

The Minister amended Subsection 2.1.1 (Receiving Post Diversion Material at the SCRF) to state that Terrapure will examine and evaluate the feasibility and viability of implementing an onsite diversion program as part of the environmental assessment process.

As part of the Environmental Assessment, we will consider potential effects on the environment associated with construction, operation and closure/post-closure. As well, separate from the EA Terrapure has initiated the process of consulting with the community on the closure of the site and post-closure land use.

The west landfill was closed and capped in 1998 and the current facilities (i.e. the dog park, trails, pollinator gardens, etc.) were built between 1998 and 2017.

Katrina had previously sent the archaeological screening checklist.

GHD and Terrapure offered to have separate meetings, with appropriate technical experts, if this would be useful.

Thank you in advance and please let me know if you have any questions.

- The SCRF receives waste from Ontario with nearly 50% of materials coming directly from City of Hamilton.
- Comments from the community have been primarily related to the height and when will the site will close.
- The Minister amended Subsection 2.1.1 (Receiving Post Diversion Material at the SCRF) to state that Terrapure will examine and evaluate the feasibility and viability of implementing an onsite diversion program as part of the environmental assessment process.
- As part of the Environmental Assessment, we will consider potential effects on the environment associated with construction, operation and closure/post-closure. As well, separate from the EA Terrapure has initiated the process of consulting with the community on the closure of the site and post-closure land use.
- The west landfill was closed and capped in 1998 and the current facilities (i.e. the dog park, trails, pollinator gardens, etc.) were built between 1998 and 2017.
- Katrina had previously sent the archaeological screening checklist.
- GHD and Terrapure offered to have separate meetings, with appropriate technical experts, if this would be useful.

Just wanted to thank you again on behalf of our team for taking the time yesterday to talk about our project and especially for sharing the history of the Mississaugas of the New Credit. The opportunity for us to learn and understand was really invaluable. I took notes of your questions about our project so I will type those up and circulate a meeting summary. I called your office and there is still space available for the Historical Gathering next week so I signed up to attend on Wednesday. Hopefully I will see you there.

As promised here is the link to the Annual Report Highlights we referred to in the meeting:
http://www.terrapurestoneycreek.com/stoney-creek-regional-facility-2016-annual-report-highlights-digital-cwca.pdf When I come to the Historical Gathering next week I’ll drop off a few copies. As well, if you or other staff are ever interested, we are more than happy to arrange a tour of the operating east landfill (the SCRF) and the closed west landfill.

A few follow-up questions:
- Do you have digital PDF copies of the three documents you shared (Treaties booklet, Past and Present history, and Rights, Responsibility and Respect)?
<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>• Caron – I understand you were working for Six Nations. Do you know who has taken over your role there? I’m having a hard time getting a hold of someone to setup a similar meeting. Good afternoon. Attached is a summary of our meeting earlier this month. I’ve included a PDF of the presentation at the end. Caron – How is your review coming, do you have any questions or do you want to talk to any of our discipline leads? I couriered you a few copies of the Annual Report Highlights last week, let me know if you didn’t receive them. By the way I attended the first day of the Historical Gathering. It was really interesting, kudos to everyone that put that on.</td>
<td></td>
<td>1-Mar-2018</td>
</tr>
<tr>
<td></td>
<td>11-Apr-2018</td>
<td>Telephone</td>
<td>MNCFN requested the links to the most recent documentation as part of the SCRF EA along with the link to the project website.</td>
<td>Terrapure provided an update on the SCRF EA as well as an invitation to the Public Open House #2 on March 22, 2018 where Terrapure will present the recommended option for the capacity increase based on technical feasibility, potential environmental impacts and input received from the public, agencies, and Indigenous groups. GHD called MNCFN with an update on the SCRF and to see if there was interest in reviewing the Draft Alternative Methods Reports or any other reports pertaining to the project at this time. I had a quick chat with Caron today about this project. As you may have seen in the official notice we sent in March, we’ve identified the recommended option for Terrapure’s proposed capacity increase – to reconfigure the site and increase the height. The recommended option does not include any footprint expansion outside of the limits of the quarry that was previously disturbed. Between now and June, our technical experts are further developing the landfill expansion design, refining the proposed mitigation measures to address any environmental effects, and developing monitoring plans. I suggested to Caron that we setup a meeting in June to present those results for your feedback. Between June and August, we will be finalizing those details into a draft Environmental Assessment Report (which will also be available for review/comment). If you are in agreement with that approach I’ll reach out to you again in mid-May to find a date that works for your team. Caron – As promised, here are the links to the most recent documentation released as part of this project. If you’d like a quicker primer, I suggest taking a look at the Online Open House (its officially open for comment until April 20, but if you need access after that I’m happy to provide): • Draft Alternative Methods Report – This report documents the method used to the evaluation the six options for the capacity increase, and the results of the evaluation from the perspective of the various environmental disciplines • Air, Odour and Meteorology Existing Conditions Report – Has had minor updates to address comments from review agencies • Land Use and Economic Environment Existing Conditions Report – Has had minor updates to address comments from review agencies All project documentation is available in the document library.</td>
<td></td>
<td>8-Mar-2018</td>
</tr>
<tr>
<td></td>
<td>11-Apr-2018</td>
<td>Email</td>
<td>Can you tell us what field surveys still need to be done or monitoring on site so Megan can get a contract signed for FLR participation? In terms of presenting your results you could send us the results to be reviewed then we could have a conference call to discuss them?</td>
<td>Yes we could certainly send you the impact assessment reports then have a conference call/webex to discuss. I will be in touch when we have the impact assessment reports are complete. Regarding your other question of what field surveys still need to be done or monitoring on site, we don’t anticipate further field work at this time during the EA. Perhaps only confirmatory visits to look at where mitigation measures may occur for enhancing habitat/vegetation to replace that which will be temporarily removed. Would you like to have FLRts participate in those field visits? If so, please send me the details.</td>
<td></td>
<td>17-Apr-2018</td>
</tr>
<tr>
<td>Indigenous Communities</td>
<td>Comment Date</td>
<td>Method</td>
<td>Comments from Aboriginal Community</td>
<td>Terrapure’s Response</td>
<td>Response Date</td>
<td>Method</td>
</tr>
<tr>
<td>------------------------</td>
<td>------------</td>
<td>-------</td>
<td>-----------------------------------</td>
<td>----------------------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Regarding monitoring, the post-EA monitoring requirements will be outlined in the impact assessment reports noted above. Once you have had a chance to review we can discuss your future involvement in that monitoring.</td>
<td>We had discussed setting up a conference call in July to present the results of the impact assessment. If you are still interested in that, do you have availability for either of the following times? • Tuesday July 10, 8:30 - 9:30 am or 11:00 am - 12:30 pm • Friday, July 13, 10:30 am – 12:00 pm or 1:00 - 2:30 pm If none of those times work I can find something else the following week. If you would like to review any documents separate from our conference call, the impact assessment is documented in several draft impact assessment reports, available for review and comment. Below are links to the most recent documentation that is available for review and comment. The Online Open House also provides a good summary of the information: • Draft Impact Assessment Reports: Air Quality and Odour, Geology and Hydrogeology, Land Use and Economic, Terrestrial and Aquatic Environment, Noise, Surface Water, Traffic, Design &amp; Operations • Facility Characteristics Report All documents are always available in the Document Library section of the website.</td>
<td>5-Jun-2018</td>
<td>Email &amp; Registered Mail</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure left a follow up voicemail following the request to set up a meeting or interest in reviewing the SCRF EA documentation</td>
<td>Terrapure provided the Notice of Terms of Reference Approval and Commencement of the Stoney Creek Regional Facility Environmental Assessment</td>
<td>26-Jul-2018</td>
<td>Voicemail</td>
</tr>
<tr>
<td>Six Nations of the Grand River First Nation</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided the Notice of the SCRF EA Public Open House #1 and an invitation for an in-person meeting at the convenience of the Indigenous community.</td>
<td>Terrapure made follow up telephone calls and left voicemail to Indigenous Communities with information regarding the Notice of Commencement and Public Open House #1</td>
<td>24-Nov-2017</td>
<td>Email</td>
</tr>
<tr>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Following up on our email below, I am writing to give you an update on the Terrapure Stoney Creek Regional Facility Environmental Assessment. As mentioned in our previous correspondence, we would be pleased to meet with the Six Nations of the Grand River First Nation at your office at your convenience to discuss the project, present the information provided at the Open House and bring our technical experts to answer any questions you may have.</td>
<td></td>
<td>30-Jan-2018</td>
<td>Email</td>
</tr>
</tbody>
</table>

Next Steps
The Draft Environmental Assessment (EA) Report will be available for review and comment from August 24 to September 28 (tentative). The review period for the Final EA Report is tentatively scheduled for January/February 2019. When we submit the Final Environmental Assessment Report to the Ministry of the Environment, Conservation and Parks, both us and the Ministry will ask you for acknowledgment that your community is satisfied that its specific rights and interests have been adequately identified and considered during the Environmental Assessment. With the above in mind, I have two requests:
• Please let me know if you are interested in reviewing the Draft and Final EA Report and have sufficient resources and capacity to do so; and if you are interested in meeting in-person or via webex when the Draft EA Report is available. If you do not have sufficient resources or capacity to review the Draft or Final EA Report we will work with you to identify a solution.
• Can you advise whether your community’s rights and interests have been adequately considered up to this point in the EA?

Thanks again. Please give me a call if you’d like to discuss.
<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>26-Feb-2018</td>
<td>Email</td>
<td>My name is Matthew Jocko, Consultation Point Person for Lands and Resources for Six Nations. My director Lonny Bomberry sent me over your contact information and I was told that you were wanting to have a meeting with us regarding your project. Can you send me some dates that work for you and I will try to organize my staff.</td>
<td>Left a voicemail following up the previous email sent on January 30, 2018 with a request to confirm if the Six Nations of the Grand River First Nation was interested in reviewing any of the SCRF EA materials at this time. 26-Feb-2018 Voicemail</td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Terrapure provided an update on the SCRF EA as well as an invitation to the Public Open House #2 on March 22, 2018 where Terrapure will present the recommended option for the capacity increase based on technical feasibility, potential environmental impacts and input received from the public, agencies, and Indigenous groups. 8-Mar-2018 Email &amp; Registered Mail</td>
</tr>
<tr>
<td></td>
<td>6-Apr-2018</td>
<td>Meeting</td>
<td>An opportunity for Terrapure to learn more about the history of the Six Nations of the Grand River (Six Nations) and their interest in the Stoney Creek Regional Facility (SCRF) Environmental Assessment (EA)</td>
<td>Terrapure presented information on the SCRF EA, the proposed capacity increase, the options and how they were evaluated and the recommended option. 6-Apr-2018 Meeting</td>
</tr>
</tbody>
</table>

As part of this stage of the EA, below are links to the Proposed Work Plans, Draft Existing Condition Reports and the Draft Conceptual Design Report. As well, I have attached a copy of the MTCS Screening Checklist for Archaeological Potential. We are requesting that you confirm what material you are interested in reviewing, if any. You may download these documents from our website, or we would then be happy to send you printed or electronic copies directly.

Work Plans (See Appendix D, pg 170)
- Geology and Hydrogeology Work Plan
- Surface Water Resources Work Plan
- Terrestrial and Aquatic Environment Work Plan
- Land Use Work Plan
- Atmospheric Environment Work Plan (including Air Quality, Odour and Noise)
- Transportation Work Plan
- Economic Work Plan
- Archaeology and Built Heritage Work Plan

Design and Operations Work Plan
- Existing Conditions Reports
- Air, Odour and Meteorology
- Geology and Hydrogeology
- Land Use and Economic Environment
- Natural Environment
- Noise
- Surface Water
- Traffic

Draft Conceptual Design Report

For context, the Proposed Work Plans were included in the Amended Approved Terms of Reference. They outline the proposed methodology for the assessment and the criteria and indicators that will be used. The Draft Existing Conditions Reports document the results of site investigations and review of existing data sources. The Draft Conceptual Design Report presents the conceptual design for each of the six options.

If you have any questions on the preceding information or would like to set up a meeting please contact me directly by phone at 416-866-2365 or 647-326-4302. Thank you in advance and I look forward to your reply.
Terrapure answered questions regarding the history of the site, the existing operations and about the SCRF EA including what kind of materials is currently accepted, how does Terrapure screen material that comes into the site and archaeological potential during this EA.

Terrapure committed to continue to engage and update Six Nations as the EA moves forward and offered a tour of the site should Six Nations wish to see how they currently operate.

Please let me know if there are any of these documents that Six Nations would like to review and provide comment on. I’ve included the direct links below, but all are available in the document library:

- Draft Alternative Methods Reports
- Existing Conditions Reports
  - Air, Odour and Meteorology
  - Geology and Hydrogeology
  - Land Use and Economic Environment
  - Natural Environment
  - Noise
  - Surface Water
  - Traffic
- Draft Conceptual Design Report

We can also provide printed copies of any documents. If you will not be reviewing these documents, I would also appreciate you letting me know.

Next Steps
As mentioned in the meeting, we are currently in the Impact Assessment stage. We expect that the draft Impact Assessment Reports for the seven disciplines noted above will be available in June for review and comment. We expect the Draft Environmental Assessment Report will be available for review and comment in early fall, followed by the Final Environmental Assessment Report.

When we submit the Final Environmental Assessment Report to the Ministry of the Environment and Climate Change, both us and the Ministry will ask you for acknowledgment that your community is satisfied that its specific rights and interests have been adequately identified and considered during the Environmental Assessment. With that in mind, can you advise whether your community’s rights and interests have been adequately considered up to this point in the EA?

I will continue to provide you with EA documents and information for your review and comment. If you are not interested in reviewing or providing comment on specific documents, just let me know. If you do not have sufficient resources or capacity to participate, please let me know and we will work with you to identify a solution.

Thanks again. Please give me a call if you’d like to discuss.

I am writing to give you an update on this Environmental Assessment. For the last several months the technical team has been completing a detailed impact assessment of the preferred option (reconfigure the site within its existing property boundaries and increase the height), including outlining the proposed mitigation measures and monitoring plans. This is documented in several draft impact assessment reports, available for review and comment.

Below are links to the most recent documentation that is available for review and comment. The Online Open House also provides a good summary of the information:

- Facility Characteristics Report

All documents are always available in the Document Library section of the website.
<table>
<thead>
<tr>
<th>Indigenous Communities</th>
<th>Comment Date</th>
<th>Method</th>
<th>Comments from Aboriginal Community</th>
<th>Terrapure’s Response</th>
<th>Response Date</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>I am requesting that you confirm what material you are interested in reviewing, if any. You may download</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>these documents from our website, or we would then be happy to send you printed or electronic copies</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>directly. I will continue to send you updates and links to EA documents and information for your review</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>and comment. If you are not interested in reviewing or providing comment on specific documents, just let</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>me know.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>26-Jul-2018</td>
<td>Telephone Call</td>
<td>Requested to resend the last email with the details of the SCRF EA documents for review.</td>
<td>Next Steps</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The Draft Environmental Assessment (EA) Report will be available for review and comment from August</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>24 to September 28 (tentative). The review period for the Final EA Report is tentatively scheduled for</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>January/February 2019. Please let me know if you are interested in reviewing the Draft and Final EA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Report and have sufficient resources and capacity to do so; and if you are interested in meeting in-</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>person or via webex when the Draft EA Report is available. If you do not have sufficient resources or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>capacity to review the Draft or Final EA Report we will work with you to identify a solution.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>When we submit the Final Environmental Assessment Report to the Ministry of the Environment,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Conservation and Parks, both us and the Ministry will ask you for acknowledgment that your community</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>is satisfied that its specific rights and interests have been adequately identified and considered during</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>the Environmental Assessment. With that in mind, can you advise whether your community’s rights and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>interests have been adequately considered up to this point in the EA?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Left a voicemail following up on an email sent on Friday June 29, 2018 regarding an update on the SCRF EA project including the completion of the detailed impact assessment. Included in the email was the request to confirm which materials Six Nations would be interested in reviewing, if any.

26-Jul-2018 Telephone Call Spoke about the last email with the request for Six Nations to confirm their interest in reviewing the SCRF EA documentation.
7.6 Public Stakeholders

7.6.1 Public Participants Consulted
As key stakeholders, Terrapure consulted widely and frequently with community members throughout the SCRF EA process in a variety of ways to elicit their feedback and address concerns they may have with the project. Specifically, public stakeholders consulted throughout the SCRF EA process included:

- Property owners immediately adjacent to the SCRF
- Residents and businesses within 1.5 km of the SCRF property boundary
- Members of the public, primarily residents and businesses, who provided their contact information and were interested in the project
- Municipal, provincial, and federal elected officials
- Community Representatives on the Community Liaison Committee (CLC)
- Non-government organizations and community-based organizations with interest in the project
- Terrapure customers

Throughout the EA process, newly interested public stakeholders who participated in any of the numerous consultation activities were added to the project contact list for continued engagement and notification of project updates.

7.6.2 Overview of Consultation Activities with Public Stakeholders
Consultation with public stakeholders began at the Notice of EA Commencement and continued at the various key milestones throughout the SCRF EA. Input from the public was obtained throughout each of the consultation activities and considered at each key milestone of the SCRF EA. The full list of consultation activities undertaken with public stakeholders throughout the EA process included the following:

- Circulation of the Notices of Commencement and Public Open Houses (see Section 7.6.3)
- Three Public Open Houses (In-person and Online) (see Section 7.6.4)
- Individual meetings, telephone calls, email correspondence (see Section 7.6.5)
- Community Liaison Committee Workshop (see Section 7.6.6)
- Circulation of draft reports (see Section 7.6.7)
- Circulation of the Draft Environmental Assessment and circulation of the Final Environmental Assessment (see Sections 7.8 and 7.9)

7.6.3 Notices of Commencement and Open Houses

7.6.3.1 Notice of Commencement & Notice of Open House # 1
Following the approval of the Amended ToR for the SCRF by the MOECC on November 9, 2017, Terrapure distributed a Notice of Commencement announcing the start of the EA process. The Notice of Commencement included the locations for where the approved amended ToR is available for viewing as well as the encouragement for public, agencies, and Indigenous communities to stay tuned for upcoming consultation opportunities regarding the SCRF EA.
The Notice of Commencement was published on November 17, 2017, and was distributed via the following means:

- Direct mailing and emailing on November 17, 2017, to all identified agencies, Indigenous communities, and members of the public on the project-specific database.
- Registered mail to immediate adjacent property owners on November 17, 2017.
- On Terrapure SCRF Social Media Channels on November 17, 2017.
- Ad in the Hamilton Spectator on November 17, 2017.
- Ad in the Stoney Creek News on November 23, 2017.

Terrapure notified stakeholders of the Notice of Commencement, Public Open House and Online Open House through a variety of means to increase awareness and the potential number of public members attending. For each of the notifications, we promoted both the in-person public Open House as well as the Online Open House. Specifically, the following notifications for the event were distributed:

- Two advertisements in the Hamilton Spectator on November 23, and December 2, 2017.
- Advertisement in the Stoney Creek News on November 30, 2017.
- Direct mailing and/or emailing between November 21-24, 2017, to all identified agencies, Indigenous communities, and members of the public in the project-specific contact database.
- Registered mail to immediate adjacent property owners on November 24, 2017.
- Unaddressed postcard mailed between November 22-24, 2017, advertising the Open House to 7,256 residences and businesses within 1.5 km of the Site.
- Reminder email distributed to those in the project-specific contact database about the Online Open House on December 7, 2017 and January 11, 2018.
- Notices on the SCRF website and advertised on SCRF Twitter and Facebook accounts were published on November 23 & 29, 2017

New! Mobile Sign Advertising

We placed a mobile sign announcing the Open House beginning on November 22, 2017 on the Terrapure property south of the south-west corner of Upper Centennial Parkway and Green Mountain Road.
• Information about the Open House posted on the Empire Victory Community private Facebook Group.
• An article in the Stoney Creek News was published on November 30, 2017.

7.6.3.2 Notice of Open House #2
Terrapure notified stakeholders of Public Open House through a variety of means, promoting both the In-Person Open House and the Online Open House. Specifically, the following notifications for the event(s) were distributed:

• Two advertisements in the Hamilton Spectator on March 9, and March 17, 2018.
• Two advertisements in the Stoney Creek News on March 15, and March 22, 2018.
• Direct mailing and/or emailing to all identified agencies, Indigenous communities, and members of the public in the project-specific contact database between March 8-15, 2018.
• Registered mail to immediate adjacent property owners on between March 8-15, 2018.
• Unaddressed mail between March 8-15, 2018, of a postcard advertising the Public Open House #2 to 7,381 residences and businesses within 1.5 km of the Site.
• A mobile sign announcing the Open House was placed on Terrapure’s property south of the southwest corner of Upper Centennial Parkway and Green Mountain Road between March 8-22, 2018.
• Reminder emails distributed to those on the project database about the Online Open House and its upcoming deadline on April 17, 2018.
• An article in the Stoney Creek News was published on March 16, 2018.
• Notices on the SCRF website and advertised on SCRF Twitter and Facebook accounts were published leading up to the Public Open House #2 on March 22, throughout March, and ongoing for the Online Open House until April 20, 2018.
7.6.3.3 Notice of Open House #3

Terrapure notified stakeholders of Public Open House through a variety of means, promoting both the In-Person Open House and the Online Open House. Specifically, the following notifications for the event(s) were distributed:

- Two advertisements in the Hamilton Spectator on June 5, and June 18, 2018.
- Two advertisements in the Stoney Creek News on June 7, and June 14, 2018.
- Direct mailing and/or emailing to all identified agencies, Indigenous communities, and members of the public in the project-specific contact database between June 5-12, 2018.
- Registered mail to immediate adjacent property owners between June 5-12, 2018.
- Unaddressed postcard mailed between June 5-12, 2018, advertising the Public Open House #3 to 8,246 residences and businesses within 1.5 km of the Site.
- A mobile sign announcing the Open House was placed on Terrapure’s property south of the southwest corner of Upper Centennial Parkway and Green Mountain Road between June 5-19, 2018.
- Reminder emails distributed to those on the project database about the Online Open House and its upcoming deadline on July 19, 2018.
- An article in the Stoney Creek News was published on June 27, 2018.
- Notices on the SCRF website and advertised on SCRF Twitter and Facebook accounts were published leading up to the Public Open House #3 on June 19, throughout June, and ongoing for the Online Open House until July 20, 2018.

7.6.4 Public Open Houses

As part of this EA, Terrapure held three Public Open Houses at three key decision-making milestones:

- **Public Open House #1** – discussion on the developed options, the evaluation criteria and indicators to be applied to the options, and the evaluation methodology that will be utilized.

- **Public Open House #2** - reviewing the comparative evaluation results of the options and identifying the recommended option.

- **Public Open House #3** - reviewing the impact assessment results of the preferred option, including potential environmental effects, recommended impact management measures, proposed monitoring requirements, and proposed approvals/permits required for implementing the preferred option.

All three Public Open Houses were held on a weekday evening between 4 p.m. to 8 p.m., at the Salvation Army Winterberry Heights Church (300 Winterberry Drive, Stoney Creek). This location was chosen because of its close proximity to the SCRF, its familiarity to local community members, its accessibility and compliance under the Accessibility for Ontarians with Disabilities Act (AODA), and its size to accommodate attendees.

In an effort to broaden Terrapure’s reach and based on feedback received by community members, Online Open Houses for the stakeholders were held in conjunction with each of the three In-Person Open Houses. For each, the Online Open House was available for comment for one month, starting on the date of the In-Person Open House.
The Online Open House is a way to give interested stakeholders and community members who may not be able to or interested in attending the open house the opportunity to review the information and provide meaningful input. The Online Open House was accessible by visiting the project website. The information on the Online Open House included all of the same consultation materials (display boards, handouts and comment sheets) presented at the In-Person Open House. Terrapure will consider feedback received from the Online Open House equally with feedback provided at the In-Person Open House.

7.6.4.1 Public Open House #1

**Date:** Thursday, December 7, 2017 from 4 p.m. to 8 p.m.

**Purpose:**

Provide the community members with an opportunity to review and provide comments on the:
- EA process
- Six options to accommodate the capacity increase
- Proposed evaluation methodology
- Existing environmental conditions in and around the SCRF
- Proposed consultation methods with the public going forward

7.6.4.2 Public Open House #2

**Date:** Thursday, March 22, 2018 from 4 p.m. to 8 p.m.

**Purpose:** Provide community members with an opportunity to review, ask questions, seek clarifications, and provide comments on the:
- EA process
- Assessment and Evaluation Methodology
- Results of the evaluation for each of the six options, as well as the comparative evaluation of the six options against one another
- Recommended Reconfiguration and Height Increase Option (5)
- Further considerations of the natural environment and surrounding community during the next phase (Impact Assessment)
- Proposed consultation methods with the public going forward
7.6.4.3 Public Open House #3

**Date:** Tuesday, June 19, 2018 from 4 p.m. to 8 p.m.

**Purpose:** Provide community members with an opportunity to review, ask questions, seek clarifications, and provide comments on the:
- EA process
- Confirmation of the preferred reconfiguration and height increase option
- Results of the detailed impact assessment for the preferred option
- Proposed impact management measures, monitoring and commitments
- Next steps and future consultation opportunities

7.6.5 Individual Meetings, Emails and Telephone Calls

Terrapure met with various individuals and groups expressing an interest in the project throughout the preparation of the SCRF EA. The primary purpose of these meetings was to address concerns and comments from the individual and make best efforts to resolve any outstanding issues in a mutually beneficial way. Summaries of the meetings are not provided due to privacy considerations.

In addition to the formal and informal in-person meetings, Terrapure received telephone calls and email correspondence regarding the SCRF EA. These means of engagement with the public were commonly utilized by members of the public and by Terrapure as a means to more quickly exchange information (i.e., provide comments, ask questions, etc.).

7.6.6 Community Liaison Committee Workshop

The existing Terrapure SCRF Community Liaison Committee (CLC) meets quarterly to discuss the Site’s current operations outside of the SCRF EA. The CLC is comprised of citizen members from the local community surrounding the Facility, representatives of Terrapure, the City of Hamilton, and the Ministry of the Environment, Conservation and Parks.

At key milestones, Terrapure provided the CLC with an opportunity to hold CLC Workshops outside of the regularly scheduled CLC meetings, as a forum for in-depth discussion of project issues and act as a conduit with the local community.

The CLC only requested an additional workshop meeting at the Notice of Commencement in advance to the Public Open House #1. The workshop was held on Monday December 4, 2017, at the Winterberry Heights Church (300 Winterberry, Stoney Creek). At the meeting CLC Members confirmed that they received the Notice for the open house, had discussions about the difference between residual and industrial fill and asked clarifying questions including:
- How many people typically attend In-Person Open Houses
- The duration for the Online Open House
- The EA process
- Closure timelines
- Concerns regarding potential for contaminants leaking
- Consideration of Comments Received and Issues Raised

In light of the numerous consultation activities carried out by Terrapure with members of the public during the preparation of the SCRF EA, various comments were received reflecting a number of
issues. In response, Terrapure considered these comments and attempted in good faith to resolve the raised issues so that both they and the interested person(s) had an agreeable resolution during the SCRF EA.

**Table 7.3** summarizes the comments received from the public through correspondence (written and electronic), telephone calls, and meetings and how they were considered by Terrapure. This table is organized by type of comment or issue in accordance with Section 4.3.7 of the Ministry of the Environment’s Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (January 2014).

Several of the comments and concerns raised resulted in changes to the SCRF EA, including the following:

- In response to concerns raised about the visual impact of the SCRF and the proposed height increase, Terrapure presented and asked for feedback on several conceptual screening techniques at Open House #3. Terrapure has committed to implementing visual screening measures during construction, as appropriate. Further, Terrapure prepared visual renderings and cross sections to illustrate the anticipated change in the visibility of the SCRF.
- In response to concerns about the ranking of the “Effects of Views of the Facility” criteria, Terrapure modified the comparative evaluation, changing Option 5 from yellow (low negative net effect) to orange (medium negative net effect).
- In response to concerns about the accuracy of some of the maps and figures used in the reports, specifically related to the road network, Terrapure revised these maps and figures to reflect the most up-to-date information.
- In response to suggestions to present technical information in a more public-friendly way, Terrapure released two videos, described in **Section 7.3.3**, Appendix “C” to Report PED16184(b).
Table 7.3 Public Stakeholder Comments and Consideration by Terrapure

<table>
<thead>
<tr>
<th>Purpose of the Undertaking/Alternatives To the Undertaking</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposition to any of the expansion options; desire to close the SCRF.</td>
<td>Terrapure Environmental is currently undergoing an Environmental Assessment under the Provincial Environmental Assessment Act. The purpose of the undertaking, to assess the various ways of increasing capacity for residual material at the Stony Creek Regional Facility, was established in the Minister-approved Terms of Reference in November, 2017. This capacity increase is based on the identified need for continued disposal capacity for industrial residual material generated within Hamilton and the Greater Toronto Area.</td>
</tr>
<tr>
<td>Please look to the future for other options outside a residential community.</td>
<td>Terrapure considered finding an alternative site for a new facility during the Terms of Reference stage of the project and determined it not to be feasible.</td>
</tr>
</tbody>
</table>

**EA Process and Public Consultation**

<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrapure can better help the public understand the current operations compared to the proposed options.</td>
<td>This comment will be considered, as we continue to develop educational resources to help the community to better understand who Terrapure is and what happens at the SCRF. Existing resources are available on the project specific website (<a href="http://www.terrapurestoneycreek.ca">www.terrapurestoneycreek.ca</a>) including two videos on the waste acceptance process and the current operations at the site. These videos are also available here: <a href="http://bit.ly/SCRFvideos">http://bit.ly/SCRFvideos</a></td>
</tr>
<tr>
<td>Would like Terrapure to consider funding for the community to seek out independent expert input, which was once a standard for the environmental assessment process.</td>
<td>Although Terrapure has not provided funding for the community to seek out an independent expert, there is a Government Review Team which is comprised of a team of independent experts from the Ministry of the Environment and Climate Change, the City of Hamilton and other government agencies. The Government Review Team reviews and scrutinizes the work completed by Terrapure's team of experts to ensure the EA to ensure that it is conducted using best practices.</td>
</tr>
<tr>
<td>Concerned with the use of the terms industrial fill and residual material which is inconsistent with what the MOECC uses to describe these different materials. The material that will be landfilled is 'non-hazardous industrial waste' and, I believe it should be referred to as such.</td>
<td>Terrapure uses the term &quot;residual material&quot; to describe non-hazardous solid industrial waste interchangeably. We have published a video on the waste acceptance process at the site which helps explain what kind of materials are received at the SCRF. It can be found here: <a href="http://bit.ly/SCRFvideos">http://bit.ly/SCRFvideos</a></td>
</tr>
<tr>
<td>The Environmental Assessment Process diagram shows the Ministry making a decision on the EA in Spring 2019. Will Terrapure suspend operations at the Stony Creek Landfill site if the current site license is reached before that time?</td>
<td>Terrapure is and will continue to operate within the approved capacity limits currently set out in the existing ECA.</td>
</tr>
<tr>
<td>Felt like the presentation of the material indicated that the proposed expansion is already a &quot;done deal&quot;.</td>
<td>This comment will be taken into consideration to improve the way we present information at the next Open House (anticipated to be held in early summer 2018).</td>
</tr>
<tr>
<td>This format only invites comments to the promotional content on the site. The person completing the survey should be invited to comment on a broader list of issues or any other matter of concern. The Online Open House and the Open House on June 19th (which I attended) was just very similar to the last open house. I was not invited to fill out any comment form at the live open house and the various stations were not all attended by a member of the PR team.</td>
<td>Thank you for your feedback on the Online Open House and In-Person Open House #3. The Online Open House did include opportunity for feedback as embedded forms which invited participants to provide comments on the Environmental Assessment, including feedback forms with specific questions (i.e. “Do you have any comments on the detailed impact assessment? and Do you have any comments on the proposed impact management measures for the preferred option”) and general feedback forms (i.e. “Other Comments”). At the In-person Open House, comment forms were available throughout the room and 17 staff were available both at the various stations and circulating throughout the room.</td>
</tr>
</tbody>
</table>
### Study Area and Existing Conditions

<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consider expanding the Study Area to include all areas west of the site to the freeway since these residents travel along Mud Street to Hwy 20, and are subject to the views, noises, traffic, and odour of the site.</td>
<td>As part of evaluating the six options, we used a 1.5km study area to establish the existing conditions for elements of the environment such as visual, noise, traffic, and odour. The study areas will be reviewed, and if necessary modified during the EA, including when the extent of potential environmental effects are better known.</td>
</tr>
</tbody>
</table>

Attached are pdf’s for documents, Figure 2.1, 4.4 and 6.1 which are from the Terrapure website. As can be seen the dotted area around the dump is called the local study area. Within this area the roads infrastructure is shown between the concession lines. We take issue with the misleading portrayal of the local study area on these maps, as it tends to indicate for lands around the dump that are merely open fields when in fact there are numerous new roads or streets in housing areas that are not shown on the map. See the attached PDF titled “Neighbourhoods around Dump” a summary of the information is as follows:

a.) Neighbourhoods to the North immediately across the road from the Dump consist of over 2 miles of additional streets not shown in these documents, with over 200 homes in this area.

b.) Neighbourhoods to the West of the Dump site consists of over 1 mile of additional streets not shown in the documents references, with over 250 homes in this area.

c.) Neighbourhoods to the South of the Dump site consists of over 1.5 miles of additional streets not shown in the documents references, with over 200 homes in the area, plus the many 100’s of homes already there and even more to come in the parcel of land now being developed to the East.

These new streets and roads must be shown in any map of the study area. There are also two schools within the study area as well that we feel should be noted as they are important sites to have an appreciation for in this process. There may be other references in other documents on this application going forward any reference maps referencing the study area should show all streets.

Then there are the various applications being made by developers for housing sites within the local study area where roads are not in place as yet. These developments consist of the following additional housing units to be around the Dump and are noted in the attached screen shots of the City of Hamilton Planning Dept. web site

- ZAC-13-005 has 340 units
- ZAR-13-025 has 96 units
- ZAC-15-015 has 450 units
- ZAC-15-059 has 39 units
- ZAC-16-065 has 197 units
- ZAC-16-066 has 135 units
- ZAC-17-001 has 97 units

In total, another 1354 housing units are to be built within the local study area. A large number of homes cannot be ignored and left out of the discussions going forward. Their inclusion as an item of references on the study area documents to be submitted in the application and on documents for the community should be required factor in the analysis of this request being made of the MOECC.

<table>
<thead>
<tr>
<th>Application #</th>
<th>Number of Units</th>
<th>ID# in Table 4.2 of the Land Use Existing Conditions Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZAC-13-005</td>
<td>340 units</td>
<td>#60</td>
</tr>
<tr>
<td>ZAC-13-025</td>
<td>96 units</td>
<td>#61 (our records indicate 120 units)</td>
</tr>
<tr>
<td>ZAC-15-015</td>
<td>450 units</td>
<td>#65</td>
</tr>
<tr>
<td>ZAC-15-059</td>
<td>39 units</td>
<td>Not included in the Existing Conditions Report, as this the status of this application recently changed status. This development will be considered in the impact analysis stage.</td>
</tr>
<tr>
<td>ZAC-16-065</td>
<td>197 units</td>
<td>#70</td>
</tr>
<tr>
<td>ZAC-16-066</td>
<td>135 units</td>
<td>#69</td>
</tr>
<tr>
<td>ZAC-17-001</td>
<td>97 units</td>
<td>#68</td>
</tr>
</tbody>
</table>

As development applications are updated or as new applications are submitted, we will include these within our analysis and evaluation, as necessary.
<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>As you have noted, a large number of homes have recently been built or are proposed to be built within the Local Study Area. The potential effect of the proposed capacity increase on planned and future land uses, including new residential development within 1.5 km of the SCRF, was considered as part of evaluating the options. As well, this will continue to be considered as part of the impact assessment stage, utilizing updated information as necessary.</td>
<td>A visual assessment of these properties was conducted in February 2018 (photos are included in Section 5.5 of the Land Use Existing Conditions Report), which concluded that these fields are farmed or used for the purpose of agriculture. The Ontario Ministry of Agriculture and Rural Affairs was provided a copy of the report for review and comment as well. As of April 13th, 2018, the City of Hamilton does not have any proposed development plans for these parcels. As well, they are currently zoned for agriculture purposes. As a result, we cannot assume that the property owners intend to develop these properties, despite the fact that they are owned by those involved with housing developments.</td>
</tr>
<tr>
<td>In Figure 4.4 the colour shading shows that properties across from the Dump on Upper Centennial parkway are coded agricultural lands for current zoning info. However, there has not been minimal agricultural activity on these lands for the past decade and in fact these pink coded properties are owned by those that are involved with housing developments. So another influx of neighbourhoods around this Dump to come on top of all the current and approved properties in the area.</td>
<td>The colour shading shows that properties across from the Dump on Upper Centennial parkway are coded agricultural lands for current zoning info. However, these pink coded properties are owned by those that are involved with housing developments.</td>
</tr>
<tr>
<td>Interested in the type and quantity of waste material to be accepted now and with the six options.</td>
<td>The SCRF is only permitted to receive industrial solid non-hazardous residual materials from operations like the local steel producers and infrastructure projects like the new James Street GO station and the McMaster Children’s Hospital expansion. Through this Environmental Assessment, we are not seeking approval to change the type of waste we accept on-site.</td>
</tr>
<tr>
<td>Concern that Terrapure used the evaluation criteria and process to select their preferred desired outcome and not one that incorporated the comments received from community members.</td>
<td>The environmental components were selected to reflect the broad definition of the environment under the Environmental Assessment Act, specifically the natural, social, economic, cultural, and built environments. These components and the comparative evaluation methodology are consistent with other Environmental Assessments undertaken throughout Ontario, and were approved by the Minister of the Environment and Climate Change in the Terms of Reference.</td>
</tr>
<tr>
<td>Belief that the criteria and scoring of the Land Use, Visual, Economic and Design &amp; Operation was incorrect.</td>
<td>The results of the comparative evaluation are being reviewed by the MOECC and other independent subject-matter experts as part of the Government Review Team that oversees the EA to ensure that it is conducted using best practices.</td>
</tr>
<tr>
<td>Disagreement with the methodology used by Terrapure to determine the outcome.</td>
<td>This comment will be taken into consideration to improve the way we present information at the next Open House (anticipated to be held in early summer 2018). We make a continuous efforts to ensure that the work being completed for the EA is presented in a way that is easy to understand and easy to provide input.</td>
</tr>
<tr>
<td>Did not like the way the comparative evaluation was presented. Found it difficult to understand the impacts of the current operations versus the options being proposed.</td>
<td>While closure timing is not included as a separate evaluation criterion, every criteria will be assessed in relation to timelines of construction, operation, and closure/post-closure, as per the Minister Approved Amended Terms of Reference. Therefore, any potential effects during construction/operation would be considered to have a greater impact in those alternatives that have longer construction/operation durations.</td>
</tr>
<tr>
<td>Consideration of closure time. None of the evaluation criteria currently pertains to site closure.</td>
<td>Under “Highlights of Community Feedback”, Terrapure says &quot;We have selected a preferred option with the lowest height increase of all the options&quot;. That is simply not correct as Options 1, 2 and 4 have no height increase compared to the 2.5 meter increase for Option 5. Please revise that comment.</td>
</tr>
<tr>
<td>The text in the “Highlight of Community Feedback” section does not state that we have selected a preferred option with the lowest height increase. The text is as follows: “We understand the community’s concerns around height and we will implement impact management measures to minimize the visibility of the SCRF. The preferred option has a lower height increase compared to other options with low environmental impact.”</td>
<td>In the November 22, 2017 Stoney Creek News, Greg Jones was quoted as saying &quot;the company will use public feedback to pick a preferred option which will be presented at a second Open House&quot;, yet Option 5 was selected which had zero support from the community based on Terrapure Table 4.1 Summary of Comments Received on the Six Options on GHD/Terrapure – EA Open House #1 Summary Report as compared to Option 1 where there were 17 positive comments from the community. Consequently, please remove the comment “Confirmed the Preferred Option taking into consideration feedback from members of the community, agencies and Indigenous groups” as that is obviously not true.</td>
</tr>
<tr>
<td>Since none of the feedback received on the recommended option (including feedback received at the second Open House) changed the results of the comparative evaluation, Option 5 was confirmed as preferred. Terrapure also did receive feedback from stakeholders acknowledging that Option 5 was the best compromise, minimizing height increase while still providing the additional capacity being sought in the EA.</td>
<td></td>
</tr>
</tbody>
</table>
**Comment from Member of the Public**

From the March 22 Open House the 'Comparative Evaluation of Options Summary' handout was provided to attendees. We take issue with this analysis. As stated by GHD in other documents, the preferred option for Terrapure going forward is Option 5. We found it amazing that Option 5 did not have one red circle in its evaluation on the Summary sheet; kinda misleading and in our minds simply a portrayal to unjustly favour Terrapures wishes.

In the "Land Use" component there are Red Circles for Option 3 and 6 which have 11 metre (36 feet) and 8 metre (26 feet) of landfill height increases. Whereas Options 1, 2 and 4 have no height increase changes and are not Red Circled which would seem appropriate. But when looking at Option 5 info, there is not a Red Circle shown. There should be a Red Circle shown as the height will increase by 2.5 meters (8 feet). The consultant from GHD (Brian Dermody) confirmed at the open house that this colour coding was their opinion on things and not that of the community of residents around the Dump. This evaluation of height needs to take into consideration the results of the survey feedback on what was said to GHD by the community, which overwhelmingly the comments back were that residents did not want to see any height increase at the Dump. A height increase is a height increase and as noted in this handout under "Effect on views of the facility" there is an effect that we residents around the Dump are not wanting, so a Red Circle needs to appear in this section under Option 5.

For Visual – Option 1 should be green as there is no change to current height approval and Option 5 should be at least orange because it represents a 2.5m height increase.

**How the Comment was Considered**

It is correct that the circles used to indicate a level of net impact were determined by the team of scientists, engineers and other technical staff. Each technical discipline arrived at their rankings independently. Option 5 was determined to be the recommended option as a result of the comparative analysis of the net overall outcome of these independent rankings. This methodology is described in further detail in the Draft Alternative Methods Report and in the Minister-approved Terms of Reference. The results of the comparative evaluation presented at the open house are draft for review and comment by stakeholders, including yourself. We will take your comments below into consideration as we finalize the comparative evaluation.

The ranking for this category was based on visual impact and the ability for it to be mitigated, rather than height in and of itself, as this better represents the impact that residents will experience. Visual renderings were produced from a variety of viewpoints around the SCRF to determine the visual impact. Option 5 resulted in a yellow circle as opposed to a red circle, because, with a height increase of 2.5m, it results in a much lower effect compared to that of Options 3 and 6 with a 12m and 8m increase. Through the application of mitigation measures such as additional vegetation and/or fencing, a height increase of 2.5m can be mitigated or blocked sufficiently, whereas a 12m and 8m height increase cannot be sufficiently mitigated through fencing or vegetation. We appreciate your comment however and we will certainly review this and get back to you on the final rankings after the closure of the comment period.

This comment, as well as any others provided by members of the public or review agencies, will be taken into consideration as the comparative evaluation is finalized. The rationale for the draft rankings in this category is as follows:

Option 1 resulted in a yellow circle because even though there is no height increase from the existing approved contours, there would be a change from what is currently visible. There is still a visual impact from the site on the surrounding community that would need to be mitigated through measures such as vegetation and/or fencing.

Option 5 resulted in a yellow circle as opposed to orange or red circle because, with a height increase of 2.5 m, it results in a much lower effect compared to that of Options 3 and 6, which had a 12 m and 8 m increase, respectively. Through the application of mitigation measures such as additional vegetation and/or fencing, a height increase of 2.5 m can be mitigated or blocked sufficiently, whereas a 12 m and 8 m height increase cannot be sufficiently mitigated through fencing or vegetation – thus creating a greater net impact.

On the ranking summary for Visual "Effect of Views of the Facility", I continue to maintain that Option 1 should be green as there is no change to the currently approved height (regardless of whether it is Industrial Fill or Residual Material).

Thank you for your comment. As previously mentioned, Option 1 at closure will have a visual impact as compared to the current view and will require screening techniques to minimize the views of the SCRF from the surrounding community.

As stated above, the details of the economic analysis can be viewed in greater detail in the Draft Alternative Methods report. However, to provide some brief context, the results of the economic analysis were based from a background report completed by RIAS on the Economic Impacts of the SCRF. This report, which was included in the approved Terms of Reference, highlights the economic benefits to the City of Hamilton and surrounding community, including detailed discussions on job duration, total GDP that the facility will contribute based on duration of landfill operations. It is these factors on which the net economic effects assessment were based. Options 3, 5 and 6 would all result in the greatest economic benefits to the City of Hamilton and surrounding community. Profit/operation viability is not considered as part of this criteria.

The City and MOECC require surface water runoff (i.e. stormwater) to be treated onsite before it is discharged to a storm sewer or watercourse. As a result, a stormwater management pond needs to be accommodated onsite to treat stormwater.
### Comment from Member of the Public

along the side of the property. Any discussion on the water management ponds, which are about the size of 4 or 5 Olympic sized pools, as having an effect on the Options is meaningless. This new storm sewer system can be utilized. The "Surface Water Existing Conditions Report" in draft form makes no mention of the 72” sewer system trunk passing by the property and this needs to be factored into any water management criteria on the options.

In the "Transportation" component, there is no consideration given to the length of time frames (years) for the traffic to be in area. The various options have short to very long terms of life for the Dump, there needs to be a table line added on this page with a Green Circle going under the shortest time frame option and a Red Circle under the longest time option with the varying colours in between.

For the transportation component, Option 1 should be green and Option 5 should be red to reflect closure dates.

In the "Design & Operations" component, The Stormwater management line should all be Green circles as the 72” sewer trunk runs right beside the property.

The Rationale comment should include the words at the start of the sentence "The above colour coding favours the best business case for Terrapure's profitability"

### How the Comment was Considered

before it is discharged to a sewer. Currently, stormwater is discharged to an existing storm sewer to the north of the site under First Road West following treatment at the stormwater management pond.

Time frame (years) was considered as part of the existing conditions and alternative methods evaluation, as both current and future traffic counts were included in the analysis. Specifically, we evaluated the potential current and future impact on traffic at intersections surrounding the SCRF as a result of trucks coming to and from the SCRF. Since the number of trucks per day allowed to the site will not change with any of the options, there is no increased potential for collisions or increases to level of service at any of the intersections. Therefore, none of the Options present effects to Traffic. Further, the detailed impact analysis (in the next phase of EA) will include an analysis on traffic levels through both the design and operation phase as well as the decommissioning phase of the Facility.

For transportation, the evaluation criteria was "effect on traffic". In this case, none of the options results in a change in the number of trucks allowed to the site, or result in increased potential for collisions or increased level of service at any intersection.

In the next phase of the EA, the detailed impact assessment will include an analysis on traffic levels through both the design and operation phase as well as the decommissioning phase of the Facility.

As noted above, stormwater from the site must be treated onsite in a stormwater management pond. The rationale for evaluating the options under the stormwater management component included the design and operating complexity of the stormwater management system.

Only one of the criteria in the "Design and Operations" component is related to the option’s ability to provide the additional capacity being sought. The Terms of Reference does state that this purpose was determined, in part, by the economic opportunity available to Terrapure. We will consider ways to make this more transparent in future open houses.

### Land Use and Economic

Consider the large population expansion within the area and of the sensitive land uses of the surrounding area because of rapid population growth.

As part of evaluating the six options, we will assess their potential impact on the existing and future land uses, including planned and approved new development.

Would like assurance that the MOECC guidelines for distances from the landfill are respected within the decision for the Site.

The environmental assessment (EA) is being carried out according to the Minister Approved Amended Terms of Reference, the requirements of the Environmental Assessment Act, and O.Reg 232/98, which outlines design guidelines and considerations for property boundary setbacks and buffer zones.

Interested in where waste would be sent if this facility closes and the potential CO2 emissions and cost of transport.

Thank you for your comment. Closure of the existing SCRF would create a significant gap in the company’s services for long-standing customers within the H&GTA. Historically, approximately 50 percent of the annual disposal capacity for residual material is generated by businesses and operations located within the City of Hamilton and 93 percent within the H&GTA.

The additional trucking required to take the industrial residual material has the potential to increase GHG emissions for longer trips to other waste facilities by approximately 23,500 to 64,000 tonnes per year.

The requirement to ship to other locations would also create a financial burden to Ontario industries, ranging from about $28 million to $100 million, in present value terms over the course of the proposed additional residual capacity lifespan of the SCRF under the proposed undertaking.

More information on these details can be found in Supporting Document #1: Terrapure SCRF – Business Case Analysis.
<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Visual</strong></td>
<td>Thank you for your suggestion. The potential screening measures presented at the Open House will be included in the Land Use Impact Assessment Report and Environmental Assessment Report. We would appreciate any feedback you have on these screening measures.</td>
</tr>
<tr>
<td>I would like to see a comprehensive landscape plan for the beautification of the boundaries at the site for viewing and public comment at the next Open House (or sooner online).</td>
<td></td>
</tr>
<tr>
<td><strong>Opposition to the height increase</strong></td>
<td>We understand that some community members are concerned with any increase in height. The visual effects of each of the options were considered as part of the evaluation, which included consideration of height increases. Option 5 has an estimated height increase of 2.5 m that, through the application of mitigation measures such as additional vegetation and/or fencing, can be mitigated or blocked sufficiently.</td>
</tr>
<tr>
<td>Should the proponent proceed with additional screening, please do not opt to use any artificial greenery. One of the photos above seems to show artificial green on a fence system. We urge that the proponent make use of real vegetation ideally native to screen the site. This will bring other benefits including creating habitat in the area.</td>
<td>Thank you for your recommendation for the screening surrounding the SCRF to be real vegetation, ideally native. Different screening techniques may be used at various locations around the site and, where possible, native vegetation will be used.</td>
</tr>
<tr>
<td><strong>Air Quality and Odour</strong></td>
<td>The potential for odour from the facility is not predicted to change in the future compared to current conditions. The facility has an existing procedure for responding to odour complaints, including identifying if the odour is likely to originate from the site (based on wind direction), checking the leachate pumping station and surface run-off pond for operational issues, and addressing any issues if found. Odour complaints are summarized in the annual report, and the MECP is informed of all complaints and how each complaint has been addressed. Adherence to the MECP Point of Impingement (POI) Criteria for particulates is predicted through dispersion modelling, with receptors identified at 20 m intervals around the perimeter of the site, and at defined intervals (gridded receptors) extending up to 5 km from the property boundary, per MECP requirements. The dispersion modelling for the SCRF determined that predicted concentrations of dust in the community met MECP guidelines, but based on some phases of the operations, and some traffic levels, there was a potential for dust concentrations at the fenceline to exceed MECP guidelines. The SCRF is able to increase onsite dust mitigation activities (such as watering and sweeping the on-site roads, reducing on-site vehicle speed, limiting activities near the property boundary during periods of higher winds, and not operating at maximum capacity on a daily basis) such that MECP guidelines are met at all locations. In the event of dust complaints, the SCRF also has a complaint procedure, including identifying if (based on wind direction) it is likely the SCRF is the source of the dust, inspecting the work areas to ensure dust mitigation activities are being implemented, and if necessary increasing dust mitigation activities to address any issues.</td>
</tr>
</tbody>
</table>

We are concerned about the fact that there will be a decrease in the separation distance between the landfill activities and adjacent residential properties to the north of the SCRF. This means that there is the potential for impacts on 'sensitive receptors' like residential areas and the school proposed to the northwest of the site because these uses will be in such close proximity to the operating landfill. Provide more detail around the 2.5 µm particulate matter size fraction (PM2.5) results from the Air Quality Impact Assessment Report. We wonder whether the reference to on-site monitoring of PM10 is a plan to do a one-off monitoring exercise or whether there is an on-going commitment to undertake PM monitoring along the facility fenceline - something we believe should be Under its Approval to Proceed (1996), the SCRF implemented an ongoing PM10 monitoring program (managed and maintained by Rotek Environmental), with annual reports submitted to the MOECC. The last 5 years of reports are also posted on the Company’s website. The approval to proceed with the undertaking was subject to 23 terms and conditions under the...
<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>happening now anyway. We would add that the proponent should also be required to monitor for PM2.5 -now confirmed as a known cause of lung cancer in humans.</td>
<td>Environmental Assessment Act, and 115 terms and conditions under the Environmental Protection Act. The annual air quality monitoring reports are prepared annually with the objective of satisfying Condition 2.4 under the Environmental Assessment Act and Condition 54 under the Environmental Protection Act. This includes continuous PM(<em>{10}) monitoring at the Met One BAM 1020 monitor located at the east property line, downwind of the facility operations. PM(</em>{10}) was selected as the airborne particulate species of interest in accordance with environmental monitoring practices and standards that at this time. The equipment has been maintained according to accepted practices, and is audited by the MOECC on an annual basis. PM(<em>{10}) incorporates PM(</em>{2.5}), and the existing monitoring program continues to be deemed acceptable by the MOECC for the purposes of monitoring airborne particulates in the vicinity of the SCRF. Based on the emissions inventory and dispersion modelling for the facility as part of the ongoing EA process, the facility is unlikely to be a major contributor to elevated PM(_{2.5}) concentrations in the area.</td>
</tr>
<tr>
<td>Add PM monitors around the SCRF.</td>
<td>At this time, we do not believe that it is necessary to add additional monitors since monitoring and best management practices on-site are sufficiently meeting the requirements set out in the Environmental Compliance Approval. The results of air quality monitoring is published annually in the Annual Report, which is provided to the Ministry of the Environment, Parks and Conservation, and the City of Hamilton.</td>
</tr>
<tr>
<td>Include Isopleth Maps in the Air Quality Impact Assessment Report</td>
<td>Isopleth maps provide information regarding continuous distribution over an area and are often used to depict elevation, temperature, rainfall or other data. During the Terms of Reference (ToR), the Ministry of the Environment, Conservation, and Parks (MECP) reviewed the Air Quality technical work plan and isopleth maps were not requested or required to be included in the Impact Assessment Report. That is why they were not developed or included as part of the Air Quality Impact Assessment Report presented at the In-Person Open House #3. The MECP bases their assessment of a project on the maximum predicted concentrations of airborne contaminants, regardless of where these might occur off-site (including at the fenceline).</td>
</tr>
</tbody>
</table>

**Natural Environment**

Consider the future impact of the Facility on animal populations.  
We wonder whether there is any risk currently, or with potential future scenarios, for wildlife in and around the stormwater management pond. Are there contaminants present that wildlife might be exposed to?  
The text states that ‘Temporary impacts during construction and operation to vegetation, wildlife habitat, aquatic habitat, and aquatic biota will be minimized.’ The text goes on to read that the proponent will ‘Conduct any vegetation removal outside of the breeding bird window’. Does this mean that the proponent will replace all lost breeding bird habitat?  
You are correct. Any habitat potentially used by breeding birds that will be removed during construction of the SCRF will be replaced. In addition, Terrapure will consult with the Ministry of Natural Resources and Forestry (MNRF) and will file a Notice of Activity to ensure the protection of species and habitat.
### Traffic

**Comment from Member of the Public**

By stating that "SCRF truck traffic will be restricted from Green Mountain Road - do you mean restricted from using this roadway? Are the only allowable access points Highway 20 and First Road West? Will there be lower speed limits put in place and enforced on First Road West and Green Mountain Road for added safety in the neighbourhood?"

**How the Comment was Considered**

You are correct. Truck traffic will continue to enter the SCRF from Upper Centennial Parkway and leave at First Road West turning towards Mud Street, avoiding the need for any truck traffic to Green Mountain Road.

Safety for our neighbours, staff, and customers is very important to Terrapure. Terrapure already does and will continue to enforce reduced speed limits on-site and encourages drivers to maintain reduced speeds as they exit.

**Comment from Member of the Public**

How much will the project affect the future efforts to make Upper Stoney Creek more valuable and transit friendly?

**How the Comment was Considered**

As part of the evaluating the six options, we will assess the effect on traffic, approved/planned land uses, and the economic benefits to the City of Hamilton and local economy.

Terrapure has provided over $22 million to the City of Hamilton and the Heritage Green Community Trust over the history of the SCRF. We continue to look forward to providing funding to the City.

### Human Health

**Concern for human health**

Human Health was considered as part of the comparative evaluation of the options and will be further assessed during the Impact Assessment phase. The results of the comparative evaluation indicated that there would be a low potential for adverse effects with the continuation of the existing site. Best Management Practices, ongoing monitoring and augmented mitigation measure would be used to reduce or eliminate any impacts.

In addition, Terrapure has been in operation for 20 years, with more and more neighbours and residential development building up around us, and we have never had an incident affecting health or the environment. The Hamilton Public Health has reviewed all of the extensive health and environmental monitoring data accumulated over 20 years in existence and confirmed there is nothing that poses a risk to the community.

**Concern with air quality, dust particulate blowing, and long term exposure on human health and belief that the health studies are inconclusive because there has not been enough time to determine the health risks.**

Air quality (including dust) and human health were considered as part of the comparative evaluation of the options and will be further assessed during the Impact Assessment phase.

Terrapure also wants to ensure that the human health of employees and the surrounding community are not adversely affected by operations. For the past 20 years of our operations, with more and more neighbours and residential development building up around us, and we have never had an incident affecting health or the environment. The Hamilton Public Health has reviewed all of the extensive health and environmental monitoring data accumulated over 20 years in existence and confirmed there is nothing that poses a risk to the community.

### Heritage Green Community Trust

**Reviewing the text, we wonder why the wording is that this 'may provide' an additional $14 million to the Heritage Trust. All of the other points are made with more certainty. Should the company receive approval to proceed with the preferred option is there a chance that the Trust will not see this amount of money? If so, why is this the case?**

The Heritage Green Community Trust and City of Hamilton royalty program, which receive $1 for each tonne of residual material received annually, are linked exclusively to the facility receiving residual materials. As such, with the current approval, these contributions would only continue for approximately 1 to 2 more years. Terrapure has agreed to begin negotiating a new arrangement in good faith with the City of Hamilton that could be enacted should the EA and the ability to bring in additional residual materials be approved.

**The financial contributions are not as important as the cost to the community**

Terrapure has provided over $22 million to the City of Hamilton and the Heritage Green Community Trust over the history of the SCRF without compromising environmental protection or public health.
<table>
<thead>
<tr>
<th>Comment from Member of the Public</th>
<th>How the Comment was Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Closure Planning</strong></td>
<td></td>
</tr>
<tr>
<td>Interest in what the closure plan will include. Ideas presented included gardens, ski hill, small restaurant, and golf course.</td>
<td>Terrapure must develop a closure plan when permitted capacity gets to a certain level (90%) or within two years prior to closure. Terrapure committed to developing a closure plan in our approved Terms of Reference and in keeping with our ongoing commitment to robust community consultation we are starting it as early as possible. These recommendations will be provided to and discussed with the Closure Planning Advisory Committee.</td>
</tr>
<tr>
<td><strong>Operations of the Existing SCRF</strong></td>
<td></td>
</tr>
<tr>
<td>Skeptical of the current operations and proposal following contacting the Ministry of the Environment and Climate Change and the City of Hamilton and still don’t have any clear answers on the impacts of the landfill in 30 years.</td>
<td>Terrapure’s Stoney Creek Regional Facility has an exemplary compliance record when it comes to environmental protection and human health. We operate in compliance with or exceed regulatory requirements. We have been in operations for 20 years and have never had an incident affecting human health or the environment. In addition, as part of the EA, potential impacts identified will be addressed through the use of best management practices and mitigation measures. At the next Public Open House, the public will be able to review and provide input on proposed mitigation measures.</td>
</tr>
<tr>
<td>Concern about acceptance of hazardous material.</td>
<td>The SCRF does not receive hazardous materials; we only accept solid, non-hazardous residual material from industrial operations like the local steel producers and infrastructure projects like the James Street GO Station. We have recently released a video which tours the Stoney Creek Regional Facility and speaks to what kind of materials are accepted at the site. It can be found on our homepage at <a href="http://www.terrapurestoneycreek.com">www.terrapurestoneycreek.com</a></td>
</tr>
<tr>
<td>Concern with odour coming from the existing SCRF.</td>
<td>SCRF is only permitted to receive non-hazardous residual material from industrial, commercial and institutional sources. We are not permitted to receive any compost or garbage that decomposes and has the potential to cause odours. Often, when we receive inquiries related to odour, it is determined to be associated with other activities happening nearby. We do however have a community response line (905-561-0305), which we encourage residents to call and communicate with us to document and investigate any odours that could be coming from our facility. You may also call the Ministry of the Environment, Conservation and Parks at 416-325-3000 or 1-800-268-6060. Odour was assessed during the Impact Assessment and no off-site odours are anticipated as a result of the proposed undertaking. The SCRF will continue to monitor air quality on-site and will investigate and respond to any odour issues at the SCRF.</td>
</tr>
<tr>
<td>Concern with existing visual aesthetics of the site. Does not like the black fencing, damage from the wind storm, and general lack of beautification around the SCRF.</td>
<td>Terrapure takes pride in ensuring that we operate in a manner that is respectful of our neighbours. We have heard and continue to receive feedback from community members regarding the visibility of the site from surrounding vantage points. In response, we implemented additional visual screening measures at the site. Berms have been heightened to increase screening around site access points and fencing has been installed on the west side of the site. In addition, as part of the SCRF EA the visual impact assessment view-sheds were analyzed and a variety of appropriate screening measures presented for consideration. Attendees were invited to comment on the proposed screening measures for consideration as part of the EA.</td>
</tr>
</tbody>
</table>
7.7 Peer Review

A Peer Reviewer was retained for the SCRF EA process with the objective of providing an independent review of the technical information developed as part of the SCRF EA. The peer reviewer assisted in identifying opportunities for improvement based on design standards, best management practices, regulatory requirements, and other relevant recommendations related to engineered landfills and their environmental control systems.

Dr. R. Kerry Rowe, the Peer Reviewer, is a Professor in the Department of Civil Engineering at Queen’s University, and the Canadian Research Chair in Geotechnical and Geoenvironmental Engineering. In Ontario, Dr. Rowe has been involved with numerous landfills, including sites in Halton, Grimsby, Vaughan, Hagersville, Kirkland Lake, Flamborough, Tiny Township, Warwick, Innisfil, Peel, Port Colborne, Cambridge, and Canborough.

Dr. Rowe has also been involved with the Development of Design Standards for Ontario Landfills for the MECP, making him well-suited for the role of Peer Reviewer for the noted technical aspects of the Terrapure SCRF EA.

The Peer Reviewer had the opportunity to review and provide recommendations at each key milestone of the SCRF EA process including reviewing the following documents:

- Draft Alternative Methods Report
- Draft Conceptual Design Report
- Facility Characteristics Report
- Draft Impact Assessment Reports
- Draft SCRF EA Report
- Final SCRF EA Report

7.8 Issues Resolution Strategy

Terrapure implemented the issues resolution strategy proposed in the amended approved SCRF EA ToR during preparation of the SCRF EA. The issue resolution process was implemented to ensure that disputes were effectively and appropriately dealt with. In the event that a mutually agreeable resolution does not occur, by the time of formally submitting the SCRF EA, Terrapure will refer the matter to MECP. The following summarizes the issue or dispute process followed by Terrapure during the preparation of the SCRF EA:

Terrapure Receives Issue or Dispute

Terrapure discusses the nature of the issue or dispute with the interested person(s) and attempts in good faith, to reach a resolution agreeable to both Terrapure and the interested person(s)

Terrapure documents issue/dispute and resolution

With this in mind, the following Section 7.9 summarizes the issues raised during preparation of the SCRF EA including from who along with how they were attempted to be resolved by Terrapure.
7.9 Review of the Draft Environmental Assessment

The following section will be completed following the Draft EA Review period.

7.9.1 Availability for and Notification of the Review of the Draft SCRF EA

7.9.2 Consideration of Comments Received on the Draft SCRF EA Report

Table 7.4 Meetings Held in Association with the Review of the Draft SCRF EA Report

Table 7.5 Review Agency Comments Received on the Draft SCRF EA Report

Table 7.6 Indigenous Community Comments Received on the Draft SCRF EA Report

Table 7.7 Public Stakeholder Comments Received on the Draft SCRF EA Report

7.10 Submission of the Environmental Assessment

The following section will be completed following the Draft EA Review period.

7.10.1 Availability for and Notification of the Review of the SCRF EA

7.11 Commitments for On-Going Consultation

7.12 Consideration of Comments Received and Issues Raised during the Stoney Creek Regional Assessment Environmental Assessment

Table 7.8 Review Agency Comments Received on the Final SCRF EA Report

Table 7.9 Indigenous Comments Received on the Final SCRF EA Report

Table 7.10 Public Stakeholders Comments Received on the Final SCRF EA Report
Table of Contents

8. Commitments and Monitoring of the Undertaking ................................................................. 1
  8.1 Environmental Effects Monitoring ...................................................................................... 1
      8.1.1 Geology & Hydrogeology Monitoring .................................................................. 1
      8.1.2 Surface Water Resources Monitoring .................................................................. 2
      8.1.3 Terrestrial and Aquatic Monitoring ....................................................................... 2
      8.1.4 Air Quality & Odour Monitoring ......................................................................... 3
      8.1.5 Noise Monitoring ............................................................................................... 3
      8.1.6 Land Use Monitoring ......................................................................................... 4
  8.2 Development of Best Management Practice Plans .......................................................... 4
  8.3 Commitments & Fulfillment ............................................................................................ 4
  8.4 Contingency Plans ........................................................................................................... 6

Table Index

Table 8.1 Proposed Monitoring .................................................................................................. 1
Table 8.2 Species at Risk Monitoring Requirements ............................................................... 3
Table 8.3 Commitments Overview .......................................................................................... 5
Table 8.4 Contingency Plan Overview ..................................................................................... 6
8. Commitments and Monitoring of the Undertaking

To ensure that the proposed mitigation measures set out in Section 6.0 address predicted effects for each discipline, monitoring strategies were developed so that any respective environmental effects can be monitored during construction, operation and closure/post-closure of the SCRF expansion.

8.1 Environmental Effects Monitoring

Monitoring strategies have been developed for the Preferred Alternative to ensure that:

- Predicted net effects are not exceeded
- Unexpected negative effects are addressed
- Predicted mitigation effects are realized

Table 8.1 below summarizes the potential effects and the proposed monitoring by discipline for the Preferred Landfill Footprint.

<table>
<thead>
<tr>
<th>Discipline</th>
<th>Proposed Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology &amp; Hydrogeology</td>
<td>Groundwater monitoring&lt;br&gt;Leachate monitoring</td>
</tr>
<tr>
<td>Surface Water Resources</td>
<td>Surface water monitoring</td>
</tr>
<tr>
<td>Terrestrial and Aquatic</td>
<td>Erosion and sediment control&lt;br&gt;Wildlife exclusion fencing&lt;br&gt;Vegetation monitoring&lt;br&gt;Species at Risk monitoring</td>
</tr>
<tr>
<td>Air Quality &amp; Odour</td>
<td>Leachate monitoring&lt;br&gt;Dust Monitoring</td>
</tr>
<tr>
<td>Noise</td>
<td>Routine landfill equipment monitoring</td>
</tr>
<tr>
<td>Surface Water Resources</td>
<td>Surface water monitoring</td>
</tr>
<tr>
<td>Land Use</td>
<td>Existing environmental monitoring programs identified in the FCR (i.e., leachate, groundwater, surface water, landfill gas) and periodic program updates and adaptations</td>
</tr>
</tbody>
</table>

8.1.1 Geology & Hydrogeology Monitoring

The Site hydrogeologic environmental performance is currently monitored through a comprehensive long-term groundwater monitoring program. This monitoring program includes collection of static water levels and groundwater quality samples four times per year at an extensive network of monitoring wells screened within the various flow zones on-Site and in the Site Study Area. The monitoring well network has evolved through the many years of Site monitoring to provide a very detailed account of the distribution of hydraulic head (static groundwater conditions) and groundwater quality within the various flow zones.

Groundwater quality samples are collected for a comprehensive list of analytes to identify landfill-related alterations to groundwater quality. This monitoring program is currently in place and will be maintained through landfill development under the Preferred Landfill Footprint. The long-term
groundwater monitoring program tracks changes in groundwater quality and flow over time and will be used to assess the validity of the model predictions regarding the performance of the Preferred Landfill Footprint. The results of long-term monitoring will be reviewed and interpreted in detail annually as part of the annual reporting process. Annual data interpretation and reporting is used to ensure any deteriorations in environmental performance are identified and addressed through changes in operational practices or implementation of augmented remedial responses.

As with any environmental monitoring program, modifications to the program are occasionally necessary to adapt the program to evolving conditions. Accordingly, the monitoring program will be reviewed, as part of the annual reporting process to ensure that the monitoring program is adequately characterizing Site conditions with respect to the presence and movement of landfill-related groundwater quality alterations.

8.1.2 Surface Water Resources Monitoring

The existing surface water sampling program will continue to ensure that stormwater is being treated effectively by the SWM ponds. As the Site continues to be developed, the sampling locations will need to be updated to reflect the changing surface water conditions, both on- and off-Site. Water quality parameters will be sampled to ensure that the water quality of the surface water leaving the Site is meeting quality objectives. The current monitoring program samples for many surface water parameters, such as pH, alkalinity, dissolved oxygen, temperature, conductivity, total suspended solids (TSS), total phosphorous, chloride, total ammonia, and phenols. Sampling occurs at locations on-Site as well, and in locations in the downstream receivers. Lower Davis Creek is sampled both upstream and downstream of the discharge location to see if there is any impact that may be attributed to the Site. A similar monitoring program should be in place for the new SWM measures to ensure that there are no impacts on the surrounding surface water features. As with the current sampling program, the SWM pond outlet should be able to be shut-off in the event that water quality objectives are not being met.

Annual inspections of the SWM ponds, like the inspections currently implemented, will be required to ensure that the SWM pond is operating correctly. Recording the level of sediment accumulation within the ponds will be required to ensure TSS are being effectively removed. Periodic cleaning of the ponds to remove accumulated sediments will be required to ensure that the pond continues to function as designed. The pond will also be inspected to other items that may affect the function of the pond, such as bank erosion, damage to concrete structures and quality of the pond vegetation. These issues can be addressed on an as needed basis.

8.1.3 Terrestrial and Aquatic Monitoring

A monitoring strategy and schedule has been developed based on the Natural Environment Impact Assessment carried out for the Preferred Landfill Footprint to ensure that: 1) predicted net negative effects are not exceeded; 2) unexpected negative effects are addressed; and, 3) the predicted benefits are realized.
8.1.3.1 Environmental Effects Monitoring

Environmental Effects Monitoring programs during construction and operation will vary in terms of parameters monitored, duration and outcome, depending on the issue being monitored, and will direct adaptive management efforts.

8.1.3.1.1 Erosion and Sediment Control/Wildlife Exclusion Fencing

Dual purpose ESC and wildlife exclusion fencing will be inspected on a regular basis to ensure it is functioning properly and as intended. If regular inspections identify deficiencies (e.g., tears and holes, slumping), these deficiencies will be communicated to the appropriate person and rectified promptly to ensure continued protection/exclusion.

8.1.3.1.2 Vegetation

The vegetation monitoring program may include the following components: verification of seed mix/plant species to be planted, plant survivorship monitoring, and invasive species management. Vegetation monitoring programs will be developed in greater detail during subsequent design phases, and pending consultation with MNRF with respect to vegetative habitat compensation.

8.1.3.1.3 Species at Risk

Monitoring requirements related to SAR are specified as part of the applicable Notice of Activity protocol, and are described in further detail below.

<table>
<thead>
<tr>
<th>Species</th>
<th>Proposed Monitoring Requirement</th>
<th>Associated Licenses, Permits or Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Meadowlark</td>
<td>Monitor the created or enhanced new habitat for 5 years, which will entail at least 3 breeding bird surveys annually during the appropriate timing window</td>
<td>Notice of Activity</td>
</tr>
<tr>
<td>Barn Swallow (if applicable)</td>
<td>If barn swallow nests are detected on Site infrastructure scheduled to be relocated during the operation stage, monitoring requirements as part of the Notice of Activity protocol will be applicable.</td>
<td>Notice of Activity</td>
</tr>
</tbody>
</table>

8.1.4 Air Quality & Odour Monitoring

The SCRF currently supports a monitoring station (operated by Rotek Environmental, under contract to Terrapure Environmental) specifically to monitor for airborne PM$_{10}$ and local meteorological conditions (for investigating the likely source(s) of air quality and odour complaints). This station will continue to operate through the lifetime of the Facility, per the Facility’s waste Environmental Compliance Approval.

8.1.5 Noise Monitoring

As mentioned, a monitoring strategy and schedule was developed based on the Noise Impact Assessment carried out for the Preferred Landfill Footprint to ensure that: 1) predicted net negative
effects are not exceeded; 2) unexpected negative effects are addressed; and, 3) the predicted benefits are realized.

A semi-annual noise monitoring survey was completed during 2016 to measure noise levels at the nearest receptors around the SCRF. This monitoring will continue to operate through the lifetime of the Facility, per the Facility’s waste Environmental Compliance Approval. This would also occur during the proposed expansion.

8.1.6 Land Use Monitoring

The current environmental monitoring programs identified in the FCR (i.e., leachate, groundwater, surface water, landfill gas) and Best Management Practices (BMPs) will continue over the life of the Site. Existing methods and protocols may need to be amended periodically to accurately reflect Site conditions. Confirmatory monitoring programs will continue to be documented in the Annual Monitoring Report.

8.2 Development of Best Management Practice Plans

Environmental Management Plans (EMP) will be prepared following approval of the Undertaking by the Minister of the Environment, Conservation and Parks and prior to construction. The EMPs will include a description of the proposed mitigation measures, commitments, and monitoring. This will also include a description on the standard BMP that are currently in place at the Site that will continue.

BMP Plans are tools by which Terrapure and its agent(s) can demonstrate how the EA commitments, monitoring requirements, and approval conditions have been addressed through subsequent construction and operation phases. They will also act as a reference document for use by Terrapure during the construction of the approved Undertaking.

8.3 Commitments & Fulfillment

The commitments made in this EA by Terrapure that are related to the construction, operation and closure/post-closure of the undertaking are outlined in Table 8.3. Specifically, the following components are outlined:

- **Category**
  Discipline or topic to which the commitment applies (e.g., Air Quality & Odour, Noise, etc.)

- **EA Commitment**
  Specific commitment made in the EA

- **Commitment Timing**
  Appropriate phase of the undertaking during which commitment is to be implemented (e.g., pre-implementation, ongoing)
<table>
<thead>
<tr>
<th>Category</th>
<th>EA Commitment</th>
<th>Commitment Timing</th>
</tr>
</thead>
</table>
| Geology and Hydrogeology      | Operation of the M4 extraction well to control hydraulic gradients beneath and immediately surrounding the SCRF.  
Completion of the network of shallow groundwater collection trenches.  
Flooding of the hydraulic control layer to induce an upward hydraulic gradient to prevent leachate leakage.  
Sampling and testing of hydraulic control layer water to confirm leachate leakage is not occurring.  
Continue comprehensive groundwater monitoring program. Review results along with interpretation and recommendations annually.  
Review monitoring program annually to determine if adjustments are needed to track potential landfill-related water quality alterations.                                                                                       | Pre-implementation of undertaking; ongoing and post-closure |
| Surface Water                 | Minor modifications to the SWM ponds include additional perimeter ditches along the north and west perimeter of the Site, converting the current SWM detention pond into a second forebay, and re-grading the future detention pond to increase the depth and surface area of the pond.  
Approval will need to be obtained prior to the construction of the modified SWM ponds.                                                                                                                                         | Pre-implementation of undertaking; as part of undertaking |
| Terrestrial and Aquatic       | An MNRF Notice of Activity process will be followed to acknowledge the presence of eastern meadowlark habitat within the Site Study and in compliance with the *Endangered Species Act*.  
As part of the Notice of Activity process, a Habitat Management Plan will be created prior to the initiation of any construction which will document the areas to be affected and detail where and how new habitat will be created or enhanced.  
No barn swallow nests were documented during the Site investigations, however targeted surveys of suitable habitat are recommended when it is determined that these structures will be altered through the course of the proposed works. If any barn swallow nests are detected, MNRF will be consulted and a Notice of Activity process will be followed.  
A Compensation/Restoration Plan will be developed as the project progresses to identify areas where compensation may occur on Site during operation, and also provide recommendations for plantings as part of the landfill closure plan. | Pre-implementation of undertaking; ongoing |
| Air Quality & Odour           | Terrapure Environmental will update their Best Management Practices Plan with respect to the mitigation/control of re-suspended road dust.  
On-Site roads in the buffer zone or at the entrance and exit to the Facility will be paved.  
The SCRF will continue to use a wheel-washing station near the SCRF exit to reduce track-out of road dirt from the Site onto public roads.  
The SCRF will continue to operate the existing air quality monitoring station and investigate the likely conditions and/or sources contributing to any air quality or odour complaints received by the Facility.                                                                                     | Pre-implementation of Undertaking; ongoing |
If the proposed Undertaking is approved by the MECP under the EA Act, then Terrapure will prepare an EA Compliance Monitoring Program, which will include all of the commitments outlined in Table 8.3, as well as any EA Act conditions of approval.

8.4 Contingency Plans

Contingency plans are developed to proactively identify measures or a process for taking action on unexpected problems resulting from landfill operations. Terrapure has a number of contingency plans in place and these plans will be reviewed and modified for the Proposed Undertaking accordingly during the Detailed Design. These plans include actions to be taken, timing, and roles and responsibilities. The existing contingency plans are outlined in EPA documentation (i.e., the amended Design and Operation Report for the Site) and as mentioned, will be modified accordingly.

Table 8.4 below provides an example of an existing contingency plan that will be modified as required.

Table 8.4 Contingency Plan Overview

<table>
<thead>
<tr>
<th>Contingency Plan</th>
<th>Contingency Plan Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contingency and Emergency Response Plan (to include):</td>
<td>A Contingency and Emergency Response Plan will be modified as part of the amended Design and Operation Report for the Site and will include the following information:</td>
</tr>
<tr>
<td>• Spill Response</td>
<td>• List of persons responsible for the Site, including contact information</td>
</tr>
<tr>
<td>• Leachate System</td>
<td>• List of emergency phone numbers for applicable emergency entities</td>
</tr>
<tr>
<td>• Surface Water and Groundwater</td>
<td>• Description of fire protection, control system, and emergency procedures</td>
</tr>
<tr>
<td></td>
<td>• Description of safety devices and maintenance procedures</td>
</tr>
<tr>
<td></td>
<td>• Training of Site personnel</td>
</tr>
<tr>
<td></td>
<td>• Site plan including location of all emergency equipment</td>
</tr>
<tr>
<td>Contingency Plan</td>
<td>Contingency Plan Details</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Storms and Inclement Weather</td>
<td>The Contingency and Emergency Response Plan will be kept in a central location at all times. Training will be provided for personnel in all CERP procedures.</td>
</tr>
</tbody>
</table>
| Accidents and Injuries          | General elements of the Contingency and Emergency Response Plan may include:  
  - Have crew trained on notification and clean-up procedures so personnel and equipment can attend to local waste spill.  
  - Cooperate with local officials (e.g., police, road crews, environment officials, etc.).  
  - Prevent contact with ditches and watercourses and retrieve from vulnerable locations.  
  - Clean-up spilled material into roll off or appropriate containers and remove to landfill.  
  - Clean-up liquid or solids into appropriate leak-proof containers, such as drums or lugger boxes.  
  - Dispose to proper facility.  
  - Assemble appropriate protective equipment and containment equipment.  
  - Contain spill with absorbent material, ponds and berms.  
  - Ditch, berm or excavate sump as required to contain spill. |
# Table of Contents

9. Approvals and Agreements Required for the Undertaking .................................................. 1
   9.1 Environmental Compliance Approval .......................................................................... 1
   9.2 Natural Environment ................................................................................................. 1
      9.2.1 Geology & Hydrogeology .................................................................................. 1
      9.2.2 Surface Water Resources ................................................................................. 1
      9.2.3 Terrestrial & Aquatic ....................................................................................... 1
      9.2.4 Air Quality & Odour .......................................................................................... 2
      9.2.5 Noise ............................................................................................................... 2
   9.3 Built Environment ...................................................................................................... 2
      9.3.1 Land Use ......................................................................................................... 2
9. Approvals and Agreements Required for the Undertaking

In addition to EA approval, further environmental approvals will be required in support of the proposed undertaking. This section outlines the other approvals that will be required for the proposed undertaking. In some cases, the approval identified may be a section or condition of the ECA for the site overall, as opposed to a separate approval.

9.1 Environmental Compliance Approval

An application to amend the existing ECA for the Site will need to be submitted to the MECP for approval. Changes to the design and operations of the landfill required as a result of the Preferred Alternative will be documented in an update to the existing Design and Operations (D&O) Report for the Site.

9.2 Natural Environment

9.2.1 Geology & Hydrogeology

Additional approvals that may be required for the Geology / Hydrogeology management of the Site include:

- Permit/approval from the City of Hamilton;
- ECA amendment from the MOECC.

9.2.2 Surface Water Resources

The updated D&O and amended ECA will include details of any changes required to the approved on-Site stormwater management system. No other approvals are expected to be required with respect to surface water.

Additional approvals that may be required for the Stormwater Management of the Site include:

- Permit/approval from the Hamilton Conservation Authority (HCA);
- Permit/approval from the City of Hamilton;
- ECA amendment from the MOECC.

9.2.3 Terrestrial & Aquatic

With respect to the terrestrial environment, additional approvals that will be required include the following:

- A Notice of Activity process with the Ministry of Natural Resources and Forestry (MNRF) will be followed to acknowledge the presence of eastern meadowlark habitat within the Site Study Area, protection of the species and their habitat, in compliance with the Endangered Species Act.
With respect to the aquatic environment, additional approvals that may be required include the following:

- Obtain necessary approvals for fish/wildlife rescue activities (e.g., MNRF License to Collect Fish for Scientific Purposes) prior to initiation of any in-water works, as appropriate.

### 9.2.4 Air Quality & Odour

No further approvals are required from an air quality & odour perspective. As previously indicated, given the types of material accepted the Site generates very little landfill gas and falls below the regulatory threshold for a gas collection system (more than 1,500,000 m³ waste capacity).

The Facility is not required to register for an Environmental Activity and Sector Registry (EASR), or apply for an Environmental Compliance Approval (air and odour), under current regulations. The SCRF will maintain their Dust Management Plan in order to ensure local air quality is maintained to regulatory standards.

### 9.2.5 Noise

The updated D&O and amended ECA will include any additional mobile noise sources, such as crushing equipment for C&D processing. Other landfill operations equipment and potential on-Site noise sources, including intermittent, will be addressed under the ECA for the Site overall. No other approvals are expected to be required with respect to noise.

The Facility is not required to register for an EASR or apply for an Environmental Compliance Approval (noise), under current regulations.

### 9.3 Built Environment

#### 9.3.1 Land Use

A Zoning By-law Amendment will be required for the Site, post-closure of the SCRF. The current ineffective zoning of the Site, as identified in the City of Stoney Creek Zoning By-law No. 3692-92, is ME-1 (Extractive Industrial), which is permitted for operations associated with non-hazardous waste from industrial, commercial, and institutional sources. The intended future use of the Site, as identified in the City of Hamilton Nash Neighbourhood Secondary Plan under the Urban Hamilton Official Plan, is Open Space / Parkland. A Zoning By-law Amendment will be required to facilitate the change in use of the Site, which will be initiated by the property owner of the Site at the time of post-closure of the SCRF.
## Table of Contents

10. Amending the EA ............................................................... 1
    10.1 Change Review Process .............................................. 1
    10.2 Minor Amendments .................................................. 2
    10.3 Major Amendments .................................................. 3
10. **Amending the EA**

Some aspects of an approved Undertaking may require changes following approval by the Minister under the *EA Act*, as design details are further developed during the latter stages of project design, construction, and/or operation. It may also be necessary to amend the EA because of changes in environmental, social, or economic conditions, development of new impact mitigation measures, or the identification of previously unknown concerns. In recognition of this, Terrapure is proposing an amendment procedure in accordance with the *EA Act*. This amendment procedure would benefit all parties potentially involved by providing an agreed to, and well understood approvals process for ensuring that proposed changes are effectively and appropriately dealt with.

As such, it is proposed that any unforeseen changes to the approved Undertaking be first reviewed by Terrapure staff in conjunction with the MECP, and then grouped into 1 of 3 categories: (1) no amendment required; (2) a minor amendment required; or, (3) a major amendment required. As a result of this approach, two amendment procedures are being proposed: one associated with minor amendments, and one associated with major amendments.

It should be noted that the maximum proposed capacity increase for the Preferred Undertaking presented in this EA is 3,680,000 m$^3$. Therefore, if there was a desire to increase the landfill capacity, Terrapure would be required to complete a separate approval under the *EA Act* in accordance with this process.

10.1 **Change Review Process**

During the detailed design, construction and/or operation of the Preferred Undertaking, changes to some aspects of the project’s design may occur due to:

- Unforeseen site specific problems encountered only during detailed design, construction, and/or operation;
- Improvements in the design to provide greater environmental benefits and/or less adverse effects;
- Circumstances that develop at the time of construction;
- Issues identified in other approvals processes;
- Changes to the regulatory framework (i.e., new legislation or regulations).

Where such changes may occur, a process must be followed to consider them within the context of the MECP approved EA, and determine if an amendment is required based on the significance of the change. Therefore, any unforeseen change to the MECP approved Preferred Undertaking will be reviewed by Terrapure in conjunction with MECP prior to it being carried out. With respect to this consultation, the following questions will be applied to the proposed change, as part of the review to determine how it should be dealt with within the context of the EA amendment procedure:

1. Is there a change to what was proposed to be built?
2. Is there a change to where something was to be built?
3. Is there a change to how something was to be built?

4. Is there a change to when something was to be built?

Following discussions with MECP regarding the potential change, Terrapure will utilize the responses to these questions to determine how the proposed change will be handled. For example, in the case of a "Yes" response being provided to any of these questions, Terrapure will determine the significance of that change in terms of its net effect on the environment, a stakeholder (including the public), and/or a commitment made in the Minister approved EA.

If the significance of the change is determined to be negligible, then no amendment would be required and Terrapure could proceed with implementing the change. An example of this may be a shift in the internal road network.

If, however, the change was to result in an increased net adverse effect (i.e., as a whole after considering potential benefits from the change), the review will be documented by Terrapure and then categorized as either a potential minor or major amendment, subject to discussions with the MECP's Environmental Assessment and Permissions Branch and concurrence from the Director. The same criteria and indicators described in the EA will be used for this comparative process to determine potential benefits from the change. Descriptions of the processes for addressing minor and major amendments are provided below.

10.2 Minor Amendments

A proposed change to the approved EA that would not alter the Preferred Undertaking significantly in terms of what would be built, where it would be built, how it would be built, and when it would be built, but may result in an increased net environmental effect would be categorized as a minor amendment.

In the case of a minor amendment, regardless of the changes proposed, the conclusion that the Preferred Undertaking is required, and its status as the Preferred Undertaking in relation to the other alternatives considered during the EA, would not be affected or opened to re-evaluation, unless otherwise directed by the Minister.

In the cases where the proposed change is categorized by Terrapure as a potential minor amendment, then the following process will be followed prior to implementing it:

1. Terrapure will discuss the proposed design change and categorization with staff at the MECP's Environmental Assessment and Permissions Branch.

2. If staff at the MECP's Environmental Assessment and Permissions Branch agree that the proposed design change is a minor amendment, Terrapure will prepare an amendment review document to describe:
   
a. The proposed design change to the Preferred Undertaking
   b. The rationale for the proposed design change
   c. Implications of the proposed design change on the social, cultural and natural environment, stakeholders, or an EA commitment
d. Proposed mitigation/compensation measures, if required, to address any potential adverse effects of the change
e. Any net effects following implementation of mitigation/compensation measures

3. Terrapure will distribute the amendment review document to directly affected stakeholders, interested Indigenous communities, MECP’s Environmental Assessment and Permissions Branch, and the City of Hamilton for 30 calendar days for review and comment.

4. Terrapure will consider comments received during the 30 calendar day review period.

5. Terrapure will implement the proposed change, subject to receiving written concurrence from the Director of the MECP’s Environmental Assessment and Permissions Branch that the proposed change is a minor amendment, ensuring that any required mitigation/compensation measures are provided for and carried out.

10.3 **Major Amendments**

Proposed changes to the approved EA of a much more significant nature would be categorized as major amendments. In general, these proposed changes would alter the design of the Preferred Undertaking significantly in terms of what would be built, where it would be built, and how it would be built.

In cases where the proposed change is determined to be a major amendment, Terrapure will conduct a new EA process for the major amendment that will be considered, as applicable in the circumstances, to be a new undertaking as per Section 12 of the *EA Act.*
The proponent submitted working draft chapters to staff to proactively obtain feedback and ensure that potential impacts of the undertaking related to their individual mandates were considered and addressed. The following is a list of the documents and dates received and the dates staff provided technical feedback:

Existing Conditions and Work Plans – December 7, 2017:
- Draft Air, Odour, and Meteorology Work Plan and Draft Air, Odour, and Meteorology Existing Conditions Report
- Draft Geology and Hydrogeology Work Plan and Draft Geology and Hydrogeology Existing Conditions Report
- Draft Land Use and Economic Work Plan and Draft Land Use and Economic Existing Conditions Report
- Draft Natural Environment Work Plan and Draft Natural Environment Existing Conditions Report
- Draft Noise Work Plan and Draft Noise Existing Conditions Report
- Draft Surface Water Work Plan and Draft Surface Water Existing Conditions Report
- Draft Traffic Work Plan and Draft Traffic Existing Conditions Report
- Draft Archaeological and Built Heritage Work Plan
- Draft Conceptual Design Report

➢ Comments from the City of Hamilton staff were provided on January 31, 2018

Alternative Methods – March 22, 2018:
- Draft Alternative Methods Report

➢ Comments from the City of Hamilton staff were provided on April 27, 2018

Detailed Impact Assessments and Facility Characteristics – June 19, 2018:
- Draft Facility Characteristics Report
- Draft Air, Odour, and Meteorology Detailed Impact Assessment Report
- Draft Geology and Hydrogeology Detailed Impact Assessment Report
- Draft Land Use and Economic Detailed Impact Assessment Report
- Draft Natural Environment Detailed Impact Assessment Report
- Draft Noise Existing Conditions Detailed Impact Assessment Report
- Draft Surface Water Detailed Impact Assessment Report
- Draft Traffic Detailed Impact Assessment Report

➢ Comments from the City of Hamilton staff were provided on July 20, 2018

Preliminary Draft EA Chapters – July 30, 2018:
- Draft EA Chapter 1 – Introduction and Background
- Draft EA Chapter 2 – Overview of the Environmental Assessment Process and Study Organization
- Draft EA Chapter 3 – Purpose of the Undertaking
- Draft EA Chapter 4 – Description of the Environment Potentially Affected by the Undertaking
• Draft EA Chapter 5 – Alternative Methods of Carrying out the Undertaking
• Draft EA Chapter 7 – Public and Agency Consultation
• Draft EA Chapter 9 – Approvals and Agreements Required for the Undertaking
• Draft EA Chapter 10 – Amending the EA

Remaining Preliminary Draft EA Chapters – August 3, 2018:
• Draft EA Chapter 6 – Impact Assessment
• Draft EA Chapter 8 – Implementation and Monitoring
Council Direction:

At the August 16, 2018 Planning Committee staff was directed to prepare an Information Report updating Council on the Province’s announcement to privatize marijuana sales.

Information:

The Provincial Government announced that it will be abandoning the proposed Provincially run cannabis stores in favour of allowing for privately run cannabis dispensaries.

Federal non-medical cannabis legislation will come into force on October 17, 2018. The Province is responding with a plan to sell non-medical cannabis on-line via the Ontario Cannabis Store (OCS) web platform in order to meet the Federal legislative timeline and concurrently consumer demand. The Province has identified April 1, 2019 as the date for allowing for retail non-medical cannabis sales by privately-run dispensaries. The framework and regulations surrounding the approval of local dispensaries is still under review with the Province currently seeking public consultation with Municipalities and community stakeholders.

On August 23, 2018, Parliamentary Assistant, from the Ministry of Finance, Mr. Doug Downey hosted an information session at Hamilton City Hall. Mr. Downey stressed that the legalization of recreational cannabis will be a very complex issue and the Province currently has 14 different Ministries involved in review of this legislation.
Opt-in or Out

Mr. Downey indicated that the first order of business for “new” Municipal Councils this Fall will be to determine if the Municipality will opt-in or out of allowing non-medical cannabis retail sales in their community. A Municipality that opts-in will not be allowed to opt-out at a later date; however, if the Municipality opts-out initially, they will be allowed to reconsider opting back in at a later date. This approach will lessen the impact on investors in community-level non-medical cannabis dispensaries from losing their investment and business.

The framework and formula for the distribution of the $40M in Provincial funding over two years to Municipalities still has not been determined. The purpose of this funding is to assist Municipalities with transition costs associated with the legalization of non-medical cannabis over the next two years.

The Province is still determining the preferred approach of allowing for local non-medical cannabis retail dispensaries; however, it does appear that there will be some form of Provincial Licensing regime established to approve the transfer of product to local retailers. The Province will focus on product distribution and there will be strict guidelines to prevent any sales of un-regulated cannabis by any retailer commencing October 17, 2018.

The Province has created significant fines of up to $250,000 per day and the ability to force a closure of any dispensary operating without a Licence as of October 17, 2018. The Province is also considering prohibiting any operator from holding a Provincial Licence if they are operating anywhere in the Province illegally once the legislation comes into force.

The current plan for enforcement rests with the Province and local Police Services. The role of other local entities such as Public Health, Planning, Building or By-law is as yet undetermined. Municipal By-law Officers will be involved, at a minimum, in enforcing any local by-laws and restrictions that a Municipality puts in place within the framework granted by the Province.

Potential land use restriction, zoning requirements for radial separation for schools, hospitals and other vulnerable locations will be left with the Municipalities. It was requested that consideration be given for a dual licensing provision to ensure Municipalities have the authority to restrict and control the non-medical cannabis retail environment based on the authority of the Municipal Act. It was advised that Business Licensing would allow the Municipality control over zoning and nuisance issues that have the most impact on our community.
At its meeting of September 4, 2018, the Planning Committee approved a Motion respecting Private Retail Cannabis Stores directing staff as follows:

(a) That staff be directed to prepare a report with recommendations with respect to the regulation of private retail cannabis stores in the City of Hamilton for the first Planning Committee meeting of the new term of Council;

(b) That the report outline options for Council’s consideration for the potential application of the Province’s proposed “opt-out” clause;

(c) That staff be directed to meet with the local interested proprietors to discuss the potential impacts on the private retail cannabis industry and the input be used as a market sounding and included in the report;

(d) That the Mayor write to the Premier, appropriate Ministers and Ministries, and to the Association of Municipalities of Ontario, to communicate to them that it is the City’s position that the Province’s approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:

- separation distances from sensitive land uses such as parks, schools, daycares and healthcare facilities;
- over-concentration of dispensaries in one area of the City;
- the total number of dispensaries City-wide and within particular areas of the City;
- general issues of urban design such as location of entrances and transparency of facades;
- on-site advertising and signage;
- hours of operation;
- property standards compliance;
- ability to restrict or prohibit operations by operators that routinely violate municipal standards such as noise, nuisance or property standards.

At the time of writing this Report, the September 4, 2018 Planning Committee Report 18-013 was scheduled for consideration at the September 12, 2018 Council meeting.

**Enforcement of By-laws**

Licensing and By-law Services continues to enforce the current Municipal By-laws. Although there has been significant work in the enforcement of illegal dispensaries by the City, 53 dispensaries continue to remain open. The following is reflective of the work being completed by Licensing and By-law Services.
94 Dispensaries have been identified as operating within the City of Hamilton:

- 53 currently remain operating;
- 41 locations have been closed;
- 84 Zoning Compliance Notices have been issued;
- 53 Zoning Charges have been laid;
- 40 Licensing By-law Offences for Food Premises have been laid;
- 11 Sign Violations; and,
- 55 Fee for Service for fail to comply after re-inspections.

Public Health Services’ “A Public Health Strategy for Non-Medical Cannabis Report” (BOH18031) (City Wide) was submitted to the Board of Health on September 17, 2018. This Information Report detailed and underscored the Public Health issues related to non-medical cannabis legalization and a proposed Hamilton Cannabis Strategy which includes the following goals:

- To educate safe, legal and responsible use of cannabis;
- To prevent or delay the onset of cannabis use and to reduce the likelihood of harm from use, problematic use and/or overdose;
- To promote a culture of moderation;
- To increase knowledge of the impacts of consuming cannabis while parenting or pregnant; and,
- To equip trusted adults with the knowledge and resources to ‘start the conversation’ about cannabis use with youth.

Appendices and Schedules Attached

N/A

KL:st
TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Elfrida Growth Area Study - Update (PED18182) (Wards 9 and 11)

WARD(S) AFFECTED: Wards 9 and 11

PREPARED BY: Melanie Pham (905) 546-2424 Ext. 6685

SUBMITTED BY: Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

That the vision, key directions, principles, objectives and preferred community structure for the Elfrida Growth Area Study be received by Council and that public and stakeholder feedback on the vision, key directions, principles, objectives and preferred community structure be incorporated into the next phase of the Elfrida Growth Area Study and GRIDS 2.

EXECUTIVE SUMMARY

The City of Hamilton is growing and the population is projected to increase to 680,000 people by 2031. A significant portion of this growth will be accommodated within the existing urban boundary, reflecting Provincial policy direction to intensify urban areas and minimize encroachment on agriculture and natural areas. Population and associated growth that cannot be accommodated within the City’s existing and planned nodes, corridors and neighbourhoods will be accommodated in new urban areas implemented through a future urban boundary expansion.

The Elfrida area (See Appendix “A” to Report PED18182) was previously identified as the preferred area to accommodate future growth to 2031. The Elfrida Growth Area Study (EGAS) was initiated in 2016, to fulfil the requirements for an urban boundary expansion to take place. A number of different studies are a part of the EGAS, including the preparation of a Secondary Plan.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Phases 1 and 2 of the EGAS have been completed. As part of these Phases, a vision for a future community in the Elfrida area was developed, along with a number of key directions, guiding principles and objectives for a future Secondary Plan. The preferred ideas for the structure of development in the area were also conceptually identified. Throughout the process, public and stakeholder input was obtained and the information was presented to the public and stakeholders for feedback.

The final phase of the Growth Area Study includes identifying a preferred land use plan, testing the plan through modelling of transportation systems, water and wastewater infrastructure, developing a phasing plan and a financial investment strategy, and finalizing all other supporting studies. A critical input to this Phase is results from the Land Needs Assessment (LNA) that is being completed as part of the City’s Municipal Comprehensive Review (MCR) and GRIDS 2 studies. The EGAS and LNA is a reiterative process in that both the demand and the opportunities to accommodate growth will be identified, evaluated and re-assessed. The EGAS will provide inputs into the range of growth quantums that can be accommodated whereas the LNA will provide outputs regarding how the City will accommodate the total projected employment, population and household growth.

As the LNA is an essential input to the EGAS, and vice-versa, further work on the EGAS will be dependent on the results of the LNA. It is anticipated that preliminary results of the LNA will be available by the end of 2018, which would allow for additional consultation, engagement and work on the EGAS to resume in 2019.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The change in timeline has no impact on the previously approved budget for the study.

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

In 2006, the comprehensive Growth Related Integrated Development Strategy (GRIDS) process reviewed opportunities for where growth outside the urban boundary could occur, and identified the Elfrida area (See Appendix “A” to Report PED18182) as the preferred location to accommodate new growth to 2031.

The Elfrida Study Area was included as a special policy area in the Rural Hamilton Official Plan (RHOP) adopted by Council on September 27, 2006. This special policy
area outlined a process and studies required to incorporate the lands into the urban boundary. When the RHOP was approved by the Province on December 24, 2008, the Province removed the special policy area. This deletion was appealed to the Local Planning Appeal Tribunal (LPAT) (formerly the Ontario Municipal Board (OMB)) by land owners in the area.

The Urban Hamilton Official Plan (UHOP), adopted July 9, 2009, included a more general set of policies that addressed urban boundary expansion, and a policy reference to Elfrida as a future growth area. When the UHOP was approved, the Province again removed the reference to Elfrida as a growth area; however, the general policies addressing urban boundary expansions were left in the Plan. The modification that removed the references to Elfrida was appealed to the LPAT by the City and land owners in the area.

Both the RHOP and the UHOP appeals relating to the Elfrida area are still before the LPAT. However, the Growth Plan and the general urban boundary expansion policies in the UHOP (Section B.2.2, Volume 1) set out the requirements for a future urban boundary expansion to move forward. These policies require completion of the following components:

- A Municipal Comprehensive Review (City wide review);
- A Secondary Plan;
- A Land Budget Analysis (Land Needs Assessment);
- A Sub-watershed Plan;
- Environmental Impact Statements pertaining to the natural heritage system, if required;
- For Prime agricultural lands, demonstration that there are no reasonable alternatives on lower priority agricultural lands;
- Demonstration that impacts on agricultural operations have been mitigated to the extent possible (Agricultural Assessment);
- A financing policy for urban services and other infrastructure; and,
- Any other studies which the City deems necessary.

These policies provide the guidance and framework for a study of the Elfrida Growth Area to move forward. The EGAS is a unique opportunity to develop a complete urban
community that achieves transit supportive densities with multi-modal connections to existing urban areas, efficiently uses existing and new servicing infrastructure, and is integrated with the adjacent urban lands. This Study will develop a land use plan and associated policies for the area that manages impacts to the natural heritage system and surrounding agricultural lands while providing opportunities for future growth and development in the area. This project is important on a City Wide level as it is a major growth area for the City.

The City of Hamilton prepared a Terms of Reference and undertook a Request for Proposals in the fall of 2016 to hire consultants to carry out the EGAS. As a result of this process, WSP Group with the Planning Partnership was selected as the successful consulting team for this project. The project requires the consulting team to prepare a number of studies for the EGAS, including:

<table>
<thead>
<tr>
<th>Area of Study</th>
<th>Consultant Lead</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management</td>
<td>WSP</td>
</tr>
<tr>
<td>Secondary Plan</td>
<td>Planning Partnership and WSP</td>
</tr>
<tr>
<td>Transportation Management Plan</td>
<td>WSP</td>
</tr>
<tr>
<td>Water and Wastewater Servicing Master Plans</td>
<td>WSP</td>
</tr>
<tr>
<td>Agricultural Impact Assessment</td>
<td>WSP</td>
</tr>
<tr>
<td>Commercial Lands Review</td>
<td>Cushman Wakefield and WSP</td>
</tr>
<tr>
<td>Urban Design Guidelines</td>
<td>Planning Partnership</td>
</tr>
<tr>
<td>Natural Heritage Review</td>
<td>WSP</td>
</tr>
<tr>
<td>Cultural Heritage Assessment (both built and landscape)</td>
<td>ASI</td>
</tr>
<tr>
<td>Population Projections/Demographics</td>
<td>WSP</td>
</tr>
<tr>
<td>Financial Investment Strategy</td>
<td>Metro Economics</td>
</tr>
<tr>
<td>Facilitation/Consultation</td>
<td>Planning Partnership</td>
</tr>
<tr>
<td>Phasing/Staging/Implementation Strategy</td>
<td>WSP</td>
</tr>
</tbody>
</table>

A Sub-watershed Plan is being completed concurrently by Aquafor Beech, under a separate work plan. The WSP group study team has been working alongside the Elfrida Subwatershed Study work, as each of these studies feeds into the other.

The EGAS is being completed in three phases:

Phase 1: Background Study and baseline mapping, information analysis, high level visioning and design principles.

Phase 2: Develop Land Use Options for consideration, incorporating input from the various aligning studies.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Phase 3: Develop Preferred Land Use Plan and implementing policies for the study area as well as a phasing/implementation strategy.

Land Needs Assessment:

The Municipal Comprehensive Review (MCR), including the LNA work, which is required prior to an urban boundary expansion, is being led by Policy Planning, Planning Division. This City-wide project is being completed separately from the EGAS. The MCR is a provincial requirement, whereby the City must bring its Official Plans into conformity with Provincial plans. The MCR will plan to the year 2041 and determine how and where the additional people and jobs forecast for Hamilton in 2041 can be accommodated.

The MCR is being completed concurrently with GRIDS2, the update to the City’s growth management strategy. This work will include an updated Land Needs Assessment, which will identify how much of the City’s forecasted growth to the years 2031 and 2041 can be accommodated with the existing urban area, and how much must be accommodated through a future urban boundary expansion. The updated LNA will provide input to address outstanding appeals to the OMB regarding the Elfrida policies in the Rural Hamilton Official Plan and the Urban Hamilton Official Plan, in addition to providing a City-wide detailed, comprehensive approach to residential intensification, urban land inventory and urban boundary expansion. Ultimately, the completed LNA will identify how much additional land area may be required to accommodate projected growth to 2031 and 2041. Information related to this work is being shared with the consulting team working on the EGAS. The LNA numbers play an important role in shaping the extent of the Elfrida Secondary Plan and conversely the work on developing the population and employment scenarios for the EGAS informs the City’s LNA.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

As noted in the Historical Background of Report PED18182, Provincial policies and policies in the Urban Hamilton Official Plan require a number of studies to be completed to establish the need for and determine the details of an urban boundary expansion. Detailed information on applicable policies is included in Section 1.3 of the Interim Summary Report, attached as Appendix “B” to Report PED18182.

RELEVANT CONSULTATION

Internal Consultation

Each Phase of the study has included consultation with the City’s Technical Advisory Committee, which is comprised of staff from various Departments, Divisions and Sections.
Public Consultation

A number of events with a diverse range of stakeholders have taken place throughout the first two phases of the project or are currently being planned. Key consultations are listed below. These include meetings with a dedicated Community Focus Group and Public Information Centres. On-line engagement (website, social media) and some additional individual meetings with stakeholders and indigenous representatives have also taken place.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 21, 2017</td>
<td>Community Focus Group Meeting</td>
<td>Presentation of background information and visioning exercise</td>
</tr>
<tr>
<td>June 22, 2017</td>
<td>Two Workshops</td>
<td>Exploration of ideas for how Elfrida could grow and develop in the future. Including opportunities related to land use, built form, access and green space.</td>
</tr>
<tr>
<td>June 22, 2017</td>
<td>Open House</td>
<td>Opportunity to view ideas and information developed at the workshop.</td>
</tr>
<tr>
<td>November 21, 2017</td>
<td>Community Focus Group Meeting</td>
<td>Evaluation of three different conceptual land use options for the study area</td>
</tr>
<tr>
<td>December 6, 2017</td>
<td>Public Information Centre</td>
<td>Open House and small group discussions of three different conceptual land use options for the study area</td>
</tr>
<tr>
<td>May 30, 2018</td>
<td>Community Focus Group Meeting</td>
<td>Review of evaluation results and a number of preferred community structure ideas</td>
</tr>
<tr>
<td>June 12, 2018</td>
<td>Public Information Centre</td>
<td>Review of preliminary qualitative evaluation and a number of preferred community structure ideas</td>
</tr>
<tr>
<td>September – November, 2018</td>
<td>Pop-up events and alternative consultation events</td>
<td>To maintain public awareness about EGAS, engagement events are being planned and will be delivered prior to the next full Public Information Centre to provide general information on the project and to discuss topics such as density, greenfield planning and residential zoning.</td>
</tr>
</tbody>
</table>
ANALYSIS AND RATIONALE FOR RECOMMENDATION

Project Status

Phases 1 and 2 of the EGAS have been completed. An Interim Summary Report is attached as Appendix “B” to Report PED18182, detailing the results of the Study to date.

The Vision Statement for the Elfrida community which was established through public consultation is:

The Elfrida Community is envisioned to become a complete, healthy, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.

Nine guiding principles were also identified for the Elfrida area:

1. Develop in an environmentally appropriate manner that protects and restores the natural environment.

2. Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.

3. Manage growth over time that is logical, efficient and cost effective.

4. Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential, employment, community facilities and services.

5. Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices.

6. Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

7. Provide an interconnected system of streets and pedestrian supportive streetscapes.

8. Provide for a connected and integrated parks, open spaces, and trails system.
9. Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.

Key directions which were developed through Phase 1 of the study, as well as more detailed objectives for the Secondary Plan are detailed in Sections 3.2 and 4.2.3 respectively, of the Interim Summary Report attached as Appendix “B” to Report PED18182.

The study team has initiated conceptual work on Phase 3, and has completed public consultation on a number of preferred community structure ideas for the Elfrida study area. The preferred structure for the area is a nodes and corridors structure. The draft natural heritage features and the estimated number of schools and parks which would be required for the area have been identified. This conceptual community structure is shown on Figure 30 of the Interim Summary Report attached as Appendix “B” to Report PED18182. No detailed land use locations or boundaries have been determined at this point.

The WSP group study team was previously working towards a completion date for Phase 3 of Fall 2018. However, this timeline anticipated that data from the LNA would be available in late 2017 to determine the amount of land required to accommodate growth to 2031. This data is essential for the determination of the preferred land use plan in Phase 3 of the EGAS, and for the completion of other related project components.

This data was not completed within the expected timeline because in July 2017, the Province of Ontario released an updated Growth Plan for the Greater Golden Horseshoe (the Growth Plan) which contained some new standards and requirements. The Growth Plan required that LNAs completed by municipalities must follow a specific methodology provided by the Ministry of Municipal Affairs and Housing, to assess the quantity of land required to accommodate forecasted growth (Policy 2.2.1.5 of the Growth Plan).

A proposed methodology for LNA was released by the Ministry for consultation on December 19, 2017, and commenting on the draft took place until February 28, 2018. A final methodology was released by the Province on Friday, May 4, 2018. Staff working on the Municipal Comprehensive Review/GRIDS 2 Study have been working with the Province to implement this methodology into the LNA. Preliminary results of the LNA are now expected in Q4 of 2018.

As a result of this delay in the LNA, various components of the EGAS will be delayed. This includes Phase 3 of the Secondary Plan development (preparation of a preferred land use plan), and study components dependent on this land use plan, including the Transportation Management Plan, the Water and Wastewater Master Plans, the
Phasing Strategy and the Financial Investment Strategy. As the Elfrida Subwatershed Study requires a preferred land use plan for phase 2 work, the Elfrida Subwatershed Study will also be delayed until more information becomes available in Phase 3 of the EGAS.

Next Steps

As soon as the LNA results are available, work on the EGAS will advance to the next phase. Public consultations for Phase 3 of the study are tentatively planned for the first or second quarter of 2019, based on the assumption that preliminary results from the LNA will be available by the 4th quarter of 2018. Completion of the EGAS is estimated before the end of 2019.

ALTERNATIVES FOR CONSIDERATION

Planning Committee may choose not to receive the report, and not to support the draft vision, principles, objectives, and community structure ideas that have been developed through the study to-date, thereby not validating the current progress of the study. This is not recommended, as these results are based on extensive research and public consultation that has taken place during the study.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
*Hamilton has* an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
*Hamilton is* a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
*Hamilton is* environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure
*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.
Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Elfrida Growth Area Study Interim Summary Report
Appendix “C” – Elfrida Growth Area Study Consultation Summary Report

MP:mo
PROJECT TEAM

CLIENT

Manager, Community Planning and GIS  Christine Newbold
Senior Project Manager, Community Planning and GIS  Alissa Mahood
Project Manager, Community Planning and GIS  Melanie Pham
Planning Technician, Community Planning and GIS  Joseph Buordolone
Information Systems Planner, Community Planning and GIS  Richard Paola

WSP

Planning, Landscape Architecture and Urban Design  Chris Tyrrell, Randall Roth, Cindi Rowan, Jennifer Sisson
Transportation  Brett Sears, Syed Ubaid Ali, Samantha Leger
Natural Heritage  Margaret Pugh
Agriculture  Clark Gunter, Bill MacMillan, Annette Blazeiko
Water and Wastewater  Beth Scott and Karen Lenkiewicz
Stormwater Management  Thomas Raso

SUBCONSULTANTS

Policy, Urban Design and Engagement  Ron Palmer, Donna Hinde, Stacey McCulloch
Retail-Commercial  Andrew Browning
Cultural Heritage and Archaeology, and Aboriginal Engagement  Joel Konrad, Beverly Gardner, Jennifer Ley, Eric Beales
Populations and Demographics  Tom McCormack
# Table of Contents

## 1.0 Introduction  
1.1 Overview  
1.2 The Study Area  
1.2.1 Area Context  
1.2.2 Demographics  
1.3 Policy Context  
1.3.1 Provincial Planning Framework  
1.3.2 Municipal Planning Framework  
1.4 Work Plan and Approach  
1.5 Concurrent Municipal Studies  
1.5.1 Municipal Comprehensive Review and Land Budget Analysis  
1.5.2 Subwatershed Study

## 2.0 Best Practices  
2.5.1 Traditional Neighbourhood Development  
2.5.2 New Urbanism  
2.5.3 Transit-Oriented Development  
2.5.4 Neighbourhood Retail/Mixed-Use/Live-Work  
2.5.5 Age-Friendly Design  
2.5.6 Low Impact Development/Green Infrastructure Networks  
2.5.7 Sustainable Cities  
2.5.8 Urban Agriculture  
2.5.9 Complete Streets  
2.5.10 Nodes and Corridors

## 3.0 Phase 1 - Project Launch, Area Assessment and Vision  
3.1 Overview  
3.2 Key Directions  
3.3 Results
4.0 PHASE 2: SECONDARY PLAN LAND USE AND DESIGN OPTIONS

4.1 CONCEPTUAL DEVELOPMENT OPTIONS
4.1.1 PLANNING AND URBAN DESIGN
4.1.2 TRANSPORTATION
4.1.3 CULTURAL HERITAGE
4.1.4 NATURAL HERITAGE
4.1.5 WATER AND WASTEWATER MANAGEMENT
4.1.6 STORMWATER MANAGEMENT
4.1.7 AGRICULTURE
4.1.8 FINANCIAL
4.1.9 SUMMARY

4.2 ELMFRIDA SECONDARY PLAN FRAMEWORK
4.2.1 VISION STATEMENT
4.2.2 GUIDING PRINCIPLES
4.2.3 OBJECTIVES FOR A SUCCESSFUL COMMUNITY

5.0 PHASE 3A: COMMUNITY STRUCTURE

5.1 PRELIMINARY COMMUNITY STRUCTURE IDEAS
5.2 COMMUNITY STRUCTURE IDEAS PLAN EVALUATION
5.3 WHAT WE HEARD

6.0 NEXT STEPS AND THE PREPARATION OF THE PREFERRED PLAN

6.1 COORDINATION WITH GRIDS 2
6.2 SUPPORTING PLANS/STUDIES
6.3 OFFICIAL PLAN AMENDMENT (SECONDARY PLAN)
6.3.1 PHASING PLAN
6.3.2 URBAN DESIGN GUIDELINES
6.4 ZONING BY-LAW AMENDMENTS AND FUTURE DEVELOPMENT APPLICATIONS
6.5 COMMUNITY AND STAKEHOLDER CONSULTATION
FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Elfrida Growth Study Area</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Existing Conditions</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>Elfrida Growth Study Area (yellow), Census Dissemination Areas (red), and Wards 9 and 11</td>
<td>6</td>
</tr>
<tr>
<td>4</td>
<td>Greenbelt Plan Designations</td>
<td>11</td>
</tr>
<tr>
<td>5</td>
<td>Preferred Growth Option in GRIDS (2006) - Elfrida</td>
<td>13</td>
</tr>
<tr>
<td>6</td>
<td>Land Use</td>
<td>15</td>
</tr>
<tr>
<td>7</td>
<td>Rural Site-Specific Designation, RHOP Vol. 3 Chapter B</td>
<td>16</td>
</tr>
<tr>
<td>8</td>
<td>Natural Heritage Constraints</td>
<td>18</td>
</tr>
<tr>
<td>9</td>
<td>Airport Influence Area</td>
<td>19</td>
</tr>
<tr>
<td>10</td>
<td>Bedrock Resource Areas</td>
<td>21</td>
</tr>
<tr>
<td>11</td>
<td>Zoning</td>
<td>23</td>
</tr>
<tr>
<td>12</td>
<td>Secondary Plans</td>
<td>24</td>
</tr>
<tr>
<td>13</td>
<td>Elfrida Growth Study Timeline</td>
<td>25</td>
</tr>
<tr>
<td>14</td>
<td>Connected and Permeable Streets</td>
<td>28</td>
</tr>
<tr>
<td>15</td>
<td>Ground Floor Retail / Apartments</td>
<td>28</td>
</tr>
<tr>
<td>16</td>
<td>Density Example for a Residential Neighbourhood Area</td>
<td>29</td>
</tr>
<tr>
<td>17</td>
<td>Density Example for a Mixed-Use Regional Corridor Node</td>
<td>30</td>
</tr>
<tr>
<td>18</td>
<td>Neighbourhood Retail and Live/Work Spaces</td>
<td>31</td>
</tr>
<tr>
<td>19</td>
<td>Pedestrian-Focused Community Design</td>
<td>32</td>
</tr>
<tr>
<td>20</td>
<td>Pedestrian-Oriented Design Precedents</td>
<td>33</td>
</tr>
<tr>
<td>21</td>
<td>Walkable and Accessible Destinations Enhance Social Inclusion</td>
<td>34</td>
</tr>
<tr>
<td>22</td>
<td>Examples of LID Green Infrastructure</td>
<td>35</td>
</tr>
<tr>
<td>23</td>
<td>Urban Agriculture and Recreation Precedents</td>
<td>36</td>
</tr>
<tr>
<td>24</td>
<td>Agrarian Urbanism Example Block Layouts</td>
<td>36</td>
</tr>
<tr>
<td>25</td>
<td>Active Transportation / Complete Street Precedents</td>
<td>38</td>
</tr>
<tr>
<td>26</td>
<td>Elfrida Development Programs</td>
<td>46</td>
</tr>
</tbody>
</table>
FIGURES (CONTINUED)

Figure 27: Conceptual Development Option 1 48
Figure 28: Conceptual Development Option 2 49
Figure 29: Conceptual Development Option 3 50
Figure 30: Community Structure Ideas Plan 66

TABLES

Table 1: Population Growth within the Greater Golden Horseshoe by Municipality (top 30) 6
Table 2: Population and Dwellings by Area from 2011 to 2016 6
Table 3: Intensification and Density Targets 9
Table 4: NHS Category and Feature Types 17
Table 5: Food Strategy Summary of Recommendations 20
1.0 INTRODUCTION
Figure 1: Elfrida Growth Study Area
1.1 OVERVIEW

WSP is leading a multi-disciplinary team commissioned by the City of Hamilton to develop a future urban vision for the Elfrida Growth Study area (hereafter referred to as ‘Elfrida’ or the ‘study area’). The results of this work will establish clear direction and guidance for future development in this community by setting out contemplated uses, design objectives, development policies and infrastructure and transportation master planning. This report is a summary of that process to date; it documents the current context, key directions, strategies and guidelines, as well as an overview of relevant documents, policies and existing conditions. It further provides a summary of the public consultation undertaken as a component of this study, an analysis of other precedent communities, and evaluations of the conceptual development options prepared for this study.

It is important to note that the City is still completing its update of the 2006 Growth Related Integrated Development Strategy (GRIDS 2). This work will confirm how much land is required to 2031, and will also determine how much land is required to accommodate growth to 2041. Previous Council decisions have identified Elfrida to be the preferred area for future growth to 2031. This detailed background research was also compiled as part of the Existing Conditions Report, which was received by Planning Committee on October 17, 2017.

Studies which contribute to the development of this study and a Secondary Plan for Elfrida include:

- GRIDS 2 (Municipal Comprehensive Review)
- Land Budget Analysis
- Subwatershed Study
- Transportation Master Plan
- Water and Wastewater (W&WW) Servicing Master Plan
- Agricultural Impact Assessment
- Commercial Lands Review

Additional supporting studies, including a Phasing Strategy, Urban Design Guidelines, Natural Heritage Review, Cultural Heritage Assessment, Archaeological Resource Assessment, and Financial Investment Strategy will also contribute to this study. Refer to Section 1.5 for more information on the concurrent studies.

This work will provide the framework to accommodate future growth and the creation of this new community through a new Secondary Plan applying to lands within the Elfrida Growth Area Study.

The Elfrida Growth Area Study is being completed in four phases:

- **Phase 1:** Background study and baseline mapping, high level visioning, design principles and information analysis.
- **Phase 2:** Land use options for consideration with input from the various aligning studies.
- **Phase 3a:** Preferred community structure ideas.
- **Phase 3b:** Preferred land use plan and policies and phasing/implementation strategy.

1.2 THE STUDY AREA

The study area consists of approximately 1,256 hectares of land and 223 individual properties situated along the south-eastern urban boundary of the City of Hamilton. It lies within a boundary formed by Mud Street East to the north; Hendershot Road to the east; Golf Club Road to the south; Trinity Church Road to the west; following the Hydro Corridor south of Rymal Road East to the North; Swayze Road to the West; Rymal Road to the North; and Upper Centennial Parkway to the West. Elfrida also encompasses portions of Highland Road East, First Road East, Regional Road 20 (east end of Rymal Road), Highway 56 (south end of Upper Centennial Parkway) and Fletcher Road. **Figure 1** illustrates the study area.

The study area also features the headwater features of five creek systems: Hannon Creek, Stoney Creek, Twenty Mile Creek, Upper Davis Creek and Sinkhole Creek. Elfrida is within 10 kilometres of John C. Munro Hamilton International Airport, and at certain points is within three kilometers from Red Hill Valley Parkway, connecting the area to the QE  and Highway 403.
1.2.1 AREA CONTEXT

Hamilton is comprised of a combination of unique natural landscapes and communities steeped in culture. It also features the industrial heritage that helped to build Canada, as well as bustling arts, education, and health care sectors which are driving current growth.

Elfrida is nestled against the southeastern edge of the current urban boundary of Hamilton, one of Ontario’s fastest growing metropolitan areas. Since 1981, Hamilton has been listed as the ninth largest metropolitan area in Canada and the third largest in Ontario. Spurred by this growth, City Council endorsed the Growth Related Integrated Development Strategy (GRIDS) on May 18, 2006. GRIDS evaluated a number of alternatives for urban growth within and beyond the existing urban boundary. Through public consultation and extensive review, an alternative structured around a system of ‘Nodes and Corridors’ was identified as the preferred structure for future growth for the City up to 2031. A settlement area boundary expansion (subject to a Municipal Comprehensive Review and Secondary Plan process) to include Elfrida within the urban area of Hamilton was part of the preferred growth scenario; this was removed from the Urban and Rural Hamilton Official Plans by the Province of Ontario and remains subject to appeal. Currently, a second iteration of GRIDS (GRIDS 2) is underway to further analyze growth needs for the City up to a planning horizon of 2041. More information on GRIDS, GRIDS 2 and the policy framework in Hamilton can be found in Section 1.3.2 of this report.

A site visit was conducted on March 20, 2017, to observe and document current uses within the Elfrida Growth Study area. The area is predominantly being used for agricultural fields and residential purposes, with some fragmented commercial and industrial developments. These include a Tim Horton’s and TD Canada Trust Bank, U-Haul Co. Ltd. and Cooper Equipment Rentals, Skyway Lawn Equipment Ltd (Golf Cart Dealer), Bill’s Mushroom Farm, Dorr Foods and Satellite Equipment Rentals (Tool Rental Service), as well as salvage yards. Current agricultural uses vary from crop production to livestock and horse farms. Natural heritage features present include woodlots and hedgerows, along with some areas prone to ponding during storm events. There are linear ribbons of rural residential development fronting onto Trinity Church Road, Fletcher Road, Golf Club Road, Highway 56 (Upper Centennial Parkway), Regional Road 20 and Highland Road East, with scattered single detached dwellings throughout the Elfrida Growth Study area typically associated with existing farms. A small employment park can also be found along the Elfrida Growth Study area boundary of Swayze Road, centered on Portside Street. Immediately north of the employment park is a strip of commercial development fronting onto Rymal Road East. There are also two institutional uses along Regional Road 20: Our Lady of the Assumption Catholic Elementary School and Our Lady of the Assumption Roman Catholic Church.

Additional landmarks and community features have been identified near the study area, these were presented at the first public information centre. Refer to Figure 2 for this map.

1.2.2 DEMOGRAPHICS

An analysis of local demographics was provided by Metro Economics and is outlined in full in the Existing Conditions Report. The following is a brief summary of that analysis.

Over the last decade the population of the Hamilton census metropolitan area (CMA) grew by 74,100; 45,300 from Hamilton, 25,400 from Burlington and 3,400 from Grimsby. The CMA’s population is projected to grow by 160,000 over the next decade, at a pace more than double that of the past decade. Hamilton is likely to receive the majority of that population growth. The expected accelerated pace of population growth in the area reflects the rate of growth in job opportunities both nearby and in Hamilton itself, the latter confirmed by the expanding pace of new commercial, institutional and industrial construction.

1.2.2.1 RECENT TRENDS IN POPULATION GROWTH

Among the 112 municipalities that collectively define the Greater Golden Horseshoe (GGH), Hamilton ranks sixth in terms of absolute population growth over that span. Table 1 summarizes the population growth for the top 30 of 112 municipalities within the GGH.

Overall, between 2011 and 2016 the population of the Hamilton CMA grew by 26,500 people (or by 3.7 percent) while the population of the City of Hamilton itself grew by almost 17,000 people (or 3.3%) according to recently released census data (2016).
Figure 2: Existing Conditions

- Eramosa Karst Conservation Area
- Fletcher's Falls Conservation Area
- Heritage Green Park
- Albion Estates Park
- Buttermilk Falls
- Upper King's Forest Park
- Dofasco Park
- Paramount Park
- Felker Park
- Maplewood Green
- Maplewood Park
- Whitedeer Park
- Mohawk Sports Park
- Trenholme Park
- Albion Falls
- Cline Park
- Summit Park
- Mount Lion's Club Park
- Templemead Park
- Oak Knoll Park
- Lisgar Park
- Little Davis Falls
- Greenhill Park
- Veevers Park
- Mount Albion Conservation Area
- Valley Park
- Bily Sherring Park
- Eleanor Park
- TB McQuesten Community Park
- Randall Park
- Mt Albion Public School
- Janet Lee Public School
- Gatestone Elementary School
- École Secondaire Académie Catholique Mère-Teresa
- St. Anthony Daniel Catholic Elementary School
- Nora Frances Henderson Secondary School
- Richard Beasley School
- Cecil B Stirling School
- Templemead School
- Lincoln Alexander School
- St. Paul Catholic Elementary School
- Billy Green Elementary School
- St. Teresa of Calcutta Catholic Elementary School
- Helen Detwiler Elementary School
- St. John Paul II Catholic Elementary School
- Ray Lewis Elementary School
- Highland Packers Ltd. & Country Markets
- Bill's Mushroom Farm
- Maple Leaf Hamilton Canada Bread Company
- Lime Ridge Mall

Source: City of Hamilton, 2017.
© Queen's Printer for Ontario.

Legend:
- Trails
- Designated Bike Lane
- Cautionary Un-Signed Bike Route
- Multi-Use Trail
- Signed On-Street Bike Route
- Urban Boundary
- Child Care
- Community Centre
- Drive In
- Fire Hall
- Golf Centre & Courses
- Long Term Care
- Places of Worship
- Schools
- Others Points of Interest
- Parks
- Watercourse

Enhancement & Supporting Features:
- Restoration Areas
- Watercourses + Protection/Conservation
- Headwater Drainage Feature
- Mitigation Headwater Drainage Features
- Natural Heritage Features
- Natural Heritage System
- Linkage - Hydro Corridor
- Mitigation Headwater Drainage Features – Vegetation Protection Zone (30m)
- Greenbelt Specialty Crop
- Niagara Escarpment Plan
- Protected Countryside

Appendix "B" to Report PED18182
Table 1: Population Growth within the Greater Golden Horseshoe by Municipality (top 30)

<table>
<thead>
<tr>
<th>Municipality</th>
<th>2011</th>
<th>2016</th>
<th>Change</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toronto</td>
<td>2,615,060</td>
<td>2,731,571</td>
<td>116,511</td>
<td>4.5</td>
</tr>
<tr>
<td>Brampton</td>
<td>523,906</td>
<td>593,638</td>
<td>69,732</td>
<td>13.3</td>
</tr>
<tr>
<td>Markham</td>
<td>301,709</td>
<td>328,966</td>
<td>27,257</td>
<td>9.0</td>
</tr>
<tr>
<td>Milton</td>
<td>84,362</td>
<td>110,128</td>
<td>25,766</td>
<td>30.5</td>
</tr>
<tr>
<td>Vaughan</td>
<td>288,301</td>
<td>306,233</td>
<td>17,932</td>
<td>6.2</td>
</tr>
<tr>
<td>Hamilton</td>
<td>519,949</td>
<td>536,917</td>
<td>16,968</td>
<td>3.3</td>
</tr>
<tr>
<td>Kitchener</td>
<td>219,153</td>
<td>233,222</td>
<td>14,069</td>
<td>6.4</td>
</tr>
<tr>
<td>Oakville</td>
<td>182,520</td>
<td>193,832</td>
<td>11,312</td>
<td>6.2</td>
</tr>
<tr>
<td>Guelph</td>
<td>121,688</td>
<td>131,794</td>
<td>10,106</td>
<td>8.3</td>
</tr>
<tr>
<td>Ajax</td>
<td>109,600</td>
<td>119,677</td>
<td>10,077</td>
<td>9.2</td>
</tr>
<tr>
<td>Oshawa</td>
<td>149,607</td>
<td>159,458</td>
<td>9,851</td>
<td>6.6</td>
</tr>
<tr>
<td>Richmond Hill</td>
<td>185,541</td>
<td>195,022</td>
<td>9,481</td>
<td>5.1</td>
</tr>
<tr>
<td>Whitchurch-Stouffville</td>
<td>37,628</td>
<td>45,837</td>
<td>8,209</td>
<td>21.8</td>
</tr>
<tr>
<td>Mississauga</td>
<td>713,443</td>
<td>721,599</td>
<td>8,156</td>
<td>1.1</td>
</tr>
<tr>
<td>Burlington</td>
<td>175,779</td>
<td>183,314</td>
<td>7,535</td>
<td>4.3</td>
</tr>
<tr>
<td>Clarington</td>
<td>84,548</td>
<td>92,013</td>
<td>7,465</td>
<td>8.8</td>
</tr>
<tr>
<td>Bradford West</td>
<td>28,077</td>
<td>35,325</td>
<td>7,248</td>
<td>25.8</td>
</tr>
<tr>
<td>Gwillimbury</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Top 30</td>
<td>7,329,687</td>
<td>7,767,322</td>
<td>437,635</td>
<td>6.0</td>
</tr>
<tr>
<td>(% Share)</td>
<td>83.7</td>
<td>84.0</td>
<td>90.0</td>
<td></td>
</tr>
</tbody>
</table>

Source: MetroEconomics

Figure 3: Elfrida Growth Study Area (yellow), Census Dissemination Areas (red), and Wards 9 and 11

Source: City of Hamilton, GIS Department

1.2.2.2 ELFRIDA AREA

The Elfrida Growth Study area can be compared to Hamilton overall by examining census data for dissemination areas (DAs) that fall within Elfrida. Refer to Figure 3 for a map of the DAs within the Elfrida Growth Study area.

According to the 2011 and 2016 census data, Elfrida is among the highest growth areas within the City, with an increase of approximately 5,000 people, or 21.2% growth, far above the City average of 3.3%, as shown in Table 2. The Heritage Green and Rymal Road Secondary Plan areas are located within the Elfrida DAs and are the primary locations of growth.

Table 2: Population and Dwellings by Area from 2011 to 2016

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton City</td>
<td>519,950</td>
<td>536,920</td>
<td>16,970</td>
<td>3.3%</td>
<td>214,545</td>
<td>222,920</td>
<td>8,375</td>
<td>3.9%</td>
</tr>
<tr>
<td>Ward 9</td>
<td>27,170</td>
<td>30,015</td>
<td>2,845</td>
<td>10.5%</td>
<td>10,065</td>
<td>11,015</td>
<td>950</td>
<td>9.4%</td>
</tr>
<tr>
<td>Ward 11</td>
<td>36,110</td>
<td>45,180</td>
<td>9,070</td>
<td>25.1%</td>
<td>13,205</td>
<td>16,050</td>
<td>2,845</td>
<td>21.5%</td>
</tr>
<tr>
<td>Elfrida DAs</td>
<td>23,395</td>
<td>28,335</td>
<td>4,960</td>
<td>21.2%</td>
<td>7,639</td>
<td>9,076</td>
<td>1,437</td>
<td>18.8%</td>
</tr>
<tr>
<td>Ward 12</td>
<td>34,825</td>
<td>38,745</td>
<td>3,920</td>
<td>11.3%</td>
<td>11,770</td>
<td>13,160</td>
<td>1,390</td>
<td>11.8%</td>
</tr>
<tr>
<td>Ward 15</td>
<td>25,280</td>
<td>28,475</td>
<td>3,195</td>
<td>12.6%</td>
<td>8,735</td>
<td>9,890</td>
<td>1,155</td>
<td>13.2%</td>
</tr>
<tr>
<td>Ward 8</td>
<td>49,660</td>
<td>52,220</td>
<td>2,560</td>
<td>5.2%</td>
<td>18,060</td>
<td>19,060</td>
<td>1,000</td>
<td>5.5%</td>
</tr>
</tbody>
</table>

Source: City of Hamilton, GIS Department
1.3 POLICY CONTEXT

Elfrida is well positioned for urban development as land supply becomes scarce across the Greater Golden Horseshoe. Its adjacency to the City of Hamilton’s urban boundary, the Elfrida Community Node, and proximity to future higher-order transit networks / planned infrastructure improvements strengthens this relationship.

The following section is a high-level summary of the legislative documents that govern the City of Hamilton and the Elfrida Growth Study area. A policy review was conducted as part of the Existing Conditions background analysis. More detailed planning policy context can be reviewed in the Existing Conditions Report, dated September 20, 2017. The following provides a brief summary.

In Ontario, the Planning Act is the primary legislative framework for land use planning. When dealing with planning matters, municipalities in Ontario must also consider other related legislation such as the 2014 Provincial Policy Statement (PPS), the Places to Grow Act, a number of growth policies including the 2017 Greenbelt Plan, and the 2017 Growth Plan for the Greater Golden Horseshoe, as well as local planning frameworks.

1.3.1 PROVINCIAL PLANNING FRAMEWORK

1.3.1.1 PLANNING ACT

The Planning Act governs how municipalities in Ontario may plan and regulate the use of land.

The Province’s key land use concerns are identified as matters of provincial interest in Section 2 of the Planning Act. Planning decision-makers are required to have regard to, among other matters:

- Protection of ecological systems and agricultural resources;
- Conservation of natural and cultural resources;
- Efficient provision and use of infrastructure, energy and water;
- Adequate provision and distribution of community facilities;
- Provision of a full range of housing and employment opportunities;
- Financial and economic sustainability;
- Protection of public health and safety;
- Appropriate location and orderly development of growth and communities; and,
- The mitigation of greenhouse gas emissions and adaptation to a changing climate (as added by Bill 68, the Modernizing Ontario’s Municipal Legislation Act, which received Royal Assent on May 30, 2017).

Section 3 of the Planning Act allows the Province to issue Provincial Policy Statements as well as Provincial Plans with which all municipal planning decisions must be consistent. These documents articulate how the Province expects municipalities to address matters of Provincial interest.

1.3.1.2 PROVINCIAL POLICY STATEMENT (2014)

The 2014 Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect April 30, 2014. The PPS provides Provincial direction related to key land use planning principles, including: building strong communities, wise use and management of resources, and protecting public health and safety. All development and decisions made by a municipality on planning matters must be consistent with the PPS.

Section 1.0 of the PPS sets out policies associated with efficient land use and development patterns that support healthy, livable and safe communities, protects the environment and public health and safety, and facilitates economic growth.

Section 1.1.3 Settlement Areas, governs the practices of urban boundary adjustments or settlement area expansions. An expansion is only permitted at the time of a comprehensive review and only where it has been demonstrated that significant opportunities for growth within the settlement area cannot be accommodated over the identified planning horizon (2031), and that planned services (infrastructure and public service facilities) will be financially viable and protect the public and the natural environment. Additionally, in prime agricultural areas, alternative locations must be evaluated and determined to be unsuitable, the expansion must comply with the Province’s minimum distance separation formulae (MDS) and it must mitigate impacts from proposed development on agricultural operations. In compliance with these policies, required studies for potential settlement area expansion are currently underway. These include both...
a Municipal Comprehensive Review and an agricultural assessment associated with this study.

The core essence of Section 1 of the PPS is to ensure municipalities are planning for complete communities that contain a wide range of amenities, services, and features to cater to a broad range of residents. These principles are found throughout the Existing Conditions report and the existing policies and design guidelines which apply to the study area:

- **Section 1.1.3.6** provides policies on new development in designated growth areas and indicates that this growth is to occur in a manner that is compact in form and provides a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities adjacent to existing built-up areas.

- **Section 1.4.1** on housing includes policies on providing a range and mix of housing types and densities required to meet projected requirements for current and future residents.

- **Section 1.5.1** states that healthy and active communities should be promoted by planning and providing a full range of built and natural settings for recreation, including trails and parklands, as well as recognizing protected areas and minimizing negative impacts on these areas.

- **Section 1.6.3**, which speaks to infrastructure, states that before consideration is given to developing new infrastructure and public service facilities, use of existing facilities should be optimized and opportunities for adaptive re-use should be considered, wherever feasible.

Section 2.1 notes that Natural Heritage features are to be protected for the long term, emphasizing ecological function and biodiversity of natural heritage systems. Protections for various features, such as significant wetlands, woodlands and valleylands are provided for and protected under these policies. The development of the Elfrida Growth Study area will adhere to these regulations and seek to enhance the natural heritage systems where possible.

Section 2.2, which speaks to Water, directs that planning authorities are bound to protect, improve or restore the quality and quantity of water through various means. It is the intent of this study, and the related Water and Wastewater Servicing Master Plan, to enhance and protect water quality and quantity through this process.

Section 3.1, Natural Hazards, directs development away from areas of erosion or flooding hazards or that would be made inaccessible due to flooding, and encourages development to avoid being adjacent to these areas. This will be an important consideration in the future development and design of Elfrida.

These policies guided the development of the land use explorations through this study.

**1.3.1.3 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)**

Effective July 1, 2017, a new Growth Plan replaced the original Growth Plan, which was first released 11 years ago in 2006. Now in effect, all decisions on planning matters must conform to the updated Plan. Upper- and single-tier municipalities’ conformity work is to be completed by 2022. Approved growth targets will continue to apply until the next Municipal Comprehensive Review (MCR) is approved and in effect (s.2.2.2). The settlement area boundary expansion that is anticipated as part of the City ongoing MCR and Land Budget Analysis would be subject to the provisions of the 2017 Growth Plan.

As the study area is not within the current delineated urban area boundary for the City of Hamilton, a settlement area boundary expansion is required to allow for future urban development within the area. Section 2.2.8 of the Growth Plan states that a municipality may only allow an expansion to a settlement area boundary through a Municipal Comprehensive Review (MCR). By definition, an MCR is “a new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under Section 26 of the Planning Act that comprehensively applies the policies and schedules of [the Growth Plan]”. Although the policies dictating when a settlement area expansion is warranted have not significantly changed (s.2.2.8(2)), new policies which further dictate how the most appropriate location will be determined for the proposed expansion have been included (s.2.2.8(3)). Whereas the previous Growth Plan only looked to Section 2 and 3 of the PPS for guidance, new criteria in determining appropriate locations are related to planned infrastructure and community facilities; servicing capacities; and natural heritage systems and agricultural lands. In this regard, the Growth Plan (2017) allows for opportunities to build a case for expansion in ways that were not permitted by the 2006 Plan, such as within the Protected Countryside of the Greenbelt Plan (s.2.2.8(3) (m)).
With this update, and the array of other planning reforms which have taken place this year, it is important to understand exactly how the changes to the Growth Plan will affect the desires and capabilities of Hamilton, specifically in regards to lands within the Elfrida Growth Study area. The updated Growth Plan contains largely more detail in its policies than its predecessor, while also covering a wider range of topics. The following section outlines key updates that are most important when considering growth scenarios proposed for the Elfrida Growth Study area. The City’s MCR process will identify the planned density targets for the designated greenfield areas in Elfrida, based on the Growth Plan requirements.

1.3.1.3.1 DESIGNATED GREENFIELD AREAS

The definition of ‘Designated Greenfield Areas’ has been altered within the new Growth Plan (2017):

“Lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands.”

The new definition states that these areas are required to accommodate growth. Section 2.2.7 goes further in outlining the manner of growth and development within Designated Greenfield Areas. From a high level perspective, new development in these areas is to be planned, designated, zoned and designed to support the achievement of complete communities, active transportation, and viable integration of transit services (s.2.2.7(1)). On a quantitative level, the Plan sets out density targets for these areas, which are outlined below.

1.3.1.3.2 INTENSIFICATION AND DENSITY TARGETS

All intensification and density targets have been increased by the 2017 update to the Growth Plan. Table 3 outlines the previous and updated intensification and density targets. The greenfield density requirement is now 80 persons and jobs per hectare.

Natural heritage features and areas, and natural heritage systems and floodplains will be excluded from the measurement of density targets for designated greenfield areas, provided development is prohibited in these areas (s.2.2.7(3)). Under the 2017 Growth Plan, additional uses will also be excluded from this density calculation:

- Rights-of-way for electrical transmission lines, energy transmission pipelines, freeways, and railways;
- Employment areas; and
- Cemeteries.

Table 3: Intensification and Density Targets

<table>
<thead>
<tr>
<th>Target</th>
<th>2013 Consolidation</th>
<th>2017 Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intensification Target (s. 2.2.2(1))</td>
<td>Minimum % of residential development occurring annually within each upper- or single-tier municipality within the delineated built-up area</td>
<td>40%</td>
</tr>
<tr>
<td></td>
<td>Transition policy: Current intensification targets in Official Plans shall apply until the next MCR is approved. After the next MCR, and each year following until 2031, a minimum of 50% will be required.</td>
<td>60% (by 2031, and each year thereafter)</td>
</tr>
<tr>
<td>Density Target – Designated Greenfield Areas (s.2.2.7(2))</td>
<td>50 residents and jobs combined per hectare</td>
<td>80 residents and jobs combined per hectare</td>
</tr>
<tr>
<td></td>
<td>Note: this applies over the entire designated greenfield area; certain features are excluded from this calculation.</td>
<td></td>
</tr>
<tr>
<td>Density Target – Employment (s.2.2.5(5)(a))</td>
<td>Not previously required – however, these areas were previously included under the greenfield density target.</td>
<td>Upper- and single-tier municipalities must develop an employment strategy that establishes minimum density targets for all employment areas.</td>
</tr>
</tbody>
</table>

Source: Growth Plan for the Greater Golden Horseshoe, 2013 Office Consolidation & 2017 Update
These exclusions will impact the City’s ability to meet their designated greenfield targets. Despite these minimum requirements, Council may still request alternative targets through the next MCR, if the municipality can demonstrate that this target cannot be achieved and that the alternative target will meet a list of requirements. All of these changes influence the manner in which development must be approached within the Elfrida Growth Area Study, in order to validate the proposed settlement area boundary expansion.

1.3.1.3 AGRICULTURAL AREAS

In accordance with the Growth Plan (2017), the Province is to identify an Agricultural System for the Greater Golden Horseshoe.

On February 9, 2018, the Province released the Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe and accompanying mapping for the Agricultural System to provide supplementary direction to the Growth Plan (2017). This agricultural mapping is currently in effect and identifies all lands within the Elfrida Growth Study area as prime agricultural areas. In implementing the Agricultural System, the City, through its MCR may refine or augment the provincial mapping in a manner consistent with the Growth Plan and implementation procedures. Where settlement area boundary expansions are proposed, prime agricultural areas are to be avoided, and an Agricultural Impact Assessment will be used to determine the location of the expansion based on minimizing and mitigating the impact on the Agricultural System and evaluating alternative locations. Where prime agricultural areas cannot be avoided, lower-priority agricultural lands are to be considered for settlement area expansion.

The Province also released a Draft Agricultural Impact Assessment (AIA) Guidance Document, March 2018, to provide guidance in undertaking an AIA by clearly outlining the AIA requirements; provide technical guidelines and relevant information to ensure consistency when preparing an AIA; and provide a suite of mitigation measures and resources to avoid, minimize and mitigate impacts on agriculture. The AIA to be prepared for the Elfrida Growth Area Study will be undertaken in accordance with these Provincial guidelines.

1.3.1.4 GREENBELT PLAN (2017)

The Greenbelt Plan was adopted by the Province of Ontario to protect environmentally sensitive land and farmlands in Ontario’s Golden Horseshoe area from urban development. As with the Growth Plan, the 2017 Greenbelt Plan is an updated plan which replaced the original Greenbelt Plan, first released in 2005. The Elfrida Growth Study area is outside of the Greenbelt Area and is not subject to the policies of this Plan. Refer to Figure 4 for a map of adjacent Greenbelt Plan Designations.

The surrounding lands to the south, east and northeast, are all designated as part of the Greenbelt Plan’s Protected Countryside. The Protected Countryside designation is broken down into several subcategories, one being the Agricultural System (prime agricultural areas, specialty crop areas and rural areas) and the other being the Natural System (Natural Heritage System and Water Resources System). The Greenbelt Natural Heritage System designation also applies to lands to the south of the Elfrida Growth Study area. The potential for further urban expansion into these areas is extremely limited. Future urban development within the Elfrida Growth Study area should consider edge treatments and transition to agriculture.

The recent updates to the Greenbelt Plan have expanded the protections afforded under the previous Greenbelt Plan and emphasized the development of complete communities. For example, there are new goals with regard to agriculture; planning for local food and near-urban agriculture and consideration for impacts of development are promoted. Consideration of climate change has also been added to the Plan; planning and managing natural heritage systems to improve resilience and reducing greenhouse gas emissions are also goals of the Plan. The updated Greenbelt Plan will be considered in the design of the Elfrida Growth Study area. This will include appropriate transition and edge planning where the Elfrida Growth Study area is adjacent to lands within the Greenbelt Plan.
Figure 4: Greenbelt Plan Designations
1.3.2 MUNICIPAL PLANNING FRAMEWORK

1.3.2.1 VISION 2020 (1997)

In 1992, Hamilton residents were asked to envision what their City would look like in 25 years. The result of this engagement exercise was Vision 2020, a community-driven vision for the future of Hamilton. The four main principles that Vision 2020 builds on are:

- Fulfilling human needs, including peace, access to clean air, water, food, shelter, education, arts, culture and employment;
- Maintaining and restoring the environment, including careful management and planning, reducing waste and protecting nature;
- Inviting the public to identify problems and solutions; and
- Finding the best way to use today’s resources to meet current and future needs.

The implementation of Vision 2020 has been monitored through 14 key theme areas for the last 25 years. Reviewed every 5 years, these themes and progress reports were used to measure how well Hamilton has done at obtaining the goals and objectives of Vision 2020. The results of the ongoing monitoring of this plan point to a need for balance, including weighing the need for new lands for housing, industry and job creation vs. the need to keep green space and preserve agricultural lands. This balance is integral to Elfrida, and serves as the foundation which GRIDS was built on.

A new community vision, Our Future Hamilton, was recently adopted in 2017, following extensive community engagement. This vision sets out a road map for the community over the next 25 years. Refer to Section 1.3.2.4 for more information on Our Future Hamilton.

1.3.2.2 GROWTH RELATED INTEGRATED DEVELOPMENT STRATEGY (GRIDS) (2006)

The direction for growth in the Elfrida Growth Study area comes from the Growth Related Integrated Development Strategy (GRIDS) which reviewed options to accommodate Hamilton’s future population and employment growth. The City of Hamilton initiated the GRIDS process in 2003 to identify a broad land use structure, including the associated infrastructure, economic development and financial implications, to serve the City over the next 30 years. The City’s three infrastructure Master Plans were undertaken as part of the GRIDS process (transportation, water and wastewater, and stormwater).

GRIDS determined that roughly 75% of planned growth could be provided within the existing built boundary in the Downtown, Sub-Regional and Community Nodes and along Primary and Secondary Corridors, but some growth was anticipated to occur on new greenfield lands. A need for an urban boundary expansion was identified to satisfy the anticipated demand for a full range of housing needs, particularly semi- and single detached homes. In addition to this, populations in rural areas were anticipated to experience a slight decline over the next 15 years to 2031. This, along with other major trends such as declining household sizes, aging populations and an increase in immigration and migration, will impact not only where to grow, but how.
1.3.2.2.1  ELFRIDA GROWTH STUDY AREA AND COMMUNITY NODE

In reviewing opportunities for potential future growth areas, Elfrida was selected as the preferred growth option, in large part because of its potential to use existing infrastructure more efficiently, with current infrastructure having capacity to accommodate growth. The presence of commercial uses and lands to the west of Upper Centennial Parkway were also noted as having capacity to serve a greater population. GRIDS identified Elfrida as a preferred location for a potential urban boundary expansion under the Nodes and Corridors approach, noting this approach has “the best opportunity to enhance delivery of social services through greater economies of scale, foster more vibrant neighbourhoods through the creation of mixed-use, live-work environments and protect human health through transit improvements and more walkable built environments”. Refer to Figure 5 for a map of the preferred growth option identified by GRIDS.

The recommended Nodes and Corridors structure for the City identified the Elfrida Growth Area and a new Community Node at Upper Centennial Parkway and Regional Road 20, with higher-order transit corridors along Upper Centennial Parkway and Rymal Road.

The proposed community node at Upper Centennial Parkway and Regional Road 20 is intended to be a central focus and core of the Elfrida community, containing a mix of commercial, residential and civic buildings, and open spaces. This node will be important in defining the area and serving as a future transit hub, linked with other areas through higher-order transit and accessible by a variety of modes, including walking and cycling.

GRIDS was approved by Hamilton Council in 2006 and formed the basis for many of the policies of the Urban Hamilton Official Plan. The Official Plan policies associated with the recommendations of the GRIDS study are currently under appeal. As noted in Section 1.1, GRIDS is being updated (through GRIDS 2) as part of the MCR and Land Budget Analysis being undertaken concurrently with this study.

1.3.2.3  CITY OF HAMILTON OFFICIAL PLANS

Hamilton has two official plans for guiding development and managing change: an Urban Hamilton Official Plan (UHOP) and a Rural Hamilton Official Plan (RHOP). The Elfrida Growth Study area falls within the rural area of the City, under the RHOP.

Elfrida was included as a special policy area in the RHOP adopted by Council on September 27, 2006. This special policy area outlined the process and studies required to incorporate the lands into the urban boundary. When
the RHOP was approved by the Province on December 24, 2008, the Province removed the special policy area. This modification was appealed by landowners and those appeals remain outstanding. The UHOP, adopted July 9, 2009, included a more general set of policies that addressed the requirements for an urban boundary expansion, and a policy reference to Elfrida as a future growth area. When the UHOP was approved, the Province removed the references to Elfrida as a growth area, but the policies on urban boundary expansion requirements were left in the UHOP.

The study area is currently subject to the policies of the RHOP, but through the City’s MCR and Land Budget Analysis, portions of Elfrida are anticipated to be brought into the urban boundary through an urban boundary expansion and will then be subject to the UHOP.

1.3.2.3.1 LAND USE POLICIES

According to Schedule D of the RHOP, Rural Land Use Designations, lands within the study area are currently designated as Agriculture, Rural, and Open Space (see Figure 6).

Agricultural and agricultural-related uses are the predominant uses contemplated in the Agriculture designation (Section D.2.1). Additional permitted uses identified include mushroom operations, tree farms, farm greenhouses, farm-related industrial and commercial uses and on-farm secondary uses, agri-tourism, a winery, brewery or cidery, and nursery and (secondary) landscape contracting, subject to the conditions of the Official Plan and in accordance with the Zoning By-law.

The Rural designation also permits agricultural and agricultural-related uses, as well as other resource-based rural uses and institutional uses serving the rural community, such as commercial water-taking for bottling or bulk transport, resource-based recreation and tourism, tree farm or nursery, retail greenhouse, kennel, and institutions serving the rural community in accordance with the provisions of the Official Plan and Zoning By-law (Section D.4.1).

The Open Space designation applies to the closed Satellite Golf Centre and Tim Hortons coffee shop located at the southeast corner of Upper Centennial Parkway and Mud Street. According to Section C.3.3 of the RHOP, Open space designations are meant to recognize “public or private areas where the predominant use of, or function of the land is for recreational activities, conservation management and other open space uses”. Contemplated uses include uses such as parks, resource-based recreational and tourism uses, recreation/community centres, trails and pathways, seasonal campgrounds, woodlots, forestry and wildlife management areas, hazard lands and cemeteries.

Many of the policies in the RHOP state the intention to leave agricultural lands, particularly prime agricultural lands, as agricultural lands (RHOP, Sections D.0, D.1.3, D.1.4, D.2.0, D.2.2.1, D.3.1 and D.4.0). It is important to note under the RHOP, Section D.2.2.1 (Other Provisions), which is currently under appeal, it states “lands designated Agriculture shall not be redesignated for non-agricultural uses”.

It is additionally important to note that Council has identified a potential need for additional lands to support the forecasted growth for the City. The Province prepared growth forecasts for Hamilton from 2001-2031 with an anticipated growth of an additional 170,000 people, 80,000 new households and 100,000 new jobs in that time frame (RHOP Section A.2.2, and Schedule 3 of the 2006 Growth Plan, 2013 Office Consolidation). The new Growth Plan (2017) has increased these numbers further: an additional 150,000 residents from 2031 to 2041, and 40,000 new jobs from 2031 to 2041 (Schedule 3 of the 2017 Growth Plan). The City is reviewing these figures through GRIDS 2, the component of the MCR that will ensure conformity with the 2017 Growth Plan.

Sections B.2.1 to B.2.3 of the UHOP are under appeal to the Ontario Municipal Board and not yet in effect, however, the existing policy (B.2.2.2) notes “[t]he exact limits of the lands to be included as part of the urban boundary expansion shall be determined as part of a municipally initiated comprehensive review and secondary plan” (Urban OP, Section B.2.2.1). Additionally, one of the policies under appeal notes that this may occur “in prime agricultural areas, [if] the lands do not comprise specialty crop areas, there are no reasonable alternatives that avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands [Mod 4(c)]” (Urban OP, Section B.2.2.3.d). The policy that was previously in effect (B.2.2.3.d) notes “an assessment of agricultural capability which considers directing urban growth onto those lands
which are or are not on lower priority lands, which are designated Agriculture” is required as part of a municipal comprehensive review (MCR).

SITE SPECIFIC DESIGNATIONS

A Rural Site-Specific Policy, R-21, in the RHOP applies to the lands inside the northwest edge of the Elfrida Growth Study area, surrounded by Rymal Road East, Swayze Road and Regional Road 56. These properties are also known as 2200, 2250 and 2260 Rymal Road East; Portside Street; and 51, 101, 151 and 175 Swayze Road. Refer to Figure 7 for a map of the area.

The Site-Specific Policy permits industrial uses that do not require large amounts of water and have low waste emissions (i.e. ‘dry’ industrial uses) and accessory uses that serve the industrial and business uses, such as commercial uses, public utilities and limited residential uses.

These lands are to be serviced on municipal water and sanitary services and development is required to be undertaken in a comprehensive manner. All development will be subject to Site Plan Approval and several site-specific design policies apply.

A policy also exists to require a landscape entrance feature area at the north-east corner of the site to identify a gateway entrance to the former Township of Glanbrook.

1.3.2.3.2 URBAN EXPANSION POLICIES

Under Section B.2.0 of the UHOP, Policy B.2.1.1 notes that the “urban boundary defines the area where all urban development occurs”. Lands within the urban boundary are intended to accommodate a 20 year supply of land for the City’s projected growth. The City has directed a significant amount of intensification to the urban nodes, corridors and neighbourhoods within the existing urban boundary. However, to accommodate future growth, it is anticipated that an urban boundary expansion is still required. Section B.2.2 of the UHOP notes that the expansion of the Urban Boundary will require a MCR and secondary plan. The MCR, Land Budget Analysis and GRIDS 2 currently underway are being used to determine what additional lands are required to meet the increased projected growth for the City to 2041. The exact limits of lands to be included as part of an urban boundary expansion is required to be determined. Once complete, the results of these studies will inform and be incorporated into the Elfrida Growth Area Study.

1.3.2.3.3 NATURAL HERITAGE SYSTEM

The City of Hamilton uses a systems-based approach to identify and assess natural features and their functions. Through the RHOP and UHOP, a Natural Heritage System (NHS) has been identified for the City of Hamilton.

Table 4 outlines the Natural Heritage System Categories and Feature Types.

The Study Area is currently governed by the RHOP. As lands are anticipated to be brought into the urban area and the boundary between the UHOP and RHOP would be adjusted, consideration must also be given to the UHOP and its policies. More specifically, consideration for how any differences in these policies are addressed through land use planning and secondary plan development as lands transition into the urban area will be an important component of this study.
Both the RHOP and UHOP provide consistent goals with respect to the Natural Heritage System:

- Protect and enhance biodiversity and ecological functions;
- Achieve a healthy, functional ecosystem;
- Conserve the natural beauty and distinctive character of Hamilton’s landscape;
- Maintain and enhance the contribution made by the Natural Heritage System to the quality of life of Hamilton’s residents;
- Restore and enhance connections, quality and amount of natural habitat;
- Provide opportunities for recreational and tourism uses where they do not impact natural heritage features; and
- Monitor and periodically assess the condition of Hamilton’s natural environment.

The NHS within the City of Hamilton consists of two major components: Core Areas and Linkages. Core Areas within the City of Hamilton NHS are consistent between the RHOP and UHOP and include several natural heritage feature types in four categories: key natural heritage features, key hydrologic features, provincially significant features and local natural areas, as well as any Vegetation Protection Zones associated with the features. Features included within these categories are listed in Table 4. Direction regarding the size of these zones is provided in the UHOP and RHOP and refined through more detailed studies, as appropriate. The NHS within the Elfrida Growth Study area can be seen in Figure 8.

Linkages provide important ecological connections between natural areas allowing for the movement and transfer of plants and animals, and can provide other important hydrological and ecological processes. As such, linkages form an important component of a functional systems-based NHS. The UHOP additionally provides direction with respect to the protection of hedgerows that demonstrate an ecological or additional linkage function. In addition to Core Areas and Linkages, the Greenbelt NHS and Protected Countryside are included in the RHOP NHS.

Within the Elfrida Growth Study area, the RHOP has identified a NHS at a high level, providing an overview, but not an intricate level of detail. The ongoing draft Subwatershed Study builds upon the NHS defined in the RHOP to confirm and, where appropriate, add further detail or features to the NHS. This Study will further refine the NHS boundaries, based on the findings of this and other concurrent studies.

<table>
<thead>
<tr>
<th>NHS Category</th>
<th>Feature Types</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Natural Heritage Features</td>
<td>Significant habitat for endangered and threatened species</td>
</tr>
<tr>
<td></td>
<td>Fish habitat</td>
</tr>
<tr>
<td></td>
<td>Wetlands</td>
</tr>
<tr>
<td></td>
<td>Life Science Areas of Natural and Scientific Interest</td>
</tr>
<tr>
<td></td>
<td>Significant Valleylands</td>
</tr>
<tr>
<td></td>
<td>Significant Wildlife Habitat</td>
</tr>
<tr>
<td></td>
<td>Sand barrens, savannahs and tallgrass prairies</td>
</tr>
<tr>
<td></td>
<td>Alvars</td>
</tr>
<tr>
<td>Key Hydrologic Features</td>
<td>Permanent and intermittent streams</td>
</tr>
<tr>
<td></td>
<td>Lakes and their littoral zones</td>
</tr>
<tr>
<td></td>
<td>Seeage areas and springs</td>
</tr>
<tr>
<td></td>
<td>Wetlands</td>
</tr>
<tr>
<td>Local Natural Areas</td>
<td>Environmentally Significant Areas</td>
</tr>
<tr>
<td></td>
<td>Unevaluated wetlands</td>
</tr>
<tr>
<td></td>
<td>Earth Science Areas of Natural and Scientific Interest</td>
</tr>
</tbody>
</table>

Note: Provincially Significant Features are contained within Key Natural Heritage Feature and Key Hydrologic Features categories.
Figure 8: Natural Heritage Constraints
1.3.2.3 AIRPORT AREAS OF INFLUENCE

The Rural Hamilton Official Plan (RHOP) shows that the Elfrida Growth Study area is outside of, but still adjacent to the Airport Influence Area south of Golf Club Road and west of Trinity Church Road, as shown in Figure 9. The Airport Influence Area provides additional policy direction to protect for the operation of the John C. Munro Hamilton International Airport. Additional design criteria may apply related to tall buildings (e.g. requirement for rooftop signal lighting).

1.3.2.5 SOURCE PROTECTION

The Elfrida Growth Study area is not located in or near any Source Protection Vulnerable Areas as identified on Volume 1: Schedule G of the RHOP – Source Protection Vulnerable Areas.

1.3.2.4 OUR FUTURE HAMILTON (2015)

Our Future Hamilton was a visioning exercise for the City which connected with over 55,000 people through various means, including online videos and surveys, social media, lemonade stands at events and festivals, interviews, workshops and presentations. The aim of this process was to gather ideas from the community and residents about their vision for the future of Hamilton over the next generation, creating opportunities to learn from best practices and educate the public. The key priorities are a reflection of the City of Hamilton, its communities and people, their values and future goals. These priorities include Community Participation and Engagement, Economic Prosperity and Growth, Healthy and Safe Communities, Clean and Green, Built Environment and Infrastructure, and Culture and Social Diversity. These priorities will be carried forward into the design for the Elfrida Growth Area Study.

1.3.2.5 HAMILTON STRATEGIC PLAN (2016-2025)

Hamilton’s Strategic Plan identifies a vision for the City as a whole to “be the best place to raise a child and age successfully”. As part of that vision, the 2016-2025 Strategic Plan aims to encourage high quality public services in an effort to create a healthy, safe, prosperous and sustainable community. The Plan’s mission is “to provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner”. The Strategic Plan incorporates the Our Future Hamilton principles, using them to help set the future goals and vision for the City as a whole.
Key objective areas for the Strategic Plan which apply to the Elfrida Growth Study area include creating healthy and safe communities, being clean and green, embracing culture and diversity, and building infrastructure and environment that promotes the visions and goals of the Strategic Plan. All key objectives will be considered in the Elfrida Growth Area Study.

1.3.2.6 CULTURAL PLAN (2013)

The City of Hamilton’s Cultural Plan (2013) was the result of the ‘Love Your City’ Project initiated in 2008 (formerly known as the Our Community Culture Project in Phase 1). The Cultural Plan’s aim is to provide a basis for planning a sustainable and vibrant City through Municipal Cultural Planning, a practice which is gaining international attention. Eight Transformational Goals for the Cultural Plan, founded on best practice research and stakeholder input, outline the key qualities of Municipal Cultural Planning:

- Culture as an Economic Engine (culture attracts new businesses, investment, jobs, and talent);
- Downtown Renewal (culture is core to downtown renewal);
- Quality of Life Quality of Place (culture is a cornerstone in vibrant, competitive and unique communities);
- Build Tourism (people want to visit places that offer exciting, authentic experiences);
- Neighbourhood Revitalization (culture supports neighbourhood transition and vitality);
- Build Community Identity, Pride and Image (culture gives the community vitality and a sense of identity); and
- Creativity for All (creative expression helps people to grow, prosper and innovate).

These goals will inform the incorporation of culture and cultural engagement into the Elfrida Growth Area Study.

1.3.2.7 HAMILTON FOOD STRATEGY (2016)

The Hamilton Food Strategy is a strategic document focused on access to healthy food for all residents. The Food Strategy is divided into 4 main goals:

- Support food friendly neighbourhoods to improve access to healthy food for all;
- Increase food literacy to promote healthy eating and empower all residents;
- Support local food and help grow the agri-food sector; and
- Advocate for a healthy, sustainable, and fair food system with partners and at all levels of government.

Within these 4 goals there are 14 recommendations, and 46 actions which tie into the recommendations. **Table 5** summarizes key recommendations of the Food Strategy that will be considered in designing Elfrida.

<table>
<thead>
<tr>
<th>Table 5: Food Strategy Summary of Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>System-wide</strong></td>
</tr>
<tr>
<td><strong>Food Production</strong></td>
</tr>
<tr>
<td><strong>Food Access and Consumption</strong></td>
</tr>
<tr>
<td><strong>Food Access and Consumption</strong></td>
</tr>
<tr>
<td><strong>Food Access and Consumption</strong></td>
</tr>
</tbody>
</table>

Source: Hamilton Food Strategy (2016)
1.3.2.8 AGGREGATE ASSESSMENT (2017)

The City of Hamilton has conducted an assessment of the aggregate resources within the Elfrida Growth Study area to evaluate the future development potential of Elfrida in relation to identified aggregate resources and Policy 2.5.2.5 of the PPS (under 2.5 - Mineral Aggregate Resources). While selected bedrock resources are available in 37% of the total Elfrida Growth Study area, that amount accounts for less than 3% of the total selected bedrock resources available throughout the City of Hamilton’s rural area. This means there are other locations available for the protection and extraction of this resource.

The assessment concludes that blasting will be required to allow for residential development in Elfrida. Policy direction can be provided in the Secondary Plan to promote the recovery of blasted material for reuse elsewhere.

1.3.2.8.1 AGGREGATE RESOURCE INVENTORY (2010)

The Aggregate Resources Inventory (ARI), completed in 2010, is an inventory and evaluation of the aggregate resources in the City, based on 2007 field assessments and previous studies of the area. The investigation outlines the quantity and quality of aggregate within the City overall, and is part of the Aggregate Resource Inventory Program for areas designated under the Aggregate Resources Act (ARA).

Bedrock Resource Areas 3 and 4 have been identified within the Elfrida Growth Study area. Paleozoic bedrock covered by 1-8m of drift and 8-15m of drift, where some bedrock outcrops may occur, cover the entirety of the Elfrida Growth Area Study lands. Other surficial deposits may be present, but no sand and gravel resource areas (primary, secondary or tertiary) are identified in the study area.

Refer to Figure 10 for a map of the bedrock resource areas, as shown in the ARI (2010). Resource areas may be identified wholly or partially for extractive development or resource protection, depending on the feasibility of extraction which is influenced by existing uses, among other considerations.

To date, no interest in aggregate extraction has been identified within the Elfrida Growth Study area. Consideration of the existing resources, and sensitivity and compatibility with the existing licensed quarry northwest of the Elfrida Growth Study area, will be a key factor in the phasing of future development in Elfrida.

Figure 10: Bedrock Resource Areas

![Figure 10: Bedrock Resource Areas](Source: City of Hamilton, Aggregate Resource Inventory (2010))
1.3.2.9 ZONING AND SITE PLAN CONTROL

The existing zoning designations in the study area are rural and institutional in nature. Zoning By-laws 3692-92 (Stoney Creek), 464 (Glanbrook) and 05-200 were reviewed as they apply within or adjacent to the study area. In general, lands within the study area are zoned:

- A - Agricultural
- HC - Highway Commercial
- IS - Small Scale Institutional
- M - Business Park
- MR - Rural Industrial
- OS - Open Space
- RC - Rural Commercial
- RR - Rural Residential

Refer to Figure 11 for a map of the current zoning. Urban development within Elfrida would require an amendment to the Zoning By-law to implement the use permissions, zone standards, and parking requirements for the new community.

Site Plan Control By-law 15-176 already applies City-wide to specific types of development, exempting agricultural buildings and small-scale residential uses (e.g. single or semi-detached, or duplex dwellings). New lands brought into the urban boundary would remain subject to that By-law, with applicable development automatically subject to Site Plan Control.

1.3.2.10 SECONDARY PLANS

The study area is adjacent to several existing Secondary Plans. These include the West Mountain (Heritage Green), the Rymal Road, and the Nash Neighbourhood Secondary Plan Areas. The Trinity West Secondary Plan is also in close proximity to Elfrida. Consideration of these adjacent communities and their planned design is important to ensure connectivity, continuity and compatibility. Refer to Figure 12 for a map showing adjacent Secondary Plan designations.
Figure 11: Zoning

Legend:
- A: Agricultural
- AC: Highway Commercial
- IS: Small Scale Institutional
- HC: Highway Commercial
- OS: Open Space
- RC: Rural Commercial
- RR: Rural Residential
- M: Business Park

Title:
Prepared by:
Review: JS
Date: 21/08/2017
Client: Elfrida Study Area

1.4 WORK PLAN AND APPROACH

The Elfrida Growth Area Study is an important project at a City-wide level, as it will identify how growth can be accommodated to the year 2031 and beyond (pending the results of the GRIDS 2 and MCR projects), in a sustainable and purposeful way that enhances community identity and meets the needs of the City and the policies of the Province over the long-term.

In order to achieve this, the following consultation events and meetings have taken place:

- 3 Community Focus Group meetings
- 3 Public Workshops
- Various meetings with City staff and stakeholders

For more information on the results of the consultation, refer to Section 5.3 of this report.

This project is being undertaken in 4 phases: Project Launch, Land Use Options, Community Structure Ideas and Recommended Option. The timeline illustrated in Figure 13 below shows these phases and generally outlines the implementation plan for this project.

---

**Figure 13: Elfrida Growth Study Timeline**

<table>
<thead>
<tr>
<th>Phase 1 - Project Launch</th>
<th>Phase 2 - Land Use Options</th>
<th>Phase 3A - Community Structure Ideas</th>
<th>Phase 3B - Recommended Option</th>
</tr>
</thead>
</table>

---

For Pop-Up Consultation Events, Small Group Meetings, Online Engagement / Project Website.
1.5 CONCURRENT MUNICIPAL STUDIES

Several additional studies are being carried out concurrently with this study which are necessary to inform the Elfrida Growth Area Study.

1.5.1 MUNICIPAL COMPREHENSIVE REVIEW AND LAND BUDGET ANALYSIS

The MCR and Land Budget Analysis (GRIDS 2) are being led by the Policy Planning, and Planning and Economic Development Department at the City of Hamilton. The MCR and Land Budget Analysis are required to ensure the City’s Official Plans remain in conformity or are consistent with the Provincial Policy Statement (2014) and various Provincial Plans, including a determination as to the supply of urban land needed to accommodate growth and meet minimum density targets up to the year 2041. The information that comes as a result of these studies will be incorporated in future work on the Elfrida Growth Area Study.

1.5.2 SUBWATERSHED STUDY

This Subwatershed Study is being led by the Growth Management, and Planning and Economic Development Department at the City of Hamilton. The Subwatershed Study began in 2015 and is being conducted in three phases as outlined below. The Elfrida Growth Area Study will review and implement the findings of the Subwatershed Study to ensure that natural heritage and environmental constraints are considered, negative impacts are mitigated and core areas and linkages are afforded the protection they require.

Phase 1 of the Subwatershed Study is a review of the existing environmental constraints and will include all required modelling for the watershed as well as an inventory of the natural environment. Phase 1 of the Study aims to record the general character of the subwatershed area and provide a clear understanding of the major issues and opportunities. The Draft report on Phase 1 was completed in May 2018.

Phase 2 of the Subwatershed Study will assess the impacts of future land use changes as identified in the Elfrida Growth Area Study on the natural environment. Phase 2 aims to develop a subwatershed management strategy that:

- Protects the critical elements of the subwatershed and prevents environmental degradation;
- Provides adequate flexibility for integration with adjacent development and redevelopment areas;
- Assists in the establishment of open space linkages;
- Identifies opportunities and constraints to development;
- Provides a strategy to manage existing land uses;
- Details location, functional design and area requirements for stormwater management facilities; and,
- Identifies restoration and enhancement opportunities.

Phase 3 of the Subwatershed Study is intended to outline the preferred subwatershed management strategy. It will also provide the framework for implementation and monitoring with requirements for appropriate phasing, financing, operation of facilities, monitoring, mitigation and contingency plans in compliance with the Subwatershed Study.
2.0 BEST PRACTICES
The following are a selection of the most common and well-known best practices for complete and healthy communities, which will be used to inform the future development of Elfrida. Examples of best practices and precedent images can be seen in Figure 14 through Figure 25. Where possible, these will be implemented through the secondary plan policies and urban design guidelines to be prepared. These practices combine physical design, policy, economics and community organization to create vibrant communities, with equal opportunities for all to access the services and facilities required for daily living.

As noted in Section 1.3.1.3.2, a key factor in the development of Elfrida is planning to achieve a minimum density of 80 persons and jobs per hectare. This density is calculated as the ratio of residents and jobs to land area but excludes lands identified as Natural Heritage features, electricity transmission lines (e.g. Hydro corridors), railways, freeways, employment areas (industrial), and cemeteries.

Density can vary and is calculated as an average across the entire City designated greenfield area. Refer to Figure 16 and Figure 17 for examples of what approximately 80 persons and jobs per hectare may look like.

2.5.1 TRADITIONAL NEIGHBOURHOOD DEVELOPMENT

The concepts central to Traditional Neighbourhood Development (TND) are based around diversifying land uses to create dense, walkable communities at a neighbourhood scale, consisting of compact, mixed-use neighbourhoods with a distinct centre. It is an urban design and planning tool that encourages a work-live-play approach to development, creating clusters that incorporate multiple modes of transportation including pedestrian, cycling and transit, as well as ample open and public spaces within a short walking distance of every residence. Other principles of TND include preservation/reutilization of structures with historic or architectural significance; integrating nature into the form of development, creating pedestrian-friendly streets that encourage all modes of transportation; emphasizing transit; and encouraging economic diversity. A TND approach encourages an interconnected network of streets with front porches and rear lanes for parking at the rear. Development leads to denser ‘urban’ and walkable centres which could reduce residents’ reliance on their cars and create areas that generate economic benefit while at the same time support a healthy residential population.
Figure 16: Density Example for a Residential Neighbourhood Area

Distinct neighbourhood character defined by built form

Neighbourhoods defined by centrally located parks

Pedestrian scaled streets with built form close to the street line

Institutional buildings centrally located in the community

Townhouses with lane accessed garages

Mid-rise development with a mix of uses

Source: The Planning Partnership and the City of Markham
Figure 17: Density Example for a Mixed-Use Regional Corridor Node

Provide views into open space/SWM facilities

Heritage building integrated with urban plaza

Urban centre with retail and served focus

 Variety of townhouse typologies to provide a mix of housing forms along the streetscape

Parkette to serve local residents within a 2 minute walk

Enhanced streetscape and built form transition to existing low-density neighbourhoods

Higher density buildings to support transit corridor

Mid block pedestrian connections

Continuous pedestrian connections through parking areas and development blocks

Single-loaded road to provide views and connections to the Greenway System

Mid-rise townhouse forms with underground parking and landscaped pedestrian mews/amenity spaces at grade

Urban square/cafes seating as a place to meet and gather

Transportation hubs connect different modes of local and regional transit, are mixed-use nodes, and support higher densities.

A variety of housing types and forms provide housing choices, with access to open spaces, amenities, services, and transit.

Dollard Hamlet Park, Markham, ON

Source: The Planning Partnership and the City of Markham
2.5.2 NEW URBANISM

According to the Congress for the New Urbanism, “New Urbanism is a planning and development approach based on the principles of how cities and towns had been built for the last several centuries: walkable blocks and streets, housing and shopping in close proximity, and accessible public spaces. In other words: New Urbanism focuses on human-scaled urban design”. The approach focuses on putting pedestrians first by providing improved transit options, accessible travel ways, increasing density and mixing land uses. By doing so, communities are enhanced and strengthened as there is a greater diversity and a finer grain of development which is carefully designed, with public spaces as an important element. New Urbanism is a planning and urban design approach which encompasses a range of scales and community design best practices, such as traditional neighbourhood development, transit-oriented development, and complete streets. New urbanism incorporates the idea of a ‘transect’ or sequence of development patterns, ranging from rural to urban. This is applicable to Elfrida, which borders the Greenbelt Plan-Protected Countryside and requires careful thinking about the nature of the urban edge and transition to higher density areas.
2.5.3 TRANSIT-ORIENTED DEVELOPMENT

Transit-oriented development (TOD) is a development approach centred around concentrating clusters of mixed land uses, including residential, around transit, particularly rapid transit systems such as Bus Rapid Transit (BRT) or Light Rail Transit (LRT). The goals of TOD are to create compact and walkable communities where one is not reliant on a car to carry out daily activities; to reduce traffic congestion and energy consumption; and generally to improve quality of life. This approach has many of the same goals as TND and New Urbanism, with refinements to create transit-supportive neighbourhoods. In this approach, the transit system is an essential element and driver of the development patterns. With the expected population growth in Elfrida and aspirations for higher-order transit adjacent to, and potentially within the study area, this approach is very relevant and should be integrated with the overall development patterns, land use strategy and interior circulation and transit network.

Figure 19: Pedestrian-Focused Community Design
2.5.4 NEIGHBOURHOOD RETAIL/ MIXED-USE/LIVE-WORK

Mixed-use neighbourhoods which include retail and possibly live-work spaces allow a diversity of uses and a higher density of development. When implemented in conjunction with other similar best practices and approaches like TND, TOD and New Urbanism, mixed-use communities can become significant economic generators that at the same time reduce the negative impacts of sprawl. Retail and commercial spaces mixed with residential uses at a finer grain can reduce the need for personal vehicles and provide a ‘built-in’ market for the retailers, increasing stability and resiliency in these areas, as well as contributing to active transportation and pedestrian-friendly streets.
2.5.5 AGE-FRIENDLY DESIGN

The concept of age-friendly design or lifelong neighbourhoods is centred around a culture of inclusion and the encouragement of well-being for people of all ages, particularly on the far ends of the age spectrum whose specific needs may otherwise be overlooked in traditional design. Age-friendly design considers a number of elements within a community, including outdoor spaces, transportation, housing, social inclusion and participation, communication and availability of information, employment and civic participation, education and health services. A prevalence of walkable destinations, social and economic diversity, presence of transit, programming and events, parks and public art all contribute to healthy communities for all. Age-friendly cities are vibrant places that encourage interaction and a positive environment for people of all ages. A mix and diversity of housing choices, built form and tenures can be incorporated through age-friendly design to provide desirable housing options for a range of demographics.

Age-friendly design integrates more seamlessly populations of different ages by being more attentive to their needs, and can not only improve quality of life for residents of all ages, but can result in a more connected community. Age-friendly design ensures that individuals and families can be comfortable and engaged in the community as children and youth, and remain in the community as they age. Many of the elements of TND, TOD, mixed-use neighbourhoods and New Urbanism also contribute to age-friendly design.

The Accessibility for Ontarians with Disabilities Act (AODA) and related design standards are intended to identify and prevent barriers for people with disabilities. Age-friendly design supports and is enhanced by accessibility considerations, incorporating the requirements of the Ontario Building Code seamlessly into communities and exceeding the minimum requirements, where feasible, to provide public and private spaces that are welcoming and accessible for all.
2.5.6 LOW IMPACT DEVELOPMENT/ GREEN INFRASTRUCTURE NETWORKS

Low Impact Development (LID) refers to a set of sustainable approaches to stormwater management through community design. These approaches utilize green infrastructure strategies to take an ecosystem-based approach to stormwater management. The strategies encompass a range of scales, from community planning (e.g. cluster development to reduce impervious surface area) and reducing the disturbance of existing functioning hydrology patterns, to very site-specific ‘green infrastructure’ such as vegetated swales, green roofs and pervious pavement to slow runoff and increase infiltration.

LID includes five core requirements:

- Conserve natural areas;
- Use a watershed approach to minimize the impact on hydrology;
- Maintain flow rate and duration to pre-development levels;
- Use decentralized green infrastructure and source controls throughout; and
- Control pollution and promote education on LID values.

When these strategies are effectively implemented (at various scales), the result can be a significant decrease in the quantity of runoff, and an increase in the quality of stormwater as well as a healthy environment within the development. From an environmental and economic perspective, the long-term benefits of LID for a community such as Elfrida are significant in that this approach can contribute to sustainability and resilience while reducing construction and long-term maintenance costs associated with traditional municipal stormwater management systems.
Figure 23: Urban Agriculture and Recreation Precedents

Figure 24: Agrarian Urbanism Example Block Layouts

2.5.7 SUSTAINABLE CITIES

Sustainable community design takes a holistic approach to sustainability at all levels of community development. Sustainable cities seek to reduce their overall environmental impact through minimizing outside inputs of food, water and energy while reducing outputs of heat, pollution, waste, carbon dioxide and methane. Sustainable community design focuses on the interconnections between the traditional three pillars of sustainability: environment, economics and society/culture. Sustainable cities also seek to be resilient and adaptable to cope with climate and social change. These approaches incorporate all of the previously noted design principles and best practices, while also emphasizing energy independence and district energy programs, urban agriculture, technology and ‘smart city’ design, and City-wide recycling, composting and waste management approaches. Certification programs such as Leadership in Energy and Environmental Design - Neighbourhood Development (LEED ND) can also contribute to sustainability in urban design.

2.5.8 URBAN AGRICULTURE

To achieve the goals of sustainability and resilience, supporting and developing local food sources is vital. Modern approaches are re-integrating agriculture into urban form, incorporating a range of agricultural uses throughout all density levels. Integrated agriculture contributes to the economy, environment and culture of a community, from reducing the carbon footprint of food imports, providing food security, and encouraging active lifestyles to creating a local economy. Urban agriculture can take many forms, most commonly as rooftop and community gardens, truck farms and balcony planters. The integration of urban agriculture into cities can go beyond these approaches, developing the City plan around sustainable food production. The preservation of agricultural heritage is as vital as the ongoing productivity of the lands. Modern approaches to urban agriculture seek to increase the productivity of the land by intensifying both development and agricultural production, with multiple forms of agriculture incorporated throughout different densities. Food production, farmers markets, festivals, fairs and harvests can become events which bring the community together for shared activities. Refer to Figure 23 and Figure 24 for examples of urban agriculture.
2.5.9 COMPLETE STREETS

A ‘complete streets’ approach to developing movement corridors de-emphasizes the car and results in streets designed for all ages, abilities, and modes of travel. Safe and comfortable access for pedestrians, bicycles, transit users and the mobility-challenged is integral to the design and planning of the street and transportation network. This is an essential element in planning modern cities and urban centres. A successful complete streets approach integrates people into every stage of development, encouraging a sense of ownership and buy-in. Developing transport networks from this perspective is essential to a healthy and active community, and is an important aspect of transit-oriented development as it reduces the need for car ownership and encourages alternative modes of transport. Complete streets also are vital to healthy and active lifestyles, sustainability and age-friendly development. Hamilton has developed a Complete Streets policy termed ‘Complete-Livable-Better Streets’ which is included in the Transportation Master Plan review and update.

2.5.10 NODES AND CORRIDORS

The principle of nodes and corridors within urban form ties closely with transit-oriented development and other best practices already noted. It looks at development as a series of lower-density areas and pedestrian-oriented higher-density clusters of activity. Transit and transportation corridors intersect and connect the various nodes. The built form of corridors is predominantly street-oriented (including transit facilities) with a mix of commercial, retail and residential uses. In Elfrida, future development can be focused in an organized way that is aligned with transit infrastructure and the City’s overall approach to growth management and which allows concentrated development along the length of the corridor to create dense and walkable environments. A transit-first approach for Elfrida will be necessary to support the planned densities for the future community.
3.0 PHASE 1 - PROJECT LAUNCH, AREA ASSESSMENT AND VISION
3.1 OVERVIEW

Phase 1 of this study included an Existing Conditions Report which documented background information, reviewed Provincial legislation and regulations, and identified preliminary opportunities and constraints in consideration of ongoing concurrent studies such as the Subwatershed Study and GRIDS 2.

The preliminary goals of the study identified through the Existing Conditions Report were to:

- Create a vibrant, complete community that will be a desirable place to live, work, play and learn, and that will be viewed as a model in innovative greenfield development;
- Identify opportunities and constraints for land use within the study area;
- Review existing land uses and ensure sensitive and sympathetic interface between urban and agricultural/rural land uses;
- Establish a policy framework to support the recommended land use designations and implementation strategy to accommodate planned growth to the year 2041;
- Identify an internal transportation network, including roads, transit, bike lanes, pedestrian walkways and trails, taking into consideration the City's overall Transportation Master Plan;
- Integrate a comprehensive stormwater management/drainage plan for the lands, in alignment with and as directed by the Elfrida Subwatershed Study;
- Provide a comprehensive water and wastewater servicing strategy (including infrastructure location and sizing), in accordance with the City’s Integrated Water and Wastewater Master Plan for the Lake Based Systems. Capacity. The need for a water tower and/or sewage pumping station shall be considered through development of this strategy;
- Preserve and protect natural heritage areas, as identified in the Natural Heritage System in accordance with the Subwatershed Study;
- Preserve and protect cultural heritage resources and landscapes, where identified and feasible, in accordance with the recommendations of this study;
- Identify locations for open space designations, park and recreational amenities and opportunities for a comprehensive trail system that effectively serves the community, integrating parkland and stormwater management facility locations, as appropriate;
- Identify the amount and type of commercial area to meet the needs of the community;
- Identify and prepare a strategy for appropriate phasing of development that will ensure minimal impact to agricultural operations in the area; and
- Prepare a financial strategy and cost sharing agreements with 1 to 5 year capital budget plan.

A community consultation strategy was initiated during this phase, and the first public engagement event included a visioning session in which the preliminary goals and objectives for the study, as well as an overall vision, were determined (refer to Section 4.2 of this report).

In a second round of public engagement, the initial goals and objectives for the study area were brought to life through a series of design charrettes with members of the public, the project team, City staff and stakeholders, which resulted in 6 preliminary land use concepts.

For more information, refer to the June 2017 Community Meeting information in the Consultation Summary Report.
3.2 KEY DIRECTIONS

Through the work completed in Phase 1, including the background information review, policy directions, and the principles identified by the public, a list of 26 key directions were produced. These key directions have been considered throughout all phases of this process. These key directions will be carried forward into the future master planning and design work to be undertaken for the Elfrida Growth Study area. The key directions are:

PLANNING AND URBAN DESIGN

1. Design for a healthy community which supports the quality of human well-being and active lifestyles, nourished and nurtured by an interrelationship between the built environment and nature that facilitates equal opportunities for social, psychological, physical, and spiritual and cultural development for all individuals and the community alike.

2. Design for a diverse community which supports a wide array of lifestyles and activities, by including a range of land uses and building types. Preserved nature, sustainable agriculture and active spaces support a diversity of housing, vibrant retail, integrated employment and civic facilities.

3. Design for a contextual community which transitions meaningfully into its surroundings, creating new connections to existing amenities, respecting existing built-up areas and maintaining effective buffering and relationships with natural areas.

4. Design for a coherent community which organizes itself around well-defined public spaces and cultural amenities, using architecture, transportation networks and the landscape to frame identifiable urban places that celebrate local history and culture, natural and built heritage. Building phases function individually, and contribute to the overall community identity.

TRANSPORTATION

5. Create a transportation network which promotes health and safety by integrating health into the transportation network, promoting active transportation, and age-friendly non-auto networks.

6. Foster a connected and accessible on-road and off-road pedestrian path network which promotes a culture of walking.

7. Build an extensive on-road and off-road cycling network which can connect cyclists for utilitarian, commuting and recreational uses.

8. Create an expanded transit network that can support ridership demand until the implementation of rapid transit through the proposed LRT / BRT routes (25-year horizon).

9. Design a complete street network that incorporates elements of ‘Complete-Livable-Better Streets’. These would be supportive of all modes of travel as well as supporting vehicle and goods movement (including agricultural equipment).

CULTURAL HERITAGE

10. Integrate significant built heritage resources into new development proposals.

11. Designate significant built heritage resources and significant cultural heritage landscapes under Section 29 of the Ontario Heritage Act.

12. Incorporate where possible, principal cultural heritage elements into the evolving future landscape where opportunities for conservation may exist.

13. Protect and maintain as much as possible the rural character of the area, including tree lines, fencing, etc., associated with the portions of roadscapes and agricultural lands.
NATURAL HERITAGE

14. Identify and explore land use design options that enhance or are compatible with the Natural Heritage System.

15. Identify and integrate compatible recreation opportunities that connect the community to the Natural Heritage System.

16. Consider enhancement opportunities and opportunities to integrate non-core features into the design (e.g. hedgerows).

AGRICULTURE

17. Agricultural lands where the use would likely remain agricultural will be identified, evaluated, and considered throughout the planning and design process.

18. Any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas will be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment.

19. Mitigate potential impacts during the transition from an agricultural setting to a more urban setting and promote the inclusion of urban agriculture.

WATER AND WASTEWATER

20. Consider ease of connecting any future water and wastewater infrastructure to the City’s existing water and wastewater infrastructure.

21. Maintain or enhance drinking water quality.

22. Provide efficient wastewater collection with a focus on the protection of property and the environment.

STORMWATER

23. Proposing conventional stormwater management facilities (wet ponds and dry ponds) in addition to innovative Low Impact Development measures would significantly contribute toward achieving environmental objectives in addition to municipal objectives, and would collectively provide sustainable drainage infrastructure within Elfrida.

24. Minimizing the percentage of impervious surfaces as well as adopting Green Infrastructure techniques and Low Impact Development (LID) standards would reduce rates of surface water flow and run-off, improve water quality, and mitigate stream erosion downstream of future development.

RETAIL-COMMERCIAL

25. There is room for considerable population growth within the Primary Trade Area (which encompasses the study area, and beyond)—in the range of 35,100 persons—without a requirement for additional provision of retail-commercial lands.

26. The Primary Trade Area/Study Area does not have to match the City’s average shopping centre space per capita; it can exceed it, but should not be drastically higher.

The key directions were presented at the initial public consultations for this study, held in June 2017. Refer to the Consultation Summary Report for more information on consultation events.
3.3 RESULTS

The results of the first Phase of this study include the overall principles and key directions and the vision that emerged through the first public consultation event. The vision statement is further discussed in Section 4.2.1 of this report, which is:

“The Elfrida Community is envisioned to become a complete, healthy, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.”

Some general themes that emerged through this process are:

• Due to anticipated growth, an expansion of the urban boundary of Hamilton will likely be required. Elfrida was selected as the preferred location through the City-initiated GRIDS study and initial adoption of the UHOP and RHOP. GRIDS 2, the MCR and Land Budget Assessment are answering questions with respect to land needs to accommodate growth to 2041 across Hamilton.

• Transportation networks require further study, and a City-wide Transportation Master Plan update has been adopted. Building on the extensive work done by the City, transportation for Elfrida will focus on active and alternative transportation networks and complete streets.

• Elfrida will look, feel, and function differently from almost any other new community in Ontario. Health, diversity, and sustainability will be important to the urban design of the area, as well as ensuring that design is context-sensitive and creates a unifying community identity.

• While the Primary Trade Area around Elfrida is highly supplied with retail and commercial uses for the current population, full build-out would require more retail/commercial spaces. Small-scale local and mixed-use retail development may still occur as part of the overall commercial supply.

• Further study is required to determine the extent of archaeological and cultural heritage resources in and adjacent to the study area.

• Significant natural heritage resources exist and require protection; much work has already been conducted through the Subwatershed Study (running concurrent to this study) and will continue to be undertaken as this study progresses;

• Preserving agricultural lands and mitigating any adverse impacts will be important considerations as the phasing of potential development is reviewed;

• The City-wide Water/Wastewater Servicing Master Plan identified preferred servicing options, and a major construction project is currently underway on Upper Centennial Parkway to extend wastewater services in this area; and

• Sustainable design is key to the future community, including consideration for low-impact development technologies to accommodate stormwater management in a way that is integrated with the natural heritage and watershed features.
4.0 PHASE 2: SECONDARY PLAN LAND
USE AND DESIGN OPTIONS
4.1 CONCEPTUAL DEVELOPMENT OPTIONS

In the first community meeting held on June 13 2017, preliminary land use designs were developed based on a program outline developed by the project team (see Figure 26), creating two designs per program for a total of six preliminary land use designs.

From these six preliminary land use designs, three ‘land use explorations’ were developed. These explorations (termed Conceptual Development Options 1, 2 and 3) were based on the different development programs presented during Phase 1, the intent being to create distinct options across different ‘layers’ of design, including different configurations for natural heritage, transportation, commercial/mixed-use, institutional and residential development. The three Conceptual Development Options are shown in Figures 27 through 29, and include:

- Conceptual Development Option One – Development Pods;
- Conceptual Development Option Two – Central Node; and
- Conceptual Development Option Three – Nodes and Corridors.

Evaluation criteria were identified and provided to City staff, consultant technical disciplines, and members of the public through the consultation events, for review and input. The Conceptual Development Options were evaluated based on a number of quantitative and qualitative criteria organized under eight theme areas. These are:

- **THEME ONE** – Ensure a compact, complete and healthy community.
- **THEME TWO** – Respond appropriately to long-term urban structure implications.
- **THEME THREE** – Develop in an environmentally appropriate manner that conserves, restores, and enhances the natural environment and its associated features and functions.
- **THEME FOUR** – Protect agricultural opportunities.
- **THEME FIVE** – Conserve cultural heritage.
- **THEME SIX** – Promote a safe, coordinated, efficient, and cost-effective multi-modal transportation network for all ages, abilities and incomes.
- **THEME SEVEN** – Promote coordinated, efficient, and cost-effective water, wastewater and stormwater management systems.
- **THEME EIGHT** – Promote fiscal responsibility.
The technical disciplines were asked to identify, from a qualitative perspective, how each Conceptual Development Option met the criteria identified under each theme, ranking the different options as achieving most, some or few of the subject criteria. A summary of the responses received for the Land Use Concepts was compiled in two parts: a Technical Evaluation (Technical Disciplines Compiled Evaluations), and a Health Assessment Evaluation (The Planning Partnership, McMaster University, City of Hamilton Healthy and Safe Communities Department - formerly Public Health Department). The following sections summarize this work, highlighting key points identified by each technical discipline area based on the Technical Evaluation, and noting important features and design considerations that should be carried forward into the final preferred land use option.

4.1.1 PLANNING AND URBAN DESIGN

4.1.1.1 THE OPTIONS

Option 1 lacks arterial/collector road connectivity but has a significant extent of natural heritage systems, parks, open space and likely trail opportunities. Most neighbourhoods are served with parks and natural heritage areas within a walkable 400 metre radius. The predominant land use is “Residential” and majority of streetscapes will be residential in nature, with only a minimal number of Commercial nodes. The Residential areas are not distinguished by lower to higher density built forms, so the density and form of residential development in this option is uncertain.

Option 2 provides improved road connectivity and more parkland, but the level of density along the main corridors may not be high enough to support complete streets and vibrant streetscapes. Option 2 may provide the best option for implementing the currently planned alignment of the BLAST network as it focuses density at the intersection of Upper Centennial Parkway and Rymal Road. Option 2 distinguishes between Low Rise, Mid Rise and High Rise Residential uses, which provide a broader range of residential built forms and densities which would better assist in achieving the required density targets. This is not a very ‘walkable’ community, with only a single central node, the size and density of which may encourage a reliance on cars. It features greater opportunities for transit than Option 1. It misses an opportunity to have greater integration of natural (or semi-natural) features into active transportation corridor opportunities and parkland.

Option 3 provides more parkland than Option 1 and provides a more extensive NHS than Option 2 (but less extensive than Option 1). Option 3 presents an opportunity for more enhanced mixed-use streetscapes within the identified nodes and along major corridors, providing for a greater variety of residential built forms and housing densities. This Option provides the greatest diversity in terms of land use to accommodate neighbourhood serving commercial and employment opportunities. The most intensive Residential uses are focused on key nodes, associated with Commercial/Mixed-uses which help to focus density at key nodes where community services and facilities may be co-located. Option 3 may not provide the best option for implementing the currently planned alignment of the BLAST network as it focuses density at the intersection of Upper Centennial Parkway and Rymal Road, however, public transit could be focused at the three nodes. Many parks abut streets, which enhances accessibility to parks. Multi-nodal design provides increased walkability and opportunities for active transportation within smaller neighbourhood areas, and most neighbourhoods have ready access to neighbourhood parks and elementary school facilities. The integration of hedgerows and Headwater Drainage Features (HDFs) will provide resiliency. Option 3 provides a more minimal NHS as compared to Option 1, but an improved NHS and recognition of the key hydrological features as compared to Option 2. The NHS is closely integrated with adjacent parks and open spaces and institutional uses to provide enhanced connectivity with these complimentary land uses.

4.1.1.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

• The Subwatershed Study (SWS) has a hierarchy of natural heritage features, requiring different levels of conservation. The SWS will provide further direction as to the extent of the NHS to be conserved. The appropriate amount and configuration of NHS will provide critical input to the preferred concept plan and the extent of required parkland will assist in determining the development patterns and associated land uses.
Figure 27: Conceptual Development Option 1
Figure 29: Conceptual Development Option 3
• The existing patterns of drainage on the land are important and should be integrated into the community to the extent feasible. Parks and open spaces should follow natural patterns, and the hydro corridor may provide opportunities for establishing a linear parks and open space system with NHS linkages. The headwater areas and key hydraulic features should be integrated into the open space system, and celebrated for their educational value. This also enhances the ability to seamlessly incorporate Low Impact Development (LID) techniques into the preferred concept plan.

• The intersection of Rymal Road and Upper Centennial Parkway is viewed as a future Rapid Transit stop, and a key turn in the BLAST network. Additional stops would likely be considered at Mud Street, Highland Road East, and similarly along Rymal Road East, subject to more detailed study. This should result in a Transit Oriented Design (TOD) approach, clustering higher density and mixed-use development around that node and enhancement of the public realm within the streetscape should be a priority (Option 2). The potential to move or create new transit oriented nodes in other locations should also be explored to contribute to the creation of a complete community and support transit. Local transit routes should be established to provide regular and convenient connections with the BLAST network.

• Higher density residential and mixed-use development needs to be clustered around the community nodes which provide access to rapid transit first, and local transit second. Clustering density enhances opportunities for TOD, whereas low density single use development reduces it. If the clusters are higher density, there may be greater opportunities for enhanced open space, natural areas, recreation, and urban agriculture, or more employment / cultural amenities.

• Employment, neighbourhood commercial and institutional uses should be integrated into the community to reduce commuting and encourage the use of active transportation. These uses should be focused at key nodes and along arterial corridors within the community.

• Elementary school sites should be located adjacent to public parks and Secondary school sites, where possible, should be located or be incorporated with a community centre, library, and/or recreational and sports facilities to allow for shared community facilities;

• Schools should be developed as neighbourhood hubs to allow for programs and services in schools, outside of school hours, providing accessible and centrally located services within a neighbourhood;

• Minimize the land area required for school sites in order to promote compact development and conserve land. School Boards are encouraged to build more compact facilities including multi-storey elementary schools and buildings located close to the street to promote less land-consumptive practices;

• Locate Secondary school sites along a higher order transit route with major road frontage and pedestrian and cycling access and locate Elementary schools on local transit routes with collector road frontage.

• Create connected and integrated systems of streets, buffered pedestrian and cycling supportive streetscapes, parks, open spaces, and multi-use trails.

• Integrate innovative urban agriculture throughout Elfrida (designating one farm is not practical). There is an opportunity for an Elfrida-wide, local “food network” that connects to key farms, retail stores, agricultural resources and gardens outside the study area. This is an important consideration as the study area is surrounded by prime and protected agricultural land. Urban agriculture is no longer an innovation; it is a fundamental tenet of good development. Urban agriculture should be considered through the use of community gardens which may be associated with parks.

• The edges of the study area require further consideration. Context-sensitive urban edges are imperative; the properties bordering the edges of the Elfrida community are likely to remain agricultural for the foreseeable future. However, consideration may be given to establishing transition areas along the edges which may be developed in the future to support more intensive corridor development, should the urban area be expanded at some point in the future.
4.1.2 TRANSPORTATION

4.1.2.1 THE OPTIONS

Option 1 provides limited north-south road or greenway connections, and does not support the establishment of a connected community. This lack of connectivity also negatively impacts transit opportunities by limiting connectivity between neighbourhoods.

In Option 2, first and last mile connectivity would be a challenge as everyone would be travelling to the central commercial node focused on Rymal Road and Upper Centennial Parkway. However, Option 2 may provide the best option for implementing the currently planned alignment of the BLAST network as it focuses density at the intersection of Upper Centennial Parkway and Rymal Road. With only one major node most people will have to travel longer distances through the community to reach it. There could be a negative impact on residential uses near the Commercial/Mixed-use Node as there is minimal buffers and transitions of residential uses between the low rise residential uses. Option 2 looks like a typical residential suburb with the majority of commercial uses centred in one location, which necessitates vehicular trips to this central node, and does not provide for a complete and mixed-use community.

Option 3 is best in terms of first and last mile connectivity, but may not be as preferred as Option 2 for implementing the currently planned alignment of the BLAST network, however, public transit could be focused at the three nodes. Linear green space provides alternative recreational trail opportunities to complement active transportation within the street corridors. This multi-nodal development would support active transportation as one could quickly walk or cycle to nodes; this would be faster than transit. School locations are advantageous because of their short distances from hubs. This option provides more opportunities for connected open space, and is a better option for transit with three primary nodes centred throughout the community. This option would also work best for the appropriate phasing of development, as the multi-nodal approach would provide centralized community services and facilities and neighbourhood serving commercial uses as development is phased.

4.1.2.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

- An east-west and north-south framework for major streets is encouraged resulting in a more connected and modified grid-like pattern.
- Provide linear green space through the NHS and parks and open space system to complement active transportation within the street corridors.
- There could be a commuter east-west route along the major arterial road and an alternative/active east-west route along the hydro corridor/NHS. A north-south greenway system is also possible as shown in Option 3.
- The hydro corridor should be investigated for potential opportunities to support active transportation and integration with the adjacent NHS.
- Schools should be located within short distances from major nodes, and be accessible within individual neighbourhoods. Active and safe routes to school should be incorporated in the transportation network design, preferably near higher-capacity rapid transit, or local transit.
- A connected trail system should be integrated within the NHS, while providing access to major nodes, and along primary corridors.
- Consider connecting commercial destinations with greenways.
- Consider how to maximize the opportunities for enhanced active transportation connections within the significant greenways.

4.1.3 CULTURAL HERITAGE

4.1.3.1 THE OPTIONS

Option 1 retains a high level of low-rise development with the potential for retention of significant portions of existing cultural heritage resources, largely because it does not categorize density within the residential and mixed-use areas.

Option 2 proposes increased commercial development in the current location of three identified cultural heritage resources.

Option 3 has the potential to retain portions of existing cultural heritage resources.
4.1.3.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

Any future development within the study area, beyond those areas that have already been assessed and cleared of any further archaeological concern, must be preceded by a Stage 2 Archaeological Assessment. This includes any proposed development within the natural heritage system (e.g., trails or improvements). The conservation of significant archaeological resources within the community should be encouraged, consistent with provincial policy requirements.

All Options have the potential to conserve significant cultural heritage resources, which must be assessed in the context of Provincial policies for the conservation of these resources. The determination of cultural heritage resources must be undertaken at a more site-specific level to understand the configuration and layout of proposed development.

4.1.4 NATURAL HERITAGE

4.1.4.1 THE OPTIONS

Option 1 conserves all core features, all Headwater Drainage Features (HDFs) with buffers, all restoration / enhancement areas and provides for a very extensive and connected NHS. There would be approximately 28% natural cover with this Option, which provides a large extent of natural cover. Option 1 does not incorporate several hedgerows identified through the preliminary hedgerow assessment as having greater significance. It also brings lands not identified as part of the NHS through the SWS into a NHS for the Elfrida area; these areas do not have direct policy support for incorporation into the NHS. Option 1 has minimal (3) north-south crossings of the NHS which minimize potential impacts. East-west road corridors minimize feature crossings within the NHS. Option 1 relies entirely on alternative (non-pond) SWM options. Option 1 provides significant opportunities to enhance habitat diversity and provides the most extensive natural cover. Option 1 is highly connected, providing significant opportunities with respect to the retention / enhancement of natural features, hydrological functions and wildlife habitat.

Option 2 conserves core features of the SWS NHS and conserves some HDFs. It also implements some enhancement / restoration areas identified through the SWS. NHS areas identified are directly supported through existing policies (i.e., achieve minimum provincial requirements). The result, however, is a discontinuous / not fully connected NHS, which limits long-term viability (movement of wildlife, seeds and plant materials are hindered). No hedgerows are retained in this option—recommended for retention or otherwise. Option 2 features large areas of high impermeability (single mixed-use node) which may create significant run-off and low infiltration opportunities. A minimized NHS reduces the buffering capacity of these features on the landscape. With fewer stormwater management ponds, they will be larger / aggregated facilities, with little implementation of alternative stormwater management techniques. Option 2 has the largest number of north-south crossings (4) of the NHS (a smaller NHS reduces number of crossings required). East-west road corridors minimize the extent of NHS crossings. Option 2 provides limited connectivity between features and has the least amount of restoration opportunities incorporated.

Option 3 conserves core features of the SWS NHS as well as some HDFs. It implements all restoration / enhancement areas identified in the SWS. The NHS areas are generally supported through existing policies. Connectivity and consideration for natural corridors is accommodated with this Option. Moderate connectivity between large NHS features and integration of hedgerows into transportation and active transportation corridors provides opportunities for the movement and transfer of ecological materials. Implementation of restoration areas will increase habitat diversity. Some parks are located adjacent to the NHS, which enhances the parks and open space system. Some hedgerows identified for retention are not included. Some features are isolated, which may have long-term viability implications. Certain areas within the NHS extend beyond the minimum policy requirements for conservation, and challenges may be associated with including these areas within the NHS. There are only three north-south NHS road crossings which are favourable, but in part directly associated with a smaller NHS. East-west roads generally minimize feature crossings within the NHS. Option 3 incorporates restoration opportunities and provides good connectivity between the largest and most significant NHS components.
4.1.4.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

- Core NHS features are required to be retained and should be conserved. Core Features contain the primary habitats for Species At Risk (SAR) and non-SAR identified through the SWS. Increased habitat diversity and natural areas will provide an increase in potential to support SAR (e.g. retention or enhancement of existing and restoration of lands to natural state). The implementation plans for restoration and enhancement and land use compatibility are most important to minimize the potential impact that may be anticipated on NHS features.

- Consider the placement of land uses relative to the NHS for complimentary land use opportunities. Large retention of natural areas, including parks and open spaces, provides buffering and infiltration opportunities to enhance the NHS. Natural areas are not intended to provide a substitute for the dedication of parkland.

- Integration of HDFs on the landscape as part of the stormwater management approach should be explored.

- Use of LID stormwater measures, where feasible, is supported as it provides at-source or treatment train infiltration, among other benefits. Considerations for how SWM can benefit the NHS and provide recreational opportunities (e.g. trails along the SWM ponds) should be explored.

- Sustainability of the NHS focuses on the movement of wildlife, seeds and plant material. Connectivity across the landscape is a key component of this. Additional consideration for increasing natural cover and achieving provincial targets will reduce impacts of urbanization, conserve and introduce habitat diversity and provide natural buffering capacity of the NHS within the community.

- There is an opportunity to integrate significant hedgerows within the preferred concept; they are a signature feature of agricultural areas and also function as wildlife corridors. The hedgerows can connect from the north NHS to the greenbelt and can be re-planted to function in an urban setting. They should be enhanced, integrated into streets and trails and should include fruit trees for wildlife benefit and to create part of the local food network as well as the NHS.

- The retention of hedgerows provides opportunities to integrate SWM buffers, with all the added benefits associated with vegetated corridors.

- Minimizing the number of road crossings and locating road crossings at narrow areas of the NHS, and through less-sensitive features should be considered.

- Placement of SWM facilities is generally acceptable in each option where they are shown.

4.1.5 WATER AND WASTEWATER MANAGEMENT

4.1.5.1 REMAINING CAPACITY IN WATER AND WASTEWATER SYSTEMS

The City has initiated a Class EA for a Pressure District 7 elevated water tank and booster pumping station (HD07A) in accordance with the recommendations of the Hamilton Southeast Mountain Water Servicing Strategy (Stantec, October 2013). The future elevated tank and booster station are expected to service future development in Elfrida as part of Pressure District 7.

A capacity assessment of the Upper Centennial Parkway (UCP) Sanitary Trunk Sewer will be undertaken as part of the ongoing update to the City-wide Water and Wastewater Master Plan. To avoid duplication of work, WSP is not required to assess the servicing capacity of the UCP Sanitary Trunk Sewer, nor comment on existing or remaining capacity in the City’s existing wastewater model for all areas outside of the Elfrida Study Area.

The linear water and wastewater infrastructure that will service the Elfrida Study Area will be constructed within the road right-of-ways. The water and wastewater infrastructure is not expected to result in any additional impacts over and above those caused by the construction of the roads.

4.1.5.2 THE OPTIONS

Commercial and institutional developments typically require the highest fire flows. The large commercial centre in Option 2 could be highly demanding unless the overall space is subdivided into smaller “fire areas”, due to the fire flow that would be required. However, the larger fire flows could be supplied by the trunk mains along Upper Centennial Parkway. Additionally, large diameter watermains and sewers would be required to
service the large commercial centre in Option 2 to meet the associated water and wastewater demands. Option 2 is difficult to phase in a cost-effective manner as these larger diameter watermains would require frequent maintenance (flushing) to maintain the chlorine residual for the portion of the commercial centre and residential developments that are phased in. In addition to increased maintenance costs, larger-sized systems have higher repair and replacement costs. Water can become stagnant in dead-end watermains, which increases the likelihood of water quality issues (low chlorine residuals) unless the watermains are flushed regularly. Looping is encouraged to achieve the best balance in fire flow and water quality.

The Upper Centennial Parkway (UCP) sanitary trunk sewer is constructed with various shafts along the length of the pipe where connections for future sewers have been incorporated. Based on the road network presented in each land use option, additional connections to the UCP sanitary trunk sewer may be necessary for all options. Connections in addition to those provided along the UCP trunk sewer, would add engineering and construction costs. Based on the road network presented in each land use option, Option 3 would require the most additional connections, followed by Option 2, and finally Option 1. However, this may change if additional roads connecting to Upper Centennial Parkway are included when the preferred land use option is refined.

The natural heritage system is generally located along the watercourses within the Elfrida Study Area. All watercourses in the Study Area will be retained in place. Future watermains and sewers will cross watercourses, as required, to service the development proposed in all options. Potential environmental impacts associated with watercourse crossings can be partially mitigated with trenchless technology. However, additional crossings can add engineering and construction costs.

4.1.5.3 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

• Future watermains and sewers will cross watercourses, as required, to service the development proposed in each land use option. Impacts to the environment associated with the watercourse crossings can be partially mitigated using trenchless technologies during construction. Policies to this effect should be incorporated into the Secondary Plan.

• Determine whether there is a need for a sanitary pumping station.

• To reduce construction and long-term operational and maintenance costs, it is preferred to service the Elfrida Growth Area with all wastewater flows draining by gravity. This eliminates the need for a sanitary pumping station, which has the potential risk of an emergency overflow event in which raw sewage discharges to a nearby watercourse. A preliminary review indicated minimum slopes suitable for flows to drain by gravity are achievable in Elfrida. However, this needs to be confirmed once roads and densities are final, as roads and corridors will dictate the shortest possible lengths and depth of cover of the sewers. Cumulative cover (starting at 2.75m min.) of the sewers from trunk to upper reaches could also be a constraint.

• A clear breakdown of the population and jobs is needed to verify the water and wastewater demands, as the base demands and time-of-use patterns are different for residential and employment uses. Simply put, the greater the population and jobs, the greater the demand on the water and wastewater systems.

• Water distribution systems must be sized to meet fire flow requirements based on development type (commercial and institutional developments typically require the highest fire flows).

• Connections to the existing watermain on Rymal Road will significantly improve security and supply of the water system. Maximizing looping reduces cost while achieving the best balance between fire flows and water quality.

• Additional water storage and/or pumping capacity prior to 2041 is not expected for Elfrida, as a future planned elevated tank and booster station are expected to service the study area (as part of Pressure District 7).

• Determine whether additional connections to the UCP sanitary trunk sewer are necessary.

4.1.6 STORMWATER MANAGEMENT

4.1.6.1 THE OPTIONS

The stormwater management (SWM) approach in Option 1 is primarily Low Impact Development (LID). There are a variety of LID measures that can be implemented
successfully in southern Ontario (limited by varying site conditions). LIDs are typically implemented at the lot level or as conveyance measures as opposed to traditional end-of-pipe controls, but can also be used within municipal boulevards and in other larger applications as well. LIDs can be implemented to meet water quality, quantity and balance targets, but are best used to achieve water quality and water balance requirements. They require specialized design, construction and maintenance; however, the maintenance can often be conducted at a small scale in conjunction with other routine landscaping maintenance.

Option 2 utilizes a predominantly traditional SWM strategy. Traditional SWM measures focus on end-of-pipe controls, including wet ponds, dry ponds, and subsurface storage. This type of SWM strategy has been widely used in southern Ontario over a variety of applications. Traditional SWM measures can meet water quality and quantity as well as erosion control targets; however, the bulk of their usefulness is their ability to provide flood protection in large storm events.

Option 3 is a mix of traditional SWM and LID measures, the exact mix being determined at the detailed design stage. This option can meet water quantity, quality, balance and erosion control targets using a variety of strategies across the entire development. This is the most flexible and practical option, with the ability to achieve all SWM targets through strategic implementation.

4.1.6.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

Option 3 is the preferred design option from a stormwater management perspective. It utilizes a mix of traditional end-of-pipe SWM controls and a variety of lot-level LID measures. There are benefits and challenges to each type of strategy; however, a mix of both allows for the flexibility to optimize the SWM strategy within the given specific site constraints.

It is recommended that the SWM strategy be considered at the preliminary design stage. The land-use breakdown and preliminary site plan (including grading and servicing) will be influenced by the location and number of SWM measures. For example, if a SWM pond is utilized, a pond block must be set aside to ensure there is sufficient storage space for the contributing drainage area. Additionally, the location of SWM measures, particularly LIDs, are highly dependent on soil and ground conditions and should be considered in tandem with geotechnical and hydrogeological investigations.

All SWM measures require maintenance and ownership. The type of SWM measure determines the level of appropriate maintenance. A SWM pond, for example, is required to be cleaned out as sediment accumulates (a large and costly undertaking) but typically is performed only once every 10-20 years. The cost and scale of the operation is typically too large for a small home owner or business. On the other hand, LID maintenance can be conducted as part of routine landscaping maintenance, occurring more frequently but with substantially lower costs.

LID measures are constantly evolving with the advancement of research and technologies. Regular maintenance can incorporate new information within the constraints of the measure with little to no cost increase. Traditional SWM measures have low maintenance frequency and can be easily cataloged as part of a municipal infrastructure inventory.

4.1.7 AGRICULTURE

4.1.7.1 THE OPTIONS

There are opportunities in all options for phasing to occur in a manner that minimizes impacts on existing farm operations in the short and mid-term. Lower-priority agricultural lands should be identified for the early phases of development. This approach should be refined later in design.

4.1.7.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

Urban agriculture is no longer an innovation; it is a fundamental tenet of good development. Integrated, innovative urban agriculture principles should inform the preferred concept plan. It should be part of an Elfrida-wide, local “food network” that connects to key farms, vineyards, farms stores, agricultural resources and gardens outside the study area. Consideration for urban agriculture should be integrated throughout the community.

The phasing strategy should consider the potential impacts on existing farms and farming operations, but will also
largely be contingent upon the efficient extension of infrastructure to serve the community. A detailed phasing strategy will be prepared as part of the preferred concept plan.

The interface of the Elfrida community with the abutting agricultural lands and Greenbelt Area requires further consideration with respect to the appropriate built forms.

4.1.8 FINANCIAL

4.1.8.1 THE OPTIONS

Assuming market demand is sufficient to capture the proposed supply, Option 2 would likely result in the least negative fiscal impact to the City. This is due to the option having the greatest amount of commercial and residential development yield. Higher development yield, especially in the form of commercial development, translates into greater one-time revenues from development fees, permits, etc. and ongoing revenues through property taxes and user fees for utilities. Option 3 has the second greatest yield potential, followed by Option 1 which has the highest amount of residential neighbourhoods and NHS, and the least amount of commercial development.

4.1.8.2 RECOMMENDATIONS TO INFORM THE PREFERRED DESIGN

More intensive development translates into higher infrastructure requirements and long term maintenance costs, which will need to be adequately budgeted for in the City’s long-term budget and capital asset management plans in order to minimize future risk exposure. Further fiscal analysis will be undertaken to evaluate the preferred concept.

4.1.9 SUMMARY

The above sections highlight key points and considerations through the lens of each technical discipline area, noting important features to carry forward into the final preferred land use option. This, accompanied by the more detailed qualitative evaluations and modelling that still needs to be done as part of the study, will inform the development of the preferred concept for the Elfrida Growth Area Study.

4.2 ELFRIDA SECONDARY PLAN FRAMEWORK

The Elfrida Community has the potential to accommodate substantial urban development well into the future. It is expected that if fully built-out, the community may accommodate up to 80,000 persons and jobs combined.

Given the scale and the anticipated time frame for development, the Elfrida Secondary Plan will need to be phased in concert with the need for greenfield development lands that will be identified through the City’s GRIDS 2 and Municipal Comprehensive Review work that is ongoing. The long timeframe for development requires a strong urban structure and policy framework that is supported by a clear vision and guiding principles that will stand the test of time. Best practices for land use planning and the delivery of community facilities and service infrastructure must be fully explored in this process, and there must be flexibility to evolve those best practices as they are improved in the long-term.

The Secondary Plan must work within the framework provided by the City of Hamilton Official Plan, but must also promote area-specific community-building in the long-term. Successful communities have a plan that includes the right balance between clear direction for development and the flexibility to respond to changing circumstances over time - policy changes, changes in engineering techniques, demographic changes and broader societal changes.

A Vision Statement with supporting Guiding Principles will be part of the Elfrida Community Secondary Plan. That framework of intent will be supported by Objectives, which are in turn implemented through policy statements. The work carried out in this community development process to date has led to a framework for the Secondary Plan document, including the draft Vision Statement, Guiding Principles and a series of Objectives for a Successful Community. The final framework and detailed policies will be included in the future recommended Secondary Plan. The policies and mapping that establish the urban structure and the policies that articulate the mechanics of urban development will be the subject of ongoing work in the Secondary Plan process, in addition to the ongoing work by the City that will guide the overall phasing strategy.
4.2.1 VISION STATEMENT

The Elfrida Community is envisioned to become a complete, healthy, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.

4.2.2 GUIDING PRINCIPLES

1. Develop in an environmentally appropriate manner that protects and restores the natural environment.

2. Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.

3. Manage growth over time that is logical, efficient and cost effective.

4. Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential, employment, community facilities and services.

5. Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices.

6. Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

7. Provide an interconnected system of streets and pedestrian supportive streetscapes.

8. Provide for a connected and integrated parks, open spaces, and trails system.

9. Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.

4.2.3 OBJECTIVES FOR A SUCCESSFUL COMMUNITY

Fundamental to achieving the Vision and its associated Guiding Principles are a number of Objectives that are intended to provide the framework for achieving a successful community. These objectives are organized as follows:

1. A Complete Community

A complete community meets people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, including affordable housing, public services and community infrastructure including educational and recreational facilities, and a robust open space system. Convenient access to public transportation and options for active transportation are crucial elements of a complete community. Objectives are:

- To support the creation of a complete community with easy access for all residents to a wide range of uses including shopping and restaurants, parks and open spaces, employment opportunities, educational and cultural opportunities, live-work options, mobility options, a mix and diversity of housing types, and a range of community facilities, services and amenities;

- To encourage the development of a complete community that includes higher density built forms and higher intensity land uses as a way of reducing land consumption and maximizing the efficiency and cost effectiveness of municipal service infrastructure. Higher density forms of housing may also enhance life-cycle and affordable housing options; and,

- To ensure that the phasing strategy results in a complete community in each of the defined phases, and to promote incremental growth that includes all forms of housing and appropriate commercial and community facilities as development occurs.
2. A High-Quality Community

A high-quality and ultimately beautiful community includes well-designed buildings, streetscapes, parks and open spaces. A beautiful community protects natural heritage features and viewscapes and includes an accessible and well-designed system of public parks and open spaces that celebrate the site and provide opportunities for enjoyment by the entire population. A high-quality community includes destinations, landmarks, and gateways that distinguish it within its context and establish a sense of place. Crucial to a high-quality community is the attention to the interplay among built form, the public realm and the natural environment. A high-quality community should engender a sense of pride as a place to live and a sense of stewardship in its long-term care and maintenance. Objectives are:

- To develop a welcoming community that encourages and supports active living, social engagement, civic pride and the creation of a sense of place and well-being;
- To include landmarks and gateways that clearly identify where you are, and when you have entered. Landmarks must be recognizable and visible from a distance. Gateways help recognize entry points into the community. Landmarks and gateways can include buildings, structural elements and/or landscape features;
- To build beautiful streets and streetscapes. Streets need to accommodate all modes of transportation and be designed to be pedestrian friendly and safe. Building facades play a crucial role in defining the street edge, animating the street and creating the image and character of the community. Together the streets and the adjacent building facades create a streetscape;
- To ensure that parks and open spaces, including the Natural Heritage System are beautiful, accessible and are linked. Parks and open spaces need to be visible and accessible from, and integrated with the street system, and include a full array of opportunities for outdoor festivals, recreation and play, as well as quiet contemplation. High quality landscape architecture will ensure that these outdoor spaces include public art and appropriate grading, paving and planting materials that celebrate the landscape context; and,
- To require high quality architecture that transcends a theme or a specific period in time, which is fundamental to a beautiful community. Buildings should be compatible with one another, but there must be a diversity of scale and a diversity of style through building materials, colour and architectural details.

3. A Healthy Community

A healthy community consciously seeks to improve the health of its citizens by putting public health high on the social and political agenda. Physical, social and mental wellbeing are the necessary components of public health. The built environment should be designed to be age friendly and to create a variety of opportunities to encourage residents to be physically active and socially engaged.

Public health and land use planning are intrinsically linked. Built environments that encourage physical activity can reduce the incidence of chronic diseases such as obesity, cardiovascular disease, diabetes, asthma and respiratory disease and contribute to better overall public health. Other considerations are an aging population, children, and individuals with disabilities.

A fundamental element of a healthy community is the inclusion of active transportation. Active transportation refers to any form of human-powered transportation – walking, cycling, using a wheelchair, scooters, inline skating or skateboarding. Objectives are:

- To plan for an active transportation system which is highly integrated and connected within the community, the adjacent communities, the City and to transportation systems that serve the broader Region;
- To design the community around pedestrian activity with a substantial number of destinations within walking distance, including parks, cultural and community facilities, shopping and restaurants. This approach promotes walking and cycling and encourages daily physical activity while reducing dependence on automobiles;
- To ensure that the appropriate level of infrastructure and amenities are provided along active transportation routes to ensure pedestrian comfort and enjoyable and safe environments through which to travel;
- To plan for “age-in-place” facilities within the community that anticipate changing housing needs.
for an aging population;

- To plan for a community that complies with the objectives of the Accessibility for Ontarians with Disabilities Act (AODA); and,
- To ensure the implementation of Crime Prevention Through Environmental Design (CPTED).

4. A Sustainable Community

A sustainable community is environmentally healthy and resilient. It meets the challenges of climate change and other environmental issues through integrated solutions rather than through fragmented, incremental approaches that meet one objective at the expense of the others. A sustainable community manages its human, natural and financial resources equitably and takes a long-term view – one that is focused on both present and future generations. Sustainability success relies upon having specific and measurable targets for indicators related to climate change, energy use, water and waste. Objectives are:

- To protect and enhance local and regional ecosystems and biological diversity;
- To promote the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water and waste systems;
- To demonstrate leadership in sustainable forms of green building design and technology, including the incorporation of renewable and alternative energy sources;
- To incorporate Low Impact Design and other site design strategies to mitigate environmental impacts and create a more comfortable urban environment; and,
- To require a transportation system that promotes active transportation and reduces the reliance on the automobile as the primary mode of transportation.

5. A Resilient Community

A resilient community can effectively respond to emergencies, both related to climate change and otherwise, because it has a plan in place, responsibilities assigned and facilities available. Natural or human made disasters are considered and the necessities of life are provided, particularly for those who are most at risk. Access to power, food, water and health care is ensured, while emergency services are equipped to operate and provide assistance in all conditions. Objectives are:

- To ensure access to power, food, water and health care services during and immediately following a disaster event; and,
- To establish health care and emergency services within the community, and to ensure that they are adequately equipped to operate and provide assistance in all conditions.

6. A Viable Community

A viable community is market responsive, efficient and cost effective. Objectives are:

- To ensure that development is cost-effective and appropriate for the market place, and that the Plan has the flexibility to respond to and encourage positive changes in the market place over time;
- To optimize the use of land and infrastructure investments and to promote the coordinated, efficient and cost-effective delivery of service infrastructure and community infrastructure that is appropriate for the planned urban development forms;
- To ensure that new development is supported by a full range of mobility options, including transit, as development occurs; and,
- To ensure that all development is sustainable and financially viable over its life cycle.
5.0 PHASE 3A: COMMUNITY STRUCTURE
### 5.1 Preliminary Community Structure Ideas

The Preliminary Preferred Community Structure Ideas Plan is a collection of high-level structuring elements that will be used to develop a detailed Preferred Plan. The following community structure ideas are a result of the evaluation process that was applied to the three conceptual development options in Phase 2 and feedback from public consultation. In the opinion of the consultant team, this set of ideas represents the best balance of different objectives and is the best combination of different elements from the three previous conceptual development options. The final Preferred Plan will not be developed until the City has advanced the GRIDS 2 and MCR work, and the Subwatershed Study has fully defined the NHS.

The Community Structure Ideas Plan includes the following elements:

- Major Greenlands System
- Major Road Network
- Mixed-Use Centres
- Mixed-Use Transit Corridors
- Parks and Open Space
- Community Centres
- Secondary and Elementary Schools
- Residential

These structural elements are described below.

#### Major Greenlands System

The Natural Heritage System is the initial structuring element around which all other elements are built. The Natural Heritage System has been identified based on the ongoing work of the Subwatershed Study and includes all core natural heritage features, such as wetlands, headwater drainage features, restoration areas, and the Hydro corridor. The delineation of the features has not been finalized, and is subject to the final recommendations of the Subwatershed Study.

#### Major Road Network

The Major Road Network includes the major connector roads within the Elfrida community. The road network is set out in a grid pattern to ensure a permeable and connected system of roads that allow for direct routes into, through, and out of the community.

The Major Road Network will need to be augmented by a complementary Secondary Road network and a local road system to ensure that there is capacity to accommodate all modes of travel.

All elements of the road network will be developed using the principle of “complete streets” and will accommodate appropriate facilities for the movement of pedestrians, cyclists, transit, and vehicles.

#### Mixed-Use Centres

The Mixed-Use Centres are key areas within the Elfrida Community that are expected to accommodate the highest concentration of uses and facilities. Four Mixed-Use Centres have been located within the community to provide multiple opportunities for amenities and services. The Mixed-Use Centres will be key destinations within the Community. Having multiple Mixed-Use Centres will facilitate a phasing strategy to ensure “complete community” development in all phases of growth.

Each Mixed-Use Centre will include urban park spaces, high-rise and mid-rise residential development, office uses, and retail and service commercial facilities. The Centres may also be appropriate locations for major institutional uses (i.e. health care and/or post-secondary educational facilities). These Centres will also be major transit hubs, designed to ensure that residents and employees can be located within an approximate 10-minute walk (800 metres) of a variety of places to live, work, learn, and play.
MIXED-USE TRANSIT CORRIDORS

The Mixed-Use Transit Corridors are the major transit routes through the Elfrida Community and will include residential uses such as stacked townhouses and mid-rise residential apartment buildings, in addition to retail and service commercial uses, office uses, community infrastructure and a range of community facilities and Secondary Schools.

The intent of the Mixed-Use Transit Corridors is to ensure a concentration of users within easy access of transit routes. The objective is that all residents and employees within a Transit Corridor are within a 2- to 5-minute walk (150 to 400 metres) of a transit stop.

PARKS AND OPEN SPACE

The Parks and Open Space system includes a large, centrally-located Community Park and numerous Neighbourhood Parks. The Community Park is located on the transit corridor and adjacent to the Natural Heritage System to support active transportation and connections to a community-wide trail system. The Community Park is significant in scale and is expected to be a major structuring element and defining feature of the Elfrida community.

The Neighbourhood Parks are located throughout the community and are centrally located within neighbourhoods to ensure that residents are within a 5-minute walk (400m) of an open space. The Neighbourhood Park system, and the 5-minute walk strategy are fundamental to achieving a healthy community.

COMMUNITY CENTRES

Two Community Centres have been located within the Elfrida community. One is located within the Community Park to allow for a sharing of uses and the other is located in proximity to the existing place of worship and a proposed Secondary school.

SECONDARY AND ELEMENTARY SCHOOLS

Two Secondary schools are provided in the Elfrida Community and located on identified Mixed-Use Transit Corridors.

Elementary schools have been located within the Residential Neighbourhoods at a walking distance of 5 minutes (400 metres) of most residents to support children walking to school. Elementary schools also act as a neighbourhood focal point, and in some locations have been located adjacent to a Neighbourhood Park, further creating opportunities for sharing of facilities.

RESIDENTIAL NEIGHBOURHOODS

The Residential Neighbourhoods are located outside of the Mixed-Use Centres and Transit Corridors and are expected to accommodate primarily low rise residential built forms, such as a mixture of single detached, semi-detached and townhouse dwellings. These Residential Neighbourhoods will include a mix and diversity of those housing types to ensure variety and choice. They may also include opportunities for small-scale retail and service commercial uses in key locations to promote active transportation.

All the Residential Neighbourhoods will be developed with a central focus and will be within a 5-minute walk (400 metres) of local transit, elementary schools and parks, and generally within a 10-minute walk (800 metres) of higher order transit and community and commercial services.
5.2 COMMUNITY STRUCTURE IDEAS PLAN EVALUATION

The Preliminary Community Structure Ideas Plan (the Plan) has been evaluated against the nine guiding principles (refer to Section 4.2.2) to establish an understanding of how the preferred structuring elements are achieving the vision for the Elfrida Community. The evaluation of the preferred elements is high level and fundamentally qualitative, relying on the professional opinion of the consultant team. Further detailed technical evaluations will be undertaken on the Preferred Plan, once identified.

The Community Structure Ideas Plan is shown in Figure 30.

Principle 1
Develop in an environmentally appropriate manner that protects and restores the natural environment.

Meets ✓

The Plan includes the most up-to-date natural heritage system as provided through the Subwatershed Study. The natural environment will be protected and where appropriate, restored and enhanced. Crossings of the natural heritage system have been limited and where appropriate, the NHS has been incorporated into the design of the community.

Principle 2
Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.

Meets ✓

The Plan has been developed with the assumption that it will be required to achieve a minimum of 80 persons and jobs combined per hectare which will provide for a compact urban form. In addition, the Plan is based on an urban structure of centres and corridors which promotes mobility options such as active transportation and is transit supportive, assisting with the reduction of auto dependence and greenhouse gas emissions. The components of the Plan are still at a preliminary level and details on energy, water, and waste reduction cannot be determined at this time, but will be subject to further evaluation.

Principle 3
Manage growth over time that is logical, efficient and cost effective.

Meets ✓

The Plan will be phased over many years with the initial phase adjacent to an existing built area with connections to existing municipal infrastructure. The multi-centred approach facilitates an opportunity to ensure that each phase of development can be a “complete community”.

Principle 4
Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential, employment, community facilities and services.

Meets ✓

The Plan provides for a diverse mix of land uses and dwelling types creating a balance of residential, commercial, employment, community facilities, and services. The Plan has been structured to allow for each phase of development to include this balance of uses.

Principle 5
Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices.

Meets ✓

The Plan will provide for a mix and diversity of housing types that include low-rise, mid-rise, and high-rise development. The high-rise development will be concentrated within the Mixed-Use Centres and Corridors, with density filtering out into the low-rise Residential Neighbourhoods.

The variety of dwelling types will create opportunities for a range of affordable and special needs housing. Having all housing forms in proximity to each other facilitates opportunities for ageing in place allowing residents to remain within their community as they age, and their circumstances change over time.
Principle 6
Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

Meets ✓
The Plan is based on a structure of Mixed-Use Centres and Corridors and includes a modified grid system of major roads. Centres and Corridors promote an efficient transit system, and the grid pattern of roads allows for a connected system that is logical and permeable, offering a variety of routes in, through, and out of the community.

All roads, including the major transit routes, will be designed as complete streets to accommodate all users.

Principle 7
Provide an interconnected system of streets and pedestrian supportive streetscapes.

Meets ✓
As noted above, the road pattern is a modified and connected grid of roads that will accommodate all modes of transportation such as transit, walking, cycling, and vehicular movement. Complete streets are designed to facilitate the safe movement of all users regardless of the mode of transportation.

Principle 8
Provide for a connected and integrated parks, open spaces, and trails system.

Meets ✓
The Plan provides for numerous neighbourhood parks that are centrally located within the Residential Neighbourhoods and within a 5-minute walking distance (400 metres) of residents. This encourages daily physical activity and creates a central focus and gathering space for the community.

A large Community Park is located central to the Elfrida Community, adjacent to the Natural Heritage System and with access to a Mixed-Use Centre and Corridor to support active transportation and provide for active recreation opportunities within the community. The Community Park is significant in scale and is expected to be a major structuring element and defining feature of the Elfrida Community.

Principle 9
Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.

At this scale, the Plan does not illustrate the application of green infrastructure. The intention is to utilize Low Impact Development (LID) strategies to assist with creating a water balance in the community, in coordination with leading edge stormwater management techniques.

The Preferred Community Structure Ideas Plan meets all the guiding principles that can be evaluated at this level of detail. The concepts and ideas articulated on the Preferred Community Structure Ideas Plan will be further refined and enhanced once the City’s work with GRIDS 2 and MCR is complete which will allow for the development of a more detailed Preferred Plan.

Recommendations and Next Steps for the implementation of the Preferred Community Structure Ideas Plan will be in accordance with the requirements of the Planning Act, Growth Plan for the Greater Golden Horseshoe, Development Charges Act, and other applicable legislation and associated tools to fulfill the vision for the Elfrida Study area.

5.3 WHAT WE HEARD
A summary of the public consultation feedback received on the evaluation of the Conceptual Development Options and Preferred Community Structure Ideas Plan presented during Public Information Centre #3 held on June 12, 2018 is included in the Consultation Summary Report.
Figure 30: Community Structure Ideas Plan
6.0 NEXT STEPS AND THE PREPARATION OF THE PREFERRED PLAN
The Elfrida Growth Area Study is a comprehensive and integrated planning process that will result in a Preferred Plan and Official Plan Amendment (Secondary Plan) to guide and direct future development within the study area. The following summarizes the next steps during the final Phase (3b) of the study, and additional work that will be undertaken to advance the development of the Preferred Plan for the Elfrida community.

6.1 COORDINATION WITH GRIDS 2

As previously noted, the City’s ongoing GRIDS 2 and MCR work will provide critical inputs into the Elfrida Growth Area Study to determine the amount of new designated greenfield areas that are required to support an urban boundary expansion. This work will determine how much additional designated greenfield area the City requires, beyond the growth that will be accommodated within the City’s existing built-up areas through intensification, to achieve the City’s population and employment forecasts under the 2017 Growth Plan.

This work will inform not only the amount of designated greenfield areas that are required to 2031 and 2041, but will also serve to inform the phasing strategy for the future development of the Elfrida community.

6.2 SUPPORTING PLANS/STUDIES

Once a Preferred Plan is identified, various other plans and studies will be prepared to evaluate the Preferred Plan and identify the required infrastructure to support the development of the Elfrida Growth Area. These plans include the Transportation Master Plan, and the Water and Wastewater Master Plan. These Master Plans will satisfy the requirements under the Municipal Environmental Assessment Act Phases 1 and 2 for the development of new infrastructure required to serve development. These Master Plans can not be undertaken until such time as the required amount of additional designated greenfield areas are identified through the City’s GRIDS 2 and MCR work. Further technical studies which will be undertaken to assess the Preferred Plan include a Financial Strategy and an Agricultural Impact Assessment.

6.3 OFFICIAL PLAN AMENDMENT (SECONDARY PLAN)

An amendment to the City’s UHOP will be required to bring a portion of the Elfrida lands into the City’s urban boundary. A Secondary Plan will be prepared to implement the Preferred Plan and establish more detailed land use policies and schedules to guide future development. The extent of lands to be included within the City’s urban area will be dependent upon the recommendations of the City’s ongoing GRIDS 2 and MCR work.

The draft framework for the Secondary Plan is discussed in further detail in Section 4.2 of this Report.

6.3.1 PHASING PLAN

Based on the inputs from the City’s ongoing GRIDS 2 and MCR work, recommendations will be provided with respect to the phasing of development within the Elfrida Growth Study Area, to accommodate the City’s land needs to 2031 and 2041.

This work will be augmented with the infrastructure analysis (i.e., transportation, water and wastewater services) being undertaken in support of the Elfrida Growth Area Study, to determine the most logical and efficient phasing of development, in relation to the availability of existing and planned infrastructure.

6.3.2 URBAN DESIGN GUIDELINES

To assist in implementing the Secondary Plan policies, Urban Design Guidelines (UDGs) for the Elfrida community will be prepared. It is anticipated that the UDGs will include a comprehensive list of design guidelines for the public and private realms. This will include a hierarchy of roads (confirmed through the Secondary Plan and the Transportation Master Plan), and the protection of the Natural Heritage System.
The public realm guidelines will feature parks, open space and trail systems, streetscape design, integration of amenity space, uses at-grade, fenestration, Crime Prevention Through Environmental Design (CPTED) practices, lighting, articulation, close spacing of main floor entrances/doors, patios/activity zones, and utility equipment. Design guidelines for the private realm will address development blocks and lots, built form, transition and massing, grade-related residential units, commercial/employment/other types of buildings, driveways, garages and garage access. The UDGs will be an important tool in the City’s review of subsequent development applications to ensure that a high standard of urban design is achieved throughout the community.

6.4 ZONING BY-LAW AMENDMENTS AND FUTURE DEVELOPMENT APPLICATIONS

Following the approval of the Secondary Plan, and in consideration of the timing for required infrastructure improvements, development may proceed through the development approvals process in accordance with the Planning Act, which may include landowner-initiated applications for zoning by-law amendments, draft plan of subdivisions and site plan approvals. The City may also consider preparing a new comprehensive Zoning By-law to guide development within the Elfrida community.

6.5 COMMUNITY AND STAKEHOLDER CONSULTATION

The next phase of the work program will involve the identification of a Preferred Plan for the future Elfrida community. The Preferred Plan, as well as the draft supporting background studies, Secondary Plan and Urban Design Guidelines, will be presented to the community and stakeholders at a future Public Meeting for review and comment. Based upon these consultations, the documents will then be finalized for presentation to the City’s Planning Committee.
CONSULTATION SUMMARY REPORT

ELFRIDA GROWTH AREA STUDY

August 2018

WSP
The Planning Partnership
Archaeological Services Inc.
Cushman & Wakefield
Metro Economics
# Table of Contents

**Executive Summary**  
01

**Section 1**  
Community Meeting #1  
**Visioning & Design Workshop**

- Community Focus Group Meeting #1  
- City Project Team Meeting #1  
- Public Workshop #1  
- Development Options  
- Community Focus Group Meeting #1 Minutes  
05  
09  
11  
15  
21

**Section 2**  
Community Meeting #2  
**Conceptual Development Options**

- Community Meeting #2  
- Concepts and Comments  
- Online Comments  
- Note-taking Templates  
- Community Focus Group Meeting #2 Minutes  
27  
28  
35  
36  
39

**Section 3**  
Community Meeting #3  
**Preferred Community Structure Ideas**

- Community Meeting #3  
- Preferred Community Structure Ideas Plan  
- Comment Sheet  
- Community Focus Group Meeting #3 Minutes  
- Display Panels  
43  
44  
46  
47  
49

**Appendix**

- Presentation for Community Focus Group Meeting #1  
- Presentation for Workshop #1 - June 21, 2017  
- Presentation for Workshop #1 - June 22, 2017  
- Presentation for Community Meeting #2  
- Presentation for Community Meeting #3  
66  
76  
102  
115  
142
The City of Hamilton is growing and the population is projected to increase to 660,000 by 2031. While the City has made efforts to grow within the current Urban Boundary to meet targets for intensification, a future urban boundary expansion growth area is required to accommodate future growth.

The Elfrida Growth Area Study is intended to develop a future urban vision for these lands should they be required to accommodate growth to the year 2041. The precise boundaries for growth will be confirmed through the Study.

Critical to the approach for Elfrida Growth Area Study is collaboration with stakeholders, landowners, development industry, team members, and the public. An approach to engagement was established through a Public Participation Plan that established the structure for consultation with the community and stakeholders over the course of the Study within the framework of the City of Hamilton’s Public Engagement Charter available at:


The vision for this area is to create a compact, transit oriented urban community that efficiently uses servicing infrastructure and is well integrated with the surrounding agricultural lands. The purpose of the study is to develop a comprehensive and viable growth scenario for the Elfrida area.
The **Public Consultation Goals** established for the Study are as follows:

- To build awareness and understanding of the purpose of the Elfrida Growth Area Study and the provincial goals for intensification;
- To effectively engage all stakeholders in the process of developing the Secondary Plan;
- To generate broad-based support from the community and stakeholders for the Elfrida Growth Area Study;
- To design consultation forums that are conducive to meaningful conversations focused on providing the planning, design and development framework for a compact, transit oriented urban community that effectively uses servicing infrastructure, is well integrated with surrounding agricultural lands and is a model of excellence of a healthy well-built complete community;
- To encourage resident and stakeholder participation and input and to ensure that contributions can be made through a variety of face-to-face and on-line forums; and,
- To evaluate and consider input received, including incorporation into revised/final zoning regulations, as appropriate.

### Consultation Events

To date, three consultation events have occurred during the Elfrida Growth Area Study.

#### #1 Visioning and Design Workshop

The first consultation event was held in June of 2017 and consisted of a number of different sessions to establish a vision and guiding principles for the study area and to develop alternative development options based on three different development programs.

#### #2 Conceptual Development Options

The second consultation event was in December of 2017 and involved the presentation of the conceptual development options for input for the team to consider when evaluating the options to identify the preferred components that will shape a preferred plan.

#### #3 Preferred Community Structure Ideas

The third consultation event took place in June 2018 and included a presentation of the process used to evaluate the three conceptual development options and the results of the evaluation, followed by an overview of the draft preferred community structure ideas plan for public and stakeholder comments.

This report is a summary of “**What We Heard**” from the three public consultation events, as well as the Community Focus Group meetings that occurred prior to the public events.
SECTION 1
WHAT WE HEARD

Community Meeting #1

VISIONING & DESIGN WORKSHOP

June 2017

WSP
The Planning Partnership
Archaeological Services Inc.
Cushman & Wakefield
Metro Economics
Community Focus Group Meeting #1

Tuesday, June 13, 2017

A Community Focus Group was assembled to provide guidance, input and feedback to the project team throughout the consultation process and represents a wide range of interests.

The Community Focus Group has 11 members:

John Voortman  
Countrywide Recycling

Mel Switzer  
President of Hamilton Federation of Agriculture

Henry Swierenga  
Ontario Federation of Agriculture

Brianne Comley  
Hamilton-Halton Homebuilders Association

Judy Sykora  
Landowner

Nicholas von Bredow  
Realtor’s Association of Hamilton-Burlington

Don McLean  
Environment Hamilton

Steve Spicer  
Summit Park Developer and Landowner

Drew Spolstra  
Ontario Federation of Agriculture

Mary Nardini  
School Board Trustee

Roy Shuker  
Ontario Federation of Agriculture

The first Community Focus Group Meeting took place on June 13, 2017.

Following introductions of all those in attendance, a presentation provided an overview of the purpose and scope of the study and the purpose and role of the Community Focus Group.

The presentation was followed by questions for a round table discussion with the group.

What are the key opportunities for growth in the Elfrida Planning Area?

What are the key challenges for growth?

What’s most important from your perspective with respect to:

- Design of new communities and neighbourhoods
- Transportation: transit, vehicles, pedestrians, cycling
- Natural features and open spaces
- Heritage and culture
- Servicing
The following questions were asked before the round table discussion:

**Do we know why the Province appealed the matter? I thought it had something to do with the airport.**

Partially. There is a multi-phase hearing associated with the Airport Employment Growth District (AEGD). This is why the land budget work is important because it helps to answer a number of these questions.

**Are other lands being looked at for an urban area expansion?**

No.

**The new Growth Plan has new greenfield density targets. Does that factor into this study?**

We will evaluate it.

**Will a report be prepared that documents input received?**

Each workshop is followed with a “What We Heard” report that contains an event summary and results.

**Is the flyer available electronically, for posting on Facebook?**

It will be circulated after tonight (June 13, 2017).

**Is there a time line for development occurring?**

For the lands to become urban, approximately five years. Three years for draft plan approval, followed by servicing approvals. A phasing plan will also be prepared as part of this study that identifies timing, including provision of infrastructure (and future servicing studies). Agencies will be contacted as part of the study to identify school locations.

**What is the time line for this process? How does this study work alongside other necessary policy studies? What project is completed first?**

We should put a time line together of the ongoing concurrent processes. This process is to establish growth through to 2031, as informed by GRIDS (2006). Current Municipal Comprehensive Review (MCR) is looking at accommodating growth to 2041, alongside other new Provincial policies with respect to community development, the natural environment, and other matters of Provincial interest.

**Is this a process where others thinking growth should occur elsewhere can consider that decision?**

There are many landowners elsewhere in the City who would prefer to have that growth. GRIDS (2006) identified this location as the preferred location. Elfrida is Council’s direction. The end result of this study would require an Official Plan Amendment, which would be appealable. The original policy adoption in 2009 was also subject to appeal (remains under appeal). The Province has indicated to the City that the urban area expansion was not the problem, but how it was stated in the Official Plan.

**Do these points indicate a development model that looks like Downtown Hamilton?**

Mixed use, compact communities do envision a more integrated form. There are many models and structures that could take form.

**How much employment will be included in Elfrida?**

Part of MCR includes an Employment Lands Review, which will determine if there is any need for additional “production employment” type lands. Consider if there is a role for Elfrida in population-related employment (service sector jobs including offices - though Downtown Hamilton is the preferred location for major offices, community nodes can accommodate additional office space as well).

**When you undertake the new MCR, will you be focusing on Elfrida or might other land areas come into play?**

It depends on the land budget. Intensification estimates and potential, greenfield land requirements will drive that question. Clarification of GRIDS (2006), GRIDS 2, and MCR will be provided at the workshop. We are studying this area.
Round Table Discussion

01 What are the key opportunities for growth in the Elfrida Planning Area?

New GO Station and light rail transit (LRT). Opportunities for connections to those new lines (especially to new southeast end node). Financing is a challenge.

Transit connections across South Mountain, to airport.

Other nearby neighbourhoods are filling up with housing. Having more urban areas can help keep more people in this neighbourhood (aging). Plus new people.

Biking opportunities.

Upper Centennial Parkway is not at capacity, and could be a direct link to the GO Station.

Exciting to build a whole new community from scratch.

We could use more small commercial to mitigate the impact on the residential tax base.

Expanded tax base.

This growth (190,000 more to 2041) will give this City the opportunity to grow into its own. Development Charges alone would be over $1 billion, based on a quick calculation.

Placing growth in one area allows for infrastructure investments to be concentrated in one place.

Zoning to support this more intense development can be accommodated.

Opportunity to implement stormwater management solutions. Increased paving sends more water to an already full Lake Ontario.

Opportunity to create a transit-centred community.

As part of GRIDS 2, all City-wide master plans are being updated to accommodate growth to 2041. There are opportunities to bring changes to those studies.

02 What are the key challenges for growth in the Elfrida Planning Area?

Need to focus on getting people to their jobs.

Lincoln M. Alexander Parkway is already horrendous in the mornings, also Trinity Church Road is filling up. How can we link these people to Toronto?

Have to balance the loss of productive agricultural lands to urban development. What sort of buffer is provided? Are there any examples of a good coexistence between urban uses and farming?

Conflicts with houses being built near me: noise, smell, working the farm at night.

20,000 people moved to Binbrook with no way to move them in and out.

Don’t want to tear up roads to put in sewer lines again (if going to Binbrook).

We are gridlocked getting in and out of the area today. City hasn’t gotten the existing roads right, and Ministry of Transportation created reduced capacity on the QEW.

Can’t put a road through existing development. Local area is okay, but downstream is stop-and-go. Getting downtown is a nightmare, stoplights at every corner.

Development should not take away from initiatives elsewhere.

Getting through these areas with big agricultural equipment is currently very difficult.

The hydro corridor should be avoided.

Look into trespassing on privately owned lands.

Had a lot of flooding in Hamilton this year, climate instability is contributing to this.

Planning for expansion when facing a $3.5 billion infrastructure deficit. Best Development Charges only cover 75% of construction cost.

A lot of viable land within the Study Area that should not be developed on (north side of Golf Club Road).
What’s most important from your perspective?

Design of New Communities

Developing as densely as possible leaves more land untouched for agricultural, natural heritage, and transportation purposes. Central Park, Stoney Creek is an example worth investigating.

Choice and affordability is important.

Looking at 110 people/jobs per hectare in Elfrida.

More mid-rise apartments, fewer detached dwellings.

I think people need space, living on top of each other creates all kinds of social problems.

Should attract more light industrial to the area.

Should have more mixed housing, including apartments.

Need to have community stores.

Use as little of the agricultural lands as possible.

Big houses take up too much of a footprint.

Prefer low density. Everyone has two cars, garage is an extended portion of the house.

Understand that row houses are affordable, but there needs to be character associated with the building.

Difficult to find housing for older persons. Some developments have incorporated age-friendly elements (e.g. at-grade entrances).

Natural Features and Open Spaces

Various species-at-risk are in the area (Bobolink, bats).

As a farmer, I want lots of space.

The main watercourses will need to be looked at.

If not for the Fairgrounds, there would be no green space in Binbrook.

Needs lots of open space to support agriculture.

Taking natural heritage out of the study area will change opportunities for housing.

Lower Stoney Creek used to be fruit lands, it’s now all cleared for housing. Agricultural land is being destroyed.

Heritage and Culture

Building as high a density as possible, leaves more land untouched (for agricultural, natural heritage, and transportation purposes).

Servicing

Catholic School Board is building two-storey schools to use less land. All of the last six schools built were multi-storey (but not yet campus-style collocated).

Transportation

Don’t want the area to sprawl out of control.

Can’t get fire trucks down the streets in Binbrook.

Wider sidewalks, ability to walk to stores and amenities (less cookie cutter).
City Project Team Meeting #1

Wednesday, June 21, 2017

The first City Project Team Meeting for the Elfrida Growth Area Study took place on June 21, 2017 at the Valley Park Recreation Centre and Arena from 1:00-3:00 p.m.

The session included a presentation on background information collected for the area and the Subwatershed Study.

The presentation was followed by a question and answer period.

In small groups, attendees provided input on the draft vision statement and design principles to guide development for various explorations.

Round Table Discussion

What is most important with respect to design, transportation, natural features and open space, heritage and culture, servicing?

Design

Need an integrated approach for the entire area, different form and function from other community developments due to Provincial policy and new requirements.

Complete communities, compact built form, active transportation.

Elfrida was 'identified' for density in past reports, so may not be required to meet new targets.

Need City team to provide direction on density.

Require a full range of housing options. Need to plan for a denser community, explore unique forms of housing (not so many townhouses). Create character areas, streets and retail destinations.

Healthy communities, trail system, live/work, walkability.

Design with flexibility and fiscal responsibility in mind.

Look to older neighbourhoods for innovation.

Identify an identity for this area, place-making.

Transportation

City is working on a Transportation Master Plan and will include cycling, transit, trails etc.

Leverage the existing work in Elfrida.

Consider potential intersection improvements. Take a look at the larger area and access to the QEW, downtown, and other areas.

Extend existing active transportation facilities.

Require a long-term transit plan. Extend existing transit routes, and address issues of cost.

Implement complete streets guidelines, consider all modes of transportation.

Comprehensive development guide was recently passed. 20 metre right-of-way for local roads is a requirement. Each component should end with a financial analysis, to identify pockets of cost that are needed for specific projects - future planning from a cost impact, implications, fiscally responsible, viable plan moving forward.

Require cost sharing agreements in the public sector. The City is putting off projects due to costs. Other costs will be required for sustainability, complete streets, and transit.

Transportation Master Plan currently underway, align with the report: complete streets, policy direction on road users, rapid transit corridor.
Cultural Heritage

Stage 1 of the archaeological assessment is underway, fieldwork is to be undertaken.

Cultural Heritage for the site should be reviewed and inventoried. Retain cultural heritage buildings.

Agriculture

Require an assessment of existing area to determine compatibility along the fringe. Minimum Distance Separation (MDS) for allotment gardens and small urban farms.

Have some production facilities (livestock farms), update the Minimum Distance Separation (MDS).

Address water related issues: sharing stormwater management ponds, spraying fields.

Refer to the Subwatershed Study for information, need to understand phasing.

Include agriculture buffers as part of the phasing strategy.

Servicing

City report recommended a new pumping station in Elfrida.

Wastewater – sanitary truck being expanded, convey additional flows to City system.

Environmental Assessment (EA) for pressure district 7, looking into new pumping station; City study is underway.

Infrastructure for 2031 in City reports, ensure capacity to 2041.

Rear lanes, more on-street parking, eyes on the street, utilities in the rear lane, better for transit.

Cost effective infrastructure, block servicing, developers working together – developers agreements (policy).

Subwatershed

The Subwatershed Study would typically occur in advance but is occurring parallel.

5 headwater areas, and two watersheds.

2 spillways due to flat topography. North area may need grading to deal with sheet flow flooding.

Phase 1 - Characterization
Phase 2 - Land use plan
Phase 3 - Implementation

Natural Heritage System

Vegetation communities, bird surveys, fish habitat, restoration areas – landscape modifications over the years.

Balance distribution of open spaces and privately owned publicly-accessible spaces (POPS). Need for recreation centre was identified in City Indoor Study. Need a community park that serves 20,000 residents.

Natural features need to be protected and enhanced, maintain ecological function.

Stormwater Management (SWM) and Low Impact Development (LID)

Keep water in the same watershed, create a water balance, existing online ponds.

SWM is very important – consider climate change mitigation, water balance, groundwater tables, and infiltration.

What are the existing standards for SWM? Can we explore SWM approaches?

The end-of-pipe method is the easiest but not encouraged, moving towards LID.

Commercial

Primary trade area around the study area, currently double the amount of commercial for the area.

Significant floor space is not required but neighbourhood retail is encouraged.

Office generates more jobs, employment lands near airport.
Day 1: **Public Workshop #1 - Visioning**

**Wednesday, June 21, 2017**

The first Public Workshop sessions for the Elfrida Growth Area Study took place on June 21, 2017 at the Valley Park Recreation Centre and Arena from 4:00-6:00 p.m. and 6:30-8:30. The afternoon and evening sessions were identical.

- The sessions included a presentation on background information collected for the area and the Subwatershed Study.
- Round table discussions took place to answer questions as well as discuss the givens and key directions from the inventory and analysis.
- Round table discussions to seek input on the fundamental design principles.

**Vision Statement**

> The Elfrida Growth Area is envisioned to become a complete, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.

The first Public Workshop session resulted in the development of a Vision Statement, Guiding Principles and a list of important Community Characteristics.
Guiding Principles

- Develop in an environmentally appropriate manner that protects and restores the natural environment.
- Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.
- Manage growth over time that is logical, efficient, and cost effective.
- Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential, employment, community facilities, and services.
- Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices.
- Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.
- Provide an interconnected system of streets and pedestrian supportive streetscapes.
- Provide for a connected and integrated parks, open spaces, and trails system.
- Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.

Community Characteristics

- Green space
- Protection of aquifer
- Retirement Community
- Housing options
- Transit supportive
- Friendly
- Accessible
- Open space network
- Clean well water
- Inclusive
- Multi-use
- Accessible to main arterials
- Age friendly
- Pedestrian friendly
- Live in comfort
- Friendly
Day 2: **Public Workshop #1 - Design ‘Explorations’**

**Thursday, June 22, 2017**

The second set of Public Workshop sessions for the Elfrida Growth Area Study took place on June 22, 2017 at the Valley Park Recreation Centre and Arena from 3:00-5:00 p.m. and 6:00-8:00 p.m. This “Design Day” included two sessions followed by an Open House from 8:00-9:00 p.m.

Participants were organized into three groups and worked with a designer from the Project Team to explore options for the Elfrida planning area. Each group had a unique development program to guide the discussion. Groups addressed land use, the natural heritage system and an approach to stormwater management.

The concepts developed at the two workshop sessions were posted at the Open House for review.

---

The second set of Public Workshop sessions resulted in the development of six options for the Elfrida Growth Area.
### Development Programs

Each of the development options were structured around three different development programs:

<table>
<thead>
<tr>
<th>1 Natural Heritage System</th>
<th>2 Community Structure</th>
<th>3 Design Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potential Restoration Areas</td>
<td>Disjointed, pods of development</td>
<td>Centralized system of parks, large neighbourhood parks</td>
</tr>
<tr>
<td>Mitigation HDF's</td>
<td>Hedgerows</td>
<td>Commercial</td>
</tr>
<tr>
<td>(Headwater Drainage Features)</td>
<td>Retain/enhance</td>
<td>No major commercial, neighbourhood focus</td>
</tr>
<tr>
<td></td>
<td>Retain/enhance</td>
<td>Connected to park system, standard school size</td>
</tr>
<tr>
<td>2 Community Structure</td>
<td>Roads</td>
<td>Schools</td>
</tr>
<tr>
<td></td>
<td>Disjointed, pods of development</td>
<td>Connected to park system, standard school size</td>
</tr>
<tr>
<td></td>
<td></td>
<td>School campus associated with central park</td>
</tr>
<tr>
<td>3 Design Details</td>
<td>Parks</td>
<td>Housing Distribution</td>
</tr>
<tr>
<td></td>
<td>Centralized system of parks, large neighbourhood parks</td>
<td>Integrated and even distribution of low, medium, and high density housing in neighbourhoods</td>
</tr>
<tr>
<td>Parks</td>
<td>Commercial</td>
<td>Employment (office/population serving)</td>
</tr>
<tr>
<td></td>
<td>No major commercial, neighbourhood focus</td>
<td>Employment related to primary road access</td>
</tr>
<tr>
<td>Parks</td>
<td>Schools</td>
<td>Stormwater Management (SWM)</td>
</tr>
<tr>
<td></td>
<td>Connected to park system, standard school size</td>
<td>Focus on low impact development (LID), minimize SWM ponds</td>
</tr>
<tr>
<td>Parks</td>
<td>Housing Distribution</td>
<td>Stormwater Management (SWM)</td>
</tr>
<tr>
<td></td>
<td>Integrated and even distribution of low, medium, and high density housing in neighbourhoods</td>
<td>Focus on low impact development (LID), minimize SWM ponds</td>
</tr>
<tr>
<td></td>
<td>Employment (office/population serving)</td>
<td>Employment related to primary road access</td>
</tr>
<tr>
<td></td>
<td>Stormwater Management (SWM)</td>
<td>Focus on low impact development (LID), minimize SWM ponds</td>
</tr>
</tbody>
</table>

#### Development Program 1
- Enhance all
- Retain/enhance
- Centralized system of parks, large neighbourhood parks
- Connected to park system, standard school size
- Integrated and even distribution of low, medium, and high density housing in neighbourhoods
- Employment related to primary road access
- Focus on low impact development (LID), minimize SWM ponds
- Stormwater Management (SWM) - traditional

#### Development Program 2
- Do not consider
- Retain some
- Disjointed, pods of development
- No major commercial, neighbourhood focus
- School campus associated with central park
- Employment related to primary road access
- No employment, only major retail and schools
- All SWM ponds - traditional

#### Development Program 3
- Moderate enhancement
- Retain some
- Retain some
- Moderately connected, focus on existing road network
- Mix of small and large scale retail, focused in centres and corridors
- Variety of parks, linked to NHS/SWM and within neighbourhood centres (small)
- Centralized in neighbourhoods, urban scale school sites
- Medium and high density housing distributed in centres and corridors, medium and low residential in neighbourhoods
- Employment campus
- Combination of LID and SWM ponds
Development Options

Afternoon Session

Development Program 1 – Pods of Development

- Retention and enhancement of natural heritage features and hedgerows
- Limited road crossings of natural heritage system (NHS)
- Neighbourhood parks located adjacent to NHS
- Active transportation incorporated into the NHS through trail network
- Utilized existing arterial road system
- Addition of a mid-block collector running east-west between the hydro corridor and Golf Club Road
- Pods of development due to retention of NHS and limited road crossings of the NHS
- Community areas are defined by 800m radius (measured from centre to edge) or 10 minute walking distance. Each community consists of 4 or 5 neighbourhood pods defined by 400m radius (measured from centre to edge) or 5 minute walking distance
- All neighbourhood pods include a mix and diversity of low/medium/high density housing
- Two secondary schools and a community centre
- Elementary schools located adjacent to neighbourhood parks and provided for in each neighbourhood pod
- Retention of existing estate residential
- Stormwater management provided through low impact development (LID - bioswales, hedgerows, natural drainage features)
Development Program 2 - Central Node

- Retention of only core natural heritage features
- Road network is focused on the existing road pattern and structure, utilizing existing connections and linkages
- Grid system of roads all connecting to mid-block collectors and arterials
- Mid-block collector running east-west between the hydro corridor and Golf Club Road, and a north-south mid-block collector connecting Mud Street to Golf Club Road
- Neighbourhoods defined by 400m radius (measured from centre to edge) or 5 minute walking distance, each with a central focus
- Low and medium density residential in the neighbourhoods
- Large commercial core centrally located with commercial retail uses and high density housing
- Large central park campus with a community centre and two secondary schools
- Traditional stormwater management ponds located as gateway features and neighbourhood amenities
Development Options

Afternoon Session

- Enhancement and retention of some of the natural heritage system (NHS) and hedgerows
- System of enhanced hedgerows utilized for low impact development (LID), active transportation, and cultural landscape
- Transit-oriented development (high density residential) within a commercial node at Rymal and Upper Centennial
- Grid system of roads with a mid-block collector running east-west between the hydro corridor and Golf Club Road
- Neighbourhood centres or nodes located within a 400m or 5 minute walking distance of residences
- Medium density residential located in centres with neighbourhoods of low density residential
- Employment campus located south of hydro corridor and in the west portion of the community, adjacent to existing employment uses to the west of Trinity Church Road
- Institutional uses utilized as landmarks along an enhanced open space system parallel to the hydro corridor
- View and connection to open space system at road termini
Evening Session

Development Program 1 – Pods of Development

- Retention and enhancement of all natural heritage features and hedgerows
- Limited road crossings of natural heritage system (NHS)
- Utilization of existing road network and connections
- Mid-block collectors running east west and north-south
- Neighbourhood commercial centres along mid-block collector and adjacent to existing commercial at Rymal Road
- Existing employment lands retained
- Pockets of high density residential located along Upper Centennial and mid-block collectors
- Pods of low and medium density residential neighbourhoods defined by the NHS
- Schools adjacent to neighbourhood parks and medium to high density residential areas
- Stormwater managed through LID, hedgerows, and natural systems
Development Options

Evening Session

Development Program 2 – Central Node

- Retention and enhancement of natural heritage system (NHS)
- Parkway boulevard along an enhanced open space network south of the hydro corridor
- Grid pattern road network, local roads terminating at Parkway boulevard
- Utilization of existing road network and connections
- Open space associated with natural features, expansion of natural features
- Large central park and institutional campus
- Neighbourhood commercial centrally located within medium density residential areas
- Low density neighbourhoods on the periphery of the medium density/commercial centres
- Mixed use commercial centre extending along Rymal Road to the east, combination of commercial retail, mixed use, and higher density residential
- Existing employment lands retained
- Traditional stormwater management ponds
Development Program 3 - Nodes and Corridors

- Enhancement and retention of some of the natural heritage system (NHS) and hedgerows
- System of enhanced hedgerows utilized for low impact development (LID), active transportation
- Utilization of existing road network and connections
- Community structured around nodes and corridors
- Mid-block collectors running east-west and north-south
- Three mixed use nodes located along the mid-block collectors or corridors
- Mixed use nodes located within an 800m or 10 minute walking distance of residences
- Nodes include mixed use, commercial, retail, and high density residential; incorporate components of the NHS
- Community parks associated with secondary schools
- Neighbourhoods defined by 400m radius (measured from centre to edge) or 5 minute walking distance, each with a central focus
- Medium density residential located along corridors (collector roads) and on the periphery of the mixed use nodes as a transition to the lower density residential
- Elementary schools adjacent to neighbourhood parks and located within each neighbourhood
- Combination of bioswales, hedgerows and stormwater management ponds
- Organic farm
Suzanne Mammel was absent.

Following introductions of all those in attendance, a presentation provided an overview of the purpose and scope of the study, the purpose and role of the Community Focus Group and tabled two questions for a round table discussion with the group (see attached).

The following is a summary of the questions asked before the round table discussion:

1. **Do we know why Province appealed the matter? I thought it had something to do with the airport**
   Partially. There is a multi-phase hearing associated with the AEGD. This is why the land budget work is important because it helps to answer a number of these questions. Part of the work needed

2. **Are other lands being looked at for an urban area expansion?**
   No. We are only looking at Elfrida at this time.

3. **New Growth Plan has new greenfield density targets. Does it factor into this study?**
   Yes, we will evaluate the new targets as part of this project.

4. **Will a report be prepared that documents input received?**
   Each workshop is followed with a “What we heard” report that contains an event summary and results (including documentation prepared). This information will be made available online.

5. **Is the flyer available electronically, for posting on Facebook?**
   It will be circulated after tonight.
6. **Is there a timeline for development occurring?**
(Developer in the room) says “five years: three years for draft plan approval, followed by servicing approvals.”
A phasing plan will also be prepared as part of this study that identified timing, including provision of infrastructure (and future servicing studies).
Agencies will be contacted as part of study to identify school locations.

7. **What is the timeline for this process? How does this study work alongside those other necessary policy studies? What project is completed first?**
We should put a timeline together of the ongoing concurrent processes. This will be available at the Public Information Centre on June 21 and 22, 2017.
This process is to establish growth through to 2031, as informed by GRIDS (2006). Current MCR is looking at accommodating growth to 2041, alongside other new Provincial policies with respect to community development, the natural environment, and other matters of Provincial interest.

8. **Is this a process where others thinking growth should occur elsewhere can consider that decisions?**
There are many landowners elsewhere in City who would prefer to have that growth.
GRIDS (2006) identified this location as the preferred location for future growth. Elfrida is Council’s direction. The end result of this study would require an Official Plan Amendment, which would be appealable. The original policy adoption in 2009 was also subject to appeal (remains under appeal).
We will be sure to include a couple of slides that clarify this subject at workshop.
Province has indicated to City is that the urban area expansion was not the problem, but how it was stated in plan.

9. **Do these points indicate a development model that looks like a Downtown Hamilton?**
Mixed use, compact communities do environ a more integrated form. There are many models and structures that look could take.

10. **How much employment will be included in Elfrida?**
Part of MCR includes an Employment Lands Review, which will determine if there is any need for additional “production employment”-type lands. Current thinking is there is a role for Elfrida in population-related employment (service sector jobs including offices—though Downtown Hamilton is the preferred location for major offices. Community nodes can accommodate additional office as well.)

11. **Question- Has the Province changed its expectations?**
The Province has updated their density forecasts through the update Growth Plan to plan to 2041. They have the same expectation about building complete communities that are compact and dense.

   **Comment:** To clarify about development charges the various provincial limitations plus city exemptions mean that DCs cover much less than 75 percent of even just the initial costs of new growth.

12. **When you undertake the new MCR, will you be focussing on Elfrida or might other land areas come into play?**
It depends on the land budget: intensification estimates and potential, greenfield land requirements will drive that question. Clarification of GRIDS (2006), GRIDS 2, and MCR will be provided at the workshop. We are studying this area.
Round Table Discussion

Question #1

What are the biggest opportunities and challenges for change in the Elfrida Study Area?

Key Opportunities

- New GO Station and LRT, opportunities for connections to those new lines (especially to new southeast end node). Money is a challenge.
- Transit connections across South Mountain, to airport.
- Other nearby neighbourhoods are filling up with housing, having more urban areas can help keep more people in this neighbourhood (aging). Plus new people.
- Biking opportunities.
- Upper Centennial Parkway is not at capacity, and could be a direct link to the GO Station.
- Exciting to build a whole new community from scratch.
- We could use smaller commercial to mitigate the impact on the residential tax base.
- Expanded tax base
- This growth (190,000 more to 2041) will give this City the opportunity to grow into its own. Development charges alone would be over $1 billion, based on a quick calculation.
- Placing growth in one area allows for infrastructure investments to be concentrated in one place.
- Zoning to support this more intense development can be accommodated.
- Increased paving of surface sends more water to a full Lake Ontario.
- Opportunity to create a transit-centred community.

Key Challenges

- Transportation. Getting to a corner store is fine, but getting to people’s jobs.
- Half of these people are going to go to Toronto. Linc is already horrendous in the mornings, so Trinity Church Road is filling up. How can we link these people to Toronto?
- Getting infrastructure into the area.
- Have to balance the loss of productive agricultural lands (and food production) to urban development. What sort of buffer is provided between new community and continued agricultural production? (I have no examples of a good coexistence between urban and farming. Lands becoming urban are no longer being improved for farming.)
- I’ve had conflicts with houses being built near me: noise, smell, working the farm at night.
- 20,000 people moved into Binbrook and there is no new way to move them in and out.
- Don’t want to tear up roads again to put in sewer lines again (if going to Binbrook).
- We are gridlocked getting in and out of the area today. It cannot happen on the existing roads today. City hasn’t gotten it right today, and MTO created reduced capacity on the QEW.
  - As part of GRIDS 2, all City-wide master plans are being updated to accommodate growth to 2041. There are opportunities to bring changes to those studies.
- Can’t put a road through existing development. Local area is okay, but downstream from here is stop-and-go. To get to Downtown Hamilton is a nightmare, stoplights at every corner.
- Development can’t take away from other initiatives elsewhere.
- Getting through these areas with big agricultural equipment is a nightmare today.
- The hydro corridor should be avoided.
- Trespassing on privately owned lands needs to be looked at.
- Had a lot of flooding in Hamilton this year, climate instability is contributing to this.
- Planning for expansion when facing a $3.5 billion infrastructure deficit, without having resolved that situation in current Hamilton. Best Development Charges only cover 75% of construction cost.
- There is a lot of incredibly viable land within the Study Area that should not be developed as houses. (Group showed a line on north side of Golf Club Road, roughly mid-block between the road and the hydro corridor, as those lands in question.)
Question #2
What’s most important from your perspective?

Design of New Communities
- As high a density as we can get, leaves more land untouched (for agricultural, natural heritage, and transportation purposes). Central Park Stoney Creek identified as an example worth investigating. What do people think about Aldershot?
- Choice and affordability.
- Given how density is now being measured, looking at probably 110 p+j/net ha in Elfrida. More midrise apartments, fewer detached dwellings. (Downtown Hamilton is 190 p+j/net ha.)
- I think people need space, living on top of each other creates all kinds of social problems.
- Should attract more light industrial
- Should be more mixed housing, including apartments.
- Community stores.
- Use as little of the agricultural lands as possible.
- See lots of row houses all over, and then a large detached dwelling in between. The big houses take up too much of a footprint.
- Prefer low density. Everyone has two cars, garage is an extended portion of the house.
- Understand that row houses are affordable, but there needs to be character associated with the building.
- Difficult to find housing for older persons. Some developments around have incorporated age-friendly elements (e.g. at-grade entrances).

Transportation
- Don’t want area to sprawl out of control
- Names of roads
- Can’t get fire trucks down the streets in Binbrook
- Have to go back to the transportation issue
- Need places for cars in the community
- Wider sidewalks, ability to walk to stores and amenities (less cookie cutter).

Natural Features and Open Spaces
- Usual species at risk will be found, coming here increasingly (Bobolink, bats)
- As a farmer, I want lots of space
- The main watercourses will need to be looked at.
- If not for the Fairgrounds, there would be no green space in Binbrook.
- Needs lots of open space to support agriculture.
- Taking natural heritage out of the study area will change opportunities for housing.
- Lower Stoney Creek used to be fruit lands now all cleared for housing. Agricultural land is being destroyed.

Heritage and Culture
- As high a density as we can get, leaves more land untouched (for agricultural, natural heritage, and transportation purposes).

Servicing
- As high a density as we can get, leaves more land untouched (for agricultural, natural heritage, and transportation purposes).
- Catholic School Board is going two-storey to use less land. All of last six schools built were multi-storey (but not yet campus-style collocated).

Next Steps
- Visioning and Design Workshop at the Valley Park Recreation Centre and Arena, June 21 and 22, 2017
- Community Focus Group Meeting, fall 2017
- Members are encouraged to distribute flyers to others who would be interested in attending the June 21 and June 22 meetings
SECTION 2
WHAT WE HEARD

Community Meeting #2

CONCEPTUAL DEVELOPMENT OPTIONS

December 2017

WSP
The Planning Partnership
Archaeological Services Inc.
Cushman & Wakefield
Metro Economics
Community Meeting #2 took place on Wednesday, December 6, 2017 at the Valley Park Recreation Centre and Arena (970 Paramount Drive, Stoney Creek).

The Community Meeting had two identical sessions:

Session 1 took place from 4:00-6:00 p.m. and Session 2 took place from 6:30-8:30 p.m.

The meeting included:

- A presentation on three conceptual development options being considered for the Growth Area.
- Small table group discussions followed the presentation where attendees provided input on each one of the development options.
- Attendees wrote comments directly onto Note-taking Templates for each concept with regards to:
  1. Natural Heritage System
  2. Roads
  3. Mixed Use/Commercial
  4. Institutional and Parks
  5. Residential
- Following the Community Meeting additional comments were submitted to the design team online.

Participants attended Community Meeting #2

70

Comments were emailed in after Community Meeting #2

4
Concepts and Comments

Concept 1: Development Pods

Legend
- Secondary Plan boundary
- Residential
- Commercial
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Neighbourhood Park
- Natural Heritage System
- Roads
- Utility Corridor
- Neighbourhood (400m radius)

Concept 1

Natural Heritage System

*I don’t like it*

Natural Heritage System is based on Sub-watershed Study characterization which is only Phase 1

Needs to be tested

Overly designated, too specific

Roads

*I don’t like it*

20 metre right of ways

Consider alternate right of way standards

Roads don’t create a network
Residential

I don’t like it

Need more differentiation of land uses, concentrate density

Should still have higher density along major transit routes

Other Comments

Map shows a small section of natural heritage system along the west of First Road East (between Highland Road and Mud Street), this doesn’t currently exist

Natural heritage pocket (west side of Regional Road 56) should be on a final plan

Best plan to lessen transportation burden to give time to improve system
Concept 2: Central Node

**Natural Heritage System**

*It's okay*
Preserve agriculture lands as much as possible

*I don't like it*
Natural Heritage System based on Sub-watershed Study characterization report
Needs to be tested
This impacts areas for development

**Roads**

*I love it*
Arterial roads as shown look okay
Prefer network connectivity

*It's okay*
It's okay

*I don't like it*
20 metre right of ways on local roads
Consider alternative standards
I don't like it
Mixed Use/Commercial

**I love it**
Consider Concept 3 (spread out, not concentrated in one place)

**I don't like it**
Commercial not to be centralized
Too centralized, may be too much traffic in one area
Too much concentration of commercial and higher densities on upper Centennial and 53 Highway
Explore other options for business park on Swayze Road
We don’t like it
Separate commercial areas for each area, decrease traffic on Centennial
Too congested in one area

Institutional & Parks

**I love it**
This size community warrants a large park facility in addition to normal neighbourhood parks. There may still be a need for a community park

**It’s okay**
It’s okay

Residential

**I love it**
High rise locations look right. Even with high rise and medium density, the low rise will be small singles and or towns to meet 80 people per hectare

**It’s okay**
It’s okay

Other Comments

Since studies will be refined overtime, even after adoption of the Secondary Plan, it is imperative that the Secondary Plan policies allow for refinement of all features, roads, densities etc. without requiring further amendment to the Plan

High density residences will cause massive increase in transportation problems, need good transit network to overcome problems and reduce automotive traffic

Phasing of development should begin from the Mud Street / Upper Centennial quadrant of the study area, going south towards Highland Road

Need transit links to GO Transit

First Road East, south of Mud Street, should be removed

Like the curving road at the top of the study area

Just nuts, too much commercial

Combo of the central node and the sub-nodes

Commercial/mixed use area is too big

Community complexes are good (park, schools and community centres located together)
Concept 3: Nodes and Corridors

Legend
- Secondary Plan boundary
- Low Rise Residential
- Mid-Rise Residential
- High Rise Residential
- Commercial / Mixed Use
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Community Park
- Neighbourhood Park
- Natural Heritage System
- Organic Farm
- Stormwater Management Pond
- Roads
- Utility Corridor
- Neighbourhood (400m radius)

Concept 3

Natural Heritage System

I love it
- Good connectivity
- Like the organic farm
- I love it, the plan brings higher densities and commercial closer to the neighbourhoods
- I love it
- Environmental protection is key
- Impact on agriculture must be considered

It's okay
- It's okay

I don't like it
- Natural Heritage System is based on current Sub-watershed Study which is only in characterization phase
- Needs to be tested
- Too enhanced
- Stick to significant features to be protected
Roads

I love it
East/west arterial is good but the location needs to be reviewed
Like east-west collector south of Rymal Road
I love it
Increase public transit
Walkable community is important, bike paths and links to light rail transit and GO Transit
Walkability is vital for health and community

It's okay
It's okay

I don't like it
Consider alternative right of way standards
Need more collector road connectivity

Mixed-Use/Commercial

I love it
Several nodes are preferable, locations should be reviewed
More pedestrian friendly with local centres
Brings higher densities and commercial closer to neighbourhoods, good plan
Like the multiple commercial nodes
Will encourage pedestrians and cycling and reduce vehicular traffic
Amount of ‘brick and mortar’ commercial into the future will not be as great due to online shopping, consider when determining amount of commercial space in buildings
I love it
To create a community where citizens can work and play and stay

Schools, parks and events bring community together
Commercial areas that are within walking distance, less cars

It's okay
It's okay

I don't like it
Smaller commercial at Highland Road/First Road East already on Upper Centennial Parkway

Institutional & Parks

I love it
Organic farm could only be a temporary use because once it is part of the urban area, it will ultimately be developed
I love it
Preserve natural areas, enhance areas of play to enhance health and well-being

It's okay
School locations should be reviewed

Residential

I love it
Good mix of density
I love it
Low rise buildings and higher density
Will there be affordable/subsidized housing also?
Suggest mixture for all incomes

It's okay
It's okay
I don’t like it

High density block on Fletcher Road. Relocate to major transit way

Other Comments

Prefer the road pattern in Concept 2

Better suited for phasing

175 Swazie Road will require road connection for safe access

Worried about odors from the organic farm, else it's my favourite

Prefer not to get rid of the streams

Tie in the development of phasing with servicing

Must consider Binbrook traffic

This might be the most walkable to destinations

Trails and natural areas are important

Commercial/mixed-use area needs to be big enough to attract residents from Heritage Green

Might need significant road capacity

Transit to Eastgate Square
Online Comments

Natural Heritage System

The floodplain should not form part of the Natural Heritage System, it should be shown separately. Floodplains may be adjusted through study and/or engineering solutions when there are no environmental implications.

The stream that is associated with the floodplain crosses through farm fields and in part is plowed through with no other natural features and little or no mature vegetation along it.

Buffers along the stream as part of the Natural Heritage System may be appropriate but expanding it along a floodplain as is proposed in Option 3 when there are no other natural features along the stream is not appropriate.

The HDF (Headwater Drainage Feature) designation of the southern drainage feature as "mitigation" type is not significant and can be removed and as such should be removed from Conceptual Development Option 1.

Roads

There is no more room on the QEW for more vehicles, the High Occupancy Lanes are not working for us either. Need the lane opened up to all vehicles again before the city is completely gridlocked.

None of the three growth scenarios for Elfrida show the road (Kingsborough Drive) that is part of the approved draft plan of The Crossings and intended to cross the hydro corridor to lands on the other side which are a part of Elfrida.

Residential

Submission to create a new mixed use community at Twenty Road West, centred along the Garth Street extension spine (opening up valuable employment lands).

Recognize the need for the City to include Elfrida as part of its overall growth management study; the City should not be doing so to the exclusion of other potential areas for growth.
Note-taking Templates

Concept 1: Development Pods

<table>
<thead>
<tr>
<th>Concept 1</th>
<th>I love it</th>
<th>It's okay</th>
<th>I don't like it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Heritage System</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed Use / Commercial</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional &amp; Parks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other comments:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
Concept 2: Central Node

<table>
<thead>
<tr>
<th>Concept 2</th>
<th>I love it</th>
<th>It's okay</th>
<th>I don't like it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Heritage System</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed Use / Commercial</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional &amp; Parks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other comments:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
Concept 3: Nodes and Corridors

Concept 3

<table>
<thead>
<tr>
<th>I love it</th>
<th>It's okay</th>
<th>I don't like it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Heritage System</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed Use / Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional &amp; Parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other comments:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Community Focus Group Meeting #2 Minutes

Hamilton Elfrida Growth Area Study

Community Focus Group Meeting #2
Country-Wide Recycling
November 13, 2017
6:00 p.m. – 8:00 p.m.

The Community Focus Group Meeting #2 was held on November 13, 2017. The following were in attendance:

- John Voortman, Countrywide Recycling (asked by Chamber of Commerce to attend)
- Mel Switzer, farmer, President of Hamilton Wentworth Federation of Agriculture
- Henry Swierenga, Ontario Federation of Agriculture
- Judy Sykora, landowner (grew up here)
- Nicolas von Bredon, Realtor’s Association of Hamilton-Burlington
- Don McLean, Environment Hamilton (Linda Lukasik as an alternate)
- Steve Spicer, Summit Park developer, landowner (as well as other landowners who organized the OP Review)
- Drew Spoelstra, Chair of the Agricultural Rural Affairs Committee, lease land within study area, local farmer
- Roy Shuker, Agriculture and Rural Affairs Committee, local farmer
- Al Frisna, landowner
- Dave Pitblado, landowner
- City: Christine Newbold, Alissa Mahood, Christine Strupat
- WSP: Joe Nethery
- TPP: Donna Hinde

Following introductions of all those in attendance, a presentation provided an overview of the purpose and scope of the study and the purpose and role of the Community Focus Group. A presentation was used to describe the three development options being considered for the Elfrida Growth Study Area. The following is a summary of the discussion.

Raised during Option 1: Development Pods
- Hasn’t been any discussion tonight with respect to preservation of long-term agricultural lands
- Phasing is something we need to hear about more. Where development starts will impact our long-term preservation.
- Can’t squeeze in so many people. This will create many social issues.
- Seems an assumption is built in that the whole 1256 hectares will go through a development process.
- Can commercial and institutional development integrate into existing community
- What proportion of each concept is within X of higher order transit (per Metrolinx Big Move update)?
- Looks like an end run around the OMB process to predetermine an outcome on Elfrida.
## Option 1

<table>
<thead>
<tr>
<th>WHAT I LIKE</th>
<th>WHAT I DON'T LIKE</th>
<th>GENERAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development applications are running up against species at risk issues. We’ve lost several species completely in recent years. Setting aside more space is a better thing for species.</td>
<td>Fragments land parcels</td>
<td>Probably the most car dependent concept</td>
</tr>
<tr>
<td>More space helps with climate change resiliency.</td>
<td>This extent of PSW has not been ground-truthed. We’re aware of errors after years of monitoring this work.</td>
<td>Most proactive with regards to Natural Heritage protection</td>
</tr>
<tr>
<td></td>
<td>How can lands farmed for 100+ years be flagged as NHS?</td>
<td>Can Effida rely on adjacent commercial areas? Yes.</td>
</tr>
<tr>
<td></td>
<td>Will this be a rural landscape? It doesn’t look like we are planning for that. Are hedgerows worthy of protection?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arterials along 56 should intersect. Should aim to consolidate stop lights.</td>
<td></td>
</tr>
</tbody>
</table>

## Option 2

<table>
<thead>
<tr>
<th>WHAT I LIKE</th>
<th>WHAT I DON'T LIKE</th>
<th>GENERAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Most liked from a development perspective.</td>
<td>Least liked from an environmental perspective.</td>
<td>***What flood mapping is being used in this area?</td>
</tr>
<tr>
<td>Will be most efficient from a servicing perspective. (Quite a pro-development outcome.)</td>
<td>Not real walkability along Upper Centennial (major highway). Do you pull density off Upper Centennial to encourage the walkability internally?</td>
<td>(Some fixation on “commercial” meaning traditional single storey formats. Look at the label?) “Town centre”</td>
</tr>
<tr>
<td>Most accurately reflects what is “truly” Natural Heritage.</td>
<td>May be issues with shadowing on existing residential.</td>
<td>Should connect community node to a large central park.</td>
</tr>
<tr>
<td>Node makes sense at this location</td>
<td>Much of that “Square” central node is a swamp all year.</td>
<td>***What are the planned widenings for Rymal and Upper Centennial in current plans?</td>
</tr>
<tr>
<td>Seems to support transit support.</td>
<td></td>
<td>The truck route up for review. Do we have the ability to look at this area differently.</td>
</tr>
</tbody>
</table>

## Option 3

<table>
<thead>
<tr>
<th>WHAT I LIKE</th>
<th>WHAT I DON'T LIKE</th>
<th>GENERAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Like how the elements of the community are more spread out, everyone can access.</td>
<td>SE-most green is a farmhouse (cultural feature?).</td>
<td>Antagonism toward farming and organic is not what others hear in the public.</td>
</tr>
<tr>
<td>Farming and gardening could occur as part of a park.</td>
<td>Why do we have circular arterial roads? Where is this major road taking people? Shouldn’t it connect the grid? Hamilton’s history on this is that a grid works better.</td>
<td>Would you hybridize this plan within a grid/road system? Could probably keep more NHS that way, too.</td>
</tr>
<tr>
<td>Makes a lot of sense as a phasing solution. A complete community per block.</td>
<td>If someone wants an organic farm, they should start it themselves—City shouldn’t be in this business.</td>
<td></td>
</tr>
</tbody>
</table>

### Options to enhance in the presentation
- Make it clear we are not picking 1, 2, or 3. These are not the final options. “We are choosing the best elements of 1, 2, and 3 to form a recommended concept.”
- Include the population numbers up front and early.
- How will people move through this? Hearing so much conversation about how people are going to get in and out of here.
- Will get questions about agricultural land: phasing (pieces)

### Next Steps
- Attend Community Information Meeting on December 6, 2017
- Final Community Liaison Committee will be in the spring of 2018
SECTION 3
WHAT WE HEARD

Community Meeting #3

PREFERRED COMMUNITY STRUCTURE IDEAS

June 2018

WSP
The Planning Partnership
Archaeological Services Inc.
Cushman & Wakefield
Metro Economics
Community Meeting #3

Community Meeting #3 took place on Tuesday, June 12, 2018 at the Valley Park Recreation Centre and Arena (970 Paramount Drive, Stoney Creek).

Community Meeting #3 included:

- A presentation on the evaluation of the three conceptual development options and a presentation of the preferred community structure ideas.

- Small table group discussions followed the presentation where attendees provided input on the preferred community structure ideas.

- Attendees wrote comments directly onto a Note-taking Template of the Preferred Community Structure Ideas Plan with regards to:

  1. Greenlands System and Parks
  2. Road Network
  3. Mixed Use Centres
  4. Transit Corridor
  5. Institutional
  6. Residential

50 Participants attended Community Meeting #3
Preferred Community Structure Ideas Plan

Participants at the third Community Meeting were presented the Preferred Community Structure Ideas Plan and recorded their comments onto the following template during table group discussions.

COMMENTS

<table>
<thead>
<tr>
<th>GREENLANDS SYSTEM AND PARKS</th>
<th>ROAD NETWORK</th>
<th>MIXED USE CENTRES</th>
<th>TRANSIT CORRIDOR</th>
<th>INSTITUTIONAL</th>
<th>RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOVE IT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IT'S OK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DON'T LIKE IT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Natural Heritage System mapping is not final and is subject to the final recommendations of the Subwatershed Study.
Greenlands System and Parks

*Love it*

Love the linear park system along the hydro corridor

*Love it*

Road Network

*Love it*

Should have four lanes on Highway 56 all the way to Binbrook

*It's Okay*

The main roads are fine. Waiting to see what the proposed local road network will look like

Need off-road bike lanes too

Will there be enough roads/lanes to accommodate increased traffic congestion on Rymal Road and Upper Centennial?

Rymal Road needs to be widened to four lanes

*Don't Like It*

Don't like it

Mixed Use Centres

*Love it*

Retirement and nursing homes should be located at mixed use centres

The higher the better. More details

*Love it*

Transit Corridor

*Love it*

Transit corridors are appropriate and necessary nowadays

Buses, light rail, and rapid transit is the way to go

*It's OK*

Institutional

*Love it*

Retirement and nursing homes are needed

Merge the school boards

Need locations for places of worship

*It's OK*

Residential

*Love it*

Shows a good mix of housing types and is well laid out

*Love it*

*It's OK*

Will the density increase in transit supportive areas?

Too many homes for such a small space

*It's OK*

It's okay
Thank you for attending tonight's Community Meeting. Your input is important. Please provide any comments you may have about the Elfrida Growth Area Study. Comment sheets may be dropped off in the box provided or sent by mail or email to the contact below by Wednesday, July 4th, 2018.

Melanie Pham, Planner
City of Hamilton
Phone: 905-546-2424 ext. 6685
Melanie.Pham@hamilton.ca
71 Main Street West, 5th Floor
Hamilton, ON, L8P 4Y5

If you are not on the mailing list to receive notices of future meetings for this project and you would like to be added, please provide your contact information below:

Name: __________________________ Email: __________________________
Mailing Address: __________________________ Postal Code: ____________

The Personal Information submitted on this form is collected under the authority of the Planning Act, R.S.O. 1990, c.P.13, and will be used for the purpose of carrying out the above studies. Questions about the collection of this personal information should be directed to the Manager of Community Planning and GIS at 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5, 905-546-2424 ext. 1279. Information will be collected in accordance with the Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments submitted regarding these studies will become part of the public record.

COMMENTS:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

(More space on reverse for additional comments)
THANK YOU!
Community Focus Group Meeting #3 Minutes

Hamilton Elfrida Growth Area Study

Community Focus Group Meeting #3
Fortino’s Community Room
May 30, 2018
6:00 p.m. – 8:00 p.m.

The Community Focus Group Meeting #3 was held on May 30, 2018. The following were in attendance:

- Henry Swierenga, Ontario Federation of Agriculture
- Judy Sykora, landowner (grew up here)
- Nicolas von Bredon, Realtor’s Association of Hamilton-Burlington
- Don McLean, Environment Hamilton (Linda Lukasik as an alternate)
- Steve Spicer, Summit Park developer, landowner (as well as other landowners who organized the OP Review)
- Councillor Brenda Johnson
- City: Christine Newbold, Alissa Mahood, Melanie Pham
- WSP: Chris Tyrrel
- WSP: Randall Roth
- TPP: Donna Hinde
- TPP: Ron Palmer

Following introductions of all those in attendance, a presentation provided an overview of the purpose and scope of the study and the purpose and role of the Community Focus Group, the results of the evaluation of the three options and the preferred community structure considered for the Elfrida Growth Study Area. The following is a summary of the discussion.

Will the entire land area be required to accommodate growth if density goes up?

- the area exceeds growth to 2041 – the team confirm phasing
- will have to be reviewed within context of GRIDS 1
- plan the entire area, phase it – ensure that 2041 51 and 61 can be appropriately planned and connected

What happens if some portion of the land may become part of greenbelt?

- nothing we do will constrain the province

How have we connected with indigenous communities

- we have been in contact, have not had a face to face meeting
Why is transportation included in the evaluation of urban design too?

- Transportation in urban design is about land use structure discussion – linked to how a transportation system is planned.

Infrastructure and maintenance crisis – what are we doing that will avoid that happening?

- Planning with the best and up to date modern infrastructure – green infrastructure, state of the art technologies and techniques.
- Maintenance is about how much money to allocate to infrastructure – we don’t know this today.
- Right size infrastructure, so we have capacity of subsequent phasing.

Why can’t we use LID in option 1 and 2 – principle can be applied to all?

- Natural heritage system is biggest in option 1 – more options for drainage.

Interface of agricultural land – are we talking buffers?

- Yes.

How do we define urban agriculture?

- Not a soy bean field in middle of subdivision, it’s small scale agriculture.

More intensive development – more infrastructure and more maintenance - Doesn’t this contradict with what province says?

- Big pipes are required and there are cost implications.
- Consideration for us to think about.

How far are we on the transportation studies?

- Upper Redhill Parkway has it been considered in the analysis - aware of all the projects, traffic modelling has not been completed yet – traffic modelling will tell us about how much roads.

Prospect of adding 80k people, 8k jobs, some activity will be here, much of employment will be elsewhere – how will people move?

- We are making sure that transit comes on day 1 – this is about transit.
- GRIDS 1 showed higher order transportation to connect with sub regional nodes so we can get to employment areas, etc.
- Get people out of cars.
- Higher lever – city wide master plan always in contact with neighboring municipalities.
Display Panels
The City of Hamilton is growing and the population is projected to increase to 680,000 by 2031. While the City has planned for a substantial amount of growth within its current urban boundary, an urban boundary expansion is required to accommodate future population growth.

PREFERRED LOCATION FOR NEW GROWTH

In reviewing opportunities for where growth could occur, the Elfrida area was identified through the City’s comprehensive Growth Related Integrated Development Strategy (GRIDS) process in 2006, as the preferred location to accommodate new growth to 2031 and beyond.

The Elfrida Growth Area Study is a unique opportunity to develop a complete urban community that:

- achieves transit supportive development with multi-modal connections to existing urban areas
- efficiently uses existing and new servicing infrastructure
- integrates well with the adjacent urban and rural lands
- provides a mix of land uses and community facilities
- protects important natural environmental features

The following studies will be undertaken as part of this project:

- Secondary Plan
- Transportation Management Plan
- Agricultural Impact Assessment
- Cultural Heritage Assessment
- Financial Investment Strategy
- Sub-watershed Study
- Urban Design Guidelines
- Commercial Lands Review
- Phasing/Staging/Implementation Strategy
- Water and Wastewater Servicing Master Plans
- Natural Heritage Review
The Secondary Plan and its supporting studies are only some of the pieces of the puzzle. Other plans, directions and initiatives work together to create a thriving community.

CURRENT INITIATIVES UNDERWAY

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Website</th>
<th>Contact Person</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>GRIDS 2 and Municipal Comprehensive Review</td>
<td><a href="http://www.hamilton.ca/grids">www.hamilton.ca/grids</a></td>
<td>Heather Travis</td>
<td>905-546-2424 ext. 4168</td>
</tr>
<tr>
<td>Urban Forest Strategy</td>
<td><a href="http://www.hamilton.ca/urbanforeststrategy">www.hamilton.ca/urbanforeststrategy</a></td>
<td>Catherine Plosz</td>
<td>905-546-2424 ext. 1231</td>
</tr>
<tr>
<td>Commercial and Mixed Use Zoning</td>
<td><a href="http://www.hamilton.ca/cmu">www.hamilton.ca/cmu</a></td>
<td>Timothy Lee</td>
<td>905-546-2424 ext. 1249</td>
</tr>
<tr>
<td>Transit Oriented Corridor Zoning</td>
<td><a href="http://www.hamilton.ca/lrtzoning">www.hamilton.ca/lrtzoning</a></td>
<td>Madeleine Giroux</td>
<td>905-546-2424 ext. 2664</td>
</tr>
<tr>
<td>City-wide Transportation Master Plan update</td>
<td><a href="http://www.hamilton.ca/tmp">www.hamilton.ca/tmp</a></td>
<td>Steve Molloy</td>
<td>905-546-2424 ext. 2975</td>
</tr>
<tr>
<td>Coming Soon! City-wide Residential Zoning</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Evaluation of Options - Concept 1 - Development Pods**

<table>
<thead>
<tr>
<th>Technical Area</th>
<th>Evaluation by Area</th>
<th>Reasoning and Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Lacks a broader mix of land uses (i.e., commercial/retail) within accessible walking distance. Has significant natural heritage, parks, open space and likely trail opportunities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Limited north-south/neighbourhood connections does not support the establishment of a connected community. Also negatively impacts transit opportunities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Conserves all core features, all headwater drainage features, all restore/enhancement areas - most extensive &amp; connected natural heritage system.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Potential for a high level of retention of existing cultural heritage resources</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greatest number of natural heritage crossings - mitigate with trenchless technology. Most natural system for stormwater management.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower development yields will result in less revenues for the City.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meets medium/high-density opportunities, but in a dispersed manner. Difficult to service with public transit, disconnected and density not focused on corridors.</td>
</tr>
</tbody>
</table>
### Evaluation of Options - Concept 2 - Central Node

<table>
<thead>
<tr>
<th>Technical Area</th>
<th>Evaluation Area</th>
<th>Reasoning and Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Improved Road Connectivity</strong></td>
<td>Improved road connectivity, and more parkland. Not very 'walkable'; the single central node may encourage a reliance on cars. Does not provide for a complete community.</td>
<td></td>
</tr>
<tr>
<td><strong>First and Last Mile Connectivity</strong></td>
<td>First and last mile connectivity would be a challenge as trips would be centred on the central commercial node.</td>
<td></td>
</tr>
<tr>
<td><strong>Conservation of Natural Heritage</strong></td>
<td>Conserves only core features, resulting in a discontinuous natural heritage system, limits long-term viability (movement of wildlife/seeds/plant materials).</td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Commercial Development</strong></td>
<td>Proposes increased commercial development in the current location of three identified cultural heritage resources.</td>
<td></td>
</tr>
<tr>
<td><strong>Fire Flow and Diameter Requirements</strong></td>
<td>Would likely require the highest fire flow, and largest diameter watermains and sewers due to central high density node. Difficult to phase cost-effectively.</td>
<td></td>
</tr>
<tr>
<td><strong>Opportunities for Phasing</strong></td>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
<td></td>
</tr>
<tr>
<td><strong>Assuming Market Demand</strong></td>
<td>Assuming market demand is sufficient to capture the proposed supply, Option 2 would likely result in the greatest fiscal impact to the City.</td>
<td></td>
</tr>
<tr>
<td><strong>A Single Major Node</strong></td>
<td>A single major node results in a less connected community and limited active transportation opportunities.</td>
<td></td>
</tr>
</tbody>
</table>
### Technical Area Evaluation By Area

#### Reasoning and Recommendations

<table>
<thead>
<tr>
<th>Technical Area</th>
<th>Evaluation By Area</th>
<th>REASONING AND RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning &amp; Economic Development</td>
<td>Provides the greatest diversity of land use/residential built form/housing densities. Accommodates neighbourhood-serving commercial and employment opportunities.</td>
<td></td>
</tr>
<tr>
<td>Natural Heritage</td>
<td>Linear green space provides trail opportunities to complement active transportation. Better options for transit and phasing, with 3 primary nodes.</td>
<td></td>
</tr>
<tr>
<td>Natural Heritage</td>
<td>Conserves core features of the Subwatershed Study as well as some headwater drainage features. Connectivity and consideration for natural corridors is accommodated.</td>
<td></td>
</tr>
<tr>
<td>Cultural Heritage</td>
<td>Potential to retain portions of existing cultural heritage resources.</td>
<td></td>
</tr>
<tr>
<td>Water System</td>
<td>Requires the most additional connections to the existing trunk sewer. Best able to incorporate traditional and new stormwater management techniques.</td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
<td></td>
</tr>
<tr>
<td>Financial</td>
<td>Assuming market demand is sufficient to capture the proposed supply, Option 3 would likely result in the second greatest fiscal impact to the City.</td>
<td></td>
</tr>
<tr>
<td>Health Assessment</td>
<td>Best connectivity, diverse range of densities and nodal locations along corridors to encourage active transportation.</td>
<td></td>
</tr>
</tbody>
</table>
The Elfrida Community is envisioned to become a complete, healthy, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.

Principles

1. Develop in an environmentally appropriate manner that protects and restores the natural environment.

2. Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.

3. Manage growth over time to ensure that it is logical, efficient, and cost effective.

4. Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential uses, employment opportunities, and community facilities and services.

5. Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices, including affordable housing.

6. Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

7. Provide an interconnected system of streets and pedestrian supportive streetscapes.

8. Provide for a connected and integrated system of parks, open spaces, and multi-use trails.

9. Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.
What is the required minimum density?
New greenfield areas must achieve a minimum density of 80 persons and jobs per hectare.

How density is calculated...
Density is the ratio of residents and jobs to a land area - the measure of how many people live and work in an area.

Density = persons + jobs per hectare
Density can vary and is calculated as an average across the entire area.
Natural heritage features, electricity transmission lines (e.g. Hydro corridor), railways, freeways, employment areas (industrial), and cemeteries are excluded from the overall calculation in a designated greenfield area.

What it looks like...
- **RESIDENTIAL NEIGHBOURHOOD AREA**
  - 36 diverse architectural forms
  - Multi-storey buildings
  - Heritage buildings
  - Pedestrian-friendly
design

- **MIXED USE REGIONAL CORRIDOR/NODE**
  - Pedestrian-friendly
design
  - Mixed-use
  - High-density
  - Heritage
  - Employment

Source: The Planning Partnership and the City of Markham
ELFRIDA GROWTH AREA STUDY

PREFERRED COMMUNITY STRUCTURE ELEMENTS

mixed use centres

societal needs

parks and open spaces

The Natural Heritage System mapping is not final and is subject to the final recommendations of the Subwatershed Study.

The map shows preferred community structure elements including:
- Major Greenlands System
- Major Road Network
- Parks and Open Space
- Mixed Use Centres
- Mixed Use Transit Corridors
- Community Centres
- Secondary Schools
- Elementary Schools
- Residential

The map also highlights societal needs and parks and open spaces.

The map indicates areas for retail and office, midrise, public spaces, and mixed diversity.

The map is from Appendix "C" to Report PED18182, Page 61 of 158.
PREFERRED COMMUNITY STRUCTURE ELEMENTS

- Major Greenlands System
- Major Road Network
- Parks and Open Space
- Mixed Use Centres
- Mixed Use Transit Corridors
- Community Centres
- Secondary Schools
- Elementary Schools
- Residential
- SS
- ES
- NP
- CP
- RYMAL ROAD EAST
- GOLF CLUB ROAD
- REGIONAL ROAD 20
- MUD STREET EAST
- HIGHLAND ROAD EAST
- UPPER CENNTENIAL PARKWAY
- FIRST ROAD EAST
- SECOND ROAD EAST
- REGIONAL ROAD 56
- HENDERSHOT ROAD
- FLETCHER ROAD
- TRINITY CHURCH ROAD

The Natural Heritage System mapping is not final and is subject to the final recommendations of the Subwatershed Study.

Thepreferred community structure elements:

- Mix of housing types
- Natural environment + trails
- Higher order transit
- Local transit
- Cycle lanes
- Pedestrian focus
- Transit corridors and active transportation

- Mix and variety
- Single detached
- Townhouse
- Community gardens
- Bicycle paths
- Natural heritage

The Natural Heritage System mapping is not final and is subject to the final recommendations of the Subwatershed Study.
WHERE WE ARE IN THE PROCESS
We are currently beginning Phase 3 - Recommended Option, to develop the preferred land use scenario and Secondary Plan for Elfrida.

ADDITIONAL STUDIES
Concurrent and additional studies are required to inform the future Secondary Plan, some of which are already underway. These include:

- Municipal Comprehensive Review
- Land Needs Assessment
- Subwatershed Study
- Water and Wastewater Servicing Master Plan
- Transportation Master Plan
- Agricultural Impact Assessment
- Urban Design Guidelines
- Financial Investment Strategy
- Phasing Study

These plans will contribute to further informing the Elfrida Growth Area Study, and assist in the final phase of this study to develop a preferred land use scenario and Secondary Plan.

<table>
<thead>
<tr>
<th>Phase 1 - Project Launch</th>
<th>Phase 2 - Land Use Options</th>
<th>Phase 3a - Community Structure Ideas</th>
<th>Phase 3b - Recommended Option</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Focus Group (CFG) Mtg 1</td>
<td>CFG Mtg 2 Nov. 13 2017</td>
<td>CFG Mtg 3a Mar. 30 2018</td>
<td>CFG Mtg 3b</td>
</tr>
<tr>
<td>Visioning and Design Workshop (#1) June 21-22 2017</td>
<td>Online Engagement / Project Website</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Pop-Up Consultation Events Small Group Meetings Online Engagement / Project Website
Please fill in a comment sheet before you leave, or take one with you to fill in later. We would appreciate receiving your comments by WEDNESDAY JULY 4, 2018.

WE WANT TO HEAR FROM YOU – OTHER WAYS TO GET INVOLVED

SIGN UP FOR E-MAIL OR MAIL UPDATES
Elfrida@hamilton.ca

VISIT WEBSITE
www.hamilton.ca/elfrida

COMMENT SHEETS
Fill out and leave with team or e-mail/mail to staff listed below

CONTACT STAFF
Call, e-mail or meet with staff to discuss.

If you would like a copy of the information presented tonight, it will be available on the website at www.hamilton.ca/elfrida

ELFRIDA GROWTH AREA STUDY

Melanie Pham, MCIP, RPP
Planner
Community Planning and GIS
City Hall, 71 Main St. W.
5th Floor
905-546-2424 Ext. 6685
melanie.pham@hamilton.ca

Alissa Mahood, MCIP, RPP
Senior Project Manager
Community Planning and GIS
City Hall, 71 Main St. W.
5th Floor
905-546-2424 Ext. 1250
alissa.mahood@hamilton.ca
The Natural Heritage System mapping is not final and is subject to the final recommendations of the Subwatershed Study.
APPENDIX
Community Meeting #1
Visioning & Design Workshop
Elfrida Growth Area Study

Community Focus Group Meeting #1
June 13, 2017
6:00 pm

Purpose of the Study

- The Elfrida Area has been identified as the preferred location to accommodate new growth to 2031 and beyond
- This area was selected through the City’s comprehensive Growth Related Integrated Development Strategy (GRiDS) process.
Identification of the Study Area


- Planning process that identified **Nodes and Corridors Structure** for growth and development for the City of Hamilton
- Associated **Infrastructure Requirements**
- **Economic Development Strategy**
- **Financial Implications** for growth options
- Identified Elfrida lands to accommodate growth to 2031

Chronology

Rural Hamilton Official Plan
- Elfrida Study Area – Special Policy Area
  - Outlined the process and studies to be carried out to include the lands in the urban boundary
  - Province removed the Special Policy Area
  - Province’s decision appealed by City and Landowners

Urban Hamilton Official Plan
- General set of policies for an urban boundary expansion
  - Reference to Elfrida as a future growth area
  - Province removed the reference to Elfrida
  - Province’s decision appealed by City and Landowners
Chronology

• No resolution to appeals at this time

• City preparing an updated Municipal Comprehensive Review and Land Budget Analysis to determine the exact amount of land required to accommodate growth to 2041

• Ontario Municipal Board hearing dates have not been scheduled

Background

• Although the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP) relating to the Elfrida lands are under appeal, urban boundary expansion policies are in effect (in the UHOP)

• Urban boundary expansion policies in the UHOP:
  • Provide guidance and direction for studies required to bring Elfrida into the urban boundary and assign appropriate land uses (Municipal Comprehensive Review, background studies, public consultation, secondary plan)
Background Studies

- Municipal Comprehensive Review
- GRIDS 2: Population and employment forecasts (2041)
- Land Budget Analysis (supply and demand for residential, commercial & employment land up to 2041)
- Subwatershed Study: Stormwater, infrastructure, natural heritage system impacts
- Secondary Plan: Detailed policy and land use direction for future growth

Scope of the Study

- Water / Wastewater Servicing Master Plan
- Agricultural Impact Assessment
- Archaeological Assessment
- Cultural Heritage Assessment
- Natural Heritage Review
- Transportation Management
- Planning / Zoning / Zoning Bylaw
- Financial Investment Strategy
- Urban Design Guidelines
- Commercial Lands Review
### Timeline: Secondary Plan

**Phase 1**
- Background Research & Analysis
- March – Early Fall 2017
- Community Working Group 1
- Visioning & Design Workshop 1
- June 21 & 22, 2017
- Pop-Up Consultation Events

**Phase 2**
- Land Use Scenarios
- Early Fall 2017 to Early 2018
- Community Working Group 2
- Public Workshop 2
- Review land use scenarios
- Small Group Meetings

**Phase 3**
- Preferred Land Use Scenario & Secondary Plan
- Early 2018 to Summer 2018
- Community Working Group 3
- Public Workshop 3
- Review preferred land use scenario
- Online Engagement / Project Website

---

### Community Focus Group: Purpose

- Assist in the **Identification of current and potential opportunities, issues and constraints** relative to land use, transportation, servicing, natural heritage and other aspects of the project
- **Share knowledge** of the area
- **Review** the project team’s work in progress and provide input to the study team at key milestones throughout the study
- Provide **feedback** that reflects the needs and interests of the local community and/or their represented interest group
- **Assist with communicating the study’s progress** to the larger community
- **Attend public information centres** where possible
- **Not a decision making body**
Community Focus Group: 
Role and Responsibilities

- Familiarize themselves with the study area and material on the Elfrida Growth Area Study website
- Come prepared to meetings by reviewing materials provided
- Participate equally in the meetings providing feedback to the information shared by City staff and the Consulting Team
- Share information with members of your community and/or stakeholder group
- Attend each of the three Community Focus Group meetings (or provide regrets in advance of the meeting)
- Act respectfully towards other Community Focus Group members, City staff, the Consulting Team and Councillors

Visioning and Design Workshop

Wednesday, June 21, 2017
4:00 to 6:00 pm OR 6:30 to 8:30 pm

- Background, givens, key directions and design principles
- Presentation by the team, followed by table group discussions: what’s important, what are the foundational principles for optional concepts?

PRODUCT:
Vision and Guiding Principles
Visioning and Design Workshop

Thursday, June 22, 2017
3:00 to 5:00 pm OR 6:00 to 8:00 pm

Design Day

• Preregistration for participation in the development of options for the Elfrida planning area

• Join one of three groups to work with a designer from the project team to explore community options for the Elfrida planning area

PRODUCT:
Three options for Elfrida

Visioning and Design Workshop:
Development Program for Three Options

Each option will explore variables in:

- The natural heritage system

- Urban structure
  - road system
  - park system
  - location of neighbourhoods and centres
  - distribution of density

- Approach to stormwater
The Basis of the Secondary Plan

- Potential to use existing infrastructure and to complete the existing communities
- Use existing and planned transportation networks
- Inter-connected and multi-modal transportation network
- Emphasis on transit and pedestrian connections to encourage active and alternative transportation choices

The Basis of the Secondary Plan

- Meet the provincial targets for population growth and intensification
- Designed as a compact urban community
- A model of excellence in urban development
The Basis of the Secondary Plan

- environmentally sound policies that promote sustainable development
- conserve the natural and cultural heritage
- protect source water and encourage low impact development
- conformity with agricultural policies and support for continued agriculture if desired

Round table discussion

What are the key opportunities for growth in the Elfrida Planning Area?

What are the key challenges for growth?
Round table discussion

What’s most important from your perspective with respect to:

1. Design of new communities and neighbourhoods
2. Transportation: transit, vehicles, pedestrians, cycling
3. Natural features and open spaces
4. Heritage and culture
5. Servicing

Next Steps

Attend the Visioning and Design Workshop
June 21 and 22, 2017

Attend the Community Focus Group meeting
Fall of 2017 – date and location to be confirmed
Elfrida Growth Area Study

Visioning and Design Workshop 1
June 21, 2017

https://www.hamilton.ca/elfrida

ELFRIDA STUDY TEAM

- Project management
- Planning and design
- Transportation
- Water and wastewater
- Stormwater management
- Natural heritage
- Agricultural impact assessment
- Financial investment strategy

- Planning and design
- Public engagement
- Archaeological review
- Built and cultural heritage

- Commercial land needs
- Demographics
- Subwatershed Study
PURPOSE OF THIS STUDY

• Develop future land uses and an urban vision for the Elfrida Study Area
• Includes supportive Master Plan studies to service the growth

ABOUT ELFRIDA

• Existing uses within the Study Area
  • Agricultural uses
  • Rural residential
  • Commercial developments along major routes
  • Employment uses (including a small industrial park along Swayze Road)
ABOUT ELFRIDA

Wards 9 and 11, compared to Hamilton overall (based on 2011 census):

- Slightly lower proportion of seniors (65+)
- Fewer single parent families
- Lower unemployment rate
- Higher household incomes
- Fewer commutes by active transportation

WORK COMPLETED TO DATE

- **Vision 2020**: 1992 visioning exercise that created a number of sustainability indicators
- **GRIDS**: 2006 Council-approved Growth Related Integrated Development Strategy (GRIDS)
- **RHOP UHOP**: Vision, goals, objectives, and policies to guide growth and development across Hamilton
- **Our Future Hamilton**: 2015 visioning study engaged 54,000 community members on their vision for the future of Hamilton
- **2016-2025 Strategic Plan**: Aims to create a healthy, safe, prosperous and sustainable community

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
1. There are a number of municipal studies underway to review growth management in Hamilton.

2. Study team is tasked with developing an urban vision for the full Study Area.

3. This study is part of the City’s integrated approach to evaluating big and pressing questions related to growth.

4. The results of these other studies will inform the recommendations and outcomes of this study (and vice versa).

5. The policies of the 2017 Growth Plan mean that Elfrida will develop in a form and function differently and uniquely from any other new community in Ontario.
INPUTS TO THE STUDY

- **GRIDS 2**
  - Population and employment forecasts (2041)

- **Municipal Comprehensive Review**
  - Land Budget Analysis (supply and demand for residential, commercial & employment land up to 2041)

- **Subwatershed Study**
  - Stormwater, infrastructure, natural heritage, system impacts

ELERIDA STUDY OVERVIEW

- **A Future Secondary Plan**
  - Cultural Heritage Assessment
  - Natural Heritage Review
  - Transportation Master Plan
  - Water / Wastewater Servicing Master Plan
  - Agricultural Impact Assessment
  - Archaeological Assessment
  - Commercial Lands Review
  - Financial Investment Strategy
  - Urban Design Guidelines
  - Phasing / Staging / Implementation
The Elfrida Growth Area Study is being undertaken in accordance with the joint Master Plan process identified through the Planning Act and the Environmental Assessment Act.

The City is also undertaking two Master Plans as components of the Elfrida Growth Area Study:

1. Transportation Master Plan
2. Water and Wastewater (W&WW) Servicing Master Plan

**STUDY OVERVIEW**

- **Phase 1**
  - Identify the Problems and Opportunities
- **Phase 2**
  - Develop and Evaluate Alternative Solutions
- **Phase 3**
  - Develop and Evaluate Alternative Design Concepts for Preferred Solution
- **Phase 4**
  - Prepare an Environmental Study Report
- **Phase 5**
  - Project Implementation

**WHAT IS A SECONDARY PLAN?**

- An additional level of Official Plan policy
- Detail land use, infrastructure, design policies for specific geographic areas
- Provide for consistency of development within a new community
**STUDY TIMELINE**

**Phase 1**  
Background Research & Analysis  
- Community Focus Group Mtg 1  
  - June 13

**Phase 2**  
Land Use Scenarios  
- Visioning & Design Workshop (#1)  
  - June 21 & 22
- Public Workshop (#2)  
  - Review land use scenarios

**Phase 3**  
Preferred Land Use Scenario & Secondary Plan  
- Community Focus Group Mtg 2  
- Community Focus Group Mtg 3  
  - Review preferred land use scenario

- Pop-Up Consultation Events
- Small Group Meetings
- Online Engagement / Project Website

---

**Transportation**  
**Cultural Heritage**  
**Agriculture**  
**Water and Wastewater**  
**Subwatershed Study**  
**Commercial Lands Review**
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

TRANSPORTATION

POLICY

Provides direction on rapid transit initiatives and improving existing transit in the City

"Rapid Ready" Report

10-Year Local Transit Strategy

Outlines overall vision of an integrated and balanced transportation network in Hamilton

Hamilton Transportation Master Plan

Shifting Gears: Cycling Master Plan

Hamilton Recreational Trails Master Plan

Step Forward: Pedestrian Mobility Plan

Provides direction on active transportation initiatives in the City
KEY DIRECTIONS

1. Foster a connected and accessible on-road and off-road pedestrian path network, which promotes a culture of walking
2. Build an extensive on-road and off-road cycling network which can connect cyclists for utilitarian, commuting and recreational uses
3. Create an expanded transit network that can support ridership demand until the implementation of rapid transit through the proposed LRT / BRT routes (25-year horizon)
4. Design a complete street network that would be supportive of all modes of travel as well as supporting vehicle and goods movement (including agricultural equipment) demands
STUDY OVERVIEW

Stage 1 Archaeological Assessment
• Will identify areas of Indigenous and historical potential
• Will map all areas requiring further Stage 2 Archaeological Assessment

Cultural Heritage Resource Assessment
• Will identify cultural heritage resources
• Will provide general mitigation recommendations to assess and, where possible, avoid negative impacts

FINDINGS TO DATE

Stage 1 Archaeological Assessment
• Over 200 registered archaeological sites within a 1 km radius of the Study Area
• Sites demonstrate a long history of Indigenous occupation and Euro-Canadian settlement

Cultural Heritage Resource Assessment
• Agricultural land use and settlement within and adjacent to the Study Area began in the early nineteenth century
• The City of Hamilton’s Heritage Register lists 24 cultural heritage resources within or adjacent to the Study Area
KEY DIRECTIONS

1. Conservation and protection of identified cultural heritage resources should be upheld through appropriate planning and design measures as identified in applicable legislation.

2. Conservation and protection of cultural heritage landscapes should occur through implementing development and site alteration activities that protect, maintain, and enhance those areas.

3. Non-designated, and non-registered cultural heritage properties shall be appropriately identified, evaluated, and conserved through applicable legislation.

4. Protect, conserve, and mitigate archaeological sites and areas of archaeological potential through applicable legislation; avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential.

5. Include Indigenous consultation as part of work program.
Agricultural related considerations that will require management and coordination include:

- **Compatibility** – plan future land uses utilizing a phased method to minimize the potential for issues of compatibility, particularly with respect to Minimum Distance Separation, nuisance, water and agricultural chemical use

- **Parcel Fragmentation** – development should consider avoiding fragmenting parcels which could obstruct access to fields and cause excessive heavy and slow moving farm equipment to travel using urban streets

- **Goods Movement** – consider options to support movement of vehicles shipping agricultural goods to markets
PRINCIPLES

Farms and farmers are protected under the *Farming and Food Production Protection Act (FFPPA, 1998)*:

- Farmers are protected from nuisance complaints made by neighbours, provided they are following normal farm practices
- No municipal by-law applies to restrict a normal farm practice carried on as part of an agricultural operation

KEY DIRECTIONS

1. Agricultural lands where the use would likely remain agricultural will be identified, evaluated, and considered throughout the planning and design process
2. Any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas would be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment
3. Integrating and mitigation of public feedback (questions/concerns) of future effects during transition from agricultural setting to a more urban setting with inclusion of urban agriculture
WATER AND WASTEWATER SERVICING MASTER PLAN

WATER DISTRIBUTION

- Watermains Pressure Districts
- Elevated Reservoirs
- Pumping Stations
- Watermains
- Dryer Wells

City of Hamilton

Existing Water Distribution System

Elieko Study Area

Bibbrook

City of Hamilton

WSP

CUSHMAN & WAKEFIELD

Page 91 of 158
WATER & WASTEWATER MASTER PLAN

- Preferred alternative to service the Southeast Mountain:
  - An expansion to the existing HD007 pumping station
  - Includes a new water tank to provide storage, security and operational flexibility

WASTEWATER COLLECTION

- There is no wastewater infrastructure currently servicing the Elliffida Study Area as it is outside the urban boundary
- The Upper Centennial Parkway Sanitary Trunk Sewer is currently under construction and will be extended through the Elliffida Study Area from Green Mountain Road to Golf Club Road
- The trunk sewer is 1,800 mm in diameter and was designed to connect to proposed and existing sanitary infrastructure
1. Consider ease of connecting any future water and wastewater infrastructure to the City's existing water and wastewater infrastructure
2. Maintain or enhance drinking water quality
3. Provide efficient wastewater collection with a focus on the protection of property and the environment
The Elfrida Subwatershed Study is one of several component studies which will be undertaken in support of the Elfrida Growth Area Study process.

The purpose of the Subwatershed Study is to develop a plan that allows sustainable development, while ensuring maximum benefits to the natural and human environments on a watershed basis.
STUDY AREA

KEY FINDINGS: FLOODPLAIN HAZARDS
KEY FINDINGS: GROUNDWATER RECHARGE

[Map showing groundwater recharge areas with labels and legend]

Figure 3.23

Areas of Significant Groundwater Recharge

- Date: 2018
- Scale: 1:9,000

KEY FINDINGS: NATURAL HERITAGE SYSTEM

[Map showing natural heritage system areas with labels and legend]

Figure 3.21

Natural Heritage System

- Date: 2019
- Scale: 1:12,000

96
SUBWATERSHED STUDY

NEXT STEPS

- Preferred land use strategy to be developed (Winter 2018)

SWS Phase 2
- Evaluation of potential impacts of land uses on the Natural Heritage System
- Development and evaluation of preferred subwatershed management strategies
- Selection of preferred subwatershed management strategy
- Present preferred strategy

SWS Phase 3
- Implementation

Traditional Stormwater Management (SWM) Techniques
- Treat rainwater as a liability and waste that needs to be flushed away from urban areas
- Provide water quantity and quality control only
- Depend on end-of-pipe treatment only
- Tend to use pipes and hard structures to convey stormwater runoff rates
- Engineering-based
- Not easy to link to watershed goals, objectives, and targets

Low Impact Development (LID) Techniques
- Treat rainwater as a resource to be protected and managed
- Provide water balance control and landscape functionality in addition to water quantity and quality control
- Stormwater quantity, quality, and water balance are treated from source to receiving waters (e.g. river, lake, pond)
- Tend to use natural / urban landscapes, including soils, pipes, and trees
- Watershed-based, and can be easily linked to overall goals and targets, and adaptive watershed management
KEY DIRECTIONS

1. Identify and explore land use design options that enhance or are compatible with the Natural Heritage System
2. Identify and integrate compatible recreation opportunities that connect the community to the Natural Heritage System
3. Consider enhancement opportunities and opportunities to integrate non-core features into the design (e.g. hedgerows)
PRIMARY TRADE AREA

Currently, the Primary Trade Area has nearly 2.3 times the amount of shopping centre-type space per capita compared to the City of Hamilton average.

There is room for considerable population growth within the Primary Trade Area (which encompasses the Elfrida Study Area, and beyond) – in the range of 35,100 persons – without a requirement for additional provision of retail-commercial lands.

This does not restrict local, neighbourhood commercial uses.
ROUND TABLE DISCUSSION

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

VISIONING AND DESIGN WORKSHOP

Day 2: June 22, 2017
3:00 OR 6:00 PM

Each of the three different development options will explore variables in:

- **The natural heritage system**
- **Urban structure**
  - road system
  - park system
  - location of neighbourhoods and centres
  - distribution of density
- **Approach to stormwater management**

Please pre-register if interested
DISCUSSION QUESTION #1

What is most important from your perspective with respect to:

1. Design of new communities and neighbourhoods
2. Transportation: transit, vehicles, pedestrians, cycling
3. Natural features and open spaces
4. Heritage and culture
5. Servicing

DISCUSSION QUESTION #2

A Vision Statement for the Elfrida Growth Area describes a preferred future condition - the aspiration for the character and form of new development in the Elfrida Growth Area.

Brainstorm with others at your table
Write a list of words or phrases you think should be captured in a Vision Statement

From the list, choose your top three words or phrases
Write one word/phrase on one sheet of paper
Day 2: June 22, 2017 – DESIGN DAY

Each of the three different development options will explore variables in:

The natural heritage system

Urban structure
- road system
- park system
- location of neighbourhoods and centres
- distribution of density

Approach to stormwater management
**KEY DIRECTIONS- transportation**

1. Foster a connected and accessible on-road and off-road pedestrian path network which promotes a culture of walking
2. Build an extensive on-road and off-road cycling network which can connect cyclists for utilitarian, commuting and recreational uses
3. Create an expanded transit network that can support ridership demand until the implementation of rapid transit through the proposed LRT / BRT routes (25-year horizon)
4. Design a complete street network that would be supportive of all modes of travel as well as supporting vehicle and goods movement (including agricultural equipment) demands

**KEY DIRECTIONS- cultural heritage**

1. Conservation and protection of identified cultural heritage resources should be upheld through appropriate planning and design measures as identified in applicable legislation
2. Conservation and protection of cultural heritage landscapes should occur through implementing development and site alteration activities that protect, maintain, and enhance those areas
3. Non-designated, and non-registered cultural heritage properties shall be appropriately identified, evaluated, and conserved through applicable legislation
4. Protect, conserve, and mitigate archaeological sites and areas of archaeological potential through applicable legislation; avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential
5. Include Indigenous consultation as part of work program
KEY DIRECTIONS - agriculture

1. Agricultural lands where the use would likely remain agricultural will be identified, evaluated, and considered throughout the planning and design process.

2. Any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas would be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment.

3. Integrating and mitigation of public feedback (questions/concerns) of future effects during transition from agricultural setting to a more urban setting with inclusion of urban agriculture.

KEY DIRECTIONS - subwatershed

1. Identify and explore land use design options that enhance or are compatible with the Natural Heritage System.

2. Identify and integrate compatible recreation opportunities that connect the community to the Natural Heritage System.

3. Consider enhancement opportunities and opportunities to integrate non-core features into the design (e.g. hedgerows).
1. Currently, the Primary Trade Area has nearly 2.3 times the amount of shopping centre-type space per capita compared to the City of Hamilton average.

2. There is room for considerable population growth within the Primary Trade Area (which encompasses the Elfrida Study Area, and beyond) – in the range of 35,100 persons – without a requirement for additional provision of retail-commercial lands.

3. This does not restrict local, neighbourhood commercial uses.
### DRAFT DESIGN PRINCIPLES

1. Develop in an environmentally appropriate manner that protects and restores the natural environment

2. Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems

3. Manage growth over time that is logical, efficient, and cost effective

4. Plan for a diverse community with a mix and range of land uses to ensure a balance of residential, employment, community facilities, and services

5. Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices

6. Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation – walking and cycling - and accommodates vehicles

7. Provide an interconnected system of streets and pedestrian appealing streetscapes

8. Provide for a connected and integrated parks, open spaces, and trails system

9. Use green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies
Complete Communities

Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities.

Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

Compact Built Form

A land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses … all within one neighbourhood, proximity to transit and reduced need for infrastructure.

Compact built form can include detached and semi-detached houses on small lots, as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail.

Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage active transportation.
BUILT ENVIRONMENT

Daily activities and amenities within 400 metres (5 minute walk) of residences to support walking, cycling, and local transit within the community.

MIX OF USES

Mix and diversity

MIX OF HOUSING TYPES

Mix of housing types

200m walking distance to sub-neighbourhood local joint such as a parklet.
CONNECTED AND PERMEABLE STREETS

PEDESTRIAN FRIENDLY AND WALKABLE STREETS

pedestrian supportive
NATURAL ENVIRONMENT AND OPEN SPACE

urban agriculture

natural heritage

parks and open space

GREEN INFRASTRUCTURE AND ENERGY CONSERVATION

renewable energy

water use and management
SOCIETAL NEEDS

THE SECONDARY PLAN WILL...

- Seize the potential to **use existing infrastructure** and to **integrate into the existing communities**
- Utilize existing and planned **transportation networks**
- Feature an **inter-connected and multi-modal transportation network**
- Place an emphasis on **transit and pedestrian connections** to encourage **active and alternative transportation choices**
THE SECONDARY PLAN WILL...

- Include environmentally sound policies that promote **sustainable development**
- Conserve the **natural and cultural heritage**
- Protect **source water** and encourage **low impact development** techniques
- Consider **agricultural policies** and how to provide **support for continued agriculture**

THE SECONDARY PLAN WILL...

- Contribute to the City implementing its provincial targets for **population growth and intensification**
- Be designed as a **compact urban community**
- Be a model of **excellence in urban development**
Community Meeting #2
Conceptual Development Options
Elfrida Growth Area Study

Public Information Centre #2
December 6, 2017
6:00 - 8:30 pm

Purpose of the Study

- The Elfrida Area has been identified as the preferred location to accommodate new growth to 2031 and beyond.
- This area was selected through the City’s comprehensive Growth Related Integrated Development Strategy (GRIDS) process.
Identification of the Study Area


- Planning process that identified **Nodes and Corridors Structure** for growth and development for the City of Hamilton
- Associated **Infrastructure Requirements**
- **Economic Development Strategy**
- **Financial Implications** for growth concepts
- Identified Elfrida lands to accommodate growth to 2031

Chronology

**Rural Hamilton Official Plan**
Elfrida Study Area – Special Policy Area
- Outlined the process and studies to be carried out to include the lands in the urban boundary
- Province removed the Special Policy Area
- Province's decision appealed by City and Landowners

**Urban Hamilton Official Plan**
General set of policies for an urban boundary expansion
- Reference to Elfrida as a future growth area
- Province removed the reference to Elfrida
- Province's decision appealed by City and Landowners
Chronology

- **No resolution to appeals** at this time
- City preparing an **updated Municipal Comprehensive Review** and **Land Budget Analysis** to determine the exact amount of land required to accommodate growth to 2041
- Ontario Municipal Board hearing dates have not been scheduled

Background

- Although the **Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP)** relating to the Elfrida lands are under appeal, urban boundary expansion policies are in effect (in the UHOP)
- Urban boundary expansion policies in the UHOP:
  - Provide guidance and direction for studies required to bring Elfrida into the urban boundary and assign appropriate land uses (Municipal Comprehensive Review, background studies, public consultation, secondary plan)
Background Studies

- **Municipal Comprehensive Review**
  - GRIDS 2
  - Population and employment forecasts (2041)

- **Subwatershed Study**
  - Land Budget Analysis (supply and demand for residential, commercial & employment land up to 2041)

- **Secondary Plan**
  - Stormwater, infrastructure, natural heritage system impacts
  - Detailed policy and land use direction for future growth

Scope of the Study
Timeline: Secondary Plan

Phase 1
Background Research & Analysis
- Community Working Group 1
- Visioning & Design Workshop 1
  - June 21 & 22, 2017
- Pop-Up Consultation Events

Phase 2
Land Use Scenarios
- Community Working Group 2
- Public Workshop 2
  - Review concepts
- Small Group Meetings

Phase 3
Preferred Land Use Scenario & Secondary Plan
- Community Working Group 3
- Public Workshop 3
  - Review preferred land use scenario
- Online Engagement / Project Website

Input from Phase 1 Consultation: Vision

The Elfrida Growth Area is envisioned to become a complete, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.
Input from Phase 1 Consultation: Principles

1. Develop in an **environmentally appropriate manner** that protects and restores the natural environment.

2. Encourage the **responsible use of resources** to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.

3. **Manage growth** over time that is logical, efficient, and cost effective.

4. Ensure a diverse community with a **mix and range of land uses** to ensure a proper balance of residential, employment, community facilities, and services.

5. Develop a **well-designed and connected community** of residential neighbourhoods that provide for a range of housing types and choices.

---

Input from Phase 1 Consultation: Principles

6. Ensure an **efficient transportation network** that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

7. Provide an **interconnected system of streets and pedestrian supportive streetscapes**.

8. Provide for a **connected and integrated parks, open spaces, and trails system**.

9. Use **green infrastructure** to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.
Input from Phase 1 Consultation: Concepts

Development Program: 3 Concepts

<table>
<thead>
<tr>
<th>Development Program 1</th>
<th>Development Program 2</th>
<th>Development Program 3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Natural Heritage System</strong></td>
<td>preserve</td>
<td>moderate enhancement</td>
</tr>
<tr>
<td>Potential Recreation Areas</td>
<td>enhance all</td>
<td>moderate enhancement</td>
</tr>
<tr>
<td>Highways - Orange Formations</td>
<td>retain sense</td>
<td>retain sense</td>
</tr>
<tr>
<td>Vegetation</td>
<td>moderate enhancement</td>
<td>retain sense</td>
</tr>
<tr>
<td><strong>Community Structure</strong></td>
<td>dispersed, pods of development</td>
<td>moderately connected, focus on existing road network</td>
</tr>
<tr>
<td>Retail</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Design Details</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Green</td>
<td>connected to park system, standard school size</td>
<td></td>
</tr>
<tr>
<td>Housing Characteristics</td>
<td>integrated and even distribution of core, medium, and high density housing in neighbourhoods</td>
<td></td>
</tr>
<tr>
<td>Employment / Infrastructure (parking)</td>
<td>employees and related to primary road access</td>
<td>no employment, only minor retail and services</td>
</tr>
<tr>
<td>Infrastructure Management</td>
<td>focus on LID, increase SARMP points</td>
<td>add SARMP points - maintain</td>
</tr>
</tbody>
</table>

**Considerations:**
- Schools: All modern design (Hamilton Wentworth District School Board 2017)
- Community: 90,000 students, 25,000 families
- Average N: 100 students, 45 families
- http://www.hsdn.on.ca/cubs/elementary-preview

**Vision Statement:**
- A community of people who care for the environment and their community.
- A community that is sustainable, with a focus on energy conservation and active transportation.

**Key Points:**
- Park Size
- Community Park: 5 ha
- Neighborhood Park: 2 ha
- Energy Conservation: Promote energy efficiency, reduce waste

City of Hamilton Development Charrette Background Study, October 2014
Residential

Concept 1: Development Pods

Natural Heritage System

Legend
- Residential
- Commercial
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Neighbourhood Park
- Natural Heritage System
- Roads
- Utility Service
- Neighbourhood (Waterway)
Concept 1: Development Pods
Natural Heritage System + Roads + Mixed Use / Commercial + Institutional & Parks

Legend
- Residential
- Commercial
- Institutional
- Parks
- Mixed Use
- Community Center
- Neighborhood Park
- Natural Heritage System
- Roads
- Utility Center
- Neighborhood (500 m radius)

Concept 1: Development Pods
Natural Heritage System + Roads + Mixed Use / Commercial + Institutional & Parks + Residential

Legend
- Residential
- Commercial
- Institutional
- Parks
- Mixed Use
- Community Center
- Neighborhood Park
- Natural Heritage System
- Roads
- Utility Center
- Neighborhood (500 m radius)
Concept 1: Development Pods within the context of existing and planned development
Concept 2: Central Node

Natural Heritage System

Legend:
- Community Centre
- Community Park
- Neighbourhood Parks
- Natural Heritage System
- Stormwater Management Pond
- Roads
- Utility Tonk
- Neighbourhood (Off-street)

Concept 2: Central Node
Natural Heritage System + Roads

Legend:
- Secondary Plan Inventory
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Mixed Use
- Employment
- Secondary School
- Tecumseh School
- Pine of Wabag
Concept 2: Central Node

Natural Heritage System + Roads + Mixed Use / Commercial

Legend:
- Secondary Plan Inventory
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Mixed Use
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Community Plan
- Neighbourhood Parks
- Natural Heritage System
- Stormwater Management Area
- Roads
- Utility Corridors
- Neighbourhood 650m radius

Concept 2: Central Node

Natural Heritage System + Roads + Mixed Use / Commercial + Institutional & Parks

Legend:
- Secondary Plan Inventory
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Mixed Use
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Community Plan
- Neighbourhood Parks
- Natural Heritage System
- Stormwater Management Area
- Roads
- Utility Corridors
- Neighbourhood 650m radius
Concept 2: Central Node

Natural Heritage System + Roads + Mixed Use / Commercial + Institutional & Parks + Residential

Legend:
- Development/Recreational
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Industrial
- Employment
- Elementary School
- Secondary School
- Mass Transit
- Community Centre
- Community Park
- Neighbourhood Park
- Natural Heritage System
- Remediation Management Plan
- Trees
- Library
- Neighbourhood (100m radius)

Concept 2: Central Node
Concept 2: Central Node within the context of existing and planned development

Concept 3: Nodes & Corridors
Natural Heritage System
Concept 3: Nodes & Corridors
Natural Heritage System + Roads

Legend:
- Secondary Plan boundary
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Industrial
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Community Park
- Neighbourhood Park
- Natural Heritage System
- Drainage
- Stormwater Management Pond
- Roads
- Utility Corridor
- Neighbourhood (within sale)

Concept 3: Nodes & Corridors
Natural Heritage System + Roads + Mixed Use / Commercial

Legend:
- Secondary Plan boundary
- Low Rise Residential
- Mid Rise Residential
- High Rise Residential
- Commercial / Industrial
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Community Park
- Neighbourhood Park
- Natural Heritage System
- Drainage
- Stormwater Management Pond
- Roads
- Utility Corridor
- Neighbourhood (within sale)
Concept 3: Nodes & Corridors
Natural Heritage System + Roads + Mixed Use / Commercial + Institutional & Parks

Legend:
- Secondary Park boundary
- Low-Rise Residential
- Mid-Rise Residential
- High-Rise Residential
- Commercial/Mixed use
- Employment
- Elementary School
- Secondary School
- Place of Worship
- Community Centre
- Neighbourhood Park
- Neighbourhood Green
- Linear Park
- Stormwater Management Pond
- Roads
- Alley Centres
- Neighbourhood (within radius)
Concept 3: Nodes & Corridors

Concept 3: Nodes & Corridors within the context of existing and planned development
Development Yields

Total People and Jobs (p+j)

<table>
<thead>
<tr>
<th>Concept 1</th>
<th>Concept 2</th>
<th>Concept 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Land Area</td>
<td>905.70 ha</td>
<td>1,000.34 ha</td>
</tr>
<tr>
<td>80 p+j combined</td>
<td>72,456</td>
<td>80,027</td>
</tr>
</tbody>
</table>

Population equivalent to the size of Peterborough or Belleville

Inputs to the Evaluation of Concepts

Concept 1 | Concept 2 | Concept 3
---|---|---
Evaluation Inputs
- Public
- Community Focus Group
- City Staff Team
- Technical Advisory Committee
- Consulting Team

Preferred Land Use Plan
Evaluation of Concepts

The Concepts shown tonight are schematic illustrations that highlight key relationships of different development patterns.

It is anticipated that no one Concept shown tonight will be selected in its entirety. Your comments on the layers of each Concept will help the team identify the “best of” each Concept to become the preferred concept plan.

Comment on the characteristics/layers of the Concepts. Input will become part of the analysis contributing to the project team’s preparation of a recommended land use vision for Elfrida.

That refined concept shall be the focus of our next public information centre in spring 2018.

Evaluation Themes

- Ensure a compact, complete and healthy community
- Respond appropriately to long term urban structure implications
- Develop in an environmentally appropriate manner that protects, restores and enhances the natural environment and its associated features and functions
- Protect opportunities to farm land
Evaluation Themes

- Conserve cultural heritage
- Promote a coordinated, efficient and cost effective transportation network
- Promote coordinated, efficient and cost-effective water, wastewater and stormwater management systems
- Promote fiscal responsibility

Elevated Water Storage Facility and Pumping Station Study for Pressure District 7

- The purpose of this Municipal Class Environmental Assessment (EA) study is to select the preferred sites for a new elevated water storage facility and pumping station.
- This new infrastructure is required to provide water supply for future growth within Pressure District 7 (PD7), and to address security of supply and water system balancing.
- To meet projected population growth, the elevated water storage facility is required by approximately 2021 and the pumping station by 2027.
Overview of the Municipal Class EA Process

- The Ontario Environmental Assessment Act (EAA) requires that most municipal infrastructure projects follow an approved Class EA process.

- This study is being conducted in accordance with the approved requirements for a Schedule “B” project as described in the Municipal Engineers Association’s Municipal Class EA document.

- The study is currently in Phase 2: Alternative Solutions. The results of the evaluation – the preferred sites for the elevated water storage facility and pumping station – will be presented at a second Public Information Centre (PIC) in Spring/Summer 2018.

Study Area and Alternative Sites

Contains public sector data made available under the City of Hamilton’s Open Data License.
Next Steps Secondary Plan

Phase 1
Background Research & Analysis
- Community Working Group 1
- Visioning & Design Workshop 1
  June 21 & 22, 2017
- Pop-Up Consultation Events
- Table group discussions to provide comments on the three concepts with respect to the location and distribution of the:
  - Natural heritage system
  - Roads
  - Mixed use/commercial uses
  - Institutional uses and parks
  - Residential uses
- Input will assist the team in identifying the “best of” each concept to help prepare a preferred land use scenario for the Elfrida Growth Area

Phase 2
Land Use Scenarios
- Community Working Group 2
- Public Workshop 2
  Review concepts
- Small Group Meetings

Phase 3
Preferred Land Use Scenario & Secondary Plan
- Community Working Group 3
- Public Workshop 3
  Review preferred land use scenario
- Online Engagement / Project Website

Tonight’s meeting

The preferred land use plan will be prepared considering all inputs on the three concepts.
Next Steps

**Evaluation of the Concepts with inputs from**
- the public
- consulting team
- City of Hamilton
- Technical Advisory Team
- Community Focus Group

**Preparation of draft preferred land use scenario**

**Review study progress** [www.hamilton.ca/elfrida](http://www.hamilton.ca/elfrida)

**Contact us:**
**Elfrida Growth Area Study**
Alissa Mahood, MCIP, RPP
905-546-2424 Ext. 1250 | E-Mail: alissa.mahood@hamilton.ca

**Water Storage Facility and Pumping Station Study**
Elizabeth Panicker, Project Manager
905-546-2424 Ext 6393 | Email: elizabeth.panicker@hamilton.ca
Community Meeting #3
Preferred Community Structure Ideas
Agenda & Meeting Purpose:
Public Information Centre #3

Agenda:
- Review Display materials (6:00 – 6:30pm)
- Presentation (6:30 – 7:00pm)
- Working Groups and Reporting Back (7:00 – 8:30pm)

Meeting Purpose:
- Review qualitative evaluation of three options
- Present and receive your input on the Preferred Community Structure Ideas Plan (Draft)
Study Purpose

- The Elfrida Area has been identified as the preferred location to accommodate new greenfield growth to 2031 and beyond.

- This area was selected through the City’s comprehensive Growth Related Integrated Development Strategy (GRIDS) process.

- Although the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP) relating to the Elfrida lands are under appeal, urban boundary expansion policies are in effect (in the UHOP).

- City preparing an updated Municipal Comprehensive Review and Land Budget Analysis to determine the amount of land required to accommodate growth to 2041.

How We Got Here – Consultation Process

- PIC #1 - June 21 and 22, 2017, resulting in the development of a Vision Statement, Guiding Principles, a list of important Community Characteristics and six Preliminary Land Use Explorations.

- PIC #2 – December 6, 2017, resulting in feedback on the 3 Development Options and evaluation criteria.

- Qualitative evaluations of the Development Options have been prepared.

- Preferred community structure ideas have been identified based on the evaluation.

- Community Focus Group meetings #2 and #3 held to review Development Options and emerging Preferred Community Structure Ideas.
Background Studies

- **Municipal Comprehensive Review**
  - Population and employment forecasts (2041)

- **Subwatershed Study**
  - Stormwater, infrastructure, natural heritage system impacts

- **Secondary Plan**
  - Detailed policy and land use direction for future growth

Scope of the Study

- **Secondary Plan**
- **Urban Design Guidelines**
- **Financial Investment Strategy**
- **Archaeological Assessment**
- **Commercial Lands Review**
- **Water / Wastewater Servicing Master Plan**
- **Agricultural Impact Assessment**
- **Cultural Heritage Assessment**
- **Natural Heritage Review**
- **Transportation Management**
- **Phasing / Staging / Implementation**
Evaluation of Development Options

- Qualitative analysis of Development Options by technical disciplines based on 25 evaluation criteria (8 themes), identified by the Study Team.

- The draft evaluation is a work in progress. The complete evaluation will be included in the Final Report.

- Evaluation provides direction in preparing the Preferred Concept Plan, that is pending, based on further inputs from the:
  - City’s Municipal Comprehensive Review (GRIDS II) to determine land needs to 2041 and the timing/phasing of growth within Elfrida; and
  - Recommendations of the City’s Subwatershed Study to finalize the Natural Heritage System.

- A detailed technical evaluation of the Preferred Concept Plan will be undertaken and supported by further transportation, water/wastewater, and stormwater management analysis.
Evaluation of Options – Concept 1

**DEVELOPMENT PODS**

<table>
<thead>
<tr>
<th>TECHNICAL AREA</th>
<th>EVALUATION BY AREA</th>
<th>REASONS AND RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Lacks a broader mix of land uses (i.e., commercial/retail) within accessible walking distance. Has significant natural heritage, parks, open space and linear trail opportunities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Limited north-south/neighborhood connections does not support the establishment of a connected community. Also negatively impacts transit opportunities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Conserves all core features, all headwater drainage features, all values/rooferment areas - least extensive &amp; connected natural heritage system.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Potential for a high level of retention of existing cultural heritage interest.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greatest number of natural heritage crossings mitigate with trendlines technology. Most natural system for stormwater management.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lower development yields will result in less revenues for the City.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meets medium/high-density opportunities, but in a dispersed manner. Difficult to service with public transit, disconnected and density not focused on corridors.</td>
</tr>
</tbody>
</table>

---

Evaluation of Options – Concept 2

**CENTRAL NODE**
### Evaluation of Options – Concept 2

**CENTRAL NODE**

<table>
<thead>
<tr>
<th>TECHNICAL AREA</th>
<th>EVALUATION BY AREA</th>
<th>REASONS AND RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Improved road connectivity, and more parkland. Not very walkable; the single central node may encourage a reliance on cars. Does not provide for complete community. First and last mile connectivity would be a challenge as trips would be centred on the central commercial node.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Conserves only core features, resulting in a discontinuous natural heritage system, limits long-term viability (movement of wildlife/seed/plant materials).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposes increased commercial development in the current location of three identified cultural heritage resources.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Would likely require the highest fire flow, and largest diameter watermain and ensure that the central high density node. Difficult to phase cost-effectively.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assuming market demand is sufficient to capture the proposed supply, Option 2 would likely result in the greatest fiscal impact to the City.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A single major node results in a less connected community and limited active transportation opportunities.</td>
</tr>
</tbody>
</table>

### Evaluation of Options – Concept 3

**NODES AND CORRIDORS**

![Map of Evaluation of Options – Concept 3](Image)
Evaluation of Options – Concept 3

NODES AND CORRIDORS

<table>
<thead>
<tr>
<th>TECHNICAL AREA</th>
<th>EVALUATION BY AREA</th>
<th>REASONING AND RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Provides the greatest diversity of land use/residential built form/housing densities. Accommodates neighbourhood serving commercial and employment opportunities.</td>
<td></td>
</tr>
<tr>
<td>Linear green space provides trail opportunities to complement active transportation. Better options for transit and phasing, with 3 primary nodes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Context: core features of the Subwatershed Study as well as some headwater drainage features. Connectivity and consideration for natural corridors is accommodated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential to retain portions of existing cultural heritage features.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires the most additional connections to the existing trunk sewer. Facilitates incorporation of traditional and new stormwater management techniques.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Opportunities for phasing to minimize impacts on existing farm operations in the short and mid-term.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assumes market demand is sufficient to capture the proposed supply. Option 3 would likely result in the second greatest fiscal impact to the city.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Best connectivity, diverse range of densities and nodal locations along corridors to encourage active transportation.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A Successful Community

VISION

The Elfrida Community is envisioned to become a complete, healthy, transit-supportive, mixed-use community that is compact, well-connected and both environmentally and economically sustainable, through a long-term strategy that respects the neighbouring land uses.

PRINCIPLES

1. Develop in an environmentally appropriate manner that protects and restores the natural environment.
2. Encourage the responsible use of resources to ensure long-term sustainability, reduce greenhouse gas emissions, and reduce demands on energy, water, and waste systems.
3. Manage growth over time that is logical, efficient and cost effective.
4. Ensure a diverse community with a mix and range of land uses to ensure a proper balance of residential, employment, community facilities and services.
A Successful Community

PRINCIPLES (cont’d)

5. Develop a well-designed and connected community of residential neighbourhoods that provide for a range of housing types and choices.

6. Ensure an efficient transportation network that includes mobility options, is transit supportive, includes active transportation, walking and cycling, and accommodates vehicles.

7. Provide an interconnected system of streets and pedestrian supportive streetscapes.

8. Provide for a connected and integrated parks, open spaces, and trails system.

9. Utilize green infrastructure to make use of the absorbing and filtering abilities of plants, trees, and soil to protect water quality, reduce runoff volumes, and recharge groundwater supplies.

Preferred Community Structure Ideas: Nodes & Corridors

Major Greenlands System
Preferred Community Structure Ideas: Nodes & Corridors

Major Road Network

Preferred Community Structure Ideas: Nodes & Corridors

Parks and Open Space System
Preferred Community Structure Ideas: Nodes & Corridors

Mixed Use Centres

Preferred Community Structure Ideas: Nodes & Corridors

Mixed Use Transit Corridors
Preferred Community Structure Ideas: Nodes & Corridors

Community Centres

Preferred Community Structure Ideas: Nodes & Corridors

Elementary and Secondary Schools
Preferred Community Structure Ideas: Nodes & Corridors

Residential

We are currently beginning Phase 3 - Recommended Option, to develop the preferred land use scenario and Secondary Plan for Elfrida.

Additional studies are required to inform the future Secondary Plan, some of which are already underway, such as GRIDS II and the Subwatershed Study. These plans will contribute to further informing the Elfrida Growth Area Study, and assist in the final phase of this study; developing a preferred land use scenario and Secondary Plan.

Next Steps

We are currently beginning Phase 3 - Recommended Option, to develop the preferred land use scenario and Secondary Plan for Elfrida.

Additional studies are required to inform the future Secondary Plan, some of which are already underway, such as GRIDS II and the Subwatershed Study. These plans will contribute to further informing the Elfrida Growth Area Study, and assist in the final phase of this study; developing a preferred land use scenario and Secondary Plan.

Upcoming events include:

- **Planning Committee Meeting:** September 4, 2018
- **Community Focus Group Meeting (#3b)**
- **Public Workshop (#3b)**

Your input will help inform the preparation of the Recommended Option and Secondary Plan.
QUESTIONS?

Melanie Pham, MCIP, RPP
P: 905-546-2424 Ext. 6685
E: Melanie.Pham@hamilton.ca

Alissa Mahood, MCIP, RPP
P: 905-546-2424 Ext. 1250
E: Alissa.Mahood@hamilton.ca
INFORMATION REPORT

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18192) (City Wide)

WARD(S) AFFECTED: City Wide

PREPARED BY: Joe Gravina (905) 546-2424 Ext. 1284

SUBMITTED BY: Steve Robichaud Director of Planning and Chief Planner Planning and Economic Development Department

SIGNATURE:

Council Direction:

At the June 16, 2015 Planning Committee, staff were “directed to report back to the Planning Committee with a reporting tool that seeks to monitor applications where the 120 or the 180 day statutory timeframe applies”.

This Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications relative to the statutory timeframe provisions of the Planning Act for non-decision appeals.

Background:

On April 19, 2016, Information Report (PED16096) was forwarded to the Planning Committee, which provided a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications relative to the 120 or the 180 statutory timeframe provisions of the Planning Act for non-decision appeals and outlined a process for future reporting to the Planning Committee. The Report included a table outlining the active applications, sorted by Ward, from oldest application to newest. In addition, the Report summarized OMB appeals over the previous five years.

Commencing February 28, 2017, similar Information Reports were forwarded to the Planning Committee on a monthly basis in accordance with the process outlined in Information Report (PED16096). An analysis of the information was also included in the year-end report of December 5, 2017 (PED17208), which included tables that
总结了活动生成了项目数量，按申请类型及公共会议次数。

**Policy Implications and Legislative Requirements**

按照《Planning Act》的规定，申请人可在官方计划修正申请提交后210天（17（40）），由律修法修正申请提交后150天（34（11））及制定分层后180天（51（34））后提出上诉。

按照第17(40.1)条《Planning Act》，安大略省会扩大了官方计划修正申请的审批期，对2016年7月1日之后收到的申请延长至270天，对2017年12月12日之后收到的申请延长至300天。

在附件A中，列出了截至2018年8月16日所有活动生成的修正申请，按区划划分，从最早的申请到最新的。于8月16日2018年有：

- 23份活动生成的官方计划修正申请（包括19份7月1日之后收到的申请）；
- 40份活动生成的由律修正案修正申请；及，
OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18192) (City Wide) - Page 3 of 4

- 11 active Plan of Subdivision Applications.

Within 60 to 90 days of September 18, 2018, all 40 development proposals have passed the 120 or 180 day statutory timeframe, including 19 Official Plan Amendment Applications received after July 1, 2016 that are subject to the 270 statutory timeframe. These applications are marked with an asterisk on Appendix “A” to Report PED18192.

Applications Deemed Complete After Royal Assent (December 12, 2017)

Attached as Appendix “B” to Report PED18192 is a table outlining the active applications received after December 12, 2017 sorted by Ward, from oldest application to newest. As of August 16, 2018 there were:

- 14 active Official Plan Amendment Applications, all of which were submitted after December 12, 2017, and therefore subject to the 90 extension to the statutory timeframe from 210 days to 300 days;
- 27 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of September 18, 2018, 16 applications will be approaching the 150 or the 300 day statutory timeframe and will be eligible for appeal. Eleven applications have passed the 150 or 300 day statutory timeframe.

Combined to reflect property addresses, this results in 67 active development proposals. Twenty-five proposals are 2018 files, while 30 proposals are 2017 files and 12 proposals are pre-2017 files.

A table comparing the number of projects by application type by month for February to December 2017 (Figure 1) and for January to September 2018 (Figure 2) is attached as Appendix “C” to Report PED18192. This demonstrates that the number of active projects has remained relatively constant with an average of 74 both in 2017 and to date in 2018. However, 12 of the active projects are pre-2017 files which have had limited activity in the past 18 months. Accordingly, a more accurate number of active projects by application type by month is closer to 55.

Attached as Appendix “D” to Report PED18192, is a table comparing the number public meetings by application type by month for January to December 2017 (Figure 1) and for January to September 2018 (Figure 2). In total, 49 applications have had a public meeting in 2017 compared to 47 applications to date in 2018. It is projected that a total of 50 applications will have had a public meeting by the end of 2018 despite the fact that
no public meetings will be held in October or November. This represents an average of 5 public meetings per month in 2018 compared to 4 per month in 2017.

Staff are currently working with the AMANDA Implementation Team to add enhancements that will allow for the creation of more detailed reporting. As a result, future tables will include a qualitative analysis of the status of active applications. It is anticipated that these enhancements will be available in Q4 of 2018. In addition, for the January, 2019 Planning Committee meeting, the appendices will be revised to reflect the new ward boundaries.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – List of Active Development Applications (Prior to December 12, 2017)
Appendix “B” – List of Active Development Applications (After December 12, 2017)
Appendix “C” – Number of Active Projects by Application Type by Month
(Febuary to December, 2017 and January to September, 2018)
Appendix “D” – Number of Public Meetings by Application Type by Month
(January to December, 2017 and January to September, 2018)

JG:mo
### Active Development Applications
**Deemed Complete Prior to December 12, 2017**
**(Effective August 16, 2018)**

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date¹ Deemed Incomplete</th>
<th>Date¹ Deemed Complete</th>
<th>120 day cut off (Zoning Application)</th>
<th>180 day cut off (OPA and/or Subdivision Application)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ward 1</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-18* ZAC-17-036</td>
<td>644 Main St. W., Hamilton</td>
<td>31-Mar-17</td>
<td>n/a</td>
<td>28-Apr-17</td>
<td>29-Jul-17</td>
<td>27-Sep-17*</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>536</td>
</tr>
<tr>
<td><strong>Ward 2</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-008</td>
<td>117 Forest Ave. &amp; 175 Catharine St. S., Hamilton</td>
<td>23-Dec-16</td>
<td>n/a</td>
<td>05-Jan-17</td>
<td>22-Apr-17</td>
<td>n/a</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>634</td>
</tr>
<tr>
<td>UHOPA-17-23* ZAC-17-053</td>
<td>71 Rebecca St., Hamilton</td>
<td>15-Jun-17</td>
<td>n/a</td>
<td>14-Jul-17</td>
<td>13-Oct-17</td>
<td>12-Dec-17*</td>
<td>Wellings Planning Consultants Inc.</td>
<td>460</td>
</tr>
</tbody>
</table>
Active Development Applications  
Deemed Complete Prior to December 12, 2017  
(Effective August 16, 2018)

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date&lt;sup&gt;1&lt;/sup&gt; Deemed Incomplete</th>
<th>Date&lt;sup&gt;1&lt;/sup&gt; Deemed Complete</th>
<th>120 day cut off (Zoning Application)</th>
<th>180 day cut off (OPA and/or Subdivision Application)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZAC-17-074</td>
<td>154 Main St. E., Hamilton</td>
<td>11-Oct-17</td>
<td>n/a</td>
<td>06-Nov-17</td>
<td>08-Feb-18</td>
<td>n/a</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>342</td>
</tr>
<tr>
<td>UHOPA-17-33* ZAC-17-073</td>
<td>125 - 129 Robert St., Hamilton</td>
<td>06-Oct-17</td>
<td>30-Oct-17</td>
<td>14-Nov-17</td>
<td>03-Feb-18</td>
<td>04-Apr-18*</td>
<td>IBI Group</td>
<td>308</td>
</tr>
<tr>
<td>Ward 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-024</td>
<td>119-123 Princess St., Hamilton</td>
<td>08-Feb-17</td>
<td>n/a</td>
<td>27-Mar-17</td>
<td>08-Jun-17</td>
<td>n/a</td>
<td>Metropolitan Consulting Inc.</td>
<td>587</td>
</tr>
<tr>
<td>Ward 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-31* ZAC-17-071</td>
<td>1625 - 1655 Upper James St., Hamilton</td>
<td>27-Sep-17</td>
<td>n/a</td>
<td>02-Oct-17</td>
<td>25-Jan-18</td>
<td>26-Mar-18*</td>
<td>MB1 Development Consulting Inc.</td>
<td>356</td>
</tr>
<tr>
<td>ZAC-17-089</td>
<td>1351 Upper James St., Hamilton</td>
<td>28-Nov-17</td>
<td>n/a</td>
<td>05-Dec-17</td>
<td>28-Mar-18</td>
<td>n/a</td>
<td>Patrick Slattery</td>
<td>294</td>
</tr>
</tbody>
</table>
### Active Development Applications
**Deemed Complete Prior to December 12, 2017**
*(Effective August 16, 2018)*

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date¹ Deemed Incomplete</th>
<th>Date¹ Deemed Complete</th>
<th>120 day cut off (Zoning Application)</th>
<th>180 day cut off (OPA and/or Subdivision Application)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-030</td>
<td>567 Scenic Dr., Hamilton</td>
<td>10-Mar-17</td>
<td>n/a</td>
<td>28-Mar-17</td>
<td>08-Jul-17</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>557</td>
</tr>
<tr>
<td>Ward 9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-16-26*</td>
<td>ZAC-16-065 25T-201611</td>
<td>12-Oct-16</td>
<td>n/a</td>
<td>02-Nov-16</td>
<td>09-Feb-17</td>
<td>10-Apr-17*</td>
<td>T. Johns Consultants Inc.</td>
<td>706</td>
</tr>
<tr>
<td>UHOPA-16-27*</td>
<td>ZAC-16-066 25T-201612</td>
<td>12-Oct-16</td>
<td>n/a</td>
<td>02-Nov-16</td>
<td>09-Feb-17</td>
<td>10-Apr-17*</td>
<td>T. Johns Consultants Inc.</td>
<td>706</td>
</tr>
<tr>
<td>UHOPA-16-25*</td>
<td>ZAC-16-064 25T-201609</td>
<td>12-Oct-16</td>
<td>n/a</td>
<td>02-Nov-16</td>
<td>09-Feb-17</td>
<td>10-Apr-17*</td>
<td>WEBB Planning Consultants Inc.</td>
<td>711</td>
</tr>
<tr>
<td>UHOPA-16-21*</td>
<td>ZAC-16-057 25T-201608</td>
<td>31-Aug-16</td>
<td>29-Sep-16</td>
<td>27-Mar-17</td>
<td>29-Dec-16</td>
<td>27-Feb-17*</td>
<td>Metropolitan Consulting Inc.</td>
<td>540</td>
</tr>
</tbody>
</table>

*Appendix "A" to Report PED18192*
<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date(^1) Deemed Incomplete</th>
<th>Date(^1) Deemed Complete</th>
<th>120 day cut off (Zoning Application)</th>
<th>180 day cut off (OPA and/or Subdivision Application)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>UHOPA-17-20*</td>
<td>928 Queenston Rd., Stoney Creek</td>
<td>01-Jun-17</td>
<td>30-Jun-17</td>
<td>28-Jul-17</td>
<td>29-Sep-17</td>
<td>28-Nov-17*</td>
<td>Fothergill Planning and Development Inc.</td>
<td>417</td>
</tr>
<tr>
<td>ZAC-17-049</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RHOPA-17-24*</td>
<td>138 Upper Centennial Pkwy, Stoney Creek</td>
<td>27-Jun-17</td>
<td>n/a</td>
<td>15-Aug-17</td>
<td>25-Oct-17</td>
<td>24-Dec-17*</td>
<td>Brouwer Architecture</td>
<td>448</td>
</tr>
<tr>
<td>ZAC-17-055</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-077</td>
<td>50 Green Mountain Rd., Stoney Creek</td>
<td>30-Oct-17</td>
<td>21-Nov-17</td>
<td>22-Nov-17</td>
<td>27-Feb-18</td>
<td>n/a</td>
<td>GSP Group</td>
<td>300</td>
</tr>
<tr>
<td><strong>Ward 10</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-15-040</td>
<td>9 Glencrest Ave., Stoney Creek</td>
<td>02-Jul-15</td>
<td>n/a</td>
<td>10-Aug-15</td>
<td>30-Oct-15</td>
<td>n/a</td>
<td>WEBB Planning Consultants Inc.</td>
<td>1174</td>
</tr>
<tr>
<td>UHOPA-17-36*</td>
<td>514 Barton St. E, Stoney Creek</td>
<td>27-Oct-17</td>
<td>n/a</td>
<td>23-Nov-17</td>
<td>24-Feb-18</td>
<td>25-Apr-18*</td>
<td>GSP Group</td>
<td>326</td>
</tr>
<tr>
<td>ZAC-17-079</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ward 11</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-14-16*</td>
<td>9388 Twenty Rd. W., Glanbrook</td>
<td>20-Dec-12</td>
<td>n/a</td>
<td>18-Jan-13</td>
<td>19-Apr-13</td>
<td>18-Jun-13</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>2098</td>
</tr>
<tr>
<td>ZAR-12-058</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-16-016</td>
<td>1313 Baseline Rd., Stoney Creek</td>
<td>15-Jan-16</td>
<td>n/a</td>
<td>15-Feb-16</td>
<td>14-May-16</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>977</td>
</tr>
</tbody>
</table>

\(^1\) Deemed Incomplete

Active Development Applications
Deemed Complete Prior to December 12, 2017
(Effective August 16, 2018)
Active Development Applications
Deemed Complete Prior to December 12, 2017
(Effective August 16, 2018)

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date¹ Deemed Incomplete</th>
<th>Date¹ Deemed Complete</th>
<th>120 day cut off (Zoning Application)</th>
<th>180 day cut off (OPA and/or Subdivision Application)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 11 cont’d</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-009</td>
<td>1215 Barton St., Stoney Creek</td>
<td>23-Dec-16</td>
<td>n/a</td>
<td>06-Jan-17</td>
<td>22-Apr-17</td>
<td>n/a</td>
<td>WEBB Planning Consultants Inc.</td>
<td>634</td>
</tr>
<tr>
<td>UHOPA-17-05*</td>
<td>1, 19, 20, 21, 23, 27 &amp; 30 Lakeside Dr. &amp; 81 Waterford Cres., Stoney Creek</td>
<td>23-Dec-16</td>
<td>n/a</td>
<td>17-Jan-17</td>
<td>22-Apr-17</td>
<td>21-Jun-17*</td>
<td>IBI Group</td>
<td>634</td>
</tr>
<tr>
<td>ZAC-17-015</td>
<td>25T-201703</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-12*</td>
<td>25T-210706</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>572</td>
</tr>
<tr>
<td>ZAC-17-027</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-12*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>572</td>
</tr>
<tr>
<td>UHOPA-17-12*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>572</td>
</tr>
<tr>
<td>ZAR-17-033</td>
<td>90 Creanona Blvd., Stoney Creek</td>
<td>27-Mar-17</td>
<td>n/a</td>
<td>28-Apr-17</td>
<td>25-Jul-17</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>540</td>
</tr>
<tr>
<td>ZAC-17-076</td>
<td>1216, 1218 and 1226 Barton St. E. and 1219 Hwy. 8, Stoney Creek</td>
<td>30-Oct-17</td>
<td>n/a</td>
<td>24-Nov-17</td>
<td>27-Feb-18</td>
<td>28-Apr-18</td>
<td>Glen Schnarr &amp; Associates Inc.</td>
<td>323</td>
</tr>
<tr>
<td>File</td>
<td>Address</td>
<td>Date Received</td>
<td>Date¹ Deemed Incomplete</td>
<td>Date¹ Deemed Complete</td>
<td>120 day cut off (Zoning Application)</td>
<td>180 day cut off (OPA and/or Subdivision Application)</td>
<td>Applicant/Agent</td>
<td>Days since Received and/or Deemed Complete as of September 18, 2018</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------</td>
<td>---------------</td>
<td>-------------------------</td>
<td>-----------------------</td>
<td>--------------------------------------</td>
<td>------------------------------------------------------</td>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Ward 12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OPA-12-23</td>
<td>491 Springbrook Ave, 851 &amp; 875 Garner Rd. E., Ancaster</td>
<td>21-Dec-12</td>
<td>n/a</td>
<td>18-Jan-13</td>
<td>20-Apr-13</td>
<td>19-Jun-13</td>
<td>Wellings Planning Consultants Inc.</td>
<td>2097</td>
</tr>
<tr>
<td>ZAC-12-065</td>
<td>285, 293 Fiddlers Green Rd., Ancaster</td>
<td>23-Dec-15</td>
<td>n/a</td>
<td>06-Jan-16</td>
<td>21-Apr-16</td>
<td>20-Jun-16</td>
<td>Liam Doherty</td>
<td>1000</td>
</tr>
<tr>
<td>ZAC-12-065</td>
<td>45 Secinaro Ave., Ancaster</td>
<td>28-Jul-17</td>
<td>n/a</td>
<td>01-Aug-17</td>
<td>25-Nov-17</td>
<td>n/a</td>
<td>T. Johns Consultants Inc.</td>
<td>417</td>
</tr>
<tr>
<td>UHOPA-17-25*</td>
<td>305 Garner Rd. W., Ancaster</td>
<td>11-Jul-17</td>
<td>17-Jul-17</td>
<td>08-Aug-17</td>
<td>08-Nov-17</td>
<td>07-Jan-18*</td>
<td>MHBC Planning Limited</td>
<td>434</td>
</tr>
<tr>
<td>ZAC-17-058</td>
<td>280 Wilson St. E., Ancaster</td>
<td>05-Jun-17</td>
<td>22-Jun-17</td>
<td>23-Aug-17</td>
<td>03-Oct-17</td>
<td>19-Feb-18*</td>
<td>GSP Group</td>
<td>391</td>
</tr>
<tr>
<td>ZAC-17-066</td>
<td>1274 Mohawk Rd., Ancaster</td>
<td>17-Aug-17</td>
<td>n/a</td>
<td>06-Sep-17</td>
<td>15-Dec-17</td>
<td>n/a</td>
<td>T. Johns Consultants Inc.</td>
<td>397</td>
</tr>
<tr>
<td>UHOPA-17-32*</td>
<td>35 Londonderry Dr., Ancaster</td>
<td>06-Oct-17</td>
<td>n/a</td>
<td>01-Nov-17</td>
<td>03-Feb-18</td>
<td>04-Apr-18*</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>347</td>
</tr>
<tr>
<td>File</td>
<td>Address</td>
<td>Date Received</td>
<td>Date¹ Deemed Incomplete</td>
<td>Date¹ Deemed Complete</td>
<td>120 day cut off (Zoning Application)</td>
<td>180 day cut off (OPA and/or Subdivision Application)</td>
<td>Applicant/Agent</td>
<td>Days since Received and/or Deemed Complete as of September 18, 2018</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------</td>
<td>---------------</td>
<td>-------------------------</td>
<td>-----------------------</td>
<td>--------------------------------------</td>
<td>-----------------------------------------------------</td>
<td>-------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Ward 13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAR-15-004</td>
<td>64 Hatt St., Dundas</td>
<td>02-Dec-14</td>
<td>n/a</td>
<td>02-Jan-15</td>
<td>01-Apr-15</td>
<td>n/a</td>
<td>336477 Ontario Ltd.</td>
<td>1387</td>
</tr>
<tr>
<td>ZAC-17-060</td>
<td>211 York Rd., Dundas</td>
<td>14-Jul-17</td>
<td>n/a</td>
<td>02-Aug-17</td>
<td>11-Nov-17</td>
<td>n/a</td>
<td>Wellings Planning Consultants Inc.</td>
<td>431</td>
</tr>
<tr>
<td>Ward 14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-17-064</td>
<td>655 Cramer Rd., Flamborough</td>
<td>09-Aug-17</td>
<td>n/a</td>
<td>17-Aug-17</td>
<td>07-Dec-17</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>405</td>
</tr>
<tr>
<td>ZAC-17-081</td>
<td>1633 Highway 6, Flamborough</td>
<td>08-Nov-17</td>
<td>n/a</td>
<td>21-Nov-17</td>
<td>08-Mar-18</td>
<td>07-May-18*</td>
<td>1685486 ONTARIO INC.</td>
<td>314</td>
</tr>
<tr>
<td>Ward 15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-06*</td>
<td>157 Parkside Dr., Flamborough</td>
<td>23-Dec-16</td>
<td>n/a</td>
<td>17-Jan-17</td>
<td>22-Apr-17</td>
<td>21-Jun-17*</td>
<td>MHBC Planning Limited</td>
<td>634</td>
</tr>
<tr>
<td>ZAC-17-016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Active Development Applications
Deemed Complete Prior to December 12, 2017
(Effective August 16, 2018)

1. When an application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 120, 180 & 270 day timeframe commences on the date the new materials were submitted. In all other situations, the 120, 180 & 270 day timeframe commences the day the application was received.

* In accordance with Section 17 (40.1) of the Planning Act, the City of Hamilton has extended the approval period of Official Plan Amendment applications by 90 days from 180 days to 270 days. However, applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 180 statutory timeframe.
## Active Development Applications

**Deemed Complete After December 12, 2017**

*(Effective August 16, 2018)*

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date¹ Deemed Incomplete</th>
<th>Date¹ Deemed Complete</th>
<th>150 day cut off (Rezoning)</th>
<th>180 day cut off (Plan of Sub.)</th>
<th>300 day cut off (OPA)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ward 1</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-005*</td>
<td>235 Main St. W., Hamilton</td>
<td>22-Dec-17</td>
<td>n/a</td>
<td>19-Jan-18</td>
<td>n/a</td>
<td>n/a</td>
<td>20-Jul-18</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>270</td>
</tr>
<tr>
<td>ZAC-18-012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-015*</td>
<td>69 Sanders Blvd., Hamilton</td>
<td>29-Nov-17</td>
<td>n/a</td>
<td>17-Jul-18</td>
<td>n/a</td>
<td>n/a</td>
<td>25-Sep-18</td>
<td>IBI Group</td>
<td>96</td>
</tr>
<tr>
<td>ZAC-18-035</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ward 2</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-17-041*</td>
<td>80 and 92 Barton St. E and 215 and 245 Catharine St. N., Hamilton</td>
<td>29-Nov-17</td>
<td>n/a</td>
<td>14-Dec-17</td>
<td>n/a</td>
<td>n/a</td>
<td>27-Jun-18</td>
<td>IBI Group</td>
<td>293</td>
</tr>
<tr>
<td>ZAC-17-090</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-004*</td>
<td>299-307 John St. S., Hamilton</td>
<td>22-Dec-17</td>
<td>n/a</td>
<td>19-Jan-18</td>
<td>n/a</td>
<td>n/a</td>
<td>20-Jul-18</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>270</td>
</tr>
<tr>
<td>ZAC-18-009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-013</td>
<td>122 &amp; 126 Augusta St. &amp; 125 &amp; 127 Young St., Hamilton</td>
<td>21-Dec-17</td>
<td>n/a</td>
<td>25-Jan-18</td>
<td>20-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>271</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Active Development Applications
#### Deemed Complete After December 12, 2017
**(Effective August 16, 2018)**

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date(^1) Deemed Incomplete</th>
<th>Date(^1) Deemed Complete</th>
<th>150 day cut off (Rezoning)</th>
<th>180 day cut off (Plan of Sub.)</th>
<th>300 day cut off (OPA)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 2 cont’d</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-008* ZAC-18-024</td>
<td>600 James St. N., Hamilton</td>
<td>29-Mar-18</td>
<td>n/a</td>
<td>23-Apr-18</td>
<td>n/a</td>
<td>n/a</td>
<td>23-Jan-19*</td>
<td>Bousfields Inc.</td>
<td>173</td>
</tr>
<tr>
<td>UHOPA-18-017* ZAC-18-041</td>
<td>225 John St. S., Hamilton</td>
<td>13-Jul-18</td>
<td>n/a</td>
<td>16-Aug-18</td>
<td>n/a</td>
<td>n/a</td>
<td>09-May-19*</td>
<td>GSP Group</td>
<td>67</td>
</tr>
<tr>
<td>Ward 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-027</td>
<td>256 Parkdale Ave. N., Hamilton</td>
<td>24-Apr-18</td>
<td>n/a</td>
<td>24-May-18</td>
<td>21-Sep-18</td>
<td>n/a</td>
<td>n/a</td>
<td>T. Johns Consultants Inc.</td>
<td>147</td>
</tr>
<tr>
<td>Ward 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-008</td>
<td>370 Concession St., Hamilton</td>
<td>21-Dec-17</td>
<td>n/a</td>
<td>22-Jan-18</td>
<td>20-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>271</td>
</tr>
<tr>
<td>File</td>
<td>Address</td>
<td>Date Received</td>
<td>Date¹ Deemed Incomplete</td>
<td>Date¹ Deemed Complete</td>
<td>150 day cut off (Rezoning)</td>
<td>180 day cut off (Plan of Sub.)</td>
<td>300 day cut off (OPA)</td>
<td>Applicant/Agent</td>
<td>Days since Received and/or Deemed Complete as of September 18, 2018</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------</td>
<td>---------------</td>
<td>-------------------------</td>
<td>-----------------------</td>
<td>---------------------------</td>
<td>-------------------------------</td>
<td>---------------------</td>
<td>----------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Ward 7 cont’d</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-010*</td>
<td>221 Genoa Dr. and 1477 Upper James St., Hamilton</td>
<td>12-Apr-18</td>
<td>n/a</td>
<td>10-May-18</td>
<td>n/a</td>
<td>09-Sep-18</td>
<td>09-Oct-18</td>
<td>MHBC Planning Limited</td>
<td>159</td>
</tr>
<tr>
<td>ZAC-18-025</td>
<td>25T-201803</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ward 8</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-022</td>
<td>35 Sabrina Blvd., Hamilton</td>
<td>15-Mar-18</td>
<td>n/a</td>
<td>09-Apr-18</td>
<td>12-Aug-18</td>
<td>n/a</td>
<td>n/a</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>187</td>
</tr>
<tr>
<td>ZAR-18-026</td>
<td>865 West 5th St., Hamilton</td>
<td>13-Apr-18</td>
<td>n/a</td>
<td>27-Apr-18</td>
<td>10-Sep-18</td>
<td>n/a</td>
<td>n/a</td>
<td>WEBB Planning Consultants Inc.</td>
<td>158</td>
</tr>
<tr>
<td><strong>Ward 9</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAR-18-030</td>
<td>222 First Rd., Stoney Creek</td>
<td>04-May-18</td>
<td>n/a</td>
<td>05-Jun-18</td>
<td>01-Oct-18</td>
<td>n/a</td>
<td>n/a</td>
<td>IBI Group</td>
<td>137</td>
</tr>
<tr>
<td><strong>Ward 10</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-017</td>
<td>560 Grays Rd., Stoney Creek</td>
<td>18-Jan-18</td>
<td>n/a</td>
<td>26-Jan-18</td>
<td>17-Jun-18</td>
<td>n/a</td>
<td>n/a</td>
<td>IBI Group</td>
<td>243</td>
</tr>
<tr>
<td>UHOPA-18-013*</td>
<td>461 Green Road, Stoney Creek</td>
<td>8-Jun-18</td>
<td>n/a</td>
<td>18-Jul-18</td>
<td>05-Nov-18</td>
<td>05-Dec-18</td>
<td>04-Apr-19*</td>
<td>IBI Group</td>
<td>102</td>
</tr>
<tr>
<td>ZAC-18-034</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Active Development Applications  
Deemed Complete After December 12, 2017  
(Effective August 16, 2018)

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date¹ Deemed Incomplete</th>
<th>Date¹ Deemed Complete</th>
<th>150 day cut off (Rezoning)</th>
<th>180 day cut off (Plan of Sub.)</th>
<th>300 day cut off (OPA)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-005</td>
<td>42, 44, 48, 52 and 54 Lakeshore Dr., Stoney Creek</td>
<td>15-Dec-17</td>
<td>n/a</td>
<td>16-Jan-18</td>
<td>14-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>277</td>
</tr>
<tr>
<td>UHOPA-18-003*</td>
<td>3331 Homestead Dr., Glanbrook</td>
<td>19-Dec-17</td>
<td>n/a</td>
<td>16-Jan-18</td>
<td>n/a</td>
<td>n/a</td>
<td>17-Jul-18*</td>
<td>IBI Group</td>
<td>273</td>
</tr>
<tr>
<td>ZAC-18-007</td>
<td></td>
<td>19-Dec-17</td>
<td>n/a</td>
<td>16-Jan-18</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAA-18-006</td>
<td>3600 Guyatt Rd., Glanbrook</td>
<td>20-Dec-17</td>
<td>18-Jan-18</td>
<td>24-Jan-18</td>
<td>19-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>Larry Freeman</td>
<td>237</td>
</tr>
<tr>
<td>ZAR-18-023</td>
<td>5050 Harrison Rd., Glanbrook</td>
<td>23-Mar-18</td>
<td>n/a</td>
<td>04-Apr-18</td>
<td>20-Aug-18</td>
<td>n/a</td>
<td>n/a</td>
<td>GSP Group</td>
<td>167</td>
</tr>
<tr>
<td>UHOPA-18-011*</td>
<td>1912 Rymal Rd. E., Glanbrook</td>
<td>04-May-18</td>
<td>n/a</td>
<td>22-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>28-Feb-18*</td>
<td>Wellings Planning Consultants Inc.</td>
<td>119</td>
</tr>
<tr>
<td>ZAC-18-029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UHOPA-18-016*</td>
<td>9511 Twenty Rd. W., Glanbrook</td>
<td>10-Jul-18</td>
<td>n/a</td>
<td>15-Aug-18</td>
<td>n/a</td>
<td>n/a</td>
<td>06-May-19*</td>
<td>Corbett Land Strategies</td>
<td>34</td>
</tr>
</tbody>
</table>

Ward 13

* Denotes a project that is current at the time of publication.
### Active Development Applications

#### Deemed Complete After December 12, 2017

(Effective August 16, 2018)

<table>
<thead>
<tr>
<th>File</th>
<th>Address</th>
<th>Date Received</th>
<th>Date(^1) Deemed Incomplete</th>
<th>Date(^1) Deemed Complete</th>
<th>150 day cut off (Rezoning)</th>
<th>180 day cut off (Plan of Sub.)</th>
<th>300 day cut off (OPA)</th>
<th>Applicant/Agent</th>
<th>Days since Received and/or Deemed Complete as of September 18, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>UHOPA-17-040*</td>
<td>264 Governors Rd. Dundas</td>
<td>28-Nov-17</td>
<td>n/a</td>
<td>13-Dec-17</td>
<td>n/a</td>
<td>n/a</td>
<td>26-Jun-18*</td>
<td>Urban Solutions Planning &amp; Land Development</td>
<td>294</td>
</tr>
<tr>
<td>ZAC-17-088</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ward 15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZAC-18-011</td>
<td>21 Mill St. N., Hamilton</td>
<td>22-Dec-17</td>
<td>n/a</td>
<td>18-Jan-18</td>
<td>21-May-18</td>
<td>n/a</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>270</td>
</tr>
<tr>
<td>ZAR-18-015</td>
<td>5 Hamilton St. N., Flamborough</td>
<td>16-Jan-18</td>
<td>n/a</td>
<td>24-Jan-18</td>
<td>15-Jun-18</td>
<td>n/a</td>
<td>n/a</td>
<td>A.J. Clarke &amp; Associates Ltd.</td>
<td>245</td>
</tr>
<tr>
<td>ZAR-18-019</td>
<td>167 Highway 5 West, Flamborough</td>
<td>23-Feb-18</td>
<td>n/a</td>
<td>22-Mar-18</td>
<td>23-Jul-18</td>
<td>n/a</td>
<td>n/a</td>
<td>IBI Group</td>
<td>207</td>
</tr>
</tbody>
</table>

Active Development Applications

1. When an application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 150, 180, 210 & 300 day timeframe commences on the date the new materials were submitted. In all other situations, the 150, 180, 210 & 300 day timeframe commences the day the application was received.
2. In accordance with Section 34 (11.0.0.0.1), of the *Planning Act*, the approval period for Zoning By-law Amendment applications submitted concurrently with an Official Plan Amendments, will be extended to 210 days.

3. In accordance with Section 17 (40.1) of the *Planning Act*, the City of Hamilton has extended the approval period of Official Plan Amendment applications by 90 days from 210 days to 300 days. However, applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 210 statutory timeframe.
Number of Active Projects by Application Type by Month
(February to December 2017 and January to September 2018)

Figure 1 - Number of Active Projects by Application Type - February to December 2017

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning By-law Amendment</td>
<td>30</td>
<td>31</td>
<td>31</td>
<td>31</td>
<td>29</td>
<td>33</td>
<td>32</td>
<td>29</td>
<td>28</td>
<td>32</td>
<td>27</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment</td>
<td>23</td>
<td>23</td>
<td>25</td>
<td>26</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>24</td>
<td>24</td>
<td>24</td>
<td>27</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment/ Plan of Subdivision</td>
<td>12</td>
<td>12</td>
<td>11</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>11</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Zoning By-law Amendment/ Plan of Subdivision</td>
<td>9</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>7</td>
<td>8</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>74</td>
<td>74</td>
<td>73</td>
<td>77</td>
<td>72</td>
<td>77</td>
<td>77</td>
<td>73</td>
<td>71</td>
<td>75</td>
<td>71</td>
</tr>
</tbody>
</table>

Figure 2 - Number of Active Projects by Application Type - January to September 2018

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning By-law Amendment</td>
<td>27</td>
<td>29</td>
<td>36</td>
<td>36</td>
<td>34</td>
<td>31</td>
<td>31</td>
<td>21</td>
<td>26</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment</td>
<td>28</td>
<td>33</td>
<td>36</td>
<td>33</td>
<td>28</td>
<td>28</td>
<td>25</td>
<td>24</td>
<td>27</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment/ Plan of Subdivision</td>
<td>9</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>10</td>
<td>11</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Zoning By-law Amendment/ Plan of Subdivision</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>70</td>
<td>75</td>
<td>84</td>
<td>83</td>
<td>77</td>
<td>74</td>
<td>72</td>
<td>69</td>
<td>67</td>
</tr>
</tbody>
</table>
Number of Public Meetings by Application Type
(January to December 2017 and January to September 2018)

Figure 1 – Number of Public Meetings by Application Type - January to December 2017

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning By-law Amendment</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment/ Plan of Subdivision</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Zoning By-law Amendment/ Plan of Subdivision</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>5</td>
<td>6</td>
<td>6</td>
<td>7</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

Figure 2 – Number of Public Meetings by Application Type - January to September 2018

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning By-law Amendment</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment</td>
<td>0</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Official Plan Amendment/ Zoning By-law Amendment/ Plan of Subdivision</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Zoning By-law Amendment/ Plan of Subdivision</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3</td>
<td>6</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>7</td>
<td>2</td>
<td>8</td>
<td>12</td>
</tr>
</tbody>
</table>
TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Committee of Adjustment Consent Application – AN/B-18:27, 28 Maureen Drive, Ancaster - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED18202) (Ward 12)

WARD AFFECTED: Ward 12

PREPARED BY: Ryan Ferrari (905) 546-2424 Ext. 5865

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE: ________________________________

RECOMMENDATION

That Council take no action with respect to the Local Planning Appeal Tribunal (LPAT), either in support of the Committee’s decision or against the decision for Committee of Adjustment Consent Application – AN/B-18:27, 28 Maureen Drive, Ancaster, supported by the Planning and Economic Development Department but denied by the Committee of Adjustment.

EXECUTIVE SUMMARY

The applicant submitted Consent Application AN/B-18:27 to permit the conveyance of a parcel of land having a frontage of 20.6 m and an area of ±814.5 sq m for residential purposes and to retain a parcel of land containing an existing single detached dwelling having a lot frontage of 33.6 m and an area of 1,334 sq m.

Application AN/B-18:27 was considered at the Committee of Adjustment on May 10, 2018. Comments from Planning staff to the Committee of Adjustment supported the Application (see Appendix “B” to Report PED18202), and the merits of the application were discussed at the meeting (see Appendix “E” to Report PED18202). The proposal is considered to be consistent with the Provincial Policy Statement, complies with the relevant policies in the Urban Hamilton Official Plan (UHOP) and is complimentary to
the existing and planned development in the neighbourhood, in accordance with Section 53 of the Planning Act.

The Committee of Adjustment denied the Application for the reasons provided in attached Appendices “C” and “E” to Report PED18202. The decision was appealed to the Local Planning Appeal Tribunal (LPAT) by the applicant on May 30, 2018. A hearing date has been set for November 23, 2018.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Planning and Economic Development Department staff (Building, Growth Management and Planning) supported the subject applications. However, if Council wishes to support the Committee of Adjustment’s decision to deny the application, the City must retain an outside planning consultant, and any other experts who can professionally support the denial. If an outside planning consultant is retained, the costs would be approximately $3,000 to $5,000 for each day of a hearing. In keeping with the funding source for other appeals where Council authorizes the retainer of outside consultants, the amount required to retain such experts to support the City’s position before the LPAT be funded from the Tax Stabilization Reserve -110046.

Staffing: If Council wishes to support the Committee of Adjustment decision, then one representative from Legal Services would be required for preparation and attendance at the LPAT Hearing.

If Council wishes to support Option 2 in the Alternatives for Consideration Section (support the appeal), then in addition to Legal Services attendance, one member of Planning staff would attend as an expert witness at the LPAT Hearing.

Legal: No legal implications are expected.
HISTORICAL BACKGROUND

Roles and Responsibilities of the Committee of Adjustment (PD02116(a))

In December, 2002, City Council endorsed a staff report related to the roles and responsibilities of the Committee of Adjustment. The recommendations included the following:

“That the Planning and Development Department be authorized and directed to prepare an Information Report to the Committee of the Whole when an appeal is made to the Ontario Municipal Board (Now Local Planning Appeal Tribunal), of a decision made by the Committee of Adjustment to deny an application(s) that was supported by staff. In response to such a Report, Council may determine its position on the Committee of Adjustment decision, and may instruct Legal Services to attend the Ontario Municipal Board Hearing (Land Use Planning Appeal Tribunal), in support of the Committee decision, and to retain outside professional(s) accordingly.”

Proposal

The subject property is located at 28 Maureen Drive, Ancaster (see Location Map attached as Appendix “A” to Report PED18202). The applicant is proposing to create a new building lot, having an area of ±814.5 sq m for residential purposes and to retain a 1,334 sq m parcel of land developed with an existing single detached dwelling at 28 Maureen Avenue. To accommodate this request, the applicant submitted a Consent Application. Staff are not aware of any minor variances required to implement the proposal upon review of the application.

The application for Consent to Sever Land was denied by the Committee of Adjustment.

Staff Assessment of the Application

An analysis of the proposed variance was undertaken and comments were prepared by staff and provided to the Committee of Adjustment, which are included as Appendix “B” of Report PED18202. A summary of staff comments is as follows.

The application has been reviewed against all the applicable Provincial and Local planning policy documents including the Provincial Policy Statement (2014). Staff noted that the application is consistent with provincial policy as the proposal represents appropriate infill development within an existing built up area.

The subject lands are designated “Neighbourhoods” on Schedule E – Urban Land Use Designations in the UHOP. Staff have determined that the proposal for creating an
additional detached lot for the development of a single detached dwelling conforms with the UHOP, namely the policies that speak appropriate and compatible to Residential Intensification within the Neighbourhoods Designation (see Appendix “B” to Report PED18202). The surrounding properties are developed with single detached dwellings in keeping with this proposal.

Staff note that the subject lands are zoned “ER” Existing Residential Zone. Both the severed and retained lots comply with the Zoning By-law regulations that were in effect at the time with regards to lot frontage and lot size. Staff also notes that Council has since passed new “ER” Existing Residential Zones as part of City Initiative CI-18-A on April 25th, 2018 (now under appeal). On the date of the hearing the proposed changes to the By-law were not yet final and binding; however, staff noted that both the proposed and retained lots would comply with the new “ER”Existing Residential zoning regulations with regards to lot frontage and lot area.

In addition to the foregoing, Council passed a motion for a moratorium on severances for new lots within the “ER” Existing Residential Zone and rural service cross sections in Ancaster to address concerns relating to stormwater management, however, the dwellings that front onto Maureen Avenue are serviced by municipal storm sewers and Development Engineering Staff did not object to the approval of the application, subject to a consent agreement being registered on title (Appendix “B” to Report PED18202).

Approximately 44 residents attended the Committee of Adjustment Hearing. Amongst the attendees, six residents spoke out in opposition to the proposal, representing the attendees. The concerns raised include that the proposed lot was incompatible with the neighbourhood, that the proposal would facilitate an overbuilding of the subject lands and that the character of the neighbourhood would be adversely impacted.

Planning staff recommended approval of the Consent Application as the proposal is consistent with the Provincial Policy Statement, complies with the UHOP and the proposed lots conform to the Zoning By-law. The lots are consistent and compatible with the existing lot pattern in the surrounding neighbourhood and staff did not perceive a negative impact on the surrounding neighbourhood. Any future dwelling on the newly created lot would be subject to further review through the Site Plan Control process.

ALTERNATIVES FOR CONSIDERATION

Option 1
Council may instruct Legal Services to attend the LAPT, in support of the Committee of Adjustment decision, and to retain an outside professional(s) to attend as an expert witness. Funding to retain outside professionals would come from the Tax Stabilization Reserve – 110046.
Option 2
Council may decide to support the appeal against the Committee of Adjustment’s decision to deny, and direct Legal Services to attend the LPAT Hearing in support of the appeal to the application, and further to use City Planning staff as its professional witness.

Option 3
As per the staff recommendation, Council may decide to take no action by deciding to not send Legal Services to the LPAT, either in support of the Committee’s decision, or against the decision.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
*Hamilton has* an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure
*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance
*Hamiltonians have* a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Staff Comments for AN/B-18:27
Appendix “C” – AN/B-18:27 Committee of Adjustment Decision
Appendix “D” – AN/B-18:27 Committee of Adjustment Application
Appendix “E” – Minutes of Public Meeting
AN/B-18:27 (28 Maureen Ave., Ancaster)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – Suburban:

The purpose of this application is to convey a parcel of land having an area of 814.5m$^2$ for the purposes of constructing a single detached dwelling and to retain a parcel of land having an area of 1334.78m$^2$ containing an existing single detached dwelling.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). A single detached dwelling is a permitted use under the UHOP.

“E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.

E.3.4.3 Uses permitted in low density residential areas include single-detached, semidetached, duplex, triplex, and street townhouse dwellings.
2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

a) a balanced evaluation of the criteria in b) through g), as follows;

b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;

d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

g) the ability of the development to comply with all applicable policies

2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

a) the matters listed in Policy B.2.4.1.4;

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

d) the consideration of transitions in height and density to adjacent residential buildings;

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
Appendix “B” to Report PED18202
Page 3 of 7

AN/B-18:27
Page 3

g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

h) the ability to complement the existing functions of the neighbourhood;

F.1.14.3 Lot Creation – Urban Area Neighbourhoods Designation

F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road.”

Staff note, these lands are subject to a Municipally Initiated amending By-law, being Existing Residential “ER” By-law No. 18-105, that was adopted by Council on April 25th, 2018. The By-law is currently not final and binding and is undergoing its appeal period. The amending By-law applies to all properties zoned the Existing Residential “ER” Zone and, once in force and effect, this proposal will be subject to the amending By-law.

The subject lot was created when Lots 3 and 4 were merged on title. Over time a single detached dwelling was constructed on the subject property and, as such, the applicant is applying to sever off a lot similar to Lot 4, as shown on the above plan.

The proposed lot will have an area of 814m$^2$ and a frontage of ±20m. Due to the shortest lot line abutting a street being convex in nature, the lot frontage is taken by extending the front lot line out to where the lot would meet the exterior side yard lot line,
thereby establishing the lot frontage at ± 20m. Therefore, the proposed lot complies with the Zoning By-law. The lot has frontage on a street and is municipally serviced. This subdivision is unique in that municipal systems are available via catch basins and not swales as is typical in areas Zoned “ER” and, therefore a Council directed moratorium on severances applying to rural cross-sections is not applicable to this area. The applicant has submitted a Functional Servicing Report in support of the proposal.

While the proposed lot would be one of the smallest in the area in the immediate surrounding neighbourhood, staff concur with the submitted justification report that the lot, as proposed was contemplated with the original subdivision. There are corner lots on Lovers Lane which are comparable in size and are complimentary to the neighbourhood.

Further, there are no impacts with regards to storm water to the immediate neighbours, subject to the Functional Servicing Report being satisfactory to Development Engineering staff.

In addition, this area is unique in that further development is subject to Site Plan Control, as per the recent amendment to the Site Plan Control By-law. Therefore, there will be further opportunity to ensure that any proposed development is compatible with the surrounding neighbourhood through the evaluation of the proposed building footprint and grading plans. The applicant has submitted a concept drawings showing that a dwelling can be erected on the subject lands that not only can meet the new By-law provisions, but is similar in scale and massing to the dwellings in the surrounding neighbourhood.

Therefore, on this basis the proposal conforms to the Official Plan.

Former Town of Ancaster Zoning By-law No. 87-57

The subject lands are zoned Existing Residential “ER” Zone. The lands to be conveyed will have a lot area of 814m² and a lot frontage of approximately ±20m, which conforms to the Zoning By-law.

Recommendation:

Based on the preceding information, the requested variances maintain the general intent and purpose of the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 87-57. In conclusion, Staff recommends that the application be approved.
NOTE:

1. The applicant should be made aware that Site Plan Control By-law 15-176 has been amended in order to require that the subject lands undergo the Site Plan Control process prior to a building permit being issued.

2. Staff note that the existing bushes on the east side of the property are not subject to the Ancaster Tree By-law.

Building Division:

1. The applicant should obtain an appropriate municipal address for the proposed severed parcel from the Growth Planning Section of the Planning and Economic Development Department prior to the issuance of a building permit.

2. The subject lands are presently zoned ER according to Ancaster Zoning By-law No. 87-57. Be advised that By-law 18-105 was passed on April 25, 2018 which modified the ER Zoning under Zoning By-law No. 87-57. However, By-law 18-105 is not yet final. At present, all proposed development is reviewed under both the existing and proposed Zoning By-laws with the more restrictive zoning regulations of both Zoning By-laws being applied, with the exception of building permits, which are reviewed under the former existing zoning until such time that By-law 18-105 comes into force. If By-law 18-105 becomes final, the zoning under this By-law will be applicable.

3. Variances for the minimum front yard and minimum westerly side yard are required zoning compliance of the lands to be conveyed under By-law 18-105.

4. A variance for the minimum easterly side yard is required for zoning compliance of the lands to be retained under By-law 18-105.

CONDITIONS

1. The applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division Building Engineering Section).

2. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
Growth Management:

Note: Based on this application being approved and all conditions being met, the owner / applicant should be made aware that the lands to be retained (Part 1) will remain as 28 Maureen Avenue and the lands to be conveyed (Part 2) will be assigned the address of 34 Maureen Avenue.

Development Engineering:

Information:

1. Maureen Avenue and Greenfield Drive are classified as Local Road and are currently at the maximum right-of-way width as specified in the Urban Official Plan, Chapter C – City Wide Systems and Designations, Section 4.5.2 (f).

2. There are full municipal services fronting the subject property and are as described:
   - 300mm ø Storm Sewer
   - 200mm ø Sanitary Sewer
   - 150mm ø Watermain (ductile iron)

Recommendations:

The applicant shall enter into and the City of Hamilton register on title, a Consent Agreement, having an administrative fee of $4,110.00 (2018 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on grading plan); cash payment requirements for items such as trees (each street-tree @ $613.84 + HST), inspection of grading and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer service inspections, driveway approaches, relocation of any existing infrastructure and any damage during construction (unknown costs at this time).

PUBLIC WORKS DEPARTMENT

Corridor Management (Traffic):

1. Transportation Planning has no objection to the conveyance and retention of lands for residential purposes relating to this Committee of Adjustment Application.

2. This application is regarding the creation of a single-family dwelling lot; therefore,
Transportation Planning has no comments on the driveway access. Any comments regarding such will be made by Tyler.Shepherd@hamilton.ca Development Planning, Heritage and Design. Details on the permit and construction of the accesses can be obtained through the offices of the Municipal Parking Systems at David.Lavallee@hamilton.ca

CORPORATE SERVICES:

Budgets, Taxation & Policy (outstanding taxes):

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

See attached for additional comments.
COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION
APPLICATION FOR CONSENT/LAND SEVERANCE

APPLICATION NUMBER: AN/B-18:27
SUBMISSION NO. B-27/18

SUBJECT PROPERTY: 28 Maureen Ave. (Ancaster), City of Hamilton

APPLICANT(S): Agent T. Johns Consulting Group Ltd. on behalf of the owners Robert & Renee Johnston

PURPOSE OF APPLICATION: To sever off a new residential building lot.

Severed lands:
20.6m² x 39.71m² and an area of 814.5m²

Retained lands:
33.82m² x 40.79m² and an area of 1,334.78m²

THE DECISION OF THE COMMITTEE IS:

That the said application, as set out in paragraph three above, IS DENIED, for the following reasons:

1. The proposal does not comply with the Severance Policies of the Urban Hamilton Official Plan.
2. The proposal does not appear to be in the interest of proper planning and development for the area.
3. The proposal does not comply with Section 51(24) of The Planning Act.
4. The proposal does not comply with the requirements of the Zoning By-law.
5. The submissions made regarding this matter affected the decision by supporting the refusal of the application.

DATED AT HAMILTON this 10th day of May, 2018.

M. Dudzic (Chairman)

__________________________________________
P. Mallard

__________________________________________
L. Gaddye

.../2
THE DATE OF GIVING OF THIS NOTICE OF DECISION IS May 17th, 2018.

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS June 6th, 2018.

NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.
NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-18:27
SUBJECT PROPERTY: 28 Maureen Ave. (Ancaster), City of Hamilton

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICANT(S): Agent T. Johns Consulting Group Ltd. on behalf of the owners Robert & Renee Johnston

PURPOSE OF APPLICATION: To sever off a new residential building lot.

Severed lands: 20.6m² x 39.71m² and an area of 814.5m²

Retained lands: 33.62m² x 40.79m² and an area of 1,334.78m²

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 10th, 2018
TIME: 1:20 p.m.
PLACE: Hamilton City Hall
71 Main Street West, 1st Floor
Rooms 192 & 193

PUBLIC INPUT

In person: This public meeting will allow for any member of the public to speak to the committee regarding this request.

In writing: If you are unable to attend the meeting, you may also send your comments in writing to the Secretary-Treasurer prior to the meeting date. Refer to the contact information at the top of this notice to submit comments via e-mail, mail or fax. You may also use this means of contact to request notice of the committee's decision.

Important note: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
MORE INFORMATION

For further information on this application, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4130, 4144 or 3935
- Visit the Committee of Adjustment office in person at Hamilton City Hall, 71 Main Street West, 5th Floor

DATED: April 24th, 2018

Scott Baldry,
Secretary-Treasurer
Committee of Adjustment

*Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.*
May 10th, 2018

ANB-18:27 Robert & Renee Johnston
28 Maureen Ave., Ancaster

Appearances were: C. Sheling, agent on behalf of the owners; R. & R. Johnston, owners. Interested parties were: M. Johnston, 77 Mansfield Dr., Ancaster, L9G 1M6; G. Speirs, 106 Mansfield Dr., Ancaster, ON L9G 1M7; M. Moriarity 138 Mansfield Dr., Ancaster, ON L9G 1M7; B. Shangrow, 128 Judith Crescent, Ancaster, ON L9G 1L4; J. Margaret, 56 Mansfield Dr., Ancaster, ON L9G 1M5

Those members present for the hearing of this application were: M. Dudzic (Chairman), V. Abraham, M. Smith, D. Serwatuk, P. Mallard, N. Mleczko, L. Gaddye, D. Smith, W. Pearce.

A summary comment from the Planning and Economic Development Division together with comments from other departments and agencies were entered into the record.

Letters were entered into the record from: See attached labels

- submitted info - summary of an electronic petition
- an approved plan of subdivision
- other applications for severance and have gone to OMB
- there was no previous severance in the plan of subdivision
- initial property was 2 lots and 1 dwelling was built on it and now asking to sever a lot that is too small and out of character with the neighbourhood
- explained the ER zoning requirements and how the minimum lot area is smaller than the requirement
- character of Mansfield park are bungalows, side splits, with an average of 22m
- once side yard setbacks are taken out will be down to 12m
- submitted a written submission for the record

G. Speirs
- speaking on behalf of 44 residents
- he was part of the original group that dealt with Redding at the OMB
- collective concern about the impact of this severance
- the neighbourhood has come together and want the preservation of the area
larger homes are going in and some have taken renovations which have pushed the limits
- amending By-law 18-105 that was adopted by Council regarding monster homes
- further reducing the lot size will set a precedent
- 28 Maureen was created by merging 2 lots on the original survey now the applicant is applying to simply sever off a lot
- not minor, great reductions
- lots typically are 25m in frontage throughout the neighbourhood assembling 3 lots is not unimaginable nor is that of the developer pushing for their division into 4 lots, which will meet the minimum zoning frontage and area requires but this is what they want to avoid
- know there is a moratorium on applications for properties on roads with rural cross-sections and understand this is to allow downstream impact of stormwater
- the subject lands were developed with urban street services but property dates back to the 70’s with no sidewalks and does not know why area would be exempt from the moratorium
- reverse, large home there now and trying to put a smaller home beside it
- was opposed to an exact application in 1985 were and no different now
- submitted Mr. Gordon Dunn of 3 Greenfield written submission for the record
- Mr. Speirs submitted his written presentation for the record

B. Shangrow  - against the severance for the reasons stated
M. Moriarity  - echos what has been said
J. Maragret  - same, does not want character of the neighbourhood ruined
C. Sheling  - read staff comments
- was initially 2 lots and servicing was designed for an extra dwelling
- moratorium applying to rural cross-section and is not applicable to this consent
- Does meet zoning no variances are being requested
- ER zone tool in place and appropriate
- looking at the aerial map can see various lot sizes
- orientation footprint but not the actual size
- new zoning provisions in by-law and would be accommodating those provisions
- could reduce the area of the building (new ER zone)

R. Johnston
- has come as a great surprise
- like their community
- know they have 2 lots and was always their intention to sever
- their current home has 6 bedroom and want to downsize
- In building a home would be considerate to the neighbourhood and build a lovely smaller retirement home and remain here

R. Johnston
- born and raised in Ancaster and knows how prestigious the area is his intent is to stay here

W. Pearce
(Committee member)
- agree not similar size lot from original lot, but bigger problem in the ER by-law that council just passed lot line 1.5m from the existing residence new by-law will require 3m
- building envelope shows 1.5m and surprised staff is supportive
- approving a severance that creates variances to the new zoning by-law
- to meet the new by-law will have to reduce the lot of the severance

R. Ferrari
(Staff)
- cannot see in his report where he noted that variances are required

V. Abraham
(Committee member)
- looking at what we have in front of us
- if variances are required they will have to come back

D. Serwatuk
- may not need variances they can adjust their plans

R. Ferrari
(Staff)
- after further review of the Building Department comments, staff advised that variances will be required for side yard for the existing house
C. Sheling
- reduction of 7m from original lot and application was submitted prior to the new zone
- will not require variances on the lot to be created can adjust building plan

P. Mallard
(Committee member)
- Issue is with character of the neighbourhood

It was moved by Mr. Pearce and seconded by Mr. Mallard that the consent requested be DENIED for the following reasons:

1. The proposal does not comply with the Severance Policies of the Urban Hamilton Official Plan.

2. The proposal does not appear to be in the interest of proper planning and development for the area.

3. The proposal does not comply with Section 51(24) of The Planning Act.

4. The proposal does not comply with the requirements of the Zoning By-law.

V. Abraham & D. Serwatuk were opposed to the motion for denial.

CARRIED.
TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Expanding Administrative Penalty System (APS) to Include the Property Standards By-Law 10-221 (PED18205) (City Wide)

WARD(S) AFFECTED: City Wide

PREPARED BY: Luis Ferreira (905) 546-2424 Ext. 3087

SUBMITTED BY: Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

SIGNATURE: 

RECOMMENDATION

That the Administrative Penalty System By-law 17-225 (APS) be amended to include the Property Standards By-law 10-221 as shown in Appendix “A” to Report PED18205 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

EXECUTIVE SUMMARY

At its meeting of September 27, 2017, Council approved Item 3 of Planning Committee Report 17-015 directing staff to implement the Administrative Penalty System (APS) to Municipal By-laws. Building on the successful transitioning and implementation of several other by-laws to APS, staff is now ready to include the Property Standards By-law as Table 14 to the Administrative Penalties By-law 17-225.

The enforcement of Property Standards violations has been addressed through Property Standards Orders issued by Officers compelling the property owner to comply with the remedial action identified within the Order. The addition of issuing Administrative Penalty Notice (APN) for contraventions of the Property Standards By-law for minor contraventions and for repeat offenders will assist in gaining compliance to the Property Standards By-law.
This enforcement approach encourages compliance and continuance adherence to minimum standards prescribed within the By-law, as well as providing a more local, accessible and a less adversarial dispute resolution process for our residents.

Staff is seeking Council’s approval to include the Property Standards By-law to the APS By-law.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: As there were no previous set fines excluded for the violation of failing to comply with an Order, the proposed current set fines attached to this Report as Appendix “A” have been determined to achieve and adhere to the guiding principles of the Administrative Penalty System which is not meant to be punitive, in nature, but rather encourage compliance and cost recovery.

As indicated in the Analysis Section of this Report, the introduction of APS does not negate the option of issuing a Part I Provincial Offences Notice (PON) or Part III Summons for contraventions of the By-law but add an option for Enforcement staff.

Staffing/Legal: N/A

**HISTORICAL BACKGROUND**

On May 30, 2017, Bill 68 was passed which broadened the application of APS to all by-laws enacted under the *Municipal Act, 2001*.

At its meeting of September 27, 2017, Council approved Item 3 of Planning Committee Report 17-015 directing staff to implement APS to Municipal By-laws.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The APS By-law 17-225 will be amended to include By-law 09-067 as Table 14 in Schedule A.

**RELEVANT CONSULTATION**

N/A
ANALYSIS AND RATIONALE FOR RECOMMENDATION

APS has been adopted by numerous municipalities across Ontario. The benefits of this system include: improving service excellence, enhancing staff efficiencies and effectiveness, supporting operational cost recovery and autonomy over infraction penalty amounts as contained in s. 434.1(3) of the Municipal Act, 2001.

The inclusion of the Property Standards By-law within APS will allow Officers to issue an APN for minor contraventions and encourage the desired response and compliance to the regulation contained within the prescribed By-law without losing the option of laying charges under the Provincial Offences Act in the form of a Part I PON and/or a Part III Summon.

Since January 2018, approximately 1,247 APNs have been issued under various by-laws for a total revenue collected of $52,700. The APS office has also conducted 312 screenings and five hearings.

APS provides a better customer experience with regards to the dispute resolution process through a quasi-judicial process with Hearing Officers having final and binding authority over the matter.

The Municipal Act, 2001 authorizes the use of APS for designated by-laws. The City of Hamilton APS By-law has been written to allow for inclusion of other Municipal By-laws. Staff is seeking approval to include the Property Standards By-law as Table 14 to the APS By-law.

This complies with Council’s direction to expand the APS process to by-laws enacted under the Municipal Act, 2001.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Clean and Green

*Hamilton* is environmentally sustainable with a healthy balance of natural and urban spaces.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A”: Amending By-law adding Table 14 – Property Standards By-law

KL:LF:st
CITY OF HAMILTON
BY-LAW NO.

A By-law to Amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No. 17-225;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.

2. Schedule A of By-law No. 17-225 is amended by adding a new Table 14 entitled BY-LAW NO. 10-221 Being a By-law to prescribe standards for the maintenance and occupancy of property.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10-221 3(1)</td>
<td>fail to maintain the property in conformity with the standards required in this By-law specifically (Sec._____</td>
<td>$100.00</td>
</tr>
<tr>
<td>2</td>
<td>10-221 3(2)</td>
<td>fail to repair and maintain the property to conform to the standards required by this by-law specifically (Sec.____)</td>
<td>$100.00</td>
</tr>
<tr>
<td>3</td>
<td>10-221 3(2)</td>
<td>fail to clear the property of all buildings/structures or debris and leave in a graded/levelled condition</td>
<td>$100.00</td>
</tr>
<tr>
<td>4</td>
<td>10-221 3(2)</td>
<td>alter/clear/remove/demolish or relocate heritage property, except in accordance with the Ontario Heritage Act</td>
<td>$200.00</td>
</tr>
<tr>
<td>5</td>
<td>10-221 4(1)(a)</td>
<td>interior and exterior heritage attributes not maintained to prevent deterioration</td>
<td>$200.00</td>
</tr>
<tr>
<td>6</td>
<td>10-221 4(1)(b)</td>
<td>interior and exterior heritage attributes not repaired from damage</td>
<td>$200.00</td>
</tr>
<tr>
<td>7</td>
<td>10-221 4(2)(b)</td>
<td>replaced heritage attribute instead of repair</td>
<td>$200.00</td>
</tr>
<tr>
<td>8</td>
<td>10-221 4(2)(b)</td>
<td>repair not in a manner that minimizes damage to the heritage attribute</td>
<td>$200.00</td>
</tr>
<tr>
<td>9</td>
<td>10-221 4(2)(b)</td>
<td>replace heritage attribute not with same material/colour/texture or distinctive feature</td>
<td>$200.00</td>
</tr>
</tbody>
</table>
# TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>10-221 4(3)(a)</td>
<td>roof/wall/floor/retaining wall/foundation heritage attributes not structurally sound and maintained</td>
<td>$200.00</td>
</tr>
<tr>
<td>11</td>
<td>10-221 5(2)</td>
<td>fail to keep building free of any health and safety hazard</td>
<td>$200.00</td>
</tr>
<tr>
<td>12</td>
<td>10-221 6(2)</td>
<td>openings of vacant building not properly closed/secured against unauthorized entry</td>
<td>$80.00</td>
</tr>
<tr>
<td>13</td>
<td>10-221 6(3)(a)</td>
<td>fail to use appropriate wood sheathing that completely covers opening and securely fastened to building</td>
<td>$80.00</td>
</tr>
<tr>
<td>14</td>
<td>10-221 6(3)(b)</td>
<td>fail to use appropriate metal sheathing that completely covers opening, installed within the reveal of exterior cladding and securely fastened to building</td>
<td>$80.00</td>
</tr>
<tr>
<td>15</td>
<td>10-221 6(3)(c)</td>
<td>fail to use appropriate brick/concrete block and mortar that completely covers opening and securely fastened to building</td>
<td>$80.00</td>
</tr>
<tr>
<td>16</td>
<td>10-221 6(6)</td>
<td>fail to maintain exterior surface/items of building so as to perform their intended function</td>
<td>$80.00</td>
</tr>
<tr>
<td>17</td>
<td>10-221 6(7)</td>
<td>fail to turn off utilities of vacant building not required for safety/security</td>
<td>$80.00</td>
</tr>
<tr>
<td>18</td>
<td>10-221 7(2)</td>
<td>fail to keep utilities on, maintain heat and ventilation to prevent damage to heritage property</td>
<td>$80.00</td>
</tr>
<tr>
<td>19</td>
<td>10-221 7(3)(a)</td>
<td>fail to use appropriate boarding that completely covers opening and securely fastened appropriately to building</td>
<td>$80.00</td>
</tr>
<tr>
<td>20</td>
<td>10-221 7(3)(b)</td>
<td>fail to use appropriate boarding on windows painted matt black</td>
<td>$80.00</td>
</tr>
<tr>
<td>21</td>
<td>10-221 7(3)(c)</td>
<td>fail to use appropriate boarding on door opening painted same as original colour of door</td>
<td>$80.00</td>
</tr>
<tr>
<td>22</td>
<td>10-221 7(3)(d)</td>
<td>opening not door/window not painted same as exterior building colour</td>
<td>$80.00</td>
</tr>
<tr>
<td>23</td>
<td>10-221 7(3)(e)</td>
<td>fail to use at least 50 mm screws in length at appropriate intervals</td>
<td>$80.00</td>
</tr>
<tr>
<td>24</td>
<td>10-221 7(5)</td>
<td>fail to comply with property standards order regarding openings to heritage property</td>
<td>$100.00</td>
</tr>
<tr>
<td>25</td>
<td>10-221 7(6)</td>
<td>window/door other opening not closed/secured by brick/concrete block/masonry or mortar</td>
<td>$100.00</td>
</tr>
<tr>
<td>26</td>
<td>10-221 8(1)</td>
<td>exterior surfaces not from resistant materials/coatings to protect deterioration by weather</td>
<td>$100.00</td>
</tr>
<tr>
<td>27</td>
<td>10-221 8(2)</td>
<td>fail to remove/repair/replace free/loose/insufficiently secured, rotten, warped or broken materials/objects</td>
<td>$100.00</td>
</tr>
<tr>
<td>28</td>
<td>10-221 8(3)(a)</td>
<td>exterior of building not maintained to prevent the entry of vermin/birds</td>
<td>$100.00</td>
</tr>
<tr>
<td>29</td>
<td>10-221 8(3)(b)</td>
<td>openings of exterior building not installed in accordance with Building Code</td>
<td>$100.00</td>
</tr>
<tr>
<td>30</td>
<td>10-221 8(4)(a)</td>
<td>fail to maintain/prevent deterioration of exterior wall by painting/restoring or repairing wall/coping/flash/ing or waterproofing</td>
<td>$100.00</td>
</tr>
<tr>
<td>31</td>
<td>10-221 8(4)(b)</td>
<td>fail to repair vandalism/damage of exterior wall</td>
<td>$100.00</td>
</tr>
</tbody>
</table>
**Appendix “A” to Report PED18205**

To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties

### TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>10-221 8(5)</td>
<td>fail to maintain/repair roof/all components to properly perform intended function, water-tight condition</td>
<td>$100.00</td>
</tr>
<tr>
<td>33</td>
<td>10-221 8(5)</td>
<td>fail to prevent the leakage of water into building from roof</td>
<td>$100.00</td>
</tr>
<tr>
<td>34</td>
<td>10-221 9(1)(a)</td>
<td>fail to ensure door/window/hatch or other opening properly maintained to perform intended function</td>
<td>$100.00</td>
</tr>
<tr>
<td>35</td>
<td>10-221 9(1)(a)</td>
<td>fail to ensure opening and frame is constructed to minimize drafts</td>
<td>$100.00</td>
</tr>
<tr>
<td>36</td>
<td>10-221 9(2)</td>
<td>fail to ensure lock on opening properly performs intended function</td>
<td>$50.00</td>
</tr>
<tr>
<td>37</td>
<td>10-221 9(3)</td>
<td>door/entrance to dwelling/dwelling unit without lock capable from securing from outside and inside</td>
<td>$50.00</td>
</tr>
<tr>
<td>38</td>
<td>10-221 9(4)</td>
<td>window not able to be locked/secured from inside</td>
<td>$50.00</td>
</tr>
<tr>
<td>39</td>
<td>10-221 9(5)</td>
<td>fail to have/maintain appropriate window screens</td>
<td>$50.00</td>
</tr>
<tr>
<td>40</td>
<td>10-221 9(6)(a)(i)</td>
<td>fail to provide/install protective device on window for children under 10-years old which has a moveable sash</td>
<td>$100.00</td>
</tr>
<tr>
<td>41</td>
<td>10-221 9(6)(a)(ii)</td>
<td>fail to provide/install protective device on window for children under 10-years old which is more than 1.8m above ground level</td>
<td>$100.00</td>
</tr>
<tr>
<td>42</td>
<td>10-221 9(6)(b)</td>
<td>fail to install protective device on window within 7-days of written notice</td>
<td>$100.00</td>
</tr>
<tr>
<td>43</td>
<td>10-221 9(6)(c)</td>
<td>window with protective device opening greater than 100mm</td>
<td>$100.00</td>
</tr>
<tr>
<td>44</td>
<td>10-221 9(d)</td>
<td>fail to post/display clearly appropriate sign to occupant regarding window opening protective device</td>
<td>$100.00</td>
</tr>
<tr>
<td>45</td>
<td>10-221 10(1)</td>
<td>natural/mechanical ventilation not compliant to building code</td>
<td>$100.00</td>
</tr>
<tr>
<td>46</td>
<td>10-221 10(1)</td>
<td>natural/mechanical ventilation not maintained to perform intended function</td>
<td>$100.00</td>
</tr>
<tr>
<td>47</td>
<td>10-221 10(2)</td>
<td>vent fail to prevent entry of rain/snow/vermin</td>
<td>$100.00</td>
</tr>
<tr>
<td>48</td>
<td>10-221 11(1)</td>
<td>fail to maintain in structurally sound condition any structures/foundations/basements</td>
<td>$100.00</td>
</tr>
<tr>
<td>49</td>
<td>10-221 11(2)</td>
<td>foundation wall/basement/crawl space not maintained to properly perform its intended function</td>
<td>$100.00</td>
</tr>
<tr>
<td>50</td>
<td>10-221 11(3)</td>
<td>foundation wall/piers/footings not of acceptable materials as per Building Code</td>
<td>$100.00</td>
</tr>
<tr>
<td>51</td>
<td>10-221 11(3)</td>
<td>foundation wall/piers/footings not sound/plumb adequate to carry load</td>
<td>$100.00</td>
</tr>
<tr>
<td>52</td>
<td>10-221 11(4)</td>
<td>fail to maintain basement/crawl space in a watertight condition</td>
<td>$100.00</td>
</tr>
<tr>
<td>53</td>
<td>10-221 12(1)</td>
<td>exterior/interior stairway/landing/balcony/porch/ramp or access/egress not maintained and free of holes/cracks other defects</td>
<td>$70.00</td>
</tr>
<tr>
<td>54</td>
<td>10-221 12(2)</td>
<td>exterior stairway/landing/balcony/porch/ramp free of furniture/appliance</td>
<td>$70.00</td>
</tr>
<tr>
<td>55</td>
<td>10-221 12(3)</td>
<td>fail to repair/replace treads and risers of exterior/interior stairway</td>
<td>$70.00</td>
</tr>
</tbody>
</table>
## Appendix “A” to Report PED18205

To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties

### TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>56</td>
<td>10-221 12(4)(a)</td>
<td>fail to have handrail for exterior/interior stairway</td>
<td>$70.00</td>
</tr>
<tr>
<td>57</td>
<td>10-221 12(4)(a)</td>
<td>fail to replace/repair exterior/interior handrail</td>
<td>$70.00</td>
</tr>
<tr>
<td>58</td>
<td>10-221 12(4)(b)</td>
<td>fail to have short wall at exterior stairway</td>
<td>$70.00</td>
</tr>
<tr>
<td>59</td>
<td>10-221 12(4)(b)</td>
<td>fail to repair/replace short wall at exterior stairway</td>
<td>$70.00</td>
</tr>
<tr>
<td>60</td>
<td>10-221 12(4)(c)(i)</td>
<td>fail to have Building Code compliant guards on exterior stairway with more than 6 risers</td>
<td>$100.00</td>
</tr>
<tr>
<td>61</td>
<td>10-221 12(4)(c)(ii)</td>
<td>fail to have Building Code compliant guards on landing/porch/balcony/mezzanine/gallery/raise walkway or roof more than 600mm from ground/floor</td>
<td>$100.00</td>
</tr>
<tr>
<td>62</td>
<td>10-221 13(1)</td>
<td>interior structural components/floors/ceilings and walls not made of sound material not able to support load</td>
<td>$100.00</td>
</tr>
<tr>
<td>63</td>
<td>10-221 13(2)(a)</td>
<td>floors/ceilings and walls not free from water penetration</td>
<td>$100.00</td>
</tr>
<tr>
<td>64</td>
<td>10-221 13(2)(b)</td>
<td>floors/ceilings and walls not free from mould or conditions that may cause mould to accumulate</td>
<td>$100.00</td>
</tr>
<tr>
<td>65</td>
<td>10-221 13(3)</td>
<td>basement floor not of acceptable material to ensure water drainage and entry against vermin</td>
<td>$100.00</td>
</tr>
<tr>
<td>66</td>
<td>10-221 13(4)</td>
<td>floor not smooth/level that may create unsafe condition/surface</td>
<td>$100.00</td>
</tr>
<tr>
<td>67</td>
<td>10-221 13(5)</td>
<td>floor covering worn/torn not repaired/replaced</td>
<td>$100.00</td>
</tr>
<tr>
<td>68</td>
<td>10-221 13(6)</td>
<td>fail to have water resistant floor covering in bathroom/kitchen/laundry or shower</td>
<td>$70.00</td>
</tr>
<tr>
<td>69</td>
<td>10-221 13(7)</td>
<td>wall/ceiling not maintained in a condition free from holes/open cracks/loose coverings other defects</td>
<td>$70.00</td>
</tr>
<tr>
<td>70</td>
<td>10-221 14(1)</td>
<td>plumbing system/fixture not maintained to perform its intended function</td>
<td>$70.00</td>
</tr>
<tr>
<td>71</td>
<td>10-221 14(1)</td>
<td>plumbing system/fixture not maintained and free from leaks/defects</td>
<td>$70.00</td>
</tr>
<tr>
<td>72</td>
<td>10-221 14(2)</td>
<td>piping for suppling/draining water not protected from freezing</td>
<td>$100.00</td>
</tr>
<tr>
<td>73</td>
<td>10-221 14(3)</td>
<td>plumbing fixture not connected by water steal trap to sewage system</td>
<td>$100.00</td>
</tr>
<tr>
<td>74</td>
<td>10-221 14(4)</td>
<td>sanitary sewer system not connected correctly and/or in accordance to Building Code</td>
<td>$100.00</td>
</tr>
<tr>
<td>75</td>
<td>10-221 14(5)(a)</td>
<td>fail to provide hot water at 43°C</td>
<td>$100.00</td>
</tr>
<tr>
<td>76</td>
<td>10-221 14(5)(a)</td>
<td>fail to provide cold water to kitchen/bath/shower/laundry room</td>
<td>$70.00</td>
</tr>
<tr>
<td>77</td>
<td>10-221 14(5)(b)</td>
<td>fail to have cold water connected to toilet/hose bib</td>
<td>$70.00</td>
</tr>
<tr>
<td>78</td>
<td>10-221 14(6)(a)</td>
<td>fail to provide potable water to dwelling/dwelling unit from City water system</td>
<td>$100.00</td>
</tr>
<tr>
<td>79</td>
<td>10-221 14(6)(b)</td>
<td>fail to provide potable water to dwelling/dwelling unit from commercial water system</td>
<td>$100.00</td>
</tr>
<tr>
<td>80</td>
<td>10-221 14(6)(c)</td>
<td>fail to provide potable water to dwelling/dwelling unit from private source</td>
<td>$100.00</td>
</tr>
</tbody>
</table>
### TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>81</td>
<td>10-221 14(7)(a)(i)</td>
<td>fail to provide working plumbing fixture to lodging house, a hand wash basin</td>
<td>$100.00</td>
</tr>
<tr>
<td>82</td>
<td>10-221 14(7)(a)(ii)</td>
<td>fail to provide working plumbing fixture to lodging house, a toilet</td>
<td>$100.00</td>
</tr>
<tr>
<td>83</td>
<td>10-221 14(7)(a)(iii)</td>
<td>fail to provide working plumbing fixture to lodging house, a bathtub/shower</td>
<td>$100.00</td>
</tr>
<tr>
<td>84</td>
<td>10-221 14(7)(b)(i)</td>
<td>fail to provide working plumbing fixture to residential care facility/dwelling unit a kitchen sink</td>
<td>$100.00</td>
</tr>
<tr>
<td>85</td>
<td>10-221 14(7)(b)(ii)</td>
<td>fail to provide working plumbing fixture to residential care facility/dwelling unit a toilet</td>
<td>$100.00</td>
</tr>
<tr>
<td>86</td>
<td>10-221 14(7)(b)(iii)</td>
<td>fail to provide working plumbing fixture to residential care facility/dwelling unit a hand washing basin</td>
<td>$100.00</td>
</tr>
<tr>
<td>87</td>
<td>10-221 14(7)(b)(iv)</td>
<td>fail to provide working plumbing fixture to residential care facility/dwelling unit a bathtub/shower</td>
<td>$100.00</td>
</tr>
<tr>
<td>88</td>
<td>10-221 15(1)(a)</td>
<td>fail to provide sink serviced with potable running water and splash back in kitchen</td>
<td>$100.00</td>
</tr>
<tr>
<td>89</td>
<td>10-221 15(1)(b)</td>
<td>fail to provide work surface at least .74m² impervious to grease/water in kitchen</td>
<td>$70.00</td>
</tr>
<tr>
<td>90</td>
<td>10-221 15(1)(c)</td>
<td>fail to provide storage facilities of at least .8m³ in kitchen</td>
<td>$70.00</td>
</tr>
<tr>
<td>91</td>
<td>10-221 15(1)(d)</td>
<td>fail to provide cooking range/countertop range/refrigerator in kitchen</td>
<td>$100.00</td>
</tr>
<tr>
<td>92</td>
<td>10-221 15(2)</td>
<td>bath/shower/toilet room not minimum height of 0.9m, water-resistant and cleaned</td>
<td>$100.00</td>
</tr>
<tr>
<td>93</td>
<td>10-221 15(3)(a)</td>
<td>bath/shower/toilet room not accessible from interior of building</td>
<td>$100.00</td>
</tr>
<tr>
<td>94</td>
<td>10-221 15(3)(b)</td>
<td>bath/shower/toilet room not fully enclosed with door for privacy</td>
<td>$70.00</td>
</tr>
<tr>
<td>95</td>
<td>10-221 15(3)(c)</td>
<td>bath/shower/toilet room with no working artificial lighting fixture</td>
<td>$70.00</td>
</tr>
<tr>
<td>96</td>
<td>10-221 15(3)(d)</td>
<td>bath/shower/toilet room not maintained to perform intended function</td>
<td>$70.00</td>
</tr>
<tr>
<td>97</td>
<td>10-221 15(4)</td>
<td>fail to provide hand wash basin in same room as bath/shower/toilet</td>
<td>$70.00</td>
</tr>
<tr>
<td>98</td>
<td>10-221 15(5)</td>
<td>toilet/urinal located in habitable room</td>
<td>$100.00</td>
</tr>
<tr>
<td>99</td>
<td>10-221 15(6)(a)</td>
<td>lodging house fail to contain bath/shower and toilet room</td>
<td>$100.00</td>
</tr>
<tr>
<td>100</td>
<td>10-221 15(6)(b)</td>
<td>residential care facility/dwelling unit fail to contain kitchen/bath/shower and toilet room</td>
<td>$100.00</td>
</tr>
<tr>
<td>101</td>
<td>10-221 16(1)</td>
<td>heating system not capable of maintaining a temperature of 20°C</td>
<td>$100.00</td>
</tr>
<tr>
<td>102</td>
<td>10-221 16(2)(a)</td>
<td>heating system not operating/maintained to properly perform intended function</td>
<td>$100.00</td>
</tr>
<tr>
<td>103</td>
<td>10-221 16(2)(b)</td>
<td>heating system not free from unsafe condition</td>
<td>$100.00</td>
</tr>
<tr>
<td>104</td>
<td>10-221 16(3)</td>
<td>furnace/boiler located in hallway or access/egress</td>
<td>$100.00</td>
</tr>
<tr>
<td>105</td>
<td>10-221 16(4)</td>
<td>portable heating equipment used as primary source of heat</td>
<td>$100.00</td>
</tr>
</tbody>
</table>
### TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>106</td>
<td>10-221 16(5)</td>
<td>fail to provide properly constructed/located fuel receptacle</td>
<td>$100.00</td>
</tr>
<tr>
<td>107</td>
<td>10-221 16(5)</td>
<td>fail to provide proper fuel storage in place free from fire/accident hazard</td>
<td>$100.00</td>
</tr>
<tr>
<td>108</td>
<td>10-221 16(6)</td>
<td>chimneys/flies and vent pipes not maintained to prevent gases from leaking</td>
<td>$100.00</td>
</tr>
<tr>
<td>109</td>
<td>10-221 16(6)</td>
<td>fail to clean obstructions/filling open joints/masonry repair</td>
<td>$70.00</td>
</tr>
<tr>
<td>110</td>
<td>10-221 16(7)</td>
<td>fuel burning appliance/equipment not properly vented to the outside</td>
<td>$100.00</td>
</tr>
<tr>
<td>111</td>
<td>10-221 17(1)</td>
<td>electrical service not in compliance with Code</td>
<td>$100.00</td>
</tr>
<tr>
<td>112</td>
<td>10-221 18(1)</td>
<td>not in compliance with the City development approval requirements</td>
<td>$100.00</td>
</tr>
<tr>
<td>113</td>
<td>10-221 18(1)</td>
<td>not in compliance with the City development approved grading plan</td>
<td>$100.00</td>
</tr>
<tr>
<td>114</td>
<td>10-221 19(1)</td>
<td>not have permanently installed working lighting and maintained to perform intended function</td>
<td>$70.00</td>
</tr>
<tr>
<td>115</td>
<td>10-221 19(2)</td>
<td>hallway/stairway/common area/underground parking not illuminated</td>
<td>$70.00</td>
</tr>
<tr>
<td>116</td>
<td>10-221 19(3)</td>
<td>fail to comply with lighting standards for site development</td>
<td>$70.00</td>
</tr>
<tr>
<td>117</td>
<td>10-221 19(4)</td>
<td>interior/exterior lighting illuminating beyond own property onto adjoining property</td>
<td>$70.00</td>
</tr>
<tr>
<td>118</td>
<td>10-221 20(1)</td>
<td>swimming pool not kept clean and in sanitary condition/free from obnoxious odours</td>
<td>$100.00</td>
</tr>
<tr>
<td>119</td>
<td>10-221 20(2)(a)</td>
<td>tree/part of tree that is dead/damaged not removed</td>
<td>$100.00</td>
</tr>
<tr>
<td>120</td>
<td>10-221 20(2)(b)</td>
<td>tree/part of tree that is dead/damaged not maintained to remove hazard to persons/property</td>
<td>$100.00</td>
</tr>
<tr>
<td>121</td>
<td>10-221 20(3)</td>
<td>principal entrance of building not have a walkway/driveway/hard surface leading to road</td>
<td>$100.00</td>
</tr>
<tr>
<td>122</td>
<td>10-221 20(4)</td>
<td>fail to have concrete wheel stops at parking spaces</td>
<td>$100.00</td>
</tr>
<tr>
<td>123</td>
<td>10-221 20(5)</td>
<td>area used for vehicular traffic/parking not surfaced with suitable dust free material and maintained</td>
<td>$100.00</td>
</tr>
<tr>
<td>124</td>
<td>10-221 20(6)</td>
<td>surface of walkways/driveways/parking lots not maintained safe</td>
<td>$100.00</td>
</tr>
<tr>
<td>125</td>
<td>10-221 20(7)</td>
<td>crushed stone surface not maintained free of dust</td>
<td>$100.00</td>
</tr>
<tr>
<td>126</td>
<td>10-221 20(7)</td>
<td>crushed stone surface spillover onto sidewalk/grass</td>
<td>$100.00</td>
</tr>
<tr>
<td>127</td>
<td>10-221 21(1)</td>
<td>storm water discharge creating standing water</td>
<td>$70.00</td>
</tr>
<tr>
<td>128</td>
<td>10-221 21(1)</td>
<td>storm water discharge creating erosion/damage to property</td>
<td>$70.00</td>
</tr>
<tr>
<td>129</td>
<td>10-221 21(1)</td>
<td>storm water discharge directed/drainage onto adjoining property</td>
<td>$70.00</td>
</tr>
<tr>
<td>130</td>
<td>10-221 21(2)</td>
<td>water discharge from sump-pump/air conditioner to adjoining property/sidewalk/road/stairway</td>
<td>$70.00</td>
</tr>
<tr>
<td>131</td>
<td>10-221 21(3)(a)</td>
<td>eavestrough/downspout not watertight/free from leaks</td>
<td>$70.00</td>
</tr>
<tr>
<td>132</td>
<td>10-221 21(3)(b)</td>
<td>eavestrough/downspout not free from obstruction</td>
<td>$70.00</td>
</tr>
</tbody>
</table>
## TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>133</td>
<td>10-221 21(3)(c)</td>
<td>eavestrough/downspout not stable/securely fastened</td>
<td>$70.00</td>
</tr>
<tr>
<td>134</td>
<td>10-221 21(3)(d)</td>
<td>eavestrough/downspout not perform its intended function</td>
<td>$70.00</td>
</tr>
<tr>
<td>135</td>
<td>10-221 22(1)</td>
<td>fence/barrier/retaining wall not maintained to perform intended function</td>
<td>$70.00</td>
</tr>
<tr>
<td>136</td>
<td>10-221 22(2)(a)(i)</td>
<td>fail to install/maintain visual barrier between their property and adjoining property where there is vehicular parking</td>
<td>$70.00</td>
</tr>
<tr>
<td>137</td>
<td>10-221 22(2)(a)(ii)</td>
<td>fail to install/maintain visual barrier between their property and adjoining property where there is operation of equipment</td>
<td>$70.00</td>
</tr>
<tr>
<td>138</td>
<td>10-221 22(2)(a)(iii)</td>
<td>fail to install/maintain visual barrier between their property and adjoining property where there is storage of goods</td>
<td>$70.00</td>
</tr>
<tr>
<td>139</td>
<td>10-221 22(2)(a)(iv)</td>
<td>fail to install/maintain visual barrier between their property and adjoining property where there is exterior bulk/roll-off container disposal system</td>
<td>$70.00</td>
</tr>
<tr>
<td>140</td>
<td>10-221 22(2)(b)(ii)</td>
<td>visual barrier less than 1.2m in height applied to Sec.22(2)(a)(i), (ii) and (iii)</td>
<td>$70.00</td>
</tr>
<tr>
<td>141</td>
<td>10-221 22(2)(b)(iii)</td>
<td>visual barrier less than 2m in height applied to Sec.22(2)(a)(iv)</td>
<td>$70.00</td>
</tr>
<tr>
<td>142</td>
<td>10-221 23(1)</td>
<td>fail to prevent gas fumes/carbon monoxide from entering dwelling/unit from garage</td>
<td>$100.00</td>
</tr>
<tr>
<td>143</td>
<td>10-221 24(1)</td>
<td>waste storage area/waste chute not kept clean/sanitary free from obnoxious odour</td>
<td>$70.00</td>
</tr>
<tr>
<td>144</td>
<td>10-221 24(2)</td>
<td>waste chute not operational at all times</td>
<td>$70.00</td>
</tr>
<tr>
<td>145</td>
<td>10-221 25(1)</td>
<td>elevator fail to comply with regulation</td>
<td>$100.00</td>
</tr>
<tr>
<td>146</td>
<td>10-221 26(1)</td>
<td>fail to keep dwelling/dwelling unit free of infestation by pests</td>
<td>$100.00</td>
</tr>
<tr>
<td>147</td>
<td>10-221 26(2)</td>
<td>fail to keep property free of infestation by pests</td>
<td>$100.00</td>
</tr>
<tr>
<td>148</td>
<td>10-221 27(1)</td>
<td>room/space used for purpose not compliant with Building Code/Zoning By-law</td>
<td>$100.00</td>
</tr>
<tr>
<td>149</td>
<td>10-221 27(2)(a)</td>
<td>living/dining/kitchen/bedroom height less than 1.9m</td>
<td>$70.00</td>
</tr>
<tr>
<td>150</td>
<td>10-221 27(2)(b)</td>
<td>height of room less than 2m over 50% of required floor area</td>
<td>$70.00</td>
</tr>
<tr>
<td>151</td>
<td>10-221 27(3)</td>
<td>one person bedroom not having floor area of 5.6m²</td>
<td>$70.00</td>
</tr>
<tr>
<td>152</td>
<td>10-221 27(3)</td>
<td>two or more-person bedroom not having floor area of 3.3m² per person</td>
<td>$70.00</td>
</tr>
<tr>
<td>153</td>
<td>10-221 27(4)</td>
<td>bedroom fail to be 1.8m in width</td>
<td>$70.00</td>
</tr>
<tr>
<td>154</td>
<td>10-221 30(1)(a)</td>
<td>fail to comply with all standards prescribed in this By-law</td>
<td>$200.00</td>
</tr>
<tr>
<td>155</td>
<td>10-221 30(1)(b)</td>
<td>fail to comply with property standards order</td>
<td>$200.00</td>
</tr>
<tr>
<td>156</td>
<td>10-221 30(1)(c)</td>
<td>carry out remedial action dangerous to owner/occupant or visitor</td>
<td>$200.00</td>
</tr>
<tr>
<td>157</td>
<td>10-221 30(1)(c)</td>
<td>fail to provide adequate warning of dangerous condition</td>
<td>$200.00</td>
</tr>
</tbody>
</table>
Appendix “A” to Report PED18205

To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties

PASSED this day of , 2018

F. Eisenberger                        Janet Pilon
Mayor                              Acting City Clerk
TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Demolition Permit for 14 Copes Lane (Stoney Creek) (PED18215) (Ward 11)

WARD(S) AFFECTED: Ward 11

PREPARED BY: Jorge M. Caetano (905) 546-2424 ext. 3931

SUBMITTED BY: Ed VanderWindt
Director, Building and Chief Building Official
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

That the Chief Building Official be authorized and directed to issue a demolition permit for 14 Copes Lane (Stoney Creek) in accordance with By-law 09-208.

EXECUTIVE SUMMARY

The owner of 14 Copes Lane has merged this property with the adjoining property municipally known as 16-18 Copes Lane (which he also owns) and is proposing to demolish the existing detached single family dwelling and use the vacant area as landscaping for the adjoining property at 16-18 Copes Lane.

Under Section 4 of the Demolition Control By-Law 09-208, the Chief Building Official has the delegated authority to issue a demolition permit for residential properties that are considered to be “routine applications”. This application has not been deemed a “routine application”, since this property is located in the middle of an established neighbourhood and the owner is not proposing to replace the demolished dwelling. Additionally, the property municipally known as 16-18 Copes Lane is in an RR (Rural Residential) zone and contains two single detached dwellings which were allowed as per Committee of Adjustment Decision No. SC/A-16:78. Therefore, under the current Stoney Creek Zoning By-law 3692-92 (and as per Committee of Adjustment Decision No. SC/A-16:78) the single detached dwelling at 14 Copes Lane would not be permitted on the merged lots unless additional variances or a rezoning was obtained for the property.
Since this is not considered a “routine application” this Report is presented to the Planning Committee and Council since Council retains the power to issue or refuse to issue a demolition permit in accordance with Section 7 of the Demolition Control By-law 09-208, where a demolition permit application is not deemed a “routine application”.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not applicable
Staffing: Not applicable
Legal: Not applicable

HISTORICAL BACKGROUND

Present Zoning: RR (Rural Residential) (Stoney Creek Zoning By-law 3692-92)
Present Use: Single Family Dwelling
Proposed use: Landscaping, merged with the adjoining property

Brief Description: A recent inspection revealed that the existing single family dwelling at 14 Copes Lane is not unsafe. However, the dwelling is in poor condition.

The land is located in Ward 11.

This building is not designated or listed as being of Cultural Heritage value or interest.

The owner of the property, as per the demolition permit application, is:

Michael Schwenger
18 Copes Lane
Hamilton, ON
L8E 5C7

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable.
RELEVANT CONSULTATION

Not applicable.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The present single family detached dwelling at 14 Copes Lane is in poor condition and the applicant has merged this property with 16-18 Copes Lane (which he also owns) and is proposing to demolish the dwelling and replace it with landscaping. Under the current Stoney Creek Zoning By-law provisions the two existing single detached dwellings located at 16-18 Copes Lane are permitted (as per Committee of Adjustment Decision No. SC/A-16-78); however, by merging these two properties an illegal situation has been created (three single detached dwellings instead of the permitted two single detached dwellings) and the removal of one of the dwellings would be required in order to bring it into compliance with the Stoney Creek Zoning By-law 3692-92 and Committee of Adjustment Decision No. SC/A-16-78.

ALTERNATIVES FOR CONSIDERATION

The alternative would be to refuse the demolition permit; however, this would result in a contravention of the current Stoney Creek Zoning By-law since this property has been merged with the adjoining property creating a parcel of land with three separate single detached dwellings. Whereas, the Stoney Creek Zoning By-law 3692-92 and Committee of Adjustment Decision No. SC/A-16-78 only allows two single detached dwelling on this merged parcel of land.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth
*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure
*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map

JMC:ll
TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Enforcement of Section 7.1(b) of the Yard Maintenance By-law Prohibiting Discharging Pool Water to Sewers (PED18216) (City Wide) (Outstanding Business List)

WARD(S) AFFECTED: City Wide

PREPARED BY: Luis Ferreira (905) 546-2424 Ext. 3087

SUBMITTED BY: Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That enforcement of section 7.1(b) of the Yard Maintenance By-law (YMBL) 10-118, which prohibits owners or occupants of properties to discharge water from their swimming pools, hot tubs and other chemically treated water features into a sanitary sewer, storm sewer unless it complies with the Sewer Use By-law (SUBL) 14-090, be reinstated;

(b) That section 7.1(b) of the Yard Maintenance By-law 10-118 be included in Table 13 of the Administrative Penalties System (APS) By-law 17-225;

(c) That the item respecting the validity of regulation 7.1(b) of the Yard Maintenance By-law be identified as complete and removed from the Planning Committee Outstanding Business List.

EXECUTIVE SUMMARY

At its meeting of July 13, 2018, Council approved Item 6 of Planning Committee Report 18-011, Expanding the Administrative Penalties By-law (APS) to include the Yard Maintenance By-law (YMBL) 10-118 as Table 13 to the APS By-law 17-225.

The report and amending by-law was approved with the exception of item 26 of Table 13 of the By-law which was TABLED until staff reviewed regulation 7.1(b) which
prohibits owners or occupants of properties from discharging chlorinated water from swimming pools, hot tubs and other chemically treated water features into a sanitary sewer, storm sewer (located out on the roadway) unless the SUBL is complied with and reported back to Committee on the validity of the By-law.

The current By-laws were developed to protect the environment and the City’s water systems. As per the SUBL, water from swimming pools may only be discharged into the City’s sewer system (catchbasins) out on the roadway if it has been de-chemicalized and is not salt water. Generally speaking, chlorinated water from pools and spas should be released onto the owner’s property in a manner that promotes absorption through the ground and salt water pools must only be discharged into a household drain (e.g., laundry tubs, sinks, showers, tubs and utility closets). Water discharged in this manner goes through the City’s treatment facility prior to being released into the City’s natural waterways. Discharging contaminated water directly into the City’s street sewer systems bypasses treatment facilities centers, ending up in the rivers, creeks and other natural water courses unfiltered causing substantial environmental damage and injury to wild life.

In reviewing the various by-laws and in consultation with Public Works staff and the Environment Monitoring and Enforcement who support the current regulation, staff is seeking Council’s approval to enforce section 7.1(b) of the YMBL.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial Staffing/Legal: N/A

**HISTORICAL BACKGROUND**

The YMBL was enacted in 2010 with an amending By-law 12-070 enacted by Council on March 28, 2012, prohibiting owners or occupants of properties from discharging water from swimming pools, hot tubs and other chemically treated water features into the City’s (catchbasins) street sanitary sewer, storm sewer unless the SUBL is complied with.

At its meeting of July 13, 2018, Council directed staff not to enforce section 7.1(b) of the YMBL which speaks to the discharging of swimming pool water into the City’s sewer system until staff report back on its validity.

This Report speaks to the rationale behind the regulations and desire to limit the negative impact on the environment, wild life and the City’s drinking water.
POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Public Works, Environment Monitoring and Enforcement and Jameson Pools were consulted in the preparation of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

City of Hamilton has different types of sewers:

1. A sanitary sewer system carries the water from drains and toilets to the City’s wastewater treatment plant before it is released into Lake Ontario;

2. Hamilton also has storm sewers which carry rain and melted snow away from houses and roads through large grates on the ground, known as catchbasins. Anything entering a catchbasin enters the storm sewer system and goes directly into the nearest waterway and, eventually, Lake Ontario. This water, referred to as stormwater, is not treated; and,

3. In some older parts of the City, there is a combined sanitary and storm sewer system. During times of heavy rain these sewers may overflow, wastewater may mix with stormwater and may even be discharged into Lake Ontario without proper treatment.

The YMBL requires owners and occupants of land to maintain their property to an acceptable standard, free of refuse and debris while prohibiting and regulating public nuisance matters. An amendment to the YMBL was enacted by Council in 2012 that prohibited the discharging of swimming pool water into the City’s sewer system unless complied with the regulations found in the SUBL.

Section 7.1(b) of the YMBL was intended to keep harmful, chemically treated water out of the City’s sewer systems (catchbasins) located out on the street which travel directly to natural water sources like streams, rivers, creeks and lakes, bypassing any treatment plant.

A private swimming pool, hot tub or spa owner and anyone in the business of servicing such things are responsible and have a legal obligation to safely maintain and operate the pool, hot tub or spa in compliance with the Property Standards By-law, the SUBL and the YMBL with regards to the proper way to discharge the water.
Section 4.1, subsection (f), (g), (i) and (k) of the SUBL prohibits discharging water into the City’s sewer system (catchbasins) located out on the street that would result in:

- a hazard to or harm of any person, animal, property or vegetation;
- impairment of the quality of the water in any watercourse;
- an offensive odour to emanate from the sewer works, including but not limited to sewage containing hydrogen sulphide, carbon disulphide, or other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour; and,
- failure of any discharge from the sewer works to comply with the requirements of an environmental compliance approval or with Federal or Provincial legislation.

The SUBL goes further by providing two schedules within the By-law, (B and C) containing a list of chemicals and the permitted threshold levels for safe discharging into the City’s sewer system (catchbasins) located out on the street.

Therefore, the SUBL permits the discharging of chlorinated pool water into the City’s sewer system provided the chemical levels are below the prescribed threshold levels contained in Schedules B and C of the SUBL.

Section 7.1(b) of the YMBL supports and complements the SUBL by stating the following:

7.1 Every owner or occupant of property shall ensure that water from swimming pool, hot tub, spa, water feature, rain barrel or similar water container is not drained:
(a) on to an adjacent property;
(b) into a sanitary sewer, a storm sewer or a combined sewer unless the Sewer Use By-law is complied with.

To clarify, discharging pool water into the City’s sewer system (catchbasins) is only a violation if the chemical composition exceeds the threshold prescribed in Schedules B and C of the SUBL.

The City of Hamilton has a responsibility to ensure compliance with the SUBL, the YMBL and to protect the environment. This may include inspections, examinations and collection of water samples for analysis. If necessary, the City may also order corrective measures under the authority of the SUBL.

Since the enactment of the amending By-law in 2012 to the YMBL, prohibiting discharging swimming pool water into the City’s sewer system, no complaints have been received and no investigations have been conducted resulting in no charges being laid by Licensing and By-law Services. This may be in large due to the Public Works
educational campaign including a very informative brochure on how to empty swimming pools the right way, private pool owner responsibilities, the City of Hamilton’s responsibility and the environmental impact. The brochure describes the different sewer systems and the harmful effects that chemically treated and salt water swimming pools have on fish and organisms that live in creeks and rivers across Hamilton.

The water in swimming pools require high levels of chemicals to remain clear and safe. The main chemicals found in pools are chlorine, bromine, salt, copper-based algaeicides, nonylphenols and nonylphenol ethoxylates.

The preferred way to empty chlorinated pool water is to discharge it onto the ground within the private property. Chlorine pools can be emptied onto the property providing it absorbs into the ground. Consider the slope and surface of the property and the rate which water is discharged from the pool to ensure it is absorbed into the ground and not running towards a neighbouring property. It is also safe to discharge chlorinated water directly into the private resident’s sanitary drains (e.g., toilets, sinks, shower, tub or utility closets) as this water is directed to a treatment plant before redirecting into our natural water systems.

If the property owner chooses to discharge chlorinated pool water into the City’s sewer system, (non–household drain) the water from the swimming pool must first be dechlorinate and allow for other chemicals to dissipate. This can be done by running the pool for approximately two weeks allowing the sun to naturally break down the chemicals. For an immediate option, chlorine neutralizers such as Sodium Thiosulfate are available at most pool supply stores.

Salt water swimming pools, because they have such a high level of chlorides, must only be discharged to a private property household sanitary drain or hauled away by a Ministry of the Environment approved water hauler.

Having section 7.1(b) of the YMBL, enforced along with the other contraventions of the YMBL, not only supports the City’s initiatives for Health and Safety and Clean and Green but provides the ability to address the most egregious of violators to ensure the protection of the environment, wild life and residents.

ALTERNATIVES FOR CONSIDERATION

N/A
ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

APPENDICES AND SCHEDULES ATTACHED

N/A

KL:LF:st
RECOMMENDATION

(a) That staff be directed to consult with the public and stakeholders on the proposed revisions to the Dundas Urban Design Guidelines for downtown Dundas, and to present the final recommendations on the Dundas Urban Design Guidelines to Planning Committee based on the feedback received;

(b) That staff be directed, if required, to schedule a public meeting of the Planning Committee to consider any necessary policy direction changes within the Urban Hamilton Official Plan to support the implementation of the Dundas Urban Design Guidelines.

EXECUTIVE SUMMARY

Staff has been working on reviewing and updating the existing Urban Design Guidelines (UDG) for Dundas that were approved in 2005. Dundas has experienced limited development pressure within its core since the inception of the Design Guidelines; however the update of the UDG is intended to address identified opportunities based on the evolving nature of proposed development.

A working group was established to conduct the review, consisting of local residents, stakeholders and business owners within the area. The group was selected based on an application process to determine an experienced group with complimentary professional backgrounds including architects, engineers and built heritage experts.
ALTERNATIVES FOR CONSIDERATION

N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: No staffing implications, the document was reviewed and compiled by existing staff members.

Legal: N/A

HISTORICAL BACKGROUND

To guide and inform development within Dundas, the following documents have been prepared:

- 1995 King Street Urban Design Study;
- 2005 Hatt Street Design Guidelines;
- 2005 King Street Design Guidelines; and,
- Dundas Design Guidelines (Consolidated).

In addition, the following policy and zoning review are also applicable:

- August 16, 2013 Approval of Urban Hamilton Official Plan (UHOP).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The final document shall be reviewed by Community Planning and Urban Design staff prior to presenting to Planning Committee and Council.
ANALYSIS AND RATIONALE FOR RECOMMENDATION

Dundas has been the subject of several sets of Urban Design Guidelines, most recently the 2005 Dundas Design Guidelines. The 2005 guidelines were a consolidation of the Hatt Street and King Street Design studies, originally prepared by Sinisa Tomic Urban Design Consulting.

These studies were a robust and comprehensive overview of the vision of downtown Dundas with respect to the defining elements of character and sense of place. While largely still relevant, updates to this study are necessary to ensure the guidelines are appropriate to guide development in the current context of downtown Dundas in order to reflect the changing development pressures and opportunities that have since been experienced within Dundas, as well as the recently approved Commercial and Mixed Use Zoning By-law.

On this basis, it was considered appropriate that, as opposed to commissioning a brand new study, a review be conducted by staff and stakeholders of the 2005 guidelines. A working group was established through a public call through the Councillor’s Office. The selection was made through an application process with the intent to ensure the group was varied both demographically as well as containing complimentary but varied professional backgrounds. Those professional backgrounds include architects, engineers and built heritage experts.

The working group met on the following dates:

- June 26, 2018;
- July 10, 2018;
- July 31, 2018; and,
- August 22, 2018.

Adopting a Strength / Weakness / Opportunity / Threat (SWOT) analysis approach the working group met several times to discuss and review the current document. Each meeting involved discussion and the opportunity to walk through selected parts of Dundas in order to better clarify concerns and comments. The role of the working group was to provide input and advise staff of potential changes and recommendations.

Staff are currently preparing the draft document and intend to undertake community engagement on the draft with input of the public helping to further shape and inform the guidelines. The final draft document is intended to be presented to Committee and Council for approval in December, 2018 or early Q1, 2019.

Given the absence of a Secondary Plan within this area and similar to the approach afforded to neighbourhood plans within the Urban Hamilton Official Plan, it is noted that
official plan policy shall have regard to this document. It is not intended that these design guidelines supersede policy direction contained within the existing by-law and official plan policies but instead complement the existing policy framework. It is noted that adoption and approval of the design guidelines are not subject to appeal and therefore would not have authority above and beyond those policies existing.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICIES AND SCHEDULES ATTACHED

N/A

EJ:mo
TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Expanding Administrative Penalty System (APS) to include the Vacant Building Registry By-law 17-127 (PED18219) (City Wide)

WARD(S) AFFECTED: City Wide

PREPARED BY: Luis Ferreira (905) 546-2424 Ext. 3087

SUBMITTED BY: Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

That the Administrative Penalty System By-law 17-225 (APS) be amended to include The Vacant Building Registry By-law 17-127 as shown in Appendix “A” to Report PED18219 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

EXECUTIVE SUMMARY

At its meeting of September 27, 2017, Council approved Item 3 of Planning Committee Report 17-015 directing staff to implement Administrative Penalty System (APS) to Municipal By-laws. Staff is now ready to include the Vacant Building Registry By-law as Table 15 to the Administrative Penalties By-law 17-225.

There are currently over 400 vacant buildings registered and unregistered in the Vacant Building Program. Municipal Law Enforcement Officers (MLEO) conduct 3,000 vacant building inspections a year. Many inspections revealed non-compliance to various regulations within the By-law with only the most egregious violations resulting in charges laid. In most cases fees for services and remedial costs to the property owner were applied.

Applying an Administrative Penalty Notice (APN) to the equation will provide the MLEO with an extra option to address minor contraventions of the By-law and encourage
compliance in a form of a reasonable, non-punitive penalty. More serious matters will still be address through Part I and Part III summonses and disputed through the Provincial Courts.

Including the Vacant Building Registry By-law to the APS By-law will provide the MLEO with an additional option to encourage compliance as well as aid in reducing congestion in the Provincial Courts, provide a more local, accessible and less adversarial dispute resolution process.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The current set fines have been amended to adhere to the guiding principles of the Administrative Penalty System which is not meant to be punitive in nature but rather encourage compliance and cost recovery.

Staffing / Legal: N/A

**HISTORICAL BACKGROUND**

In 2007, amendments to the *Municipal Act, 2001* provided statutory authority for municipalities to implement Administrative Penalties for the enforcement of Parking and Licensing By-laws.

On May 30, 2017, Bill 68 was passed cementing the application of APS to all by-laws enacted under the *Municipal Act, 2001*.

At its meeting of September 27, 2017, Council approved Item 3 of Planning Committee Report 17-015 directing staff to implement APS to Municipal By-laws.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The APS By-law 17-225 will be amended to include the Vacant Building Registry By-law 17-127 as Table 15 in Schedule A.

**RELEVANT CONSULTATION**

N/A
SUBJECT: Expanding Administrative Penalty System (APS) to include the Vacant Building Registry By-law 17-127 (PED18219) (City Wide) - Page 3 of 3

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Administrative Penalty System has been adopted by numerous municipalities across Ontario. The benefits of this system include: improving service excellence, enhancing staff efficiencies and effectiveness, supporting operational cost recovery and autonomy over infraction penalty amounts as contained in s. 434.1(3) of the Municipal Act, 2001.

APS provides a better customer experience with regards to the dispute resolution process of Administrative Penalty Notices (APN) through a quasi-judicial proceeding with a Hearing Officer having final and binding authority over the matter and not subject to judicial review.

The Municipal Act, 2001 authorizes the use of APS for designated by-laws. The City of Hamilton’s APS By-law has been written as such to allow for inclusion of other Municipal By-laws. Staff is seeking approval to include the Vacant Building Registry By-law as Table 15 to the APS By-law.

This complies with Council’s direction to expand the APS process to by-laws enacted under the Municipal Act, 2001.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”: Amending By-law Adding Table 15 - Vacant Building Registry

KL/LF/st
CITY OF HAMILTON
BY-LAW NO.

To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No. 17-225;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.

2. Schedule A of By-law No. 17-225 is amended by adding a new Table 15 entitled BY-LAW NO. 17-127 Hamilton Vacant Building Registry By-law.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>17-127 4.</td>
<td>fail to register vacant building within 30 days</td>
<td>$200.00</td>
</tr>
<tr>
<td>2</td>
<td>17-127 7.</td>
<td>fail to notify changes/information within 10 business days</td>
<td>$200.00</td>
</tr>
<tr>
<td>3</td>
<td>17-127 9.(a)</td>
<td>fail to register vacant building</td>
<td>$300.00</td>
</tr>
<tr>
<td>4</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with all statutes/regulations and By-laws</td>
<td>$300.00</td>
</tr>
<tr>
<td>5</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with Building Code Act, 1992</td>
<td>$300.00</td>
</tr>
<tr>
<td>6</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with Fire Protection Act, 1997</td>
<td>$300.00</td>
</tr>
<tr>
<td>7</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with Property Standards By-law</td>
<td>$300.00</td>
</tr>
<tr>
<td>8</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with Vital Services By-law</td>
<td>$300.00</td>
</tr>
<tr>
<td>9</td>
<td>17-127 9.(b)</td>
<td>fail to ensure property complies with Yard Maintenance By-law</td>
<td>$300.00</td>
</tr>
<tr>
<td>10</td>
<td>17-127 9.(c)(i)</td>
<td>fail to post a sign with words “for information or inquiries” in black letters on white retro-reflective background</td>
<td>$200.00</td>
</tr>
<tr>
<td>11</td>
<td>17-127 9.(c)(i)</td>
<td>fail to post a sign with owner information with name/telephone number in black letters on white retro-reflective background</td>
<td>$200.00</td>
</tr>
<tr>
<td>12</td>
<td>17-127 9.(c)(ii)</td>
<td>fail to post sign which is readable from each adjacent street</td>
<td>$200.00</td>
</tr>
</tbody>
</table>
Appendix “A” to Report PED18219

To Amend By-law 17-225, a By-law to Establish a System of Administrative penalties

TABLE 15: BY-LAW NO. 17-127 Hamilton Vacant Building Registry By-law

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</th>
<th>COLUMN 2 SHORT FORM WORDING</th>
<th>COLUMN 3 SET PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>17-127 9.(d)</td>
<td>fail to monitor building condition every 2 weeks or more frequently as directed</td>
<td>$200.00</td>
</tr>
<tr>
<td>14</td>
<td>17-127 9.(e)</td>
<td>fail to provide report of building condition in writing as directed</td>
<td>$200.00</td>
</tr>
</tbody>
</table>

PASSED this ______ day of ____________, 2018

_________________________________________  _______________________________________
F. Eisenberger                             J. Pilon
Mayor                                     Acting City Clerk
INFORMATION REPORT

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan (PED18222) (Ward 2) (Outstanding Business List Item)

WARD(S) AFFECTED: Ward 2

PREPARED BY: Chris Phillips 905-546-2424 Ext. 5304

SUBMITTED BY: Jason Thorne
General Manager
Planning and Economic Development Department

SIGNATURE: Council Direction:

On July 13, 2018, Council approved Planning Committee Report 18-011 including the following direction:

(a) Planning staff was directed to meet with the delegation from the Macassa Bay Year-Round Liveaboard Association and their representatives to discuss an accommodation plan for the 2018/2019 winter season within the parameters of the existing zoning and other City by-laws;

(b) Staff is to report back at the August 14, 2018 meeting with an outline of the existing rules regarding the proposal for live-aboard boat residency; and

(c) Staff is to provide an update to the Planning Committee in September 2018 regarding the result of the negotiations with the representatives of the Macassa Bay Year-Round Liveaboard Association.

On August 14, 2018, Planning Committee received Report LS18048 respecting item (b). This Report is with regards to items (a) and (c).
OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

Information:

Based on Council direction, City staff has been involved in a consistent dialogue with the members representing the Macassa Bay Year-Round Liveaboard Association (Association). The following is a status update of the City’s efforts with respect to Council direction as well as the transition of the former MacDonald Marine facility:

- MacDonald Marine’s Lease was not renewed or extended and, therefore, was complete as of May 31, 2018;
- On June 1, 2018, a “Permission to Enter” Agreement was entered into with McDonald Marine for the sole purpose of winding down the business, removing boats, equipment and site improvement, as per the terms of the original lease. The Agreement explicitly stated that this was a “non-operational” period that expired on August 31, 2018;
- Similarly, “Mooring Agreements” were drafted by the City of Hamilton and presented to individual boat owners with a term beginning on June 1, 2018, which allowed existing boaters to continue utilizing the facilities. To be clear, the City of Hamilton has full control over the property and management of the facility and MacDonald Marine’s permissions ceased as of August 31, 2018;
- City staff has given representatives of the Association an assurance that a plan can and will be implemented to accommodate their members during the 2018/2019 winter season, consistent with past practices;
- Through on-going dialogue with the Association, City staff is in the process of finalizing the specifics of the plan. Logistically, this plan will also implement any health, safety and maintenance measures deemed necessary. Staff will report back for information purposes as the details become apparent;
- Staff has communicated to Association representatives that the out-of-season boat mooring (winter season) will no longer be accommodated beyond the 2018/2019 winter season. This is consistent with Report LS18048 received by Council on August 17, 2018. Staff has also informed the representatives of the Association that their members will be required to find alternative and permanent accommodation for their boats elsewhere, as of May 31, 2019. Staff also advised Association members that the City will continue to work with members individually or as a group, in order to assist in this transition. Staff will report back for information purposes as the need arises; and
- Representatives of the Association continue to request that the City create a committee to develop a “Year Round Liveaboard Residency Policy” that would
OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
<table>
<thead>
<tr>
<th>TO:</th>
<th>Chair and Members Planning Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMITTEE DATE:</td>
<td>September 18, 2018</td>
</tr>
<tr>
<td>SUBJECT/REPORT NO:</td>
<td>Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 5050 Harrison Road, Glanbrook (PED18204) (Ward 11)</td>
</tr>
<tr>
<td>WARD AFFECTED:</td>
<td>Ward 11</td>
</tr>
<tr>
<td>PREPARED BY:</td>
<td>Ryan Ferrari (905) 546-2424 Ext. 5865</td>
</tr>
<tr>
<td>SUBMITTED BY:</td>
<td>Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department</td>
</tr>
<tr>
<td>SIGNATURE:</td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

That the **Zoning By-law Amendment Application ZAR-18-023, by Niagara Peninsula Conservation Authority (Owner)**, for a modification to the Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone to permit a Zip Line Adventure Park on a portion of the lands located at 5050 Harrison Road (Glanbrook) as shown on Appendix “A” to Report PED18204, be **APPROVED** on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED18204, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the amended By-law be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200;

(c) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan and complies with the Rural Hamilton Official Plan.

**EXECUTIVE SUMMARY**

The purpose of this Zoning By-law Amendment is to add a Special Exception to the Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and
Conservation / Hazard Land - Rural (P8) Zone to permit a Zip Line Adventure Park within a 14 hectare portion of the Binbrook Conservation Area at 5050 Harrison Road.

The proposed Zip Line Adventure Park will consist of 7 elevated / aerial courses which will wind through the existing trees, a 4,879m² supervised children’s adventure park and a 150m² administrative building for ticketing and equipment rental.

The application has merit and can be supported as it is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017) and complies with the policies of the Rural Hamilton Official Plan (RHOP).

Alternatives for Consideration – See Page 18

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting prior to considering an application for an amendment to the Zoning By-law.

HISTORICAL BACKGROUND

Proposal:

The subject site is located adjacent to the southern shore of Lake Niapenco on the west side of the Binbrook Conservation Area (BCA), a 345 ha. (852.51 ac.) property south of Binbrook Village, west of Harrison Road (see Location Map attached as Appendix “A” to Report PED18204). The BCA is owned and operated by the Niagara Peninsula Conservation Authority (NPCA) and is comprised of Lake Niapenco, woodlands and general open space. Currently, the NPCA utilizes portions of the BCA for passive and active recreational activities such as splash pads, fishing, boating, hiking trails, swimming and picnicking areas. Seven existing gravel and grass parking areas having an overall capacity of approximately 800 parking spaces are located on the east side of the BCA, with access from Harrison Road.

The applicant is proposing to modify Zoning By-law No. 05-200 to permit a Zip Line Adventure Park within a 14 ha. (34.59 ac.) portion of the Binbrook Conservation Area. The proposed Zip Line Adventure Park will consist of the following:
• Adventure Park in the forest canopy consisting of seven elevated / aerial courses with platforms clamped to trees ranging from 1 m to 6 m in height;

• An existing trail to be utilized as the main path through the Adventure Park and small spur pathways that will lead to the entrance of each Zip Line course. All pathways will be delineated with a rope fence to keep guests within the pathway and not in the natural area;

• A ±500m² picnic / staging area is proposed on the west side of the Adventure Park and will be delineated with a roped fence;

• A 4,879m² children's supervised adventure park (Treewalk Village) with eight treehouse structures, net bridges, slides, mini Zip Lines and tunnels and a ±250m² picnic / staging area located within the Treewalk Village; and,

• A 150m² administrative building for ticketing and equipment rental area located southwest of Parking Lot C which is located outside of the Core Area. Initially, an existing pavilion having a Gross Floor Area of ±147m² located on the north side of Parking Lot C will serve this function for the first two years of operation.

The proposed Adventure Park will be open during daylight hours between April 1 and October 31 and will not require lighting during dusk or dark. No washrooms are proposed and no additional parking will be required. The existing parking areas in the BCA will be utilized for the proposed development (see Site Plan attached as Appendix “C” to Report PED18204).

In order to implement the Treewalk Village and seven aerial Zip Line courses, 60 wooden platforms and eight treehouse structures will be fitted onto existing trees. The platforms for the aerial courses are fixed in place with compression and no bolts or other hardware penetrate the tree; instead, wooden beams are clamped against the tree and held up with tension. The Treewalk Village treehouses are anchored using a Garnier Limb. This system is engineered to specifically avoid damage to the tree and can be loosened as the tree grows. The Zip Line cables are wrapped around the trees with a wooden buffer called a “tree saver” and at no point do the Zip Line cables make contact with the tree.

Treetop Trekking has five locations throughout Ontario that have been operating in Conservation Authority controlled areas. The two locations nearest to this development are the Brampton location at the Heart Lake Conservation Authority, operated by the Toronto Region Conservation Authority, and the Stouffville location at Bruce’s Mill Conservation Authority, operated by the Toronto Region Conservation Authority. Other locations include Barrie, Huntsville and Port Hope.
Zoning By-law No. 05-200 Amendment:

The purpose of Zoning By-law Amendment Application ZAR-18-023 is to modify the existing Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone within the prescribed area as shown on Appendix “B” to Report PED18204 to permit the establishment of a Zip Line Adventure Park known as “Treetop Trekking”.

Chronology:

March 26, 2018: Application for a Zoning By-law Amendment ZAR-18-023 was received.

April 11, 2018: Zoning By-law Amendment Application ZAR-18-023 was deemed complete.

April 18, 2018: Notice of Complete Application and Preliminary Circulation was circulated to 42 property owners within 120m of the subject lands.

April 25, 2018: Public Notice sign was installed on the subject lands.

August 22, 2018: Public Notice sign was updated to include Public Meeting Date.

August 31, 2018: Circulation of Notice of Public Meeting to 42 property owners within 120m of the subject lands.

Details of Submitted Application:

Owner / Applicant: Niagara Peninsula Conservation Authority

Location: 5050 Harrison Road, Glanbrook

Agent: GSP Group Inc. c/o Brynne O'Neil

Property Description

- Total Lot Area: ± 345 ha (852.51 ac)
- Total Lot Frontage: ± 1,300 m

Servicing: No Municipal Services
**Existing Land Use and Zoning:**

**Subject Lands:**

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation, Recreation, Passive</td>
<td>Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone, Conservation / Hazard Land - Rural (P8) Zone</td>
</tr>
</tbody>
</table>

**Surrounding Lands:**

- **North:**
  - Agriculture
  - Single Detached Dwellings

- **South:**
  - Agriculture
  - Single Detached Dwellings

- **East:**
  - Agriculture
  - Single Detached Dwellings

- **West:**
  - Lake Niapenco Binbrook Conservation Area

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

**Provincial Planning Policy Framework**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2014). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has
established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. wise use and management of resources and environmental protection) are reviewed and discussed in the Urban Hamilton Official Plan (UHOP) analysis below.

As the application for a change in zoning complies with the Official Plan and the relevant policies in the PPS, it is staff’s opinion that the application is consistent with the policies of the Provincial Policy Statement.

**Greenbelt Plan (2017)**

The application has been reviewed against the policies of the Greenbelt Plan (2017). The Greenbelt Plan designates the subject property as “Natural Heritage System” within the “Protected Countryside” Schedule 4: Natural Heritage System. The following policies, amongst others, are applicable.

**General Policies for the Protected Countryside**

“4.1.2 Recreational Use Policies.

4. Small-scale structures for recreational uses (such as boardwalks, footbridges, fences, docks and picnic facilities) are permitted within key natural heritage features and key hydrologic features; however, the number of such structures and the negative impacts on these features should be minimized.”

The proposed Zip Line Adventure Park will provide an active recreation and educational opportunity for visitors to the Binbrook Conservation Area. In order to implement the recreational use, small scale buildings and structures are proposed such as an administrative building, platforms, “treehouses” and picnic benches. No large scale structures are proposed and the impact on key natural heritage and key hydrologic features are mitigated. Based on the foregoing, the proposal conforms to the Greenbelt Plan.

**Rural Hamilton Official Plan (RHOP)**

The subject lands are designated “Protected Countryside” on Schedule A – Provincial Plans and “Open Space” on Schedule D – Rural Land Use Designations. The following policies, amongst others, are applicable.
Open Space

“C.3.3.1 Lands designated as Open Space on Schedule D - Rural Land Use Designations are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses. These uses include, but are not limited to parks for both active and passive recreational activities including resource-based recreational and tourism uses, recreation/community centres, pedestrian pathways, trails, bikeways and walkways, seasonal campgrounds, marinas, woodlots, forestry and wildlife management areas, fishing reserves, hazard lands and cemeteries. Ancillary commercial uses may be permitted as defined by section B.3.5.1, Parkland Policies and section C.2, Natural Heritage System policies of this Plan.

C.3.3.5 Open Space lands which are identified as Core Areas of the Natural Heritage System shall comply with the policies of Section C.2.0, Natural Heritage System of this Plan.”

The Open Space designation permits a wide range of recreational uses and ancillary commercial uses to support a recreational operation. The proposed Zip Line Adventure Park and ancillary 150m$^2$ administrative office and rental building is permitted within the Open Space designation of the RHOP.

In the interim, a temporary 147 m$^2$ administrative building will be located in an existing pavilion north of Parking Lot C as shown on the Site Plan attached in Appendix “C” to Report PED18204. The temporary pavilion will be decommissioned in favour of a permanent administrative office approximately 2 years into the operation of the Zip Line Adventure Park and will be located southwest of Parking Lot C. Both administrative offices will be located outside of the Core Area and are permitted within the Open Space designation of the RHOP.

The subject lands are further designated “Core Area”, “Key Natural Heritage Feature” and “Key Hydrologic Feature” on Schedule B – Natural Heritage System.

Lands within the Natural Heritage System of the Greenbelt Plan

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

C.2.3.4 New development or site alteration shall not be permitted within provincially significant wetlands, significant coastal wetlands, or significant habitat of threatened or endangered species, except in accordance with
applicable provincial and federal regulations with respect to significant habitat of threatened or endangered species.

C.2.4.2 New development or site alteration shall not be permitted within a key natural heritage feature within the Greenbelt Natural Heritage System or a key hydrologic feature anywhere in the Protected Countryside, including any associated vegetation protection zone.

C.2.4.6 New development or site alteration subject to Sections C.2.4.1, C.2.4.2, C.2.4.3, C.2.4.5, C.2.4.7, C.2.4.8 and C.2.4.9 requires, prior to approval, the submission and acceptance of an Environmental Impact Statement, which demonstrates to the satisfaction of the City in consultation with the relevant Conservation Authority that:

a) There shall be no negative impacts on the Core Areas or their ecological functions;

b) Connectivity between Core Areas shall be maintained, or where possible, enhanced for the movement of surface and ground water, plants and wildlife across the landscape;

c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or site alteration wherever possible; and,

d) The disturbed area of a site shall not exceed 25 percent of the total developable area, except for golf courses, where permitted, for which the disturbed area shall not exceed 40 percent of the site. Impervious surfaces to be established in such disturbed areas shall not exceed 10 percent of the total developable area.”

The proposed Adventure Park area is located within a Core Area which contains Key Hydrologic Features, Key Natural Heritage Features, Environmentally Significant Areas, unevaluated wetlands and Species at Risk (SAR).

As a result of the above policies, an Environmental Impact Statement (EIS) was required to be prepared to the satisfaction of the City. The EIS, prepared by Natural Resource Solutions Inc., dated February 2018 was submitted on March 10, 2018. It was reviewed by the Ministry of Natural Resources and Forestry (MNRF), the NPCA, City staff and the City’s Environmentally Significant Areas Impact Evaluation Group (ESAIEG). Based on their comments, the EIS was revised again on April 12, 2018.
minor addendum which updated the TPP and monitoring plan was submitted on June 22, 2018. As a result, the following mitigation measures were proposed:

- One proposed aerial course was rerouted in order to reduce the number of trees to be removed. As a result of the rerouting, the course was moved outside of the unevaluated wetland into the 15m Vegetation Protection Zone (VPZ) which was supported by staff.

- Staff required that the applicant prepare and implement a monitoring program which will be executed by the NPCA to measure habitat condition (invasive species, tree and understorey health / disturbance, litter) over the first five years of the Adventure Park operation.

Although the development area currently has moderate levels of disturbance due to recreational activities, the proposed development will increase the number of users in the area, and most notably, will increase the number of people in the forest canopy. This impact has been primarily mitigated through the aerial course design, which avoids the Provincially Significant Wetland, unevaluated wetlands and clusters of suitable bat cavity trees. A detailed analysis of the various natural features and the strategies for mitigating impacts to those features is as follows:

**Key Hydrologic Features**

The key hydrologic features within the area of development include a floodplain and significant groundwater recharge area that is under the jurisdiction of the NPCA. Within the proposed Adventure Park, there are also two unevaluated wetlands and Lake Niapenco.

The RHOP states that no development is to take place within a wetland except in accordance with the applicable provincial regulations. The applicant has designed the development to avoid any wetlands on the subject site. The aerial course has been sited to maintain a minimum 15m Vegetation Protection Zone (VPZ) buffer from any Hydrologic Features. This VPZ was chosen so as to ensure the integrity of the wetlands. The proposed Treewalk Village Adventure Park and administrative rental building is located further than 15m from any Hydrologic Features as recommended in the EIS. This 15m VPZ buffer is also supported by the NPCA.

Two portions of the proposed aerial courses are within the recommended 15m VPZ. No impact on the wetlands is perceived as the aerial course is suspended in the air and no human contact is permitted on the ground.
Further, the development will utilize an existing trail that bisects the existing deciduous forest and clear away some understorey for small spur trails leading to the starting point of each aerial course. These trails will be roped off and supervised by staff which will ensure that guests are not wandering and impacting the wetlands, forest or the shore of Lake Niapenco. Therefore, as the Zip Lines are located high above the ground and the paths have controlled access, no impact to the key hydrologic features are anticipated.

### Key Natural Heritage Features

Within the area of development, the key natural heritage features are Significant Woodland and Significant Wildlife Habitat.

Within the deciduous forest, the following components of the overall development are proposed:

- Seven Zip Line Aerial Courses;
- A Children’s Adventure Park known as the Treewalk Village;
- Various roped off pathways connecting the existing trail to the entrance of the courses; and,
- Two internal roped off staging areas containing picnic tables, one on the west side of the development and one within the Treewalk Village.

The EIS states that no grading or placing of fill is required to implement the development, thereby keeping the deciduous forest within its naturalized state. Construction will be undertaken by hand with experienced climbing arborists while utilizing an existing gravel trail that runs through the proposed site of the Zip Line Adventure Park.

A Site Plan and Tree Protection / Restoration Plan was provided with the application that shows the proposed course layout and the impacted trees. Impacts to the deciduous forest include tree pruning, tree removal and removal of understorey to accommodate the roped off pathways. As a result of the aerial course layout and location of the Treewalk Village, a total of 100 trees will be removed of which 31 are already dead or in poor condition, and the remaining 69 are proposed to be removed due to conflicts with the courses. All removed trees will be compensated for by planting 100 native species and 48 shrubs to the west of the deciduous forest in an effort to expand the overall footprint of the forest (Appendix “F” to Report PED18204). The restoration plantings will be secured at the Site Plan Stage. It is noted that the
restoration plantings are in addition to the yearly plantings that take place throughout the Binbrook Conservation Area undertaken by the NPCA.

The development will not impact the ecological function of the deciduous forest as tree removal is taking place sporadically throughout the 14 hectare development area and will not result in gaps in the canopy. The overall tree canopy will be maintained and the function of the forest as a habitat will not be endangered as a result of removing and pruning the trees. The Adventure Park is to be roped off and supervised by staff to stop guests from entering into the forest or wetlands outside of the aerial course and Treewalk Village area.

Species at Risk

Species at Risk are under the jurisdiction of the MNRF. A Letter of Advice from the MNRF dated January 16, 2017 was reviewed by Staff as part of the EIS. It was found that two Bat SAR were present in the area of development being the Little Brown Myotis and Eastern Small-footed Myotis. MNRF found that the development would not adversely impact the species subject to conditions as shown in Appendix “E” to Report PED18204.

The most significant of the conditions being imposed is that construction cannot take place between April 30 and September 30 so as to fall outside of breeding bird and bat season. No trees suitable for bat roosting are to be removed or impacted by Adventure Park infrastructure and a 5m buffer from suitable bat roosting trees and the aerial courses is maintained so as allow for suitable bat habitat to remain.

It was found by the MNRF that the development would not contravene the Endangered Species Act 2007 subject to the conditions provided with the Letter of Advice and the conditions imposed which are to be adhered to.

Garbage receptacles that are located in the development are designed to be wildlife proof, and educational signage will be placed throughout the development to indicate to the public that certain bat species are located in the Adventure Park.

In addition, City staff require a monitoring plan be put in place for the first, third and fifth year of operation in order to mitigate potential impacts (i.e invasive species, litter, vegetation trampling) that may be experienced from the increased activity within the deciduous forest. This requirement will be implemented at Site Plan Control.
Wildlife

The EIS indicated that the unevaluated wetlands provide habitat for over-wintering turtles and amphibians utilizing the wetland for breeding purposes. As noted above, much of the development is located aerially. The function of the wetland habitat for reptiles and amphibians will not be negatively impacted by the proposed Adventure Park, and the proposal will not result in any impacts to the wetland water balance, the vegetation structure, and will not result in any movement barriers between the wetlands and surrounding habitats. Moreover, the Letter of Advice submitted by the MNRF indicates that construction shall only take place outside of April 30 to September 30 when wildlife is least active.

Based on the above, the impacts to the Core Area are mitigated and the proposal will not degrade the overall function of the Provincially Significant Woodland or Provincially Significant Wetland.

Buildings and Structures

“C.2.4.1 Permitted uses within Core Areas located within the Greenbelt Natural Heritage System as identified on Schedule B - Natural Heritage System or within key hydrologic features anywhere in the Protected Countryside of the Greenbelt Plan as shown on Schedules B-1 to B-8 - Detailed Natural Heritage Features or identified by an Environmental Impact Statement, including any associated vegetation protection zone shall include:

a) Existing agricultural uses, according to the requirements in C.2.4.4;

b) Forest, fish and wildlife management;

c) Conservation, and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;

d) Existing uses, in accordance with Section F.1.12, Non-Conforming and Non Complying Uses of this Plan and according to the requirements in Sections C.2.4.4 and C.2.4.5;

e) Passive recreation uses and small scale structures for recreation uses (such as boardwalks, footbridges, fences,
docks, and picnic facilities); however, the negative impacts on these features should be minimized; and,

f) Infrastructure projects, in accordance with Section C.5.0, Infrastructure of this Plan.”

The RHOP also permits small scale structures for recreational uses within the Natural Heritage System of the Greenbelt Protected Countryside. The structures proposed include, picnic tables, platforms, zip-lines and “treehouse” structures that are approximately 6m². All of the proposed structures are small scale and therefore are permitted by the RHOP.

Both the temporary and permanent administrative buildings will be located outside of the Core Area as delineated on Schedule B – Natural Heritage System and as such, the Open Space Designation on Schedule D – Rural Land Use Designation applies. As discussed above, the administrative building is permitted within the Open Space Designation.

Based on the foregoing, the proposal complies with RHOP.

City of Hamilton Zoning By-law No. 05-200

The subject lands are currently zoned Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone.

The proposed development of a Zip Line Adventure Park requires modifications to the zoning to permit the use. The modification will restrict the use to a Zip Line Adventure Park so as to restrict other forms of recreation that do not comply with the RHOP on the subject lands. The site specific provisions also include a modification to the Open Space (P4) Zone to restrict the size of the proposed administrative and rental building to a maximum gross floor area of 150 m² and to permit the existing parking to remain. The site specific modifications are further discussed in the Analysis and Rationale for Recommendation Section of this Report.

RELEVANT CONSULTATION

The following internal Departments and external Agencies have no concerns or objections with respect to the proposed application:

- Recreation Division (Community and Emergency Services Department); and,

- Forestry and Horticulture Division (Public Works Department).
The following Departments and Agencies have provided comments with respect to the proposed application:

**Ministry of Natural Resources and Forestry (MNRF)** have reviewed the proposal and provided a Letter of Advice dated January 16, 2017 with conditions for the development (refer to Appendix “E” to Report PED18204).

MNRF determined that the project would not adversely impact Little Brown Myotis or Eastern Small-footed Myotis and would not contravene the *Endangered Species Act 2007* subject to conditions which are outlined in Appendix “E” to Report PED18204. Additional comments were submitted indicating that the bat SAR were tolerant of human activity being that they also roost within attics, barns and other buildings.

In addition, the MNRF advised that the proposed Adventure Park will be located within an already disturbed forest already containing relatively frequent human activity, and as such, the proposal did not constitute a further negative impact on the SAR found in the forested area.

**Transportation Management, Public Works Department** have reviewed the application and requested that bike racks be provided on site. Staff note that this requirement will be addressed at the Site Plan Control Stage.

**Environmental Services Division, Public Works Department** have reviewed the application and note that the site is eligible for municipal waste collection, subject to City requirements. Comments indicate that curbside collection will be used for the subject lands, ensuring that the site can be serviced by municipal waste collection vehicles. Further review of eligibility will be conducted at the Site Plan Control stage.

**Niagara Peninsula Conservation Authority (NPCA)** have reviewed the EIS and EIS Addendums submitted with the Zoning By-law Amendment Application. The NPCA noted that an unevaluated wetland is located to the south of the proposed development to which a portion of the course is located near. In response to this, the applicant amended the proposed aerial course in order to avoid the wetland and provided an increased setback.

The NPCA also noted that a 30m VPZ buffer is required for development near a wetland. In this case a 15m VPZ buffer is proposed. In response to this, the applicant submitted an EIS addendum indicating that the nearest footpaths or structures containing platforms are 50m away from the wetland and that only aerial courses traverse the VPZ buffer. No impacts to the wetland are anticipated due to aerial courses crossing the VPZ.
A portion of the development near the shore of Lake Niapenco is proposed to be located within a 100 year floodplain. The NPCA considers the use a Recreational Use and is therefore permitted to be located within a floodplain.

Public Consultation

In accordance with the provisions of the Planning Act and the Council Approved Public Participation Strategy, Notice of Complete Application and Preliminary Circulation was sent to 42 property owners within 120 m of the subject property on April 18, 2018. A public notice sign was posted on the property on April 25, 2018 and updated with the Public Meeting Date on August 22, 2018. A notice was mailed out to 42 property owners as well as one additional interested resident on August 31, 2018 indicating the date of the public meeting.

As a result of the public notice, two letters of objection were submitted. Concerns from the property owners are related to the negative impact on the wildlife within the NPCA property. Additionally concerns were raised with regards to development on wetlands and if an EIS was submitted. The issues and concerns in the correspondence are summarized in the Analysis and Rationale for Recommendation Section (see Appendix “D” to Report PED18204).

Public Consultation Strategy

The applicant engaged in a Public Consultation Strategy that consisted of sending a mail-out to residents within 120m of the subject property with a pamphlet explaining the nature of the type of use and effect of the proposed Zoning By-law Amendment on the subject property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Zoning By-law Amendment Application has merit and can be supported for the following reasons:

   (i) The Application is consistent with the Provincial Policy Statement (2014) and conforms to the Greenbelt Plan (2017);

   (ii) The Application complies with the policies of the Rural Hamilton Official Plan; and,

   (iii) The proposal allows for the continued viability of the Binbrook Conservation Area, without negatively impacting the Core Areas found on the subject lands.
2. The proposed Zoning By-law Amendment will add a Special Exception to the Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone within a portion of the BCA as shown on Appendix “B” to Report PED18204 to permit the development of a Zip Line Adventure Park.

Modification for Use

The proposed Zip Line Adventure Park is considered a Commercial Recreation use as per the definition in Zoning By-law No. 05-200. However, Commercial Recreation also includes such uses as fitness clubs, golf courses and bowling alleys, etc. A modification is required to restrict the use to Zip Line Adventure Park so as to exclude other Commercial Recreation uses from being established that do not comply with the RHOP in the future.

The location of the aerial courses and Treewalk Village and Administrative building are consistent with and support the recommendations in the EIS that was submitted and there will be no negative impact to the Core Area.

Therefore, staff are supportive of the modification.

Gross Floor Area for Administrative Use

The only structure that is part of the proposal that requires a building permit is the administrative and equipment rental building. The building will be a maximum of 150m² in gross floor area and will be located outside of the Core Area, southwest of Parking Lot C. A modification has been added in order to restrict the size and location of the administrative building within the Open Space (P4) Zone to a maximum Gross Floor Area of 150m² as shown on the concept plan submitted with the application (Appendix “C” to Report PED18204). Locating the administrative building in the manicured Open Space (P4) Zone will not impact any key natural or hydrologic features and will act as a staging area for guests before entering the aerial park.

Therefore, staff are supportive of the modification.

Parking

The By-law will also include a modification to permit the existing parking areas on the site to remain. This modification will ensure that the parking areas that have been in existence for some time will not be subject to further requirements such as asphalt paving, minimum parking space size and required landscape strips amongst other requirements. No changes are proposed to the existing parking areas and
staff are satisfied that they are adequate to accommodate the additional use. Any future changes proposed to the parking areas on site will be required to conform to the Zoning By-law.

Therefore, staff are supportive of the modification.

3. As a result of the circulation, two letters were received in opposition to the proposal (see Appendix “D” to Report PED18204). The overall concerns are summarized below:

Impacts to Wildlife and Species at Risk (SAR)

Concerns were raised with regards to the negative impact on Wildlife and SAR. As part of the proposal, a letter of advice from MNRF was submitted attached to the EIS which prescribed the following:

- Tree removal is only to take place outside of the bat season, April 30 to September 30; and construction is to take place only by hand;
- Construction of the aerial park will take place outside of May 1 to August 1 and only in the daylight hours to avoid peak season for bats;
- Suitable trees for bat roosting shall be identified and avoided for removal or incorporation into the Zip Line Adventure Park; and,
- If SAR are observed during construction, construction is to stop and the MNRF is to be contacted.

Staff are in agreement with the recommendations provided by the MNRF and are satisfied that no negative impacts will occur. Moreover, the recommendations also indirectly support other wildlife in the area as construction and tree removal is taking place outside of typical mating and migratory seasons for wildlife other than SAR.

Impact on Wetlands

Two letters were submitted expressing concerns in relation to developing an Adventure Park in a Conservation Area with Natural Features including wetlands. Though the subject lands do contain wetlands, including Lake Niapenco and unevaluated wetlands, no development is proposed within those wetlands. The only encroachment into the recommended 15m VPZ buffer is aerially along the various Zip Lines in between platforms. No human contact is permitted on the ground and the Zip Lines are entirely suspended in the air. Only Treetop Trekking
staff are permitted below the aerial wires but only for the purposes of an emergency or maintenance and only by foot. Both the administrative building and Treewalk Village maintain greater than a 15m setback from any wetland and the nearest spur pathways are 50m away from the wetlands.

One of the letter writers inquired about whether an EIS was submitted with the application and whether the MNRF was contacted by the applicant. As noted above, the EIS was reviewed by both internal staff, NPCA, ESAIEG and MNRF and has been informed through the Letter of Advice from MNRF (Appendix “E” to Report PED18204).

4. In order to implement the proposal, a Site Plan Control Application is required. The purpose of the Site Plan Control Application will be to ensure that the proposal is implemented in accordance with the recommendations contained in the EIS and conditions will be imposed so as to ensure that the recommendations contained in the EIS and Tree Protection and Restoration Plan are carried out to the satisfaction of the City of Hamilton, NPCA and MNRF.

ALTERNATIVES FOR CONSIDERATION

Should the Zoning By-law Amendment not be adopted by Council, the applicant will not be permitted to establish the Zip Line Adventure Park and the subject lands will continue to be used in accordance with the regulations of the Conservation / Hazard Land - Rural (P7) Zone, Conservation / Hazard Land - Rural (P8) Zone and Open Space (P4) Zone.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Clean and Green

*Hamilton is* environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

*Hamiltonians have* a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” - Location Map
Appendix “B” - Zoning By-law Amendment
Appendix “C” - Site Plan
Appendix “D” - Public Comments
Appendix “E” - MNRF Letter of Advice
Appendix “F” - Tree Restoration Plan

RF:jp
Appendix "A" to Report PED18204

Page 1 of 1

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAR-18-023
Date: July 19, 2018

Appendix "A"
Scale: N.T.S.
Planner/Technician: RF/VH

Subject Property

5050 Harrison Road

Block 1 - Change in Zoning from the Open Space (P4) Zone to the Open Space (P4, 699) Zone

Block 2 - Change in Zoning from the Conservation / Hazard - Rural (P7) Zone to the Conservation / Hazard - Rural (P7, 699) Zone

Block 3 - Change in Zoning from the Conservation / Hazard - Rural (P8) Zone to the Conservation / Hazard - Rural (P8, 699) Zone

Additional Lands owned by Niagara Peninsula Conservation Authority

Key Map - Ward 11

N.T.S.
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5050 Harrison Road

WHEREAS Council approved Item ____ of Report ____ of the Planning Committee, at the meeting held on September 14, 2018;

AND WHEREAS this By-law is in conformity with the Rural Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 212, 213, 218 and 219 of Schedule “A” to Zoning By-law No. 05-200 are amended by changing the zoning from the Open Space (P4) Zone, Conservation / Hazard Land – Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone to the Open Space (P4, 699) Zone, Conservation / Hazard Land - Rural (P7, 699) Zone and Conservation / Hazard Land - Rural (P8, 699) Zone, to the lands the extent and boundaries of which are shown as Schedule “A” of this By-law.

2. That Schedule “C” - Special Exceptions of By-law No. 05-200 be amended by adding an additional special exception as follows:

699. Within those lands zoned Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone, identified on Map Nos. 212, 213, 218 and 219 of Schedule “A” Zoning Maps and described as 5050 Harrison Road, the following special provisions apply:

a) The following use shall also be permitted:

(i) Zip Line Adventure Park containing a maximum of 7 aerial courses, 1 Treewalk Village and 1 administrative building.

b) The administrative building shall only be located within the Open Space (P4, 699) Zone and shall only be permitted to have a maximum gross floor area of 150m².

c) The gravel and grass parking areas existing on the date of passing of this By-law shall be permitted.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

4. That this By-law No. XXX shall come into force and deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this day of , 2018

__________________________________  ______________________________________
Fred Eisenberger                     Janet Pilon, CMIII, DPA, CMO
MAYOR                               ACTING CITY CLERK

ZAR-18-023
Schedule "A"

Map Forming Part of
By-law No. 18-_____

to Amend By-law No. 05-200
Maps 212, 213, 218 & 219

Subject Property
5050 Harrison Road

Block 1 - Change in Zoning from the Open Space (P4) Zone to the Open Space (P4, 699) Zone

Block 2 - Change in Zoning from the Conservation / Hazard - Rural (P7) Zone to the Conservation / Hazard - Rural (P7, 699) Zone

Block 3 - Change in Zoning from the Conservation / Hazard - Rural (P8) Zone to the Conservation / Hazard - Rural (P8, 699) Zone

Additional Lands owned by Niagara Peninsula Conservation Authority

This is Schedule "A" to By-law No. 18-

Passed the ........... day of ....................., 2018

Mayor

Clerk
May 7, 2018

Mr. Ferrari
Planning and Economic Development Department
Development Planning, Heritage and Design - Rural Team
71 Main Street West, 5th Floor, Hamilton, ON L8P 4Y5

Dear Mr. Ferrari,

Please accept this letter, as the comments on behalf of the Glanbrook Conservation Committee, in opposition of Zoning By-Law Amendment (File No. ZAR-18-023). The Glanbrook Conservation Committee (GCC) has been involved in the lands of the Binbrook Conservation Area (BCA), and the surrounding area, for over 25 years, improving the quality of nature, and the ability for people to enjoy it. Before the NPCA took over the BCA, as well as since, the GCC has worked on thousands of tree plantings, trail building and maintenance, fish habitat, clean up days, aquatic vegetation and much more. We certainly believe that Conservation should be kept in mind at the Binbrook Conservation Area, but also to be enjoyed by visitors to the park.

However, we are opposed to having what is currently an area containing a Wetlands, to be rezoned for an Adventure Park. I want to add, that there is no mention of this area being a wetlands on the notice, nor mention of an environmental study, to assess species at risk, endangered, or threatened that might live in the wetlands. Has the Ministry of Natural Resources been contacted, and conducted a study of the area?

Further, I am surprised that the NPCA would embark in a project to develop on a Wetlands, given their current negative Public Relations over their support of the development of other sensitive wetlands, and their proposals of Wetlands Biodiversity offsetting. While I do not
support Wetlands biodiversity offsetting in any way, and don’t believe there to be any scientific merit to it, I note that the Site Plan does not contain their own recommendation of where they might propose to create additional wetlands in their offsetting plans.

I would also state, that there it is our belief, that a Conservation Authority, should primarily be focused on Conservation, not the building of amusement parks. This is a beautiful piece of nature, that should not be destroyed, for the purpose of a playground.

Sincerely,

Brett Harrington
Ferrari, Ryan

From: shari munt <shady-cove@hotmail.com>
Sent: May-08-18 3:02 PM
To: Ferrari, Ryan
Cc: Kev
Subject: Zoning bylaw amendment (ZAR-18-023)

Further to your notification of the application to amend the zoning at the Binbrook Conservation area, we would like to go on record as being opposed to this change. The conservation area is home to a great deal of wildlife and waterfowl. This change would be disruptive to all of these animals and birds causing them to relocate. The definition of conservation area is an area of land that is protected and can not be built on or used for certain purposes. Protected areas are essential for biodiversity conservation providing habitat and protection for threatened and endangered species. This suggested aerial park is in definite contradiction to this definition. We moved to this area because of the proximity to the park and greatly object to it being changed.

Your truly,
Kevin & Shari Munt
5045 Trinity Church rd

Sent from my iPhone
January 16, 2017

Jessica Linton
Natural Resource Solutions Inc.
1-225 Labrador Drive
Waterloo, ON N2K 4M8
Jlinton@nrsi.on.ca

Re: MNRF Letter of Advice GU-L-004a-18
Binbrook Conservation Area - Proposed Treetop Trekking Adventure Park
City of Hamilton, Ontario

Dear Ms. Linton,

The Ministry of Natural Resources and Forestry (MNRF), Guelph District Office, has reviewed the information provided in the Information Gathering Form on November 27, 2017 in support of the above noted project to assess the potential impacts of the proposal on Little Brown Myotis (Myotis lucifugus), and Eastern Small-footed Myotis (Myotis leibii), both Endangered species protected under the Endangered Species Act, 2007 (ESA 2007). Based on the information provided, MNRF understands that the proposed project falls within the following parameters:

- The proposed works entail constructing a treetop adventure park in the Binbrook Conservation Area, including:
  - A 2,000 m² six course aerial Adventure Park in the forest canopy in the area identified as Area 2 in the map provided titled, "Binbrook Conservation Area Proposed Treetop Trekking Attraction"
  - a tower to tower zipline in Area 2
  - an approximately 3,500 m² Treewalk Village with tree houses, net bridges, slides, mini-ziplines and tunnels in Area 2
  - a small (300m²) office building in Area 1
  - trail construction and maintenance
- Site preparation will involve removal of hazard trees within the development area
- No suitable maternity roost trees will be removed as part of the tree removal noted above
- Works do not involve the removal of any buildings, walls or other anthropogenic structures
- The park will operate seasonally during daylight hours from April 1 to October 31
- Installation of structures to the trees will be done in a manner which will not damage the tree, and will allow the tree to continue to grow as it normally would.
- The park will not require lighting during dusk or dark

Based on a review of the information provided, MNRF staff have determined that the proposed project will not adversely affect Little Brown Myotis or Eastern Small-footed Myotis provided the following conditions are implemented:
1. Removal of trees and tree limbs during site preparation will occur outside of the summer bat active period of April 30th to September 30th;
2. Construction activities during the active season should be restricted to daylight hours only and the use of artificial lighting should be avoided;
3. The limit of all construction activities should be clearly delineated to avoid unnecessary encroachment into natural features;
4. Suitable maternity roost trees and clusters of trees identified as suitable bat maternity roost trees should be excluded from the development area and left intact;
5. Platforms for the Treewalk Village and Adventure Park will be installed by hand without using large construction equipment such as elevating work platforms;
6. Construction of the Treewalk Village and Adventure Park will be conducted outside the period from May 1st to August 1st to avoid the peak of the active season for bats;
7. Educational materials, such as signage or informational pamphlets, will be developed to inform visitors about bat species at risk;
8. In the maintenance phase any newly identified hazard trees or tree limbs that have cavities suitable for use by bats should be removed outside of the summer bat active period of April 30th to September 30th. If the active season cannot be avoided for safety reasons, then exit surveys for bats will be conducted within 24 hours of removal of trees or tree limbs to confirm SAR bats are not using them (if bats are using the cavity trees contact MNRF for further advice);
9. If any Species at Risk are observed within the construction area at any time, construction will halt and MNRF will be contacted immediately.

Please be advised that it is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws or other required approvals.

Should any of the project parameters change, please notify the MNRF Guelph District Office immediately to obtain advice on whether the changes may require authorization under the ESA 2007. Failure to carry out these projects as described above could result in contravention of the ESA 2007.

If you have any questions, please contact me at 905-562-0041 or at Elizabeth.reimer@ontario.ca.

Sincerely,

Elizabeth Reimer
A/ Management Biologist

cc. Gregg Furtney (Niagara Peninsula Conservation Authority)
Subject: RE: Binbrook Conservation Area - Treetop Trekking Adventure Park - ESAIG Comments
From: "Reimer, Elizabeth (MNRF)" <Elizabeth.Reimer@ontario.ca>
Date: 4/4/2018 4:44 PM
To: Jennifer McCarter <jmccarter@nrsi.on.ca>

Hello Jen,
Thank you for your phone call last week to discuss MNRF’s response to the proposed Treetop Trekking Adventure Park at the Binbrook Conservation Area. The MNRF provided a letter on January 16, 2018 (GU-L-004a-18). In that letter we indicated that we are of the opinion that the project as proposed will not contravene the Endangered Species Act, 2007 (ESA 2007) provided certain measures were taken, e.g. disturbance to potential roost trees be avoided, timing of works avoid the active season of bats, etc. No information has been provided that would alter that opinion at this time.

With respect to Jefferson Salamander, the MNRF reviewed the proposed application and we are of the opinion that the proposed development is not likely to have adverse effects on the species because the area proposed for constructing the treetop trekking course is outside of the feature. Mapping provided in the Information Gathering Form dated November 27, 2017, indicates that the work is proposed in the FOD2 community, and will avoid the Mineral Marsh ecosite where potential habitat occurs. As such, no further measures were recommended to avoid impacts to Jefferson Salamander.

With respect to at-risk bat species, Little Brown Myotis (Myotis lucifugus) were detected on acoustic monitors and are believed to use the habitat within the FOD2 area. The MNRF is of the opinion that, if the avoidance measures identified in the letter referenced above are adhered to, we do not anticipate that the activity will contravene the ESA 2007. The comments provided by the ESAIG indicate a concern that the bats are sensitive to the noise and activity relating to the operation of the treetop trekking course. The MNRF notes that, according to the data we have available, in the area where development is currently proposed the Little Brown Myotis calls were recorded; however, other species at risk were not detected. Little Brown Myotis frequently use anthropogenic features for roosting, such as attics, barns, and buildings. For that reason, Little Brown Myotis are believed to be relatively tolerant of human activity during the summer active season and are expected to continue using roosts in the Binbrook Conservation area. The MNRF recommended that educational pamphlets or signs be installed to advise visitors of the presence of bats, and identify ways that recreational visitors can avoid disturbing bats.

The bat surveys that the ESAIG recommended are not likely to provide the necessary information to determine whether the proposed development would negatively affect bats. The primary threat to Little Brown Myotis is White-Nose Syndrome. Results of acoustic monitoring would not be able to differentiate between declines related to WNS, versus declines related to development.

I trust the above is useful to you in providing clarification on MNRF’s position regarding the potential impacts to species at risk related to the treetop trekking proposal.

If you need anything further, do not hesitate to phone or email at any time.

Regards,

Elizabeth
TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11)

WARD(S) AFFECTED: Ward 11

PREPARED BY: Jennifer Roth (905) 546-2424 Ext. 2058

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE: 

RECOMMENDATION

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-03 by Michael Pejic, (Owner), to create Site Specific Policy Area “X” in the Mount Hope Secondary Plan, to permit the creation of four lots for single detached dwellings for the lands located at 3331 Homestead Drive (Glanbrook), as shown on Appendix “A” to Report PED18197 be APPROVED, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18197 be adopted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe.

(b) That Amended Zoning By-law Amendment Application ZAC-18-007 by Michael Pejic, (Owner), for a change in zoning from the General Commercial “H-C3-050” Zone, Modified to Single Residential (R3-311) Zone in the Glanbrook Zoning By-law No. 464 in order to permit the creation of four lots for single detached dwellings for lands located at 3331 Homestead Drive (Glanbrook), as shown on Appendix “A” to Report PED18197 be APPROVED, on the following basis:

Our Vision: To be the best place to raise a child and age successfully.
Our Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
Our Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 2 of 27

(i) That the draft By-law, attached as Appendix “C” to Report PED18197, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XXX.

(c) That approval be given to remove the lands located at 3331 Homestead Drive from Zoning By-law No. 05-200, subject to the following:

(i) That the draft By-law, attached as Appendix “D” to Report PED18197, be held in abeyance until such time as By-law No. 17-240, being a By-law to establish the Commercial and Mixed Use Zones in Zoning By-law No. 05-200 is in force and effect;

(ii) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to PED18197, for enactment by City Council, once By-law No. 17-240 is in force and effect.

EXECUTIVE SUMMARY

The applicant has applied for approval of an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 3331 Homestead Drive in Glanbrook. The original proposal was to permit the development of five lots for single detached dwellings. After reviewing the application, staff are recommending approval of an amended application to permit the development of four lots for single detached dwellings, as illustrated on Appendix “E” to Report PED18197. The applicant is in agreement with the amended application.

The applicant is proposing to re-designate the lands from “District Commercial” to “Neighbourhoods” in Volume 1 of the Urban Hamilton Official Plan (UHOP) and to re-designate from “District Commercial” to “Low Density Residential 2” and remove it from Special Policy Area “D” in the Mount Hope Secondary Plan in order to permit the creation of four lots for single detached dwellings. Special Policy Area “D” (OPA 69) is currently under appeal to the Local Planning Appeals Tribunal (LPAT) which prevents further modifications. Staff have amended the UHOPA application to create a new Special Policy Area “X” in the Mount Hope Secondary to permit the creation of 4 lots for single detached dwellings. Once the appeals have been resolved, a future Housekeeping Amendment will be completed to re-designate the lands from “District

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 3 of 27

Commercial” to “Neighbourhoods” in Volume 1 of the Urban Hamilton Official Plan (UHOP) and to re-designate from “District Commercial” to “Low Density Residential 2”.

The site has previously been included as Mixed Use Medium Density (C5, 652, H102) Zone as part of the new Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200. The implementing Zoning By-law No. 17-240 has been appealed to the LPAT, formerly known as the Ontario Municipal Board (OMB). In anticipation of resolution of LPAT appeals pertaining to the CMU Zones, a draft by-law has been prepared with this Report (attached as Appendix “D” to Report PED18197), to remove the lands from Zoning By-law No. 05-200. The draft by-law will be held in abeyance until the CMU Zones are in force and effect, at which time the by-law will be brought forward to City Council for enactment.

The applicant is proposing a site specific Single Residential “R3” Zone, in the Town of Glanbrook Zoning By-law No. 484. The proposed site specific Single Residential “R3” Zone includes modifications to increase the minimum lot frontage from 18 m to 20 m, increase the minimum lot area from 450 sq m to 950 sq m, increase the front yard from 7.5 m to 9 m and to increase the rear yard from 7.5 m to 22 m.

To facilitate the development as proposed, severance applications will be required to create the four lots.

The proposal has merit and can be supported since the application is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe, complies with the Urban Hamilton Official Plan (UHOP) and complies with the Mount Hope Secondary Plan, subject to the recommended amendments. The proposed development is considered to be compatible with, and complementary to, the existing and planned development in the immediate area.

**Alternatives for Consideration – See Page 26**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider applications for amendments to the Official Plan and Zoning By-law.

**OUR Vision:** To be the best place to raise a child and age successfully.

**OUR Mission:** To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

**OUR Culture:** Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
HISTORICAL BACKGROUND

Proposal:

The subject lands are located on the east side of Homestead Drive, west of Upper James Street and south of Airport Road. The site is a through lot, and has frontage on both Homestead Drive and Upper James Street. The lands are currently vacant, are irregular in shape, comprising an area of approximately 0.43 ha, and are legally described as Part of Lot 6, Concession 5, Township of Glanford. They are municipally known as 3331 Homestead Drive (see location map attached as Appendix “A” to Report PED18197).

Through the development of Commercial and Mixed Use (CMU) Zones, the subject property was rezoned as Mixed Use Medium Density (C5, 652, H102) Zone to implement the applicable policies and designations of the UHOP that applied to the subject lands.

The proposal was originally for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment to permit the development of five lots for single detached dwellings. Staff amended the application with the applicant’s agreement and as result the applicant has submitted a revised site plan demonstrating the development of four lots for single detached dwellings.

Official Plan Amendment:

The applicant submitted an Urban Hamilton Official Plan to permit the creation of four lots for single detached dwellings. Staff amended the application to create a new Special Policy Area “X” in the Mount Hope Secondary to permit the creation of four lots for single detached dwellings. A future Housekeeping Amendment will be required to re-designate the lands from “District Commercial” to “Neighbourhoods” in Volume 1 of the Urban Hamilton Official Plan (UHOP) and to re-designate from “District Commercial” to “Low Density Residential 2” and to amend Site Specific Policy Area “D” to remove 3331 Homestead Drive, once the appeal related to Special Policy Area “D” is resolved.

Zoning By-law Amendment:

The applicant applied for a Zoning By-law Amendment to rezone the subject lands from General Commercial “H-C3-050” Zone, Modified with a Holding to a site specific Residential (R3) Zone to permit the development of four lots for single detached dwellings.
New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been Council adopted, however the implementing Zoning By-law No. 17-240 has been appealed to the Local Planning Appeals Tribunal (LPAT), formerly known as the Ontario Municipal Board (OMB). The site has previously been included as Mixed Use Medium Density (C5, 652, H102) Zone. In anticipation of resolution of LPAT appeals pertaining to the CMU Zones a draft by-law has been prepared with this Report (attached as Appendix “D” to Report PED18197), to remove the lands from Zoning By-law No. 05-200. The draft by-law will be held in abeyance until the CMU Zones are in force and effect, at which time the by-law will be brought forward to City Council for enactment.

Access to the proposed development will be via Homestead Drive as identified in Appendix “E” to Report PED18197.

**Chronology**

- **December 19, 2017:** Urban Hamilton Official Plan Amendment Application UHOPA-18-03 and Zoning By-law Amendment Application ZAC-18-007 received.
- **January 23, 2018:** Notice of Complete Application and Preliminary Circulation mailed to 32 property owners within 120 m of the subject lands.
- **February 2, 2018:** Public Notice Sign posted on site.
- **August 22, 2018:** Public Notice Sign updated with Public Meeting Information.
- **August 27, 2018:** Circulation of the Notice of Public Meeting to 32 property owners within 120 m of the subject lands.

**Details of submitted applications:**

**Location:** Part of Lot 6, Concession 5, Township of Glanford (Glanbrook) City of Hamilton (3331 Homestead Drive)

**Owner:** Michael Pejic
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 6 of 27

Agent: IBI Group Inc. (c/o Angela Buonamici and John Ariens)

Property Description: Lot Area: approx. 0.43 ha
Lot Frontage: approx. 84 m
Lot Depth: approx. 57 m

Servicing: Full Municipal Services

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>General Commercial “H-C3-050” Zone in Glanbrook Zoning By-law No. 464 and Mixed Use-Medium Density (C5, 652, H102) Zone in Hamilton Zoning By-law No. 05-200</td>
<td></td>
</tr>
</tbody>
</table>

Surrounding Land Uses:

<table>
<thead>
<tr>
<th>North:</th>
<th>South:</th>
<th>East:</th>
<th>West:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Dwelling</td>
<td>Sewage Pumping Station</td>
<td>Southern Pines Golf and Country Club</td>
<td>Single Detached Dwellings</td>
</tr>
</tbody>
</table>

Existing Residential “ER” Zone
General Commercial “H-C3-050” Zone
Open Space (P4) Zone
Existing Residential “ER” Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial Planning Policy Framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (PPS 2014). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS.
The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board (OMB), now known as the Local Planning Appeals Tribunal (LPAT) approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth, environmental protection and sensitive land uses) are reviewed and discussed in the Official Plan analysis that follows.

Staff note that the current Cultural Heritage policies of the UHOP have not yet been updated in accordance with the PPS (2014). As such, the following policy of the PPS also (2014) applies:

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

A Stage 1-2 Archaeological Assessment (P038-0948-2018) was submitted as part of the subject applications and to the Ministry of Tourism, Culture, and Sport. The Report concluded that no further archaeological assessment is required and that the Provincial interest in archaeological resources with respect to the proposal have been addressed. Staff agree with the findings of the Archaeological Assessment and all municipal interests in the site from an archaeological perspective have been addressed.

“1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

1.6.9.1 Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:

a) their long term operation and economic role is protected; and,

b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.”

The proposal is consistent with the Land Use Compatibility and Airport, Rail and Marine policies of the Provincial Policy Statement. The PPS protects airports and their long term operation and economic role and requires that sensitive land uses such as...
residential development are appropriately separated. An Environmental Noise Impact Study was prepared by dBA Acoustical Consultants Inc., dated November, 2017, and it concludes that the proposed residential development, being a sensitive land use, has been appropriately located to provide adequate separation from the John C. Munro International Airport, being a major facility. Further, the site is located adjacent to a Major Arterial Road and a Collector Road, however the proposed single detached dwellings have been set back 30 m from the Major Arterial Road and do not require the construction of a berm or a noise wall. The site is located within the 25-28 NEF noise contours, which permits sensitive land uses to be constructed, provided appropriate Warning Clauses are included in the Agreements of Purchase and Sale, air conditioners are provided, and all construction meets the recommendations within the Noise Impact Study. Staff agree with the findings of the Environmental Noise Impact Study.

Therefore the proposal is consistent with the Provincial Policy Statement.

**Growth Plan for the Greater Golden Horseshoe (2017)**

The following policies, amongst others, are applicable to the proposed development:

"2.1 Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options.

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

c) within settlement areas, growth will be focused in:

i) delineated built-up areas; and,

d) development will be directed to *settlement areas*, except where the policies of this Plan permit otherwise."

The subject lands are within the delineated built boundary of the City of Hamilton and the proposal will contribute to the achievement of complete communities and supporting local infrastructure while contributing to a range of housing forms and tenures.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 9 of 27

The following applicable policies, amongst others, apply as it relates to the airport:

“3.2.4.2 The Province and municipalities will work with agencies and transportation service providers to:

a) co-ordinate, optimise, and ensure the long-term viability of major goods movement facilities and corridors.

3.2.5.1 In planning for development, optimization, or expansion of existing and planned corridors and supporting facilities, the Province, other public agencies and upper- and single-tier municipalities will:

b) ensure that existing and planned corridors are protected to meet current and projected needs in accordance with the transportation and infrastructure corridor protection policies in the PPS;

3.2.5.2 The planning, location, and design of planned corridors and the land use designations along these corridors will support the policies of this Plan, in particular that development is directed to settlement areas.”

The proposed development for single detached dwellings is located within the 25-28 NEF noise contours, which subject to the implementation of the appropriate mitigation measures, permits residential and other sensitive land uses without hindering the development or expansion of the airport.

It is staff’s opinion that the proposal conforms with the applicable policies of the Growth Plan for the Greater Golden Horseshoe (2017).

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated as “District Commercial” on Schedule “E-1” – Urban Land Use Designations, is located with 25 – 28 Noise Exposure Forecast (NEF) contours on Appendix “D”, and is within the Urban Boundary on Appendix “G” – Boundaries Map. The subject lands are further designated “District Commercial” and are located within “Special Policy Area D” on Map B.5.4-1 – Mount Hope Secondary Plan Land Use Plan.

The following policies, amongst others, apply to the proposal:

“E.4.7.2 The following uses shall be permitted on lands designated District Commercial on Schedule E-1 – Urban Land Use Designations:
OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 10 of 27

a) commercial uses including retail stores, personal services, financial, establishments, live work units, restaurants, including gas bars, car washes, and service stations;

b) medical clinics and offices provided they are located above the first storey; (OPA 64)

c) residential uses provided they are located above the first storey of a mixed use building; and,

d) accessory uses.

E.4.7.3 Notwithstanding Policy E.4.7.2, the following uses shall be prohibited on lands designated District Commercial on Schedule E-1 – Urban Land Use Designations:

a) vehicle dealerships;

b) garden centres as a primary use; and,

c) a single use over 10,000 square metres in floor area.”

The site was designated “General Commercial” in the Township of Glanbrook Official Plan and was subsequently brought forward into the current Urban Hamilton Official Plan as “District Commercial”. The lands to the north of the site, located in noise contours that prevent new residential development, are also designated “District Commercial” and can only be developed for non-sensitive land uses. While commercial uses of this nature serve an important function in the commercial landscape, the type and function of commercial uses is undergoing significant change due to changes in consumer preferences and shopping patterns. With the redirection of traffic from Upper James Street along the Highway 6 extension, the need for a large portion of commercial lands at the intersection of Airport Road and Upper James Street has been reduced. Further, the abutting and surrounding residential uses make a residential use on the subject site, a compatible use. Accordingly, in evaluating the merits of this application, staff are satisfied that sufficient and appropriate “District Commercial” designated lands will continue to be provided within the broader community, including the vicinity of the subject lands. Likewise, the proposed residential development is compatible with the surrounding residential development. On this basis, staff support the creation of a new Site Specific Policy Area “X” to permit four lots for single detached dwellings and the subsequent Housekeeping Amendment to re-designate the site to “Neighbourhoods” to permit residential development, being four single detached dwellings.
The following policies, amongst others, are applicable to the subject applications.

**Primary Corridor**

Upper James Street is identified as a Primary Corridor on Schedule “E” of the UHOP. The following policies, amongst others, apply.

“E.2.4.3 Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed use where feasible, supported by higher order transit on the Primary Corridors.

E.2.4.6 Urban Corridors shall function as the commercial spines providing retail stores and commercial services that cater primarily to the weekly and daily needs of residents within the surrounding neighbourhoods. Small scale retail stores that cater to broader regional market may also be permitted.

E.2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.”

Despite being located on Upper James Street, the site cannot obtain direct access onto Upper James Street, and due to Homestead Drive being a one way road at the southern intersection of Homestead Drive and Upper James Street, the site’s function for a commercial development is limited. The challenging site design from an access perspective limits the retail and mixed use development form that is characteristic of Primary Corridors. The development of the site with four single detached dwellings is compatible with the adjacent single detached dwellings.

**Archaeology**

With respect to archaeological concern, the UHOP identifies applicable policy under Section B.3.4.4.2:

“B.3.4.4.2 In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for the following planning matters under the Planning Act:
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 12 of 27

b) zoning by-law amendments unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance; and,

c) plans of subdivision.

B.3.4.4.4 Archaeological assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.4 - Archaeological Assessments.

As noted previously, Provincial and City of Hamilton interests have been addressed from an archaeological perspective.

Noise

“C.4.8.1 It is the objective of this Plan to support John C. Munro International Airport as a 24 hour, seven day a week operation. The Airport and the adjacent Airport Business Park is one of the City's major economic nodes and a valued transportation facility which links the movement of goods and people.

C.4.8.2 The lands identified as John C. Munro International Airport on Schedule E-1 – Urban Land Use Designations are recognized as the City’s major airport facility, which includes both airport uses and complementary uses supporting the primary function of the Airport. These lands are intended to have full municipal services.

C.4.8.3 The City shall support the Federal Government and airline companies in the provision of adequate airline and airport service to the residents and businesses of the City.

C.4.8.4 The City shall maintain Noise Exposure Forecast (NEF) contours and the Primary Airport Zoning Regulation, as amended from time to time, and formulate guidelines for development in the vicinity of John C. Munro International Airport.

C.4.8.5 The City shall minimize future conflicts between operation of the Airport and surrounding land uses to ensure:

a) there shall be no negative impact on the long-term operations of the Airport;
b) the opportunities for expansion of airport operations shall not be limited; and,

c) there are no land uses in the vicinity which may cause a potential aviation hazard.

d) development that is noise or land use sensitive to airport operations or will limit the opportunities for expansion of airport operations shall be restricted.

C.4.8.6 NEF contours and the Airport Influence Area are identified on Appendix D (Urban) – Noise Exposure Forecast Contours and Primary Airport Zoning Regulations, and designated on Schedule G – Airport Influence Area of the Rural Hamilton Official Plan.

C.4.8.7 All development and redevelopment shall comply with all provincial and municipal standards, criteria and guidelines regarding noise and vibration from air traffic sources, including Section B.3.6.3 - Noise, Vibration and Other Emissions.

C.4.8.8 Proposals for development, infill development and redevelopment of residential or other sensitive land uses shall comply with the following requirements in Table C.4.8.1 – Requirement for Development in the Vicinity of John C. Munro International Airport, based on all applicable locational criteria. Proposals may meet more than one locational criteria and thereby be subject to more than one set of requirements.”

Table C.4.8.1

<table>
<thead>
<tr>
<th>Locational Criteria</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 35 NEF and greater, and / or within the Airport Influence Area</td>
<td>a) All new development of residential and other sensitive land uses, including infill development and redevelopment, shall be prohibited.</td>
</tr>
<tr>
<td></td>
<td>b) New land uses which may cause a potential aviation hazard shall be prohibited.</td>
</tr>
</tbody>
</table>
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 14 of 27

<table>
<thead>
<tr>
<th>Locational Criteria</th>
<th>Requirements</th>
</tr>
</thead>
</table>
| 2 28 NEF and greater, but less than 35 NEF | a) All new development of residential and other sensitive land uses, including infill development and redevelopment, shall be prohibited.  
    b) New land uses which may cause a potential aviation hazard shall be prohibited.  
    c) All development applications approved prior to the approval of this Plan may proceed. |
| 3 25 NEF and greater, but less than 28 NEF | a) All development and redevelopment proposals for residential and other sensitive land uses shall be required to submit a detailed noise study, employ noise mitigation measures and include appropriate warning clauses in accordance with Section B.3.6.3 – Noise, Vibration and Other Emissions, and Policy C.4.8.6.  
    b) New land uses which may cause a potential aviation hazard shall be prohibited. |

The site is located between 25 and 28 NEF contours which permits residential development subject to a detailed noise study being completed. As previously discussed, staff agree with the findings of the Environmental Noise Impact Study and therefore, municipal interest as it relates to noise has been addressed, subject to the implementation of the appropriate mitigation measures.

Road Widening

“C.4.5.6 The City shall reserve or obtain road widenings for rights-of-way as described in Schedule C-2 – Future Road Widenings. Where a road right-of-way is not described in Schedule C-2 – Future Road Widenings, the City shall reserve or obtain road widenings for rights-of-way as described in Section C.4.5.2. The aforesaid road widenings shall be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.”

A ROW widening along Upper James Street is required to meet the ultimate width of 45 m. As part of the forthcoming land severance applications, the ROW widening will be secured through the consent agreement.
Mount Hope Secondary Plan

The subject lands are being re-designated from "District Commercial" to "Low Density Residential 2" as identified on Map B.5.4-1 – Mount Hope Secondary Plan Land Use Plan.

The following policies, amongst others, apply to the proposal:

“B.5.4.4.1 In addition to Section E.4.7 – District Commercial of Volume 1, the following policies shall apply to the lands designated District Commercial on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) Existing and future commercial uses within the District Commercial designation are intended to serve the existing and future residents of the Mount Hope Secondary Plan area as well as the surrounding rural area, the Hamilton Airport and the Airport Industrial-Business Park.

b) In addition to the uses permitted in Policy E.4.7.2 of Volume 1, permitted uses in the District Commercial designation shall include retail and service commercial, personal and business services, recreational and entertainment facilities, restaurants, taverns, hotels, and motels. Cultural facilities, community facilities/services, and institutional uses may also be permitted provided they do not interfere or conflict with the satisfactory development and operation of the District Commercial designation for the predominant general commercial uses.

c) Lands with District Commercial designation shall be encouraged to be redeveloped for District Commercial uses. It is recognized that the redevelopment of the existing residential lots for commercial uses will occur over a relatively lengthy period of time.

d) Development of commercial uses shall be planned and coordinated to limit the establishment of a continuous strip of individual developments.

e) Redevelopment shall consider and be sensitive to existing residential development and ensure that the bulk, scale, height and design of commercial developments and other permitted uses are compatible with adjacent residential uses.

f) The District Commercial designation adjacent to Airport Road West and Homestead Drive enjoys a high degree of visibility and provides a gateway to the John C. Munro International Airport. To ensure this area

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
develops in a coordinated, well-designed and aesthetically-pleasing manner with adequate infrastructure and amenities, and to provide funding eligibility, the City shall investigate the designation of these lands as a Community Improvement Project Area.

g) All outdoor lighting shall be oriented away from residential areas and adjacent public roads, and shall not interfere with airport operations.”

The site is located within the “District Commercial” designation of the secondary plan which does not permit single detached dwellings. Therefore, an amendment to the plan to create a Site Specific Policy Area “X” is required to permit the creation of four lots for single detached dwellings and a subsequent Housekeeping Amendment will be required to re-designate the site from “District Commercial” to “Low Density Residential 2” upon the resolution of the LPAT appeals associated with Special Policy Area “D”.

The following Residential General Policies, amongst others, apply.

“B.5.4.2.1 In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall apply to the lands designated for residential uses on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) Development of the residential area within the Mount Hope Urban Settlement Area shall proceed in a generally north to south pattern and in an orderly, efficient, economical, and well-planned manner.

b) Residential development shall be sensitive to existing residential uses, and redevelopment of the vacant portions of existing large lot residential development shall be encouraged.

c) Residential areas should be integrated with parkland in order to provide a convenient, safe and visually pleasing living environment.

d) Permitted residential uses shall include single detached dwellings, semi-detached dwellings, townhouses, apartments and housing with supports.”

The proposed development for four lots has been designed to be sensitive to the existing residential character and is for the development of single detached dwellings consistent with the surrounding residential development. As a result, the proposed development complies with the General Policies.
Furthermore, the “Low Density Residential” policies of Section B.5.4.2.2 of Volume 2 apply.

“B.5.4.2.2 Low Density Residential

a) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.5.4-1 – Mount Hope – Land Use Plan:

i) The permitted uses shall primarily consist of single detached dwellings, duplex, semi-detached and triplex dwellings.

ii) The maximum density shall be 25 units per net hectare.”

The proposed amendment to the UHOP is to permit four single detached dwellings. The subject application consists exclusively of single detached dwellings at a density of 9 units per hectare which complies with the “Low Density Residential 2” policies. Residential development can be supported in this location because of the adjacent residential development, adequate setbacks and noise attenuation from Upper James Street and being outside of restrictive NEF contours in relation to future airport expansion plans.

Therefore, the proposal complies with the above policies and can be supported.

The site is also located within Special Policy Area “D” (OPA 69), which is currently under appeal to the LPAT.

“B.5.4.11.4 The following policies shall apply to lands located at 3239 to 3331 Homestead Drive and 3260 to 3300 Homestead Drive, designated “Mixed Use – Medium Density” on Map B.5.4-1 – Mount Hope Secondary Plan Land Use Plan to allow for infill residential development in areas, where the noise contour is under 30 NEF, which will support a more balanced mix of land uses within the Mount Hope Community:

a) In addition to the uses permitted in Policy E.4.6.5 of Volume 1, street townhouses, block townhouses, and existing single detached dwellings (including minor additions, porches, decks, etc.) shall also be permitted.

b) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, maximum building heights shall be restricted to three storeys.
c) Policy B.5.4.9.1 of Volume 2 shall not apply to minor additions, porches, decks, etc. to existing single detached dwellings."

Having regard for Special Policy Area “D” (OPA 69), additional residential uses beyond multiple dwellings are permitted, being street townhouses and block townhouses. Existing single detached dwellings are also permitted. As a result of the appeals associated with Special Policy Area “D”, staff have amended the application to create a new Special Policy Area “X” to permit single detached dwellings. As part of a future Housekeeping Amendment, 3331 Homestead Drive will be removed from Special Policy Area “D”.

Due to the site abutting a City sanitary sewage pumping station, the following policies apply, but do not impact the future development of the site.

“B.5.4.7.1 In addition to Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) Development, grading and/or drainage of lands adjacent to, within or crossing of the lands designated Utility which are a transmission corridor for the Inter-provincial Pipeline Inc. oil pipeline as well as lands reserved for the construction of sanitary sewerage pumping stations, shall be subject to the approval of Inter-provincial Pipeline Inc. and/or the City.”

Policies pertaining to Noise and Other Airport Impacts in the Secondary Plan apply in addition to the policies from Volume 1 of the UHOP, including:

“B.5.4.9.1 Mount Hope Secondary Plan area is in the vicinity of John C. Munro International Airport, Highway 6, and the Airport Business Park. All of these uses have the potential to cause negative impacts on nearby sensitive land uses. To ensure that negative impacts on sensitive land uses are minimised and the operations of John C. Munro International Airport, Highway 6, and the Airport Business Park are not compromised:

a) Sections B.3.6.3 – Noise, Vibration and Other Emissions and C.4.8 – Airport of Volume 1, shall apply to the Mount Hope Secondary Plan area;

b) all new development and redevelopment shall conform to all relevant legislation, policies, standards and guidelines;
As previously noted, staff agree with the findings of the Environmental Noise Impact Study and all municipal interests regarding noise have been addressed.

In review, the proposal complies with the policies of the Mount Hope Secondary Plan.

**Town of Glanbrook Zoning By-law No. 484**

The subject lands are currently zoned General Commercial “H-C3-050” Zone, Modified in the Town of Glanbrook Zoning By-law No. 464. The General Commercial “H-C3-050” Zone, Modified permits a range of commercial uses and ancillary residential uses, uses related to motor vehicles, urban farms, community gardens and urban farmers markets. The Holding is outdated, in that adequate services for sanitary sewage disposal and water supply must be demonstrated, access permits to the site must be obtained from the Ministry of Transportation and a Development, Maintenance and Use Agreement must be entered into with the local municipality. At this time, full municipal services are available and access from Upper James Street is not supported by Transportation Planning and cannot be obtained. The site specific provisions limits the use of the site to the sale of manufactured housing units until such a time as the holding can be removed, which would then permit all the General Commercial “C3” zone uses.

In order to implement the amended proposal for four single detached dwelling, the applicant has applied to change the zoning to the Residential “R3” Zone with site specific provisions to increase the minimum lot frontage from 15 m to 20 m, increase the minimum lot area from 450 sq m to 810 sq m for Lot 4 and to 950 sq m for Lots 1 - 3, increase the minimum front yard from 7.5 m to 9 m and increase the minimum rear yard from 7.5 m to 22 m. The proposed zoning for the subject lands will be discussed in greater detail in the Analysis and Rationale for Recommendation Section of this Report.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 20 of 27

City of Hamilton Zoning By-law No. 05-200

New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been Council adopted but are currently under appeal to the LPAT. The site has been included in this by-law as a Mixed Use-Medium Density (C5, 652, H102) Zone. To facilitate the proposed development, the site would need to be removed from Zoning By-law 05-200 and the CMU Zones. In anticipation of resolution of Ontario Municipal Board appeals pertaining to the CMU Zones, a draft by-law has been prepared with this Report (attached as Appendix “D” to Report PED18197) to remove 3331 Homestead Drive from Zoning By-law No. 05-200. The draft by-law will be held in abeyance until the CMU Zones are in force and effect, at which time the by-law will be brought forward to City Council for enactment.

RELEVANT CONSULTATION

The following Departments / Agencies had no comments or objections:

- Hydro One;
- Operations Support, Strategic Planning Section, Corporate Assets and Strategic Planning Division (Public Works Department);
- Recreation Planning (Healthy and Safe Communities Department); and,
- Niagara Peninsula Conservation Authority.

The following Departments / Agencies have provided comments with respect to the proposed applications:

Forestry and Horticulture Section (Public Works Department) staff advise that they have approved the submitted Tree Management Plan and Landscape Plan subject to compensation for the street trees that will be removed. In accordance with the New Developments Tree Planting Policy, the City of Hamilton collects cash in lieu of Trees. Forestry and Horticulture Section can clear the standard condition for Street Tree Plantings upon receipt of a cash payment at a rate of $613.84 plus HST per tree which will be obtained as a condition of the consent applications.

Transportation Planning (Planning and Economic Development Department) advised that Homestead Drive is a Collector Road with an ultimate width of 26.213 m and that Upper James Street is a Major Arterial Road that will be subject to a right of way widening requirement to allow future build out of a multi-use trail along Upper James Street. No widening is required along Homestead Drive. The right of way widening will be secured at the time of the consent applications.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Public Health (Healthy and Safe Communities Department) advised that should the development proceed, a pest control plan will be required and will be secured as part of the consent applications.

Landscape Architectural Services (Public Works Department) advised cash-in-lieu of parkland dedication is required which will be secured at the time of the consent applications. Landscape Architectural Services staff also advised that the Recreational Trail Master Plan proposes a multi-use trail along the properties lot line along Upper James Street.

PUBLIC CONSULTATION

In accordance with the provisions of the Planning Act and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation of the proposal was sent to 32 property owners within 120 m of the subject lands on January 23, 2018. A Public Notice sign was posted on the property on February 2, 2018 and updated on August 8, 2018 with the details of the Public Meeting. Notice of the Public Meeting was given by mail that was circulated to 32 property owners within 120 m of the subject lands on August 17, 2018.

At the time of preparation of this Report, one letter was received inquiring about the development and the impacts on their property, including specific concern regarding impacts on mature trees on their property. The owner of the subject property contacted the concerned property owner and resolved the concern by providing substantial replacement trees which were secured through a letter of understanding between property owners. A second letter was received requesting a copy of the Notice of Complete Application. All public correspondence is attached as Appendix “F” to Report PED18197.

Public Consultation Strategy

The applicant prepared a Public Consultation Strategy in accordance with the Provisions of the Planning Act. In addition to the standard Public Notice Sign, the applicant was willing to host a neighbourhood meeting should the Ward Councillor request one. At the time of preparation of this Report, the Ward Councillor has not requested a neighbourhood meeting.
ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the PPS and conforms to Growth Plan for the Greater Golden Horseshoe;

   (ii) It complies with the UHOP and the Mount Hope Secondary Plan, subject to approval of the recommended UHOP amendment;

   (iii) The proposed modifications to the site specific zoning are considered to be compatible with the existing development in the surrounding area and appropriate for the surrounding context; and,

   (iii) The proposed development is compatible with existing residential land uses in the immediate area and represents good planning by, among other things, providing for the development of a complete community, while making efficient use of an underutilized parcel of land and existing infrastructure within the urban boundary.

2. The purpose of the proposed Official Plan Amendment is to create a new Site Specific Policy Area “X” on Map B.5.4-1 of the Mount Hope Secondary Plan. Upon the resolution of the appeals associated with Site Specific Policy Area “D”, a future Housekeeping Amendment will be required to re-designate the site from “District Commercial” to “Neighbourhoods” on Schedule “E-1” and to re-designate the site from “District Commercial” to “Low Density Residential 2” on Map B.5.4-1 and to amend Site Specific Policy Area “D” to remove 3331 Homestead Drive.

   Staff are supportive of the proposed amendments, as the proposed single detached dwellings will provide additional housing types to complement the adjacent, existing residential development, thus contributing to the policy goals of the “Neighbourhoods” designation that promote a range of housing types and densities.

   The subject lands were designated “General Commercial” in the previous Township of Glanbrook Official Plan and were subsequently carried forward into the current Official Plan as “District Commercial”. As discussed in the preceding policy analysis, while commercial uses of this nature serve an important function in the commercial landscape, the type and function of commercial uses is undergoing a significant change due to changes in consumer preferences and shopping patterns. As well, the planned function of the “General Commercial” lands from the Township of Glanbrook Official Plan were contemplated prior to the Highway No. 6

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
extension redirecting traffic from Upper James Street and reducing the viability of the large quantities of commercial land currently designated in the Mount Hope Secondary Plan. While the “District Commercial” uses still serve an important function in the daily and weekly shopping and commercial needs of residents, in evaluating the merits of these applications, staff are satisfied that there is sufficient land that will remain in the “District Commercial” designation as a result of the NEF noise contours not permitting residential development for the lands north of this site.

Residential development is considered to be appropriate in this location because the site has been designed to compatibly integrate with adjacent single detached residential development to the north and west, is comparable in size and scale and will not further enhance the residential character of the neighbourhood.

Therefore staff are in support of the proposed Official Plan Amendment.

3. The applicant has requested a change in zoning from General Commercial “H-C3-050” Zone, Modified to Residential “R3-311” Zone in the Former Town of Glanbrook Zoning By-law No. 464. The Holding Provision on the current zoning does not need to be carried forward to the proposed Residential “R3-311” Zone because the Holding Provisions have been resolved as part of this application, in that adequate sanitary and water services will be demonstrated as part of the consent agreement, access is from Homestead Drive instead of Upper James and a Development, Maintenance and Use Agreement is no longer required due to the residential nature of the development.

For the purposes of the by-law, Homestead Drive shall be deemed the front lot line.

Through the revised application, the applicant has requested a number of modifications to the Residential “R3” Zone. Staff have amended the application to eliminate two modifications, being an increase to side yard setbacks and an increase to the minimum building area.

**Side Yard Setbacks**

The applicant requested modifications to increase the side yard setbacks for Lots 1 – 3 from 1.2 m to 1.8 m. Staff do not feel this modification warrants approval given that the building area and lot coverage will permit compatible development with adjacent single detached dwellings. As a result, maintaining the parent zone setback of 1.2 m is considered to be adequate. The applicant is still
able to provide the increased side yard setback without the site specific provision. The applicant is in agreement with excluding this modification.

Building Area

The applicant has requested modifications to increase the minimum building area from 135 sq m to 220 sq m for Lots 1 – 3. Staff do not support the requested increase in building area because it restricts future purchasers of the lots the option to construct dwellings of varying sizes. Again, the by-law will not preclude future individual lot owners from the option to construct the building areas as proposed since the regulation represents a minimum and there is no maximum within the by-law. The applicant is in agreement with excluding this modification.

The following modifications to the Residential "R3" Zone are proposed:

Minimum Lot Frontage

The applicant is seeking a modification to increase the minimum lot frontage from 15 m to 20 m, to be in keeping with adjacent single detached dwellings. The increased lot frontage is a result of staff discussions to reduce the proposed number of lots from five to four to eliminate the requirements for modifications to decrease lot frontage and increase lot coverage. As well, staff support the requested modification to increase minimum lot frontage because it will allow for the compatible integration with the adjacent residential lots.

Minimum Lot Area

The applicant is seeking a modification to increase the minimum lot area from 450 sq m to 810 sq m for Lot 4 and to 950 sq m for Lots 1 – 3. The requested modification will ensure compatible integration of the proposed lots with the adjacent lots zoned Existing Residential “ER” Zone. The larger lot area will contribute to providing larger separation distance from Upper James Street to meet the requirements of the Environmental Noise Impact Study. Further, it will prevent the possibility of the lots being divided without further review, should access along Upper James Street be granted in the future. Therefore, staff support the requested modification to increase the minimum lot area.

Minimum Front Yard Setback

The applicant is requesting a modification to increase the minimum front yard from 7.5 m to 9 m to contribute to the compatible integration of the proposed development with the adjacent residential development. The existing residential
development to the north and west have generous front yards, and the applicant is seeking to be more in keeping with these setbacks, while balancing the required setback from Upper James Street for noise purposes. Staff support the requested modification because it will contribute to the compatible integration of the proposed development with the existing residential development.

Minimum Rear Yard Setback

The applicant is requesting a modification to increase the minimum rear yard from 7.5 m to 22 m which will allow the implementation of the findings of the Environmental Noise Impact Study. The increased rear yard setback meets Ministry requirements for setbacks to avoid construction of a noise barrier. The proposed modification creates a greater separation between Upper James Street and the rear façades of the proposed single detached dwellings and therefore, Staff support the modification.

3. New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been Council adopted. The site has been included in this by-law as Mixed Use Medium Density (C5, 652, H102) Zone which is currently under appeal at the LPAT. If the CMU zone is in effect at the time of Council decision, the site would need to be removed from Zoning By-law No. 05-200 and the CMU Zones. A by-law has been prepared that will remove the lands from By-law No. 05-200 and this removal by-law will be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect (Appendix "D" to Report PED18197).

4. Development Engineering has reviewed the application and has determined that they are able to support the applications and that all requested clarifications and revisions to the Function Servicing Report (FSR), completed by IBI Group Inc. and dated December 19, 2017, can be addressed as conditions of the consent applications.

Staff require additional information to demonstrate stormwater capacity within the driveway culvert on Homestead Drive and suggested the use of Low Impact Development (LID) features such as permeable pavers on the proposed driveways to allow for additional area for infiltration purposes. Revisions to the wastewater assessment and required fire flow calculation are also required.

All outstanding revisions must be addressed and a revised FSR be submitted and approved to the satisfaction of the Manager Engineering Approvals, as part of the conditions of consent.
5. Revisions are required to the Tree Protection Plan which can be secured as a condition of future severance applications.

6. Following the Notice of Complete Application, one letter was received inquiring about the development and the impacts on their property, including specific concern regarding impacts on mature trees on their property. The owner of the subject property contacted the concerned property owner and resolved the concern by providing substantial replacement trees which were secured through a letter of understanding and the adjacent property owners wrote a letter of support for the development. A third letter asking for a copy of the Notice of Complete Application was received with no subsequent communication (see Appendix “F” to Report PED18197).

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could be developed in accordance with the General Commercial “H-C3-050” Zone, Modified with a Holding. The site specific limits the use of the site to the sale of manufactured housing units until such a time as the holding can be removed, which would then permit all the General Commercial “C3” uses. The General Commercial “C3” Zone permits a range of commercial uses and ancillary residential uses, uses related to motor vehicles, urban farms, community gardens and urban farmers markets.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) - Page 27 of 27

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Urban Hamilton Official Plan Amendment
Appendix “C” – Zoning By-law Amendment to Zoning By-law No. 464
Appendix “D” – Zoning By-law Amendment to Zoning By-law No. 05-200
Appendix “E” – Concept Plan
Appendix “F” – Public Submissions

YR:jr
Change in zoning from H-C3-050 (General Commercial "C3" Zone-Holding) to Residential (R3) Zone. Modified under the Glenbrook Zoning By-law No. 484.
DRAFT Urban Hamilton Official Plan
Amendment No. X

The following text, together with Appendix “A” – Volume 2, Map B.5.4-1 - Mount Hope Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. X to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Mount Hope Secondary Plan to permit the development of four single detached dwellings on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 3331 Homestead Drive, in the former Township of Glanbrook.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed amendment is in keeping with the policies of the Urban Hamilton Official Plan and Mount Hope Secondary Plan to provide a diversity of housing opportunities that are suitable for different segments of the population.

- The proposed development is considered to be consistent with, and complementary to, the planned and existing development in the immediate area.

- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B.5 – Glanbrook Secondary Plans – Section B.5.4 – Mount Hope Secondary Plan
a. That Volume 2, Chapter B.5 – Glanbrook Secondary Plans, Section B.5.4 – Mount Hope Secondary Plan be amended by adding Site Specific Policy – Area X to the subject lands, as follows:

“Site Specific Policy – Area X

B.5.4.11.X Notwithstanding Sections E.4.6 and E.4.7 of Volume 1, Sections B.5.4.4.1 and B.5.4.4.2 of Volume 2, and Policy B.5.4.11.4 of Volume 2, for lands located at 3331 Homestead Drive and identified as “Site Specific Policy – Area X”, four new single detached dwellings shall be permitted, in accordance with Policy B.5.4.2.2 a) of Volume 2.”

Maps

4.2.1 Volume 2, Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan

a. That Volume 2, Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan be amended by identifying the subject lands as Site Specific Policy – Area X, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Consent Applications will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. _____ passed on the ___ th day of ___, 2018.

The
City of Hamilton

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK
CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located at 3331 Homestead Drive (Glanbrook)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 18- of the Planning Committee at its meeting held on the 4th day of September 2018, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan and Rural Hamilton Official Plan, upon finalization of Official Plan Amendment No. XXX;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule “F” – Mount Hope Urban Settlement Area Land Use Plan, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
(a) by changing the zoning from General Commercial “H-C3-050” Zone, Modified with a Holding to the Residential “R3-311” Zone, Modified;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R3-311” Zone provisions (a), (b), (d) and (f) as follows:

**R3-311**

15.2 (a) Minimum Lot Frontage 20 metres

(b) Minimum Lot Area 950 square metres for Lots 1-3 and 810 square metres for Lot 4

(d) Minimum Front Yard 9 metres

(f) Minimum Rear Yard 22 metres

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R3” Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

4. That for the purposes of this by-law, the front lot line is deemed to be Homestead Drive and no vehicular egress to Upper James Street shall be permitted.

5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this __________ ____ , 2018

________________________________________  ______________________
F. Eisenberger                             J. Pilon
Mayor                                    Acting City Clerk
Appendix "C" to Report PED18197
Page 3 of 3

This is Schedule "A" to By-law No. 18-
Passed the ............ day of ...................., 2018

Schedule "A"
Map Forming Part of By-law No. 18-_____
to Amend By-law No. 464

Subject Property
3331 Homestead Drive
Change in zoning from H-C3-050 (General Commercial “C3” Zone- Holding) to Residential (R3-311) Zone, Modified.

Scale: N.T.S. File Name/Number: ZAC-18-007
Date: Jan. 10, 2018 Planner/Technician: JR/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
CITY OF HAMILTON

BY-LAW NO._____

A By-law to amend Zoning by-law 05-200 respecting lands located at 3331 Homestead Drive (Glanbrook)

WHEREAS Council approved Item ___ of Report ______ of the Planning Committee, at its meeting held on September 4, 2018;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. XX;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 1748, 1749, 1785 and 1786 of Schedule “A” – Zoning Maps, of Zoning By-law No. 05-200 are amended by deleting lands known as 3331 Homestead Drive, to the extent and boundaries of which are shown on Schedule “A” to this By-law, are hereby deleted from the City of Hamilton Zoning By-law 05-200.

2. That the Clerk is hereby authorized and directed to proceed with the giving of the notice of passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this __________ day of ___________, 2018

__________________________________  ____________________________
F. Eisenberger                                      Janet Pilon
MAYOR                                              ACTING CITY CLERK

ZAC-18-003
Schedule "A"

Map Forming Part of
By-law No. 18-_______
to Amend By-law No. 464

Subject Property
3331 Homestead Drive

Lands to be removed from City of
Hamilton Zoning By-law 05-200.
Hi, my name is [REDACTED] and I am the property owner of 3519 Homestead Drive, which is beside the property with the proposed zoning changes. The maximum lot coverage change and the minimum floor area per dwelling change.

My first concern with this is the size of the home beside me and what affect it will have on my mature black walnut trees and couple of our maple trees. With the house to be built 1.2 meters from our fence line, and the trees being right along that fence line on our property, the builder will want to cut our trees almost in half to build the house and also will most likely want to fill in the gulley that the trees are in with dirt, burying the trunks of our trees possibly up to 2 to 3 feet up the trunks. We have been told that if that is done, it will kill our trees. The trees have been there a lot longer than we have and we have been here 21.5 years.

The proposal for this home is to be nearly 80 feet long which is about 30 feet past the front and the back of my home and I don't want to be looking at a two story brick wall while I'm on my front porch or my back deck in the backyard. This being said I am not happy with the maximum lot coverage increase.

Also another concern of mine is the water run off because there is a natural water drainage beside the property. I am concerned if they build up the property and build a house that close to our property line that there will be no where for this water to go and we will start having issues with water on our property.

We had also heard from long time neighbours, that the property at one time use to be a dump, with them planning to excavate to build, has testing been done to the soil to ensure it is safe to dig as we have pets and children in our home.

I would not like my personal information shared publicly.

Thanks,
Attn: Jennifer Roth

To whom it may concern:

Re: 3331 Homestead Drive, Mt. Hope, ON

I strongly support the rezoning from commercial to residential and proposed severing into 5 lots at 3331 Homestead Drive, Mount Hope. My initial concerns with the property are no longer an issue, as the proposed plans have been made clearer to me.

NAME: ____________________________
ADDRESS: 3329 Homestead Drive
PHONE: ____________________________
SIGNATURE: ____________________________
DATE: 4/4/2018
Hello Jennifer,

Can you please send me the notice of complete applications for the property at 3331 Homestead Drive?

Thanks in advance and have a nice weekend.

Regards

Brian Hall
CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek) (PED18211) (Ward 9)

WARD(S) AFFECTED: Ward 9

PREPARED BY: George T. Zajac (905) 546-2424 Ext. 1024

SUBMITTED BY: Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Zoning By-law Amendment Application ZAC-17-077 by New Horizon Development Group (Green Mountain) Inc., (Owner) for a change in zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-65(H)” Zone, Modified, to permit 94 maisonettes and 95 townhouse dwellings for a total of 189 units on a private (condominium) road for lands located at 50 Green Mountain West, as shown on Appendix “A” to Report PED18211, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED18211, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and complies with the Urban Hamilton Official Plan;

(iii) That the amending By-law apply the Holding Provision of section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning.

The Holding Provision Multiple Residential (Holding) “RM3-65(H)” Zone, Modified, shall be removed conditional upon:
(1) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.

(2) The Owner entering into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five years including sufficient securities to the satisfaction of the Manager of Development Approvals.

(3) The Owner submitting an updated Traffic Impact Study (“TIS”) to the satisfaction of the Manager of Transportation Planning.

EXECUTIVE SUMMARY

The proposed Zoning By-law Amendment to the former City of Stoney Creek Zoning By-law No. 3692-92 is to change the zoning of the subject lands from the Neighbourhood Development “ND” Zone to a site specific Multiple Residential “RM3” Zone (with site specific modifications, including that the condominium road be deemed a public street, the front lot line be deemed Green Mountain Road West, minimum front yard and side yard requirements, minimum distance between buildings on the same lot, maximum density permitted, maximum height permitted (for the maisonettes), maximum lot coverage permitted and minimum landscaped open space required to permit 94 maisonette and 95 townhouse dwellings on a private (condominium) road.

A Holding Provision has also been included for the completion of a Record of Site Condition (RSC), a Site Plan Agreement and updated TIS. The “H” Holding Provision can be lifted by by-law once the applicant has submitted to and received acknowledgement by the Ministry of the Environment, Conservation and Parks (MOECP) of the RSC to the satisfaction of the Director of Planning and Chief Planner and that the Owner enter into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five years including sufficient securities to the satisfaction of the Manager of Development Approvals. In addition, an updated Traffic Impact Study is required to the satisfaction of the Manager of Transportation Planning.

The proposed Zoning By-law Amendment has merit, and can be supported as it is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan, as well as the Nash Neighbourhood Secondary Plan.
Alternatives for Consideration – See Page 25

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A
Staffing: N/A
Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider applications for an amendment to the Zoning By-law.

HISTORICAL BACKGROUND

Proposal

The subject lands, 50 Green Mountain Road West (Stoney Creek), currently contains the Hamilton Teleport operation. By way of background, Juch-Tech was the owner and operator of the subject lands, as well as Hamilton Teleport. Hamilton Teleport is a carrier-neutral, independent co-operative of satellite antennae that receive and transmit signals from and to satellites licensed by Canada and other administrations. As provided by the applicant, Hamilton Teleport ceased their operation on the subject lands as of June 1, 2018.

The subject lands have an area of 3.89 hectares and are bounded by Green Mountain Road West and the Terrapure landfill operation to the south, newly constructed residential to the north, newly constructed residential and a rock crushing operation to the west, as well as Morrisey Boulevard to the east. The proposed development is for a total of one hundred and eighty-nine (189) residential units consisting of 94 three storey maisonettes and 95 two storey townhouse dwellings on a private (condominium) road accessed from Green Mountain Road West, with 47 visitor parking spaces and a parkette.

The proposed Zoning By-law Amendment is to change the zoning of the subject lands from the Neighbourhood Development “ND” Zone to a site specific Multiple Residential “RM3” Zone within the former City of Stoney Creek Zoning By-law No. 3692-92.

In addition, site specific modifications were requested by the applicant to accommodate this development, including: that the condominium road be deemed a public street, the front lot line be deemed Green Mountain Road West, minimum front yard and side yard requirements, minimum distance between buildings on the same lot, maximum density permitted, maximum height permitted (for the maisonettes), maximum lot coverage permitted and minimum landscaped open space required.
SUBJECT: Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek (PED18211) (Ward 9) – Page 4 of 26

Chronology:

October 30, 2017: Submission of Zoning By-law Amendment Application ZAC-17-077.

November 21, 2017: Application ZAC-17-077 deemed incomplete.

November 22, 2017: Application ZAC-17-077 deemed complete.

December 14, 2017: Circulation of Notice of Complete Application and Preliminary Circulation for Application ZAC-17-077 to 117 property owners within 120 metres of the subject lands.


May 15, 2018: Public Information Meeting held by the applicant and agent.

August 22, 2018: Public Notice Sign updated with Public Meeting Information.

August 31, 2018: Circulation of the Notice of Public Meeting to 117 property owners within 120 m of the subject lands.

Details of Submitted Application:

Location: 50 Green Mountain Road West (see Appendix “A” to Report PED18211).

Owner/Applicant: New Horizon Development Group (Green Mountain) Inc.

Agent: GSP Group (c/o: Sara Knoll)

Property Description: Lot Frontage: 231.55 metres (Green Mountain Road)

Lot Depth: 171.38 metres

Lot Area: 3.889 hectares

Servicing: Full Municipal Services

Existing Land Use and Zoning:

Existing Land Use

Subject Lands: Vacant

Existing Zoning

Neighbourhood Development “ND” Zone
Surrounding Land Uses:

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhouse Dwellings</td>
<td>Green Mountain Road West and Terrapure Landfill Operation</td>
<td>Morrisey Boulevard and Vacant Land</td>
<td>All Around Rock Crushing Operation and Vacant Land</td>
</tr>
<tr>
<td>Multiple Residential “RM2-20” Zone, Modified</td>
<td>Neighbourhood Development “ND” Zone</td>
<td>Multiple Residential “RM2-20” Zone, Modified</td>
<td>Neighbourhood Development “ND” Zone, Multiple Residential “RM2-40” Zone, Modified, Local Commercial “LC” (H1) Zone and Local Commercial “LC” (H2) Zone</td>
</tr>
</tbody>
</table>

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The Provincial Planning Policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (2014). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth, environmental protection and sensitive land uses) are reviewed and discussed in the Official Plan analysis that follows.

Staff also note Cultural Heritage policies have not been updated within the UHOP in accordance with the PPS (2014). The following policies of the PPS (2014) also apply:

“2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

The subject property meets three of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:
Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;

Along historic transportation routes; and,

Proximity to known historic activities, events or occupations (within 250m of farmhouse built by S. James (Lot 1-2, Concession 8, Barton Township as located on 1875 Illustrated Historical Atlas of the County of Wentworth by Page & Smith)).

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply. A Stage 1 and 2 Archaeological Assessment was prepared by This Land Archaeology Inc., dated May 9, 2017 and entered into the Ontario Public Register of Archaeological Reports and a letter of confirmation was issued by the Ministry of Tourism, Culture and Sport, dated May 10, 2017. Therefore, municipal interest in the archaeological potential of the subject property has been addressed.

**Natural Hazards**

“3.1.1 Development shall generally be directed to areas outside of:

a. hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;

b. hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and,

c. hazardous sites.”

The Hamilton Conservation Authority (HCA) advised that karst features have been identified in areas to the northwest and east of this property and that there may be potential for karst features on the subject site. The HCA requested the applicant conduct a preliminary screening of the site for karst features.

The HCA reviewed a report entitled “Karst Hazard Assessment, 50 Green Mountain Road West, Hamilton (Stoney Creek), ON” prepared by Terra-Dynamics Consulting Inc. and dated June 2, 2017. The report indicates that no sinkholes were observed within the site, but some surface erosion / gullying was found along the north and east limits of the developable lands. The report describes these erosion features as crevices (inactive karst cutters) which are likely in-filled with some construction debris and soil material. To ensure the developable lands do not cause any hazards to existing
developed properties, all recommendations outlined in Part 6 of the Karst Assessment Report should be followed by the water resources engineering consultant and construction crews. It is also recommended to have a qualified karst specialist inspect and monitor the grading and servicing work to minimize potential impacts to the micro-karstic hazards. Written permission will be required from HCA for any mitigation of the karst features. The requirements will be addressed at the Site Plan Control stage.

**Human-Made Hazards**

“3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”

The subject property is recognized as a potentially contaminated site due to the current and past use of the property for commercial purposes. As a result, the property is subject to environmental review to allow for the proposed residential use. The applicant will be responsible for providing a Record of Site Condition (RSC) that has been filed appropriately satisfying MOECP. As such, if approved, a Holding Provision is proposed pending the provision of a Notice of Acknowledgment letter from the MOECP for the RSC as a requirement.

Based on the foregoing, the subject proposal is consistent with the PPS.

**Growth Plan for the Greater Golden Horseshoe (2017)**

The policies of the Growth Plan for the Greater Golden Horseshoe (2017) apply to any planning decision. The following policies, amongst others, apply to the proposal.

The Growth Plan supports mixed use intensification within built-up urban areas, particularly in proximity to transit. As noted in Section 2.1 of the Plan:

“Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields…This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to major transit station areas and other strategic growth areas, including urban growth centres, and promoting transit investments in these areas.”

“2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.”
The subject lands are located within a settlement area where it will be developed with full municipal services, is in close proximity to a Major Arterial road (Upper Centennial Parkway), has access to transit and will provide for a complete community through a compact urban form.

Given the above, staff are of the opinion that the proposal conforms to the Growth Plan.

**Urban Hamilton Official Plan (UHOP)**

The subject property is identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP. The following policies, amongst others, are applicable to the subject applications.

**Scale and Design**

**E.3.2.4** The existing character of established Neighbourhoods designated areas shall be maintained. *Residential intensification* within these areas shall enhance and be *compatible* with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.

**E.3.2.7** The City shall require quality urban and architectural design. *Development* of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.

d) *Development* shall improve existing landscape features and overall landscape character of the surrounding area.

e) *Development* shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.

**E.3.2.13** The City supports *residential intensification* on lands within the Neighbourhoods designation in accordance with Section B.2.4 – Residential Intensification Policies, F.1.14 – Division of Land, and other applicable policies.

**E.3.3.1** Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling.
forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.

E.3.3.2 Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.”

Compatibility / Compatible is defined in the Urban Hamilton Official Plan as “means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

On the basis of this definition, compatibility of the proposed development is not reviewed on whether the proposed development is the same as or similar to existing development in the area, but whether the proposed uses, density and massing of the development are mutually tolerant and capable of existing together in harmony within the area.

The subject proposal is located on a Collector Road (Green Mountain Road West), as well as in close proximity to a Major Arterial road (Upper Centennial Parkway) and therefore, the proposed location is consistent with Policy E.3.3.1. The proposed one 189 townhouse and maisonette dwellings will be of a size and scale that is compatible with the existing and planned scale of development in the area, which consists of townhouses and single detached dwellings. Furthermore, there are three storey townhouses to the rear of the subject property, as well as on the east side of Morissey Boulevard.

In addition, the proposed development is appropriate in respect to the transition in scale to the neighbouring buildings, which range in height from two to three storeys, and massing that respects the existing street proportions and lot patterns. The proposed height of the maisonettes of 12.5 metres and 11 metres for the townhouses is in keeping with the surrounding area. Visitor parking is proposed within the development and sufficient amenity area by way of a parkette is also proposed. The massing is also similar to existing and proposed residential development in the area, which includes single detached dwellings and townhouses. The proposed development will provide landscaping and visual barriers that will buffer neighbouring properties, consistent with the amount of landscaping on other properties in the neighbourhood.

Noise

The UHOP contains relevant policies with respect to noise. Section B.3.6.3 indicates:

“B.3.6.3 Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the
following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.

B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

B.3.6.3.2 Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City, and in accordance with all applicable guidelines and standards.”

In regard to the above applicable policies, the applicant submitted a study, entitled, “Noise Impact Study, 50 Green Mountain Road West, Hamilton, ON, as prepared by HGC Engineering, dated October 27, 2017 in support of the subject proposal. The aforementioned Study reviewed the acoustic requirements for the proposed development with respect to Green Mountain Road West and Upper Centennial Parkway. In addition, future consideration for All Around Contracting to the west and the Terrapure Stoney Creek Landfill to the south were included. Based on the results of the Study, a noise warning clause will be required to be included on the future Site Plan undertaking and in all agreements of purchase and sale or lease and all rental agreements informing future residents of the industrial operations at the landfill and construction material recycling yard.

Residential Intensification

“B.2.4.1.4  Residential intensification developments shall be evaluated based on the following criteria:

a) a balanced evaluation of the criteria in b) through g) as follows:

b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;

d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design;
SUBJECT: Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek (PED18211) (Ward 9) – Page 11 of 26

The existing neighbourhood is comprised of the Terrapure landfill to the south, a rock crushing operation and vacant land to the west, three storey street townhouses to the north, as well as three storey townhouses on the east side of Morrisey Boulevard. The proposed townhouses will be compatible with the existing surrounding development, including the Red Hill and Victory Ridge Subdivisions, which include three storey street townhouses. In addition, the proposed maisonettes will contribute to a range of a mix of uses / dwelling types and which are internal to the proposed development.

e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

f) infrastructure and transportation capacity; and,

g) the ability of the development to comply with all applicable policies.

B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

a) the matters listed in Policy B.2.4.1.4;

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

d) the consideration of transitions in height and density to adjacent residential buildings;

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

h) the ability to complement the existing functions of the neighbourhood;

i) the conservation of cultural heritage resources; and,

j) infrastructure and transportation capacity and impacts.”
The proposed development is appropriate in respect to the transition in scale to the adjacent developments, which range in height from two and three storeys, and massing that respects the existing street proportions and lot patterns, as well as in keeping with the medium density range of 49 units per hectare. The proposed height of the maisonettes at 12.5 metres and 11 metres for the townhouses is in keeping with the surrounding existing and planned developments. Visitor parking is proposed within the development and sufficient amenity area by way of a private parkette is also proposed.

Adequate servicing is available with sufficient capacity for the proposed development, with an appropriate Holding Provision for flow monitoring analysis for five years. In addition, there are no anticipated shadowing, overlook, noise, lighting, and traffic issues. Finally, there are no cultural heritage resource concerns.

**Nash Neighbourhood Secondary Plan**

The western portion of the subject lands are designated “Low Density Residential 2h” and the eastern portion of the subject lands are designated “Medium Density Residential 2”, while the northern portion of the subject lands is identified as hedgerow within the Nash Neighbourhood Secondary Plan. The entire subject lands are identified as Site Specific Policy ‘C’ within the Nash Neighbourhood Secondary Plan. The following policies apply:

**Residential Designations**

```
B.7.5.4.1 In addition to Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to lands designated Low Density Residential 2 and 2h on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:

b) Low Density Residential 2h Designation:

  i) Notwithstanding Policy E.3.4.3 of Volume 1, multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes shall be permitted.

  ii) Notwithstanding Policy E.3.4.4 of Volume 1, the density shall be in the range of 30 to 49 units per net residential hectare.

  iii) The maximum height of dwelling units shall be three storeys.

  v) Notwithstanding Policy E.3.4.1 of Volume 1, the location of lands designated Low Density Residential 2h shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.
```
B.7.5.4.2 In addition to Section E.3.5 – Medium Density Residential of Volume 1, the following policies shall apply to lands designated Medium Density Residential 2 and Medium Density Residential 3 as shown on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:

a) Medium Density Residential 2 Designation:

i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes shall be permitted.

ii) Notwithstanding Policy E.3.5.7 of Volume 1, the density of development shall be in the range of 30 to 49 units per net residential hectare.

iii) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height of dwelling units shall be three storeys.

v) The location of Medium Density Residential 2 designated lands shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.

vi) Individual driveways shall not be permitted to directly access the public street. Individual vehicular access shall be provided by either a private lane parallel to the public road in front of the buildings separated from the public street by an enhanced continuous landscape strip or, by a private lane behind the buildings.

vii) Buildings shall be located as close to the street as possible while still allowing for front porches, stairs and a small landscaped area; or other appropriate methods that would achieve the desired effect would also be considered.”

The proposed development of 189 maisonette and townhouse dwellings has a density of 48.6 units per net residential hectare. The proposed uses are permitted and the proposed density is within the permitted range in the “Low Density Residential 2h” and “Medium Density Residential 2” designations. The proposed dwellings will also not be more than three storeys in height.

In addition, the proposed development is at the periphery of the neighbourhood and located along Green Mountain Road West, which is a Collector road. The proposed driveways will not access the public streets and buildings are located close to the street.
SUBJECT: Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek (PED18211) (Ward 9) – Page 14 of 26

“B.7.5.6.2 The open space system for the Nash Neighbourhood includes the following designations and components designated on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:

f) hedgerow features;

B.7.5.6.8 Any development must address the retention of Core Areas and other wooded areas included within the Natural Open Space designation identified on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan as follows:

a) Wooded areas, including existing “hedgerows” should be maintained, enhanced, and incorporated into the overall design of the neighbourhood where possible. The delineation of the hedgerows shall be identified as part of a development application. Hedgerows are not intended to only be identified by existing mature tree species but shall also include other vegetation which establishes this area as a hedgerow. (A hedgerow can be defined as a narrow linear strip of trees that defines a laneway or a boundary between fields).”

The hedgerow no longer exists on the subject property, however, there are some trees on the property and therefore, a Tree Protection Plan and Landscape Plan will be required at the Site Plan Approval stage.

Urban Design Policies

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood.

“B.7.5.9.1 In addition to Sections B.3.3 – Urban Design and E.3.7 – Residential Greenfield Design of Volume 1, Policy B.7.5.9.2 through Policy B.7.5.9.6 shall apply to development of the Nash Neighbourhood.

B.7.5.9.2 Streetscape and Built Form

a) Wherever possible the presence of garages on the public street shall be minimized by:

i) setting them back from the front façade or locating them flush with the front façade of the building;
ii) locating them at the rear or side of the building by a private lane or driveway;

iii) minimizing the width of the garage by creating deeper garages to accommodate storage; and,

iv) incorporating varied roof lines, architectural details and porches to emphasize the pedestrian entrance to the building while minimizing the presence of the garage.

b) Architectural variation shall be encouraged through the incorporation of varied roof lines, materials and colours in each building and from building to building.

c) Variation in the number of storeys, porch designs, architecture style and building type from building to building shall be encouraged.

d) Continuous rows of building façades shall be discouraged.

f) Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets.

g) The layout of streets, configuration of lots and the sighting of buildings shall ensure that:

i) there is no reverse lotting adjacent to streets unless otherwise approved by the City;

ii) there is generally unobstructed road frontage adjacent to public open spaces;

iii) streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas;

iv) service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;

v) pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged; and,

vi) the safety and security for all persons in public places including streets, parks and amenity areas are promoted.
through the design and sighting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.”

From the applicant's Concept Plan, as shown on Appendix “C” to Report PED18211, the proposed garages are to be flush with the dwelling unit or set back from the unit. The proposed units along Green Mountain Road West will have reverse frontage, which in the opinion of staff is acceptable, as driveways will be located internally and decorative fencing and architectural mitigation of those units will be addressed to ensure an animated street frontage and enhanced street presence. In addition, due to sightline concerns along Green Mountain Road West with respect to a significant grade difference and vehicular traffic travelling west to east, it was necessary to locate the proposed driveways for the townhomes along that frontage internally rather than as individual driveway access to Green Mountain Road West. The reverse frontage lots will also be reviewed in detail during the Site Plan Approval and Draft Plan of Subdivision and Condominium process to further address the additional urban design policies above.

Environment Policies

“B.7.5.11.2 Any plans of subdivision or other development applications in the Nash Neighbourhood shall be accompanied by a noise and vibration report identifying possible effects of the quarrying operation and mitigating measures, if any, which are necessary until the ongoing quarrying operation located west of Upper Centennial Parkway and south of Green Mountain Road ceases.

B.7.5.11.3 Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City.”

Terrapure Environmental (Terrapure) is the owner and operator of the Stoney Creek Regional Facility (SCRF), the landfill located at the northwest corner of Mud Street and Upper Centennial Parkway (Highway 20). The landfill was approved under the Environment Protection Act (“EPA”) to receive 2,000,000 cubic metres of industrial fill / soils (“non-waste”) and 6,320,000 cubic metres of solid, non-hazardous residual materials from commercial, industrial and institutional sources (that have exhausted all recycling options) for a total approved site capacity of 8,320,000 cubic metres. Terrapure is proposing to increase the approved capacity of the SCRF by 3,680,000 cubic metres, so that Terrapure can continue to receive post-diversion solid, non-hazardous residual material generated within the Hamilton and Greater Toronto Area. If approved, the SCRF facility would have a total site capacity of 10,000,000 cubic metres.
The applicant has submitted a Noise Feasibility Study and Geotechnical Study that includes the Landfill Impact Assessment. Both studies conclude that the landfill has no adverse effect on the proposed development. Within the undertaking at the Site Plan Approval stage and Draft Plan of Subdivision and Condominium, the applicable noise warning clause that “Purchasers / tenants are advised that this property is in close proximity to the Terrapure Environmental Stoney Creek Landfill and All Around Contracting which may at times generate sound which are audible” shall be added to all Agreements of Purchase / Sale and Lease.

Other appropriate warning clauses will be required at the Site Plan Control / Draft Plan of Subdivision and Draft Plan of Condominium to advise future purchasers and tenants of the landfill and All Around Contracting.

Implementation

“B.7.5.13.1 Prior to any development occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the City, to determine the adequacy of the following intersections and roads to accommodate the ultimate development proposed within the Nash Neighbourhood and assess the potential roundabouts and other traffic calming measures within the Nash Neighbourhood:

d) Green Mountain Road.

B.7.5.13.4 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 – Holding By-laws. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.”

The applicant’s provided a Traffic Impact Study, which provides the following,

“With signal timing optimization, the intersection of Green Mountain Road West and Upper Centennial Parkway is forecast to operate at an overall LOS B or better during the AM and PM peak hours. The site traffic represents less than three percent (3%) of the total traffic at this intersection. The remaining study area intersections, including the site driveway connections to Green Mountain Road West, are forecast to operate at good levels of service with all movements operating at LOS B or better. The two site driveway connections to Green Mountain Road West will operate at acceptable levels of service with no required improvements or provisions for left-turn lanes on Green Mountain Road West. No remedial measures are necessary to accommodate the increase in traffic due to subject development.”
SUBJECT: Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek (PED18211) (Ward 9) – Page 18 of 26

An updated TIS will be required as part of the “H” Holding Provision (Policy B.7.5.13.4). In addition, the applicant’s provided an exhibit showing that the subject lands are approximately 160 metres of the limits of the Terrapure limits (Policy B.7.5.13.4). Therefore, an “H” Holding Provision will not be required to meet Policy B.7.5.13.4.

Site Specific Policy - Area C

“B.7.5.14.3 For lands shown as Site Specific Policy - Area C on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:

a) Site Specific Policy - Area C is currently used for an “earth station” (satellite dishes and associated equipment) regulated and licensed by Industry Canada and subject to Health Canada’s Safety Code 6 guidelines. This existing use shall be permitted, subject to compliance with the noted Federal Regulations, as amended, until redevelopment of the property occurs.

b) These lands are intended to be redeveloped for low and medium density residential purposes. Development for these uses can occur without further amendment to this Plan.”

The proposed development is for 189 residential units, consisting of 94 maisonettes and 95 townhouse dwellings on a private (condominium) road and is within the medium density range. Therefore, the subject proposal complies with the intended use of the above-noted site specific policy.

Therefore, the subject proposal complies with Urban Hamilton Official Plan.

City of Stoney Creek Zoning By-law No. 3692-92

The subject lands are zoned Neighbourhood Development “ND” within the former City of Stoney Creek Zoning By-law No. 3692-92. The Neighbourhood Development “ND” Zone permits a number of agricultural uses, as well as single detached dwellings and accessory uses thereto. The applicant is proposing a total of 189 townhouse and maisonette dwellings on a private condominium road and requires an Amendment to the Zoning By-law to change the zoning to a site specific Multiple Residential “RM3” Zone. In addition, a number of site specific modifications are required, including:

- modification to recognize the condominium road for the purposes of frontage and access;
- modification to recognize that Green Mountain Road West be deemed the front lot line;
• modification to the minimum front yard and side yards to recognize the condominium form of tenure;

• modification to the minimum distance required between buildings on the same lot;

• modification to the maximum density permitted;

• modification to the maximum height permitted (for the maisonettes);

• modification to the maximum lot coverage permitted; and,

• modification to the minimum landscaped open space required.

A number of these modifications are technical to recognize the lot configuration and housing form, which was never contemplated in the parent by-law. An analysis of the site specific modifications is included in the Analysis and Rationale for Recommendation section of this Report.

RELEVANT CONSULTATION

The following Departments and Agencies have no comments or concerns with the applications:

• Public Health Services, Health Protection Division;

• Recreation, Healthy and Safe Communities; and,

• Strategic Planning, Capital & Compliance, Public Works Department.

The following Departments and Agencies have provided comments on the applications:

**Recycling & Waste Disposal, Environmental Services Division, Public Works Department** commented that the proposed development is eligible for municipal waste collection service, subject to meeting the City’s requirements.

**Forestry & Horticulture Section, Public Works Department** requires that the Tree Management Plan to address potential conflicts with publicly owned trees and a detailed Landscape Planting Plan prepared by a Registered Landscape Architect, showing the placement of trees on internal / external City property be provided at the Site Plan Control stage.

**Hamilton Conservation Authority** indicated that minor karst features have been identified within the subject property. Staff are of the opinion that potential hazards associated with the identified features can be mitigated, if required. As described above, all recommendations outlined in the Karst Hazard Assessment should be
followed in the planning and design of the development proposal to minimize potential risks and impacts associated with karst features. Notwithstanding the above comments, including the requirement for written permission from HCA for mitigation of karst hazards and request for further comment regarding groundwater association with the bedrock aquifer, HCA has no objection to the approval of the subject Zoning By-law Amendment application at this time. The recommendations within the Karst Hazard Assessment will be addressed at the Site Plan Control stage.

**Transportation Planning Services, Planning and Economic Development** provided that a Transportation Demand Management Options Report (“TDM”) is to be submitted as part of the Site Plan Approval process. An updated Traffic Impact Study (“TIS”) will be required as part of the “H” Holding Provision.

**PUBLIC CONSULTATION**

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 117 owners within 120 m of the subject property on December 14, 2017, for the proposed Zoning By-law Amendment Application. To date, one submission has been made to the City regarding the subject proposal, attached as Appendix “D” to Report PED18211. These concerns are discussed further in the Analysis and Rationale for Recommendation section.

A Public Notice Sign was posted on the property on December 21, 2017 and updated on August 22, 2018, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on August 31, 2018.

**Public Consultation Strategy**

Pursuant to the City’s Public Consultation Strategy Guidelines, the applicant held a public information meeting at 325 Winterberry Drive, Suite 101, Hamilton (REMAX Office) on May 15, 2018. The applicant set up easels with various elevation, perspective and site plan drawings. Furthermore, the applicant’s consulting team was in attendance to field any questions. A notice advising of the public information meeting was sent to all residents within 120 m of the subject lands. A total of four people, City staff and the Ward Councillor attended the public information meeting.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

   (i) The subject proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2017);
(ii) The subject proposal complies with the policies of the UHOP;

(iii) The addition of 189 townhouse and maisonette dwellings is supportable, as they will permit residential uses that provide an ultimate built form that is compatible with the character of the area; and,

(iv) The proposed development represents good planning by, among other things, providing a compact and efficient urban form.

2. **Zoning By-law Amendment**

The applicant has requested an amendment to the former Stoney Creek Zoning By-law No. 3692-92 for a change in zoning from the Neighbourhood Development “ND” Zone to a site specific Multiple Residential “RM3” Zone in order to permit a total of one hundred and eighty-nine maisonettes and townhouse dwellings, fronting on a private condominium road. Site specific modifications are required in order to permit the following:

- modification to recognize the condominium road for the purposes of frontage and access;
- modification to recognize that Green Mountain Road West be deemed the front lot line;
- modification to the minimum front yard and side yards to recognize the condominium form of tenure;
- modification to the minimum distance required between buildings on the same lot;
- modification to the maximum density permitted;
- modification to the maximum height permitted (for the maisonettes);
- modification to the maximum lot coverage permitted; and,
- modification to the minimum landscaped open space required.

**Condominium Road and Green Mountain Road to be the Front Lot Line**

A private common element condominium road shall be deemed a street for the purposes of the proposed development, allowing for landscaping and visitor parking within the common element condominium road, as well as for the purposes of establishing frontage on a road and access.
In addition, the By-law requires that in the case of a corner lot, the shorter lot line that abuts the street shall be deemed to be the front lot line and the longer lot line that abuts the street shall be deemed to be the side lot line. Although Morrisey Boulevard is the shorter of the lot lines rather than Green Mountain Road West, due to the proposed layout, grade and functionality, the applicant has requested that for the purposes of the By-law, Green Mountain Road West be considered the front lot line. Staff considers these modifications minor and typical for condominium developments. Therefore, these modifications can be supported by staff.

**Minimum Front Yard**

The applicant is requesting modifications to reduce the minimum front yard from 7.5 metres to 4.5 metres to the end wall of the dwelling unit and 6.0 metres to the rear wall of the unit for the maisonettes and townhouses. Staff can support these modifications as it will bring the residential units closer to the street, while still providing adequate parking for the proposed units and allowing for landscaping in the front yard. Therefore, staff support the modifications.

**Minimum Side Yard**

The proposed modification is to reduce the minimum side yard requirement from 6.0 metres to 4.5 metres to the end wall of the dwelling unit and to 7.0 metres to the rear wall of the dwelling unit for the maisonettes and townhouses. Staff consider these minor modifications, as they will have no adverse impacts on adjacent properties and will permit a more compact urban form. Therefore, staff support the modifications.

**Minimum Distance Required Between Buildings on the Same Lot**

The By-law requires a minimum distance between buildings on the same lot of 15 metres, except 3 metres between end walls and 9 metres between an end wall and rear wall for the maisonettes and townhouses. The applicant has requested a minimum distance of 2.6 metres between end walls. As this only occurs in two places for the proposed development and 3 metres will be maintained everywhere else, staff considers this a minor modification that will permit a more compact urban form. Therefore, staff supports the modification.

**Maximum Density**

The applicant has requested a maximum density of 49 units per net hectare for the proposed townhouse dwellings and maisonettes, whereas the By-law requires a maximum density of 40 units per hectare for the maisonettes. The increase in density complies with the medium density designation for the subject lands. Staff are satisfied that this is a minor modification as it is compatible with
the existing and planned development for the area and permits a compact urban form. Therefore, the proposed modification is supported by staff.

**Maximum Building Height**

The maximum height is proposed to be increased from the permitted 11.0 metres to 12.5 metres for the proposed maisonettes, while still maintaining three storeys in compliance with the UHOP and Secondary Plan. The proposed development is appropriate in respect to the transition in scale to the neighbouring buildings, which range in height from two to three storeys. There are sufficient setbacks from other existing and proposed developments, including to the north of 17.80 metres from the dwellings to the rear lot line. Therefore, the proposed height modification can be supported by staff.

**Maximum Lot Coverage**

The maximum lot coverage permitted is 35 percent, however, the applicant has requested that it be 37 percent. Staff considers this a minor modification and is not impacting the ability to provide sufficient pervious cover for stormwater infiltration. Therefore, Staff are supportive of this modification.

**Minimum Landscaped Open Space**

A minimum landscaped open space of 50 percent of the lot area, which may include the privacy area, is required. The applicant has proposed this requirement be a minimum of 30 percent for the subject development. The development will continue to provide front and rear amenity spaces, sufficient space for snow storage, as well as a 600 square metre private parkette has been proposed within the development. In addition, the requirement for the parkette has been included into the site specific zoning by-law to ensure the park is developed. Staff can support this modification as it permits the built form and maintains appropriate landscaping and amenity area.

3. The required number of parking spaces is two spaces per unit. The proposal includes 378 parking spaces, meeting the requirement for two spaces per unit, with one in the garage and one in the driveway. The minimum number of visitor parking spaces required is 0.5 spaces for each maisonette and townhouse dwelling, but would not include street townhouses. There are 94 proposed maisonettes and therefore, 47 visitor parking spaces are to be provided. The applicant is providing the required number of visitor spaces. In addition, it is recommended that the following warning clause be included in all purchase and sale and / or lease agreements as part of the future Site Plan Approval and Draft Plan of Condominium:
“Garages are intended for use as parking. It is the owner’s responsibility to ensure that their parking needs can be met on their own property. On-street parking in this area is limited and cannot be guaranteed in perpetuity.”

4. Future Draft Plan of Subdivision, Draft Plan of Condominium, as well as Part Lot Control and Site Plan Applications will be required to implement the subject development.

5. **Engineering**

The existing width of Green Mountain Road adjacent to the subject lands is 20.12 metres. The ultimate width of Green Mountain Road is 26.21 metres in accordance with Schedule “C-2” of the Urban Hamilton Official Plan. The Owner will be required to dedicate a 3 metre wide strip of land from the subject property for right-of-way widening purposes.

The major and minor flows from the subject lands shall be directed to the northwest corner of the property to Bradshaw Drive. There is an existing storm stub on Bradshaw Drive sized to convey the minor flows from the subject lands with a runoff coefficient of 0.67.

The Development Engineering Approvals Section, Infrastructure Planning (Stormwater Management) and Public Works Department has no concerns with the Zoning By-Law Amendment Application proceeding to approval. All outstanding servicing, stormwater management, grading, water servicing, watermain hydraulic analysis, etc. will be reviewed in more detail at the Site Plan Application review and approval stage. The applicant shall provide a response letter with the formal Site Plan Approval submission explaining how the above comments have been addressed.

The Development Engineering Section has concerns with the increased density on the site that exceeds the assumption for the design of the downstream sanitary sewer system. As such, Development Engineering requires a Holding Provision to be in place over the subject lands until the proponent enters into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five years including sufficient securities to the satisfaction of the Manager of Development Approvals.

In addition, it is recommended that the Owner demonstrate that they have paid all the outstanding servicing costs for the installation of the municipal infrastructure to the adjacent landowner prior to receiving final Site Plan / Draft Plan of Subdivision Approval.

6. A Holding Provision is required for a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site
Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee. In addition, the Owner must enter into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five (5) years including sufficient securities to the satisfaction of the Manager of Development Approvals. Finally, the Owner must also submit an updated Traffic Impact Study (“TIS”) to the satisfaction of the Manager of Transportation Planning.

7. A letter was received by Empire Communities (“Empire”), attached as Appendix “D” to Report PED18211, regarding cost-sharing concerns for items Empire has front-ended for the Nash Neighbourhood, including the oversizing of sanitary and storm servicing infrastructure, urbanization of Green Mountain Road and the stormwater management pond within the Victory lands. Staff are of the opinion that the scope of the current application is to make a recommendation on the built form and that the aforementioned items can be addressed through the future Draft Plan of Subdivision / Condominium applications. Staff recommend that the applicant provide the necessary payment to the adjacent landowner prior to receiving Site Plan / Draft Plan of Subdivision Approval.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment Application be denied, the property could be utilized in accordance with the Neighbourhood Development “ND” Zone, which permits existing uses, as well as some agricultural uses.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

*Hamilton has* an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

*Hamilton is* a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

*Hamilton is* environmentally sustainable with a healthy balance of natural and urban spaces.
Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: - Location Map
- Appendix “B”: - Zoning By-law Amendment
- Appendix “C”: - Concept Plan
- Appendix “D”: - Public Submission

GZ:jp
CITY OF HAMILTON

BY-LAW NO. 18-XXX

To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 18- of the Planning Committee at its meeting held on the ___ day of ___________ 2018, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 4 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

   (a) by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-65 (H)” Zone, Modified, on the lands the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”:
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)

Appendix “B” to Report PED18211
Page 2 of 5

2. That Subsection 6.10.7, “Special Exemptions” of Section 6.10 Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “RM3-65 (H)”, as follows:

**RM3 – 65 (H)**

Notwithstanding the provisions of Part 2 “Definitions”, Section 6.10.3 “Zone Regulations”, Paragraphs (c), (d), (h), (i), (j), (k) and (m) 1.:

**REGULATIONS**

| (a) | Minimum Front Yard: | 4.5 metres to end wall of unit |
|     |                    | 6.0 metres to rear wall of unit |
| (b) | Minimum Side Yard: | 4.5 metres to end wall of unit |
|     |                    | 7.0 metres to rear wall of unit |
| (c) | Minimum Distance Between Buildings on the Same Lot: | 2.6 metres (Between End Walls) |
| (d) | Maximum Density: | 49 units per net hectare |
| (e) | Maximum Building Height: | 12.5 metres (Maisonettes) |
| (f) | Maximum Lot Coverage: | 37 percent |
| (g) | Minimum Landscaped Open Space: | 30 percent |
| (h) | For the purpose of this By-law, a parkette of 600 square metres shall be provided within the subject development. |
| (i) | For the purpose of this By-law, the lot line abutting Green Mountain Road West shall be deemed to be the front lot line. |
| (j) | For the purpose of the definitions contained in Part 2 and the regulations contained in Sections 4.10, 4.13, 4.19, 6.1 and 6.10 of the City of Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of the “RM3-65 (H)” Zone, shall be deemed to be the lot lines for this purpose, and the regulations of the “RM3-65 (H)” Zone shall be from the boundaries of this zone, and not from the individual property boundaries of the dwelling units created by registration of a draft plan of subdivision / condominium plan or created by Part Lot Control. |
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)

Appendix “B” to Report PED18211
Page 3 of 5

(k) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.

3. Notwithstanding the provisions of Section 3.8 “Holding Zones”, on those lands zoned “RM3-65(H)” of this By-law, the Holding Provision “RM3-65(H)” (Multiple Residential) Zone, Modified, be removed conditional upon:

a) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.

b) The Owner entering into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five (5) years including sufficient securities to the satisfaction of the Manager of Development Approvals.

c) The Owner submitting an updated Traffic Impact Study (“TIS”) to the satisfaction of the Manager of Transportation Planning.

4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Multiple Residential “RM3” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act.

PASSED this ____ day of ______, 2018.

________________________________________  ________________________________
Fred Eisenberger                    Janet Pilon, CMII, DPA, CMO
MAYOR                              ACTING CITY CLERK

ZAC-17-077
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)

Appendix “B” to Report PED18211
Page 4 of 5

This is Schedule "A" to By-law No. 18-
Passed the .......... day of .................., 2018

Mayor

Clerk

Schedule "A"
Map Forming Part of By-law No. 18-______
to Amend By-law No. 3692-92

Subject Property
50 Green Mountain Road West
Change in zoning from Neighbourhood Development Zone "ND", to Multiple Residential - Holding "RM3-65-H" Zone, Modified
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)

Appendix “B” to Report PED18211
Page 5 of 5

For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law

Is this by-law derived from the approval of a Committee Report? No
Committee: Chair and Members Report No.: PED18211 Date: 09/18/2018
Ward(s) or City Wide: Ward: 9 (MM/DD/YYYY)

Prepared by: George T. Zajac Phone No: 905-546-2424, ext. 1024
For Office Use Only, this doesn't appear in the by-law
December 21, 2017

City of Hamilton
Planning and Economic Development Dept.
71 Main Street West, 6th Floor
Hamilton, ON L8P 4Y5

ATTN: Jacob Larsen, Development Planning – Suburban Team

RE: Comments on Behalf of Empire Communities
New Horizon Development Group – 50 Green Mountain Road West
Zoning Bylaw Amendment – ZAC-17-077

We are the planning consultants representing Empire Communities ("Empire"), the owner/developer of lands abutting the New Horizon parcel (the “subject lands”). Empire’s developments include the “Victory Ridge” Subdivision (25T-2008-03) and the “Red Hill” Subdivision (25T-2009-01), respectively.

The “Victory Ridge” Subdivision, which abuts the subject lands to the north and east, is approximately 80% constructed and occupied. The “Red Hill” Subdivision is immediately west of the subject lands; Phases 1 and 2 are registered and under construction.

We have had some preliminary discussions with the proponent regarding cost-sharing for items Empire has front-ended for the Nash Neighbourhood. Items for which we are requesting cost-sharing with the proponent include the oversizing of sanitary and storm servicing infrastructure, urbanization of Green Mountain Road, and the stormwater management pond within the Victory lands. The proposed development by New Horizon will rely on this infrastructure, which has been constructed by Empire. The cost-sharing relates to the costs borne by Empire over and above the City share in accordance with the City’s Financial Policies.

We respectfully request that any approval on the subject lands include a condition requiring that cost-sharing be addressed with our client. This is pursuant to the City of Hamilton’s standard “Best Effort” clauses, which states “the City shall require Benefiting Owners to pay their Proportionate Share of the improvements Costs for the improvements from which their lands derive a benefit, as a condition of an application to the City to subdivide or develop their Benefiting Land or upon request to connect to the Improvement.”

Through this letter we would also like to be added to the notification list for the public meeting and approvals.

Please feel free to contact me at 416-444-3300 ext. 3002 with any questions or concerns.

Yours truly,

Michael Auduong, RPP
Planner

cc: Jeff Pakin, New Horizon Development Group
    Steve Fongracco, Lantack Consultants Inc.
TO: Chair and Members  
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (PED18173) (Ward 8)

WARD(S) AFFECTED: Ward 8

PREPARED BY: Michael Fiorino (905) 546 - 2424 Ext. 4424

SUBMITTED BY: Steve Robichaud  
Director, Planning and Chief Planner  
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Amended Zoning By-law Amendment Application ZAC-17-030, by 2434217 Ontario Inc, Owner, for a change in zoning from the "B-1" (Suburban Agriculture and Residential, etc.) District, to the “CR-1/S-1766” (Commercial Residential) District, Modified, to permit the development of a mixed use building with limited commercial uses on the ground floor and two residential dwelling units above on lands located at 567 Scenic Drive (Hamilton), as shown on Appendix “A” to Report PED18173, be APPROVED, on the following basis:

i) That the draft By-law, attached as Appendix “B” to Report PED18173, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);

iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.
SUBJECT: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (Ward 8)(PED18173) - Page 2 of 29

(b) That approval be given to add the lands located at 567 Scenic Drive, Hamilton to Zoning By-law No. 05-200 and zone said lands Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200, subject to the following:

(i) That the draft By-law, attached as Appendix “C” to Report PED18173, be held in abeyance until such time as By-law No. 17-240, being a by-law to establish the Commercial and Mixed Use Zones in Zoning By-law No. 05-200 are in force and effect;

(ii) That staff be directed to bring forward the draft By-law, attached as Appendix “C” to Report PED18173, for enactment by City Council, once Zoning By-law No. 17-240, being a by-law to establish new Commercial and Mixed Use Zones, is in force and effect.

EXECUTIVE SUMMARY

The Zoning By-law Amendment Application is to amend Hamilton Zoning By-law No. 6593 to permit the development of a 2.5 storey mixed use building with limited commercial uses on the ground floor, including medical office and commercial retail (pharmacy) and two residential dwelling units above, for the lands located at 567 Scenic Drive. In addition, 11 parking spaces have been provided and the medical office use has been limited to one medical practitioner.

New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been adopted by Council but the implementing Zoning By-law (i.e By-law No. 17-240) has been appealed to the Local Planning Appeal Tribunal (LPAT). A draft By-law has been prepared with this report (attached as Appendix “C” to Report PED18173), to add 567 Scenic Drive into Zoning By-law No. 05-200 at such time as the CMU Zones are in force and effect. The draft By-law will be held in abeyance until the CMU Zones are in force and effect, at which time the By-law will be brought forward to City Council for enactment. The subject property is to be rezoned a modified Neighbourhood Commercial (C2) Zone.

The proposal has merit and can be supported since the application is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan (UHOP). The proposed development is considered to be compatible with the existing and planned development in the immediate area.

Alternatives for Consideration – See Page 28
SUBJECT: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (Ward 8)(PED18173) - Page 3 of 29

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

The subject lands are located at the southeast corner of Scenic Drive and Upper Paradise Road. The subject lands are approximately 978 sq m in area, with 22.37 m of frontage along Upper Paradise Road and 34.15 m of frontage along Scenic Drive. The subject property is currently occupied by a one storey building with a medical office. The building is located in the middle of the subject lands, with the remainder of the site being used for surface parking.

The subject land has been a commercial property since July 25, 1950, having various different commercial retail uses. Prior to the establishment of the current medical office, the property has been used as a convenience, ice cream and grocery store.

The lands are currently being used as a medical office that was approved as a temporary use under Committee of Adjustment Application HM/A-14:270 on November 27, 2014 for a period of two years.

A second Committee of Adjustment Minor Variance Application, HM/A-16:370, to continue the use was heard before the Committee of Adjustment on December 1, 2016 and the application was denied.

The purpose of the submitted Zoning By-law Amendment Application is to permit the development of a 2.5 storey (11.0 m) mixed use building with commercial uses on the ground floor, including a medical office and pharmacy, with two residential dwelling units above grade. The proposal includes 11 parking spaces and one barrier free parking space.

The applicant has held two neighbourhood meetings on May 16, 2017, and May 17, 2018 and has worked with staff to amend the original application that was for a three storey mixed use building having three commercial units at grade and three residential units above. The revisions have been to ensure compatibility with the surrounding residential development. The revised building is designed to resemble a two and a half storey dwelling with limited commercial on the main floor and two residential units above.
**Chronology:**

- **March 10, 2017:** Application ZAC-17-061 received.
- **April 4, 2017:** Application ZAC-17-061 deemed complete.
- **April 10, 2017:** Notice of Complete Application and Pre-Circulation was mailed to 46 property owners within 120 m of the subject property.
- **September 16, 2017:** A Public Notice sign was established on the property.
- **May 16, 2017:** Neighbourhood meeting.
- **May 17, 2018:** Neighbourhood meeting.
- **August 22, 2018:** Public Notice sign updated to reflect the date of Public Meeting.
- **August 31, 2018:** Circulation of Notice of Public Meeting to 46 property owners within 120 m of the subject property.

**DETAILS OF SUBMITTED APPLICATION:**

- **Owner:** 2434217 Ontario Inc.
- **Agent:** MB1 Development Consulting
- **Location:** 567 Scenic Drive (Hamilton) (see Appendix “A” to Report PED18173)
- **Property Size:**
  - Frontage: 34.15 m (Scenic Drive)
  - Area: 978.3 sq m
  - Depth: 22.37 m (Upper Paradise Road)
- **Servicing:** Full Municipal Services

**OUR** Vision: To be the best place to raise a child and age successfully.
**OUR** Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
**OUR** Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Medical Office</td>
<td>&quot;B-1&quot; (Suburban Agriculture and Residential, etc.) District</td>
</tr>
</tbody>
</table>

**Surrounding Lands:**

<table>
<thead>
<tr>
<th></th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Single Detached Dwelling</td>
<td>&quot;B&quot; (Suburban Agriculture and Residential, etc.) District</td>
</tr>
<tr>
<td>East</td>
<td>Single Detached Dwelling</td>
<td>&quot;B&quot; (Suburban Agriculture and Residential, etc.) District</td>
</tr>
<tr>
<td>South</td>
<td>Single Detached Dwellings</td>
<td>&quot;B-1&quot; (Suburban Agriculture and Residential, etc.) District</td>
</tr>
<tr>
<td>West</td>
<td>Single Detached Dwellings</td>
<td>&quot;B-1&quot; (Suburban Agriculture and Residential, etc.) District</td>
</tr>
</tbody>
</table>

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

**Provincial Planning Policy Framework**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2014). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. However, the UHOP has not been updated with respect to the cultural heritage policies of the Provincial Policy Statement. The following policies amongst others, apply:
“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

A Caution note will be required on the Site Plan at the time of the Site Plan Control Application. As the application for a change in zoning complies with the Official Plan and the relevant policies in the PPS, 2014, it is staff’s opinion that the application is:

- Consistent with Section 3 of the Planning Act; and,
- Consistent with the Provincial Policy Statement.

**Growth Plan for the Greater Golden Horseshoe (2017)**

The subject lands are located within the built up area as defined by the Growth Plan. The proposal conforms to the Guiding Principles of Section 2.2.1.4 which provides direction on managing growth whereby population and employment growth will:

“2.4.1.4 a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; and,

c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;”

In review, the subject lands are located within the Urban Boundary, and Built Up Area in a settlement area where full municipal services are available, and will provide for a complete community through the addition of dwelling units and employment opportunities through a compact design.

Based on the foregoing, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2017).

**Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). In addition, this portion of Scenic Drive is considered a Minor Arterial road per Schedule “C” of Volume 1 in the UHOP. The following policies, amongst others, apply to the application.
SUBJECT: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (Ward 8)(PED18173) - Page 7 of 29

General Policies:

“E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

E.3.2.2 The Neighbourhoods designation applies to lands generally greater than 4 hectares in size designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations.

E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

a) residential dwellings, including second dwelling units and housing with supports;

d) local commercial uses.”

The proposal complies with the above as the development of the land will facilitate a compact form of development, which contributes to a complete community, providing supporting uses to serve the local and surrounding residents. The subject land is less than 4 hectares in size and is at the corner of a minor arterial and collector road, allowing for local commercial uses.

Commercial Component

The subject land has operated as a commercial property since July 25, 1950, having a succession of various different commercial retail uses. Prior to the establishment of the doctor’s office, the most recent use of the property has been a retail, convenience and grocery store.

Based on the above, the commercial component of the site is legal non-complying to the UHOP. The following policies apply:

“F.1.12 Existing, Non-Complying and Non-Conforming Uses

It is recognized there are some previously existing land uses that do not presently comply with the goals and objectives set out in this Plan. This Plan, while endeavouring to achieve a high degree of land use compatibility for new development, recognizes there is a degree of diversity in land use for existing areas where time and custom have achieved an acceptable level of tolerance. Many of these uses have been established for a considerable number of years. In some cases, it is recognized such situations exist and
they can be continued in the interim. In other cases, there are some existing uses that not only do not comply with the Official Plan or conform to the Zoning By-law, and are incompatible with surrounding land uses.

F.1.12.8 Where appropriate, the City may amend the Zoning By-law to recognize the legal non-complying use as an existing use provided that all the following criteria shall be met:

a) the Zoning By-law shall permit only the existing use and the associated performance standards;

b) the use does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or by the traffic generated; and,

c) the use is in compliance with appropriate provincial and municipal regulations.

F.1.12.9 The expansion or enlargement or change in legal non-complying uses shall be permitted provided they maintain the intent and purpose of this Plan and the Zoning By-law."

As noted in the background section of the report, this property has been used for commercial purposes for several decades. The commercial component complies with Policies F.1.12.8 and 9 on the basis that:

- the Zoning By-law is modified to include the performance standards to improve the urban design component of the new development and to ensure it implements the policies of the Local Commercial and residential policies within the Neighbourhoods designation;
- it does not constitute a danger; and,
- it conforms to provincial and municipal policies.

The subject lands are surrounded by single detached residential dwellings but are located at the corner of a minor arterial road and a collector road. The redevelopment will maintain a commercial use on the subject lands which has been in existence for over 60 years while introducing a residential component. The proposed mixed use development maintains the historical small scale commercial use while adding residential units above in keeping with the surrounding residential uses.
Residential Component

The proposal is to include two dwelling units above the commercial use. Since the site is adding residential uses to the property, this development is evaluated against the Residential Intensification policies below:

“B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

a) a balanced evaluation of the criteria in b) through g), as follows;

b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;

d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

f) infrastructure and transportation capacity; and,

g) the ability of the development to comply with all applicable policies.

B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

a) the matters listed in Policy B.2.4.1.4;

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

d) the consideration of transitions in height and density to adjacent residential buildings;

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

h) the ability to complement the existing functions of the neighbourhood;

j) infrastructure and transportation capacity and impacts."

The proposal has considered the adjacent land uses by designing the building to be consistent with the height and massing of the adjacent two and two and half storey single detached dwellings.

The subject lands are located at the southeast corner of Scenic Drive and Upper Paradise Road. Scenic Drive is a minor arterial road which is along the Hamilton Street Railway (HSR) transit routes (Routes No. 34 and 34a). A bus stop is located at the east side of Upper Paradise Road in front of the subject lands providing a convenient access to public transportation.

The location, size and scale of the proposed development ensures that the building is not only compatible with the surrounding neighbourhood, but also ensures no overlook, enhances the existing neighbourhood character and preserves site lines for safety and views of the Escarpment.

The Local Commercial and Urban Design policies provide direction for the building mass, location, size, and site design, as follows:

“E.3.8 Local Commercial

E.3.8.4 Local commercial uses may be permitted in the following built forms:

d) multiple storey buildings with the local commercial uses on the ground floor and residential units above.

E.3.8.2 The following uses shall be permitted:
b) medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses; and,

c) residential uses, in accordance with Policy E.3.8.10.

E.3.8.8 Local commercial uses shall comply with the following provisions:

a) The gross floor area for any individual office shall not exceed 500 square metres.

E.3.8.9 Development and redevelopment of local commercial uses shall:

a) front and have access to a major arterial, minor arterial, or collector road;

b) provide safe and convenient access for pedestrians and cyclists; and,

c) be compatible with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting.

E.3.8.10 Residential units located in the same building as local commercial uses shall generally be located above the ground floor. Some components of the residential use may be located in ground floor areas in the rear of buildings. All commercial space shall be located on the ground floor with the primary entrances to the commercial space through the principal façade of the building.

E.3.8.14 New local commercial buildings or uses in areas other than those referred to in E.3.8.13 shall:

a) be located close to the street to create a strong pedestrian orientation particularly along adjoining collector roads;

b) provide a principal entrance facing the arterial and collector road;

c) provide direct access from the sidewalk;

d) provide windows and signage facing the street; and,

e) provide for a consistent minimum setback.”

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
The subject land has been established and operating as a commercial site since July 25, 1950. A medical office use is permitted by the UHOP as the property has direct access to an arterial road. As the site is located in a prominent location of the neighbourhood, the redevelopment of the site will provide a positive redevelopment, which will strengthen the street presence providing an active storefront. Furthermore, through the review of the application, the applicant has reduced the size and scale of the development to be in keeping with the policies, ensuring that the development is scaled appropriately to be in keeping with and compatible to the surrounding neighbourhood.

Urban Design Policies

“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;

B.3.3.2.4 Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:

a) organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;

b) recognizing that every new building or structure is part of a greater whole that contributes to the overall appearance and visual cohesiveness of the urban fabric;

c) using materials that are consistent and compatible with the surrounding context in the design of new buildings;

e) creating a continuous animated street edge in urban environments;

f) including transitional areas between the public and private spaces where possible through use of features such as landscaping, planters, porches, canopies, and/or stairs;

B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development
and redevelopment should enhance the character of the existing environment by:

a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;

d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context;

B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

b) ensuring adequate privacy and sunlight to neighbouring properties;

B.3.3.3.3 New development shall be massed to respect existing and planned street proportions.

B.3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

a) locating principal façades and primary building entrances parallel to and as close to the street as possible;

b) including ample glazing on ground floors to create visibility to and from the public sidewalk;

c) including a quality landscape edge along frontages where buildings are set back from the street;

d) locating surface parking to the sides or rear of sites or buildings, where appropriate;

B.3.3.10.4 Where surface parking is proposed, it should be located to the sides or rear of buildings to enable the development of a continuous street edge and the creation of quality urban spaces consistent with Section B.3.3.2 – General Policies and Principles.

B.3.3.10.5 Parking areas shall be connected to the street through safe, landscaped pedestrian walkways.
SUBJECT: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (Ward 8)(PED18173) - Page 14 of 29

B.3.3.10.6 Perimeters of surface parking lots shall be landscaped with appropriate materials that allow visibility from the public realm to the interior of the parking area.

B.3.3.10.10 Bicycle parking facilities shall be located as close as possible to the entry points to buildings. A variety of bicycle parking formats, such as sheltered racks and lockers, catering to both employees and visitors is encouraged."

Based on the above noted policies, the proposal complies to the UHOP as follows:

- The proposed redesigned building has been positioned to respect the rear yards of abutting residential buildings as well as provide a balance between street presence at the corner of Scenic Drive and Upper Paradise Road while preserving views of the escarpment and park located at the northwest corner of the intersection. The location and size of the mixed use building is comparable to the existing single detached residential uses surrounding the subject land.

- The neighbourhood is predominately single detached dwellings, ranging in height from one and a half to two and a half storeys in height. This proposal, at two and a half storeys (11.0 m), is in keeping with the surrounding development.

- The footprint of the proposed building is very similar to existing homes within the area at 186.5.00 sq m or approximately 20% lot coverage.

- The redesigned building has provided a street presence, without being a dominant building. The site has been designed for the public to have easy access throughout the site.

- The proposed redesigned mixed use building will be brought closer to the street, creating a positive street edge while respecting the existing character of the single detached dwellings surrounding the subject land.

- The development will introduce accessibility features and a façade to establish a street edge at a pedestrian / human scale. The proposed mixed use building has been designed to complement the existing neighbourhood style.

- The architectural design and the proposed materials of the redesigned building are consistent and compatible with the surrounding context. The ground floor façades are broken up with stone skirting and large windows from the commercial units facing the street. The doors of the commercial uses are proposed at a residential scale. Furthermore, the articulation of second floor bay windows is consistent with the vernacular of the neighbourhood, as well the pitched rooflines toward the street.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
are typical in this neighbourhood. The proposed building is consistent in typology, using dormers at the front and back of the roofline to add interest. The front façade has a single pitched distinction on the left to add interest to the street facing side elevation. Juliet balconies at the front add a unique accent and amenity space to the residential units.

- With the introduction of new landscaping and fencing along the perimeter of the existing parking area, privacy and separation for existing residential uses will be improved with this redevelopment from the existing situation.

- In keeping with the conceptual elevation drawings (see Appendix “D” to Report PED18173), principle entrances to the building are provided parallel to the street, with all parking proposed at the side and rear of the lands. Sidewalk connections are provided from the street to the internal areas of the site, including entrances into the building and the parking area to the rear.

- There are existing municipal services within Upper Paradise Road and Scenic Drive. The existing services include:
  
  o A 300mm watermain, 300mm sanitary sewer and 1350mm storm sewer on Upper Paradise Road; and,
  o A 300mm watermain, 900mm storm sewer and 375mm sanitary sewer on Scenic Drive.

At the Site Plan Control stage, a Lighting Plan and traffic and pedestrian connections will be further reviewed to ensure policies B.3.3.2.4 i), B.3.3.2.5 b) and f) are addressed. In addition, a further evaluation of the façade treatment will be undertaken to ensure the appropriate integration, ensuring compatibility and enhancement of the streetscape.

Transportation

On Schedule “C” - Functional Road Classification Plan, Scenic Drive is classified as a “Minor Arterial Road”, and Upper Paradise Road is classified as a “Collector Road”.

“C.4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way widths:

  d) Minor arterial roads, subject to the following policies:

  i) The primary function of a minor arterial road shall be to carry moderate volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads.
ii) Land accesses shall be permitted with some controls.

iii) The basic maximum right-of-way widths for minor arterial roads shall be 36.576 metres unless otherwise specifically described in Schedule C-2 – Future Road Widensings.

e) Collector roads, subject to the following policies:

ii) The basic maximum right-of-way widths for urban collector roads shall be 30.480 metres in designated Employment Areas and 26.213 metres in all other areas, unless specifically described otherwise in Schedule C-2 – Future Road Widensings.”

The existing right-of-way width for Scenic Drive is 26.2 m along the frontage of the property while the required right-of-way width for minor arterial roads is 36.576 m. Therefore, a right-of-way widening from the subject lands of approximately 5.2 m will be required along Scenic Drive. Furthermore, the existing right-of-way width of Upper Paradise Road is 20.1 m. As Upper Paradise Road is classified as a Collector road, the right-of-way width for a collector road is 26.213 m. A right-of-way widening of approximately 3.05 m will be required along Upper Paradise Road. The applicant has identified that a reduction in the right-of-way widening width will be requested at the Site Plan Control stage, however, the subject lands have been designed to the ultimate road widths.

Based on the above policies, staff are of the opinion that the proposal complies with the policies of the Urban Hamilton Official Plan.

**Hamilton Zoning By-law No. 6593**

The subject lands are currently zoned “B-1” (Suburban Agriculture and Residential, etc.) District, in the Hamilton Zoning By-law No. 6593, as shown on Appendix “A” to Report PED18173.

The applicant has requested a change in zoning to the “CR-1” (Commercial Residential) District, to permit the development of a mixed use building with commercial uses on the ground floor with two residential dwelling units above on lands located at 567 Scenic Drive.

Further evaluation of the proposed modifications are included in the Analysis and Rationale for Recommendation section of Report PED18173.
Hamiton Zoning By-law No. 05-200

The subject lands are currently zoned “B-1” (Suburban Agriculture and Residential, etc.) District, in the Hamilton Zoning By-law No. 6593, as shown on Appendix “A” to Report PED18173. Staff note that the City of Hamilton has adopted new Commercial Mixed Use Zoning (By-law No. 17-240) currently under appeal to the Local Planning Appeal Tribunal. A Zoning By-law Amendment has been drafted to bring the lands into Hamilton Zoning By-law No. 05-200 and zone the lands a site specific Neighbourhood Commercial (C2) Zone which will be held in abeyance until such time as the Commercial Mixed Use Zoning comes into full force and effect. Further evaluation of the proposed modifications to the Neighbourhood Commercial (C2) Zone are included in the Analysis and Rationale for Recommendation section of Report PED18173.

RELEVANT CONSULTATION

The following departments and agencies had no comments or objections:

- Landscape Architectural Services, Public Works Department;
- Recycling and Waste Disposal, Public Works Department; and,
- Recreation, Emergency and Community Services Department.

Forestry & Horticulture (Public Works Department) have advised that there are no municipal tree assets on site and therefore a Tree Management Plan will not be required at the Site Plan Control stage. However, Forestry staff will require a Landscape Plan to be provided at the Site Plan Control stage for the future planting location of street trees.

Vector Borne Disease Section, Public Health Services Department require that a Pest Control Plan, focusing on rats and mice, shall be developed and implemented for the construction / development phase of the project and continue until the project is complete. The applicant has submitted a Pest Control Plan which has been deemed satisfactory by Public Health staff. A copy of the Pest Control Plan will be requested at Site Plan Control stage to ensure conformity.

Transit Planning (Public Works Department) have advised that the subject lands are served by HSR route #34 with no planned changes in service. HSR supports the inclusion of high quality pedestrian amenities at this development such as walkways, lighting, etc. and is willing to work with the developer on various bus stop amenities. Staff note that a bus stop is located on the southeast corner of Scenic Drive and Upper Paradise Road. Transit has requested that a 2.5 m right-of-way widening be taken to ensure the upgrades to the bus stop can be made in the future if needed. Staff note that a right-of-way widening will be addressed in accordance with the applicable provisions of the UHOP through the future Site Plan Control Application. Further details with
regards to pedestrian amenities will be addressed through a future Site Plan Control Application.

**Transportation Planning (Planning and Economic Development)** have reviewed the application and have identified that right-of-way widenings and a 12.19 m by 12.19 m daylighting triangle be provided. Staff have highlighted that should the application move forward, an Access Permit will be required for any modification to or creation or removal of a driveway access. Design requirements have also been provided by staff which include a minimum 1.2 m separation between any driveway access and infrastructure, and 5.0 m by 5.0 m visibility triangles at the access. In addition, Transportation Planning staff have identified that no loading space has been demonstrated on the site and that on-street commercial loading / unloading will be prohibited within the ‘No Stopping’ areas. Staff note that the details regarding sidewalks, Access Permits, loading and visibility triangles will be evaluated through the future Site Plan Control Application. However, a revised TDM will be required at the Site Plan Control stage to address the revised proposal as bike parking within the subject lands has been removed due to the required right-of-way widening of Scenic Drive.

**Hamilton Conservation Authority (HCA)** have advised that they have no objection to the approval of the Zoning By-law Amendment Application. HCA staff have reviewed the Servicing Options Report submitted and note that quality control will be provided on site through the use of an oil / grit separator or LID measures such as permeable pavers. The HCA will require the submission of a Site Grading Plan, a Site Servicing Plan, and an Erosion & Sediment Control Plan. Staff note that these Plans will be requested as a condition of the future Site Plan Control Application.

**Public Consultation**

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 46 property owners within 120 m of the subject property on April 10, 2017 for the proposed Zoning By-law Amendment Application.

Seven written submissions were received in opposition with the initial circulation, attached as Appendix “F” to Report PED18173 and summarized in the Analysis and Rationale for Recommendation Section.

A Public Notice Sign was posted on the property on April 19, 2017, and updated on August 22, 2018, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on August 31, 2018.
Public Consultation Strategy

The Public Consultation Strategy submitted with the application identified that a neighbourhood meeting would be held with residents as required. Two neighbourhood meetings were held, the first being on May 16, 2017. The meeting was well attended, with over 50 members of the community completing comment forms provided by the Councillors staff (attached as Appendix “G” to Report PED18173). The second neighbourhood meeting held on May 17, 2018 was also well attended, with a similar number of attendees. At the second meeting the applicant presented the revised proposal to the community. Concerns identified by the community, through comment sheets at the neighbourhood meetings (attached as Appendix “G” to Report PED18173) are summarized in the Analysis and Rationale for Recommendation Section of this Report and related to issues of parking, traffic, crime, building height, intensity of use, and privacy. It should be noted that a number of people attending the meeting also expressed support for the proposal, particularly at the second meeting.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2017);

   (ii) It complies with the Urban Hamilton Official Plan;

   (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,

   (iv) The proposed development represents good planning by, among other things, providing housing and employment opportunities.

2. The lands subject to this Zoning By-law Amendment Application are currently zoned “B-1” (Suburban Agriculture and Residential, etc.) District, within the City of Hamilton Zoning By-law No. 6593. The applicant has requested a Zoning By-law Amendment to rezone the lands to a site specific “CR-1” (Commercial – Residential) District. The subject land has been established as a commercial site since July 25, 1950 with a range of commercial retail businesses. The applicant was granted a Minor Variance permitting a medical office for a period of two years ending in November 2016 but a second application to extend the use, which was heard on December 1, 2016, was denied. The applicant has since submitted a Zoning By-law Amendment Application to permit a mixed use building containing commercial units on the ground floor and residential units above. The application has been modified to reduce the number of commercial and residential units to two
commercial units on the ground floor being a medical office and pharmacy (retail) and two residential units above. The proposal complies with the Local Commercial policies of the Official Plan and Staff support the Zoning By-law Amendment.

Modifications to the “CR-1” (Commercial – Residential) District are required to limit commercial uses and to permit two residential units, front, side and rear yard setback reductions, modifications to the development standards for: encroachments of balconies and unenclosed porches into a required yard; parking stall size requirements; landscaping and amenity area; and, to require one barrier free parking space to implement the proposal.

Commercial Uses

Given the size and location of the subject lands further refinement to the permitted uses of the “CR-1” (Commercial Residential) District is proposed to ensure that the development is scaled appropriately to be in keeping with and compatible to the surrounding neighbourhood. Uses such as a theatre and commercial club have been prohibited in order to ensure that the uses are compatible with the surrounding neighbourhood. Furthermore, the medical office has been capped regarding the total gross floor area to 94 sq m and the number total number of practitioners for the medical office (restricted to one practitioner). Staff are of the opinion that the modifications will allow the applicant to ensure compatibility with the surrounding neighbourhood.

Residential Units

A modification to the “CR-1” (Commercial – Residential) District is required to restrict the proposal to permit only two residential units above the ground floor. Staff note that residential uses are permitted within the proposed parent zoning; however, due to the number of units being proposed this provision must be varied. Multiple dwellings are permitted within the zone, however, as per the definition, a multiple dwelling consists of four or more dwelling units. The application has been reduced to the two units to ensure compatibility, address concerns over the intensity of development and accommodate on site parking. Staff support the modification.

Parking

Staff note that there are no changes to the number of required parking spaces. To ensure that 11 parking spaces are provided (including one barrier free parking space), where seven parking spaces are required in By-law 6593 (two parking spaces for the dwelling units and five parking spaces for the medical office). Modifications to the use permissions and to the size of the parking spaces are

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
required. The applicant has provided 11 parking spaces to address the concerns raised at the neighbourhood meetings with regards to parking concerns in the neighbourhood.

In addition, due to concerns raised by the public, the proposal has been modified to permit only one practitioner within the medical office, limiting the number of patients. Staff support the modification to the By-law to require one barrier free parking space as part of the total 11 parking spaces.

Parking Stall Size

The applicant has requested a modification to the parking stall size to 2.6 m by 5.5 m, whereas the By-law requires 2.7 m by 6.0 m. The general intent and purpose of the provision of the By-law is to ensure that parking spaces provide a minimum width and length to ensure adequate space for vehicular parking.

The applicant has provided four additional parking spaces beyond what is required in the Zoning By-law. Given the accommodation for additional parking spaces to address neighbourhood concerns, and that the applicant initiated the rezoning process prior to Council’s adoption of revised parking stall standards, Staff are of the opinion that the reduction of the parking stall width and length can be supported.

Setbacks

Multiple setback reductions have been requested for the proposed development. The proposed mixed use building footprint is approximately 10% larger than the existing commercial building (having an approximate lot coverage of 20%). A right-of-way widening (along Scenic Drive) and daylighting triangle have been identified. The positioning of the building is constrained to ensure compatibility, protect site lines to the escarpment as well as due to the right-of-way widening. In addition, some of the proposed reductions are to facilitate additional parking to address the concerns of the neighbourhood and the need for additional parking spaces. Staff note that the footprint of the building is comparable to that of the adjacent single detached residential dwellings. Staff support the proposed modification to reduce the front yard setback to 2.0 m (Scenic Drive), the rear yard setback to 3.6 m and the westerly yard (along Upper Paradise Road) and hypotenuse setback to 2.0 m, in order to facilitate the proposed development.

Balcony Projection and Reduced Amenity Area

A balcony for each residential unit has been provided at the rear (southern lot line) of the subject lands. An increase in encroachment is required to project a
maximum 1.9 m into the rear yard instead of 1.0 m. Staff note that balconies will function as the amenity area. The only potential overlook into the adjacent lands (77 Upper Paradise Road) is into the side and front yard. The overlook will be minimized through the utilization of landscaping and the position of the proposed building, which will have limited views. In addition, the north elevation of 77 Upper Paradise Road, facing the proposed mixed use building, only has three small windows, one of which is the window to the double car garage.

Staff note that the position of the building provides a balance between street presence at the corner of Scenic Drive and Upper Paradise Road while preserving views of the park and escarpment, located at the northwest corner of the intersection. Staff support this increase in encroachment of the balconies.

Staff note that each balcony is provided for the purpose of providing each residential unit with an amenity area. The applicant is providing 10.5 sq m, whereas the By-law requires a minimum of 28.0 sq m. Staff support the reduction in amenity area as the proposal is located across the street from Cliffview Park and the stairs leading to the Bruce Trail. In addition, the residential units are generously sized, with a gross floor area of approximately 186.5 sq m (2,000 sq ft) per unit, thereby offsetting the decreased amenity area with internal space. Staff support this decrease in amenity area for each dwelling unit.

The applicant will also require variances for the setback for the roofed over, unenclosed one-storey porch area situated under the balconies proposed along the front and rear facades. While the porch area is not proposed to extend beyond the balcony area, the variances to the porch area correspond to and are the result of the variances required for the balcony area.

Gross Floor Area

The applicant has agreed to amend the application to reduce the number of commercial and residential units and to permit one medical practitioner, to minimize any potential impacts from an increase in traffic and parking demands. The owner also agreed to placing restrictions on the gross floor area of the proposed ground floor medical office to 94 sq m in order to ensure the intent of the proposed development is not altered and the size, scale and intensity is compatible with the surrounding neighbourhood. Staff note that the building’s gross floor area has also been capped at the 495 sq m, with the two residential units having a combined maximum 308 sq m of gross floor area. Staff support the modification to ensure the intent of the local scale of this mixed use development is maintained.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Landscaping and Planting Strip

The applicant has requested a reduction in the landscaped area to 15%, whereas the By-law requires 40%. Instead, the applicant is providing more than the number of required parking spaces to accommodate the concerns regarding parking on site. The proposed development introduces planting strips along the entire perimeter of the parking area, allowing for additional green space and landscaping. The proposal provides a 1.35 m planting strip along the easterly boundary and the southerly property lines (except along a small portion of the southerly property line to allow vehicles to manoeuvre out of the parking space, to 0.8 m), whereas the By-law requires a 1.5 m width planting strip. In addition, a visual barrier (fencing) will be required along both property lines. With the introduction of new landscaping and fencing along the perimeter of the existing parking area, privacy and separation for existing residential uses will be improved. On balance, the applicant is introducing landscaping and landscape buffers to the site where none was previously provided; on this basis, staff support the variances for a reduction in planting strips.

3. New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been adopted by Council but the implementing Zoning By-law (i.e By-law No. 17-240) has been appealed to the Local Planning Appeal Tribunal (LPAT). A draft By-law has been prepared with this report (attached as Appendix “C” to Report PED18173), to add 567 Scenic Drive into Zoning By-law No. 05-200 at such time as the CMU Zones are in force and effect. The draft By-law will be held in abeyance until the CMU Zones are in force and effect, at which time the By-law will be brought forward to City Council for enactment. The subject property is to be rezoned a site-specific Neighbourhood Commercial (C2) Zone. Staff note that the following modifications are required to permit the proposal.

Commercial Uses

Given the size and location of the subject lands further refinement of the Neighbourhood Commercial (C2) Zone has been made to ensure that the development is scaled appropriately to be in keeping with and compatible to surrounding neighbourhood. Such uses as a day nursery and motor vehicle service station have been prohibited from the By-law in order to ensure that the intensity of the site is compatible with the surrounding neighbourhood. Furthermore, the medical office has capped the total gross floor area and the number total number of practitioners for the medical office has also been capped at one practitioner. Staff are of the opinion that the modifications will allow the applicant to ensure compatibility, address concerns over the intensity of development.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Gross Floor Area

The applicant has agreed to amend the application to reduce the number of commercial and residential units and to permit one medical practitioner, to minimize any potential impacts from an increase in traffic and parking demands. The owner also agreed to placing restrictions on the gross floor area of the proposed ground floor medical office to 94 sq m in order to ensure the intent of the proposed development is not altered and the size, scale and intensity is compatible with the surrounding neighbourhood. The proposed dwelling units are adequately size and will have two floors of gross floor area and therefore has required an amendment to the By-law as the residential gross floor area exceeds that of the commercial gross floor area. Staff support the modification.

Rear Yard Setback

A setback reduction is required for the proposed development. The proposed mixed use building footprint is only approximately 10% larger than the existing commercial building, having an approximate lot coverage of 20%. A right-of-way widening and daylighting triangle have been required. The position of the building is constrained due to the road widenings to ensure compatibility as well as protect site lines to the escarpment. In addition, some of the proposed reduction will facilitate additional parking to address the concerns of the neighbourhood and the need for additional parking spaces. Staff note that the footprint of the building is comparable to that of the adjacent single detached residential dwellings. Staff support the proposed modification to reduce the rear yard setback to 1.8 m.

Location of Parking Spaces

A modification is required to the By-law as the accessible parking space projects 0.2 m further than the façade of the building whereas parking spaces are not permitted to project further than the front façade. The applicant has provided 11 parking spaces greater than the required number parking spaces in order to address the concerns raised at the neighbourhood meetings with regards to parking concerns in the neighbourhood. Staff are of the opinion that the required modification is minor in nature while still respecting the intent of the By-law while addressing concerns raised by the public. Staff support the proposed modification.

Landscaping and Planting Strip

The current condition of the subject land is comprised of an asphalt parking area surrounding the existing building, adjacent to existing residential development. The proposed development introduces adequate landscape buffers along the entire perimeter of the parking area, allowing for additional green space and landscaping.
The proposal provides a 1.35 m landscape strip along the east, west and the majority of the southerly property lines, whereas a 1.5 m width is required. However, a further reduction along a small portion of the southerly property line is proposed to allow vehicles to manoeuvre out of the parking space. In addition, a visual barrier (fencing) will be required to be provided. With the introduction of new landscaping and fencing along the perimeter of the existing parking area, privacy and separation for existing residential uses will be improved. On this basis, staff support the variances for a reduction in landscaping widths.

Parking Stall Size

The applicant has requested a modification to the parking stall size to 2.6 m by 5.5 m, whereas the By-law requires 2.7 m by 6.0 m. The general intent and purpose of the provision of the By-law is to ensure that parking spaces provide a minimum width and length to ensure adequate space for vehicular parking. Staff note that at the time the application was submitted, the proposal applied the Hamilton Zoning By-law No. 05-200 parking space stall size. Although the size requirements of the Zoning By-law have since changed, the application precluded the new parking space stall size.

The applicant has provided four additional parking spaces beyond what is required in the zoning by-law. Given the accommodation for additional parking spaces to address neighbourhood, Staff are of the opinion that the reduction of the parking stall width and length can be supported.

4. Engineering have reviewed the following plans, studies and reports prior to the approval of the Zoning By-law Amendment Application:

- Erosion and Sediment Control Plan;
- Grading Plan;
- General Plan of Services;
- Storm Drainage Plan;
- Water and Wastewater Servicing Options Report; and,
- Water Servicing Study.

Upon review of the above noted reports and studies, the Development Engineering Approvals Section has advised of the following.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
At the Site Plan Control stage a right-of-way widening and daylight triangle will be required to be dedicated to the City to ensure that the necessary space can be allocated for any widening or future improvements along both Scenic Drive and Upper Paradise Road. Staff note that although the applicant has identified that a Right of Way Impact Assessment will be completed at the Site Plan Control stage for a possible reduction in the width of the right-of-way widening being required, the applicant has revised the concept plan to demonstrate the full extent of the right-of-way widening.

Development Engineering Staff are supportive of the zone change as there is available capacity for the proposed development. Further analysis regarding the proposal will be reviewed through the standard conditions of the future Site Plan Control Application and the applicant will be required update the domestic and fire flow demands in order to demonstrate that water servicing requirements have been satisfied.

5. Two neighbourhood meetings were held with the residents on May 16, 2017, and May 17, 2018, advising the residents of the proposed development. Staff note that at the May 17, 2018 neighbourhood meeting, the applicant presented the revised proposal of two commercial units on the ground floor and two residential units above.

Staff have consolidated the comment sheets submitted at the two neighbourhood meetings as well as the letters received by the public and have summarized the concerns of the residents below.

Parking

Concerns have been raised over the number of parking spaces being provided for the proposed uses. Staff note that no modification for a reduction in the number of required parking spaces for the proposed development is required. A reduction in parking stall size has been requested however; the reduction in size will not have an impact on the number of vehicles able to park within the subject lands. In addition, the applicant has provided more than the seven required parking spaces for the proposed development and will be providing 11 parking spaces, including one barrier free parking space.

Traffic

Residents within the area have concern with regards to the potential increase in traffic volumes. Transportation Planning has reviewed the proposal and no additional concerns have been raised with regards to traffic. The traffic generated by the proposed development will primarily be at off peak hours. Furthermore,
Scenic Drive is a minor arterial road, being the main east-west connection for the neighbourhood, which is designed to accommodate higher volumes of traffic, despite the land use being primarily low density single detached residential in this area.

In addition, Cliffview Park is located on the northwest corner of Scenic Drive and Upper Paradise Road. Staff note that the park is a well utilized parkette with pedestrian access down the escarpment to the Bruce Trail. Cliffview Park has grown in popularity and the parking lot for the park is often at capacity with spill-over parking on the street and onto this site.

Staff note that while there has been concern raised with regards to the volume of increased traffic, the development is of a relatively small scale and the applicant has revised the proposal to two commercial units and two residential units above. The applicant further modified the proposal to permit only one practitioner within the medical office and is providing more than the required parking on site.

Crime

Concerns were raised with regards to the potential increase in crime with the introduction of a pharmacy. Staff note that the pharmacy must comply with the regulatory authority requirements for pharmacies. The addition of the two residential units above the commercial units will also provide a measure of additional security and overlook to reduce opportunity for criminal activity. A Lighting Plan will be required as a condition of Site Plan and will ensure that light spillage onto adjacent properties does not occur while ensuring the property is well lit for safety and security purposes and will be reviewed to avoid any light trespass onto adjacent lands.

Height

At the neighbourhood meeting, concerns were raised with regards to the height of the proposed building. Members of the public have expressed concern with the potential for future developments to be proposed at a higher height and that this development could lead to further intensification within the interior of the neighbourhood. The proposed mixed use building is two and half storeys but mixed use building will appear similar to a two and a half storeys single detached dwelling.

Intensity of Use

The proposal has been modified from the original proposal, which consisted of three commercial units at grade and three residential units above, to the current...
proposal of two commercial units and two residential units. Some of the members of the public were of the opinion that the three commercial uses and three commercial uses were too intense for the subject lands. To further address these concerns, the proposal has also limited the medical office to permit one practitioner. These modifications have been made to address the concerns of the public and ensure the size and scale of the development is compatible with the surrounding neighbourhood.

Privacy

Concerns were raised with regards to the potential loss of privacy. Staff note that the building has been positioned to respect the rear yards of abutting buildings as well as provide a balance between street presence and sufficient space for landscaping treatment.

The mixed use building has been setback over 18 m from the easterly lot line. The setback provided is more than sufficient and in addition landscaping will be provided along the easterly lot line. Staff note that the property abutting to the south only has three small windows on the north facing portion of the building, of which one of the windows is into the garage. As well, the amenity areas have been positioned so that there is little view to the rear of the adjacent property.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment Application be denied, the property would remain under the “B-1” (Suburban Agriculture and Residential, etc.) District and the medical clinic would be required to cease.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.
APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Zoning By-law Amendment to By-law No. 6593
Appendix “C” – Zoning By-law Amendment to By-law No. 05-200
Appendix “D” – Concept Plan
Appendix “E” – Elevations
Appendix “F” – Public Submissions
Appendix “G” – Neighbourhood Comments Sheets
Change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District to the "CR-1/S-1766" (Commercial – Residential) District, Modified
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report of the Planning Committee, at its meeting held on the 18th day of September 2018, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W36 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “B-1” (Suburban Agriculture and Residential, etc.) District to the “CR-1/S-1766” (Commercial – Residential District), Modified; the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
To Amend Zoning By-law No. 6593,
Respecting Lands Located at 567 Scenic Drive, Hamilton

2. That the “CR-1” (Commercial – Residential District), provisions as contained within Section 15B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:

   a) Notwithstanding Section 15B(3)(a), the following Residential Use shall only be permitted:
      
      i) A maximum of two dwelling units located above the ground floor.

   b) In addition to Section 15B(3)(b)1., a medical office shall be restricted to 1 practitioner and a maximum gross floor area of 94 square metres.

   c) Section 15B.(3)(b), 14, 15, 16, 17 and 19, (c) and (d), shall not apply:

   d) Notwithstanding Section 15B(9)(a) and (b) and (12) the following setbacks shall apply:
      
      i) Where the yard abuts any street, a yard having a depth of not less than 2.0 metres.

      ii) Where the yard abuts any other lot, the rear yard shall have a depth not less than 3.6 metres and the easterly side yard shall have a width not less than 13.5 m.

   e) Notwithstanding Section 15B(11)(a) and (b) the following setbacks shall apply:
      
      i) A minimum front yard of 2.0 metres.

      ii) A minimum westerly side yard of 2.0 metres.

      iii) A minimum setback abutting a hypotenuse of the daylight triangle (at Scenic Drive and Upper Paradise Road) shall be 2.0 metres.

      iv) A minimum rear yard of 3.6 metres.

      v) A minimum easterly side yard of 13.5 m.

   f) Notwithstanding Section 15B(15)(a) and (b), a maximum gross floor area for a joint residential use and commercial use building shall be 495 square metres, of which 308 square metres are for the residential portion of a joint residential use and commercial use building.
g) Notwithstanding Section 15B(19), for each dwelling unit containing not more than two bedrooms, an amenity area of not less than 10.5 square metres shall be provided and maintained on the lot for each dwelling unit.

h) Notwithstanding Section 15B(21), there shall be provided and maintained on the same lot and within the district an amount not less than 15% of the area of the lot on which the building or structure is situate, as landscaped area.

i) Notwithstanding Section 15B(36), a planting strip of not less than 1.30 metres in width shall be provided and maintained only along the easterly side lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways.

j) Notwithstanding Section 15B(36), a planting strip of not less than 1.30 metres shall be provided and maintained along the rear lot line adjoining a residential district or use, except at the manoeuvring space where a planting strip of not less than 0.8 metres in width shall be provided and maintained.

k) Notwithstanding Section 15B(37), no landscaped area for any parking or manoeuvring space adjacent to a street line shall be required along the front yard and westerly side yard frontage of the building, including the hypotenuse of a daylight triangle and the area which is used as a pedestrian walkway to a parking lot except for a 3.0 metre landscaping area provided along the front and easterly side lot line.

l) Notwithstanding Section 18(3)(vi)(cc)(ii), a bay, balcony or dormer may project into a required rear yard not more than 2.0 metres.

m) Notwithstanding Section 18(3)(vii)(d), a roofed over unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into the required front yard not more than 0.7 m and into the required rear yard not more than 2.0 m.

n) Notwithstanding Section 18A(1)(a) and Table 1, for the purpose of this By-law, a minimum of 11 parking spaces, including one barrier free parking space shall be provided.

o) Notwithstanding Sub-section 18A.(7), required parking spaces shall have dimensions of not less than 2.6 metres wide and 5.5 metres long.
To Amend Zoning By-law No. 6593, Respecting Lands Located at 567 Scenic Drive, Hamilton

p) Notwithstanding Section 18A(11)(a), on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district the following provisions shall apply:

i) not less than 1.35 metres from the easterly property line; and,

ii) not less than 1.35 metres from the southerly lot line shall be provided along the southerly lot line except at the manoeuvring space, a minimum width of 0.8 metres shall be provided.

q) Notwithstanding Section 18A(11)(b), shall not apply.

r) Section 18A(26) shall not apply.

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “CR-1/S-1766” (Commercial – Residential Districts) District, Modified provisions, subject to the special requirements referred to in Section 7.

4. That Sheet No. W36 of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as “CR-1/S-1766” (Commercial – Residential Districts).

5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act.

PASSED this __________ ___, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk
Appendix “B” to Report PED18173
Page 5 of 5

To Amend Zoning By-law No. 6593,
Respecting Lands Located at 567 Scenic Drive, Hamilton

This is Schedule "A" to By-law No. 18-
Passed the .......... day of ....................., 2018

Mayor
Clerk

Schedule "A"
Map Forming Part of
By-law No. 18-_____
to Amend By-law No. 6593

Subject Property
567 Scenic Drive

Change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District to the "CR-1/S-1766" (Commercial - Residential Districts). Modified

Scale:
N.T.S.

File Name/Number:
ZAC-17-030

Date:
July 27, 2018

Planner/Technician:
MF/AL

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
CITY OF HAMILTON
BY-LAW NO.
To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 567 Scenic Drive, Hamilton

WHEREAS Council approved Item ___ of Report ______ of the Planning Committee, at its meeting held on September 18, 2018;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 1035 on Schedule “A” – Zoning Maps, to Zoning By-law No. 05-200 is amended by incorporating Neighbourhood Commercial (C2, 704) Zone, boundaries for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Schedule “C”: Special Exemptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following site specific Neighbourhood Commercial (C2, 704) Zone:

"704. Within the lands zoned Neighbourhood Commercial (C2, 704) Zone, identified on Map 1035 of Schedule “A” – Zoning Maps and described as 567 Scenic Drive, the following special provisions shall apply:

a) Notwithstanding Section 10.2.1. Permitted Uses, and in addition to Section 10.2.2, the following uses shall also be prohibited:

i) Day Nursery
ii) Emergency Shelter
iii) Motor Vehicle Service Station
iv) Repair Services
v) Social Services Establishment
vi) Veterinary Service

b) Notwithstanding Subsections 10.2.1.ii)1., 10.2.3b)ii), 10.2.3i)vi), and 10.2.3jj), the following regulations shall also apply:

i) Restriction of Residential Uses within a Building Notwithstanding Section 10.2.1, a Dwelling unit(s) in conjunction
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 567 Scenic Drive, Hamilton

with a commercial use shall only be permitted above the ground floor except for access, accessory office and utility areas, shall not occupy more than 63%, being a maximum of 308 square metres of the total gross floor area of the building within the lot, and shall not contain more than two dwelling units.

ii) Minimum Rear Yard
3.6 metres shall be provided abutting a Residential Zone.

iii) Locational Restriction of Parking Area
Only a barrier free parking space may project 0.2 metres beyond the building façade facing Scenic Drive.

iv) Planting Strip Requirement
1) A minimum easterly planting strip of 1.35 metres shall be provided and maintained.

2) A minimum 1.35 metres planting strip shall be provided along the southerly lot lines except at the manoeuvring space is provided a minimum landscape width of 0.8 metres shall be provided.

c) In addition to Sections 10.2.1.1 Restricted Uses and Section 10.2.3 Regulations, the following special provisions shall also apply:

Restriction of Commercial Uses on site
Notwithstanding Section 10.2.1, a maximum two commercial units are permitted on site.

Restriction of Medical Clinics
Notwithstanding Section 10.2.1, a Medical Clinic shall only be permitted on the ground floor, shall occupy more than 94
To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 567 Scenic Drive, Hamilton

square metres, and shall not contain more than one medical practitioner.

Amenity Area

A minimum 10.5 square metres of amenity space shall be provided for each dwelling unit and may be provided as a private balcony.

d) In addition to Subsections 4.6d) and 4.6e) the following regulation shall also apply:

Permitted Rear Yard Encroachments

1) A porch or canopy may encroach into a required rear yard to a maximum of 2.0 metres.

2) A balcony may encroach into a required rear yard to a maximum of 2.0 metres.

e) Notwithstanding Subsections 5.2b)i) and 5.2f) the following regulations shall also apply:

i) Parking Space Size Dimensions

A minimum parking space size dimension of 2.6 metres in width by 5.8 metres in length

ii) Barrier Free Parking Space Size Dimensions

A minimum barrier free parking space size dimension of 4.4 metres in width by 5.8 metres in length

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this by-law, in according with the Planning Act.

4. That no building or structure shall be erected, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Neighbourhood Commercial (C2) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

PASSED this __________ ___, 2018
To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 567 Scenic Drive, Hamilton

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-030
To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 567 Scenic Drive, Hamilton

This is Schedule "A" to By-law No. 18-
Passed the .......... day of ...................., 2018

Schedule "A"

Map Forming Part of By-law No. 18-_____
to Amend By-law No. 05-200
Map 1035

Subject Property
567 Scenic Drive

Lands to be rezoned from "B-1" (Suburban Agriculture and Residential, etc.) District to Neighbourhood Commercial (C2, 704) Zone
Ms. Rybensky

We are writing to express our concern regarding the proposal for zoning changes at 567 Scenic Drive. This is a residential area. The very name of the street suggests a quiet natural space of beauty. The proposed structure simply does not fit into the neighbourhood. In more practical terms a venture of this size would certainly warrant a good deal more than 10 parking spaces. We live in a neighbourhood overwhelmed by illegal parking. The current doctor’s office has cars parked to capacity often pushed over the sidewalk and spilling into the parking lot intended for park users at Upper Paradise and Scenic. We have had to contact the parking authorities many times as we unable to access our driveway as we are blocked by illegally parked cars. Adding three more commercial buildings into the mix will just be a recipe for parking disaster. The office as it stands now labels itself as a neighbourhood clinic. This is not fact; clients are driving to the clinic, not walking. Cars are left idling while patients run in to pick up prescriptions, adding to the chaos. To date the owner has not been a good neighbour. The premises are shabby and in disrepair; they do not evidence community pride. We sincerely hope that this application is not approved as it goes against the future planning for Scenic Drive and the beautification of our natural resources.

Denise and Robert
Good morning Yvette,

My wife and I are the neighbors to the south of 267 Scenic Drive at 77 Upper Paradise Road.

Over the past 38 years this Scenic Drive property has been home to various convenience stores, an ice cream parlour, a restaurant, and currently a medical clinic and pharmacy.

We support this application for a zoning change. We have had only positive experiences with the current use of this property and look forward to the return of a convenience store at this location.

We see no reason on our part to object to this zoning change and look forward to the proposed redevelopment.

Please inform us of the hearing date and the subsequent decision of the planning committee.

I wish you a very good day.

Frank Weresch
Mr. Fiorino

Please find attached photos showing the vehicles parked at the doctor's office located on the corner of Scenic & Upper Paradise.

These photos were taken Thursday 20 April 2107 between 1600 & 1630 hours (rush hour).

We were on our way downtown, Queen Street access was backed up to the light on Fennel & Garth, so I proceeded to take west 5th access.

Took 20 minutes to drive to the bottom of the access from Fennel & West 5th.

If you look carefully at the pictures you will see the turnover of new vehicles in this 30 minute period.

At the hearing requesting a Zoning Extension last December the Doctor's husband told the committee in front of a standing room crowd.

"Most of our patients walk to their appointments"

Hmm do you think just maybe that might not be completely true?

Now we are considering adding another story & 1/2, 3 renters, a store, a pharmacy & a doctor's office.

Gee maybe we can all rent out our driveways to provide parking.

Or they can park across the street in the park's lot.

The false statements the attempts of manipulation using questionable tactics scream out NO!

Operating without zoning in place, operating a pharmacy without zoning or permits, bringing in a construction bin without permits or any construction taking place, storing patient files in a construction bin...

There is only one answer, NO.

You want a commercial office buy commercial property.

Even my five year old can grasp that.

Leave Scenic Drive a residential neighborhood.

Thank you for your time
Hi Yvette Rybensky

I left phone messages for both you & Michael Fiorino, have yet to hear back.

We received the Notice of Complete & Preliminary Circulation for application by 2434217 Ontario Inc.

My first concern is the lack of notice. The letter was written on 10 April 2017 and we received it today. That leaves less than 24 hours for a response.

I am left with the feeling the city is trying to push this through without regard for the surrounding property owners.

When the hearing was held in December to address the extension of the zoning there was standing room only with residents opposed to this business.

The gentleman (Doctors Husband) spoke first & then Andrea Desantis (Lawyer) spoke addressing the half truths & outright lies he told.

This gentleman started his stay in our neighbourhood by walking into Terry Whiteheads campaign office walking up to Terry and dropping a check in front of him stating I would like to talk with you. This has been verified in a meeting with Terry & 6 other people (staff & residents)

His next venture was to install a pharmacy in the doctor’s office which is still there & operating Zoning Department & Terry both confirmed he does not have zoning or permits for the pharmacy. Despite zoning department knowing & Terry the pharmacy is still in operation after 2 plus years.

Onward & upward he next wines & dines the two adjoining property owners and makes it known he wants to buy their properties to expand the office into a huge building & parking lot which would have joined to my property.

Next adventure to place a huge construction container behind the office. No permits not even inquiries he just does it. He told the zoning committee it was for construction tools even though there had been no construction going on. It is my understanding the container was used as an office to convert patient files from paper to digital format.

My guess the container in no way meets the privacy & protection laws for storage of patient files.

The house next door to us is 81 Upper Paradise and it went up for sale a few months ago, here he comes very interested in acquiring the property. While I’m working outside a man approaches and starts asking questions about the property & about how close
we are to the owner. He then tells me if I could convince the owner a 98 year old woman (Bernice Stanius) to drop her realtor & sell to them directly there would be a nice gift in it for me.

Not even a little bit impressed I asked him exactly who is he. Low and behold he is a realtor representing the doctors Husband.

The realtor selling the house was notified of the attempt to bypass them and the other realtor's card was given to them. The husband did in fact make a low offer on the house.

The plans for the new office have gone for monstrously huge shrinking down to small when he was unable to buy the adjoining properties and now it appears they have increased again.

Now he has proposed a doctor's office, a pharmacy, a store & three tenants with only 10 parking spaces & 1 barrier free parking space.

I live 2 houses up from the Doctors office & I can tell you the lot has been full with vehicles parked on both side & out front on several occasions with just the Doctor's office & an illegal Pharmacy operating. How are the going to pull off just parking on one side, especially if the 3 residence take up 3 or more spaces?

Originally Terry's office had told me & a few other residents that a doctor's office alone requires 19 parking spots.

Over the last couple of months they seem to have changed their tune.

Scenic Drive & Upper Paradise Roads are already very busy streets with several residents complaining to Terry about the traffic backups.

To permit this type of building simply goes against any & all common sense.

It is far too big for the lot.

Parking is nowhere near adequate

It will add to the already existing traffic problems.

And quite frankly I don't want a person with the type of questionable business ethics in my neighborhood.

What happens a year down the road with the zoning in place & he decides to expand?
Why would you buy in a residential area if you want to build commercial buildings?

It has also been mentioned that Terry offered him to move into one of the heritage building in the Chedoke area which is away from residential areas & zoned for business.

I would like it noted that Dr Sharma is my wife's doctor & she is a truly wonderful doctor.

We hold no malice toward her or her practice in any way shape or form.

It appears just the husband is overzealous in his plans & ways.

This is a residential area and we want to keep it that way.

We are opposed to changing the zoning & opposed to the proposed building.

I will close with some questions that have yet to be answered.

1. What are the proper number days residents are supposed to receive with this type notice. ?

2. Why was the Pharmacy allowed to operate when both Terry & Zoning where informed by several residents, years ago?

3. Why was the office still in operation, after the zoning extension was unanimously denied?

4. The Construction bin remained for several months even after the city & zoning were made aware. Why?

5. Why was Terry not at the zoning meeting in December when 50 plus residence were?

Scenic drive is free of commercial buildings from start to end let's keep it that way!

Thank you for your time, have a great long week!
Ms. Rybensky and Mr. Fiorino

We are homeowners of 552 Scenic Drive in Hamilton and just received the Notice of Complete and Preliminary Circulation for Application by 2434217 Ontario Inc. for zoning by-law amendment which is dated April 10, 2017. We are disappointed to have only received the Notice today in the mail yet are limited in being able to submit written comment for inclusion in the staff report within 24 hours. Additionally, April 14, 2017 is Good Friday and we are puzzled at the urgency with which this is proceeding.

We are in opposition to this proposed zoning by-law amendment and we request a complete copy of the staff report prior to the public meeting. For a variety of reasons including proposed usage, expansion of usage, traffic and parking, we have serious concerns about this development. In any event, we intend to make written submissions in advance and/or oral submissions at the public hearing.

Please ensure that we are given ample advance notice of the public meeting. This effects us directly and our neighbourhood.
Good morning Michael.

Thank you for speaking with me yesterday. As I understand it, the process for approval is just beginning and there will be a few opportunities to express my disapproval throughout. My main concern is increased traffic and parking. As it is, there are lineups on Scenic Drive every day. Additionally there are parking problems in the immediate area of the property concerned. I am also concerned that the nature of the area (residential) is not suitable for a commercial establishment as it will attract further traffic line ups and parking woes. I have attached a few pictures taken this morning about 20 minutes apart between 8:30 and 9:00 am. As you can see there are lineups to access the Queen Street hill which is about a 1 km away from where I took them at 518 Scenic Dr.

Please keep me abreast of developments and in particular opportunities to voice my concerns. Thank you for your help with this.

Regards,

Sheila N. Church, CRSP, CHSC, Paralegal
Vice President, PeopleRight Inc.
www.peopleright.net

Phone: 905 512-6010
Fax: 905 538-2938
From: robert Panter  
Sent: Sunday, April 16, 2017 9:37 AM  
To: Rybensky, Yvette  
Subject: Zoning by-law amendment application (zac-17-030) 567 Scenic Drive  

In response to the letter of April 10/17 advising that an application has been filed with your department to change the zoning of B-1 lands to CR-1 is an affront to this particular area of Hamilton. The change in zoning to allow a commercial building in this ecological valued area is without any sense of good conscience or merit. The community has access to medical facilities, pharmacies, and stores within a two kilometre radius and thus does not need this change to proceed. It is my hope and the people who enjoy visiting and enjoying the Bruce Trail and the beautiful vistas that nature has provided this area will be respected and not sold off in the name of commercialism.

Thank you  
Robert Panter  
88 Upper Paradise Road  
L9C5B7
We received your letter dated April 10th setting a deadline for written comments by April 14th (good friday) on April 13th.

Is it common practice for neighbours and the community to be given such little notice and opportunity to weigh in by the City? The short timeline seems unreasonable.

We note that the amendment application attachments are unreadable as the print is so small. That too is unacceptable.

In addition, we note that 3 commercial units and 3 residential units are proposed while 10 parking spots are planned for. Our understanding is that the commercial units will be a doctors office, a pharmacy and a convenience store. That poses significant problems. Firstly the parking will be inadequate and affect the neighbouring houses and people using the park across the street. Secondly we are concerned about the pharmacy storing narcotics in the midst of a residential area.

We are neighbours living in close proximity to this proposed development. We oppose the plan in its current form.

We do not mind having our comments published but expressly request our personal information be removed.

We would like an extension of time to comment and a legible copy of the proposed plan. Thanks.

Perry Murray and Jay Sengupta
555 Scenic Drive
Hamilton ON
L9C 1G9
Mr. Whitehead,

We have just learned through a neighbour on another street (whom himself did not get direct notice) that you are holding a public meeting this coming week about the proposed re-zoning with respect to the above noted property. Apparently some residents in certain areas have received a notice and we can only assume that by design you have excluded us from the mailing dated May 4, 2017 despite our formal written request to your office and the Planning Department to be notified of any further developments with respect to this Application.

We initially copied you on email correspondence raising our concern with being given one day of notice for the deadline to submit comments and/or opinions to the Planning Department that would form part of the Report. Your office subsequently explained that you are "unfortunately not advised when mailings go out to residents". Your office offered no formal commitment to ensuring that our opinions would be received and heard despite the fact that you are our elected representative.

Now you are planning some sort of a meeting on this very issue without notifying the very properties this Application most directly affects. It is obvious that your office is pushing this matter along for unexplicable reasons and attempting to use processes that do not fairly represent the most affected interests to support this cause. While you may feel it is justifiable to send a mass mailing out to a great number of properties, the reality is that these matters often affect only properties in close proximity to that for which the Application is made. More importantly, excluding us from any forum when you are very aware of our concerns with respect to this corner is indicative of your lack of commitment to addressing our concerns.

We will find out the specific details of this meeting. We will also attend to ensure that our property interests are represented. Unfortunately, with minimal notice our ability to inform those whom you have failed to notify is limited.

Yours truly,
Hello,

I fully support the idea to have this building on our neighborhood.

Best regards
Nicu Mustatea
159 West 31st Hamilton
Councillor Whitehead,

Thank you for hosting the meeting last night regarding the development of the Shine Clinic. I along with my husband and baby came to the meeting to get more information about the proposal and also to show our support for the changes to the Shine Clinic.

We have been living at 135 West 27th street for 2 years and have become patients of Dr. Sharma's about a year ago when my first baby was born. Having Dr. Sharma's office within walking distance has been invaluable, especially with the high volume of visits required in the first year of a baby's life.

We love the Westcliffe area, I would have to say the only drawback for us is not having many places within walking distance to get to. The only place we are really able to walk to purchase items is the little strip mall on Mohawk and and Upper Paradise, with all do respect, it is not overly appealing to walk through. I thought the plans for the new building look amazing. I really hope the concerns people raised at the meeting will be worked through and this gorgeous new building will replace the current Shine Clinic. It will be a welcomed bonus to have a pharmacy and a convenient store at the location of Dr. Sharma’s office. Who knows maybe there will be even a place to get some good coffee on an early morning walk along the mountain brow!

Thank you very much for hearing of our support of the new clinic.

Sincerely,

Sarah, Robert & Varis Whiting
I attended the meeting at Holbrook school last night and would like to compliment you on the chairing of the meeting. I found that your preamble, if listened to, answered 90% of the issues including that this was a fact finding exercise and not a final decision. I found the opinion of the gentleman whose property was next to the clinic held the most importance to me because he seemed genuinely interested in what was good for the community and felt the project as presented was a good decision. Unfortunately the small interest group that wanted to restrict the importance of opinion to certain Scenic Drive addresses rather than the opinions of the community as a whole was the down side of the meeting. Their interruptions of yourself and other speakers by yelling and making up facts as they went along did come across as a bullying technique. The problem of speeding and illegal parking in the area is not a clinic issue but rather a policing issue but I am just repeating you now. The only things I have to add are that I have observed patients coming to the clinic using the public transportation and my experiences in parking are that I have always found on site parking available. My greatest fear is that we will drive Dr Sharma out of the community and end up with just another house on the corner. I have full confidence that you will put the legalities and what best meets the needs of the community together to come up with the best outcome. Keep up the good work.

Warren Lageer
82 Elmira Drive
Hello Terry

Please be advised of Sean Fleming and Olive Fleming support of permanent location at 567 Scenic Drive for Dr Salina Sharma medical. Centre Project. We are both very happy patients of Dr Shalina Sharma.

Feel free to contact us if need be by return email or at 905-389-6737.

Best Regards,
Sean
Hello,

I fully support the idea to have this building on our neighborhood.

Best regards
Nicu Mustatea
159 West 31 st Hamilton
Hello Mr. Whitehead,

I sincerely hope that this communication finds you well.

I was at the meeting last month where the business of developing the corner of Scenic & Paradise was discussed.

While all persons who attended & spoke had valid points to make, the major discussion in my opinion revolved around traffic on Scenic & parking on the property.

I truly believe that these are non issues for the following reasons:

1. On most days the clinic operates between 1000 Hrs & 1400 Hrs during which time most people are at work!!
2. It is only on Thursday's that the clinic works late to accommodate working folks. I have been there on Thursdays & haven't come across a full parking lot neither an issue on the road.
3. Yesterday (Sunday) I passed the clinic at 2000 Hrs & there were 3 cars in the parking because the parking lot on the opposite side of the road was full!!

Moving beyond these issues:

1. As you readily admitted, there is a shortage of Doctors on the mountain.
2. How many folks or communities are fortunate enough to have a doctor a stone’s throw away from them?

When we moved into the area in July 2014 (Scenic Trails on Redfern), we struggled to find a doctor & were travelling all the way to Dundas till 2015, to see our family doctor, till Shalini Sharma moved into the area.

Let’s be thankful for small mercies, widen our horizons, move beyond the small irritants in our lives & concentrate on the bigger picture, which is that Dr. Sharma is a talented Doctor & has helped the community tremendously, by their own admission, & in particular, with my wife's condition. As a wise gentleman said at the gathering, "They don't make them like this anymore"!!

Like it or not, the community on Scenic is ageing. Most houses at 53 Redfern are owned by retired folks. Having a doctor in the area is becoming more & more essential daily.

Imagine a scenario that a doctor moves out of the neighborhood & relocates further away just because we could not overcome our minor differences? What a shame that would be.
Besides, the planned development will only enhance the appearance, feel & look of the area, make it alive with possibly a Bakers shop, which you yourself were in favor off & possibly also enhance the real estate value of the place.

We are looking to you to make a decision which you, along with the rest of us, can be proud of.

Please do not hesitate to call me on my cell phone if you require any additional input or information.

Regards,
Viren Malelu
Hi Michael,

I'm interested in the zoning by-law amendment application at 567 Scenic Drive. I live on Hepburn Crescent. Would you be able to send me a copy of the complete application and any renderings of the proposal? Also, when do you anticipate the public meeting date will be determined?

Kind regards,
Richard Kelly-Ruetz
Dear Terry,

I have been a resident at 469 Scenic Drive for over 9 years. I am employed as a radiologist at Juravinski Hospital, Hamilton. My wife works as a nurse at St Joseph’s Healthcare.

This email is to pledge my 100% support in developing Shine Family Clinic on Scenic Drive. I strongly believe this will be a fantastic venture for the local community to have a family doctor so close by. I have known Dr Sharma for over a year professionally and as well as a friend, and I can say that her professionalism and dedication to patientcare is second to none!

Having a small cafe in the location will also be a boon for the community. I don't see any issues whatsoever having a pharmacy onsite as well.

I do hope that the city will make a positive move for the local community by permitting this development.

Please feel free to contact me if you have any queries.

Sincerely,

Dr Naveen Parasu & Mrs Rhian Thomas-Parasu
469 Scenic Drive
Hamilton
L9C 1G7
Tel # 905 393 5113
email: nparasu@gmail.com
To
Terry Whitehead
Councillor Ward 8
Yvette Rybensky
Planning and Development Department
City Of Hamilton

Sub: Support to make corner of Scenic Paradise alive again.

Hi
I reviewed this concept for 567 Scenic Drive project. It is a very beautiful residential and commercial cute building. I am looking forward to have it real soon.

Let work together to make this corner alive again and residential and commercial design is the only way to make it happen.

Just imagine a day when many more such Hamilton city corners will start looking so beautiful again.

Let's dedicate this concept to common public of whole city of Hamilton.

I request you too to support this concept for the sake of not only present and future generations as well.

One day we all will be very proud to be a part of this project.

Thanks

Name: Teresa Desprio

Address: 53 Redfern Ave, Unit 6, Hamilton, ON, L9COE2

Phone#: 289-520-0291

Email address: pdocosta3e@gmail.com

Email addresses:
Terry.whitehead@hamilton.ca
Michael.fiorino@hamilton.ca
myclinic567@gmail.com
Dear sir I am writing in regard to the proposed development of the property at 567 Scenic Drive.

I attended the meeting held by councillor Whitehead on May 16, 2017 at Holbrook School.
In that meeting four main objections to the development were raised.
Parking
Traffic
Pharmacy
Streetscape
Your responses dealt with the first three objections fairly and completely.
I walk this neighbourhood with my grandchildren frequently and do not see any problem with the proposed structure.
The artistic rendering shows a modest and appealing street view, a vast improvement over the present structure and I can only hope that the request for a zoning change is approved.
I welcome a new building to replace the current building, a new modern building will result in a much improved streetscape and would only add to the area not detract from it.
Please keep us informed as to the date of the planning meeting.

I am somewhat dismayed over the extreme length of time involved in this process, can this not be expedited?
Further delays will only encourage the clinic to look for a new location and that would be a serious detriment to the neighbourhood, if anything can be done to expedite this process
I would appreciate it so that my wife and I can get out of this limbo and undertake work on our property (new driveway before winter).

I thank you for your attention in this matter.

I must add that I was impressed with the city staff attending the meeting their complete and succinct response to all comments was both professional and respectful.

We are well served with the city staff and our councillor.

I hope to hear of a planned meeting date soon.

"An anxious heart weighs a man down, but a kind word cheers him up."
Proverbs 12:25

Frank Weresch
Dear Sir:

Re: 567 Scenic Drive

At a meeting organized by Terry Whitehead on May 17/18 to gather community input to the process, you mentioned that a decision on the redevelopment of this property would likely happen in August. I wish to have this submission presented to that decision-making meeting.

I wish to support the owner’s application to redevelop the property.

The original plan put forward by the owners was for three offices at ground level and three apartments above. Because of pressures from a few neighbours, the plan has been made smaller and, as such, diminishes the ability to support the community as it has in the past and could do in the future.

At the May 17 meeting, the plan to redevelop had been reduced by roughly one third from the original plan. It was clear that this concession to a few vocal opponents was insufficient. They sought a closure of the facility and said so when they addressed the group. I believe that while reducing the footage in the manner that the owner offered was done to seek some sort of compromise, I believe that both he and his critics are losing sight of the broader community needs. It will require your breadth of experience to recognize those planning objectives and decide accordingly. For over 50 years, this site has been a community business hub offering a variety of services. It should be able to remain so within its new context.

The two-office plan might meet the needs of a small General Medical Practice. That is an old model. Dr. Stuart Philips at McMaster Kinesiology Dept is co-designing a study of aspects of aging – like mobility, diet, and loneliness. Sites, like this one, could be planned to well meet community needs as an information site and a base for community support groups that will grow out of on-going healthy living studies.

It is obvious that Dr. Sharma’s practice could be an appropriate model for such a program throughout the city. As we look to a near time, when carbon-based transit will not be the best option, community sites for primary health care that are accessible by foot, bicycle and transit will be the norm. Such is the case here. That future must be built into this plan.

With the reduction of the building footprint to a two-office plan, a space of 18.8m is opened on the East side of the property. This is both aesthetically unattractive and likely to become a management problem. Such a space is inconsistent with any side yard in the neighbourhood. The resulting change reduces residential net density below that of any other property in the area.
How that is justified based on stated infilling objectives seems contradictory. As a precedent, that option seems ill advised.

Allowing for the original plan would preserve its past uses as a community hub through regulations you can apply. I heard that the Doctor had given verbal assurances that there was and would be only one doctor, and the necessary support staff, in the office at a time. I’m sure you could make this a condition of the redevelopment.

I note that the few who have complained are not subject to such controls. They can and do move. Three properties across the street and within a block’s distance have or have had ‘For Sale signs on them. It is important to preserve, over time, the community benefits of the site that were there when the current complainants arrived and should continue after they move on. Such benefits would be lost if the building was forced into a smaller footprint than the current building and the potential for community services, disappear.

Much was made at the May 17 meeting about traffic related to the Doctor’s practice. The overwhelming evidence is that there is no problem to leave at the doctor’s door. I pass the place several times daily and have for over fifty years. There are never more than half a dozen cars in the lot at the busiest times. Indeed, the parking area is more congested after work hours by visitors exercising on the Chedoke Steps. Forcing the doctor to provide an even larger place for exercising citizens to park because the City has not provided adequate parking to meet the need at Cliffview Park, could not be justified. The alternative to leaving the doctor’s parking area open to athletes is to barricade it and that only invites other misuses. The parking illustrated in the Original plan meets the requirements for this development and need not be changed.

I personally have counted 50 cars per hour parked in the Cliffview Park parking lot and on neighbouring streets brought by stair-climbing athletes at peak hours. Some of these cars park across driveways and are a problem to those residences thus obstructed but it is not the problem of the Doctor’s office. City street signage or expansion of the Cliffview lot could resolve the problem.

I submit that the Planning and Economic Development Department is in the position to recommend that the original plan for three offices is appropriate to the site, consistent with past practice and would better meet the community needs both now and in the future. The precedence for such leadership by the Planning Department was demonstrated in an article I read in the Hamilton Spectator, May 29/18, page A3 in the matter of a park development at John and Rebecca Sts. The Planning Dept has taken the lead to suggest changes to the development that would make it better for the immediate neighbourhood and wider community as well. So, I believe it could and should in this case by requiring the three-office plan.

Of course, if it were a choice between a two-office plan and none at all, the former would be my recommendation but only as a very distant, second alternative to the three-office plan.

Yours sincerely,

K. G. Watson
Good morning Yvette,

I think we may have talked about this project previously and you had provided an update on the processing of the application. I also recall comments that the proponents have modified the development proposal with respect to the intensity of the proposed development.

Please note that Turkstra Mazza have been retained to provide legal guidance by neighbours of the project and I am assisting Scott Snider with the planning review. A letter will be prepared and provided to the City outlining the concerns that have been identified.

Can you please add my name to the distribution list for any upcoming meetings and reports.

It would also appreciated if you could forward copies of any updated materials that have been submitted by the proponent.

James Webb, MCIP, RPP

WEBB Planning Consultants Inc.
Thank you.

...
I am in favour of the proposed At 5 it will increase a positive

In order on the community and serve any emerging needs.

COMMENTS:

Please check one

[ ] Yes
[ ] No

May we send you e-mail updates on projects in your neighbourhood:

<table>
<thead>
<tr>
<th>Home</th>
<th>Cell</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>(905) 973-3074</td>
<td></td>
<td>mrs_gmail.com</td>
</tr>
</tbody>
</table>

Name ____________________________

Telephone [ ]

Fax: ____________________________

Address (optional)

Please print clearly

Community Meeting - PIC - Comment Form

567 Scenic Drive Shire Clinic May 15, 2017
Very good idea. Excellent procedure.

Please check one

Yes

No

May we send you e-mail updates on projects in your neighborhood?

Telephone

Home 905-389-6885

Cell

Address (optional)

24 SAV GREECE AV. HAMILTON RAL-2J4

Please print clearly

Name

Heather Johnson

CONTACT INFORMATION

COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive Shining Clinic May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Please Print Clearly

Name
BANSDEEP SIDHU (BEN)

Address (Optional)

E-Mail
bensidhu2022@yahoo.com

Telephone
Home 905-355-8268  Cell 905-226-4198

May we send you e-mail updates on projects in your neighbourhood

Yes ☑  No ☐  Please check one

COMMENTS:

I SUPPORT THE SETTING UP OF MEDICAL BUILDING AT
567 SCENIC DRIVE (SHINE CLINIC)
Appendix "G" to Report PED18173

Page 7 of 56

May we send you e-mail updates on projects in your neighbourhood?

[ ] Yes
[ ] No

Please check one.

Contact Information

Name: [Signature]

E-mail: [Email Address]

Home Phone: [Home Phone Number]

Cell Phone: [Cell Phone Number]

Address (Optional):

Please print clearly.

Community Meeting - PIC - Comment Form

567 Scenic Drive, Shire Clinic May 16, 2017

Support this Shire's proposal about having...
Appendix "G" to Report PED18173

I am in favour of a local clinic.

COMMENTS:

Please check one

☐ Yes

☐ No

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>136 W 33rd St</td>
</tr>
<tr>
<td>E-mail</td>
</tr>
<tr>
<td>Face @ gmail.com</td>
</tr>
<tr>
<td>Telephone</td>
</tr>
<tr>
<td>905-525-0820</td>
</tr>
<tr>
<td>Cell</td>
</tr>
</tbody>
</table>

Please print clearly.
The DIY Shakers are first grade. You will
next.</p>

Please check one

May we send you e-mail updates on projects in your neighborhood

<table>
<thead>
<tr>
<th>Home</th>
<th>405-383-7462</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cell</td>
<td></td>
</tr>
<tr>
<td>E-mail</td>
<td><a href="mailto:Joseph@Shine.com">Joseph@Shine.com</a></td>
</tr>
<tr>
<td>Address (optional)</td>
<td>14 Wirt Street</td>
</tr>
<tr>
<td>Name</td>
<td>Loretta O'</td>
</tr>
</tbody>
</table>
**COMMUNITY MEETING - PIC - COMMENT FORM**

567 Scenic Drive SHInE Clinic May 16, 2017

**CONTACT INFORMATION**

<table>
<thead>
<tr>
<th>Name</th>
<th>Ruth Logeer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address (Optional)</td>
<td>82 Elinor Drive</td>
</tr>
<tr>
<td>E-Mail</td>
<td><a href="mailto:rlogeer@roger.com">rlogeer@roger.com</a></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Home</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighbourhood

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Please check one</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**

It's good to be aware of what is going on in your neighborhood. These are usually busy traffic streets. But overall this used to serve many people. Once all if it operates as is, why a new building would be positive for the neighborhood.

I have lived in that ward for 32 years.

The turn out of the meeting is an indication of who Dr. Shane is as a doctor. We and our husband know and trusted 2 more here as our doctors.
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION
Please Print Clearly

<table>
<thead>
<tr>
<th>Name</th>
<th>Prischa Laplante</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address (Optional)</td>
<td>Price Ave</td>
</tr>
<tr>
<td>E-Mail</td>
<td><a href="mailto:Laplante007@hotmail.com">Laplante007@hotmail.com</a></td>
</tr>
<tr>
<td>Telephone</td>
<td>Home</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighbourhood

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Please check one</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COMMENTS:

- Building is too tall for neighbourhood. Would prefer 2 story only
- Concerned with lack of pedestrian spots
- Concerned about type of commercial business ie Tobacco shop, pharmacy
- Concerned about light + noise pollution
- Concerned about hours of operation and future commercial use ie 24hr business
- Concerned about increase in traffic

No Pneumary
No Tobacco

I welcome an improvement to the property however I would like to see something that is in scale with surrounding homes ie max 2 story.
<table>
<thead>
<tr>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please check one</td>
</tr>
<tr>
<td>□ Yes</td>
</tr>
<tr>
<td>□ No</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: John Doe</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:john.doe@email.com">john.doe@email.com</a></td>
</tr>
<tr>
<td>Home Phone: 604-567-890</td>
</tr>
<tr>
<td>Cell Phone: 604-567-8909</td>
</tr>
</tbody>
</table>

Please print clearly.

Community Meeting: PIC - Comment Form
567 Scenic Drive Shire Clinic May 16, 2017
Appendix "G" to Report PED18173

Page 15 of 56

Comments:

Please check one

[ ] Yes
[ ] No

May we send you e-mail updates on projects in your neighbourhood?

[ ] Home 711-999-2114
[ ] Cell 777-888-9999

E-mail

Name

Address (optional)

Please print clearly

CONTACT INFORMATION

COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive Shone Clinic May 16, 2017
SHINE, he has physically moved off his home for the betterment of his health and the health of his family. He has not maintained the building, and the Village, myself, and others believe that the renter will not maintain the building or update the Village. If you do not know the renter, please contact the Village. There is no problem with this because we have

I am of the opinion. Some people were saying

Please check one

Yes

No

May we send you e-mail updates on projects in your neighborhood?

Name

Contact Information

Please print clearly

567 Scenic Drive, Shine Clinic May 16, 2017

Appendix C to Report PED18173
Page 1006 of 1348
<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

**Comments:**

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Home</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>905-389-6251</td>
<td></td>
</tr>
</tbody>
</table>

**Address (Optional):**

27 West 28th St, Hamilton L8C 5A7

**Fax and FAX Relay:**

Please print clearly
Appendix "G" to Report PED18173
Page 20 of 56

COMMENTS:

May we send you e-mail updates on projects in your neighbourhood?

Please check one

- [ ] Yes
- [ ] No

Please Print Clearly

E-Mail

Address (optional)

Name

Telephone

Cell

Home

malleen.g@sm fry.com

32 west 42nd st

malleen@wardrobe.com
<table>
<thead>
<tr>
<th><strong>NAME (Mandatory)</strong></th>
<th><strong>E-MAIL</strong></th>
<th><strong>PHONE</strong></th>
<th><strong>ADDRESS (Optional)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn Pollcelli</td>
<td><a href="mailto:l.pollcelli@hotmail.com">l.pollcelli@hotmail.com</a></td>
<td>905-388-9570</td>
<td>315 scenic dr Hamilton ON L9C 1E6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>905-923-9570</td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**
May we send you e-mail updates on projects in your neighbourhood?

- [ ] Yes
- [X] No

Please check one.

**Contact Information**

Please print clearly.

Community Meeting - PIC - Comment Form

567 Scenic Drive, Shite Clinic, May 16, 2017
Appendix "G" to Report PED18173

Page 22 of 56

May we send you e-mail updates on projects in your neighbourhood?

Please check one:

[ ] No
[ ] Yes

Comments:

Name:

Telephone: [ ] Home
[ ] Cell

E-mail: m3@m3.com

Address (optional):

M Edwards

Please Print Clearly:

Community Meeting - Pic - Comment Form

567 Scenic Drive, Shute Clinic, May 16, 2017
COMMITTEE MEETING - PIC - COMMENT FORM

567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Please Print Clearly

Name: Viniz Calder
Address (Optional): 565 Scenic Dr
E-Mail
Telephone

Home 905 385-4729
Cell 905 818 3030

May we send you e-mail updates on projects in your neighbourhood

Yes ☑ No ☐

Please check one

COMMENTS:

- The size of this project is too large. There is not a need for housing on this property.
- We do not have a problem with the Dr's office.
- We do not need a variety store. The neighbourhood has now gotten over having a store.
- The Dr. has been very slowly. He has done a terrible job maintaining his property.
- The model picture is very nice, however, there is not a model of what it looks like with cars parked in the picture.
That location is in need of rejuvenation. I think the proposal is a good use of space and will add to the neighborhood.

Please check one:
- Yes
- No

May we send you e-mail updates on projects in your neighborhood?
<table>
<thead>
<tr>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please check one</td>
</tr>
<tr>
<td>[ ] Yes</td>
</tr>
<tr>
<td>[x] No</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighborhood?

<table>
<thead>
<tr>
<th>Contact Information - PIC - Comment Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>567 Scenic Drive, SHINE Clinic May 16, 2017</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name:</th>
<th>Optional Address:</th>
<th>Cell:</th>
<th>Home:</th>
<th>E-Mail:</th>
<th>Telephone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>929-5443</td>
<td>929-5443</td>
<td></td>
<td>207-3974</td>
</tr>
</tbody>
</table>

If you have any feedback on your experience, please leave it here.
There is a problem with the flow of water. Can you please help fix this problem?

May we send you e-mail updates on projects in your neighborhood?

<table>
<thead>
<tr>
<th>Home</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>905 387 0027</td>
<td>905 387 0027</td>
</tr>
</tbody>
</table>

Name (Optional)
May we send you e-mail updates on projects in your neighborhood?

Please check one

[ ] Yes
[ ] No

Name: 

Contact Information:

577 Scenic Drive Shingle Clinic May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive SHinE Clinic May 16, 2017

CONTACT INFORMATION

Please Print Clearly

Name

Address (Optional)

E-Mail

Telephone
Home 905 675 7795
Cell

May we send you e-mail updates on projects in your neighbourhood

Yes  No

Please check one

COMMENTS:

I am in favour of the proposal. It will improve the area, get rid of the present eyesore. More, increased number of facilities will bring in more taxes for the city.
COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Name: John Woolcott
E-Mail: kirkjohn.wc@sympatico.ca
Telephone: Home 905 383 2326, Cell

May we send you e-mail updates on projects in your neighbourhood

Yes [X] No [ ]

Please check one

COMMENTS:

This project is a huge overuse of the property. Proposed project too large - cannot accommodate parking.
- Welcome the Doctor to the area but not convenience store.
- Traffic is congested at this and with additional traffic will choke Hospital and this proposed is bad in terms to 10 cars.
- Park ill use the land have a similar taxation. In future the east inlet where speeds have been reduced to 10kph and redesigned to be a beautifully area.
- With the high traffic the may not have to plant up with commercialize.
- Again the Doctor is most welcome (not not the convenience store or pharmacy).
## CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Please Print Clearly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>P. 1031R</td>
</tr>
<tr>
<td>Address (Optional)</td>
<td>38 West Z8</td>
</tr>
<tr>
<td>E-Mail</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Home</td>
<td>713 3851473</td>
</tr>
<tr>
<td>Cell</td>
<td></td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighbourhood

- [ ] Yes
- [X] No

Please check one

### COMMENTS:

- Development too large for location
- Far too many autos attempting to access property at a busy corner
- Will now face street parking and street walking. Autos coming going to a 24 hour appointment play will take waiting, competing
- Without street parking and the resident parking will be complete chaos.
Like the nice clean building as opposed to the messy one, those new parking spaces from the doctors' office are nice. Might be nice to have a child to that pole, especially if they take up that extra one, as I welcome the doctor. The clinic may be too big if...
Appendix "G" to Report PED18173
Page 33 of 56

Concerned that the size of the building will appear very close to the side walk. This does not fit with the look of the neighborhood. The site is underdeveloped, should be a single use site only.

Concerned that parking will spill into the park.

Comments:

Yes
No

May we send you e-mail updates on projects in your neighborhood?

Please check one

Home 605-387-1586
Cell 605-387-1586
E-mail gregp@com
Name
Address (optional)

Please print clearly

COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive, Sioux Clinic May 16, 2017
<table>
<thead>
<tr>
<th>CONTACT INFORMATION</th>
<th>COMMUNITY MEETING - PIC - COMMENT FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Address (Optional)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Telephone</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cell</strong></td>
<td>605-387-1586</td>
</tr>
<tr>
<td><strong>Home</strong></td>
<td>117 W 28th St</td>
</tr>
<tr>
<td><strong>Home Email</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Contact Information</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

- Please check one
  - [ ] No
  - [x] Yes

May we send you e-mail updates on projects in your neighborhood?

Please print clearly.
COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Name: Andrea DeSantis + Marco Visentin
Address (Optional): 552 - Scenic Drive
E-Mail: andreadesantis23@gmail.com
Telephone: Home | Cell: 905-220-123

May we send you e-mail updates on projects in your neighbourhood

Yes [X] No [ ] Please check one

COMMENTS:

Opposed to project

We want notice of all information/action on this property.

- Limit the use!!!
- Proof that most patients are from Ward 8
- Parking limitations
- Traffic issues
- No pharmacy
- No residential above
Dear Dr. Brown,

I am writing to inquire about the status of the patient's ongoing treatment. The patient, Mr. Davis, has been under my care for the past year, and we have made significant progress in managing his condition. However, I am concerned about the potential for a relapse, given the current environmental factors. I would appreciate it if you could provide me with an update on the patient's medications and any adjustments that need to be made.

Thank you for your time and consideration.

Sincerely,

[Signature]

[Name]

[Position]

[Contact Information]
**Please Ensure Use Get Advance Notice Of**

For future meetings.

Please check one

| Yes | No |

May we send you e-mail updates on projects in your neighbourhood?

| Home | 905 317 6569 |
| Cell | 905 317 6569 |
| E-Mail | renowen@bellnet.com |
| Address (optional) | 00 Scenic Drive Hamilton Ontario |
| Name | Reown Renck |

Please print clearly

Community Meeting - PIC - Comment Form

567 Scenic Drive Shire Clinic May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Please Print Clearly

Name
Samuel Sanges
Address (Optional)
560 Scenic Dr. #102
E-Mail
fgoto@hotmail.com
Telephone
Home 9-387 9466
Cell 905 748 9466

May we send you e-mail updates on projects in your neighbourhood

Yes [ ] No [ ]

Please check one

COMMENTS:

Parking as per meeting in 2016 - 19 spaces per doctor seems to have changed now to 11!!!

CME Dr = 19 spaces as per our Whiteheads Office 2016.
One Pharmacy = ?? How many spaces required
One Convene = ?? How many spaces required
3 Residences = ?? How many spaces required

Where is the parking coming from.

Please ensure we get advance notice of future meetings.
Comments:

Please check one

- [ ] Yes
- [x] No

May we send you e-mail updates on projects in your neighbourhood?

__________________________
Name

[Optional]
Address

__________________________
Telephone

<table>
<thead>
<tr>
<th>Home</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>405-385-4783</td>
<td>405-385-4783</td>
</tr>
</tbody>
</table>

__________________________
E-mail

Please print clearly
The building seems to be a menu marker for

Building 1 - may not build it there?

I would like to know the hourly post mutual agreement
It cannot be a doctor's office. I am not sure why
May have a medical if I have a doctor and why

Comments:

Please check one

[ ] Yes
[ ] No

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Phone</th>
<th>Home</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-mail</td>
<td>Address (Optional)</td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
</tbody>
</table>

Please print clearly

567 Scenic Drive, Shlme Clinic, May 16, 2017

Appendix "G" to Report PED18173
<table>
<thead>
<tr>
<th><strong>COMMENTS:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Please check one</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td><strong>May we send you e-mail updates on projects in your neighbourhood?</strong></td>
</tr>
<tr>
<td><strong>Telephone</strong></td>
</tr>
<tr>
<td><strong>Cell</strong></td>
</tr>
<tr>
<td><strong>Home</strong></td>
</tr>
<tr>
<td><strong>E-Mail</strong></td>
</tr>
<tr>
<td><strong>Name</strong></td>
</tr>
<tr>
<td><strong>Contact Information</strong></td>
</tr>
<tr>
<td>Please print clearly</td>
</tr>
</tbody>
</table>

Appendix "G" to Report PED18173
Page 1029 of 1348

Page 41 of 56
May we send you e-mail updates on projects in your neighborhood?

Please check one:

[ ] Yes
[ ] No

Name:

Elizabeth Nondissey

Home 405-515-7031
Cell 405-515-7031

Contact Information: 567 Scenic Drive Shime Clinic May 16, 2017
I welcome this set up. It adds value.

COMMENTS:

Please check one

Yes

No

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Telephone</th>
<th>Cell</th>
<th>Home</th>
</tr>
</thead>
<tbody>
<tr>
<td>604-921-4594</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

E-mail

S. Schnurr Cress

Please print clearly

COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive, Shining, Clinic 2017
<table>
<thead>
<tr>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please check one</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighborhood?

<table>
<thead>
<tr>
<th>Home</th>
<th>905-676-7836</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cell</td>
<td>905-676-7836</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:info@shinclinic.com">info@shinclinic.com</a></td>
</tr>
<tr>
<td>Address (optional)</td>
<td>1059 Scenic Drive</td>
</tr>
</tbody>
</table>

Please print clearly.

Community Meeting - Pic - Comment Form
567 Scenic Drive, Shining Clinic, May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION

Please Print Clearly

Name

FAUZA

Address (Optional)

Giancourt Rd. Hamiton

E-Mail

fzcommured@yahoo.ca

Telephone

<table>
<thead>
<tr>
<th>Home</th>
<th>905-674-1756</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cell</td>
<td>905-926-1786</td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighbourhood

Yes [✓] No [ ] Please check one

COMMENTS:

we have no concerns regarding the project. I think this is very beneficial to the community.
Everyone in the Community,

It is a great project for

We need more volunteers in the

I believe the project is

May we send you e-mail updates on projects in your neighbourhood?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

Please check one

<table>
<thead>
<tr>
<th>Cell</th>
<th>Home</th>
<th>E-Mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>5678</td>
<td>1234</td>
<td><a href="mailto:user@example.com">user@example.com</a></td>
</tr>
</tbody>
</table>

Please print clearly

Community Meeting - PIC - COMMENT FORM

For more information, please contact:

57 Scenic Drive, Drive Clinic May 16, 2017
I think this will be a great idea and plan to

Yes

May we send you e-mail updates on projects in your neighbourhood?

Name

Lisa HABE

Please print clearly

CONTACT INFORMATION

COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive, Shiner Clinic May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM

567 Scenic Drive Shire Clinic May 16, 2017

Please Print Clearly

CONTACT INFORMATION

Name

E-mail

Address (optional)

Telephone

Cell

Home 281-426-1557

Comments:

Please check one

Yes

No

May we send you e-mail updates on projects in your neighbourhood?

I agree to receive e-mail updates.
<p>| | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

May we send you e-mail updates on projects in your neighborhood?

Yes [ ] No [X]

Phone: 289-788-1774

Home: 905-387-8490

Cell: 647-388-4772

Address (optional):

Name: [ ]

Please print clearly.

Community Meeting - PIC - Comment Form
567 Scenic Drive Shire Clinic May 16, 2017

Appendix "G" to Report PED18173
Page 50 of 56
<table>
<thead>
<tr>
<th>CONTACT INFORMATION</th>
</tr>
</thead>
</table>
| Name:  
| Address (Optional):  
| E-Mail:  
| Home | Cell |  
|  
|  
|  
| Please Print Clearly |  
| COMMUNITY MEETING - PIC - COMMENT FORM |  
| Community Drive Shine Clinic May 16, 2017 |  

May we send you e-mail updates on projects in your neighbourhood?

Please check one

- [ ] Yes
- [ ] No

Phone: 605-547-7088

Please enter your comments below:

Comments:
I am absolutely satisfied with the project.

Comments:

[Please check one]

Yes / No

May we send you e-mail updates on projects in your neighbourhood?

Name

Email

Address (optional)

Telephone

Cell

Home

Mailing Address, Hamilton, ON L0C 6M9

Print clearly.

Community Meeting - PIC - Comment Form

567 Scenic Drive, Shiner Clinic, May 16, 2017
Please check one

Yes
No

May we send you e-mail updates on projects in your neighborhood?

Home 905-246-3232
Cell 905-433-7229
E-Mail
Name
Address (optional)
Telephone
CONTACT INFORMATION
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive, Shiff Clinic May 16, 2017
COMMUNITY MEETING - PIC - COMMENT FORM
567 Scenic Drive SHInE Clinic May 16, 2017

CONTACT INFORMATION
Please Print Clearly

Name: Sandeep Francis
Address (Optional): 148 Gurnett Drive Hamilton
E-Mail: rayfrancis@gmail.com
Telephone: Home 905-297-2858, Cell 905-973-1881

May we send you e-mail updates on projects in your neighbourhood

Yes [ ] No [ ] Please check one

COMMENTS:

I support this project comes up.
<table>
<thead>
<tr>
<th>TO:</th>
<th>Chair and Members Planning Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMITTEE DATE:</td>
<td>September 18, 2018</td>
</tr>
<tr>
<td>SUBJECT/REPORT NO:</td>
<td>Application for Approval of a Draft Plan of Condominium (Common Element) and Draft Plan of Subdivision for Lands Located at 1831 Rymal Road East (Stoney Creek) (PED18218) (Ward 9)</td>
</tr>
<tr>
<td>WARD(S) AFFECTED:</td>
<td>Ward 9</td>
</tr>
<tr>
<td>PREPARED BY:</td>
<td>George T. Zajac (905) 546-2424 Ext. 1024</td>
</tr>
<tr>
<td>SUBMITTED BY:</td>
<td>Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department</td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

(a) That **Draft Plan of Condominium Application 25CDM-201809, by MHBC Planning, on behalf of 232470 Ontario Inc. (Losani Homes Limited), Owner** to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped areas, 75 visitor parking spaces, and centralized mailboxes, on lands located at 1831 Rymal Road East (Stoney Creek), as shown on Appendix “A”, attached to Report PED18218, be **APPROVED** subject to the following conditions:

(i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201809 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, dated August 8, 2018, consisting of a condominium road network, sidewalks, landscaped areas, 75 visitor parking spaces, and centralized mailboxes, in favour of 305 Parcels of Tied Lots (POTL’S), attached as Appendix “C” to Report PED18218;

(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201809, attached as Appendix “D” to Report PED18218, be received and endorsed by City Council;

(b) That **Draft Plan of Subdivision Application 25T-201805, by MHBC Planning, on behalf of 232470 Ontario Inc. (Losani Homes Limited), owner** to establish a Draft...
Plan of Subdivision on lands located at 1831 Rymal Road East (Stoney Creek), as shown on Appendix “B”, attached to Report PED18218, be APPROVED subject to the following conditions:

(i) That this approval apply to the for Draft Plan of Subdivision 25T-201805 prepared by A.T. McLaren Limited and certified by S.D. McLaren, dated November 27, 2017, consisting of five development blocks to add lands to a previously approved Draft Plan of Subdivision, attached as Appendix “E” to Report PED18218;

(ii) That the conditions of Draft Plan of Subdivision Approval 25T-201805, attached as Appendix “F” to Report PED18218, be received and endorsed by City Council;

(c) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the building permit stage, and the calculation for the payment be based on the value of the lands on the day, prior to the day of issuance of each building permit, to which payment shall be based on the value of the land on the day, prior to the issuance of the first building permit, for each said Block, with the calculation of the Cash-in-Lieu payment based on the value of the lands on the day prior to the issuance of each building permit, and in the case of multiple residential blocks, prior to the issuance of the first building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(d) The Owner entering into a Standard Form, Subdivision Agreement or an addendum to an existing one, with conditions attached as Appendix “F” to Report PED18218.

EXECUTIVE SUMMARY

The purpose of application 25T-201805 is to add these lands to a previously approved Draft Plan of Subdivision (25T-201401), registered as Plan 62M-1250. Registered Plan 62M-1250 was approved in 2016 for a residential subdivision having a range of unit types and a total of 600 units. Detailed information is provided in Report PED16072. Block 1, as shown on the attached Appendix “B” to Report PED18218 is to be developed with the Losani Homes development and is part of the aforementioned condominium development and application 25CDM-201809. Block 2, as shown on the attached Appendix “B” to Report PED18218 is part of the Losani Homes development, which was approved in 2016. Block 3, as shown on the attached Appendix “B” to Report PED18218 are additional lands owned by the applicant and were acquired to complete the road pattern and development. The lands are to be developed for four single detached lots.
The purpose of application 25CDM-201809 is to establish a Draft Plan of Condominium (Common Element) to create the following common elements: a private condominium road network, sidewalks, landscape areas, 75 visitor parking spaces, centralized mailboxes in favour of 305 Parcels of Tied Lots (POTLS), as conditionally approved under Site Plan Control Application DA-16-170. The condominium road will provide access to public roads being Greenwich Avenue, Times Square Boulevard and Soho Street. The subject lands are to be developed as maisonette and townhouse units fronting onto Times Square Boulevard and Soho Street, as well as onto a private condominium road network, by way of Part Lot Control Application PLC-18-022, currently being processed.

The proposed Draft Plan of Condominium and Draft Plan of Subdivision conform to the Stoney Creek Zoning By-law No. 3692-92, as amended by By-laws No. 16-100, 16-101 and 16-102, however, a housekeeping mapping amendment is required to Zoning By-law 16-101 to rezone Block 2 on Appendix “E” to the Multiple Residential “RM3-56” Zone, Modified. Blocks 3 on Appendix “E” are proposed to be rezoned to the Multiple Residential “RM3-57” Zone, Modified, as part of application ZAC-16-064, which is currently being processed. In addition, as part of application ZAC-16-064, Block 4 is to be rezoned to the Single Residential “R3-41” Zone, Modified. The applications are consistent with and will implement Site Plan Control Application DA-16-170, once final approval has been provided.

The proposed Draft Plan of Condominium and Draft Plan of Subdivision have merit and can be supported as they are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017) and comply with the Urban Hamilton Official Plan (UHOP).

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider an application for a Draft Plan of Condominium (Common Element) and/or Draft Plan of Subdivision.
HISTORICAL BACKGROUND

Proposal:

The purpose of application 25T-201805 is to add these lands to the adjacent lands that are in a previously approved Draft Plan of Subdivision (25T-201401), registered as Plan 62M-1250. Registered Plan 62M-1250 was approved for a residential subdivision having a range of unit types and a total of 600 units. Detailed information is provided in Report PED16072. Block 1, as shown on the attached Appendix “B” to Report PED18218 is to be developed with the Losani Homes development and is part of the aforementioned condominium development under application 25CDM-201809. Block 2, as shown on the attached Appendix “B” to Report PED18218 is part of the Losani Homes development, which was approved through the aforementioned Report PED16072. Block 3, as shown on the attached Appendix “B” to Report PED18218 are additional lands owned by the applicant, will complete the planned road pattern and are to be developed for four single detached lots.

The purpose of application 25CDM-201809 is to establish a Draft Plan of Condominium (Common Element) to create the following common elements: a private condominium road network, sidewalks, landscape areas, 75 visitor parking spaces, centralized mailboxes in favour of 305 Parcels of Tied Lots (POTLS), as conditionally approved under Site Plan Control Application DA-16-170. The condominium road will provide access to public roads being Greenwich Avenue, Times Square Boulevard and Soho Street. The subject lands are to be developed as maisonette and townhouse units fronting onto Times Square Boulevard and Soho Street, as well as onto a private condominium road network, by way of Part Lot Control Applications PLC-18-022 and PLC-18-028, that are currently being processed.

The Proposed Draft Plan of Condominium and Draft Plan of Subdivision conform to the Stoney Creek Zoning By-law No. 3692-92, as amended by By-laws No. 16-100, 16-101 and 16-102. A housekeeping mapping amendment is required to Zoning By-law 16-101 to rezone Block 2 on Appendix “E” to the Multiple Residential “RM3-56” Zone, Modified. Block 3 on Appendix “E” is proposed to be rezoned to the Multiple Residential “RM3-57” Zone, Modified, as part of application ZAC-16-064, which is currently being processed. In addition, as part of application ZAC-16-064, Block 4 is to be rezoned to the Single Residential “R3-41” Zone, Modified. The applications are consistent with and will implement the Site Plan Control Application DA-16-170, once final approval has been provided.

Chronology:


May 23, 2018: Circulation of Notice of Complete Application and Preliminary Circulation for Draft Plan of Condominium (Common Element) Application sent to 6 property owners within 120 m of the subject lands.


August 22, 2018: Public Notice Sign updated to indicate Public Meeting date.

August 31, 2018: Notice of Public Meeting circulated to 6 property owners within 120 m of the subject lands.

Details of Submitted Application:

Location: 1831 Rymal Road East (Stoney Creek) (See Location Map attached as Appendix “A” and Appendix “B” to Report PED18218)

Owner / Applicant: 232470 Ontario Inc. c/o: Losani Homes Ltd.

Agent: MHBC Planning, c/o: David Aston

Property Description:

- Lot Frontage: 197 m (Soho Street)
- Lot Depth: 385 m
- Lot Area: 15,316 sq m

Servicing: Full Municipal Services

EXISTING LAND USE AND ZONING

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>Multiple Residential “RM3-56” Zone, Single Residential “R1” Zone and Neighbourhood Development “ND” Zone</td>
<td></td>
</tr>
</tbody>
</table>
**Surrounding Lands:**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial</td>
<td>Shopping Centre “SC2-7” Zone, Modified and Neighbourhood Development “ND” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Vacant</td>
<td>Service Commercial “CS-1” Zone, Modified, Neighbourhood Development “ND” Zone, Multiple Residential “RM2-43” Zone, Modified</td>
</tr>
<tr>
<td>East</td>
<td>Vacant</td>
<td>Multiple Residential “RM2-43” Zone, Modified</td>
</tr>
<tr>
<td>West</td>
<td>Vacant</td>
<td>Prestige Business Park (M3, H28), Holding, Zone and Neighbourhood Development “ND” Zone</td>
</tr>
</tbody>
</table>

**Policy Implications and Legislated Requirements**

**Provincial Policy Statement (PPS 2014):**

The Provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (PPS 2014). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Local Planning Appeal Tribunal approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework.

As part of provincial interest, Natural Heritage, Archaeology and Noise were addressed through Report PED16072, as well as Site Plan Control Application DA-16-170 and therefore, municipal interest in the archaeological potential of the subject property has been addressed.
As the application for a Draft Plan of Condominium and Draft Plan of Subdivision comply with the UHOP, which implements Provincial policy and planning direction, it is staff’s opinion that the applications are:

- consistent with Section 3 of the Planning Act; and,
- consistent with the Provincial Policy Statement (2014).

**Growth Plan for the Greater Golden Horseshoe (2017)**

The following policies, amongst others, from the Growth Plan for the Greater Golden Horseshoe are applicable to the proposal.

```
"2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

a) the vast majority of growth will be directed to settlement areas that:
   i. have a delineated built boundary;
   ii. have existing or planned municipal water and wastewater systems; and,
   iii. can support the achievement of complete communities.

c) within settlement areas, growth will be focused in:
   iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,
   iv. areas with existing or planned public service facilities."
```

The subject lands are located within a settlement area, outside of the built boundary, as shown on Appendix "G" – Boundaries Map of the Urban Hamilton Official Plan (UHOP). The subject lands are located where full municipal services are available, will provide for a complete community in conjunction with the adjacent lands through a compact design that includes a range and mix of housing types with easy access to local commercial uses and services in the area. As part of the Registered Plan of Subdivision 62M-1250 and Site Plan Control Application DA-16-170, planned municipal water and wastewater systems were reviewed to ensure that sufficient municipal services are in place to support the proposal. Accordingly, the proposal conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
Urban Hamilton Official Plan (UHOP):

The subject lands are designated Neighbourhoods within the Urban Hamilton Official Plan. In addition, Blocks 1 and 2 are designated "Medium Density Residential 2", Blocks 3 and 5 are designated "Medium Density Residential 3" and Block 4 is designated "Low Density Residential 1" within the Trinity West Secondary Plan.

The purpose of application 25T-201805 is to develop these lands in conjunction with a previously approved Draft Plan of Subdivision (25T-201401), registered as Plan 62M-1250. As discussed, Registered Plan 62M-1250 was approved for a residential subdivision having a range of unit types and a total of 600 units. Block 1, as shown on the attached Appendix "B" to Report PED18218, is to be developed with the Losani Homes development and is part of a condominium development (application 25CDM-201809). Block 2, as shown on the attached Appendix "B" to Report PED18218 is part of the Losani Homes development, which was approved through the aforementioned Report PED16072. Block 3, as shown on the attached Appendix "B" to Report PED18218 are additional lands owned by the applicant and will allow for the completion of the road network and are to be developed for four single detached lots.

As discussed previously, the proposed Draft Plan of Condominium proposes to establish a Draft Plan of Condominium (Common Element) to create the following common elements: a private condominium road network, sidewalks, landscape areas, 75 visitor parking spaces, centralized mailboxes in favour of 305 Parcels of Tied Lots (POTL’S), as conditionally approved under Site Plan Control Application DA-16-170. The condominium road will provide access to public roads being Greenwich Avenue, Times Square Boulevard and Soho Street. The subject lands are to be developed as maisonette and townhouse units fronting onto Times Square Boulevard and Soho Street, as well as onto a private condominium road network, by way of Part Lot Control Applications PLC-18-022 and PLC-18-028, currently being processed.

The subject applications are technical in nature and required to facilitate orderly development. The subject applications comply with the UHOP.

Stoney Creek Zoning By-law No. 3692-92

A housekeeping mapping amendment is required to Zoning By-law 16-101 to rezone Block 2 on Appendix "E" to Report PED18218 to the Multiple Residential "RM3-56" Zone, Modified. Block 3 on Appendix "E" to Report PED18218 is proposed to be rezoned to the Multiple Residential "RM3-57" Zone, Modified, as part of application ZAC-16-064, which is currently being processed. In addition, as part of application ZAC-16-064, Block 4 is to be rezoned to the Single Residential "R3-41" Zone, Modified. Proposed Draft Plan of Subdivision Condition No. 27 requires that the Final Plan of Subdivision comply with zoning.
RELEVANT CONSULTATION

A limited internal circulation was required and are incorporated into the proposed Draft Plan conditions as found within Appendices "D" and "F" to Report PED18218. There were no objections to either the proposed Draft Plan of Subdivision or the proposed Draft Plan of Condominium.

PUBLIC CONSULTATION

In accordance with the provisions of the Planning Act and Council's Public Participation Policy, Notices of Complete Application and Preliminary Circulation were sent to 6 property owners within 120 m of the subject property on May 23, 2018, requesting comments on the Draft Plan of Condominium application.

Furthermore, a Public Notice Sign was posted on the property on May 25, 2018, and updated on August 22, 2018, with the Public Meeting date. Finally, Notice of the Public Meeting was given on August 31, 2018, in accordance with the requirements of the Planning Act.

Due to the extensive previous approval process per Report PED16072, it was determined a public consultation strategy was not required. In addition, to date, no public submissions have been received regarding the subject applications.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);

   (ii) It complies with the policies of the Urban Hamilton Official Plan; and,

   (iii) The proposal establishes condominium tenure for a form of development permitted under the City of Stoney Creek Zoning By-law No. 3692-92 as amended. It will implement the approved Site Plan Control Application DA-16-170, which provides for a form of development that is compatible with surrounding land uses.

2. Part Lot Control Applications PLC-18-022 and PLC-18-028 are currently being processed for the creation of the townhouse units, as well as maintenance easements for the single detached units. In addition, noise mitigation was addressed through the Site Plan Control application DA-16-170. A housekeeping mapping amendment is required to Zoning By-law 16-101 to rezone Block 2 on
Appendix “E” to the Multiple Residential “RM3-56” Zone, Modified. Blocks 3 on Appendix “E” is proposed to be rezoned to the Multiple Residential “RM3-57” Zone, Modified, as part of application ZAC-16-064, which is currently being processed. In addition, as part of application ZAC-16-064, Block 4 is to be rezoned to the Single Residential “R3-41” Zone, Modified. The applicant will be required to demonstrate zoning conformity prior to registration of the Draft Plan of Subdivision (Condition No. 27) and Draft Plan of Condominium (Condition 3).

3. The proposed conditions of draft plan approval for both the subdivision application and condominium application are consistent with the conditions previously approved by Council for the abutting lands and are consistent with City requirements. The proposed conditions will ensure that orderly, planned development occur in accordance with Provincial policy direction and the applicable requirements of the UHOP.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Plan of Condominium (Common Element) not be approved, the applicant / owner could develop the lands as a standard block condominium development or as a rental development. Should the Draft Plan of Subdivision not be approved, the applicant / owner could develop the lands as a rental development.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map – 25CDM-201809
Appendix “B” – Location Map – 25T-201805
Appendix “C” – Draft Plan of Condominium
Appendix “D” – Recommended Conditions of Draft Plan of Condominium
Appendix “E” – Draft Plan of Subdivision
Appendix “F” – Recommended Conditions of Draft Plan of Subdivision

GZ:mo
That this approval for the Draft Plan of Condominium Application 25CDM-201809, by MHBC Planning on behalf of 232470 Ontario Inc. (Losani Homes Limited), Owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped areas, 75 visitor parking spaces, and centralized mailboxes on lands located at 1831 Rymal Road East (Stoney Creek), be received and endorsed by City Council with the following special conditions:

1. That the final Plan of Condominium shall comply with all of the applicable provisions of the City of Stoney Creek By-law No. 3692-92, as amended by By-laws No. 16-100, 16-101 and 16-102, or in the event the City of Hamilton has repealed and replaced the City of Stoney Creek By-law No. 3692-92 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable provisions of the Zoning By-law in force and effect at the time of registration of the Draft Plan of Condominium.

2. That the subject lands be developed in accordance with the final approved Site Plan Application DA-16-170 and that the final Plan of Condominium complies with the approved Site Plan, to the satisfaction of the Director of Planning and Chief Planner.

3. That prior to registration, Draft Plan of Subdivision 25T-201805 be registered, to the satisfaction of the Senior Director, Growth Management.

4. That prior to registration, the Owner submit a list to the Growth Planning Section, indicating the mailing address unit number of each residential unit, to the satisfaction of the Senior Director of Growth Management.

5. That the owner shall receive final approval of Part Lot Control Applications PLC-18-022 and PLC-18-028, including the enactment and registration on title of the associated Part Lot Control Exemption By-law, to the satisfaction of the Director of Planning and Chief Planner.

6. That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed townhouse and maisonette dwellings having frontage on the condominium road has legal interest, in common, to the common elements condominium, to the satisfaction of the City Solicitor.
7. That the owner shall agree to, prior to the commencement of collection service on private property, an "Agreement for on-site Collection of Municipal Solid Waste" must be completed and submitted to the City. A certificate of insurance naming the City as additional insured (in relation to waste collection services) must also be submitted prior to the start of service to the satisfaction of the Manager of Public Works Department (Operations Division).

8. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Development Agreement, to the satisfaction of the Senior Director of Growth Management:

(i) Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road. In addition, City Waste Management services may not be available to residents and that the provision of such services may require agreements with private contractors.

(ii) Purchasers are advised that there is an approved grading plan and that the purchaser agrees not to alter the approved grading plan without approval from the City of Hamilton. Additionally, no grade alteration within 0.45 metres of the property line will be permitted including retaining walls, walkways, curbs, etc.

(iii) Garages are provided for the purpose of parking a vehicle. It is the responsibility of the owner / tenant to ensure that their parking needs (including those of visitors) can be accommodated onsite. On-street, overflow parking may not be available and cannot be guaranteed in perpetuity.

(iv) The home mail delivery will be from a Community Mail Box.

9. That the owner will be responsible for officially notifying the purchasers of the exact Community Mail Box locations, to the satisfaction of Senior Director of Growth Management and Canada Post prior to the closing of any home sales.

10. That the owner work with Canada Post to determine and provide temporary suitable Community Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision, to the satisfaction of the Senior Director of Growth Management.

11. That the owner install a concrete pad in accordance with the requirements of, and in locations to be approved by the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes.

12. That the owner identify the concrete pads for the Community Mail Boxes on the engineering / servicing drawings. Said pads are to be poured at the time of the
sidewalk and / or curb installation within each phase, to the satisfaction of the Senior Director of Growth Management.

13. That the owner determine the location of all mail receiving facilities in co-operation with the Senior Director of Growth Management and Canada Post, and to indicate the location of mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s), showing specific mail facility locations.

14. That the owner / developer ensure the following wording is included in the associated Condominium Declaration to the satisfaction of the Senior Director of Growth Management:

The Condominium Corporation shall maintain and repair the Common Elements at its own expense. The Corporation shall also maintain and repair all utilities (including without limitation, water mains, storm and sanitary sewers, catch basins, overland flow routes, marsh spring 5.0 x 5.0 buffer between Blocks 12 and 13 including any secondary areas of discharge associated with the marsh spring as identified in the Terra-Dynamics Consulting Inc. report dated December 22/14 and technical follow-up letters dated November 27, 2017 and August 27, 2018, and fire hydrants) which services more than one Parcel of Tied Land (POTL), whether located within the Common Elements or wholly or partly within the POTL and the Corporation and its designated agents shall have full access to a POTL to carry out its obligation pursuant to this paragraph. If the Corporation is required to maintain or repair any utility or service on a POTL, the Corporation shall only be responsible to return the POTL to its original stage and shall not be responsible to repair or replace, or to correct any upgrade or improvement performed or added to the POTL by the POTL owner.

15. That the Applicant/Owner provide a final monitoring report including but not limited too; karst monitoring, closeouts, daily takings from the applicant’s Permit to Take Water, groundwater level and quality monitoring and address all recommendations included in the final monitoring report and revised engineering servicing drawings, if required, to the satisfaction of the Director of Hamilton Water and the Senior Director of Growth Management.

16. That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

NOTES TO DRAFT PLAN APPROVAL

1) Pursuant to Section 51(32) of the Planning Act, draft approval shall lapse if the plan is not given final approval within three years. However, extensions will be considered if a written request is received before the draft approval lapses.
Conditions of Draft Plan of Subdivision Approval – 25T-201805
1831 Rymal Road East (Stoney Creek)

That this approval apply to the Draft Plan of Subdivision, 25T-201805, by MHBC Planning on behalf of 232470 Ontario Inc. (Losani Homes Limited), Owner, prepared by A. T. McLaren Limited and certified by S.D. McLaren, dated November 27, 2017, for lands located at 1831 Rymal Road East, consisting of five development blocks, subject to the owner entering into a standard Form Subdivision Agreement, received, and approved by City Council, with the following special conditions.

Development Engineering

1. That, prior to registration of the plan of subdivision, the owner shall amend the Subdivision Agreement for Central Park Phase 1 Subdivision (25T-201401) to include lands identified as Block 1 to 4, inclusive on the plan to the satisfaction of the Senior Director Growth Management Division.

2. That, prior to registration of the plan of subdivision, the owner shall acquire lands identified as Block 2 on the plan from the City of Hamilton at their fair market value to the satisfaction of the Senior Director Growth Management Division.

3. That, prior to registration of the plan of subdivision, the Owner shall submit the necessary transfer deed to the City's Legal Department to convey Block 5 of the plan to the City for road widening purposes, to the satisfaction of the Senior Director Growth Management Division.

4. That, prior to registration of the plan of subdivision, the Owner pay their proportionate share for urbanization of Highland Road West and Upper Mount Albion Road adjacent to Block 4 and 5 based on the City’s “New Roads Servicing Rate” in effect at the time of payment, to the satisfaction of the Senior Director Growth Management Division.

5. That, prior to registration of the plan of subdivision, the Owner acknowledges and agrees to include Block 3 on the plan as a part of the future planning application for development of Block 97 on 62M-1250 to the satisfaction of the Senior Director Growth Management Division.

6. That, prior to registration of the subdivision agreement, the Owner / Developer shall acquire the lands described as Parts 3 and 4 on Plan RC-S-863, from the City of Hamilton on the basis of “value in contribution”, as determined by a qualified (A.A.C.I.) appraiser, to the satisfaction of the Senior Director of Growth Management.
7. That, prior to registration of the plan of subdivision, the Owner agrees to register a reference plan establishing three parcels to be acquired from the City of Hamilton:

Firstly, that part of Part 20, Plan 62R-18648 forming part of Street “B” on the Draft Plan at the intersection of Upper Red Hill Valley Parkway (UHRVP);

Secondly, the remaining (triangular) parcel forming the north portion of Part 20, Plan 62R-18648; and

Thirdly, the remaining portion of Part 20, Plan 62R-18648 lying south of Street “B” where it intersects with URHRP on the Draft Plan.

Accordingly, the Owner agrees to acquire from the City the land Firstly described at the nominal consideration of $2.00, and to acquire the Secondly and Thirdly described parcels on the basis of “value in contribution”, as determined by a qualified (A.A.C.I.) appraiser, the terms of reference of which will be agreed upon by the Owner and the City, and to the satisfaction of the Senior Director of Growth Management.

8. That all road allowances, daylight triangles, public walkways and road widenings be dedicated by certificate as public highways on the final plan, to the satisfaction of the Manager of Development Engineering.

9. That the owner agrees to deed, free and clear to the appropriate authority, all easements or blocks required for utility purposes, to the satisfaction of the Manager of Development Engineering.

10. That, if required by the City of Hamilton, the owner / subdivider shall transfer to the City of Hamilton any easement over the subdivider’s draft approved lands needed for water or sewer services, or both, which easements will permit development to occur on adjacent property in accordance with the criteria approved by Council. Such easements are to be conveyed upon registration of the final plan of subdivision for any phase of that draft approved land, to the satisfaction of the Senior Director of Growth Management.

11. That the owner shall prepare a plan showing the design and location of siltation and erosion control devices in accordance with the “Keeping Soils On Construction Sites” manual and to the satisfaction of the Manager of Development Engineering.

12. That the owner shall submit detailed engineering design drawings to current standards and to the satisfaction of the Manager of Development Engineering.

13. That the owner agrees that all lots and blocks shall be developed with full municipal services, to the satisfaction of the Senior Director of Growth Management.
14. That the owner agrees to submit a servicing report to the satisfaction of the Manager of Development Engineering.

15. That the owner agrees that all roads shall be designed to current geometric design standards of the City of Hamilton, to the satisfaction of the Senior Director of Growth Management.

16. That all temporary turnarounds be signed in accordance with the City's policy indicating that the street shall be extended in conjunction with future development, to the satisfaction of the Senior Director of Growth Management.

17. That the owner agrees to have prepared by a qualified consulting engineer and submitted to the City of Hamilton, a detailed engineering design submission, to be approved by the Manager of Development Engineering, prior to the preparation of the Subdivision Agreement or addendum agreement.

18. That the owner agrees to construct all works which may be considered temporary to facilitate the development of the subject property, as required by the Manager of Development Engineering. These may include, but not be limited to, emergency access, temporary turn around, or outfalls.

19. That the owner shall submit a detailed grading plan showing how the grading within the development will be integrated with the existing adjacent residential properties, to the satisfaction of the Manager of Development Engineering. The grading of the buildings will attempt to blend in with the existing topography and natural setting, where possible.

20. That the owner agrees that grading shall be carried out in accordance with the current standard drawings and specifications. Any modification to these drawings / specifications will require approval by the Manager of Development Engineering.

21. That the owner agrees that all dead or diseased trees shall be removed from the road allowances and that the removal and replacement of street trees, as required by the reconstruction of the roads, will be at the sole expense of the owner, to the satisfaction of the Manager of Development Engineering.

22. That the owner agrees to provide street lighting throughout the subdivision to the limits of the subdivision, to the satisfaction of the Manager of Development Engineering.

23. That the owner agrees not to dispose or stockpile any waste or surplus fill material except in a manner and in a location approved by the City of Hamilton, to the satisfaction of the Manager of Development Engineering.
24. That the owner agrees that no blasting will take place without a blasting permit from the City of Hamilton, to the satisfaction of the Senior Director of Growth Management.

25. That Pursuant to Section 59 of the Development Charges Act, the owner shall be required to pay their proportionate share for the over-sizing of storm sewers within the draft approved plan of subdivision, to the satisfaction of the City of Hamilton.

Corporate Real Estate and Building Division, Community Services

26. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton, as provided for under Section 51 of the Planning Act. The owner shall submit a land appraisal, to the satisfaction of the City, that identifies the value of the cash-in-lieu payment and is to be included in the Subdivision Agreement to the satisfaction of the Director, Design and Construction, Design and Construction Division, Community Services Department and the Manager, Real Estate and Properties, Real Estate Section, Corporate Real Estate and Buildings Division, Community Services Department.

Development Planning

27. That the final plan conform to the Zoning By-law approved under the Planning Act; to the satisfaction of the Director of Planning and Chief Planner.

28. That any phasing of the development of the subject lands be to the satisfaction of the Director of Planning and Chief Planner and the Senior Director of Growth Management.

29. That the owner agrees to provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan, to the satisfaction of the Director of Planning and Chief Planner.

Finance and Corporate Services

30. That prior to registration of any phase of the proposed subdivision, the owner shall pay the required commutation amount of Local Improvement Charges, to the satisfaction of the Finance and Corporate Services Department.

31. That the owner agrees, in writing, to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands.
32. The owner agrees to enter into a Subdivision Agreement or Agreements with the City of Hamilton.

**Notes of Draft Plan Approval for Plans of Subdivisions**

Pursuant to Section 51(32) of the Planning Act, draft approval shall lapse if the plan is not given final approval within 3 years. However, extensions will be considered if a written request is received two months before the draft approval lapses.
RECOMMENDATION

(a) That *Urban Hamilton Official Plan Amendment Application UHOPA-17-034 by ADL Process / FrostMECH Inc., Owner*, to establish a site specific policy to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility within existing buildings on the property located at 119-123 Princess Street, Hamilton, as shown on Appendix "A" to Report PED18186, be APPROVED, subject to the following:

(i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18186, be adopted by City Council; and,

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(b) That *Amended Zoning By-law Amendment Application ZAC-17-024 by ADL Process / FrostMECH Inc., Owner*, for a modification to the Light Industrial (M6) Zone to permit the existing buildings to be used for a Waste Electronics and Electrical Equipment Processing and Transfer Facility, as shown on Appendix "A" to Report PED18186, be APPROVED, subject to the following:
(i) That the draft By-law, attached as Appendix "C" to Report PED18186, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. ___.

(c) That the Environmental Approvals Branch of the Ontario Ministry of Environment, Conservation and Parks be advised that should the Ministry consider approving Application MOE-CA-18-02, by Recycling 101 Ltd., for an Environmental Compliance Approval (Waste), MECP Reference #1159-AXYPHY, to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the lands located at 119-123 Princess Street, Hamilton, as shown on Appendix “A” to Report PED18186, that the City of Hamilton requests:

(i) That, if approved, the Environmental Compliance Approval include the following requirements:

(1) That the applicant applies for and receives final approval of a Site Plan Application from the City’s Planning Division, to the satisfaction of the Manager of Development Planning, Heritage and Design;

(2) That the Environmental Compliance Approval limit the daily processing of waste to a maximum annual average of 100 tonnes per day, and a maximum storage of 750 tonnes of waste at any one time;

(3) That an inventory of waste types stored on site should be updated daily, and be provided to the Ministry of Environment, Conservation and Parks;

(4) That the waste streams accepted at this facility be limited to non-hazardous solid waste comprised of waste electronic and electrical equipment (WEEE) collected under the Ontario Electronic Stewardship (OES) Program from industrial, commercial and institutional (IC&I) sources;
(5) That the operation is enclosed within a building, and that no outside storage is permitted;

(6) That a waste screening and testing program be developed and implemented to deal with unanticipated received materials;

(7) That the hours of operation be limited as follows:

- Internal operations from 07:00 to 24:00 hours, Monday to Friday;
- Internal operations from 07:00 to 17:00 on Saturday; and,
- Truck movement, including shipping and receiving, from 07:00 to 17:00 hours from Monday to Saturday;

(8) That any fugitive hazardous waste quantities (i.e. batteries, leaded glass, ink, mercury switches, etc.) be identified and stored accordingly, and be sent to an approved recycler;

(9) That an effective odour / dust / noise mitigation control plan for day-to-day activities be implemented;

(10) That excellent on site housekeeping practices be implemented for overall general maintenance, including litter and vermin control;

(11) That a spills prevention and containment measures plan be developed, and include measures to deal with douse water or fire water in the event of a fire;

(12) That the proponent shall implement on site spills prevention and containment measures included in the Environmental Compliance Approval. That the Contingency Plans for spills on and off site, and clean-up procedures, are covered under the Environmental Compliance Approval, and that the City's Spill Reporting Line (905) 540-5188 and the Ministry of the Environment Spills Action Centre (800) 268-6060 be included in the company's Contingency Plan. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton. That the spill
prevention and contingency plan be submitted to the satisfaction of the Ministry of Environment, Conservation and Parks;

13) That an exterior lock box be located near the primary entrance on the south side of the property, and that it continue to have a current copy of the approved fire safety plan, daily product inventory list, including product quantities and exact location within the facility, along with the MSDS sheets, as applicable, in a manner such that all noted documents are readily available to Hamilton Emergency Services – Fire, 24 hours a day, 7 days a week, 365 days a year;

14) That waste accepted be limited to waste generated only from within Canada;

15) That all bins of combustible material be stored in a sprinklered portion of the building;

16) That the proponent be required to provide financial assurance to the Ministry of Environment, Conservation and Parks to cover final clean-up of the site, following the cessation of the use; and,

17) That a Ministry of Environment, Conservation and Parks staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(ii) That a copy of Report PED18186 be forwarded to the Environmental Approvals Branch of the Ministry of Environment, Conservation and Parks for their consideration;

(iii) That the Environmental Approvals Branch of the Ministry of the Environment, Conservation and Parks be requested to forward a copy of its final decision respecting the Environmental Compliance Approval to the Clerk, City of Hamilton.

EXECUTIVE SUMMARY

The subject property is municipally known as 119-123 Princess Street, Hamilton. The Owner, ADL Process, has applied for Amendments to the Urban Hamilton Official Plan (UHOP) and the City of Hamilton Zoning By-law No. 05-200 to permit a Waste Electronics and Electrical Equipment (WEEE) Processing and Transfer Facility on the subject lands within the Light Industrial (M6) Zone.
The facility operator, Recycling 101 Ltd., has applied to the Environmental Approvals Branch of the Ontario Ministry of Environment, Conservation and Parks (MECP), formerly the Ministry of Environment and Climate Change, for an Environmental Compliance Approval (ECA), MECP Reference #1159-AXYPHY, to allow a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the subject property. Based on the comments received from an internal circulation and the analysis undertaken, this MECP application for an ECA should be subject to a number of conditions being included in the Certificate. The requirement that facility operator Recycle 101 Ltd. receive an ECA from the MECP will ensure that this operation will only include materials that can be categorized as WEEE in accordance with Ontario Regulation 347. The MECP is responsible for monitoring compliance of all conditions of the ECA.

The proposal has merit and can be supported as the applications are consistent with the Provincial Policy Statement (PPS), conform to the Growth Plan for the Greater Golden Horseshoe (2017). The proposed development can be categorized as a Class I industry and has mitigated potential impacts of the operation by locating all operations to the interior of the building and limiting the hours of operation. The proposal is therefore considered to be compatible with the existing industrial operations that surround the property.

Alternatives for Consideration – See Page 33

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A
Staffing: N/A
Legal: As required by the Planning Act, Council shall hold at least one public meeting to consider applications for an Official Plan Amendment and Zoning By-law Amendment.

Environmental Compliance Approval Applications are processed by the Ontario Ministry of the Environment, Conservation and Parks under the authority of the Environmental Protection Act. The City of Hamilton has been formally requested to provide comments to the Ministry on this specific application.
HISTORICAL BACKGROUND

The subject property is located on the north side of Princess Street, north east of the intersection of Princess Street and Sherman Avenue North and was previously used for the manufacturing of metal ducting, jointing parts and accessories.

The property is surrounded to the north by a CNR Railway corridor, to the east by EnviroWaste Hazardous Waste Management Facility and eZ Waste Waste Management Facility, to the south by Glover's Threaded Products Inc. and three existing legal non-confirming single detached dwellings, and to the west by an auto sales, service and parts operation and permitted single detached dwellings.

The subject property is comprised of a two storey brick building believed to have been constructed prior to the twentieth century, a three storey industrial warehouse believed to have been constructed in the 1920s, and a one storey industrial warehouse. No structural changes are proposed to the existing buildings. The applicant proposes interior renovations as well as exterior cladding and window upgrades. Seven parking spaces, including one barrier free space, are provided behind the buildings, accessed via Princess Street on the east side of the property. The existing loading area is located on Princess Street, near the intersection of Princess Street and Sherman Avenue North, and encroaches into the Princess Street road allowance.

Proposal

These applications propose to develop the subject property for use as a WEEE Processing and Transfer Facility, receiving a maximum of 100 tonnes per day of waste, storing a maximum of 750 tonnes at any one time, and is estimated to employ 20 individuals. The operation will include loading and unloading of vehicles, temporary storage internally of materials being received and shipped, de-packaging, dismantling and secure storage of asset material, and offices serving the operation. The source of materials includes industrial, commercial and institutional electronics. The hours of the processing operation are proposed to be from 07:00 to 24:00 h, Monday to Friday, and 07:00 to 17:00 hours on Saturday. The receipt of materials and truck movement will be limited to the hours of 07:00 to 17:00 hours, Monday to Saturday.

The applicant operates a similar facility to this proposal, located in Toronto, where the existing facility limits truck traffic to 10 vehicles per day, as is proposed in these applications. In the existing facility this maximum number of vehicles has only been reached a small number of times with the past 17 years. The applicants do not anticipate that this maximum will be reached in Hamilton.
The subject property includes three existing buildings, with the following operations proposed in each:

- **119 Princess Street:**
  - One existing two storey building of 1,145 sq. m. for loading and unloading vehicles and the temporary storage of materials awaiting dismantling, being received and/or shipped;
  - 1,160 sq. m. for processing of material in a lower level;

- **121–123 Princess Street:**
  - One existing three storey building of 1,905 sq m to be used for de-packingaging, dismantling and secure storage of asset materials; and,

- **123 Princess Street:**
  - One existing two storey building of 370 sq. m. of office space for the WEEE use.

The original application included a micro-brewery as an additional use, and proposed a separation distance of 40 m from a sensitive land use. The application was revised by staff due to the determination that the closest sensitive land use is a legal non-conforming residential dwelling located 32 m from the subject property instead of the 40 m proposed. The proposed micro-brewery use was removed by the applicant.

The purpose of the UHOP Amendment Application is to include a definition of WEEE Processing and Transfer Facility, to permit a WEEE Processing and Transfer Facility on the subject property and to allow a WEEE Processing Facility within 30 metres of a sensitive land use. Further, an amendment to the City of Hamilton Zoning By-law No. 05-200 is required to include a definition of WEEE Processing and Transfer Facility and to modify the Light Industrial (M6) Zone to permit a WEEE Processing and Transfer Facility use in the zone and to recognize the existing buildings.

The purpose of the ECA Application to the Environmental Approvals Branch of the MECP is to allow a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the subject property, receiving a maximum of 100 tonnes per day of waste and storing a maximum of 750 tonnes at any one time. An ECA pursuant to Part V of the Environmental Protection Act is a legally binding document...
through which an individual, company, or municipality is permitted, by the MECP, to undertake an activity related to the management of waste.

Each ECA is drafted to address the site-specific considerations relevant to the proposal, and contains enforceable requirements that ensure environmental and health protection, compliance with legislation, and policy requirements. The ECA stipulates the types of wastes that can be managed at the facility, and contains conditions that describe the manner in which the facility is to be operated. Failure to comply with any of the ECA’s conditions constitutes a violation of the Environmental Protection Act, and is grounds for enforcement through the Provincial Offenses Act. The MECP is responsible for monitoring compliance of all conditions of the ECA.

**Chronology**

- **February 7, 2017:** Zoning By-law Amendment ZAC-17-024 Application received.
- **February 17, 2017:** Notice of Incomplete Application sent to applicant.
- **March 16, 2017:** Additional information provided by the applicant.
- **March 22, 2017:** Zoning By-law Amendment ZAC-17-024 Application deemed complete.
- **March 31, 2017:** Notice to Public of Complete Application circulated to 150 property owners within 120 m of the subject property.
- **April 10, 2017:** Public Notice sign installed on subject property.
- **May 2, 2017:** Notices for applicant-held Public Open House were distributed to 150 property owners within 120 m of the subject property.
- **May 25, 2017:** Public Open House hosted by applicant on subject property.
- **July 14, 2017:** Applicant advised of requirement to submit application for an Urban Hamilton Official Plan Amendment.
- **September 29, 2017:** Urban Hamilton Official Plan Amendment UHOPA-17-034 Application received.
- **October 27, 2017:** Application UHOPA-17-034 deemed complete.
November 10, 2017: Notice to Public of Complete Application for application UHOPA-17-034 circulated to 150 property owners within 120 m of the subject property.


February 26, 2018: Applicant submitted additional information in response to comments received.

May 28, 2018: Notice received from the Ministry of Environment and Climate Change (now Ministry of Environment, Conservation and Parks) requesting the City of Hamilton provide comment regarding application for a new Environmental Compliance Approval.

June 5, 2018: Staff provided request for an extension of the deadline for comment to the Ministry for the purpose of Council’s consideration of the UHOP and Zoning By-law Amendment Applications.

June 14, 2018: Notices for applicant held Public Open House were distributed to 150 property owners within 120 m of the subject property.

June 21, 2018: New Environmental Compliance Approval (Waste Management) Application received.

June 28, 2018: Public Open House hosted by applicant on subject property.

August 22, 2018: Public Notice Sign updated with Public Meeting date.

August 31, 2018: Notice of Public Meeting sent to 150 property owners within 120 m of the subject property.

Details of Submitted Applications

Agent / Applicant: Metropolitan Consulting Inc. (c/o Kevin Gonnsen)

Owner: ADL Process / FrostMECH Inc.

Facility Operator: Recycle 101 Ltd.

Location: 119-123 Princess Street
SUBJECT: Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) (Ward 3) - Page 10 of 34

Property Size:

- Frontage: +/- 88 m
- Depth: +/- 56 m
- Area: 0.43 ha

Services:

Existing Full Municipal Services

EXISTING LAND USE AND ZONING

Subject Lands:

119-123 Princess Street

- Existing Land Use: Industrial - Manufacturing of metal ducting and accessories
- Existing Zoning: Light Industrial (M6) Zone

Surrounding Lands:

- North: CNR Railway Corridor
  - Existing Zoning: Light Industrial (M6) Zone
- East: Vacant lands
  - Existing Zoning: Light Industrial (M6) Zone
- South: Glover’s Threaded Products Inc. - forging manufacturer
  - Existing Zoning: Light Industrial (M6) Zone
  - Area: Single Detached Dwellings
- West: Peak Auto - auto sales, service and parts
  - Existing Zoning: “H” (Community Shopping and Commercial) District

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The Provincial Planning Policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (2014). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
1.1.1 Healthy, liveable and safe communities are sustained by:

a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a. densities and a mix of land uses which:

1. efficiently use land and resources;

2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and / or uneconomical expansion;

3. minimize negative impacts to air quality and climate change, and promote energy efficiency;

4. support active transportation;

5. transit-supportive, where transit is planned, exists or may be developed; and,
6. are freight-supportive; and

b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated."

These applications make efficient use of land in that they propose to reuse existing buildings on an underutilized site within lands identified and historically used for Employment. The proposal will contribute to the mix of employment uses in the area with a small scale, self-contained operation anticipated to have no impact to health and safety. The subject property is supported by arterial transportation routes and can be conveniently accessed by multiple transportation options. The location of the proposed facility contributes to an existing cluster of businesses related to waste management and which also require proximity to major goods movement corridors.

"1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

6.0 Definitions

Major facilities:

means facilities which may require separation from sensitive land uses, including but not limited to airports, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Waste management system:

means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites."

These applications propose a use that can be defined as a major facility for a waste management system. However, the proposed operation has been planned in such a way that odour, noise and other potential contaminants have been buffered from nearby
residential uses through mitigation measures consistent with the Class I industry categorization of Ontario’s D-6 Compatibility between Industrial Facilities Guidelines.

The D-6 Compatibility Guidelines outline a range of separation distances for Class I industries as being 20 to 70 m from sensitive land uses. The purpose of a larger separation distance of 70 m is to mitigate potential adverse effects, such as factors including outputs, scale, process, and operation / intensity, caused by the industry where the proposal has not provided substantiating information that potential effects have been otherwise mitigated. The lesser distance of 20 m recommended in the Guidelines applies when a proposed industrial use has demonstrated that adverse effects have been mitigated.

The proposed development can be categorized as a Class I industry based on the following criteria:

- Noise is not audible off of the subject property due to the location of all operations being within the building;
- Dust and / or odour will not be intense due to the location of all operations being within the building;
- No ground borne vibration is anticipated on the subject property;
- The operation will not include outside storage, and the scale of the operation, limited by the ECA to a maximum of 100 tonnes per day of waste received and storing a maximum of 750 tonnes at any one time and will be enclosed within existing buildings; and,
- Truck movement has been limited to the hours of 07:00 to 17:00 from Monday to Saturday, which are compliant with the City of Hamilton Noise Control By-law No. 11-285.

Having mitigated potential effects by locating operations inside the existing buildings and limiting hours of operation, this proposal can be categorized as a Class I industry and is therefore eligible to the lesser minimum recommended separation distance of 20 m from sensitive land uses in accordance with the Guidelines. As a result minimal risk to public health and safety is expected.

"1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.
1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations."

The subject property is located in an area that has been historically used for industrial purposes and is designated “Employment Area - Industrial Land” within the UHOP. The proposal is estimated to employ 20 individuals. The subject property is located such that it has access to necessary infrastructure, particularly transportation corridors.

"1.6.10.1 Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.

Waste management systems shall be located and designed in accordance with provincial legislation and standards."

These applications propose a facility for processing and recycling of industrial, commercial and institutional electronics, thereby removing these products from conventional waste streams so that components may be recycled where possible, and waste may be properly disposed. The City of Hamilton adopted The Solid Waste Management Master Plan (2012) to manage the City’s waste over a 25 year period. This plan has identified increasing the diversion target of WEEE as a priority, targeting a rate of 62% by 2021. This is an increase of 0.45% above the 2010 diversion range. This proposal contributes to achieving this target.

In regards to location and design of waste management systems, as previously noted the provincial guidelines concerning compatibility between industrial facilities and sensitive land uses identify that a Class I industrial facility may be located within 20 m of a sensitive land use as long as potential impacts of the industrial operation have been mitigated. The sensitive land use which is located closest to the subject property is a legal non-conforming single detached dwelling located 32 m away. While the potential negative impacts to the existing residential property must be considered against the proposal, it is important to also consider the existing industrial uses permitted by the M6 Zone. Staff are satisfied that these applications have proposed appropriate mitigation, including locating the operation inside existing buildings consistent with the Class I industry categorization. Also the internal operations of the facility and potential noise impacts will be further reviewed in detail through the MECP EGA process, and through a noise study that will be required at the Site Plan Control stage.
2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

As noted, the subject property includes a two storey brick building believed to have been constructed prior to the twentieth century and a three storey industrial warehouse believed to have been constructed in the 1920s. The third building on the site, located at 119 Princess Street, was not determined to have cultural heritage significance. Although not formally recognized under the Ontario Heritage Act through registration or designation, the subject property is of potential cultural heritage value. The City recognizes there may be cultural heritage properties that are not yet identified or included in the Register of Property of Cultural Heritage Value or Interest nor designated under the Ontario Heritage Act, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation. As such it will be presented to the Inventory and Research Working Group of the Hamilton Municipal Heritage Committee for consideration to add the property to the City's Register of Property of Cultural Heritage Value and/or Interest. These applications conserve this significant built heritage in that they propose to preserve and repurpose the existing buildings.

Therefore, staff are satisfied that these applications are consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017)

The subject lands are located within the built-up area, as defined by the Growth Plan. Section 1.2.1 of the Growth Plan outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. The subject proposal conforms to these Guiding Principles in that:

- It provides flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries by preserving and maintaining industrially zoned land.

- It conserves and promotes cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities through the adaptive re-use of the existing buildings.

"2.2.1.4. Applying the policies of this Plan will support the achievement of complete communities that:
2.2.5.1 Economic development and competitiveness in the GGH will be promoted by:

a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;

As previously discussed, these applications will contribute to the mix of employment uses in the existing Employment Area on an underutilized site. The subject property is supported by arterial transportation routes and can be conveniently accessed by multiple transportation options. The location of the proposed facility contributes to an existing cluster of businesses related to waste management and which also require proximity to major goods movement corridors.

Therefore, the proposal conforms to the Growth Plan (2017).

Urban Hamilton Official Plan (UHOP)

The subject property is identified as “Employment Areas” on Schedule ‘E’ – Urban Structure and designated “Employment Area - Industrial Land” on Schedule ‘E-1’ – Urban Land Use Designations of the UHOP. The following policies, amongst others, are applicable to the proposal.

Employment Areas

“E.2.7.2 Employment Areas shall provide employment through a broad range of uses, including traditional industrial uses, research and development uses, and other uses. Uses which support the businesses and employees of the employment area shall be permitted. Major retail uses or residential uses shall not be permitted. The permitted uses shall be described in more detail in Section E.5.0 – Employment Area Designations.

E.2.7.4 To meet the long-term market demands and locational requirements of the various industrial sectors, existing Employment Areas shall be retained.
Employment Area Designations

E.5.1.1 Recognize and support the contribution of older industrial areas and existing and newly developing business parks, such as the West Hamilton Innovation District and the Airport Employment Growth District.

E.5.1.13 Facilitate Hamilton's waste management system by providing clear direction on planning for and the management and disposal of waste produced within the City's boundaries. In this regard, both public and private waste management facilities play strategic roles in the City's overall waste management system.

E.5.1.15 Implement the recommendations of the Solid Waste Management Master Plan, where appropriate."

The subject property is located within one of the City's older industrial areas and is well supported by a range of transportation infrastructure.

The applicant has estimated that the proposed electronic waste recycling facility will provide employment of 20 individuals in the private sector of waste management and will also contribute to the City's targeted diversion rate as per the Solid Waste Management Master Plan.

Employment Area Designations – General Policies

"E.5.2.7.1 The following provisions apply to all lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Employment Growth District, and Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations (OPA 35):

a) New development within Employment Area designations shall enhance the quality of the public realm along all public roads within and bounding business parks, along the Queen Elizabeth Way, the non-elevated portions of Burlington Street East and public roads between lands designated Employment Area and lands designated Neighbourhoods or Institutional within older industrial areas. The design and placement of buildings, structures, parking, loading, outside storage and assembly areas, lighting and landscaping, shall provide a safe, functional and visually attractive environment for pedestrians and vehicles.
b) **Sensitive land uses** within the Neighbourhoods, Institutional or Commercial and Mixed Use designations shall be protected from the potential adverse impacts of heavy industrial uses within the lands designated Employment Area, and industrial uses shall be protected from **sensitive land uses** as follows:

i) The City shall have regard for provincial guidelines concerning compatibility between industrial facilities and **sensitive land uses**, and in mitigating the potential adverse impacts not addressed by the guidelines.

ii) The proponent of either a new **sensitive land use** within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, or a new industrial facility within an Employment Area designation, shall be responsible for addressing and implementing the necessary mitigation measures to the satisfaction of the City.

iii) The preferred approach to mitigation shall be the establishment of a separation distance and/or an appropriate transitional land use. In some cases, noxious manufacturing uses may be prohibited through the Zoning By-law.

iv) Other mitigation measures which may be appropriate include: screening, barriers, landscaping, mechanical or other technological mitigation, traffic mitigation, and lighting control.

e) Waste management facilities shall include the following uses: waste processing facilities, waste transfer facilities, hazardous waste management facilities, and waste disposal facilities.

**Employment Area – Industrial Land Designation**

E.5.3.2 The following uses shall be permitted on lands designated Employment Area – Industrial Land on Schedule E-1 – Urban Land Use Designations:

e) waste processing facilities and waste transfer facilities;

E.5.3.5 The following policies shall apply to the lands designated Employment Area – Industrial Land on Schedule E-1 – Urban Land Use Designations:
c) A range of compatible employment uses shall be encouraged to locate adjacent to lands designated Neighbourhoods, Institutional or Commercial and Mixed Use. Outdoor storage, assembly and loading areas shall be appropriately located and buffered from these adjacent lands.

d) Sensitive land uses within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, located in proximity to Barton Street East shall be buffered from heavy industrial uses by transitional employment uses.

E.5.3.6 New waste management facilities shall be evaluated on the basis of the following criteria:

a) compatibility between existing sensitive land uses and the proposed waste management facility;

b) protection of public health and safety;

c) protection of the natural heritage system and cultural heritage resources;

E.5.3.7 Waste processing facilities and waste transfer facilities, including expansions, shall be located a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.

E.5.3.7.1 Notwithstanding Policy E.5.3.7 above, waste processing facilities and waste transfer facilities, including expansions, may be permitted within 70 metres to 300 metres of a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, subject to amendment to the Zoning By-law. In addition to the requirements of Section F.1.19 – Complete Application Requirements and Formal
Consultation, the applicant shall demonstrate, through a planning justification report or any other study as may be required by the City, an analysis of the following:

a) the appropriateness of the proposed land use in relation to surrounding land uses;

b) mitigation of potential impacts to sensitive land uses, the natural environment or cultural heritage resources located within 300 metres of the proposed waste management facility, which shall include noise, odour, vibration, dust, traffic, air quality, litter, and vermin and pest control measures; and,

c) on-site wastewater and storm water management measures.

E.5.3.8 Hazardous waste management facilities, including expansions, shall only be permitted by amendment to this Plan and the Zoning By-law. In addition to the requirements of Section F.1.19 – Complete Application Requirements and Formal Consultation, the following shall apply:

a) Facilities shall be set back a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.

b) The applicant shall demonstrate, through a planning justification report or any other study as may be required by the City, an analysis of the following:

i) the appropriateness of the proposed land use in relation to surrounding land uses;

ii) mitigation of potential impacts to sensitive land uses, the natural environment or cultural heritage resources located within 1000 metres of the proposed waste management facility, which shall include noise, odour, vibration, dust, traffic, air quality, litter, vermin and pest control measures;

iii) on-site wastewater and storm water management measures; and,

iv) an emergency management plan.
G. Glossary

Hazardous Waste Management Facility:

means a waste transfer facility, a waste processing facility or a waste disposal facility that handles hazardous waste, and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act. A hazardous waste management facility may also include the storage, transfer or processing of non-hazardous waste."

As per Policies E.5.2.7.1 and E.5.3.5, the proposal indicates that the applicant intends to enhance the quality of the public realm through the reuse of the existing structures and the existing loading facility facing Princess Street and that these will be enhanced through improved landscaping, and screening surface parking behind the buildings. Further, the proposed amendment will not permit outdoor storage. These mitigation measures and design improvements will contribute to an attractive environment for pedestrians and vehicles.

In regards to Policy E.5.3.7.1 a) the subject property is surrounded by a variety of uses which include other industrial uses, such as two existing waste management facilities to the east and a manufacturing facility to the south, and sensitive land uses such as residential uses. Some of the existing single detached dwellings are within the Light Industrial (M6) Zone of Zoning By-law No. 05-200, and the balance are within the "D" (Urban Protected Residential, etc.) District of Zoning By-law No. 6593. Also immediately to the west is an auto sales and service business in the "H" (Community Shopping and Commercial) District which can be considered a transitional use to the "D" (Urban Protected Residential, etc.) District containing dwellings. The closest residential use is located 32 m from the subject property and considered to be legal non-conforming as it is zoned (M6). The closest residentially zoned property is located 42 m from the subject property and is zoned "D" District.

Respecting Policy E.5.3.7.1. b) and c), staff are satisfied that potential effects of the operation have been mitigated through locating the operations of the facility entirely internal of the structures, and limiting the hours of truck movement to 07:00 to 17:00 hours Monday to Saturday in accordance with Noise Control By-law No. 11-285. On site water and waste water will be addressed at the Site Plan Control stage with the requirement that it will be managed on site.

In regards to Policies E.5.2.7.1. e) and E.5.3.8, these applications propose a facility for processing and recycling of industrial, commercial and institutional electronics, removing these products from conventional waste streams so that components may be
recycled where possible, and waste may be properly disposed. The applicant has indicated that the proposed operation does include handling of small amounts of battery wastes and mercury containing wastes from fluorescent fixtures, and that these materials are removed during the manual dismantling processes. Also, Recycle 101 Ltd., facility operator, will register these materials on the Hazardous Waste Information Network (HWIN). The MECP has indicated that the process at this facility will result in some amount of hazardous waste, and the operator must register these on HWIN and follow the requirements for storage and disposal that will be imposed upon the operation by the Ministry. However, the MECP has indicated that WEEE does not meet the requirement to be considered hazardous waste, in accordance with Ontario Regulation 347, and that WEEE is exempted from the definition of subject waste. As a result, the MECP has indicated that the presence of small amounts of properly stored residual hazardous waste directly resulting from the recovery / recycling of WEEE should not pose a threat to surrounding uses. Staff are satisfied with the determination by the MECP that WEEE is not hazardous waste.

Per Policies E.5.3.6 and E.5.3.8 b), these applications mitigate the effects of the proposal and protect health and safety by locating the entire operation within the existing buildings. The subject lands are located in a historically industrial area of the City which has adequate servicing, and are not located adjacent to natural heritage features. An emergency management plan has not been provided but this documentation will be required at the Site Plan Control stage.

Lastly, the provincial guidelines concerning compatibility between industrial facilities and sensitive land uses identify that a Class I industrial facility may be located within 20 m of a sensitive lands use as long as potential impacts of the industrial operation have been mitigated. The guidelines provide criteria for the categorization of a Class I industrial use which considers outputs, scale, process, operation and intensity. The policies of E.5.3.7 and E.5.3.7.1 were established through Report PED08064(b) and are based on an analysis of Waste Management Facilities existing within the City of Hamilton at that time, which included operations that were categorized as Class II industries. As a precautionary approach, the City adopted the larger separation distances of 70 to 300 metres according to Class II industries that do not consider mitigation measures. Further, the recommendation of Report PED08064(b) did not differentiate between different materials that could potentially be diverted through the waste management system.

However, the report did recommend that future consideration be given to alternative regulator options as special aspects or technologies enable more diverse streams of waste management. Staff are satisfied that these applications can be considered a Class I industrial category in that they propose measures that will mitigate impacts to
nearby sensitive land uses, as previously described. Also the subject property is currently designated "Employment Area - Industrial Land" and is located in an area that is considered to have adequate servicing for the proposed use. A detailed analysis of servicing will be undertaken at the Site Plan Control stage. Lastly the subject property is in close proximity to transportation infrastructure that will facilitate the movement of these materials with minimal intrusion into non-industrial designated areas. Therefore, staff are satisfied that a 30 m separation distance is acceptable for the proposed use.

Integrated Transportation Network

"C.4.1.3 Facilitate the safe and efficient movement of goods and services within and between Hamilton, neighbouring municipalities and regions through various modes within the integrated transportation network.

C.4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way widths:

d) Minor arterial roads, subject to the following policies:

i) The primary function of a minor arterial road shall be to carry moderate volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads.

ii) On street parking and loading may be prohibited or at minimum be restricted in the peak hours.

C.4.5.19 New development on properties adjacent to major arterial and minor arterials and where necessary, collector roads, shall include provisions for sufficient parking, loading, manoeuvring and off-street parking.

C.4.6.5 Land uses that generate or require significant movement of goods shall be directed to lands designated Employment Area, and Commercial and Mixed Use on Schedule E-1 – Urban Land Use Designations."

The subject property is designated "Employment Area – Industrial Land" and is located on Princess Street at the intersection of Sherman Avenue North, a minor arterial. It is situated between the minor arterial of Barton Street East and the major arterial of Burlington Street East. It is therefore well served by appropriate transportation infrastructure for the movement of goods. The criteria for a Class I industrial use includes that the movement of products and / or heavy trucks be infrequent. The applicant indicates that the hours of movement of heavy trucks will be limited to the
shipping and receiving of materials during the hours of 07:00 to 17:00 hours, Monday to Saturday, and that a maximum of ten deliveries are expected each day. Staff consider the truck traffic anticipated by these applications to be less than that generated by other uses currently permitted in the Light Industrial (M6) Zone. Therefore, staff are satisfied that the proposed development can be categorized as a Class I industry and recognize that the movement of goods is a necessary component of the proposed development.

These applications estimate that 20 employees will operate the facility. The site is also in close proximity to many transportation demand management options that will give employees of the proposed facility choice in getting to and from their place of employment. These options include:

- On-site parking for seven vehicles including one space for accessible parking;
- Two municipal car parks within 480 m having a combined availability of six parking spaces;
- Public transit stop within 250 m; and,
- Sobi shared bicycle hub within 250 m.

The applicant proposes to use and make improvements to the existing loading zones on the site, located off of Princess Street and not interfering with traffic on Sherman Avenue North. Parking is proposed to be located interior to the site, behind the existing structures and accessed by Princess Street. The illegal parking that currently takes place on the subject property along Princess Street is proposed to be removed and managed through landscaping measures. This will be further reviewed at the Site Plan Control stage.

Based on the foregoing, these applications comply with the intent of UHOP.

Stipley Neighbourhood Plan

The subject lands are currently located within the Stipley Neighbourhood Plan. Policy VIII of the Plan requires that industrial developments enhance the physical appearance of all existing structures in the Neighbourhood and Policy IX requires that they control adverse pollutants from all sources.

Whereas these applications propose to mitigate potential impacts by locating the entire operation within existing structures which have significant built heritage and will be
preserved and repurposed, staff are satisfied that these applications comply with the policies of the Plan.

City of Hamilton Zoning By-law No. 05-200

The subject lands are currently zoned Light Industrial (M6) Zone, which permits, amongst other uses:

- Industrial Administrative Office, limited to 3,000 sq m;
- Manufacturing, including the processing, packaging, packing and recycling of raw, semi-processed or fully processed goods or materials;
- Transport Terminal, including use of land, building or structure, or part thereof, where Commercial Motor Vehicles, trucks, trailers, rail cars or containers are loaded, unloaded, temporarily stored, dispatched or parked for remuneration; and,
- Warehouse, including the use of building or structure, or part thereof, for the bulk storage or distribution of goods to industrial, commercial or institutional business users or other wholesalers, but does not include a Waste Management Facility.

The (M6) Zone prohibits, amongst other uses:

- Salvage Yard

The (M6) Zone includes limitations of industrial uses regarding outdoor storage and where a property abuts a sensitive land use. The applicant has confirmed that the proposed operation will not include outdoor storage.

The proposed development is identified as a Waste Processing and Waste Transfer Facility, and includes an administrative office, and operations which are similar to a manufacturing facility, transport terminal and a warehouse. The requirement that facility operator Recycle 101 Ltd. receive an ECA from the MECP will ensure that this operation will only include materials that can be categorized as WEEE in accordance with Ontario Regulation 347. The MECP is responsible for monitoring compliance of all conditions of the ECA.

Therefore, staff are recommending a change in zoning to a site specific (M6) Zone to permit a Waste Processing Facility and a Waste Transfer Facility.
Additionally, this site specific amendment will include provisions to acknowledge the existing buildings and structures on the site, including the following elements of the site that do not comply with the By-law:

- Minimum side yard abutting a street of 0.12 m;
- Recognize the existing loading space; and,
- Landscaped area and planting strip requirement of 0 m abutting a street.

RELEVANT CONSULTATION

The following Internal Departments and Agencies had no comments or objections to the applications:

- Transportation Management, Public Works Department;
- Corridor Management, Public Works Department;
- CN Rail;
- Hamilton Police Service;
- Public Health Services, Healthy Environments Division; and,
- Light Rail Transit, Planning and Economic Development.

The Ministry of Environment, Conservation and Parks (MECP) has indicated that the applicant has applied for an EGA to the Ministry, received after the UHOP and Zoning By-law Amendment Applications were submitted to the City. The MECP requests affected municipalities to provide comments on new and amended EGA Applications. The MECP then makes a decision on the application on the basis of the comments received, in addition to various technical and environmental considerations. Comments from the City of Hamilton on EGA Applications are forwarded to the MECP. The approval process will address activity on site, recognize the equipment and processing being undertaken and ensure that all residual wastes are properly stored and disposed of. The Ministry has indicated that the recycling of WEEE materials will result in residual hazardous waste that must be registered on HWIN, and requirements for storage and disposal will be imposed on the operation by the Ministry. Ontario Regulation 347 defines 11 categories for the classification of hazardous waste. The
MECP has indicated the WEEE does not meet the requirement to be considered hazardous waste and that WEEE is exempted from the definition of subject waste. They indicate that small amounts of properly stored residual hazardous waste directly resulting from the recovery/recycling of WEEE should not pose a threat to surrounding uses. Also as part of the ECA process, the Ministry will review the City's recommendation regarding the acceptable proximity to sensitive land uses, hours of operation and mitigation measures to ensure no off-site impacts.

**Hamilton Water, Public Works Department**, require that the applicant verify that no wastewater is generated from the recycling operation area and being conveyed into municipal services. This will be addressed at the Site Plan Control stage. Staff are satisfied that the documentation provided is sufficient for the Official Plan Amendment and Zoning Amendment Applications. However, additional detail will be required during the Site Plan Control stage.

**Growth Planning, Planning and Economic Development Department**, is satisfied that the Class 1 industry criteria related to the scale of the operation has been met. Staff have concerns with the operation/intensity criteria as the daytime hours exceeds that indicated in the criteria, and the number of vehicles proposed, one shipping vehicle per hour, conflicts with the criteria for infrequent movement of products and/or trucks. Lastly Growth Planning is seeking confirmation that the proposed operation does not constitute a "Hazardous Waste Management Facility". As the operation will be conducted internal to the building, Growth Planning acknowledges that there will be minimal or no impacts on the sensitive land use, save and except for vehicle traffic.

The MECP has confirmed that WEEE materials are not classified as hazardous waste. Also, the MECP does not discretely define the terms ‘frequency’ or ‘daytime’. Planning staff are satisfied with the MECP indication that WEEE is not considered hazardous waste, that the hours of operation are within those permitted by the City of Hamilton Noise Control By-law No. 11-285, and that the (M6) Zone currently permits uses which would be similar in anticipated frequency of truck movement.

**Transportation Planning Services, Planning and Economic Development Department**, requires information regarding long-term secure indoor and short-term exterior bicycle parking in accordance with TDM for Development Guidelines 3.G. Transportation Planning encourages the inclusion of Transportation Demand Management (TDM) initiatives. Transportation Planning recommend the inclusion of a 1.5 m buffered sidewalk as well as trees in the public right-of-way. This will be addressed at the Site Plan Control stage.

*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*
Licensing and By-law Services, Planning and Economic Development Department, has indicated that the business will require a City of Hamilton Licence under Schedule 10 of the Business Licence By-law 07-170 and that any outdoor areas will be required to comply with visual barriers. Staff note that outdoor storage will not be permitted.

Hamilton Fire Department, Fire Prevention Division, conducted an inspection of the subject property on July 25, 2018. They recommend that all bins of combustible material are stored in the sprinklered portion of the building. They have no other concerns with these applications.

Recycling and Waste Disposal, Environmental Services Division, has advised that the development is ineligible for municipal waste collection service.

Forestry, Public Works Department, have confirmed that there are no municipal trees on site.

PUBLIC CONSULTATION

In accordance with the provisions of the Planning Act and the Council Approved Public Participation Policy, a Notice of Complete Application and Preliminary Circulation was circulated to 150 property owners within 120 m of the subject lands on November 28, 2017. A Public Notice sign was posted on the subject lands on December 19, 2017 and updated on August 22, 2018 with the Public Meeting date. Finally, Notice of the Public Meeting was circulated to 150 property owners on August 31, 2018 in accordance with the requirements of the Planning Act.

Public Consultation Strategy

A formal Public Consultation Strategy was not provided with these applications. However, the applicant hosted public open houses on May 25, 2017 and, at the request of the Ward Councillor, on June 28, 2018. The applicant circulated notice of these meetings to 150 residents within 120 m of the subject property. The May 25, 2017 meeting received no attendees, but the June 28, 2018 meeting was attended by 13 residents.

To date, 16 submissions have been received by staff representing 15 individuals, as well as two letters received from Environment Hamilton and Gibson and Landsdale Area Community Planning Team, regarding these applications (attached as Appendix “G” to Report PED18186). Of these submissions, three expressed concern, ten opposed and
one submission indicated support. The comments received are summarized in the Analysis and Rationale Section of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Urban Hamilton Official Plan and Zoning By-law Amendment Applications have merit and can be supported for the following reasons:

   (i) They are consistent with the Provincial Policy Statement (2014) and conform to the Growth Plan for the Greater Golden Horseshoe (2017); and,

   (ii) They comply with the general intent of the UHOP in that the proposed development preserves employment lands while maintaining an appropriate separation between light industrial use and a sensitive land use.

2. The subject property is located on the north side of Princess Street, north east of the intersection of Princess Street and Sherman Avenue North and was previously used for the manufacturing of metal ducting, jointing parts and accessories. The subject property includes a two storey brick building believed to have been constructed prior to the twentieth century, a three storey industrial warehouse believed to have been constructed in the 1920s, and a one storey industrial warehouse. No structural changes are proposed to the existing buildings. Based on the concept provided, the applicant is proposing interior renovations as well as exterior cladding and window upgrades for the purpose of operating a Waste Processing and Waste Transfer Facility for Waste Electronics and Electrical Equipment. The proposal includes seven parking spaces, including one barrier free space, which are provided behind the buildings, accessed via Princess Street on the east side of the property. The existing loading area is located on Princess Street, near the intersection of Princess Street and Sherman Avenue North, and encroaches into the Princess Street road allowance.

Official Plan Amendment

As described in the aforementioned sections of this Report, the proposed use can be considered a Class I industrial facility. The Ministry of Environment, Conservation and Parks (MECP) D-6 Compatibility Guidelines recommend a minimum separation distance to sensitive land uses of 20 m where potential impacts of Class I industries have been mitigated. These applications comply
with Policy E.5.3.7 a), b) and c), and the amendment is for the separation distance. Staff are satisfied with a modified separation distance to 30 m. This proposed development has effectively mitigated potential impacts to sensitive land uses located greater than 30 m away. Further, the MECP has indicated that WEEE is not considered hazardous waste, and should not pose a threat to surrounding uses.

Finally, the proposal has demonstrated that the uses proposed are compatible with uses permitted in the Industrial Lands of the Employment Area Designation, and that they are an effective use of existing structures that have potential cultural heritage value.

Therefore, staff support the Official Plan Amendment.

3. City of Hamilton Zoning By-law No. 05-200

The subject property is currently zoned Light Industrial (M6) Zone in the City of Hamilton Zoning By-law No. 05-200 (see Appendix “A” to Report PED18186). A Waste Processing Facility and a Waste Transfer Facility are not permitted in this Zone. As a result, an amendment to the Zoning By-law is required to permit these uses.

As described in the aforementioned sections of this Report, the proposed development includes mitigation measures and is categorized as a Class I industry. The proposed separation distance of 30 m is greater than the minimum separation distance recommended in the D-6 Compatibility Guidelines.

Site specific modifications to the (M6) Zone are required to recognize existing aspects of the site, including locations of buildings, that do not comply with the By-law, including:

- Minimum side yard abutting a street of 0.12 m;
- Recognition of the existing loading facility; and,
- Landscaped area and planting strip requirement of 0 m abutting a street.

These site specific modifications will recognize and permit the redevelopment of three existing buildings on the subject property, two of which are deemed to have potential cultural heritage value and will also recognize existing deficiencies.
related to a side yard abutting a street, location of loading facilities abutting a street and no landscaped area and planting strip abutting a street.

Therefore, staff support the Zoning By-law Amendment and the proposed modifications.

4. **MECP Environmental Compliance Approval**

An "Environmental Compliance Approval" (ECA) pursuant to Part V of the *Environmental Protection Act* is a legally binding document through which an individual, company, or municipality is permitted, by the Ontario Ministry of the Environment, Conservation and Parks (MECP) to undertake an activity related to the management of waste.

Each ECA is drafted to address the site-specific considerations relevant to the proposal, and contains enforceable requirements that ensure environmental and health protection, compliance with legislation, and policy requirements. The ECA stipulates the types of wastes that can be managed at the facility, and contains conditions that describe the manner in which the facility is to be operated. Failure to comply with any of the ECA's conditions constitutes a violation of the *Environmental Protection Act*, and is grounds for enforcement through the *Provincial Offenses Act*.

The MECP requests affected municipalities to provide comments on new and amended ECA Applications. The MECP then makes a decision on the application on the basis of the comments received, in addition to various technical and environmental considerations. Comments from the City of Hamilton on ECA Applications are forwarded to the MECP.

**Recommendations and Conditions of the ECA**

Based on the comments received from an internal circulation of this application, and the analysis undertaken, this ECA Application should be subject to conditions being included in the Certificate. These conditions have been included in the Recommendation section of this Report, which will form the City’s comments to the MECP on this application.

In addition, several standard conditions of approval are also recommended, relating to financial assurances to the Ministry for final site clean-up, limitation of the origin of the accepted waste, and identification of a Ministry contact for all issues related to the operation (see Recommendations (c) (i) (d), (l), (n) and (o)).
5. Growth Management Division has advised that a revised Functional Servicing Report (FSR), pertaining to water usage, wastewater discharge, stormwater management, a Grading and Servicing Plan and detailed information on the proposed operations detailing if water is used for cleaning or washing of waste materials within the facility, and if any wastewater drainage will be within the storage or processing area, are required to be addressed at Site Plan Control stage.

The applicant has provided documents related the ECA Application, as has been required by Growth Management. Growth Management also requires more information related to water usage, waste water resulting from the operation, and how waste water drainage will be installed within the storage or processing area.

Growth Management has indicated that they have no concerns for the purposes of these UHOP and Zoning By-law Amendment Applications.

6. As a result of circulation of the Applications, staff have received 16 submissions have been received by staff representing 15 individuals, as well as Environment Hamilton and Gibson and Landsdale Area Community Planning Team. The concerns raised in the letters are summarized as follows:

Nuisance, Existing burden, Proximity to Residential uses, Traffic and Privacy

The current (M6) Zoning of the subject property permits a wide range of industrial uses such as Contractor’s Establishment and related Supply Establishments, Manufacturing, Motor Vehicle related uses, Transport Terminal and Depot, and Warehouses. Each of these uses, within the same proximity to the existing residential uses, have the potential to generate truck movements, noise and influence the value of nearby properties.

Based on the D-6 Guidelines for classifying industrial facilities, and the mitigation measures that have been discussed in this Report, staff are satisfied that this proposed development can be categorized as a Class I industrial operation. The Ministry of Environment, Conservation and Parks recommends a minimum separation of 20 m, whereas these applications are proposed to be located greater than 30 m from the nearest sensitive lands use. This separation also addresses concerns regarding privacy. Additionally, the subject property does not abut any rear yards of residential properties and all operations will take place within the buildings on the subject property, thereby avoiding potential impacts to privacy.
Property Values

Staff are not aware of any supporting information or any empirical data with respect to property devaluation that would substantiate this concern.

Engagement of the Public

The applicant hosted two Public Open Houses, inviting property owners within 120 m of the subject property. The first Public Open House was on May 25, 2017 but there was no members of the public in attendance. The second Public Open House was on June 28, 2018 and was attended by 14 members of the public as well as the Ward Councillor.

Health Concerns and MECP Permission

Whereas MECP is the approval authority, the City has addressed its concerns through the recommendations for the EGA. Based on the current information that has been provided by the applicant, and comments from the MECP, staff are satisfied that the proposed facility will have no negative impact on nearby sensitive land uses.

Feasibility of Operating within the Restrictions of the Subject Property

These applications require modifications to the Zoning By-law to enable them to operate on the site. Staff are satisfied that with these modifications, which include recognizing the existing buildings, this proposal can operate on the subject lands.

ALTERNATIVES FOR CONSIDERATION

Should the UHOP and Zoning By-law Amendment Applications be denied, the subject lands would remain as the current Light Industrial (M6) Zone in the City of Hamilton Zoning By-law No. 05-200 which would allow for a variety of light industrial and commercial uses.

The City of Hamilton is not the approval authority for the Environmental Compliance Approval Application, but has been requested to submit comments on this application to the MECP. The MECP will consider the City's comments in making a decision on the application. The City could request that the MECP deny the Environmental Compliance Approval Application.
ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Draft Official Plan Amendment
Appendix “C” – Draft Zoning By-law Amendment
Appendix “D” – Proposed Site Plan
Appendix “E” – Public Comments

BN:jp
Site Location

Map - Ward 3

File Name/Number:
ZAC-17-024 & UHOPA-17-034

Date:
July 9, 2018

Scale:
N.T.S.

Planner/Technician:
BN/NB

Subject Property
119-123 Princess Street

Change in Zoning from Light Industrial (M6)
Zone to Light Industrial (M6, 30) Zone
DRAFT Urban Hamilton Official Plan
Amendment No. X

The following text, together with Appendix “A” – Volume 3: Map 2 – Urban Site Specific Key Map attached hereto, constitutes Official Plan Amendment No. XX to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish an Urban Site Specific Policy to permit a Waste Processing and Transfer Facility to be located a minimum of 30.0 m from a sensitive land use.

2.0 Location:

The lands affected by this Amendment are known municipally as 119 – 123 Princess Street, within the City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposal is compatible with existing and proposed industrial uses in the immediate area;

- The proposal is categorized as a Class I industry and is in compliance with the Ontario D-6 Compatibility between Industrial Facilities guidelines;

- The proposal provides mitigation measures to avoid impacting nearby areas identified as Neighbourhoods, and is compatible with existing residential uses in the immediate area; and,

- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.
4.0 **Actual Changes:**

4.1 **Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies**

**Text**

4.1.1 **Chapter C – Hamilton Site Specific Policies**

a. That Volume 3: Chapter C – Hamilton Site Specific Policies be amended by adding a new Site Specific Policy, as follows:

```
"UHE-X Lands known municipally as 119 – 123 Princess Street, City of Hamilton

1.0 Notwithstanding the distance separation requirements of Policy E.5.3.7 of Volume 1, for the lands known municipally as 119 – 123 Princess Street, designated Employment Area - Industrial Land, a Waste Processing Facility and a Waste Transfer Facility for Waste Electronics and Electrical Equipment (WEEE) may be located a minimum of 30.0 metres from a sensitive land use."
```

**Maps and Appendices**

4.1.2 **Map**

a. That Volume 3: Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as UHE-XX, as shown on Appendix "A", attached to this Amendment.

5.0 **Implementation:**

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. _____ passed on the ___th day of __, 201X.
Appendix B to Report PED18186

Page 4 of 4
CITY OF HAMILTON

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 119 – 123 Princess Street, Hamilton

WHEREAS Council approved Item __ of Report ______ of the Planning Committee, at its meeting held on September 4, 2018;

WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan No.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 913, 913, 955 & 956 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 be amended by modifying the zoning from Light Industrial (M6) Zone to Light Industrial (M6, 30) Zone, to the extent and boundaries of which are shown on Schedule “A” annexed hereto and forming part of this By-law.

2. That Schedule “C” Special Exceptions, of By-law No. 05-200 is hereby amended by adding a special exception as follows:

   “30. Within those lands zoned Light Industrial (M6, 30) Zone, identified on Maps 913, 913, 955 & 956 of Schedule “A” – Zoning Maps and described as 119-123 Princess Street, the following special provisions shall apply:

   (a) In addition to Section 4.6 and notwithstanding Section 5.2.1 the following shall apply:

       i) Location of Loading Facilities Shall not apply to the loading space existing on the date of the passing of this By-law.

   (b) In addition to Section 9.6.1 and notwithstanding Sections 9.6.3 c), k), m) and n) the following shall apply:

       REGULATIONS

       i) Permitted Uses Waste Processing Facility and Waste
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 119 – 123 Princess Street, Hamilton

Transfer Facility within the buildings existing on the date of the passing of this By-law.

ii) Landscaped Area and Planting Strip Requirements

0.0 metres along Princess Street and Sherman Avenue North.

iii) Location and Screening of Outdoor Storage and Outdoor Assembly

Outdoor storage and assembly shall be prohibited.

iv) Location and Size of Outdoor Display

Outdoor display shall be prohibited.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

4. That this By-law No. XXX shall come into force and deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this _____ day of _____, 2018.

Fred Eisenberger
MAYOR

Janet Pilon, CMII, DPA, CMO
ACTING CITY CLERK
This is Schedule "A" to By-law No. 18-
Passed the .......... day of ......................, 2018

Schedule "A"
Map Forming Part of By-law No. 18-
to Amend By-law No. 05-200
Map 913, 914, 955 & 956

Subject Property
119 - 123 Princess Street
Change in Zoning from Light Industrial (M6) Zone to Light Industrial (M6, 30) Zone
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 119 – 123
Princess Street, Hamilton

For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law

Is this by-law derived from the approval of a Committee Report? Yes

Committee: Chair and Members Report No.: PED18186 Date: 09/18/2018
Ward(s) or City Wide: Ward 3 (MM/DD/YYYY)

Prepared by: Brynn Nheiley Phone No: 4283

For Office Use Only, this doesn't appear in the by-law
December 15, 2017

Adam Lucas, MCIP RPP
Senior Planner
Development Planning, Heritage and Design, Urban Team
Planning Division - Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th floor
Hamilton, ON L8P 4Y5

RE:  119 – 123 Princess St Application for Zoning By-Law & Official Plan Amendment

Dear Mr. Lucas,

Please accept this letter as Environment Hamilton’s preliminary input on FrostMECH Inc.’s application for a zoning by-law amendment and an official plan amendment for the property located at 119-123 Princess Street.

Environment Hamilton is a not-for-profit environmental organization that has been working for over 16 years to help Hamiltonians to enhance and protect the environment around them. Our efforts include working with residents in the Lucy Day Neighbourhood on issues associated with environmental impacts from existing industrial operations including: odour, noise and dust, air pollution, waste, and heavy truck traffic.

We have had the opportunity to review the planning justification report prepared by Metropolitan Consulting for FrostMECH’s proposal to establish an e-waste recycling facility at 119-123 Princess Street. We have also accessed and reviewed information related to the company’s existing operations (listed under the name of ADL Processing) – located at 500 and 530 Keele Street in Toronto. We have a number of questions and concerns related to both the planning justification report and relating to the information we reviewed regarding the Toronto facility.

At the most fundamental level, Environment Hamilton is concerned about any proposal to modify the current zoning for 119-123 Princess Street. The current M6 zoning (Light Industrial) limits the industrial activities permitted on these lands for good reason – there is a residential neighbourhood in very close proximity to this area. The proponent itself recognizes in its Planning Justification Report at page 5 that ‘the nearest private residence is within 27.55 meters of the subject property boundary and the shipping receiving doors are 32.67 meters from the nearest residential structure’ (bold added).

CONCERNS REGARDING EXISTING NUMBER OF WASTE FACILITIES CLOSE TO NEIGHBOURHOOD

We are also very aware of a number of other facilities in this neighbourhood for which past zoning by-law ‘exceptions’ have been grandfathered into the new Zoning By-Law, several of which are an on-going source of impacts in nearby residential areas. In at least three cases that we are aware of, zoning exceptions have been made that reduce the required width of buffers between industrial and residential uses – in two cases to 0 meters in order to permit Industrial uses that normally would not be permitted closer than 700m to residentially zoned lands (see attached map showing locations of exceptions).
These existing facilities include:

- **Canadian Liquids Processors** — located at 15 Biggar Avenue — is listed as M5 Exception 351 — There are residential homes located immediately adjacent to CLP. The facility has had extensive problems with odour impacts that have been felt well beyond Biggar Avenue into the surrounding Lucy Day neighbourhood. The facility is currently undergoing a review of its provincial permits as a result of two residents submitting a successful application for review under the provincial Environmental Bill of Rights.

- **EZ Waste (Formerly Blz Environmental)** — located at 221 Lottridge — is listed as M6 Exception 350 — This waste transfer station is located immediately adjacent to homes located on the north side of Clinton. Homeowners have complained about chronic problems with odour, dust, vermin, and noise from this facility. There have also been concerns about noise and activity at this site outside of permitted operating hours.

- **EnviroSource** — located at 239 Lottridge — is listed as M6 Exception 357 — This facility manages hazardous waste.

Residents are dealing with noise, dust, and odour impacts that migrate beyond these properties into the adjacent neighbourhood.

**ZONING CHANGE REQUEST & EXISTING MUNICIPAL & PROVINCIAL POLICY**

We understand that FrostMECH is asking for a zoning by-law amendment in order to establish an M6- Light Industrial ‘Exception Zone’ that would permit the establishment of any of the following uses:

- Waste Processing Facility
- Waste Transfer Facility
-Breweries

First, given the proposed activity that the company is seeking approval for, it is unclear to us why all of these activities are included in the list for the 'exception zone'.

Second, the Ontario Ministry of Environment and Climate Change's guide D6 - Compatibility Between Industrial Facilities (see https://www.ontario.ca/page/d-6-compatibility-between-industrial-facilities) sets out appropriate separation distances between various classes of Industrial uses and 'sensitive' land uses including residential areas. For Class II facilities—which is the category we believe this facility fits into—the recommended separation distance is 300m. Even if an argument is made that this facility fits into the Class I category, the separation distance recommended for such a facility is at least 70m from a sensitive land use.

Third, policies in Section E - Waste Processing Facilities and Waste Transfer Facilities in the City of Hamilton’s Urban Official Plan (UHOP) reinforce the provincial Ministry of Environment & Climate Change separation distances set out in Guide D-6. More specifically, the following sections in the UHOP provide more details regarding required separation distances:

Section E - Waste Processing Facilities and Waste Transfer Facilities
5.3.7 - Waste processing facilities and waste transfer facilities, including expansions, shall be located a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.

5.3.7.1 - Notwithstanding Policy 5.3.7 above, waste processing facilities and waste transfer facilities, including expansions, may be permitted within 70 to 300 metre of a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, subject to amendment to the Zoning By-law. In addition to the requirements of Section F.1.19 - Complete Application Requirements and Formal Consultation, the application shall demonstration, through a Planning Justification Report or any other study as may be required by the City, an analysis of the following:

a) the appropriateness of the proposed land use in relation to surrounding land uses;

b) mitigation of potential impacts to sensitive land uses, the natural environment or cultural heritage resources located within 300 metres of the proposed waste management facility, which shall include noise, odour, vibration, dust, traffic, air quality, litter, and vermin and pest control measures, and;

c) on-site wastewater and storm water management measures.

Based on both the provincial and municipal policies around waste facilities and separation distances, it is our understanding that a zoning by-law amendment is required to reduce the separation distance to within 70 to 300 metres from a sensitive land use. Based on this, it appears to us that the policies in the UHOP and the provincial D-6 Guide DO NOT support a separation distance between a waste facility and a sensitive land use that is any less than 70 metres. We therefore believe that FrostMECH's proposal to reduce the separation distance to 27.55 metres—far less than the minimum 70 metres that a zoning by-law amendment would be required to secure—is counter to both the provincial D-6 Guide and policies set out in the UHOP.

We also believe the proponent's request is inappropriate given the existing burden of impacts from industrial activities already located adjacent to this neighbourhood as a result of historical and now grandfathered zoning exceptions for other waste facilities in the area.

We have a host of other concerns related to this proposed facility—most of which are issues related to the provincial permitting of the facility. These include concerns about the following:

- Potential for dust and emissions from processing activities within the building (shredding, separating)
- Potential for dust from activities in outdoor areas
-Proposed operating hours and the potential for noise impacts in the neighbourhood
-Concerns around the generation of wastewater from processing activities at the site (saline separation line).
-Concerns about the handling of hazardous waste components of e-waste accepted at site

We realize that these are concerns that will be considered if and when this facility goes through provincial environmental permitting processes, but we did want to include them here so that the city is aware that we have these concerns.

We would like to point out, however, that we were very concerned to see in the Planning Justification Report that the proponent, intentionally or unintentionally, leaves the reader with the impression that the facility is already fully permitted by the Ministry of Environment and Climate Change to ‘receive, store and process electronic waste’. The following text appears in the report at page 2:

FROSTMECH INC is recognized by the Ministry of Environment as a fully permitted waste processing facility with a Provisional Certificate of Approval. This certificate, along with financial assurance, means that FROSTMECH INC is allowed to receive, store and process electronic waste and that, by accepting your waste, they are accepting responsibility and liability for that waste.

We can find no evidence that this facility has been permitted to operate a waste processing facility for electronic waste at the Princess Street address. There have not yet been Environmental Bill of Rights registry postings for any of the required permits.

We appreciate having the opportunity to provide input. Please do not hesitate to contact us if you have any questions or concerns about our comments.

Thank you,

Lynda Lukasik, PhD
Executive Director

Environment Hamilton
22 Wilson Street, Suite 4
Hamilton, ON L8R 1C5
TEL: (905) 549-0900
I wish to express my opposition to FrostMech's application for a by-law amendment to operate a waste processing facility at 119-123 Princess Street in Hamilton.

It is inappropriate for businesses such as FrostMech to situate their operations in this residential area of Hamilton. The north area of the city, where FrostMech wishes to open its facility, already has a high incidence of cancer. It is important that we reduce the number of facilities in Hamilton which deal with and produce toxic substances - such as FrostMech - to reduce the cumulative effect of these substances on children and adults in our city. With this in mind, we most certainly should not approve any applications for amendments to current environmental requirements for businesses in this city. If anything we need to strengthen requirements and enforcement.

I am also deeply troubled by FrostMech's claim that they have consulted the community on this facility. As a homeowner in the Gage Park area of the city, I have yet to meet anyone who is aware of any meaningful consultation which has taken place with representatives of this facility.

It is time for Hamilton to phase out the highly toxic industries along its waterfront and in its residential areas - and make the transition to a city made up of businesses which respect the environment, health, and safety of its people.

Businesses dealing with and producing highly toxic substances should not be located in residential settings in Hamilton or near the waterfront - where millions of people in Ontario (including Hamiltonians) get their drinking water every day.

Regards,
Cathy McPherson
151 Rothsay Ave.
Hamilton, ON
Good evening

I am emailing you to inform you that my family of 6 are opposed to the waste transfer station on princess st and Sherman ave in Hamilton ont. This neighbourhood is already dealing with the ramifications of another waste transfer station here in ward 3. There has been many many problems with the other waste transfer station in a residential neighbourhood.

We are opposed!!!!!!!

There should never be a waste transfer station in a residential neighbourhood NEVER!!!

Thanks
Dianna gillespie
Sent from my iPhone
Good day Adam I am adding my name to the growing list of concerned residents and neighbours who are opposed to any amendment of the existing zoning by-law for 119-123 Princess Street in the City of Hamilton. I fully support the development of suitable and sustainable businesses in the buffer zone between North End residents and the "Industrial Area", but in my view this is not an appropriate business for Princess Street. I know that many residents have already pointed out the flaws in the Planning Justification Report provided on behalf of 9021159 Canada Corp and have eloquently imparted their personal reasons for opposing the amendment. I want to touch upon the most human side of the issue. The people most adversely affected by this proposed amendment live on Clinton Street and have worked hard to create a shining example of how good neighbours can make their street a better place. Situated on the north side of the street is Lucy Day Park, a tiny breath of fresh air and green space where preschoolers have morning hours to themselves and children of all ages play after school and on weekends. During July and August there are weekday programs with water activities, organised games and art projects. Neighbours from nearby streets and surrounding communities drop by as well particularly for annual events such as winterfests and corn roasts. All this against a backdrop (hidden thankfully from the children's eyes) of an existing conventional waste management facility which consistently flouts MOE regulations and City of Hamilton by laws. The residents of Clinton Street, their neighbours and friends from other communities are already frustrated by this situation. To add yet another unproven and even more potentially harmful waste management facility to the area is NOT acceptable, and is a retrograde step in neighbourhood efforts to improve the "quality of life" for all of us. Nearby Lottridge Street is also already affected by drag out, dust, noise and idling commercial traffic. The prospect of additional 53 foot tractor trailers in the vicinity is disturbing. On occasion commercial traffic already proceeds north and southbound past Prince of Wales School raising safety issues and exposing the school population to noise, and dust. I'll be commenting on the additional documents provided to us once I have a chance to read them more thoroughly. Sincerely Liz Tobin 183 Lottridge Street Community representative Lucy Day Neighbours/Sherman Hub- Bayfront Industrial Area Strategy Focus Group
Hi Brenda,
Thank you for your e-mail. Your comments will form part of the public record and we'll be asking the applicant to respond to all comments/concerns in relation to the application.
If you have any further questions, please let me know.
Regards,

Adam Lucas, MCIP, RPP
Senior Planner
Development Planning, Heritage and Design, Urban Team
Planning Division
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th floor
Hamilton, ON
L8P 4Y5
t. 905.546.2424 ext. 7856
f. 905.546.4202
e. adam.lucas@hamilton.ca

here it is

Brenda

Good evening Adam, I read the amendment to the Zoning for the above noted address. I would like to be kept aware of any Community Consultations that you have regarding the property.
I live in the nearby neighbourhood and have a few questions regarding some of the proposed changes. It appears to be beneficial but I just need to assure myself and the community that policies will be in place and procedures set up around certain aspects.

Please let me know when that might be happening. My number is 289-933-4810 if you have any questions.

I am cc'ing the joint chair of our Community Planning Team, Pat Poore.

Thank you for your attention to this.

Brenda Duke
Joint Chair
Gibson and Landsdale Area (GALA)
Community Planning Team
Hello Adam,

I would like to express my strong opposition to the application for zoning by-law amendment by FrostMech, 119-123 Princess Street (files UHOPA-17-034, ZAC-17-024). The area is zoned M6 for a reason, to provide some measure of protection to the neighbouring residents. By allowing this amendment, the City would further erode any such protection. We are already dealing with encroachments by local businesses into the daily lives of area residents in matters such as excessive noise, foul odours, heavy truck traffic, air pollution including dust and dragout and litter.

Here are a few of my chief concerns:

Waste processing facilities and sensitive land use
-A cursory look at the industrial sector bordering the site for this proposed facility shows that there are already a number of nearby waste processing and/or transfer facilities located just metres from private residences. This area should not be considered the repository for all waste-related facilities: it is too close to our homes. This is not an appropriate use of the land in relation to its surroundings, nor does it in any way mitigate the potential impacts to sensitive land uses (read: people) or the natural environment. The closest residence is a fewer than 30m from this facility. Whether or not the facility’s processing takes place indoors, the proximity is too close.

-The description of a Class 1 Industrial facility includes a) daytime operation only [note FrostMech’s hours of operation will be up to 9pm on weekdays: not daytime] b) infrequent movement of products or heavy trucks [with a 14 hour day, a successful business could not possibly expect ‘infrequent movement’]. This Class 1 distinction is claimed as a valid reason for a minimal 20m distance from sensitive land use.

-Where are the existing MOECC permits for this facility? The report states that no additional permits for air emissions, odour or dust are required. In addition to what? A search on the MOECC’s website reveal no existing permit.

Hazardous waste
-The Planning justification report contains misleading wording concerning e-waste materials which will be received, processed and shipped from this facility. Electronic devices [may] contain toxic heavy metals such as lead, mercury, cadmium and beryllium, as well as hazardous chemicals, such as brominated flame retardants. Polluting PVC plastic is also frequently used. These dangerous substances cause serious pollution and put workers at risk when the products are […] thrown out. How does this equate to the assertion that "no hazardous waste will be processed". E-waste by its very nature is hazardous. A facility processing such materials should not be anywhere near residences.

-There is a discrepancy between stating that ‘no hazardous waste will be processed’ and also stating hazardous materials will be present during the manual dismantling processes. If hazardous materials are being handled in any way, FrostMech should be obligated to state this unequivocally and the application for zoning amendment should be weighed accordingly.

Traffic
-Sherman Avenue is a one way street and a major truck route. The surrounding streets are residential and should not be burdened with the additional congestion that could be created by trucks lined up with waste to drop off.

-Waiting vehicle traffic will add to idling emissions.

Hours of operation
-This site’s proposed operating times are 365 days a year (except stat holes), weekdays from 7:00am to 9:00pm for receiving materials. With residences only 27m away, it is unreasonable to expect neighbours to endure the adverse impact up to 14 hours a day.

-FrostMech states it will ‘not encourage materials being left outside’ during non-operating hours. If we can’t keep illegal dumping from occurring in any other part of the city, what is the likelihood that it won’t occur at a facility actually designed to accept waste materials?? Security systems and signage are not deterrents.

Public consultation
- According to the Planning Justification report, there was a public information meeting. As not a single community member seems to have heard about this, I am curious to know who was in attendance and how much effort, beyond the meagre requirements, was made to notify neighbouring residents.

- I strongly urge the company to hold another public information meeting about which we are reasonably notified in order for concerned residents to meet qualified staff and ask questions.

**M6 zoning**

- It is unsafe for residents if the City is to allow any further concessions to the existing zoning by-laws. As it is, we are constantly dealing with by-law infractions from companies which the City cannot or does not address in an impactful way. Any exceptions will only cause more hardships to area residents. Instead, the City should be developing best practices for sensitive uses and communicating clear, enforceable restrictions to new and existing businesses.

I have further comments to provide, however I will send this on to you now as a start.

Best regards,
Nhelley, Brynn

From: Patti Encinas
Sent: December-01-17 11:02 AM
To: Lucas, Adam
Cc: Green, Matthew; Lyndon George; contactus@environmenthamilton.org; clerk@hamilton.ca
Subject: FrostMECH Application re: 119-123 Princess Street

Greetings Adam,

I reside at 5 Clinton Street and recently became aware of an application for a zoning change from FrostMECH for the property known as 119-123 Princess Street. Please be advised that I am vehemently opposed to this change.

I live close enough to this site to clearly see the proposed facility from the rear windows of my home and am aware that other residential homes are even closer; some are directly across the street, in fact. While I fully support recycling facilities of any kind I do not believe it is in the best interest of the health, well-being and expectation of comfortable living for any Hamilton resident to have to literally live so close to waste of any kind. It strikes me as very odd that we have strict by-laws concerning how residents store their garbage, for example not within view of public sidewalks, yet private companies can even consider requests to receive, store, process and transfer waste materials directly adjacent to our residential homes.

I have taken the time to review the entire application from this company and have been left with many unanswered questions and grave concerns of the proposal. I sincerely hope that the City’s Planning Committee decides to not approve this request. Hamilton is in the midst of great transformation and I hope the decision makers of my city have much higher aspirations than operating garbage facilities in residential areas. I’m fully aware of this particular area’s current K Zoning classification but would note that such zoning is from a bygone era and change for the better needs to be seriously considered. Denying this proposal is a good place to start.

Best regards,

Patti Encinas
Resident, Ward 3
Nheiley, Brynn

From: ALVIN CLARKE
Sent: December-01-17 10:01 AM
To: Lucas, Adam
Cc: Green, Matthew; Thorne, Jason; Robichaud, Steve
Subject: Princess Street waste processing facility

November 30th 2017

In regards to the Waste Processing Site at 119 to 123 Princess Street:
As a resident I am asking for more time to provide comment on the site development as I would like to present
or have a delegate(s) present to council on this matter.
I/we DO NOT want the zoning changed from 40 meters to 27 meters that the company is asking for as there is
no justification in this zoning change.
Also, I am asking for a conversation (public Meeting) with the company to have questions answered and
information in paper form given out about the company and their procedures to gage the impact that it may
have on the community that they are requesting to build and operate in.
I base this request on -
#1 The notification letter provided to residents lacked the detail required to understand what is being proposed
for this location. The letter simply indicated that a "waste processing site" has been proposed.
#2 The company proposing to build this facility has not reached out to the community - no meeting was held
and no information provided
#3 Community members want the opportunity to ask the city planner more questions about the proposal and
community would like to ask the company questions also.
#4 We request that more time be provided for the community to submit concerns and comments to the city's
planning department. The December 1st deadline is to soon, community members want to provide informed
and educated input.
#5 Ideally the community would like to see a meeting organized with both the city planner and the company
present to answer questions and provide an overview of what is being proposed for this site.
I/we are looking forward to the complete consideration of all involved.
Sincerely Heather Clarke
copies sent to: Adam Lucas, Steve Robichaud, Jason Thorne, Matthew Green
To Whom It May Concern,

I am writing to express my concerns over proposed changes to allow the opening of another Waste Treatment Facility in my neighbourhood. There are already 2 waste facilities in the immediate vicinity, located north of the intersection of Lottridge St and Barton St. Many days in the Spring, Summer and Fall the heavy, sour odour of rotting garbage is in the air. On the strongest smelling days it is impossible to enjoy time outdoors in my back yard, neighbourhood parks or have a window open in my home for fresh air.

It is difficult to address the existing odour concerns with the City of Hamilton or the Ministry of Environment as you must be able to report where the odour is coming from. It saturates the neighbourhood for blocks in any direction, depending on how the wind blows. The odour is extremely potent when a truck dumps a load and for several minutes afterwards.

I feel adding another facility would only exacerbate these problems of odour and reporting.

Additionally, this is an "up and coming" and changing neighbourhood that is hoping to capitalize on the city’s efforts to revitalize the downtown core and Barton corridor. I don’t believe another waste facility in this neighbourhood would contribute to these efforts of revitalization. Aren’t there other locations in the City of Hamilton that are more suitable for this land use? That are already designated for this specific land use? I have concerns for my neighbours as well. While our demographics in this neighbourhood are changing, there is still a lot of poverty here. If a family can’t afford air conditioning what do they do in the hot summer months when windows can’t be opened due to the smell? Some in our city may think of this area for industrial uses, but it is now mostly utilized for residential and retail use. While it’s the last thing I’m mentioning, the environment and climate change is at the top of my considerations. Many days this summer I did not want to run my air conditioning, but felt I had little choice as opening the windows would let this foul odour into my home. If this facility is allowed to operate I fear that “many times” will turn into “most times” as there will be waste facilities now located to the West as well as the East of my home, my hopes for the wind to blow in the right direction will be more desperate. Winds from the East, West, or North will bring the odour of rotting garbage to my home.

I wish to be kept informed of all progress on this application, decisions and any future public meetings.

Regards,

Alexis West
Born and raised Hamiltonian, concerned home owner
Nhelley, Brynn

From: Terry Mote
Sent: November-30-17 6:32 PM
To: Lucas, Adam
Subject: Application for Zoning Amendment FrostMECH Inc

I am writing to oppose the Zoning By-Law Amendment for the facility at 119-123 Princess Street. The application has been made by FrostMECH Inc.

As with all other proposals for the use of vacant lands, this community has reviewed the information provided in the application by FrostMECH, then we did our homework to make sure that our opinion was well reasoned and based on the facts.

My main concern is the presence of toxic materials (such as lead and mercury) in a residential area, close to elementary schools and a neighbourhood park. In addition, we were disappointed that this company has not engaged the community in a meaningful way beyond the minimum, nor provided any specific information on any environmental licences or permits, or potential effects on air and water. Of particular interest was a statement on the application for re-zoning that the third floor would be only accessible by cargo lift, and be used for materials that require additional security during handling. Besides being quite vague, this statement creates some serious concerns, and raises some obvious questions.

Hope this information is helpful.

Terry Mote
Greetings Adam,

My Family and I have lived in the Stilley Area for almost 20+ years now. We have endured over the last 7 yrs (approximately) the inconvenience of a Transfer Facility located on our street. We would like to express how it has impacted our family life. We have endured unbearable living enjoyment within our home such as, Rats, Smells, Noise from on going machinery, trucks backing up, 18 wheelers parked behind our home, excavators running consistently banging, where you literally feel the vibrations within your living room, not to mention when they change bins, or drop them off it has scared us within the evening hours as well. We as a family feel confined to indoors, having a child who lost outdoor enjoyment with his family is heartbreaking to share. We have lost our right to enjoy our lifestyle. Have you ever explained to your family members or friends who would like to visit, and enjoy the outdoors bbqing because of Vermin’s running in your yard? Or trying to explain why there is an excavator traveling up and down behind our property line consistently? Even better, Why is there an 18 wheelers full of stuff parked behind our home, roll off bins, un used excavators, fuel tank, no water run off that floods our back yard, and Privacy? We have None. Sleep what’s that anymore, if you work shifts, I can guarantee there won’t be much of that happening. The dust that accumulates during operation, and the emissions of running equipment, and haulers is unhealthy to our exposure, as well to the safety of our residential Street of trucks travelling, when it’s not a truck route. We are consistently washing the exterior of our home, and our vehicles, and we don’t dare to open our windows. This is only a few of our concerns that is ongoing with our experience as homeowners, and dealing with an un neighbourly company within our neighbourhood. No one, or a family should go through any of this, and we are honestly speaking about this. Yes, it was supposed to be a green company, good for the environment, keeps items out of our landfills, follow the Ministry Guidelines, along with Guidelines set throughout the City by laws of Hamilton, and the Ministry of Environment, if that was all true, we wouldn’t be writing this letter. Seeing all of this first hand, what it truly has done was torn a neighbourhood that once was full of greenery, full of life, into feeling of shackles within your home, and questioning should we all just put our homes up for sale. What quality of life is that to live? Or cross that option? It’s unbearable to even question why would we allow another Waste Transfer Facility in our area? We as a family, and a member of our community are adamantly opposed to allowing FrostMECH to start up another such Facility, located 119-123 Princess Street, Hamilton, Ontario in our neighbourhood.

Sincerely,

Mrs. Shoana Beattie & Tim Rattray
87 Clinton Street, Hamilton Ontario
L8L3K1
Sent from my iPad
Hi Adam,

Please add me to the list of names to stay informed on the community consultation for a waste processing facility at 119-123 Princess Street. As a nearby resident, I am strongly opposed to the Application for Zoning By-law Amendment & Official Plan Amendment by FrostMBC Inc.

Thanks,
Nicole
We have many concerns with this zoning amendment as it is around the corner from where we live.

The main issues are as follows:
1. What will the impact on the property values in the area be?
2. Will this mean that there will be an increase in traffic from Birch Street to Sherman Ave along Princess Street? Increased traffic along these routes will disrupt a quiet family area.
3. Does a waste processing, waster transfer, salvage yard, brewery and 185 sq metres of office space to be contained in a 1/2 ha, seem adequate? Is this even feasible?

It seems that this area of the city is getting hit with all of these types of businesses. It is time for the city to look beyond waste companies to set up here. This company is in Toronto - they have a large enough area to handle any of this type of waste at the Toronto facility. Hamilton missed the boat on recycling waste - that was over ten years ago when Stewardship Ontario was first formed. It is time to move in a new direction.

We do not need them here and we do not want them here.

Sincerely

Lorna Bryan and Phillip Shanks
8 Clinton Street
Hamilton, Ontario
L8L 3J8
I would like to express my concern regarding the application by ADL Process Inc. for a zoning by-law amendment.

As a resident who lives nearby to this property and others currently zoned for M6, I have seen the unchecked negative impacts on residents. The City's M6 zoning by-laws don't go far enough to protect residents, and M5 rezoning will make it worse.

By allowing ADL Process to operate under the far less restrictive M5 guidelines, the City would be demonstrating even less concern for the health and welfare of its citizens.

*Please omit my personal information prior to publication*
Good Morning

Thank you for having a conversation with me regarding File: ZAC-17-024. I am writing on my parents behalf 100 Princess St. They have concerns about this file and area. They would like more information, and per our conversation, I believe there will be a meeting with the company coming soon. We will wait for the direction on this.

Thank You
Giovanna Dinapoli
Giuseppe Dinapoli

Teresa Kaulback
CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9)

WARD(S) AFFECTED: Ward 9

PREPARED BY: Adam Lucas (905) 546-2424 Ext. 7856

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-020 by Marfad Holdings Inc. (c/o Mario Marazzo), Owner, to re-designate the subject lands from “Mixed Use – Medium Density” to “Neighbourhoods” in Volume 1; and to re-designate the subject lands from “Mixed Use – Medium Density” to “High Density Residential 1” and establish a site specific policy to permit a maximum net residential density of 290 units per hectare in the Old Town Secondary Plan to permit a mixed use development having a maximum building height of 14 storeys, on lands located at 928 Queenston Road, Stoney Creek, as shown on Appendix “A” to Report PED18221, be APPROVED, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18221, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Places to Grow Plan.

(b) That Amended Zoning By-law Amendment Application ZAC-17-049 by Marfad Holdings Inc. (c/o Mario Marazzo), Owner, for a modification to the Mixed Use Commercial “MUC” Zone to permit a mixed use building having a maximum height
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 2 of 33

of 49 m (14 storeys) as shown on Appendix “A” to Report PED18221 be Approved on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED18221 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “C” to Report PED18221, be added to Map No 5 of the City of Stoney Creek Zoning By-law No. 3692-92;

(iii) That Schedule “A” of Zoning By-law No. 3692-92, be amended by adding the additional Holding Provision as follows:

For the lands identified as Mixed Use Commercial “MUC-11(H)” Zone on Map No. 5 in the City of Stoney Creek Zoning By-law No. 3692-92, no development shall proceed until such time as:

(a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

(iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. ;

(c) That approval be given for a modification to the Mixed Use Medium Density (C5) Zone, to permit a 14 storey multiple dwelling for lands located at 928 Queenston Road, Stoney Creek, as shown on Appendix “A” to Report PED18221, subject to the following:

(i) That the draft By-law, attached as Appendix “D” to Report PED18221, be held in abeyance until such time as By-law No. 17-240, being a by-law to establish new Commercial and Mixed Use Zones in Zoning By-law No. 05-200 is in force and effect;

(ii) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to Report PED18221, for enactment by City Council, once By-law No. 17-240, being a by-law to establish new Commercial and Mixed Use Zones, is in force and effect.
EXECUTIVE SUMMARY

The Owner, Marfad Holdings Inc. (c/o Mario Marazzo), has applied for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of lands located at 928 Queenston Road in the former City of Stoney Creek to permit a mixed use development having a maximum building height of 49 m, 14 storey, 160 residential units and 583 sq m of commercial floor space at grade, 20 surface vehicular parking spaces, and 173 vehicular parking spaces and 130 bicycle parking spaces located in a one level underground parking garage.

The amended Urban Hamilton Official Plan Amendment proposes to re-designate the subject lands from “Mixed Use – Medium Density” to “Neighbourhoods” in Volume 1. Further, an amendment to the Old Town Secondary Plan is required to re-designate the lands from “Mixed Use – Medium Density” to “High Density Residential 1” and to establish a site specific policy in order to permit a maximum net residential density of 290 units per hectare.

The amended Zoning By-law Amendment proposes to permit a site specific amendment to the Mixed Use Commercial “MUC” Zone in the City of Stoney Creek Zoning By-law No. 3692-92 to permit the proposal with modifications to increase lot coverage, residential density, building height, reduce minimum yards, landscape area, amenity area, parking rate requirements, landscape strips, location of residential loading space to a front lot line, and allow commercial and residential parking areas to be located together.

Further, once the Commercial and Mixed Use Zones (CMU zoning) under the City of Hamilton Zoning By-law No. 05-200 are in force and effect, the property will be zoned Mixed Use Medium Density (C5) Zone. Site specific modifications to the (C5) Zone are required to address maximum building height, finished floor area elevation, building setback from a streetline, parking space size and location of parking spaces and aisles.

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017) and upon finalization of the UHOP Amendment, will comply with the intent of the UHOP. The proposal is considered to be compatible with the existing development pattern in the area, provides for the redevelopment of a brownfield site, and represents good planning by establishing compatible infill development.

Alternatives for Consideration – See Page 32

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 4 of 33

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider applications for an amendment to the UHOP and Zoning By-laws.

HISTORICAL BACKGROUND

The subject property is located on the south side of Queenston Road, east of Lake Avenue Drive, and is municipally known as 928 Queenston Road (see Appendix “A” to Report PED18221). The property is approximately 0.55 ha (1.36 ac) in size with 55.4 m of lot frontage along Queenston Road, and 31.5 m of lot frontage along Lake Avenue Drive. The property currently contains a two storey motor vehicle repair garage (Stoney Creek Collision Centre), which is proposed to be demolished to accommodate the proposed development.

Proposal:

First Submission – June 1, 2017 (See Appendix “E” to Report PED18221)

Applications for Official Plan Amendment and Zoning By-law Amendment were submitted seeking to permit a mixed use development having a maximum height of 38.6 m (12 storeys). The proposal consisted of a multiple dwelling with 142 dwelling units and 548 sq m of commercial floor space at grade, 36 surface vehicular parking spaces, and 161 vehicular parking spaces and 170 bicycle parking spaces located in a one level underground parking garage. The proposal also included private balconies and a roof top amenity area. The residential density proposed was 258 units per hectare.

Based on a review of the initial proposal, staff provided comments to the applicant indicating concerns with the scale of the proposal from a massing and transition perspective respecting the adjacent residential lots to the south and along Queenston Road.

Second Submission – March 6, 2018 (See Appendix “F” to Report PED18221)

In response to the comments noted above, the concept plan and elevation drawings were revised to reduce the scale of the building along the southerly lot line, while providing further massing along the Queenston Road frontage. In addition, the following changes were made to the concept plan and elevation drawings:

- The building height was increased to 44.6 m (14 storeys);
- The residential density was increased to 269 units per hectare;

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
The commercial floor area was increased to 583 sq m;
The number of dwelling units increased to 149;
The underground parking spaces decreased to 155 parking spaces;
The surface parking spaces increased to 38 parking spaces;
The bicycle parking decreased to 130 parking spaces;
The front yard was decreased to 31 m (along Lake Avenue Drive); and,
The landscaped area of the site was decreased to 1,577.28 sq m.

After reviewing and assessing the revised proposal, staff provided further comments indicating concerns with the proposed scale of the proposal from a massing and transition perspective to the residential lots to the south of the subject land and along Queenston Road.

Third Submission – April 12, 2018

In response to comments provided by staff on the second submission, further justification was provided by the applicant’s architect as to the appropriateness of the scale of the building. A revised concept plan was provided which reduced the landscaped area on the subject lands by 82 sq m while increasing the paved surface area by 82 sq m. This was to facilitate additional surface parking on the subject lands. Staff met with the applicant to provide additional comments on the amended proposal.

Fourth Submission – May 9, 2018 (See Appendix “G” to Report PED18221)

In response to staff’s concerns with the justification provided respecting the scale of the building as proposed in the third submission, a revised concept plan and elevation drawings were submitted to further reduce the scale of the building along the north and south elevations by introducing greater step-backs. In addition, the following changes were made to the concept plan and the elevation drawings as follows:

- The lot coverage of the building was reduced to 1,744.5 sq m;
- The number of dwelling units increased to 160;
- The residential density increased to 290 units per hectare;
- The paved surface area increased to 2,172 sq m;
- The landscaped area of the site decreased to 1,615 sq m; and,
- The southerly yard setback increased to 11.0 m.

The fourth submission is the amended application that is the subject of this Report.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 6 of 33

### Chronology

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 1, 2017</td>
<td>Official Plan Amendment Application UHOPA-17-020 and Zoning By-law Amendment Application ZAC-17-049 received.</td>
</tr>
<tr>
<td>June 30, 2017</td>
<td>Official Plan Amendment Application UHOPA-17-020 and Zoning By-law Amendment Application ZAC-17-049 deemed incomplete.</td>
</tr>
<tr>
<td>July 14, 2017</td>
<td>Receipt of outstanding information (i.e. signed Formal Consultation Document and payment of outstanding application fees) from Applicant.</td>
</tr>
<tr>
<td>July 28, 2017</td>
<td>Applications UHOPA-17-020 and ZAC-17-049 deemed complete.</td>
</tr>
<tr>
<td>August 15, 2017</td>
<td>A Public Notice Sign was posted on site.</td>
</tr>
<tr>
<td>September 1, 2017</td>
<td>Notice of Complete Application and Preliminary Circulation sent to 172 property owners within 120 m of the subject property.</td>
</tr>
<tr>
<td>March 6, 2018</td>
<td>Second submission including a revised concept plan, elevation drawings and sun shadow analysis submitted.</td>
</tr>
<tr>
<td>April 12, 2018</td>
<td>Third submission including revised elevation drawings, sun shadow analysis, visual assessment and additional urban design justification submitted.</td>
</tr>
<tr>
<td>May 9, 2018</td>
<td>Fourth submission including a revised concept plan, elevation drawings and sun shadow analysis submitted.</td>
</tr>
<tr>
<td>August 22, 2018</td>
<td>Public Notice Sign updated with Public Meeting date.</td>
</tr>
<tr>
<td>August 31, 2018</td>
<td>Circulation of the Notice of Public Meeting to 172 property owners within 120 m of the subject property.</td>
</tr>
</tbody>
</table>

### Details of Submitted Applications:

**Owner / Applicant:** Marfad Holdings Inc. (c/o Mario Marazzo)  
**Agent:** Fothergill Planning & Development Inc. (c/o Ed Fothergill)
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 7 of 33

Location: 928 Queenston Road (see Appendix “A” to Report PED18221)

Property Description: Lot Frontage: 55.4 m (Queenston Road) 31.5 m (Lake Drive Avenue)
Lot Depth: irregular
Lot Area: 0.55 ha (1.36 ac)
Servicing: Existing Full Municipal Services

Existing Land Use and Zoning:

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property:</td>
<td>Two storey motor vehicle repair garage</td>
</tr>
</tbody>
</table>

Surrounding Lands:

North: Bank and retail store General Commercial “GC” Zone.
East: One storey motor vehicle repair garage General Commercial “GC” Zone.
South: Single detached dwellings Multiple Residential “RM1” Zone, Residential “R6” Zone and Single Residential “R2” Zone.
West: One storey professional office Mixed Use Commercial “MUC” Zone.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The Provincial Planning Policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (2014). The Planning Act requires that
all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Settlement Areas

With respect to Settlement Areas, the PPS provides the following:

“1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and / or uneconomical expansion;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation; and,
5. are transit-supportive, where transit is planned, exists or may be developed.

b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

The subject property is located within a settlement area as defined by the PPS. The proposal is for a mixed use development consisting of 160 dwelling units and 583 sq m of commercial floor space. The proposal is contributing to the mix of land uses in the City of Hamilton that efficiently use land and existing infrastructure, and represents a form of intensification. The proposal seeks a reduction in the amount of vehicular parking and is located in close proximity to public transit including current east and westbound bus services.
Cultural Heritage and Archaeology

With respect to Cultural Heritage and Archaeology, the PPS provides the following:

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or area of archaeological potential unless significant archaeological resources have been conserved.”

In respect to archaeological potential, the subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

- Within 300 m of a primary watercourse or permanent waterbody, 200 m of a secondary watercourse or seasonal waterbody, or 300 m of a prehistoric watercourse or permanent waterbody;
- Local knowledge associates areas with historic events / activities / occupations;
- In an area of sandy soil in area of clay or stone; and,
- Along historic transportation routes.

Notwithstanding current surface conditions, these criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application. At the Site Plan Control stage, a written caution note would be applied to the site plan.

Lastly, matters in relation to environmental site conditions and noise are addressed under the UHOP section of this Report.

In consideration of the foregoing, staff are of the opinion that the proposal is consistent with the PPS.

**Growth Plan for the Greater Golden Horseshoe (2017):**

The policies of the Growth Plan for the Greater Golden Horseshoe (2017) apply to any planning decision.

The subject lands are located within the built-up area, as defined by the Growth Plan. Section 1.2.1 of the Growth Plan outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. The subject proposal conforms to these Guiding Principles in that:

- It supports the achievement of *complete communities* that are designed to support healthy and active living and meeting people’s needs for daily living throughout an entire lifetime; and,
It supports a range and mix of housing options to serve all sizes, incomes, and ages of households.

The Growth Plan is focused on accommodating forecasted growth in complete communities and provides policies on managing growth. The following policies, amongst others, apply:

"2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

a) the vast majority of growth will be directed to settlement areas that:
   i. have a delineated built boundary;
   ii. have existing or planned municipal water and wastewater systems; and,
   iii. can support the achievement of complete communities.

c) within settlement areas, growth will be focused in:
   iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,
   iv. areas with existing or planned public service facilities.

2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:

a) feature a diverse mix of land uses, including residential and employment uses, convenient access to local stores, services, and public service facilities;

c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and,

d) expand convenient access to:
   i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
2.2.2 Delineated Built-up Areas

1. By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within upper- or single-tier municipalities will be within the delineated built-up area.”

The applications conform to the policies of the Growth Plan for the Greater Golden Horseshoe (2017) by focusing growth within the built-up area, contributing to achieving a complete community by helping to achieve the intensification targets, utilizing existing and planned municipal infrastructure, and providing for development with access to a range of transportation options.

Based on the foregoing, the proposal conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

Urban Hamilton Official Plan

The subject property is identified as a “Secondary Corridor” on Schedule “E” - Urban Structure and designated “Mixed Use – Medium Density” on Schedule “E-1” - Urban Land Use Designations and is located within the Olde Town Secondary Plan area. The following policies, amongst others, apply to the proposed development.

Urban Structure

“E.2.4.3 Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the primary corridors.

E.2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.

E.2.4.11 Urban Corridors shall be a focus of intensification through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur within Neighbourhoods, particularly on sites along other arterial roads that are not designated as Urban Corridors.

E.2.4.14 Urban Corridors shall provide a comfortable and attractive pedestrian experience.
E.2.4.15 New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods."

With respect to the above policies, the proposal represents a form of high density and high rise residential development which is a more intensive land use relative to the existing current two storey motor vehicle repair garage on the subject property. The first level of the proposed building is setback 1.9 m from the front lot line, while floors two to four are located 0.0 m from the front lot line as they cantilever over the ground floor. Vehicular parking has been situated to the rear of the building property and within one level of underground parking. Further, the proposed mixed use development will include commercial uses at grade which contribute to the creation of a positive pedestrian experience. The property is located within a cluster along this stretch of the Secondary Corridor which contains both retail uses and residential and office uses in the area. As a result, staff consider that the proposed uses be appropriate and the location of the building and parking areas on the property create a comfortable and attractive pedestrian experience.

With respect to shadowing of the building on adjacent neighbourhoods (Policy E.2.4.15), there are existing single detached dwellings located immediately south of the subject lands. In support of the proposed development, the applicants submitted a sun shadow analysis by Lintack Architects Incorporated dated April 12, 2018. The sun shadow images were taken at 9:00 a.m., 12:00 p.m., 2:00 p.m., 4:00 p.m., 6:00 p.m., and 8:00 p.m. on March 21st, September 21st, June 21st and December 21st. These specific dates / times are within the range of industry accepted dates / times to assess sun shadow impacts, while guidance is also provided from the City’s Site Plan Guidelines. Staff have reviewed the sun shadow impact and consider the impacts on the properties in the adjacent neighbourhood to be acceptable and meets the intent of the UHOP.

In terms of overview, the applicants have submitted 45 degree angular build to plane illustrations to the rear property line and across the road allowance of Queenston Road. Staff note that commercial uses exist on the north side of Queenston Road and to the east and west of the subject lands. As such, compliance with Policy E.2.4.15 is maintained as it is not adjacent to neighbourhoods. With respect to the rear property line which is adjacent to neighbourhoods, the applicant has revised the design of the building to provide a series of stepbacks at floors 3-6, 7-8, 9-11, 12, 13 and 14 from the rear property line to reduce the overall impact. The angular building to plane drawing plane along the rear property line was taken from a height of 1.57 m at the rear property line which is approximately the height of someone standing along the rear property line. Further, a new fence will erected along the rear property line and would be 1.8 m in
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 13 of 33

height which would further impede someone viewing into the rear yards of the adjacent residential lots. Staff note that the building is providing minor projections into the angular build to plane along the rear property line. These projections consist of outdoor balconies and architectural features on the building. However, these projections are minor and will have a negligible impact on the overview to the adjacent residential dwellings. Therefore, staff are of the opinion that the intent of the angular build to plane is being maintained.

Given the subject property is being re-designated from “Mixed Use – Medium Density” to “Neighbourhoods”, the following policies apply:

General Policies

“E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

a) residential dwellings, including second dwelling units and housing with supports;

d) local commercial uses.”

The proposal includes a mixed use development consisting of ground floor commercial space, and a multiple dwelling consisting of 160 dwelling units. Staff are of the opinion that the proposal complies with the uses permitted in the Neighbourhoods designation.

High Density Residential

“E.3.6.1 High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads.

E.3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses.

E.3.6.4 High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities / services, including public transit, schools, and active or passive recreational facilities.

E.3.6.5 Proximity to the Downtown Urban Growth Centre, Sub-Regional Nodes or Community Nodes, and designated Employment Areas shall be considered desirable for high density residential uses.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 14 of 33

E.3.6.6 In high density residential areas, the permitted net residential densities, identified on Appendix G – Boundaries Map shall be:

b) greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas."

With respect to the above policies, the following is provided:

- The subject property is located along a secondary corridor (Queenston Road), which is on the periphery of the adjacent neighbourhood to the south. The proposed use includes a multiple dwelling which is permitted within the Neighbourhoods designation (Policies E.3.6.1 and E.3.6.2).

- The subject lands are located in close proximity to John Watson Park and Henry and Beatrice Warden Park, as well as the Eastgate Node which is considered a sub-regional node with transit hubs (Policies E.3.6.4 and E.3.6.5).

- The proposal includes 160 dwelling units having a net residential density of 290 dwellings per hectare. While the use of the land for a multiple dwelling is considered a permitted use in the Neighbourhoods designation, the density proposed does not comply with the maximum residential density envisioned in this designation of the UHOP (Policy E.3.6.6). As such, an amendment to the UHOP is required to accommodate the proposed density.

"E.3.6.7 Development within the high density residential category shall be evaluated on the basis of the following criteria:

a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted direct access to a collector or major or minor arterial roads via a local road upon which abut only a small number of low density residential category dwellings.

b) High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and / or design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
d) Development shall:

i) provide adequate landscaping, amenity features, on-site parking, and buffering where required;

ii) be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,

iii) provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.

e) In accordance with the policies of Section B.3.3 – Urban Design Policies, development shall contribute to an attractive public realm by minimizing the view of the following elements from the abutting public streets (excluding public alleys):

i) surface parking areas;

ii) parking structures;

iii) utility and service structures such as garbage enclosures; and,

iv) expanses of blank walls.

f) The City may require studies, in accordance with Chapter F - Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.”

In response to the above policies, the following is provided:

- The subject lands are located on the south side of Queenston Road. Pursuant to Schedule “C” - Functional Road Classification of the UHOP, Queenston Road is considered a Major Arterial Road (Policy 3.6.7a)).

- As previously noted, the proposed development has incorporated a series of stepbacks and building articulation at floors 3-6, 7-8, 9-11, 12, 13 and 14 and to provide an appropriate transition to the low profile residential uses to the south (see Appendix “G” to Report PED18221). There is also an access road between
the building and the rear lot line and the base of the building has been setback 11.02 m from the rear lot line. Further, the building has been oriented to Queenston Road, away from the adjacent residential dwelling to the south with additional step-backs at the fifth and 12th storeys. The adjacent uses to the north (north side of Queenston Road), east and west are commercial uses. The building has been designed to ensure that all floors above the third floor are setback 14.5 m from adjacent uses to the east and west. As a result, staff are of the opinion that the proposal mitigates any adverse impacts on the adjacent uses (Policies E.3.6.7 b) and E.3.6.7 d)iii).

- The proposed development includes outdoor amenity areas in the form of private balconies and a rooftop amenity area. Further, buffering has been included in the form of a minimum 2.1 m landscape strip along the south property line and along the Lake Avenue Drive frontage. Further, staff will be requiring landscaping on the subject lands as part of a future Site Plan Control application (Policy 3.6.7 d)ii)).

- The concept plan illustrates two driveways. Transportation Planning Services has indicated that the driveway from Queenston Road will be a right in / right out access, whereas the driveway from Lake Avenue Drive will be for both ingress and egress. Further, the concept plan is illustrating three pedestrian connections from the southerly sidewalk on Queenston Road. As a result, staff are of the opinion that conflicts will be minimized between traffic and pedestrians (Policy E.3.6.7 d) iii)).

- As previously indicated, the building has been located close to the streetline of Queenston Road while surface parking and parking has been provided within one level of underground parking. Further, at grade commercial uses are provided, which provides for ample glazing and avoids expanses of blank walls (Policy E.3.6.7 e)).

- As discussed previously, in support of the proposal the applicant submitted a Sun Shadow Impact Analysis. Sun Shadow Impacts have determined to be minimal and staff are of the opinion that the proposal will have a negligible impact on public view corridors and general public views of the Niagara Escarpment (Policies E.3.6.7 f) and g)).

Residential Intensification

“B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

a) A balanced evaluation of the criteria in b) through g) as follows:
**SUBJECT:** Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 17 of 33

b) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

c) The development’s contribution to maintaining and achieving a range of dwelling types and tenures;

d) The compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

e) The development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

f) Infrastructure and transportation capacity; and,

g) The ability of the development to comply with all applicable policies.”

In response to the above policies, the following is provided:

As previously noted, the subject property is located along Queenston Road which is identified as a Secondary Corridor in the UHOP. This area has historically been dominated and catered to the automobile, with the existence of large tracts of land, surface parking located close to the road, and buildings being constructed to the rear of properties (i.e. away from the street line). The UHOP policies aim to transform this area to a more pedestrian friendly and transit supportive area. In keeping with the direction of the UHOP, the proposal represents a shift in built form where the building has been located close to the street, while the surface parking has been located in behind the building, to the rear of the subject land, and within one level of underground parking. As a result, staff are of the opinion that the proposal enhances and builds upon the desirable patterns and built form in this area moving forward (Policy B.2.4.1.4 b)).

The proposed building contributes to the range of dwelling types and tenures in this area of the City relative to the low rise residential dwellings located in the nearby neighbourhoods, by providing dwelling units within a mixed use multiple dwelling development that are intended to be owner occupied (Policy B.2.4.14 c)). With a maximum building height of 49 m, a rear yard setback of 10.36 m, a rear yard planting strip that is 2.1 m wide, and the use of step-backs and building articulation articulation at floors 3-6, 7-8, 9-11, 12, 13 and 14, the proposed height and location of the building and provision of landscaping has been carefully considered to minimize the impact of sun shadows and overview, and provides for a height that is appropriate in transition / built

---

**OUR Vision:** To be the best place to raise a child and age successfully.

**OUR Mission:** To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

**OUR Culture:** Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
form relative to the adjacent residential area to the south. Further, staff are of the opinion that the proposed built form is compatible with the adjacent commercial / office uses to the north, east and west of the subject property (Policy B.2.4.1.4 d) and e)).

With regard to infrastructure and transportation capacity, as noted Queenston Road is classified as a Major Arterial road on Schedule “C” - Functional Road Classification to the UHOP. In support of the proposal, a Traffic Impact Study (TIS) and a Functional Servicing Report (FSR) were submitted. Transportation Planning Services have reviewed the findings of the TIS and have indicated no concerns from a transportation capacity perspective subject to minor modifications that can be addressed as part of a future Site Plan Control Application. Also, Development Engineering have reviewed the FSR and have indicated no objection to the approval of this development from a water, sanitary and storm water capacity perspective. Notwithstanding, further details with respect to infrastructure will also be reviewed with as part of a Site Plan Control Application (Policy B.2.4.1.4 f)).

Urban Design

“B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;

c) allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;

d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,

e) encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.”

The development proposes to situate the first floor of the building 1.9 m from the front lot line, while cantilevering floors two to four and providing a 0.0 m setback from the front lot line. Surface parking has been located behind the building and underground. Staff are supportive of this site layout as it will help animate the street through pedestrian activity while reducing the historical dominance of the automobile in this area (Policy B.3.3.2.6a)). The building’s design and location on the lot has minimized the...
impact of shadowing and maximized light to adjacent properties and the public realm, while accommodating a higher density of development envisioned by the UHOP (Policy B.3.3.2.6 e)). With respect to the surrounding area, staff note that the proposed development respects the existing massing patterns and style of the area, which consists of other mid–high rise buildings ranging in heights of 8 – 12 storeys located to the east and west of the low rise commercial uses along Queenston Road within the surrounding area (Policies B.3.3.2.6 c) and d)).

Built Form

“B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

a) creating transitions in scale to neighbouring buildings;

b) ensuring adequate privacy and sunlight to neighbouring properties; and,

c) minimizing the impacts of shadows and wind conditions.

B.3.3.3.3 New development shall be massed to respect existing and planned street proportions.

B.3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

a) locating principal façades and primary building entrances parallel to and as close to the street as possible;

b) including ample glazing on ground floors to create visibility to and from the public sidewalk;

c) including a quality landscape edge along frontages where buildings are set back from the street;

d) locating surface parking to the sides or rear of sites or buildings, where appropriate; and,
subject: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 20 of 33

...using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

Transition

The subject land is located in an area that is characterized by service/commercial/office uses to the west, north and east, with shallow low rise residential lots abutting the subject land to the south. The mixed use building is proposed to be setback 2.1 m and 1.7 m from the easterly and westerly side lot lines respectively. Pertaining to the east lot line, the adjacent property is being utilized as a motor vehicle repair garage. The proposed reduced side yard setback is only applying to the first four storeys of the building for a length not exceeding 19.5 m, while the remainder of the building will be setback 15.9 m from the side lot line. With respect to the west side lot line, the adjacent property is being used as a professional office. This reduced setback is also only applying to the first four storeys of the building for a length not exceeding 19.5 m, while the remainder of the building will be setback approximately 12.2 m from the lot line.

With respect to the low density residential uses to the south and commercial uses to the north, as previously discussed, staff are of the opinion that the applicant has demonstrated that the proposed setbacks and scale of the building is appropriate.

Given all the above, staff are of the opinion that adequate transitions and privacy has been achieved (Policy B.3.3.2 a) and b)), while the development has been massed to respect the existing and planning street proportions along Queenston Road (Policy B.3.3.3).

Sun Shadow and Wind (Policy B.3.3.2 c))

As previously noted, the sun shadow impact analysis demonstrated that there are minimal impacts being created on adjacent properties or the public realm.

With respect to wind conditions, the applicant undertook a formal consultation with City staff to determine what reports/studies would need to be submitted in support of the proposed development. It was determined that a wind study was not required given that the proposal was for a 10 storey mixed use building and negative impacts associated with wind were not anticipated. Given that the development has been amended to propose a 14 storey building which is considered a tall building, a wind study will be required as a condition at the Site Plan Control stage. Any mitigation measures identified through the study will need to implemented as part of the development of the lands. It is noted that through the terracing of the building and the use of a podium, the building design typology reflects best practices to minimize adverse wind conditions, and ensuring a comfortable pedestrian realm is created and maintained.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Pedestrian Environment

The proposed building is to be setback from the front lot line approximately 1.9 m, allowing for a landscaped strip between the building’s façade and the front line (see Appendix “G” to Report PED18221), which will provide an enhanced landscape treatment and will be further reviewed at the Site Plan Control stage (Policy B.3.3.3.5 c). The proposed building has incorporated ample glazing on the ground floors and located the primary commercial entrances parallel and close to the street (Policy B.3.3.3.5 a and b)), while locating surface parking to the rear of the building and in an underground parking garage (Policy B.3.3.3.5 d). As previously noted, the applicant has incorporated design techniques, such as building step-backs and building articulation at floors 5 and 14 to maximize sunlight to pedestrian areas (Policy B.3.3.5 e)).

Integrated Transportation Network

“C.4.2.4. Transportation Demand Management measures shall be evaluated in all transportation related studies, master plans, environmental assessments, neighbourhood traffic management plans and new development plans including the degree to which it can help achieve transportation goals in accordance with Section C.4.1 – Policy Goals.

C.4.2.4.1 Transportation demand management measures may include:

a) provision of active transportation features including secure bicycle storage facilities and pedestrian and cycling access to the road network;

b) supporting transit through reduced parking standards for some land uses where appropriate and making provisions for car-sharing spaces through the site plan process where feasible and appropriate; and,

c) other measures detailed in the Transportation Master Plan and described in Section F.3.1.8 of the Master Transportation Plan.”

The proposal provides Transportation Demand Management (TDM) measures such as large areas for secure bicycle storage within the underground parking garage of building. At the Site Plan Control stage, staff will also be requiring the provision of short term visitor bicycle parking on site in keeping with the requirements of the (C5) Zoning in Zoning By-law No. 05-200. Further, the subject property is seeking a reduction to the number of parking spaces required under the City of Stoney Creek Zoning By-law No. 3692-92 to align with the recently approved reduced parking rate requirements under Zoning By-law No. 05-200. Also, as previously noted, the subject property is accessible
to public transit (bus) services along Queenston Road with an eastbound bus stop located approximately 75 m from the subject property and a westbound bus stop approximately 28.5 m from the subject property.

Housing

“B.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.

B.3.2.4.1 The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development. A full range of housing forms, types, and densities means the full spectrum of physical housing types including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities.”

The proposed mixed use development will provide a large supply of dwelling units at a higher density that offers urban living close to transit, employment and amenities, and contributes to a range of units, all of which are encouraged in the UHOP.

Environmental Site Conditions

“B.3.6.1.2 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City.

B.3.6.1.4 Where there is potential for site contamination due to a previous use or uses on lands subject to development or redevelopment proposals, and a mandatory filing of a Record of Site Condition is triggered, the City shall:

a) withhold final approval of an application until acceptance of a Record of Site Condition. In the interim, conditional approval may be considered; or,

b) defer or establish conditions of approval for applications involving official plan amendments, zoning by-law amendments, plans of
subdivision, and site plan approvals where a Record of Site Condition is necessary.”

The subject property is recognized as a potentially contaminated site due to the current use of the property for a motor vehicle repair garage. Prior to establishing residential uses on this portion of the subject lands, the applicant will be required to complete a Record of Site Condition (RSC) and any necessary remediation to the satisfaction of the Ministry of Environment, Conservation and Parks (MECP). A Holding Provision has been included in the amending Zoning By-law for these lands as the provision of a Notice of Acknowledgment letter from the MECP, or alternatively a conditional building permit agreement, for the RSC is a requirement.

Noise Policies

“B.3.6.3.7 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations:

b) 400 metres of a major arterial road, as identified on Schedule C – Functional Road Classification;

c) 400 metres of a truck route.”

As previously noted, the proposed development is located on a major arterial road (Queenston Road) and is therefore subject to a noise assessment. The noise assessment is required to address both indoor noise levels for the arterial road as well as noise levels on the rooftop outdoor amenity area. In support of the proposal, a Noise Feasibility Study was completed by HGC Engineering dated May 15, 2017. Staff have reviewed the assessment and have indicated no objection with the approval of the development as proposed. However, mitigation measures have been recommended to reduce the impact of noise. Staff note these mitigation measures will be implemented at the Site Plan Control stage.

Old Town Secondary Plan

Given that the subject property is proposed to be re-designated from “Mixed Use – Medium Density” to “High Density Residential 1”, the following policies, amongst others, apply:

General Policies

“B.7.2.1.3 The following architectural and landscaping elements shall be encouraged:
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 24 of 33

a) landscaped front yards;

b) prevention of front yard parking;

c) underground parking, screening; and,

d) buffering of conflicting uses through overall building and landscaping articulation, fencing.”

As previously noted, the proposal is providing landscaping within the front yard and locating surface parking to the rear of the building and within one level of underground parking. Further, based on the building’s overall height and placement on the property, staff do not anticipate any conflicts with adjacent uses. Further, as a condition of Site Plan Control, the applicant will be required to provide privacy fencing on the east, west and south sides of the subject land.

Land Use

“B.7.2.2.4 In addition to Section E.3.6 – High Density Residential of Volume 1, the following policies shall apply to the lands designated High Density Residential 1 on Map B.7.2-1 – Old Town – Land Use Plan:

a) Notwithstanding Policy E.3.6.6 of Volume 1, the density range for development shall be from 100 to 200 units per net residential hectare.

b) Notwithstanding Policies E.3.6.2 and E.3.6.3 of Volume 1, permitted uses shall include apartment buildings above six storeys in height.

c) High density residential uses should be located within the Stoney Creek Community Node and along Queenston Road.”

With respect to the above policies, the proposed net residential density on the subject land is 290 units per hectare. It is on this basis that a site specific amendment to the secondary plan is required for the proposed density on the subject lands (Policy B.7.2.2.4 a)).

The development includes a 14 storey mixed use development which is permitted. Further, the subject property is located on the south side of Queenston Road (Policy B.7.2.2.4 b) and c)).
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 25 of 33

Urban Design

“B.7.2.7.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply:

a) The City shall encourage redevelopment which enhances and unifies the built form along Queenston Road. Streetscape and urban design improvements for this area shall include the following:

i) replacement of the existing asphalt pavement on boulevards with planted material, where appropriate;

ii) a street-tree planting program;

iii) unified building setbacks to maintain a consistent streetscape as well as a pedestrian-friendly environment; and,

iv) emphasis on shared entrances and parking facilities.”

With respect to the above policies, the subject property is a redevelopment of an underutilized site that currently contains a two storey motor vehicle repair garage. The redevelopment includes the replacement of landscaped plant material along the front yard where an asphalt parking area once existed. The proposed setback is not in unison with the setbacks of the adjacent buildings; however, in keeping with other policies of the UHOP, the building has been sited close to Queenston Road to reinforce the pedestrian nature of the area and includes one driveway access.

City of Stoney Creek Zoning By-law No. 3692-92

The subject property is currently zoned Mixed Use Commercial “MUC” Zone (see Appendix “A” to Report PED18221). Permitted uses within this Zone include such uses as a retail store, restaurant, financial institutions, professional offices and dwelling units above a commercial use.

An amendment is required to rezone the subject lands to a site specific Mixed Use Commercial “MUC” Zone to permit the following site specific modifications:

- A maximum lot coverage of 32%;
- A minimum front yard of 1.9 m for the ground floor, 0.0 m for floors two to four and 3.8 m for floors five to 10 and 6.3 m for floors 11 to 14;
- A minimum side yard of 1.7 m (west interior side) and 2.1 m (east interior side);
- A maximum residential density of 290 units per hectare;
- A maximum overall height of 49.0 m;
OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 26 of 33

- A minimum amenity area of 587 sq m for the entire site;
- A minimum landscape open space of 28%;
- A minimum parking rate in compliance with the CMU zoning requirements;
- A minimum landscape strip abutting Queenston Road of 1.5 m, abutting Lake Avenue of 3.0 m, abutting a residential zone of 2.0 m, abutting the easterly side lot line of 0.0 m and 1.0 m abutting the northerly side lot line;
- Commercial and residential parking spaces to be together; and,
- A residential loading space to be located within a front yard (Lake Avenue Drive)

City of Hamilton Zoning By-law No. 05-200

As previously noted, on November 8, 2017, the City of Hamilton approved new Commercial and Mixed Use Zoning in the City of Hamilton Zoning By-law No. 05-200. The subject land was affected by the new zoning in that the property was rezoned to a Mixed Use Medium Density (C5) Zone. Council’s approval of the Commercial and Mixed Use Zoning was appealed to the Local Planning Appeal Tribunal. A hearing date and subsequent decision on the appeals have not occurred as of the writing of this Report. In anticipation of a resolution to the appeals pertaining to the CMU Zoning, a draft amending Zoning By-law to Zoning By-law No. 05-200 has been prepared for this property (attached as Appendix “D” to Report PED18221). In order for the proposal to proceed under the (C5) Zone, site specific modifications are required to the (C5) Zone, as follows:

- Maximum finished floor elevation of 0.0 m;
- Maximum height of 49.0 m;
- Maximum building setback to the streetline of Lake Avenue Drive of 32.2 m;
- Minimum parking space size of 2.75 by 5.8 m; and,
- Permit parking spaces and aisles to be located between the building façade and the Lake Avenue Drive flankage lot line.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to the applications:

- Alectra Utilities (formerly Horizon Utilities Corporation);
- Recreation Division, Healthy & Safe Communities Department;
- Strategic Planning, Public Works Department; and,
- Transit Division, Public Works Department.
The following Departments and/or Agencies have provided comments on the application:

**Forestry and Horticulture Division, Public Works Department** has indicated that a detailed landscape planting plan showing the placement of trees on internal/external city property will be required.

**Healthy Environments Division, Public Works Department** has indicated that a written dust mitigation plan will be required. This matter will be addressed as part of a future Site Plan Control Application.

**Transportation Planning Services (TPS), Planning and Economic Department** has requested that the applicant will need to revise the submitted Transportation Demand Management (TDM) Options report. More specifically, TPS has requested that the TDM meet the TDM for development guidelines, and provide short and long term bicycle parking. Further TPS has requested that the Traffic Impact Study submitted as part of the development applications be updated or the inclusion of two additional of Site Plan Conditions which will restrict the Queenston Road driveway access to a right in/right out and demonstrate why the centreline of the Lake Avenue Drive access cannot be aligned to the centreline of Galbraith Drive, all to the satisfaction of the Manager of Transportation Planning. Staff are of the opinion that the above matters can be addressed as part of a future Site Plan Control Application.

**PUBLIC CONSULTATION**

In accordance with the provisions of the Planning Act and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 172 property owners and tenants within 120 m of the subject property on August 15, 2017. A Public Notice sign was posted on the property on September 1, 2017 and updated on August 22, 2018 to reflect the Public Meeting date. Finally, Notice of the Public Meeting was circulated on August 31, 2018 in accordance with the requirements of the Planning Act.

To date, three pieces of correspondence were received respecting the proposed development (see Appendix “H” to Report PED18221). These items are further summarized in the Analysis and Rationale for Recommendations section of this Report.

**Public Consultation Strategy**

Pursuant to the City’s Public Consultation Strategy Guidelines, the applicant prepared a Public Consultation Strategy, which included a public open house on March 1, 2017 at the Royal Canadian Legion at 12 King Street East in Stoney Creek. The purpose of the meeting was to provide an overview of the proposal with the use of display boards and
to meet the residents in the area in advance of submitting formal applications to the City. A total of 106 residents surrounding the property were circulated a flyer inviting them to the meeting.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:

   i) It is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe (2017);

   ii) It complies with the general intent of the Urban Hamilton Official Plan; and,

   iii) The development is compatible with the type and form of development in the surrounding neighbourhood.

2. The subject property is located on the south side of Queenston Road, with frontage on Lake Avenue Drive as well. The property currently contains a two storey motor vehicle repair garage. The applications propose to permit a mixed use development having a maximum height of 49 m (14 storeys) (see Appendix “G” to Report PED18221). More specifically, the proposal consists of a multiple dwelling consisting of 160 dwelling units and 583 sq m of commercial floor space at grade, 20 surface vehicular parking spaces, and 173 vehicular parking spaces and 130 bicycle parking spaces located in a one level underground parking garage.

Official Plan Amendment

The policies of the “Neighbourhoods” Designation permits mixed use development. As described in the aforementioned sections of this Report, the proposal has demonstrated that the uses proposed provide for compatible integration with the surrounding area, contributes to the range of dwelling types and tenures, efficiently utilizes land and infrastructure and will provide for an appropriate balance of built form and landscape areas on the subject lands. Further, the Official Plan Amendment includes site specific policies to the High Density Residential 1 designation in the Old Town Secondary Plan to permit a maximum density of 290 units per hectare.

The proposal has demonstrated that the proposed height, massing and sun shadow impacts associated with the built form are appropriate for the use of the lands along a Secondary Corridor and at a building height above six storeys. The implementing Zoning By-law will provide provisions to restrict the height, setbacks of the podium and step-backs of the tower on the site and include. Further, the
proposed built form will be subject to Site Plan Control where staff will ensure that appropriate landscaping will occur around the perimeter and throughout the site, and that the building is well articulated architecturally and sensitively integrated with the surrounding neighbourhood. Given all the above, staff recommend approval of the Official Plan Amendment.

Zoning By-law Amendment

The subject property is presently zoned Mixed Use Commercial “MUC“ Zone in the City of Stoney Creek Zoning By-law No. 3692-92. The use of the land for the proposed commercial and residential uses is permitted. However, site specific modifications to the “MUC“ Zone are required to permit:

- A maximum lot coverage of 32%;
- A minimum front yard of 1.9 m for the ground floor, 0.0 m for floors two to four and 3.83 m for floors five to 10 and 6.38 m for floors 11 to 14;
- A minimum side yard of 1.7 m (west interior side) and 2.1 m (east interior side);
- A maximum residential density of 290 units per hectare;
- A maximum overall height of 49.0 m;
- A minimum amenity area of 587 sq m for the entire site;
- A minimum landscape open space of 28%;
- A minimum parking rate in compliance with the CMU zoning requirements;
- A minimum landscape strip abutting Queenston Road of 1.5 m, abutting Lake Avenue of 3.0 m, abutting a residential zone of 2.0 m, abutting the easterly side lot line of 0.0 m and 1.0 m abutting the northerly side lot line;
- Commercial and residential parking spaces to be together; and,
- A residential loading space to be located within a front yard (Lake Avenue Drive).

Staff’s analysis and recommendation of the requested modifications are provided below and within Appendix “C1” to Report PED18221.

3. Commercial and Mixed Use Zoning (City of Hamilton Zoning By-law No. 05-200)

As previously noted, on November 8, 2017, the City of Hamilton approved new Commercial and Mixed Use Zoning in the City of Hamilton Zoning By-law No. 05-200. The subject land was affected by the new zoning in that the property was rezoned to a Mixed Use Medium Density (C5) Zone. Council’s approval of the Commercial and Mixed Use Zoning was appealed to the Local Planning Appeal Tribunal. A hearing date and subsequent decision on the appeals have not occurred as of the writing of this Report. In anticipation of a resolution to the appeals pertaining to the CMU Zoning, an amending Zoning By-law to Zoning By-
law No. 05-200 has been prepared for this property (attached as Appendix “D” to Report PED18221). In order for the proposal to proceed under the (C5) Zone, site specific modifications are required to the (C5) Zone to reduce parking space size, maximum finished floor elevation above grade, increase building height and building setback from a streetline, and permit parking spaces and aisles to be located between the building façade and the Lake Avenue Drive flankage lot line. Staff’s analysis and recommendation of the requested modifications are within Appendix “D1” to Report PED18221.

4. **Holding Provision**

An “H” Holding Provision is recommended given that the property is recognized as a potentially contaminated site due to the historical use of the property for commercial purposes. A Record of Site Condition (RSC) is required given the change from the former commercial use (Motor Vehicle Sale Establishment) on the property to the more sensitive residential land use.

Prior to establishing residential uses on this portion of the subject lands, the applicant will be required to complete a Record of Site Condition (RSC) and any necessary remediation to the satisfaction of the MECP. A Holding Provision has been included in both of the amending Zoning By-laws for these lands as the provision of an acknowledgment letter from the MECP or alternatively a conditional building permit agreement for the RSC is a requirement.

It is noted that a RSC has not yet been filed with the MECP and therefore, this requirement is recommended by staff.

5. **The Growth Management Division has indicated** that there is a 150 mm diameter watermain, 375 mm diameter sanitary and 450 mm storm sewer fronting the subject property. They have indicated no objection to approval of the applications. However, at the Site Plan Control stage, they will be requiring the submission and approval of the following reports / reports as conditions of Site Plan Control; detailed grading plan, detailed erosion and sedimentation control plan, servicing plan, geotechnical investigation / hydrogeological study report, water hydraulic analysis, Functional Servicing Report, Stormwater Management Report, and road widening dedications on both Queenston Road (4.588 m + / -) and Lake Avenue Drive. Staff are of the opinion that these matters can be addressed at the Site Plan Control stage.

6. Following the circulation of the notice of complete applications, there were three letters received from the public for the proposed planning applications indicating concerns with the proposed development (see Appendix “H” to Report PED18221). Below is a summary of the concerns received to date.
Height and Loss of Privacy

A concern was raised with respect to the proposed height and loss of privacy resulting from the proposed development on the property. As previously noted in this Report, in support of the proposed development the applicant provided sun shadow impact analysis and 45 degree angular build to plane analysis along Queenston Road and to the adjacent residential dwellings to the south. The sun shadow impact analysis demonstrated that there will be minimal impacts on adjacent residential uses in the area. Further, the 45 degree angular build to plane analysis demonstrated that the proposed building has employed appropriate setbacks, step-backs and building articulation to provide for a scale of building compatible with the area. As a result, staff are of the opinion that the height of the building can be supported.

Health Concerns

A concern was raised with respect to dust and debris that will be generated as a result of demolishing the existing building on the property. It should be noted that comments have been received from the Healthy Environments Division which required the submission of a dust control plan respecting the future demolition of the building. Secondly, the applicant will also be required to complete a construction management plan to address how construction practices can occur while minimizing impacts on adjacent properties. These matters will be addressed as part of a future Site Plan Control Application.

Traffic

A concern was raised with respect to the amount of traffic being generated as a result of the proposed use. In support of the proposed development, a Traffic Impact Study was submitted and reviewed by Transportation Planning Services. Transportation Planning Services have indicated that there will be some changes to the driveway locations on the property, but there have not been any issues identified with respect to a negative impact caused by the approval of this application. Notwithstanding, the proposed development would be subject to Site Plan Control where such matters as traffic circulation, ingress / egress etc. will be reviewed in greater detail.

Water and Wastewater Capacity Issues

A concern was raised with respect to the City’s ability to accommodate the proposed development from a water and wastewater capacity standpoint. Staff noted that comments have been received by the Growth Management Division indicating no objection to the approval the proposal. However, further engineering matters are being requested at the Site Plan Control stage.
Noise

A concern was raised with respect to noise being generated as a result of the proposed development. Staff note that the applicant completed a noise impact study in support of the proposed development which indicated that provided mitigation measures were implemented in the design of the building the impacts of noise are deemed to be acceptable. Staff are of the opinion that the mitigation measures proposed can be adequately addressed at the Site Plan Control stage.

Reduction to property values

A concern was raised with respect to the proposal causing a negative impact on property values of existing properties in the area. Staff are not aware of any supporting information or any empirical data with respect to property devaluation that would substantiate this concern.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Urban Hamilton Official Plan and Zoning By-law Amendment Application be denied the subject lands could be utilized in accordance with the range of uses and provisions of the Mixed Use Commercial "MUC" Zone in the City of Stoney Creek Zoning By-law No. 3692-92 and the Commercial and Mixed Use Zoning when in force and effect.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.
SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) - Page 33 of 33

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Urban Hamilton Official Plan Amendment
Appendix “C” – Zoning By-law No. 3692-92
Appendix “C1” – Zoning By-law Assessment (ZBL No. 3692-92)
Appendix “D” – Zoning By-law No. 05-200 Amendment
Appendix “D1” – Zoning By-law Assessment (ZBL No. 05-200)
Appendix “E” – Concept Plan and Elevation Drawings (Submission 1)
Appendix “F” – Concept Plan and Elevation Drawings (Submission 2)
Appendix “G” – Concept Plan and Elevation Drawings (Submission 4)
Appendix “H” – Correspondence From Public

AL:mo
Appendix “A” to Report PED18221

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-17-049 & UHOPA-17-020
Date: August 7, 2018

Appendix "A" Scale: N.T.S. Planner/Technician: AL/VS

Subject Property
928 Queenston Road

Change in Zoning from the Mixed Use Commercial "MUC" Zone to Mixed Use Commercial "MUC-11 (H)" Zone, Modified
DRAFT Urban Hamilton Official Plan
Amendment No. X

The following text, together with:

Appendix “A” – Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix “B” – Volume 2, Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan

attached hereto, constitutes Official Plan Amendment No. X to the Urban Hamilton Official Plan.

1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to redesignate lands and add a Site Specific Policy to lands located in the Old Town Secondary Plan to permit a 14 storey residential development with ground floor commercial uses on the subject lands.

2.0 **Location:**

The lands affected by this Amendment are known municipally as 928 Queenston Road, in the former City of Stoney Creek.

3.0 **Basis:**

The basis for permitting this Amendment is:

- The proposed development supports the residential intensification policies of the Urban Hamilton Official Plan and assists in the creation of an active and vibrant pedestrian realm.
- The proposed development is compatible with the existing and planned development in the area.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.
4.0 **Actual Changes:**

4.1 **Volume 1 – Parent Plan**

**Schedules**

4.1.1 **Schedule E-1 – Urban Land Use Designations**

a. That Volume 1, Schedule E-1 – Urban Land Use Designations be amended by redesignating the subject lands from “Mixed Use – Medium Density” to “Neighbourhoods”, as shown on Appendix “A” attached to this Amendment.

4.2 **Volume 2 – Secondary Plans**

**Text**

4.2.1 **Chapter B-7 – Stoney Creek Secondary Plans – Section B.7.2 – Old Town Secondary Plan**

a. That Volume 2, Chapter B-7 – Stoney Creek Secondary Plans, Section B.7.2 – Old Town Secondary Plan be amended by adding a new Site Specific Policy, as follows:

**“Site Specific Policy – Area X**

B.7.2.8.X Notwithstanding Policy E.3.6.6 b) of Volume 1 and Policy B.7.2.2.4 a) of Volume 2, for lands located at 928 Queenston Road, Stoney Creek, designated High Density Residential 1, and identified as Site Specific Policy – Area "X" on Map B.7.2-1 – Old Town – Land Use Plan, the maximum net residential density shall be 290 units per hectare.”

**Maps**

4.2.2 **Map**

a. That Volume 2, Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan be amended by:

i. redesignating the subject lands from “Mixed Use – Medium Density” to “High Density Residential 1”; and,  

ii. identifying the subject lands as Site Specific Policy – Area “X”.


as shown on Appendix “B”, attached to this Amendment.

5.0 **Implementation:**

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. _____ passed on the ___th day of ___, 201X.

The
City of Hamilton

__________________________  ____________________________
F. Eisenberger  J. Pilon
MAYOR  CITY CLERK
WHEREAS the City of Hamilton Act, 1999, S. O. 1999 Chap. 14, Sch. C did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

WHEREAS: the City of Hamilton is the successor to certain area municipalities, including the former municipality known as “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton –Wentworth”;

WHEREAS: the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS; Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994; and,

WHEREAS; the Council of the City of Hamilton, in adopting item of Report PED18- of the Planning Committee, at its meeting held on the 18th day of September, 2018, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 5 of Schedule “A” – appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:

   (a) By modifying the current zoning from the Mixed Use Commercial “MUC” Zone to Mixed Use Commercial “MUC-11 (H)” Zone, Modified, on the lands the extent and boundaries of which are shown as “Block 1" on a plan hereto annexed as Schedule “A".
2. That Subsection 8.8.4 “Special Exceptions”, of Section 8.8 Mixed Use Commercial “MUC” Zone, of Zoning By-law 3692-92, be amended by adding a new Special Exception, “MUC-11 (H)”, as follows:

“MUC-11” 928 Queenston Road, Schedule “A”, Map No. 5

Notwithstanding Subsection 8.8.2(h) and the provisions of Paragraphs (c), (e), (f), (g), (h), (i), (j), (l) and (n) 1. and 4. of Subsection 8.8.3 of the Mixed Use Commercial “MUC” Zone, and Subsection 4.9.1(a), the following regulations shall apply:

Permitted Uses for Each Lot

(h) Apartment Dwelling Units and a Home Occupation above and in behind commercial uses

Zone Regulations

(c) Maximum Lot Coverage 32 percent

(e) Minimum Front Yard (northerly) 1.9 metres for the first storey; 0.0 metres for the 2nd to 4th storeys; 3.8 metres for the 5th to 10th storeys; and 6.3 metres for the 11th to 14th storeys.

(f) Minimum Rear Yard (easterly) 2.1 metres for the 1st to 4th storeys; 15.9 metres for the 5th to 14th storeys.

(g) Minimum Side Yard (westerly) 1.7 metres (westerly) for the 1st to 4th storeys; 11.8 metres for the 5th to 14th storeys.

(h) Maximum Residential Density 290 units per hectare

(i) Maximum Building Height 49.0 metres

(j) Minimum Amenity Area 875 square metres for the entire lot

(l) Minimum Landscaped Open Space

The landscaped areas shall not be less than 28 percent of the lot area of which the requirement for landscaping in one area other than the front yard shall not apply.
Appendix “C” to Report PED18221
Page 3 of 5

CITY OF HAMILTON
BY-LAW NO.
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 928 Queenston Road, Stoney Creek

A portion of shall also constitute the following:

1. A landscaped strip having a minimum width of 1.5 metres adjacent to Queenston Road and 3.0 metres adjacent to Lake Avenue Drive shall be provided except for points of ingress and egress; and,

2. A landscaped strip having a minimum width of 2.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.

3. A landscape strip having a minimum width of 0.0 metres shall be provided adjacent to every portion of the easterly lot line that abuts another lot.

(n)

Minimum Parking Requirements

1. Residential Uses

<table>
<thead>
<tr>
<th>Dwelling Units</th>
<th>Minimum Number of Parking Spaces</th>
<th>Maximum Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-14</td>
<td>0.7 per unit</td>
<td>1.25 per unit</td>
</tr>
<tr>
<td>15-50</td>
<td>0.85 per unit</td>
<td>1.25 per unit</td>
</tr>
<tr>
<td>51+</td>
<td>1 per unit</td>
<td>1.25 per unit</td>
</tr>
</tbody>
</table>

4. Commercial and residential parking shall not be separate nor have separate points of ingress and egress.

Notwithstanding the provision of Subsection 4.9.1 (a), one loading space having a minimum front yard setback of 29 metres shall be located within a front yard.

Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “MUC-11 (H)” Zone by this By-law, the Holding symbol “H” may be removed by City Council and thereby give effect to the “MUC-11” Zone provisions upon completion of the following:

(a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in
CITY OF HAMILTON
BY-LAW NO.
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 928 Queenston Road, Stoney Creek

accordance with the Mixed Use Commercial “MUC” Zone provisions, subject to the special requirements referred to in Section 2.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this __________ day of September, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

UHOPA-17-020
ZAC-17-049
CITY OF HAMILTON
BY-LAW NO.
To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 928 Queenston Road, Stoney Creek

This is Schedule "A" to By-law No. 18-
Passed the .......... day of ...................., 2018

Mayor

Clerk

Schedule "A"

Map Forming Part of By-law No. 18-
to Amend By-law No. 3692-92

Subject Property
928 Queenston Road

Change in Zoning from the Mixed Use Commercial "MUC" Zone to Mixed Use Commercial "MUC-11 (H)" Zone, Modified

Scale:
N.T.S.

File Name/Number:
ZAC-17-049 & UNOPA-17-020

Date:
August 7, 2018

Planner/Technician:
ALVS
### Zoning By-law Site Specific Modifications – Mixed Use Commercial “MUC” Zone

<table>
<thead>
<tr>
<th>Provision</th>
<th>“MUC” Zone Provision</th>
<th>Requested Amendment</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Uses</td>
<td>Apartment Dwelling Units and a Home Occupation above commercial uses</td>
<td>Apartment Dwelling Units and a Home Occupation above and in behind commercial uses</td>
<td>The intent of this provision is to ensure a commercial frontage at grade to animate the street. The intent of this provision is being maintained as the requested amendment is still providing a commercial frontage at grade along Queenston Road, but allowing for residential units in behind the commercial floor space given the unique L-shape lot and site layout. As such, this modification has merit and can be supported.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>32%</td>
<td>The intent of this provision is to balance built form, landscape open space, and amenity areas on a property. In addition to the landscape open space areas, the multiple dwelling will be providing private balconies no less than 8.8 square metres each and a communal rooftop amenity area. Also the built form has been articulated to respond to the existing context by providing multiple step-backs. Staff are of the opinion that the subject property is providing the intended balance of built form, landscape open space, and amenity areas despite the minimal increase in maximum lot coverage. As a result, this modification has merit and can be supported.</td>
</tr>
<tr>
<td>Minimum Northerly Front Yard Setback</td>
<td>9.0 metres</td>
<td>1.9 metres (1st floor) 0.0 metres (2nd - 4th floor) 3.8 metres (5th -10th floor) 6.3 metres (11th – 14th floor)</td>
<td>In accordance with Zoning By-law 3692-92, both the northerly and westerly lot lines are considered front lot lines. Relief from the northerly front lot line is required. The proposal is in keeping with UHOP policies which promote locating principal façades and primary building entrances parallel to and as close to the street as possible, while providing surface parking to the rear of the properties and / or in underground parking garages. Staff note that the ground floor has been setback 2.2 metres from the front lot line, while the second to fourth storeys will be setback 0.0 meters and cantilever over the ground floor. With respect to floors 5 – 14, given that the building will be 49 metres in height, the applicant has provided a step back of 3.8 metres at the fifth storey and 6.3</td>
</tr>
</tbody>
</table>
metres at the 11th storey from the streetline to ensure the building is appropriately massed relative the street width and minimizing the impact along the street. Given the above, this modification has merit and can be supported.

| Minimum Rear Yard Setback (easterly) | 9.0 metres | 2.1 metres (1st floor to 4th floor)  
15.9 metres (5th floor to 14th floor) | In accordance with Zoning By-law 3692-92, both the southerly lot line and the easterly lot line are considered rear lot lines. Relief from the easterly rear lot line is required. The intent of this provision is to minimize the physical impact of structures on the adjacent properties, while allowing for adequate area for drainage and for maintenance purposes. Staff note the adjacent property is currently being used as a motor vehicle repair garage. The proposed reduced side yard setback is only applying to the first four stories of the building for a length not exceeding 19.5 metres, whereas the remainder of the building will be set back 15.9 metres from the easterly lot line. In addition, a visual barrier fence will be required along the easterly lot line. Staff are of the opinion that the setback will not have an adverse impact on the adjacent property and will be adequate for maintenance and drainage purposes. As a result, this modification has merit and can be supported. |
| Maximum Building Height | 9.0 metres | 49.0 metres | Staff are of the opinion that the sun shadow impacts on adjacent properties and abutting streets will be minor. Further, staff note that the building has incorporated multiple step backs along each elevation as well as building articulation to ensure that the building is at a scale that is appropriate for the surrounding context. Staff are of the opinion that the proposed step backs will minimize the impact of the proposed massing and create an enhanced pedestrian experience. Given the above, this modification has merit and can be supported. |
| Minimum Westerly Side Yard | 9 metres | 1.7 metres (1st storey - 4th storey)  
12.2 metres (5th storey - 14th storey) | The intent of this provision is to minimize the physical impact of structures on the adjacent properties, while allowing for adequate area for drainage and for maintenance purposes. The adjacent property currently contains a one storey professional office, which is located approximately 12.2 metres from the mutual property line. The proposed reduced side yard setback is only applying to |
the first four storeys of the building for a length not exceeding 19.5 metres, whereas the remainder of the building will be set back approximately 12.2 metres from the westerly side lot line. Staff are of the opinion that the setbacks will not have an adverse impact on the adjacent property and will be adequate for maintenance and drainage purpose. As a result, this modification has merit and can be supported.

<table>
<thead>
<tr>
<th>Maximum Residential Density</th>
<th>80 units per hectare</th>
<th>290 units per hectare</th>
</tr>
</thead>
<tbody>
<tr>
<td>The intent of this provision is to ensure that lands are not overdeveloped and can appropriately accommodate parking and amenity areas while not posing any adverse impacts on adjacent properties. In order to provide adequate parking spaces for the occupants of the multiple dwelling, the applicant is proposing one level of underground parking which is alleviating land requirements and allowing for greater intensification of the property. As a result, adequate parking spaces are being provided for the property. With respect to outdoor amenity area each dwelling unit will be provided with an outdoor balcony. Further, a 250 square metre rooftop amenity area is being provided. Staff are of the opinion that adequate amenity area is being provided. Lastly, the UHOP contains policies which speak to the intensification of underutilized properties, particularly where public transportation exists, and locating parking underground or to the rear of properties. This is one such site that is currently underutilized, can accommodate increased density along a Secondary Corridor and Major Arterial road, and contains bus services along Queenston Road. Given the above, the proposed modification has merit and can be supported.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Minimum Landscaped Area</th>
<th>50% of the lot area</th>
<th>28% of the lot area</th>
</tr>
</thead>
<tbody>
<tr>
<td>The intent of the above provisions is to ensure that there is an adequate balance between built form, hard surface and open space areas on a property. The applicant will be providing 28% of the lot area for landscaped open space, which includes any uncovered area of land such as lawn, ornamental shrubs and walkways. The proposed building will be providing a rooftop outdoor amenity area. While this is not considered landscaped area, it does form part of the landscape open space area for the occupants of the</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
multiple dwelling. Staff are of the opinion that adequate landscaping is provided throughout the site.

| Minimum Number of Parking Spaces | 1.5 parking spaces per dwelling | Dwelling units 1-14 - 0.7 per unit (min.) and 1.25 per unit (max.)
  
  Dwelling units 15-50 - 0.85 per unit (min.) and 1.25 per unit (max.)
  
  Dwelling units 51+ - 1 per unit (min.) and 1.25 per unit (max.) | The intent of this provision is to ensure that properties provide an adequate amount of parking spaces on site of the proposed uses. Given that this property is proposed to be rezoned to the (C5) Zone as part of the Commercial and Mixed Use (CMU) Zoning By-law that was approved by Council but appealed to the Local Planning Appeals Tribunal, staff consider it appropriate to proactively require the applicant to provide the minimum parking spaces required in the (C5) Zone. In accordance with the (C5) Zone and for the residential portion of the development only, the applicant would be required to provide a minimum of 151 parking spaces whereas the site plan is illustrating 193 parking spaces. Given that tenants for the commercial floor space have not been secured at this time, if a retail use were to occupy the entire space, a total of eight spaces would be required. If a restaurant use would occupy the space, a total of two parking spaces would be required. As a result, staff note that there is a surplus of parking on the property for the uses proposed and staff support the proposed modification.

With respect to visitor parking, it should be noted that Zoning By-law 3692-92 and Zoning By-law No. 05-200 do not require the provision of visitor parking spaces. Notwithstanding, given that the applicant has identified 14 visitor parking spaces that will be allocated from the total number of parking spaces, staff will ensure that said spaces are identified as part of a future Site Plan Application.

| Minimum Amenity Area per Dwelling Unit | Bachelor Unit – 14 sq. m. /unit
  
  One Bedroom Unit – 18 sq. m. / unit
  
  Two Bedroom Unit | 875 sq. m. (total) | The intent of this provision is to provide adequate amenity area for the occupants of the dwelling units. This includes communal amenity areas on the land. Staff note that the applicant will be complying with the minimum amenity area requirements of the (C5) Zone in the recently approved but appealed CMU zoning. As result, this modification has merit and can be supported.
| Minimum Landscape Strip abutting a street | Queenston Road | 5 metres | 1.5 metres | The intent of the above provision to ensure that the front yards provide adequate plantings along the streetline. Respecting the Queenston Road frontage, staff are supportive of locating the building 1.9 metres to the streetline to create a vibrant pedestrian realm. The remaining area between the building face and the lot line abutting Queenston Road will be occupied by a planting strip where driveways are not being proposed with allowances for potential signage. With respect to the Lake Avenue Drive frontage staff are of the opinion that a 3.0 metre wide planting strip is adequate to accommodate vegetation along the frontage. Given all the above staff are of the opinion the modification has merit and can be supported. |
| Minimum Landscape Strip abutting another Lot line | Lake Avenue Drive | 5 metres | 3.0 metres | The intent of this provision is to ensure that adjacent properties are buffered from each other in addition to reducing the impact light spray. It should be noted that the east lot line is the only property line that is seeking relief from this provision. Staff note that the adjacent property contains a motor vehicle repair garage. Further as part of Site Plan Control process, the applicant will be required to erect privacy fencing along the common property line. As a result, staff are of the opinion that the reduction will have a negligible impact on the adjacent property. Given the above, this modification has merit and can be supported. |

- 53 sq. m. / unit
- Three Bedroom Unit – 88 sq. m. / unit

- 9 metres | 2.0 metres | The intent of this provision is to ensure that residential properties are appropriately buffered from adjacent non residential uses. It
<table>
<thead>
<tr>
<th>Residential Zone</th>
<th></th>
<th></th>
<th>should be noted that the applicant is exceeding the CMU zone requirements for a landscape strip abutting a residential zone of 1.5 metres. Further, while there is an existing fence along the southerly lot line, the applicant will be required to erect a new visual board fence to ensure that light spray does not occur. Given the above, this modification has merit and can be supported.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Separation of Commercial and Residential Parking</td>
<td>Commercial and residential parking shall be separate with separate points of ingress and egress</td>
<td>Allow commercial and residential parking to be together and have the same points of ingress and egress</td>
<td>The intent of this provision is to ensure that commercial parking spaces and residential parking spaces are not used interchangeably while allowing for adequate amount of parking spaces for all uses on a property. It should be noted that the applicant has located the residential parking for the occupants of the building wholly within one level of the underground parking, whereas there are five of the 15 at grade visitor parking spaces located along the east side of the building that are located in the same area as the commercial parking spaces (See Appendix “G” to Report PED18XXX). It should be noted that based on the CMU zoning of the property, the applicants currently have a surplus of parking on the property and are not required to provide visitor parking spaces. Further, it is noted that there is a proposed visitor parking area on the west side of the property in front of the residential entrance to the building that is separate from the commercial parking on the property. Moreover, at the Site Plan Control stage staff will ensure that the applicant provides appropriate signage to indicate which parking spaces are for visitors as opposed commercial parking spaces. Given the above, staff are of the opinion that this modification has merit and can be supported.</td>
</tr>
<tr>
<td>Location of loading space</td>
<td>Shall not be located within a front or flankage side yard.</td>
<td>Permit a loading space to be located in the front yard</td>
<td>The intent of this provision is to ensure that loading spaces are screened from view from the streetline. Staff note that the applicant is providing two loading spaces, being a commercial loading space and a residential loading space. The commercial loading space is not located within a yard, while the residential loading space is located within the front yard along Lake Avenue Drive. Staff note that this loading space is located over 29 metres from the lot line. Further, there will a 3.0 metre planting strip</td>
</tr>
</tbody>
</table>
abutting Lake Avenue Drive and privacy screen which will help screen the loading space from view from the streetline. Staff are of the opinion that the impact of the loading space in this location will be negligible. Given the above, this modification has merit and can be supported.
CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 05-200
Respecting Lands Located at 928 Queenston Road, Stoney Creek

WHEREAS Council approved Item 2 of Report PED18-221 of the Planning Committee at its meeting held on the 18th day of September, 2018;

AND WHEREAS this By-law will be conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 05-

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No.1195 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 705, H32) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to the By-law.

2. That Schedule “C”: Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

“705. Within the lands zoned Mixed Use Medium Density (C5, 705, H32) Zone, identified on Map Nos. 1194 and 1195 of Schedule “A” and described as 928 Queenston Road, the following special provisions shall apply:

a) Notwithstanding Sections 5.2 b) i) and ii), 10.5.1.1 i) 1., 10.5.3 a) ii), 10.5.3 d) ii) and iii), and 10.5.3 g) vi), the following special provisions shall also apply:

b) REGULATIONS

a) Restriction of Uses within a Building

1. The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above grade.

2. All residential units 0.9m below grade shall have a minimum setback of 32.2 metres.
To Amend Zoning By-law No. 05-200
Respecting Lands Located at 928 Queenston Road (Stoney Creek)

b) Building Setback from a Street Line (Lake Avenue Drive)

ii) Maximum 32.2 metres.

c) Minimum Building Step back from Queenston Road

i) 3.8 metres for the 5th to 10th storey and 6.3 metres for the 11th to 14th storeys.

d) Building Height

ii) Maximum 49.0 metres; and,

iii) In addition to Section 10.5.3 d) i) and notwithstanding subsection ii) above, any building height above the 2nd storey shall be step-back from the rear lot line 14.5 metres for the 3rd to 6th storey, 22.3 metres for the 7th and 8th storeys, 30.9 metres for the 9th to 11th storey, 34.6 metres for the 12th storey, 37.6 metres for the 13th storey, and 41.1 metres for the 14th storey when abutting a Residential Zone to a maximum building height of 49.0 metres.

e) Parking

i) Parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length;

ii) Notwithstanding Subsection i) above, a minimum 2.75 metres in width and 5.8 metres in length shall be permitted at grade or within an underground parking structure.

f) Built form for New Development

iv) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line. Parking spaces
To Amend Zoning By-law No. 05-200
Respecting Lands Located at 928 Queenston Road (Stoney Creek)

and aisles are permitted to be located between the required building façade and the Lake Avenue Drive flankage lot line.

3. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

“32. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 705) Zone on Map 1195 on Schedule “A” – Zoning Maps, and described as 928 Queenston Road (Stoney Creek), no development shall be permitted until such time as:

(i) The owner enters into a conditional building permit agreement with respect to the completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton’s current RSC administration fee.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

5. That this By-law No. shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the Planning Act., either upon the date of passage of this By-law or as provided by the said Subsection.

PASSED this __________ ____, 2018.

__________________________________  __________________________________
F. Eisenberger                                      J. Pilon
Mayor                                             Acting City Clerk

UHOPA-17-020
ZAC-17-049
To Amend Zoning By-law No. 05-200
Respecting Lands Located at 928 Queenston Road (Stoney Creek)

This is Schedule "A" to By-law No. 18-
Passed the .......... day of ....................., 2018

Schedule "A"
Map Forming Part of
By-law No. 18-____
to Amend By-law No. 05-200
Map 1195

Subject Property
928 Queenston Road

Change in Zoning from the Mixed Use - Medium Density (C5) Zone to the Mixed Use -Medium Density (C5, 705, H32) Zone
Zoning By-law Site Specific Modifications – Commercial and Mixed Use Zoning (Mixed Use Medium Density (C5) Zone)

<table>
<thead>
<tr>
<th>Provision</th>
<th>(C5) Zone Provision</th>
<th>Requested Amendment</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum finished floor elevation of a dwelling unit above grade</td>
<td>0.9 metres</td>
<td>0.0 metres</td>
<td>The intent of this provision is to ensure that the at grade residential units provide for an attractive façade and contribute to the public realm along Queenston Road. The applicant is proposing 583 square metres of commercial floor space at grade along the Queenston Road frontage, while accommodating dwelling units at grade to the rear of the commercial floor space. As such, there will be no ground floor dwelling units that will face the street. Staff are of the opinion that there will not be an impact on the residential dwelling units located at grade. The amending zoning by-law will be crafted to ensure that the dwelling units are constructed behind the commercial floor space and will not face a street. As a result, this modification has merit and can be supported.</td>
</tr>
<tr>
<td>Building Height</td>
<td>7.5 metres (min.)</td>
<td>7.5 metres (min.)</td>
<td>The intent of this provision is to minimize the physical impact, massing and sun shadow impacts of structures on adjacent properties and along the roadway. As noted in this Report, staff are of the opinion that the sun shadow impacts on adjacent properties and abutting streets will be minor. Further, staff note that the building has incorporated multiple step-backs and building articulation to ensure that the building is at a scale that is appropriate for the area and generally meets the angular build to plane along the south property line adjacent to the low rise residential. Staff are of the opinion that the proposed step backs will minimize the impact of the proposed massing and create an enhanced pedestrian experience. Given the above, this modification has merit and can be supported.</td>
</tr>
<tr>
<td>Building Setback from a Street Line</td>
<td>0.0 metres (min.)</td>
<td>0.0 metres (min.)</td>
<td>The intent of this provision is to minimize the impact of structures along the street, while still creating an animated pedestrian realm. Staff note the building has been oriented towards Queenston Road with appropriate setbacks to the lot lines and step-backs to reduce the impact of the massing. As a result, the frontage along Lake Avenue should remain an animated pedestrian realm.</td>
</tr>
</tbody>
</table>

Lake Avenue
Avenue will include a landscape area and at grade visitor parking with a full vehicle access. The proposed site layout is respective of the existing context along Lake Avenue, which is predominately low rise in nature and transitions from commercial uses along Queenston Road to residential along Lake Avenue, and through the use of landscaped areas, will enhance and animate the pedestrian realm. Given the above, this modification has merit and can be supported.

| Minimum Building Step back from Queenston Road | N/A | 3.8 metres (5th floor to 10th floor) | The intent of this provision is to minimize the impact of structures along the street, while creating an animated pedestrian realm. In order to ensure that the building provides adequate step backs and building articulation from the streetline to reduce the massing and create an animated pedestrian realm, these step backs have been included in the amending Zoning By-law. As a result, this medication has merit and can be supported. |
| Parking Stall Size | 3.0 metres in width by 5.8 metres in length | 2.75 metres in width by 5.8 metres in length | The intent of this provision is to ensure appropriately sized parking spaces that can accommodate the majority of vehicles. Staff note the development applications were submitted prior to the CMU Zoning being approved and complies to the minimum parking stall size in Zoning By-law No. 3692-92. Also this parking stall size is generally aligned with the CMU zoning requirement for parking stall size within an underground garage which is 2.8 metres in width by 5.8 metres in length. While staff have been proactively recommending the parking stall size proposed be subject to the minimum parking space size requirements of CMU, in this instance the proposal could not conform while addressing other concerns of buffering and landscaping. As such this modification has merit and can be supported. |
| Built form for New Development | No parking spaces, stacking lanes or aisles shall be located between the required | Permit parking spaces and aisles to be located between the required building façade and the Lake Avenue Drive flankage lot line | The intent of this provision is to ensure that front and flankage yards are occupied by built form while locating parking spaces, aisles and stacking lanes in behind the building and away from the road. The subject property is an irregular “L” shaped lot that contains frontage on Queenston Road and Lake Avenue Drive (see
<p>| <strong>building façade and the front lot line and flankage lot line.</strong> | <strong>Appendix “A” to Report PED18XXX). The applicant is proposing to construct the building along close to the Queenston Road frontage while locating the majority of the parking in an underground parking garage. However, there are 10 visitor parking spaces and an aisle proposed between the building’s façade and the Lake Avenue Drive flankage. Given the configuration of the lot, it is reasonable that the applicant be permitted to have a surface parking spaces and an aisle between the building façade and the Lake Avenue Drive flankage. As such this modification has merit and can be supported.</strong> |</p>
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data 1</td>
<td>Data 2</td>
<td>Data 3</td>
<td>Data 4</td>
</tr>
<tr>
<td>Data A</td>
<td>Data B</td>
<td>Data C</td>
<td>Data D</td>
</tr>
</tbody>
</table>

NOT FOR CONSTRUCTION
Dear Mr. Barnett,

RE: Files UHOPA-17-020 and ZAC-17-049

I would like to voice my concern regarding a future development at 928 Queenston Road. My home is currently located beside the planned development. My name is Grant Walker and my wife and I have lived at 130 Lake Avenue Drive for 50 years. We raised 4 boys here and still lived beside many of the same neighbours since we moved in. It is a quiet street with many home owners who take pride in their property and the city in which they live.

My concerns are the following:

1) **Health Concerns**
   
The residents in the neighbourhood are of an aging population. Many in poor health. The dust and debris that will come as a result not only of construction but demolition, will be coming through our windows and doors and coating our property and house. There’s also the possibility of asbestos exposure from the demolition of the old building. Once construction is complete, there’s no doubt the lot will be sufficiently lit with new LED lights projecting onto the building itself and the surrounding lot. This light will then be projected into our windows at night, leading to residents closing their windows and drapes to ensure a proper sleep.

2) **Increased Traffic**
   
The plans for the condo include an underground parking facility that plans to hold 143 vehicles in underground parking and another 35 above ground. This means close to 200 vehicles will be coming and going each and every day from only 2 entrances, one them being a residential street with a speed limit of 40km. Not to mention that just adjacent to the property is a strip mall with another entrance that has customers pulling in and out daily. This number does not take into account all the commercial vehicles such as delivery trucks (due to the commercial units on the first floor), moving trucks and waste management vehicles that will be constantly pulling in and out of the lot.

   An increase in traffic also poses a risk for young children. Lake Avenue Drive has many schools and parks within the immediate area, people use the road for their bikes, and many people will walk on the road itself due to a lack of sidewalk on the west side of the street. Finally this increase in traffic will not just result in congestion and safety concerns but also increased noise and pollution from vehicles.

3) **Loss of Privacy**
   
   Most other condo developments in this area are 6-8 stories in height. This condo is planned to be 12 stories. All homes in this area will lose all the privacy they once enjoyed. Condo owners will be looking down into our yards watching us celebrate parties with a barbeque, entertain guests or trying to enjoy a quiet afternoon with a book.
4) Loss of Property Value

The value for our home would diminish as a result of this development. For all the reasons I have previously laid out. Nobody who buys a home on Lake Avenue Drive wants to deal with any of the above. They want a quiet private place to raise a family and enjoy resting after a hard day of work.

I would also like to bring to your attention the misleading flyer that the architectural firm/property owner delivered to neighboring residents regarding the information open house that took place at the Royal Canadian Legion on Wednesday, March 1st 2017. There was maybe a total of 10 residents that showed up to voice their concerns. After speaking with many residents in the area, many believed the proposed development was happening blocks away at a previously much publicized development project adjacent to Battlefield Square Plaza. This was due to a poorly drawn line, dark in colour on an already dark city map. Although I am sure this was just a coincidence.... I hope.

We ask that you please reconsider this development. It would not be in the best interest of those who live in the surrounding area. Nor would it suit the old town feel of Old Stoney Creek, which resides just down the street. I implore you to speak with other residents in the surrounding area to get a more comprehensive picture of what the concerns around this development are.

If you would like to discuss the matter further, please feel free to contact me at (905) 664-5207.

Sincerely,

Grant and Jan Walker and family
Lucas, Adam

From:
Sent: September-20-17 1:05 PM
To: Barnett, Daniel
Subject: Zoning bylaw change for 928 Queenston Road. UHOPA-17-020 and ZAC-17-049

Dear Sir

I would like to object to this bylaw change but could not come in person as we are leaving for California for three weeks. My husband and I own the duplex on 106 and 108 Mountain Ave North. I don’t know whether it’s Stoney Creeks councillors or land owners greed that is driving this push to put up 12 or 19 storey apartment buildings on Queenston Road. We really feel that the lovely town of Stoney Creek is now going to become a very busy congested mess of a town. The Lake Ave, corner and Queenston Rd. Are always clogged now and with that size of an apartment going up there on such a busy area it is going to be a mess. Why do we need 12 storey buildings in the heart of Stoney Creek. Take a look at the ones that are near Irene Ave, and Queenston road and what eyesores they can become and they are all under 10 Storeys. Out further down Queenston Rd. Toward Winona there is a lot of property for buildings of this size.

By allowing an apartment complex of this size you are opening up the door to large buildings going in all over this area. We have lived in Stoney Creek for 55 years and it has always been a beautiful community. We sure do not need these monster apartment complexes. This complex wants to exit onto Lake Ave. which is 1/2 block from a light with no exit that I can see on Queenston road or Mountain Ave. Our property will have no privacy, but will have lots of traffic, noise etc. this is really lowering the value of our property as well as others around us. Most directly affected is 130 Lake Ave as well as 106 and 108 Mountain Ave North. Maybe Stoney Creek wants to be known for its apartment alley on Queenston Rd. Over the 55 years we have put up with hotels and businesses behind us which was to be expected. A 12 storey apartment building was NOT expected and NOT wanted.

I would like to warn all Stoney Creek residents to beware of what is behind you because if this bylaw is changed these businesses will be selling to developers and the next monstrosity of a building may be coming to your backyard. Very disappointed in Stoney Creek if they allow this and any councillor who wants it will not be getting our votes.

If I have mistakenly sent this objection to the wrong place will you please forward it to the right party. Thank you.

Please remove any personal information (address, e-mail, phone etc.) before making this available to the general public.

Sent from my iPad
Lucas, Adam

From:                          
Sent: September-20-17 8:18 PM
To: Barnett, Daniel            
Subject: Files: UHOPA-17-020 & ZAC-17-049

Files: UHOPA-17-020 & ZAC-17-049

We are responding with respect to the notification we received concerning the Notice of Complete Applications and Preliminary Circulation for Applications by Marlad Holdings Inc. C/o Mario Marazzo for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 928 Queenston Road, Stoney Creek (Ward 9).

First, we would like to request that the City of Hamilton remove all our personal information from the City’s website.

We have reviewed the information provided by the City of Hamilton dated September 1, 2017 and we oppose the granting of these amendments.

We were advised that the plan for this property was a 12 story, 142 unit apartment building and we feel that this type of a building is not appropriate for this area. Our concerns are as follows:

- loss of our backyard privacy
- the increase in traffic on both Lake Ave and Queenston Rd as a result of this type of building
- the increase in parking along our street, Mountain Ave N. by residents and their visitors
- increase in difficulty in getting onto Lake Ave from Mountain Ave N due to an entrance/exit identified as being very close to our street
- the effect of decreasing greenspace/land to absorb water during rain storms, especially since the Queenston Rd/Lake Ave/Mountain Ave N area has flooded in the past with heavy rains
- the increase in the number of people using an aging sewer system and the effect this will have on neighbouring areas - for example the building currently houses a car repair business and the plan is for a 12 story 142 unit apartment building so you are going from about 20 people using the sewer system Monday to Saturday for approximately 8 hours a day to approximately 282 people (142 units @ 2 people per unit) using the sewer system 24 hours a day 7 days a week.
- increase in noise
- potential increase in vandalism
- the fact that there is also an application for an apartment building at the corner of Riverdale & Queenston Rd - a few blocks from this proposed site.

We would appreciate being notified of any further public meetings with respect to this application.
RECOMMENDATION

(a) That City Initiative CI-18-I, to amend the Fruitland-Winona Secondary Plan to add an Area Specific Policy Area to the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street, Stoney Creek, to permit the development of the lands with a net residential density of 0 to 40 units per hectare; and to remove the lands located at 1215, 1217 Barton Street, Stoney Creek, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, Stoney Creek, from Block 3 on Map B.7.4-4 Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation, as shown on Appendix “A” to report PED18198, be APPROVED on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow).
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 2 of 11

(b) That City Initiative CI-18-I, to rezone the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street, Stoney Creek, from Neighbourhood Development “ND” Zone to Residential “R6” Zone in the City of Stoney Creek Zoning By-law No. 3692-92, as shown on Appendix “A” to Report PED18198, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED18198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

EXECUTIVE SUMMARY

City Council, at their meeting of June 27, 2018, passed the following motion:

“That staff be directed to prepare an Official Plan Amendment and associated Zoning By-law changes for consideration at a public meeting of the Planning Committee no later than September 18, 2018, for the lands located at 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek, to recognize the existing single-family dwellings and to permit the severing of single family lots, which would be in keeping with the existing homes”.

Staff note that the property known municipally as 1229 Barton Street was not identified in the Council motion, as 1227 and 1229 Barton Street are under single ownership. However, it is recognized that the intent of this motion is to encompass all properties from 1215 Barton Street to 1239 Barton Street inclusive, as shown as Appendix “A” to Report PED18198, as all of these properties are intended for residential, as reflected in the existing “Low Density Residential 2” designation of these lands in the Fruitland – Winona Secondary Plan.

Through this City Initiative, it is recommended that an Official Plan Amendment be carried out that will add an Area Specific Policy Area to the lands located at 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street to allow the lands to be developed with a net residential density of 0 to 40 units per hectare, whereas the existing policy framework permits a net residential density of 20 to 40 units per hectare. The Official Plan Amendment will also remove lands from Block 3 on Map B.7.4-4 – Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation.

This City initiative is also recommending that the subject lands be rezoned from Neighbourhood Development “ND” Zone to Residential “R6” Zone in the City of Stoney Creek.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 3 of 11

Creek Zoning By-law No. 3692-92 to implement the residential designation of the subject lands as set out in the Fruitland-Winona Secondary Plan.

Alternatives for Consideration – N/A

Financial – Staffing – Legal Implications

Financial: N/A

Staffing: N/A

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider an application for an amendment to the Official Plan and Zoning By-law.

Historical Background

1215 – 1239 Barton Street, Stoney Creek

There are nine residential properties located along the north side of Barton Street, west of Winona Road in Stoney Creek, known municipally as 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street, that are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations, in the Urban Hamilton Official Plan and “Low Density Residential 2” in the Fruitland-Winona Secondary Plan (refer to Appendix “A” to Report PED18198 for a location map). These lands are remnant lands from a previous Official Plan Amendment and Local Planning Area Tribunal (formerly the Ontario Municipal Board (OMB)) decision, which converted adjoining properties from “Industrial” to “Residential” uses. These properties formed a small, isolated pocket of land that was formerly designated for industrial use in an area primarily surrounded by lands designated for residential use. Of the nine properties only two are vacant and one is occupied by a Bell Canada transformer/utility office. The remaining parcels contain single detached residential dwellings. The total land area for the parcels is approximately 1.5 hectares. Further background on the history of these lands can be found in Reports PED13099 and PED13099(a) (Fruitland – Winona Secondary Plan).

41 – 70 Escarpment Drive, Stoney Creek

There are 22 properties on the north and south side of Escarpment Drive, known municipally as 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, Stoney Creek, that are designated "Neighbourhoods" on

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 4 of 11

Schedule E-1 – Urban Land Use Designations, in the Urban Hamilton Official Plan and “Low Density Residential 2” and “Low Density Residential 3” in the Fruitland-Winona Secondary Plan (refer to Appendix “A” of Report PED18198 for a location map). These are the lands that were converted from “Industrial” to “Residential” uses through a previous Official Plan Amendment and LPAT (formerly OMB) decision. These lands contain recently built single family dwellings and street townhouses. These lands were included in the Fruitland-Winona Secondary Plan.

Fruitland - Winona Secondary Plan

Staff in their Reports to Planning Committee dated June 4, 2013 (PED13099) and November 19, 2013 (PED13099(a)), provided a detailed explanation of the planning policy framework for conversion of the properties located at 1215 - 1239 Barton Street from employment uses to non-employment uses and the subsequent addition of these lands into the Fruitland-Winona Secondary Plan.

In summary, these lands were initially excluded from the original Winona Urban Community Secondary Plan in the former City of Stoney Creek Official Plan. The former City of Stoney Creek Official Plan also contained a special policy area (Special Policy Area “F” (SPA) which required the completion of a Secondary Plan for the Fruitland-Winona area. These lands were also not included in the SPA because they were already in the Urban Area.

On March 20, 2012, a motion was passed by Council, with regards to 1215 - 1239 Barton Street, directing staff to bring forward Official Plan Amendments for the subject lands to re-designate the properties from “Business Park” to “Neighbourhoods” within the Urban Hamilton Official Plan.

Staff were in the process of completing the Secondary Plan for Fruitland-Winona and it was deemed appropriate to include the subject lands within the Secondary Plan rather than carry out a separate amendment to the Urban Hamilton Official Plan at a later date. The lands are designated “Low Density Residential 2” on Map B.7.4-1 - Land Use Plan, in the Fruitland – Winona Secondary Plan, which was approved by the Local Planning Area Tribunal (LPAT) on June 22, 2018.

City Initiative CI-17-D (November 8, 2018)

On November 8, 2017, City Council approved a City Initiative (CI-17-D) to rezone the lands at 1215 – 1239 Barton Street, from Prestige Business Park “M3” Zone in Zoning By-law No. 05-200, to Neighbourhood Development “ND” Zone, in the City of Stoney
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 5 of 11

Creek Zoning By-law No. 3692-92, to reflect the residential intent of the lands as set out in the Fruitland-Winona Secondary Plan. Information regarding the zoning by-law amendment can be found in Report PED17189. At the time of the City Initiative, the Fruitland-Winona Secondary Plan was still under appeal therefore staff recommended the Neighbourhood Development “ND” Zone be applied which essentially represents a holding zone whereby no person shall use any building, structure or land in the “ND” Zone for any purpose other than that for which it was used on the date of passing of the Zoning By-law. The permitted uses in the “ND” Zone are limited in scope and include one single detached dwelling and related accessory buildings and/or uses existing at the date of the passing of the Zoning By-law.

Council Motion (June 27, 2018)

On June 27, 2018, City Council passed the following motion:

“That staff be directed to prepare an Official Plan Amendment and associated Zoning By-law changes for consideration at a public meeting of the Planning Committee no later than September 18, 2018, for the lands located at 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek, to recognize the existing single-family dwellings and to permit the severing of single family lots, which would be in keeping with the existing homes”.

This motion directs Staff to complete amendments to the Urban Hamilton Official Plan and to the Stoney Creek Zoning By-law No. 3692-92 now that the Fruitland-Winona Secondary Plan had been approved by the Local Planning Area Tribunal (LPAT).

Proposed Official Plan and Zoning By-law Amendment

Official Plan Amendment

The proposed Official Plan Amendment will add an Area Specific Policy Area to the properties located at 1215 – 1239 Barton Street that will permit a net residential density of 0 to 40 units per hectare (the existing “Low Density Residential 2” designation in the Fruitland-Winona Secondary Plan permits a range of 20 to 40 units per hectare).

For the lands along the north side of Barton Street (1215 – 1239 Barton Street), it is currently difficult to facilitate residential development that can meet the minimum density required for the current “Low Density Residential 2” designation. The average size of existing lots is relatively small; therefore, land consolidation would be required in order to facilitate development to meet the minimum net residential density of 20 units per

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
hectare. Land consolidation is difficult to achieve due recent residential development to the north of these properties, the presence of existing residential dwellings on the properties and the existing Bell Canada transformer/utility office located at 1231 Barton Street.

The proposed Official Plan Amendment will permit a lower density which will allow the remaining two vacant properties to develop without having to wait for the opportunity to land assemble.

The proposed Official Plan Amendment will also remove the properties located at 1215 and 1217 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive from Block 3 on Map B.7.4-4 – Fruitland-Winona Secondary Plan – Block Servicing Area Delineation. These properties can be serviced from Escarpment Drive and Barton Street and therefore participation in the Block Servicing Strategies for the Fruitland-Winona Secondary Plan is not necessary for these parcels.

Zoning By-law Amendment

An implementing Zoning By-law Amendment will rezone the lands located at 1215 – 1239 Barton Street from the Neighbourhood Development “ND” Zone to Residential “R6” Zone in the City of Stoney Creek Zoning By-law No. 3692-92 to implement the “Low Density Residential 2” Secondary Plan designation for these lands as directed by the June 27, 2018 Council Motion.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial Planning Policy Framework is established through the Planning Act (Section 3) and the Provincial Policy Statement (PPS 2014). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent LPAT (formerly the OMB) approval of the Urban Hamilton Official Plan, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth, environmental protection and sensitive land uses) are reviewed and
discussed in the Official Plan analysis that follows. The update to the Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and as such, is reviewed separately.

As this City Initiative to amend the Secondary Plan and the zoning on the subject lands complies with the Urban Hamilton Official Plan, the City Initiative is therefore:

- Consistent with Section 3 of the Planning Act; and,
- Consistent with the Provincial Policy Statement.

**Growth Plan for the Greater Golden Horseshoe (2017)**

Section 1.2.1 of the Growth Plan outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. This proposed Official Plan and Zoning By-law Amendments conform to these Guiding Principles in that it supports the achievement of a complete community that is designed to support healthy and active living, meeting people’s needs for daily living throughout an entire lifetime.

The Growth Plan is focused around accommodating forecasted growth in complete communities and provides policies on managing growth. The following policy, amongst others, applies:

“2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:

a) feature a diverse mix of land uses, including residential and employment uses, convenient access to local stores, services, and public service facilities;”

The Official Plan and Zoning By-law Amendments will implement the residential intent of the lands as set out in the Fruitland-Winona Secondary Plan. The Amendments are in keeping with the Growth Plan’s emphasis on supporting growth towards the achievement of complete communities. The Official Plan and Zoning By-law Amendments support the Fruitland-Winona Secondary Plan land use objectives towards the development of a complete community that offers a diversity of land uses including residential, and access to a range of commercial, services, and facilities. Therefore, the proposed Amendments conform to the Growth Plan.

---

**OUR Vision:** To be the best place to raise a child and age successfully.

**OUR Mission:** To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

**OUR Culture:** Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 8 of 11

Urban Hamilton Official Plan

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations, in the Urban Hamilton Official Plan.

The following policies, amongst others, apply:

“E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents.

E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E -1 – Urban Land Use Designations:

a) residential dwellings, including second dwelling units and housing with supports;

b) open space and parks;

c) local community facilities / services; and,

d) local commercial uses.

E.3.4 Low Density Residential

E.3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.

E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.

E.3.4.3 Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings.”

The proposed Official Plan and Zoning By-law Amendments comply with the intent and purpose of the Neighbourhoods general policies for creating complete communities that include a full range of residential dwelling types and densities.
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 9 of 11

Fruitland – Winona Secondary Plan

The subject lands are designated “Low Density Residential 2” on Map B.7.4-1 - Land Use Plan and are identified as part of Block 3 on Map B.7.4-4 – Block Servicing Strategy Area Delineation, in the Fruitland – Winona Secondary Plan.

The following policy, amongst others, applies:

“B.7.4.4.4 Low Density Residential 2 Designation

In addition to Section E.3.4 - Low Density Residential Policies of Volume 1, for lands designated Low Density Residential 2 on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, the following policy shall apply:

a) Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density shall be greater than 20 units per hectare and shall not exceed 40 units per hectare.

The proposed Amendments will allow for the development of the subject lands that is in keeping with the intent and vision of the residential policies of the Fruitland – Winona Secondary Plan.

RELEVANT CONSULTATION

Notice of the Public Meeting was given in accordance with the requirements of the Planning Act on August 31, 2018, by way of a newspaper ad in the Hamilton Spectator and was mailed to landowners subject to the Official Plan and Zoning By-law Amendments.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed changes have merit and can be supported for the following reasons:

   (i) It complies with the Urban Hamilton Official Plan;

   (ii) It complies with the Fruitland – Winona Secondary Plan by implementing the residential policies of the Secondary Plan as they apply to the subject lands;
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 10 of 11

(iii) The proposed rezoning is compatible with the existing predominantly residential land uses in the immediate area; and,

(iv) It is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Growth Plan) which encourages the development of complete communities within built-up areas.

2. The proposed Official Plan Amendment will add an Area Specific Policy Area to the subject lands that will permit a net residential density of 0 to 40 units per hectare where the existing permissions under the “Low Density Residential 2” designation in the Fruitland-Winona Secondary Plan permits 20 to 40 units per hectare. The Amendment will also remove lands from Block 3 on Map B.7.4-4 – Fruitland-Winona Secondary Plan – Block Servicing Area Delineation.

3. The proposed Zoning By-law Amendment will rezone the lands from the Neighbourhood “ND” Zone to the Residential “R6” Zone in the City of Stoney Creek Zoning By-law No. 3692-92 to implement the “Low Density Residential 2” Secondary Plan designation for these lands as established in the Fruitland-Winona Secondary Plan. The Residential “R6” Zone allows for the greatest amount of variation of low density development, allowing single detached and semi-detached dwellings to duplexes and Home Occupations. This R6 Zone would allow for the widest range of housing forms with the least amount of modifications being required during future redevelopment of the area.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth
*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
*Hamilton is* a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure
*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.
SUBJECT: City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) - Page 11 of 11

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Draft Urban Hamilton Official Plan Amendment
Appendix “C” – Draft Zoning By-law No. 3692-92 Amendment

MH:mo

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: CI-18-I
Date: August 8, 2018

Appendix "A"

Scale: N.T.S.
Planner/Technician: AM/VS

Subject Property

- 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 & 1239 Barton Street (Stoney Creek)
- 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69 & 70
  Escarpment Drive (Stoney Creek)

Key Map - Ward 11
DRAFT Urban Hamilton Official Plan
Amendment No. X

The following text, together with:

- Appendix “A” Volume 2, Map B.7.4.1 – Fruitland-Winona Secondary Plan – Land Use Plan
- Appendix “B” Volume 2, Map B.7.4.4 – Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation

attached hereto, constitutes Official Plan Amendment No. X to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to add an Area Specific Policy to permit a net residential density of 0 to 40 units per hectare for a portion of the subject lands, and to remove a portion of the subject lands from Block 3 of the Block Servicing Area Delineation, in order to allow for the orderly and efficient development of the lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, and 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 239 Barton Street, in the former City of Stoney Creek.

3.0 Basis:

The basis for permitting this Amendment is:

- Due to the size of the existing lots and existing development to the north, land consolidation is not possible to facilitate residential development that can meet the minimum density required for the existing designation. This amendment will lower the minimum density requirement and therefore enable orderly and efficient development to take place in accordance with the Fruitland-Winona Secondary Plan policies.

- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.
4.0 **Actual Changes:**

4.1 **Volume 2 – Secondary Plans**

**Text**

4.1.1 Chapter B.7.0 – Stoney Creek Secondary Plans – Section B.7.4 – Fruitland-Winona Secondary Plan

a. That Volume 2, Chapter B.7.0 – Stoney Creek Secondary Plans, Section B.7.4 – Fruitland-Winona Secondary Plan be amended by adding a new Area Specific Policy to a portion of the subject lands, as follows:

“**Area Specific Policy – Area X**

B.7.4.18.13 For the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street and designated Low Density Residential 2, as shown on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, the following policies shall apply:

a) Notwithstanding Policy B.7.4.4 a), the net residential density shall be 0 to 40 units per hectare.”

**Maps**

4.1.2 Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan

a. That Volume 2, Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, be amended by adding Area Specific Policy Area “X” to a portion of the subject lands, as shown on Appendix “A”, attached to this Amendment.

4.1.3 Map B.7.4-4 – Fruitland Winona Secondary Plan – Block Servicing Strategy Delineation

a. That Volume 2, Map B.7.4-4 – Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation be amended by removing a portion of the subject lands from Block 3, as shown on Appendix “B”, attached to this Amendment.
5.0 Implementation:

An implementing Zoning By-Law Amendment will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. ____ passed on the ___th day of ___, 2018.

The
City of Hamilton

________________________________________  _____________________________________________
Fred Eisenberger  Janet Pilon, CMMIII, DPA, CMO
MAYOR  ACTING CITY CLERK
CITY OF HAMILTON

BY-LAW NO. 18-____

To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229,
1231, 1235 and 1239 Barton Street

WHEREAS the *City of Hamilton Act. 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1\textsuperscript{st}, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the *City of Hamilton Act. 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8\textsuperscript{th} day of December, 1992, and approved by the Ontario Municipal Board on the 31\textsuperscript{st} day of May, 1994;

AND WHEREAS this By-law amends lands in Zoning By-law No. 3692-92 (Stoney Creek) as a result of a motion passed by Council on the 27\textsuperscript{th} day of June, 2018;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Map No. 3 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

   a. by changing the zoning from Neighbourhood Development “ND” Zone to the Residential “R6” Zone on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;

2. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R6” Zone provisions;

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED and ENACTED** this ______ day of _________, 2018.

_________________________________  ________________________________
Fred Eisenberger                        Janet Pilon, CMMIII, DPA, CMO
MAYOR                                  ACTING CITY CLERK

CI-18-1
Schedule "A"

Map Forming Part of By-law No. 18-

to Amend By-law No. 3692-92

Subject Property

1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 & 1239
Barton Street (Stoney Creek)

Lands to be changed from the Neighbourhood Development "ND" Zone to the Residential "R6" Zone

This is Schedule "A" to By-law No. 18-

Passed the .......... day of ................., 2018

Mayor

Clerk
<table>
<thead>
<tr>
<th>For Office Use Only, this doesn't appear in the by-law</th>
<th>Clerk's will use this information in the Authority Section of the by-law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is this by-law derived from the approval of a Committee Report? Yes</td>
<td></td>
</tr>
<tr>
<td>Committee: PC</td>
<td>Report No.: CI-18-I  Date: 09/18/2018</td>
</tr>
<tr>
<td>Ward(s) or City Wide: Ward 11</td>
<td></td>
</tr>
</tbody>
</table>

Prepared by: Mark Hefferton  Phone No: 1251

For Office Use Only, this doesn't appear in the by-law
TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4)

WARD(S) AFFECTED: Wards 1, 2, 3 and 4 (Parts Thereof)

PREPARED BY: Edward John (905) 546-2424 Ext. 2359

SUBMITTED BY: Steve Robicha Director, Planning and Chief Planner Planning and Economic Development Department

SIGNATURE: 

RECOMMENDATION

That City Initiative CI-18-F to amend Section 19 regulations of Zoning By-law No. 6593 to allow secondary units within detached structures for those properties within the lower City (parts of Wards 1, 2, 3 and 4) adjoining a laneway, be APPROVED on the following basis:

(a) That the Draft By-law, attached as Appendix “A” to Report PED16200(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(b) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;

(c) That in accordance with Subsection 34(17) of the Planning Act, no additional public meeting notice is required.

EXECUTIVE SUMMARY

This Report is a follow up to Report PED16200(a) - to amend regulations of Section 19 of Zoning By-law No. 6593 to allow secondary units within detached structures for those properties within the lower City (parts of Wards 1, 2, 3 and 4) adjoining a laneway.
Report PED16200(a), together with any written submissions and input from delegations received at the Statutory Public Meeting of the Planning Committee held on June 19, 2018, was referred back to staff for consideration.

The purpose of this Report is to:

a) To report back on submissions and comments received before, during and after the June 19, 2018 Statutory Public Meeting of the Planning Committee; and,

b) To finalize the amending By-law to Zoning By-law considering the feedback received and to incorporate any additional requirements considered necessary through the process.

As a result of the above, no changes were required to the proposed By-law presented at the June 19, 2018 Public Meeting beyond formatting (Appendix “A” to Report PED16200(b)). Staff is however recommending producing informational material advising the public and proponents that continued use and maintenance of the alleyway is not secured or protected through this process and will incorporate this information in a guide to “Secondary Dwelling Units in Detached Structures” to be developed by staff to assist the general public and proponents in understanding the City’s zoning regulations and other requirements.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Separate services to the secondary unit are the preferred option by Growth Management staff. This option would likely result in increased cost of development due to the requirement of road cuts. Joint servicing from the private lot would be considered more cost effective (saving between $15,000 and $20,000) however, based on discussions with Growth Management staff, this would have to be reviewed and approved on a case-by-case basis.

This Report recommends potential changes to the Development Charges By-law. The intent is to align the development charges with that of an accessory unit, notwithstanding that it is located wholly within a detached structure.

Staffing: N/A
SUBJECT: Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4) - Page 3 of 9

Legal: The Statutory Public Meeting was held on June 19, 2018 and the Public Meeting was closed.

HISTORICAL BACKGROUND

As discussed in Report PED16200(a), staff are seeking to permit secondary dwelling units within accessory structures for those properties that adjoin a laneway. The presence of the laneway serves to provide a buffer and separation from the typical backyard to backyard configuration of more typical lot fabric within the City. The laneway will not be permitted to be used for servicing and access cannot be guaranteed either by vehicle or by foot. Instead, access and servicing would be from the frontage of the principal property, as discussed in detail in Report PED16200(a).

Based on public feedback, staff’s review of other municipal approaches, and consideration of the lot patterns and other existing conditions, staff are satisfied that the proposed regulations are appropriate and will secure a range of housing objectives. The new regulations are to be implemented as a pilot project, to be comprehensively monitored to evaluate the impacts of regulatory changes on built form.

On June 19, 2018, the Statutory Public Meeting of the Planning Committee was held to inform Planning Committee of the recommended changes to the regulations and to allow members of the public to make delegation before Planning Committee. The delegations, as well as any written submissions received before, at, or after the Public Meeting, were considered by staff in preparing the draft By-law which is attached as Appendix “B” to Report PED16200(b).

At the Public Meeting, four oral submissions (delegations) were received, each submission presented information in support of the proposed regulations.

In addition, at the June 19, 2018 City Council meeting, Council adopted the following additional/amended recommendations:

“(b) That Report PED16200(a), together with any written submissions and input from delegations received at Planning Committee, be referred to staff for consideration and to be incorporated into a further report and amending by-law which shall also address specific options regarding ‘tiny homes’ to be presented to a future Planning Committee meeting;

(c) That Corporate Services staff be requested to present Report PED16200(a) to the Development Charges Stakeholders Subcommittee for consideration when recommending policy direction for the 2019 Development Charges Study and in addition, bring forward for Council’s consideration at the earliest possible date a
standalone amendment to the Development Charges By-law to deal specifically with laneway-related housing developed in accordance with Report PED16200(a);

(d) That, as part of the report back on a standalone Development Charges By-law amendment, staff include options for potentially retroactively applying any reduced Development Charges requirement, or benefit of any reduced Development Charges requirement, to recently completed laneway housing projects;

(e) That the appropriate staff from Planning and Economic Development meet with staff from the Housing Division in an effort to build in incentive opportunities for some laneway and 'tiny homes' projects as affordable housing."

All oral submissions and amended Recommendations have been considered by staff in finalizing the draft By-law attached to this Report and are discussed in the Analysis and Rationale for Recommendation section of the Report.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Planning Matters

Report PED16200(a) reviewed the proposed new regulations to Section 19 of Hamilton Zoning By-law No. 6593 against provincial policy and the Urban Hamilton Official Plan (UHOP), including applicable secondary plans. As stated in that Report, the proposed changes conform to the policies of the UHOP. Permitted uses are not being modified. The changes to the conversion policies of Section 19 are intended to regulate height, massing and scale so that new secondary unit development is compatible with adjacent existing built form.

RELEVANT CONSULTATION

- Recycling and Waste Disposal, Public Works;
- Alleyway Management Strategy Working Group;
- Growth Management, Planning and Economic Development Department;
- Building, Planning and Economic Development Department;
- Community Safety and Planning, Healthy and Safe Communities; and,
- Corporate Services, Finance.
Public Consultation

In accordance with the provisions of the Planning Act and the Council Approved Public Participation Policy, Notice of Public Meeting was advertised in the Hamilton Spectator on May 25, 2018.

Matters raised at the public meeting and received correspondence have been addressed within this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The purpose of this Report is:

- Report back on the oral and written submissions received after PED16200(a) was finalized and released, as well as the submissions that were received on or after the June 19, 2018 Planning Committee;
- Make any necessary changes to the Draft By-law, attached as Appendix “A” to Report PED16200(b), to address submissions received and input from delegations received at the June 19, 2018 Planning Committee;
- Recommend that information be provided to the public to ensure they are aware that Public Works department are not responsible in all circumstances for the maintenance and servicing of municipal laneways and that further, the continued use and existence of said laneways is not guaranteed in the long-term;
- Provide update with respect to the Council approved additional / amended recommendations contained within Report PED16200(a);
- Detail the options for Tiny Homes that are facilitated through this amendment and potential future options and considerations;
- Highlight the separate and on-going process with respect to the Development Charges; and,
- Provide an update with respect to the potential range of incentives that could be provided to stimulate and support the creation of secondary units within Hamilton.
1.0 Summary of Submissions Received – Key Comments

In total, there were four oral submissions received during the June 19, 2018 Planning Committee. All comments were supportive of the proposed draft by-law contained as Appendix “A” within Report PED16200(b).

1.1 Staff Response to Comments Received

No changes to by-law needed.

2.0 Tiny Houses

Through discussion at the June 19, 2018 Planning Committee meeting the original Recommendation was amended such that it directed staff to provide options on securing and allowing for the creation of Tiny Homes within Hamilton.

2.1 Definition of Tiny Homes

Frequently, the distinction is made between small houses (between 400 sq ft (37 sq m) and 1,000 sq ft (93 sq m)), and tiny houses (less than 400 sq ft (37 sq m)).

As noted within the amending By-law (see Appendix “A” to Report PED16200(b)) the Gross Floor Area is expressed as a maximum 50 sq m as opposed to a minimum. The intent for the secondary dwelling units adjacent to laneways is to ensure the secondary dwelling units are modest in size to reduce the need for parking and ensure compatibility and protection of amenity that may otherwise be prejudiced with larger units. On this basis, it is considered that the proposed by-law provides a meaningful mechanism in which to encourage and support the creation of tiny homes.

In terms of the Tiny Homes movement, it is acknowledged that future opportunities for such units to be developed on either individual lots or to develop several on one lot would be constrained by current servicing provisions that seek to ensure each unit within the Urban Area is serviced individually by municipal services and not on a communal basis.

It is noted the Ontario Building Code (OBC) does regulate minimum standards for the size of detached dwelling units (by individual rooms) and a summary of these requirements are listed in the table below:
Table 2.2 Minimum Floor Area under the OBC

<table>
<thead>
<tr>
<th></th>
<th>No Closets in Bedrooms (sq ft / sq m)</th>
<th>Closets in Bedrooms (sq ft / sq m)</th>
<th>Dining Room Combined with another room and with closets in bedrooms (sq ft / sq m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living Room</td>
<td>145 / 13.5</td>
<td>145 / 13.5</td>
<td>145 / 13.5</td>
</tr>
<tr>
<td>Dining Room</td>
<td>75 / 7.0</td>
<td>75 / 7.0</td>
<td>35 / 3.25</td>
</tr>
<tr>
<td>Kitchen</td>
<td>45 / 4.2</td>
<td>45 / 4.2</td>
<td>45 / 4.2</td>
</tr>
<tr>
<td>Master Bedroom</td>
<td>105 / 9.75</td>
<td>95 / 8.8</td>
<td>95 / 8.8</td>
</tr>
<tr>
<td>Bedroom</td>
<td>75 / 7.0</td>
<td>65 / 6.0</td>
<td>65 / 6.0</td>
</tr>
<tr>
<td>Bathroom*</td>
<td>40 / 3.7</td>
<td>40 / 3.7</td>
<td>40 / 3.7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>485 / 45</strong></td>
<td><strong>465 / 43</strong></td>
<td><strong>425 / 39.5</strong></td>
</tr>
</tbody>
</table>

*Note that the building code does not specify the minimum area for a bathroom it only states that there has to be sufficient space to accommodate a water closet, lavatory and bathtub or shower. A typical bathroom size is 8 ft by 5 ft which would equal an area of 40 sq ft. The Zoning By-law does not determine the minimum size of dwelling units.

Notwithstanding this, as well as other larger planning related concerns such as character and compatibility, staff will explore this issue and report back to Planning Committee as part of a larger comprehensive review of the Residential Zoning process expected to be presented in 2019.

3.0 Development Charges (DC) exemptions

As raised within the amended Recommendations of Report PED16200(a) staff are reviewing the possibility of a standalone amendment to the Development Charges By-law to deal specifically with laneway-related housing and to explore the potential option to retroactively apply any reduced Development Charges requirement, or benefit of any reduced Development Charges requirement, to recently completed Secondary Unit projects.

Currently discussions are underway with staff from Financial Services and which will be Reported back to Council through a future Audit, Finance and Administration meeting.
4.0 Public Works Laneway Concern Regarding Public Expectations

Staff have been liaising with Public Works representatives, in particular with regard to the cross departmental work being conducted in connection with the Alleyway Management Strategy Working Group. As detailed in Report PED16200(a), the proposed regulations are not intended to place any additional pressure on the alleyways with respect to their maintenance or access. Indeed, servicing is not permitted to be provided through the alleyway and instead to be facilitated through the frontage of the principal dwelling. The frontage of the principal unit will also be the means in which to provide parking (should the homeowner choose to provide), garbage pickup and fire access.

To continue and underscore this intent, staff will also be advising homeowners, the public and proponents through the review process of the following warning clause:

“The owner is advised that the approval of any building permit for a secondary dwelling unit in no means indicates that the use, access, maintenance or continued existence of the adjoining laneway is guaranteed”.

This information will be provided in the form of a guide to “Secondary Dwelling Units in Detached Structures” to be developed by staff to assist the general public and proponents in understanding the City’s zoning regulations and other requirements.

5.0 Financial Incentives

Financial Incentives within Community Improvement Plan areas represent an opportunity to encourage and facilitate strategic goals. Staff in consultation with Housing Services will, under separate cover, provide a response to financial incentives geared towards creating and protecting different forms of affordable housing. It is considered incentives aimed at increasing the supply of affordable housing in the rental market which could include secondary dwelling units such as those permitted within this report, will be included in the future study. Staff will seek to report back in the first quarter of 2019.

6.0 Monitoring Program

As detailed in Report PED16200(a), City Initiative CI-18-F is a pilot project, intended to introduce a series of regulations that are to be comprehensively monitored to evaluate the impacts of regulatory changes on the built form regulations concerning secondary dwelling units detached from the principal dwelling and to assess the ease of administering the regulations. The monitoring program will be undertaken over an 18 – 24 month period as part of the residential zoning project.
7.0 Next steps

It is noted that the proposed By-law changes represent part of a larger more comprehensive approach to innovative housing solutions within the City of Hamilton. Additional work will be required to review the potential for secondary dwelling units, and in particular, secondary dwelling units within accessory structures to be permitted City wide and, further, that the ability to sever and create small lot homes be explored.

ALTERNATIVES FOR CONSIDERATION

Option 1: Planning Committee / City Council could choose alternative performance standards.

Option 2: Planning Committee / City Council could table this Report and direct any future changes to be included in the new residential zones for Zoning By-law No. 05-200.

Option 3: Planning Committee / City Council could recommend the changes proposed not be approved. The existing conversion policies of By-law No.6593 would remain in effect.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Draft Zoning By-law Amendment to Zoning By-law No. 6593

EJ:mo
CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 6593
Respecting Second Dwelling Units for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill Valley and the Escarpment

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ___ of Report 18-___ of the Planning Committee at its meeting held on the ___ day of ______, 2018, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan and the City of Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following new Subsection be added to Section 19: Residential Conversion Requirements as follows:
“(5) “C” and “D” Districts – Second Dwelling Unit on a Single Detached Dwelling Lot

(i) Notwithstanding anything contained in this by-law, a second dwelling unit on the same lot as a single detached dwelling may be constructed provided all the following requirements are met:

(a) For the purpose of this Subsection, laneway shall mean a public highway or road allowance having a width of less than 12.0 metres;

(b) the lot shall contain a single-detached dwelling unit;

(c) the lot shall abut a laneway;

(d) Subsection (5) shall apply to lands zoned “C” (Urban Protected Residential, etc.) District and “D” (Urban Protected Residential-One and Two Family Dwellings, etc.) District and identified in Section 22 as Schedule P;

(e) An accessory structure to the single detached dwelling legally existing at the date of the passing of this by-law {DATE} may be converted to a dwelling unit provided it meets all the following requirements:

(1) For any elevation not facing a laneway, windows and doors are permitted only on the ground floor or within a roof; and

(2) it shall not exceed a gross floor area of 50 square metres, excluding any parking contained within the second dwelling unit.

(f) A second dwelling unit may be constructed on the same lot as a single detached dwelling unit provided it meets all the following requirements:

(1) the maximum height shall be 6.0 metres;

(2) it shall be permitted in the required rear yard of the principal dwelling but shall be no closer than 7.5 metres to the principal dwelling;

(3) it shall not be permitted in a front yard;
(4) A minimum 1.2 metre setback from a side and rear lot line shall be provided and maintained;

(5) for any elevation not facing a laneway, windows and doors are permitted only on the ground floor or within a roof; and,

(6) it shall not exceed a gross floor area of 50 square metres, excluding any parking contained within the second dwelling unit.

(ii) Section 18 (A).(1)(a) shall not apply to secondary dwelling units permitted in clause (i).

2. That Section 22: Restricted Areas By-laws Repealed is amended by adding Schedule P.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this ___ day of __, 2018.

_________________________________  __________________________________________
Fred Eisenberger                               Janet Pilon, CMII, DPA, CMO
MAYOR                                          ACTING CITY CLERK

CI 18-F
Appendix “A” to Report PED16200(b)
Page 5 of 6

This is Schedule "A" to By-law No. 18-
Passed the .......... day of .................., 2018

Mayor

Clerk

Schedule "A"

Map Forming Part of By-law No. 18-______ to Amend By-law No. 6593

Add to Section 22 Schedule P

Geographical area where Secondary Dwelling units for properties adjoining a laneway are permitted

Scale: N.T.S.
File Name/Number: CI-18-F
Date: May 17, 2018
Planner/Technician: EJ/AL

HAMILTON FORGTH AND ECONOMIC DEVELOPMENT DEPARTMENT
Is this by-law derived from the approval of a Committee Report? Yes

<table>
<thead>
<tr>
<th>Committee: Chair and Members</th>
<th>Report No.: PED16200(b)</th>
<th>Date: 09/18/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward(s) or City Wide: City Wide</td>
<td></td>
<td>(MM/DD/YYYY)</td>
</tr>
</tbody>
</table>

Prepared by: Edward John
Phone No: 905-546-2424 ext.2359

For Office Use Only, this doesn't appear in the by-law
TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Community Renewal Community Improvement Project Area Amendment (PED16236(b)) (Ward 4)

WARD(S) AFFECTED: Ward 4

PREPARED BY: Edward John (905) 546-2424 Ext. 2359

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATIONS

(a) That the proposed amendments to the 2016 Community Improvement Project Areas to create the Roxborough Community Revitalization Project Area be APPROVED on the following basis:

(i) That the Draft By-law, attached as Appendix “A” to Report PED16236(b) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(ii) That the proposed amendment is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;

(b) That staff be directed to prepare amendments to the 2016 Community Improvement Plan to permit the Roxborough Community Improvement Project Area access to programs and financial incentives geared towards delivering a sustainable, accessible and affordable community, and report back to Planning Committee with the recommended amendments.

EXECUTIVE SUMMARY

As directed by General Issues Committee on June 6, 2018, through Report PED16236(a), this report provides for the recommendations to update the Downtown and Community Renewal Community Improvement Project Areas, including the By-law and respective Maps to implement future community improvement programs and
initiatives based on facilitating the revitalization of a portion of the McQueston Neighbourhood.

These revisions will establish and facilitate the re-development of the lands in order to create a mixed income, mixed tenure development focused on increasing the supply and affordability of housing within a portion of the McQueston neighbourhood.

The Community Improvement Plan provides the legal framework for the financial incentives administered by the Urban Renewal Section. A future amendment to the 2016 Community Improvement Plan will enact the proposed incentives discussed within this Report, and will allow them to be applied to this newly created Project Area

Approval of the amended Downtown and Community Renewal Community Improvement Plan (2016) and Community Improvement Project Areas as recommended would include changes to revise the description and maps of the community improvement project areas to reflect the newly created Roxborough Community Revitalization Project area.

**Alternatives for Consideration – See Page 21**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** There are no direct financial implications with respect to this Report. However, approval of Recommendation (b) and the implementation of new financial programs and any amendments to existing programs will require additional capital and operating funds for 2020. This will be subject to a future report.

**Staffing:** There will be no additional staffing requirements resulting from Council’s approval of this Report. Applications to the financial incentive programs are processed by the Urban Renewal Section, Development Planning and Taxation Division. Staff will monitor the take-up of the programs and, if additional staff is required, will address same during the 2020 Operating Budget process.

**Legal:** The *Planning Act* (Section 28) allows municipalities that have provisions in their Official Plan relating to community improvement, such as the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a Community Improvement Plan for the project area. A municipality may then make grants and loans, in conformity with the approved community improvement plan, that would otherwise be prohibited under the *Municipal Act* (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area. An amendment
to the Community Improvement Plan requires a statutory public meeting with notice requirements in accordance with the Planning Act.
The changes to the community improvement plan must be conducted in accordance with the Planning Act (Section 28) and the Public Participation and Notification Policies contained in the City’s Official Plan, including a statutory public meeting and notice requirements.

HISTORICAL BACKGROUND

The review of the Downtown and Community Renewal Community Improvement Plan (CIP), the associated Project Areas to which it applies, and its component programs (i.e. financial incentives) was undertaken as part of the 2015 work plan for the Economic Development Division’s Urban Renewal Section. This resulted in the approval of the 2016 Community Improvement Plan and Community Improvement Project Areas.

Since this time, staff has been working on the potential of a Community Improvement Project Area and complimentary incentives which is to be focused on stimulating sustainable, accessible and affordable housing.

On this premise, planning staff has been working with Housing Services, CityHousing Hamilton and Roxborough Park Inc (RPI) to determine a comprehensive plan for delivery of an affordable housing demonstration project. One key determinant to the success of the development would be the availability of new innovative financial programs from the City to ensure a meaningful amount of affordable housing is created and secured.

Previous staff Report PED16236 which was presented to General Issues Committee (GIC) in December, 2016, highlighted the options available for consideration in order to facilitate the demonstration project. The Report previously recommended that further investigation be conducted to determine the most appropriate approach. As detailed within Report PED16236(a), it was determined that the creation of a Community Improvement Plan Area (CIPA) would represent the most appropriate in order to achieve the desired outcome and to be in a position to potentially replicate this approach in other suitable locations.

Chronology:

February 2007: Council approval of first consolidated CIP and Project Areas.
November 2011: Council approval of updated CIP and Project Areas including revised and new incentives and programs (Report No. PED11118).

OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
OUR Mission: WE provide quality public service that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Values: Accountability, Cost Consciousness, Equity, Excellence, Honesty, Innovation, Leadership, Respect and Teamwork
February 2012: Council directs staff to investigate the feasibility of including additional land in the Downtown Hamilton Community Improvement Project Area.

November 2012: Council approval of expansion of community improvement initiatives to the Community Downtoons, all BIAs and the commercial corridors along Barton Street, east of the Barton Village BIA, and along Kenilworth Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area.

Council approval of the expansion of the Downtown CIPA.

February 2014: Council approval of former amendments to the Downtown and Community Renewal Community Improvement Plan (2011) and incorporates the Mount Hope Airport Gateway CIPA.

May 11, 2016: Council approval of amendments to the Downtown and Community Renewal Community Improvement and Project Areas through the 5 year review process.

December, 2016: GIC direct staff to review options in order to secure the proposed Roxborough Community Revitalization

June 6, 2018: GIC direct staff to create the proposed Roxborough Community Revitalization CIPA and financial incentives.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Downtown and Community Renewal Community Improvement Plan (2016) provides the framework for City programs and initiatives in a manner that meets the legislative requirements of the Planning Act intended to stimulate private sector investment and redevelopment and, to focus municipal action and investment that promotes and enhances Hamilton’s various downtowns, commercial districts, mixed use corridors and neighbourhoods targeted for community development.

The Plan provides the legal framework for the financial incentives administered by the Urban Renewal Section. Downtown Hamilton, the Community Downtowns of Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown, the Mount Hope Airport Gateway Community Improvement Project Area, the Business Improvement Areas and other Commercial Corridors within the City, as well as certain heritage-designated properties, are collectively designated in the Downtown and Community Renewal Community Improvement Project Area By-law.
The Downtown and Community Renewal Community Improvement Plan functions as an implementation tool. It is meant to encourage development and redevelopment activities that implement the vision and policies established in related plans and strategies. Section 5 of the Plan, within Appendix "A" to this report, outlines its relation to various documents, including the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (Places to Grow), the Urban Hamilton Official Plan, the Economic Development Strategy, the Corporate Strategic Plan and transit-related initiatives as it relates to corporate priorities such as the West Harbour and Light Rail Transit (LRT).

The following are policy considerations in general support of the proposed demonstration project:

*Planning Act*

The Planning Act supports affordable housing particularly through amendments made by the Strong Communities through *Affordable Housing Act, 2011*. Among other matters, this Act emphasised affordable housing as a provincial interest.

*Growth Plan for the Greater Golden Horseshoe*

Policy 4. Applying the policies of this Plan will support the achievement of complete communities that:

a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; and,
c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

The proposed development represents a meaningful way in which to secure a range of housing types, sizes and available for a range of incomes.

Policy 1. Upper and single-tier Municipalities, in consultation with lower-tier Municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:

a) supports the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
i. identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and,

ii. establishing targets for affordable ownership housing and rental housing.

b) identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 (a);

c) aligns with applicable housing and homelessness plans required under the Housing Services Act, 2011; and,

d) will be implemented through official plan policies and designations and zoning by-laws.

The development represents a form of intensification that is intended to meet the increasing demand for housing within the City of Hamilton.

Policy 3. To support the achievement of complete communities, Municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Given the development and proposed location with respect to available services, parks, institutional uses and transit, represents an ideal opportunity to achieve a complete mixed income sustainable community.

Provincial Policy Statement (2014)

Policy 1.1 - Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns – identifies that healthy, liveable and safe communities are sustained by an appropriate range and mix of residential uses including second units, affordable housing and housing for older persons uses. The proposed incentives would assist in removing some of the financial barriers that encumber mixed income developments.

Furthermore, Policy 1.4.3 specifically directs planning authorities to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

“b) permitting and facilitating:

1) all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements.”

It is anticipated that the proposed incentives would assist in facilitating affordable housing.
Province’s Long-Term Affordable Housing Strategy

Creating inclusive, complete communities with a broad mix and range of housing types is an important step to building Ontario’s health and prosperity. The updated Long-Term Affordable Housing Strategy focuses on increasing the supply of affordable housing, supporting people, and ending chronic homelessness.

Urban Hamilton Official Plan

The following Urban Hamilton Official Plan (UHOP) goals and policies strive to increase the supply of affordable housing in Hamilton:

Goals

B.3.2.1.3 Increase Hamilton’s stock of affordable housing of all types, particularly in areas of the City with low levels of affordable housing.

B.3.2.1.4 Increase Hamilton’s stock of housing for those whose needs are inadequately met by existing housing forms or tenure, affordability or support options.

Policies

B.3.2.3 Many households in Hamilton cannot obtain housing that is affordable or appropriate to their needs. Households and individuals may be at risk of homelessness because of economic and/or personal circumstances where a level of support is required to live independently. Hamilton’s aging and diversifying population has new and unique housing needs that cannot solely be met through current housing options. The City recognizes the importance of affordable housing and housing with supports in meeting the housing needs of those without the resources to participate in the private housing market.

B.3.2.3.2 Where appropriate, assistance shall be provided, either by the City and/or by senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance.

B.3.2.3.6 Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies and incentives.
Housing and Homelessness Action Plan

In December, 2013, Council approved the City’s 10-year Housing and Homelessness Action Plan which is a strategic and implementation plan to address affordable housing and homelessness in Hamilton (Report CS11017(c)). The development of the Action Plan was informed by extensive community engagement and a comprehensive needs analysis and provides a framework to inform decisions about housing resource allocation in Hamilton.

The Action Plan sets out several strategies which are designed to address the supply, affordability and quality of Hamilton’s affordable housing stock:

- **Strategy 1.2:** Explore the potential for new incentive and funding programs and expand and promote more broadly existing City incentive programs to increase the supply of affordable housing (e.g., capital grants/loans, tax deferrals, waived development and other charges, etc.).

- **Strategy 1.5:** Explore the feasibility/further promote opportunities that exist in the Urban Hamilton Official Plan for density bonusing and use of Community Improvement Plans to offer other incentives for affordable housing.

- **Strategy 1.8:** Advocate for changes to the City’s and senior governments’ surplus land policy to make surplus land available for affordable housing development at discounted or no cost.

- **Strategy 2.1 (a):** Encourage mixed housing and mixed income development in all urban neighbourhoods by increasing opportunities for rental, social and affordable housing in areas that currently offer limited opportunities.

- **Strategy 2.1 (c):** Encourage mixed housing and mixed income development in all urban neighbourhoods by exploring opportunities for social housing communities to redevelop to include a mix of new housing options.

- **Strategy 2.3:** Increase homeownership opportunities for renters, including social housing tenants.

- **Strategy 2.8:** Explore options that ensure social housing applicants and tenants have as much choice as possible.

- **Strategy 4.10:** Adequately fund capital reserves for social housing based on Building Condition Assessments and Reserve Fund Studies.

- **Strategy 4.6:** Increase the number of rental units that meet the needs of larger families.
Strategy 4.9: Inventory, rate and increase the number of social housing units that meet the needs of persons with disabilities through existing and new housing opportunities.

The following policies are applicable to the creation of a CIPA:

*Planning Act*

The *Planning Act* (Section 28) allows Municipalities that have provisions in their Official Plan relating to community improvement, such as the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a Community Improvement Plan (CIP) for the project area. A Municipality may then make grants and loans, in conformity with the approved CIP, that would otherwise be prohibited under the *Municipal Act* (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area. An amendment to the CIP requires a statutory public meeting with notice requirements in accordance with the *Planning Act*.

The recommended changes to the CIP must be conducted in accordance with the *Planning Act* (Section 17 (15) (d) and Section 28) and the Public Participation and Notification Policies contained in the City’s Official Plan, including a statutory public meeting and notice requirements.

*Urban Hamilton Official Plan*

F.1.15.1 Community Improvement shall be carried out through the designation, by Council, of CIPA’s and through the preparation and implementation of Community Improvement Plans (CIP) pursuant to the Planning Act. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a CIPA.

F.1.15.2 When designating CIPA’s, one or more of the following characteristics may be present:

a) building stock or property in need of rehabilitation;

b) buildings and structures of heritage or architectural significance;

c) encroachment of incompatible land uses or activities;

d) deteriorated or insufficient physical infrastructure such as, but not limited to, sanitary and storm sewers and water mains, public transit, roads/streets, curbs, sidewalks, street lighting and utilities;
e) deteriorated or insufficient community facilities/services such as, but not limited to public indoor/outdoor recreational facilities, public open space and public social facilities;

f) inadequate mix of housing types;

g) inadequate affordable housing;

h) known or perceived environmental contamination;

i) deteriorated or insufficient parking facilities;

j) poor overall visual amenity of the area, including, but not limited to streetscapes and urban design;

k) existing Business Improvement Areas (BIA) or potential for inclusion in a BIA designation, provided such designation is in conformity with the Niagara Escarpment Plan;

l) inappropriate road access and traffic circulation;

m) shortage of land to accommodate building expansion and/or parking and loading facilities;

n) other barriers to the improvement or re-development of under utilized land or buildings; or,

o) any other environmental, social, or community economic development reasons for designation.

F.1.15.3 CIP’s shall provide direction regarding the application of one or more of the following:

a) allocation of public funds such as grants, loans or other financial instruments for the physical rehabilitation, redevelopment or improvement of land and/buildings;

b) municipal acquisition of land or buildings and subsequent land clearance, rehabilitation, redevelopment or resale of these properties or other preparation of land or buildings for community improvement;

c) encouragement of infill and rehabilitation where feasible;

d) promotion of historic preservation through the appropriate local, provincial and federal legislation;
e) promotion of the viability of Commercial areas through the establishment and support of BIA’s;

f) other municipal actions, programs or investments for the purpose of strengthening and enhancing neighbourhood stability, stimulating production of a variety of housing types, facilitating local economic growth, improving social or environmental conditions, or promoting cultural development; and,

g) Identification of cultural heritage resources which shall be, wherever possible, conserved through appropriate adaptive reuse and alterations. Demolition of heritage structures shall be discouraged.

F.1.15.5 Council shall determine the priorities and sequences in which designated CIPA’s shall have individual CIP’s prepared.

F.1.15.6 Any CIP shall endeavour to co-ordinate individual initiatives to improve properties with municipal actions to upgrade physical infrastructure and community services, and promote new types of housing.

F.1.15.7 Council shall be satisfied that community improvements are within the financial capability of the City.

On the basis of the above, it is considered that the creation of a new CIPA in combination with an incentives program geared towards encouraging sustainable, mixed income developments implements provincial and local policy direction.

RELEVANT CONSULTATION

- Housing Services Division, Healthy and Safe Communities Department;
- Finance Planning, Administration and Policy Division, Corporate Services Department, and,
- Economic Development, Planning and Economic Development Department.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

The proposed amendments to the Downtown and Community Renewal Community Improvement Project Plan (2016) (see Appendix “A” to Report PED16236(b)) are in accordance with Urban Renewal Section’s comprehensive review. This section of the Report provides some background and history as well as the rationale for the proposed changes to the CIP (2016).

The project currently consists of developing upwards of 600 multiple density residential units, predominately in the form of townhouses, with three proposed rental multiple dwellings (8-10 storeys) sited in proximity to Queenston Road. Discussions are on-
going with respect to the potential of securing affordable housing for seniors within one of the buildings and for the delivery of a turnkey 95-unit building for CHH.

Currently the lands include the former Roxborough School (now demolished) on the lands owned by RPI and 91 Rent Geared to Income townhouses and 16 market apartments (one bedroom) on the lands owned by CHH.

The Roxborough development would be an appropriate candidate for an incentive demonstration project. It is a large (approximately 4.5 ac) contiguous piece of property that if combined with the existing CHH lands (approximately 8 ac), could enable the revitalisation of existing subsidized units within a larger mixed income development. The lands are currently underutilized and appropriately suited to take advantage of intensification. The lands are serviced by existing and future transportation infrastructure and are also designated for residential development within the UHOP.

Another matter which lends itself to the appropriateness of this project for demonstration purposes is the existing Roxborough Park immediately to the north. Discussions are underway to co-ordinate park enhancements with the proposed development. Such coordination would not only result in public realm improvements for the wider area, but also create more enhanced amenity space that could foster increased community interaction.

Additionally, work is underway on the development of a Community Hub within the former St. Helen’s School site also located within the McQueston Neighbourhood. Council Motion of February 14, 2018 has sought to purchase the site and make it available in the long-term for this specific purpose. While this is a separate process and still in the development stage, future community hub uses may provide important community supports for the residents of the Roxborough development, creating a more sustainable and complete community. As detailed within this Report, the proposed CIPA boundary would extend to include these lands and the institutional blocks of land currently containing the Hillcrest Elementary School and two churches on Melvin Avenue to assist future potential redevelopment of the area.

Core Principles for Re-development

Through initial discussions regarding this demonstration project, a number of core principles were developed by staff in order to ensure the development satisfied current policy requirements, and demonstrated a meaningful approach to sustainable, inclusive community building that prioritizes affordable housing. These core principles are as follows:

- Maintain Current Service Level Standards – how this would be achieved would be defined through the development process with at least the same number of
subsidized income units currently owned and operated by CHH would be maintained. This is a Provincial requirement;

- Net increase in the number of units (both affordable and market) to deliver a complete and efficient development;
- Significant intensification of the lands, which are currently underutilized, to meet housing needs, efficiently use the lands and create a complete community. This complete community will take advantage of the existing and future services, infrastructure and parkland;
- Achieve income mix – deliver a spectrum of units that provides a range of housing options for all community members, including households with incomes below the 40th income percentile (i.e. deeper affordability);
- Tenure Mix – deliver both ownership and rental units, ensuring a mix of housing options;
- Quality Design – the goal would be a seamless array of housing forms, both market and affordable defined by a consistently high quality of design;
- Mix of unit sizes – ensure a range of housing needs are met through a variety of unit sizes, including for large families;
- Accessibility – ensure accessibility needs are met through application of the City’s Barrier Free Design Guidelines;
- Length of affordability – ensure affordability is maintained over the long term; and,
- Capacity building – providing the opportunity to include community supports with the housing.

Whereas the above principles are responding to the specific needs of the subject lands, it is considered that in general, this approach to mixed income development, particularly when it involves sites that currently accommodate subsidized units, would be applicable on a broader City-wide basis.

Affordable Housing Demonstration Project

The demonstration project is intended to highlight how re-development can achieve numerous social and economic goals. In particular, it should be noted that the following would be secured through this process:

Inclusiveness
Seamless design – quality in design material and built form will be consistent across the site. Visually this will connect the development and remove any visual cues that may otherwise indicate variation across economic income of the future residents of the development.

Interconnected park and trail system - intended to physically and socially link people within and through the development.
Openness - fosters a community design that will improve natural surveillance, sense of ownership and community feel.

Accessibility – emphasis on exceeding the amount and quality of accessible units, particularly understanding how affordability issues are further compounded if combined with accessibility needs.

**Affordable Home Ownership**

Through the creation of a CIP, it is proposed that over 70% of the 300 proposed grade related units could be provided at approximately 10% below market. The units would be able to achieve this through a combination of forgivable loans to cover Parkland and Development Charges (DC) and reductions committed to by RPI. As part of the incentive program, a mechanism would be required in order to avoid these units being speculatively re-sold. This mechanism will be confirmed through the future incentive program and administered through the amended Community Improvement Plan.

It is also noted that the recently approved zoning by-law for the lands includes the ability as of right to create accessory apartment units in the end unit of each townhouse block. This would permit not only an increase in the supply of rental units but also offer the opportunity of future unit owners to gain a secondary income from their property.

**Market**

The intent for this project has been to demonstrate how a mixed tenure, mixed income development is not only compatible, but if integrated appropriately, could foster greater acceptance, tolerance and inclusivity.

The mixture of market and affordable units was also intended to allow for some of the costs in delivering affordable housing be offset against potential savings on the market units. To this end, incentives for the market units will be considered and recommended in the future programs to be introduced within the CIP.

As discussed in the Report, while incentives similar to those in the Downtown would be introduced within this CIP, in this instance, any incentives made available to market development would only be permitted in instances where significant amount of units with affordability and mixed tenure are delivered in combination. As such, unlike the Downtown incentives, there will be requirements to ensure mixed income and mixed tenure as a prerequisite to access the package of incentives and will likely be dealt with outside of the DC By-law.

**Rental**

As detailed within this Report, it has been recognized that the development of rental units has been significantly affected since the creation of the *Condominium Act*, which has witnessed significant reductions in the construction of new rental buildings. This has resulted in the existing rental options primarily being of an older stock, limited availability and often in need of capital repair. The absence of this type of tenure on the...
market has resulted in steadily rising market rental rates further compounding the affordability of housing options within the City.

The proposed development would assist with this much needed product on the market, not only providing choice within the market but also adding to the inclusiveness and completeness of this new proposed community through the provision of approximately 135 market rental units.

**Affordable Rental**

In terms of social housing, the delivery of a 95-unit building to be owned and operated by CHH would represent a significant component of those units. A substantial portion of these units are intended to be large (three and four bedrooms) in order to accommodate larger households. The delivery of larger rental units is a key outcome given that the private rental market is increasingly reducing the number and availability of larger family sized units in favour of more marketable and cost efficient smaller units.

The proposed CHH building would also introduce affordable rental units within the building. This provides not only additional economic sustainability in the operation of the building, but provides social sustainability through provision of a mixture of affordability.

Through the application of incentives, the market rental building is also going to be explored in order to determine if and how many affordable rental units could be introduced into this building. These discussions are continuing and are dependent on the range of potential incentives available.

**Affordable Seniors Rental Housing**

Discussions are also in the works with a development group who are seeking to provide affordable rental units for seniors in the form of a retirement facility. The Development Group proposes a scalable model of new-build housing that is safe, supportive and sustainable. The target market includes marginalized seniors waiting for assisted living options, patients waiting in hospitals and seniors living precariously in their homes.

For this approach to be viable, relief from DCs and possibly additional incentives offered through the CIP would be required. They are currently in discussions with City of Hamilton and RPI representatives to potentially occupy one of the three proposed rental apartment buildings.

**Community Improvement Plan**

Previous Report PED16236 explored the option of providing incentives in the absence of creating a formal CIPA. However, through careful consideration and in discussion with Legal Services, the option of utilizing the Municipal Facilities By-law approach in combination with applying Development Charge credits from the demolition of existing units was not considered sufficient or appropriate in order to achieve the desired outcome.
It was determined that in order to achieve the desired level of control, provide the necessary range of incentives to stimulate both affordable housing and neighbourhood renewal, the most appropriate method would be through the development of a CIPA.

With regards to the merits of establishing a new CIPA geared towards affordable housing and neighbourhood revitalization, staff note the opportunity for such consideration can be explored in part given the successes to-date of the Downtown Hamilton CIPA. As the scale of incentives is gradually being reduced in the Downtown Hamilton CIPA, an opportunity exists to transition the focus of public attention on local priorities such as the McQueston Neighbourhood and others like it. The CIP approach would allow the City to target areas in transition or in need of repair, rehabilitation and re-development.

Through review of the demonstration project and a greater appreciation of the need and opportunity for inclusive neighbourhood renewal that focuses on affordable housing, it is proposed that the study area include additional areas within the community that would not only benefit from the previously identified opportunities of the location (LRT – Parks – Services) but also are areas with increasing pressures to be re-developed in the future due to the age and use of the existing building stock. These areas include Oriole Crescent and McQueston Community Hub - shown in the proposed CIPA map attached as Appendix “A” to Report PED16236(a)).

The boundary of the proposed CIPA and the implementation of the CIP would be consistent with Policy F.1.15.2 of the UHOP, which identifies the criteria that indicate the need for adoption of a CIP. This includes matters such as the need for building stock renewal as well as community and economic development reasons, exhibited by the lands contained within the proposed boundary.

Former institutional sites in particular, which by design are often larger contiguous sites that are underutilized and/or which have become vacant, pose particular challenges for re-development in some neighbourhoods. Where the cost of new construction, including all applicable fees, is at or greater than the local housing market, the perceived financial risk of re-development of such sites can discourage development. This is often further compounded when such sites, due to previous uses and or construction material, require costly remediation to permit more sensitive land uses such as residential. Left vacant and underutilized, these sites can have a destabilizing effect of the balance of the neighbourhood, further discouraging investment and re-development.

The current proposed boundary would consist of two former schools intended for re-development – being St. Helen’s and the Roxborough School. As such, the prospect of creating and defining CIPA’s for these ‘Institutional Bluefields’ within the McQueston Neighbourhood and other similar neighbourhoods, could facilitate and encourage community change in a coordinated manner and similarly stimulate private sector investment through municipal incentive-based programs. Beyond just the provision of
affordable housing, areas such as these could provide the opportunity for creation of a
development catalyst, stimulating investment in an area that has seen limited
development in recent years. A new CIP for such ‘Institutional Bluefields’ would have a
residential focus, with economic benefits to the City occurring mostly through increased
tax assessment as a result of intensification.

Similarly, as highlighted within the demonstration project, opportunity exists to address
the increasing concern of aging building stock, particularly housing within the CHH
portfolio. Both the subject lands subject to Zoning and Official Plan Amendment
Application ZAC-18-10 and lands to the north known as Oriole Crescent provide
approximately 350 affordable units. The majority of these units are grade related and in
need of Capital repairs. In addition, there is a need to modernize not only the stock but
to address issues of efficiency and the subsidized concentration of units to improve cost
effective and inclusive delivery of housing within the community.

The intent is to consolidate 95 of the existing 105 grade related CHH units into one
building that would offer a mixture of unit sizes, innovative design and mixed income
rental tenure – with both subsidized and affordable market rents within one building.
This is then to be combined with a mixed income and mixed tenure community.
Recognizing this as an opportunity, the proposed CIPA would include not only the lands
subject to Application ZAC-18-10 but also the balance of housing within Oriole Crescent
as well as the proposed community hub at the former St. Helen’s School.

The creation of a CIPA would not only help deliver the development proposed by RPI
and CHH, but as anticipated, this development may prove to be a catalyst for future
changes that will build upon the philosophy and intent of a complete, accessible,
sustainable and inclusive community. It is the opinion of staff that a CIPA tailored to this
intent would be the most effective manner in which to achieve this desired outcome.
Financial incentives to be contemplated could include matters pertaining to stimulating
more rental stock, more family friendly units and innovative, accessible and efficient
building design.

This CIPA recognizes also the potential for greater pressures to be placed upon
communities such as this to accommodate housing which is increasingly unaffordable
within the Downtown. Similarly, as the scale of incentives is gradually being reduced in
the Downtown Hamilton CIPA, an opportunity exists to transition the focus of public
attention on local priorities.

CIP Incentives

Following approval and implementation of the proposed new Roxborough Community
Improvement Project Area, staff will propose amendments to the Community
Improvement Plan in order to allow a range of incentives to be applied to the Project
Area.
The proposed Community Improvement Plan amendments would recognize varying levels of affordability and seek to create incentives to foster well planned mixed income communities, thus ensuring that areas such as the Roxborough Community Improvement Project area can be a catalyst for neighbourhood revitalization. It would be delivered in a manner that secures a complete community approach that prioritises housing for all, irrespective of income. The package of potential incentives would include consideration of the following:

**Development Charges (DC)** – consideration of opportunities for full or partial incentives equal to DCs (not including education) for units defined as both affordable as well as for market units. The current DC By-law has requirements that, if met, will exempt affordable housing units. Where the full amount is exempted no further incentive for the DC would be provided. Where the DC By-law does not exempt the DC for a unit the extent of the DC incentives would in part be contingent on the depth and number of affordable housing created. Consideration will be given to new financial programs administered through the CIP such as forgivable loans or fully repayable loans that would be structured to protect the City’s investment in affordable housing with the goal of long term affordability.

**Parkland Dedication** – similar to that of DC, consideration of full or partial Parkland Dedication reductions for units defined both as affordable, as well as, for market units will be explored. The extent of the Parkland waivers would be contingent on the amount of affordable housing created.

Generally, when a property is developed or redeveloped, a certain amount of land for parkland, or other recreational facilities or trails, must be set aside for public use. This helps increase the number of public parks to serve the City.

Obtaining parkland is a City priority. However, in certain cases, where the City does not find the land to be suitable for parkland, cash-in-lieu of parkland conveyance or a combination of land and cash may be accepted.

With regard to the Roxborough Community Revitalization Project Area, it has been noted that as part of the overall strategy, the revitalization and enhancement of Roxborough Park will be an integral component of the success of the proposed new mixed income community. Currently staff is working with the community with respect to the design and improvement of the existing park.

Staff note that in order to balance this objective, sufficient cash-in-lieu funds should be available from the redevelopment of the lands to address required improvements to the existing Roxborough Park. However, it is contemplated that any additional funds above and beyond that what would otherwise be accrued from required cash-in-lieu contributions be re-invested into the development through the form of Parkland Dedication waivers.
These matters, including amending the Parkland Dedication By-law to add a schedule highlighting the Roxborough Community Revitalization Project Area, will be dealt with through subsequent reports.

**Tax Waivers** – applicable only to the units that are affordable, the waivers would potentially further increase the affordability of the unit. It is considered that this incentive be carefully assessed given that a large consideration of the benefit of the incentives is to stimulate revitalization and increased tax assessment. As such, implementation of this incentive should be limited if at all, to only those units that represent deep affordability.

**ERASE Program** – Urban Renewal Section recently completed and approved its Five-Year Review of its Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan. The ERASE boundary is consistent with the existing urban boundary of the City. Staff amended the Program to allow the opportunity through this process to help with revitalization of former institutional sites. Currently, the institutional sites would qualify for ERASE Study and Re-development Grants if being re-developed to a more sensitive land use. Since many former institutional sites are being decommissioned and sold for the re-development of more sensitive land uses, demolitions become costly as they require the safe removal of above ground contaminants. The Program can assist in the removal of such substances which may include but not be limited to such things as asbestos or lead.

**Planning Fee Reductions** – for the purposes of the demonstration project, Planning Fees could be waived with respect to future development.

**Building Permit Fees** – under the provisions of the *Planning Act*, Building Permit Fees must be received. Additional funding sources could be identified to cover the fees in part or in total for those future proposed affordable units.

**Funding Sources**

It is considered that a new sustainable funding source would need to be identified. This would need to be addressed in full within the subsequent report to amend the Community Improvement Plan. It is noted that review of the current DC By-law is underway and that the CIP proposal options will be considered with the review and alongside any changes to the DC By-law which will be presented for Councils approval in 2019.

**Tax Assessment Increases**

It is noted that through the intensification of the lands, the ‘opportunity costs’ that would be used to incentivise the development would be offset through the increased tax assessment. The significant intensification of the subject lands and the potential re-development of additional lands would result in considerable tax assessment increases, particularly given that CHH housing is exempt from municipal taxation. Each new
townhouse would be expected to pay approximately $4 K-$4.5 K annually whereas the total tax income from the proposed apartment buildings would be approximately $550 K annually (excluding the CHH building which as mentioned is exempt).

Given that this development would represent infill development and that cost sharing with the developer would assist with any necessary infrastructure upgrades a component of the increased tax assessment could be utilised to recover costs associated with Development Charges incentives and/or any loans administered through the CIP. This potential mechanism and full review of potential costs will be addressed within the subsequent report to amend the CIP.

Partnerships
Key to the success of the demonstration project and a CIPA of this nature is to ensure multi-levels of government are involved in the solution. The Province of Ontario in updating the Long-Term Affordable Housing Strategy, announced an investment of $178 M over three years, acknowledging a long-term commitment to stable funding that will continue transformation of the housing system. They further acknowledge a plan to invest up to $100 M in operation funding, and supporting the construction of up to 1.5 K new supportive housing units for the long-term, with operating assistance eventually assisting up to 6,000 households.

As part of this process, the Province released the Ontario Development Charges Rebate Program as one of the initiatives under the Fair Housing Plan to increase supply of market rental housing – specifically of purpose-built market rental housing. Under the Program, eligible market rental housing developments would receive a rebate of development charges collected by Municipalities. The Program would be administered by Municipalities and target priority projects in those communities that are most in need of new purpose-built rental housing. Under the Development Charges Rebate Program, Hamilton responded to the Expression of Interest and was successful in securing a total (nominal) of $6,850,702 over five years.

As detailed within the RPI proposal, there are currently three rental buildings proposed – one will be owned and operated by CHH, one is being considered for an affordable housing for seniors and the third would be market rental and thus eligible for the proposed Rebate Program proposed by the Province. As such staff will be working with the Province and RPI to determine if the Project can be awarded participation within the Program. In addition, funding is also being explored with the incentives being offered through current and future programs at Canada Mortgage and Housing Corporation (CHMC).

At the Federal level, staff continues to review and participate in discussions with respect to future potential funding streams that may be applicable to projects similar to that detailed within this Report.
Conclusion

The consideration of incentives to encourage the development of affordable housing projects through the creation of a CIPA would be consistent and conform to the relevant policies detailed above. The comprehensive re-development would likely provide a catalyst for further investment within the area, increase the existing tax assessment base and replace subsidized units in need of significant Capital repairs.

It is considered that whilst this will be developed as a demonstration project, the information and outcomes can be replicated and enhanced through development of similar CIPAs in areas in need of similar revitalization.

ALTERNATIVES FOR CONSIDERATION

Non-Approval of the recommendations contained in this Report would result in the continuation of the existing financial incentives within the existing approved Community Improvement Project Areas (status quo).

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Proposed Downtown and Community Renewal Community Improvement Project Area By-law and Implementing By-law
CITY OF HAMILTON

BY-LAW No. 18-

To Amend The Downtown and Community Renewal Community Improvement Project Area

WHEREAS Section 28 of the Planning Act entitled “Community Improvement” provides in subsection (2):

“Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

AND WHEREAS the Planning Act, Section 28(1) defines a “community improvement project area” as “an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”;

AND WHEREAS Section F.1.15 of the Hamilton Urban Official Plan contains provisions relating to community improvement;

AND WHEREAS By-law 16-125 identifies various areas of the City of Hamilton, including the Downtown Hamilton Community Improvement Project Area, Ancaster Village Community Improvement Project Area, Binbrook Community Improvement Project Area, Dundas Community Improvement Project Area, Downtown Stoney Creek Community Improvement Project Area, Waterdown Community Improvement Project Area, Barton Village Community Improvement Project Area, Concession Street Community Improvement Project Area, Locke Street Community Improvement Project Area, Ottawa Street Community Improvement Project Area, Westdale Community Improvement Project Area, Roxborough Community Improvement Project Area, Commercial Corridors Community Improvement Project Area, and certain properties designated under Part IV or V of the Ontario Heritage Act, and designates collectively said areas as the “Downtown and Community Renewal Community Improvement Project Area”;
AND WHEREAS attached hereto and forming part of this by-law as Schedule 'A', is a map of newly designated Roxborough Community Improvement Project Area dated August 15, 2018;

AND WHEREAS the Council of the City of Hamilton considers it appropriate to designate said area of the municipality as a “community improvement project area”, as hereinafter provided for in this by-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the Roxborough Community Improvement Project Area as shown on schedule ‘A’ be designated as a Community Improvement Project Area.

2. That By-law No. 16-125 be amended by adding the map as contained in Schedule ‘A’ to this By-law being the Roxborough Community Improvement Project Area.

PASSED this XXth day of XXX, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk
CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 261 King Street East (Stoney Creek) (PED18209) (Ward 10)

WARD(S) AFFECTED: Ward 10

PREPARED BY: Yvette Rybensky (905) 546-2424 Ext. 5134

SUBMITTED BY: Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Report PED18209 advising Planning Committee of the scheduling of a Non-Statutory Public Meeting relating to an appeal to the Local Planning Appeal Tribunal (LPAT - formerly known as OMB) of Urban Hamilton Official Plan Amendment Application UHOPA-16-028 and Zoning By-law Amendment Application ZAC-16-068, be received.

(b) That Report PED18209, together with any written submissions and input from delegations received at Planning Committee, be referred to staff for consideration and incorporated into a further report for direction to be given to the City Solicitor.

EXECUTIVE SUMMARY

Planning Committee was advised on matters relating to an appeal to the Local Planning Appeal Tribunal (LPAT - formerly known as OMB) with regards to Urban Hamilton Official Plan Amendment Application UHOPA-16-028 and Zoning By-law Amendment Application ZAC-16-068, on February 6, 2018, as part of Report PED18033, in accordance with Council’s policy for staff to advise the Planning Committee and City Council of appeals for non-decision.

Although the applications have been appealed to the Local Planning Appeal Tribunal (LPAT) prior to a Statutory Public Meeting being held, a Non-Statutory Public Meeting...
SUBJECT: Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 261 King Street East (Stoney Creek) (PED18209) (Ward 10) - Page 2 of 4

has been scheduled as per Council’s recently amended Procedures for Appeals, adopted February 28, 2018, which, in part, reads:

“(i) Where an appellant has agreed to postpone the scheduling of any hearing event until such time as Planning Committee has had an opportunity to consider the matter and that agreement has been communicated to the Ontario Municipal Board or its successor, that Planning staff be directed to process those matters accordingly and bring those matters to Planning Committee at a non-statutory public meeting for consideration and for direction to be given to the City Solicitor;”

A Non-Statutory Public Meeting has been scheduled for September 18, 2018 to allow residents and neighbours an opportunity to speak to these applications. Input received from delegations at Planning Committee, along with any written submissions, will be referred to staff for consideration and incorporated into a further report for direction to the City Solicitor.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The appeal to the Local Planning Appeal Tribunal (LPAT) was received by the City Clerk’s Office on November 27, 2017. A Non-Statutory Public Meeting has been scheduled for September 18, 2018 to allow residents and neighbours an opportunity to speak to these applications.

HISTORICAL BACKGROUND

The subject lands, municipally known as 261 King Street East, Hamilton, are located between Corman Avenue and Green Road (refer to Appendix “A” to Report PED18209).

The subject property is irregular in shape and has a lot frontage of 45 metres, an average lot depth of 203 metres, and an area of 0.39 ha. The subject lands are currently developed with a two storey single detached dwelling. The subject property is surrounded by residential development, mainly in the form of single detached dwellings, with institutional, commercial, and multiple dwelling uses located nearby at the intersection of King Street East and Highway No. 8. Additional commercial uses are located to the west on King Street East. The applications were submitted on October 24, 2016 and deemed complete on November 4, 2016.
Applications:

Official Plan Amendment Application:

The applicant applied for an Official Plan Amendment to the Western Development Area Secondary Plan in Volume 2 of the Urban Hamilton Official Plan to redesignate the site to “Medium Density Residential 3”, to permit a four (4) storey multiple dwelling. Additionally, a site specific exception is required to increase the density to 116 units per net hectare. This application is proposed to permit a 45 unit multiple dwelling development in the form of a four storey building, with a stepped backed fourth floor.

Zoning By-law Amendment Application:

The applicant applied for a Zoning By-law Amendment to rezone the subject lands from the Multiple Residential “RM3-16” Zone, Modified, to the Multiple Residential “RM4” Zone, Modified, within the Stoney Creek Zoning By-law No. 3692-92. to permit a 45 unit, four storey multiple dwelling with 58 parking spaces, with 54 spaces and 2 barrier-free spaces being underground and two spaces provided at grade, at a rate of one space per dwelling unit plus 0.28 visitor spaces per unit. A number of site specific modifications are proposed to implement the proposed development, including a parking reduction of 24 spaces (29%) (refer to Appendix “B” to Report PED18209).

The application was modified to address concerns raised by residents and staff and a revised development concept was submitted on June 16, 2017. These proposed design changes included a stepped-back fourth floor plate and modulation of the façade.

A number of outstanding issues remain, including the massing of the proposed structure, the proposed height, potential for shadows and overlook concerns, and compatibility with adjacent single detached dwellings.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The appeal to the Local Planning Appeal Tribunal (LPAT) was received by the City Clerk’s Office on November 27, 2017; 396 days after the receipt of the initial application (refer to Appendix “C” to Report PED18209).

RELEVANT CONSULTATION

In accordance with the provisions of the Planning Act and the Council-approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 109 property owners within 120 m of the subject property on November 18, 2016, for the proposed Urban Hamilton Official Plan Amendment and Zoning By-law
Amendment Applications. In addition, a Public Notice sign was placed on the property on November 16, 2016. As per the Applicant’s Public Consultation Strategy, an Open House was held on November 10, 2016. Notice of the Open House was mailed to all property owners within 120 metres of the subject lands, the Ward Councillor, and the City.

Twenty-five people attended the Open House and seven written submissions were received from residents opposed to the development. In addition, a petition was received signed by 144 individuals opposed to the development.

Notice of the Non-Statutory Public Meeting was sent to the 75 property owners within 120 m of the subject property, as well as the people who attended the previous neighbourhood meeting associated with this proposal, on August 31, 2018.

ALTERNATIVES FOR CONSIDERATION

Not Applicable.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”: - Location Map
Appendix “B”: - Site Plan
Appendix “C”: - Letter of Appeal
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-16-068/UHOPA-16-029
Date: November 2, 2016

Appendix "A"
Scale: N.T.S.
Planner/Technician: VM/VS

Subject Property

261 King Street East, Stoney Creek

Key Map - Ward 10 N.T.S.
November 27th, 2017

Rose Caterini, City Clerk
Office of the City Clerk
City of Hamilton
71 Main St. West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Ms. Caterini:

RE: Notice of Appeal – Failure to make a decision within 180 days
261 King Street East, Stoney Creek, L8G 1M1 – UHOPA-16-028

We act on behalf of J.A.N. Group Inc. with respect to the above-noted matters. J.A.N. Group Inc. is the owner of the property located at 261 King Street East, Stoney Creek, located in the City Hamilton (the "City"). The aforementioned project is being appealed to the Ontario Municipal Board due to the timeframe mandated by subsection 17(40) of the Planning Act R.S.O 1990, c. P.13, being exceeded.

The Site is located on the north side of King Street East, west of Green Road in the former City of Stoney Creek. There is an existing single detached dwelling on the property.

Please note this appeal is submitted in tandem with an appeal of the related Zoning By-law Amendment (ZAC-16-068). Our client requests that the Board consolidate these appeals to be heard together.

GSP Group Inc. submitted applications for Official Plan Amendment and Zoning By-law Amendment on October 21st, 2016. This application was deemed complete by the City on November 18th, 2016, and was circulated on the same date. Section 17(40) of the Planning Act requires the approval authority to make a decision within a 180-day time frame. The timeframe therefore lapsed on approximately May 17th, 2017.

Accordingly, our client is appealing City Council’s non-decision on the Official Plan Amendment application to the Ontario Municipal Board pursuant to subsection 17(40) of the Planning Act, R.S.O 1990, c. P.13.

Enclosed within this appeal are: one (1) cheque in the amount of $300.00, payable to the Minister of Finance, representing the Board’s filing fees for the appeal; and one (1) completed Ontario Municipal Board appellant form.
We trust this is satisfactory. Should you have any questions, please do not hesitate to contact me at bkhes@gspgroup.ca or 905-572-7477.

Yours truly,
GSP Group Inc.

Brenda Khes, MCIP RPP
Associate - Senior Planner

Cc: John Frketich, J.A.N. Group Inc.
Instructions for preparing and submitting the Appellant Form (A1)

- **Important:** Do not send your appeal directly to the Ontario Municipal Board (OMB). Submit your completed appeal form(s) and filing fee(s) by the filing deadline to either the Municipality or the Approval Authority/School Board, as applicable. The notice of decision provided by the municipality/approval authority will tell you where to send the form and appeal fee.

- The Municipality/Approval Authority/School Board will forward your appeal(s) and fee(s) to the OMB.

- We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005.* If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible at:
  - Toll free: 1-866-448-2248; or
  - TTY: 1-800-855-1155 via Bell relay

- E-mail is the primary form of communication used by the OMB. Providing an e-mail address ensures prompt delivery/receipt of documents and information. Please ensure to include your e-mail address in the space provided on the appeal form.

- A filing fee of $300 is required for each type of appeal you are filing. Example: An appeal of an official plan and a zoning by-law would be $300 + $300 for a total fee of $600.

- To view the Fee Schedule, visit the OMB's website [http://elto.gov.on.ca/omb/fee-chart/](http://elto.gov.on.ca/omb/fee-chart/).

- The filing fee must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. Do not send cash.

- If you are represented by a solicitor the filing fee may be paid by a solicitor's general or trust account cheque.

- Professional representation is not required but please advise the OMB if you retain a representative after the submission of this form.


- Fields marked with an asterisk (*) are mandatory.
### 1. Appeal Type (Please check all applicable boxes) *

<table>
<thead>
<tr>
<th>Subject of Appeal</th>
<th>Type of Appeal</th>
<th>Act Reference (Section)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)</td>
<td>17(24)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment</td>
<td>17(36)</td>
</tr>
<tr>
<td></td>
<td>□ Approval Authority failed to make a decision on the plan within 180 days</td>
<td>17(40)</td>
</tr>
<tr>
<td></td>
<td>□ Council failed to adopt the requested amendment within 180 days</td>
<td>22(7)</td>
</tr>
<tr>
<td></td>
<td>□ Council refused the requested amendment</td>
<td></td>
</tr>
<tr>
<td><strong>Official Plan or Official Plan Amendment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal the passing of a Zoning By-law</td>
<td>34(19)</td>
</tr>
<tr>
<td></td>
<td>□ Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days</td>
<td>34(11)</td>
</tr>
<tr>
<td></td>
<td>□ Application for an amendment to the Zoning By-law – refused by the municipality</td>
<td></td>
</tr>
<tr>
<td><strong>Zoning By-law or Zoning By-law Amendment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal a decision that approved or refused the application</td>
<td>45(12)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal conditions imposed</td>
<td>53(19)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal changed conditions</td>
<td>53(27)</td>
</tr>
<tr>
<td></td>
<td>□ Application for consent – Approval Authority failed to make a decision on the application within 90 days</td>
<td>53(14)</td>
</tr>
<tr>
<td></td>
<td>□ Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 180 days</td>
<td>51(34)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal a decision of an Approval Authority that approved a plan of subdivision</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal a decision of an Approval Authority that did not approve a plan of subdivision</td>
<td>51(39)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal a lapsing provision imposed by an Approval Authority</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal conditions imposed by an Approval Authority</td>
<td></td>
</tr>
<tr>
<td></td>
<td>□ Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)</td>
<td>51(43)</td>
</tr>
<tr>
<td></td>
<td>□ Appeal changed conditions</td>
<td>51(48)</td>
</tr>
<tr>
<td>Subject of Appeal</td>
<td>Type of Appeal</td>
<td>Act Reference (Section)</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Development Charges Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development Charge By-law</td>
<td>☐ Appeal a Development Charge By-law</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>☐ Appeal an amendment to a Development Charge By-law</td>
<td>19(1)</td>
</tr>
<tr>
<td>Development Charge Complaint</td>
<td>☐ Appeal municipality’s decision regarding a complaint</td>
<td>22(1)</td>
</tr>
<tr>
<td></td>
<td>☐ Failed to make a decision on the complaint within 60 days</td>
<td>22(2)</td>
</tr>
<tr>
<td>Front-ending Agreement</td>
<td>☐ Objection to a front-ending agreement</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>☐ Objection to an amendment to a front-ending agreement</td>
<td>50</td>
</tr>
<tr>
<td><strong>Education Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education Development Charge By-law</td>
<td>☐ Appeal an Education Development Charge By-law</td>
<td>257.65</td>
</tr>
<tr>
<td></td>
<td>☐ Appeal an amendment to an Education Development Charge By-law</td>
<td>257.74(1)</td>
</tr>
<tr>
<td>Education Development Charge Complaint</td>
<td>☐ Appeal approval authority’s decision regarding a complaint</td>
<td>257.87(1)</td>
</tr>
<tr>
<td></td>
<td>☐ Failed to make a decision on the complaint within 60 days</td>
<td>257.87(2)</td>
</tr>
<tr>
<td><strong>Aggregate Resources Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggregate Removal Licence</td>
<td>☐ One or more objections against an application for a ‘Class A’ aggregate removal licence</td>
<td>11(5)</td>
</tr>
<tr>
<td></td>
<td>☐ One or more objections against an application for a ‘Class B’ aggregate removal licence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Application for a ‘Class A’ licence – refused by Minister</td>
<td>11(11)</td>
</tr>
<tr>
<td></td>
<td>☐ Application for a ‘Class B’ licence – refused by Minister</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Changes to conditions to a licence</td>
<td>13(6)</td>
</tr>
<tr>
<td></td>
<td>☐ Amendment of site plans</td>
<td>16(8)</td>
</tr>
<tr>
<td></td>
<td>☐ Minister proposes to transfer the licence – applicant does not have licensee’s consent</td>
<td>18(5)</td>
</tr>
<tr>
<td></td>
<td>☐ Minister proposes to refuse transfer of licence – applicant is licensee or has licensee’s consent to transfer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Minister proposes to refuse transfer of licence – applicant does not have licensee’s consent to transfer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Revocation of licence</td>
<td>20(4)</td>
</tr>
<tr>
<td><strong>Municipal Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ward Boundary By-law</td>
<td>☐ Appeal the passing of a by-law to divide the municipality into wards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Appeal the passing of a by-law to redivide the municipality into wards</td>
<td>222(4)</td>
</tr>
<tr>
<td></td>
<td>☐ Appeal the passing of a by-law to dissolve the existing wards</td>
<td></td>
</tr>
<tr>
<td><strong>Ontario Heritage Act Matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heritage Conservation District</td>
<td>☐ Appeal the passing of a by-law designating a heritage conservation study area</td>
<td>40.1(4)</td>
</tr>
<tr>
<td></td>
<td>☐ Appeal the passing of a by-law designating a heritage conservation district</td>
<td>41(4)</td>
</tr>
</tbody>
</table>
### Location Information

Address and/or Legal Description of property subject to the appeal *

261 King Street East  
Stoney Creek, ON  
L8G 1M1

Municipality *  
City of Hamilton

Upper Tier (Example: county, district, region)

### Appellant/Objector Information

Note: You must notify the OMB of any change of address or telephone number in writing. Please quote your OMB Case/File Number(s) after they have been assigned.

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frketich</td>
<td>John</td>
</tr>
</tbody>
</table>

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

J.A.N Group Inc.

Professional Title

Email Address

jfrketic@can-amindustrial.com

Daytime Telephone Number *  
905-920-6010

Alternate Telephone Number

Fax Number

Mailing Address

<table>
<thead>
<tr>
<th>Unit Number</th>
<th>Street Number *</th>
<th>Street Name *</th>
<th>PO Box</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Admiral Circle</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City/Town *  
Grimsby

Province *  
Ontario

Country *  
Canada

Postal Code *  
L3M 5C7

### Representative Information

☑️ I hereby authorize the named company and/or individual(s) to represent me

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khes</td>
<td>Brenda</td>
</tr>
</tbody>
</table>

Company Name

GSP Group Inc

Professional Title

Senior Planner

Email Address

bkhes@gspgroup.ca

Daytime Telephone Number

905-572-7477

Alternate Telephone Number

Fax Number

Mailing Address

<table>
<thead>
<tr>
<th>Unit Number</th>
<th>Street Number</th>
<th>Street Name</th>
<th>PO Box</th>
</tr>
</thead>
<tbody>
<tr>
<td>200</td>
<td>162</td>
<td>Locke Street South</td>
<td></td>
</tr>
</tbody>
</table>

City/Town

Hamilton

Province  
Ontario

Country  
Canada

Postal Code  
L8P 4A9
5. Appeal Specific Information

**Municipal Reference Number(s)**
UHOPA-16-028

Outline the nature of your appeal and the reasons for your appeal *
Please see attached cover letter

---

**Oral/written submissions to council**

Did you make your opinions regarding this matter known to council?

☐ Oral submissions at a public meeting  ☐ Written submissions to council

**Planning Act matters only**

Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016 (Bill 73)

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

☐ Yes  ☐ No

6. Related Matters

Are there other appeals not yet filed with the Municipality?

☑ Yes  ☐ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

☑ Yes  ☐ No

7. Scheduling Information

How many days do you estimate are needed for hearing this appeal?

☐ 1 day  ☐ 2 days  ☐ 3 days  ☐ 4 days  ☑ 1 week

☐ More than 1 week

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?

3+

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.)

Land Use Planner, Urban Design Expert, Transportation Engineer, others
Do you believe this matter would benefit from mediation?

(Prior to scheduling a matter for mediation, the OMB will conduct an assessment to determine its suitability for mediation)

☐ Yes  ☐ No

8. Required Fee

Total Fee Submitted * $ 300

Payment Method * ▶ ☑ Certified cheque  ☐ Money Order  ☐ Solicitor's general or trust account cheque

9. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative

Signature of Appellant/Representative

Date (yyyy/mm/dd)

Prensa Khes

[Signature]

2017/11/27

Personal information requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended, and the Ontario Municipal Board Act, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.
TO: Chair and Members  
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2)

WARD(S) AFFECTED: Ward 2

PREPARED BY: Joseph Sanseverino (905) 546-2424 Ext. 4672

SUBMITTED BY: Stephen Robichaud    
Director, Planning and Chief Planner  
Planning and Economic Development Department

SIGNATURE: 

RECOMMENDATION

That the Appeal of Sign Variance Application SV-17-011, by Vincent Formosi (Blackfish Investments Inc). Owner, to replace the existing non-conforming roof top Billboard Sign with electronic message that advertises service for a third party, for the property located at 272-274 King Street West, (Hamilton), as shown on Appendix “A” to Report PED 18 225, be DENIED on the following basis:

(a) That the requested variances are not in keeping with the general intent and purpose of Sign By-law No. 10-197;

(b) That the requested variances do not meet the tests of Sign By-law No. 10-197.

EXECUTIVE SUMMARY

The applicant submitted Sign Variance Application SV-17-011 on July 10, 2017, which proposed to permit and legalize a 5.8 m by 3.1 m Digital Billboard on the roof of an existing building (see Appendices “B” and “C” to Report PED18225) for purposes of third party advertising which was installed without any municipal approvals. A previous static Billboard Sign was located on the roof of the existing building which advertised for Hakim Optical who were the previous tenant of the ground floor of 272-274 King Street West, and subsequently moved out of the building between 2007 and 2009.
The variances to the Sign By-law requested by the applicant are to permit a Digital Billboard for the purposes of third party advertising on the rooftop of the existing building at 272-274 King Street West.

The variances were denied by the Director of Planning and Chief Planner on August 10, 2018. The applicant appealed the decision on August 28, 2018 and requested the proposed Sign Variance Application be considered by the Planning Committee in accordance with the provisions of the Sign By-law.

**Alternatives for Consideration – See Page 8**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A  
Staffing: N/A  
Legal: The Application is under the *Municipal Act*, and there are no requirements for a Public Meeting. Sign By-law No. 10-197 requires the City Clerk to notify the applicant once a hearing date before the Planning Committee has been fixed where an appeal of the decision of the staff is made by the applicant.

**HISTORICAL BACKGROUND**

On August 12, 2010, Council approved Sign By-law No. 10-197. Part 6.0 of By-law No. 10-197 provides the regulations in dealing with variances, including the delegated approval authority, what the City of Hamilton shall have regard for when reviewing Sign Variance Applications (section 6.5), and the process of appealing the Sign Variance Application decision (section 6.6) (see Appendix “D” to Report PED18225).

On July, 11 2017, staff received the application for a Sign Variance to allow for a 5.8 m by 3.1 m roof top Digital Billboard for the purposes of third party advertising that was established without a permit. The sign does not conform to the applicable provisions of the Downtown Secondary Plan (DTSP), in particular Policy 6.1.5.18 which states that “New signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted” and Sign By-law No. 10-197 which implements the DTSP.

---

**OUR Vision:** To be the best place to raise a child and age successfully.  
**OUR Mission:** To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.  
**OUR Culture:** Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
SUBJECT: Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2) - Page 3 of 9

The following variances were requested and/or identified during the review of the application:

1. To permit a 5.8 m by 3.1 m Digital Billboard to be located on the roof top of the building;
2. To permit a Digital Billboard for the purposes of third party advertising;
3. To permit a Digital Billboard within a Downtown Community Improvement Project Area;
4. To permit a Digital Billboard to be within 300 m of a property zoned D2 which permits residential dwellings; and,
5. To permit a Digital Billboard to be setback 0 m from the property line.

On August 10, 2018, the variances were denied by the Director of Planning and Chief Planner, and notice was sent to the applicant advising them of the decision. On August 28, 2018, the applicant submitted a letter to the Office of the City Clerk, appealing the decision by the Director of Planning and Chief Planner to deny the variances, and requesting that the proposed Sign Variance appeal be considered by the Planning Committee (see Appendix “E” to Report PED18225).

The applicant, in their letter of appeal, was of the opinion that the variances maintain the intent of the Sign By-law and are compatible with the surrounding land uses and will have no impact on the area (see Appendix “E” to Report PED18225).

Details of Submitted Application

Location: 272-274 King Street West, Hamilton

Owner: Vincent Formosi (Blackfish Investments Inc.)

Applicant: Vincent Formosi, (Blackfish Investments Inc.)

Property Description:

- Frontage: 10.40 m
- Lot Depth: 16.45 m
- Area: 171.08 sq m
POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

City of Hamilton Sign By-law No. 10-197

By-law No. 10-197 provides regulations for signs and other advertising devices within the City of Hamilton.

Section 1.1 of By-law 10-197 defines a Billboard Sign as: “A sign that is free standing and is supported by a structure secured to the ground and which is not supported by any building or other structure, displays copy advertising goods, products, or services not sold or offered on the property where the sign is displayed and is either single faced or double faced but does not include a Ground Sign”.

While the sign in question is located on the roof and therefore is not free standing. As the sign in question provides advertisement for products and services not sold or offered on the property, the Billboard Sign definition most closely aligns with the proposed sign. Therefore, for the purpose of the Sign Variance, the sign has been interpreted to be a Digital Billboard.

Sign By-law 10-197 defines a “Digital Billboard” as follows: “A sign that is free standing and is supported by a structure secured to the ground and which is not supported by any building or other structure, displays copy advertising goods, products or services not sold or offered on the property where the sign is displayed by means of a digital or electronic screen and is either single faced or double faced but does not include a Billboard or a Ground Sign.”

The proposed Digital Billboard is a roof top sign. Therefore the proposed Digital Billboard does not conform to the Sign By-law 10-197.

The proposed “Digital Billboard” was reviewed against Sign By-law 10-197 and the following deficiencies were identified:

Section 5.10A.2 (i) of the Sign By-law 10-197 restricts the location of a Digital Billboard prohibiting the installation “on a property within the Downtown Community Improvement Project Area, the Waterdown Urban Area or the Waterdown Settlement Area.” The property is located within the Downtown Community Improvement Project Area. Therefore the proposed Digital Billboard does not conform to the Sign By-law 10-197.

Section 5.10A.2 (l) (i) of the Sign By-law 10-197, restricts the location of a Digital Billboard to “not less than 300 m from any residentially zoned property.” This property
itself is zoned Downtown Prime Retail Streets (D2) zone which permits dwelling units. Therefore the proposed Digital Billboard does not conform to the Sign By-law 10-197.

Section 5.10A.2 (m) of the Sign By-law 10-197, restricts the location of a Digital Billboard to “not less than 3.5 m from any property line.” The proposed Digital Billboard extends to the edge of the roof and since the building is right up to the property line then there is no setback to the property line. Therefore the proposed Digital Billboard does not conform to the Sign By-law 10-197.

The static roof top Billboard Sign existed prior to the By-law coming into effect and therefore would constitute an existing sign under Section 3.4. The static roof top Billboard Sign served as a business identification sign for a business which operated on the ground floor of the subject lands and moved out of the building between 2007 and 2009 prior to the enactment of Sign By-law No. 10-197.

The static roof top Billboard Sign was replaced with a Digital Billboard which was done without a permit or variances to the Sign By-law. The replacement of the existing sign with a Digital Billboard constitutes a substantial alteration and increases the non-compliance of the Billboard Sign.

Furthermore, the advertising for third party businesses and services of which are not located within the subject lands is not permitted by By-law 10-197.

**City of Hamilton Zoning By-law No. 05-200**

The subject property is zoned “D2” Downtown Prime Retail Streets in the City of Hamilton Zoning By-law No. 05-200, which permits a range of commercial uses.

**City of Hamilton Zoning By-law No. 05-200 as amended by By-law 18-114**

The subject property is zoned Downtown Mixed Use Pedestrian Focus (D2, H21) in the City of Hamilton Zoning By-law No. 05-200, which permits a range of commercial uses however is currently under appeal before the Local Planning Tribunal (LPAT) and is subject to Holding provision (H-21).

As the Digital Billboard is not located in any required parking, landscaped strip, manoeuvring space, loading space, planting strip, or access driveway the proposed Sign conforms to the City of Hamilton Zoning By-law No. 05-200. The Zoning By-law defers to the Sign By-law to regulate the size, type and location of signs.
RELEVANT CONSULTATION

Departments/Agencies having no comments or concerns:

- Traffic Engineering and Operations Section (Public Works Department);
- Growth Management (Development Engineering); and,
- Building Services (Zoning).

Building Services Division (Building Construction Section)

Comments received from Building Services Division identified the provisions of the Sign By-law that the proposed sign would need to comply with, and identified whether the proposed sign complied or did not comply with the By-law requirements. The comments from Building Service Division outlined that the proposed sign did not conform to a total of five provisions of the By-law as outlined in the Policy Implications and Legislated Requirements Section of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The variances seek to establish a roof top Digital Billboard for the purposes of third party advertising which is explicitly prohibited in the Sign By-law. Further the variances seek to maintain a Digital Billboard within 30 m of the King Street West and Hess Street North intersection and within 300 m of a residential district. Additional matters of compliance to the Sign By-law were not able to be determined as insufficient information was provided within the plans to address light impact and message duration and transition timing for the digital messages displayed within the Billboard Sign. The variances to legalize the roof top Digital Billboard for the purposes of third party advertising are to legalize a form of signage and advertising that is not permitted, and therefore the variances do not maintain the general intent and purpose of the Sign By-law.

On August 12, 2010, Council approved Sign By-law No. 10-197. Part 6.0 of By-law No. 10-197 provides the regulations in dealing with variances, pursuant to section 6.5 of the City of Hamilton Sign By-law No.10-197, in considering applications for sign variance, the following shall be considered:

- Special circumstances or conditions applying to the land, building or use referred to in the application;
- Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical
difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

- Whether such special circumstances or conditions are pre-existing and not created by the Sign Owner or applicant; and,

- Whether the Sign that is the subject of the variance will alter the essential character of the area in which the Sign will be located.

The City of Hamilton may approve a Sign Variance Application if the general intent and purpose of the By-law is maintained, and the proposal has regard for the four tests, as set out in Section 6.5 of By-law No. 10-197 (see Appendix “D” to Report PED18225).

The four tests are evaluated in the following comments:

a) Special circumstances or conditions applying to the lands, building or use referred to in the application;

A static rooftop Billboard Sign existed on the property prior to the sign being replaced with a digital rooftop third party Billboard Sign. The previous rooftop Billboard Sign was used as business identification sign for the tenant on the ground floor of the building. The conversion was undertaken to increase the usability of the sign by increasing the number of third party advertisements the sign can display. The intent and purpose of increasing the number of third party advertisements the sign can display is a business decision of the property owner. Therefore there are no special circumstances or conditions that apply to the land, building or use.

b) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

The proposed variances are to legalize the replacement of an existing static Billboard Sign with a Billboard Sign with digital display for the purpose of increasing the number of third party advertisements the sign can display. It is intended that signs that existed prior to the Sign By-law, which would now be prohibited, will with time be discontinued and replaced with signs that are permitted. Approval of the proposed variances would run contrary to this by facilitating the retention of a prohibited type of sign. Approval of the variances would also maintain a sign that has the potential to create a visual distraction that can lead to accidents along this section of King Street West. Therefore, strict application of the By-law would not create practical difficulties, nor would it create
SUBJECT: Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2) - Page 8 of 9

unnecessary or unusual hardship, and would protect the safety of motorists and pedestrians along King Street West.

c) Whether such special circumstances or conditions are pre-existing and not created by the Sign Owner or applicant; and

Variances to By-law 10-197 are required because the applicant wishes to legalize a Billboard Sign that was replaced illegally by the sign owner from a static Billboard Sign used for business identification purposes for the previous tenant on the ground floor to a Digital Billboard Sign. The replacement of the sign to a Digital Billboard was undertaken by the sign owner to increase the number of advertisements the Billboard can display and thereby increase the financial viability of the Billboard Sign. Therefore, the situation is not pre-existing and has been created by the sign owner and applicant.

d) Whether the Sign that is the subject of the variance will alter the essential character of the area in which the Sign will be located.

The Billboard Sign with digital message is on a rooftop along a major arterial road that leads into one of the City’s busiest entertainment districts and is also located within Downtown Community Improvement Project Area. Rooftop Signs are not in keeping with the character of the area and legalizing the replacement of the Billboard Sign which was used for business identification purposes of the previous tenant located on the ground floor of the building to a digital sign would further entrench a prohibited type of sign that is not in keeping with the character of the area. Furthermore the proposed Digital Billboard has the potential to cause a visual distraction for motorists driving along King Street West which impacts the safety of motorists and pedestrians in the area. Therefore, the Digital Billboard that is subject to the variances will alter the essential character of the area.

The Sign Variance Application was denied by the Director of Planning and Chief Planner, Planning Division, on August 10, 2018. The reasons for the refusal were that the proposed sign variances did not maintain the general intent and purpose of the Sign By-law and did not meet the four tests for sign variances provided in Section 6.5 of By-law No. 10-197 (see Appendix “D” to Report PED18225).

ALTERNATIVES FOR CONSIDERATION

Option 1

Council may uphold the recommendation of the Director of Planning and Chief Planner, Planning Division, to refuse the proposed variances as they do not maintain the general
intent and purpose of the Sign By-law. The applicant would not be able to legalize the Digital Billboard and would be required to remove the Digital Billboard that was established illegally. The applicant would still be permitted to establish a sign in accordance with the City of Hamilton Sign By-law No. 10-197.

Option 2

Council may deny the recommendation of the Director of Planning and Chief Planner, Planning Division, and support the proposed variances, as submitted. However, it is staff’s opinion that this option does not maintain the general intent and purpose of the Sign By-law.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Elevations and Renderings
Appendix “C” – Site Plan
Appendix “D” – Section 6.0 of Sign By-law No. 10-197
Appendix “E” – Appeal Letter
PART 6.0
VARIANCES

6.1 Any person may apply for a variance from this By-law or any provision thereof.

6.2 An application for variance shall be made on the form prescribed by the City and shall be accompanied by the applicable fee, as set out in the City's User Fees and Charges By-law.

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

6.3 Variances may be authorized by the Director.

6.4 The General Manager may authorize a variance if in his or her opinion the general intent and purpose of the By-law are maintained.

6.5 In considering an application for a variance, the Director shall have regard for:

(a) special circumstances or conditions applying to the land, building or use referred to in the application;

(b) whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

(c) whether such special circumstances or conditions are pre-existing and not created by the sign owner or applicant; and

(d) whether the sign that is the subject of the variance will alter the essential character of the area in which the sign will be located.

6.6 An applicant may appeal the variance application decision of the Director within 21 days of the decision is made to the Economic Development and Planning Committee or any successor Committee.

6.7 The City Clerk shall notify the applicant once a hearing date before the Economic Development and Planning Committee or any successor Committee has been fixed and if the applicant does not attend at the appointed time and place, the Committee may proceed in the absence of the applicant and the applicant shall not be entitled to further notice in the proceeding.
6.8 Council may uphold or vary the recommendations of the Economic Development and Planning Committee or any successor Committee or do any act or make any decision that it might have done had it conducted the hearing itself and the applicant shall not be entitled to a further hearing on the matter before Council and the decision of Council shall be final.

6.9 A variance from this By-law shall expire 6 months from the date of issuance unless the sign is displayed for its intended purpose and a variance shall expire upon the removal of the sign.
NOTICE OF APPEAL

August 28, 2018

BlackFish Investments Incorporated.
235 Rymal Road East.
Hamilton, Ontario
L9B1C3
Cell: 905 317-5147
Office: 905 575-5478
Email: vincent@vincentformosi.com

In accordance with the City of Hamilton Sign By-law and pursuant to Section 6.6 of the Sign By-Law No 10-197, please consider this letter as my formal appeal of the decision to deny Sign Variance application No: SV-17-011. The requested sign variances are in keeping with the overall intent of the sign by-law, and will not result in any compatibility or other negative impacts. In support of these variances I will be making a more fulsome presentation to the Planning Committee and have retained the IBI Group to provide additional planning evidence in support of these variances.

I am hoping this matter can be brought before the Planning Committee for consideration at the earliest opportunity. Please acknowledge receipt of this appeal and provide Notice of the Planning Committee date as soon as it is available and known.

*Please note that all future written correspondence should be delivered to the above noted address as per the original application address. This is contrary to the documentation incorrectly sent to my Real Estate Office and received August 20, 2018, ten days after the letter of denial was date stamped. This error has severely hampered my ability to respond within the 21 day appeal deadline.

Best Regards,

Vincent R. Formosi B.A.
President & C.E.O
BlackFish Investments Incorporated.
CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members
Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Cartier Crescent Extension – Information Report (PED18206) (Ward 7)

WARD(S) AFFECTED: Ward 7

PREPARED BY: Tiffany Singh (905) 546-2424 Ext. 1221

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE:

RECOMMENDATION

(a) That Planning and Economic Development Department (PEDD) staff be authorized to proceed with a scoped Transportation Management Plan (TMP) and neighbourhood consultation on potential traffic calming measures in response to the implementation of the planned extension of Cartier Crescent to Acadia Drive; and,

(b) That the item respecting the merits of the planned extension of Cartier Crescent as shown in the Butler Neighbourhood Plan be identified as complete and removed from the Outstanding Business List.

EXECUTIVE SUMMARY

This Report has been prepared in response to Council direction to undertake a review of the Butler Neighbourhood Plan and determine if the extension of the Cartier Crescent, as envisioned by the Butler Neighbourhood Plan, is warranted.

City Council, at their meeting of June 13, 2018, passed the following motion respecting item 7.5:

“7.5 Cartier Crescent Extension

(Skelly/Jackson)
WHEREAS, Council approved the Butler Neighbourhood Plan in 1976, with the last revisions completed in 1995, which showed an extension of Cartier Crescent to Acadia Drive;

WHEREAS, the current configuration of Cartier Crescent was established by the Beaverton Heights Subdivision, registered in February 1992; and, Edan Heights Subdivision Phase 2, registered in July 1992;

WHEREAS, the extension of Cartier Crescent to Acadia Drive has not yet occurred;

WHEREAS, a proposed development at 1518, 1530 and 1540 Upper Sherman Avenue has raised concerns from the community about potential traffic impacts of extending Cartier Crescent; and,

WHEREAS, representatives from the affected community have expressed their desire to maintain a dead-end on Cartier Crescent;

THEREFORE, IT BE RESOLVED:

(a) That staff be directed to undertake a review of the Butler Neighbourhood Plan and determine if the extension of Cartier Crescent, as envisioned by the Neighbourhood Plan, is warranted; and,

(b) That staff be directed to report back at the September 18, 2018 Planning Committee meeting."

Staff has undertaken a review of the Butler Neighbourhood Plan and has determined that a road extension connecting Cartier Crescent to Acadia Drive is warranted and should be implemented should future development occur on the lands located to the south (UHOPA-17-37 and ZAC-17-078 – 1518, 1530, and 1540 Upper Sherman Avenue).

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A
HISTORICAL BACKGROUND


September 8, 1995: Council approved Amendments to the Butler Neighbourhood Plan and Mapping.

October 23, 2017: Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications UHOPA-17-37 and ZAC-17-078 – 1518, 1530, and 1540 Upper Sherman Avenue received.


November 21, 2017: Notice of Complete Application and Preliminary Circulation mailed to 134 property owners within 120 m of the subject lands.

November 24, 2017: Additional Notice was circulated to approximately 150 property owners within 400 m of the subject lands by the Councillor’s Office.

November 28, 2017: Public Notice Sign posted on Site for UHOPA-17-37 and ZAC-17-078.

December 7, 2017: Public Notice Sign for UHOPA-17-37 and ZAC-17-078 re-located to improve visibility on Site.

February 27, 2018: Applicant of UHOPA-17-37 and ZAC-17-078 – 1518, 1530, and 1540 Upper Sherman Avenue appealed Zoning Application ZAC-17-078 to the OMB/LPAT (127 after receipt of the initial application).

June 4, 2018: Meeting with Cartier Crescent residents related to the future extension to Acadia Drive.

June 13, 2018: Council passes motion to undertake a review of the Butler Neighbourhood Plan and determine if the Carter Crescent extension envisioned by the Neighbourhood Plan (approved 1976, amended in 1995), is warranted.
August 8, 2018: Staff consultation with internal departments to gain consensus on the necessity of the Cartier Crescent extension.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The Planning Act requires that a Council of a municipality, in exercising any authority that affects a planning matter, shall be consistent with policy statements issued under Sub-section (1) of the Planning Act. This provision refers to the Provincial Policy Statement (PPS), a document with policies that focus on key provincial interests related to land use planning. The Provincial Policy Statement, 2014 (PPS, 2014) provides policy direction on matters of provincial interest related to land use planning and development. The PPS recognizes the complex interrelationships among and between environmental, economic, and social factors in land use planning. The Provincial Policy Statement was issued under Section 3 of the Planning Act, and came into effect on March 1, 2005, with an amendment on April 30, 2014.

Three sections of the PPS apply:

1. Building Strong Communities - including the provision to provide a range of employment types to meet long-term needs, and providing opportunities for a diversified economic base;

2. Wise Use and Management of Resources - namely the protection of natural heritage, cultural heritage, and archaeological resources; and,

3. Protecting Public Health and Safety - relates to directing development away from areas of natural or human-made hazards.

Maintaining the envisioned road extension from Cartier Crescent to Acadia Drive as indicated in the Butler Neighbourhood Plan would facilitate development of the lands to the south of the existing Cartier Crescent dead-end and north of Billy Sherring Park in accordance with the policies of the PPS, by providing for connectivity and accessibility to transit routes and facilitate orderly planned development. Accordingly, maintaining a future extension of Cartier Crescent to Acadia Drive is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

Policies 3.2.2 and 3.2.3 respecting Transportation and Moving People requires transportation to focus on active transportation, reducing trip distances and times and utilizing and supporting existing infrastructure to move people and goods. Maintaining a future extension of Cartier Crescent to Acadia Drive as envisioned in the Butler
Neighbourhood Plan is consistent with these policies as adequate infrastructure for transportation and pedestrian connections from the existing neighbourhood to the north and through the proposed development to Billy Shirring Park will reduce trip distances, and promote active transportation, further maintenance and emergency service vehicles will have improved access to service the needs of the existing developments and any future development. Therefore, maintaining a future extension of Cartier Crescent to Acadia Drive conforms to the Growth Plan.

Urban Hamilton Official Plan

The lands affected by the future extension of Cartier Crescent to Acadia Drive are identified. The subject property is identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Open Space” and “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP.

Potential road networks, unless shown on Secondary Plans, are not delineated in the Urban Hamilton Official Plan schedules and do not require an amendment to the UHOP.

Policies in Chapter F, Implementation Section of Volume 1 of the Urban Hamilton Official Plan state:

“F.1.2.7 Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan.

F.1.2.8 Any amendment to the Neighbourhood Plan must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment.”

Any development or redevelopment will be reviewed in relation to the Urban Hamilton Official Plan and Butler Neighbourhood Plan. Furthermore, in Chapter F, Policy 1.2.8 outlines the requirement of a formal Council decision to enact the amendment.

In addition, Policies F.1.1.3 and F.1.1.4 state:

“F.1.1.3 Amendments to this Plan, including secondary plans, shall be required to create, modify or expand land use designations and policies which do not comply with this Plan.

F.1.1.4 Amendments to this Plan shall be undertaken by the City:

   a) to update this Plan to reflect new provincial or municipal planning policies at the time of Official Plan Five Year review or other appropriate time through a City initiative; or,
b) to update and streamline administration of municipal planning policies.”

Maintaining a future extension of Cartier Crescent to Acadia Drive is consistent with the above noted policies, as it will not adversely impact any future development or redevelopment of the lands affected and reflects best practices for developing connected complete streets and current land use development patterns. As such, no amendment to the Butler Neighbourhood Plan is required.

Cartier Crescent is classified as a Local Road in the UHOP. The primary function of Local Roads is to provide direct land accesses while the secondary function is to enable the movement of low volumes of traffic to collector roads (Chapter C, Policy 4.5.2.f)). The Cartier Crescent Extension would be connecting Acadia Drive, which is a partial Collector link-road, to Upper Sherman Avenue which is a Minor Arterial Road, and follows the preferred hierarchy of local roads connecting to collector roads. Therefore, the proposed extension of Cartier Crescent to Acadia Drive would be in keeping with this policy.

Furthermore, Policy C.4.5.2.f)vii) states:

“Local roads ending in cul-de-sacs shall generally be discouraged, except under the following criteria:

1. where the topography, natural features, wetlands, watercourses, existing development, etc. prevent the construction of a through street;
2. where the road extension would have to cross a railway right-of-way or any other utility corridor;
3. where it has been determined by the City that public street connectivity is not essential to the street circulation network or the underground services and utility grid network of the adjacent area; or,
4. where the local road network is arranged such that connections or pedestrians and cyclists are direct and continuous.”

As maintaining a dead-end or creating a cul-de-sac would not meet the above criteria and is discouraged, the staff opinion to implement a future extension of Cartier Crescent to Acadia Drive should the lands to the south be developed, is further justified.

Lastly, the following UHOP policies relate to traffic management. In order to address some of the traffic related concerns of existing residents, it is recommended that a scoped Traffic Management Plan (TMP) is conducted with public consultation to assess potential traffic calming measures that may be implemented. The following UHOP policies apply:
“C.4.5.9  Traffic calming shall be considered an effective means of reducing the negative impacts of traffic on the quality of life for Hamilton residents in existing and planned neighbourhoods and other built-up areas. New secondary plans and neighbourhoods shall be designed to minimize the future requirements for traffic calming or traffic management.

C.4.5.10  Traffic calming devices shall only be installed where warranted in accordance with current City traffic standards.

C.4.5.11  Traffic management plans for entire neighbourhoods (bounded by an arterial road network) shall be preferred over street-by-street solutions that may shift problems to adjacent roadways. Neighbourhood traffic management shall be explicitly addressed through secondary plans or Transportation Master Plans and, where appropriate, at the draft plan of subdivision or site plan stage for larger developments (i.e. consisting of multiple streets in a subdivision).

C.4.5.12  The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and/or future transportation requirements. These studies shall be submitted as part of applications for Official Plan amendments, subdivision approvals, major rezoning and major site plan approvals.”

Speed bumps have been installed along Acadia Drive to avoid potential speeding problems in the vicinity of the school.

A scoped TMP will allow for the analysis of existing traffic distribution, potential changes to traffic due to any proposed development at 1518, 1530, 1540 Upper Sherman Avenue, and assess potential additional traffic calming devices at the Cartier Crescent extension that would be complimentary to existing traffic calming devices along Acadia Drive. Further, a Traffic Impact Study is required as part of a complete rezoning application for the lands located at 1518, 1530, 1540 Upper Sherman Avenue. Information from the TIS including any recommended traffic calming measures may be used to inform the scoped TMP in an effort to reduce existing and any potential increase of traffic distribution and speeding issues in the neighbourhood.
Hamilton Zoning By-law No. 05-200

The lands affected by the removal of the future extension of Cartier Crescent are zoned:

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1518, 1530 and 1540 Upper Sherman Avenue, Hamilton</td>
<td>“AA” (Agricultural) District, “AA/S-684” (Agricultural) District, Modified, “C” (Urban Protected Residential, Etc.) District and Community Park (P2) Zone</td>
</tr>
</tbody>
</table>

Maintaining the intentions for a future extension of Cartier Crescent to Acadia Drive will have no impacts on the existing zoning of the above lands and the proposed rezoning being sought by the applicant of UHOPA-17-37 and ZAC-17-078 for the development of the properties indicated above.

RELEVANT CONSULTATION

Internal Consultation

Staff consulted with internal departments (Development Engineering, Growth Management, Transportation Planning, Development Planning, and Transportation Engineering) to determine the necessity of an extension of Cartier Crescent to Acadia Drive, as contemplated in the Council adopted Butler Neighbourhood Plan (1976, amended in 1995), and determine the most reasonable course of action in order to address concerns raised by neighbourhood residents.

Public Consultation

The purpose of Report PED18206 is to report back to Planning Committee on the staff review and consensus on if the extension of Cartier Crescent, as envisioned by the Neighbourhood Plan, is warranted. No public consultation regarding the merits of the Council approved Neighbourhood Plan is required. However, staff acknowledges the concerns raised by residents and as such, the PEDD Transportation Planning Section will undertake a scoped TMP and facilitate a neighbourhood consultation process to identify and evaluate appropriate traffic calming alternatives and a preferred solution.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

A future extension of Cartier Crescent is envisioned in the Butler Neighbourhood Plan through privately owned lands to the south of the existing Cartier Crescent dead-end local road. As these privately owned lands are now subject to a proposed development application ((ZAC-17-078) the merits of the envisioned extension has been raised.
Maintaining a future extension of Cartier Crescent to Acadia Drive as envisioned in the Butler Neighbourhood Plan is consistent with the policies of the Growth Plan, as adequate infrastructure for transportation and pedestrian connections from the existing neighbourhood to the north and through the proposed development to Billy Shirring Park will reduce trip distances, and will facilitate a pedestrian linkage promoting active transportation. Furthermore, connectively for emergency vehicles, snow ploughing and garbage pickup vehicles will have improved access to service the needs of existing subdivision developments and any future development.

From a servicing perspective, the extension of Cartier Crescent will act as a vital connection facilitating the servicing and drainage requirements previously set out through the development of the adjacent Eden Heights Subdivision. Currently the existing 150mm dia. watermain servicing Cartier Crescent is temporarily dead-ended at the existing limits and is to be extended to Acadia Drive to complete the required looping of the water distribution system enabling a safe drinking water supply for existing and future residents of Cartier Crescent. Further, the extension of Cartier Crescent through the subject lands is critical for the drainage of the overall neighbourhood, as it acts as a Major Stormwater Overland Flow Route for Cartier Crescent and the existing subdivision dwellings.

In addition, maintaining a future extension of Cartier Crescent to Acadia Drive is consistent with the UHOP policies, as it will not adversely impact any future development or redevelopment of the lands affected and reflects best practices for developing connected complete streets and current land use development patterns. Lastly, maintaining a dead-end or creating a cul-de-sac would not be consistent with the UHOP and is discouraged. Furthermore, the Traffic Impact Study submitted with the application did not identify any traffic related impacts on Cartier Crescent related to the application.

As such, it has been determined that a road extension connecting Cartier Crescent to Acadia Drive is warranted and should be implemented should future development occur on the lands located to the south (1518, 1530, and 1540 Upper Sherman Avenue).

The road extension would facilitate the following:

- improve maintenance and emergency service vehicular access;
- provide enhanced public, pedestrian and cycling access to Acadia Drive, Upper Sherman Avenue, Billy Sherring Park and pedestrian access to HSR transit stops.
- enhance garbage, recycling and snow plowing operations by creating a through route enabling service vehicles continuous forward movement without the necessity to turn around;
- allow for necessary servicing infrastructure upgrades; and,
- fulfill the intent of the Butler Neighbourhood Plan.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Based on the foregoing, it is staff’s opinion that the Council approved Butler Neighbourhood Plan and intended road extension between Cartier Crescent and Acadia Drive is warranted, represents good planning, conforms to the policies of the Planning Act, Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan.

However, staff acknowledge the concerns raised by residents during the public notification of the proposed development at 1518, 1530 and 1540 Upper Sherman Avenue (ZAC-17-078). Recognizing these concerns, staff recommend that a localized (scoped) TMP be prepared as a requirement of any development application. The purpose of the TMP would be to address existing and potentially increased traffic distribution and speeding issues on local streets in the area, and to identify physical traffic calming measures to discourage vehicular traffic from the proposed development from cutting through Cartier Crescent north to Stone Church Road East. Neighbourhood consultation will be undertaken to inform the TMP. The TMP will be overseen by Transportation Planning Section, in consultation with Traffic Engineering Operations.

Next Steps

Staff will undertake a scoped TMP and neighbourhood consultation to review a variety of traffic calming options to identify solutions to traffic related concerns that are amenable to address existing residents’ concerns. Once the most appropriate measure(s) has been identified, a recommendation report will then be brought forward by PEDD to Council.

Once a proposed development application including a road extension of Cartier Crescent to Acadia Drive for the lands located at 1518, 1530 and 1540 Sherman Avenue has been approved, the associated mapping for the Butler Neighbourhood Plan will be updated to reflect the exact road pattern extension approved.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

*Hamilton has* an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.
Healthy and Safe Communities
Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Butler Neighbourhood Plan Map (1995)
Appendix “C” – ZAC-17-078 Proposed Site Plan
Appendix "A" to Report PED18206

Location Map

File Name/Number: Cartier Crescent Road Extension - Butler Neighbourhood Plan
Date: August 16, 2018
Appendix "A"
Scale: N.T.S.
Planner/Technician: TSVS

Subject Property

- Lands Affected by Extension of Road
  1518, 1530 & 1540 Upper Sherman Avenue

- Planned Extension of Road

Key Map - Ward 7
N.T.S.
Note: This is a GUIDE PLAN only and subject to change. For details contact The City Planning and Development Department.

EXISTING POPULATION (1994) 2078

LAND USE
RESIDENTIAL
- single & double attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL
INDUSTRIAL
CIVIC & INSTITUTIONAL
PARK & RECREATIONAL
OPEN RECREATIONAL
UTILITIES

Neighbourhood Boundary
Zoning Boundary

Approvals
Planning Committee: April 28, 1976
Council: June 29, 1976
Latest Revision Date: SEPT. 8, 1995

CITY OF HAMILTON
Planning Department

BUTLER
APPROVED PLAN

EXISTING POPULATION (1994) 2078
INFORMATION REPORT

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Cigarette Butt Litter Enforcement (PED18154(a)) (City Wide) (Outstanding Business List Item)

WARD(S) AFFECTED: City Wide

PREPARED BY: Kelly Barnett (905) 546-2424 Ext.1344

SUBMITTED BY: Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

SIGNATURE:

Council Direction:

At its meeting on July 13, 2018, City Council approved Planning Committee Report 18-011, item (iv) directing staff as follows:

(a) Report back regarding the feasibility of utilizing 10 to 20% of existing staff time respecting cigarette litter enforcement;

(b) Any cost (cost recovery) elements are to be included in the report;

(c) The report is also to include the statistical accounts of the enforcement success from the two Heath Department officials who enforced cigarette smoking on parks and recreational grounds.

Information:

Feasibility of Deploying Current Staff Time to Enforce Cigarette Butt Litter

Municipal Law Enforcement Officers (MLEO) are currently responsible for enforcing the following By-laws:

- Anti-Idling
- Noise
- Streets
- Zoning
- Fence
- Parks
- Trees
- Vital Services
- Adequate Heat
- Illegal Dumping
- Snow and Ice
- Property Standards
- Discharge of Firearms
- Yard Maintenance
- Vacant Building Registry

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
The current workload in Municipal Law Enforcement (MLE) averages 21,000 calls for service a year with an average MLEO completing over 500 investigations. Pro-active work is also completed at Albion and Chedoke waterfalls outside of the summer months as well as the Pro-Active Property Standards Enforcement Team that monitors and inspects high risk rental properties.

The MLEO position provides for a 35 hour work week. Deploying 10% of two existing MLEOs amounts to 365 hours of staff time annually. Applying 20% of two Officers equates to 730 hours of staff time annually for this new level of service.

Although the staff time of two existing MLEOs may be redeployed to the enforcement of cigarette butt litter, the operational impact to remove Officers from their regular assigned duties will result in reduced MLE service levels for the enforcement of the above listed by-laws and will have an impact on the City’s ability to respond in a timely manner to issues of other by-law violations.

Cost Recovery Model

Following are the costs associated with enforcement by two MLEOs:

- 10% of 2 MLEOs = 7 hours per week
  Cost $440 weekly, $22,880 yearly
- 20% of 2 MLEOs = 14 hours per week
  Cost $880 weekly, $45,760 yearly

Currently, Part 1 Provincial Offence Notices (PON) ranging from $95 to $100 could be issued for offences under the Yard Maintenance or Solid Waste Management By-laws. Staff will include these offences in the Administrative Penalty By-law 17-225. This would prevent congestion in the courts and would streamline the system. A set fine of $50 for the Administrative Penalty System (APS) would promote compliance.

The collection of fines to recover the costs associated with enforcement is problematic as funds are not always forthcoming due to failure to pay the fines. Based on our preliminary findings, if payment was received for 50% of all fines, the following projected number of tickets is required for this enforcement action to be revenue neutral:

- 10% of time (7 hours of staff time) = 18 tickets weekly, 916 tickets yearly
- 20% of time (14 hours of staff time) = 36 tickets weekly, 1830 tickets yearly

Staff also does not recommend basing cost recovery on enforcement efforts because as compliance increases the revenue decreases.
Public Health Tobacco Enforcement of By-law 11-080 Prohibiting Smoking within City Owned Parks and Recreation Property

Three Tobacco Enforcement Officers (TEO) are appointed to enforce the City of Hamilton By-law 11-080, To Prohibit Smoking within City Parks and Recreation Properties. Public Health Services’ TEO are 100% funded by the Ministry of Health and Long-Term Care staff response under the Smoke-Free Ontario Strategy.

TEO’s response is mainly complaint-driven with pro-active surveillance and enforcement occurring based on prior enforcement history and operating assumptions (i.e. pedestrian traffic at festivals and events). The total full-time equivalent (FTE) enforcement in 2016 was approximately 0.1 per TEO and in 2017 approximately 0.09 per TEO. Following are the enforcement efforts from 2012-2017.

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspections</td>
<td>30</td>
<td>56</td>
<td>56</td>
<td>73</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Warnings</td>
<td>334</td>
<td>179</td>
<td>68</td>
<td>48</td>
<td>25</td>
<td>45</td>
</tr>
<tr>
<td>Charges</td>
<td>0</td>
<td>19</td>
<td>56</td>
<td>42</td>
<td>48</td>
<td>25</td>
</tr>
</tbody>
</table>

By-law 11-080 was implemented in 2011 with a one-year provision to provide education and warnings to the public regarding the upcoming enforcement for smoking within City owned parks and recreation property. The comprehensive education campaign involved working with internal and external stakeholders including various sports associations and event organizers to ensure wide targeted messaging. A variety of paid and free marketing, communication channels and products were utilized throughout the campaign and continue to a lesser degree today. The cost of the education/awareness campaign was approximately $100,000 (one-time funding) through the Ministry of Health and Long-Term Care to support a By-law Communication and Public Education Campaign.

Public Health Services attributes the low amount of PONs issued over the years as a direct result of the initial and on-going public awareness/education including signage that was posted in parks and the continued media attention of new smoking regulations. An evaluation of By-law 11-080 was conducted by Public Health Services in partnership with the University of Waterloo Propel Centre for Population Impact in 2013. Key findings of the evaluation concluded that best results were attained from the high public awareness of the By-law.
Conclusion

Staff believe a similar strategy to the one implemented by Public Health would result in more voluntary compliance by changing behaviours of smokers discarding cigarette butts and would be more sustainable than hard-targeted enforcement efforts. Educations and volunteer compliance with more waste management efforts with better collection receptacles would be recommended before strict aggressive enforcement efforts.

If Council decides that the enforcement of cigarette butt litter is a priority, staff could aggressively and pro-actively enforce this By-law, however without additional resources there will be an impact on other services and MLE’s ability to respond in a timely manner. A reprioritization of the current workload would be necessary to fulfil Council’s directions.

A third option would be to create a one-year pilot project for two part-time Officers (1 FTE), funded by Tax Stabilization, to determine the viability and effectiveness of targeted enforcement. The cost for this pilot would be approximately $96,000.

A forth and less aggressive option would be to consider a Student Ambassador Program that would work the cigarette hot spots to educate and assist in the cleaning of the streets. The program based out of Public Works would have a positive impact on cigarette butt litter.

As this Report addresses the issue respecting cigarette butt litter on the Planning Committee Outstanding Business List, it is appropriate to be identified as complete and removed from the list.

Appendices and Schedules

N/A

KL:KB:st
TO: Chair and Members  
Planning Committee  

COMMITTEE DATE: September 18, 2018  

SUBJECT/REPORT NO: Digital Sign Strategy (PED18184) (City Wide) (Outstanding Business List)  

WARD(S) AFFECTED: City Wide  

PREPARED BY: Robert Ustrzycki (905) 546-2424 Ext. 4721  

SUBMITTED BY: Ken Leendertse  
Director, Licensing and By-law Services  
Planning and Economic Development Department  

SIGNATURE:  

RECOMMENDATION  

(a) That funding consideration be referred to the 2019 Capital Budget for Licensing and By-law Services to retain a consultant for research and comparatives for digital signs, including public consultation, and upon approval of the 2019 Capital Budget funding that staff be directed and authorized to prepare a Digital Sign Strategy (DSS) to develop an approach to interface digital technology in the current Sign By-law with a critical path for completion in 2020;  

(b) That the item respecting Digital Signs be identified as complete and removed from the Planning Committee Outstanding Business List.  

EXECUTIVE SUMMARY  

On August 12, 2010 Council enacted Sign By-law 10-197 to replace Sign By-law 06-243. The regulations prohibits any flashing or animated digital signage and limits the exposure to new technologies in signage for digital signs, with the exception of an Electronic Message Display or Readograph Sign as permitted under the By-law.

In response to requests from the billboard industry and businesses to allow the use of digital technology for third party billboard signs City Council at its meeting held on October 26, 2016 approved Item 4 of the Planning Committee Report 16-018 as amended regarding Digital Signage Budget Enhancement Opportunity (FCS16082/PED16196) to amend Sign By-law 10-197. The digital billboard amendment allowed the installation of 12 digital billboard screens on City-owned
properties and approved three digital billboard sign variance applications on private property.

Staff was further directed by Council to present to the Planning Committee an updated Digital Sign By-law. More generally, this initiative stems from a growing recognition that the City’s sign regulations are lagging behind technological and business trends.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial / Staffing: A source of funding will be required to allow the use of a contract specialist as part of the 2019 Capital Budget process to participate in the development of the Digital Sign Strategy, conduct presentations and public consultations to groups and individuals, and assist in the development of an approach to interface digital technology in the current Sign By-law. The one-time Capital cost for a consultant is $90,000.

Costs associated with developing and implementing process improvements have not been accounted for in this request. The final report will identify new technology; process, administrative and enforcement costs to be included in future budget cycles.

If the Capital request for a contract specialist is not approved, the project would need to be re-scoped and completion timelines extended. This will result in reduced customer satisfaction, by-law clarity, and enforceability until the extended process can be completed.

Legal: N/A

**HISTORICAL BACKGROUND**

On August 9, 2006, Council enacted Sign By-law 06-243, which came into force and effect on February 1, 2007. The Economic Development and Planning Committee discussed and approved staff reports regarding the enforcement of the Sign By-law as it relates to posterig, the use of hydro poles and the placement and costs of poster kiosks with comprehensive recommendations on the overall effectiveness of a new Sign By-law.

On August 9, 2010, the Planning and Economic Development Committee considered Report PED05172(h) to repeal and replace Sign By-law 06-243 with the current Sign By-law 10-197, which prohibited any flashing or animated digital signage and limits the
exposure to new technologies in signage for digital signs, with the exception of an Electronic Message Display or Readograph Sign as permitted under the By-law.

On May 27, 2015, Council approved Item 12 of General Issues Committee Report 15-011 directing staff to investigate the feasibility of Digital/LED based signage on City of Hamilton owned lands and report the findings back to the General Issues Committee. Concurrently, staff held public consultations with the Business Improvement Areas (BIAs), Business Associations, Neighbourhood Associations, the signage industry, the Chamber of Commerce and other stakeholders as part of the By-law review in accordance with Item (f)(i) of Planning Committee Report 16-008, approved by Council on May 11, 2016. The research and results were largely focused on addressing the financial benefits, key issues of safety, residential impacts and new technologies to amend the current Sign By-law for digital billboard signs.

City Council at its meeting of October 26, 2016, approved Item 4, of the Planning Committee Report 16-018, as amended, regarding Digital Signage Budget Enhancement Opportunity (FCS16082/PED16196) to amend Sign By-law 10-197. The amendment allowed for the installation of 12 digital billboard screens on City-owned properties along the Lincoln M. Alexander Parkway, and approved three digital billboard sign variance applications on private properties located at Limeridge Road, Dundurn and King Streets, and Dundurn and Main Streets.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Staff from the Planning and Economic Development Department Planning, Building and Economic Development Divisions and the Public Works Department Roads and Traffic Division; and Corporate Services Department Finance and Administration Division were consulted in preparation of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Signage is important to local businesses and the economy, allowing business and brand identification, and providing communication and marketing opportunities. The City’s Sign By-law regulations are intended to manage and deal with visual clutter/blight and safety while balancing streetscape compatibility of signs and preserving the City’s unique character. The City’s objective and policy is codified in Section 2.3 of Sign By-law 10-197:

"The purpose of this By-law is to regulate signs in the City with the intent of authorizing signs that:"
Since the passing of the Sign By-law in 2010, there have been numerous changes in technology, business sector marketing needs and practices, community expectations, enabling legislation and related applicable law and guidelines. The demand for digital signage has increased due, in part, to rapid advancements in advertising display technology as well as the associated reduction in cost for these devices. The current ad-hoc process to consider digital signs that are not allowed in By-law 10-197 by means of a minor variance application or waiver to the By-law cannot be relied upon to deal with the anticipated growth in applications for new digital signs.

It was through amendments to the current Sign By-law in 2016 that permissions for third party digital billboard signage were first introduced in the City of Hamilton. Public consultation for the digital billboard amendment presented the opportunity for the Business Community, the signage industry and other stakeholders to provide input on the proposed changes to third party digital billboard signs. Staff review consisted of an examination of digital billboard regulations in other municipalities, a literature review and the retention of an external planning consultant to provide an unbiased and balanced assessment. The analysis and merits of each of these points were discussed in Report FCS16082/PED16196 Digital Signage Budget Enhancement Opportunity dated October 18, 2016. The data used in this report does not make a distinction between the larger digital billboard signs and other common first party signs used throughout the City. First party digital signs are usually displayed as message centre displays scrolling text or static/copy images, which is directly related to the activity on the site at which the sign is located.

Many larger centers (e.g. Toronto, Oakville, Vaughan, Milton, Ottawa, London, Calgary, Edmonton, Vancouver) reviewed in 2016 have since enacted new Sign By-laws, or are still engaged in a comprehensive consultation process. Other types of digital signs and locations (i.e. mixed commercial/residential zones) are still untested in other jurisdictions. Staff review of 21 Ontario Municipalities and several outside the Province
determined the By-laws provided widely varying limitations to the quantitative measures for digital signs and only the following general qualitative findings:

- restricted to commercial/industrial zones, institutional uses or entertainment districts;
- prohibited from residential, schools, or heritage zones or complicated traffic areas;
- varied height/size of signs, operation time, dwell time, duration and transition time of static/copy digital image;
- prohibiting or strict regulations for animated, moving or video display; and,
- prohibiting mobile digital signs.

Changes to the City’s Sign By-law may have an impact on a number of stakeholders including, but not limited to, other Departments within the City, the business sector, as well as the public at large. More analysis is needed to update the substantive provisions of the by-laws relating to first party digital signs.

Digital Sign Strategy (DSS)

It is important that sign regulations are accurately reviewed to ensure that effects of new technology, both positive and negative, are considered so that streetscapes, sensitive uses and the public are not adversely impacted for first party digital signs. A more rigorous public consultation and review is required to examine the varied digital technology used for first party signs.

Staff proposes a scoped review focusing on changes in digital sign technology, regulatory frameworks and by-law improvements in other jurisdictions for first party digital signs. Given the large number of sign types that could be converted to digital (e.g. ground signs, wall signs, and message centre signs), an audit is required to estimate the maximum potential number of signs in Hamilton that could be converted to digital.

Further review is required to develop an approach to manage the broader spectrum and potential proliferation of digital signs. Staff requires input from stakeholders in the review process by way of agency circulations, public information centres, a public opinion survey, and use of the City’s website to engage the public and ensure that the Sign By-law amendments adequately address the needs of the community. In preparing the DSS, there will be an extensive public engagement process that reflects the concerns and values of Hamilton’s citizens, as well as a shared responsibility for its implementation.

A contracted consultant based on specialized knowledge or user experiences is required in the development of the DSS; to participate at presentations and consultations to groups and individuals interested in providing feedback; and assist in developing an approach to interface digital technology in the current Sign By-law.

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Consultation modes and timing will be determined through an action plan to provide final results of the public engagement, research and comparatives.

Technical Team Review
Consultation and technical review from City Planning, Building, Economic Development, Roads and Traffic staff is needed to provide input and feedback to the DSS and final analysis relating to the following:

- support for business and economic development;
- conversion of conventional signs to digital signs;
- technical review and testing;
- traffic safety;
- screen brightness (light pollution);
- location restrictions;
- sightlines and view angles (lightshed concept);
- sign content;
- timing and image changes;
- consistency with the City’s planning, urban design and heritage objectives; and,
- environmental implications (energy and waste management).

The review would also examine existing processes including permit issuance and enforcement to identify opportunities to streamline processes and enhance customer service.

Areas Not To Be Revisited
As a result of the prior public consultation processes and significant legislative history, the review process for introducing digital signs will not revisit other provisions of the current Sign By-law. The objective of this review would primarily focus upon the manner digital signs interface with existing first party signs (e.g. ground signs, wall signs, window signs and message centre signs).

Conclusion
An updated Sign By-law affects the economic, cultural and social pillars of sustainability. Allowing reasonable advertising opportunity without negatively affecting the community can assist economic development while maintaining community standards. It is now prudent to update the City’s position with respect to the emerging technologies in signage in order to offer greater clarity to businesses and residents.

ALTERNATIVES FOR CONSIDERATION
N/A
ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
*Hamilton has* an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
*Hamilton is* a safe and supportive city where people are active, healthy, and have a high quality of life.

Our People and Performance
*Hamiltonians have* a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

N/A

KL:RU:st
RECOMMENDATION

(a) That Planning staff be directed to undertake a review of the West Harbour (Setting Sail) Secondary Plan, the Barton-Tiffany Urban Design Study, and Hamilton Zoning By-law No. 05-200 to assess the alignment of the use of Barton Tiffany lands for creative industries, including but not limited to a Film Production Studio, with the current approved vision for the Barton Tiffany area;

(b) That staff be directed to undertake community consultation on the review recommended in Recommendation (a) to Report PED18210;

(c) That the outcome of the review be presented to Planning Committee in the first quarter of 2019.

EXECUTIVE SUMMARY

This Report proposes a review of the West Harbour (Setting Sail) Secondary Plan Vision and the vision put forward for the Barton Tiffany lands through the Barton Tiffany
Urban Design Study to consider whether creative cultural uses, including but not limited to a film production studio on the Barton Tiffany lands, align with the overall existing vision for those lands.

There is an increasing interest from creative cultural industries, including the film industry, to locate in Hamilton. The city-owned Barton Tiffany lands are currently vacant and, therefore, underutilized, and have been the subject of interest from several film production studios for purchase and redevelopment. The redevelopment of these lands presents a challenge with respect to proximity to the Canadian National Railway Company (CN) lands to the north. In 2014, Council adopted the Barton Tiffany Urban Design Study (PED14164) and directed staff to initiate Official Plan and Rezoning Applications to implement the changes to the land use vision for the Barton Tiffany lands, in part, to manage the issues of proximity to the CN lands.

Film production studios and other creative cultural uses were not anticipated uses for redevelopment on the Barton Tiffany lands at the time of the development of the West Harbour (Setting Sail) Secondary Plan or the more recent Barton Tiffany Urban Design Study. An evaluation of these uses in the context of existing visions for the Secondary Plan and Urban Design Study is required to determine if such uses are appropriate for these lands.

**Alternatives for Consideration – Page 9**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: The review proposed and any subsequent Official Plan and Zoning Amendments can be accommodated by staff in the Planning and Economic Development Department.

Legal: N/A

**HISTORICAL BACKGROUND**

The West Harbour (Setting Sail) Secondary Plan came into effect by way of an Ontario Municipal Board (OMB) decision on December 27, 2012. Setting Sail is the comprehensive land-use plan for the West Harbour, with an emphasis on three areas of major change:

- the Waterfront;
- the area south of the Canadian National rail yard (Barton-Tiffany); and,
- the former industrial lands along Ferguson Avenue (Ferguson-Wellington Corridor).
The Secondary Plan was the first of many initiatives in the ongoing planning required to realize the objectives for the West Harbour. It establishes the framework for public improvements and private development. Improvements are focused on enhancing the area to take advantage of the harbour setting and promote season-long and year-round enjoyment and appreciation of the Waterfront.

City landholdings form a large proportion of the overall Barton-Tiffany area including the Public Works facility on the south side of Barton Street West; Central Park on the south side of Barton Street West; and three large tracts of vacant, former industrial land bounded by Barton Street West, Stuart Street, Tiffany Street and Queen Street North.

More recently the vision of the lands has been considered through the Barton-Tiffany Urban Design Study approved by Planning Committee on September 19, 2014 (PED14164). The purpose of the study was to provide the design vision for the built form, including building typologies, street networks, street-scaping and other elements on the Barton-Tiffany lands and surrounding area. The study recommended future changes to the existing zoning and Secondary Plan in order to achieve the proposed preferred concept, a recommendation that was approved through Council direction to proceed with the necessary Official Plan Amendment and rezoning applications. These formal changes have yet to be implemented (See Appendix “C” to Report PED18210).

With respect to the Creative Cultural Industries, the City of Hamilton has developed cultural plans and strategies to promote creative cultural industries, including economic action strategies, cultural plans, and industry specific strategies (Economic Development Action Plan 2016-2020, Urban Hamilton Official Plan, Music Strategy etc.). In recognition of these initiatives, in October, 2017, staff brought forward a number of clarifications and permissions that sought to foster greater opportunity for the Creative Cultural Industries in Hamilton. The process included updating definitions within the existing zoning by-law (05-200) and adding uses within existing Industrial zones.

This Report seeks a review further foster and encourage the location of such uses, where appropriate, recognizing the potential opportunity available within the Barton-Tiffany area.

**RELEVANT CONSULTATION**

Economic Development staff attended both Central and Strathcona Neighbourhood Association meetings to present the possibility of a production studio locating within the Barton-Tiffany lands on June 18, 2018 and July 16, 2018 respectively. While general support was provided in principal the following concerns were raised:

- Concerns over traffic particularly truck traffic, intersections and traffic calming;
• Concern over the 24/7 activity of a movie studio;
• Noise and lighting concerns;
• Relationship between studio and community;
• Appearance of potential warehousing and fencing;
• Opportunities for live/work units;
• Creation of a positive public realm;
• Physical appearance of industrial uses;
• Years spent advancing the established vision; and,
• Reversal of the shift away from the industrial character.

These matters will be considered in the review of the visions for the Barton Tiffany lands. Additional consultation will also be undertaken as part of the review.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Creative Cultural Industries have been an integral component of the economic and urban rejuvenation in Hamilton. The Arts and Culture scene has grown exponentially encompassing the whole spectrum of relatable industries. The importance of these industries have been recognized and encouraged through a number of strategic objectives and policy goals.

These industries are searching for locations that offer access to a varied and sizeable workforce, are close to transit, larger land holdings and available ancillary uses such as convenience retail and housing. Review of the West Harbour (Setting Sail) Secondary Plan and Barton Tiffany Urban Design Study visions will consider how such uses could support existing visions for the Barton Tiffany lands.

Film Production Studio

Hamilton has experienced increasing interest from the Film Industry. Initially as a destination for on-site filming and now more recently, as a candidate for the location of new film studios and associated pre and post production activities. Given the area and locational requirements, the need for good access to transportation corridors and proximity to services both retail and commercial, the lands at Barton Tiffany have been of interest to this industry.

With respect to the industry and the characterisation of the use, staff most recently addressed this through the Creative Cultural Zoning work, which was approved October 25, 2017. This work identified the numerous commercial and industrial activities associated with this industry and collectively created a new ‘Production Studio’ definition and amended the Zoning By-law to clarify this new definition and permit within existing industrial areas.
Primarily an employment use with associated commercial operations, creative industries, and in particular film studios, often combine light industrial type uses and commercial (retail/office) uses. Modern film production studios focus on combining these various roles within a single site creating a campus like setting. Interested studios that have spoken with the City envision between 500 and 2,000 jobs on a site at full build out.

Industrial aspects of this use tend to be involved with the storage and movement of props and studio equipment as well as the large enclosure required to accommodate a sound stage. The commercial components include typical office type settings that focus on pre and post production activities including but not limited to editing/audio recordings and animation. Accessory uses often considered beneficial and complementary given the hours of operation and varied workforce include retail and live/work opportunities either within or nearby the studio. Often residential components such as short stay apartments are incorporated into the film production studio style "campuses".

Given the large contiguous pieces of land available, access to services, transit and population, land in the Barton-Tiffany area has proven attractive to those film industry representatives evaluating Hamilton as a potential location for a film production studio. Hamilton will also be competing with neighbouring municipalities also seeking to attract the film industry and, in particular, the creation of a film production studio. As such, should Committee and Council approve of the Recommendation contained within this Report, the Planning Division will seek to report back to Committee and Council in the first quarter of 2019.

West Harbour (Setting Sail) Secondary Plan

The Barton-Tiffany area is an important redevelopment opportunity in the revitalization efforts for the West Harbour area in the north end of the City of Hamilton. The vision for the area is principally articulated through West Harbour (Setting Sail) Secondary Plan approved through an Ontario Municipal Board (OMB) decision on December 27, 2012.

As detailed within the Secondary Plan, the lands subject to this Report and which are predominately owned by the City of Hamilton are located south of Stuart Street, north of Barton Street West, east of Locke Street North and west of Bay Street North (See Appendix “B” to Report PED18210). They are designated within the Secondary Plan as Commercial and Medium Density Residential (See Appendix “A” to Report PED18210). The Secondary Plan acknowledges the decline in heavy industry throughout the area and the intent to relocate these uses to more suitable locations. The Barton-Tiffany area is intended to evolve and intensify into a mixed-use, pedestrian oriented area. As detailed in Appendix “A” attached to Report PED18210, the portion of the subject lands designated commercial serve as a buffer between the Canadian National Railway Company (CN) rail yard and the residential and open spaces identified along Barton Street West. Whereas the Medium Residential designation located along Barton Street

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
West is intended to transition between the Commercial uses and the lower density residential uses existing within the neighbourhood.

**Commercial Designation**
The Commercial designation is intended to serve the needs of the surrounding neighbourhoods, providing a range of retail shops and services through a variety of building typologies. The designation shall create a sense of place and shall not compete with the retail function of the downtown. Limitations are articulated through the policies of the plan in the form of maximum floor areas and restriction of residential and auto-oriented uses.

**Medium Density Residential Designation**
The medium density residential designation immediately north of Barton Street West is intended for predominately low to mid rise residential uses, with an opportunity for commercial uses at grade. This area shall serve as an extension to the neighbourhood and provide for a transition between the existing neighbourhood on the south side of Barton and the Commercial area to the north. The Secondary Plan recognizes limitations on outdoor amenity given the location of the rail yard while similarly limiting general heights and density requirements.

The location of creative industries at this location would satisfy a number of general policy expectations of the area— that of the transition away from heavy industry, the creation of transition between the rail corridor, commercial area and potentially residential (Live/Work) possibilities. Notwithstanding this, careful review and evaluation would be required to ensure should this proposal proceed, that focus on the built form typology and overall design is one that fosters a positive pedestrian experience and community interaction.

**Barton Tiffany Urban Design Study (2014)**

In accordance with Section A.6.3.8.11 of the Secondary Plan the City was required to initiate an Urban Design study to guide development in the area and assist in ensuring development proposals support the objectives of the Plan. The Barton-Tiffany Urban Design Study approved in September 2014. The Study took the framework outlined by the Secondary Plan and illustrated the “look and feel” of this new community, translating Setting Sail Policy text in a visual way to help guide the future development process. Recommendations pertaining to matters such as character, massing, sustainability, circulation, accessibility and programming were developed through consultation with the community.
In summary, the Urban Design Study encapsulated the following design principles:

**Commercial Designation**

- Integration of the area and easy access by a range of transportation modes;
- Buildings close to the street edge, entrances facing street for strong pedestrian orientation;
- Buildings massed and designed to limit shadow and wind impacts;
- Focus away from parking; and,
- Animated streets.

**Medium Density Residential Designation**

- Respect existing and or proposed grid patterns of streets, blocks and open space;
- Consistent minimum front yard setbacks;
- Locating parking at rear or underground; and,
- Buildings with direct access from the sidewalk.

Given the range and location of operations of a film studio, the Barton-Tiffany site could be programmed to achieve the global direction contained within the Urban Design Study and Guidelines. The arrangement of built form and strong street edge—particularly facing Barton Street West could be achieved through any associated provisions of any future site-specific By-law. Screening of parking and examination of any required truck traffic would form an integral part of the assessment.

**Existing Zoning By-law (No. 05-200)**

The subject lands are currently split zoned in compliance with the split designation of the Secondary Plan. The commercially designated lands are zoned Downtown Prime Retail (D2 442 (H44)) Zone. The residential designated lands are zoned Downtown Multiple Residential (D6 443 (H45)) Zone.

The uses permitted within the commercial zoned portion of the lands would need to be amended to permit those more industrial related uses such as storage and soundstage. Through any future review, screening and massing could be addressed through any site-specific By-law provisions. Those more typical commercial uses associated with a film production studio (office/retail) are already permitted within the Zoning By-law and therefore—subject to careful design review, are intended to implement the existing policy framework.

Depending on the nature of the live-work units and short stay accommodations (if any are proposed) these residential uses could be located in combination with the campus of the film production studio. These uses could prove an important and complementary
transition into the neighbourhood as intended by the Secondary Plan. In order to permit this, a Zoning By-law Amendment and possible Official Plan Amendment would be required.

Constraints

Contamination
Given the subject lands former industrial use, as well as the existing rail corridor, contamination remains a concern that would need to be addressed. Through the evaluation as recommended within this report, it is considered that appropriate assessment and resolution of this issue would occur prior to the redevelopment of the lands.

Rail Yard
Adjacency to the existing CN Rail Line raises potential conflicts with noise related matters. These would need to be addressed, however, it is noted that the proposed studio use provides opportunity for intervening non-sensitive uses which may foster improved noise environments for existing and future residential and sensitive land uses to the south.

Considerations

City Vision
As detailed within this Report, aspects of the existing Secondary Plan policy regime would be required to be amended in order to permit the development of the lands for creative industry uses such as a film production studio. The general vision of an accessible mixed-use area, that is pedestrian friendly could be potentially protected and maintained provided careful consideration is given to the manner in which additional uses are approved.

The film production studio use is one that combines components are industrial in nature such as the soundstage and outdoor storage elements with those that are commercial in nature including pre and post production activities. There may be an opportunity to program and locate those elements more traditionally industrial in character in a manner which could form the transition between the existing rail yard and the commercial components of a film production studio.

In a campus like setting in which retail and residential uses – such as live/work accommodations and retail uses - are integrated together, it could potentially align with the vision contained within the Secondary Plan.

From a built form perspective, the pedestrian focused elements such as orientating buildings close to the street, with animated and well-articulated elevations, are
measures that can be incorporated within any amended future Site Specific By-law provisions.

**Public interest**

The existing vision in the Secondary Plan and Barton-Tiffany Urban Design Study has been the outcome of significant stakeholder and community engagement. It will be essential for public engagement to continue as further consideration of changes to the vision is contemplated. To ensure adequate public consultation occurs, and given that consultation in the September and December months can cause difficulties for the community to participate given other commitments, it is preferable that staff report back by the first quarter of 2019.

To date, Councillors of Wards 1 and 2 have been advised of this potential opportunity, in addition, the public has been approached on two separate occasions in order to gauge an initial response. Both the Strathcona and Central Neighbourhood Associations were provided an overview of the film production studio potential on June 18, 2018 and July 16, 2018 respectively.

These matters will form part of the evaluation recommended in this Report.

**Development interests**

Given the vision for the area and the numerous investments in services and infrastructure such as the new GO Station, staff must be cognizant that any future approval of a film production studio, complements and emboldens these existing and future investment opportunities. Impact on property values as well as the ability for alternative investors to bid on the property for their own objectives must be considered and evaluated.

**Conclusion**

This Report highlights the potential opportunity of locating creative industry type uses on the Barton-Tiffany lands. The Barton-Tiffany lands provide both opportunities and challenges with respect to achieving local and City-wide objectives. As such, this Report recommends exploring this opportunity in greater detail through evaluating the necessary Planning Act applications necessary to facilitate this outcome.

**ALTERNATIVES FOR CONSIDERATION**

Council may choose to not authorize staff to undertake a review of the Secondary Plan and Urban Design Study at this time to consider if creative cultural uses, including a film production studio, are consistent with the approved visions for the Barton Tiffany lands. Should Council choose this alternative, staff will proceed to implement the current council direction as approved in the staff recommendation for approval of the Barton Tiffany Urban Design Study through Report PED14164 (See Appendix “C” to Report...
PED18210). In that recommendation, staff was directed to prepare Official Plan and Zoning Amendments to implement the preferred development concept in the Barton Tiffany Urban Design Study. Should this course of action be taken, any proposed changes in use for the Barton Tiffany lands can be evaluated through Development Applications. Thorough evaluation of consistency with the Secondary Plan and Urban Design Study, visions will be evaluated along with all supporting studies required under the Development Application process.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Barton-Tiffany Land Use Schedule
Appendix “B” – Subject Lands
Appendix “C” – Extract from Barton-Tiffany Urban Design Study

EJ:sd
Sites Requiring Official Plan and/or Zoning Amendments

Recommendation (b) 1

180, 182 and 198 Barton Street West (north side), between Hess Street North and Caroline Street North: Reduce building height from four storeys (Secondary Plan designation) to three storeys
Recommendation (b) 2

239 Caroline Street North (west side) at intersection with proposed East-West road: Increase residential density from Medium Density to High Density; Increase building height from eight storeys to twelve stories
Recommendation (b) 3

128 Barton Street West (lands fronting onto Caroline Street North) at intersection with proposed East-West road: Increase residential density from Medium Density to High Density; Increase building height from eight storeys to sixteen stories.
Recommendation (b) 4

Caroline Street North, between Barton Street West and Stuart Street: Increase front yard and building setbacks to a range between four to ten metres.
Recommendation (b) 5

168 Bay Street North (Central Park), delete the proposed residential designations for the lands near Harriet Street, Mill Street, Caroline Street North and Railway Street and maintain as Neighbourhood Park designation; Connect north and south portions of Caroline Street North through the existing park.
INFORMATION REPORT

TO: Chair and Members Planning Committee

COMMITTEE DATE: September 18, 2018

SUBJECT/REPORT NO: Dedicated Mohawk College Parking Enforcement (PED18220) (Ward 8)

WARD(S) AFFECTED: Ward 8

PREPARED BY: James Buffett (905) 546-2424 Ext. 3177

SUBMITTED BY: Brian Hollingworth
Director, Transportation Planning and Parking Planning and Economic Development Department

SIGNATURE:

Council Direction:

On May 23, 2018, City Council carried the motion, by Councillor Whitehead, “That staff look at the feasibility of a dedicated Parking Enforcement Officer in the Mohawk College Precinct”.

Information:

Several Community meetings, within 2017 and 2018, involving the Buchanan and Bonnington Neighbourhoods, included discussions around parking enforcement, Mohawk College, and parking impacts on the surrounding communities.

On May 23, 2018, City Council carried the Motion, by Councillor Whitehead, for staff to look at the feasibility of a dedicated Parking Enforcement Officer in the “Mohawk College Precinct” (MCP).

The MCP can be categorized as primarily the area south of Fennell Avenue East, west of Upper James Street, north of Mohawk Road West, and east of Garth Street. With daily traffic attending Mohawk College (MC), drivers utilize the surrounding neighbourhood streets for short-term parking to avoid parking fees at MC. This parking can have a negative impact on the surrounding residents. The MCP is part of the East Mountain “beat” for the daily Parking Control Officers (PCO) assignments.
Mohawk College has paid parking on site at a rate of $5 per hour, with up to a $16 daily maximum. In addition, annual permits can be obtained at a cost of $940. To avoid the costs, some drivers look to short-term parking in the surrounding neighbourhood streets, which do have a combination of one-hour and two-hour time limit areas.

On a typical day during the school year, there are approximately five to six PCOs patrolling and responding to complaints regarding parking enforcement throughout the City of Hamilton, with a single PCO dedicated to the East Mountain, which includes the MCP. Existing staff, over the past two years (August 2016 – August 2018), in the MCP have responded to the 900 plus complaints that have been filed for investigation and appropriate action. In combination with those complaints, and the daily proactive patrols, PCOs have issued 5,500 plus (2,250 annual average) Parking Penalty Notices (PPN) to vehicles parked in violation in that same period. This would account for 0.015% of all tickets issued within the City of Hamilton on average.

With Enforcement staff currently issuing five times more PPN than reported complaints, there is a distinct presence of parking enforcement that already exists within the area. Current operating costs for the Parking Enforcement Section utilize this enforcement action as part of the budgeted revenues to account for existing staffing.

This is consistent with other areas within the City of Hamilton, such as the McMaster University Area (MUA), which exhibits similar parking behaviours from students. For example, over the course of 2017, there were 717 parking complaints filed with Parking staff for investigation and action. Within the same period, more than 9,200 PPN were issued. The MUA is significantly larger than the MCP, but it can be seen that proactive measures outweigh complaints.

With an average issued value for PPN of $34 at 2,250, PPN is approximately $76,500 over the course of a year. In comparison, the salary and benefits of a PCO is approximately $84,000 for 2019, and the revenues from the MCP offset existing staffing costs. Exploring other staffing options, such as part-time staff or student enforcement, would still have a negative impact for existing staffing costs.

If a PCO was dedicated to the MCP, there would be a potential increase in PPN issuance, and, in turn, potential revenue to offset a dedicated PCO for the MCP, but it would have a negative impact on the cost basis for the PCO assigned to the rest of the East Mountain.

The current staffing levels, on a typical day for Parking Enforcement within the MCP, are sufficient to attend to complaints and effectively enforce parking regulations in the area (primarily time-limit parking) proactively with a measurable presence.
Appendices and Schedules Attached

N/A

BH:JB:cr