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Protecting the Natural  
Environment from  
Lake to Escarpment

March 18, 2016

Ms. Delia McPhail  
Planning & Economic Development  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. McPhail:

**Re: 100 Sunnycroft Court  
Part Lots 9, Concession III (East Flamborough)  
City of Hamilton  
Zoning By-Law Amendment ZAR 11-076  
X-Reference Files: Severance Application FL/B-11:122, Severance Application FL/B-11:123**

**Proposal**

**Zoning By-Law Amendment (ZAR 11-076)**

To permit 2 single detached dwellings on separate lots, having frontage on Rockcliffe Road.

**Related Severance Applications (FL/B-11:122 & FL/B-11:123)**

The purpose of the related severance applications are to permit the conveyance of the two irregular shaped vacant parcels of land for residential purposes.

Comments on these applications were previously provided by Conservation Halton (CH) in 2012. In particular, CH's January 30, 2012 letter states the application for the severances are premature until such time as an Environmental Impact Study (EIS) is reviewed and approved, and the zoning is approved. In the March 16, 2012 comments, staff had completed their review of the EIS and recommended that the applications for rezoning and severance continued to be premature as the EIS required additional information before CH could confirm that the proposed applications were consistent with policies identified in the Provincial Policy Statement (PPS).

According to Conservation Halton's files, no additional correspondence was received subsequent to our March, 2012 letter, and as such, the comments remain outstanding. Staff have attached both letters from 2012 for your reference. Please note that in the March letter, it notes additional information is required to confirm the proposed application is consistent with Policies 2.1.3 a), 2.1.4 b) and 2.1.4 e) of the PPS (2005). The PPS has since been updated (2014) and the correct Policies to reference are now 2.1.7, 2.1.5 b) and 2.1.5 e).

The EIS was completed in August of 2011. In the 4+ years that have transpired since the last round of comments, there have been updates to species status and local rarity rankings. Some species that were not considered significant at the time now are and, conversely, some that were considered significant at the time no longer are designated as such. In either case, seasonally appropriate field work should be conducted to confirm that the information being used to properly evaluate the features is relevant.

*Member of Conservation Ontario*

**Recommendation**

Based on the above, staff of Conservation Halton continue to find the application for rezoning and the related severances premature as:

The EIS still requires revisions to address Conservation Halton's outstanding comments from our March 16, 2012 letter and all current species designations/rankings should be updated to ensure the recommendations are informed by the most relevant information.

Please be advised, in an email from Conservation Halton to the City (Charles/McPahil,Scott) dated March 22, 2012, staff noted that there was an error in the March 2012 comments whereby there is still an outstanding fee of \$475 that the applicant is required to pay. Conservation Halton will honour the 2012 fee schedule as the applications are progressing under their original file numbers.

We trust the above is of assistance. Should you require further information, please contact the undersigned at Extension 2231.

Yours truly,



Katie Jane Harris  
Environmental Planner

Encl: 1 – CH Letter January 20, 2012, CH Letter March 16, 2012

cc. Cathy Plosz, City of Hamilton, Planning, email  
Martin Killian, Niagara Escarpment Commission, email  
Michelle Caissie, Conservation Halton, email