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**Sent:** May 14, 2025 2:09 PM

**To:** Mehta, Dhruv <[Dhruv.Mehta@hamilton.ca](mailto:Dhruv.Mehta@hamilton.ca)>

**Cc:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Peter Graham <[LRCS@sixnations.ca](mailto:LRCS@sixnations.ca)>

**Subject:** RE: Notice of Public Meeting - 515 Jones Road - ZAC-25-008/25T-202501 & 255 Lewis Road

**External Email:** Use caution with links and attachments

Sekon (Hello) Dhruv,

Thank you again for sending those documents. I want to clarify, is it best to send this to you, or to the clerk email? I've done both this time to cover my bases. I assume that different application stages have different requirements for this.

Included are my environmental comments on behalf of Six Nations of the Grand River Elected Council (SNGREC) regarding 255 Lewis Road and 515 Jones Road.

### **Regarding 255 Lewis Road**

SNGREC encourages developers to not just compensate for environmental impacts but to go above and beyond to improve the environment alongside their developments.

Due to the renaturalizing nature of this site, SNGREC requests an EIS for species inventory to avoid impacts to species-at-risk within the site, with multi-season and multi-year observations. There is a birdhouse visible on 2021 Google Streetview which could hint at some active function of the area. Any functions should be recreated, meaning any species using this space should be compensated should development occur. This could include construction of bird housing structures alongside current development, planting of specific or additional trees, maintaining more greenspace, or more as per future recommendations.

Most of the trees listed for preservation are invasive species of varying severity - Norway Maple, Siberian Elm, Black Locust. This development could come as a great opportunity for invasive species control. While there would be impacts to canopy cover in the short term, removing these trees and planting more would be an opportunity to enhance the environment. As this application only covers the first stage of development, SNGREC assumes the remaining trees were intended to be removed as well at a later date regardless and that "preserve" labels are only temporary.

SNGREC requires a 10:1 tree replacement ratio for all trees replaced regardless of DBH and 1:1 for any dead trees/snags removed as these are an important habitat feature. Increasing the tree replacement ratio better compensates for the impact of the development as this will never be returned to a natural state again, restores lost ecological function, and considers time for regrowth and tree die-off. Six Nations of the Grand River

have Aboriginal and Treaty Rights in this area and planting additional trees and improving the environment helps make up for the negative impacts from development on these rights. Additionally, this accounts for deer browsing and tree die-off. Planted trees must be site-specific native species and should be planted as close to the site as possible without impacting existing features and ecosystems, as should any landscaping species be native species. Tree replacements do not have to be full-sized trees. Plugs are a good option, but regardless of plant size, it must be ensured that planting best practices are used. Those that don't fit on this site could be planted nearby, through collaboration with the Hamilton Conservation Authority or City of Hamilton, or through the Six Nations of the Grand River Environmental Levy as a last-ditch option should closer sites be unavailable. The tree replacement must be paired with a monitoring plan to ensure successful establishment of the trees.

With SNGREC's 10:1 tree replacement requirement, the current 13 trees should be replaced by 130 trees, however SNGREC does not consider the 10 DBH cutoff as relevant, and plants such as sumac are ignored, and thus this should be increased.

SNGREC requests that landscaping cultivars be replaced with the native standard variant where possible.

Six Nations of the Grand River (SNGR) Territory is within the most highly urbanized land in Canada. Development has occurred on Six Nations' traditional territory without consultation or consent of SNGR. The cumulative effects of this intense development have contributed to significant environmental degradation and, as a result, Six Nations has experienced severe impacts on its ability to exercise Aboriginal and Treaty Rights that are not only set out in the treaties themselves but are also recognized and affirmed in Section 35 of the Constitution Act, 1982. The 1701 Nanfan Treaty guarantees SNGR's right to harvest and hunt on this property for perpetuity, but this proposal undermines those rights. SNGR must be accommodated to mitigate any harm to its treaty rights caused by the proponent.

Niá:wen (thank you),

**Emmett Vanson** (he/him)

Land Use and Stewardship Technician

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