



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** March 24, 2026

**Report No:** PED26068

**Subject/Title:** Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 861 Highway No. 8, Stoney Creek

**Ward(s) Affected:** Ward 10

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### Recommendations

- 1) That **Official Plan Amendment Application UHOPA-25-014, by Fothergill Planning and Development Inc. (c/o Ed Fothergill), on behalf of KSCO Holdings Inc. (c/o Donna Spasic), Owner**, to amend the Fruitland-Winona Secondary Plan – Land Use Plan by redesignating the front portion of the subject lands from “Low Density Residential 2” and “Low Density Residential 3” to “Institutional”, redesignating a portion of the remainder of the subject lands from “Low Density Residential 2” and “Neighbourhood Park” to “Natural Open Space”, and adding a new Site Specific Policy – Area “X”, to permit a six storey, 160 bed long term care facility, on lands located at 861 Highway No. 8, Stoney Creek, as shown in Appendix “A” attached to Report PED26068, **BE APPROVED** on the following basis:
  - a) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED26068, be adopted by City Council; and,
  - b) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).
- 2) That **Zoning By-law Amendment Application ZAC-25-028, by Fothergill Planning and Development Inc. (c/o Ed Fothergill), on behalf of KSCO Holdings Inc. (c/o Donna Spasic), Owner**, to add lands to the Major Institutional (I3, 963, H214) Zone, the Conservation/Hazard Land (P5) Zone, and the Neighbourhood Park (P1) Zone, to permit a six storey, 160 bed long term care

facility, on lands located at 861 Highway No. 8, Stoney Creek, as shown in Appendix "A" attached to Report PED26068, **BE APPROVED** on the following basis:

- a) That the draft By-law, attached as Appendix "C" to Report PED26068, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act, R.S.O. 1990* to the subject property by including the Holding symbol 'H' to the Major Institutional (I3, 963, H214) Zone.

The Holding Provision 'H214' is to be removed conditional upon:

- (i) That the owner make satisfactory arrangements with the City's Growth Management Division and enter into and register on title of the lands, an external works agreement with the City for the design and construction of the identified sanitary sewer extension along Highway No. 8 from the existing sanitary maintenance hole at the intersection of Highway No. 8 and Glover Road to the western limit of the site in accordance with the Fruitland-Winona Block 2 Servicing Strategy Alternative Local Sanitary Sewer Highway 8, at the Owner's expense, and in general accordance with the Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates Limited for 861 Highway No. 8 dated November 2025, to the satisfaction of the Director of Development Engineering.
  - c) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024); and,
  - d) That the zoning will comply with the Urban Hamilton Official Plan and the Fruitland-Winona Secondary Plan upon adoption of the Official Plan Amendment.
- 3) That upon finalization of the Official Plan Amendment and the amending Zoning By-law, that Growth Management Division Staff be directed to amend the land use identifications within the Block 2 Servicing Strategy from "Low Density Residential 2" and "Low Density Residential 3" to "Institutional", and the "Neighbourhood Park", "Natural Open Spaces" and the "Constraints Area Boundary" be realigned, and a portion of "Local Road" be deleted within the Block 2 Servicing Strategy, as shown in Appendix "J" to Report PED26068.

## Key Facts

- The purpose of the applications is to redesignate a portion of the subject lands from "Low Density Residential 2" and "Low Density Residential 3" to "Institutional", a portion from "Low Density Residential 2" and "Neighbourhood Park" to "Natural

Open Space”, to add a site specific policy, and for a change in zoning from the Agricultural Specialty “AS” Zone to the Major Institutional (I3, 963, H214) Zone, Conservation/Hazard Land (P5) Zone, and Neighbourhood Park (P1) Zone.

- The proposal is for a six storey, 160 bed long term care facility with 84 parking spaces and vehicular access from Highway No. 8.
- Staff recommends approval of the applications for Official Plan Amendment and Zoning By-law Amendment with the inclusion of a Holding Provision, as shown in Appendices “B”, and “C” to Report PED26068.
- If approved, the Block 2 Servicing Strategy will be amended to reflect the proposed Official Plan and Zoning By-law Amendments, as shown in Appendix “J” to Report PED26068.

## Financial Considerations

Not applicable.

## Analysis

The subject lands are generally rectangular in shape and approximately 2.06 hectares in size, with frontage of 59.4 metres along Highway No. 8. There is an existing one and a half storey single detached dwelling currently located on the westerly side of the property. Details on surrounding land uses are included in Appendix “A1”, the Concept Plan in Appendix “D”, and the Historical Background Factsheet in Appendix “E” to Report PED26068.

A full review of the applicable Provincial Planning Statement (2024), Urban Hamilton Official Plan, and Fruitland-Winona Secondary Plan policies are provided in Appendix “F” to Report PED26068.

## Provincial Planning Statement (2024)

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal contributes to a complete community by providing housing options for people in need of continuing care. The proposed development is approximately 250 metres from the nearest Hamilton Street Railway (HSR) route (Route 55) which stops at Glover Road and Highway No. 8. HSR plans to build a new Stoney Creek Gateway Terminal on Jones Road, which will serve an additional three routes (5 Queenston, 10 B Line East, and 12 Barton East) and the proposal will support existing and planned transit. The proposal protects the natural heritage system by maintaining a watercourse and by providing a buffer to the watercourse. The proposal also supports the provision

of long-term public parkland by identifying lands that are to be set aside for a neighbourhood park in accordance with the Fruitland-Winona Secondary Plan.

Based on the foregoing, and subject to the Holding Provision, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan**

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations and are further designated “Low Density Residential 2”, “Low Density Residential 3”, “Natural Open Space” and “Neighbourhood Park” in the Fruitland-Winona Secondary Plan. The proposal is for a long term care facility, which is an Institutional use. The Urban Hamilton Official Plan provides direction that lands used for institutional purposes less than four hectares shall be permitted within the “Neighbourhoods” designation. A full policy analysis is provided in Appendix “F” to Report PED26068.

The subject lands contain a watercourse, wetland, and are near a significant woodland. These natural areas and natural features have been assessed and measures are recommended for their protection and enhancement. A “Key Hydrologic Feature” stream (also referred to as watercourse 7.0) traverses the property and is identified on Schedule B – Natural Heritage System, and Schedule B-8 – Detailed Natural Heritage Features Key Hydrologic Feature Streams. There are also wetlands associated with watercourse 7.0 which are identified on Schedule B-4 as “Key Natural Heritage and Key Hydrologic Feature Wetlands”. A neighbouring property contains a “Key Natural Heritage Feature Significant Woodlands” which is located northeast of the subject lands. The Fruitland-Winona Secondary Plan further identifies the natural heritage system associated with the lands and identifies, Core Areas, Vegetation Protection Zones, Linkage and Restoration Areas on Map B.7.4-2.

An Environmental Impact Study, prepared by SLR Consulting Canada Inc., dated September 4, 2025, was submitted, and assessed watercourse 7.0, the wetlands on site, and the adjacent woodland to the northeast. A portion of the Neighbourhood Park is required to be redesignated to Natural Open Space and is accordingly being rezoned to Conservation/Hazard Land (P5) Zone to protect the wetland and significant woodland to the east. Vegetation Protection Zones of 15 metres are required from both the watercourse and the woodland and 30 metres from the wetland. The proposal will rezone the lands within the floodplain, creek, woodland, and wetland vegetation protection zones to a Conservation/Hazard Land (P5) Zone to prohibit development and contribute to maintaining and enhancing the ecological function of the lands. With the placement of the lands in a Conservation/Hazard Land (P5) Zone, connectivity between Core Areas will be maintained and improved as the zone permits only low impact uses, such as vegetation restoration, resource management, and open space.

Air drainage patterns exist between the Niagara Escarpment and Lake Ontario over the subject lands and lands south of Highway No. 8 designated “Specialty Crop” in the

Rural Hamilton Official Plan. An Air Drainage Analysis, prepared by SLR Consulting Canada Inc. dated August 25, 2025, finds the development is not expected to measurably disrupt regional cold-air drainage. Although the proposal does not obstruct the watercourse traversing the property, the watercourse must remain free of physical barriers in all future phases, as it functions as a local cold-air drainage pathway. A Conservation/Hazard Land (P5) Zone is considered for the creek and associated floodplain, which will limit development and obstructions.

The proposed amendment can be supported as the proposal contributes a type of housing that serves residents throughout their life cycle and ensures the protection of natural heritage features.

Based on the foregoing, and subject to the Holding Provision, the proposal complies with the applicable policies of the Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan subject to the adoption of the Official Plan Amendment.

### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is to change the zoning from Agricultural Specialty “AS” Zone in Stoney Creek Zoning By-law No. 3692-92 to Major Institutional (I3, 963, H214) Zone, Conservation/Hazard Land (P5) Zone, and Neighbourhood Park (P1) Zone in Zoning By-law No. 05-200. Appendix “I” to Report PED26068 contains a description of the modifications sought to permit the proposal.

### **Block 2 Servicing Strategy**

The lands are located within the Block 2 Servicing Strategy area. The Fruitland-Winona Secondary Plan area is characterized by a relatively flat topography which requires specific grading and detailed servicing provisions to adequately service the future development area so development proceeds in a coordinated and comprehensive manner. The servicing strategy identifies land use to provide further context to servicing requirements. If the proposed Official Plan and Zoning By-law Amendment applications are approved, the Block 2 Servicing Strategy will need to be updated to change the land use identifications on the lands from “Low Density Residential 2” and “Low Density Residential 3” to “Institutional” and realign the identifications for “Neighbourhood Park” and “Natural Open Spaces” and the “Constraints Area Boundary”.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan and the Fruitland-Winona Secondary Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, providing a compact and efficient

urban form that provides housing opportunities to meet the social and health needs of the community, protects the natural heritage system in the long term, and ensures orderly development through the application of a Holding Provision.

## 2. Official Plan Amendment

The Official Plan Amendment can be supported as the proposal supports the development of healthy, liveable, and safe communities. The proposed development represents a compatible form of development and provides a greater range of housing for people looking to age in place. The natural areas are proposed to be protected and enhanced with vegetative protection buffers and the proposal is not anticipated to effect air drainage patterns. The proposal will also support planned and existing transit within the area.

Therefore, staff support the proposed Official Plan Amendment.

## 3. Zoning By-law Amendment

The proposed long term care facility is a use that is compatible in terms of use and scale within the area and will not impact air drainage within the area. A portion of the lands are being rezoned to Conservation/Hazard Land (P5) Zone to protect the wetlands, significant woodland, creek, and floodplain areas and include vegetation protection buffers within the zone. This zone will prohibit development and allow only low impact uses and help maintain and enhance ecological function and connectivity between Core Areas.

With the inclusion of the Holding Provision, to ensure the lands are fully serviced in accordance with the Block 2 Servicing Strategy, staff are satisfied that the proposed Zoning By-law Amendment can proceed in a manner consistent with the Urban Hamilton Official Plan and the Fruitland-Winona Secondary Plan.

Therefore, staff support the proposed Zoning By-law Amendment.

## Alternatives

Should the applications be denied, the subject property can be used in accordance with the Agricultural Specialty "AS" in Stoney Creek Zoning By-law No. 3692-92.

## Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## Consultation

The applications were circulated to internal departments and external agencies. Refer to the comments provided in Appendix “G” to Report PED26068. The public consultation strategy for 861 Highway No. 8 included a neighbourhood information letter that was sent out on January 2, 2025. A Summary of the Public Meeting and Public comments can be found in Appendix “H” to Report PED26068.

## Appendices and Schedules Attached

Appendix A:	Location Map
Appendix A1:	Existing and Surrounding Land Uses and Zoning Chart
Appendix B:	Amendment to Urban Hamilton Official Plan
Appendix C:	Amendment to Zoning By-law No. 05-200
Appendix D:	Concept Plan and Elevations
Appendix E:	Historical Background Report Fact Sheet
Appendix F:	Policy Review
Appendix G:	Department and Agency Comments
Appendix H:	Public Consultation Summary and Public Comments
Appendix I:	Zoning Modification Chart
Appendix J:	Amendment to Block 2 Servicing Strategy Land Use Concept

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