

SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

Theme and Official Plan Policy	Summary of Issue	Staff Response
Provincial Planning Statement (2024)		
<p>Settlement Areas, General Policies for Settlement Areas</p> <p>Policies: 2.3.1.3, 2.3.1.4 and 2.3.1.3</p>	<p>Settlement Areas are intended to be the focus of growth and development. Within Settlement Areas, land use patterns shall efficiently use land, infrastructure, and public service facilities, and be transit supportive. Support general intensification and redevelopment to support the achievement of complete communities, by planning a range and mix of housing options.</p>	<p>The proposed development focuses growth in the Settlement Area, makes more efficient use of land, infrastructure, and public service facilities by intensifying underutilized lands. The proposed development supports general intensification and contributes to the achievement of complete communities by supporting a range and mix of housing options.</p> <p>The proposal is consistent with these policies.</p>
Urban Hamilton Official Plan		
Urban Design		
<p>Neighbourhood Designation – General Policies</p> <p>Policy: E.3.2.3</p>	<p>Uses permitted on lands designated “Neighbourhoods” includes residential dwellings.</p>	<p>The proposal to establish a vacant land condominium with four lots for single detached dwellings on a common element condominium road, is permitted within the “Neighbourhoods” designation.</p> <p>The proposal complies with this policy.</p>
<p>Neighbourhood Designation – Low Density Residential</p> <p>Policy: E.3.4.3</p>	<p>Uses permit in low density residential areas shall include single detached dwellings.</p>	<p>The proposed vacant land condominium of four single detached dwellings on a common element condominium road, represents a low density use and is permitted for lands designated “Neighbourhoods.”</p> <p>The proposal complies with this policy.</p>

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<p>Archaeology Policy: B.3.4.4.4</p>	<p>In areas of archaeological potential, an archaeological assessment may be required and where they involve soil disturbances or site alteration for a plan of condominium.</p>	<p>A Stage 1 and 2 archaeological report (P462-0022-2020) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, staff concur with the recommendations made in the report and that the archaeological condition of the application has been met. A copy of the letter from the Ministry is required to be submitted when available. Condition No. 20 in Appendix “C” to Report PED26065 will ensure that the Provincial interest with respect to archeology has been completed.</p> <p>The proposal complies with this policy.</p>
<p>Trees and Woodland Protection Policy: C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>There are existing trees on the subject property and some of the trees are associated with Core Areas. To facilitate the proposed development, some of the trees will be removed. The City recognizes the importance of trees to the health and quality of life in the community and encourages the protection of trees and woodlands. A Tree Protection Plan was undertaken as part of Zoning By-law Amendment application ZAC-21-027 and a revised Tree Protection Plan was submitted. A Landscape Plan prepared by Affinity Habitat Studio dated July 17, 2025, was submitted, however, a revised Arborist Report was not provided. To mitigate the impacts of the development for trees and woodland protection, conditions of approval are required. Conditions Nos. 12, 16 and 19 in Appendix “C” to Report PED26065 will ensure that a Tree Protection Plan and Landscape Plan are prepared as well as implemented. Warning clauses in the notice of purchase and sale agreement with respect to tree removal are also included.</p> <p>The proposal complies with this policy.</p>

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<p>Natural Heritage</p> <p>Policies: C.2.5.2 and C.2.5.4</p>	<p>New development and site alteration shall not be permitted within provincially significant wetlands, significant coastal wetlands, or significant habitat of threatened and endangered species.</p> <p>New development and site alteration shall not be permitted within significant woodlands, significant valley lands, significant wildlife habitat and significant areas of natural and scientific interest unless it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions.</p>	<p>The subject lands are within a Core Area Significant Woodland, locally significant wetland, significant wildlife habitat, habitat for threatened and endangered species and steep slopes.</p> <p>An Environmental Impact Study prepared by North-South Environmental was submitted as part of Zoning By-law Amendment application ZAC-21-027. Through the Ontario Land Tribunal process, the proposal was revised, and the Conservation/Hazard Lands (P5) Zone was incorporated throughout the site to ensure the protection of the Core Area and its functions.</p> <p>Development and site alterations were also limited to the disturbed areas and areas associated with non-native vegetation. A revised Environmental Impact Study prepared by North-South Environmental dated July 16, 2025, was submitted to evaluate the outcomes of the Ontario Land Tribunal decision, including the lot pattern, impacts resulting from the development and measures proposed to mitigate the impacts. The mitigation measures included a restoration plan, invasive species management plan, stewardship and monitoring, the evaluation of impacts to endangered species, and warning clauses. Condition Nos. 13, 14, 15, 17, 18 and 19 in Appendix “C” to Report PED26065 and will ensure the mitigation measures are implemented.</p> <p>The proposal complies with these policies.</p>

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<p>Infrastructure – Lake-Based Municipal Water and Wastewater System</p> <p>Policy: C.5.3.6</p>	<p>All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p>	<p>There are no watermain or storm sewer on Sulphur Springs Road adjacent to the subject lands. There is an existing dead end watermain on Sulphur Springs Road to the west of the subject lands. The extension of the existing municipal watermain to service the subject property is subject to the Form 1 watermain approval process and entering into the External Works Agreement. Condition No. 3 in Appendix “C” to Report PED26065 will ensure that the owner enters into the External Works Agreement to extend watermain services.</p> <p>The proposal complies with this policy.</p>
<p>Infrastructure – Storm Water Management Facilities</p> <p>Policy: C.5.4.3</p>	<p>Any new development that occurs shall be responsible for submitting a detailed stormwater management plan prior to development to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>The post development runoff from the lands will need to be controlled to predevelopment levels by directing the roof runoff to soakaway pits for each of the proposed single detached dwellings except for the existing dwelling which drains onto the existing residential development to the east. The Functional Servicing Report and Stormwater Management Report submitted with the application identified that the post development flows catchment draining to the existing residential development will be increased but no mitigation measures were proposed due to the existing heavily wooded area. Staff note that there is an existing drainage issue within this area. The City will require an updated Grading Plan and additional details for the proposed driveway that will include a drainage ditch to intercept the flows from the development and convey them to the Sulphur Springs Road right-of-way. An updated Functional Servicing Report, Stormwater Management Report and Grading Plan are required to address issues with the increased post development flows to the east. Condition No. 6 in Appendix “C” to Report PED26065 will ensure that the updated reports and plans are completed.</p> <p>The proposal complies with this policy.</p>

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<p>Division of Land</p> <p>Policy: F.1.14.1.2</p>	<p>Subdivisions shall meet a number of criteria ensuring the development of blocks and lots in conjunction with the road network can support the intent of the land use designations, implements the City’s staging of development program, can be supplied with adequate services and community facilities, not adversely impact the transportation system and natural environment, and will not adversely impact municipal finances.</p>	<p>The proposed Draft Plan of Condominium (Vacant Land) is to facilitate the development of four vacant land units for single detached dwellings and a private condominium road. A fifth lot will be established on the balance of the lands at 164 Sulphur Springs Road by way of an application for Consent to Sever B-25:091 which was approved by the Committee of Adjustment on February 12, 2026.</p> <p>The proposed development for single detached dwellings represents a permitted use for lands designated “Neighbourhoods” and complies with the policies of the Urban Hamilton Official Plan.</p> <p>As outlined in the respective section above, adequate servicing will need to be established to service the proposed development and is required to be completed through the respective conditions of Draft Plan of Condominium (Vacant Land) approval. The natural environment will be protected through the inclusion of zoning restrictions and through the inclusion of respective conditions of Draft Plan of Condominium (Vacant Land) approval.</p> <p>The proposal complies with this policy.</p>