Mayor and Members of Council
City of Hamilton
77 James Street North, Suite 250
Hamilton ON, L8R 2K3

March 29, 2010

Re: PED09164(c) - Urban Hamilton Official Plan Draft Modifications from the Ministry of Municipal Affairs and Housing

Dear Mayor and Members of Council,

ORC has reviewed the Staff Report dated March 23, 2010, related to the captioned matter particularly page 11, Section 2.5, as it relates to the Provincial land east of the Eramosa Karst Conservation Area, and offer the following comments for Council’s consideration:

The Ministry of Municipal Affairs and Housing ("MMAH") has proposed modifications to the Urban Hamilton Official Plan to revise Schedule "B" and Schedule "B-7" which are appropriate and consistent with ORC’s previous submissions to the City. The Staff Report recommends that Council inform MMAH that these modifications are not acceptable, but provides no justification for this position.

Based on 3 years of intensive field work - and following an independent peer review carried out by The Thomson Rosemount Group and Worthington Groundwater, in consultation with the Ministry of Natural Resources - ORC’s technical studies have demonstrated that, subject to proper implementation of the identified mitigation measures, the Provincially owned lands in the Feeder Area can be developed without impacting the environmental integrity of the Area of Natural and Scientific Interest (ANSI). This information is available in the Environmental Study Report recently posted by ORC and shared with City and Conservation Authority staff.

Appendix "B-1" to the Staff Report provides Mapping of the Eramosa Karst ANSI, identifying the Karst ANSI Core Area and ANSI Feeder Area as provided in the Eramosa Karst ANSI report (Buck, Worthington, and Ford, 2003). It is noted that the ANSI Feeder Area on this map includes land located north of Rymal Road and west of Second Road West (see highlighted area on Attachment 1 to this letter). This mapping reflects the MMAH proposed modifications to the Official Plan schedules.

MMAH has proposed that Schedules B and B-7 be modified “by applying and delineating the Area Specific Policy USC-1 in Volume 3 to the entire Feeder Area as identified in Figure 2 to the Eramosa Karst ANSI report (Buck, Worthington, Ford, 2003)” . The Staff Report has recommended that these modifications are not acceptable, but no rationale has been provided for this position.

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To be consistent with the Eramosa Karst ANSI report and the approach identified in Area Specific Policy USC-1 1.0 a), we support the MMAH’s proposed modifications to Schedule B and Schedule B-7 to the adopted Urban Official Plan, for the reasons described above.

We request that Council consider the above in providing its comments on MMAH’s proposed modifications to the Urban Official Plan.

Thank you for your consideration of this request.

Yours truly,

Ontario Realty Corporation

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Eramosa Karst Area of Natural and Scientific Interest (ANSI)

- Sinkpoint
- Spring
- Small spring
- Olmsted Cave

- Stream: perennial or intermittent
- Gully with occasional streamflow
- Former stream, now eliminated by urban development
- Traced karst conduit
- Drainage divide

Other Land in "Feeder Area"

Surface Areas (ha)
- Core Area: 53.4
- Developed Area: 18.3
- Feeder Area (excluding Buffer): 117.3
- Buffer: 6.7
- Entire ANSI: 195.7

Legend:
- Boundary of the ANSI
- Boundaries between the Core, Developed and Feeder Areas within the ANSI
- Buffer within the Feeder Area
- Recommended corridor between Core Area and Olmsted Cave