



Board of Directors

Addendum 1

March 5, 2026 at 6:00p.m.

This meeting will be fully virtual via Webex Platform

**All hybrid meetings can be viewed live on HCA's You Tube Channel:
<https://www.youtube.com/user/HamiltonConservation>**

10. Reports to be Approved

The report below will be addressed after item 10.1 on the agenda

- 10.5 Proposed reconstruction of an industrial building and construction of an addition within the Regulated Area of Stoney Creek at 330-332 & 340 Lake Avenue North, City of Hamilton

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Report to: Board of Directors

Approved for Circulation By: Lisa Burnside, Chief Administrative Officer (CAO)

Reviewed By: T. Scott Peck, MCIP, RPP, Deputy CAO/Director, Watershed Management Services

Prepared By: Mike Stone, MCIP, RPP, Senior Manager, Watershed Planning, Stewardship & Ecological Services
Jeff Tweedle, Conservation Planner

Meeting Date: March 5, 2026

Subject: Proposed reconstruction of an industrial building and construction of an addition within the Regulated Area of Stoney Creek at 330-332 & 340 Lake Avenue North, City of Hamilton

STAFF RECOMMENDATION

THAT the HCA Board of Directors approve the issuance of a permit under Section 28.1 of the *Conservation Authorities Act*, subject to submission of final drawings and subject to standard conditions, for reconstruction of an industrial building and construction of an addition within the regulated area associated with Stoney Creek at 330-332 & 340 Lake Avenue North, Stoney Creek, City of Hamilton.

Executive Summary

Staff have received an application for the reconstruction of an industrial building that was recently damaged and demolished. A minor addition to the building is also proposed as part of the reconstruction. The property operates as a solid waste transfer facility and handles general waste, construction debris, metal for recycling, and similar materials consistent with non-hazardous waste transfer operations. The property and building are located in the regulatory floodplain associated with Stoney Creek. While HCA policies allow for building reconstruction and minor additions in the floodplain, not all of HCA's safe access policies are met in this case. Notwithstanding this, given the specifics of the proposal staff are of the opinion the intent of the HCA policies is generally maintained, and staff would have no objection to the issuance of a permit.

Staff Comment / Discussion

File Review History

On January 13, 2026, HCA staff received an email requesting a pre-consultation meeting regarding the proposed reconstruction (replacement) of a building at 330-332 and 340 Lake Avenue North, Stoney Creek. The email noted the facility was damaged catastrophically over the Christmas holidays and subsequently demolished in early January 2026. It was further noted the existing zoning for the property allowed for the continued use as a waste processing/transfer facility, and that a prefabricated engineered steel building would replace the former structure with no site expansion.

In the HCA response, it was outlined that the subject property was entirely within the HCA regulated area due to the flooding and erosion hazards associated with Stoney Creek and an HCA permit would be required for the proposed replacement building. HCA staff requested any available preliminary plans for pre-consultation review, which were submitted to HCA on January 15 and additional information provided on January 19. HCA staff provided detailed comments on January 22 outlining the application requirements, process, fees, and relevant HCA policies. The applicant submitted revised materials for HCA review on February 17, and staff provided detailed comments on these materials on February 20. HCA staff met with the applicant on February 20 to discuss the provided comments. The applicant provided additional information on February 23 and met with HCA staff again on February 27.

Prior to its demolition, the existing structure was approximately 870 sqm in size. Based on the materials submitted to HCA, the proposed replacement structure is 1090 sqm in size which is an approximately 25% increase in area over the existing structure. As such, the proposed replacement structure would be considered a combined replacement and minor addition under HCA policies.

The proposed replacement structure is located outside the erosion hazard area, but entirely within the flooding hazard area associated with Stoney Creek. Through pre-consultation the applicant has been working to address HCA policies for replacement structures and minor additions within the flooding hazard area. This includes incorporating floodproofing measures within the design of the replacement structure and minor addition to the extent and level possible. However, due to the existing condition of the subject property and surrounding lands the applicant is not able to address the safe access requirements for a combined replacement and minor addition under HCA policy.

Application Assessment

The subject property has an area of 0.71 ha and is located at 330-332 and 340 Lake Avenue North between Barton Street East and the east-west railway line, in an area of existing commercial and industrial development. The property is affected by flooding hazards associated with Stoney Creek, which borders the property to the east. Flood depths on the subject property that would be associated with the regulatory (Regional

storm) flood event range between approximately 2.5 m at Lake Ave North and approximately 1.8 m at the location of the proposed building.

Where there is existing development in flood prone areas, Section 5.4.5.3 of HCA policies allow for the reconstruction (replacement) of existing structures, minor additions, or both replacement and minor addition in combination. In general, replacement structures and minor additions may be permitted where they are:

- Setback from the flooding hazard to the greatest extent possible, and otherwise located in the area of least hazard susceptibility and risk;
- Incorporate floodproofing measures to the extent and level possible, based on site-specific conditions;
- Not more flood vulnerable than the former/existing structure; and
- Safe access is provided in accordance with HCA policy requirements.

Where either a replacement structure or minor addition for existing development is proposed as a standalone project, HCA's policies provide some flexibility in meeting floodproofing and safe access requirements. Floodproofing is to be the extent and level possible based on site-specific conditions, should not be more flood vulnerable than the former/existing structure, and may be floodproofed to a level lower than the regulatory flood level. With respect to safe access, proposals for replacement structures or a minor addition must examine opportunities to improve existing access conditions to the extent possible, but in no case shall access conditions for a minor addition or replacement structure be diminished or worse than existing conditions.

Where both a replacement structure and minor addition are proposed in combination, HCA's policies require the safe access criteria outlined in Section 5.9.1 to be met in full.

Given flood depths exceed approximately 1.2 m across the property and along Lake Avenue North, it is not possible to meet HCA's safe access criteria for pedestrians, vehicles or emergency services.

Notwithstanding this, staff note the following:

- The proposed replacement structure includes a relatively minor increase in building footprint (25%);
- There is no intensification of the existing waste storage use;
- There will be no increase in building occupancy;
- Improvements to the buildings floodproofing are being incorporated; and
- Existing access conditions are not being diminished or worsened.

Based on this and subject to the applicant meeting floodproofing requirements, HCA staff are of the opinion the proposal is reasonable and would not increase risks associated with the existing flooding hazard. Staff are therefore supportive of issuing a

permit subject to submission of final drawings, including an appropriate floodproofing design and subject to standard conditions

Staff can not issue a permit which does not comply with Board-approved policy. Proposals that do not meet policy may be considered for approval by the Board of Directors, typically through a formal hearing process where staff are not supportive of the application. Given staff's support for the proposal, it is being recommended the Board direct staff to issue the permit without a formal hearing once the revised materials are provided which address HCA policy requirements related to floodproofing to staff satisfaction.

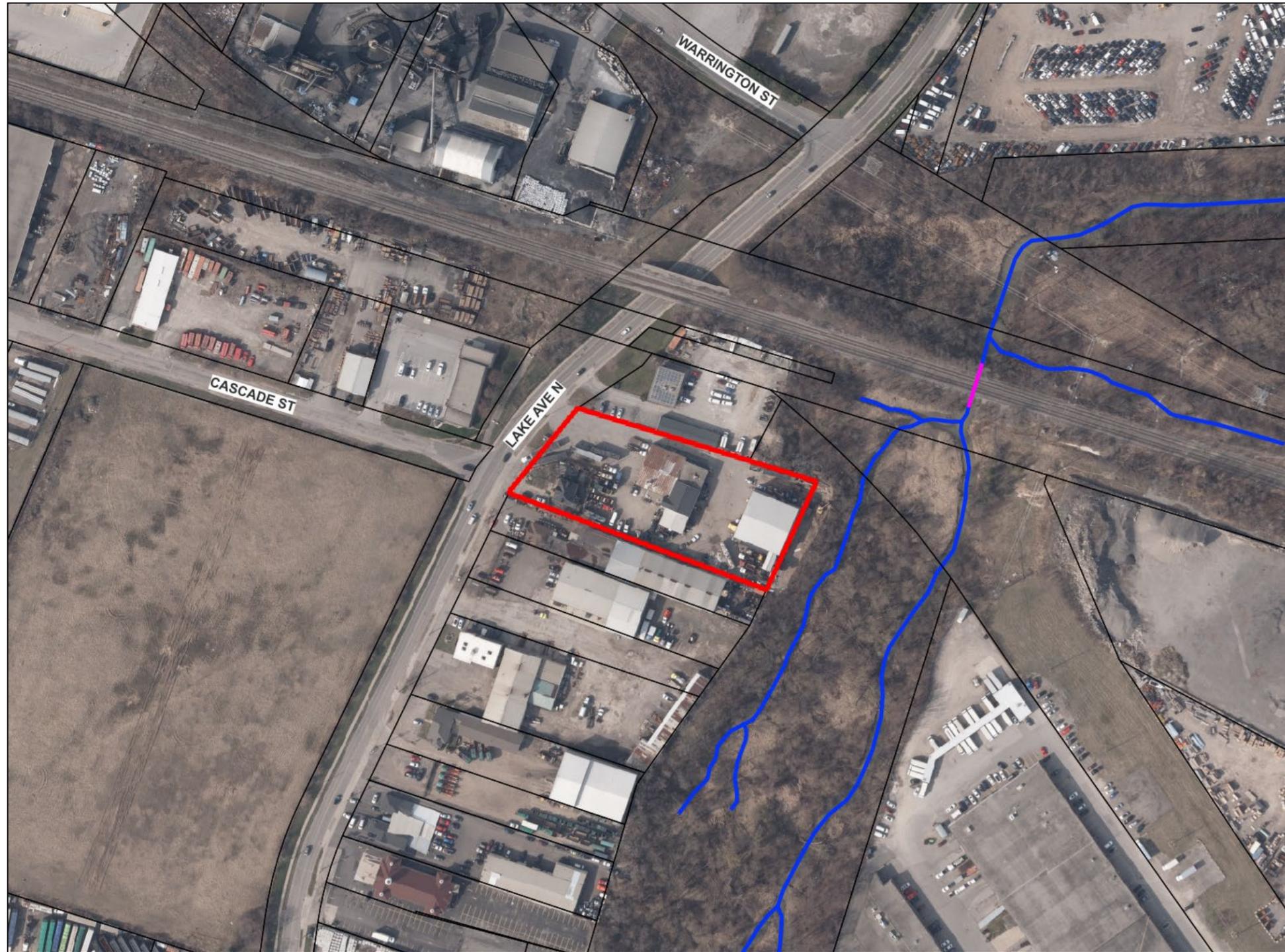
Agency Comments

Not Applicable

Legal / Financial Implications

Not Applicable

ATTACHMENT A – Property Location

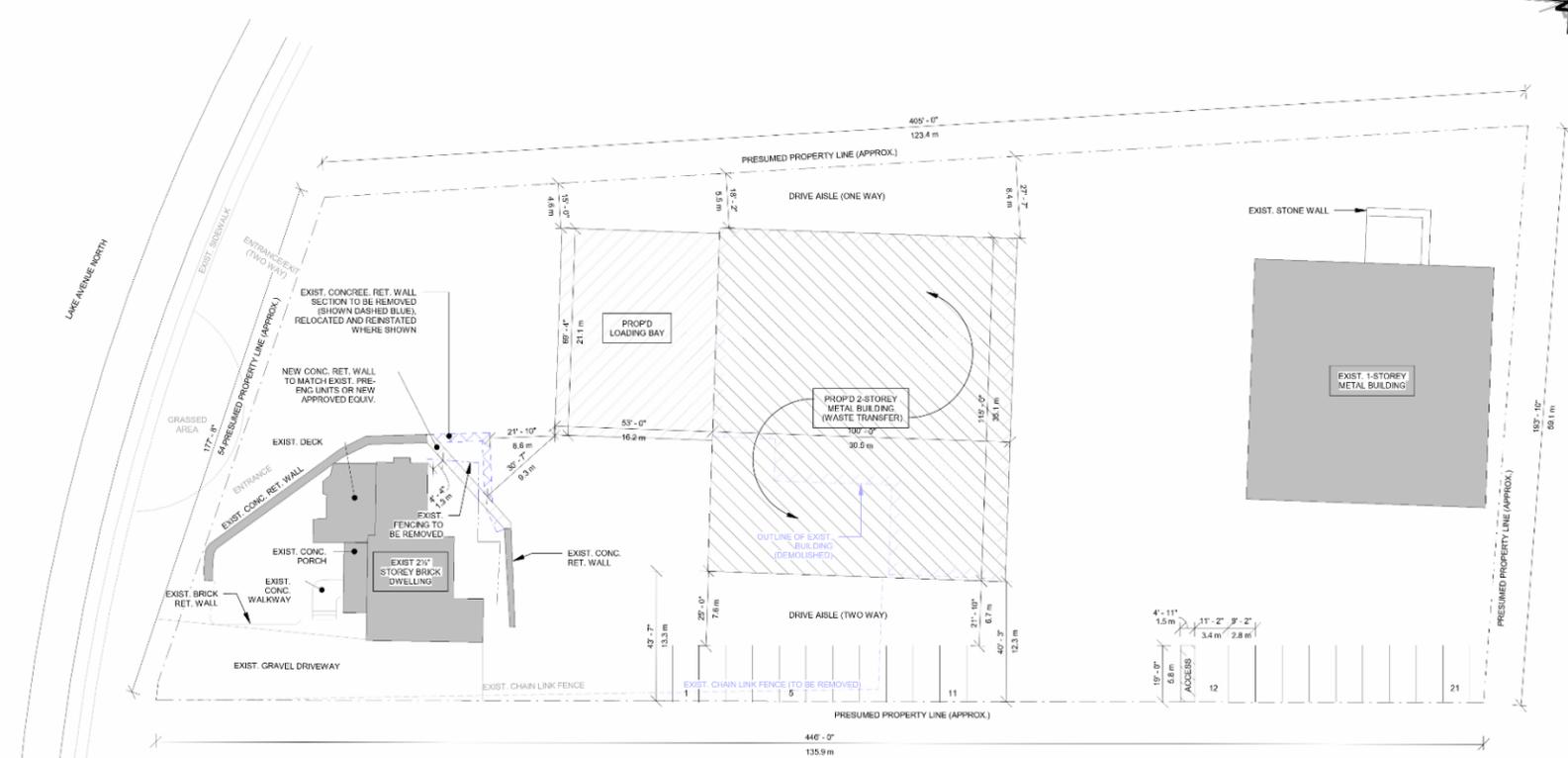
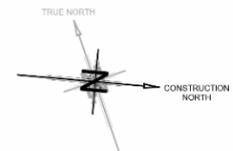


ATTACHMENT B – Proposed Site Plan

NO.	DESCRIPTION	DATE
1	SITE PLAN - PROPOSED LAYOUT	FEB. 12, 2026



DRAWINGS TO BE PRINTED ON ARCH C PAPER (24" WIDE x 18" HIGH)



SITE LAYOUT NOTES:
 THIS SITE LAYOUT HAS BEEN INCLUDED FOR REFERENCE PURPOSES ONLY AND ILLUSTRATES THE APPROXIMATE LOCATION OF EXISTING SITE FEATURES (I.E. BUILDINGS, PROPERTY LINES, ETC.). THIS SITE LAYOUT SHALL NOT BE RELIED UPON AS A LEGAL SURVEY. A LEGAL SURVEY MAY BE REQUIRED BY THE LOCAL AUTHORITIES AND SHALL BE PROVIDED BY OTHERS IF DEEMED TO BE NECESSARY.
 INFORMATION OF EXISTING SITE FEATURES SHOWN HEREIN IS DERIVED PRIMARILY FROM A HISTORIC SURVEY SHOWING 332 LAKE AVE. N, HAMILTON, ON.



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THE WORK OUTLINED ON THIS SHEET MUST BE CONSIDERED IN CONJUNCTION WITH ALL OTHER SHEETS FORMING THIS DRAWING SET AND ANY DOCUMENTS ISSUED WITH THIS SET OR REFERENCED HEREIN

DRAWING TITLE:
SITE LAYOUT
 PROJECT TITLE:
 BUILDING CONSTRUCTION
 OWNER: N/A
 LOCATION: 332 LAKE AVE N, HAMILTON, ON.
 PROJECT NO.: DGE26003
 SCALE: 1" = 30'-0" DRAWING NO. **SL-1**
 DRAWINGS REMAIN THE PROPERTY OF DGE

1 SITE LAYOUT - PROPOSED
 SL-1 1" = 30'-0"