



City of Hamilton

CITY COUNCIL ADDENDUM

19-022

Wednesday, December 11, 2019, 9:30 A.M.

Council Chambers, Hamilton City Hall

71 Main Street West

5. COMMUNICATIONS

*5.3 Correspondence respecting Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 35 Sabrina Boulevard, Hamilton (PED19219) (Ward 8):

*5.3.a Lisa Ward

*5.3.b Mark Cornell

*5.3.c C. Anne Noyes

*5.3.d June Kinniburgh

*5.3.e Colleen Burke

Recommendation: Be received and referred to the consideration of Item 6 of Planning Committee Report 19-019.

10. PRIVATE AND CONFIDENTIAL

- *10.3 Contractual Update (LS19048/FCS19095) (City Wide) (to be distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2) Sub-sections (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

11. BY-LAWS AND CONFIRMING BY-LAW

- *11.18 310

To Authorize the signing of the Disaster Mitigation and Adaptation Fund Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Infrastructure and Communities, and the City of Hamilton for funding of City of Hamilton Project Bundle – Extreme Storms – Shoreline Protection Resilience Project

Ward: City Wide

Sunday, December 8, 2019

Legislative Coordinator, Planning Committee, City of Hamilton
71 Main Street West, 1st Floor, Hamilton, Ontario L8P 4Y5

Attention: Hamilton City Council,

I would like would this letter to be included on the December 11, 2019 City Council agenda as it relates to File No. ZAC-10-022 (proposed Zoning By-law Amendment for lands located at 35 Sabrina Boulevard).

On Tuesday, December 3, the Planning Committee members voted 5-2 in favour of approving this zoning by-law amendment for **71 street townhouse dwellings, and 260 stacked townhouse dwellings unit with underground parking for 452 vehicles, and 22 surface parking spaces for visitors on 10.38 acres of land at Garth Street and Rymal Road West.**

1. Before the Public Meeting Spallacci & Sons Limited, UrbanSolutions, and Ward 8 City Councillor (John-Paul Danko) **did not host a Public Consultation**. It is important to note that many of the community members are seniors (some with serious health issues), single-parent families, newcomers to Canada, and Syrian refugees. They did not fully understand the application language, the draft plans of the subdivision, and had no Public Consultation for clarification or an opportunity to voice their concerns. Instead a letter was sent, and signage was posted on Sabrina Blvd in English, which for many is not their native language. It has recently been brought to my attention that George Zacjac, the contact for an appeal posted on the sign at Sabrina Blvd is no longer with Development Planning. This has further complicated how to direct community members' concerns.
2. To my knowledge, Ward 8 City Councillor (John-Paul Danko) was only made aware of the zoning by-law amendments when I emailed his office on December 11, 2018, at which time he replied immediately with *"Thank-you for bringing this zoning by-law amendment to my attention. I certainly share the concerns you raise in your very thoughtful letter."* (Please see the email exchange attached) Ward 8 City Councillor (John-Paul Danko) did not follow-up with me after December 11, 2018. He did not acknowledge or address the Ward 8 residents who spoke at the Public Meeting or communicate the concerns that he shared with me in my *"very thoughtful letter"* at the Public Meeting. Ward 8 City Councillor (John-Paul Danko) then proceeded to vote in favour of the zoning by-law amendment.
3. In August of 2019 City of Hamilton staff (Yvette Rybensky) stated in an email that the date of the Public Meeting was tentatively targeted for November 19. (Please see the email exchange attached) Then a letter dated November 15 was mailed to residents stating that the Public Meeting was scheduled for December 3 at 9:30am. The change of date made it difficult to have more residents in attendance at the Public Meeting.
4. Spallacci & Sons Limited, UrbanSolutions, and City of Hamilton staff had a letter of concern from a local resident for 18 months prior to the Public Meeting, and then causally addressed the concerns as irrelevant, except for the stormwater management requirements. Climate change is a real issue resulting from the loss of green spaces, urban tree canopy and intense urban development, which creates the *Urban Heat Island Effect*. Loss of native wildlife is a real issue resulting in the loss of biodiversity. Ward 8 residents concerned about the zoning by-law amendment were only allotted 5 minutes each to address a development, which will greatly impact the 1455 Garth Street Townhouse Complex, and the quality of the residents' lives moving forward. How fair of a process is this?

5. In the copy of the staff report, it stated “The subject site has largely been cleared and graded and it is not home to any known significant wildlife habitat.” This is simply not true. The report went on the state that “As such, the amendments will not introduce impacts to wildlife.” During the Public Meeting the land in question was labelled a “*wildlife corridor*” by both residents and Ward 14 City Councillor (Terry Whitehead), but the Planning Committee approved the zoning by-law amendment **without requesting an Environmental Assessment**. Hamilton Conservation Authority (HCA) staff could have provided information on the plants and wildlife in the area, as they conduct monitoring projects across the Greater Hamilton Area. HCA staff were consulted regarding stormwater management requirements, why not for both issues? Residents have reported sightings of many protected bird species in the area, many of which have been documented & photographed for Bird Studies Canada and the Cornell Lab of Ornithology. For UrbanSolutions to report that the “*amendments will not introduce impacts to wildlife*” is a great falsehood.
6. UrbanSolutions hired Paradigm Transportation Solutions Limited but did not consult City of Hamilton staff about the impact on traffic for this high-density development in this area. **To say that 331 units with the parking capacity for 600+ vehicles will not directly impact traffic in the area is truly disingenuous and unbelievable.**
7. Residents’ concerns regarding vehicles using the private road at the 1455 Garth Street Townhouse Complex to avoid the traffic lights at Sabrina Blvd and Garth St were not adequately addressed. This was already an issue when Garth Street (Rymal Road West to Stonechurch Road West) was widened from 2 to 4 lanes. The Board of Directors at the 1455 Garth Street Townhouse Complex had to install a stop sign at the south end of the townhouse complex, and temporary speed bumps were installed along the private road to ensure the safety of all residents, but vehicles still drove through the complex risking residents’ safety and well-being. **A secondary road access should be considered for this development from Stonechurch Road West.**
8. Ward 2 City Councillor (Jason Farr) expressed familiarity & favoritism towards Spallacci & Sons Limited during his closing comments to the Planning Committee members and members of the public. Perhaps he should have recused himself from this matter?
9. Spallacci & Sons Limited, UrbanSolutions, City of Hamilton staff and Planning Committee members all commented on the fact that this higher density stacked townhouse complex is a new building concept for the City of Hamilton. The 260 stacked townhouses are not consistent or compatible with the many street level townhouse complexes which are all ready in this established neighbourhood along Garth Street from Garrow Street to Claudette Gate. This development also places a lot of people, pets and vehicles on 10.38 acres of land at Garth Street and Rymal Road West. What future issues will arise with light pollution, noise, vandalism, etc.?
10. It was also repeatedly noted that only one submission of concern was received about the zoning by-law amendment. I am asking as a community member and an educator for a local Conservation Authority for an appeal of the zoning by-law amendment (which was passed on December 3, 2019) to appropriately address all community concerns of the future development of this land.

Sincerely,

Lisa Ward

#30 - 1455 Garth Street Hamilton, ON L9B 1T4
[REDACTED]

From: Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Sent: December 11, 2018 5:50 PM
To: Lisa Ward [REDACTED]
Cc: Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>
Subject: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello Lisa,

Thank-you for bringing this zoning by-law amendment to my attention. I certainly share the concerns you raise in your very thoughtful letter.

Nikola – please check with planning to confirm the current status of this application and what public notification requirements are in place. I would like a briefing at their earliest convenience.

Best regards,

John-Paul Danko
Councillor Ward 8
West Central Mountain
Hamilton, Ontario
john-paul.danko@hamilton.ca
905.521.3954

From: Lisa Ward [REDACTED]
Sent: December 11, 2018 3:03 PM
To: Ward 8 Office <ward8@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Cc: Zajac, George <George.Zajac@hamilton.ca>
Subject: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello John-Paul,

As the new City Councillor for Ward 8, please find in the attachment a letter that I sent on May 20, 2018 for Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022).

As a resident of Ward 8, I would like to be kept informed of any public meetings for this By-law Amendment (File No, ZAC-18-022).

Thanks,

LA Ward

[REDACTED]
#30- 1455 Garth Street,
Hamilton, ON L9B 1T4

Sent from [Mail](#) for Windows 10

From: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Sent: Mon November 4, 2019 2:03PM
To: lward@hotmail.ca <lward@hotmail.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: RE: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Lisa: the public meeting and associated report for Sabrina Boulevard has been **rescheduled to the December 3 meeting** as of now.

Hope that helps but let me know if you have any questions.

Yvette Rybensky, MCIP, RPP

*Senior Project Manager-Suburban
Development Planning, Heritage & Design Section, Planning Division
Planning & Economic Development Department
City of Hamilton, 71 Main St. W, 5th floor, L8P 4Y5
Ph: (905) 546-2424 ext. 5134
Fax: (905) 546-4202
Email: Yvette.Rybensky@hamilton.ca*

From: Lisa Ward <lward@hotmail.ca>
Sent: Friday, November 1, 2019 8:04 AM
To: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: Re: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)
Importance: High

Hello Yvette,

I have yet to receive any notification about the purposed Public Meeting on November 19?
Has the Public Meeting for November 19 been confirmed?
If yes, when should I expect my notification?

Thanks,

LA Ward
#30 - 1455 Garth Street
Hamilton, ON L9B 1T4
(905) 318-0043

From: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Sent: August 16, 2019 4:40 PM
To: lward@hotmail.ca <lward@hotmail.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: RE: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Ms. Ward:

I understand you are inquiring about the status of a Zoning by-law amendment application for 35 Sabrina Boulevard (ZAC-18-022). We have been reviewing the proposal and working with the applicant to resolve some of the issues that have been identified through that review. We seem to be getting close to a resolution and are **tentatively targeting November 19th for the Public meeting**. Since you asked to be notified, you will be receiving a letter when that date is firmed up and I would also suggest that you watch out for the sign on the property if you are able because the sign will be updated to incorporate the meeting date once it is established.

In the interim, I've copied the Planner handling this application, Mike Davis. Mike can answer any questions pertaining to the file and how your concerns can/will be addressed.

Regards,

Yvette Rybensky
Senior Project Manager
City of Hamilton Planning & Economic Development'
Development Planning, Heritage and Design.

Sent: August 16, 2019 12:25 PM
To: Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Cc: Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>
Subject: Re: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello John-Paul,

I sent a letter with my concerns about the zoning by-law amendment on May 20, 2018, and a request to be notified of the Public Meeting; as I wish to attend and notify the other residents in the townhouse complex at 1455 Garth Street, who also may wish to attend.

I have yet to be notified of any Public Meeting.

In February 2019 I submitted letters as instructed by city of Hamilton staff to receive notifications about

1. Proposed Official Plan Amendment
2. Proposed Zoning By-law Amendment
3. Proposed Draft Plan of Subdivision

I have heard and received nothing to date.

Does your office have any additional information on how this Zoning By-law Amendment (File No. ZAC=18=0022) is proceeding?

LA Ward
#30 - 1455 Garth Street
Hamilton, ON L9B 1T4
(905) 318-0043

Pilon, Janet

Subject: FW: Letter to be Included in Dec 11, 2109 City Coucil Agenda related to ZAC-18-022 Zoning By-Law Amendment

From: Mark Cornell

Sent: December 8, 2019 5:30 PM

To: clerk@hamilton.ca

Subject: Letter to be Included in Dec 11, 2109 City Coucil Agenda related to ZAC-18-022 Zoning By-Law Amendment

Attention Hamilton City Council

As a resident of 1455 Garth Street #23 I am very concerned about the proposed Zoning By-law amendment before you (ZAC-18-022) related to lands located at 35 Sabrina Bouelvard.

My concern revolves around not that this site is being developed but rather the nature of the development itself. This is simply too dense of a development for this space. There is next to no green space within the development contrary to modern thinking. The requested amendments to lot dimensions reduce yard space excessively. Jamming so many units into such a small space is asking for future trouble. The access for emergency vehicles is minimal and with little space for snow removal creates a safety issue. Visitor parking of 22 spaces for 331 residents will create traffic and bylaw infractions and impede access & egress in an emergency. Street parking is non-existent due to narrow roadways compounding the issue.

Having lived adjacent to these lands for 11 years now I am very concerned for the soon to be displaced wildlife. On the subject land reside possum, racoon, skunk, rabbit, squirrels, countless birds, butterflies and other smaller creatures. Several trees on the subject land will be lost. Ponding on the land often provides rest areas for migrating geese and ducks. Deer & coyote use these lands as a travel corridor to other adjacent habitats.

Development for the sake of development is not what the City of Hamilton needs; the creation of real homes is what is required. I can easily see this in the future turning into a slum area affecting the entire neighbourhood as it is proposed.

Please reconsider this development as it relates to the excessive numbers of homes to be located on it.

Thank you for you time

Mark Cornell
23-1455 Garth Street
Hamilton, Ontario

December 9, 2019

C. Anne Noyes

29-1455 Garth Street
Hamilton, ON L9B 1T4

**Legislative Coordinator,
Planning Committee
City of Hamilton**

71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Attention: Planning Committee

RE: Files(s): ZAC-18-022/Subject Property: 35 Sabrina Blvd.

The City Council voted for the building of the mega, stacked townhouses with the underground parking, providing for minimal green space, only 2 roadway exits out of the complex and lack of concern for wildlife in the area in an area that is one of green spaces that we have left on the mountain.

There may be a need for urban development, but the city and my ward's councilor should vigorously be reviewing any building spaces from an environmental lens. This survey has been left untouched for many years and is the home of abundant birds and other wildlife. I cannot fathom how an environmental assessment should no significant wildlife in the area. Over the past 38 years, my family and others, have enjoyed the green outdoor space, it's wildlife and a quiet neighbourhood.

My understanding of Spallacci & Sons Ltd. plan is that more 'Eden Park' type of homes would be built behind my survey at 1455 Garth Street. When I read the Notice of Public Meeting dated November 15, 2019 and I realized that the plan has been changed to 331 stacked townhouses with 1.5 m front lawns, in addition to the 70 houses. I have concerns about this change.

Three of our owners were present at the town meeting and were able to express a five minute timed concern about the amends to the building proposal. I wish to Appeal the motion on going ahead with the building of the mega, stacked townhouse complex and here are my concerns;

1. Insufficient entry and exit roads for vehicles

During the construction and when this structure is completed, unless another road is put in, there is only one way that 1,400 plus new residents can exit their home and that is Sabrina Blvd. or Summersberry Drive. Residents current living in Eden routinely drive through our complex at a high rate of speed to avoid the red light at the intersection. My

5.3 (c)

concerns are regarding children and some adults playing in our private driveway, drivers who should not be using our driveway for a shortcut may not be looking out for our neighbour children, we have a disabled child living in the survey.

Solution: If any structure is going to be built, I would like Spallacci & Sons Ltd/City of Hamilton to ensure this is not going to happen by building a new road to Stonechurch first. Secondly, is Spallacci & Sons prepared to put a card access to complex at the south end to prevent over a 1000 potential cars from both sites, using our private roadway as a quick access.

2. Displaced Wildlife resulting from clearing the bush

Spallacci & Sons Ltd said they did a Wildlife Study. I do not believe they did a Wildlife Study. Wildlife is in abundance and includes many different little birds, wild turkeys, a deer, rabbits, skunks, coyotes, squirrels, and chipmunks. In the spring, the pond located behind my residence is home to many hibernating amphibians. Since the construction of Sabrina lots of these animals have become evacuated from their homes in the bush that has been cut down on the perimeter. Not all the land has been cleared so there are still animals living in the bush. The displaced wildlife has cost Wilson Blanchard and the neighbour's of 1455 Garth Street. We have been required to pay a pest control company for rats and pay for the catch and release of skunks.

Solution: I would like to see this Wildlife Study. I would like Spallacci & Sons Ltd to acknowledge the displaced Wildlife and take the necessary measures to control it legally and humanely.

3. Insufficient parking for new homes

There are only going to be 2 underground parking spots per stacked townhouse. Visitor Parking is undetermined. Even in our complex over half the owners have two cars impacts parking in the area. If the new residents in the proposed complex have inadequate visitor parking, drivers may decide to use our parking, just like they are currently using our roadway as a quick route to home. This will cost us money too because we must pay the parking enforcement company, road repairs and unsafe walkway for our own residents.

4. Noise and other nuisances we will be forced to endure.

These types of multi-level stacked housing complexes are just greedy. *Spallacci & Sons Ltd.* Are preparing to make the most of their financial investments through a massive housing project with little concern for the land. This is nothing like what is already around here. We are so used to having a calm 'forest' and beautiful landscape beside our survey. To turn our paradise into something so 'extra' is unfair. This new structure will bring other nuisances like noise.

We know that building will continue, but we as concerned residences should have been consulted about the proposed building complex. I am very disappointed that my City Councilor Danko voted in favour of the project moving forward without consultation from

5.3 (c)

the people living in the area. After hearing the sound advice from Councilor Terry Whitehead, I would advise others who voted in favour to carefully listen to the information provided and reflect on their own thoughts with an environmentally responsive answer.

If our city councilors are making decisions about the types of buildings in our surrounding areas, they will need to make themselves more informed about the space, the peoples' concerns and the environmental impact for years to come.

I would like this letter to be included on the December 11, 2019 Council agenda as it relates to ZAC-18-022 (proposed Zoning By-law amendment for lands located at 35 Sabrina Boulevard).

Regards,

C. Anne Noyes

December 9, 2019

June Kinniburgh
36 - 1455 Garth St.
Hamilton, ON
L9B 1T4

Mayor Eisenberger, deputy Mayor Partridge; and Hamilton City Councillors,

RE: File No. ZAC-18-022

Proposed by-law amendment of the lands located at Garth and Rymal Road West (Part of Lots 17 and 18, Concession 8, Part 1 on Plan 62B-19029, Hamilton (Ward 8))

Thank-you for your time and consideration of my concerns at the City Council meeting to be held on Wednesday, December 11th. The proposed amendment would allow for an increase of 20 units per hectare; from current zoning of 60 units per hectare to a total of 80 units per hectare. The proposed development plan would result in 331 townhomes and 22 additional parking spaces on only 10.38 acres of land. I believe there are matters which may not have been brought to the planning committee's attention when they voted 5/2 in support at the Wednesday, Dec. 4th planning meeting and as such I am writing herein.

We know there will be increased rain fall due to climate change. We know storm water runoff systems and sewage systems are already at or beyond capacity. We also know when sewage systems back up pollution of natural habitat and reabsorption occurs which could result in illness.

As such it seems that approving this type of amendment would be viewed by the public as quite an oversight by Hamilton City council. An addition of another 20 units for a total of 80 units per hectare would pose considerable concerns.

Not approving this zoning by-law amendment would be a tangible example Hamilton City Council upholding its commitments while also demonstrating an understanding of the need to re-evaluate approving so many residents living on such a small piece of land. I encourage you to please be responsive to climate change impacts.

1. Hamilton Climate Change Plan I see item 9. states;

Secure property that serves as source water storage or preserves wildlife corridors within the catchment.

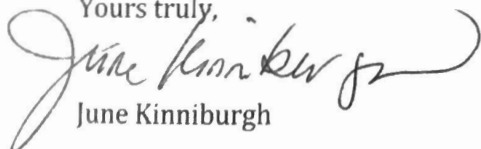
<https://climatechangehamilton.wordpress.com/plan/>

I understand a holding provision for this type of by-law amendment (increase of units per hectare; is to build a storm water pond in the area however, I question where in the area the water pond could be built and how coupled with information we now have about climate change this would be wise. The city must make strides on climate change adaptation now, this is an opportunity.

2. A very large reservoir exists on the north east corners of Stone Church and Garth thereby already creating limitations of fully permeable lands in the area.
3. Garth Street was very recently widened also increasingly the impermeable surfaces in the area.

I urge Hamilton Committee to vote not-in-favor of the by-law amendment file No. ZAC-18-022 before you today.

Yours truly,



June Kinniburgh

LETTER OF APPEAL

Colleen H. Burke
46-1455 Garth Street
Hamilton, ON L9B 1T4

EMAIL TRANSMISSION: clerk@hamilton.ca

**Legislative Coordinator,
Planning Committee
City of Hamilton**
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Attention: City of Hamilton Planning Committee

RE: Notice of Complete Application and Preliminary Circulation for an Application by Spallacci & Sons Ltd. for a Zoning By-law Amendment for Lands Located at Garth Street and Rymal Road West (Part of Lots 17 and 18, Concession 8, Part 1 on Plan 62R-19029, Hamilton (Ward 8))

RE: Zoning By-law Amendment, Files(s): ZAC-18-022

The City Council voted for the building of the 5/2 in favor of the amended building of 260 stacked townhouses with the underground parking, even after hearing my concerns and the concerns of another neighbour.

I realize there is a need for urban development. The space behind my survey has been left untouched for many years and is the home of birds and animals which are protected under law through **The Ontario Fish and Wildlife Conservation Act**. I have enjoyed raising my family in my condo because even though we live on a busy street, it is reasonable quiet, and we are close to nature. I have worked very hard to keep my home and I consider this my personal paradise and my investment.

My understanding was that Spallacci & Sons Ltd.'s plan initially was to build more 'Eden Park' type of homes in the above-mentioned area, which is located behind my survey at 1455 Garth Street. This is acceptable to me. When I read the Notice of Public Meeting dated November 15, 2019, I realized that the plan has been changed to 260 stacked townhouses with 1.25 m front lawns, in addition to the 71 houses. I have concerns about this change. This change is unacceptable to me.

LETTER OF APPEAL

I was present at the City Council meeting and it is my opinion that the surrounding residents were not provided with any forum to ask questions or have input on this plan that will affect them.

I wish to Appeal the motion on going ahead with the building of the 260 stacked townhouse complex and here are my concerns;

1. Insufficient entry and exit roads for vehicles

During the construction and when this structure is completed, unless another road is put in, there is only one way that 1,400 plus new residents can exit their home and that is Sabrina Blvd. or Summersberry Dr. I can see these new residents taking shortcuts through our private driveway to get to Garth Street and avoid the light. My concerns are regarding children and some adults playing in our private driveway, drivers who should not be using our driveway for a shortcut may not be looking out for our neighborhood children, we have a disabled child living in the survey.

Solution: If any structure is going to be built, I would like Spallacci & Sons Ltd/City of Hamilton to ensure this is not going to happen by building a new road to Stonechurch first.

2. Displaced Wildlife resulting from clearing the Greenspace

Spallacci & Sons Ltd. said they did a Wildlife Study. I do not believe they did a Wildlife Study. Wildlife that I have seen with my own eyes include many different little birds, wild turkeys, deer, rabbits, skunks, coyotes, squirrels, and chipmunks. Since the construction of Sabrina many of these animals have been evacuated from their homes in the greenspace that has been cut down so far. Not all of the land has been cleared and there are animals still living in there. Some displaced wildlife has found their way to 1455 Garth Street. It has cost Wilson Blanchard and the neighbour's of 1455 Garth Street the expense of dealing with unwanted vermin like mice and rats. We have been required to pay a pest control company for rodent control and for the catch and release of skunks.

Solution: I would like to see this Wildlife Study. I would like Spallacci & Sons Ltd. to acknowledge the displaced Wildlife and take the necessary measures to control it legally and humanely.

3. Insufficient parking for new homes

There are only going to be approximately two underground parking spots per stacked townhouse. Visitor Parking is undetermined. If the new residents have inadequate visitor parking, they may start using ours. This will cost us money too because we must pay the parking enforcement company.

LETTER OF APPEAL

4. City Council has a Moral Responsibility to Protect the Consumer

These types of multi-level stacked housing complexes are just greedy. I would never buy one of these types of homes. *Spallacci & Sons Ltd.* is going to squeeze as much as they can out of this land. This is nothing like what is already around here. To vote for a front lawn minimum of 1.25 meters is reprehensible. These by-laws are put into place to protect the consumer/taxpayer/public. The unsuspecting buyers who purchase these homes with so much restricted space will become frustrated with the inconveniences of a limited area. For example, the placement of snow during a storm will be a problem for them. The only thing you can do with this little space is place a utility box or fire hydrant.

5. Noise, crime and other nuisances we will be forced to endure.

We are so used to having a calm 'forest' and beautiful landscape beside our survey. To turn our paradise into something so 'extra' is unfair. This new structure will bring other nuisances like noise and crime. The bus shelters along Garth are vandalized regularly.

Progress will happen. I feel my concerns are valid. I am not the only neighbour who feels this way. Build new town houses but not the mega structure with underground parking behind 1455 Garth Street, please.

Regards,

Colleen H. Burke

██████████
██████████

Authority: Item 6, General Issues Committee
Report 19-009 (FCS19038)
CM: May 8, 2019
Ward: City Wide
Bill No. 310

CITY OF HAMILTON

BY-LAW NO. 19-

To Authorize the signing of the Disaster Mitigation and Adaptation Fund Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Infrastructure and Communities, and the City of Hamilton for funding of City of Hamilton Project Bundle – Extreme Storms – Shoreline Protection Resilience Project

WHEREAS the Council of the City of Hamilton wishes to enter into a Disaster Mitigation and Adaptation Fund Agreement to obtain funding for the City of Hamilton Shoreline Protection Measures Project and the Combined Sewer Overflow Backflow Prevention Project (Project Bundle – Extreme Storms – Shoreline Protection Resilience Project).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Mayor and City Clerk are hereby authorized to execute the Disaster Mitigation and Adaption Fund Agreement for the transfer of funding between her Majesty the Queen in Right of Canada, as represented by the Minister of Infrastructure and Communities, and the City of Hamilton, and any ancillary and amending agreements, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services.
2. This by-law shall come into force on the day it is passed.

PASSED this 11th day of December, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk