

Caterini, Rose

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**From:** Matt Jelly  
**Sent:** Wednesday, August 10, 2011 2:57 PM  
**To:** DL - Council & Support Staff  
**Subject:** 245 Catherine Street North: Please Tear Down These Buildings

Dear Mr. Mayor and Councillors,

As you know, I have been closely following the three toxic sites, at 245 Catherine Street North, 249 Hess Street North and 350 Wentworth Street North for the past year, seeking the cleanup of these sites by their owners. Over the past year, I've found that this process is much slower than it should be- the Ministry of the Environment continues to investigate these three sites, but have given no clear indication as to how long these investigations will take place.

On Monday, staff presented the Planning Committee with a recommendation to intervene in the case of 245 Catherine Street North, as a result of the owner's unwillingness to do the work he has been ordered to do, at this site as well as the Hess Street North property. This site contains a number of vats containing high-phosphorus rainwater, contained in a number of crumbling derelict buildings. This site used to house 200,000-300,000 litres of toxic chemicals. Glyn Wide reported to the committee that it was very likely that these materials were simply moved to the owner's other property at 249 Hess Street North. I can confirm that this is the case- the material that is housed at 249 Hess Street North corresponds with inventories completed on the 245 Catherine Street site in 1999, and again in 2003.

Staff's recommendation was to use \$134,000 from the Brownfields Decommissioning Fund to demolish these structures and remove the vats. Unfortunately, the Planning Committee voted to amend this recommendation to allow this owner another 60 days to complete this work, when we have every indication that he will not do this work, especially not in a way that is responsible. This owner owes back taxes on these properties, and has continually ignored every order issued to him by MOE and By-Law to date.

Last summer, the Ministry of the Environment found a man on this property, who was under Mr. Maden's employ, siphoning material out of several barrels into our sewers.

How can council consider giving this owner any more time than he has already been given? How can council expect that giving this owner an ultimatum and another deadline won't result in this material being improperly stored at another location or simply dumped into the sewers?

Please give this item more thought and discussion during tomorrow's meeting. I believe the \$134,000 would be a sound investment in the Beasley Community, who have had to live with this nonsense for upwards of 15 years. While we cannot be sure that this money would be recoverable in the short term by adding it to the tax bill, this would be a priority lien on the property which will eventually be recovered upon sale and redevelopment of this site in the long term.

I have spent the last year fighting to see these sites cleaned up. I have spent my own time, without pay, to make sure that these sites are cleaned up and their owners held accountable. I urge you to do the right thing, and overturn the amendment to staff's recommendation and engage in this demolition and cleanup immediately. It would be the first time that any level of government has done anything to correct this situation- a situation the City of Hamilton created when they sold these properties off in 2005 and 2006.

I would find it incredibly disappointing if Council votes tomorrow to give this owner another 60 days, based on hollow promises that he will finally do something. The time has come to do what's right for the Beasley Community.

Sincerely,

Matt Jelly

PS. A Background on this site is [available here](#) if you are unfamiliar with the history of this site.

8/10/2011