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Via Email: clerk@hamilton.ca

Mayor Bob Bratina and Hamilton City Council
c/o City Clerks Office
1st Floor, 71 Main Street West
Hamilton, Ontario
L8P 4Y5

Dear Mayor Bratina and Members of Hamilton City Council:

Re: Planning & Economic Development Report – June 4th, 2013
Fruitland-Winona Secondary Plan
DalBello – Conc 2 PT Lot 11, SLT SC
Our File No. 40961

We represent Gino and Olindo DalBello, the owners of 860 Barton Street and 884 Barton Street.

These properties are a combined 17 acres at the southwest corner of Barton Street East and Glover Road in the former City of Stoney Creek. The Secondary Plan proposed by Planning staff showed these lands as a combination of Medium and Low Density Residential as well as a significant Neighbourhood Park. While we generally support the direction taken by staff in the Secondary Plan, we do have some concerns outlined below.

These written submissions augment the verbal submissions that we made on behalf of our clients at the public meeting concerning the above-noted Secondary Plan on June 4th, 2013. Given Committee's recommendation, we have added further submissions to our verbal submissions.

The following is a list of our present concerns and comments.

1. (A) Density - General

- (i) The Medium Density Residential 3 designation as recommended by Planning staff should be retained;
- (ii) Alternatively, the Medium Density Residential 3 designation should be retained on the south side of Barton between the north/south collector roads east and west of the E.D. Smith Greenbelt lands which are at the centre of the Secondary Plan Area;
- (iii) The requirement for an air drainage study should not apply to the medium density lands in these locations as the air drainage issues, should they exist at all, would be alleviated by the presence of the large open space Greenbelt lands in proximity to the medium density lands described here.

1. (B) Density – Site Specific

Our position is that the entire 17 acres of the DalBello lands be designated for Medium Density Residential.

The DalBello lands lend themselves to a Medium Density designation for the following reasons:

- (i) They are located at the intersection of the major arterial/transportation route in the Secondary Plan Area, Barton Street and the collector road Glover Road;
- (ii) The lands are isolated from existing lower density residential development in the neighbourhoods whose property owners object to the higher densities;
- (iii) The DalBello lands are across the street from industrial development on the north side of Barton and the Medium Density designation provides for built form opportunities that will provide a better interface with the industrial development to the north;
- (iv) The DalBello lands are adjacent to institutional/commercial club use at 269 Glover Road and the Medium Density designation provides for built form opportunities that will provide a better interface with this nonresidential/institutional/commercial use to the south and east of the DalBello lands.
- (v) The southerly portion of the DalBello lands no longer front on or are in close proximity to a proposed east/west collector to the south of the lands. In earlier versions of the proposed Secondary Plan a collector road running west from Glover Road was proposed at mid block between Barton Street and Hwy #8. This previously proposed collector road has been removed from the approved Plan due to the environmental constraints existing at mid block on the west side of Glover Road.

In the circumstances, then, medium density development provides for more flexible and accessible internal road networking for the DalBello lands which are isolated from a collector road network.

2. Neighbourhood Park

The DalBellos object to the designation of a southerly portion of their property for a neighbourhood park for the following reasons:

- (i) Earlier proposed versions of the Secondary Plan represented good recreation planning in not identifying any of the DalBello lands for neighbourhood park uses;
- (ii) Efficient use of lands within the Secondary Plan Area requires that the DalBello lands be designated Medium Density Residential with Low Density Residential and parkland requirements being met elsewhere within the Secondary Plan Area;
- (iii) Any Recreational/Open Space/Natural Heritage Linkage Function that the DalBello acres proposed to be designated Neighbourhood Park could have provided in the past has been changed as a result of the removal of the woodlot on the subject property;
- (iv) The neighbourhood park presently proposed on or adjacent to the DalBello lands should be moved to the south and the west to provide recreational neighbourhood park opportunities that are more visible and accessible to the public with unobstructed views provided to improve natural surveillance as required by the applicable approved Official Plan policies;
- (v) The repositioning of the proposed neighbourhood park to the south and west also provides a connected Recreational/Open Space/Natural Heritage Corridor between the Core Natural Feature at mid block on Glover Road to the east and the Core Natural Features to the west of the collector road upon which the neighbourhood park should be located;
- (vi) The size of the proposed Neighbourhood Park designation is unwarranted given proposed densities in the original staff recommendations;
- (vii) In the alternative, the size of the proposed Neighbourhood Park designation is unwarranted as the medium density residential densities have been reduced from those recommended by staff;
- (viii) The amount of Parkland designation shown on the DalBello lands in the proposed Plan greatly exceeds the required *Planning Act* parkland dedication for the development of the subject DalBello lands.

3. Transportation

The DalBellos object to the proposed 4 metre road dedication to facilitate the construction of the proposed pedestrian promenade identified and described in the Secondary Plan schedules and policies.

The DalBellos should be required to dedicate only one half of the required road widening to establish the necessary 40 metre width for the Barton Road arterial.

4. Subwatershed Plans/Storm Water Management Systems/Natural Heritage Designations

We have confirmed, under separate cover, through our planning consultant, David Aston, that the Subwatershed Plans predate the latest changes (removal of natural features – woodlot #6) at the DalBello property. We confirm that staff has confirmed that the DalBello property contains no Natural Heritage designations other than the small drainage feature at the northwest corner of the subject property.

We object to any Natural Heritage designation for this drainage feature. While that feature may ultimately be required as part of a storm water management program for the subject neighbourhood, we object to a Natural Heritage designation and any associate Vegetation Protection Zones for this feature.

5. Block Servicing Strategy

We reiterate concerns about the block servicing strategy policies raised by other development interests during the public meeting and in written submissions.

Fragmented landholdings and older existing development forms in the Secondary Plan Area will prohibit the efficient and timely preparation of a comprehensive servicing strategy for the entire Secondary Plan Area.

The block servicing strategy policy should be replaced with appropriate policies reflecting the fragmented nature of the landholdings and the existing development in the Secondary Plan Area and allow for development to proceed on the basis of appropriate background servicing strategy studies to the circumstances at hand.

6. Procedural Submissions

As the subject lands were only recently freed up for full development as a result of an appeal to the Urban Official Plan and as the latest version of the Secondary Plan has only recently been circulated, we are continuing our discussions with other landowners and staff. We are continuing our review of the neighbourhood, the background studies, the recently circulated policies and schedules and will advise of any additional concerns.

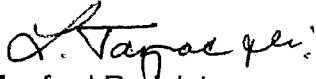
Please provide us with a copy of Council's decision concerning the Official Plan Amendment as we wish to preserve our *Planning Act* rights.

Thank you for your consideration.

Yours very truly,

TURKSTRA MAZZA ASSOCIATES

Per



Manfred Rudolph

MR/lj

cc Clients

Dave Aston

Alissa Mahood