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May 1, 2014

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: Council Meeting – May 14th, 2014
Planning & Economic Development Report – PED13099(b)
Fruitland-Winona Secondary Plan
DalBello – Conc 2 PT Lot 11, SLT SC
Our File No. 40961

We understand that Council will be again considering the Fruitland-Winona Secondary Plan.

Our position on behalf of the above-noted client has not changed. We attach a copy of our written submissions made in June of last year. We also attach a copy of our client's Ontario Municipal Board appeal of the earlier version of the Fruitland-Winona Secondary Plan.

Insofar as is required given the circumstances, please consider this letter as our written submissions to Council for the purposes of preserving our appeal rights.

Yours very truly,

TURKSTRA MAZZA ASSOCIATES

Per *Manfred Rudolph*

Manfred Rudolph

MR/lj

Attachments

cc Clients

Dave Aston

Alissa Mahood

TURKSTRA MAZZA ASSOCIATES, LAWYERS



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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: Council Meeting – May 14th, 2014
Planning & Economic Development Report – PED13099(b)
Fruitland-Winona Secondary Plan
Djeneralovic, Petar – 238/252 Jones Road, City of Hamilton (Stoney Creek)
Our File No. 41032

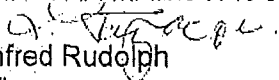
We understand that Council will be again considering the Fruitland-Winona Secondary Plan.

Our position on behalf of the above-noted client has not changed. We attach a copy of our Ontario Municipal Board appeal of the earlier version of the Fruitland-Winona Secondary Plan.

Insofar as is required given the circumstances, please consider this letter as our written submissions to Council for the purposes of preserving our appeal rights.

Yours very truly,

TURKSTRA MAZZA ASSOCIATES

Per 
Manfred Rudolph
MR/lr

Enclosure

cc Client
Alissa Mahood

TURKSTRA MAZZA ASSOCIATES, LAWYERS

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VIA EMAIL & SAME DAY DELIVERY

May 13, 2014

City of Hamilton
Attn: Rose Caterini, City Clerk
71 Main Street West, 1st Floor
Clerk's Department
Hamilton, Ontario L8P 4Y5

Dear Ms. Caterini:

Re: Bill 120 – Amendment No. 17 to the Urban Hamilton Official
Plan Respecting: The Fruitland – Winona Secondary Plan
820 Barton St. Inc. - Our File No. 13517

We were very recently retained by 820 Barton St. Inc. in respect of the Fruitland – Winona Secondary Plan. 820 Barton St. Inc. is the owner of approximately 14 acres of land located at 822 Barton Street, between Jones Road and Glover Road. Our client's planning consultant, Millington & Associates, has been in regular contact with City Staff in relation to the Secondary Plan.

We are writing to simply reiterate the concerns already raised by Millington & Associates through City Staff. Our client objects to the approval of the Fruitland-Winona Secondary Plan in its current form. In particular the Plan proposes to designate a significant portion of the site as "Natural Heritage". This proposed designation was not identified on previous versions of the Plan and is simply not justified by the physical attributes of the site.

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TURKSTRA MAZZA ASSOCIATES, LAWYERS

Ms. R. Caterini
May 13, 2014

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We respectfully request that Council defer approval of the Plan, at least in relation to our client's site, to allow Staff an opportunity to conduct a site visit with our client's consultants to see if this issue can be resolved.

If you have any other questions or concerns, please do not hesitate to contact us.

Yours truly,



Scott Snider

Ssnd
13517/1

cc: Tony Silvestri
Tony Millington

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