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Reply To: Joel D. Farber
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Our File No. 06/4423

VIA EMAIL

Mayor Bob Bratina and
Members of Council
Hamilton City Hall
2nd Floor – 71 Main Street West
Hamilton, ON
L8P 4Y5

Dear Mayor Bratina and Members of Council:

Re: 2014 Development Charges Background Study – FCS14033

We represent a group of landowners collectively known as the Twenty Road West Landowners Group, who own land in the block bounded by Twenty Road, Dickenson, Upper James and Glancaster.

We have made every effort to consider the DC study and the proposed implications for our clients within the very short time period between the study becoming available and the date of the public meeting. As a result, these comments remain preliminary in nature and we reserve the right to add or expand to our list of issues.

We would ask that Council seek the advice and direction from its consultants and staff on the following matters:

ELFRIDA

1. Why are capital costs related to an Elfrida urban boundary expansion being included in the DC Charge given that any urban boundary expansion in Elfrida currently has no planning status, remains subject to a municipal comprehensive review, and there is no Master Plan EA identifying contemplated infrastructure requirements? How much in total will new development within the City's existing urban area (including growth in the proposed AEGD) be required to pay to support Elfrida capital costs?

2. With respect to capital costs related to Elfrida, how has the benefit to existing development been justified and how has the non-residential share been justified given the lack of planning justification?

AIRPORT

3. How are costs related to an airport expansion (including land acquisition cost) justified as a growth related capital expenditure? The airport, although municipally owned, is leased and operated as a purely private enterprise.

AEGD

4. We are uncertain as to the basis for excluding new collector roads within the AEGD from eligibility for DC credits as many of these proposed roads (including the proposed mid-block collector through the entirety of the Twenty Road West block, will provide have a function beyond a local road.

Thank you for receiving these submissions. We note that we may have follow up communications prior to passage of the by-law by Council.

Yours truly,

FOGLER, RUBINOFF LLP

“Joel D. Farber”

Joel D. Farber

JDF/ay

cc: Clients