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Via Email Communication

Christopher.newman@hamilton.ca

January 8, 2014

City of Hamilton
Attn: Christopher Newman, HBA, MA
Legislative Coordinator – Public Works
Office of the City Clerk
71 Main Street West, 1st Floor
Hamilton, Ontario L8P 4Y5

Dear Mr. Newman:

Re: Notice of Proposal to Permanently Close a Portion of a
Public Assumed Alley Abutting 14 James Street North, Hamilton
DeSantis Group Inc. – 16 James Street North
Our File No. 13532

We are counsel to DeSantis Group Inc. (“DeSantis”) in this matter.

DeSantis owns a relatively large site at 16 James Street North – at the southeast corner of James Street North and King William Street (“DeSantis Lands”). DeSantis purchased the site in 2008. It was and remains a vacant site used currently as a parking lot; however, our client fully intends to redevelop the site at some point in the future. The DeSantis Lands immediately abut 14 James Street North. The DeSantis Lands also immediately abut the alley at issue in this matter. We are attaching a Location Plan which shows the DeSantis Lands as well as that portion of the public alley the City is proposing to close.

DeSantis is very concerned with the proposed closure. Currently, the alley provides a continuous connection between James Street North and King William Street as shown on the Location Plan. We understand that the alley has been inaccessible for a year or so as the City investigates water/leakage issues that apparently affect the property owner at 14 James Street North. During this time, other landowners who have historically relied on the alley to gain

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TURKSTRA MAZZA ASSOCIATES, LAWYERS

City of Hamilton
Attn: Mr. C. Newman
January 8, 2015

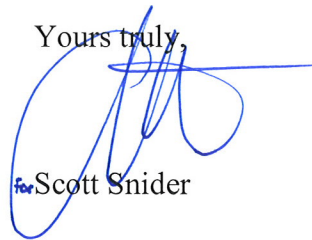
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access to the rear of their properties have been using the DeSantis lands for access. As the alley is narrow, historically deliveries or pick-ups would proceed in one direction using the alley as a through public access. Currently, the maneuvering required to reverse direction occurs on our client's lands. DeSantis has not objected to this usage for the time being, fully expecting that the alley would be re-opened so that public access can be restored. If a portion of the alley is permanently closed, this will undoubtedly affect access to the rear of buildings that front on King Street West. The closure would also convert the alley into a dead-end alley which would present safety and desirability concerns. Our client is concerned that by closing this portion of the alley it will detrimentally affect both the use and development potential of the DeSantis Lands.

We are writing to request to be heard on this issue before the Public Works Committee on Monday, January 12, 2015 at 9:00 am.

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

Yours truly,

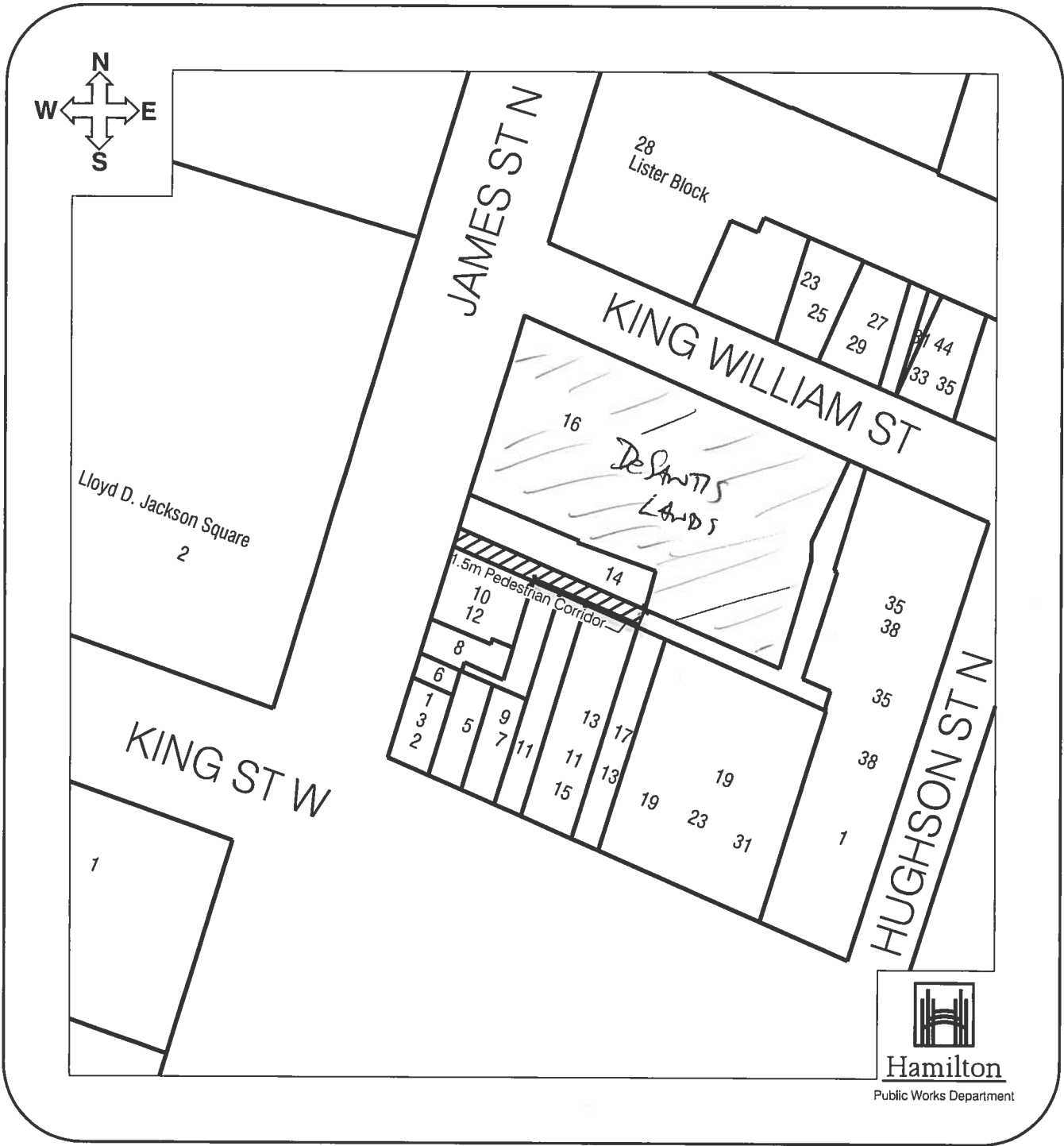


for Scott Snider

Cc: Anthony DeSantis Jr.
SS:nd:at
13532/1

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TURKSTRA MAZZA ASSOCIATES, LAWYERS



LOCATION PLAN

PROPOSED CLOSURE OF
ASSUMED ALLEY AT

14 JAMES STREET NORTH

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT LANDS

DATE: November 03, 2014

Not to Scale

REFERENCE FILE NO : PW14_