

April 4th, 2016

Attention: Ms Ida Bedioui  
Co-ordinator, Planning Committee

By email April 4th, 2016 to :  
[Ida.Bedioui@hamilton.ca](mailto:Ida.Bedioui@hamilton.ca)  
[Daniel.Barnett@hamilton.ca](mailto:Daniel.Barnett@hamilton.ca)  
[Yvette.Rybensky@hamilton.ca](mailto:Yvette.Rybensky@hamilton.ca)

City of Hamilton  
71 Main Street West,  
1st Floor,  
Hamilton, Ontario L8P 4Y5

Re: 1261 Mohawk Rd. West - File ZAR-11-040 - Zoning By-law Amendment  
25T201106 - Draft Plan of Subdivision  
25CDM-201603 - Draft Plan of Common-Element Condominium  
Town of Ancaster Zoning By-law No. 87 - 57, PED16080 - Ward 12

Dear Planning Committee Members and Associated Parties;

We just completed a review of the Planning Committee staff report, preparer Daniel Barnett, Planner 2 for Committee Date April 5th, 2016. As owners of 22 Honeysuckle Crescent, it appears our property is identified as abutting "Lot 1" of the above noted Draft Plan of Subdivision.

It should be noted the original plan for 1261 Mohawk Road was for the addition of 4 single family homes, or condominium units within the original footprint of the property known as 1261. Somewhere along the road this plan has changed to 6 units which appears to have necessitated the severance of a portion of 1263 Mohawk and subsequent purchase by Ralfana Homes Corporation.

General conversations around the purpose for the severance suggested the need for additional parking to support the original 4 units however it now appears this information was in error and instead Lot 1 the largest of all 6 units is now proposed is to be situated practically in our backyard.

The staff report does not indicated how many storeys are proposed for the home on Lot 1 and although Appendix "D" 15 f indicates Purchasers/Tenants of Lots 1-5 are advised rear fencing must be maintained and gates to natural areas are not permitted, if further indicates in Appendix "D" 19 (a) the Applicant will place a fence between the ESA and the rear lots however no mention is made of the private property known as 22 Honeysuckle Crescent. If there is to be a fence on the section abutting our property, what type of fence, and what is its height?

The staff report under the section "Urban Forestry and Horticulture, Public Works Department" indicates there is "A Tree Protection Plan" addressed in Condition No. 23 of Appendix "D" of Report PED16080, a final version of which has not been approved. Further, pages 33 and 34 under the section, "Trees and Conservation Area, specifically page 34 references Tree Management Plans and Engineering Plans conducted a site review in April 2015 and noted "some of the privately owned trees would need to be removed to facilitate the proposed development" It was also noted "these trees do not abut the properties of the majority of the **Interested Parties** and are not located with the ESA, which is not located on this site". The referenced "**Interested Parties**" relates to Appendix "G"- a letter submitted in September of 2011 on behalf of properties located at 22, 24, 28, 30 and 34 Honeysuckle Crescent. It appears that because we at 22 Honeysuckle Cresc were out of town at the time and unable to sign, are now perhaps presumed to be "**Uninterested Parties**". Believe me nothing could be further from the truth. We did attend a meeting Sept 13th, 2012 and forwarded comments by fax Sept 11th with our concerns about the initial property severance and the health and potential impact on the large trees on the lot abutting our property as well as the large Walnut tree which serves as a boundary marker on the corner of our lot and that of 1261 and 1263 prior to severance. We see no clarification in the current staff report re Tree Protection Plan which will protect the Black Walnut and it's extensive drip line from damage during property development.

Further, it should be noted, all homeowners recently received a notice from Environment and Climate Change Canada outlining the efforts under SARA- Species at Risk Act, 2007 to protect and re-introduce the American Chestnut tree. There were beautiful old growth oak & maple trees on the severed and original properties removed for the sake of development. Now your staff document indicates cash in lieu of replanting removed trees is all that's needed. How does this action protect our future?

I thought one of the purposes of a Planning Committee was to act as Stewards of our lands on behalf of all of us.

We are opposed to the change from 4 to 6 units, we are opposed to the change in any by-law which would permit the change from 4 units to 6 units. This development directly overlooks our property and destroys our sense of privacy. The opening up of the ESA area

further destroys our privacy and increases the concern re additional foot traffic through the ESA lands and resulting increase in potential for burglary and trespass.

We purchased this property because it was a survey of single family homes. A survey supporting large lots affording us a sense of privacy and beauty offered by the small forest on the ESA lands. We enjoy the wildlife including the deer, rabbits, raccoons, lending a sense of country in the city.

Going forward with this development is a vote to devalue our property and I'm quite certain that if it was a committee member residing at 22 Honeysuckle, the plan would have been quashed quite quickly.

Sincerely,

  
Bernice Simpson

  
Lynne Simpson

- Attachments 1. Letter by fax Sept 11th, 2012  
2. Environment and Climate Change Canada notice - American Chestnut

September 11th, 2012

Committee of Adjustment  
City Hall  
5th Floor, 71 Main Street West  
Hamilton, Ontario L8P 4Y5

BY FAX (905) 546-4202  
SEPT 11, 2012 BES

Gentlemen:

Re: Application No. AN/B-12:75  
Severance - 1263 Mohawk Road West

Unfortunately, your letter/notification of severance dated August 28th with a scheduled committee meeting date of September 13th, leaves little time for those property owners in the vicinity to properly analyze the potential impact of such a decision.

As owners of the property abutting the intended property for severance we wonder if the city arborist has been consulted concerning the potential impact to the two large Oak trees presently resident on this parcel.

In addition, the south west corner of the proposed severance is marked by a huge Black Walnut which also serves as a boundary marker, having a circumference of 2.8 metres and a drip range of 11.5 to 12 metres based upon the existing overhead canopy of this tree. It is our understanding, the City likes to treat trees as "Assets" when located on their lands and as partial owners of the Black Walnut & neighbouring owners to the Oaks we too believe these trees are "Assets" to be preserved. In fact, the tree's in and neighbouring our yard are one of the principal reasons we purchased our property and we wish to ensure we can continue to enjoy the surroundings and privacy they afford us.

We ask the committee to delay any decision regarding the severance to provide us time to seek out an independent source to further review and study the health & potential impact of residential construction to the health of the trees within the severance parcel and the Black Walnut tree serving as a boundary marker for our property.

We look forward to a favourable ruling on our request.

Sincerely,



Mrs. Bernice Simpson



Ms. B. Lynne Simpson  
22 Honeysuckle Crescent.  
Ancaster, Ont L8K 1B1



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 \*\*\* FAX ACTIVITY REPORT TX/RX \*\*\*  
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ST. TIME	DESTINATION ADDRESS	NO.	MODE	PGS.	RESULT
*08/23 08:53	14162523314	0664	TX	: 1	0 NG 00' 00 0 #995
*08/23 09:08	9055217540	0666	TX	ECM: 1	3 OK 00' 54
*08/23 09:09	9056670766	0667	TX	ECM: 1	2 OK 00' 39
*08/23 21:48	UNKNOWN	5103	AUTO RX	: 1	0 NG 00' 22 0
*08/24 09:25	19024326287	0670	TX	ECM: 1	3 OK 00' 52
*08/24 09:26	15195794532	0673	TX	ECM: 1	2 OK 00' 37
*08/24 09:28	15195794532	0675	TX	ECM: 1	2 OK 00' 36
08/24 11:22	14162523314	0680	TX	ECM: 1	1 OK 00' 17
08/24 14:10	17056692198	0681	TX	ECM: 1	1 NG 00' 37 1
08/24 14:14	17056692198	0681	TX	ECM: 1	15 OK 06' 18
08/24 14:20	17056692198	0682	TX	ECM: 1	7 OK 01' 21
08/24 14:22	17097723834	0683	TX	ECM: 1	2 OK 00' 41
08/24 20:33	UNKNOWN	5104	AUTO RX	: 1	1 OK 01' 05
08/25 07:18	UNKNOWN	5105	AUTO RX	: 1	1 NG 00' 48 1
08/26 17:07	UNKNOWN	5106	AUTO RX	: 1	1 OK 00' 55
08/27 10:52	19024326287	0690	TX	ECM: 1	3 OK 01' 05
08/27 14:21	17056710490	0695	TX	ECM: 1	3 OK 02' 15
08/30 10:58	19024326287	0722	TX	ECM: 1	5 OK 01' 29
08/30 14:56	14162294760	0724	TX	ECM: 1	2 OK 00' 26
08/31 13:57	9052574822	0729	TX	ECM: 1	2 OK 00' 26
09/01 13:43	UNKNOWN	5107	AUTO RX	: 1	3 OK 01' 57
09/04 11:08	9056670766	0730	TX	ECM: 1	3 OK 00' 19
09/04 11:10	9056670766	0731	TX	ECM: 1	3 OK 02' 21
09/04 11:13	9055217540	0732	TX	ECM: 1	3 OK 01' 10
09/04 18:05	UNKNOWN	5108	AUTO RX	: 1	1 NG 00' 35 1
09/06 09:47	19024326287	0740	TX	: 1	0 NG 00' 00 0 #995
09/06 09:49	19024326287	0741	TX	: 1	0 NG 00' 00 0 #995
09/06 13:50	16139523845	0744	TX	ECM: 1	3 OK 01' 03
09/06 14:18	15197538431	0747	TX	ECM: 1	2 NG 00' 31 2 STOP
09/06 14:20	15197598431	0748	TX	ECM: 1	3 OK 01' 08
09/07 12:19	18777871973	0755	TX	ECM: 1	5 OK 01' 05
09/07 12:24	18777871973	0758	TX	ECM: 1	30 OK 05' 29
09/07 12:30	18777871973	0757	TX	: 1	0 NG 00' 00 0 #018
09/07 16:44	18663889671	0767	TX	: 1	8 OK 03' 44
09/09 13:11	18887293331	0768	TX	ECM: 1	1 OK 00' 48
09/09 13:45	9053329644	0769	TX	ECM: 1	1 OK 00' 30
09/10 08:43	9053855033	0770	TX	ECM: 1	3 OK 00' 46
09/10 15:08	18883137373	0777	TX	: 1	0 NG 00' 00 0 STOP
09/10 15:10	18883137373	0778	TX	ECM: 1	3 OK 01' 51
09/11 08:04	9055464202	0779	TX	ECM: 1	1 OK 00' 34

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Environment and  
Climate Change Canada

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Dear Landowner or Land Manager,

**Re: Consultation on the Proposed Recovery Strategy  
for the American Chestnut in Canada**

Environment and Climate Change Canada, Canadian Wildlife Service has developed a recovery strategy for the American Chestnut (*Castanea dentata*) and we are looking for your feedback. The American Chestnut is a tree listed as Endangered under both the federal *Species at Risk Act* (SARA) and Ontario's *Endangered Species Act, 2007*.

You may own and/or manage land that is in or near to, the habitat needed for the survival and recovery of the American Chestnut.

*What is a Recovery Document?*

Under SARA, a plan must be made for each species listed as 'at risk'. These planning documents are called recovery strategies, action plans, and management plans. Each document provides information about the species at risk, identifies major threats to the species and its habitat, includes recovery objectives and recommends broad strategies to help guide activities to save the species. Recovery strategies and action plans may also identify habitat that is critical to the species' survival or recovery and describes activities that are likely to result in the destruction of this critical habitat.

*We want to hear from you!*

This is an invitation to play a part in the public process of reviewing and commenting on the proposed recovery strategy and to be a part of larger efforts to ensure the survival and recovery of species at risk.

*How to provide feedback:*

You are invited to comment on the proposed recovery strategy. You can find the strategy and provide your comments online at [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca) (click on *Get Involved - Public Consultations*). The public comment period is open until **April 23, 2016**.

You can also provide your comments to Environment and Climate Change Canada, or request a summary of the proposed recovery strategy via:

- e-mail: [EC.EEPOntario-SAROntario.EC@canada.ca](mailto:EC.EEPOntario-SAROntario.EC@canada.ca),
- phone: 416-739-4254, fax: 416-739-5845 or
- mail: Canadian Wildlife Service – Ontario, Environment and Climate Change Canada, 4905 Dufferin Street, Toronto, ON M3H 5T4.

Your comments will be considered and the final recovery strategy will be posted to the Species at Risk (SAR) Public Registry. To learn more about species at risk in Canada and what is being done to help them, please visit the SAR Public Registry at [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca).

We appreciate your participation in this process.

Canadian Wildlife Service – Ontario  
Environment and Climate Change Canada  
4905 Dufferin Street, Toronto, ON M3H 5T4

**American  
Chestnut**

A tall tree with dark brown bark which cracks with age. The leaves are yellowish-green to green and pointed at the end. The flowers grow on a catkin (a long thin spike of petal-less flowers in a cluster). The brown nuts are flat & enclosed in a spiny shell.



*American Chestnut*  
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