

**Barnett, Daniel**

---

**From:** Jess Fabrizio <  
**Sent:** June-15-16 11:13 AM  
**To:** Barnett, Daniel

Hey Daniel,

It's Jess Fabrizio, we spoke earlier today regarding the townhouse development located at 820 Rymal Road East.

Could you please email a copy of the new plan for the town homes.

Thank you!

Jess Fabrizio  
Sales Representative  
RE/MAX Escarpment Realty Inc., Brokerage  
325 Winterberry Drive - Suite 101  
Direct :  
Office :

**Barnett, Daniel**

---

**From:** Tapp, Tom (MCSS) <  
**Sent:** January-05-16 9:03 AM  
**To:** Barnett, Daniel; Jackson, Tom  
**Cc:**  
**Subject:** Objection to 820 Rymal Road East zoning change  
**Attachments:** 820 Rymal Road East.doc

Hi Daniel

I have also sent this to you by mail but was concerned that with how slow the mail can be sometimes it may not get to you in time and I feel very strongly that this development would not be an improvement of my neighbourhood but be problematic for it.

Tom

Tom Tapp  
123 Sulmona Drive  
Hamilton, Ontario  
L8W 3W5

Daniel Barnett  
City of Hamilton  
Planning & economic  
Development Department  
71 Main Street West  
5<sup>th</sup> Floor  
Hamilton, Ontario  
L8P 4Y5

Re: ZAC-15-063 25CDM201521

Dear Mr. Barnett

I am writing in the matter of the re-zoning of 820 Rymal Road East in Hamilton, Ontario for the purposes of allowing a new town house development. I purchased a home in December of 2002 from the original builder in the area (Dicenzo construction) who had successfully asked the city a forgiveness of a portion of the building code which stipulates a 4 foot distance from property lines for the construction of new homes. This is now deemed zero lot lines which means a home on one side of the property is built on the property line and on the other side of the home has 3 feet of property to allow for a second entrance as this is not only part of the building code but necessary to meet fire safety codes. I would like to tell you that this is not just an economic decision by the builders and the city but I can't. The additional 3 or 4 extra homes that a builder was able to put in this small development has added to both the builders' profits and city coffers. The residents in this neighborhood suffer in the form of little or no usable parking in the area. This leads me to my point, we already have 2 townhouse developments on both sides of Rymal road and because of the lack of visitor parking in these developments, adds to the area's parking congestion on our small street. The addition of a third would make the situation almost impossible to deal with. It's time that the City goes back to following the rules set out by the building codes. It should not allow developments like this just because they will profit in the form of more taxes dollars at the costs of their residents.

Tom Tapp

**Barnett, Daniel**

---

**From:** Allan Buist  
**Sent:** January-05-16 9:18 AM  
**To:** Barnett, Daniel  
**Cc:** Rybensky, Yvette  
**Subject:** RE: NOTICE OF COMPLETE APPLICATIONS-820 RYMAL ROAD EAST

Daniel/Yvette: can you confirm your receipt of my e-mail below? Thanks, Allan Buist.

---

**From:** Allan Buist  
**Sent:** December 14, 2015 5:07 PM  
**To:** 'daniel.barnett@hamilton.ca' <daniel.barnett@hamilton.ca>  
**Cc:** 'yvette.rybensky@hamilton.ca' <yvette.rybensky@hamilton.ca>  
**Subject:** FW: NOTICE OF COMPLETE APPLICATIONS-820 RYMAL ROAD EAST

We are the solicitors for DiCenzo Construction Company Limited. Our client constructed Sulmona Drive, inclusive of all services contained therein, as part of its Sandrina Gardens Phase 5 plan of subdivision (being Registered Plan 62M-938).

On registration of our client's plan of subdivision, both the Regional Municipality of Hamilton-Wentworth (not the City of Hamilton) and the City of Hamilton provided our client with a best efforts undertaking to recover from the owner of the 820 Rymal Road property the costs of above-ground and underground services constructed by our client along the frontage thereof along Sulmona Drive.

Accordingly, our client will require, as a condition of any approval of the proposed development of the 820 Rymal Road property, the payment by the owner thereof of its share of such services, inclusive of applicable escalation calculations.

Please ensure that our office is included in all future circulations and notices pertaining to the subject applications, including notice of the date of any public meetings. Please also consider this e-mail correspondence to be the written submission referred to in both subsection 34(19) and 51(43) of the *Planning Act* for the subject zoning and subdivision applications and provide us with further notice of any actions taken with respect to these applications.

Should you have any questions or concerns, or require anything further, please do not hesitate to contact me. Regards,  
Allan Buist

**Barnett, Daniel**

---

**From:** Barnett, Daniel  
**Sent:** May-24-16 10:02 AM  
**To:** 'Lisa'  
**Cc:** Rybensky, Yvette  
**Subject:** RE: Files ZAC-15-063 and 25CDM-201521

Hi Lisa,

With respect to time lines it depends on several factors such as how quickly the applicant brings in revised plans and drawings, as well as how quickly the applicant clears conditions of subdivision and condominium approval, for some subdivisions this is done quickly because the issues are not huge and the applicant moves quickly to clear conditions and can be completed in months, in others with big issues or applicants who are very slow in bring things in the clearance of subdivision conditions can take years. The timing for construction can also be impacted if there are any appeals of these applications to the Ontario Municipal Board (OMB), which then requires an OMB hearing to be scheduled which normally takes several months, or longer if a longer hearing is anticipated. Based on staff's internal timelines for having reports drafted for Public meetings the reports for the August need to be drafted by June 6th and September meetings are due in July. Given that staff are currently waiting for more information and additional applications which will need to be re-circulated the public meeting will not be in August and there is only a small chance of it happening in September. Even based on a late September or early October meeting, when you factor in appeal period for the applications and time to clear conditions and time to apply for and receive building permits it is extremely unlikely that they would break ground this year for the townhouses.

In terms of the likelihood of the townhouses being built that is much more difficult to judge. While there are policies both Provincial and local that encourage intensification particularly on major corridors and on the periphery of neighbourhoods, those policies also require intensification to be compatible with adjacent development. (Compatibility not being narrowly defined as being the same as or even similar to.) Ultimately the decision to approve or not approve an application(s) rest with Council or the Ontario Municipal Board (if the application is appealed), additionally council or the OMB may choose to approve a modified proposal which could include a reduced number of units, increased visitor parking requirements, requirements for fencing / planting strips, etc. Additionally it is difficult to predict an outcome based on past experience due to the fact that each application is judged on its own merits and the circumstances may change from area to area thus resulting in the same project being approved in 1 area where it is appropriate and denied in another where it is not. Based on the comments from various departments and from the local ward councillor there are certainly issues with certain elements for the proposed design that may end up being changed to address these issues.

Daniel

-----Original Message-----

**From:** Lisa [mailto:[lisa@...](mailto:lisa@...)]  
**Sent:** May-24-16 9:05 AM  
**To:** Barnett, Daniel  
**Subject:** Re: Files ZAC-15-063 and 25CDM-201521

Thank you for the information Daniel. Given your expertise in this area, what is the likely hood that these townhouses will be built? And if so, what could possibly be the timeline for breaking ground? My husband and I are making a decision to move based on these townhouses going up. I am assuming that no matter how hard we fight, that we will not win the battle with the developer. Your opinion would be very much appreciated.

Thank you for your time.

Sent from my iPhone

> On May 24, 2016, at 8:55 AM, Barnett, Daniel <Daniel.Barnett@hamilton.ca> wrote:

>

> Hi Lisa,

>

> The files you noted for 820 Rymal Road East have not yet been brought forward to a Public Meeting. The reason why this application has not yet been brought forward is that staff are firstly anticipating revised drawings and additional information to address the comments made by other departments and agencies, and secondly staff are anticipating the submission of a 3rd application for draft plan of subdivision. The reason for this 3rd application is that the 2 applications submitted thus far would allow for a change in zoning to permit townhouses as a permitted use and to establish a condominium road but do not establish the individual lots so that the lots can be individually sold (which the Draft Plan of Subdivision will establish). We are expecting the subdivision application shortly which once submitted will need to be circulated to a number of departments and agencies for comments.

>

> Once a public meeting is schedule the Public Notice Sign on the property will need to be updated to identify the date of the Public Meeting and a new notice will be mailed out to all property owners within 120m of the subject property advising the owners of the date and time of the Public Meeting.

>

> Daniel

>

> -----Original Message-----

> From: Lisa [mailto:lisa.mason@hotmail.com]

> Sent: May-22-16 9:13 PM

> To: Barnett, Daniel

> Subject: Files ZAC-15-063 and 25CDM-201521

>

> Dear Mr. Barnett,

> In regards to the above files, I was wondering if you would be able to fill me in on any decisions made regarding the zoning application and plan for the condominiums. My husband and I are the next door neighbours to this property and we have not received any notifications since December of 2015 in regards to Public input and appeals. If you could provide me with any information that yourself or other members of the city have gathered on the property it would be very much appreciated.

>

> Thank you for your time.

>

> Lisa Mason

> Adam Mascolo

>

> Sent from my iPad

>

> Sent from my iPhone