

LETTER OF APPEAL

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**Legislative Coordinator,
Planning Committee
City of Hamilton**
71 Main Street West, 1st Floor
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Attention: City of Hamilton Planning Committee

RE: Notice of Complete Application and Preliminary Circulation for an Application by Spallacci & Sons Ltd. for a Zoning By-law Amendment for Lands Located at Garth Street and Rymal Road West (Part of Lots 17 and 18, Concession 8, Part 1 on Plan 62R-19029, Hamilton (Ward 8))

RE: Zoning By-law Amendment, Files(s): ZAC-18-022

The City Council voted for the building of the 5/2 in favor of the amended building of 260 stacked townhouses with the underground parking, even after hearing my concerns and the concerns of another neighbour.

I realize there is a need for urban development. The space behind my survey has been left untouched for many years and is the home of birds and animals which are protected under law through **The Ontario Fish and Wildlife Conservation Act**. I have enjoyed raising my family in my condo because even though we live on a busy street, it is reasonable quiet, and we are close to nature. I have worked very hard to keep my home and I consider this my personal paradise and my investment.

My understanding was that Spallacci & Sons Ltd.'s plan initially was to build more 'Eden Park' type of homes in the above-mentioned area, which is located behind my survey at 1455 Garth Street. This is acceptable to me. When I read the Notice of Public Meeting dated November 15, 2019, I realized that the plan has been changed to 260 stacked townhouses with 1.25 m front lawns, in addition to the 71 houses. I have concerns about this change. This change is unacceptable to me.

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I was present at the City Council meeting and it is my opinion that the surrounding residents were not provided with any forum to ask questions or have input on this plan that will affect them.

I wish to Appeal the motion on going ahead with the building of the 260 stacked townhouse complex and here are my concerns;

1. Insufficient entry and exit roads for vehicles

During the construction and when this structure is completed, unless another road is put in, there is only one way that 1,400 plus new residents can exit their home and that is Sabrina Blvd. or Summersberry Dr. I can see these new residents taking shortcuts through our private driveway to get to Garth Street and avoid the light. My concerns are regarding children and some adults playing in our private driveway, drivers who should not be using our driveway for a shortcut may not be looking out for our neighborhood children, we have a disabled child living in the survey.

Solution: If any structure is going to be built, I would like Spallacci & Sons Ltd/City of Hamilton to ensure this is not going to happen by building a new road to Stonechurch first.

2. Displaced Wildlife resulting from clearing the Greenspace

Spallacci & Sons Ltd. said they did a Wildlife Study. I do not believe they did a Wildlife Study. Wildlife that I have seen with my own eyes include many different little birds, wild turkeys, deer, rabbits, skunks, coyotes, squirrels, and chipmunks. Since the construction of Sabrina many of these animals have been evacuated from their homes in the greenspace that has been cut down so far. Not all of the land has been cleared and there are animals still living in there. Some displaced wildlife has found their way to 1455 Garth Street. It has cost Wilson Blanchard and the neighbour's of 1455 Garth Street the expense of dealing with unwanted vermin like mice and rats. We have been required to pay a pest control company for rodent control and for the catch and release of skunks.

Solution: I would like to see this Wildlife Study. I would like Spallacci & Sons Ltd. to acknowledge the displaced Wildlife and take the necessary measures to control it legally and humanely.

3. Insufficient parking for new homes

There are only going to be approximately two underground parking spots per stacked townhouse. Visitor Parking is undetermined. If the new residents have inadequate visitor parking, they may start using ours. This will cost us money too because we must pay the parking enforcement company.

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4. City Council has a Moral Responsibility to Protect the Consumer

These types of multi-level stacked housing complexes are just greedy. I would never buy one of these types of homes. *Spallacci & Sons Ltd.* is going to squeeze as much as they can out of this land. This is nothing like what is already around here. To vote for a front lawn minimum of 1.25 meters is reprehensible. These by-laws are put into place to protect the consumer/taxpayer/public. The unsuspecting buyers who purchase these homes with so much restricted space will become frustrated with the inconveniences of a limited area. For example, the placement of snow during a storm will be a problem for them. The only thing you can do with this little space is place a utility box or fire hydrant.

5. Noise, crime and other nuisances we will be forced to endure.

We are so used to having a calm 'forest' and beautiful landscape beside our survey. To turn our paradise into something so 'extra' is unfair. This new structure will bring other nuisances like noise and crime. The bus shelters along Garth are vandalized regularly.

Progress will happen. I feel my concerns are valid. I am not the only neighbour who feels this way. Build new town houses but not the mega structure with underground parking behind 1455 Garth Street, please.

Regards,

Colleen H. Burke

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