

Sunday, December 8, 2019

Legislative Coordinator, Planning Committee, City of Hamilton
71 Main Street West, 1st Floor, Hamilton, Ontario L8P 4Y5

Attention: Hamilton City Council,

I would like would this letter to be included on the December 11, 2019 City Council agenda as it relates to File No. ZAC-10-022 (proposed Zoning By-law Amendment for lands located at 35 Sabrina Boulevard).

On Tuesday, December 3, the Planning Committee members voted 5-2 in favour of approving this zoning by-law amendment for **71 street townhouse dwellings, and 260 stacked townhouse dwellings unit with underground parking for 452 vehicles, and 22 surface parking spaces for visitors on 10.38 acres of land at Garth Street and Rymal Road West.**

1. Before the Public Meeting Spallacci & Sons Limited, UrbanSolutions, and Ward 8 City Councillor (John-Paul Danko) **did not host a Public Consultation**. It is important to note that many of the community members are seniors (some with serious health issues), single-parent families, newcomers to Canada, and Syrian refugees. They did not fully understand the application language, the draft plans of the subdivision, and had no Public Consultation for clarification or an opportunity to voice their concerns. Instead a letter was sent, and signage was posted on Sabrina Blvd in English, which for many is not their native language. It has recently been brought to my attention that George Zacjac, the contact for an appeal posted on the sign at Sabrina Blvd is no longer with Development Planning. This has further complicated how to direct community members' concerns.
2. To my knowledge, Ward 8 City Councillor (John-Paul Danko) was only made aware of the zoning by-law amendments when I emailed his office on December 11, 2018, at which time he replied immediately with *"Thank-you for bringing this zoning by-law amendment to my attention. I certainly share the concerns you raise in your very thoughtful letter."* (Please see the email exchange attached) Ward 8 City Councillor (John-Paul Danko) did not follow-up with me after December 11, 2018. He did not acknowledge or address the Ward 8 residents who spoke at the Public Meeting or communicate the concerns that he shared with me in my *"very thoughtful letter"* at the Public Meeting. Ward 8 City Councillor (John-Paul Danko) then proceeded to vote in favour of the zoning by-law amendment.
3. In August of 2019 City of Hamilton staff (Yvette Rybensky) stated in an email that the date of the Public Meeting was tentatively targeted for November 19. (Please see the email exchange attached) Then a letter dated November 15 was mailed to residents stating that the Public Meeting was scheduled for December 3 at 9:30am. The change of date made it difficult to have more residents in attendance at the Public Meeting.
4. Spallacci & Sons Limited, UrbanSolutions, and City of Hamilton staff had a letter of concern from a local resident for 18 months prior to the Public Meeting, and then causally addressed the concerns as irrelevant, except for the stormwater management requirements. Climate change is a real issue resulting from the loss of green spaces, urban tree canopy and intense urban development, which creates the *Urban Heat Island Effect*. Loss of native wildlife is a real issue resulting in the loss of biodiversity. Ward 8 residents concerned about the zoning by-law amendment were only allotted 5 minutes each to address a development, which will greatly impact the 1455 Garth Street Townhouse Complex, and the quality of the residents' lives moving forward. How fair of a process is this?

5. In the copy of the staff report, it stated “The subject site has largely been cleared and graded and it is not home to any known significant wildlife habitat.” This is simply not true. The report went on the state that “As such, the amendments will not introduce impacts to wildlife.” During the Public Meeting the land in question was labelled a “*wildlife corridor*” by both residents and Ward 14 City Councillor (Terry Whitehead), but the Planning Committee approved the zoning by-law amendment **without requesting an Environmental Assessment**. Hamilton Conservation Authority (HCA) staff could have provided information on the plants and wildlife in the area, as they conduct monitoring projects across the Greater Hamilton Area. HCA staff were consulted regarding stormwater management requirements, why not for both issues? Residents have reported sightings of many protected bird species in the area, many of which have been documented & photographed for Bird Studies Canada and the Cornell Lab of Ornithology. For UrbanSolutions to report that the “*amendments will not introduce impacts to wildlife*” is a great falsehood.
6. UrbanSolutions hired Paradigm Transportation Solutions Limited but did not consult City of Hamilton staff about the impact on traffic for this high-density development in this area. **To say that 331 units with the parking capacity for 600+ vehicles will not directly impact traffic in the area is truly disingenuous and unbelievable.**
7. Residents’ concerns regarding vehicles using the private road at the 1455 Garth Street Townhouse Complex to avoid the traffic lights at Sabrina Blvd and Garth St were not adequately addressed. This was already an issue when Garth Street (Rymal Road West to Stonechurch Road West) was widened from 2 to 4 lanes. The Board of Directors at the 1455 Garth Street Townhouse Complex had to install a stop sign at the south end of the townhouse complex, and temporary speed bumps were installed along the private road to ensure the safety of all residents, but vehicles still drove through the complex risking residents’ safety and well-being. **A secondary road access should be considered for this development from Stonechurch Road West.**
8. Ward 2 City Councillor (Jason Farr) expressed familiarity & favoritism towards Spallacci & Sons Limited during his closing comments to the Planning Committee members and members of the public. Perhaps he should have recused himself from this matter?
9. Spallacci & Sons Limited, UrbanSolutions, City of Hamilton staff and Planning Committee members all commented on the fact that this higher density stacked townhouse complex is a new building concept for the City of Hamilton. The 260 stacked townhouses are not consistent or compatible with the many street level townhouse complexes which are all ready in this established neighbourhood along Garth Street from Garrow Street to Claudette Gate. This development also places a lot of people, pets and vehicles on 10.38 acres of land at Garth Street and Rymal Road West. What future issues will arise with light pollution, noise, vandalism, etc.?
10. It was also repeatedly noted that only one submission of concern was received about the zoning by-law amendment. I am asking as a community member and an educator for a local Conservation Authority for an appeal of the zoning by-law amendment (which was passed on December 3, 2019) to appropriately address all community concerns of the future development of this land.

Sincerely,

Lisa Ward

#30 - 1455 Garth Street Hamilton, ON L9B 1T4
[REDACTED]

From: Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Sent: December 11, 2018 5:50 PM
To: Lisa Ward [REDACTED]
Cc: Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>
Subject: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello Lisa,

Thank-you for bringing this zoning by-law amendment to my attention. I certainly share the concerns you raise in your very thoughtful letter.

Nikola – please check with planning to confirm the current status of this application and what public notification requirements are in place. I would like a briefing at their earliest convenience.

Best regards,

John-Paul Danko
Councillor Ward 8
West Central Mountain
Hamilton, Ontario
john-paul.danko@hamilton.ca
905.521.3954

From: Lisa Ward [REDACTED]
Sent: December 11, 2018 3:03 PM
To: Ward 8 Office <ward8@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Cc: Zajac, George <George.Zajac@hamilton.ca>
Subject: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello John-Paul,

As the new City Councilor for Ward 8, please find in the attachment a letter that I sent on May 20, 2018 for Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022).

As a resident of Ward 8, I would like to be kept informed of any public meetings for this By-law Amendment (File No, ZAC-18-022).

Thanks,

LA Ward

[REDACTED]
#30- 1455 Garth Street,
Hamilton, ON L9B 1T4

Sent from [Mail](#) for Windows 10

From: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Sent: Mon November 4, 2019 2:03PM
To: lward@hotmail.ca <lward@hotmail.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: RE: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Lisa: the public meeting and associated report for Sabrina Boulevard has been **rescheduled to the December 3 meeting** as of now.

Hope that helps but let me know if you have any questions.

Yvette Rybensky, MCIP, RPP

*Senior Project Manager-Suburban
Development Planning, Heritage & Design Section, Planning Division
Planning & Economic Development Department
City of Hamilton, 71 Main St. W, 5th floor, L8P 4Y5
Ph: (905) 546-2424 ext. 5134
Fax: (905) 546-4202
Email: Yvette.Rybensky@hamilton.ca*

From: Lisa Ward <lward@hotmail.ca>
Sent: Friday, November 1, 2019 8:04 AM
To: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: Re: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)
Importance: High

Hello Yvette,

I have yet to receive any notification about the purposed Public Meeting on November 19?
Has the Public Meeting for November 19 been confirmed?
If yes, when should I expect my notification?

Thanks,

LA Ward
#30 - 1455 Garth Street
Hamilton, ON L9B 1T4
(905) 318-0043

From: Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Sent: August 16, 2019 4:40 PM
To: lward@hotmail.ca <lward@hotmail.ca>
Cc: Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Davis, Michael <Michael.Davis@hamilton.ca>
Subject: RE: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Ms. Ward:

I understand you are inquiring about the status of a Zoning by-law amendment application for 35 Sabrina Boulevard (ZAC-18-022). We have been reviewing the proposal and working with the applicant to resolve some of the issues that have been identified through that review. We seem to be getting close to a resolution and are **tentatively targeting November 19th for the Public meeting**. Since you asked to be notified, you will be receiving a letter when that date is firmed up and I would also suggest that you watch out for the sign on the property if you are able because the sign will be updated to incorporate the meeting date once it is established.

In the interim, I've copied the Planner handling this application, Mike Davis. Mike can answer any questions pertaining to the file and how your concerns can/will be addressed.

Regards,

Yvette Rybensky
Senior Project Manager
City of Hamilton Planning & Economic Development'
Development Planning, Heritage and Design.

Sent: August 16, 2019 12:25 PM
To: Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Cc: Wojewoda, Nikola <Nikola.Wojewoda@hamilton.ca>
Subject: Re: FYI - Public Input Re: Zoning By-law Amendment (File No. ZAC-18-022)

Hello John-Paul,

I sent a letter with my concerns about the zoning by-law amendment on May 20, 2018, and a request to be notified of the Public Meeting; as I wish to attend and notify the other residents in the townhouse complex at 1455 Garth Street, who also may wish to attend.

I have yet to be notified of any Public Meeting.

In February 2019 I submitted letters as instructed by city of Hamilton staff to receive notifications about

1. Proposed Official Plan Amendment
2. Proposed Zoning By-law Amendment
3. Proposed Draft Plan of Subdivision

I have heard and received nothing to date.

Does your office have any additional information on how this Zoning By-law Amendment (File No. ZAC=18=0022) is proceeding?

LA Ward
#30 - 1455 Garth Street
Hamilton, ON L9B 1T4
(905) 318-0043