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Speech

By Andrew Knowles

Introduction

My name is Andrew Knowles and I am 24 years old, and I am representing my Grandmother, Shirley Fawcett, who lives on Scenic Dr, next to the 24 acre property that was sold.

Secondly I am representing myself. I do not live in the neighbourhood, but I have been visiting this neighbourhood for nearly 24 years and I feel I have come to know it as well as my own.

I am also an ecosystem management graduate and a political science student.

Position

I would first like to note that I understand the legal reasons why the new plan has not been released publically until now. I will not be including any specifics from the new plan, since I do not know them. I will however be giving you what I think is an important argument that is worth your attention.

I do request that there is an opportunity for the community to respond to this new plan before it is approved by council.

Now my position is simple, that if a development is going to occur on this property, it should be to the lowest density possible and fit the character of the community, more specifically respecting the value of green space on the property, with that being said, I do not see condos as 'in character' with the neighbourhood.

I will not be speaking to you in regards to how many units will be on the property, or how high to make the buildings, I will be speaking to you about the importance of this land and the community's experience in this process.

Character of the Community

First I'd like to talk about the character of the Community.

The Brow Lands Community consists of quiet single family homes and it backs onto the Niagara Escarpment.

Imagine living here your entire life or just buying an expensive home for the clear fact of the Community's qualities of beauty and green space and now have to be fearful of a sudden shift in character of the community.

This would naturally upset the community as it was proved in 2007 when a petition of about 600 signatures (576 signatures) against Deanlee Management's previous proposal of 12 to 14 storey buildings on the brow lands. Although this petition does not reflect the current proposals, it shows the disagreement with the development idea in general. (Show copy of petition)

The United Nations has declared the Niagara Escarpment a world's biosphere reserve and is indicated in the Niagara Escarpment Plan. **Here is a quote from the Niagara Escarpment plan:**

“In 1990 the Escarpment was proclaimed a World Biosphere Reservedue to its unique ecosystem, making it one of only 12 such sites in all of Canada. The Niagara Escarpment Plan, which ensures the land's environmental survival, is “Canada's first, large scale environmental land use plan. It balances protection, conservation and sustainable development to ensure that the Escarpment will remain substantially as a natural environment for future generations.” (from the official [Niagara Escarpment Plan document](#)).

Quote from Green Belt Ontario website:

“Along with its fragile environmental atmosphere, the Escarpment also exists as an important agricultural area. The land's location between the moderating influence of the Niagara Escarpment and Lake Ontario and Lake Erie forms a unique microclimate that allows for agricultural production that is not possible in other parts of the country.” (Green Belt, 2011)

Wild Life and Green Space

The Brow Lands on the Niagara Escarpment is a location of beauty and wildlife.

Along Scenic drive consists of a beautiful grass field and one of the last isolated wood lots in our city. The Brow lands are home to a number of trees and wildlife that inhabit it. Deer are a regular site in the Community, usually appearing on a resident's property with their fawns.

Rabbits are also present in the community which families of them can be seen in the grass fields or on resident's properties. The Niagara Escarpment is also a home to a various number of birds including, Hawks and Turkey vultures, which depend on the Brow land's green space to survive.

(Please take a few seconds to look over the pictures I have provided to you) How much of this will be retained after development?

The main 6 and 4 storey buildings that the city is proposing also does not fit with the character of this community. I am appreciative of the retaining of the forest, path, and the historical buildings but I believe that the current plan still disrupts the look and feel of the community.

At a public meeting held at people's church last year. In front of 300 people, Ron Starr who was the former owner of Deanlee Management called the property Quote “a Brownfield”. This term which refers to an environmentally degraded or abandoned area, was an extremely incorrect for the labelling of the property. – The area is not environmentally degraded and certainly the area is not abandoned.

Historical Significance of the Property

This property is a part of over 100 years of history in this Community.

- In 1906 local residents donated Farmland next to the Escarpment to the Hamilton Health Association or (Hamilton Health Sciences) which Chedoke Health Corp was a part of, for medical purposes only, more particularly TB.

- In 1916 the medical clinics were used to treat soldiers of WW I who caught TB in Europe and in 1955 to treat Inuit people who caught TB.

This is only a sample of the Historical significance of this land. You can read the entire history in a letter by a veteran resident of 49 years of the Brow Lands Community, Iris Brunning.

I have submitted this letter as evidence.

Traffic Issues

I would like to refer to one of the many major issues that resident's have been concerned about in Deanlee's proposed development. And that is how the adding of more people to this community will worsen the established traffic problem on Scenic Dr.

I have in my possession a letter referencing a City Traffic report. The City of Hamilton has already made a traffic report of the area in a 24 period on Scenic Dr. At Angela St. The report its self I no longer have possession, but states as follows:

“Total vehicles – 4,499” (in a 24h period)

If there are more people added to this community, this will make the traffic problem worse regardless of the City of Hamilton's alternative plan.

Question:

What is the City's plan to solve the traffic problems which will be intensified by the proposed development plans?

(now) There is already established intensification in the community

which includes: Idyllwild Retirement Residence, Extendicare Nursing Home, Well Wood Cancer Centre, St. Peters Hospital, a Women's Hospice, Columbia College and residence of approx 700 people and a future recreational centre that is being planned to be built.

In regards to the disruption in the area, I have a number of questions which I hope to have answered by Deanlee Management, the city, and all other parties applicable.

1. Is there an Environmental Assessment done recently to the property? And if so, what are the results and how do the results engage with the two proposals by Deanlee Management and the City?
2. Is there a Geologic assessment of the property? Do you know what kind of rock makes up the Brow Lands and the Escarpment? If blasting is going to happen for underground parking lots, how will this affect resident's basements? How will blasting affect the geologic health of the Brow Lands and the Escarpment?

Lack of transparency in this process

I would now like to discuss about the lack of transparency in this process.

A report by the Niagara Escarpment Commission, regarding the brow lands, dated March 10, 2009, suggests that, "Once the City has made a decision on the applications, and assuming the applications are approved, this applicant will likely sell the property to others for development."

(NEC report, 2009)

For a highly creditable organization to say this, carries weight. These exact characteristics of Deanlee Management Inc. as mentioned by the NEC, is that of a likely land speculator.

The property was supposedly acquired four years ago, yet Deanlee did not take possession until December/2010. Hospitals (Chedoke), it should be noted, do not pay property taxes; therefore, Deanlee paid no taxes on the property through most of the approval process.

In recent Mountain News article "Brow lands saga takes another twist," there are two quotes that should have your attention:

"Last month Deanlee's lawyer Paul DeMelo told an Ontario Municipal Board panel the Mississauga firm was in talks with another business about the 24 acre brow lands property."

And the second quote:

"Whitehead said another builder is now in the mix and it's not clear if the original proponent, Deanlee Management, is still part of the development plan."

<http://www.hamiltonmountainnews.com/news/article/239401>

Question:

Has Deanlee Management sold the property to who Deanlee's lawyer described as their "partner"? What are Deanlee's intentions with this new partner?

- In my opinion, Deanlee Management is not a developer. The title of "development, planning and land use consultants," is used on their website: <http://www.deanlee.ca/DMI-2009/Welcome.html>

Most residents that I have spoken to believe that the property has already been sold and they do not believe that Deanlee Management Inc. is reputable.

Most of the residents tell me that they feel that their input really doesn't carry any weight and the fate of this large property is basically out of their hands.

Conclusion

I will conclude by saying that this land is a large part of this community and has historical and green space value. I, like many others feel that the process has lacked transparency and residents question the creditability of their input.

Even though I am not a resident in this community, I have come to know it for nearly 24 years and my Grandmother has lived here for 31 years. We both believe it is a beautiful part of Hamilton which should be protected.

Maybe we should look at it at this perspective; residents are not upset because they need something to complain about, they are upset because this is important piece of land in their community. There are so many people that become defensive of this property and say they don't want any development at all. Well can you blame them when they are so sceptical of this process? Can you blame them when they express they feel that they left out of the loop?

And after they read articles like "brow lands saga takes another twist" saying that Deanlee may no longer a part of this process, your left feeling, what am I fighting against?

I should add, since Deanlee Management took possession of the property, it has been poorly taken care of; some parts of the grass are cut while others are left unattended, degrading the property.

Why is the property allowed to be in this condition?

In my opinion, this is being done on purpose in order to devalue the look of the property.

Now I will be so bold to say that my personal feelings along with 1,146 others actually believe that there should be consideration for park land on the property.

And yes I do have the evidence to back it up. A petition of 1,146 Signatures and agreeing there should be. I have submitted the petition to the city clerk.

The petition aims to bring attention to the following community concerns: (you can refer to summary sheet)

- Residents do not want intensive development
- Development must respect the character of the community
- Residents value parkland/green space
- Residents are concerned with the impacts from any development to their community and the property
- Residents are concerned with the credibility of the process and their voice.

Although this is the community's feelings on the matter, in the end, they only want what is suitable for the community.

It is important to note that this process has made promises to the Community by the seller and buyer which have not been kept. Chedoke promised that the development project would not happen unless they had the backing of the neighbours, and refused to allow speculation, while Deanlee promised to respect the community's input of keeping in character of the community.

Well, the residents never had the backing of this project, it appears speculation will occur, and Deanlee management has broken their promise by proposing a development which is ridiculously out of character with the community.

I will add, under the Niagara escarpment Commission's guide lines according to Don May of Chedoke, "buildings cannot exceed 3 to 4 storeys in height." Yet Deanlee Management proposes the highest building being 10 storeys and the NEC signs off on it. I assume this is just another broken promise?

After 4 years of this, can you blame the residents for their feelings?

My position is simple, respect the character of the community and only allow what is suitable for the area.

I request that this matter is referred back to the community for consultation. Thank you for your time.

Evidence

- **Resident vote** – Option 1 of no development was chosen
- **Mountain News Article: Chedoke Brow lands to be sold**
 - Niagara Escarpment commission guide lines states buildings “cannot exceed 3-4 storeys in height”- Don May, Chedoke
 - “We will not allow speculation on the property” – Don May, Chedoke

Mountain news article: Brow lands for sale

“Will not except offers that are not compatible with the area and the proposal must have the backing of the neighbours”- Don May, Chedoke

- **Letter by a Resident of 49 years in the Brow Lands community** – History of the chedoke Brow lands
- **Niagara Escarpment Commission Report on Brow Lands, March 10th, 2009.**

"Once the City has made a decision on the applications, and assuming the applications are approved, this applicant will likely sell the property to others for development."

- **Traffic report letter**- “Total vehicles – 4,499” (in a 24h period) Scenic Dr. at Angela St
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- **Niagara Escarpment Plan document**: Declaration of the Niagara Escarpment as a “world Biosphere Reserve”
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- **Green Belt Ontario quote referring to the Niagara Escarpment plan and the Niagara Escarpment**

“In 1990 the Escarpment was proclaimed a World Biosphere Reservedue to its unique ecosystem, making it one of only 12 such sites in all of Canada. The Niagara Escarpment Plan, which ensures the land’s environmental survival, is “Canada’s first, large scale environmental land use plan. It balances protection, conservation and sustainable development to ensure that the Escarpment will remain substantially as a natural environment for future generations.”

“Along with its fragile environmental atmosphere, the Escarpment also exists as an important agricultural area. The land’s location between the moderating influence of the Niagara Escarpment and Lake Ontario and Lake Erie forms a unique microclimate that allows for agricultural production that is not possible in other parts of the country.”

- **I have spent several hours of the last 2 years speaking to residents about their concerns with the project and this process.(Door to door, and phone)** 1. Community does not want intensive development. 2. Development must fit the character of the community. 3. The community highly values park land and green space. 4. Residents are concerned about the credibility of their input and have little confidence in the process which has broken promises to them. 5. Residents are upset with the secrecy surrounding Deanlee’s new partner relationship and believe Deanlee has flipped the property.

Summary of my argument

By Andrew Knowles

- Any development must respect the character of the community
- Why the brow lands is important to the community

-Green space, historical site, single family homes community

- Already established traffic concerns could be worsened
 - **“Total vehicles – 4,499” on Scenic Dr. At Angela St. (24h period)**
 - **What is the city’s plan to deal with the possible increase of traffic to this area if more people are added to the community as a result of this development?**

Other concerns

- Is there an Environmental Assessment done recently to the property? And if so, what are the results and how do the results engage with the two proposals by Deanlee Management and the City?

-Is there a Geologic assessment of the property?

-If blasting is going to happen for underground parking lots, how will this affect resident’s basements?

- Lack of transparency in this process

-Promises were made to the community by the buyer and seller which have not been kept

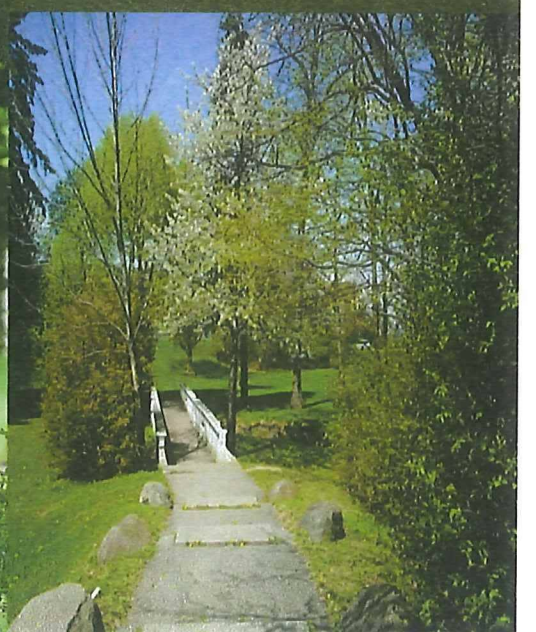
-Deanlee Management has a new “partner.” What does this mean? Does Deanlee Management still own the property? What are Deanlee’s intentions with their partner?

- Is Deanlee speculating on this property?

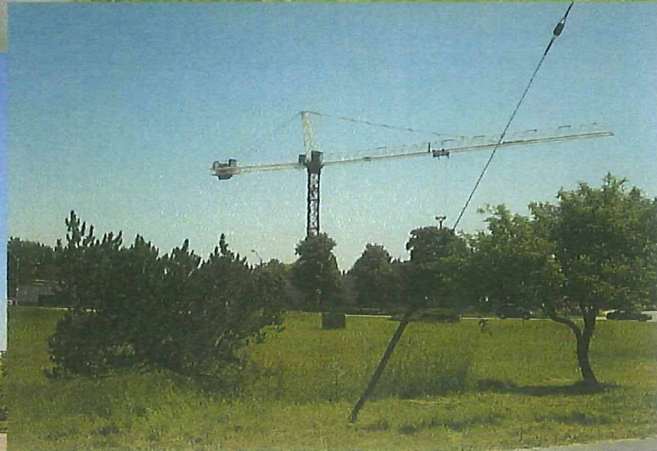
- In my opinion, Deanlee Management is not a developer. The title of “development, planning and land use consultants,” is used on their website: <http://www.deanlee.ca/DMI-2009/Welcome.html>

- Proposal should be referred back to the Community for Consultation

Brow Lands



Brow Lands



How much of this will be retained after Development?