May 18, 2006

By Mail and Facsimile Transmission

City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Attention: Ms. Andrea McDonald, Planner
Mr. Kevin C. Christenson, City Clerk

Dear Ms. McDonald and Mr. Christenson:

Re: A. DiMarco – Waterdown North Secondary Plan

We act for Mr. Amedeo DiMarco in respect of his lands west of Borer's Creek in the westerly neighbourhood of the proposed Waterdown North Secondary Plan.

The purpose of this letter is to advise you of Mr. DiMarco's objections to the draft Waterdown North Secondary Plan.

As you know, Mr. DiMarco has been an active participant in the North Waterdown planning process from its initiation, he has made various submissions with respect to previous drafts of the plan and he has participated in the funding of the work.

Objections to the draft Waterdown Secondary Plan were expressed by Mr. Anthony DiMarco expressed at the May 4, 2006 landowners meeting and reiterated and expanded upon by his planning consultant, Mr. David Matthews, at the May 9, 2006 public information meeting.

Mr. DiMarco objects to the Open Space (Park) and Institutional (School) designations being proposed on his lands. His objections are as follows:

i. The location of the park is not appropriate where proposed and is generally inconsistent with the policy expressed in Section 1.5 of the Draft Secondary Plan which suggests that such parks, “allow for physical and visual connections to Open Space areas.” In this instance, the reference to Open Space would be Borer’s Creek.
ii. As a matter of good planning practice, schools and parks should be located adjacent to each other and should be located centrally within the neighbourhood they serve to provide a neighbourhood focus. This is particularly important for the school in order to minimize walking distances to the school.

iii. The proposed school location of the school at the extreme south limit of the neighbourhood is inconsistent with this principle and the school is, therefore, inappropriately located.

iv. The proposed Secondary Plan (Appendix 1) identifies the two east-west roads as 'Community Spine'. As such, they frame and define important, highly accessible lands between them as the central spine of the neighbourhood. Therefore, it is appropriate to locate the school within this spine between the two collector roads for the same land use planning reasons the park has been located here.

v. The local road access from our client's lands to Parkside Drive is not necessary or desirable given the close proximity of the collector road intersection with Parkside Drive to the immediate west.

As a means of resolving the foregoing issues and improving the Secondary Plan from a land use planning point of view, the following modifications should be made:

i. The park block should be relocated easterly such that it is bounded by the easterly, north/south collector road, the Borer's Creek open space block and the two east/west collector roads. Such a relocation is appropriate and would maximize and reinforce the visual and physical connection of open spaces to the neighbourhood, enhance pedestrian movement along the spine to the valley while maintaining good accessibility from all parts of the neighbourhood.

ii. In conjunction with this change, the local road shown along the west limit of the Borer's Creek open space area should be adjusted at the north and south limit of the relocated park to provide uninterrupted connection between the neighbourhood park and the Borer's Creek open space.

iii. The school block should be relocated to a central location on the west side of the easterly north/south collector road and between the two east/west collector roads. This relocation improves accessibility from all parts of the neighbourhood, reinforces the importance and focus of the spine and
maintains significant frontage on three collector roads.

iv. The lands shown as school on the current draft of the Secondary Plan should be redesignated for Residential development.

v. The local road connection to Parkside Drive immediately east of the westerly north/south collector road should be eliminated as being inappropriate and unnecessary.

Lastly, section 1.11.17 in the draft secondary plan regarding developers group cost sharing agreements should make such agreements mandatory.

I trust you will take Mr. DiMarco’s objections and suggestions into account in the next draft of the Waterdown North Secondary Plan. If you have any questions or require elaboration, please do not hesitate to contact. If you think it appropriate, Mr. DiMarco has instructed me to meet with staff to attempt to resolve the matters raised in this letter.

Yours truly,

DAVIES HOWE PARTNERS

Jeffrey L. Davies

c: client
   Dave Matthews