September 12, 2007

Hamilton City Centre
77 James Street North, Suite 230
Hamilton, ON L8R 2K3
Ph. (905) 546-2424

Dear Mayor and Members of Council:

Re: **Economic Development & Planning Committee Report 07-015, Recommendation 17**
    **Trinity Neighbourhood Secondary Plan and Trinity Neighbourhood Collector Road Class Environmental Assessment**

We are owners of approximately 32.7 ha (81 acres) of land located on the south side of Rymal Road East, west of Swayze Road, in the Township of Glanbrook. As you are aware, our land and other lands on the south side of Rymal Road East were designated for urban development in 2001 by ROPA 9.

Full development of the ROPA 9 planning area is dependent upon the completion of certain matters, being: the completion and approval of environmental assessment studies, the identification of financing methods, and the inclusion in the capital budget where applicable, as these matters pertain to a specific list of road improvements. The road improvements are as follows:

- Construction of the Red Hill Expressway with four lanes plus an additional upbound truck lane;
- Extension of Trinity Church Road to the Lincoln Alexander Parkway;
- Widening of Rymal Road to four lanes plus turn lanes; and
- Construction of a new signalized collector road intersection with Regional Road 56 and the widening of Regional Road 56 to four lanes from Rymal Road to the new collector road intersection.

The above matters and road improvements have been made the subject of a holding provision in the applicable zoning by-law.

**Progress and Expenditure to Date**

In August 2003, Council for the City of Hamilton ("Council") approved the initiation of a Master Plan Class Environmental Assessment ("Class EA") for the ROPA 9 area to assess the necessary road and servicing improvements for the area. Included in the Class EA are the improvements that are the subject of the zoning by-law (except and apart from the Red Hill Expressway improvement, which was the subject of a separate study that is now complete). In June 2006, the Phase 1 & 2 portions of the ROPA 9 Master Plan Class EA were completed and approved by Council.

In 2006, alternate alignments for the Trinity Neighbourhood Collector Road were circulated to review agencies and departments. Circulated agencies included the Hamilton Conservation Authority (the "HCA"). On September 6, 2006, HCA provided their comments to the City with respect to the preferred routing of the Trinity Neighbourhood Collector Road. This was undertaken on the basis of a report prepared by HCA’s Karst consultants Marcus J. Buck Karst Solutions and Worthington Groundwater (the “HCA Report”). The HCA Report indicates that four of the alignment options are acceptable and provides design and mitigation options to protect the Karst from potential risks. The preferred alignment was presented by the City to the public on October 18, 2006. We understand that the Trinity Neighbourhood Collector Road Class EA is nearly complete.
The Trinity Neighbourhood Collector Road Class EA work completed to date, past studies undertaken for the Ministry of Natural Resources, and the September 2006 comments from HCA and its consultants indicate that the proposed collector road is feasible without detrimentally impacting the Karst ANSI.

In addition, the City’s Transportation Master Plan Class EA, was completed on May 18, 2007, and has subsequently been approved by Council. This includes transportation improvements to this area of the City including the Trinity Church extension, widening of Rymal Road and Regional Road 56 and the Trinity Neighbourhood Collector Road.

The City and the HCA have expended a significant amount of public funding in studying the transportation improvements required in this area and their potential impacts.

As a result of the significant amount of work and expense that has been dedicated to these matters, the transportation works required to allow for further development of the ROPA 9 area are now all either complete or very well advanced, as detailed below:

- The Red Hill Expressway is scheduled to open this fall;
- The Trinity Church Corridor Phase 3 & 4 Class EA Notice of Completion was issued on June 15, 2007;
- The Rymal Road and Regional Road 56 Phase 3 & 4 Class EA Notice of Completion was issued on August 31, 2007; and
- We understand that the Trinity Neighbourhood Collector Road Phase 3 & 4 Class EA report is also very near completion.

Furthermore, the development applications that have been submitted in this area are well-advanced in terms of review and approval.

Since all of the transportation improvements required to facilitate development in the ROPA 9 area have been completed and/or are very well advanced, at significant expense to the public, and development applications in the area are also well-advanced, full development of the area should be allowed to proceed.

Request

As written, the recommendations adopted by the Economic Development and Planning Development Committee on September 4, 2007 (contained in staff report PED07236/PW07112), and in particular, the recommendation to suspend the Class EA process for the Trinity Neighbourhood Collector Road, could have the effect of delaying development in ROPA 9 for a prolonged period of time, which would put on hold a process that is already well-advanced, as well as development applications that are well-advanced.

Delaying development in the ROPA 9 area as well as areas to the south and east as contemplated by Growth Related Integrated Development Strategy (GRIDS) would be detrimental to the City’s realization of needed housing and commercial development as well as associated tax revenues.

SmartCentres has committed a considerable investment in excess of $70M, pursuing commercial development in the ROPA 9 area of the City of Hamilton. This investment was based upon the progression of such EA’s as discussed above, and completion of the planned municipal works that are required in order to accommodate further development in the ROPA 9 area. We have been patient as the EA’s have been delayed over time, and have continued to work co-operatively with Staff at the City. Delaying the various Environmental Assessments, as recommended to you this evening, will have a significant impact on our developing shopping centre.
We therefore respectfully request that Council adopt an additional recommendation that, notwithstanding the recommendations contained in staff report PED07236/PW07112, the General Manager of Public Works be authorized and directed to proceed with the road improvements outside the Study Area for the Trinity Neighbourhood Collector Road Class EA.

We thank you for your consideration in this matter.

Yours Truly,

C., Côté

Christine Côté
Land Development Manager
SmartCentres