



Trinity Farms Ltd.

Specialty Mushrooms

April 28, 2015

Councillor Lloyd Ferguson, Ward 12
Hamilton City Hall
2nd floor – 71 Main St. West
Hamilton, Ontario
L8P 4Y5

Dear Councillor Ferguson

A gross inequity has developed in Wards 12, 14 and 15 as a result of the motion passed by City of Hamilton Council on April 8, 2015 to permit and recognize rural landscape contracting establishments. The motion permits landscapers that were existing illegally prior to March 31, 2015 to obtain special exceptions which not only legalize their businesses but also allow them to operate in these rural wards with no by-law regulations whatsoever. In future, there will be two classes of rural residents; landscapers with no rules and rural residents, including farmers like us, who will be subject to new rural zoning by-laws.

The motion does not 'grandfather' landscape contractors. Grandfathering means old rules continue to apply to some existing situations while new rules will apply to all future cases. Landscape operations were illegal (not a permitted land use within the agricultural A1 zone); no by-law regulations were ever developed for them. In future, the Council motion means that landscapers with a special exception will not be subject to the new rural plan regulations being developed for them by the City of Hamilton's Planning Department.

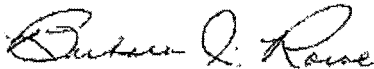
The following are some of the implications of granting special exceptions to landscapers in the A1 zone:

1. No minimum lot size.
2. No lot coverage limit.
3. No setbacks or size limits for storage of materials, landscape waste, equipment, vehicles, etc. A property can be filled lot-line-to-lot-line with any or all of these items by a resident OR non-resident operator.
4. No setbacks or limits on floor area or height of buildings. Buildings of any type from sheds to large industrial steel buildings can be placed on any or all of the property right up to the lot lines.
5. The special exception goes with the property giving holders a valuable asset to sell. In view of the above, who would want to set up a landscape business anywhere else but on exempt A1 land? The unobtrusive small-scale operation of today could easily change hands to become the industrial-scale operation of tomorrow.

We have a particular interest in this issue because our neighbour runs a very large and very obtrusive commercial landscaping operation. We don't object to legalization because we recognize that such operations are an important component of the local economy; however, legalization without regulation opens the door to industrialization of the Greenbelt. We live in the Greenbelt and have waited patiently during the last 18 months while the City of Hamilton Planning Department developed new rural plan regulations for landscapers consistent with the Greenbelt plan. Now, at the eleventh hour, the recommendations of the City's Planning Department have been ignored, a non-agricultural use of Greenbelt land legalized, and all means of regulating landscapers with special exceptions have been rejected.

What action can be taken to establish a compromise solution whereby landscapers with special exceptions can operate legally in the A1 zone but are also subject to a reasonable set of regulations? We sincerely look forward to hearing from you on this matter and would welcome a site visit.

Yours truly



Barbara and John Rowe



Cc: Councillor Robert Pasuta, Ward 14
Councillor Judi Partridge, Ward 15