

232 Mountain Park Avenue
Hamilton, ON L8V 1A3

8.1 (v)

July 5, 2015

Planning Committee
Hamilton City Hall
71 Main Street West
Hamilton, ON
L8P 4Y5

Dear members of the City of Hamilton Planning Committee:

Subject: 8.1 Agenda-Rural Zoning By-Law Amendment

I am writing to you in regards to the proposed Rural Zoning By-Law Amendment that will be discussed by the Planning Committee on July 7th, 2015. I am requesting a repeal to the zoning changes to Lot 18, Roll No. 25-18-301-610-62800-0000, Kirkwall Road, in order to assist operations with my family-owned Christmas tree farm business. This plot and surrounding acreage is currently zoned as A2 but will be changed to P6 and P7 designations upon approval at the Rural Zoning By-Law Amendment meeting (as shown in Figure 1).

This proposed by-law has huge implications on the livelihood of our business. Our farm is a family-owned and run Christmas tree operation that has been in service for approximately sixty years and four generations. Our farm is currently run by my father, Winfried Klaas, who is approaching eighty years of age and now requires assistance in order to upkeep the land. In the 1990's, Winfried severed 9.86 acres as a building lot under his name as well as my own, Oliver Klaas. In order to help maintain the farm and provide assistance to my father, I intended on living on the farm by building a single detached residential home for my family on the severed plot. I have recently pursued this objective and have been granted approval by the Grand River Conservation Authority (GRCA) and Hydro One. I have also finalized my house design, which is ready to be submitted to obtain a building permit by the city. The upcoming meeting for the proposed new P6 and P7 zoning has halted my proposal because these changes would make this impossible to accomplish. As posted on www.hamilton.ca, Appendixes D8 and D9 of Draft Rural Zones states that "new buildings or structures shall not be permitted" under the following sections:

- Appendix D8: Section 7: Open Space and Park Zones - 7.6 Conservation/Hazard Land Rural (P6) Zone, 7.6.2 Regulations (2015)
- Appendix D9: Section 7: Open Space and Park Zones - 7.7 Conservation/Hazard Land Rural (P7) Zone, 7.7.2 Regulations (2015)

A residence built on the 9.86 acre lot will have insignificant environmental impact. This plot is not located close to any designated wetlands, in contrast, it is positioned on high elevation in regards to the surrounding area. Little to no topsoil and exposed rock exists on the proposed building site, which can be observed in Figure 2. This section of land has little agricultural value and is stated to be of no interest to the Grand River Conservation Authority as agreed by Mr. Drew Cherry, a planner for this municipality. Mr. Cherry is familiar with our farm and is willing to substantiate these claims to you by letter upon request. Furthermore, it has been established by the Planning Division that it is not an environmentally significant area and an ESA waiver will not be required under current A2 zoning.

The City of Hamilton has proposed these new rural-zoning changes in order to comply with the Rural Hamilton Official Plan and to create consistent zoning throughout the rural area. I would like to emphasize that the Klaas family shares your values to keep the land environmentally safe. Our vision is to build a house that is perfectly keyed into the environment, without disrupting surrounding landscape. I fully understand that the City of Hamilton wants to protect this land, as do I. By permitting a residence on this lot my family will be able to tend to the Christmas tree farm and preserve 3our land.

I look forward to the solutions you will propose. Please keep me informed of your decision. Do not hesitate to contact me if I can be of any assistant to you.

Respectfully,

A handwritten signature in cursive script, appearing to read "O. Klaas".

Oliver Klaas



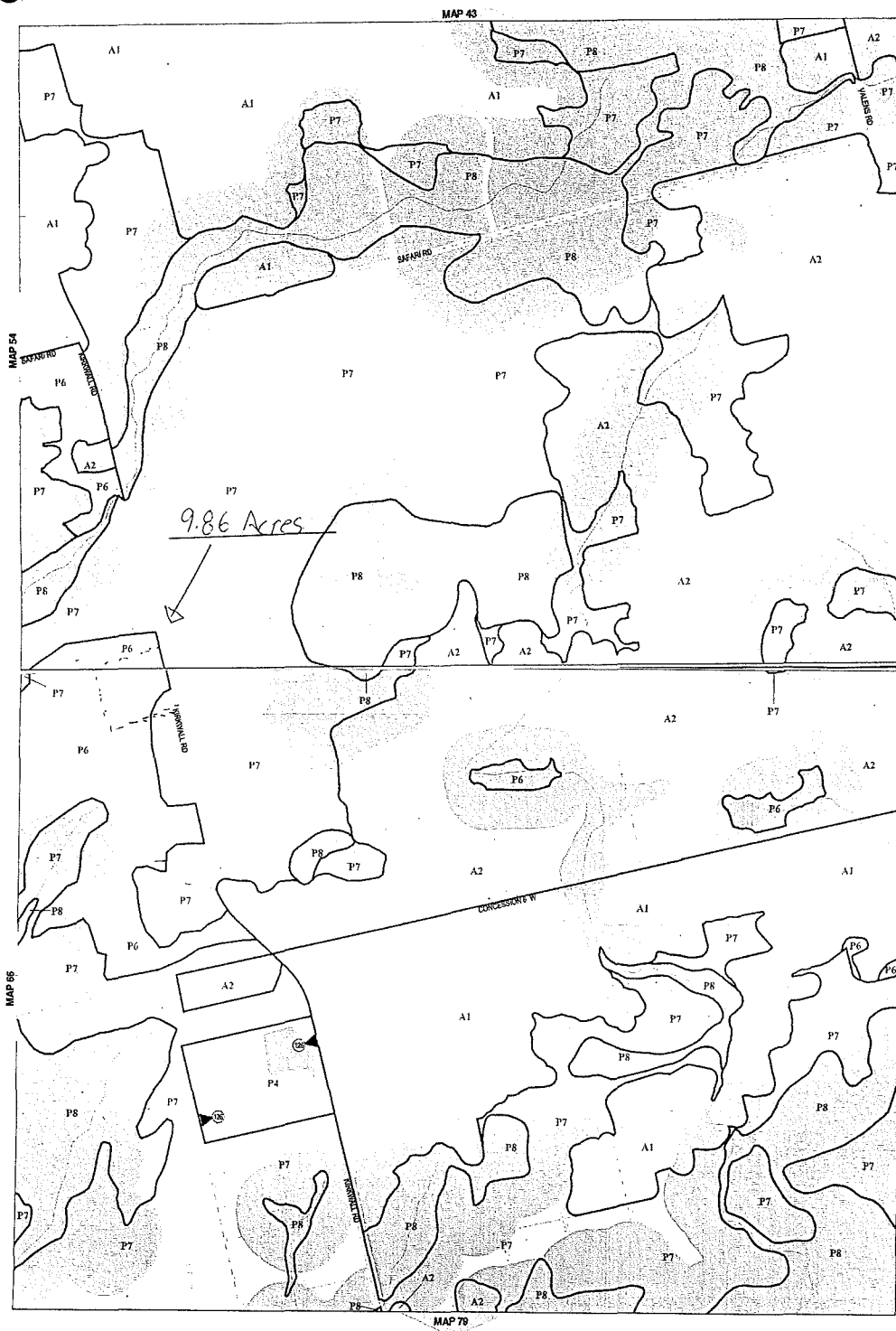
D. KLAS

KIRKWADE RD.

Figure 2

Figure 1

JUNE 30/15



City of Hamilton
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Urban Boundary
- Lots and Concessions
- Zoning Boundary
- City Boundary
- RSA Boundary
- Special Exception
- Holding Provision
- Temporary Use
- NEC Development Control
- C.A. Regulated Area
- Area Subject to Different Zoning By-Law
- Stream

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MAP 67 of Schedule 'A'

LOT 18 - KIRKWALL RD. #25-18-301-610-62800-0000 - OLIVER KLAAS