

Sept. 24, 2015

Diana Yakhni
Senior Planner, Policy Planning & Zoning By-law Reform
Planning and Economic Development Department
Ida Bedioui
Legislative Co-ordinator
City of Hamilton
71 Main St. W.
4th Floor
L8P 4Y5

Re: Rural Zoning 'Special Exception'

Thank you for including our property in your Special Exception by-law as part of your staff report being presented to Planning Committee on October 6th, 2015. We have reviewed your proposal as per your map which was emailed to us on Sept. 15th, 2015 and would like to take this opportunity to point out a few impracticalities that this plan presents us with.

Your proposed area does not allow for any growth at all. You are suggesting this area be directly on the South lot line. You state that any future expansion is limited to the area you have drawn up and yet we must abide by the minimum setbacks that any new structures must be 15m from any lot line. This immediately takes 15m away down the length of that diagram and, as shown on diagram 1, allows us no space to build due to the location of our house, septic and weeping bed, propane tank, horse barn, outdoor wood stove (all of which are personal times for the home) and the extreme slope of our land which is our children's tobogganing hill. You also state that outdoor storage must be setback a minimum of 30m from any lot line. This I am guesstimating by your diagram takes every last inch away from us for storage as your drawing does not appear to be anything more than 30m wide.

I wonder, how did you come up with the suggested allowance?

Did you look at the aerial view of our property and assume this was our current business area? Diagram 1 will show personally used areas of the home marked with an 'X' inside your exception area. This does not leave much business use area or it otherwise forces us to find other less conspicuous areas around our home for the storage of our personal items and buildings.

I have also attached a copy of the map you provided (Diagram 2) showing three areas of what we do currently use for business. The first area is the existing shop and the truck and machinery parking spaces directly behind. The second area is a large space of wood chips on the back lot line in the center. This is the area between our two fields where we dump wood chips and spread them over. We are cleaning through our tree lines taking out hazardous trees and removing the strangling vines and refreshing the ground with chips for healthy growth of new young trees. This is a central location and

easily accessible to maneuver machinery around. It is also central to the right-of-way access along the rear of our property that we, along with our neighbours, also intend on maintaining and freshening up with wood chips. The third area is well disguised by the slope of our property. This is where we have dumped loads of wood for wood processing in the winter. It is also easily accessible from the second driveway at the front of our property. It is here on somewhat level 'virgin' ground that we propose the new shop is built.

Diagram 2 will also show our intentions of expanding the business as we intended when we purchased this property. We would ask that you please take these areas into consideration. On a 10 acre property it doesn't make sense for a barn/shop to be on the doorstep to your home. Aesthetics mean everything to us and the value of our property and we would not want to compromise that.

We purchased 1434 Middletown Road late in 2010 which gave us breathing space with a business that has increased it's revenue by 30%-40% each and every year. At the time we did not bring any waste material back to this property that wasn't for our direct use (i.e. wood for our fireplaces, mulch for our gardens). The house and the buildings on the property were all falling apart and we purchased with the intent to bring it all back to life. We had an extensive repair list that we knew would take years of hard work and plenty of cash flow to accomplish. We knew we could operate the business for the time being with what we had because in order for the house to be a safe and healthy place for our children the house guests had to go - both living and dead. We repaired every single window, wall and door from the inside and out. Unfortunately, business plans were put on hold knowing that we could work towards those goals in the future when funds and time allowed for it.

Now that we have completed the majority of our house repairs we have had to throw light on the fact that the existing shop is on the brinks of collapse and needs as serious an overhaul as the house did. We would like to renovate this existing building for use once again as the home's garage and storage and build a new barn/shop down in our field (as shown in Diagram 2) for use with the business. This would allow the family home to maintain its privacy without compromising the privacy of our neighbours. The vehicles and machinery would be able to be kept inside. It also allows for closer access to the livestock we intend on having in the bottom fields. We would request that we are granted the current exception area as well until we are able to build the new barn/shop.

Another fundamental part of the business is having space to store wood and mulch. At this time, the majority of our wood and chips are delivered to local farmers and homeowners at no charge. We have not had the time to expand on this part of the business as of yet but have every intention of doing so as it is a way to keep our crew employed through the hard winter months when they generally collect unemployment.

We would like to know why landscape businesses, as you have pigeon-holed us as, are the target. There are plenty of types of businesses running from rural home properties that cause much more a disturbance than we ever possibly could. Our trucks leave in

the morning and come back in the evening. Our business waste products are a natural resource that will rot down (if not used) and replenish the soil.

It was our understanding that this 'Special Exception' by-law you are introducing was to allow for us to continue business on our property. Your regulations are taking it immediately away. We ask that you revisit your proposal regarding 1434 Middletown Rd. We would like the opportunity to work towards our goals and make this a place worth retiring to.

Regards,

Kelly & Andrew Lake
Great Lakes Tree Service Ltd.
1434 Middletown Rd. RR1
Millgrove, ON
L0R 1V0

Encl.:

1. Diagram 1 (close up of Hamiltons suggested exception area)
2. Diagram 2 (current business use and requested exception area)