Delivered via fax c/o Clerks Department

May 16, 2007

Mayor and Members of Council
City of Hamilton - City Hall
71 Main Street West
Hamilton, Ontario L8H

Dear Mayor Fred Eisenberger

RE: Rural Hamilton Official Plan
Ministry of Municipal Affairs & Housing Draft Decision

With respect to the above noted subject, we wish to present additional information that may prove important to the Council of the City of Hamilton for its meeting scheduled for tonight.

Paletta International Corporation has been seriously involved with agriculture in Ontario for over 40 years. It has always had its corporate headquarters located in both the cities of Hamilton and Burlington and has been dedicated to the agricultural and food industry from the onset. On an annual basis, over 3500 acres of land is planted for cattle feed and/or cash crops and 5000 - 7500 head of cattle are raised for the market and ultimately for consumers by this company. It would not be fair to presume the company is not a legitimate farmer and only has land holdings for the purpose of urban development. This company has a long term vision to continue being in the agricultural services business.

We recall one of the overall goals of the City for drafting the new rural official plan was to protect and enhance the viability of the agricultural industry and provide a rural way of life. Large corporate farming should be encouraged and recognized as a solution to the constant challenges that are experienced by traditional farming. The City’s new official plan should have new policies that support new approaches to making farming a viable industry in Hamilton.
It is unfortunate that we did not appreciate the implications of some of the policies until our recent review of report PED07132 which was presented to the Planning and Economic Development Committee on May 8, 2007. Clearly there is still the opportunity to make these modifications before the official plan is approved and we respectfully request that Council and if necessary, the Minster makes these modifications as set out below. In our view, the issues we are raising are of considerable importance. The official plan, as drafted is not good planning and the timing of our comments should not be used to discount the importance of these issues. As you know, it is open to anyone to make an official plan amendment application which we could do to raise these same issues at any time. However, we feel it is far better to deal with these concerns seriously now than to insist that we make amendment applications.

Firstly, a general concern we have is how and when the City publishes the agendas of its Committee and Council meetings. On many occasions agendas are not known until a day or two before the actual meeting.

It was during our review of the May 8, 2007 Agenda of the Planning and Economic Development Committee that we discovered the City had received the Ministry's draft decision on April 16, 2007. We feel all participants to this important document should always be formally notified and given a reasonable amount of time to comment and not rely on reading the notice pages for Committee and Council Agendas.

As for the rural official plan itself, we wish to see conditions noted within section 1.13.2 of Chapter F revised as follows:

**Surplus Farm Dwelling Severances**

F.1.13.2.2 c): A farm operation that increases its land holdings by purchasing parcels that are not abutting should be treated just as equally as those contemplated in paragraph F.1.13.2.2 a). To impose the additional conditions are prejudicial to an agricultural corporation that may have its current headquarters located outside of Hamilton and have several parcels of land through out rural Hamilton with different agricultural uses being carried out. Restrictive covenants, minimum land parcel size and rezoning requirements only create the need for planning applications and "red tape" and do not enhance the viability of agricultural operations. Therefore conditions i), ii), vi) & vi) should be completely deleted. The Plan should take into consideration that in some regions the average cultivation area for various commodities such as fruit ranges between 6 to 24 acres.

F.1.13.2.2 d): We do not understand the reasoning of marrying severances to a dwelling's age. In many instances previous owners had new dwellings constructed to replace damaged and/or dilapidated dwellings. Condition i) should be completely deleted. To further impose lot depth requirements should also be deleted. In some
instances dwellings have been constructed in excess of 122 meters from roadways due to the "lay of the land" and nature of the farm operation. Condition iv) should also be completely deleted.

**Open Space Designations & General**

F1.13.2.5 & F1.13.2.8: Consents that facilitate conveyance of land to public authorities should be allowed without condition. If both parties benefit from such a transaction, such as creek and/or escarpment protection, than this type of transaction should occur. To impose automatic denial of a dwelling lot without understanding circumstances would possibly hinder the transaction. We suggest these paragraphs be amended to consider results that benefit all parties concerned.

We thank you in advance for allowing us to present our comments and recommendations and cordially request that they be considered. We are available at any time to discuss this matter further.

Regards,

PALETTA INTERNATIONAL CORPORATION

Richard Lewis, C.E.T.
Development Coordinator

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    Michelle Sergi - Planning & Economic Department