

**Summary of Written and Verbal Comments Submitted as part of
March 31st, 2015 Public Meeting**

Submitted by	Comments Summary	Format of Comments	Response
LANDSCAPE CONTRACTING ESTABLISHMENTS			
Dan Van Delden Valleywood Landscaping Inc.	<ul style="list-style-type: none"> • Small landscaping one person business and sole provider for family with 6 kids • Impact and implications as a business a desire to move landscaping businesses to business parks and based on cost this would not be achievable for the business • 25% increase in business overhead • Implications are discouraging for small businesses • Illegal use and cannot meet the proposed zoning financially • 2 trucks in bldg 	Written and Verbal	<ul style="list-style-type: none"> • Motion passed by Council directing staff to recognize existing landscape contracting establishments subject to the establishment informing the City • Owner has contacted staff and property has special exception 253 applied to recognize landscape contracting establishment use
Tammy and Jim McCullough	<ul style="list-style-type: none"> • Concern over items not addresses in current draft • Landscape contracting establishments will result in a loss of commercial revenue for the City of Hamilton • First hand experience of pseudo-farms have used the guise of rural farming for rural businesses, large well established contracting businesses are the primary source of income and use of the land • Have been dealing with this over the last few years • This by-law has the potential to become a free-for-all to use rural properties to be overrun with commercial enterprises with huge impacts on the residential hamlets • Secondary use was created under the premise that agriculture was prime use on properties • By-law does not take into account equipment or machinery is being used and the scale of those equipment • Major differences in product and business hours (dusk til dawn, 7 	Written and Verbal	<ul style="list-style-type: none"> • Draft revised zoning permits a landscape contracting establishment only if it is secondary to a nursery operation on 5 hectare minimum lot size of as well as additional limitations pertaining portion of lands within A1, A2 and P6 Zone, the scale of the use and additional regulations in order to limit any potential nuisance impacts

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	<p>days a week)</p> <ul style="list-style-type: none"> • Burning has been endured, noisy and fowl smells, no of these concerns have been risen by the agricultural operations in the immediate area • Landscape Contracting Establishments should not be governed under agricultural regulations as they are not the same processes/functions • How could the minimal area be a viable area for a nursery use with a Landscape Contracting Establishment as accessory, the Landscape Contracting Establishment will overtake the nursery use 		
Phil Zylstra Growing Gardens Inc.	<ul style="list-style-type: none"> • owner of a small landscape business • would like city to reconsider the restrictions placed on the landscapers • employ 6 full time employees and 4 summer students • forcing them to operate nursery business or shut down • classified as agricultural works under provincial/federal and would like to be considered so under the City of Hamilton and permit landscape companies to operate in the rural area 	Written and Verbal	<ul style="list-style-type: none"> • Motion passed by Council directing staff to recognize existing landscape contracting establishments subject to the establishment informing the City • Owner has contacted staff and propertyhas special exception 253 applied to recognize landscape contracting establishment use
Tony DiGiovanni Executive Director Landscape Ontario	<ul style="list-style-type: none"> • 245 Landscape Contracting Establishments in Hamilton • Economic impact of the industry 7 billion dollars, 70,000 people employed • Majority of Landscape Contracting Establishments operate in rural land, many live on the land they operate on • Economic impact to Ontario would be less if they weren't allowed in 	Verbal	

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	<p>rural area/agricultural land</p> <ul style="list-style-type: none"> • Bad Landscape Contracting Establishments that cause problems for neighbouring residents/properties should be dealt with through property standards, instead of not allowing them in the rural area • Agricultural lands are good for expansion and other items required • An ask would be to allow existing landscape companies to be legal non-conforming as is today. 		<ul style="list-style-type: none"> • Motion passed by Council directing staff to recognize existing landscape contracting establishments subject to the establishment informing the City
<p>Sharon Cashen Environmental Design Landscape Contractors Ltd. 557 Carlisle Road</p>	<ul style="list-style-type: none"> • Objection to Special Exception 103, Part of 557 Carlisle Rd. Rural Hamilton Official Plan Amendment and/or Zoning By-law 05-200 Amendments • c) i) Outdoor storage of goods, materials or equipment is currently in excess of 500.0 square metres • c) ii) Parking, all our vehicles are commercial vehicles and are parked outside, and that is well in excess of 5. We also have excavators, bobcats, mowers, skid steers, pay loaders, trailers and various other vehicles or equipment parked outside in the current parking spots. • We currently have no restrictions on our outdoor storage, or parking restrictions. 	<p>Written</p>	<ul style="list-style-type: none"> • The regulations associated with Special Exception 103 have been amended to be reflective of Special Exception 253
<p>Tim and Leah Sieders Mapleridge Landscapes Ltd.</p>	<ul style="list-style-type: none"> • My wife and I live in Jerseyville on 4 acres of land and appreciate the city's work on this important legislation, determining the proper use of rural property • We enjoy rural living and do operate a landscape contracting business here • We have great relationships with our neighbours and are always 	<p>Written</p>	<ul style="list-style-type: none"> • Motion passed by Council directing staff to recognize existing landscape contracting establishments subject to the establishment informing the City • Owner has contacted staff and property has special exception 253

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	<p>open to conversations about our operation here</p> <ul style="list-style-type: none"> • It's similar to most landscape businesses, whereas the property is mainly used to store equipment, materials and vehicles • The site is vacant for most business hours, and we do our best to keep it organized and beautiful, for ourselves but also for the community • I thought I would write in to give our thoughts on this development: <ul style="list-style-type: none"> -Guidelines should be given to all property owners, but shouldn't be based on few complaints -Landscape businesses should be given directive to land use, with understanding taken into consideration of what is needed to operate a successful contracting business ie. equipment, buildings and staff needed. (5 hectare parcels with bulk use being agriculture, and limited to only 3 vehicles is prohibitive at best) -Tax levels can reflect commercial activity, operating on rural properties. -Properties smaller than 3 acres should have their own guidelines, and bigger as well. -City inspections/review upon a certain timeframe would help assess use of land, tax level and future plans to the property use. • These are some thoughts we hope you take into consideration when contemplating the new rural land bylaws 		<p>applied to recognize landscape contracting establishment use</p>
<p>Tammi Perreault Green Collar Landscaping</p>	<ul style="list-style-type: none"> • The rural community has seen significant changes throughout this planning process. • Although we can only speak for ourselves as it applies to our 	<p>Written</p>	<ul style="list-style-type: none"> • Motion passed by Council directing staff to recognize existing landscape contracting establishments subject

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	<p>property, we are relieved that the city has upheld our agricultural and residential needs</p> <ul style="list-style-type: none"> • The P6 and P7 zones that were proposed prevented our basic living and expansion to farming. The current draft, no longer restricts our property with these zones and we are pleased with that outcome. Our paramount goal was always to maintain our agricultural land. • Our reason for our further submission is to suggest that more work is needed. In spite of the recent changes to draft zoning, none of the current draft zoning adequately addresses the following problem: There is no adequate space for the legal operation of landscaping operations in the City of Hamilton, and the new rural zoning does not adequately address this issue. • I beg the counselors to ask these questions: 1) Is there a need to add zoning for landscape operation and if so, is the rural area the place for it? 2) Is this an issue for the city to address? • City planners will argue that Hamilton is unique in that they have added landscape contracting, as a secondary use to agriculture, where no other city has. Adding the Landscaping secondary to agriculture satisfies the small business operations. However, there is a cap on the size of the business and the type and size of farming required, in order for landscape operations to operate. It is these restrictions, which discourages businesses to start, and stay in Hamilton. • Who would start a landscape 		<p>to the establishment informing the City</p>

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	<p>business knowing that the city has put a cap on the growth of the business and knowing that once you have 3 trucks and crews of 6 you are done growing? Knowing that once your business moves into a profitable margin, you will have to move to a neighboring city/county to operate? No one would.</p> <ul style="list-style-type: none"> • Landscape Ontario is the province's premier horticultural trades association with more than 2000 members. They represent, promote and foster a favorable climate for the advancement of the horticulture industry in Ontario. According to Landscape Ontario's stats, Ontario Landscapers represent a 7 billion dollar industry in Ontario with a vast majority coming from the Golden Horseshoe. Landscape Ontario only allows "Green" companies to be a part of the organization, and does not permit any contracting companies who do not promote live horticulture. These companies must be operating according to the applicable legislature (registered business, WSIB, insurance etc). • Hamilton currently has 177 companies registered to Landscape Ontario. That is an approximate 2% representation of Landscape Ontario's 2000 members, and 2% of the 7 billion dollar industry. Hamilton's industry has an estimated worth of 14 million dollars. • According to City Planners, only 10 companies in rural Hamilton are authorized to operate a landscape business. The remaining companies are either operating out of legal industrial areas in Hamilton, or illegally out of rural areas. It does not take extensive research to determine where these companies 		

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	<p>are operating. A quick Internet search will show the mapping of where these companies are operating and that is Rural Hamilton.</p> <ul style="list-style-type: none"> • The reason for this is due to the demographics of the rural areas. Agricultural lands are the place where landscape operations thrive. One example is that rural areas are essential for the storage of plant materials where the industrial areas of Hamilton will simply not allow. • We can acknowledge that "just because someone is profiting from legal operations in a zone that is not permitted for that use, does not automatically mean the city has an obligation to rezone it". The simple solution would be to do what the city has done for the past 10-15 years. • Respond to violations on a "complaint-based" process, and ignore the rest. However, this is not the responsible thing to do. • Why should the city create a zoning for landscape businesses that are operating in illegal zones? Because the City of Hamilton can't afford NOT to. • Within a city that faces consistent economic distress, lies an opportunity to benefit from a billion dollar industry. To support and encourage growth in this billion-dollar industry, and to collect taxes from this billion-dollar industry, means economic success. Furthermore, our city has an opportunity to attract those businesses from neighboring cities, like Halton and Durham, who have overlooked this opportunity. • Yes, Halton has not allowed it, nor has Durham, but we can tell you that Haldimand County does. Why 		

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	<p>can't Hamilton be the leader for once? Instead we are forcing these already established and profitable companies to our neighbors?</p> <ul style="list-style-type: none"> • The city itself employs these landscape businesses to plow snow from city parking lots in the winter, and cut the grass in city parks, cemeteries and city owned properties. Without these businesses, the city will be forced to pay city employees, and the city simply cannot afford those wages. • Our school boards and businesses rely on the services of this industry to maintain their properties, preventing slip and fall accidents, and to maintain property standards. • The amount of city money that is currently expensed to deal with current landscaper/neighbor situations is beyond acceptable. In a city so concerned with police budgets, and city expenses, the counselors cannot overlook the role they are playing in the high cost of not addressing the landscape industry. • We cannot provide you statistics on the use of city services to deal with rural landscape businesses but we can tell you our experience. • In 4 years, our neighbors have become obsessed with the use of our property. We have seen, 5 police officers, 3 fire trucks and their crews, 1 fire marshal, 5 by-law officers, 2 members from the Grand River Conservation, and at least 6 visits with Counselor Pasuta • I cannot start to estimate the financial expense associated with this. The most important thing to note is this: The operational portion of our Landscape business does not operate out of our residence and 		

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	<p>has not for several years. There has never been a violation on our property in relation to the operation of a landscape business yet our neighbors continue to use city services to investigate our on goings. Why? Because they hate the lack of governing by-laws for landscape operations in the rural zone. They have not called on the neighboring plumber, or the electrician or the daycare. Unfortunately, we are not an anomaly; we are the "norm". Our city workers are consistently dealing with these concerns day in and day out and it is costing our city thousands of dollars.</p> <ul style="list-style-type: none"> • The City can't afford to ignore the need for appropriate zoning. • Businesses are currently being shut down for operating in inappropriate zones. When people lose jobs, unemployment increases which negatively affects our economy. If each of the "illegal" rural landscape businesses close, Hamilton could see anywhere from 2000-10,000 people without jobs. • An additional problem for these Landscape operations is that there is nowhere for them to go. There are not 167 commercial properties available, and of the available properties, they are very few which are appropriate for this type of operation and in most cases, they are not cost effective. • The rural area, with the appropriate governing by-laws, is the appropriate location for them. • We have heard from city planners who say that they are restricted to the confines of the Green Belt Plan and the Official Rural Plan. We understand that the Official Plan 		

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	<p>was a response to the Green Belt Plan, which is provincially mandated.</p> <ul style="list-style-type: none"> • We will point out the following from the Green Belt Plan: a) Under section 1.2.1, one vision in the Green Belt Plan states; Provide for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource use • Landscaping operations is a diverse economic activity associated with the rural community and agriculture use. • A goal under section 1.2.2 1. d) is for the provision of the appropriate flexibility to allow for agriculture, agriculture-related and secondary uses, normal farm practices and an evolving agricultural/rural economy. • Landscape operations have not been viewed historically as agriculture related use. However, it is part of our evolving agriculture/rural economy. • Another goal under section 1.2.2 4 a) is the support for a strong rural economy by allowing for the social, economic and service functions through residential, institutional and commercial/industrial uses needed by the current and future population within the Greenbelt, particularly within settlements • Landscape operations in Hamilton, support a strong rural economy and need to be supported through commercial uses, because the current and future Hamilton population needs them. • We are not asking the city to solely change the zoning on our property to benefit our business. We are asking the city to seize this 		

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	<p>opportunity and find a way for our city to accommodate this growing industry, here in Hamilton, all while protecting the rights of our neighbors.</p> <ul style="list-style-type: none"> • The city has a very competent, capable planning team right now. This planning team, knows the "ins and outs" of the Green Belt Plan and the Official Rural Plan, and most of all, they are prepared to listen. Give them an opportunity to present a solution to this on-going issue for the city. • Landscape operations do fit into the Green Belt Plan. If there needs to be an amendment to the Official Rural Plan, amend it. • Landscape Businesses exist in Hamilton and they are prospering but the city is holding them back, and pushing them away. • Stop rejecting this economic growth. The city simply cannot afford it. • Send the city planners back to the table and create a zoning in Rural Hamilton that will adequately satisfy the need of this growing economy while protecting the rights of rural residents 		