

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

Submitted by	Comments Summary	Format of Comments	Response
P6, P7 AND P8 ZONES			
Janice E. Downton 1759 Milborough Line	<ul style="list-style-type: none"> • Part of this written submission is to request a zoning change on a small section of my property • The land under consideration is not a Managed Forest and no form of tax incentive or other consideration has ever been received to have this land removed from agricultural production • Remainder of submission is to present evidence to the Planning Committee that a small but meaningful percentage of properties within protected zones will have occurrences and circumstances similar to my situation where it would be to the City's advantage to have mechanism in place to return these lands to A1 • Except for the need for some flexibility in the limited number of instances where that would be appropriate, the comments herein are supportive of the current Protected Zone boundaries, objectives and, broadly speaking, most of the restrictions • What I do feel has been missing from the conversation is a frank discussion regarding the reality of some characteristics of these Protected Zones that present a potential risk in the future to the environment and the economy if not planned for adequately • Requesting that property consisting of 5-7 acres currently within proposed P7 Zone be included within A1 Zone • The cultivated conifer plantation has completely collapsed and has no potential to become a forest or anything worth protecting 	Written	<ul style="list-style-type: none"> • Natural area on property is part of a large area known as Carlisle North Forest, identified as an Environmentally Significant Area and a Significant Woodland within the Rural Hamilton Official Plan • The forest includes a variety of vegetation communities, including conifer plantations • Conifer plantations are often included within the boundaries of Significant Woodlands because they contribute to the ecological function of the woodland, including providing habitat for interior forest birds, increasing the overall size of the woodland, controlling erosion and flooding, and maintaining water quality in the cold water stream tributaries of Bronte Creek • Although conifer plantations are often managed and harvested, they provide important habitat for birds that seek coniferous woodlands, such as Sharp-shinned and Cooper's Hawks, and Red-breasted Nuthatch • Plantations are included

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	<ul style="list-style-type: none"> Hamilton Conservation Authority and Conservation Halton – Forestry will be attending for a site visit in the next few weeks to confirm that assessment and to recommend an appropriate harvest plan. Planning staff and the Natural Heritage Planner had been invited to join this site visit as well Managed Forests and natural native deciduous (NND) forests are rightfully placed in a Protected zone so the only exception to consider is cultivated plantations grown by private landowners who did not receive any form of compensation or assistance. This is the category that my plantation belongs in and there others private CUPs anticipated a return to another form of agriculture after harvest Under the Agricultural Land Act, I believe private CUPs could be compelled to effectively managed their crop, but if the land is removed from agricultural land inventory by changing the zoning from A1 to P#, landowners can and will simply abandon their plantations I am requesting that the zoning on my property, situated at 1759 Milborough Line, Carlisle, on the area of cultivated conifer plantation be maintained as A1 to permit the removal of a failed crop and permit a return to productive agriculture 		<p>within Significant Woodland boundaries because they contribute to the overall variety of habitat types, and therefore increase biodiversity. In this case, the conifer plantation forms a part of the larger woodland, as natural deciduous woodland abuts it. In this way, it meets the following criteria for Significant Woodlands - minimum size, interior forest habitat, presence of rare species, and proximity to water features</p> <ul style="list-style-type: none"> Draft P7 Zone permits Agriculture
Catherine Beattie 904 Old Dundas Road	<ul style="list-style-type: none"> Detailed comments already given and included within appendix G2 and relate to the more expansive P zones that have been included within the proposed zoning The draft before Councillors fails to restrict development in the rural area and the policies within it 	Written and Verbal	<ul style="list-style-type: none"> The P6, P7 and P8 Zones try to achieve a balance between

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	<ul style="list-style-type: none"> • The provisions are not defensible as a lower document that implements the OP • Clear language and provisions and troubled with how it is interpreted • Previous P6 Zone that was proposed was progressive and this draft is not • Needs to include more limitation on development on conservation lands • No resistance to get NEC development permit application that would otherwise be if they were within city jurisdiction / less protection within the NEC • Overall protection on conservation lands is grim and does not consider the future • Since amalgamation there has been great loss of rural lands • If adopted the zoning by-law will increase the erosion of conservation and rural lands because the regulations are too permissive • Alternative for consideration in report appears one alternative or none 		protecting natural heritage features, while allowing limited development where development already exists, subject to Site Plan Approval and Environmental Impact Statement, if required
Lorne Haverty and Gillian Shaver 949 Slote Road	<ul style="list-style-type: none"> • Property is under the Niagara Escarpment Commission Regulated Area • City of Hamilton will be circulated on proposed developments on his lot • Concerns about wording in P6 zone, which is proposed on his property • Worried about selling property and the value of property • Even though there are areas on his land that conforms with all regulations, the uses are restricted • Why haven't the NEC been contacted by the City of Hamilton for their comments • Very concerned because the City of Hamilton (as well as the Hamilton Conservation Authority and the 	Written and Verbal	

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	<p>Grand River Conservation Authority) will be circularized on any development application that we or future owners may bring</p> <ul style="list-style-type: none"> • This zoning will indirectly adversely affect the value of our and our neighbour's property, not to mention the huge impact it will have on land outside the NEC control area • Not opposed to the intent of this By-Law but are very concerned about the wording: Article 7.6.1 Permitted Uses: Agriculture, Conservation Existing Single Detached Dwelling, Flood and Erosion Control Facilities, Recreation, Passive, Secondary Uses to Agriculture • Let's pretend just for a moment that you are the owner of a perfect parcel of 10 acres of wooded land with a small stream running through the middle of it. You have owned this parcel for 30 years and you are now ready to retire and build a home on the high part of the parcel where you have cleared an area for your home and your septic tile bed, or better yet you discover that as a building lot it's worth \$600,000 and if you sell it and you can now spend your winters someplace where your pipes won't freeze. But wait, in the process of your selling, your purchasers due diligence has discovered that they can't get a permit to build anything and you find that your land is now less than worthless, that you are now the custodian of just something that requires a tax payment every year • Understand the need as do the Conservation Authorities to protect the public from themselves, from hazard lands and flood plains and the need to protect forests and small streams and the Niagara 		

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	<p>Escarpment, but all of those conditions, the wetlands, the trees, the streams, the open meadows, are site and location specific on a very small scale, i.e. one area of one site within the P6 zone can change from woodland to watercourse to wetland to high and dry clearing to meadow, to cliff-side all within a few meters, and to lump them all together under one broad stroke; as is evidenced by your maps, is both unjust, inaccurate and misleading</p> <ul style="list-style-type: none"> • For example our house is situated on 8 acres of forest with a clearing on high ground and complies with all of the present regulations. We know this because we dealt with the NEC when we built it. Even though there are areas on this piece of land that would comply with all of the present regulations, no construction would be permitted on those areas if it was vacant, because only "Expansion to Existing Buildings and Structures" under this new by-law are permitted • Understand that there has been talk of some flexibility in that regard, in that special conditions may be looked at but if that is the case then why not build that into the By-Law now • To disregard it or allow this flexibility to be at the whim of bureaucracy is unforgivable • At best it would mean that the only way anyone can get by this zoning, would be to go through The Committee of Adjustments (probably does not qualify) or the long and costly and very iffy process of Rezoning • Since all development that falls under the purview of the 		<ul style="list-style-type: none"> • The P6 Zone allows for new buildings and structures as long as they are not on a vacant lot, as well as expansions to existing buildings and structures • Submission of Site Plan Control application and Environmental Impact Statement may be required

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	<p>Conservation Authorities or the NEC, presently requires a Development Agreement, which addresses site specific features, take out the whole part on "New" and just refer to "Single Detached Dwelling Regulations" not "New" or "Expansions" or "Existing"</p> <ul style="list-style-type: none"> • The By-Law should read Article 7.6.1 Permitted Uses: Agriculture, Conservation, Single Detached Dwelling, Flood and Erosion Control Facilities, Recreation, Passive, Secondary Uses to Agriculture • 7.6.2.3 Single Detached Dwelling Regulations: Shall be in accordance with Section 12.1.3.3 • Let me say again that with Site Plan and Development control already in place in the NEC and Conservation Authorities and the The City of Hamilton in place regulations everybody is covered and yet there is room for a fair and equitable way to treat each situation • Why hasn't the GRCA or the HCA or the NEC been consulted on this, I would think that if consulted, you would find that they would find this to be as redundant and as onerous as the rest of us 		<ul style="list-style-type: none"> • NEC and the Conservation Authorities have been consulted on the proposed Rural Zones throughout the process
<p>Achim and Lynda Klaas Pt. Lt. 18, Conc. 6, Beverly Flamborough</p>	<ul style="list-style-type: none"> • The acreage in question has always been farmed by our family for over 60 years and prior to that it was also farmed. Therefore the proposed zoning designation of P6, 7 and 8 as environmentally sensitive and significant, is incorrect • The farming consisted of Christmas trees and harvestable woodlots. At one time the Klaas Christmas Tree Farm was the largest in southern Ontario. This 47 acre parcel was part of that large tree farm • We are still intending to carry on that business through our next 	<p>Written</p>	

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	<p>generations</p> <ul style="list-style-type: none"> • The area in question is an 'A2' designation is substandard to prime agricultural use, but suitable for conifer type tree planting which has been our land use for the past 60 years. It has been harvested several times within that period. Each harvest rotation requires approximately 8 to 12 years. In order to carry on the family business, the principal farmers are intending to retire and hand over the operation to the next generation. For this, a smaller residence is planned for the parents • Under the proposed zoning (P6, P7) this is not possible. We require this residence to continue the land use and the farming heritage for which years of taxes have always been paid faithfully. Not allowing this residence on what is technically an empty 47 acre separately titled building lot will affect the economic stability of the farming operation. It is also the only potential allowable dwelling structure as the area is part of the green belt designation • It seems environmental, conservation committees can hand out designations freely, knowing the consequences will be borne by others • For landowners who for generations have carried out proper use of the land and want to ensure continuation of their farming heritage, the proposed zoning enshrines false designation with resultant financial headaches for the landowners • If municipalities want to arrest traditional farming uses and the related economic consequences, then the municipalities need to step 		<ul style="list-style-type: none"> • Site visit of this property previously conducted by staff and minor refinements made to mapping • Portions of the 47 acre property, that previously included as P7 were revised to P6 Zone as the only feature that is apparent on this portion is ESA • The 47 acre property now has P6, P7 and P8 zone portions on the property • New Single Detached dwelling is not a permitted use • In the absence of the draft rural zoning, obtaining approval to construct a dwelling on this property would still be subject to the submission and approval of Site Plan Control application and an Environmental Impact Statement (EIS)

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	<p>up and purchase these lands for the new proposed designated limiting uses. They cannot just change the rules and thereby impacting and ruining the farming endeavours. This is unconstitutional.</p> <ul style="list-style-type: none"> • Zoning land with the P6 & P7 designations is intended to create a respect and conservation aspect for the land. In our case those lands in question have some woodlots on them because of our farming activity. These are crops and belong to us. The new zoning classification limits and restricts whether we can build a dwelling. (Only one dwelling would be allowable under the 'Green Belt' designation anyway) • Now with this new zoning none would be allowed. The proposed new zoning comes at our, the landowners expense, after we have farmed, developed the A2 designated lands for everyone's benefit • The 47 acre area in question in part should be cleared of any P6 or P7 designation to allow at least one dwelling to be built • The purpose of the new zoning designations are to update and correct any false designations from the past. The area in question has always been 'A2' and the new proposed designation of P6 and P7 is incorrect 		
Steve Hozjan	<ul style="list-style-type: none"> • People in the community – families have lived there for generations • Concern with the new P6, P7, and P8 and how it has been added • It is arbitrary and they have not walked the lands • It applies to many properties and will have detrimental effect on properties 	Verbal	<ul style="list-style-type: none"> • Additional information provided to Mr. Hozjan regarding the natural features and corresponding P7 and P8 Zones pertaining to 2219 Upper James Street

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	<ul style="list-style-type: none"> Concerned with marihuana growing facilities and breweries being permitted in the A1 zone Other municipalities, Toronto, Milton, etc only permit the marihuana in the industrial area and not in rural – why has it been allowed here? 		<ul style="list-style-type: none"> Medical Marihuana Growing and Harvesting considered agricultural use
John Kemp and Liam Doherty 2219 Upper James Street	<ul style="list-style-type: none"> 2119 Upper James is just north of the airport Farm land is environmental area (P8, P7) water features, wetlands, streams Justification for proposed zones needs to be provided on the property to Mr Kemp, alternatively do not recommend approval of proposed zoning 	Verbal	<ul style="list-style-type: none"> Meeting with agent, owner, staff and Councillor Johnson on April 21, 2015 Minor refinements made to P7 boundaries on property and revised mapping provided to property owner and agent P8 Zone boundaries correspond to Provincially Significant Wetlands and property owner/agent needs to contact Ministry of Natural Resources if there are concerns with the extent of the P8 Zone
William and Jerre Bell 902 Shaver Road	<ul style="list-style-type: none"> The new Rural Hamilton Zoning Bylaw 05-200 places a very restrictive "P7" zoning on our 90 acres We wish to appeal this decision by the Planning Committee This correspondence is a request to rezone the front field (approximately 5 acres) to A1 Currently the entire property is within the Greenbelt and under a Managed Forest Plan with hydrologic and heritage woodlot features, but the 5 acres is well away from these features Currently the 5 acres is a fallow field 	Written	<ul style="list-style-type: none"> Mapping reviewed for property and refinements made to the extent of the P7 Zone boundary to remove field and house This portion now within A1 Zone

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	<p>with a few saplings</p> <ul style="list-style-type: none"> • An A1 zoning of this part of the property would allow some home based economic development in the agricultural realm and still be subject to Environmental Impact Assessment and Site Plan Control if warranted • The attached map show the area of appeal • We ask that this request be considered part of the public record • We ask to be notified of all future meetings and matters dealing with the Rural Zoning Bylaw 		
W. Klaas Klaas X-Mas Tree Farm	<ul style="list-style-type: none"> • Please refer to March 30, 2015 letter from my brother Achim Klaas, whcic outlines our families objections • The points raised by him also apply to my properties and the new proposed designations of P6 and P7 are incorrect for them: Concession 6, Pt Lot 18 (9.8 acres) Concession 6, Pt Lot 18 (39.7 acres) Concession 6, Pt Lot 17 and 18 (90.9 acres) 	Written	<ul style="list-style-type: none"> • The extent of the P6, P7 and P8 Zone portions on the properties noted correspond to the presence of various natural features and no changes are proposed to the extent of the zone boundaries