

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

Submitted by	Comments Summary	Format of Comments	Response
EXISTING RURAL COMMERCIAL AND INDUSTRIAL ZONING			
Cathy McMaster	<ul style="list-style-type: none"> Concerns over the rural zoning project as directed by the province. Her land was given to her family by the government of Upper Canada by Crown Grant transference of land issued in 1886. It gave her family the right to farm and to use all woods and waters on the land. There were conditions associated with the Crown Grant transference, the owner had to build a sufficient dwelling on the land within 2 years and if the land is polluted the magistrate from Upper Canada shall null and void the Crown Grant transference Property falls within the jurisdiction of the Greenbelt Plan and must be used for agricultural purposes only – she agrees with this because the area will have to feed an increasing population in the future A2 permits additional uses secondary to agriculture. Does not agree with Landscape Contracting Establishments being permitted accessory to Nursery. Landscape contracting establishments employ hundreds of people and the proposed regulations will allow landscape contracting establishments to morph their business plans into nursery uses, which may push out or saturate the rural area with nurseries A possible compromise may be to allow contractors to continue the use of existing buildings that are not being used for farming? M3 has not been included in the proposed rural zone project. The M3 zone permitted a variety of uses in Flamborough – these uses will not 	Verbal	<ul style="list-style-type: none"> Noted The Existing Rural Industrial (E2) Zone has been applied to properties that are

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	<p>be used for future agricultural uses for food production. The M3 zone should still exist in Rural Hamilton as its required</p> <ul style="list-style-type: none"> • If it were up to her, she would propose the following zones for the project: A1-agriculture A2-rural agriculture and industrial M12–remains extractive industrial • Federation of Agriculture was consulted, of which she was a member of those meetings, and only two topics were focused on: A1 and A2 zones, what you could do and what you couldn't do. A list of items was created as a result, the Planning Department and Federation of Agriculture came to agreement on 80% of the list of items proposing suggested changes • The reason she is presenting new concerns with the rural zoning project today is because additional issues were brought to her attention by residents about the M3 zone being removed and that's why she has brought up these concerns 		<p>currently zoned M3 and contain legally existing industrial uses</p>
<p>Relf Devaney and Paul Pascoe Halton Structural Steel Limited 437 Ofield Road South</p>	<ul style="list-style-type: none"> • 4.5ha parcel, purchased in 1989 with M3 industrial zoning • Operating a legal structural steel plant, traditional industrial use for the area. Employs 15 families, serves tax base • Proposed zoning is rural E2 zoning which is not appropriate zoning for the property or my neighbour's property. They request M3 which is more reflective of the existing uses. Not able to maintain the existing value of the property or business • The valuation will have an adverse impact on the property – E2 will be less than M3 • Property values will be impacted 	<p>Written and Verbal</p>	<ul style="list-style-type: none"> • The proposed zoning for this property and surrounding lands is the Existing Rural Industrial (E2) Zone, Special Exception 239 Zone • The special exception permits all of the uses currently existing on this property and surrounding properties

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	<p>greatly for business loans, expansions, and maintain existing business. Higher risk for loans through banks as its not considered industrial anymore. As such, money will be lost due to change in what's permitted on the property as a result of the rural zoning project proposed.</p> <ul style="list-style-type: none"> • Please consider leaving M3 zoning on the property, just like M12 zoning • Plus urban boarder is within one or two properties of the urban boundary, perhaps the M3 zone could help with boundary revision to be considered urban area. 		<p>and the regulations included within the E2 Zone and reflective of the current M3 Zone under the Flamborough Zoning By-law</p>
<p>Don Hardwick HGH Granite Inc. 451 Ofield Road South</p>	<ul style="list-style-type: none"> • Objecting the proposed change to remove M3 zone • Owner of 451 Ofield Road South • Unsure why a change is required? • Regulations are unjust and difficult to comply to 	<p>Verbal</p>	<ul style="list-style-type: none"> • The proposed zoning for this property is the Existing Rural Industrial (E2) Zone, Special Exception 239 Zone • The special exception permits all of the uses currently existing on this property and surrounding properties and the regulations included within the E2 Zone and reflective of the current M3 Zone under the Flamborough Zoning By-law
<p>Don Marsh Marsh Bros Tractor Inc. 1379 Highway 5 West</p>	<ul style="list-style-type: none"> • President of the company for 38 years • Machinery business, ag, industrial, fertilizer supplier on 14 acres • Currently M3-10 Industrial zone because of the fertilizer sale • Have been told the City of Hamilton is doing this because have to come in conformity with Greenbelt • Had to rezone in the past and want to keep the zoning • Think that E1/E2 zones are flawed since they essentially just allow 	<p>Written and Verbal</p>	<ul style="list-style-type: none"> • The proposed zoning for this property is the Existing Rural Industrial (E2) Zone, Special Exception 228 Zone • The special exception permits all of the uses currently existing on this property and surrounding properties and the regulations included within the E2 Zone are reflective of

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	<p>commercial and industrial and therefore no need to change the current zoning that allows the industrial</p> <ul style="list-style-type: none"> Financial ramifications if the rezoning goes through because property value will go down 		<p>the current M3 Zone under the Flamborough Zoning By-law</p>
<p>Barry Zimmerman Barry's Welding 1403-1421 4th Concession</p>	<ul style="list-style-type: none"> He has been in business for 40 years on the subject property Use of the property was a commercial operation, garage and saw mill Acknowledges back part is zoned for farming, front of the property is zoned M3 industrial Maintain M3 zone because it was difficult to obtain in the past and it's important to maintain for the future 	<p>Written and Verbal</p>	<ul style="list-style-type: none"> Portion of 1405 Concession 4W is currently zoned M3 and is included within Existing Rural Industrial (E2) Zone
<p>Andy Gaylor 557 Highway 5 West</p>	<ul style="list-style-type: none"> Objects to the Rural Hamilton Official Plan and zoning project as Gaylor Farm Equipment which sells farm equipment, currently zoned highway commercial, which permits a wide range of uses Proposed zoning is E1, ag processing, ag. Storage, kennel which strips us from future businesses, a retirement investment and restricts real estate value for the future Immediate impact is ability to carry inventory and to borrow against it. If the property valuation changes, it could impact the immediate business 	<p>Written and Verbal</p>	<ul style="list-style-type: none"> Staff met with owner and conducted site visit April 29, 2015 Based on the direction of the Rural Hamilton Official Plan and Provincial Plans and Policies, staff can only recognize currently legally existing uses Property is within the Existing RUral Commercial (E1) Zone and Special Exception 224 has now been applied to property to recognize commercial motor vehicles sales, rental and service, which is an existing use
<p>Victor Veri</p>	<ul style="list-style-type: none"> Concerns with M3 zone being removed and causing the existing properties to be down zoned. He will help share the cost of the appeal 	<p>Verbal</p>	<ul style="list-style-type: none"> The Existing Rural Industrial (E2) Zone has been applied to properties that are currently zoned M3 and

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			contain legally existing industrial uses
David Aston MHBC Planning On behalf of Trimac Trucking 489 Highway 8	<ul style="list-style-type: none"> • Have been working with City staff through the rural zoning process as it relates to lands located at 489 Highway 8. • Understand that the current draft of the City of Hamilton Rural Zoning Bylaw now proposes to zone the property Existing Rural Industrial (E2) with Special Exception 228 Zone • Understanding is that the E2 Zone is intended to recognize the rural industrial uses that exist and permitted on the lands in the former municipal (Town of Flamborough) Bylaw • Early in the process we raised the concern that the proposed zoning was removing existing permissions on the site and impacting the existing business operations • We met with City staff and they have been working with us to identify the uses associated with the business operation and to ensure that the new zoning does not impact existing and future business operations • Appreciate the efforts of City staff in working with us through this process • The proposed zoning for the lands at 489 Highway 8 appears to capture the previous range of permitted uses on the lands and the business operations on site • However, the regulations for the site do not fully recognize the existing conditions, We further request that Special Exception 228 be modified as follows: "Section 12.7.3 (f) Maximum Building Height and (i) Outdoor Storage shall not apply to the lands." 	Written	<ul style="list-style-type: none"> • The Existing Rural Industrial (E2), Special Exception 228 Zone already includes a provision to identify that Section 12.7.3 i) does not apply to the lands • The Maximum Building Height of 15 metres

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	<ul style="list-style-type: none"> • This request adds the additional exception as it relates to the existing concrete mixing facility • In the previous draft of the Bylaw, it was our understanding that the Special Exception would recognize all zoning regulations (setbacks, lot coverages, etc) that existed at the time as being the legal and in force regulations on the lands. This approach was preferred as there was no question that the specific zone regulations would affect the existing use of the land and not create a legal non-conforming situation 		includes within Section 12.7.3 f) is the same as the maximum building height currently permitted under the M3 Zone
Brenda Khes and Sarah Knoll GSP Group On behalf of Debbie Whaling 3868 Highway No. 6	<ul style="list-style-type: none"> • Please accept this correspondence on behalf of Debbie Whaling, the owner of the property which is currently zoned C6-017 within Glanbrook Zoning By-Law No. 464 • The City of Hamilton is proposing an E1-194 zone on the property, reflective of the existing zoning. • Not reflected in the proposed zone is the approved Minor Variances for reduced side yard and permission for an accessory building in the front yard • These variances were approved under the Former Town of Glanbrook file number E-4-124 • As well, applications have been submitted to amend the Official Plan and Zoning By-Law documents. These applications (City File Nos. OPA-03-04 and ZAR-03-19) remain active within the City of Hamilton • Therefore, we believe the above items should be indicated in the City of Hamilton proposed Amendments • We understand that written submissions regarding the Amendments to the Rural Hamilton Official Plan and Hamilton Zoning 	Written	<ul style="list-style-type: none"> • Applicant has applied for minor variance. If approved, SE E1-194 will be modified to reflect modifications • Development applications for specific properties in the Rural area, such as OPAs and Zoning By-law Amendments that are currently in process are subject to their own public review process • These applications cannot be addressed through the Rural Zoning, unless the

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	<p>By-Law No. 05-200 will be received by Planning Committee at the March 31,2015 meeting</p> <ul style="list-style-type: none"> • We respectfully request this correspondence be forwarded and deemed part of the public record 		<p>applications are approved by Council and the by-law(s) are final and binding</p>
Steve and Christine Clark	<ul style="list-style-type: none"> • We have been kept up to date, attended meetings and appreciate being kept up to date regarding the Rural rezoning changes proposed • We request that you keep us on the information mailing list and likewise we would like to file/register an official complaint regarding the change of our property • We do see some improvements with the introduction of a few new zones and hope that the landowners (us) are starting to have more options • We are at the moment unsatisfied with the suggestions • We purchased our property in 1991 with the full knowledge of it being zoned M3 • Our lawyer encouraged us in the purchase because of the unique zoning that a previous owner obviously went through a lot of trouble and cost to acquire in the first place • This was a very valuable property zoned as M3 and unique • We also knew as we got older that we wanted the option to venture into business ourselves as we get nearer to semiretirement age • Whether we used this property for business ourself or not we still would have the unique investment that would be influential in our selling price and appeal to a greater number of potential buyers • This new zoning will take all of our dreams and financial rights away from us • Your changes are greatly reducing 	Written	<ul style="list-style-type: none"> • As this property currently does not have any existing M3 uses on the property, we cannot recognize any M3 uses

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	<p>our investment</p> <ul style="list-style-type: none"> • We see some of the advantages of A2. We do not understand why you will not allow our property to remain of a more valuable and desirable property by being zoned E2 which is of a more valuable zoning and more similar to the M3 • We do not have a current existing industrial use but we have always been zoned as having that right should we move into a business of this nature. Why should we have to reapply at the very high cost to us at some time in the future should we decide to go into business? • Why do we not have the right to sell our property with a more broad possibility for the buyer should they have an industrial business? • We have nothing against Green Space and Conservation but feel you do not have the right to change zoning so drastically as to change the potential of our livelihood or financial property investment • The level of taxes we pay to the city, province and federal government keep going up and up and at the same time you take away or reduce our property investment potential • Please note this letter as being a registration of complaint and we would definitely be interested in further amendment discussion and would definitely be part of an appeal process 		