

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

Submitted by	Comments Summary	Format of Comments	Response
<b>SPECIAL EXCEPTIONS</b>			
Ed Fothergill Fothergill Planning & Development Inc. On behalf of TransAgro Inc. 381 Highway 8	<ul style="list-style-type: none"> <li>Request that A2 Zone provisions for property be modified to recognize: existing indoor and outdoor storage uses, agricultural processing within existing building, processing, assembling, packaging, repairing, servicing, warehousing and storage related to agricultural products or agricultural operations, truck cartage terminal and truck depot</li> </ul>	Written	<ul style="list-style-type: none"> <li>Wording of SE 209 for 381 Highway 8 has been revised to recognize the existing warehousing and agricultural processing uses</li> </ul>
Ed Fothergill Fothergill Planning & Development Inc. On behalf of - Coverdale Trucking - 955 Regional Road 97 - Barry Humphrey - 735 Mud Street - Barry Humphrey - 54-62 Centennial Parkway - Larry Bojeski - 1050 Highway 56	<ul style="list-style-type: none"> <li>Would like to have a special exception applied to the property to recognize the existing trucking operation use which has been established on the property at 955 Regional Road 97</li> <li>Requesting that existing uses be recognized in the by-law for 735 Mud Street</li> <li>Request to recognize an existing salvage yard use and a motor vehicle repair garage at 54-62 Centennial Parkway. The property is also licensed for the sale of motor vehicles. We would ask that all existing uses be recognized in the new zoning by-law</li> <li>Larry Bojeski - 1050 Highway 56 – request to permit existing uses and conditions including the sale of new and/or used vehicles, the recognition of existing signage and retaining two existing driveway accesses</li> </ul>	Written	<ul style="list-style-type: none"> <li>Special Exception 221 applied to 955 Regional Road 97 to recognize the existing legal non-conforming trucking operation</li> <li>SE254 applied to recognize existing use as salvage yard/motor vehicle repair and associated regulations at 735 Mud St E</li> <li>SE93 applied to recognize existing salvage yard use at 54-62 Centennial Parkway</li> <li>Motor vehicle sales not recognized use for 1050 Highway 56 and signage and access points are not recognized through zoning and SE 105 will remain unchanged</li> </ul>
Marty McCann McCann Professional Dog Trainers 929 Brock Road	<ul style="list-style-type: none"> <li>Owner of a property and dog training business at 929 Brock Road</li> <li>The property is 20 acres, next to Flamborough Speedway, the business is not a kennel as no dogs are kept overnight</li> <li>The dogs that visit the property are</li> </ul>	Written and Verbal	<ul style="list-style-type: none"> <li>The definition of Kennel includes dog training and special exception 210 has been applied to this property to</li> </ul>

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	<p>those who are being trained along with their humans</p> <ul style="list-style-type: none"> <li>• The business employs 16 people and the facility is 26,000 sq. ft.</li> <li>• Began training dogs in 1975 at the Ancaster fairgrounds, and has been part of the local dog club</li> <li>• He out-grew his rented space at the Ancaster Fairgrounds, consequently bought the current property because it was on a busy street, near a landmark the existing Flamborough Speedway</li> <li>• The business provides family pet training expertise and dog entertainment (i.e. fly ball)</li> <li>• The business would like to expand into dog agility training for competition as it is becoming popular</li> <li>• The facility he would like to build in the future to facilitate dog agility training facility which would require a 30,000 sq. ft. building which would not be permitted as a result of the proposed rural zoning project</li> </ul>		<p>recognize the existing operation</p> <ul style="list-style-type: none"> <li>• New development requires Site Plan approval</li> <li>• There is no current application by which to recognize the future expansion proposed and as such cannot be recognized through Special Exception</li> </ul>
<p>Ed Fothergill Fothergill Planning &amp; Development Inc. On behalf of McCann Professional Dog Trainers 929 Brock Road</p>	<ul style="list-style-type: none"> <li>• Request that Committee consider site specific provision in Zoning By-law to recognize existing kennel use on the property and permit future construction of 3,000 sq. m. building with minimum 50 metre internal side yard</li> </ul>	<p>Written and Verbal</p>	<ul style="list-style-type: none"> <li>• Proposed Special Exception 210 recognizes the existing kennel use</li> <li>• New development requires Site Plan approval</li> <li>• There is no current application by which to recognize the future expansion proposed and as such cannot be recognized through Special Exception</li> </ul>

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Eric Hagens 17 Garwood Avenue	<ul style="list-style-type: none"> <li>• Owns 17 Garwood Avenue just west of Hwy 6</li> <li>• A4 within the Flamborough ZBL and proposed to be zoned as A2 Rural</li> <li>• Objects to the proposed zoning change</li> <li>• Purchased 17 Garwood as retirement home and when they bought they visited the COH to building, planning, and public works department to obtain information prior to buying the property</li> <li>• Objects to the regulations proposed as part of the A2 Zone, specifically the proposed setbacks as they are not reflective of the current A4 Zone in Flamborough ZBL</li> <li>• Objects to major rec equipment shall not be stored in front yard outside of May 1 – Oct 1 and this more restrictive than before and the regulations are confusing</li> <li>• Draft plan proposed 27 dwelling – 12 bought by MTO and that would leave 15 dwelling left and more will likely be eaten by the MTO which will eventually eradicate the residential area</li> <li>• COH changing zoning of only 15 residents and is this needed? The results and effect of these changes is hard on homeowners in the area</li> <li>• People are not pawns and should not be used in political realms</li> <li>• Proposed hwy5/6 corridor change proposed within this area – a road to connect Garwood and the other road (Woodsworth) but the MTO have not indicated their plans for this connection so unsure of what is going on</li> </ul>	Verbal	<ul style="list-style-type: none"> <li>• Special Exception 110 has been applied to lands currently zoned A-4 under Flamborough ZBL to recognize existing setback permissions</li> </ul>
Anthony Quinn Mine & Mill Installations 524 6 <sup>th</sup> Concession	<ul style="list-style-type: none"> <li>• Wants to be considered for their existing use which has been there since 1978 and they build water filtration systems (fabrication on the</li> </ul>	Verbal	<ul style="list-style-type: none"> <li>• Property is subject to Zoning By-law Application ZAC-13-047, which is currently</li> </ul>

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Road West	<p>property of the water systems)</p> <ul style="list-style-type: none"> <li>• In the woods on 80 acres</li> <li>• Payroll is 5 million and generates support for the community and staff is local – unionized staff/ Annual sales 70 million</li> <li>• Don't want to move business but would have to leave</li> <li>• Pay residential and commercial taxes</li> <li>• By-law enforcement previously visited and told them they needed to vacate because they are illegal and the use is not permitted and that is it non-negotiable</li> <li>• Currently considered illegal because operation from 1978 and bylaw passed in 1964</li> <li>• Have an application in to recognize the use</li> </ul>		<p>under review and subject to own public review process</p> <ul style="list-style-type: none"> <li>• This property cannot be addressed through the Rural Zoning By-law, unless the application is approved by Council and the by-law is final and binding</li> </ul>
Terence Fulton 1824 Regional Road 97	<ul style="list-style-type: none"> <li>• Upsetting the real estate market</li> <li>• Wish to continue auction and flea market as part of the business community</li> <li>• Also have transport and feed business that has been operating since 1971 (2 truck and feed is in Cambridge)</li> <li>• Would like to operate in A2 zone with grandfathering the current uses (Special exception)</li> </ul>	Verbal	<ul style="list-style-type: none"> <li>• The proposed zoning for this property is the Rural (A2), Special Exception 192 which recognizes the existing permitted use of a livestock assembly point</li> </ul>
Lee Van Wyngaarden Flamboro Machine Shop Limited 952 Brock Road	<ul style="list-style-type: none"> <li>• We have 12 acres of property</li> <li>• We want to go on record that we have agriculture zoning but it is on bedrock which makes very poor farm land</li> <li>• We also want to know if we are allowed to continue to have our zoning and building to cover up to 50% of the land coverage of the site specific zoning of one full acre which we want on record for future expansion potential</li> <li>• We also want to have future</li> </ul>	Written	<ul style="list-style-type: none"> <li>• The proposed zoning for this property is the Special Exception 102, which recognizes the existing Tradespersons Shop</li> <li>• The extent of the boundary of Special Exception 102 is reflective of the current boundary under the Flamborough Zoning By-law</li> </ul>

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	<p>consideration to change the unworkable agricultural land into parking lot/indoor farm storage/outdoor storage</p> <ul style="list-style-type: none"> <li>• We will be at the Tuesday March 31, 2015 meeting and want to be acknowledged for future planning</li> <li>• For our property as we have invested a lot of money at our location and support 10 families out of our location</li> </ul>		
<p>Jan Whitelaw and Mark Rudolph 15 Timber Run Court</p>	<ul style="list-style-type: none"> <li>• Please be advised of the following written comments for the record regarding proposed amendments to the Rural Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 to implement the Draft Rural Zoning</li> <li>• We are the property owners at 15 Timber Run Court - owners of lots 7 and 8</li> <li>• We agree to the proposed resolution to our property issue which applies Special Exemption 211 on Map 6 of Schedule 'A' to the vacant property (lot 7, 62M-871) in order to provide clarity for this separate, developable lot</li> <li>• This resolution was documented in correspondence from Diana Yakhni to us dated February 11, 2015 and copied to several planning department staff as well as Councillor Judi Partridge and staff</li> <li>• We thank the staff for their review of the issues and responsiveness and ask the Planning Committee for its support of same</li> </ul>	<p>Written</p>	<ul style="list-style-type: none"> <li>• Noted</li> </ul>
<p>Matt Johnston UrbanSolutions On behalf of 1046 Highway 6</p>	<ul style="list-style-type: none"> <li>• UrbanSolutions is the authorized planning consultant acting on behalf of the owner of the property known as 1046 Highway No. 6</li> <li>• The subject property is within the draft Existing Rural Industrial "E2" Zone, Special Exception 249</li> <li>• The subject lands are proceeding</li> </ul>	<p>Written</p>	<ul style="list-style-type: none"> <li>• Special Exception 249</li> </ul>

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	with Site Plan application DA-15-023 and based on meetings to date unclear if proposed dewatering facility is accommodated in proposed zoning and confirmation required		identifies that manufacturing is also a permitted use and dewatering facility would be captured under that use
Ruth Victor Ruth Victor & Associates On behalf of 57 Concession 12 East (Fern Brook)	<ul style="list-style-type: none"> <li>• We are the planning consultants for Fern Brook Resort located at 57 and 58 Concession 12 East</li> <li>• The subject property has complex zoning in place with number of site specific zoning provisions which were implemented through By-law 14-097</li> <li>• As part of zoning by-law review process, staff revised the applicable zone for subject property as part of harmonization of certain zone categories to create new comprehensive Hamilton Zoning By-law</li> <li>• While the various site specific provisions and holding symbols have been carried forward accordingly, the parent zone changed from "R9" zone to the "A2" Zone and impact the as-of-right permitted uses</li> <li>• In particular, our client is concerned with the loss of personal service establishment use that exists under "R9", which is not included as part of "A2" Zone</li> <li>• Our client is currently permitted to have this use on the subject land</li> <li>• At the time when the site specific provisions were being prepared through zoning by-law amendment for these lands, personal service establishment was not included as site specific because it was a permission in the parent zone category</li> <li>• We request personal service establishment, be permitted on lands proposed to be zoned "A2"</li> </ul>	Written	<ul style="list-style-type: none"> <li>• The current zone under By-law 14-097 is the "R9-6-1(H)" and "R9-6-2(H)" and personal service establishment is not identified as a permitted use</li> </ul>

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	through site specific provision <ul style="list-style-type: none"><li>• We hope to work with the city to resolve this issue</li><li>• In event matters cannot be addressed, we put forth these comments to act as grounds for preserving our appeal rights</li></ul>		