

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

Submitted by	Comments Summary	Format of Comments	Response
OTHER COMMENTS			
Coleen and Patrick Tessaro 394 Third Road East	<ul style="list-style-type: none"> • I am writing to you today and I have also c.c. this to my councilor Brenda Johnson with the concerns over the impact that the Greenbelt Act has had on our private property and the impact that it will have on our property in the future • The Tessaro family has farmed 80 acres on the Stoney Creek escarpment for over 61 years • We are bringing this to your attention not only as landowners but also as small family farmers in the greenbelt area. We have seen our lands locked up so even our own children that want to stay on the farm cannot get a lot severed from our own property • We see this as a real deterrent for future generations that want to continue to farm small acreage in the Hamilton area. We have three children that benefit from living on our farm eating our organic chickens and organic pigs and our organic beef and yet not one of them has the right to sever a home on the farm. We see this as motive to move future generations to the cities • We are notifying you Ms. Bedioui so it is on record that we have concerns that the Greenbelt act has and will impact our land and the lives of our children 	Written	<ul style="list-style-type: none"> • Comments have been noted as part of the Provincial Plan review • Concerns unrelated to Rural Zoning By-law
Dave Pitblado P & L Livestock Limited	<ul style="list-style-type: none"> • P & L Livestock Limited and our affiliated companies own multiple properties within the Elfrida node, which is subject to an appeal and currently before the OMB • As Elfrida lands currently under appeal, we feel not appropriate to 	Written	<ul style="list-style-type: none"> • At this point, the lands remain in the Rural area and subject to the Rural OP. It is appropriate to include these lands within the Rural zoning. If the lands become

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	<p>propose new zoning</p> <ul style="list-style-type: none"> Consideration of new zoning should be deferred until OMB has rendered its decision as decision will potential have Official Plan designation implications and zoning could be put in place once designations are known 		<p>urban, there is an extensive Secondary Plan and zoning work required prior to any development</p>
<p>Gregg Wilson On behalf of Waterdown Garden Supplies Limited 1771 Highway 5 West</p>	<ul style="list-style-type: none"> Municipal acts says that zoning can't be applied to private property If you want to zone something then you have to own the land therefore COH can't zone because COH doesn't own the properties in the rural area Tree Cutting By-law example that explicitly says applies to private properties Legal court examples of instances where planning and acts were challenged Have told planning staff this for a year and they do not agree What does the municipality consider an instrument in Section 14 1 or 2 that negates zoning? Provided two documents with regards to privately owned lands Speaker in evening session that bought land in 1875 and runs fabrication on site – expanded business to greenhouse construction and have demolition permits and the COH have no record of this because records are incomplete He was told agricultural only and will only be allowed to be legal non-conforming which is unfair because he was there first Odd piece of legislation – Greenbelt Plan. What authority does it have? Farming is a federal activity and municipalities can't apply regulations 	<p>Written and Verbal</p>	<ul style="list-style-type: none"> The Planning Act allows municipalities to pass zoning by-laws The Greenbelt Plan is a Provincial Plan, with its authority coming from the Greenbelt Act

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Arend Kersten Executive Director Flamborough Chamber of Commerce	<ul style="list-style-type: none"> Concerned about existing landscape contracting establishments, properties zoned industrial, Infrastructure deficit, High taxes for residents 200 landscape contractors exist in Hamilton – only 10 are legal and zoned properly. The remaining rural landscapers are in jeopardy Greenbelt Plan regulations are silent on landscape contractors and therefore makes them prohibited – that is only an interpretation of the Greenbelt Plan, it's not policy or law Industrial properties will be severely restricted and will impact land value and estate and retirement investments Area rating has been a contentious issue, but it has not been an issue until recently for transportation planning for rapid transit. Consider principles of city building used for area rating process by Flamborough, Stoney Creek and Hamilton Chambers of Commerce Specific suggestions: Preferred recommendation is to allow landscape contracting establishments to continue or defer decision on rural zoning project until greenbelt review is completed and lobby the government 	Written and Verbal	<ul style="list-style-type: none"> Addressed by Committee/Council Motion respecting rural landscape contractors
Danya Scime Mizner's Antiques & Flea Market 367 Highway 5 West	<ul style="list-style-type: none"> 6000 businesses are being affected by the proposed rural zoning project, change of use permits, recommendations of committee of adjustment, a letter has been written Property is recognized as commercial, but has encountered problems with getting her restaurants licensed. Why can't she build a home on the property, there 	Written and Verbal	

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	<p>are four apartments there now which are as she's been told have been illegal</p> <ul style="list-style-type: none"> • Business falls into the Category of Legal, my front 19 Acres are zoned HC-4 (Highway Commercial for a Flea Market), I also have Residential, Agricultural and Conservation Wetlands (which then became P-5 'Hazard lands' and now the proposed P-8 'Conservation Hazard lands'). I believe I had encouraged the word Conservation being placed back into the labelling yet still cannot fathom why one would use such a negative word on virgin green space which may contain water, a stream or a pond. • According to the Town of Flamborough, my property was designated mixed usage, consisting of 63.9 acres. There were 3 houses, a Barn and Quonset hut and originally used as a horse farm with riding stables and outside storage • In 1965 the first building was built for an Antique Store, Restaurant and Banquet Hall. Over the next 30 years 3 more buildings were built, some building were expanded and a strip to the West side of the Property was developed and is known as Mazza Avenue, housing 18 homes • The Market grew into an Antique and Flea Market, flourished and welcomed over 3000 Visitors every Sunday. In the 1970's and again in the 90's, 19 acres were designated Highway Commercial • In 2001, my Father, Roderick purchased the property to move his Tenants that were being expropriated from Clappison's Corners. Prior to the purchasing, we were informed that in order to have 		

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	<p>the Tenants here, we would have to apply for a minor variation in zoning as some of the Tenants were not merchants. (Mercantile, Commercial Storage and Residential are the current designated for my buildings.)</p> <ul style="list-style-type: none"> • When I applied for our Business License, I received a letter from the New City of Hamilton stating all departments had been notified, and cleared except for Fire. Fire was contacted and \$20,000.00+ (2 years) later, we were approved by Fire as well • In 2003 I applied for a building permit in anticipation of adding the Clappison Tenants which I had to cancel as I was told that it was only valid for a year and the Expropriation was delayed • In 2005, after being confident that our Commercial and mixed usage portion of our property was not being affected by the Greenbelt Plan and that we would be able to grow our Antique & Flea Market, Commercial Storage (inside and out), other Commercial Business Tenants etc. I was bluntly told that the Province was insisting that my entire property was Greenbelt and that I would not be able to do anything with my property other than a Flea Market (Even though many other small companies (pre Amalgamation, pre Greenbelt) were on the property, conforming with everyone involved. Imagine my shock when I was told that I would be designated A1 (Agricultural) and all existing accessory/complimentary businesses, on goings would have to stop immediately. Buildings were to be decommissioned for certain designations and I could only have 		

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	<p>a Flea Market</p> <ul style="list-style-type: none"> • I need to continue with all of the present uses that I have done for the past 15 years and that were existing prior to me to ensure that I can pay my bills. Yet each time something changes with the ROP, I am told NO • Each and every meeting there after became a nightmare, the only consistent comments were "We do not have all of the documentation on your property " • In 2009 (8 years of Ownership) I am informed that there are over 20 outstanding work orders that have to be cleared...The City miraculously found these infractions but no follow up that they were done (ironic how partial information came to light, yet no resolution). All of these items were from The Town of Flamborough from 1995 and earlier. Fourteen years after the fact, I am being forced to prove what has transpired on a property which I was not involved with during these infractions • Now, in 2015; after waiting since November of 2012 for my restaurant license renewals, I am being told I need further inspections to obtain my license. I am told I can only be a Flea Market, I can no longer add to our re-cycling items. stone or soil, I must remove the existing Apartments, in short, every way I have turned and tried to sustain, improve or grow my business, my hands are tied. All of what has been done since prior to Amalgamation apparently wasn't suppose to be here (no documentation saying so), just different items, pieces of puzzles which I am left trying to put together 		

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	<ul style="list-style-type: none"> every small business is being forced to comply to new regulations or by virtue of old labels is now illegal and not allowed to continue The newest update has my entire property as "protected Countryside" My property has the potential of being a State of the Art '5 R's Market'~ Reduce, Re-use, Recycle, Restore and Re-purpose every item known to man. From Antiques & Artisans to refurbished furniture to broken china counter tops, sorted local soils and stone to low income apartments, solar panel energy and self-sufficient, sustainable water and sewers, organic farming with meandering memorial paths and labyrinths...Something any other City would be proud to support and showcase. All here since before 2000 (except the solar panels which I am still waiting for approval). I have been told that even erecting a home for me to live on the property is now not allowed due to zoning "issues"...I cannot fathom that when 3 houses were on the property, I cannot replace it with one. My hope was to infill at the end of Mazza Avenue to ensure that the road was capped and other than my home and the existing homes this now guaranteed no further residential construction All the City needs to do is have a vision of how to grow our City responsibly and reasonably The beauty of vision is twofold, no money spent by the City, yet taxes could be increased (I have no City services here) and ensuring that our entire Economy (more taxes) grows regardless of where it is located Neither the PPS nor the Greenbelt Plan state to shut down business in 		<ul style="list-style-type: none"> Portion of this property has been included within the Existing Rural Commercial (E2) Zone with Special Exception 111 applied to recognize the flea market use

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	<p>the Rural area</p> <ul style="list-style-type: none"> • The Rural Economy is to be supported and have guidelines to ensure that it is protected while also guarding against unnecessary sprawl. Considering my property as Agricultural is the worse possible use if the City followed what constitutes a viable farm. • Respectively request that each business be properly investigated and a logical formula be established which includes physical examination of the location, respectful dialogue and intelligent action plans put in place • Would be honoured to be a part of a Citizen Panel to re-address the new proposals and what has already transpired 		
Georgina Beattie 1375 Highway 8	<ul style="list-style-type: none"> • Family home and business at 1375 Hwy 8 in Winona • The zones have existed long before what is being proposed today • A small business and are part of Landscape Ontario • If lands are removed from the greenbelt plan then would like the current commercial zoning applied to property • Highway commercial is the current zoning 	Written and Verbal	<ul style="list-style-type: none"> • Property will not be included in rural zoning by-law and will remain subject to Stoney Creek By-law 3692-92
Rosalyn Vanderboom 933 Brock Road	<ul style="list-style-type: none"> • Family owned subject property. Access to local viable services, spending time attending public meetings, reviewing planning law and policy and impact on its value. • Vibrant, economically sustainable agricultural community. A2 zoning neighbourhoods may include an abattoir (odor) processing plant (noise, dust, water table changes). • Lack of freedom for home businesses; why was it removed as 	Written and Verbal	

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	<p>a use in the rural area? Issue with McCann's proposal is an issue for abutting property owners</p> <ul style="list-style-type: none"> • Requirements for landscape contractors are part of the rural community • Landscape Contracting Establishments have limited contact on neighbouring properties • Reconsider restrictions on landscapers. Lands that are no longer farmable, why can't it be used for entrepreneurs and employers of the rural area. 		<ul style="list-style-type: none"> • The proposed regulations pertaining to Landscape Contracting Establishments within the A1 and A2 Zones recognize the concerns of rural residents regarding this use, while recognizing that there may be appropriate parameters for the location of this use in the Rural Area
Ian Bristol Bristol Sales	<ul style="list-style-type: none"> • Small business that has evolved overtime • So many things against small businesses and in business for a long time • Be merciful to business owners 	Verbal	<ul style="list-style-type: none"> • The range of permitted uses in the rural zones need to conform with the uses permitted by the Rural Official Plan and Provincial Plans and Policies
Greg Gowing 339 Old Brock Road	<ul style="list-style-type: none"> • Concerned with c-cans, shipping containers permitted on rural residential properties • Would like to these types of containers banned from residential areas rather than permitted as temporary structures 	Verbal	<ul style="list-style-type: none"> • Shipping containers could be considered accessory structures • Subject to building permit and need to be in accordance with accessory structure regulations
Laura Bisset Davis LLP On behalf of FORCE	<ul style="list-style-type: none"> • We are counsel for Friends of Rural Communities and the Environment ("FORCE"), a federally incorporated, not-for-profit corporation, which was formed in 2004 to oppose the then-proposed Flamborough Quarry (the "Proposed Quarry"). • FORCE's membership consists of hundreds of residents in the former 	Written	<ul style="list-style-type: none"> • See the staff Report

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	<p>Town of Flamborough, who live in proximity to the former Proposed Quarry</p> <ul style="list-style-type: none"> • We write to provide our client's submission to the Planning Committee on the proposed amendments to the Rural Hamilton Official Plan (the "RHOP") and the Hamilton Zoning By-law No. 05-200 (the "ZBL") • We request that this submission be included in the Agenda for the Public Meeting in relation to the above-referenced matters, which is being held on Monday, March 30, 2015 • By way of brief history, beginning in 2004, Lowndes Holdings Inc., and its successor in title, St Marys Cement ("SMC"), sought Official Plan and Zoning By-law Amendments pursuant to the Planning Act, and a license pursuant to the Aggregate Resources Act to permit a quarry on lands in the former Town of Flamborough • The Proposed Quarry lands were generally situated northwest of the intersection of the 11th Concession East, and Milborough Town Line (the "Subject Property") • Official Plan and Zoning By-law Amendments were required to permit extractive industrial uses, as the Subject Property was designated for agricultural uses by then-applicable official plan policy, and zoned "Agriculture" and "Conservation Management." • On April 12, 2010, as SMC was in the process of seeking the required amendments, the Minister of Municipal Affairs and Housing (the "Minister") made a Minister's Zoning Order, Ontario Regulation I38/10 		

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	<p>(the "MZO"), pursuant to section 47 of the Planning Act</p> <ul style="list-style-type: none"> • The MZO applied to a substantial portion of the Subject Property (the "MZO Lands"), and effectively froze the zoning on the MZO Lands to (a) uses, buildings and structures lawfully in existence on the date the Order came into force; and (b) the use of any land, building or structure that was permitted by the applicable zoning by-laws on the date the Order came into force • SMC requested that the Minister revoke the MZO, which request was referred to the Ontario Municipal Board • SMC also engaged in numerous other legal proceedings in an attempt to secure the regulatory approvals it required to operate the Proposed Quarry • In 2013, SMC came to an agreement with the provincial government, which saw it abandon all of the legal proceedings it had underway • Two key components of the settlement were as follows: SMC and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Natural Resources entered into a Conservation Agreement (the "Agreement"), pursuant to the Conservation Land Act, R.S.O. 1990, c. 28. A copy of the Agreement is attached to this Correspondence • The intention of the Agreement, as set out in Article 3 was to (a) conserve all or a portion of the Lands, described in Schedule A to the Agreement, or the wildlife thereon and to protect water quality and quantity by restricting the Lands from development for the purposes 		

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	<p>of extraction of Aggregates; and (b) to conserve and protect the ecological systems, significant natural features, natural values and water resources on a smaller portion of the Lands, the "Protected Area," defined on Schedule B to the Agreement</p> <ul style="list-style-type: none"> • The intention of the Agreement is implemented by way of a conservation easement, defined in Article 4 of the Agreement; and restrictions on land use, set out in Article 5 of the Agreement • At a high level, the restrictions prohibit the use of the Lands for aggregate extraction, but are also quite detailed in setting out prohibited uses of the land in respect of the Protected Area • By way of example, Article 5 provides that: (a) No building or structure of any kind shall be erected, placed or maintained or be permitted to be erected, placed or maintained, on, in, under or over the Protected Area which will or may reasonably be expected to be detrimental or adverse to the intention of the Agreement; (b) No new paved road, paved driveway or paved walkway, or parking area shall be erected, placed or maintained on, in or over the Protected Area; and (c) No fencing or other obstruction shall be constructed or permitted to be constructed which would exclude or unduly restrict wildlife movement through the Protected Area • There are numerous other restrictions as well, the Minister made a further regulation, Ontario Regulation 100/13, which deemed the MZO to be and to always have been a by-law passed under section 34 of the Planning Act by the City of 		

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	<p>Hamilton</p> <ul style="list-style-type: none"> • The effect of the further regulation was, essentially, to place control over the zoning of the MZO Lands back into the hands of the City of Hamilton (the "City") • Having worked diligently to oppose the Proposed Quarry, and being in support of the settlement achieved by the Province with SMC, it is important to FORCE that then intent and restrictions set out in the Agreement be implemented, now and in the future • The proposed amendments to the RHOP and the ZBL, as currently drafted, do not achieve this purpose in a manner that is satisfactory to FORCE • In particular, there is nothing in the RHOP or the ZBL that would give members of the public or City staff notice that there is a conservation easement over the Subject Property, notwithstanding that the conservation easement contains detailed restrictions on land use • Moreover, there are no requirements in place which would direct either planning staff or the Chief Building Official to search title to ascertain the existence of the Agreement, which would then allow them to determine that there are restrictions on the use of the Subject Land beyond those set out in the RHOP and the ZBL • As such, FORCE requests the following modifications to the proposed modifications to the RHOP and the ZBL: That the Subject Property be identified as a Special Policy or Site Specific Area in the RHOP, which is subject to the detailed terms of the Agreement; That the Rural Settlement Area Plan 		

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	<p>Map for Flamborough be amended to identify the Subject Property as a Special Policy or Site Specific Area in the RHOP; That a policy be included the RHOP, in accordance with ss. 34(10.2) of the Planning Act, which permits Council to require that a person applying for a zoning by-law amendment in a Rural Settlement Area be required to furnish the City with information as to whether any conservation easement, pursuant to the Conservation Land Act, is registered on title to the lands subject to the proposed amendment; That special exception 195 in the ZBL be modified so as to better reflect the existence of and intent of the Agreement; and, That Zoning Maps 6 and 10 be amended so as to identify in the ZBL the distinction drawn between the Lands and the Protected Lands as set out in the Schedules to the Agreement</p> <ul style="list-style-type: none"> • FORCE has been working cooperatively with City planning staff in respect of the concerns set out in this letter. It wishes to continue to do so. We would therefore request that Planning Committee direct staff to work with FORCE to develop specific modifications to the proposed amendments which would satisfactorily address FORCE's concerns, prior to Council approval of the amendments to the RHOP and the ZBL. • We request that the City notify us of the adoption of the proposed RHOP Amendment, and ZBL Amendments, or the refusal of the request to amend the RHOP or ZBL. 		
Teresa DiFalco	<ul style="list-style-type: none"> • We are writing on behalf of the 	Written	

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On behalf of Fruitland-Winona-Stoney Creek Community Association Inc.	<p>Fruitland-Winona-Stoney Creek Community Association Inc. to register our objection and concerns with respect to Amendments to the Rural Hamilton Official Plan and Hamilton Zoning Bylaw No.05-200</p> <ul style="list-style-type: none"> • Our comments and objections are specific to the area contained within the Fruitland-Winona Secondary Plan • The changes contemplated, and as further expressed in the current version of the Fruitland-Winona Secondary Plan, fail to recognize and support agriculture as the predominant land use • Further, they fail to protect the natural heritage system and they minimize opportunities for economic and social considerations and the promotion of good health • A provincial review paper also emphasis "Its fertile soil, moderate climate and abundant water resources support agricultural production that cannot be duplicated elsewhere in the province or the country." • The review paper also stresses the importance of our natural area to clean our air, provide our drinking water and support recreational activities that benefit our health and quality of life • The changes being contemplated also fail to recognize and protect the natural and precious micro-climate that is unique in the area and unique in North America, which cannot be duplicated elsewhere in the Province or the Country • The proposed changes also ignore the rich history and heritage of these lands • It thus also follows that we object to the removal of the lands located 		<ul style="list-style-type: none"> • Rural Zones are not being applied to these lands as the lands are located within the Urban Area and are located within the Fruitland Winona Secondary Plan

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	<p>between the existing urban boundary and Fifty Road, and north of Highway 8, from the Greenbelt and included in the urban boundary or be made part of the Fruitland-Winona Secondary Plan- in its present form</p> <ul style="list-style-type: none"> • We also object to these lands being developed on • The City's plans for Medical Marihuana Growing and Harvesting Facilities, are largely unknown to the residents of the area • At minimum the city needs to do a better job of communicating this issue to the residents and obtaining their views • An informal poll that we conducted in addition to discussions held at our Association meetings, revealed that there was no awareness of these plans and community residents do not support them • There will be many impacts that residents must be made aware of, not the least of which is the potential for increased crime • Other concerns include; negative effects to the environment with the potential for gas and fertilizer toxins entering our air - water and soil; and the excessive consumption of water and hydro required to operate these facilities • In summary, Ontario's Greater Golden Horseshoe is one of Canada's economic engines and contains some of Canada's best farmland and world-renowned natural features, like the Niagara Escarpment, microclimate, fertile soil. The warning signs have been made clear for over the past two decades in the need to preserve these lands for all the reasons noted above. Once these lands are 		

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	gone, they are gone forever		
Multi-Area Developments Inc.	<ul style="list-style-type: none"> Multi-Area Developments Inc. are the owners of the following parcels of land which currently are being proposed for changes to Rural Zones: 80-100 Hendershot Road, 100 Hwy No. 20 E, 138 First Rd E, 0 Fletcher Road (PN 251890113070000), 0 Hwy No. 53 (PN 251890113035601 and 251890113034900) and 0 Hwy No. 53 (PN 251890113037201) Our lands are within the Elfrida node and are subject to an appeal of the Rural and Urban Official Plans We strongly feel that not appropriate for City to propose zoning on lands that are currently under appeal We feel it is important to maintain flexibility to allow Elfrida appeal process to take due course We suggest special holding zone be established for Elfrida node subject to decision by OMB regarding OP status of Elfrida Should the City choose to move forward with proposed by-law for our lands, we strongly prefer to have all our lands zoned in the Rural (A2) Zone Specifically with regard to 80-100 Hendershot Road on which P7 proposed, this land has been returned to agriculture since purchased and P7 Zone is not appropriate Lands proposed to be zoned P7 at 0 Hwy 53 on east side of Fletcher, south of Hydro Corridor would be more appropriately zoned at such time as suitable studies have been carried out 	Written	<ul style="list-style-type: none"> At this point, the lands remain in the Rural area and subject to the Rural OP. It is appropriate to include these lands within the Rural zoning. If the lands become urban, there is an extensive Secondary Plan and zoning work required prior to any development. P7 portion on 80-100 Hendershot has been removed as there is no corresponding natural feature. Accordingly, P7 Zone has been changed to the A1Zone P7 on 0 Hwy 53 is only on a small portion of this property and corresponds to a pond feature
Anthony Quinn Mine & Mill Installations	<ul style="list-style-type: none"> Wants to be considered for their existing use which has been there 	Verbal	<ul style="list-style-type: none"> Property is subject to Zoning By-law

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524 6 th Concession Road West	<p>since 1978 and they build water filtration systems (fabrication on the property of the water systems)</p> <ul style="list-style-type: none"> • In the woods on 80 acres • Payroll is 5 million and generates support for the community and staff is local – unionized staff/ Annual sales 70 million • Don't want to move business but would have to leave • Pay residential and commercial taxes • 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 • Currently considered illegal because operation from 1978 and bylaw passed in 1964 • Have an application in to recognize the use 		<p>Application ZAC-13-047, which is currently under review and subject to own public review process</p> <ul style="list-style-type: none"> • 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
Diana Vlastic Metropolitan Consulting On behalf of Parkside Hills Inc.	<ul style="list-style-type: none"> • We have reviewed the staff report and mapping in regards to the City of Hamilton Zoning By-Law No. 05-200 and have some concerns relating to two properties within the Rural Area (directly north of the Waterdown North Urban Area boundary) owned by our client, Parkside Hills Inc. at municipal address 619 Centre Road and Silverwood Homes Ltd at municipal address 111 Parkside Drive. • Re. 619 Centre Road (Flamborough)-Parkside Hills The subject lands are shown on Map 62 of Schedule 'A.' The property is west of Centre Road, north of the new east-west arterial and zoned A2 (designated Rural in the Rural Official Plan). The block directly north of the future arterial has an exception number of 243 which permits a stormwater 	Written	

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	<p>management pond. The area of concern is the remainder of the lands to the north, also zoned A2. The permitted uses in this zone include: Abattoir, Agriculture, Agricultural Processing Establishment- Stand Alone, Agricultural Storage Establishment, Farm Product Supply Dealer, Kennel, Livestock Assembly Point, Residential Care Facility, Secondary Uses to Agriculture, Single Detached Dwelling, Veterinary Service-Farm Animal</p> <ul style="list-style-type: none"> • We need clarification and assurance that these uses are permitted in a new dwelling or building or structure in the rural A2 Zone. • Re. 111 Parkside Drive (Flamborough)-Silverwoods. The subject lands are shown on Map 61 • The property is directly north of the urban area boundary which is zoned P7 and P8. The majority of the lands to the north is zoned P7 and the remainder is zoned P8 (both are Conservation/Hazard Land Rural Zones). There is a small piece zoned A2. Both the P7 and P8 Zone permits the following uses: agriculture, conservation, existing single detached dwelling, flood and erosion control, recreation, passive. • For both zones, new development may require approval of a site plan application, including an Environmental Impact Study (EIS) to demonstrate that there are no negative impacts on the Core Area features. New buildings or structures are not permitted in the P7 and P8 Zones • The concern regarding these zones is that the Zoning By-Law does not permit a new single family dwelling north of Borer's Creek, nor does it 		<ul style="list-style-type: none"> • New buildings are permit within the A2 Zone as long as they are for the permitted A2 Zone uses • The P7 and P8 Zones on the 111 Parkside Drive property correspond to the presence of natural

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	<p>allow a driveway from south of Borer's Creek to the meadow north of the Creek. In effect, the By-Law land locks the property to the north.</p> <ul style="list-style-type: none"> • We request that the above issues are included in the Agenda for the Public Meeting to be held on Tuesday March 31, 20i5 and that Planning Committee and staff review our concerns. • In summary, we request: That the A2 Zone permits the allowable uses in a new dwelling building or structure and that the P7 and P8 Zone can permit existing or new driveways where the lands would otherwise be landlocked. 		<p>heritage features such as Significant Woodlands and PSW</p> <ul style="list-style-type: none"> • New driveways would not be permitted through P7 and P8 zones in the absence of an approved EIS
Joe Molditz Junior 5364 Tyenside Road South	<ul style="list-style-type: none"> • Do not agree with your enlarging or expanding the Greenbelt whatsoever 	Written	<ul style="list-style-type: none"> • Comments have been noted as part of the Provincial Plan review • Concerns unrelated to Rural Zoning By-law
David and Leanne Vollick 981 South Townline Road	<ul style="list-style-type: none"> • Sending you this letter, which I have also sent to Brenda Johnson our councilor, with concerns over the impact the Greenbelt Act has and will have on our private property now and in the future • David and I own and live on 99 acres of land on the Stoney Creek Mountain, which we also farm • Our farm has been in the family for over 60 years, which was first owned by David's Uncle • When David was16 he started working on the farm for his Uncle, became his partner and then eventually bought the farm to keep it in the family, when his Uncle decided to retire. It was always his dream to own the farm we have now. And one day both our kids Parker and Mickayla would love to live here on the property as well and continue to farm. Parker wishes to 	Written	<ul style="list-style-type: none"> • Comments have been noted as part of the Provincial Plan review • Concerns unrelated to Rural Zoning By-law

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	<p>take over the farm one day, and Mickayla wants to stay here where her horses are</p> <ul style="list-style-type: none"> • We are bringing this to your attention not only as landowners but as farmers • Due to the Green Belt Act our land is locked up. Even our own children who have dreams of staying here on the farm will not be able to do so as we cannot get a lot(s) severed from our own property for them • We see this as a problem for our children and for our future generation that want to continue to farm land in the area • We are cash crop farmers; the saying is "Eat Local, Buy Local" and "Farmer's Fed Cities". How can this be true if future farmers do not have land to live on and farm? • We are sending this letter to you, so it can go on the record about our concerns that the Greenbelt Act has on our land and how it will affect our children's future 		
John Ariens, Scott Arbuckle and Mike Crough IBI Group	<ul style="list-style-type: none"> • Residential Care Facility (Group home) permitted in Agricultural 'A 1' and Rural 'A2' Zones - We recognize that a wide range of housing opportunities are to be provided for all types of residents in the City of Hamilton. This would include special needs housing including residential care facilities. The proposed draft zoning by-law would pre-zone the establishment of resident care facilities in both the A1 and A2 Zoning Categories • Our firm has recently been involved in an Ontario Municipal Board matter in Halton Region concerning the establishment of a group home in a prime agricultural area • It is clear that provincial plans such 	Written	

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	<p>as the Greenbelt Plan and the Provincial Policy Statement direct non-farm related uses to either rural settlements or to the urban area</p> <ul style="list-style-type: none"> • Agriculture and farming is the principal use permitted, together with those uses which are related to agriculture or secondary to agriculture • A residential care facility has no relationship to the agriculture community and our position before the Ontario Municipal Board in the Halton matter was that these uses should not be permitted as of right throughout the agriculture community • Both Halton Region and Town of Milton staff took a similar position. The provincial direction is not to allow these facilities as of right throughout the rural area and we therefore question why Hamilton is proceeding in this fashion • Our firm would like further information as to how these zone limits were delineated. Our concern in this regard is that if the zone delineation occurred by way of the regulated limits mapping of the Conservation Authority with jurisdiction, that it may not include site-specific constraint mapping (drip line, top of bank, top of stable slope, development setback, etc) that occurs through individual or site specific assessment and land development applications • Notwithstanding the foregoing, we question whether the delineation of these zones is truly necessary as the majority of these areas are already regulated by the relevant Conservation Authority • The relevant Conservations Authorities have jurisdiction over, 		<ul style="list-style-type: none"> • Residential care facilities within the proposed A1 and A2 Zones are only permitted within a Single Detached Dwelling and are to have a maximum capacity of 10 residents • The Conservation/ Hazard Land – Rural (P6), (P7) and (P8) Zones were delineated based on RHOP Core Area features identified within Schedule B • Conservation Authority regulated areas are also identified within the draft zoning maps • Not all core area features are located within Conservation Authority regulated areas • The RHOP provides direction regarding the protection of Core Areas

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	<p>and will continue to regulate, natural areas within their respective watersheds and the appropriate mechanism for regulation rests with the Conservation Authorities. Adding another layer through the zoning bylaw is, in our view, duplicitous and unnecessary</p> <ul style="list-style-type: none"> • It is our recommendation that these lands should continue to have the same rural zoning as the remainder of the parcel, and that Conservation Authority regulated area overlay should be applied to the various maps as a visual guide, to identify lands which are regulated by the Conservation Authority. This approach is consistent with those of other local municipalities • Rural A2 Zone - This zone appears to be a blanket zone which covers a large portion of the rural area. Our main concern with this approach relates to the proposed permitted Uses • For instance, there are many existing rural churches and other institutional uses which would no longer be permitted within this zone. • Small scale places of worship, along with other institutional uses, are currently permitted in the Rural designation within the Rural Hamilton Official Plan, but this is not reflected in the proposed Zoning By-law. • Additionally, there is no definition of 'Small Scale Places of Worship' in the Rural Hamilton Official Plan • It is our recommendation that a rural institutional zone be added to the zoning by-law to address the existing institutional uses in the rural area, while preventing the ability to develop institutional uses anywhere within the rural area. 		<p>and the Rural Zoning By-law further implements that direction</p> <ul style="list-style-type: none"> • Lands zoned Rural (A2) correspond to lands designated Rural under the RHOP • Existing churches and other institutional uses have either been recognized through the use of a Special Exception or will become legal non-conforming uses • Small scale institutional uses are permitted within the Rural designation of the RHOP, subject to a Zoning By-law amendment

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	<ul style="list-style-type: none"> • Pre-zoning to accommodate surplus farm dwelling removals - As Planning Committee is aware, lot creation in the agricultural and rural areas is severely restricted • Retirement lots, lots for sons or daughters, and infilling have all been removed and the only severance which is permitted is when a farm operator wishes to buy additional land, upon which is a home that they do not require as a part of their farm operation. That farmer is allowed to purchase that property and sever off that surplus dwelling since it is not necessary. This in turn facilitates agricultural viability and supports a farmer's efforts to expand in their operation by allowing them to acquire land and then dispose of the unnecessary home (if there is one). The corollary to this however requires that the now vacant parcel of farmland from which the dwelling has been removed is prohibited from having a new dwelling erected thereon • This is typically completed through a rezoning application and municipalities also require some type of formal agreement acknowledging that the vacant farm parcel would not be used for residential purposes • In our respectful opinion the new zoning by-law could facilitate the severing of a surplus farm residence and thereby support the agricultural community by pre-zoning these situations to prevent a new home from being erect upon the vacant parcel • The new zoning by-law could contain a regulation which in essence states Permitted Uses; "a 		<ul style="list-style-type: none"> • Surplus farm dwelling

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	<p>single detached dwelling, except where a surplus farm dwelling has been severed or removed from the property, in which case no residential dwelling shall be permitted."</p> <ul style="list-style-type: none"> • The above eliminates the need for a future rezoning and further facilitates a farmer's ability to expand. • The following is a list of locations of specific sites within the City's rural area which we believe will be impacted by various provisions of the proposed Zoning By-law, as outlined: • 706 Highway Number 8 - The proposed zoning has increased the areal extent of the conservation/ hazard lands, as well as implemented a site-specific lot area of 0.9 hectares for future development. IBI Group has met with the City for Formal Consultation on these lands and has been working towards a development plan. This process included having the conservation lands staked to mark top of bank, as well as the completion of technical studies to ensure the proposed lot sizes will be sufficient for development. The proposed lot size for this development will be 0.48 hectares (1.2 acres). • 2419 Upper James Street (Church on the Rock) - Two issues have arisen with respect to this property. First, the property is currently zoned Institutional which permits the existing place of worship. The proposed zoning is Rural A2 which would not. Second, the subject site was developed on the basis of a site specific natural area assessment and it does not appear that the proposed Conservation/Hazard 		<p>severance application need to be reviewed on their own merits and need to be in conformity with RHOP policies</p> <ul style="list-style-type: none"> • A ZBA and Draft Plan of Subdivision application has been received for these lands. Once a decision has been made on the application, appropriate changes to the Zoning will be implemented. • SE 99 applied to property to recognize place of worship use

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	<p>lands zones under the draft zoning by-law are reflective of that site specific assessment</p> <ul style="list-style-type: none"> 1370 Brock Road (Canadian Reformed Church of Flamborough)- These lands are currently subject to an OMB hearing, scheduled for May 2015. The proposed zoning, which would be implemented should the OMB rule in favour of the applicant, is Agricultural 'A-92' and Conservation/Hazard Lands 'P5' Zone, which would permit the subject lands to be developed as a church. The proposed zoning under 05-200 is Rural 'A2', which would not permit the proposed use. Should the proposed amendment be approved, at minimum the subject lands would require a site specific provision to implement the proposed zoning. 1560-1594 Fletcher Road - 05-200 proposes to add P7 & P8 Conservation/Hazard Lands zones to the subject lands. As noted previously, it is our view that a Hazard Land overlay only should apply and specific regulations should occur through the appropriate Conservation Authority 567 Highway Number 5 (Quarry Restaurant) - The proposed zoning for these lands is Existing Commercial "EI". A Minor Variance application was submitted for the subject lands in 2013; the application (FL/A-13:201) was approved on November 13, 2013. IBI Group requests that the proposed site specific zone reflects this decision, in addition to the existing site specific exception to permit a restaurant on the subject lands Vinemount Quarry Expansion (Green Mountain Road & Tenth 		<ul style="list-style-type: none"> As 1370 Brock Road is currently subject to an appeal before the OMB, the zoning is not final and binding and cannot be implemented as part of the Rural Zoning By-law until it is The P7 and P8 Zones correspond to the presence of different natural heritage features SE109 applied to property to recognize restaurant use

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	<p>Road East) – For Committee's information applications for Official Plan Amendment and a Zoning By-law Amendment, as well as applications to the MNR, as required by the Aggregate Resources Act, are in the process of being prepared, and will be submitted in the near future. The application is to facilitate a proposed expansion to the existing quarry. Subject to final disposition of these applications, site specific provisions may be required through the implementing zoning by-law</p> <ul style="list-style-type: none"> • 3075 Tisdale Road (Trinity Reform Church) - The proposed zoning for the subject appears to take into account the zoning by-law amendment to permit a Place of Worship through zoning exception 227. The site specific use on these lands is one example of a site specific exception which could be eliminated through the implementation of a Rural Institutional zone, as previously mentioned. 		
<p>Nando DeCaria DeSozio Homes Inc.</p>	<ul style="list-style-type: none"> • We, DeSozio Homes Inc. are the owners of the following parcels of land which currently are being proposed for changes to the Rural Zones: 339 Trinity Church Rd • We would like to draw your attention to the fact that our lands like all lands within the Elfrida node are currently the subject of an appeal of the Rural & Urban Hamilton Official Plans before the Ontario Municipal Board • We strongly feel that it is not appropriate for the City to propose zoning the lands that are presently under appeal • We believe that it is important to 	<p>Written</p>	<ul style="list-style-type: none"> • At this point, the lands remain in the Rural area and subject to the Rural OP. It is appropriate to include these lands within the Rural zoning. If the lands become urban, there is an extensive Secondary Plan and zoning work required prior to any development

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	<p>maintain the flexibility that is needed to allow the Elfrida appeal process to take its due course without having the additional confrontation with a new bylaw for lands which may form part of an expanded urban area</p> <ul style="list-style-type: none"> • We suggest that rather than fixing land use Zones on the Elfrida node at this time that a special holding zone be established subject to a decision by the OMB regarding the OP status of Elfrida 		
<p>Matt Johnston UrbanSolutions On behalf of 565 Brock Road</p>	<ul style="list-style-type: none"> • UrbanSolutions is the authorized planning consultant acting on behalf of the owner of the property known as 565 Brock Road • The subject property is located within the new Rural "A2" Zone • Objection to proposed Official Plan Amendment and Rural Zoning By-law as neither amendment appropriately recognizes the existing use established on the property 	<p>Written</p>	<ul style="list-style-type: none"> • Follow-up email sent April 20th, 2015 seeking clarification regarding what the existing use on the property is
<p>Eunice Porritt Property at Concession 7, Pt Lot 6, Glenbrook</p>	<ul style="list-style-type: none"> • This afternoon 3pm March 31, 2015 was advised via my son that meeting was being held tonight regarding Hamilton Zoning By-law 05-200 • I have property at Con. 7, Pt Lot 6 Glenbrook and am concerned about zoning issues regarding same • Upon receiving the information I contacted you and Diana Yakhni, who too was out of office • Unfortunate landowners not contacted regarding zoning by-law and meeting • I wish to make this email as written submission regarding my concerns and therefore be entitled to appeal to OMB 	<p>Written</p>	<ul style="list-style-type: none"> • Information provided to property owner regarding the draft rural zoning by-law and proposed zoning pertaining to their lands
<p>James Feenstra Millgrove Perennials Inc.</p>	<ul style="list-style-type: none"> • As an existing tax paying company, working with in the city of Hamilton also with existing commercial 	<p>Written</p>	<ul style="list-style-type: none"> • Property is currently zoned Agriculture (A) under the Flamborough

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	<p>zoning, I want to express our deep concern with the proposed changes to the commercial zoning</p> <ul style="list-style-type: none"> • These proposed changes have a direct negative impact on our business and as such we are not in agreement with them • Please refrain from any changes to the zoning amendments until proper and due process and consultation has occurred 		Zoning By-law
Ray Rocci 2084696 Ontario Inc.	<ul style="list-style-type: none"> • We own the property at 3600 Golf Club Road which is currently being proposed for changes to the Rural Zones • Our land is currently the subject of an appeal of the Rural and Urban Hamilton Official Plans before the Ontario Municipal Board along with other properties in Elfrida • We feel that it is not appropriate for the City of Hamilton to propose new zoning for the lands that are presently under appeal • We are suggesting that you defer the new zoning for this area until the Ontario Municipal Board has reached a decision 	Written	<ul style="list-style-type: none"> • At this point, the lands remain in the Rural area and subject to the Rural OP. It is appropriate to include these lands within the Rural zoning. If the lands become urban, there is an extensive Secondary Plan and zoning work required prior to any development