

General Public Draft OPA and ZBLA Comments	
Comment	Response
General support for the protection of the natural heritage assets in the Pleasantview Study Area.	Noted
Continued support for minimum 10 hectare minimum lot size for new single detached dwellings.	Noted
<p>Official Plan Amendment: Page 2. Could the Greenbelt Natural Heritage System designation be overlaid with the NEPA overlay, instead of removing it? for added protection?</p> <p>Pg 15 Schedule B6: on what grounds are some lands (in pink) being removed from the Local Natural Area Environmentally Significant Area?</p>	<p>The policies of the Protected Countryside of the Greenbelt Plan do not apply for lands that are also within the Niagara Escarpment Plan Area, with the exception of Section 3.3. This is typically because the policies of the Niagara Escarpment Plan are more restrictive and specific than those of the Greenbelt Plan. Accordingly, this is why throughout the City, if the lands are within the NEP, the Niagara Escarpment Plan overlay is placed on the NEP lands and the Greenbelt NHS overlay is removed. This is applied consistently throughout the City.</p> <p>The removals from Schedule B6 (in pink) are all refinements to better reflect the existing ESA boundary by removing manicured areas (lawns) and areas of existing development. The previous boundary is somewhat dated and has not been updated in some time. The updates reflect the most up-to-date data.</p>
<p>Zoning Bylaw Amendment: Page 3&6: 800 f and 801 f: there is allowance for fencing, which is not advisable as it would impede the flow of wildlife and connectivity.</p>	<p>This is a carry-forward provision from the existing zoning that resulted from the OMB Decision from the 1990s. Typically fencing can be difficult to regulate as building permits are often not required, therefore in most instances they would not be subject to a Zoning review and/or building permit issuance by the City.</p>
Encouragement and support for the Minister and the Province of Ontario to execute the order to facilitate the transfer of the lands into NEC Development Control as quickly as possible.	Noted. Since the drafting of the initial proposed Zoning By-law and Rural Hamilton Official Plan Amendments, the Pleasantview lands have been added to the NEC Area of Development Control.

<p>Concern related to maximum lot coverage of 300 square metres for larger lots. In particular, in situations where existing buildings on larger lots already exceed the maximum 300 square metre lot coverage.</p>	<p>No changes are recommended to the implementing Zoning By-law with respect to the proposed maximum lot coverage. These maximum lot coverages were brought forward from the existing Zoning By-law, which was the result of a previous OMB Decision for the Pleasantview Lands. In instances where a lot has legally established structures that exceed the maximum lot coverage, that existing maximum lot coverage may be recognized under the <i>vaccum</i> clause of Section 4.12 of By-law 05-200.</p> <p>Should an applicant wish to exceed the maximum lot coverage contained within the proposed Zoning By-law, the appropriate Development Application under the <i>Planning Act</i> can be submitted.</p> <p>It is also important to note that, as the lands have been added to the NEC area of Development Control, the Zoning By-law has no effect in Pleasantview, which includes the proposed maximum lot coverage.</p>
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