

**Summary of Written Comments Received Following Rural Zoning PICs  
in November & December 2013 and January 2014**

**A1 ZONE REGULATIONS**

<b>Submitted by</b>	<b>Written Comments</b>	<b>Response, as per Revised Zones dated May, 2014</b>
Andrea Otten 568 Lynden Road	<ul style="list-style-type: none"> <li>• A1 Zone regulations discouraging as maximum gfa for retailing only 250 square metres, while other uses given 500 square metres</li> <li>• Hamilton should be promoting local food by allowing for adequate retail space and limiting retail space to 500 square metres</li> <li>• Shouldn't limit outdoor storage for nursery to 100 square metres. Should this be limited? why not limit size in terms of percentage of lot area</li> <li>• Agritourism is limited to existing buildings and only 250 square metres, size needs to be increased</li> <li>• Locating bunkhouses within 30 metres of farm dwelling unreasonable, need to be situated in a suitable area</li> </ul>	<ul style="list-style-type: none"> <li>• Max GFA for small scale retailing of agricultural products, now 200 sq. m. for both A1 and A2 zones</li> <li>• Limitation for nursery storage applies to unenclosed piles of bulk product</li> <li>• The limitation to existing buildings for agri-tourism has been removed and the gfa has been increased to 500 sq m.</li> <li>• Bunkhouses need to be located within proximity of farm cluster</li> </ul>
Earle & Sharon Clugston 3826 Governor's Road	<ul style="list-style-type: none"> <li>• Regulation 12.1.3.1 g i) small scale retailing of agricultural products, should the maximum gross floor area not be 200 square metres (the same a Rural (A2) Zone regulation 12.2.3.1 g i)?</li> </ul>	<ul style="list-style-type: none"> <li>• Small scale retailing of agricultural products, max GFA now 200 sq. m. for both A1 and A2 zones</li> </ul>
Bill Dam William Dam Seeds Ltd.	<ul style="list-style-type: none"> <li>• There is confusion on both parties – rural home owners and business owners. Home owners think it is opening up the country side to new business – existing businesses find it highly restrictive to growth.</li> <li>• The proposed draft is difficult to interpret and read.</li> <li>• Minimum lot size. I do not know many lot sizes in rural Flamborough that would be 40 hectares – maybe bonafide farms would be over 40 hectares but they are made up of multiple lots. Where does this minimum come from? The old zoning had min lot size of 2 hectares for livestock. Provisions were made for exceptions. The greenbelt and NEC do not</li> </ul>	<ul style="list-style-type: none"> <li>• Revisions made to draft zones to provide clarity</li> <li>• Minimum lot size provisions for agricultural use pertains to new lot creation</li> </ul>

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	<p>have this restrictive sizing.</p> <ul style="list-style-type: none"> <li>• The term secondary to agriculture doesn't fly for almost every business in rural Hamilton. You will be pressed to find a landscape contractor, home business, kennel etc that supplements a farm – meaning revenue for the farm would be greater. Bonafide farms have increased in size by 4 fold in the last 15 years. There are way fewer farmers in rural Ontario because of efficiency and consolidation – the only increase has been in small specialty market farms and for the most part they are all under 40 hectares.</li> <li>• Why do Landscape contractors get special mention? Not to pick on Landscapers (I have many family members in the occupation) but the draft seems to single out them and causes animosity in the rural areas. They should have to abide to the same rules as a company distributing dental equipment or an electrical contractor.</li> <li>• The draft uses Home Industry and Home Business throughout the document but only defines Home industry.</li> <li>• Buildings are classified for taxation and permits based on usage Agricultural / Commercial / Industrial / Office and Institutional. Zoning should also reflect that both in wording and classification. I note a lot of retail and processing wording - this should be Ag-industrial and Ag-commercial.</li> <li>• Restrictions of building sizes are not fair – why not use 20% of lot coverage. Former zoning rules used lot coverage – it was plain and simple. If you look at most existing businesses in the rural areas you will find most are over the 500 sq m restriction being proposed. Example would be Marsh Bros, country ag, Galers, CMP meats, ALT trucking, Agro foods, Rosthey, Fredrick Trucking, Brenn Be Farms, Second Nature and that is just in this area. If restrictions are imposed than it will cripple Ag business and many will be forced out of Hamilton to counties that are more receptive to business. The former</li> </ul>	<ul style="list-style-type: none"> <li>• Additional regulations for Secondary Uses to Agriculture have been included in A1 and A2 zones</li> <li>• Regulations pertaining to Landscape Contracting Establishment – Secondary have been revised in A1 and A2 zones</li> <li>• Home business is already a defined use under 05-200</li> <li>• Restrictions on building size are reflective on the scale of use</li> </ul>

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	<p>zoning did not do this. I cannot find any reference to building size in NEC, greenbelt and provincial policy.</p> <ul style="list-style-type: none"> <li>• Existing businesses that do not conform will be not able to expand as needed – the argument about moving into industrial parks does not fly – many rural businesses have customer retention based on location and also not afford the high land rates in industrial parks. Again businesses per sq ft pay a lot more taxes than residential and farm. The greenbelt Act 4.5.3 uses a term of 'Legally Existing uses' - this is a better way to word it – legally non-conforming is a negative and impacts a person who owns a business. The new draft also restricts existing businesses that do not conform to not be allowed to switch usage. For example we package seed – but if our business changes we may package something completely different. Small business is always in a state of change – it is called reforming to what is relevant.</li> <li>• My suggestion is to allow existing businesses to file for exemptions and to be reviewed on an individual basis.</li> <li>• The Draft uses the phrase – “No person shall erect, or use any building in whole or in part, or use any land in whole or in part” - this is harsh wording – not a 'living document' which is flexible, user friendly, and responsive to the needs of rural business. I understand the erect but not to use a building is and has always been poor wording in zoning – it puts the hair up on one's neck.</li> <li>• The Draft is inconsistent in lot coverages and setbacks with-in the Zone eg A2 starts off with min lot area of 40 hectares in 12.2.3.1 then in 12.2.2.2 in has a min of .4 hectares then in 12.2.2.4 it changes the setbacks from 15 to 10 and 3.</li> <li>• In 12.2.2.b iii there is a reference to 12.2.3.1 f) which does not exist. Also outdoor storage of machinery should be related to lot coverage – 100 sq meters is not much.</li> </ul>	<ul style="list-style-type: none"> <li>• Legally existing uses that want to expand beyond the size permissions proposed within the draft A1 and A2 zones would need to apply for minor variance or rezoning, through which the proposed change would be evaluated</li> <li>• A zoning by-law by its nature is prescriptive and is to have defined uses and corresponding regulations</li> <li>• Lot coverage's and setbacks are dependent on the use</li> <li>• Front yard is already a</li> </ul>

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	<ul style="list-style-type: none"> <li>• I have noticed that in almost every zoning paper around there is a mention of 'front yard' – but there is no definition. For example our primary residence sits behind our buildings and our loading facilities face the street ahead of these. In the parking bylaw 5.2.1 a it does not allow loading doors in the front yard - why is this? It only makes sense to allow as direct of approach for truckers, plus it uses less land. Seeing as the new bylaw references the parking bylaw maybe changes need to be added for rural businesses.</li> <li>• My suggestion is to approach the document as a rural business and as a rural homeowner recognizing that provisions and exemptions need to be allowed.</li> </ul>	<p>defined term within 05-200</p> <ul style="list-style-type: none"> <li>• Legally established uses have been identified with a special exception where appropriate, otherwise the use will become a legal non-conforming use</li> </ul>