

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
Scott Cox 919 Concession 4 West Waterdown, ON L0R 2H2	<ul style="list-style-type: none"> • Strong objection to proposed P6 changes as: no new buildings and expansions to existing buildings permitted, P6 Zone will make it hard to resell property in future, concerned with P6 Zone being applied to property, P6 Zone should be removed from property 	<ul style="list-style-type: none"> • P6 Zone only applies to rear portion of the property that contains natural features and remainder of property proposed to be zoned Rural (A2) • Revised P6 Zone now permits new buildings and structures and expansions to existing buildings and structures subject to site plan approval and EIS, if required
Olga Kraus 202 8 th Concession East	<ul style="list-style-type: none"> • Portion of my farm includes P6 Zone • My house sits on this P6 Zone drumlin as did 3 barns which were in disrepair and recently demolished • Our intention to replace these buildings in the coming years • Will new by-law restrict ability to rebuild 	<ul style="list-style-type: none"> • Revised P6 Zone now permits new agricultural buildings subject to meeting requirements of Section 12.1.3.1 of the A1 Zone
Denis Viens 1929 Concession 10 W N1R 5S7	<ul style="list-style-type: none"> • Spoke to Cathy regarding heritage mapping on my property • She was very receptive to my concerns, took down notes and promised to get back to me • Everyone was friendly and courteous <ul style="list-style-type: none"> • Revisions needed to the limits of the A2 Zone on my property so they include the cleared and occupied portions of the property, so I am not restricted with potential future plans for gazebo, storage for tractor, etc. 	<ul style="list-style-type: none"> • As requested, contact with property owner initiated following drop-in centre <ul style="list-style-type: none"> • Zoning boundary minor refinements made on draft mapping to excluded cleared and occupied portions from P7 Zone and include them within A2 Zone
David Bailey 29 Park Street Lynden	<ul style="list-style-type: none"> • Concern regarding the extent of the P7 Zone on the property • Can the P7 boundary be moved to only cover the non-residential single family dwelling area of property? 	<ul style="list-style-type: none"> • Zoning boundary minor refinements made on draft mapping to excluded developed and manicured

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
		portions from P7 Zone and include them within S1 Zone
Anne Jones 2350 Second Concession Road West Lynden, Ontario L0R 1T0	<ul style="list-style-type: none"> • Issue with new zones is the negative effect it will have on the ability for my family to use our land and build things we may feel are important to running our farm • These changes also affect the future selling of the farm • These new rules will absolutely destroy the value of our property • No one will want to buy a piece of property and pay taxes on it and not have any control of the land that they own • How is the government going to compensate the people who are affected so dramatically by these new rules with the implementation of the new rural zoning program • What tests have been done to prove that the lands you say are in P7 need to be so heavily sanctioned against use or change • My farm has been farm for many years • Why do we need to change its uses now • Who is to benefit from all of this 	<ul style="list-style-type: none"> • Zoning boundary minor refinements made to exclude disturbed portions of the property from P7 Zone and include within A1 portion • Remaining portions of proposed P7 Zone correspond to Significant Woodlands and Environmentally Significant Areas • Direction regarding the draft rural zones comes from the Rural Official Plan which includes mapping pertaining to natural features within the rural area
Achim Klaas 1285 Kirkwall Road, RR 1 Cambridge N1R 5S2	<ul style="list-style-type: none"> • There are two properties owned by us that are zoned incorrectly in part on proposed zoning • Their nature and their use are contrary to proposed zoning and way it was zoned in past • The first has been designated 'hamlet' development and is located at southeast corner of Concession 8, Kirkwall • It only has a small water run-off running through it from hill across the road • The surrounding treed sections are part of tree farming operation which we intend to harvest, clear-cut and replant • The amount designated as sensitive area extremely excessive and should be limited to few feet around water flow area • The part shown as being environmentally sensitive covers some of our tree planted area 	<ul style="list-style-type: none"> • Site Visits conducted by staff on December 17, 2014 • Minor boundary refinements were made for the property within Kirkwall by removing P6 portions • P8 portion corresponds to PSW • The remaining portions of this property is proposed to be zoned Settlement Residential (S1) – Special Exception 53. SE 53 requires a minimum lot

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>which is impossible because trees would not have grown in excessively moist conditions</p> <ul style="list-style-type: none"> • These are all spruce type trees • The second property is located at Part Lot 18, Concession 6 and entire area of 47 acres is part of tree farm operation on substandard soil and rock terrain • Currently conservation tax credit on .06 acre corner of this property where Fairchild creek cuts through • Proposed zoning designation even contrary to what conservation authority has identified • We are still harvesting some of the trees on this property • The remainder will be clear cut and then replanted • The current zoning designation is contrary to the terrain conditions and nature of our rights under the 'Farming and Food Production Protection Act' • We have carried out (and still do) our farming operations as Klaas Christmas Tree Farms and Aaryna Christmas Trees (were largest in southern Ontario) • Strongly urge you to contact me and set up a time that I may meet with you at these locations to show you these areas 	<p>area of 0.5 hectare</p> <ul style="list-style-type: none"> • 30 metre setback must be maintained from PSW's • entirety of this property is regulated by the Grand River Conservation Authority (GRCA) and any development or site alteration proposed for this property would require GRCA approval • Draft zoning map for 1285 Kirkwall Road revised as property contains an existing dwelling, associated accessory buildings and manicured areas • entirety of this property now included within the proposed A2 Zone • Portions of the 47 acre property surround 1285 Kirkwall, that previously included as P7 have been revised to P6 Zone as the only feature that is apparent on this portion is ESA • The 47 acre property now has P6, P7 and P8 zone portions on the property • Draft P6, P7 and P8 Zones permit Agriculture and in turn, the harvesting of trees would be permitted
John and Julie Richer	<ul style="list-style-type: none"> • Would like to relocate sugar shack within P7 zone 	<ul style="list-style-type: none"> • P7 Zone applies to Key Hydrologic Features

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • P7 Zone should be amended to allow for small low-impact structures such as woodsheds, camping structures, sugar shacks • Structures are low impact and temporary • Limit size to 250 square metres • Will P7 and P8 zone restrict infrastructure put forth by Ministry of Transportation? 	<p>and Key Natural Heritage Features within Greenbelt Natural Heritage System</p> <ul style="list-style-type: none"> • Revised P7 Zone allows limited development in form of addition onto existing structure or rebuilding on same footprint • Rationale is that rebuilding in same footprint will occur in lands that are already disturbed • Allowing new development as-of-right could impact natural features and therefore cannot be permitted • P7 and P8 Zone does not restrict infrastructure
<p>Janice Downton 1759 Milborough Line</p>	<ul style="list-style-type: none"> • I discovered potential error on proposed zoning map for my property where agricultural land currently under tree plantation cultivation included in P7 • I'm sure it isn't permissible to reclassify land that does not have any features or requirements for P7 classification and historically and currently approved for agricultural use and zoning • Please let me know who to contact to ensure proposed draft boundaries accurate • Limitation on expansion of existing residences in P7 regressive and discriminatory construct • Using 10% limit very blunt instrument and preclude fair and equitable assessment relative to general quality and tolerance of similar or more sensitive environments in surrounding neighbourhood 	<p>See below</p>

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • That restriction can and will be constantly challenged • A legally defensible restriction would always have to be based on largest structure on similarly featured land already permitted within a reasonable distance say 1km • Each P7 can would need to be assessed based on existing complexion of geography and development in immediate area, subject to a maximum of the largest existing similar structure and environment • Third issue germane to my property • While there is wetland on this property and good section of the Carlisle North Forest, survival of these features is not at all dependant on any of the proposed zoning changes • Especially since there is no corollary restrictions on golf courses or traffic flows • Specifically, the quality of the wetland has been seriously deteriorated mostly due to water taking by nearby gold course and other downstream pttw's • Without property owners/stewards making serious investment of time and money in reforestation and rehabilitation the wetland will completely disappear within next 5 years • In 5 years following, between loss of Ash trees and maples, plus serious storm fall, this section of the Carlisle North Forest will be barely more than marginal scrub land • Without heart and soul and ongoing efforts of property stewards who make preservation achievable, proposed zoning changes will be largely ineffective at preserving environment as well as being contentious 	
	<ul style="list-style-type: none"> • This is a simple matter that should be easily rectified, however, whenever land that has been historically zoned and is currently used as Agricultural is removed from a rural plan, unilaterally, without due notice and/or compensation, it is likely to be of concern to the Minister and my MPP, Ted McMeekin. 	<ul style="list-style-type: none"> • Received the comments submitted via the on-line comment form • Based on the comments submitted via the on-line

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • Specifically, on the land situated at and identified as 1759 Milborough Line, in excess of 5 acres of land zoned as Agricultural and currently in use as a conifer plantation, has been incorrectly included with the area zoned P7. The proof that this is agricultural land is supported by decades of Official Plans for the area, is evidenced by the actually long term use as a conifer plantation, and verified by the Hamilton Conservation Authority in 2013. • The P7 zoning on land to the south, that should be designated as P7, is welcomed especially since it became necessary this past summer to involve the water stewards at the Hamilton Conservation Authority to see what remediation might be possible to save the endangered wetland and slice of forest that is rightfully designated P7. Since it turns out that the wetland and forest are dying in large part due to down stream - and down aquifer water taking, a P7 designation is a legal recognition of the need to protect the land and therefore incumbent upon the City to ensure that the water taking PTTW's and any development does not further damage these special land features. I welcome the implied legal clout that comes with the P7 recognition so I would never object to the rightful use of this zoning. • I would appreciate it if the Planning Department would confirm what due diligence was conducted to establish the proposed zoning boundaries to explain and correct the boundary in question. • In the event that this is deliberate overreach, I would ask that the Minister direct me to whatever resources are provincially available to ensure that even this small amount of agricultural land remains in that ever dwindling reserve and, if there is a demonstrated necessity to remove productive land and turn it into hazard land, I would ask that the Minister advise of the process and regulation that governs landowner compensation for the loss of agricultural income potential. 	<p>comment form, Cathy Plosz, reviewed the extent of the proposed P7 boundary on the property and slight refinement of the proposed P7 boundary to exclude the manicured portions of the property made</p> <ul style="list-style-type: none"> • Revised draft zoning map provided • Dwelling on property is located within the proposed Rural (A2) Zone • Natural area on property is part of a large area known as Carlisle North Forest, which has been identified as an Environmentally Significant Area and a Significant Woodland within the Rural Hamilton Official Plan • The forest includes a variety of vegetation communities, including conifer plantations. Conifer plantations are often included within the boundaries of Significant Woodlands because they contribute to the ecological function of the woodland, including providing habitat for interior forest birds, increasing the overall size of the woodland, controlling

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
		<p>erosion and flooding, and maintaining water quality in the cold water stream tributaries of Bronte Creek</p> <ul style="list-style-type: none"> • Although conifer plantations are often managed and harvested, they provide important habitat for birds that seek coniferous woodlands, such as Sharp-shinned and Cooper's Hawks, and Red-breasted Nuthatch. Plantations are included within Significant Woodland boundaries because they contribute to the overall variety of habitat types, and therefore increase biodiversity. In this case, the conifer plantation forms a part of the larger woodland, as natural deciduous woodland abuts it. In this way, it meets the following criteria for Significant Woodlands - minimum size, interior forest habitat, presence of rare species, and proximity to water features • Draft P7 Zone permits Agriculture and in turn, the management and harvesting of a conifer plantation would be permitted

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
		<ul style="list-style-type: none"> Meeting suggested to discuss any further questions or concerns
	<ul style="list-style-type: none"> Thank you so much for your reply and the clarity it has provided. While I may still wish to meet in the near future, it seems we are likely to be in agreement if there are no major hurdles to harvesting the conifers and transitioning to other forms of agriculture. What I would like to do first is to put a brief report together with perhaps a couple of photos and descriptions to support considering a slightly different boundary between P7 and A2. As for the P7 zoning - I am passionate about protecting the wetland and the forest but lately its a bit of a losing battle. I will include a brief discussion of recent observations and rehabilitation efforts but mostly my concerns are to ensure that the P7 zoning should be seen to have some kind of priority over water taking beyond the P7 perimeter. It should only take a few days to provide that information to you and I truly appreciate the attention to this matter. 	Noted
	<ul style="list-style-type: none"> I will soon forward photos & report but the point would be to demonstrate the current imperative to harvest most of what remains of the cultivated trees on this property, now mostly dead or damaged due to the almost total destruction caused by the ice storm in Dec. 2013, and to do so before the deadwood and tinder creates a potential fire hazard In this case, clearing the 'trees' is not optional so the question becomes - Once all of what remains of the devastated conifer plantation has been cleared and the land returned to regular agriculture (not trees again), does that not mean that the land no longer meets the criteria for P7? If so, is there a mechanism to ensure that high quality agricultural land, once A2 now included in P7, can return to productive farming with the same privileges of A2 zoning? 	<ul style="list-style-type: none"> Site visit suggested by staff

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • Also, regarding my comments concerning the 10% limit on expansion of existing residences within the P7 zone. As a standard it is regressive because it punishes the most compliant and rewards the worst offenders. I used the example of the residence across the street from me - a 20,000 sq. ft. residence on a site cut out of natural forest. That house is on the Halton side of the street but still stands as the 'comparison other' when evaluating the fairness or reasonableness of any restriction. By using a relative (i.e. 10%) formula plus considering some dwellings may have once stood on ground zoned A2, you will have situations where a young family on a small farm that built a 1200 sq ft starter home has only 120 sq ft to work with even if they are expecting child number 5, while the worst offenders would still be permitted another 2,000 sq ft. • To eliminate the regressive aspect it would be better to employ a specified standard that all restricted expansion buildings are compared to. Firstly, the footprint is more important than the total square footage so the standard should reflect a reasonable and representative limit. If the limit were a 2,500 sq ft foot print, for example, it would still permit a 5,000 sq ft home if a 2nd story is added, which would seem a reasonable maximum for most residential needs. Therefore, oversized homes would not be permitted any further expansion while very small homes could at least expand to an average size to accommodate most families • Trust that clarifies my comments regarding what I saw as a weakness in the limits to expansion under P7 zoning 	
	<ul style="list-style-type: none"> • I am cancelling our site visit scheduled for this Thursday because: • the photographs attached provide far greater clarity, far more efficiently. • this is not a Conservation matter, if anything, it is a matter of Law so it is advisable to ensure the communication on this matter is always in writing 	<ul style="list-style-type: none"> • As previously noted, staff have been conducting site visits throughout the Rural Zoning process when property owners have expressed concerns

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • The first photo shows my property at 1759 Milborough Line and surrounding area as it was in 1983. The P7, P8 zones from the map you provided are also shown on this photo. Clear agricultural land, conifer plantations and natural forest are well defined and discernible. • In this photo it would appear that almost 50% of the area zoned P7 is agricultural land with a current timber crop • The other attached photos show the condition of my timber stands as they are now. I do not actually consider it necessary to explain my decision to harvest my crop in the near future, but I have included these pictures as you seemed interested given the earlier response. As far as I am concerned, this is a legitimate agricultural crop that I am free to harvest whenever I deem it desirable 	<p>regarding the proposed P6, P7 and P8 zones and boundaries thereof for a property</p> <ul style="list-style-type: none"> • In addition to reviewing 2014 aerial photography of a property, site visits have allowed us to verify the natural features and boundaries currently existing on a property. • The growing of crops, including timber crops, is considered an Agricultural use and is permitted within the draft P7 Zone. <ul style="list-style-type: none"> • The current harvesting of timber crops would not be impacted by the proposed P7 Zone as Agriculture is a permitted use. As such, as a result of the proposed P7 zoning timber harvesting can continue. Please note that there is currently a tree cutting by-law in effect (the Regional Woodland Conservation By-law) which regulates tree removal in woodlands. If you do harvest trees, please ensure that you comply with the By-law. • Tree removal is

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • It is a defacto economic loss and impairment to have active agricultural land re-zoned to P7. The fact that this loss is being inflicted strictly on landowners with long term investments in cultivated timber stands is arbitrary and highly discriminatory. I have been unable to find any mention of compensation or tax rebates for this 'looks-like' an asset/income encumbrance. <p>I refer you to my questions and comments from my January 19/15 3:45pm e-mail below. In addition to having the question regarding what happens when the crop has been harvested and the land is now completely agricultural answered along with a response to my comments outlining the unacceptable use of a regressive metric, I am also seeking fulsome answers to the following:</p>	<p>Which regulates tree removal in woodlands and if trees harvested need to comply with the by-law</p> <ul style="list-style-type: none"> • Tree removal regulated by the tree cutting by-law, as referenced above. Complete removal of the woodland to allow planting of another crop, is not considered a good forestry practice under the Regional Woodland Conservation By-law and would not comply with the intent of the By-law. Can harvest selected trees within the woodland for their commercial value provided you use good forestry practices and comply with the By-law • City's Woodland Conservation By-law Officer, Rich Canfor, can be contacted to learn more about options under the By-law • It is important to remember that the proposed new zoning does not affect timber harvest and tree removal, but the Regional Woodland Conservation By-law, which was been in effect since 2000, does

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>What is the legal foundation the City is basing its' decision to impose P6, P7 or P8 zoning on active agricultural land?</p> <p>What measures, if any, is the City taking to address the economic loss imposed by P# zone over-reach?</p> <p>What due diligence and documentation led to the current P# Zone boundaries?</p>	<ul style="list-style-type: none"> • The Greenbelt Plan requires the protection of natural heritage features and the Rural Hamilton Official Plan implements that direction. The Planning Act requires that once an Official Plan has been adopted, the municipality must bring their Zoning by-law into conformity with the Official Plan. Accordingly, the draft rural zoning by-law implements the direction of the Rural Hamilton Official Plan, creating zones that are reflective of existing natural features while limiting impacts to these features from further development, while recognizing that agricultural cropping may takes place within some of these features • Do not foresee economic impacts as a result of from the proposed P Zones • The boundaries of the proposed P6, P7 and P8 zones based on natural features that were mapped as part of Schedule B – Natural Heritage Systems of the Rural Hamilton Official Plan. • Extent of P6, P7 and

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
		<p>P8 zone boundaries where examined when concerns were raised by property owners and minor boundary refinements were made on a property specific basis where a natural feature was not present (i.e. if a house, shed, etc. was already located within a P Zone)</p>
<p>Multi-Area Developments Inc.</p>	<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 	<ul style="list-style-type: none"> • See comments in Appendix G7 • P7 portion on 80-100 Hendershot has been removed as there is no corresponding natural feature. Accordingly, P7 Zone has been

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>would be more appropriately zoned at such time as suitable studies have been carried out</p>	<p>changed to the A1Zone</p> <ul style="list-style-type: none"> • P7 on 0 Hwy 53 is only on a small portion of this property and corresponds to a pond feature
<p>Catherine Beattie 904 Old Dundas Road R.R. # 3 Dundas, Ontario L9H 5E3</p>	<ul style="list-style-type: none"> • During Rockton "Drop-in Information Session", I became aware that significant changes had been made to the previous draft. This led me to go to the City's web-site to obtain further information. After reading the June 17, 2014 "Information Report", I realized that much was unclear to me even after reading that document. • Since then, I have obtained further information that gives me a better understanding of the changes proposed. However, the matters dealt with are complex and I am aware I may have misunderstood some of the provisions in the many-layered policy documents involved. • I find the attempt to employ the zoning document to curtail significantly the protection provided to Lands giving a P Zoning in the Official Plan (OP), yet another case of a chronic weakness in the policy formulation process: short-term vested interests of individuals and groups are allowed to trump long-term principled policies designed to protect scarce natural areas and agricultural land from further encroachments in the form of buildings and uses which degrade the natural environment. • Consider the "Background" information provide on the first page of the Report. It is stated that the new draft is designed for "the protection of agricultural lands" and to "allow for flexibility and innovation in agricultural practice." However no references to the OP goals for protecting Conservation/Hazard Land are made. • What do the latest Zoning changes involve for the "P" category? First is the removal of the 30 metre buffer zone for the P6 Zone. As a proviso on this recommendation the Staff Report states that it is shown that "future development within this area can be evaluated through a Site Plan Control application ... to demonstrate no 	<ul style="list-style-type: none"> • The P6, P7 and P8 Zones try to achieve a balance between protecting natural heritage features, while allowing limited development where development already exists, subject to Site Plan Approval and Environmental Impact Statement, if required

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>negative impact on the adjacent natural features." The fact is that Site Plan Controls do not include opportunities for public input. Further, the control requires an interpretation by staff as to what gets qualifies as "no negative impact". The very concept of "no negative impact" lacks credibility. You cannot tear up trees, excavate, install impermeable surfaces, etc. and still have no impact on the surrounding natural forms. If the concept made sense why would so many jurisdictions and conservation groups have adopted and applied the "buffer zone" requirement? An example is described in the current issue of The Wood Duck (December, 2014), a publication of the Hamilton Naturalists' Club. It concerns restoration a portion of a parking lot at McMaster University.</p> <ul style="list-style-type: none"> • relevant point is that a 30 metre buffer area adjacent to the cold-water creek – a "riparian zone" – is judged essential to maintain the habitat for turtles. (See p. 80) • The sweeping measure of eliminating the buffer zone and re-classifying the land involved from P6 to give it the less restrictive zoning category of the adjacent parcel of land constitutes a threat to vital habitat. • In some cases the change appears to be an amnesty move on behalf of landowners who have infringed on this zone and degraded it such that it does not qualify as P6 under the previous draft. And what will the effect of such a move be? For those who have respected the buffer requirements it may be seen as a license to follow the bad example of others. For would-be developers it will mean property values of those lands now exempted from the rigours of justifying degradation as well as other amendments to the previous P6 zoning will produce increased development as a way to pay for hikes in the cost of the land. In brief, changes such as the one proposed promote a spiral of degradation in the rural lands that to date have suffered the least degradation. • The changes proposed for the P6 Zone itself 	

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>would mean, if adopted, that a vast area of land within the City would be made open for development.</p> <ul style="list-style-type: none"> • The draft of 2013 already involved a loosening of the constraints to be found in the 2006 draft insofar as Permitted Uses were expanded to include Existing Agriculture and Existing Single Detached Dwellings. That seems acceptable provided that the uses were permitted under the Zoning By-law that was in force at the time they were constructed. The regulation that new buildings and structures or expansions to existing buildings and structures "shall not be permitted" is sound and in keeping with the Approved Official Plan for the City – as Zoning By-laws are required to be. • When we turn to the draft of 2014, we find changes to the Zoning By-law that could trigger a major increase in development on the Conservation and Hazard Lands. • The restriction on the newly included Agricultural lands would be that new buildings and structures would not be allowed on vacant lots; apparently otherwise new buildings would be allowed, as would expansions to existing buildings. Existing single detached dwellings would be permitted to build new accessory buildings or structures and expand existing ones. • Slightly less expansive development regulations are proposed for the new class of P7 although the Permitted Uses mirror those for P6. The differences are: in the Agricultural uses new buildings and structures would not be permitted but expansions would; in the case of detached dwelling expansions to what exists would also be permitted as would rebuilding of demolished buildings. • Only in Zone P8 would permission be denied for new buildings and structures, and expansions to existing ones. In other words, only P8 would provide the protection that was provided in the draft of 2013 to all land within these new P6, P7, P8 areas and in the buffer zone that is marked for deletion from the former P6 category. 	

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • Some figures on the land areas involved enable one to grasp the magnitude of the potential transformation of our rural landscape. In the 2013 draft, 30,428 hectares were classified as P6. In the one, P6 becomes 6,233 ha, P7 is 9,261 ha and P8 is 8,200. The total land "loss" to other categories through elimination of the "buffer" is 6,734. Given that only P8 in the latest draft approaches the protection of the P6 Zone of 2013, I calculate that the loss of protection for rural land designated as conservation/hazard land would affect 22,228 ha (54,926 acres). • Only the P8 Zone, consisting of 8,700 ha (21,498 acres) would have the protection previously afforded to 30,428 ha (75,189 acres). In percentage terms, 26.9% of the protective zoning of the previous draft is left in place (Zone P8) and 73.1% that was protected in the previous draft has been opened up for new uses. • The probable consequences of such a drastic revision are dramatic and far-reaching. • The new zoning is virtually a challenge to provincial policies designed to protect agricultural and conservation lands in perpetuity. Moreover it will likely discourage those citizens who have been, often with Conservation Authorities assistance, responsible stewards of their land. Their good work could be severely compromised by the proposed changes. Indeed the revisions proposed raise the spectre of future backtracking on protection that could result in the undoing of individual and governmental agency efforts to restore forests, protect streams, and in general restrict or curtail all activity that could compromise the natural values of undeveloped land. • Perhaps there are, behind the scenes and not identified in any public records, influential proponents of the latest zoning proposals who aspire to make Hamilton an easier place to exploit land that in other jurisdictions would not be open for development of any kind. • Nevertheless it is true that some individual 	

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>citizens who own property in the affected areas have openly called for a relaxation of the zoning regulations of the previous draft. (See the comments on 40 properties that accompany the Information Report.)</p> <ul style="list-style-type: none"> • In most cases it appears that the motivation of those who have commented is to protect or enhance the value of their property. Good planning principles do not seem to enter into their thinking. Even the staff Report seems to accept the weighting being given to this type of reasoning. Indeed staff does not attempt to justify the proposed changes on the grounds of good planning or the principles in the Official Plan that are supposed to guide the content of the Zoning By-law. • It is impossible to calculate how many property owners in the Rural Hamilton area and in the rest of the City are aware that the Zoning By-law is being re-written. However as the Travis Report indicates, the initial "seven statutory Open Houses" drew out 80 attendees; four additional more widely advertised Open Houses drew 600 in total to make a grand total of 680 attendees. The follow-up produced 450 communications and contacts between the public and staff. These figures do suggest that the 40 comments of objectors should not be taken as a representative or majority view. They surely do not justify the massive revisions to P6 of the previous draft now under consideration. • However the comments do identify legitimate complaints about such things as the lack of notice of impending zoning changes, and conflicts between data sources on past zonings and the new zonings being proposed. • The position proposed by Staff seems to be unduly biased in favour more permissive zoning in the interests of individuals and a reduction in transparency. An illustration is the proposal to make it easier under the new draft to approve development in the former P6 zone, as described on page 5 of the "Information Report". • It is acknowledged that the previous draft 	<ul style="list-style-type: none"> • Postcards were mailed to all property owners in the rural area regarding the Drop-in Centres held in November 2014, which were held in order to share the revisions to the draft zones with the public

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>“restricts development altogether in any Core Area”, and goes on to say that “the only mechanism for staff to review a proposed development within or adjacent to one of these features would be through the submission of a Zoning By-law Amendment application or an application to the Committee of Adjustment for approval of a minor variance, to permit development within the P6 Zone.</p> <ul style="list-style-type: none"> • This process is more onerous [for an applicant] than a Site Plan Control application, and would not be the preferred approach.” (Emphasis added.) Even the demand for a Site Plan control proposed in the new draft can be waived if staffs find that “the proposed works are located within an area that is already significantly disturbed, or located a substantial distance from the Core feature.” • In other words, even if a property owner has already degraded the area or if staff can say the development proposed is a “substantial” distance from the Core – without specifying what “substantial” actually means in practice – then even a Site Plan would not be required to proceed with development. • I find it a disregard for the intent of the Official Plan and of the Planning Act of Ontario to propose mechanisms that exclude public input and permit development on lands that the provincially approved Official Plan is supposed to protect. For example, under C.2.0 it is said that: “Together, provincial and local planning objectives for the Natural Heritage System focus on protecting, and restoring these features and natural functions as a permanent environmental resource for the community.” (Emphasis added.) The latest Zoning By-law draft fails to uphold these objectives. • To sum up, in my view the transformations proposed in the new Zoning Draft violate the letter and the spirit of both the approved Rural Hamilton Official Plan and the Planning Act of Ontario itself. • A return to the previous draft zoning with some 	<ul style="list-style-type: none"> • Staff find the Site Plan Approval process to be the appropriate mechanism for review

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>minor amendments to allow for such things as replacement of buildings destroyed by fire would offer the protection that the lands originally designated as P6 should be accorded. Surely a great deal of work went into developing that document. To transform the provisions I have identified is a retrograde step and has not been justified.</p> <ul style="list-style-type: none"> • Additional Comment: I would appreciate answers to the following questions on the City's Zoning By-laws and information sessions. • 1. In the Ancaster Zoning By-Law dated May 2000 (No. 87 – 57), it states in section 7.2 the following: This By-law shall not make legal any use of land, building, or structure or location of a building or structure which was illegal under the previous Town of Ancaster Zoning By-law No. 1890. How is this provision being upheld in the transition to the amalgamated City's Rural Zoning By-law? • 2. I have not commented on other zones in need of protection, most notably the Agricultural zones. Will future rounds of public consultation provide opportunities to offer input? • 3. Why are there no explanatory presentations by City staff and question-answer sessions at public information events on new policy 	<ul style="list-style-type: none"> • This provision is being upheld through the Rural Zoning process as we are not recognizing any illegal uses. • There will be no more open house sessions held regarding the draft rural zoning. There were a total of 11 open houses held in November/December 2013 and January 2014 and 4 session held in November 2014. The statutory public meeting is anticipated to be held in March 2015, where members of the public will be provided the opportunity to appear before the Planning Committee to provide comments on the draft rural zones • During the open house sessions held in November/December

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<p>documents?</p> <ul style="list-style-type: none"> • 4. Could previews of proposals be offered on line? I believe they would produce more, and better informed public input. 	<p>2013 and January 2014 there was a presentation by City Staff as well as a question-answer session. As the most recent November 2014 sessions were meant to highlight and share the changes made as a result of what was heard in November/December 2013 and January 2014, the drop-in format was chosen so that the public could see the changes and speak to staff directly regarding any questions they had.</p> <ul style="list-style-type: none"> • The rural zoning webpage maintains the draft information pertaining to the rural zoning project
<p>Kim Neziol 21 Marigold Street, Branford, ON N35 5W7 On behalf of Sylvia Dunlop, regarding 1357 Trinity Road Ancaster</p>	<ul style="list-style-type: none"> • From how I read the map it appears our property is partially zoned P7 and the rest is A1. Does this mean that the part shown as A1 falls under those regulations and only the area zoned as p7 and outlined in red is subject to P7 zoning. Specifically if we wanted to replace the home on the property are we subject to the P7 zoning? or any other agricultural practices as long as it does not enter the P7 zoning? • How much acreage is devoted to the p7 zone? How did you come to the conclusion to set that land aside as P7? Can this acreage be reduced? What are the mechanisms that we need to pursue to have this reduced? • What is the time frame for this land to be rezoned to residential as Ancaster moves in that direction? 	<ul style="list-style-type: none"> • Only the areas outlined as A1 would fall under the "A1" regulations and the area identified as P7 in the middle of the property would fall under the P7 regulations. • The P7 zone does not permit the construction of new buildings within the limits of the zone. • The building located on this property is located in A1 portion of the property so the P7 regulations would not

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> As far as the zoning when did this change take effect? What was the input process as I recall no public meetings regarding this. 	<p>apply to them. Agricultural uses (such as pasturing, planting crops) are allowed within the P7 zone.</p> <ul style="list-style-type: none"> P7 zone on this property covers approximately 12.5 acres P7 portion contains a Significant Woodland and stream regulated by Grand River Conservation Authority (GRCA) Significant woodland was identified within the Rural Hamilton Official Plan When the Rural Hamilton Official Plan was prepared, the City held a number of Open Houses throughout the process The Conservation Authorities also conducted Open Houses when they reviewed their new Generic Regulation mapping The Urban Boundary has been set as part of the Urban Hamilton Official Plan and the policies in the plan do not permit boundary expansion Rural zoning is not yet in effect Anticipate that rural zoning project will be

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
	<ul style="list-style-type: none"> • We have sent our comments to the rural zoning team regarding the P7 designation, which until the drop-in meeting was unknown to us • We protest this designation as we were never given proper notice and effectively taken away 12.5 acres without compensation • Our expectation is that you provide all information regarding how notice was sent out for this designation and avenues we can pursue to have designation changed or minimized • Barring that how you will be compensating us for decrease in value of land for 12.5 acres • Please refer to emails already sent to your team • We are fine with A1 designation at this time but our expectation is that in time, it will be zoned residential as close to the fairgrounds and hydro corridor 	<p>brought forward at the end of March</p> <ul style="list-style-type: none"> • Meeting held with Kim Neziol, William Dunlop and James Dunlop and staff on January 21, 2015 • Staff are not recommending any refinements to the P7 Zone area on this property, as the P7 portion contains a Significant Woodland and stream regulated by the GRCA
<p>William Dunlop 64 Niagara Street, Unit 322, Toronto On behalf of Sylvia Dunlop, regarding 1357 Trinity Road Ancaster</p>	<ul style="list-style-type: none"> • I hold power of attorney with my brother and sisters for our mother who owns 1357 Trinity Road • My sisters and brother attended recent meeting concerning zoning • At this meeting we learned about P7 designation on property • We object to extent of this designation and its impact • We were never consulted, advised or received any notification • Have contacted the planning department who after what appears to be very cursory review passes responsibility of this designation on local conservation authorities • Please advise what next steps are to object to this situation 	<ul style="list-style-type: none"> • Notification regarding the November/December 2013 and January 2014 Open Houses and the November 2014 Drop-in Centres was included in local newspapers • Post cards were mailed out to all property owners for the January 2014 Open Houses and November 2014 Drop-in Centres • Meeting held with Kim Neziol, William Dunlop and James Dunlop and staff on January 21, 2015 • Staff are not recommending any

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
		refinements to the P7 Zone area on this property, as the P7 portion contains a Significant Woodland and stream regulated by the GRCA
Robert Wilkins Oak Gables Golf Course	<ul style="list-style-type: none"> • The existing Open Space zoning has certain uses such as "trailer Park : which are not listed on the P4 zoning ---private clubs is not listed or agricultural uses --there is no provision for one detached dwelling --Game and Fish Preserves are eliminated • I'm not sure what the difference is between "recreational Uses " in the old bylaw and "Recreation " in the new bylaw • Furthermore much of the zoning of my land which was previously OS or agriculture is now P6 or P7 which is more restrictive • Finally I am concerned that if the mapping of the new P4 stays as it is that a large part of the golf course would be legal non-conforming --if one wants to redesign the layout of the holes on this property is that possible --I believe that the existing course as laid out in the bylaw and site-plan should all be P4 	<ul style="list-style-type: none"> • The scope of uses permitted under the P4 Zone is informed by the Open Space designation of the Official Plan • The Conservation/Hazard Lands - Rural (P6) and (P7) zones that are being proposed on your property correspond to lands identified as Core Areas and part of the Natural Heritage System within the Rural Hamilton Official Plan • The areas of your property that are proposed to be zoned Conservation/Hazard Lands (P6) and (P7) are located in areas that are regulated by the Grand River Conversation Authority which has not changed with the proposed zoning project

**Summary of Written Comments Received Since Rural Zoning June 2014
Information Report to Planning Committee**

P6, P7 and P8 ZONE REGULATIONS

Submitted by	Written Comments	Response
James Webb on behalf of 389 10 th Concession Road East	<ul style="list-style-type: none"> • Property is proposed to be dual zoned "A2" and "P7" – this creates a complicated scenario • Can zoning be changed to permit new building with site specific stating that Site Plan Control be required? 	<ul style="list-style-type: none"> • Staff have requested additional information from agent • At the time of formalization of the staff report the requested information had not been received