

Tribunal grants Brock's expansion

By Mark Pavilons

Despite opposition by local residents and King council, the Local Planning Appeal Tribunal (formerly OMB) granted the appeal by Brock Aggregates for expansion on their property in the hamlet of Snowball.

King council rejected Brock's application for an OP and zoning bylaw amendment to permit a 25,631-square foot building for storage, back in 2016.

In the decision brought down Feb. 4, the Tribunal finds the proposal will be compatible with other land uses in the rural settlement area of Snowball and will safeguard the Oak Ridges Moraine in a manner that conforms to the ORMCP and other relevant plans.

In the decision, Tribunal member Stefan Krzeczunowicz noted the expansion is limited and will allow the company to become more efficient. Approving the applications would facilitate the reorganization of the site and improve the often contradictory policies and regulations that apply. The use of the site, he noted, would not change and the intensity of use would be better controlled.

The applicant wants to reorganize the existing industrial use on the site and expand the storage building. The bid would move the existing vehicle and heavy equipment storage indoors and would push the existing active area back from the road, to allow trucks to turn and enter the new storage building via a ramp at the building's rear. Several storage bins would be relocated to the east lot line. The Tribunal decided the zoning bylaw amendment would realign the Restricted Industrial Zone on the site to the eastern edge of the Hazard Lands. In a similar vein, the OP amendment would expand the Restricted Industrial designation north by roughly 74 metres from the road.

The property has been used as an aggregate storage yard and transfer station for more than 25 years. The active area of the site is roughly 1.8 hectares fronting Wellington Street. The Tribunal pointed out the site is an important component of the local and regional economy and, as such, is entitled to a measure of protection under PPS policies that seek to protect long-term resource supplies.

Several Snowball residents appeared at the hearing, arguing the redevelopment of the site would increase dust and noise, adversely impacting area homeowners. They also stressed the prescribed hours of operation are not enforced.

One resident argued this development would not be considered small scale, and residents worry about the increased truck traffic in the area.

The Tribunal did not agree that this constitutes a major development under the ORMCP. Tribunal members are also convinced there will be no impact to water supply or the environment.

While Krzeczunowicz did admit the use is relatively intense for the hamlet, and the proposed building relatively large, the Tribunal does not conclude that the proposal would be out of scale with the rural community in which it lies.

The Tribunal believes site plan conditions will mitigate dust and noise sufficiently, to ensure that impacts from the operation remain acceptable.

Snowball residents remain steadfast in their opposition. Residents have created SaveSnowballCorners on Facebook. They're seeking other local voices to assist them getting stronger, modern bylaws in place in King Township, which can be enforced and have effectively large fines attached monitoring the activities of industry in our hamlet. Visit [#SaveSnowballCorners](#) or email them at SAVESnowballCorners@gmail.com

Resident Sher St. Kitts, who lives near the operation, said the hamlet is being destroyed by large industrial aggregate operations just metres from our front doorsteps.

King Township needs updated bylaws suited to today's needs and uses, which must be strong, clear and provide real (fines) protection for residents of King against mis-use, nuisances, noise, dust, pollution and other ramifications of large industry.

St. Kitts pointed out residents live in harmony with many other businesses who do not cause constant nuisance and dust. The operations of the aggregate are just too much.

Residents have been complaining to Township staff for several years, pointing out the nuisances caused by some 50 trucks a day at the operation, running 7 a.m. to 7 p.m. This, she argues, makes it impossible for residents to enjoy outdoor activity due to dust and noise. Watering down causes more problems: slick, slippery road surface, mud filled shoulders, ditches and driveways.

Our homes, windows, cars and properties are covered in dust daily. We don't look forward to summer: the busiest time for trucks,

noise and dust.

King councillors originally rejected the application by G&L Group (Brock) in 2016, going against staff recommendations. Council met with residents back in 2013 to discuss their concerns, which centred around noise, dust, traffic, impacts on well water and groundwater sources, to name a few.

Planning staff did support the application, as the proposed building meets provisions of the bylaw, with a need for a minor setback exception. It was noted the property is governed by multiple zoning rules. However, given public concerns, staff decided it was reasonable and appropriate to establish more restrictive provisions under the bylaw.

Staff did undertake various studies that looked at impacts on well water, noise and dust suppression.