

Council rejects company's expansion plans

By Mark Pavilons

King councillors rejected plans for a Snowball firm to expand, going against staff recommendations. In what was called 'the most difficult decision of the year,' councillors were persuaded by emotional pleas from residents, who have been complaining about the company's operation for many years.

Councillors voted unanimously to refuse the application by G&L Group (Brock Aggregate) for an Official Plan amendment, zoning bylaw amendment and site plan approval for their operation at 1380 Wellington Road, West. The company wanted to extend the industrial zoning permissions on the property an additional 55 metres in depth to the rear property line, on the 116-acre property. They want to build a 25,631-square-foot building for industrial storage, and expand their outdoor storage as well.

The property was zoned industrial under the Township's 1974 bylaw and an amendment in 1987 extended the zoning on the property farther north. Operations began in the early 1990s.

The company's plans emerged a few years ago and public meetings drew public concerns. Council met with residents 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.

The property is within the Snowball Hamlet Plan area and designated 'restricted industrial,' something residents have argued is a conflict.

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

In making the recommendations, almost 20 strict conditions were placed on the application. These included no banging of tailgates; a noise audit; remedial plantings; business hour restrictions; hydrogeological tests; dust management plan; cleanup measures, and approvals from other agencies. The company accepted and incorporated the mitigation measures in its site plan.

In supporting the bid, staff noted '... the business has addressed past zone discretions and has brought the property into compliance with the current bylaw ... the business has identified a series of improvements to the site designed to lessen the impact from various operational perspectives.'

Residents addressed councillors with pleas to restrict the company's operations.

A Wellington Street resident said the company disrupts the lifestyle in Snowball and the dust makes using their front lawn impossible. 'The hamlet is not the place for Brock to grow and expand,' she said.

Sher St. Kitts gave an emotional presentation, noting the problems go back a long way. Property values have been compromised and she feels that Snowball has been 'left out in the cold' by council.

'It's not fair we can't breathe clean air,' she said, adding 'they need to move.' She even suggested the hamlet be renamed to 'Dustball.'

She charged the company has been violating bylaw rules for years and by approving their plans, council would be 'rewarding bad behaviour.'

'We're drowning in dust, noise and trucks ... I think we can do better,' she said.

A life-long Wellington Street resident said the company, from what he's seen, is already preparing to move forward with their plans. Over the years company promises were made, but never kept and bylaw officers can't sit and watch their every move. The property, he charged, has been overlooked far too long.

Councillor Cleve Mortelliti said he's listened to residents' concerns since the plans materialized in 2011. Despite the staff restrictions, he's not convinced problems will cease. It's an operation that inherently generates dust and noise.

Snowball has 'morphed' into mixed uses and he said council has to decide what they want to see evolve in the community. 'What are we going to do with Snowball?' he asked.

The Official Plan, he said, limits certain uses in certain areas.

Mayor Steve Pellegrini countered that councillors deem 'every square inch of King' as important, noting this is the hardest issue they've had to deal with. He pointed out that anyone has a right to make an application to the municipality.

He stressed he doesn't want to expand the company's use, largely in light of the residents' complaints and conflicts. The problem, he contends 'won't go away.'

Maybe there's a way to bring something better to the table, and the Official Plan is the place to make land use decisions, he pointed

out.

Planning director Stephen Kitchen noted the recommended restrictions in the staff report are much tougher than what's currently in place. While approving the application does expand the property's designation, it also puts in place mechanisms to mitigate problems.

"There's a whole series of belts and suspenders to ensure the property is maintained," he said.

Councillor Debbie Schaefer noted she foresees bylaw enforcement problems down the road.

Councillor Bill Cober, while voting to reject the staff recommendations, did warn his colleagues that the proponent may take his case to the Ontario Municipal Board. There, the municipality is "handcuffed" by the OMB's decision and he's worried they will say the staff restrictions are too harsh, lessening these measures.

Mortelliti said their rejection is sending a message that council does not favour industrial expansion. "It's a direction," he stressed.

"We're elected to listen to and represent the wishes of the community at the council table."