



## Planning Review and Adjustment Committee

Date of Meeting: May 10, 2017

Location: Board Room, 3143 Main Street, Centreville

**Attendance:** Andy Leech, Chair  
Alan McLaughlin  
Elaine English  
Kenneth Clark  
Mark Atwater  
Trevor Welch

**Regrets:** None

**Staff:** Katelyn Hayden, Executive Director/Planning Director  
Bev Gullison, Office Administrator

Meeting was called to order by Committee Chair, Andy Leech at 6:35 pm.

### **Approval of Minutes**

**Motion:** To approve the minutes of the April 5, 2017 meeting.  
**Moved:** Elaine English  
**Seconded:** Mark Atwater

**Carried**

### **Conflict of Interest**

Trevor Welch advised a conflict of interest with Tentative Plan of Subdivision application for Jackson Falls Trucking Ltd., as he is the applicant but stated he would be available to answer any questions regarding the application.

Andy Leech advised since there were members of the public present to hear the William F. Tompkins & Sons Ltd application, that the Agenda would be amended to allow the variance application V-1-2017 to be reviewed as the first Agenda item.



## **Variance Applications**

### **Item: V-1-2017**

**Applicant:** William F. Tompkins & Sons Ltd.  
170 Hospital Street, Bath  
One Year Temporary use Variance as documented in Planning Staff Report P.R. # 13/17 – to permit the construction of a 52' X 65' pellet mill.

Katelyn Hayden reviewed Planning Staff Report #13/17 with those present including members of the public, Natalie and Adam Stone, the owners of the subject property and neighbors of the subject property, Mr. Michael Holt and Mr. Wayne McCarthy.

Katelyn Hayden distributed copies of the zoning map and informed the group that staff are of the opinion that the zoning of the subject property and the adjacent existing lumber mill as residential was an oversight when the zoning map was developed and the Bath Village Council clearly demonstrates on the draft zoning map their intention to apply the Industrial zoning to the subject properties.

Alan McLaughlin asked what year the existing zoning map was developed and Katelyn Hayden replied it was 1989 and has not been updated since that time. Katelyn reminded the group that the mill was in existence at the time but the residential zoning of the area was an oversight of the consultants.

Alan McLaughlin inquired why it has taken so long for the zoning errors to be reviewed. Katelyn Hayden stated by-laws may have existed but were never being enforced in the municipalities until the Regional Service Commissions were formed and we are working towards ensuring current by-laws are reviewed, updated and enforced.

Andy Leech asked the owners of the business, Adam and Natalie Stone if they wish to address the group. Adam Stone advised he would be more than happy to address any concerns the neighbors who were present may have. He advised he had worked closely with the Planning Director, Katelyn Hayden to ensure he met and followed all the necessary requirements and environmental regulations.

Mike Hoyt introduced himself as the neighbor to the north of the subject property and questioned the long-term plan and requested clarification of a one year temporary use variance.



Andy Leech advised the zoning map is being amended and the one year temporary use variance will allow the time for the necessary development to be completed.

Mike Hoyt stated he had concerns regarding mixing residential and industrial zoning. He also advised another concern is the additional dust that will be created from the increased traffic at the mill site.

Adam Stone advised he took ownership of the mill 1 ½ years ago and the proposed pellet mill should not create additional dust or traffic. He also stated additional gravel will be spread throughout the transport areas and advised he would guarantee there will be no additional dust, as a result of the pellet mill.

Wayne McCarthy introduced himself as the neighbor to the East of the subject property and noted he was not in objection to the construction of the pellet mill but is concerned about how the mill will be fed which could result in additional dust, such as extra loaders, etc.

Adam Stone described the location of the proposed pellet mill and explained current procedures. He stated waste materials such as chips, bark and sawdust are currently being removed from the mill and traffic previously created from transporting these materials will be eliminated, as waste product will now be utilized within the pellet mill. Adam Stone noted there should actually be less traffic, and therefore less dust.

Adam Stone advised the plan is to not increase the current hours of operation, as this is a small mill. He stated they are manufacturing maple flavored pellets for the barbecue market only and briefly explained the process. Adam Stone stated he will only be transporting approximately 1 – 2 trailers of products weekly.

Adam Stone also addressed any concerns the neighbors may have regarding noise by advising the pellet mill is an enclosed building and described the location of the motors and augers. He stated he contacted the motor manufacturers and was advised the current mill would create twice the noise of the proposed pellet mill. He advised the only noise that should be heard would be produced by the hammer mill, which will be hammering wood chips and sawdust only. He confirmed there will not be less noise but there should not be any more noise and the hours of operation remain from 7am – 5pm weekly. However, when asked what would happen if the market exceeded his expectation. Adam stated, he would be very happy and advised if the market grows, his hours of operation would likely be increased but advised they would never operate on Sunday.

Alan McLaughlin inquired regarding the heat sources and Adam Stone advised it was a biomass and the bark from the mill will be used to heat the boiler. Alan also asked if Adam had ever



considered using calcium to reduce the dust concerns. Adam stated he has not but is something he would consider.

Mike Hoyt and Wayne McCarthy both addressed concerns regarding smoke around their properties. Adam stated there will definitely be steam with the biomass boiler but he is not certain how much smoke will be produced but noted 99% of the time the wind blows from the opposite direction of their properties.

Alan McLaughlin inquired what would occur if they build the pellet mill and after a year the property has not been rezoned. Katelyn Hayden advised Adam Stone is taking a risk but the Bath Village Council has already developed the zoning map and the subject property has been identified to be zoned industrial. Adam Stone stated the mill has been operating under the residential zone for over 50 years.

Mike Hoyt inquired if the entire 6.5 hectares would be rezoned industrial. Katelyn Hayden reviewed the zoning regulations and advised that a large portion of the property is a protected watershed and therefore development of that portion of the property is strictly regulated by the Department of Environment.

Wayne McCarthy stated he was satisfied that his noise concerns were addressed but noted his biggest concern is the smoke produced from the mill when the wind direction changes. Adam Stone acknowledged that there will be smoke, but noted the stack is 30' above the building and the mill does not operate 24 hours a day. Adam Stone provided an overview of the mill's drying capacity.

Alan McLaughlin asked for confirmation regarding if the committee's role was to only approve the one year temporary use variance and Katelyn confirmed that was correct and this would allow the Village of Bath the necessary time required to finalize their zoning map. Andy Leech advised the proposed property has been identified as Industrial on the draft zoning map.

**Motion:** To approve the variance application submitted by William F. Tompkins & Sons Ltd. for a one year temporary use variance to permit the construction of 52' x 65' pellet mill subject to the following terms and conditions:

- a) All construction to comply with the National Building Code of Canada 2010;
- b) A building permit be obtained prior to the commencement of construction of the property;
- c) All activity on the property comply with the Watershed Protected Area Designation Order – Clean Water Act.



Moved: Elaine English  
Seconded: Ken Clark

**Carried**

### **Zoning Applications**

#### **Item Z-2-2017 (Amendment)**

Applicant: TK Cook Properties  
Route 560, Jacksonville  
TK Cook Properties has requested a change to the terms and conditions attached to the PRAC Approval Z-2-2017, approved April 5, 2017.

Katelyn Hayden had previously distributed a memorandum to the committee members notifying them that after discussing aesthetics and buffer options to provide privacy to properties identified as property 10047942 and 10217800, Mr. McFarlane and Mr. Cook came to the consensus that a coniferous tree buffer would be acceptable to both. Staff have spoken with both parties and both have confirmed that this agreement is satisfactory, and that both were in agreement with a change to the terms and conditions of the April approval.

Andy Leech inquired if there was a time frame in which the trees buffer should be completed. Katelyn Hayden stated there was not but noted she would add a time line with the amended terms & conditions stating, 'no permits will be issued to locate mini homes until the tree buffer has been completed to the satisfaction of the Development Officer'.

**Motion:** To amend the terms and conditions approved on April 5, 2017 for zoning application Z-2-2017 to the following:  
a) The applicant plant a coniferous tree buffer on the northern property line of PID 10217800 and 10047942 to be completed prior to the issuance of any permit to locate mini-homes on the subject property to the satisfaction of the Development Officer.

Moved: Ken Clark  
Seconded: Trevor Welch

**Carried**



## **Subdivision Applications**

### **Item: S-4-2017**

**Applicant:** Welch Surveys Ltd.  
Route 550, Lindsay  
Jackson Falls Trucking - Tentative Plan of Subdivision to create 1 lot on a private access as documented in Planning Staff Report PR 10/17.

Katelyn Hayden reviewed Planning Staff Report P.R. # 10/17 and maps of the area with the committee members.

Andy Leech inquired if the property owners of PID 10046993 were also willing to sign off the right-of-way agreement and Katelyn Hayden confirmed that they were and advised in exchange they would get access over the proposed lot 16-01.

**Motion:** To approve the Tentative Plan of Subdivision to create lot 16-1, which will be accessed via a 20-metre-wide right-of-way be approved subject to the following terms and conditions:

- a) The Final Plan of Subdivision be substantially in accordance with Map II attached to Planning Report 10/17 to the satisfaction of the Development Officer;
- b) Legal right-of-way access be granted over PID 10046993 to the owners, subsequent owners, assigns, heirs, and successors of proposed Lot 16-1 by right-of-way agreement as shown on Map II attached to Planning Report 10/17.

**Moved:** Mark Atwater  
**Seconded:** Alan McLaughlin

**Carried**

## **Old Business**

None

## **New Business**

None



**Adjournment:**

**Motion:** To adjourn meeting  
**Moved:** Elaine English

**Meeting adjourned at 7:20pm.**

  
x \_\_\_\_\_  
**Andy Leech, Chair**