SUBJECT: Applications to Amend the Town of Flamborough Official Plan and Zoning By-law for Lands Located at 91 Highway No. 5 West, Flamborough (Ward 15) (PED06001)

RECOMMENDATION:

(a) That approval be given to Amended Official Plan Amendment Application OPA-05-16 Coreslab Structures (Ont.) Inc. owner, to the Flamborough Official Plan to extend the northerly limits of the Flamborough Industrial Business Park, to redesignate lands from “Agricultural” to “General Industrial – Business” and to add a “Special Treatment Area” designation, to permit an expansion of Coreslab’s Industrial operation, for lands known municipally as 91 Highway No. 5 West (Flamborough), as shown on Appendix “A” to Report PED06001.

(b) That approval be given to Amended Zoning Application ZAC-05-82, Coreslab Structures (Ont.) Inc. owner, for a change in zoning from Agriculture ‘A’ Zone to General Industrial ‘M2-2’ Zone (Block “1”), from Agriculture ‘A’ Zone to General Industrial Holding ‘M2-2(H)’ Zone (Block “2”) and from General Industrial ‘M2’ Zone to General Industrial ‘M2-2’ Zone (Block “3”), to permit an expansion of Coreslab’s Industrial operation, for lands known municipally as 91 Highway No. 5 West, as shown on Appendix “A” to Report PED06001, on the following basis:

(i) That Block “1” be rezoned from Agriculture ‘A’ Zone to General Industrial ‘M2-2’ Zone.

(ii) That Block “2” be rezoned from Agriculture ‘A’ Zone to General Industrial Holding ‘M2-2(H)’ Zone.
(iii) That Block “3” be rezoned from General Industrial ‘M2’ Zone to General Industrial ‘M2-2’ Zone.

(iv) That the amending By-law apply the Holding provisions of Section 36 (1) of the Planning Act to Block “2” by introducing the Holding symbol ‘H’ as a suffix to the proposed Zone. The Holding provision will prohibit the use of the subject lands until such time that the owner is granted a Certificate of Approval by the Ministry of Environment pursuant to Section 9 of the Environmental Protection Act, for the storage of accessory production related equipment including casting forms, heating pipes, side rails, tarp rollers and similar equipment with restrictions on loading and unloading during non-daytime hours. City Council may remove the ‘H’ symbol and, thereby, give effect to the ‘M2-2’ Zone provisions, by enactment of an amending By-law once the condition is fulfilled.

(v) That upon satisfying the condition of the ‘H’ symbol and submitting the required fee, the General Manager, Planning and Economic Development Department, be authorized and directed to give the prescribed notice in accordance with the provisions of the Planning Act and to prepare a By-law, in a form satisfactory to Corporate Counsel, to remove the ‘H’ symbol for presentation to City Council.

(vi) That the draft By-law, attached as Appendix “F” to Report PED06001, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(vii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and will be in conformity with the Flamborough Official Plan upon finalization of the proposed Official Plan Amendment No. ____.

______________________________
Lee Ann Coveyduck
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

An application for an amended Official Plan Amendment has been made for Blocks “1” and “2” (Appendix “A”) to permit an expansion of Coreslab’s existing industrial operation into these northerly lands.

An amended application has also been submitted for a change in zoning to permit the expansion of the Coreslab Industrial operation for the lands in Blocks “1” and “2” (Appendix “A”). The applicant has also requested modifications to the Flamborough Zoning By-law to clarify that accessory crushing be permitted on Block “3”, for additional height for the proposed Batch Plant, a reduced parking ratio, and for an increase in the area used for outside storage.

The application has been further amended to add an ‘H’ Holding provision, which will prohibit development of Block “2” until the owner is granted a Certificate of Approval by the Ministry of Environment for the storage of accessory production related equipment including casting forms, heating pipes, side rails, tarp rollers and similar equipment with restrictions on loading and unloading during non-daytime hours.

The applications have merit and can be supported as they conform to the policies of the Provincial Policy Statement, the Hamilton-Wentworth Official Plan and the policies of the Industrial – Business Park Secondary Plan of the Flamborough Official Plan.

BACKGROUND:

Proposal

The applications are to facilitate the expansion of the existing Coreslab operation onto additional land to the north (Blocks “1” and “2”). The expansion will create approximately 70 new jobs (60 plant positions and 10 office positions). The applicant is proposing the construction of two additional production facilities, a Batch Plant, as well as outside storage (refer to Appendix “B”). Building 1, the Structural Plant, would be located adjacent to the westerly property boundary and will have an approximate floor area of 4,366m². Building 2, the Wall Panel Plant, will be located on the east side of Building 1 and will have an approximate floor area of 2,370m². Building 3 is the Batch Plant and aggregate drop-off area, which will be connected to both Buildings 1 and 2. Buildings 1 and 3 would be constructed immediately, whereas the timing of the construction of Building 2 is uncertain.

The applicant is also proposing areas for outdoor storage of the finished concrete product. The finished product will be moved from the buildings to the storage areas by way of special handling equipment known as a “Mi-jack”. As well, the applicant is proposing extensive landscaped buffering along the northerly, easterly and westerly property lines.
The applicant submitted several studies as part of their application including a Traffic Impact Study Update, Parking Inventory, and an Environmental Noise and Air Quality Feasibility Study, the results of which are discussed in the Analysis/Rationale section of this Report.

**Application for an Official Plan Amendment**

An application for an Official Plan Amendment has been made to allow the extension of the northerly limits of the Flamborough Industrial Business Park to include lands located at 91 Highway No. 5 West, shown as Blocks “1” and “2” on the attached map marked as Appendix “A”. In addition, the applicant is proposing that the lands be redesignated from “Agriculture” to “General Industrial – Business”.

The application has been amended to designate lands along the periphery of the expansion area (Blocks “1” and “2”) as a “Special Treatment Area” to require only appropriate landscaping/berming/noise walls.

**Application for a Change in Zoning**

An application has been submitted for a change in zoning from Agriculture ‘A’ Zone to a Site-Specific General Industrial ‘M2’ Zone, shown as Blocks “1” and “2” on the attached map marked as Appendix “A”. The effect of the change in zoning is to permit the expansion of the Coreslab Industrial operation onto the subject lands.

The applicant is also proposing a crushing operation as an accessory use, the purpose of which is to crush or grind off-specification product which is to be reused on site or sold. They have indicated that the crushing will only operate bi-annually. The proposed area for the crushing operation is on the west side of the existing Hollowcore Plant (Block “3”, Appendix “A”). The applicant has indicated that this is the preferred location as the existing plant provides visual and acoustical buffering for the existing residential homes to the east.

The applicant has also requested three modifications to the Flamborough Zoning By-law to permit the following:

- Maximum height of 25 metres for the proposed Batch Plant, whereas a maximum of 15 metres is permitted by the standard ‘M2’ provisions.
- Minimum of 1 parking space per 110m\(^2\) of gross floor area for Blocks “1”, “2” and “3”, whereas a minimum 1 parking space per 50m\(^2\) is required by the Zoning By-law.
- Maximum 55% of the lot area for outside storage applied to Blocks “1”, “2” and “3”, whereas a maximum of 30% is permitted by the standard ‘M2’ provisions.
The application has been further amended to permit an area having a width of 20.0 metres and a depth of 240 metres (Block “2”, Appendix “A”) to be used for the outdoor storage of accessory production related equipment (casting forms, heating pipes, side rails and tarp rollers) to a maximum height of 3.0 metres. This area will be located between a proposed 50.0 metre planting strip and the area for storage of the finished product. An ‘H’ Holding provision is proposed, which will prohibit open storage on Block “2” until the owner is granted a Certificate of Approval by the Ministry of Environment for the storage of accessory production related equipment with restrictions on loading and unloading during non-daytime hours.

The applicant is proposing buffers with enhanced landscaping along the north, east and west property lines for the expansion area which is required in the recommended zoning.

As well, several modifications are recommended by staff as part of this zoning amendment application to ensure adequate separation and landscaping between the proposed use and the surrounding properties. These modifications include:

- Restricting the crushing operation to a location west of the existing Hollowcore Plant.
- A minimum easterly side yard of 300.0 metres for all buildings and structures for Blocks “1” and “2”, as shown on Appendix “A”.

**Previous Development Applications**

**Draft Plan of Subdivision Application 25T-87017 (Revised)**

The Draft Plan of Subdivision “Flamborough Industrial Park” was given Draft Plan Approval on March 14, 1988. A revised plan was draft approved on October 13, 1988.

The Draft Plan of Subdivision was further revised in September 2002, for changes which included the consolidation of the plan from 42 individual lots to 7 larger blocks and a revision to the roadway configuration.

The Draft Plan was further amended in December 2003, for two reasons, one of which was to delete the division line between Blocks 7 and 8 (subject of this Official Plan and Rezoning application) to ensure that the lands were retained as a single parcel. The Plan was registered on July 8, 2004, and is comprised of 15 Blocks, 1 cul-de-sac and 2 streets.

**Site Plan Control Application D11-CO**

A Site Plan Application for the Hollowcore Plant (Block “3”, Appendix “A”) was approved on February 13, 2002, for a 6,539m$^2$ manufacturing plant and 1,895m$^2$ office building with associated access, landscaping, outdoor storage and parking.
Minor Variance Application FL/A-02:59

A minor variance application was submitted in 2002 for Block “3”, to permit a minimum lot width of 33.3 metres instead of the minimum required 40.0 metres, and to permit a proposed industrial building notwithstanding that 96 parking spaces would be provided instead of the minimum required 177 parking spaces. The application was approved by the Committee of Adjustment on April 17, 2002.

Details of Submitted Application

Applicant: Coreslab Structures (Ont.) Inc.
Agent: James Webb, James Webb Planning Consultants Inc.
Location: 91 Highway No. 5 West (See Appendix “A”)

Description: Frontage: Approximately 33.3m (irregular)
Depth: Approximately 400m (irregular)
Area: Approximately 16.5ha (40 acres)

Existing Land Use and Zoning:

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Lands</td>
<td>Industrial and Vacant Land “A” Agriculture Zone and “M2” General Industrial Zone</td>
</tr>
<tr>
<td>North</td>
<td>Agricultural “A” Agriculture Zone</td>
</tr>
<tr>
<td>East</td>
<td>Residential and Vacant Land Site Specific “A-4” Agriculture Zone, “A” Agriculture Zone, Site Specific “02-3” Park Open Space Zone and “M1-H” Prestige Industrial Zone</td>
</tr>
<tr>
<td>South</td>
<td>Vacant Land “M2-H” General Industrial Zone, “CM” Conservation Management and “M2” General Industrial</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural “A” Agriculture Zone</td>
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</tbody>
</table>
ANALYSIS/RATIONALE:

1. The applications for Official Plan and Zoning By-law Amendments have merit and can be supported for the following reasons:

   (i) They are consistent with the Provincial Policy Statement and meet the policies of the Hamilton-Wentworth Regional Official Plan.

   (ii) They implement the minimum separation distance requirements for a Class II Industry established by the Ministry of Environment’s D-6 Guidelines for Compatibility between Industrial Facilities and Sensitive Land Uses.

   (iii) They allow the creation of employment opportunities and a range of industrial business enterprises at the Clappison’s Corners Industrial Business Park.

2. The Ministry of Environment’s D-6 Guidelines for Compatibility Between Industrial Facilities and Sensitive Land Uses is a guideline which is intended to be applied to the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another. Under the Guideline, the existing and proposed Coreslab operations are classified as a Class II Industry which, in turn, generally requires a minimum separation distance of 70 metres from a sensitive land use. However, the Guideline does allow for a reduced minimum separation distance where mitigation occurs at the source enabling an industry to be categorized as a lesser Class. To identify the appropriate separation distance and mitigation required, various studies must be completed.

An Environmental Noise and Air Quality Feasibility Study dated August 8, 2005, was conducted by RWDI Air Inc. on behalf of the applicant and submitted as part of the application package. An addendum report dated November 21, 2005, was submitted in response to issues raised at two community meetings hosted by the Ward Councillor. The study resulted in the following conclusions:

- A setback of 50 metres from the property line of the closest residences to the closest noise sources is required, a 6.0 metre high earthen berm and a 3.5 metre high noise wall are required. The noise mitigation measures will ensure that the applicable MOE LU-131 and NPC-205 guideline limits will be met during all hours of the day. This study is supportive of the proposed reduction in setbacks from 70 metres to 50 metres.

- With the noise mitigation measures, auditory warning device noise levels will be similar to those currently experienced from the existing operations.

- Air quality impacts are not expected to occur at nearby receptors.
To summarize, the applicant is proposing a 50 metre setback along the easterly property boundary from the property line of the closest residences on Woodsworth Avenue to the closest noise sources (see Appendix “C”). This setback will contain a 7.5 metre high landscaped earthen berm. This is an increase of 1.5 metres over what is deemed acceptable by the Noise Study. The applicant is also proposing a 3.5 metre high noise barrier along the easterly property boundary, where the berm ends, to the most southerly extent of the proposed expansion area.

In addition, the applicant is proposing an area having a width of 20 metres and depth of 240 metres, identified as Block “2” on Appendix “A” (area of approximately 4,860m$^2$) between the 50.0 metre buffer and the storage of the finished product. This area is proposed for the storage of accessory production related equipment, which includes casting forms, heating pipes, side rails and tarp rollers. The casting forms associated with the proposed Structural Plant are made from wood or steel and cannot be disposed of immediately after casting is complete as they might be re-used in the future. Coreslab has confirmed that the activity level associated with this storage area will be very limited, estimated at one occurrence for placement/retrieval every second week, and that placement/retrieval will be limited to daytime activity only. The applicant has indicated that these restrictions will be identified in their Certificate of Approval application. To ensure these restrictions are complied with, the area has been placed in an ‘H’ Holding Symbol, subject to approval of a Certificate of Approval from the MOE. From an enforcement and monitoring standpoint, this area must be clearly delineated as the storage area for accessory production related equipment only, with restrictions on loading and unloading during daytime hours. This delineation will be implemented through the Site Plan Process.

Combined with the 50.0 metre buffer, the proposed 20 metre by 240 metre area will form part of a total separation distance, equalling a distance of 70.0 metres between the storage area of the finished product and the residential homes along Woodworth Avenue.

Staff has reviewed the noise study and proposal and are of the opinion that the proposed separation distance, with 20 metre area for the storage of operational assets, is appropriate. The minimum noise levels established by the MOE have been surpassed through the implementation of a 7.5 metre mitigation berm. The applicants have justified, through technical data, that the noise levels from Coreslab’s operation will be satisfactorily mitigated. The proposed 50.0 metre buffer and 20 metre operational asset storage area provide an appropriate buffer from the residential homes along Woodsworth and Garwood Avenues and the areas of high-level activity.

The Industrial Business Park Secondary Plan does not place a numerical value on buffering, but requires it as an integral part of any development proposal. Due to the intensity of the development, the extensive land area to be used for
outdoor storage, and various auditory warning devices (beepers) that are required but cannot be mitigated, a 50.0 metre buffer should be implemented adjacent to the lots on Woodsworth Avenue and the lots fronting Highway No. 6. A 10.0 metre buffer is appropriate along the easterly property line in the area of the lots on Garwood Avenue as there is an existing property zoned Park Open Space “O2-3” Zone located between the Coreslab property and the lots on Garwood Avenue. This property has a width of approximately 90.0 metres and will act as a buffer between the industrial and residential land uses. Therefore, the 10.0 metre buffer proposed for the Coreslab property is appropriate.

3. An amendment to the Flamborough Official Plan is required to expand the boundary of the Flamborough Industrial Business Park and to redesignate the subject lands from “Agriculture” to “General Industrial – Business”. The applicant is proposing to expand their existing industrial operation onto additional lands they own north of their existing operation (Blocks “1” and “2”, Appendix “A”) by constructing three new Plants (Structural, Wall Panel and Batch) with significant outdoor storage for the finished product.

The Flamborough Industrial Business Park aims to create a centre of employment opportunity and to attract a broad range of industrial business enterprises to the Park. The objective of the Business Park, as outlined in Policy A.6.1.1.4, is “to provide sufficient fully serviced industrial land to encourage growth in industrial employment and to provide an adequate choice of locations for both new industrial firms and existing firms desiring to relocate in the Region”. More specifically, the policies of the “General Industrial – Business” designation permit manufacturing uses with outdoor storage areas, provided that increased landscaping and screening is provided for the adjacent land uses. With respect to land use and built form, the Official Plan policies aim to achieve compatibility between industrial business park uses and adjacent land uses through careful site planning. Policy A.6.2.7.1 allows for Special Treatment Areas that provide a “visual buffering mechanism between existing residential development and land uses…located in areas where existing natural conditions, primarily vegetation, are not sufficient or available for use as buffering devices”.

The “General Industrial – Business” polices also state that in areas along the periphery of the Business Park, particularly adjacent to existing residential uses, uses that do not emit odour, dust or noise will be permitted. The policy states that the Ministry of the Environment will be asked to review the uses, setbacks and heights prior to approval of the implementing Zoning By-law. The MOE reviewed these matters as part of the circulation of the applications. Their comments are discussed in greater detail in Comment #3 c).

In addition, the Official Plan also contains policies related to the need for Site Plan approval. Official Plan Policies A.6.1.1.2, A.6.1.2.2 and A.6.8 speak
specifically to Site Plan and building design and how development within the Industrial Business Park will demand a high level of lot and building design.

The Official Plan Amendment for the expansion of the boundary of the Business Park and the redesignation of lands from “Agricultural” to “General Industrial – Business” can be supported for the following reasons:

(a) **Landscaping and Screening**

The Official Plan policies require that appropriate landscaping and screening be implemented for all development proposals located within the Industrial Business Park. The applicant has proposed three separate landscaped buffer areas, which are identified on Appendix “C”. Planting Buffer A is proposed along the northerly property line, and will have a minimum width of 5.0 metres. The preliminary landscape plan shows a mix of coniferous and deciduous tree plantings, with enhanced landscaping in the northeast corner of the property to provide added screening for the adjacent property owners. Based on the noise study, noise mitigation is not required in this area.

Planting Buffer “B”, shown on Appendix “C”, is proposed along a portion of the easterly property boundary and will have a minimum width of 10.0 metres. The applicant is proposing a mixture of coniferous and deciduous tree and shrub plantings. In addition to the setback and landscaping proposed, the applicant is required to install at 3.5 metre high noise wall in this area for noise mitigation purposes.

Planting Buffer and Berm “C”, shown on Appendix “C”, is proposed along the easterly property boundary having a minimum width of 50.0 metres. This area will include a minimum 7.5 metre high berm for noise mitigation purposes. The easterly side of the berm, adjacent to the existing residential uses, will be landscaped with a mixture of coniferous and deciduous tree and shrub plantings.

In addition, the Official Plan Amendment application has been amended to include Special Treatment Areas and the policies of Section A.6.2.7 of the Flamborough Official Plan will apply. Areas along the periphery of the expansion area (Blocks “1” and “2”) will be designated as Special Treatment Areas to provide visual buffering between the existing residential along Garwood Avenue, Woodsworth Avenue and Highway No. 6 and the proposed expansion. The Special Treatment Areas will require intensive landscaping including both trees and shrubbery and visual screening through the use of berming and noise walls as implemented through the recommended zoning and a future site plan control application.
The landscape plans and buffers presented by the applicant and the use of Special Treatment Areas, satisfy the policies of the Official Plan. They provide adequate separation and act as appropriate screening. The enhanced landscaping will provide added visual screening and aesthetic value. As the development is subject to Site Plan Control, the proposed landscape plans are preliminary and will not be approved as part of these applications. Detailed landscaping, berm and noise wall specifications will be reviewed in greater detail through the Site Plan process. As part of the Site Plan process, the impacted residents will be contacted by the applicant and consulted with respect to the Landscape Plan.

(b) **Odour, Dust and Noise**

The Official Plan policies require that uses that emit odour, dust and noise will not be permitted in the Flamborough Industrial Business Park. The Environmental Noise and Air Quality Study, submitted on behalf of the applicant, concluded that air quality impacts are not expected to occur and that there are no odour-causing sources in the proposed facility. The proposed concrete plant (Batch Plant) is located indoors and will use cyclones, baghouses and other dust control technology to reduce dust and fine particle emissions.

The applicant has proposed a Crushing operation to occur bi-annually on the property. The Crusher will be located west of the existing plant, away from the residences. In addition, the study advises that there will be no dust associated with the storage areas as they will contain finished product only and the storage areas and access roads will be sealed. The study concluded that considering the large setback distances from the residences and the use of dust controls, off-site impacts of dust and particulates are not anticipated.

With respect to noise, the Environmental Noise and Air Quality Study evaluated the impacts of the proposed expansion and its associated noise sources on the residential lands to the east. These noise sources include:

- Mi-jack operations and haulage route.
- Hydraulic pump for the transfer of flyash and cement powder to the silos from tanker trucks.
- Rock crusher.
- Open doorways to the facility.
- Shunt trucks used for movement of product to the east of the facility.
- Transport truck routes that bring in raw materials and remove finished product.
- Front end loaders to help move finished product on site.
Noise Modelling was completed taking into account various factors such as terrain effects, equipment travel paths and meteorological effects. The noise modelling did not include any auditory warning devices (required on a Mi-jack) as mitigation is not required by the Ministry of Environment due to safety issues. Seven separate receptors were modelled at 17 and 20 Woodsworth Avenue; 1, 17 and 20 Garwood Avenue; and 567 and 591 Highway No. 6.

The Noise Study also modelled the auditory warning devices to be used on the Mi-jack units. These warning devices are similar to back-up beepers used on other motorized equipment, but will operate continuously while the Mi-jack is in motion. These devices will be set at 12 dB louder than background ambient noise near the vehicle as a safety measure.

With the proposed noise mitigation in place, the mitigated levels of the Mi-jack will range from 53 to 67 dBA. The 67 dBA was measured at the receptor at 591 Highway No. 6. As mentioned previously, auditory warning devices are a safety precaution required by the Ministry of Labour and, therefore, are not required to be mitigated by the Ministry of Environment. As such, additional mitigation is not required for the Mi-jacks.

Based on the results of the noise modelling, a 7.5 metre high earth berm and a 3.5 metre high noise wall will mitigate the noise emitted from sources on the property. With the introduction of noise mitigation measures and acceptable noise levels, the proposal complies with the policies of the Official Plan.

(c) Ministry Of Environment Review

Using the one-window approach, the Ministry of Environment (MOE) was circulated the applications for Official Plan Amendment and Rezoning. Comments were received and indicated that the proposed 50.0 metre buffer is less than the general standard as outlined in the D-6 Guidelines, however, the reduction will be reviewed in greater detail once the proponent has made application for the required Certificate of Approval. In addition, an amendment to the existing Certificate of Approval (Air) will be required. The existing Certificate of Approval (Air) permits the Hollowcore concrete manufacturing facility, two natural gas fired bed heating boilers and 19 natural gas fired heating units. The Certificate also indicates that the delivery of aggregates is restricted to the hours of 7am to 7pm, and that the sound levels produced by the two electric cranes operating outdoors cannot exceed 80dBA at 15 metres. As the proposed operation is operationally different from the approved Certificate of Approval, an amended Certificate will be required.
MOE has had a preliminary review of the proposals and provided comments and, as such, the policies of the Official Plan have been complied with. In addition, an ‘H’ Holding Symbol has been placed on Block “2”, as discussed in Comment #2, subject to approval of a Certificate of Approval by the MOE.

(d) Site Plan Control

The policies of the Official Plan require that any development be subject to Site Plan Control. The Site Plan application will directly deal with issues relating to location of buildings, landscaping treatment and parking layout. In addition, as part of the Site Plan application, the applicant should be aware that any changes to the existing site plan (parking area, additional truck parking locations) must be identified.

As the proposal provides for appropriate landscaping and screening through a 50 metre setback, berming, noise wall and landscaping and the appropriate mitigation of noise, the Official Plan Amendment can be supported.

4. The application is for a change in zoning from Agriculture ‘A’ Zone to General Industrial ‘M2-2’ Zone (Block “1”), from Agriculture ‘A’ Zone to General Industrial Holding ‘M2-2(H)’ Zone and from General Industrial ‘M2’ to General Industrial “M2-2” Zone (Block “3”). The application has been amended to permit a crushing operation. The proposed location for the Crusher is immediately west of the existing Hollowcore Plant. The existing Hollowcore Plant and the large area separating the Crusher from the residences acts as a noise buffer, and the Noise Study did not identify additional noise mitigation for the crushing operation. The crusher will be considered an accessory use and can be supported.

In addition to the crushing operation, the applicant has also requested three modifications for:

- increased height from 15.0 metres to 25.0 metres for the Batch Plant.
- a parking ratio of 1 parking space per 110m$^2$ of gross floor area.
- increase in the amount of site area dedicated to open storage.

Height of Batch Plant

As part of the proposed expansion to the Coreslab operation, a new Batch Plant and aggregate drop-off area is required. The Batch Plant will be located within a wholly enclosed structure where raw materials will be received for the production of concrete. The design of the Batch Plant requires an increased height from 15.0 metres, as permitted by the standards of the ‘M2’ Zone, to 25.0 metres. The proposed Batch Plant will be physically connected to the proposed
Wall Panel Plant and Structural Plant, and will be located along the westerly property boundary as shown on Appendix “B”. This location is preferred as it is situated away from the residences on Woodsworth Avenue and Garwood Avenue. The impacts from the increased height are minor due to the minimum 300 metres required in the proposed zoning between the new industrial and existing residential uses, and as such, the modification can be supported.

Parking Reduction

The existing Hollowcore operation is currently permitted 96 parking spaces, as approved by the Committee of Adjustment in 2002. A total of 177 parking spaces were required based on the total gross floor area of the Hollowcore Plant of 8,850m$^2$ under the Zoning provisions. The existing parking area is located on the west side of the existing Hollowcore Plant (refer to Appendix “B”).

The applicant is proposing to construct new Structural, Wall Panel, and Batch Plants. The Flamborough Zoning By-law’s standard parking requirement for all Industrial uses is a minimum of 1 parking space per 50m$^2$ of gross floor area. Based on the estimated total gross floor areas of these new Plants (6,855m$^2$), the By-law requires 138 parking spaces. Therefore, the existing Hollowcore Plant based on the approved minor variance, and the proposed Structural, Wall Panel, and Batch Plants based on current zoning standards, would require a minimum 234 parking spaces in total.

The applicant requests a parking ratio of 1 parking space for every 110m$^2$ of gross floor area. The applicant proposes to add 40 parking spaces in addition to the 96 parking spaces required, for a total of 136 parking spaces to provide for the existing facility and the Structural Plant only. 30 of the 40 parking spaces are be located in the existing parking area and 10 are to be provided adjacent to the proposed Structural Plant (refer to Appendix “B”). Staff’s calculations show that based on the available floor area information for the existing and all proposed new buildings, a minimum of 143 parking spaces would be required.

The applicant provided staff with a justification report for the reduction in parking. They indicated that the Hollowcore Plant has been in operation for three years and, in their experience, the reduced parking requirements they received through the Committee of Adjustment still exceeds the actual parking they require for employees and visitors. In addition, during the week of September 19, 2005, Coreslab undertook a detailed assessment of their parking use. The following table describes the results of the parking assessment. The numbers correspond to the number of occupied spaces of the current 96 available:
Coreslab concluded that the parking inventory clearly demonstrates that the principal parking lot has significant vacant spaces, and with the additional 40 parking spaces, can accommodate the additional employees resulting from the construction of the Structural Plant. The peak parking demand of 61 parking spaces reflects a ratio of 1 space per 145m$^2$ of gross floor area for the existing facility. Given the demand for parking for the existing facility and that the proposed expansion is for a similar type of use, a parking ratio of 1 parking space per 110m$^2$ of gross floor area is reasonable and can be supported by staff.

**Open Storage**

The applicant is proposing an increase in the amount of area permitted to be used for outdoor storage. The Flamborough Zoning By-law currently permits a maximum outdoor storage of 30% of the total lot area. The applicant is proposing a maximum outdoor storage area of 55% of the lot area for the expansion area (Blocks “1” and “2”, Appendix “A”), and the existing industrial operation (Block “3”). The applicant has indicated that this large amount of storage area is required to accommodate their projected storage requirements upon completion of the Structural Plant, Wall Panel Plant and Batch Plant.

As part of the proposed development, the applicant has indicated they will provide landscaped buffers along the north, east and west property lines. Staff is satisfied that these buffers provide adequate visual screening, as well as appropriate noise mitigation. As part of the site plan application, the type and density of plantings will be evaluated and a high level of landscaping will be expected along these property boundaries. As such, the modification for a maximum outdoor storage of 55% of the lot area can be supported.

**Additional Requirements**

In addition to the setbacks proposed by the applicant, staff is proposing the following additional requirements to be incorporated into the amending By-law:

- Permitting the crushing operation to be located only on the west side of the existing Hollowcore Plant.
- A minimum easterly side yard of 300.0 metres for Blocks “1” and “2” for all buildings and structures.
The purpose of these special requirements is to ensure adequate setbacks, buffering and screening between the proposed use and the adjacent residential uses.

5. The Ministry of Transportation (MTO) was circulated the application due to the close proximity to Highway 6. Initially they advised that a storm water management report and site grading, drainage and servicing plans would be required. In addition, if the subject property was within 46 metres of the Highway 6 property limit and within 396 metres of the Highway 6 and Parkside Drive intersection, a Land Use Permit would be required.

At the community meetings, neighbours questioned MTO’s plans for the intersection of Highway 6 and Parkside Drive and produced plans that they had received from MTO. Staff spoke to MTO and were advised they did have an interest in the Coreslab property, and supplied a preliminary conceptual plan for the upgraded intersection of Highway 6 and Parkside Drive (refer to Appendix “D”). The plans show that Parkside Drive will extend westerly, past Highway No. 6, and then run southerly to intersect with Woodsworth Avenue and Garwood Avenue. This road would become a municipal road but timing of construction is unknown. The purpose of the road is to provide an alternative access to Highway No. 6 to provide for a left turn due to Jersey Barriers that will be installed along the centre of Highway No. 6 restricting access from both Woodsworth Avenue and Garwood Avenue.

MTO was advised that the City cannot request dedication of the land at the Site Plan Stage and that sterilization of the lands until MTO is in a position to acquire is not an option. Staff advised MTO that the land required for road construction will only be used for storage and a berm for noise mitigation and that no buildings and structures will be permitted in that area. MTO expressed concerns over the berm and the increased cost of acquisition.

Neighbours expressed concerns that the construction of the road would result in the loss of the berm and noise mitigation required by the Noise Study. If the road is to be constructed and portions of the berm be lost, a revised site plan for the Coreslab property would be required showing the necessary changes to the berm and satisfying the City that appropriate noise mitigation is still in place.

6. In response to public notification, four letters of objection (Appendix “E”) were received from adjacent property owners. Issues regarding noise, health concerns, loss of use of private amenity areas, and loss of country setting were raised.

In addition, three informal Public Meetings were held at the request of the Ward Councillor. The first meeting was held on November 2, 2005, with the Ward Councillor, neighbours, the applicant’s planning consultant, representatives
from Coreslab and staff at the former Town of Flamborough Municipal Offices. Issues raised at this meeting included:

- Noise concerns related to trucks, air horns, crushers.
- How will the outdoor storage operate?
- What are the hours of operation as they are operating all hours of the day?
- Expansion will create greater noise impacts.
- Property values will decrease due to expansion.
- What are the exact plans for the crushing operation?
- Will a noise wall deflect noise from Highway 6?
- Why does the proposed buffer not expand the length of the expansion area?
- Clarification of MTO’s plans.
- How will the expansion area be lit?
- What will the proposed landscaped area look like?
- How tall will the noise wall be?

After this meeting staff met with the agent and identified specific requirements that needed to be addressed. These included:

- Clarifying the hours of operation.
- Exact plans for the crushing operation.
- Provide details regarding height and landscaping treatment of berm and wall.
- Issues to be included in revised Noise Study:
  - was crushing included in the noise modelling and what other noises were not modelled.
  - height of noise wall.
  - additional receptors for noise modelling.
  - details of the Mi-jack.
  - potential deflection of Highway 6 noise with berm and wall.
  - hours of operation.

A second meeting was held on November 10, 2005, at the Coreslab offices with the Ward Councillor, neighbours, the applicant’s planning consultant, a representative from RWDI, representatives from Coreslab and staff. The planning consultant discussed some of the changes that Coreslab had made to their operations since the last meeting, including reducing the lighting intensity and how Coreslab had identified sources of noise and areas of their operation that could be modified. In addition, RWDI presented the updated findings from the Noise Study that included:
discussion of noise remodelling due to night time operations proposed by Coreslab.

- increase in berm height from 5.0 metres to 7.5 metres due to overnight operations.

- the requirement for a 3.5 metre high noise wall in the area of Garwood Avenue.

Preliminary landscape plans, including the treatment of the berm, were presented to the neighbours for the three buffer areas. In addition, the Mi-jack equipment to be used to transport the product around the storage area was discussed. The neighbours were informed that the Mi-jacks would be approximately 34 feet high and that due to safety reasons, the Mi-jacks will beep when moving in any direction. The Noise Consultant advised that the Mi-jacks had been modelled with the exception of the auditory warning devices that are not required to be modelled by the Ministry of Environment.

Several outstanding issues were identified at the meeting including the Ministry of Transportation future plans for the Parkside Drive and Highway 6 intersection, the decibel level of the Mi-jack beepers, the modelling of the northerly edges of the expansion area and the proposed location of the Crusher. In addition, staff requested that clarification be given regarding the additional truck parking and storage area to be located east of the existing Hollowcore Plant, and whether or not proper mitigation had been identified for this area.

An addendum to the original Noise Study was submitted to staff on November 21, 2005. A third community meeting was held on November 29, 2005, with the Ward Councillor, neighbours and staff to discuss the results of the revised Noise Study. The neighbours were advised that the height of the berm had been lowered to 6.0 metres and that the crusher would be located west of the existing Hollowcore Plant. MTO’s revised comments were discussed (see Comment #5), and they were advised of the Mi-jack beeper decibel readings.

7. A Traffic Impact Study Update by Stantec Consulting was submitted as part of the application package. The purpose of the Study was to determine if the existing intersection at Coreslab Drive and Highway 5 can accommodate the increased traffic to be generated by the proposed Structural Plant (Building 1). The Study concluded that the intersection will operate at a very good level of service and the auxiliary lanes previously constructed on Highway 5 at Coreslab Drive (eastbound left-turn lane and westbound right-turn lane) are sufficient.

8. There are public watermains and a municipal sanitary sewer within the Coreslab Drive road allowance available to service the expansion. The owner should be advised that, as a requirement of a future site plan control application, sufficient
information will be required to support the proposed stormwater quality measures.

9. The Building and Licensing Division advised that insufficient information has been provided on the submitted concept plan to determine conformity with all requirements of Flamborough Zoning By-law No. 90-145-Z. The applicant should be aware that any deficiencies will be identified through the Site Plan Process, and additional planning approvals may be required to address them.

**ALTERNATIVES FOR CONSIDERATION:**

If the applications are denied, then the applicant has the option of using the property for the current range of “A” Agriculture uses.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for an Official Plan and Zoning By-law Amendment.

**POLICIES AFFECTING PROPOSAL:**

**Provincial Policy Statement**

Policy 1.1.1(c) outlines that healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns. Policy 1.7.1 (e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

The applicant is proposing to expand their industrial operation onto the subject property for the purpose of constructing a Structural Plant (Building 1), Wall Panel Plant (Building 2), Batch Plant (Building 3) and to use the remainder of the property for outdoor storage (refer to Appendix “B”). As part of their application, the applicant submitted an Environmental Air Quality and Noise Impact Assessment (RWDI, August 8, 2005 and November 21, 2005) for the proposed expansion. The report classifies the proposed facility as a Class II Industry, as per the Ministry of Environment D-6 Guidelines. According to the Guideline, a Class II Industry requires a 70 metre minimum separation distance with a potential impact area of 300 metres. The D-6
Guideline states that even if additional mitigation is provided, no development should occur within the minimum setback area.

The submitted application indicates a 50.0 metre buffer, instead of the 70.0 metre setback, based on the results of the RWDI report. As well, they have indicated that a 20.0 metre area between the 50.0 metre buffer and the outdoor storage of finished product will be used to store accessory production related equipment. This area will only be used on a bi-weekly basis and can only be accessed during daytime hours. The applicant has advised that they will clearly state this in their Certificate of Approval for the Ministry of Environment. Therefore, as discussed in Comment #2 of the Analysis/Rationale Section of this Report, it is the opinion of this Department that a 50 metre setback is consistent with the D-6 Guideline.

**Hamilton-Wentworth Official Plan**

Map No. 2 of the Plan designates the subject property as “Rural Area”. Policy D.4.6 states that boundaries will be considered fixed where bounded by public roads, lot and/or concession lines. Where not so identified, boundaries may be adjusted through the Area Municipal Official Plan to the nearest natural or man-made physical feature or a property, lot line, or concession line without amendment to this Plan. As the conceptual boundary between the “Urban Area” and the “Rural Area” bisects the property at its midsection, and not at a fixed boundary, and as the policies of the Regional Official Plan allow flexibility in the interpretation of the boundary without amendment, the proposed expansion area is considered to be within the “Urban Area” in the Hamilton-Wentworth Official Plan and, therefore, an amendment to the Flamborough Official Plan is required to reflect this boundary adjustment.

The subject property is also designated as “Urban Area/Business Park” within the Hamilton-Wentworth Official Plan.

Business Parks are intended to accommodate a full range of manufacturing, construction, wholesale establishments, truck terminals, research and development uses with office development associated with these uses. As the nature of the applications will facilitate the expansion of an existing industrial operation, in principle, the proposals conform to the intent of the Hamilton-Wentworth Official Plan policies.

**Town of Flamborough Official Plan**

The land subject of these applications is designated “Agriculture” on Schedule “B” – Rural Land Use Plan of the Town of Flamborough Official Plan. The lands containing the existing Coreslab Operation form part of the Flamborough Industrial Business Park Secondary Plan and are designated “General Industrial” on Schedule “A” – Waterdown Urban Area. An Official Plan Amendment is required to expand the boundary of the Industrial Business Park and to redesignate the lands to “General Industrial – Business” to permit the expansion of the Coreslab industrial operation.
The Flamborough Official Plan indicates that within the “Industrial Business Parks” and the “General Industrial – Business” designations, uses such as manufacturing and outdoor storage are permitted. Policy A.6.2.4.1 states that the increased use of landscaping and screening is required, particularly in instances where outdoor storage is used. To ensure a high level of building design, site quality and compatibility, developments will be subject to Site Plan Control where these issues can be evaluated in greater detail.

Policy A.6.2.4.1 states that “in those areas on the periphery of the Industrial Business Park, particularly adjacent to existing residential developments, uses that do not emit odour, dust or noise will be permitted”. The policy goes on further to state that “the Ministry of the Environment will be asked to review these uses, setbacks and heights prior to approval of the implementing Zoning By-law”.

Policy A.6.2.7 allows for the use of “Special Treatment Areas” whose purpose “is to provide a visual buffering mechanism between existing residential development and land uses within the Industrial Business Park”. “Special Treatment Areas” are used for visual buffering through intensive vegetative planting, decorative walls and fencing and through earth berms. These areas have been recommended for the expansion area.

These Official Plan policies and other related issues are dealt with in more detail in the Analysis/Rationale section of this Report.

**RELEVANT CONSULTATION:**

**Agencies/Departments Having No Comment or Objections**

- Public Works Department, Capital Planning and Implementation Division.
- Hamilton Municipal Parking System, Downtown Renewal Division.
- Hamilton-Wentworth District School Board.

**Traffic Engineering and Operations Section, Public Works Department** advised:

- Highway No. 5 is under the jurisdiction of the Province and, therefore, comments from the Ministry of Transportation should be received.

**Ministry of Transportation advised:**

**September 30, 2005**

- All access to the subject site must be from Coreslab Drive. Direct access to Highway No. 6 through Woodsworth Avenue or any other road along Highway No. 6 will not be permitted.

- The Ministry will require the applicant to submit a stormwater management report complete with site grading, drainage and servicing plans for MTO review and
approval. The report must clearly show any impacts to the Highway 6 right-of-way. The resulting post-development runoff flows must not exceed pre-development flows.

- Ministry Building and Land-use permits for all buildings and structures within 46 metres (150 feet) of the Highway 6 property limit and within 396 metres from the Highway 6 and Parkside Drive intersection will be required prior to any grading and construction on this site. Separate building land-use permits will be required for each stormwater management pond serving this site. Sign permits will be required as well.

November 29, 2005

MTO has an interest in the application because of the proximity of the development to their intersection at Hwy.6 and Parkside Drive Under the Highway Traffic Act, MTO has control within 392m of this intersection; therefore, any applications for development (as for zoning this must be verified with their Corridor section) need to be circulated through MTO for comments through their Corridor Control Section.

From the Ministry's recent Preliminary Design study for the future development of the intersection of Highways 5 & 6, it has been determined that an interchange will be required and as part of that study a concrete median barrier will be constructed up to Parkside Drive. Because of the impacts to access for the residences of Woodsworth and Garwood Avenues, as well as those fronting Hwy. 6 through this section of Highway, it was determined that a future municipal road would need to be constructed from the intersection of Hwy. 6 and Parkside Drive running parallel to Hwy. 6 (along the back property) and connecting Woodsworth and Garwood Avenues. Although there have been no environmental approval or lands acquired for this municipal road, MTO does want to preserve its interest in the lands necessary for this road, and in cooperation with the City of Hamilton and the site plan approval process, any developments that take place between now and when the MTO eventually undertakes Detail Design need to plan for this future road as necessary.

The Ministry of Environment, Air, Pesticides and Environment Planning reviewed the applications and advised of the following:

- The proposed 50 metre buffer area is less than the general standard (refer to Comments #2 and #3 c)).

- An amendment to the Certificate of Approval will be required.

- The report prepared by RWDI is not complete enough to be forwarded to the Ministry’s Air and Noise Unit for review. The Unit’s review will be completed once the proponent has made application for the required amendment to the Certificate of Approval. The Ministry’s review will determine whether the proposed 50 metre landscaped buffer area will be adequate to meet noise guidelines.
The associated rezoning could also be approved with a Holding provision. The lifting of the Holding symbol could be contingent upon the demonstration that the noise and air mitigation measures, as proposed, are acceptable.

**Public Works Department, Capital Planning and Implementation Section** advised that the application does not appear to require a Class Environmental Assessment study. The Waterdown Transportation Master Plan does not show a need for future transportation improvements west of Highway No. 6.

**Public Works Department, Open Space Development and Park Planning Section** advised that as industrial developments are exempt from parkland dedication requirements, Cash-in-Lieu of parkland payment will not be required.

**Bell Canada** advised that an easement may be required to service the subject property, depending on a review of more detailed applications under the Planning Act. Bell Canada requests to be circulated on any future draft plan of subdivision, draft plan of condominium, site plan, or any other development application, that is proposed to implement the subject Official Plan Amendment and Zoning By-law Amendment applications. Through these processes, Bell Canada will provide a more detailed review and comments with respect to any requirements Bell Canada may have to service the subject property.

**Public Consultation**

In accordance with the Public Participation Policy that was approved by Council on May 29, 2003, this application was pre-circulated to 48 property owners within 120 metres of the subject lands. In addition, at the request of the Ward Councillor, Notices were also sent to the 6 remaining residents of Garwood Avenue who exceeded the 120 metre circulation distance, and to 2 residents residing on Highway No. 6. Four letters were received and are attached as Appendix “E”.

In addition, at the request of the Ward Councillor, three separate community meetings were held with the residents, two of which included representatives from Coreslab Inc. and their planning consultant. The meetings were held on November 2, 2005, November 10, 2005 and November 29, 2005. The letters and issues raised at the meetings are discussed in greater detail in the Analysis/Rationale Section of this Report.

Notice of the Public Meeting will be provided to the same property owners and a sign has been posted on the site advising of the Public Meeting date.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
The public are involved in the definition and development of local solutions.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:AF
Attachs. (6)
Subject Property
91 Highway No. 5 West,
Part of Lot 23, Concession 3 (Flamborough)

Block 1 - Official Plan Amendment and Zoning By-law Amendment from Agriculture 'A' Zone to General Industrial 'M2-2' Zone
Block 2 - Official Plan Amendment and Zoning By-law Amendment from Agriculture 'A' Zone to General Industrial Holding 'M2-3[h]' Zone
Block 3 - Zoning By-law Amendment from General Industrial 'M2' Zone to General Industrial 'M2-2' Zone
Block 4 - Remainder of Ownership
RE: Zoning change, file # ZAC-05-82/OPA-05-16
Rezoning for Coreslab Structures, 91 Hwy 5 West, Flamborough

Sept 22, 2005

Dear Sir/Madam:

I first moved to my address over 10 years ago and cherished the fact that it was in a rural setting with a nice country breeze and country sounds and country views. I felt that it was an ideal place to raise a family. This all started to change when the traffic lights were installed right outside my house, at the corner of Hwy 6 and Parkside Drive. Now I have to listen to the sound of traffic speeding up and slowing down day and night, and at the morning breakfast table I see cars and trucks lined up on the road right outside.

When the Coreslab plant was built on Hwy 5 I felt that it would be far enough away that I would be unaffected. There was a lot of noise that I could hear from my backyard and even inside my house, but I was lenient in assuming that this was short-term noise during the development of the site. Weeks and months went by and the noise was still persisting. Additionally there were huge lights installed similar to a baseball diamond which could be clearly seen from my lot. This allowed their noise to carry on all night long! I started to realize that the work that was going on back there was no longer the development of the site, but was the noise that this facility would be generating longterm due to their 24 hour operation. My neighbours were also starting to complain about the noise because many of us have bedrooms with westward-facing windows and were finding it hard to sleep at night.

When I received the letter indicating that the facility wants to expand even closer in my direction, my heart sank. I started to realize that my nice rural haven is being stripped out from around me. I have spoken with some of the residents of the properties in this neighbourhood and we all seem to share the same kind of apprehension regarding this - primarily with the noise, but also with the nice country scenery that we have all enjoyed being changed into that of an industrial park (particularly with the closer neighbours).

If denying the zoning by-law amendments is not a possibility, then at least consider stipulating that Coreslab install visual and/or sound barrier walls so that we, the neighbours are not disturbed to the same degree.

Respectfully,

Dwayne Johnson, B.A.Sc.
593 Hwy #6
Flamborough, ON
L8N 2Z7

Home number 905-689-3805
Work number 905-632-2999 ext 2640
Anita Fabac, Senior Planner  
City of Hamilton  
Planning and Economic Development Department  
Development and Real Estate Division  
Development Planning Section  
71 Main Street West, 7th Floor  
Hamilton, ON  L8P 4Y5

Dear Ms. Fabac:

Re: File Nos. ZAC-05-82/OPA-05-16  
Zoning By-law and Official Plan Amendment Application  
Coraslab Structures (Ont) Inc,  
91 Highway No. 5 West

We are in receipt of the letter authored by Mr. Robert Walters, MCIP, RPP, Senior Project Manager, Development Planning, dated September 2, 2005, related to the above mentioned Preliminary Circulation. This letter is very vague and does not provide any defined or clear information as to Coraslab’s true intent for use of the property they request to change from “A” Agricultural, to “M2” General Industrial, Modified. Nor does this letter offer a definition or explanation of a Modified Industrial Zone.

Given what little information has been shared about the intended use of this property, we can only assume that active use of and work with concrete and concrete type substances will occur. We certainly believe that the residents affected certainly have serious issues to consider, first and foremost, their health.

Concrete is a hazardous material - it is corrosive and should not be inhaled. If Coraslab is going to be dumping their unusable (eg: damaged) concrete in the subject area and dumping with the intent of breaking up and/or grinding etc., then concrete dust is, without any uncertainty going to occur. The amount of dust that will be discharged into the neighbourhood air is not acceptable from a health standpoint.

What maybe be unbeknown to those that are not residents of this neighbourhood, is that almost always, the winds in this neighbourhood come from a westerly direction. Winds coming from the west would only push the debris, chemicals and hazardous corrosive...
north on Highway No. 6 that a haze of dust emanates from the Coreslab property where the existing operations take place. Expanding this type operation is not an acceptable option so close to family homes.

In addition, this type of industrial operation is not desirable for residents as their properties, including but not limited to: patios, gardens, windows and vehicles will constantly be covered in concrete dust. Furthermore, residents will have to keep their windows closed all the time to prevent concrete dust from entering their homes. The amount of dust that will be discharged into the neighbourhood air is not acceptable for the health and well-being of residents.

According to the diagram provided, the subject property will border many family homes and adjacent to many others. In addition to the serious health concerns this will cause, the issue of noise certainly needs to be taken into consideration. Concrete is a heavy material requiring heavy machinery to move it around. The use of heavy machinery will result in excessive noise on a constant basis, which is not acceptable for a residential neighbourhood.

Aside from this application, recent documentation and plans exhibit a roadway to be created that would run through the subject property. This roadway is part of the Highway No. 6 road construction that runs between 5th Concession and 403. Within these plans, Parkside Drive was to expand to the west side of Highway No. 6 and run in a southerly direction towards Dundas Street. It does not appear that the plans to expand Coreslab industrial activities allows for the expansion of Parkside Drive.

We do not want our family exposed to the lifelong illnesses that are associated with prolonged exposure to concreted dust

We strongly oppose the expansion of Coreslab operations and trust our City Council will see the adverse effects this type of operation will have on its residents and support the residents by rejecting Coreslab's application.

Yours truly,

Deborah & William McMurdy
September 22, 2005

Andrew & Kathleen Lennon,
14 Garwood Avenue,
Dundas, Ontario,
L9H 7J9.
(905) 689-8765

Anita Fabac, Senior Planner
City of Hamilton, Planning & Economic Development Department,
Development and Real Estate Division,
Development Planning Section,
City Hall, 71 Main Street West, 7th Floor,
Hamilton, Ontario,
L8P 4Y5.

Dear Sirs:

Re: File Nos. ZAC-05-82/OPA-05-16

We are very strongly opposed to the application made by Coreslab Structures (Ont) Inc. “Coreslab” (91 Highway No. 5 West, Flamborough) to change the zoning on a portion of land from “A” Agriculture Zone to “M2” General Industrial Zone. The noise generated from the current operation of Coreslab is already unacceptable. Coreslab is currently operating what can only be described as a mini quarry operation from the land in question. The noise from the trucks, grinders and other equipment is constant and has on many occasions awakened us in the small hours of the morning (i.e. 2:00 a.m.). There is also blasting during the day, which is forceful enough to shake our house.

When Coreslab first commenced operations at their current location we were assured by the City of Hamilton that the noise level would be minimal. This has not been the case! Further expansion by Coreslab would only decrease our quality of life further and well as the value of our property.

Sincerely,

Andrew & Kathleen Lennon

c.c. Councillor Margaret McCarthy (Ward 15)
FLAMBOROUGH
ONTARIO L9H 1A5

File Nos.ZAC-05-82/OPA-05-16.

Dear Sir/madam:

I see from your letter that Coreslab structures wishes to expand their operations, by this I presume that they wish to expand the quarry that they are operating in the north west corner of the present industrial park.

This will result in increased noise from heavy machinery which at present starts at 7AM and goes on till around 4PM.

This makes sitting outside during the summer practically impossible therefor we are not in favour of expanding the northern boundary of the business park.

For the residents of Garwood Avenue, Woodsworth Avenue and #6 Highway.

Alf. de Rosario

[Signature]

SEP 14 2005

RECEIVED
Appendix “F” to Report PED06001 (Page 1 of 5)

Authority:
Item  , Planning and Economic Development Committee
Report PED06001
CM:  Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 90-145-Z (Flamborough) Respecting Land Located at 91 Highway No. 5 West (former Town of Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Flamborough” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report - of the Planning and Economic Development Committee at its meeting held on the day of , 2006, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton, as amended by Official Plan Amendment No. to the former Official Plan of the Town of Flamborough, proposed by the Council of the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act.
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedules “A-11” and “A-29” of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended:

   (a) by changing Block “1” from the Agriculture ‘A’ Zone to the General Industrial ‘M2-2’ Zone;
   
   (b) by changing Block “2” from the Agriculture ‘A’ Zone to the General Industrial Holding ‘M2-2(H)’ Zone; and,
   
   (c) by changing Block “3” from the General Industrial ‘M2’ Zone to the General Industrial ‘M2-2’ Zone;

the extent and boundaries of which are shown on Schedule “A” annexed hereto and forming part of this by-law.

2. That Section 30 – General Industrial ‘M2’ Zone of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding thereto the following subsection:

30.3.2 ‘M2-2’ (See Schedules A-11 and A-29)

PERMITTED USES

(a) A crushing operation shall be permitted only as an accessory use to Manufacturing, Processing, Assembling, and Fabricating.

(b) All other permitted uses of Subsection 30.1 shall apply.

ZONE PROVISIONS

(a) Height of Buildings and Structures (maximum)

   (i) 25 metres for a Batch Plant.

   (ii) 15 metres in all other cases.

(b) Planting Strip (minimum)

   (i) 5.0 metres wide along the northerly lot line.

   (ii) 5.0 metres wide along the westerly lot line from the rear lot line south to a distance of 408 metres.
(iii) 50.0 metres wide, including a minimum 7.5 metre high berm, along the easterly lot line from the rear lot line south to a distance of 243 metres.

(iv) 10.0 metres wide, including a minimum 3.5 metre high noise wall, along the easterly lot line from the southerly limit of the Planting Strip as required in Provision b (iii) south to a distance of 165 metres.

(c) Open Storage

(i) Manufacturing, Processing, Assembling, Fabricating (maximum): 55%

(ii) All other Permitted Uses (maximum): 30%

(iii) Upon removal of the ‘H’ Holding symbol, the lands within 20.0 metres of the westerly limit of the Planting Strip as required by Provision b (iii) shall only be used for the Open Storage of operational assets of the permitted uses of Manufacturing, Processing, Assembling, and Fabricating, at a maximum height of 3.0 metres.

(d) An accessory crushing operation shall only be permitted on the west side of a Building or Structure existing on the day of the passing of this By-law being the ____ day of ____, 2006.

(e) Easterly Side Yard - minimum of 300 metres for all Buildings and Structures within 408 metres of the northerly rear lot line.

(f) Parking (minimum):

(a) 1 parking space per 110 square metres of Gross Floor Area for an Industrial Use.

(b) All other provisions of Subsection 5.21 shall apply.

(c) All other zone provisions of Subsection 30.2 shall apply.
HOLDING PROVISIONS

The Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, as amended, apply to Block “2” by introducing the Holding symbol ‘H’ as a suffix to the proposed Site-Specific General Industrial Zone.

The Holding Provision ‘M2-2(H)’ will prohibit the use of the subject lands until such time that:

(i) A Certificate of Approval has been granted by the Ministry of Environment pursuant to Section 9 of the Environmental Protection Act, for the Open Storage of operational assets with restrictions on loading and unloading during non-daytime hours.

City Council may remove the ‘H’ symbol, and thereby give effect to the Site-Specific ‘M2-2’ Zone provisions by enactment of an amending By-law once the condition is fulfilled.

3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2006.

MAYOR

CLERK

ZAC-05-82
Appendix “F” to Report PED06001 (Page 5 of 5)

This is Schedule “A” to By-Law No. 05—

Passed the_____________ day of ______________ 2005

Clerk

Mayor

Schedule "A"

Map Forming Part of By-Law No. 05--

to Amend By-Law No. 90-145-Z

Subject Property

91 Highway No. 5 West, Part of Lot 23, Concession 3 (Flamborough)

Block 1 - Change in Zoning from Agriculture 'A' Zone to General Industrial 'M2-2' Zone

Block 2 - Change in Zoning from Agriculture 'A' Zone to General Industrial Holding 'M2-2(h)' Zone

Block 3 - Change in Zoning from General Industrial 'M2' Zone to General Industrial 'M2-2' Zone

Planning and Economic Development Department

Hamilton

Scale: Not to Scale

File Name/Number: ZAC-05-82

Date: December 2005

Planner/Technician: AF/LM

T&C File Name: