

# Hampton Council Memo

Planning, Engineering & Development Department



**To:** Hampton Council – OPEN SESSION  
**From:** Bailey Brogan, Assistant Planner/Development Officer  
**Reviewed by:** Arthur McCarthy, PLED Director  
Jennifer Brown, Planning Director, Dillon Consulting  
**Meeting Date:** April 23, 2024  
**Subject/Topic:** By-Law No. HAM-2024-18: A By-Law to Amend the Hampton Zoning By-Law No. HAM 2023-16

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## Purpose/Objective

On March 12, 2024, staff introduced proposed amendments to the Zoning By-law to Council. As part of the Zoning By-law amendment process outlined by the Community Planning Act, a public hearing was held at the April 9, 2024, meeting of Council. All of the feedback provided at the public hearing pertained to Section 8.1.5 Conditions of Use: Sawmills, with concerns related to:

- The minimum lot size of 2 hectares combined with the setbacks of 50-100m would limit the usable space on the property.
- The restriction of processing timber from an off-site location will not allow for working with wood of different species that may not be available in the area.
- Lack of definition of temporary/portable mill.
- Uncertainty surrounding the difference in intensity of a 6-month versus 12-month use. Comments that 6 months would not be an adequate amount of time to process wood from a lot.
- The minimum setbacks for outdoor storage of logs
- The Zoning By-law addressing noise limits from sawmills in attempt to mitigate nuisance to neighbours.

## Staff Review

Following the public hearing, Council requested that further review of the sawmills section of the Zoning By-law be completed by staff to address comments provided by the public. As a result of the additional review, staff propose the following text amendments to the Zoning By-law to address sawmills. Please note that proposed new text is bolded.

1. Section 3. Definitions: update the definition for “sawmill” to read:
  - a) “sawmill” means **an operation** ~~building or structure used to~~ that processes logs, timber, lumber and wood from sawlogs to another use and may include land used for delivery, storage of raw, **finished or waste** lumber or products but does not include a portable mill used on a temporary basis.
  - Rationale: The change is to address concerns raised at the public hearing for additional clarity surrounding stationary versus portable mill. The definition now includes all types of sawmills that are established as an operation but would not include forestry use.

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2. Section 3. Definitions: update the definition of forestry use to include portable milling units and add portable mill definition.
  - a) “forestry use” means the general growing, harvesting, and storage of trees and, without limiting the generality of the foregoing, may include silviculture activities, the raising and cutting of wood, pulpwood, sawlogs and other primary forest products, **including the portable milling and sawing of wood**, and the growing, harvesting and production of Christmas trees, maple syrup and fiddleheads, but does not include a sawmill.
  - b) **“portable mill” means transportable equipment used on a lot for the purpose of cutting and sawing of wood or lumber harvested from a property.**
- Rationale: This update provides opportunity for a portable mill to be established on a Rural Zone property for the purpose of milling and sawing of wood for any length of duration under the forestry use. This change is to address concerns raised at the last public hearing regarding the use of a portable mill on a woodlot as related to the 6-month restriction. Further, clarity around stationary versus portable mill are addressed with the updated definition above.
3. Section 8.1.5 Conditions of Use: Sawmills: Replace entire section with:
  - **A sawmill shall conform with the following:**
    - a) **Shall be permitted on a lot not less than one (1) hectare in area.**
    - b) **Shall be setback a minimum of 100 metres from a residential structure on an abutting lot.**
  - Rationale: The proposed change is to address the feedback from the public regarding the setbacks. Following review of other municipal jurisdictions and historical planning practices, the setback can be represented by Section 8.1.4 Rural Zone Standards, and the setback from a residential structure provides separation from a sawmill to provide a buffer intended to mitigate the impacts that noise, waste, traffic and other operation activities may have on local residents.

## Recommendation

The proposed amendments were written in response to feedback provided during the public hearing and will provide further clarity for new development and operations of sawmills in the Rural and Industrial zones. These proposed amendments are in keeping with the intent of the Zoning By-law, and staff recommends that Council refer proposed amendments to the Planning Advisory Committee for recommendation.