



Committee of Adjustment Agenda

Date: Thursday, December 19, 2024
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

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1. Attendance	
2. New Business	
2.1 <u>2025 Committee of Adjustment Schedule</u>	
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6.1 <u>B10 & B12-24-KD - 375 Harley Road</u> RECOMMENDATION	11 - 36

THAT Consent Application **B10-24-KD** from GSP Group c/o Brandon Flewwelling for lands known legally known as CONSESSION 10 LOT 24, in the former geographic township of Burford, municipally known as 375 Harley Road, County of Brant, proposing to sever 13.636 hectares (33.69 acres) of the subject lands (shown as PART 1 in the Site Plan) as a lot addition to the adjacent agricultural land to the west, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Provincial

Planning Statement regarding minor boundary adjustments for legal or technical reasons.

- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

THAT Consent Application **B12-24-KD** from GSP Group c/o Brandon Flewwelling for lands known legally known as CONSESSION 10 LOT 24, in the former geographic township of Burford, municipally known as 375 Harley Road, County of Brant, proposing to sever 0.098 hectares (0.24 acres) of the subject lands (shown as PART 3 in the Site Plan) to be added to the existing residential lot at 365 Harley Road, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Provincial Planning Statement regarding minor boundary adjustments for legal or technical reasons.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

6.2 B20-24-NM - 542/ 544 Paris Road
RECOMMENDATION

37 - 60

THAT Consent Application **B20-24-NM** from Shari Hollett, Owner of lands legally described as CONCESSION 1 PART LOT 18, in the Former Township of Brantford, and municipally known as 542 Paris Road, proposing a lot line adjustment of approximately 5486.7 square metres to be added to the lands at 544 Paris Road, known as benefiting lands **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The proposal is consistent with the Provincial Planning Statement (2024) and conforms and meets policies in the County of Brant Official Plan (2024) and Zoning By-law 61-16.

6.3 A16-24-NM - 72 Hammond Road
RECOMMENDATION

61 - 84

THAT Application for Minor Variance **A16-24-NM** from J.H. Cohoon Engineering Ltd. on behalf of George Lou and Vassilki Karmiris, Owners of lands legally described as RANGE 2 SHR PT LOT D RP 2R6425 PART 1, in the Geographic Township of Brantford; County of Brant and municipally known as 72 Hammond Road, requesting relief from Section 4, Table 4.4.1 of the Zoning By-Law to permit a maximum lot coverage of 278.73 square metres whereas 140 square metres is permitted and a height of 5.54 metres, whereas, and 5 metres are permitted, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The proposed variance is in keeping with the general intent of the Official Plan and Zoning By-Law 61-16;
- The relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands.
- The proposed variances meet the four tests of the Planning Act.

7. Next Meeting

8. Adjournment



Committee of Adjustment Minutes

Date: October 17, 2024

Time: 6:00 PM

Location: Council Chambers, 7 Broadway Street West, Paris, ON

1. Attendance

Present: Brown, Emmott, Hamilton, Schmitt, Panag, Vamos

Regrets: Smith

Staff: DeLeye, Dyment-Smith, Keen, Mousavi Berenjaghi

2. Approval of Agenda

Moved by Member Emmott
Seconded by Member Schmitt

Moved by myself and seconded by Member Schmitt that the agenda for the County of Brant Committee of Adjustment meeting of October 17, 2024, be approved.

Carried Unanimously

3. Declaration of Pecuniary Interests

No conflicts declared.

4. Adoption of Minutes from Previous Meeting

Moved by Member Hamilton
Seconded by Member Vamos

That the minutes of the September 19, 2024, meeting of the Committee of Adjustment be approved, as printed.

Carried Unanimously

5. Public Hearings

Madame Chair announces item 5.5 B16-24-LK has been deferred by agent/applicant.

5.1 SV2-24-LKGEDSB-231 Grand River St N

Staff Presentation

- L. Keen, Junior Planner presented sign variance application SV2-24-LK for approval as outlined in the report.
- The applicant is proposing to remove the existing ground sign and replace it with a new ground sign that includes an LED signage whereas the Sign By-Law only stipulates electronic messaging, which does not include LED signage.
- Member Vamos seeks clarification on the lumens of the sign.
- L. Keen advised drawing notes indicated negative impact on surrounding properties.

Agent Presentation

- Chris Hackett, Gould Signs agent on behalf of the Grand Erie District School Board
- The agent advises the Committee the sign will be static and used for the purpose of notifying the community of school events.
- Agent provides clarification on the lumens, the software used, and the sign will be turned off in the evening.
- Member Brown inquires about the size of the sign.
- Agent confirms the sign is consistent with the old sign.
- Member Hamilton clarifies the location of the sign.
- Agent confirms the sign is increasing its setback as per County direction.

Public Delegate

- Catherine Rait
- Delegate seeks clarification on the location of the sign.
- L. Keen provides clarification on the location as the replacement of the sign on Grand River St N and displays mapping.
- Delegate satisfied.

Moved by Member Panag

Seconded by Member Schmitt

And that Application SV2-24-LK from Chris Hackett, Gould Signs, and Terry Korchak, GEDSB of lands described as PLAN 492 BLOCK 23 LOT 2 TO LOT 4 LOT 12 PART LOT 1 CONCESSION PART LOT 29 in the County of Brant, BE APPROVED.

Carried Unanimously

5.2 B13-24-KD-Vicano-197 Pinehurst Rd

Staff Presentation

- K. DeLeye, Supervisor of Development Planning presented consent application B13-24-KD-197 Pinehurst Rd for approval as outlined in the report.
- The applicant is proising to facilitate the lease extension over the lands in excess of 21 years for their existing tenant, McDonald’s Restaurant of Canada Limited, to continue operation.
- Member Hamilton seeks clarification on the length of the lease.
- K. DeLeye reiterates the lease is more than 21 years. Agent can speak to the details of the lease.

Agent Presentation

- Yaw, Yawson, Vicano Development Limited
- Agent confirms the lease length is between 21 – 40 years.
- The agent confirms it is a land lease and not the building.
- Member Panag inquires if the lease is exclusively for the land.
- Agent confirms.
- Members of the Committee seek clarification of the lease coverage.
- Agent explains the land lease covers the building and the drive through and the application is required to extend the length of the lease.

No public comments.

Moved by Member Hamilton
Seconded by Member Emmott

And THAT Application for Consent B13-24-KD from Vicano Development Limited c/o Yaw Yawson, Owner of lands legally described as SOUTH DUMFRIES CON 2 PT LOT 30 RP 2R7950 PT PART 1 RP 2R8605 PART 2; County of Brant and municipally known as 197 Pinehurst Road to facilitate the lease extension over the lands in excess of 21 years for their existing tenant, McDonald’s Restaurant of Canada Limited, to continue operation BE APPROVED, subject to the attached conditions:

THAT the reason(s) for approval are as follows:

- The proposed land lease extension will facilitate the existing restaurant to continue operating.
- The application is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and consistent with the policies of Provincial Policy Statement.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

Carried

5.3 B14-24-KD-Brookfield-104 Oak Ave

Staff Presentation

- L. Keen presented consent application B14-24-LK-104 Oak Ave for approval as outlined in the report.
- The applicant proposes a severance located within two existing plans of subdivision in order to create two parcels from one existing block. The severance is to facilitate future construction of single detached dwelling units within the severed lots.
- L. Keen requests condition 3 parkland dedication fee be removed as per addendum as it was paid at the time of subdivision.
- Member Hamilton seeks clarification about the removal of condition 3.
- K. DeLeye confirms staff reached out to the Parks and Forestry department and received feedback that the fee was collected at the subdivision stage.
- Member Hamilton seeks clarification regarding the absence of the civic addressing condition.
- DeLeye notes civic addressing will be addressed at the building permit stage.

Agent Presentation

- Bob Stewart, Pinevest Homes
- Parkland dedication was collected per acre of land as part of the creation of the subdivision and Pinevest will ensure that both County staff and Canada Post are satisfied with civic addressing ahead of building permits.
- Member Hamilton seeks clarification on the per lot allocation of parkland.
- Agent confirms the development of the parks within the subdivision namely Woodslee Ave and Hartley Ave parks adequately reflected the required 5% of parkland.
- Member Vamos comments parkland dedication should remain.
- Madame Chair concurs due to the nature of the application and the creation of the lots that the parkland dedication should remain.

No public comments.

Moved by Member Vamos
Seconded by Member Panag

And that Application for Consent B14-24-KD from Bob Stewart, Pinevest Homes on behalf of Aidan Dekkema, Brookfield Residential of lands legally described as SOUTH DUMFRIES CONCESSION 2 PART LOT 32 PLAN 2M1947 BLOCK 107 RP 2R8949 PARTS 1 AND 2, located at 104 Oak Avenue, Paris, County of Brant, proposing to facilitate a severance of a property in two existing plans of Subdivision to create two parcels from one existing block, BE APPROVED, subject to the attached conditions including condition 3.

THAT the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Growth Plan for the Greater Golden Horseshoe and consistent with the policies of Provincial Policy Statement.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.
- The lot creation is compatible and consistent within the context of the existing development.

5.4 B15-24-ES-405 Third Concession Rd

Staff Presentation

- L. Keen presented consent application B15-24-ES for approval as outlined in the report.
- The applicant proposed to sever a surplus farm dwelling.
- Member Emmott questions the parkland dedication condition.
- K. DeLeye references the Parkland Dedication By-law and notes the Parkland Dedication fee is required for surplus farm dwelling severances.
- Member Hamilton requests a condition be added for the drains located on the property.
- K. DeLeye notes the Committee may choose to add a condition related to the drain.
- Member Hamilton requests the civic addressing condition be considered for safety concerns.
- K. DeLeye notes the Committee may choose to add a condition related to civic addressing.
- Member Hamilton notes the driveway width.
- Member Brown questions if there is additional access.
- K. DeLeye notes Development Engineering commented that both the severed and retained have care and control of the entrances.
- Member Hamilton requests an explanation of the location of the road widening.
- L. Keen outlines the road widening will be taken from the Fourth Concession Rd not the Third Concession Rd.
- Member Vamos underlines the importance of the need for civic addressing on the retained lands.

Agent Presentation

- Chelsea Brooks, MHBC Planning
- Member Hamilton seeks clarification of the hydro pole location.
- Agent confirms the location is on the retained lands and the condition requires the reference plan references the easement.
- K. DeLeye confirms easements for utilities can be shown on the reference plan.
- Member Emmott seeks clarification on access for farm equipment between the retained and severed properties.
- Agent 86 metres from the driveway and the property line.

No public comments.

Moved by Member Hamilton
Seconded by Member Schmitt

And that Consent Application B15-24-ES from Trevor Hawkins, Agents, on behalf of 1778206 Ontario Inc./ Kris Martin, Owner of lands legally known as CONCESION 3 PART LOT 19 municipally known as 405 Third Concession Rd, within the Former Township of Burford, County of Brant, proposing to sever a surplus dwelling with an area of approximately 0.745 hectares (1.84 acres) and a frontage of approximately 12.4 metres (40.68 feet) along Third Concession Rd, with the retained lands having an area of approximately 32.86 hectares (81.20 acres), **BE APPROVED**, subject to the attached condition in addition a) entrance permit b) drainage condition c) civic addressing for the

retained lands.

THAT the reason(s) for approval are as follows:

- The application is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and consistent with the policies of Provincial Policy Statement.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law, specifically for surplus farm dwelling.

Carried

5.5 **B16-24-LK-3 & 33 Salt Springs Rd** – Deferred by agent/applicant ahead of the meeting.

6. Next Meeting

The next meeting is scheduled to be November 21, 2024, and we will be a hybrid meeting starting at 6:00pm.

7. Adjournment

The meeting adjourned at 7:04 PM.



Sarah Dymont-Smith Secretary-Treasurer



COMMITTEE OF ADJUSTMENT REPORT

DATE: December 19, 2024

REPORT NO: RPT - 0507 - 24

TO: To the Chair and Members of the Committee of Adjustment

FROM: Negin Mousavi Berenjaghi, Development Planning Student

APPLICATION TYPE: Consent Application

APPLICATION NO: B10 & B12-24-KD

LOCATION: 375 Harley Road

APPLICANT/AGENT: GSP Group / Brandon Flewwelling

OWNER: Andy Stubbe

SUBJECT: Request for a decision on Consent Application(s) to facilitate the enlargement of existing agricultural land and residential use.

RECOMMENDATION

THAT Consent Application **B10-24-KD** from GSP Group c/o Brandon Flewwelling for lands known legally known as CONSESSION 10 LOT 24, in the former geographic township of Burford, municipally known as 375 Harley Road, County of Brant, proposing to sever 13.636 hectares (33.69 acres) of the subject lands (shown as PART 1 in the Site Plan) as a lot addition to the adjacent agricultural land to the west, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Provincial Planning Statement regarding minor boundary adjustments for legal or technical reasons.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

THAT Consent Application **B12-24-KD** from GSP Group c/o Brandon Flewwelling for lands known legally known as CONSESSION 10 LOT 24, in the former geographic township of Burford, municipally known as 375 Harley Road, County of Brant, proposing to sever 0.098 hectares (0.24 acres) of the subject lands (shown as PART 3 in the Site Plan) to be added to

the existing residential lot at 365 Harley Road, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Provincial Planning Statement regarding minor boundary adjustments for legal or technical reasons.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

EXECUTIVE SUMMARY

Consent Applications **B10 & B12-24-KD** propose a boundary adjustment of 13.636 hectares (33.69 acres) of the subject lands (shown as PART 1 in the Site Plan) as a lot addition to adjacent agricultural lands to the west, and a boundary adjustment of 0.098 hectares (0.24 acres) (shown as PART 3 in the Site Plan) to be added to the residential lot at 365 Harley Road. The retained lands (shown as PART 2 in the Site Plan) will have a lot area of approximately 3.415 hectares (8.438 acres), a frontage of approximately 66.29 metres (217.48 ft.), and a depth of approximately 198.72 metres (651.96 ft.). The retained lands are entirely within the Hamlet Boundary of New Durham. The proposed boundary adjustments will result in the enlargement of the adjacent agricultural lands and a residential lot, supporting their continued use. No vacant lot is created as a result of the proposals.

At the time of preparing this report, no concerns were raised as part of the public or technical circulation of this Consent Application.

For the reasons outlined in this report, it is my professional recommendation that Consent Applications **B10 & B12-24-KD** to facilitate the addition of part of the subject lands to agricultural lands to the west and residential lot to the north **Be Approved**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands are municipally known as 375 Harley Road and are located south of Harley Road and east of Muir Road South.

The subject lands are approximately 17.149 hectares (42.37 acres) in size with a frontage of approximately 66.29 metres (217.48 ft.) on Harley Road.

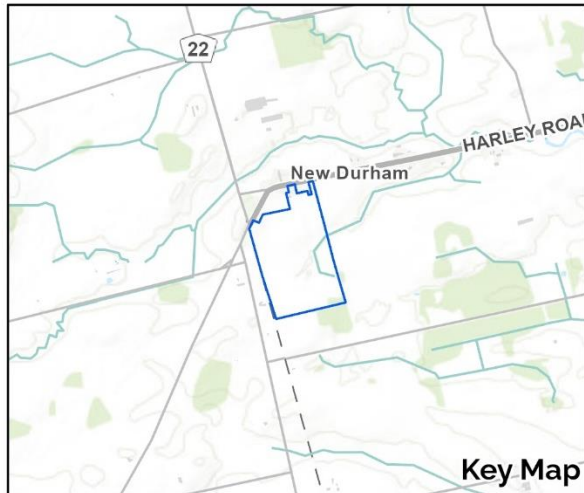
Parts of the subject lands are located within the Settlement Area Boundary of New Durham (parts 2 & 3 in the Site Plan), with the rest being outside of the Settlement Area Boundary (part 1 in the Site Plan).

The subject lands are surrounded by residential hamlets and villages to the north and west. To the east, Agricultural uses are present, and Natural Heritage features and Agricultural Employment uses are located to the north of the property.

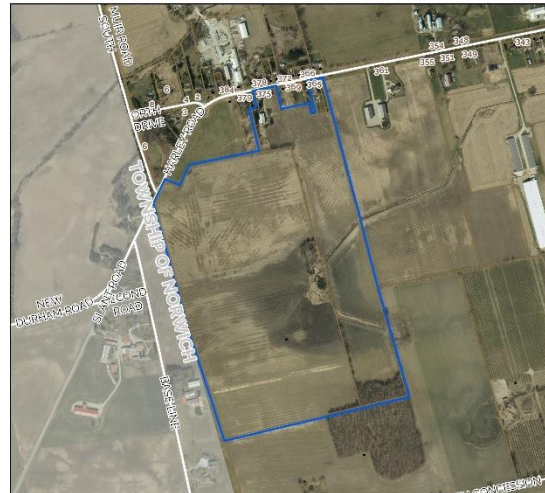
There are some natural heritage features located at the rear portion of the subject lands.

The subject lands currently contain one (1) residential dwelling and accessory structures and are serviced by private water and septic systems.

Location Map
Application: B10 & B12-24-KD
375 Harley Road



Aerial Map
Application: B10 & B12-24-KD
375 Harley Road



REPORT

Planning Act

Section 2(a-s) of the *Planning Act* outlines matters of provincial interest that decision making bodies shall have regard for.

- ***Review of this Application has consideration for the proposed development as it relates to matters of provincial interest, public health safety, existing conditions and surrounding uses, land use compatibility, utilities, municipal infrastructure, vehicular and pedestrian traffic, and natural resources.***

Section 51(24) of the *Planning Act* sets out criteria to be considered when reviewing consent applications.

- ***Review of this Application demonstrates that this application is in keeping with Section 51(24) of The Planning Act.***

Conformity with Provincial and Municipal Policies/Plans

Provincial Planning Statement, 2024

The *Provincial Planning Statement* (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the *Planning Act*.

Section 4.3.3.2 of the *Provincial Planning Statement* outlines that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

- ***The proposed boundary adjustment will bring the subject lands in compliance with the County of Brant Official Plan (2023) and therefore is technical.***

Section 4.3.3.3 of the Provincial Planning Statement states that the creation of new residential lots in prime agricultural areas shall not be permitted.

- ***The proposed boundary adjustment will not result in the creation of a new residential lot in a prime agricultural area.***

It is my professional opinion that the request conforms to the policies of the Provincial Planning Statement.

County of Brant Official Plan, 2023

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall ‘conform’ to the local Municipal Policies, including but not limited to the County of Brant Official Plan.

- ***Schedule ‘A’ of the County of Brant Official Plan identifies the land use designations of the subject lands as ‘Village Developed Area’, ‘Agriculture’ and ‘Natural Heritage System’.***

The following demonstrates conformity with the applicable policies of the County of Brant Official Plan (2023):

Official Plan (2023)	Planning Analysis
Section 2.6 (page 3-6) of the Official Plan speaks to the general intent of the Village Developed Area designation, which supports active transportation connections, low-impact mixed-use development, minor intensification on underutilized parcels, and public spaces that prioritize active transportation modes.	<i>The existing development on the portion of the subject lands designated as a Village Developed Area conforms with the general intent of the designation.</i>
Section 1.4 (page 5-6) of the Official Plan outlines the general policies and permitted uses for the Village Developed Area designation. Permitted uses for this land use designation are as follows: <ul style="list-style-type: none"> - Residential uses in <i>low-rise and mid-rise development</i>, including additional residential units, home-based businesses, and home-based industries. 	<i>The existing uses (residential dwelling and associated accessory structures) on the portion of the subject lands designated as a Village Developed Area comply with the general policies and permitted uses of the designation.</i>

<ul style="list-style-type: none"> - Institutional, commercial, retail, accommodation, office, and <i>public service facilities</i> and community uses in <i>low-rise and mid-rise residential development</i>. - Seasonal, interim, and tourism uses 	
<p>Part 5 Section 2.1 contains policies on the Agriculture Designation, in which the intent is to prioritize the protection and enhancement of a continuous and productive agricultural land base in addition to adopting an agricultural systems approach. The predominant use of land is to be agriculture.</p>	<p><i>The proposed boundary adjustment (Part 1) will result in an expanded farming operation on the adjacent lands and therefore meets the intent of the Official Plan.</i></p>
<p>Part 5, Section 2.3 (page 5-35) speaks to consents in the Prime Agricultural Area, stating that no new lot shall be created as a result of the severance.</p>	<p><i>The proposed consent will not result in the creation of a new lot within the Agricultural designation (one new lot is created within New Durham) as it will be added to the adjacent agricultural land.</i></p>
<p>Part 5, Section 2.10.8 (page 5-52) states that lot line adjustments will not be permitted where it could result in additional ownership of features of the Natural Heritage System. In all other instances, a lot line adjustment between abutting properties containing parts of the Natural Heritage System may be considered.</p>	<p><i>The proposal meets the lot line adjustment policies of this section as there will be no additional ownership of natural heritage features. The connectivity of the Natural Heritage System is not anticipated to be implemented by the subject proposal.</i></p>

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Source Water Protection

Source water protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

- ***Staff have reviewed Source Water Protection Area mapping and identified that the subject lands are not located within the Source Water Protection zone.***

County of Brant Zoning By-Law 61-16

The subject lands are currently zoned as Agricultural (A), Residential Hamlets and Villages (RH), and Natural Heritage (NH).

A concurrent application for Zoning By-Law Amendment has been submitted and approved to change the zoning of the northern portion of the subject lands (shown as Part 2 & 3 in site plan) from Agricultural (A) to Residential Hamlets and Villages (RH).

Section 9, table 9.1.1 outlines the permitted use within the RH zone. The permitted uses are Single Detached Dwelling and Group Home.

- ***The existing single-detached dwelling and its associated accessory structures comply with the permitted uses in the RH zone.***

Section

The following charts demonstrate that the proposed lot complies with the minimum requirements for lot line adjustment.

(Part 1 + adjacent agricultural lands)		
Zone Requirements Agricultural (A)	Required	Proposed Severed Lands
Lot Area, Minimum (hectares)	40	>40
Lot Frontage, Minimum (metres)	150	>150

(Part 3 + 365 Harley Road)		
Zone Requirements Residential Hamlets and Villages (RH)	Required	Proposed
Lot Area, Minimum (sq. m)	3000	3952
Lot Frontage, Minimum (metres)	30	36

<i>Proposed Retained Lands</i> (Part 2, as shown in the site plan)		
Zone Requirements	Required	Proposed Severed Lands

Residential Hamlets and Villages (RH)		
Lot Area, Minimum (sq. m)	3000	34150
Lot Frontage, Minimum (metres)	30	66.29

- **All other applicable provisions of the Zoning By-Law shall apply.**

It is my professional opinion that the request is appropriate and maintains the intent of the County of Brant Zoning By-Law (61-16).

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none"> • The proposed lot line adjustment will create an additional access for MN # 365 Harley Road. Since the benefitting property already has care and control of an existing access onto Harley Road, the second entrance (east) must be removed and the ditch area remediated. • A Legal Survey is required to demonstrate the new property boundaries. A draft reference plan is to be completed by a certified Ontario Land Surveyor and is to include all lot bearings, distances, and survey monumentation for the purpose of verifying parcel geometry. The draft is to be provided to the County for approval prior to depositing.
Environmental Planning	<ul style="list-style-type: none"> • It is the opinion of policy planning, that the subject lot addition of prime agriculture lands to an adjacent farm will provide for an expanded farming operation and meets the intent the Official Plan. • The rear portion of the lands contain part of the Natural Heritage System due to the presence of a significant woodland. It is the opinion of Environmental Planning, that the subject proposal meets the lot line adjustment policies on the Natural Heritage System in Part 5 Section 2.10.8, as there will be no additional ownership of natural heritage features. The connectivity of the Natural Heritage System is not anticipated to be impacted by the subject proposal.
Fire	<ul style="list-style-type: none"> • No comments
Canada Post	<ul style="list-style-type: none"> • Please be advised that Canada Post does not have any comments on this application for severance

	<ul style="list-style-type: none"> • and boundary adjustment as this will not affect mail delivery.
Parks Capital Planning and Forestry	<ul style="list-style-type: none"> • No comments
Enbridge Gas Inc.	<ul style="list-style-type: none"> • No comments
Hydro One	<ul style="list-style-type: none"> • We are in receipt of your Application for Consent B10 & B12-24-KD dated 2024-11-04. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

The following departments/agencies did not provide any comments/ concerns as part of the circulation of this application:

- Six Nations
- Mississaugas of the Credit First Nation (MCFN)

PUBLIC CONSIDERATIONS

Notice of this Application has been circulated to all property owners within 60 metres of the subject lands in accordance with Section 53 of the *Planning Act* as follows:

- Posting of the Public Notice sign was completed on December 2, 2024 and site visit was completed on December 9, 2024.

At the time of writing this report, no public comments or correspondence have been received.

CONCLUSIONS AND RECOMMENDATIONS

Consent Applications **B10 & B12-24-KD** will result in the enlargement of the adjacent agricultural operation to the west and the residential lot at 365 Harley Road. The applications conform to the applicable policies above.

Comments received from internal and external commenting agencies have been incorporated as conditions where appropriate.

At the time of preparing this report, no concerns were raised as part of the public or technical circulation of this Consent Application.

For the reasons outlined in this report, it is my professional recommendation that Consent Applications **B10 & B12-24-KD BE APPROVED**, subject to the attached conditions.

Prepared by:

Negin Mousavi Berenjaghi, Development Planning Student

Reviewed By:

Kayla DeLeye, MA, Ec.D, MCIP, RPP, Supervisor of Development Planning

ATTACHMENTS

- 1. Site Plan
- 2. Site Photos
- 3. Zoning Mapping
- 4. Official Plan Mapping
- 5. Aerial Map
- 6. Aerial Detailed Map

COPY TO

- 1. Kayla DeLeye, Supervisor of Development Planning
- 2. Applicant/Agent

FILE # B10 & B12-24-KD

In adopting this report, is a bylaw or agreement required?

- By-Law required (No)
- Agreement(s) or other documents to be signed by Mayor and /or Clerk (No)
- Is the necessary By-Law or agreement being sent concurrently to Council? (No)

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant/Owner provide a copy of a Draft Reference Plan prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited at the Land Registry Office.
 - a. That the Draft Reference Plan be required to identify the proposed severed and retained parcels
3. That the applicant provides CAD drawing or GIS files with line work to import into database
4. That a civic address will be required for the agricultural parcel CON 10 PT LOT 24 which can be requested at the [County of Brants Civic Address Requesting Form](#)
5. That the \$321 Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
6. That Subsection 50 (3) of the Planning Act apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
7. That the severed parcel, being part of 375 Harley Road become part and parcel of the abutting lands municipally known as CON 10 PT LOT 24 and the Applicant's Solicitor undertakes to register an Application Consolidation Parcels to ensure the consolidation and proof of same to the Secretary Treasurer, Committee of Adjustment.
8. That the Applicants provide draft transfer documents with legal descriptions of the severed lands utilizing the Draft Reference Plan prior to the finalization of the Consent (i.e., registration of the deed in the appropriate Registry Office).
9. That the Applicant's lawyer shall prepare and register all the necessary documents following review and approval by the County Solicitor, and immediately following the registration, the Applicant's lawyer shall provide a certificate satisfactory to the County Solicitor that the registrations have been completed properly and in accordance with the approvals provided.
10. That the above conditions must be fulfilled, and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the

written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant/Owner provide a copy of a Draft Reference Plan prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited at the Land Registry Office.
 - a. That the Draft Reference Plan be required to identify the proposed severed and retained parcels
3. That the Applicant provides proof to the satisfaction of Development Engineering that the second entrance (east) must be removed and the ditch area remediated.
4. That the \$321 Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
5. That Subsection 50 (3) of the Planning Act apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
6. That the severed parcel, being part of 375 Harley Road become part and parcel of the abutting lands municipally known as 365 Harley Road and the Applicant's Solicitor undertakes to register an Application Consolidation Parcels to ensure the consolidation and proof of same to the Secretary Treasurer, Committee of Adjustment.
7. That the Applicants provide draft transfer documents with legal descriptions of the severed lands utilizing the Draft Reference Plan prior to the finalization of the Consent (i.e., registration of the deed in the appropriate Registry Office).
8. That the Applicant's lawyer shall prepare and register all the necessary documents following review and approval by the County Solicitor, and immediately following the registration, the Applicant's lawyer shall provide a certificate satisfactory to the County Solicitor that the registrations have been completed properly and in accordance with the approvals provided.
9. That the above conditions must be fulfilled, and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

Attachment 2 - Site Photos



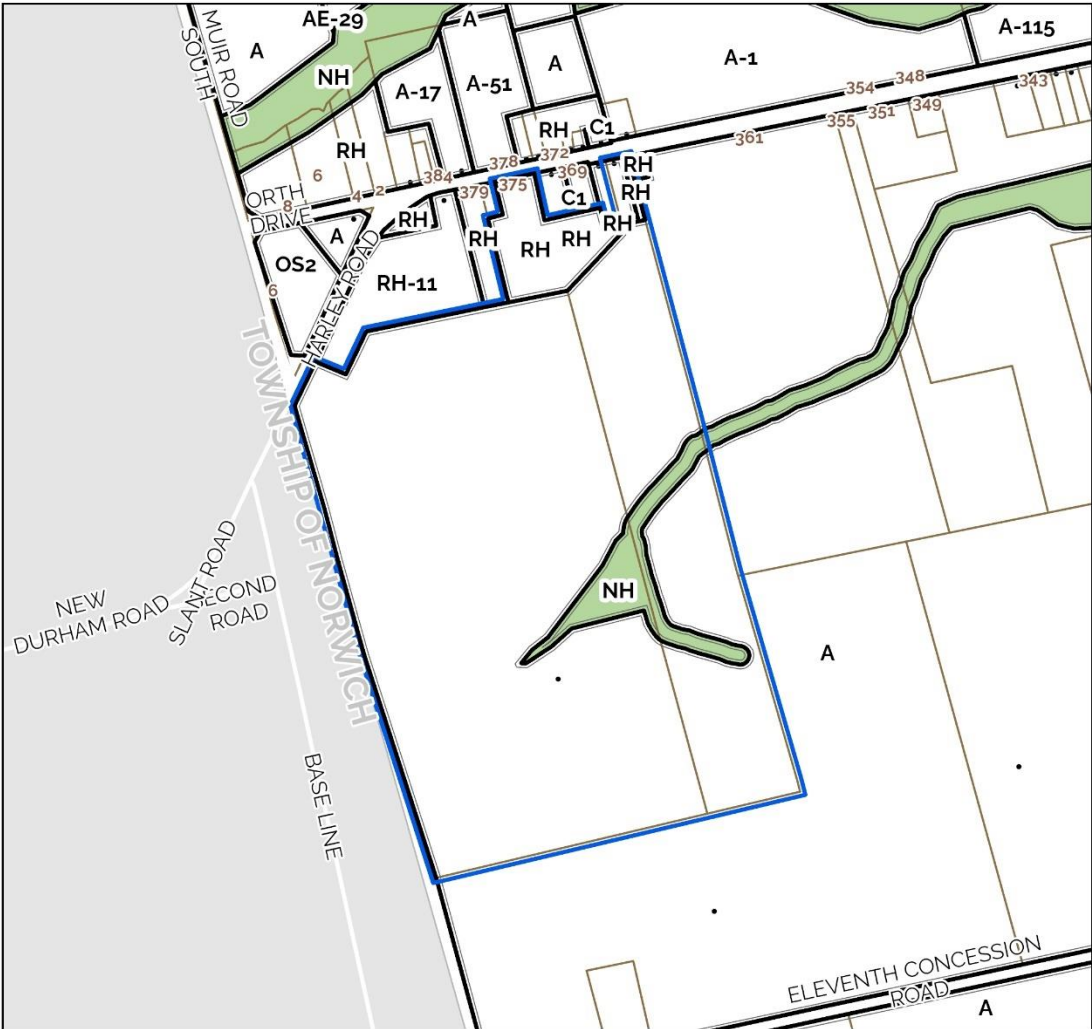
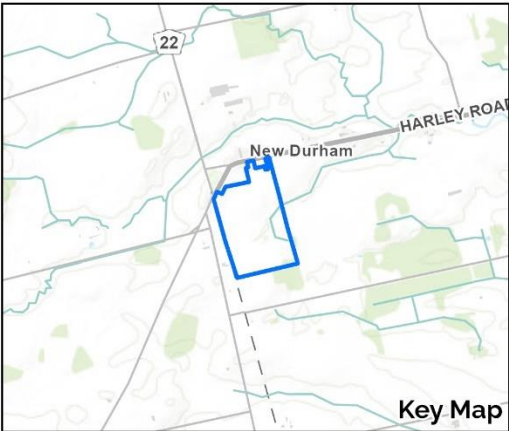
Attachment 3 – Zoning Map

**MAP 1: ZONING
FILE NUMBER
B10-B12-24-KD**

375 Harley Road
County of Brant



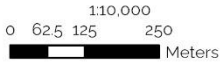
Date Printed: 2024-11-20



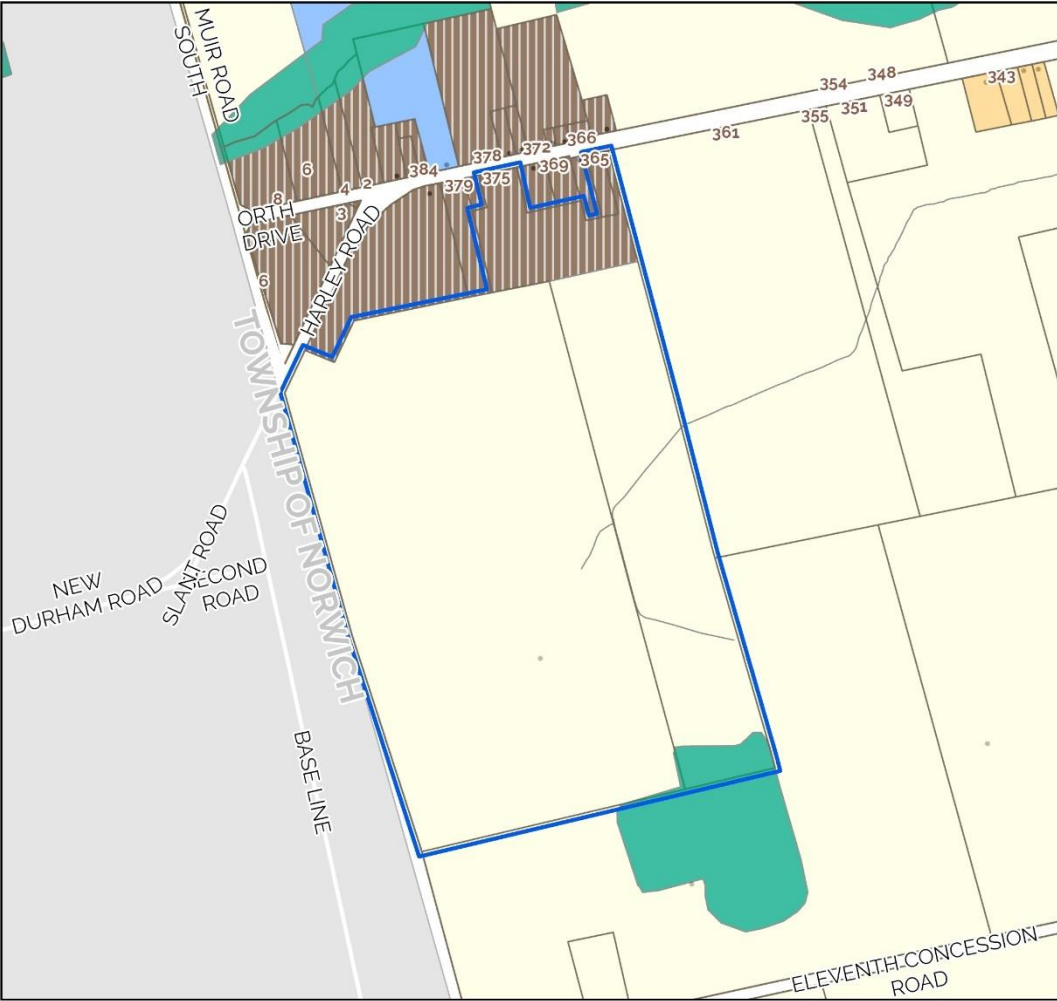
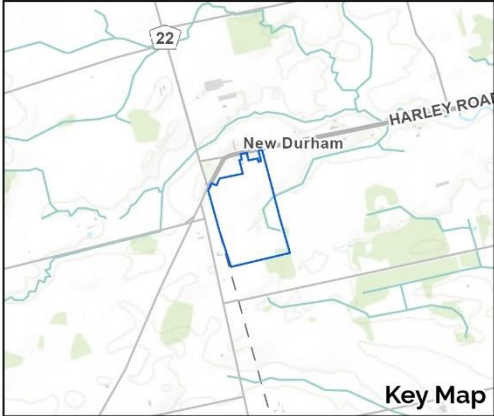
Attachment 4 – Official Plan Map

**MAP 2: Official Plan
FILE NUMBER
B10-B12-24-KD**

375 Harley Road
County of Brant
Ontario



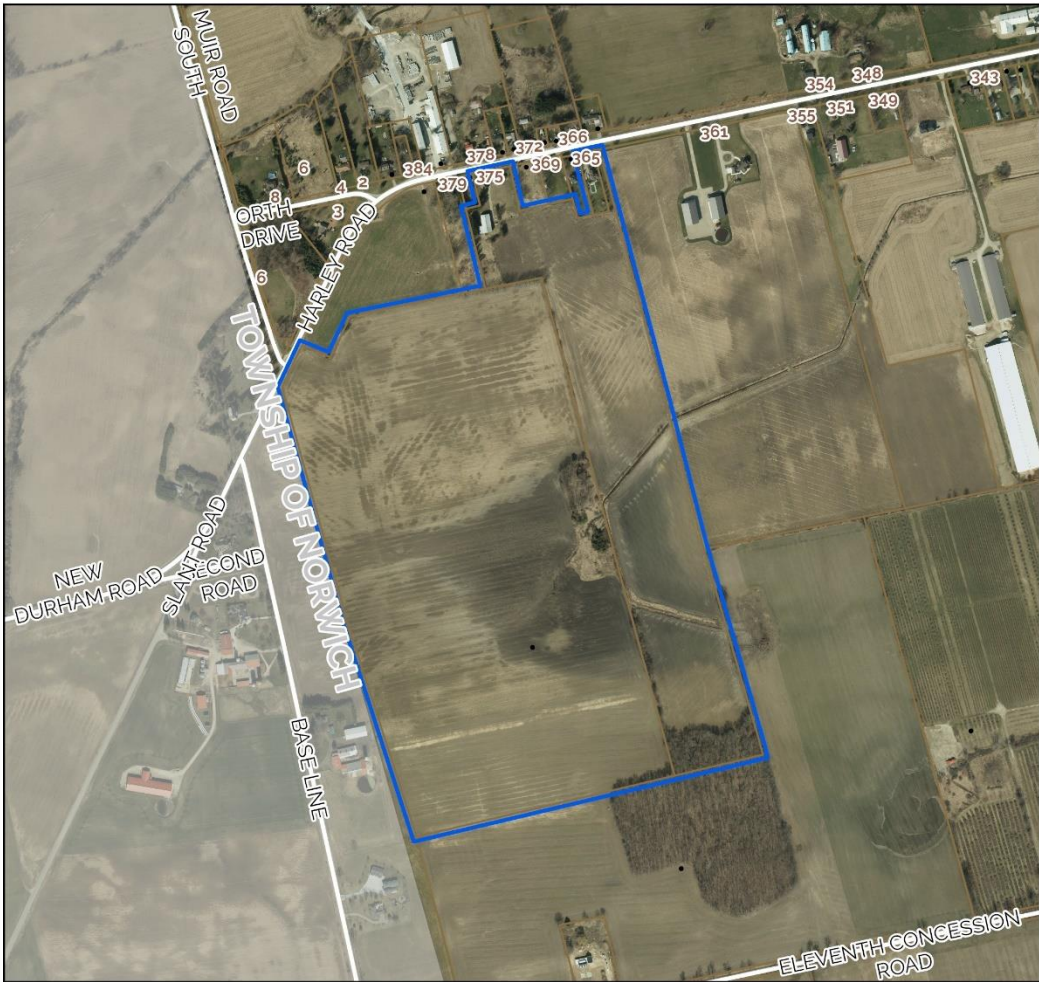
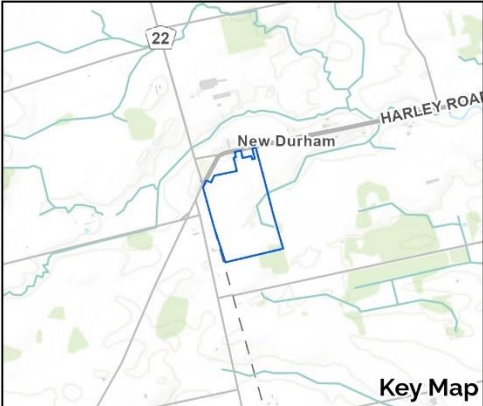
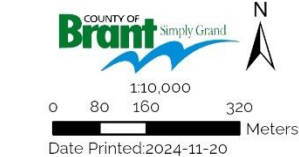
Date Printed: 2024-11-20



Attachment 5 – Aerial Map

MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
B10-B12-24-KD

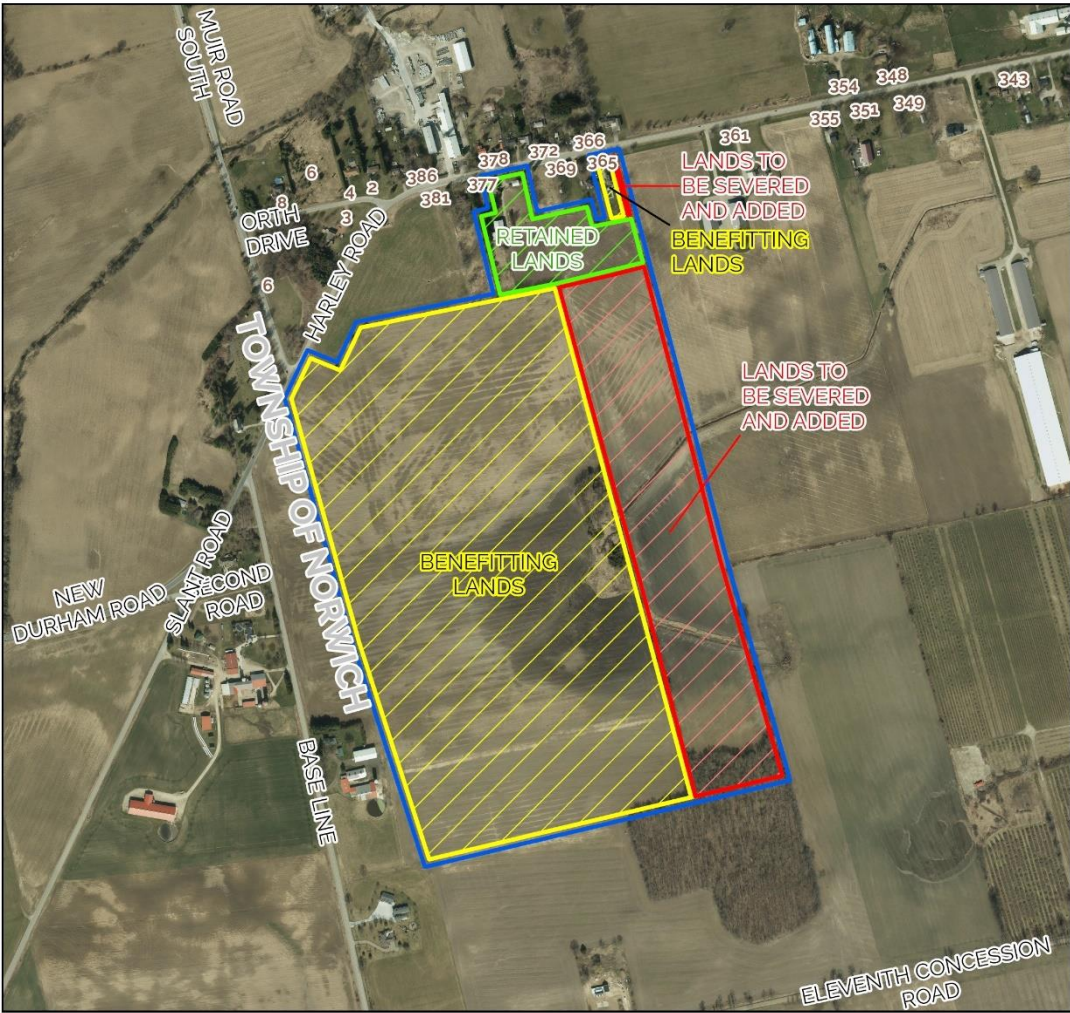
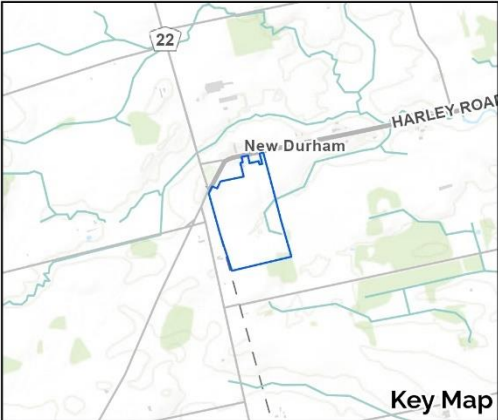
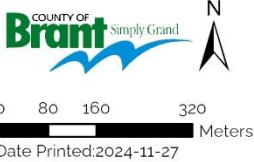
375 Harley Road
County of Brant
Ontario



Attachment 6 – Aerial Detailed Map

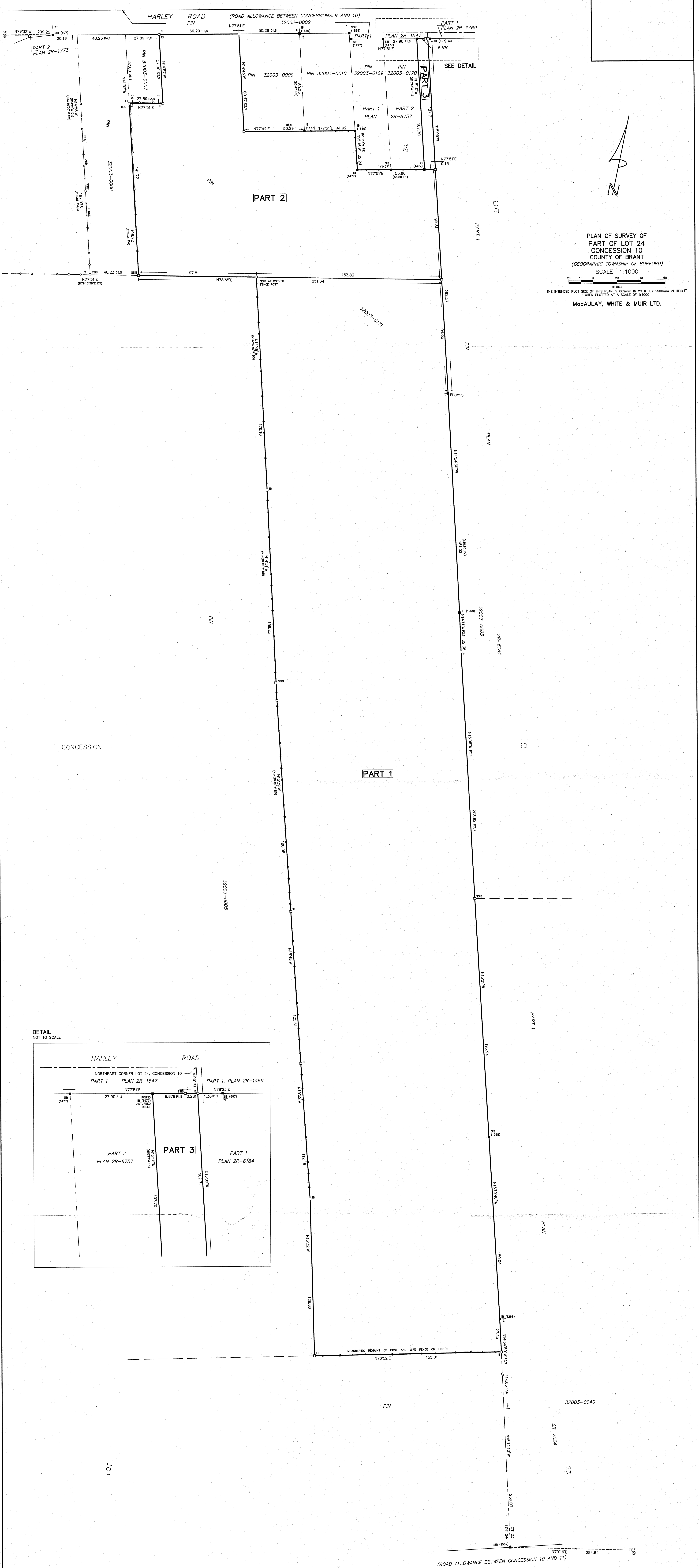
**MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B10-B12-24-KD**

375 Harley Road
County of Brant
Ontario

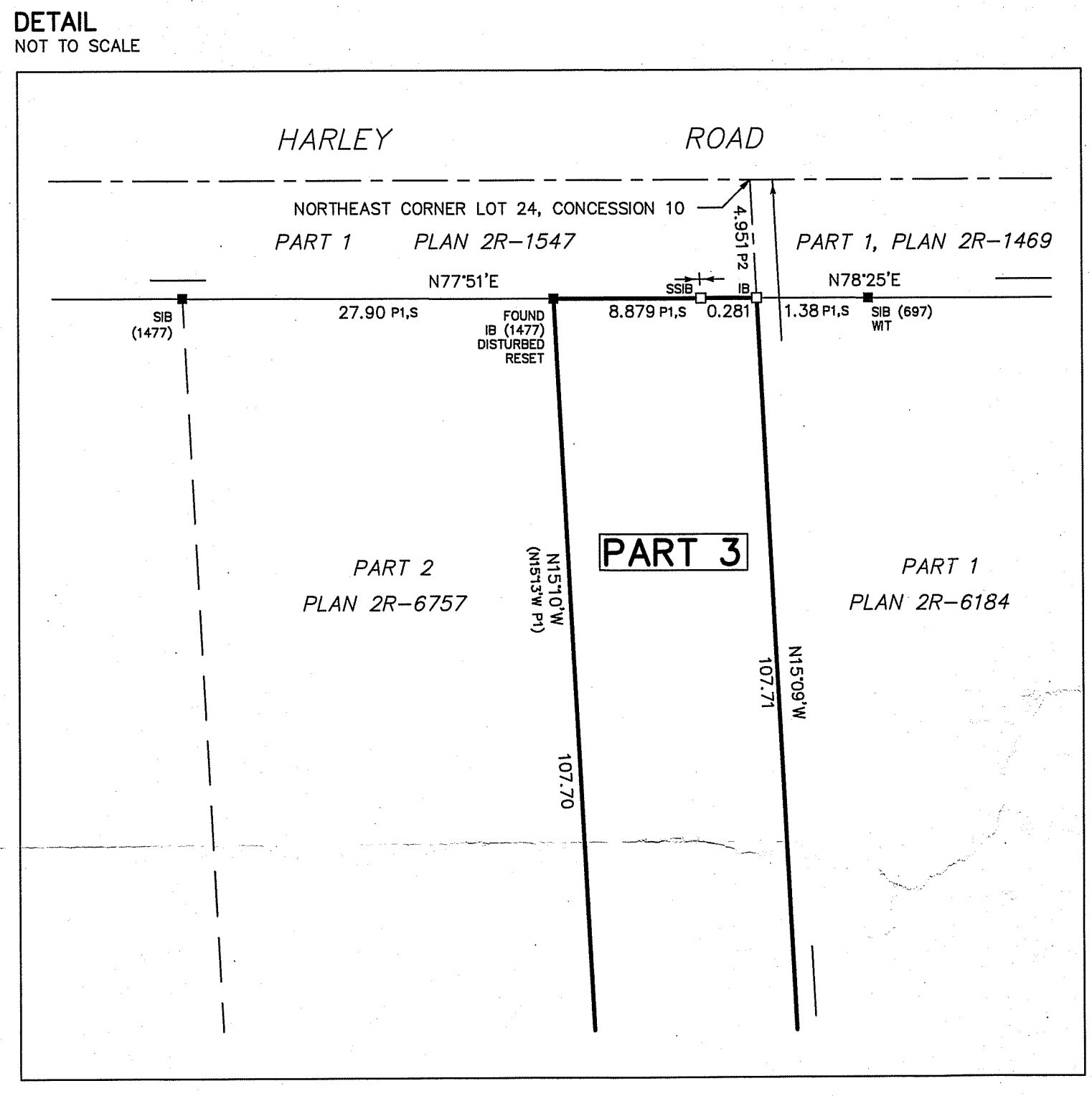


SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA IN HECTARES
1				13.636
2	24	10	32003-0171	3.415
3				0.098

PARTS 1, 2 AND 3 COMPRISE ALL OF PIN 32003-0171.



PLAN OF SURVEY OF
PART OF LOT 24
CONCESSION 10
COUNTY OF BRANT
(GEOGRAPHIC TOWNSHIP OF BURFORD)
SCALE 1:1000
THE INTENDED PLOT SIZE OF THIS PLAN IS 600mm IN WIDTH BY 1500mm IN HEIGHT
WHEN PLOTTED AT A SCALE OF 1:1000
MacAULAY, WHITE & MUIR LTD.



- LEGEND**
- SB - STANDARD IRON BAR
 - SSB - SHORT STANDARD IRON BAR
 - IB - IRON BAR
 - CC - CILT CROSS
 - PB - PLASTIC BAR
 - CP - CONCRETE PIN
 - PL - PLANTED
 - - FOUND
 - - FOUND
 - - ROUND
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 - 1268 - T.H. BROOKS O.L.S.
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 - X- - POST AND WIRE FENCE UNLESS NOTED
 - D1 - INST. 32003-0009 (INST. B1320862)
 - D2 - INST. 32003-0171 (INST. A457075)
 - D3 - INST. 32003-0007 (INST. A168221)
 - D4 - INST. 32003-0006 (INST. A339560)
 - D5 - INST. 32003-0005 (INST. A463662)
 - P1 - PLAN 2R-6757
 - P2 - PLAN 2R-6184
 - P3 - PLAN 2R-7024

NOTE:
BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99958.
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POINT ID	NORTHING	EASTING
A	4764591.86	536468.59
B	4765801.26	535217.74

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE DAY OF . 2024.

OCTOBER 16, 2024
JOHN W. MUIR
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION NUMBER V-
MacAulay, White & Muir Ltd.
ONARIO LAND SURVEYOR - CANADA LAND SURVEYORS
A Fully Owned Subsidiary of J.S. Barnes Limited
480 EADY ROAD, UNIT 2, BRANTFORD, ONTARIO N5L 5L8
T: (519) 752-0000 www.jlms.com

DRAWN	CCS
CHECKED	JM
FILE NO.	22-50-271-00



NOTICE OF PUBLIC MEETING

- IT IS IMPORTANT TO NOTE THAT ANYONE HAS THE RIGHT TO MAKE AN APPLICATION TO AMEND A PLANNING DOCUMENT.
- ONCE AN APPLICATION HAS BEEN MADE, THE COUNTY OF BRANT IS BOUND BY THE PROVISIONS OF THE PLANNING ACT TO SEND NOTICE OF A PUBLIC MEETING.
 - THIS DOES NOT MEAN THE COUNTY OF BRANT EITHER SUPPORTS OR IS IN OPPOSITION TO THE PROPOSAL.
- THE PURPOSE OF THE PUBLIC MEETING IS TO HEAR THE VIEWS OF ALL THOSE CONCERNED.
- BASED ON ALL THE FACTS PRESENTED, THE COMMITTEE OF ADJUSTMENT WILL MAKE A DECISION ON THOSE MATTERS FOR WHICH THEY ARE RESPONSIBLE.

PLEASE NOTE:

IT IS REQUESTED THAT YOU PROVIDE ANY COMMENTS / CONCERNS

ONE WEEK PRIOR TO THE MEETING TO

ALLOW YOUR COMMENTS /CONCERNS TO BE DISTRIBUTED TO THE MEMBERS OF THE
COMMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: December 19, 2024

Time: 6:00 PM

Location: Council Chambers - 7 Broadway Street West, Paris
OR Meeting available on the County of Brant You Tube

Application Number and Address: B10 & B12-24-KD-Stubbes-375 Harley Rd

Details of Application:

GSP Group c/o Brandon Flewwelling agent on behalf of 2307473 ONTARIO INC c/o Andy Stubbe, applicant/ owner of CON 10 PT LOT 24, County of Brant, in the geographic township of Burford, located at 375 Harley Rd is proposing to sever 13.636 hectares of land from 375 Harley Road (subject lands) as a lot addition to the agricultural parcel to the west and to sever 0.098 hectares from the subject lands to be added to the residential lot at 365 Harley Road. The application will result in an enlargement of the existing agricultural operation and will slightly increase a residential lot 365 Harley Road within the hamlet area. A concurrent application for zoning by-law amendment has been submitted and approved.

Pursuant to Section 45 & Section 53 of the Planning Act, Notice is hereby given that County of Brant has received a "Complete Application" for the proposal described above in accordance with the Planning Act. A Public Meeting, as required by the Planning Act, will be held by the Committee of Adjustment to provide information and receive public comments on the application outlined above.

ANY PERSON may make written submissions. **Written submissions must be made to the Planning Division one week prior to the meeting at the address shown below.*

The Committee of Adjustment may review the proposal and any other material placed before it in order to make a decision on the proposal. If you wish to be notified of the Decision of the Committee of Adjustment in respect to the proposal, you must make a written request to the Committee of Adjustment, c/o Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Where do I send written submissions?

To submit written feedback please send to the Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Office hours are Monday to Friday, 8:30 am – 4:30 pm
519.44BRANT (519.442.7268) or toll-free 1.855.44BRANT

Planner: Negin Mousavi Berenjaghi <Negin.MousaviBerenjaghi@brant.ca>

To view the application and supporting documents, please contact the Planning Department, contact information mentioned above.

How do I appeal a Decision?

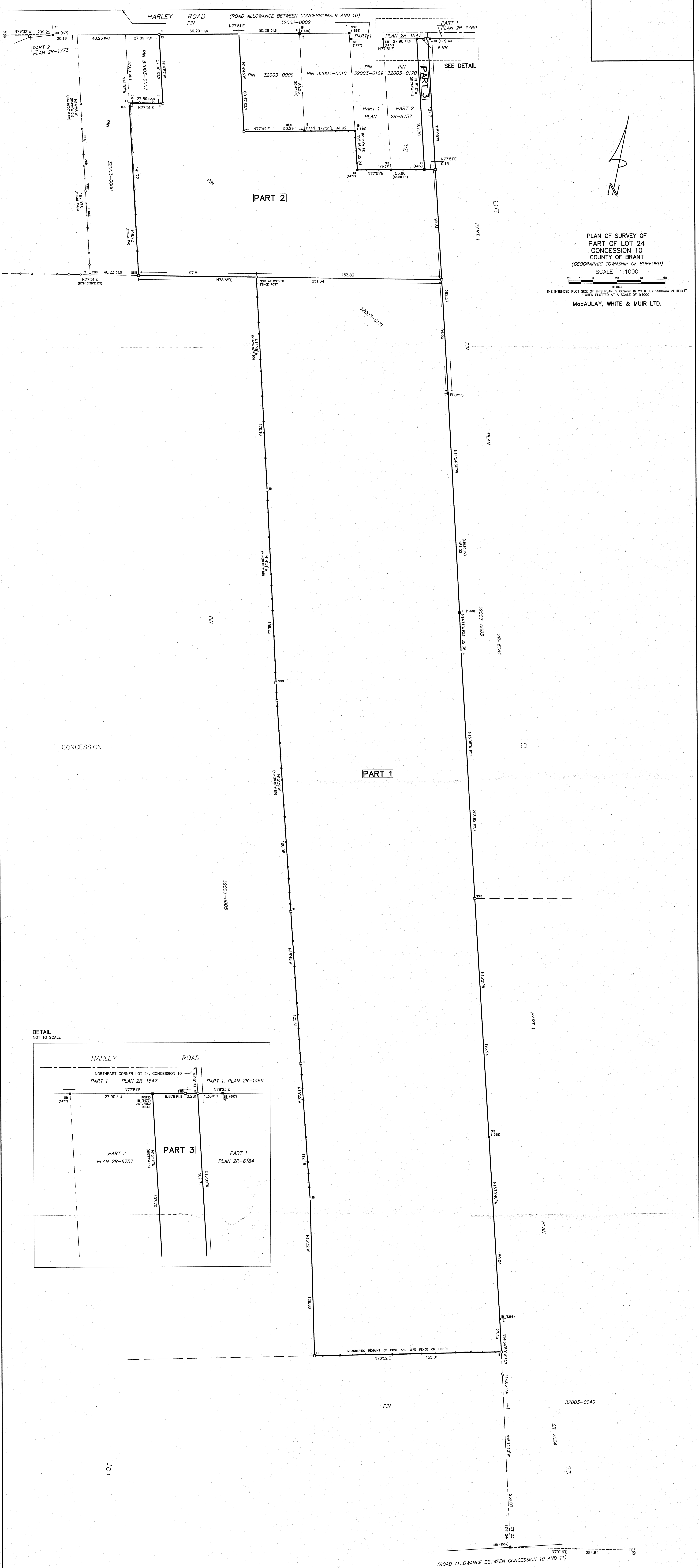
Only the Applicant or Minister may appeal decisions in respect of applications for consent or minor variance to the Ontario Land Tribunal (OLT).

To appeal a Decision of the Committee of Adjustment on this matter to the Ontario Land Tribunal (OLT), you must complete and file the Appellant Form (A1) with a letter to the Secretary Treasurer, Committee of Adjustment outlining the reasons for your appeal. You must enclose the appeal fee of \$400.00 for each application appealed paid by a certified cheque or a money order only, made payable to the Ontario Minister of Finance and an administrative fee of \$267.00, paid by a cheque or a money order only, made payable to the County of Brant.

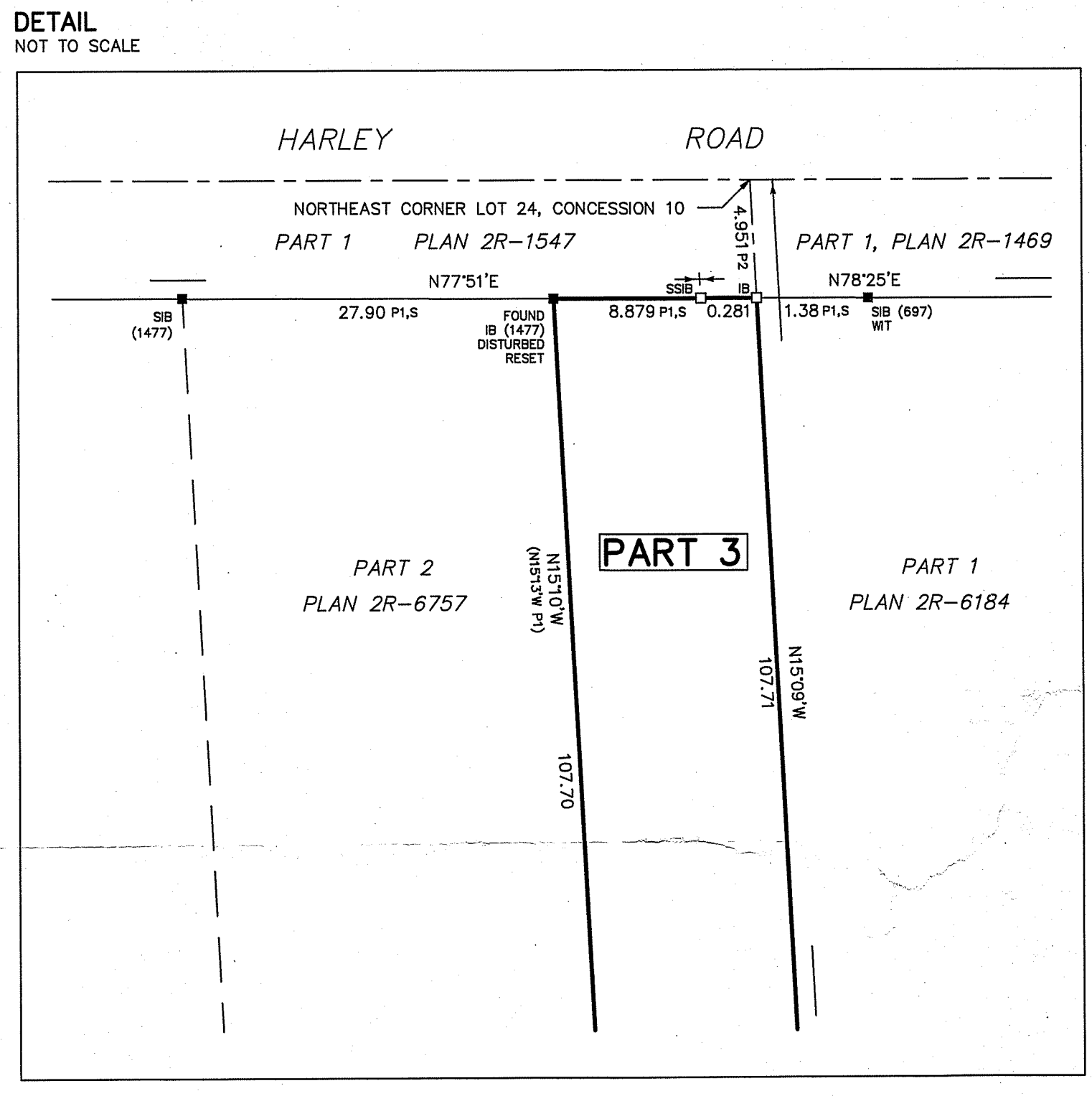
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the County's website and/or made available to the public upon request.*

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PART	LOT	CONCESSION	PIN	AREA IN HECTARES
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2	24	10	32003-0171	3.415
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PARTS 1, 2 AND 3 COMPRISE ALL OF PIN 32003-0171.



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OCTOBER 16, 2024
JOHN W. MUIR
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION NUMBER V-
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DRAWN	CCS
CHECKED	JM
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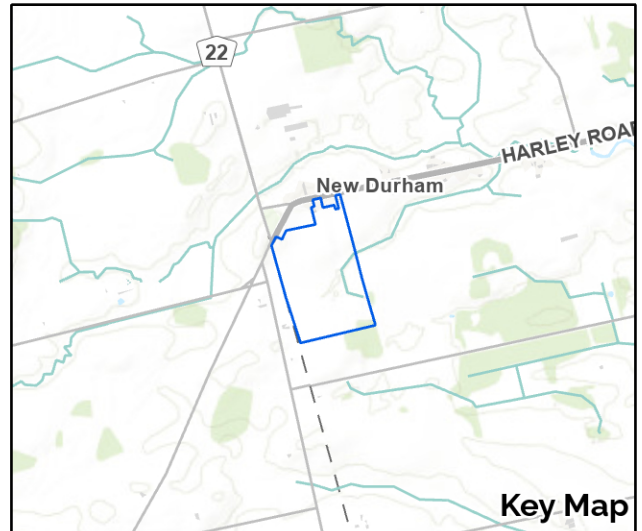
MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B10-B12-24-KD

375 Harley Road
 County of Brant
 Ontario

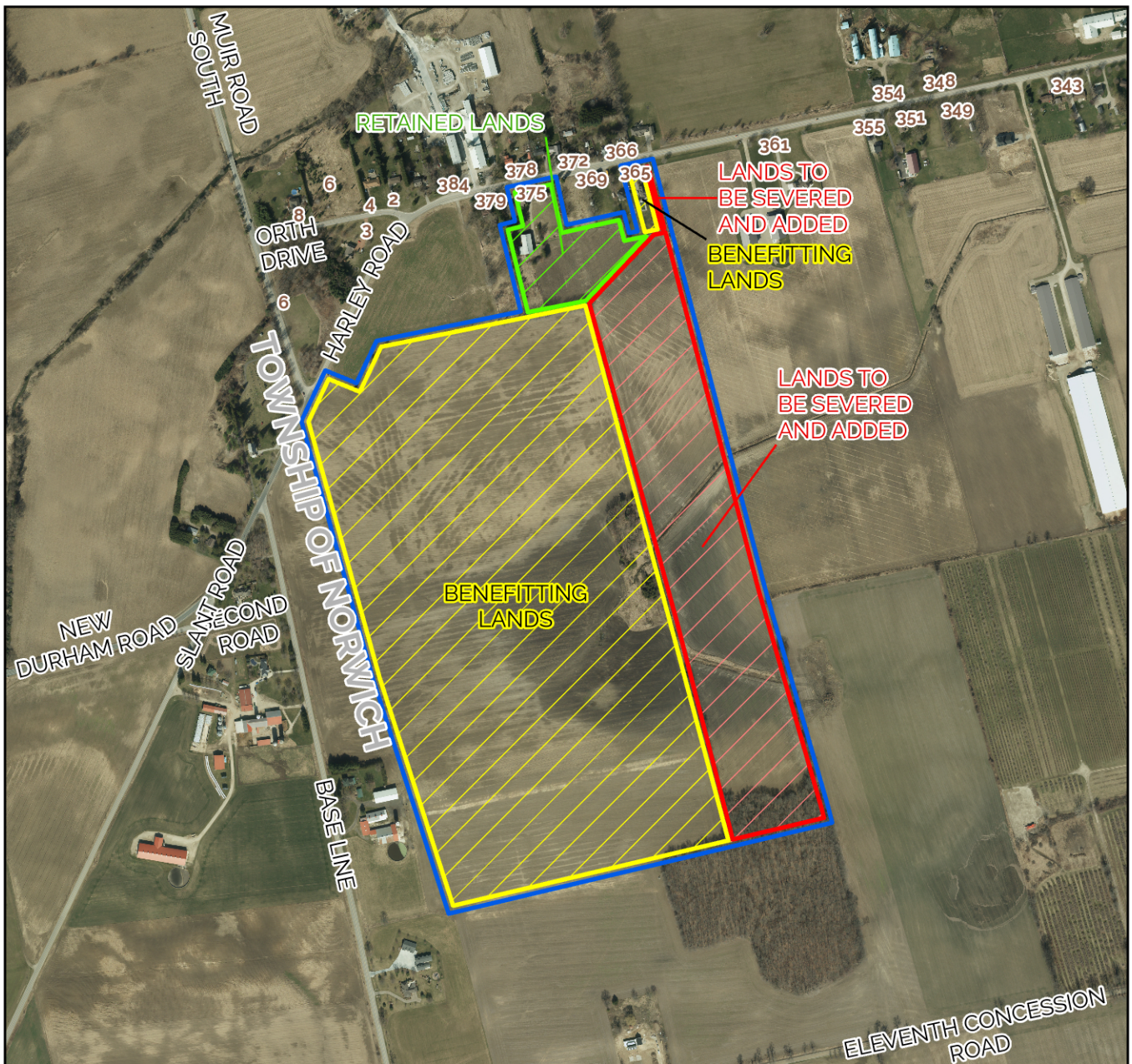


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 Meters

Date Printed: 2024-11-20



Key Map





COMMITTEE OF ADJUSTMENT REPORT

DATE: December 19, 2024

REPORT NO: RPT - 0505 - 24

TO: To the Chair and Members of the Committee of Adjustment

FROM: Negin Mousavi Berenjaghi, Development Planning Student

APPLICATION TYPE: Consent Application

APPLICATION NO: B20-24-NM

LOCATION: 542 Paris Road

AGENT/APPLICANT: N/A

OWNER(S): Shari and Kent Hollett

SUBJECT: Request for a decision on an application proposing a minor lot line adjustment

RECOMMENDATION

THAT Consent Application **B20-24-NM** from Shari Hollett, Owner of lands legally described as CONCESSION 1 PART LOT 18, in the Former Township of Brantford, and municipally known as 542 Paris Road, proposing a lot line adjustment of approximately 5486.7 square metres to be added to the lands at 544 Paris Road, known as benefiting lands **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The proposal is consistent with the Provincial Planning Statement (2024) and conforms and meets policies in the County of Brant Official Plan (2024) and Zoning By-law 61-16.

EXECUTIVE SUMMARY

Consent Application **B20-24-NM** proposes a lot line adjustment of approximately 5486.7 square metres to be added to the adjacent lands at 544 Paris Road. The subject lands have a total lot area of approximately 0.4 ha (2.76 ac) and a frontage of approximately 63.54 m (208.46 ft) on Paris Road.

Staff have reviewed the proposed Consent Application with applicable planning policy (i.e., Planning Act, Provincial Planning Statement (2024), County of Brant Official Plan (2024) and Zoning By-Law 61-16) in review of any comments received from relevant departments, the Applicant, and members of the public.

Development Engineering staff have noted that the distance from the recently constructed board fence from the north garage wall of the property at 542 Paris Road is approximately 10 metres as opposed to the shown 15.24 metres in the site plan. The owner has confirmed that the rear fence will be moved back to the 15.24 metre mark which is approximately 5 metres from its current location. A condition has been added to address this comment.

Additionally, Development Engineering staff have commented on existing access to the rear of the property at 544 Paris Road which overlaps with the retained parcel. The owner has confirmed that the access point will also be moved to the 15.24-metre mark. A condition has been added to address this comment.

It is my professional opinion that the Consent Application proposing a minor lot line adjustment is appropriate, meets relative planning policy and therefore recommend that application **B20-24-NM BE APPROVED**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands municipally known as 542 Paris Road, within the Former Township of Brantford, County of Brant, are located north of Paris Road and south of Governor's Road East.

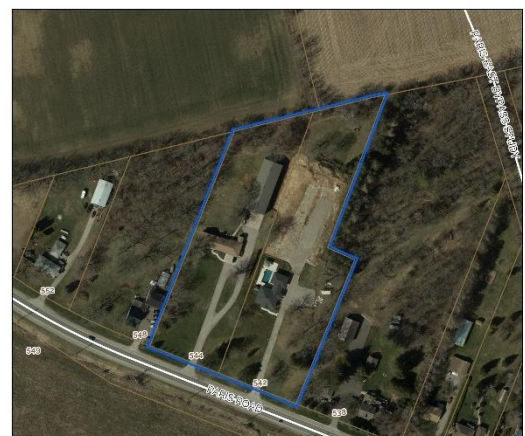
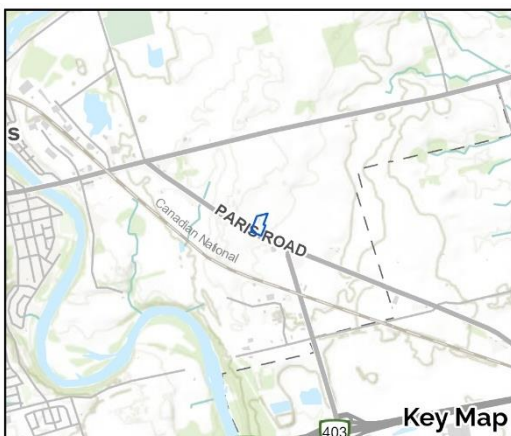
The lands have a lot area of approximately 1.11 hectares and a frontage of 208.46 metres. The property is surrounded by Agriculture land uses to the north and east, Employment land uses to the south, and Rural Residential land uses to the east and west.

The lands contain one (1) existing single-detached dwelling and one (1) pool, and are serviced by municipal water and septic system. The benefiting lands contain a one (1) single-detached dwelling and one (1) legal non-conforming use for sales and service of cars and similar light passenger vehicles.

There are no Natural Heritage features on the subject lands.

LOCATION MAP
Application: B20-24-NM
542-544 Paris Road

AERIAL IMAGE
Application: B20-24-NM
542-544 Paris Road



REPORT

Planning Act

Section 51 (24) of the *Planning Act* sets out criteria to be considered when reviewing Consent Applications.

- The Application is in keeping with Section 51(24) of the Planning Act.

Consistency and/or Conformity with Provincial and/or Municipal Policies/Plans

Provincial Planning Statement – 2024

The *Provincial Planning Statement* (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the *Planning Act*.

Section 2.3.1.1 of the Provincial Planning Statement identifies that settlement areas shall be the focus of growth and development.

- ***The subject lands are within the Settlement Area Boundary of the County of Brant.***

It is my professional opinion that the request conforms to the policies of the Provincial Planning Statement.

Source Water Protection

Source protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

Staff have reviewed Source Water Protection Area mapping, and the subject lands are not within a Source Water Protection zone.

Brant County Official Plan (2023)

The County of Brant Official Plan sets out the goals, objectives, and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

Schedule 'A' of the County of Brant Official Plan (2023) identifies the land use designation of the subject lands as 'Community Corridor.'

The following demonstrates conformity with the applicable policies of the County of Brant

Official Plan (2023):

Official Plan (2023)	Planning Analysis
<p>Section 2.2 (page 3-5) of the new Official Plan outlines the general intent for the lands designated as Community Corridor. This designation includes community area lands that are generally located along arterial or collector roads, acting as a linear focus for higher-density mixed-use development, incremental intensification, and the efficient movement of people and goods.</p>	<p><i>The subject property is designated as Community Corridor which allows for future mixed-use development and incremental intensification.</i></p>
<p>Section 1.2 (Page 5-2) of the new Official Plan speaks to general policies and permitted uses for Community Corridor designation. Permitted uses for this designation are as follows:</p> <ul style="list-style-type: none"> - Residential uses in low-rise, mid-rise, and high-rise development including additional residential units, home-based businesses, and home industries; - institutional, commercial accommodation, office, and community uses in low-rise and mid-rise development; and - Seasonal, interim, and tourism uses. 	<p><i>The existing developments on both the subject and benefiting lands comply with the permitted use within the Community Corridor designation. Any future development shall be consistent with the general policies and permitted uses provided in this section. Any future development may be subject to site plan control.</i></p>
<p>Section 5.2 (page 6-23) of the new Official Plan provides policies regarding consents. Subsection 5.2.4 states that the applications to create new lot(s) or lot line adjustment shall demonstrate that the lands can be adequately serviced on municipal waters.</p>	<p><i>Both properties are adequately serviced by municipal water and private septic systems.</i></p>
<p>Subsection 5.2.4 (Page 6-25) speaks to lot line adjustment no resulting in a landlocked parcel where there is not sufficient area for development and associated uses such as dwelling, accessory structures, access and servicing.</p>	<p><i>The proposed lot line adjustment would provide sufficient area for future development and associated uses and would not result in a landlocked parcel.</i></p>
<p>Subsection 5.2.4 (Page 6-25) states that both the retained lot and severed lot shall have frontage along a public road with safe and direct access to and from a public road.</p>	<p><i>Both the retained and severed lands have frontage along Paris Road as well as safe and direct access.</i></p>
<p>Subsection 5.2.4 (Page 6-25) outlines that the lot configuration(s) proposed for the retained and severed lot(s) shall not restrict the future development or redevelopment potential of the lands or nearby parcels of land, particularly as it relates to intensification targets, the provision of access, servicing, and stormwater management, and where such lands are designated for development by this plan.</p>	<p><i>The proposed lot line adjustment would not result in restrictions for potential future development or redevelopment of the lands or nearby parcels of land.</i></p>

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Zoning By-Law 61-16:

The subject lands are zoned as Rural Residential (RR) within the County of Brant Zoning By-Law 61-16. The following demonstrates conformity with the applicable policies of the County of Brant Zoning By-Law.

Section 9, Table 9.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Rural Residential (RR). The only permitted use within this zone is Single-Detached Dwellings.

- ***The subject lands contain an existing single-detached dwelling and therefore comply with the permitted uses within Rural Residential Zones.***

Section 9.2, Table 9.2.1 of the County of Brant Zoning By-Law 61-16 advises the required regulations for lands zoned as Rural Residential (RR).

<i>Provisions</i>	<i>Required</i>	<i>Retained Land</i>	<i>Severed Land</i>
<i>Minimum Lot Area (square metres)</i>	4000	5686.2	5486.7
<i>Minimum Lot Frontage (metres)</i>	40	57.61	51.65
<i>Minimum Street Setback (metres)</i>	20	56.54	74.75
<i>Minimum Interior Side Yard Setback (metres)</i>	5	7.62	5
<i>Minimum Rear Yard Setback (metres)</i>	15	15.24	31
<i>Maximum Lot Coverage</i>	30%	<30%	<30%
<i>Maximum Building Height</i>	10.5	<10.5	<10.5

- ***The subject lands containing existing development meet the zone requirements for the RR zone.***
- ***All other requirements of the Zoning By-Law 61-16 are being satisfied.***

It is my professional opinion that the Consent Application maintains the intent of the County of Brant Zoning By-Law 61-16.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none"> • The recently constructed board fence is approximately 10m from the north garage wall of Municipal # 542, as opposed to the 15.24m that is the proposed to the

	<p>severance limit as shown on the documentation submitted for the lot line adjustment application.</p> <ul style="list-style-type: none"> • There is an existing access to the rear of the site from Municipal # 544 which overlaps the retained parcel. An adjustment to the proposed north severance limit may be required. See attached sketch. <p><i>Staff Response: The owner has confirmed that the rear fence will be moved back to the 15.24-meter mark which is approximately 5 metres from its current location. The applicant has also confirmed that the access point will be moved to the same distance. The applicant is aware of these conditions.</i></p>
Environmental Planning	<ul style="list-style-type: none"> • No comments
Fire	<ul style="list-style-type: none"> • No comments
Canada Post	<ul style="list-style-type: none"> • Please be advised that Canada Post does not have any comments on this application for severance and boundary adjustment between these 2 properties as this will not affect mail delivery.
Parks Capital Planning and Forestry	<ul style="list-style-type: none"> • No comments

PUBLIC CONSIDERATIONS

Notice of this Application, contact information, and Public Hearing Date were circulated by mail on December 4, 2024 to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the *Planning Act* as required.

Posting of the Public Notice sign was completed on December 3, 2024 and site visit was completed on December 6, 2024.

At the time of writing this report, no public comments were received.

CONCLUSIONS AND RECOMMENDATIONS

Planning staff support the consent application as it is consistent with the Provincial Planning Statement, consistent with the County of Brant Official Plan, and meets the intent of the County of Brant Zoning By-Law 61-16, and therefore recommend that Application for Consent **B20-24-NM, BE APPROVED**, subject to the attached conditions.

Prepared by:

Negin Mousavi Berenjaghi
Development Planning Student

Reviewed by: Kayla DeLeye, MA, Ec.D, MCIP, RPP, Supervisor of Development Planning

ATTACHMENTS

- 1. Official Plan Map
- 2. Zoning Map
- 3. Aerial Map
- 4. Proposal Drawings
- 5. Site Photos

COPY TO

- 1. Jeremy Vink, Director of Planning
- 2. Applicant/Agent

FILE # B20-24-NM

In adopting this report, is a bylaw or agreement required?

- By-Law required (No)
- Agreement(s) or other documents to be signed by Mayor and /or Clerk (No)
- Is the necessary By-Law or agreement being sent concurrently to Council? (No)

SCHEDULE "A"

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

APPLICANT: Shari Hollett
542 Paris Road

File No: B20-24-NM

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant provides a copy of the draft reference plan for the severed parcels, including the location of the existing buildings by a licensed surveyor, prior to the finalization of the Consent (i.e. registration of the deed in the appropriate Registry Office) to the satisfaction of the County.
3. That the identified severed parcel currently part of 542 Paris Road, becomes part and parcel of the abutting lands identified as 544 Paris Road. The Applicant's Solicitor is to provide a Solicitor undertaking to register an Application of Consolidation Parcels immediately following the registration of the certificate of official to ensure the consolidation and proof of same to the Secretary-Treasurer, Committee of Adjustment.
4. That Subsection 50 (3) of the Planning Act apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
5. That the comments of the Development Engineering Division are understood and agreed to specifically that :
 - a) The severance plan provided by J. H. Cohoon Engineering Ltd. (Dwg. No.16164-SEV1 Rev 1 September 9, 2024) in the submission does not meet the tie of 15.24m from the garage as shown. There is a new board fence constructed approximately 9.7m from the garage. It appears that the new board fence was built in that area because of an existing access to the abutting property at MUN. #544 Paris Road to the severed parcel.
The north limit of the retained parcel must meet the Zoning requirement for the required tie from the garage.
6. That the \$328.00 Deed Stamping Fee be paid to the County of Brant, prior to the release of the executed Certificate of Official.
7. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

NOTE: Any further Planning Applications required to satisfy the conditions of approval must be applied four (4) months prior to the lapsing of the application.

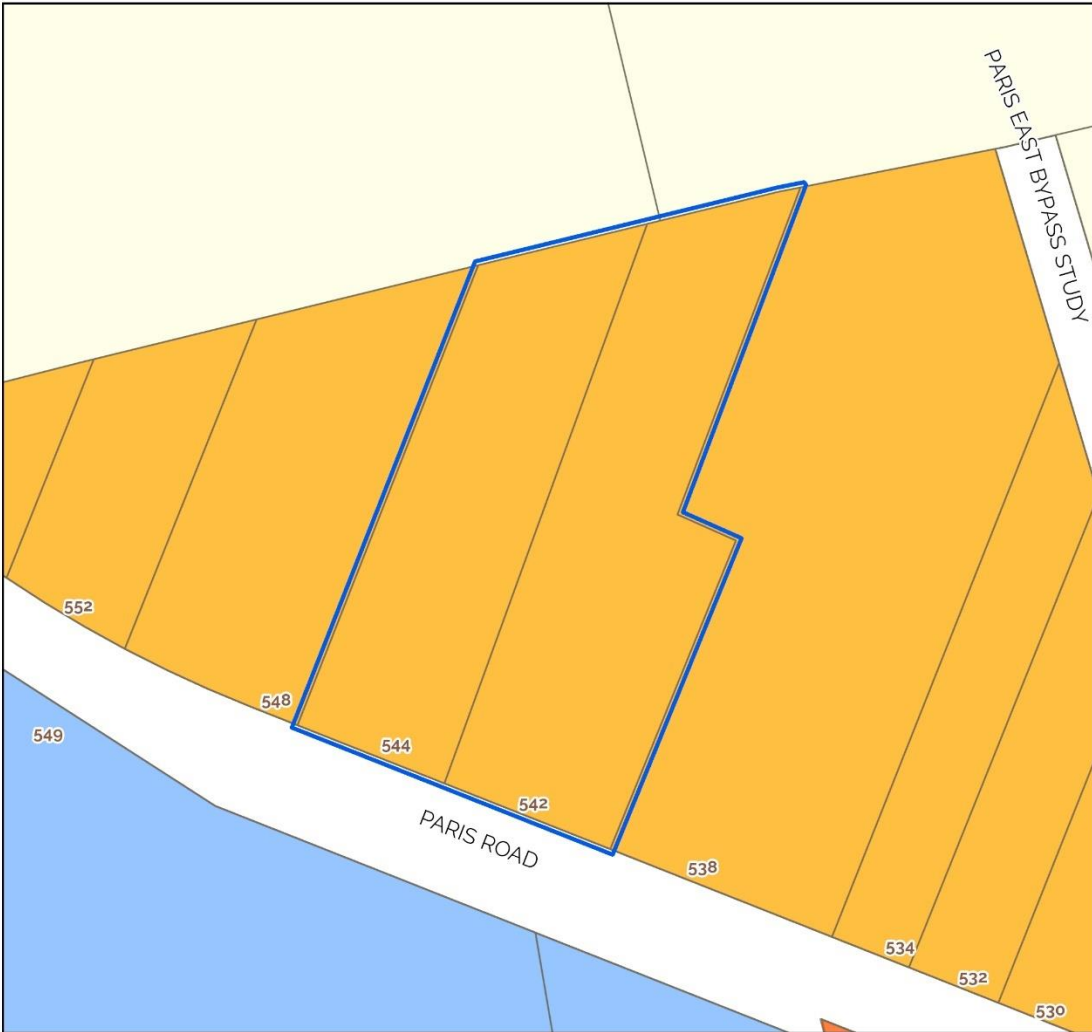
Attachment 1 – Official Plan Map

MAP 2: Official Plan
FILE NUMBER
B20-24-NM

542 Paris Road
County of Brant
Ontario



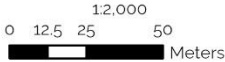
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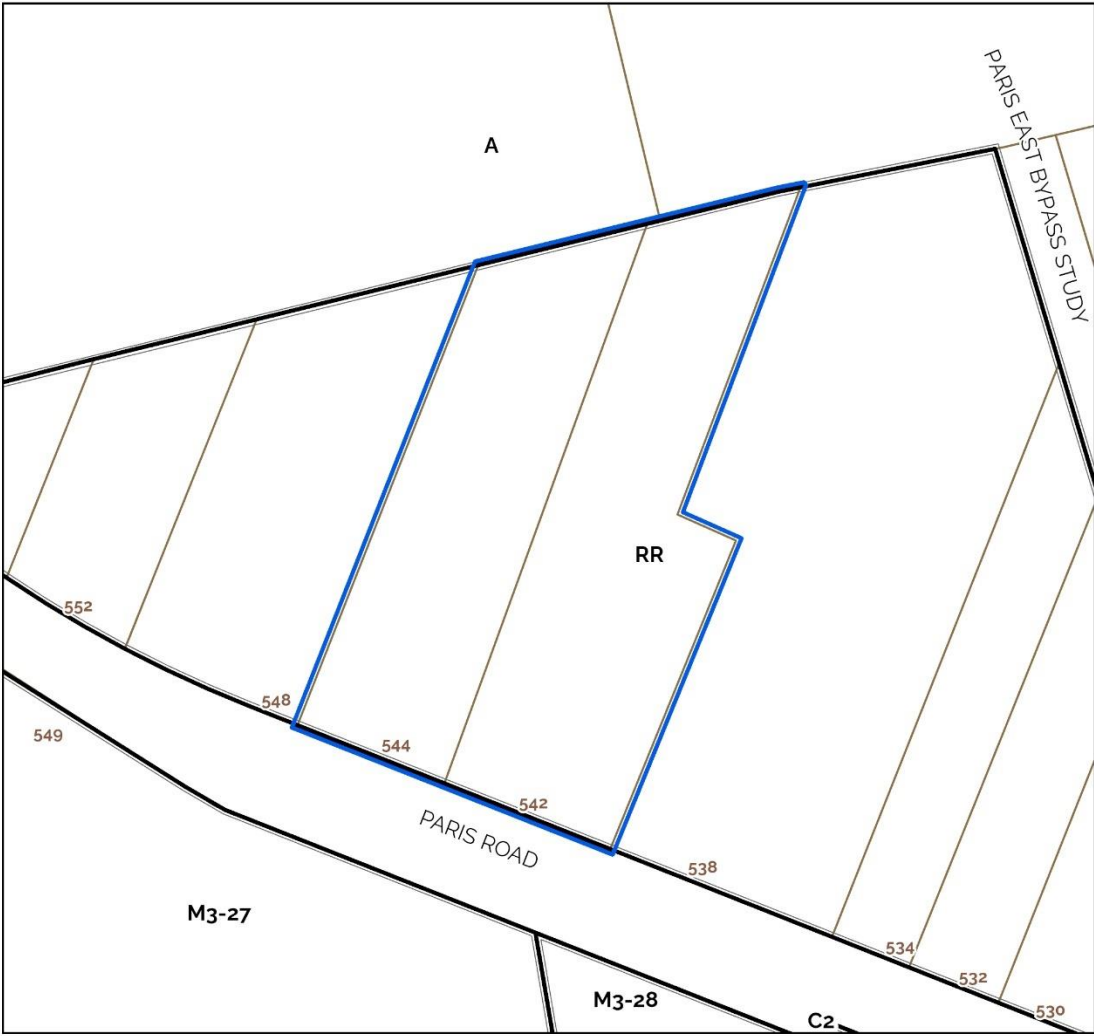
Attachment 2 – Zoning Map

MAP 1: ZONING
FILE NUMBER
B20-24-NM

542 Paris Road
County of Brant



Date Printed: 2024-11-20




Attachment 3 – Aerial Map

MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
B20-24-NM

542 Paris Road
County of Brant
Ontario

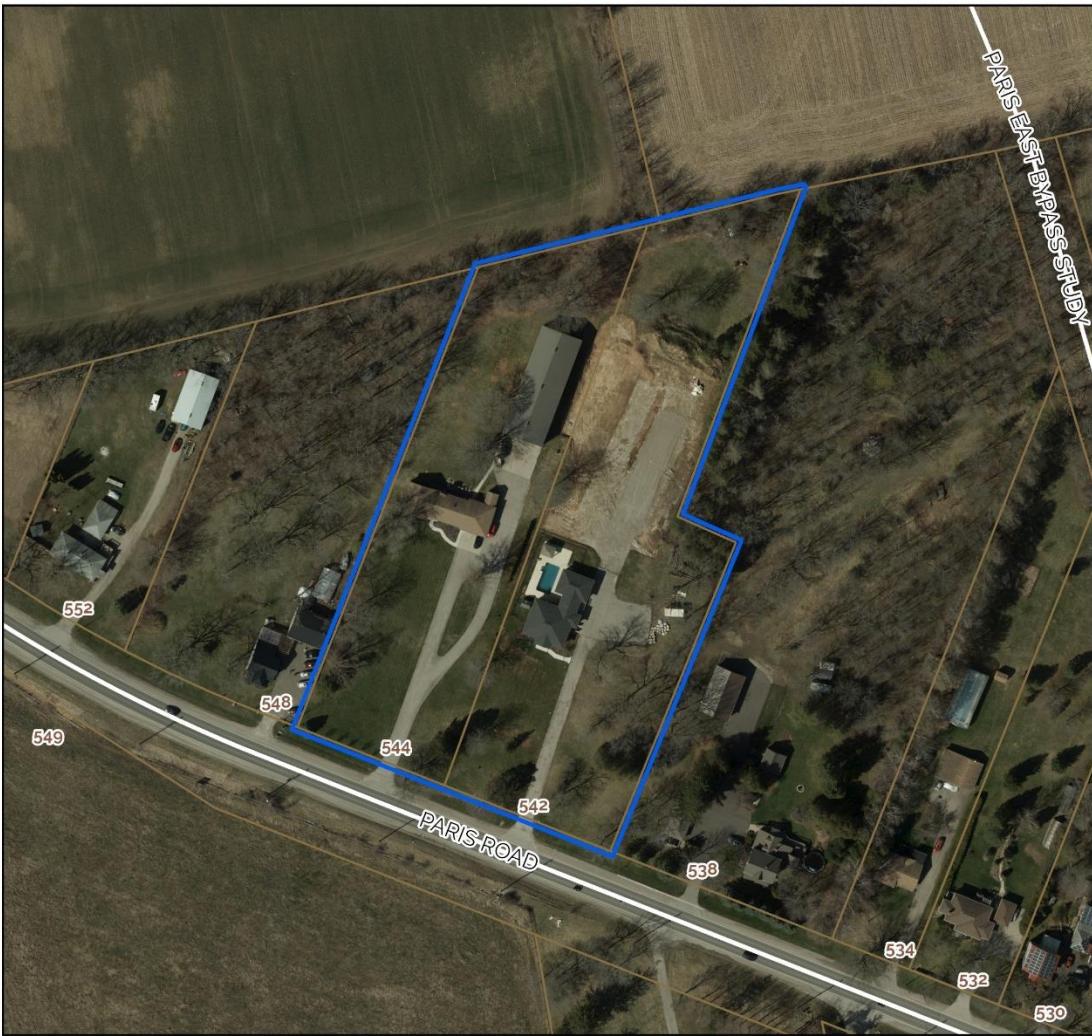
COUNTY OF **Brant** Simply Grand



1:2,000

0 15 30 60 Meters

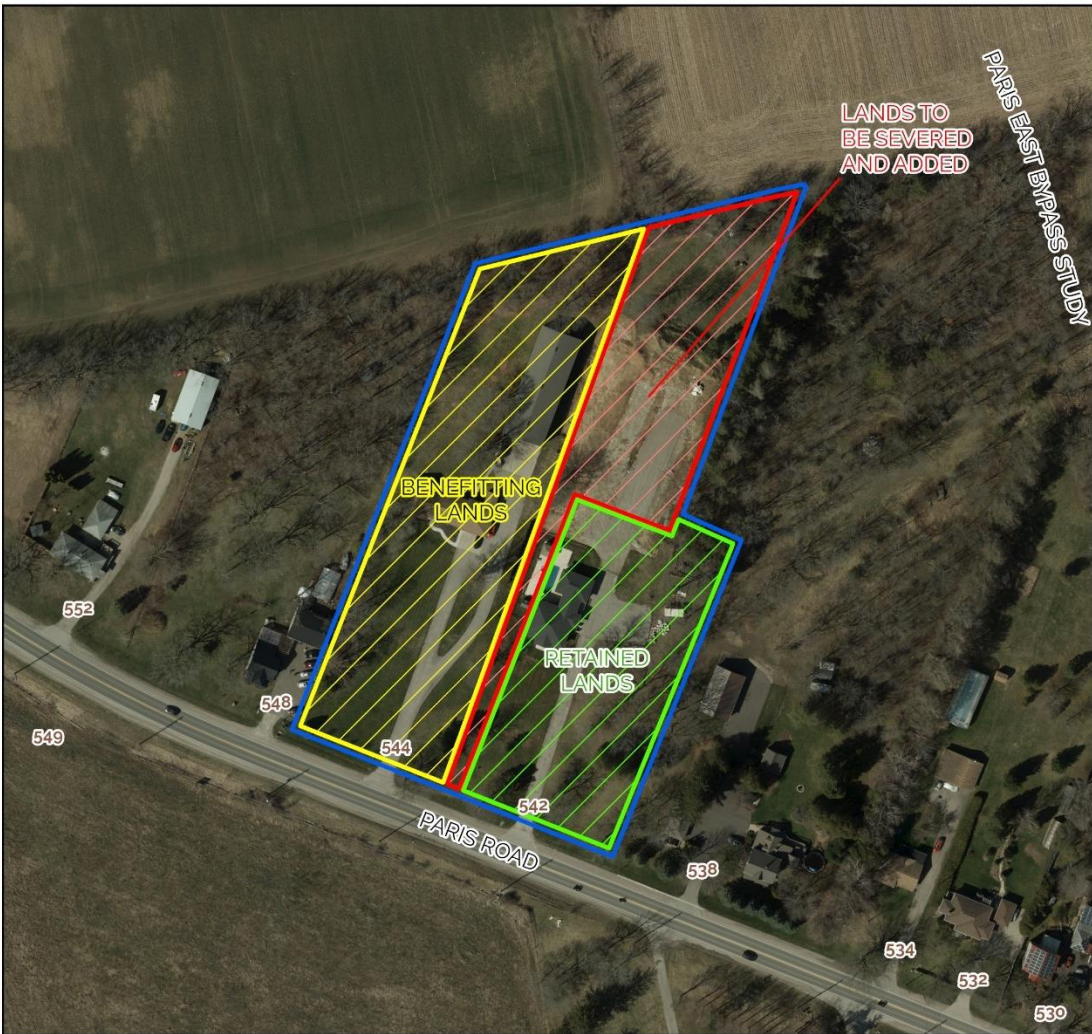
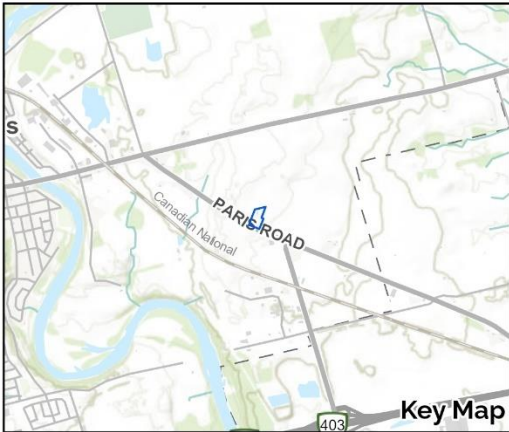
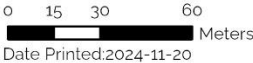
Date Printed: 2024-11-20



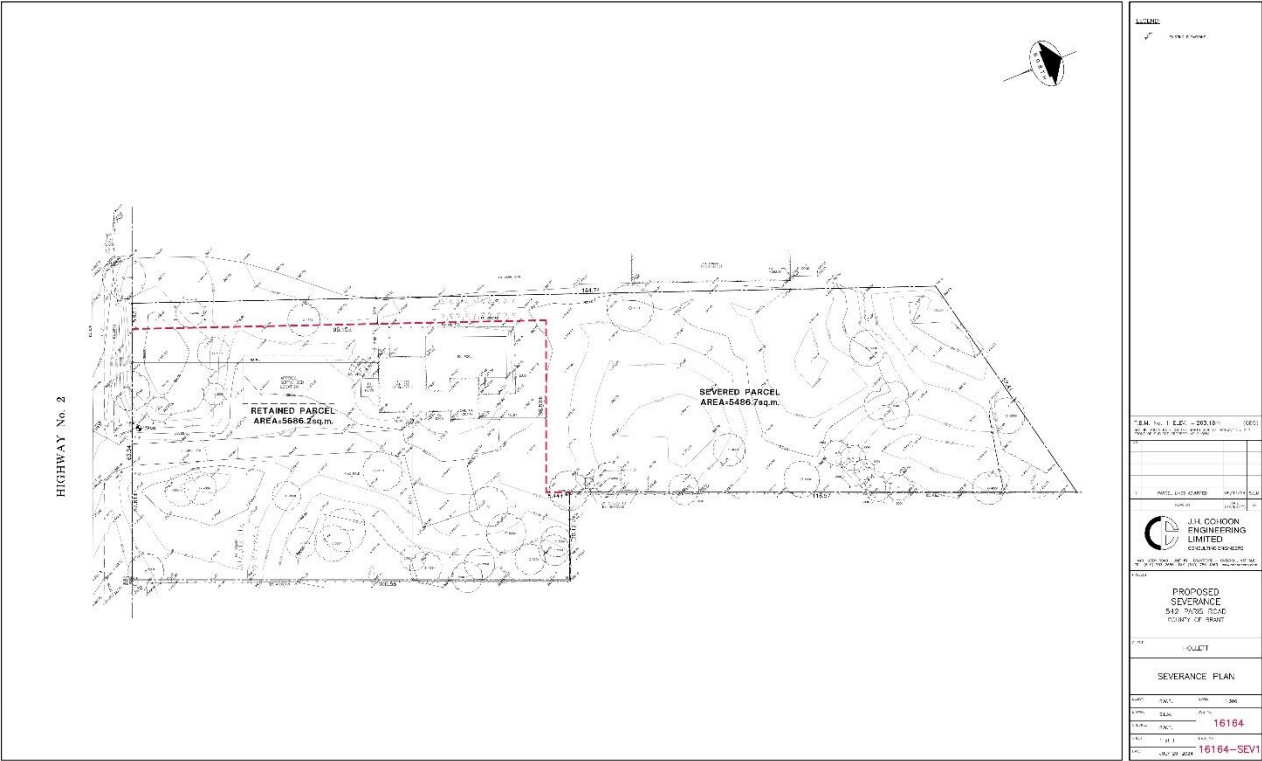
Attachment 4 – Aerial Detailed Map

MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B20-24-NM

542 Paris Road
County of Brant
Ontario



Attachment 4 – Proposal Drawings



Attachment 5 – Site Photos

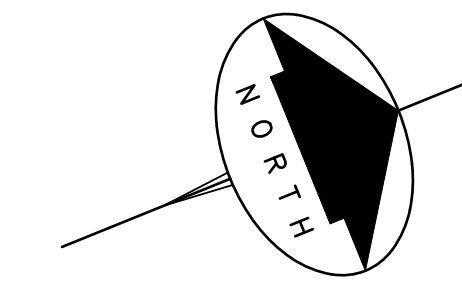


Property at 544 Paris Road

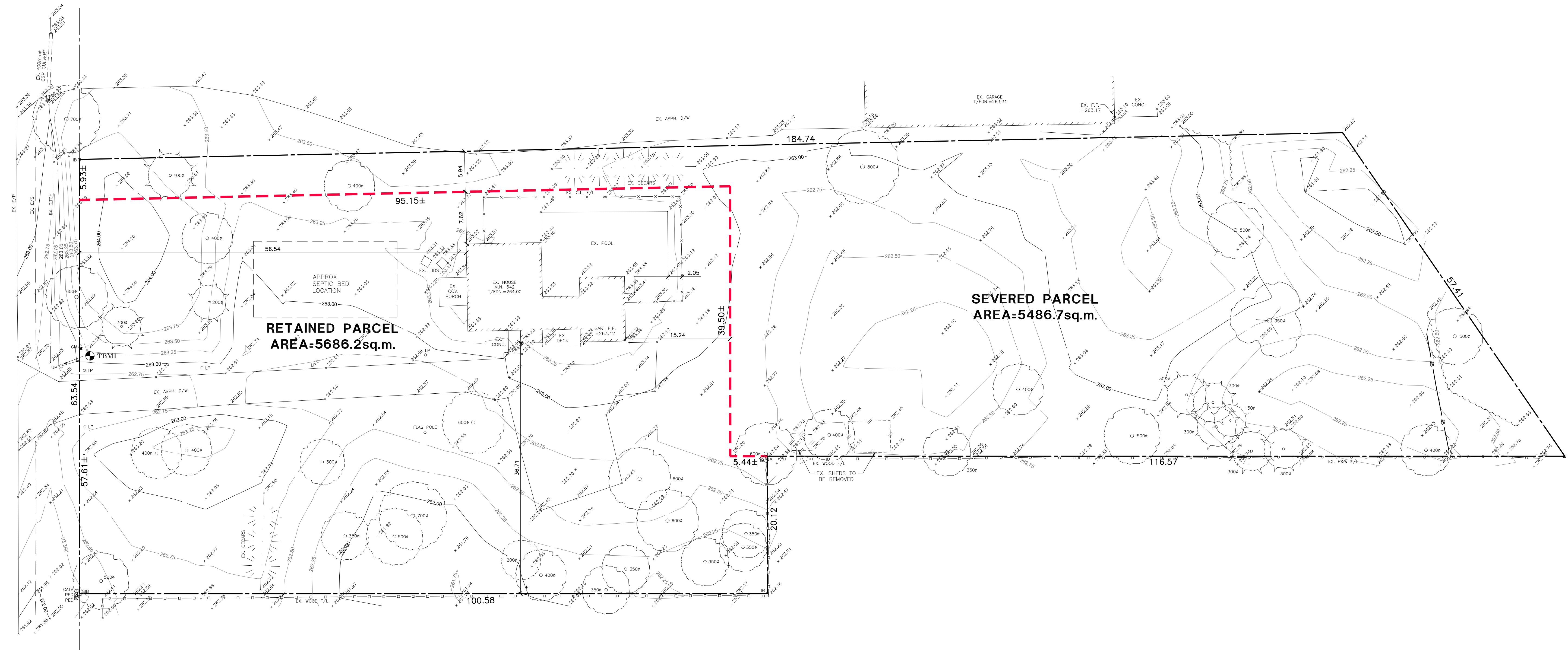


Property at 542 Paris Road





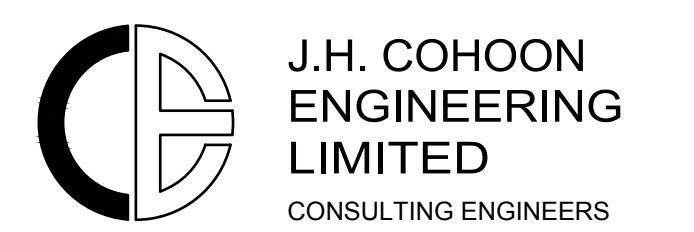
HIGHWAY No. 2



LEGEND:
200.00 EXISTING ELEVATIONS

T.B.M. No. 1 ELEV. = 263.18m (GEO)
NAIL IN UTILITY POLE ON THE NORTH SIDE OF HIGHWAY No. 2 IN FRONT OF SUBJECT PROPERTY AS SHOWN.

NO.	REVISION	DATE (MM/DD/YY)	BY
1	PARCEL LINES ADJUSTED	09/13/24	S.L.M.



440 HARDY ROAD, UNIT #1, BRANTFORD - ONTARIO, N3T 5L8
TEL: (519) 753-2656 FAX: (519) 753-4263 www.cohooneg.com

PROJECT:
PROPOSED SEVERANCE
542 PARIS ROAD
COUNTY OF BRANT

CLIENT: **HOLLETT**

SEVERANCE PLAN

DESIGN: R.W.P.	SCALE: 1:300
DRAWN: S.L.M.	JOB No: 16164
CHECKED: R.W.P.	
SHEET: 1 of 1	DWG. No: 16164-SEV1
DATE: JULY 29, 2024	



NOTICE OF PUBLIC MEETING

- IT IS IMPORTANT TO NOTE THAT ANYONE HAS THE RIGHT TO MAKE AN APPLICATION TO AMEND A PLANNING DOCUMENT.
- ONCE AN APPLICATION HAS BEEN MADE, THE COUNTY OF BRANT IS BOUND BY THE PROVISIONS OF THE PLANNING ACT TO SEND NOTICE OF A PUBLIC MEETING.
 - THIS DOES NOT MEAN THE COUNTY OF BRANT EITHER SUPPORTS OR IS IN OPPOSITION TO THE PROPOSAL.
- THE PURPOSE OF THE PUBLIC MEETING IS TO HEAR THE VIEWS OF ALL THOSE CONCERNED.
- BASED ON ALL THE FACTS PRESENTED, THE COMMITTEE OF ADJUSTMENT WILL MAKE A DECISION ON THOSE MATTERS FOR WHICH THEY ARE RESPONSIBLE.

PLEASE NOTE:

IT IS REQUESTED THAT YOU PROVIDE ANY COMMENTS / CONCERNS

ONE WEEK PRIOR TO THE MEETING TO

ALLOW YOUR COMMENTS /CONCERNS TO BE DISTRIBUTED TO THE MEMBERS OF THE
COMMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: December 19, 2024

Time: 6:00 PM

Location: Council Chambers - 7 Broadway Street West, Paris
OR Meeting available on the County of Brant You Tube

Application Number and Address: B20-24-NM-542 Paris Rd

Details of Application:

Shari Hollett, applicant/ owner of CON 1 PT LOT 18 RP 2R-3597 PART 2, County of Brant, in the geographic township of Brantford, located at 542 Paris Rd is proposing a minor lot line adjustment to sever 5486.7 square metres from the lands located at 542 Paris Road to be added to property at 544 Paris Road. Both properties are zoned Rural Residential and designated Community Corridor in the County of Brant Zoning By-Law and Official Plan, respectively. 544 Paris Road has a legal non-conforming status for “Sales and service of cars and similar light passenger vehicles”.

Pursuant to Section 45 & Section 53 of the Planning Act, Notice is hereby given that County of Brant has received a “Complete Application” for the proposal described above in accordance with the Planning Act. A Public Meeting, as required by the Planning Act, will be held by the Committee of Adjustment to provide information and receive public comments on the application outlined above.

ANY PERSON may make written submissions. **Written submissions must be made to the Planning Division one week prior to the meeting at the address shown below.*

The Committee of Adjustment may review the proposal and any other material placed before it in order to make a decision on the proposal. If you wish to be notified of the Decision of the Committee of Adjustment in respect to the proposal, you must make a written request to the Committee of Adjustment, c/o Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Where do I send written submissions?

To submit written feedback please send to the Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Office hours are Monday to Friday, 8:30 am – 4:30 pm
519.44BRANT (519.442.7268) or toll-free 1.855.44BRANT

Planner: Negin Mousavi Berenjaghi, Development Planning Student, <Negin.MousaviBerenjaghi@brant.ca>

To view the application and supporting documents, please contact the Planning Department, contact information mentioned above.

How do I appeal a Decision?

Only the Applicant or Minister may appeal decisions in respect of applications for consent or minor variance to the Ontario Land Tribunal (OLT).

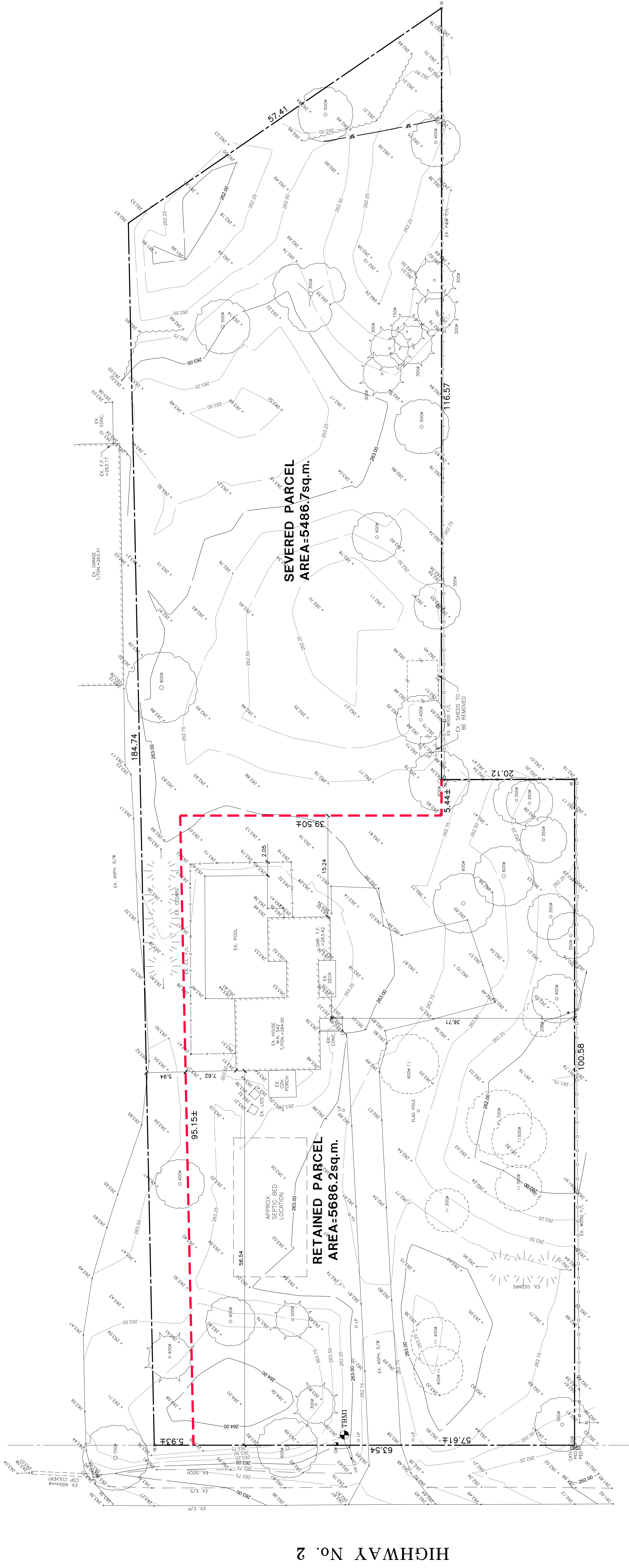
To appeal a Decision of the Committee of Adjustment on this matter to the Ontario Land Tribunal (OLT), you must complete and file the Appellant Form (A1) with a letter to the Secretary Treasurer, Committee of Adjustment outlining the reasons for your appeal. You must enclose the appeal fee of \$400.00 for each application appealed paid by a certified cheque or a money order only, made payable to the Ontario Minister of Finance and an administrative fee of \$267.00, paid by a cheque or a money order only, made payable to the County of Brant.

** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the County's website and/or made available to the public upon request.*

LEGEND:

EXISTING ELEVATIONS

09/20/24



HIGHWAY NO. 2

J.E.M. No. 1 ELEV. = 263.18m (GEO)		MAIL IN UTILITY POLE ON THE NORTH SIDE OF HIGHWAY No. 2 IN FRONT OF SUBJECT PROPERTY AS SHOWN.	
NO.	REVISION	DATE (MM/DD/YYYY)	BY
1	PARCEL LINES ADJUSTED	09/13/24	S.L.M.
<p>J.H. COHOON ENGINEERING LIMITED CONSULTING ENGINEERS</p> <p>440 HURON ROAD, UNIT #1, BRANTFORS, ONTARIO L6T 4G5 TEL: (519) 753-2656 FAX: (519) 753-4263 www.cohooneg.com</p>			
PROJECT:			
<p>PROPOSED SEVERANCE 542 PARIS ROAD COUNTY OF BRANT</p>			
CLIENT: HOLLETT			
SEVERANCE PLAN			
DESIGN:	R.W.P.	SCALE:	1:300
DRAWN:	S.L.M.	SHEET No:	16164
CHECKED:	R.W.P.	DWG. No:	16164-SEV1
SHEET:	1 of 1	DATE:	JULY 29, 2024

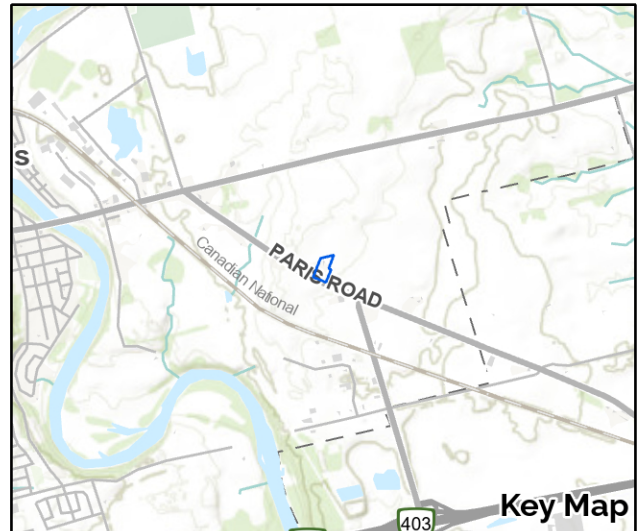
MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B20-24-NM

542 Paris Road
County of Brant
Ontario

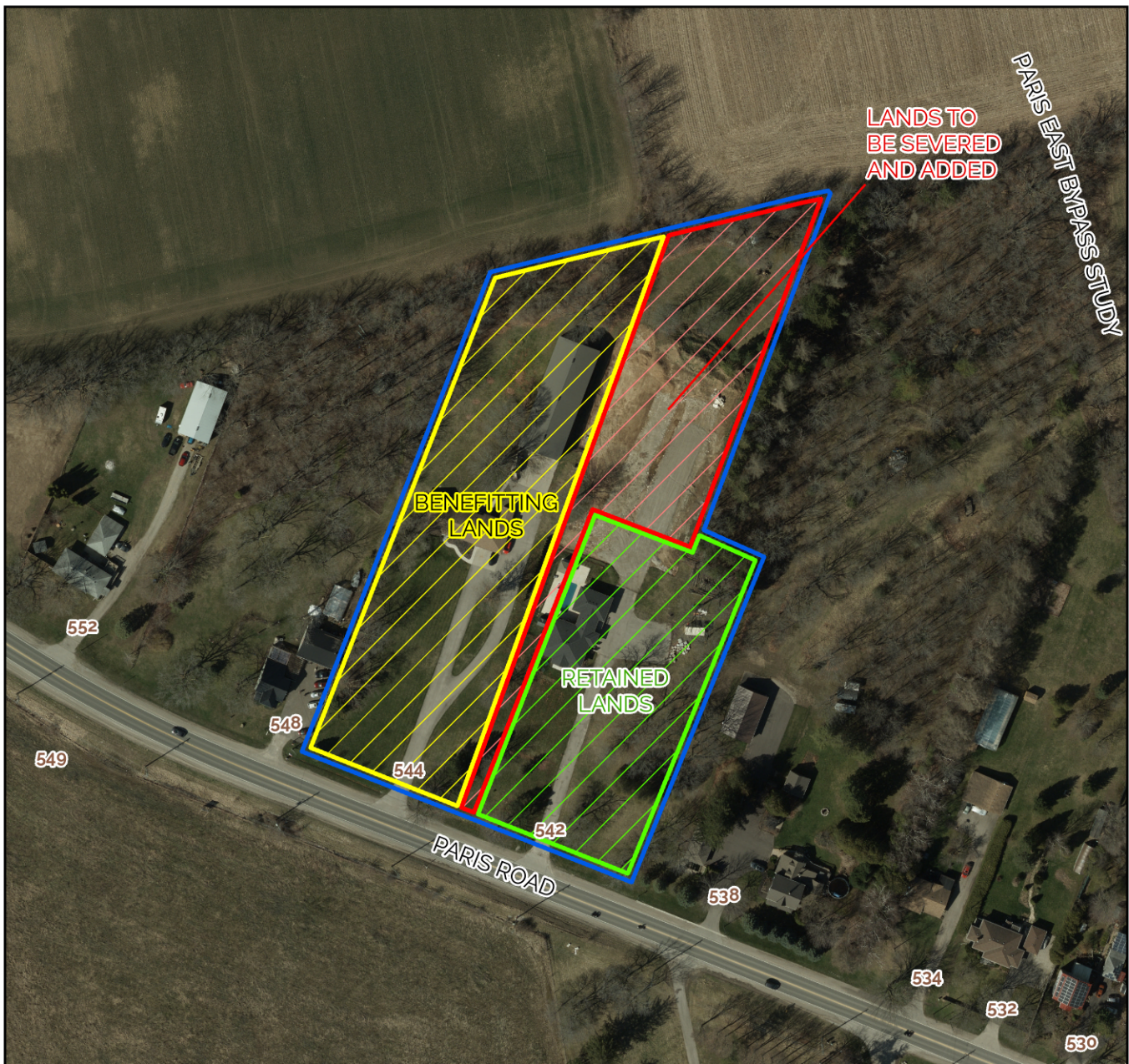


0 15 30 60
Meters

Date Printed: 2024-11-20



Key Map





COMMITTEE OF ADJUSTMENT REPORT

DATE: December 19, 2024

REPORT NO: RPT - 0509 - 24

TO: To the Chair and Members of the Committee of Adjustment

FROM: Negin Mousavi Berenjaghi, Development Planning Student

APPLICATION TYPE: Minor Variance

APPLICATION NO: A16-24-NM

LOCATION: 72 Hammond Road

AGENT: J.H. Cohoon Engineering Ltd.

APPLICANT/OWNER: George Lou and Vassilki Karmiris

SUBJECT: Request for a decision on a Minor Variance Application seeking reliefs from Section 4, Table 4.4.1 of the Zoning By-Law

RECOMMENDATION

THAT Application for Minor Variance **A16-24-NM** from J.H. Cohoon Engineering Ltd. on behalf of George Lou and Vassilki Karmiris, Owners of lands legally described as RANGE 2 SHR PT LOT D RP 2R6425 PART 1, in the Geographic Township of Brantford; County of Brant and municipally known as 72 Hammond Road, requesting relief from Section 4, Table 4.4.1 of the Zoning By-Law to permit a maximum lot coverage of 278.73 square metres whereas 140 square metres is permitted and a height of 5.54 metres, whereas, and 5 metres are permitted, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The proposed variance is in keeping with the general intent of the Official Plan and Zoning By-Law 61-16;
- The relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands.
- The proposed variances meet the four tests of the *Planning Act*.

EXECUTIVE SUMMARY

Minor Variance Application **A16-24-NM** is requesting relief from Section 4, Table 4.4.1 of the Zoning By-Law to permit a maximum lot coverage of 278.73 square meters for accessory structures, whereas a maximum of 140 square meters is permitted. In addition, relief from Section 4, table 4.4.1 of the Zoning By-Law is required to permit a maximum accessory structure height of 5.54, whereas 5 metres is permitted.

At the time of preparing this report, the Development Engineering staff commented that there is an existing underground propane gas line from the tank to the house underneath the proposed accessory structure. Should the application be approved, relocation of the propane gas line will be required and has been added as a condition. Additionally, the Environmental Planning staff are unclear as to where silt control fencing is proposed on the grading plan. Either proof of installation of silt control measures including fencing or an updated grading plan that illustrates the location of the light duty silt fence shall be provided prior to the issuance of a building permit. This has also been added as a condition.

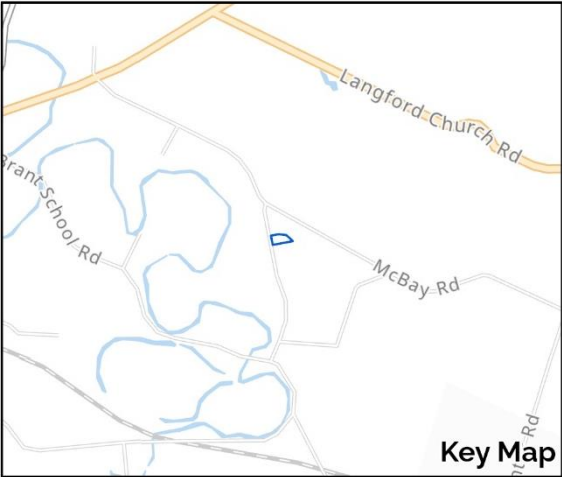
It is my professional opinion that the proposed variance to permit increased maximum lot coverage area and increased maximum structure height for accessory structures is appropriate and meets the four tests of a minor variance as required by the *Planning Act* and therefore recommend that application **A16-24-NM** be **APPROVED**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands are located east of Hammond Road and west of McBay Road.

Location Map
Application: A16-24-NM
72 Hammond Road

Aerial Image
Application: A16-24-NM
72 Hammond Road



The subject lands have an approximate frontage of 88.6 metres (290.6 ft) along Brant Road a lot area of approximately 1.298 hectares (3.208 acres), and a depth of 185.36 metres (608.1 ft). The lands contain one (1) single detached dwelling.

The surrounding area consists of Natural Heritage, Agriculture, and Countryside land uses.

The subject lands are serviced by a septic system, well and ditches.

REPORT

Planning Act

Section 2(a-s) of the *Planning Act* outlines matters of provincial interest that decision-making bodies shall have regard for.

- The application has regard for:
 - Section 2(p) the appropriate location of growth and development

Section 45 (1) of the *Planning Act* sets out criteria to be considered when reviewing Minor Variance Applications.

In reviewing the application staff analyzed the four tests as established in Section 45(1) of the *Planning Act* R.S.O 1990:

- (a) Shall be minor;
- (b) Shall be desirable for the appropriate development or land use of the land, building or structure;
- (c) Shall maintain the general intent and purpose of the Zoning By-Law; and
- (d) Shall maintain the general intent and purpose of the Official Plan.

Consistency and/or Conformity with Provincial and/or Municipal Policies/Plans

Provincial Planning Statement – 2024

The *Provincial Planning Statement* (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the *Planning Act*.

Section 2.5.2 of the *Provincial Planning Statement* states that in rural areas, rural settlement areas shall be the focus of growth and development.

- ***The subject lands are located outside the rural settlement areas of the County of Brant.***

Section 2.6.2 of the *Provincial Planning Statement* states that development that can be sustained by rural service levels should be promoted.

- ***The subject property is serviced by a septic system, well and ditches and thereby is supportable by rural service level.***

It is my professional opinion that the request is consistent with the policies of the Provincial Planning Statement.

Brant County Official Plan (2012)

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan. The Minor Variance application was deemed complete while the 2012 Official Plan was in force and effect and, as such, will be reviewed under the County of Brant Official Plan (2012).

The subject lands are designated as Rural Residential within Schedule ‘A’ of the County of Brant Official Plan.

The following demonstrates conformity with the applicable policies of the County of Brant Official Plan (2012):

Official Plan (2012)	Planning Analysis
<p>Section 2.2.3.3 (page 2-12) of the Official Plan speaks to the general policies for lands designated Rural Residential. In these areas, development shall be limited to infilling on existing lots of record or new draft plans of subdivision within the boundaries of the rural residential designation.</p>	<p><i>The proposed accessory structure is an infill development on an existing lot of record.</i></p>
<p>Section 2.2.3.3 (a) (vii) states that the proposed development shall comply with the Minimum Distance Separation Formulae.</p>	<p><i>On August 21, 2012, the Ontario Municipal Board (OMB) approved an appeal allowing a reduced separation distance of 55 metres, instead of the required 73 metres, subject to two conditions: That no habitable rooms be located closer than 60 metres to the lot line; and that there be no openings on the north-facing side of the dwelling.</i></p> <p><i>It is the staff understanding that the proposed accessory structure is not habitable and will be used for storage purposes; therefore, it is not subject to the Minimum Distance Separation requirement.</i></p>
<p>Section 3.7 (page 3-18) of the Official Plan speaks to the general intent and permitted uses for Rural Residential designation. The purpose is to only recognize existing concentrations of large lot residential development in order to prevent scattered land consumption, inefficient use of existing infrastructure, and non-farm development in the Agriculture designation.</p> <p>Single detached residential dwellings, additional residential units, and bed and breakfast establishments are permitted uses within the Rural Residential designation.</p>	<p><i>The proposed accessory structure is within an existing rural residential area and thereby will not result in scattered land consumption or inefficient use of existing infrastructure.</i></p> <p><i>The existing single-detached dwelling is within the permitted uses.</i></p>
<p><i>Section 3.7.3 (a)(v) states that the pattern of new development shall be logical in the context of the</i></p>	<p><i>The proposed development complies with the surrounding</i></p>

existing development within the Rural Residential area.	developments which consist of single-detached dwellings with their associated accessory structures.
---	--

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan (2012).

Brant County Official Plan, A Simply Grand Plan (2023)

The County’s new Official Plan – ‘A Simply Grand Plan’ received approval from the Ministry of Municipal Affairs and Housing (MMAH) on Friday, October 18th, 2024. Since the application aligns with the provisions of the currently enacted Official Plan, it will also be reviewed under the County of Brant Official Plan (2023).

The subject lands are designated as “Countryside” and “Natural Heritage System” within Schedule ‘A’ of the County of Brant Official Plan.

Section 2.2 (page 5-33) speaks to the general policies and permitted uses for lands designated as Countryside. Residential uses, including additional residential units, home industries, and home-based businesses are within the permitted uses.

- ***The existing single-detached dwelling is within the permitted uses and associated accessory buildings are also permitted.***

Section 2.10 (page 5-48) states the general policies and permitted uses for the lands designated as Natural Heritage System. No building, structure, use, access, servicing or associated site alteration should be in or within 30 metres of a wetland, permanent watercourse, fish habitat or seepages and springs.

- ***Based on aerial imagery and existing mapping the subject lands contain and are adjacent to a watercourse that is identified as undetermined fish habitat and a woodland. The proposed shop and associated grading are proposed at least 30 m from any natural features. As such, it is anticipated that there not be a negative impact on significant features.***

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan (2023).

Zoning By-Law 61-16:

The subject lands are zoned as Rural Residential (RR) within the County of Brant Zoning By-Law 61-16.

Section 9, Table 9.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Rural Residential (RR). Single-detached dwelling is a permitted use within Rural Residential (RR) zones.

- ***The subject lands consist of an existing single-detached dwelling.***

Section 4, Table 4.4.1 of the County of Brant Zoning By-Law 61-16 advises the required development standards for accessory structures within all other residential zones.

All Other Residential Zones	Required	Proposed Accessory Garage
------------------------------------	-----------------	----------------------------------

Lot Coverage, Maximum	140 sq. m	278.73 m
Street Setback, Minimum	20.0 m	71.88
Interior Side Yard Setbacks, Minimum	1.5 m	10.34
Rear Yard Setback, Minimum	1.5 m	49.27
Structure height, Maximum (metres)	5.0 m	5.54

- A Zoning relief is required to allow for an increased maximum lot coverage of 278.73 square metres, whereas 140 square metres is permitted. Additionally, a minor variance is required to allow for a maximum accessory structure height of 5.54 metres, whereas 5 metres is required.
- All other requirements of the Zoning By-Law 61-16 are being satisfied.

It is my professional opinion that the request maintains the intent of the County of Brant Zoning By-Law 61-16.

Analysis of the Four Tests (Section 45(1) of the *Planning Act R.S.O 1990*)

Four Tests	Discussion – A16-24-NM
That the general intent and purpose of the Official Plan is maintained.	The subject lands are designated as “Rural Residential” within the County of Brant Official Plan (2012) and as “Countryside” and “Natural Heritage System” within the County of Brant new approved Official Plan (2023). The proposed accessory structure is permitted under both Official Plans and is outside of the natural heritage area and as such will have no negative impact on the natural heritage features on the site. It is my professional opinion that the proposed variance maintains the intent of the Official Plan.
That the intent and purpose of the Zoning By-Law is maintained.	The subject lands are zoned as Rural Residential (RR) within the Zoning By-Law 61-16. The applicant is seeking relief from Section 4.4.1 to permit an increased accessory structure lot coverage of 180 square meters as well as an increased accessory structure height of 5.54 metres, whereas a lot coverage of 140 square meters and maximum height of 5 metres are permitted, respectively. The proposed minor variance will allow for the establishment of a accessory building for additional storage, no human habitation is permitted within the structure given the MDS setback

	requirements established through the OMB decision. It is my professional opinion that the proposed variance maintains the general intent of the Zoning By-Law.
That the variance is desirable for the appropriate development and use of the land, building or structure	The increased maximum lot coverage and accessory building height are required to allow for additional storage. It is not anticipated that the proposed variance will negatively impact the adjacent land uses or surrounding area as there are existing accessory structures with similar lot coverage and height. It is my professional opinion that the variance will allow for a desirable and appropriate development for the subject lands.
That the requested variance is minor in nature.	<p>Determining whether or not a minor variance request is considered 'minor' is based on the review of the merits of the application from both a qualitative and quantitative perspective. A variance may be considered "minor" where the scale of the request is marginal and the proposed relief will not result in a greater than minor adverse impact on adjacent properties, uses, or area.</p> <p>All provisions of the Zoning By-Law are being met with the exception of the maximum accessory structure lot coverage and accessory building height. The variance is required to allow for additional storage space. It is not expected that there will be any negative impacts to the surrounding area or adjacent land uses as a result of the proposal. It is my professional opinion that the proposed variance is minor in nature.</p>

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Fire	<ul style="list-style-type: none"> No issues with this Minor Variance application.
Environmental Planning	<ul style="list-style-type: none"> Based on aerial imagery and existing mapping the subject lands contain and are adjacent to a watercourse that is identified as undetermined fish habitat and a woodland. The watercourse has a 30-metre setback as per the zoning by-law and the woodland is designated 'Woodlands and Vegetation' in the 2012 Official Plan. The proposed shop and associated grading are proposed at least 30 m from any natural features. As such, it is anticipated that there not be a negative impact on significant features. Silt control notes were added to the grading plan, however, staff are unclear as to where the silt control fencing is proposed on the grading plan. The grading plan will need to be updated prior to the issuance of a building permit.

	<p>Environmental Planning has no concerns subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The proposed shed will be built in the location as illustrated on the Lot Grading Plan prepared by J.H. Cohoon Engineering Limited dated April 26, 2024. 2. Either proof of installation of silt control measures including fencing or an updated grading plan that illustrates the location of the light duty silt fence shall be provided prior to the issuance of a building permit. 3. The applicant shall acknowledge and agree that: <ol style="list-style-type: none"> i) They have been advised of the County of Brant Tree Protection Guide which is available on the County website; ii) Trees in proximity to the proposed works may be injured due to root damage or mechanical damage from potential excavation, and that root damage may create stability issues or cause tree decline/death. It is the owner's responsibility to contact an ISA Certified Arborist to assess trees within proximity of the proposed works during the planning stage, and to ensure that Tree Protection Zone fencing be installed to prevent damage. iii) It is the owner's responsibility to ensure that any injury or destruction of trees is in accordance with the County Good Forestry Practices By-Law No. 70-21. iv) It is the owner's responsibility to ensure that all vegetation and tree removal is in accordance with the Migratory Birds Convention Act and the Endangered Species Act. v) It is the owner's responsibility to ensure that all vegetation and tree removal is in accordance with the Ontario Forestry Act, including the removal of Boundary Trees that exist along property lines.
Parks and Forestry	<ul style="list-style-type: none"> • Parks Capital Planning & Forestry are supportive of comments provided by Environmental Planning and have no further comments at this time.
Development Engineering	<ul style="list-style-type: none"> • The existing underground propane gas line from the tank to the house is underneath the proposed structure. Relocation of the propane gas line will be required. • Sight lines at the existing entrance were checked and found to be sufficient.
Canada Post	<ul style="list-style-type: none"> • Canada Post does not have any comments on this application as this will not affect mail delivery.
Grand River Conservation Authority (GRCA)	<ul style="list-style-type: none"> • It is understood that the minor variance application requests increased maximum lot coverage and accessory building height to facilitate the construction of a detached garage. The proposed structure is located outside of the natural hazards

	<p>and the associated regulated areas. As such, the GRCA has no objection to the minor variance application.</p> <ul style="list-style-type: none"> • Consistent with GRCA’s approved fee schedule, this application is considered a ‘minor’ minor variance and the applicant will be invoiced in the amount of \$300.00 for GRCA’s review of this application.
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PUBLIC CONSIDERATIONS

Notice of this Application, Contact information and Public Hearing Date were circulated by mail on September 4, 2024, to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the *Planning Act* as required.

Posting of the Public Notice sign was completed on December 4, 2024 and site visit was completed on December 6, 2024.

At the time of writing this report, no public comments have been received.

CONCLUSIONS AND RECOMMENDATIONS

Minor Variance Application **A16-24-NM** is requesting relief from Section 4, Table 4.4.1 of the Zoning By-Law to permit a maximum lot coverage of 278.73 square metres and height of 5.54 metres, whereas, whereas 140 square metres and 5 metres are permitted.

Staff have reviewed the request with applicable planning policy (i.e. Official Plan and Zoning By-Law) in review of any comments received from relevant departments, the applicant and the members of the public.

At the time of preparing this report, the Development Engineering staff commented that there is an existing underground propane gas line from the tank to the house underneath the proposed accessory structure. Should the application be approved, relocation of the propane gas line will be required. Additionally, the Environmental Planning staff are unclear as to where silt control fencing is proposed on the grading plan. Either proof of installation of silt control measures including fencing or an updated grading plan that illustrates the location of the light duty silt fence shall be provided prior to the issuance of a building permit.

It is my professional opinion that the minor variance to permit an increased accessory structure maximum lot coverage and maximum structure height to allow for additional storage, is appropriate and meets the four tests as established in Section 45(1) of the Planning Act R.S.O 1990:

- (a) The request is considered minor;
- (b) The request is desirable for the appropriate development or land use of the land, building or structure;
- (c) The request maintains the general intent and purpose of the Zoning By-Law; and
- (d) The request maintains the general intent and purpose of the Official Plan.

Therefore, it is my professional recommendation that Minor Variance Application **A16-24-NM** **BE APPROVED**, subject to the attached conditions.

Negin Mousavi Berenjaghi

Development Planning Student

Reviewed by: Kayla DeLeye, Supervisor of Development Planning MA, Ec.D, MCIP, RPP

ATTACHMENTS

- 1. Official Plan Map (2012)
- 2. Official Plan Map (2023)
- 3. Zoning Map
- 4. Aerial Map
- 5. Detailed Map
- 6. Site Plan
- 7. Site Photos

COPY TO

- 1. Kayla DeLeye, Supervisor of Development Planning
- 2. Applicant/Agent

FILE # A16-24-NM

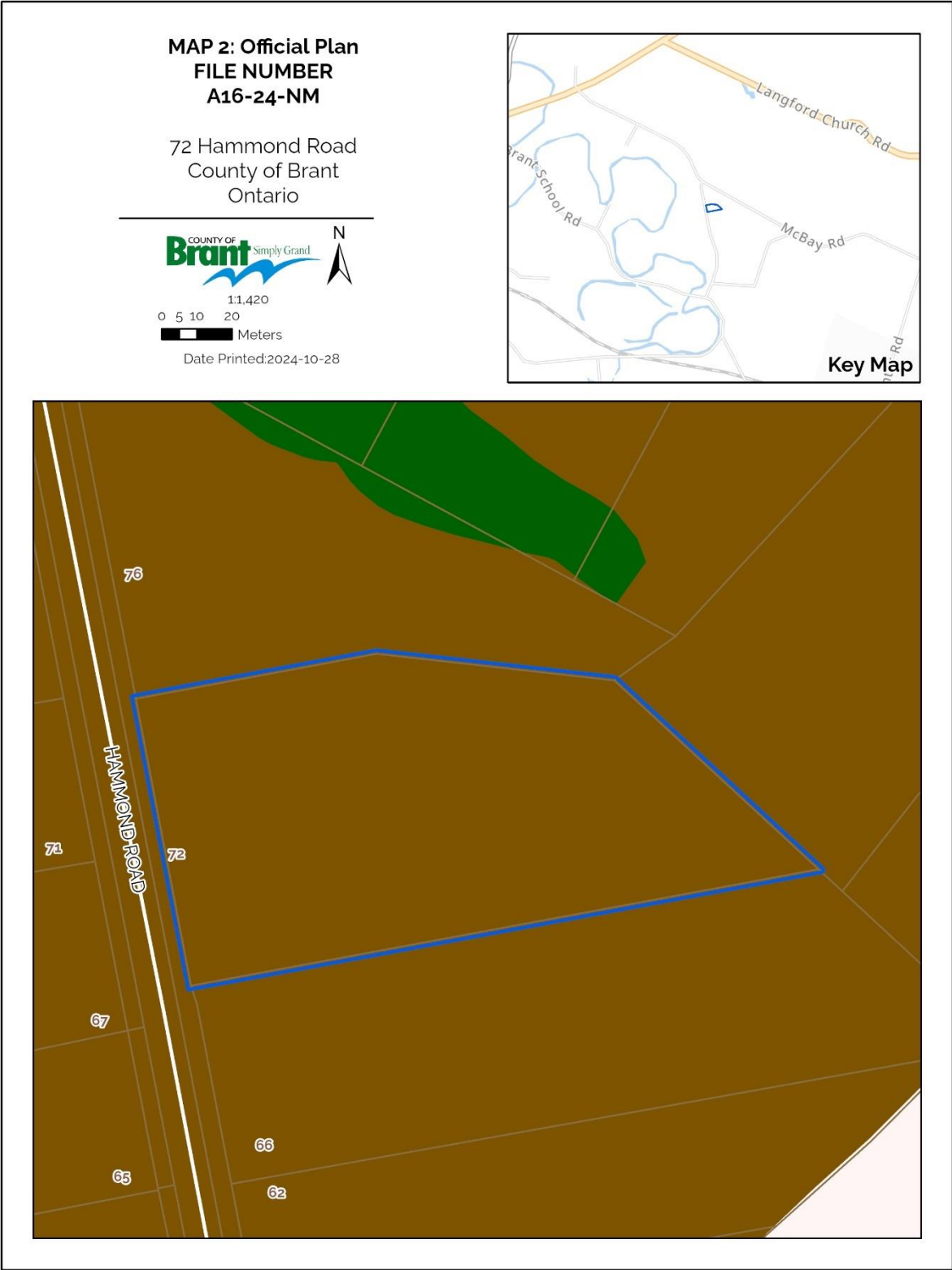
In adopting this report, is a bylaw or agreement required?

- By-Law required (No)
- Agreement(s) or other documents to be signed by Mayor and /or Clerk (No)
- Is the necessary By-Law or agreement being sent concurrently to Council? (No)

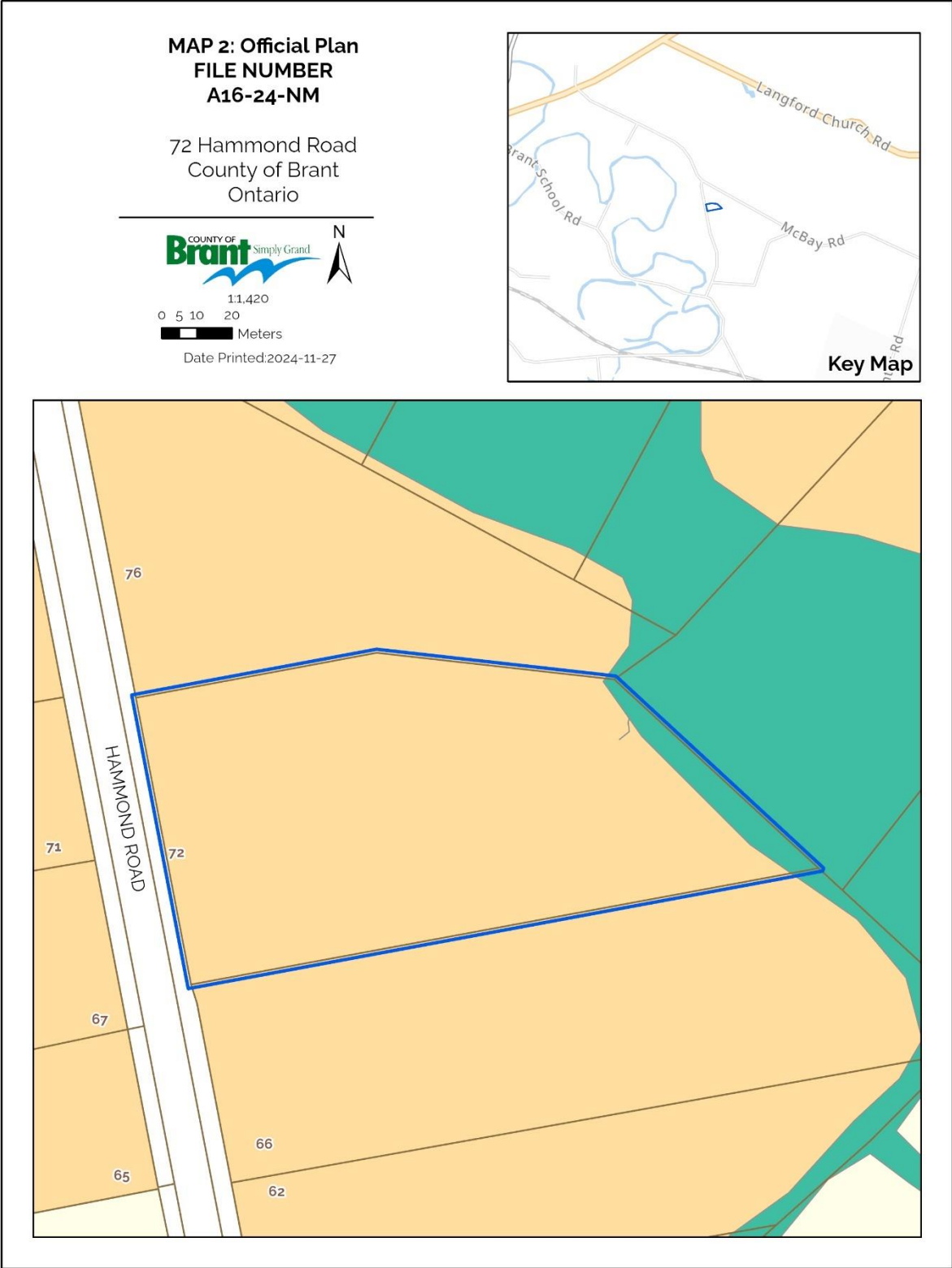
LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Prior to the issuance of the certificate, the Applicant will verify that all taxes have been paid. Any outstanding taxes and interest must be paid, prior to the issuance of the certificate.
2. That the comments of Development Engineering are satisfied, specifically the relocation of the existing propane gas line.
3. That the Comments of the Environmental Planner are adhered to specially by providing either proof of installation of silt control measures including fencing or an updated grading plan that illustrates the location of the light duty silt fence, be provided prior to the issuance of a building permit, to the satisfaction of the Environmental Planner.
4. That the relief granted as a result of this Minor Variance Application A16-24-NM come into full force and effect following fulfillment of the above condition to the satisfaction of the County of Brant.
5. That the above condition be satisfied within two years of the date of the decision, with confirmation sent by the Secretary-Treasurer pursuant to 45 (1) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

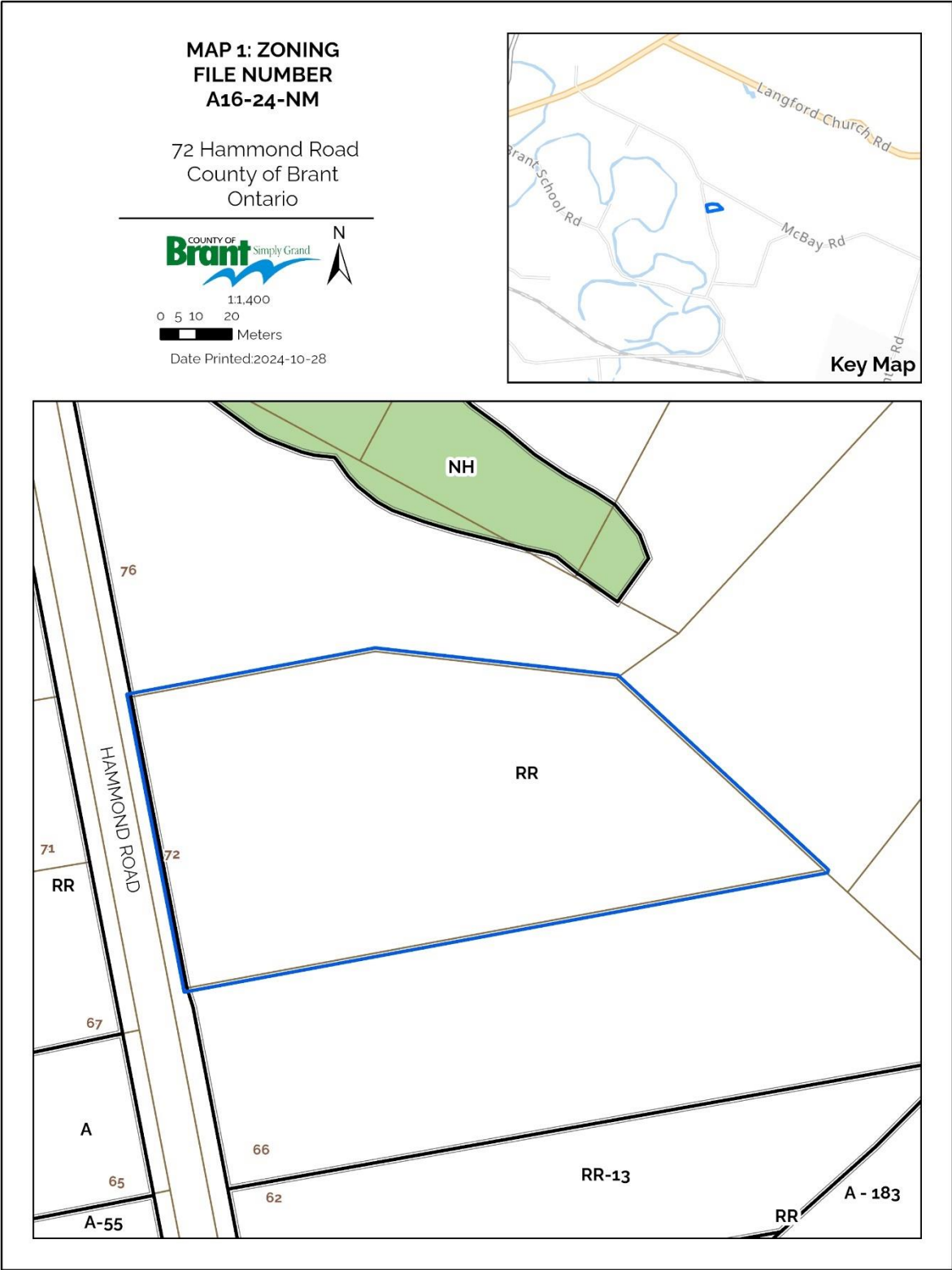
Attachment 1 – Official Plan Map (2012)



Attachment 2– Official Plan Map (2023)



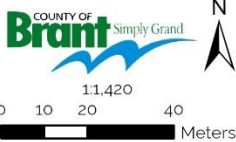
Attachment 3 – Zoning Map



Attachment 4 – Aerial Map

MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
A16-24-NM

72 Hammond Road
County of Brant
Ontario



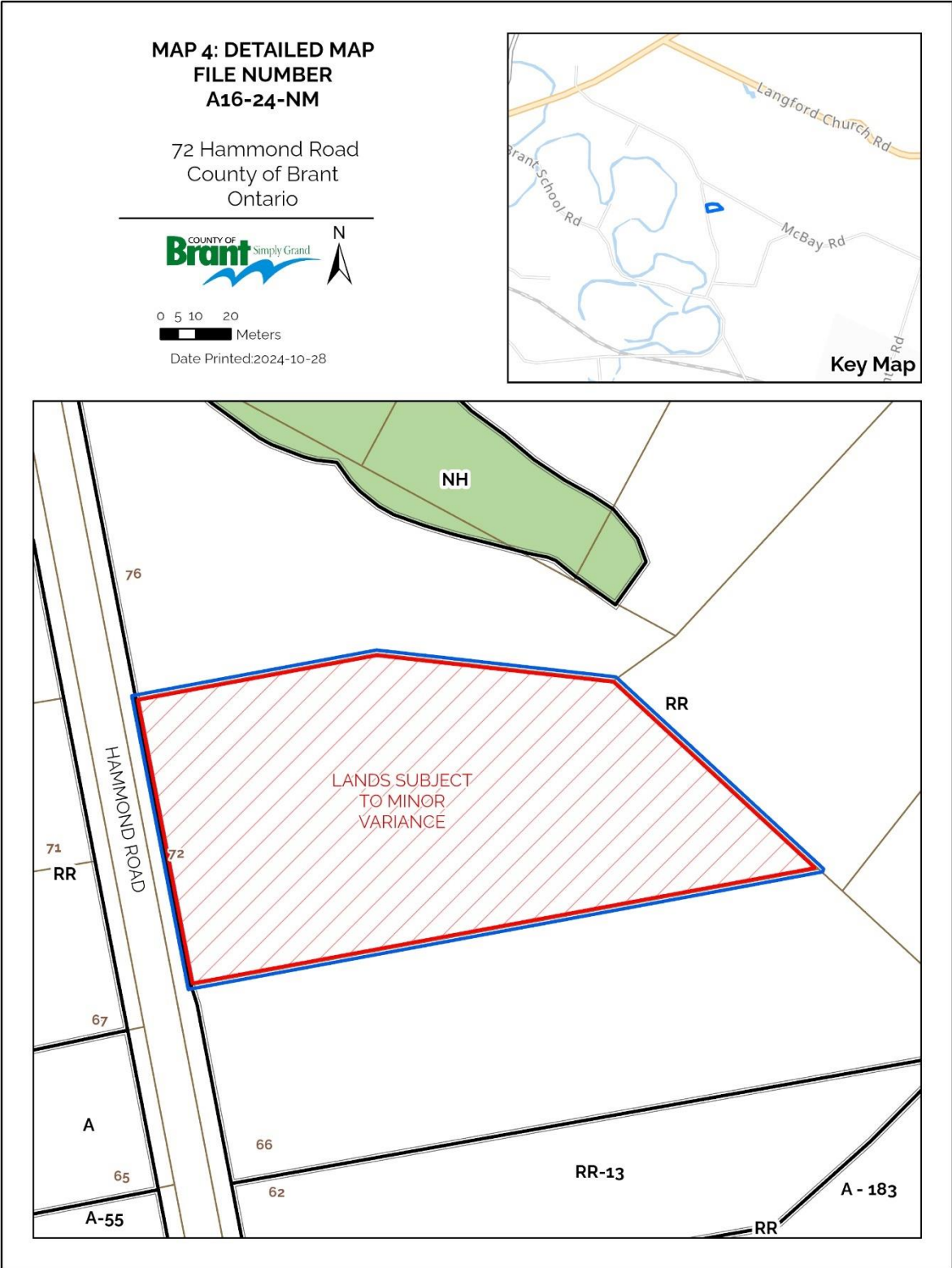
Date Printed: 2024-10-28



Key Map



Attachment 5 – Detailed Map





Livestock Barn Located at 76 Hammond Road





NOTICE OF PUBLIC MEETING

- IT IS IMPORTANT TO NOTE THAT ANYONE HAS THE RIGHT TO MAKE AN APPLICATION TO AMEND A PLANNING DOCUMENT.
- ONCE AN APPLICATION HAS BEEN MADE, THE COUNTY OF BRANT IS BOUND BY THE PROVISIONS OF THE PLANNING ACT TO SEND NOTICE OF A PUBLIC MEETING.
 - THIS DOES NOT MEAN THE COUNTY OF BRANT EITHER SUPPORTS OR IS IN OPPOSITION TO THE PROPOSAL.
- THE PURPOSE OF THE PUBLIC MEETING IS TO HEAR THE VIEWS OF ALL THOSE CONCERNED.
- BASED ON ALL THE FACTS PRESENTED, THE COMMITTEE OF ADJUSTMENT WILL MAKE A DECISION ON THOSE MATTERS FOR WHICH THEY ARE RESPONSIBLE.

PLEASE NOTE:

IT IS REQUESTED THAT YOU PROVIDE ANY COMMENTS / CONCERNS

ONE WEEK PRIOR TO THE MEETING TO

ALLOW YOUR COMMENTS /CONCERNS TO BE DISTRIBUTED TO THE MEMBERS OF THE
COMMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: December 19, 2024

Time: 6:00 PM

Location: Council Chambers - 7 Broadway Street West, Paris
OR Meeting available on the County of Brant You Tube

Application Number and Address: A16-24-NM-72 Hammond Rd

Details of Application:

J.H. Cohoon Engineering Ltd. c/o Bob Phillips Agent on behalf of George and Vassilki Karmiris, applicant/owner of RANGE 2 SHR PT LOT D RP 2R6425 PART 1, County of Brant, in the geographic township of Brantford, located at 72 Hammond Rd is seeking relief from Section 4, table 4.4.1 to allow for a maximum lot coverage of 278.73 square metres, whereas a maximum of 140 square metres is permitted. In addition to the maximum lot coverage, the application proposes a maximum accessory structure height of 5.54 metres, while a maximum height of 5 m is allowed.

Pursuant to Section 45 & Section 53 of the Planning Act, Notice is hereby given that County of Brant has received a "Complete Application" for the proposal described above in accordance with the Planning Act. A Public Meeting, as required by the Planning Act, will be held by the Committee of Adjustment to provide information and receive public comments on the application outlined above.

ANY PERSON may make written submissions. **Written submissions must be made to the Planning Division one week prior to the meeting at the address shown below.*

The Committee of Adjustment may review the proposal and any other material placed before it in order to make a decision on the proposal. If you wish to be notified of the Decision of the Committee of Adjustment in respect to the proposal, you must make a written request to the Committee of Adjustment, c/o Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Where do I send written submissions?

To submit written feedback please send to the Secretary Treasurer, Committee of Adjustment, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email at sarah.dyment-smith@brant.ca

Office hours are Monday to Friday, 8:30 am – 4:30 pm
519.44BRANT (519.442.7268) or toll-free 1.855.44BRANT

Planner: Negin Mousavi Berenjaghi <Negin.MousaviBerenjaghi@brant.ca>

To view the application and supporting documents, please contact the Planning Department, contact information mentioned above.

How do I appeal a Decision?

Only the Applicant or Minister may appeal decisions in respect of applications for consent or minor variance to the Ontario Land Tribunal (OLT).

To appeal a Decision of the Committee of Adjustment on this matter to the Ontario Land Tribunal (OLT), you must complete and file the Appellant Form (A1) with a letter to the Secretary Treasurer, Committee of Adjustment outlining the reasons for your appeal. You must enclose the appeal fee of \$400.00 for each application appealed paid by a certified cheque or a money order only, made payable to the Ontario Minister of Finance and an administrative fee of \$267.00, paid by a cheque or a money order only, made payable to the County of Brant.

** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the County's website and/or made available to the public upon request.*

THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND ABOVEGROUND UTILITIES AND STRUCTURES ARE SHOWN AS APPROXIMATE LOCATIONS ON THIS DRAWING. THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE ANY CONSTRUCTION, THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

LEGEND:

ORIGINAL GROUND ELEVATIONS	(200.00)
PROPOSED SWALE ELEVATIONS (PREVIOUS CONTRACT)	(200.00)S
PROPOSED DITCH ELEVATIONS (PREVIOUS CONTRACT)	(200.00)D
PROPOSED ELEVATIONS	(200.00)
PROPOSED SWALE ELEVATIONS	(200.00)S
PROPOSED SWALE	↑
GENERAL DRAINAGE	→

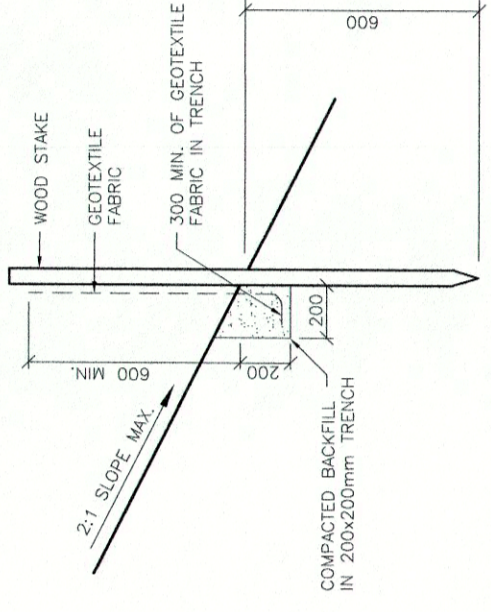
- NOTES:**
1. ALL ELEVATIONS SHOWN ARE METRIC.
 2. BUILDER/OWNER TO VERIFY COMPLIANCE WITH ZONING BYLAWS (i.e. SIDEYARDS, SETBACKS, REARWARDS ETC.).
 3. BUILDER TO VERIFY LOCATION OF ABOVE GROUND STRUCTURES (i.e. TRANSFORMERS, STREET LIGHTS, HYDRANTS, FEEDSTALS, ETC.) AND TO VERIFY WITH DRIVEWAY ENTRANCE LOCATION. (1.5m MINIMUM CLEARANCE)
 4. THE BUILDER/CONTRACTOR IS TO ENSURE FOOTINGS ARE FOUNDED ON SOIL CAPABLE OF SUPPORTING THE ANTICIPATED LOADS.
 5. STRUCTURAL FILL MAY BE REQUIRED ON THE SUBJECT LOT. THE BUILDER/OWNER TO VERIFY WITH A GEOTECHNICAL ENGINEER TO ENSURE FOOTINGS ARE FOUNDED ON SOIL CAPABLE OF SUPPORTING THE ANTICIPATED LOADS.

SITE STATISTICS - ACCESSORY

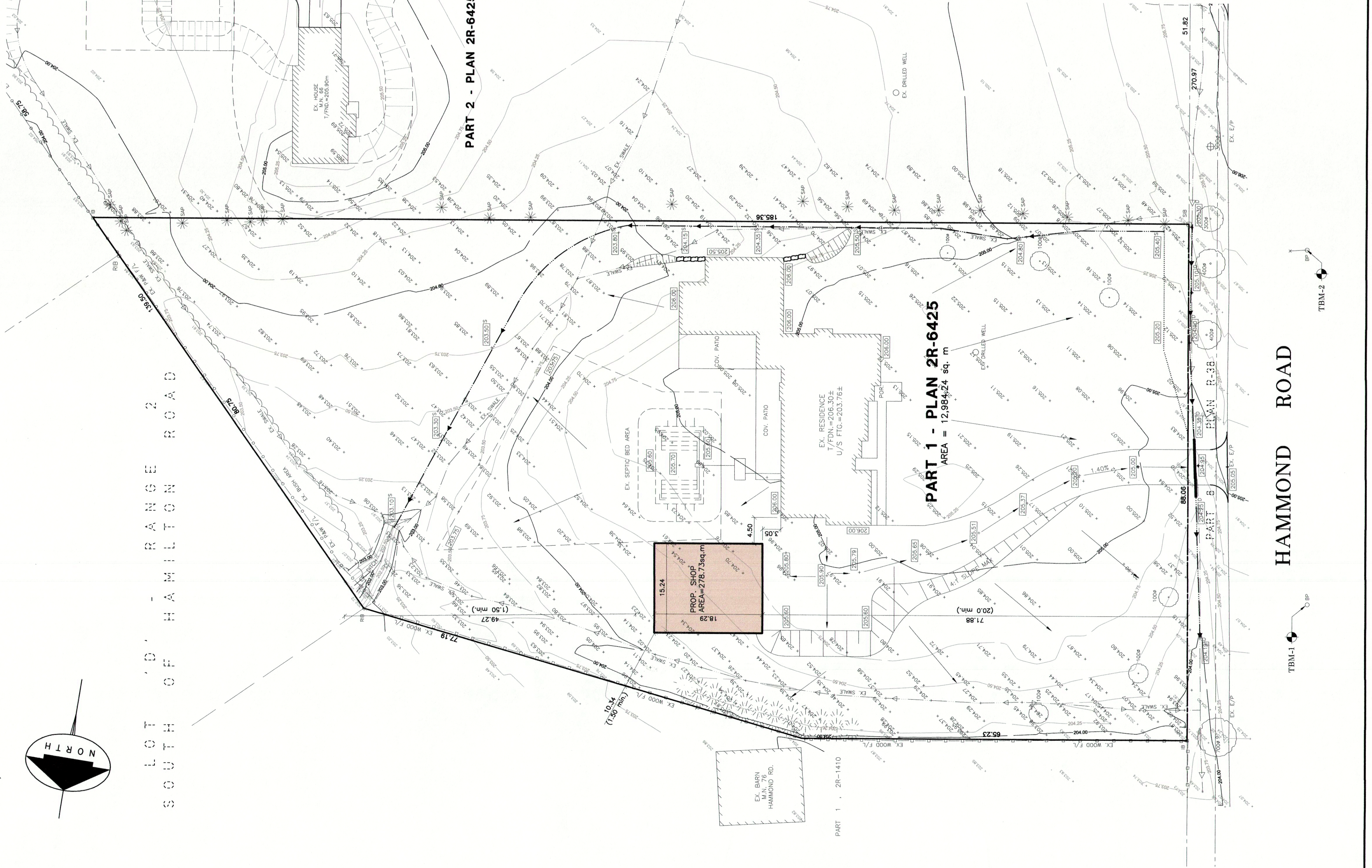
ITEM	PROPOSAL	ZONING BYLAW REQUIREMENTS	COMPLIANCE
			✓ MEETS REQUIREMENTS X VIOLANCE REQUIRED
ZONING CATEGORY	RR	RR	✓
LOT AREA (sq. m.)	12,984.3	4000 MIN. 40.00 MIN.	✓
LOT FRONTAGE (m)	88.06	140.0 MAX.	✓
GROUND FLOOR AREA (sq. m.)	EX. HOUSE = 179.8 PROP. SHOP = 278.73	30% MAX.	X
LOT COVERAGE	7.8%	20.00 MIN.	✓
STREET SETBACK (m)	71.88	1.50	✓
REAR YARD (m)	49.25	1.50	✓
SIDE YARD (m)	10.34	30% MIN.	✓
PERCENTAGE OF LOT LANDSCAPED	90.0%	5.00	X
BUILDING HEIGHT (m)	5.54		✓

SILTATION & EROSION CONTROL NOTES:

1. THE SILTATION & EROSION CONTROL MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MOST EFFECTIVE MEASURES TO PREVENT EROSION AND SILTATION DURING CONSTRUCTION.
2. ALL SEC MEASURES ARE TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. OWNER/CONTRACTOR TO MAINTAIN EROSION CONTROL MEASURES UNTIL A COMPLETE GRASS/VEGETATION COVER IS ACHIEVED.
4. ONLY AT THE DIRECTION OF THE ENGINEER ARE THE SEC MEASURES TO BE REMOVED.
5. SITE WORKS ARE TO BE STAGED IN SUCH A MANNER THAT EROSION CONTROL MEASURES ARE MAINTAINED AND THE CONSULTANT MUST BE NOTIFIED IMMEDIATELY AND THE CONSULTANT MUST BE ADVISED OF ANY CHANGES TO THE EROSION CONTROL MEASURES. EROSION CONTROL FACILITIES HAVE BEEN INSTALLED PRIOR TO THE COMMENCEMENT OF ANY GRADING, EXCAVATION OR DEMOLITION.
6. CLEARING AND GRUBBING OF THE SITE SHOULD BE KEPT TO A MINIMUM AND VEGETATION REMOVED ONLY IN ADVANCE OF IMMEDIATE CONSTRUCTION.
7. STOCKPILES OF EARTH OR TOPSOIL ARE TO BE LOCATED AND EROSION CONTROL FENCING IS TO BE INSTALLED AROUND THE BASE OF ALL STOCKPILES.
8. THE OWNER IS RESPONSIBLE TO ENSURE THE MUNICIPAL TRUCKING ETC. TO AND FROM THE SITE, AT THE END OF EACH WORKDAY.
9. ALL EXISTING AND PROPOSED CATCHBASINS ON THE SUBJECT PROPERTY ARE TO BE MAINTAINED AND THE INFERENCE OF RUNOFF FROM THE SITE IS TO BE PROTECTED WITH FILTER CLOTH OR APPROVED EQUIVALENT.



LIGHT DUTY SILT FENCE DETAIL
OPSD 219.110
N.T.S.



PART 1 - PLAN 2R-6425
AREA = 12,984.24 sq. m

PART 2 - PLAN 2R-6421

HAMMOND ROAD

LOT 'D' - RANGE 2
SOUTH OF HAMILTON ROAD



J.H. COHOON ENGINEERING LIMITED
CONSULTING ENGINEERS

440 HARDY ROAD - UNIT #1, BRANTFORD - ONTARIO - N3T 5L8
TEL. (519) 753-2656 FAX. (519) 753-4283 www.cohoonee.com

PROPOSED SHOP
M.N. 72 HAMMOND ROAD
PART 1 PLAN 2R-6425
PART OF LOT 'D' RANGE 2 S.O.H.R.
GEOGRAPHIC TOWNSHIP OF BRANTFORD
COUNTY OF BRANT

CLIENT: MARK WILSON

LOT GRADING PLAN

DESIGN: R.M.P./D.E.B.	SCALE: 1:400
DRAWN: S.L.M.	#JOB No: 12479
CHECKED: R.M.P.	DWG. No: 12479-2
SHEET: 1 of 1	DATE: APR. 26, 2024

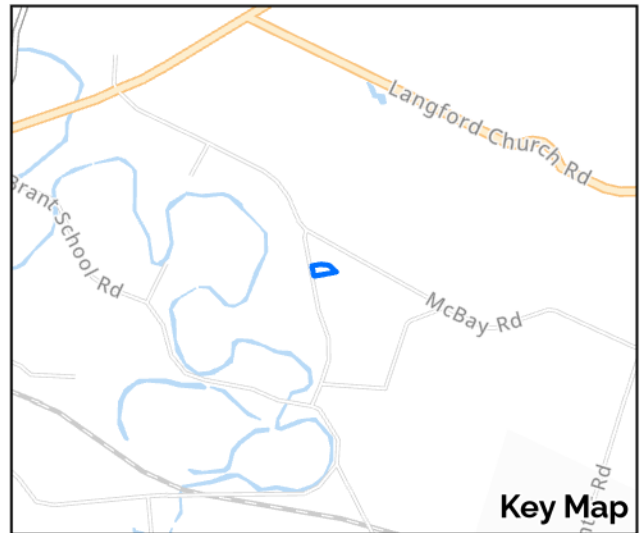
**MAP 4: DETAILED MAP
FILE NUMBER
A16-24-NM**

72 Hammond Road
County of Brant
Ontario



0 5 10 20
Meters

Date Printed: 2024-10-28



Key Map

