



Committee of Adjustment Agenda

Date: Thursday, May 15, 2025

Time: 6:00 p.m.

Location: Council Chambers

7 Broadway Street West

Paris, ON

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5.1 <u>A5-25-PB - 10 Markel Drive</u> <u>RECOMMENDATION</u>	9 - 36
<p>THAT Minor Variance Application received from Zelinka Priamo Ltd., Agent and Applicant, Maverick Development, on behalf of Kingwood Rest Acres Commercial Limited, Owner of lands legally described as PLAN 2M1973 BLOCK 1, County of Brant, in the geographic Township of Paris, municipally known as 10 Markel Drive seeking the following relief from Zoning By-Law 61-16 to facilitate commercial development of the subject lands be APPROVED:</p> <ol style="list-style-type: none">1. To permit a minimum street setback of 2.5 metres and 3.0 metres for a portion of Building A & B where 6.0 metres is required (Section 10.2.1);2. To permit a maximum driveway width of approximately 14.50 m for the Hutchings Road access, whereas the maximum driveway width is 10 m (Section 5.7.2);3. To permit 195 parking spaces, whereas a minimum of 208 parking spaces is required (Section 5.12.1); and	

4. To permit the use of 10 required parking spaces for temporary snow storage (Section 5.1.d).

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

- a. The application meets all four tests under Section 45 (1) of the Planning Act;
- b. The proposed development conforms with the County of Brant Official Plan (2023), is consistent with the Provincial Planning Statement (2024), and generally complies with the intent of Zoning By-Law 61-16.
- c. Technical justification has been provided to support functional site operations and ensure minimal impact to the surrounding context;
- d. The relief accommodates site constraints without undermining urban design or infrastructure objectives.

5.2 A4-25-PB - Lauderdale Subdivision

37 - 58

RECOMMENDATION

THAT Minor Variance Application **A4-25-PB**, from The Angrish Group c/o Ruchika Angrish, Agent on behalf of, Haggerty Homes Inc. Owner of lands legally described as BRANTFORD CONCESSION 4 PART LOT 17 REFERENCE PLAN 2R8414 PART 3, in the geographic Township of Brantford, County of Brant, and municipally located at Willowdale Street and Dalewood Ave, seeking relief from Zoning By-Law 61-16, Section 9, to permit a reduced street setback of 5.10 metres where a minimum of 7.5 metres is required along the external side yard abutting the future extension of Willowdale Street, specifically lots identified as 11, 22, 23, 32 within the within the Draft Plan Approved Lauderdale/ Summit Estates Subdivision, **BE APPROVED**.

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

1. The application satisfies all four tests under Section 45 (1) of the Planning Act, R.S.O. 1990:
 - a. The variance is minor in nature and does not result in adverse impacts on adjacent properties.
 - b. It is desirable and appropriate for the development of the land, improving site functionality and
enhancing streetscape character through built form continuity.
2. The proposed development conforms with the County of Brant Official Plan (2023), is consistent with the Provincial Planning Statement (2024), and generally complies with the intent of Zoning By-Law 61-16.

5.3 B81-A39-A40-22-LG - 347 Sixth Concession Road

59 - 82

RECOMMENDATION

THAT Application for Consent **B81-22-LG** from Pavel and Angela Gerassime, Owners of lands legally described as BURFORD CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as 347 Sixth Concession Road, County of Brant, proposing a lot line adjustment, having an area of approximately 0.10 Hectares (0.25 acres) to be severed from 347 Sixth Concession Road and conveyed to 335 Sixth Concession Road, **BE**

APPROVED.

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

- The lot line adjustment is technical, minor in nature and compatible with surrounding land uses bringing the existing residential parcel lot area into greater compliance with Zoning By-Law 61-16.
- The proposal does not result in the creation of a new agricultural lot.
- The applications are consistent with the policies of Provincial Planning Statement.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan (2012) and Zoning By-Law 61-16.

AND

That Application for Minor Variance **A39-22-LG** from Pavel and Angela Gerassime, Owners of lands legally described as BURFORD CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as 347 Sixth Concession Road, County of Brant, proposing to recognize the reduced area of the existing legal non-complying lot being 28.30 hectares (69.92 acres), as a result of related lot line adjustment application B81-22-LG, **BE APPROVED.**

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

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

AND

That Application for Minor Variance **A40-22-LG** from Pavel and Angela Gerassime, Applicants on behalf of Devon and Katelyn Budgell, Owners of lands legally described as CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as 335 Sixth Concession Road, County of Brant, proposing to recognize the modified area of the existing legal non-complying lot being 1,740.15 square metres (0.43 acres), as a result of related lot line adjustment application B81-22-LG, **BE APPROVED.**

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

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

5.4 **B5-25-RF - 490 Brant Road**
RECOMMENDATION

83 - 108

THAT Consent Application **B5-25-RF** from Rene Veldhuizen applicant on behalf

of Bart Veldhuizen, Owner of lands legally described as PLAN 659 PT LOTS 1 AND 2 RP 2R4000 PART 2 RP 2R6853 PART 2, and municipally known as 490 Brant County Road 18, is proposing to sever for the creation of one (1) new industrial lot with a frontage of 53.50 meters along Ewart Drive, depth of 114.78 meters and an area of approximately 0.61 hectares with the retained parcel maintaining a frontage of approximately 116.82 meters along Brant County Road 18 and 81.51 meters on Ewart Drive, with a depth of 114.78 meters and area of 1.03 hectares, **BE APPROVED**, subject to the attached conditions.

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

- The lot creation is compatible and consistent within the context of existing development.
- The application is consistent with the policies of the Provincial Planning Statement (2024)
- The application conforms with the policies of the County of Brant Official Plan (2023) and Zoning By-Law 61-16.

6. Next Meeting

7. Adjournment



Committee of Adjustment Minutes

Date: April 17, 2025
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

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

Staff: R. Cummins, A. Veshkini, D. Namisniak, N. Campbell

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1. Attendance

2. Approval of Agenda

Moved by Member Schmitt
Seconded by Member Emmott

That the agenda for the County of Brant Committee of Adjustment Meeting of April 17, 2025 be approved.

Carried

3. Declaration of Pecuniary Interests

No conflicts declared.

4. Adoption of Minutes from Previous Meetings

Moved by Member Panag
Seconded by Member Hamilton

That the minutes of the March 20, 2025 meeting of the Committee of Adjustment be approved, as printed.

Carried

5. Public Hearings

5.1 **B2-25-RC - 1272 Colborne Street East & 38 Papple Road**

Staff Presentation

- Ryan Cummins, Planner, presented consent application B2-25-RC for approval as outlined in the staff report.
- Planner requested modification to Condition 5 to require the severed parcel to be merged with the receiving parcel, a standard condition which was inadvertently missed.
- Member Hamilton sought clarification on type of servicing due to conflicting information in the report. Planner confirms the benefiting property is on municipal water services and private septic services.

Agent/ Applicant Presentation

- Matt Reniers with Matt Reniers & Associates, Agent on behalf of the Applicant, was present and noted the applicant agrees with the staff report, recommendations and conditions of approval.
- Agent noted that the benefiting property's current use includes a contractor's yard with no development planned. Agent noted the purpose of the proposal allows expansion of the property as it's currently narrow and the expansion allows possible future development. Agent noted challenges with truck and trailer turning due to the narrow parcel.
- No questions to Agent.

No public comments

Moved by Member Hamilton

Seconded by Member Emmott

THAT Application for Consent **B2-25-RC** from Matt Reniers & Associates, applicant on behalf of Olech Real Estate Holdings Inc., Owner of lands legally described as PART 4, PLAN 2R-8370, known as 38 Papple Road, in the geographic Township of Brantford, County of Brant, proposing to convey approximately 0.4 hectares (1.0 acres) to the lands known as 1272 Colborne Street East, **BE APPROVED**, subject to the attached conditions.

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

- The lot creation is compatible and consistent within the context of the existing development.
- The subject lands shall be re-zoned as a condition of this consent application.
- The application is consistent with the policies of the Provincial Planning Statement.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

Carried

5.2 **B4-25-AV - 62 & 67 Nith Road**

Staff Presentation

- Afsoon Veshkini, Junior Planner, presented consent application B4-25-AV for approval as outlined in the staff report.
- Member Vamos sought confirmation of when the parcels merged. Planner confirmed they merged in 2006.

Agent/ Applicant Presentation

- Courtney Boyd with Waterous Holden Amey Hichon LLP, Agent on behalf of the Owners, was present and confirmed the merger occurred in 2006, although was not discovered until later.
- Agent noted of a small portion of the properties that abut, causing the inadvertent merger.
- In response to a public comment/ inquiry received, Chair Brown asked for clarification on "inadvertent merger". Agent clarified abutting lands under common ownership merge at law and the solution to fix is through a severance.
- Agent confirmed both parcels are owner-occupied, and the Owners agree with the proposed conditions of approval.
- Member Vamos noted that the road appears to only run 1/4 between the two parcels to which the Agent confirmed the sliver continues between the properties from the north of the two parcels which is owned by the County.

No public comments

Moved by Member Panag

Seconded by Member Schmitt

THAT Consent Application **B4-25-AV** from Waterous Holden Amey Hitchon LLP Agent, on behalf of John and Sandra Cochrane owners of lands legally described as SOUTH DUMFRIES CONCESSION 1 PART MISC GORE PART LOTS 35 AND 36, and CONCESSION 1 PART LOT 37, in the geographic former township of South Dumfries, municipally known as 62 Nith road (Roll Number 292001601036400), and 67 Nith Road (Roll Number 292001601036200) County of Brant, proposing a technical consent to revert the parcels back to their original lot lines, as the parcels had inadvertently merged in title, **BE APPROVED** subject to the attached conditions.

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

- The request is legal and technical in nature to allow for the correction of title as a result of inadvertent merger.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.
- The application has been processed under the authority of the Planning Act and is consistent with the policies of Provincial Planning Statement (2024).

Carried

6. Next Meeting

The next meeting is scheduled to be May 15, 2025, and will be a hybrid meeting starting at 6:00pm.

7. Adjournment

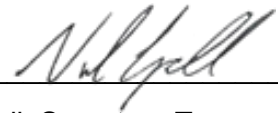
The meeting adjourned at 6:26 PM and to meet again on May 15, 2025.

Moved by Member Emmott

Seconded by Member Hamilton

That the Committee of Adjustment meeting of April 17, 2025 be adjourned.

Carried

A handwritten signature in black ink, appearing to read "Nicole Campbell", is written over a horizontal line.

Nicole Campbell, Secretary-Treasurer



COUNTY OF BRANT COMMITTEE OF ADJUSTMENT REPORT

DATE: May 15, 2025

REPORT NO: RPT-0185-25

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

FROM: Piere Bordeaux, Planner

APPLICATION TYPE: Minor Variance Application

APPLICATION NO: A5-25-PB

LOCATION: 10 Markel Dr

OWNER: Kingwood Rest Acres Commercial Ltd.

APPLICANT: Zelinka Priamo Ltd.

AGENT: Maverick Development Corporation

SUBJECT: Request for a decision on a Minor Variance Application seeking relief from Zoning By-law 61-16.

RECOMMENDATION

THAT Minor Variance Application received from Zelinka Priamo Ltd., Agent and Applicant, Maverick Development, on behalf of Kingwood Rest Acres Commercial Limited, Owner of lands legally described as PLAN 2M1973 BLOCK 1, County of Brant, in the geographic Township of Paris, municipally known as 10 Markel Drive seeking the following relief from Zoning By-Law 61-16 to facilitate commercial development of the subject lands be **APPROVED**:

1. To permit a minimum street setback of 2.5 metres and 3.0 metres for a portion of Building A & B where 6.0 metres is required (Section 10.2.1);
2. To permit a maximum driveway width of approximately 14.50 m for the Hutchings Road access, whereas the maximum driveway width is 10 m (Section 5.7.2);
3. To permit 195 parking spaces, whereas a minimum of 208 parking spaces is required (Section 5.12.1); and
4. To permit the use of 10 required parking spaces for temporary snow storage (Section 5.1.d).

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

- a. The application meets all four tests under Section 45 (1) of the Planning Act;
- b. The proposed development conforms with the County of Brant Official Plan (2023), is consistent with the Provincial Planning Statement (2024), and generally complies with the intent of Zoning By-Law 61-16.
- c. Technical justification has been provided to support functional site operations and ensure minimal impact to the surrounding context;

- d. The relief accommodates site constraints without undermining urban design or infrastructure objectives.

EXECUTIVE SUMMARY

This Minor Variance Application (A5-25-PB) seeks relief from select provisions of Zoning By-law 61-16 to facilitate the development of a commercial plaza, consisting of a supermarket and a drugstore, at 10 Markel Drive within the Paris Meadows Plan of Subdivision.

Four specific variances are requested:

- A reduced front yard setback of 2.5 m and 3.0 m (where 6.0 m is required);
- An increased driveway width of 14.5 m (where 10.0 m is permitted);
- A reduced parking supply of 195 spaces (where 208 are required); and
- Temporary winter snow storage on 10 of the required parking spaces.

These requests are driven by site-specific constraints, determined by corner lot configuration, maintaining visibility triangles, and servicing alignment. All aspects of detail design have been reviewed as part of the technical circulation completed as part of related Site Plan Control Application SP19-24-DN. It has been determined that the variances requested lead to improvements in landscaping, internal circulation, and public interface design.

A professional parking study confirms that, even under peak demand, the site will retain a functional surplus of 27 spaces. Further, mitigation measures—including off-peak truck delivery and roll-over curb design—address concerns related to circulation and pedestrian safety.

Collectively, the requested relief is considered minor in nature, maintains the intent of the County's Official Plan and Zoning By-law, and supports broader goals of intensification, walkability, and service delivery within the Community Corridor designation.

For the reasons outlined in this report, it is my professional recommendation that Minor Variance A5-25-PB be **APPROVED**.

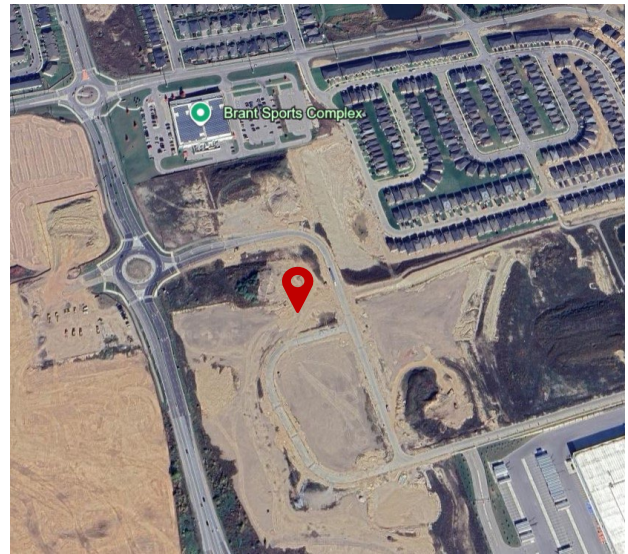
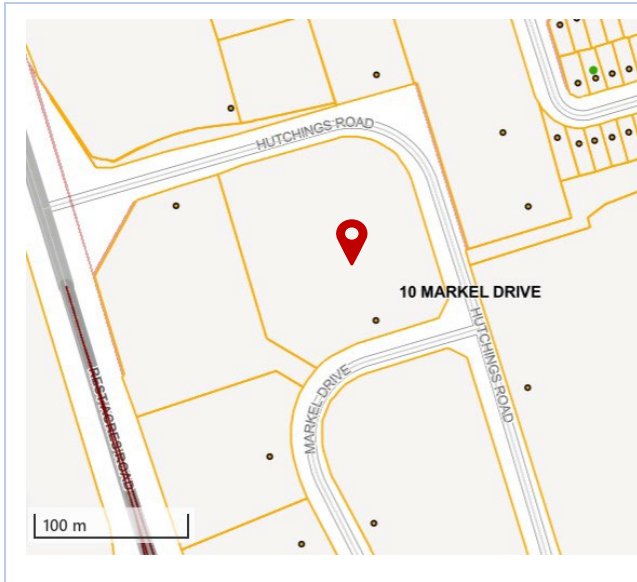
LOCATION / EXISTING CONDITIONS

Location Description

The subject land is part of the Paris Meadows Subdivision Registered Plan 2M-1973 currently vacant situated at the corner of Markel Drive and Hutchings Road. This site lies immediately north of Highway 403, near the Rest Acres Road / Highway 24 interchange, which provides regional access to the area.

LOCATION MAP – Fig 01
Application: A5-25-PB
10 Markel Dr

AERIAL IMAGE – Fig 02
Application: A5-25-PB
10 Markel Dr



Key Roads Nearby

- **Highway 403:** A major east-west highway directly south of the site.
- **Rest Acres Road (Highway 24):** A major north-south arterial connecting 403 to Paris and Brantford.
- **Markel Drive:** Local road forming the southern boundary of the subject site.
- **Hutchings Road:** Curving along the east and north sides of the subject site.

Nearby Landmarks

- **Brant Sports Complex (Northwest):** A major recreational facility offering arenas, event space, and fields.
- **Future Residential Development (Northeast & North):** Grid-street pattern with homes under construction and recently completed.
- **Large Industrial Building (Southeast):** distribution and logistics warehouse facility, at Markel Dr and Pottruff Rd.
- **Grand River (Northeast):** A major natural corridor defining the regional landscape

Existing conditions:

Area: 1.45 ha (3.67 acres)

Zoning: General Commercial (C2)

Official Plan Designation: Community Corridor

Surrounding Uses: Predominantly residential to the north and east, future employment to the west and south, and institutional lands to the northeast.

REPORT

Planning Act

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 in nature;
- (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.

Conformity with Provincial and Municipal Policies/Plans

Provincial Planning Statement, 2024

The **Provincial Planning Statement (PPS 2024)** provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the *Planning Act*, all decisions affecting planning matters shall be consistent with the PPS.

The following demonstrates that the proposed minor variance application is consistent with the applicable policies of the PPS 2024:

PPS Policy	Policy Direction	Consistency Status	Planning Analysis
2.3.1 Settlement Areas: Focus of Growth and Development	Settlement areas shall be the focus of growth and development.	Consistent	The subject property is located within the Urban Settlement Area of Paris. The proposal supports intensification by introducing retail uses on a currently vacant parcel, contributing to local employment and walkable access to daily goods and services.
2.3.1.2 Land Use Patterns and Efficient Use of Infrastructure (a–d)	Land use patterns should: <ul style="list-style-type: none">a) efficiently use land and resources.b) optimize infrastructure.c) support active transportation;	Consistent	The development efficiently uses urban land and existing infrastructure (a, b), and includes sidewalks and bicycle parking to support active transportation (c). Although some internal circulation conflicts remain, the ongoing Site Plan Control process—now in its fourth iteration—demonstrates a sustained effort to improve transit-supportive design features, such as pedestrian connectivity and separation from service areas. The proposal is anticipated

	d) be transit supportive.		to fully satisfy the intent of 2.3.1.2(d) upon final refinement. It is anticipated that forthcoming revisions will further refine the site's circulation and interface, contributing to improved conformity with the intent of Policy 2.3.1.2 (c) and (d).
2.2 Housing and Mixed-Use	Planning authorities shall provide for an appropriate mix of uses and support mixed-use communities.	Consistent	Although the proposal does not include residential uses, it complements adjacent residential development by adding walkable, community-serving retail, thereby contributing to a complete community framework.
3.2 Transportation Systems	Transportation planning must be integrated with land use.	Consistent	The site is well-connected to the local and regional road network, including Rest Acres Road and Highway 403. Access locations have been reviewed through a Transportation Impact Brief and confirmed to meet required safety and sightline standards.
3.5 Land Use Compatibility	Development shall minimize negative impacts on adjacent uses.	Consistent	The proposed commercial plaza is compatible in scale and use with its surrounding residential and institutional context. Design refinements introduced through the Site Plan Control process, including landscaping and buffering measures, mitigate potential conflicts.
5.1 Natural and Human-Made Hazards	Development should avoid hazard lands.	Consistent / Not Applicable	The site is not located within or adjacent to hazard lands such as floodplains or erosion-prone areas.

County of Brant Official Plan 2023

The **County of Brant Official Plan (2023)** establishes the vision, goals, and policy direction for land use planning and development within the municipality. In accordance with the *Planning Act*, all decisions affecting planning matters must conform to applicable municipal planning documents, including the County's Official Plan.

The subject lands are designated **Community Corridor** and are located within the **Urban Settlement Area of Paris**. The proposed development is subject to Site Plan Control and has undergone multiple design revisions to align with Official Plan objectives. The following demonstrates conformity with key applicable policies:

Official Plan Policy	Policy Direction	Conformity Status	Planning Analysis
5.1.2 – Community Corridors Land Use Designation	Encourage compact, mixed-use, and pedestrian-friendly development that efficiently uses land and infrastructure.	Conforms	The proposed retail uses (supermarket and drugstore) are permitted within the Community Corridor designation. The development supports intensification goals by utilizing a vacant parcel within the urban settlement area and contributes to a walkable, service-oriented corridor.
5.15 – Design and Built Form	New development must enhance the pedestrian realm, respect adjacent character, and minimize conflicts between vehicles and pedestrians.	Conforms (with mitigation)	While the 14.5 m driveway width exceeds zoning standards, mitigation measures—including a roll-over curb design and confirmation that loading will occur outside peak pedestrian hours—reduce its impact. The proposal reflects ongoing refinement through Site Plan Control to address circulation and streetscape integration.
5.15.4 – Landscape Design	Landscaping should buffer incompatible uses, enhance visual character, and frame pedestrian pathways.	Conforms	The Site Plan Control process includes the preparation of a detailed landscape plan that demonstrates buffering and aesthetic improvements along all public frontages, particularly where setback relief is proposed.
5.15.7 – Access and Circulation	Access points should reduce conflict with pedestrians and support safe internal circulation.	Conforms (with continued refinement)	The development incorporates internal pedestrian pathways and is improving circulation through iterative site design. Although initial configurations presented challenges, revisions have enhanced internal movement and reduced pedestrian-vehicle conflict.

5.15.2.3 – Contextual Compatibility	Development should be compatible in scale, massing, and relationship to adjacent uses.	Generally, Conforms	The proposed massing and use are compatible with the surrounding commercial and residential context. While the corner setback at Markel and Hutchings differs from nearby built form, this variation is balanced by landscaping and massing articulation to maintain streetscape rhythm.
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County of Brant Zoning By-Law 61-16

Zoning Classification:

- Zone: C2 – General Commercial Zone
- Mapping Reference: Schedule A to Zoning By-law 61-16

The subject lands, municipally known as 10 Markel Drive, form part of Block 1 of the registered Paris Meadows Subdivision. The site is legally situated within the County of Brant and is designated within the Urban Settlement Area of Paris.

Site Characteristics:

- Approximate area: 1.45 hectares (3.67 acres)
- Current status: Vacant and undeveloped
- Location: Northeast corner of Markel Drive and Hutchings Road, with direct frontage on Rest Acres Road (Highway 24), a major arterial road
- Configuration: Rectangular, with visibility triangles registered at the intersection to preserve corner sightlines
- Infrastructure: Fully serviced with municipal water, stormwater, and road access, with sanitary connections planned

Zoning By-law provision analysis: Section 10: Commercial (C) Zone:

Regulation	Required (C2 Zone)	Proposed / Relief Requested
Minimum Lot Area	No minimum	1.45 ha
Minimum Lot Frontage	15 m	78.73 m
Minimum Street Setback	6.0 m	2.5 m / 3.0 m Does not comply
Minimum Rear Yard	7.5 m	7.7 m
Maximum Building Height	12.0 m	9.5 m

Minimum Landscaped Open Space	10%	15.3 %
Parking (Section 5.12.1)	208 spaces	195 spaces Does not comply
Maximum Driveway Width (5.7.2)	10.0 m	14.5 m Does not comply

The proposed commercial development conforms to the permitted uses and general intent of the C2 Zone, which allows for retail and service commercial uses intended to serve the surrounding residential community. Relief is required from specific performance standards to accommodate the proposed site layout and access configuration. These variances include:

- A reduction in front yard setbacks at the building corners.
- An increase in driveway width to facilitate truck access at a prominent corner.
- A minor shortfall in required parking, supported by a transportation and parking study.
- The temporary use of 10 required parking spaces for snow storage, which has been justified through technical analysis.

These variances are evaluated in detail in relation to the four tests of a minor variance under Section 45 (1) of the *Planning Act*.

Relief Request 1: Minimum Street Setback

Zoning Standard: 6.0 metres

Relief Requested: 3.0 metres (Retail A), 2.5 metres (Retail B)

Test 1 – Intent of the Official Plan:

The subject property is designated Community Corridor under the County of Brant Official Plan, which encourages compact, mixed-use, and pedestrian-oriented development. The proposed reduced setbacks maintain the intent of this designation by facilitating a walkable retail node and enabling efficient land use. Therefore, the general intent and purpose of the Official Plan is maintained.

Test 2 – Intent of the Zoning By law:

The Zoning By-law sets minimum street setbacks to provide area for site grading, drainage and servicing as well as appropriate separation between built form and the public realm, support landscape buffering, and ensure sightline safety. While the proposed relief is a measurable reduction, it applies only to the corners of the building. The modified facade design at these corners, along with space for appropriate landscaping and servicing, and not impact to site lines help preserve the functional and visual intent of the regulation. As such, the general intent of the Zoning By-law is upheld with mitigation.

Test 3 – Desirability:

The variance allows for proper site layout and building orientation while avoiding more substantial impacts that would arise from relocating buildings or driveways. It enables compatible commercial development on a constrained parcel, consistent with its context and urban structure. The variance is therefore desirable for the appropriate use of the land.

Test 4 – Minor in Nature:

The reduction in setback is localized and does not affect the full building footprint. Mitigating design measures including landscaping, public interface, and corner articulation minimize any adverse impacts. Relief is thus considered minor in nature, both in scale and effect.

Relief Request 2: Maximum Driveway Width

Zoning Standard: 10.0 metres

Relief Requested: 14.5 metres (Hutchings Road)

Test 1 – Intent of the Official Plan:

The driveway provides essential access to a retail plaza and supports its operational function. The Official Plan promotes an efficient multi-modal transportation network using the principle of complete streets, balancing safety and movement with needed functional infrastructure. The roll-over curb and mitigation measures maintain alignment with Official Plan policies through a balanced, site-responsive approach.

Test 2 – Intent of the Zoning By-law

The intent of the Zoning By-law is to limit wide driveways that create both a vehicle and pedestrian safety concern when they disrupt pedestrian pathways and streetscape continuity. Although the proposed width exceeds the standard by 45 percent, this deviation is mitigated through roll over curb design and operational controls such as limited delivery windows. These measures help preserve safety and functional circulation. Therefore, the intent of the By-law is maintained through design refinement.

Test 3 – Desirability:

An increased driveway width is necessary to accommodate the minimum truck turning radii and ensure safe access. This contributes to consolidated and efficient site circulation. It is considered desirable given the site's function and configuration.

Test 4 – Minor in Nature:

While the numerical deviation is substantial, the impact is mitigated by targeted design strategies. The location, use frequency, and supporting curb design reduce the potential for pedestrian conflict. Accordingly, the variance is considered minor in effect.

Relief Request 3: Minimum Required Parking

Zoning Standard: 208 spaces

Relief Requested: 195 spaces (13-space shortfall)

Test 1 – Intent of the Official Plan:

The Official Plan encourages compact and efficient development. By relying on shared trip generation and avoiding excess paving, the proposed parking reduction aligns with broader sustainability and land use efficiency goals. The relief supports intensification while meeting commercial needs.

Test 2 – Intent of the Zoning By-law:

The Zoning By-law aims to ensure that sites provide sufficient parking for their intended use. The accompanying Parking Study demonstrates that demand will peak below the proposed supply, even accounting for snow storage. The intent of ensuring sufficient, unobstructed parking is therefore maintained.

Test 3 – Desirability:

The reduced parking supports an efficient site layout and avoids unnecessary impervious surface area. It enables the development to function appropriately without compromising adjacent infrastructure or causing parking spillover. The variance is desirable and compatible with the intended commercial use.

Test 4 – Minor in Nature:

The reduction amounts to approximately 6.25 percent, and the shortfall is functionally mitigated through shared-use assumptions and demand analysis. The operational impact is minimal and manageable. The variance is considered minor.

Relief Request 4: Snow Storage on Required Parking Spaces

Zoning Standard: Parking spaces must not be used for other purposes

Relief Requested: Temporary snow storage on 10 required parking spaces

Test 1 – Intent of the Official Plan:

The Official Plan promotes year-round functionality and efficient use of land. Allowing temporary snow storage without expanding asphalt areas aligns with sustainability objectives and supports uninterrupted operation of the commercial plaza. The relief maintains the general intent of the Official Plan.

Test 2 – Intent of the Zoning By-law:

Zoning By-law prohibits use of required parking spaces for other purposes to ensure availability of parking. However, a professional Parking Study has confirmed that, even during peak demand, the site will maintain a surplus of 27 spaces, preserving functional parking availability. Thus, the general intent is maintained.

Test 3 – Desirability:

The proposed snow storage strategy avoids overdesigning the site and ensures efficient winter maintenance. It supports practical site operations and minimizes disruption to users, making the relief desirable.

Test 4 – Minor in Nature:

The variance is seasonal, and supported by technical evidence. The operational impact is negligible and does not affect compliance with functional parking needs. The relief is minor in both duration and effect.

Conclusion

Each of the four requested variances satisfies all four tests under Section 45 (1) of the Planning Act. The variances maintain the general intent and purpose of the County's Official

Plan and Zoning By-law, are desirable for the appropriate use of the land, and are minor in nature when considered in context and with the mitigating strategies introduced through the Site Plan Control process.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Development Engineering	No comment by DED, reviewed by others.
Operations Development	<p>External Works:</p> <ul style="list-style-type: none"> • Modifications to Hutchings Road will be completed by the County to support the proposed new site entrances located east of the roundabout. • A conceptual road design is currently underway. <p>Sightlines and Landscaping:</p> <ul style="list-style-type: none"> • As per the Transportation Impact Study (TIS), sightlines at the north entrance extend across private property. • No landscaping should be installed that may obstruct visibility to the east from this entrance. <p>Site Servicing:</p> <ul style="list-style-type: none"> • All servicing works will be completed by the site developer. • Standard inspection fees for connections at the property line will be included in Schedule F of the Site Plan Agreement. <p>Water and Wastewater Capacity:</p> <ul style="list-style-type: none"> • Capacity is available for this development. • Allocation will occur at the time of site plan registration. <p>Site Entrances and Access Design:</p> <ul style="list-style-type: none"> • The proposed entrances exceed the size required for anticipated traffic volumes and do not align well with internal drive lanes and parking layout. • Entrances appear to be oversized to accommodate truck turning movements. • Re-design is recommended to: <ul style="list-style-type: none"> ○ Include only necessary entrance and exit lanes. ○ Accommodate truck turning with features such as concrete aprons.
Parks Capital Planning & Forestry	No comments.
Canada Post	No comments
Grand Bridge Energy	No Comments
Hydro One	No Comments
The Mississaugas of the Credit First Nation (MCFN)	No comments or concerns currently

PUBLIC CONSIDERATIONS

Notice of this Application, contact information and Public Hearing Date were circulated by mail on April 30, 2025, to all property owners within 60 meters of the subject lands in accordance with Section 45(5) of the *Planning Act* as required. The posting of the Public Notice sign was completed on April 28, 2025, by the owner/applicant and the site visit was completed on April 25, 2025.

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

CONCLUSIONS AND RECOMMENDATIONS

In my professional opinion, the proposed minor variance application satisfies all four tests set out under Section 45 (1) of the *Planning Act*. The proposed commercial uses are permitted within the applicable zoning and conform to the Community Corridor designation of the County of Brant Official Plan, thereby supporting local intensification and service delivery objectives.

While the requested variances — specifically the reduced front yard setbacks and increased driveway width — introduce challenges with respect to the intent of the Zoning By-law and the urban design policies of the Official Plan, these matters have been substantially addressed through the ongoing Site Plan Control process. The application has undergone multiple design iterations in consultation with County staff, and further refinements are anticipated to resolve outstanding issues related to interface, circulation, and buffering.

Operational comments provided during review do not invalidate the minor variance application. Rather, they reinforce the need for coordination with final engineering design, suggest refinements at the Site Plan stage to ensure full functionality, and emphasize the importance of confirming that driveway widths are justified based on truck turning requirements. These are implementation-level issues that fall within the scope of Site Plan Control and do not alter the conclusion that the requested variances meet the intent and purpose of applicable planning documents.

Furthermore, the requested relief for temporary snow storage is supported by a professional parking study that confirms a functional surplus during peak conditions, maintaining alignment with the Zoning By-law's intent for adequate and accessible parking.

Given the existing site constraints created by the registered plan of subdivision and the parcel's configuration, the proposed development represents a reasonable and context-sensitive solution.

Accordingly, the requested variances are considered appropriate, maintain the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the appropriate development of the land, and are minor in nature and impact.

For the reasons outlined in this report, it is my professional recommendation that Minor Variance Application A5-25-PB be APPROVED.

Pièrre

PIERE BORDEAUX

Planner

Reviewed By:

1. Dan Namisniak, Manager of Development Planning
2. Jeremy Vink, Director of Planning

ATTACHMENTS

1. Drawings
2. Site Photos
3. Zoning Mapping, Official Plan Mapping and Aerial Photo
4. Circulation Notice

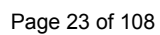
COPY TO

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

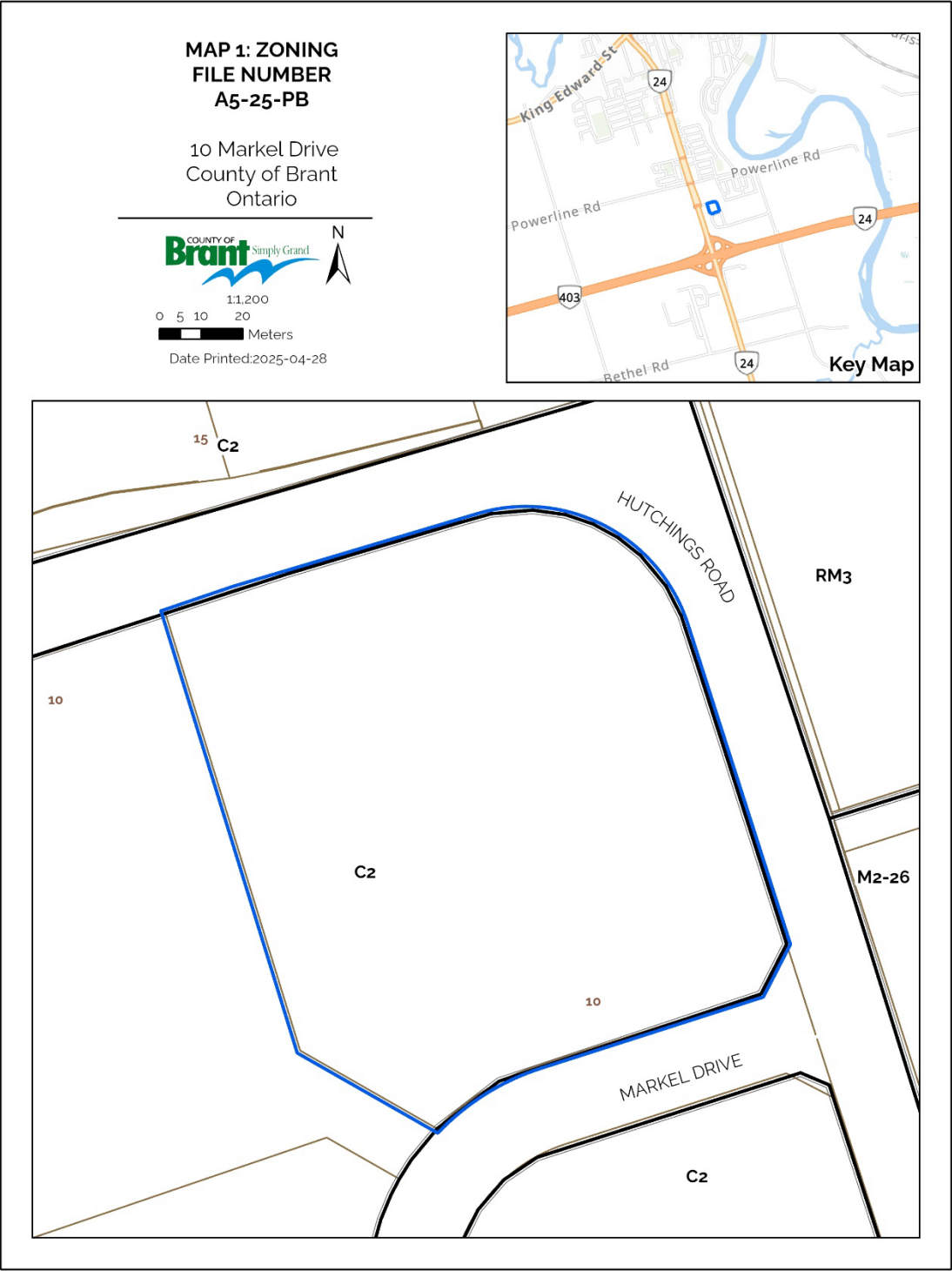
FILE # A5-25-PB

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 the Council?	NO

PART 4
PLAN 2R-8958



Attachment 2 – Zoning Map



Attachment 3 – Official Plan Map

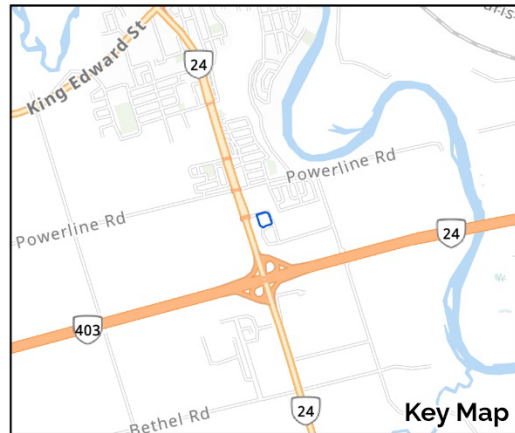
**MAP 2: Official Plan
FILE NUMBER
A5-25-PB**

10 Markel Drive
County of Brant
Ontario



0 5 10 20
Meters

Date Printed: 2025-04-28

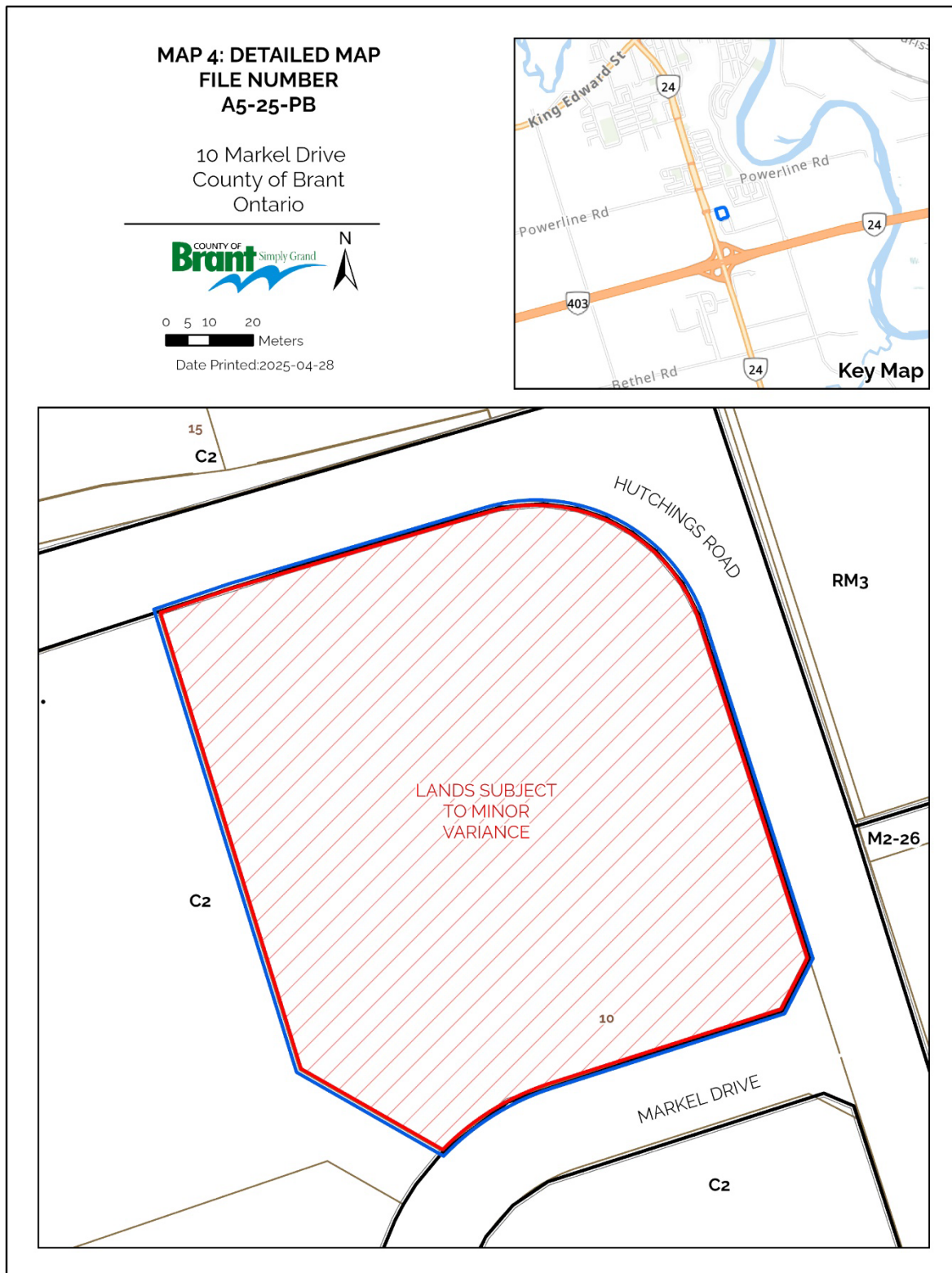


Key Map



Attachment 4 – Map 3: Aerial Imagery

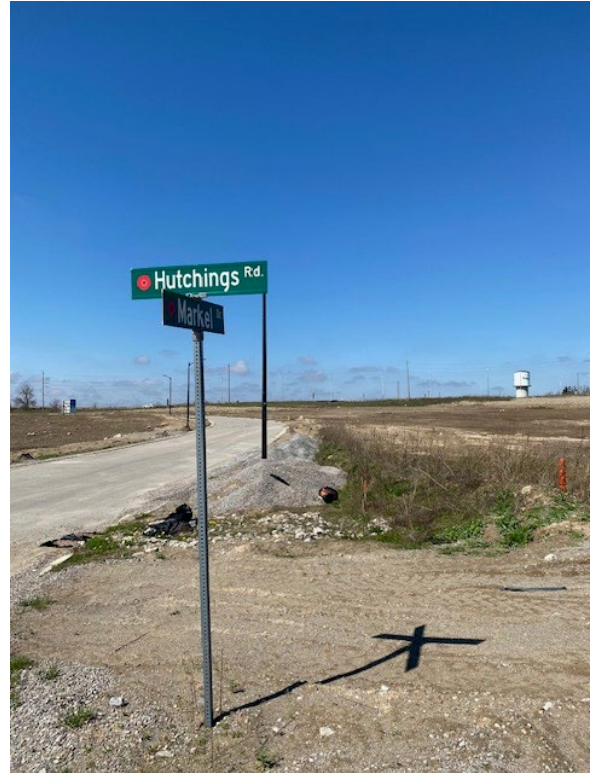




Attachment 6 – Photographic Observation



Photograph taken from Hutchings Street, southeast of the subject lot, looking at the neighboring lot located northeast



Photograph taken from Hutchings Street, southeast of the subject lot, looking west and showing Market Drive



Photograph taken from Hutchings Street, southeast of the subject lot, looking at the neighboring residential development located east



Photograph taken from Hutchings Street, southeast of the subject lot, looking at the neighboring residential development located east



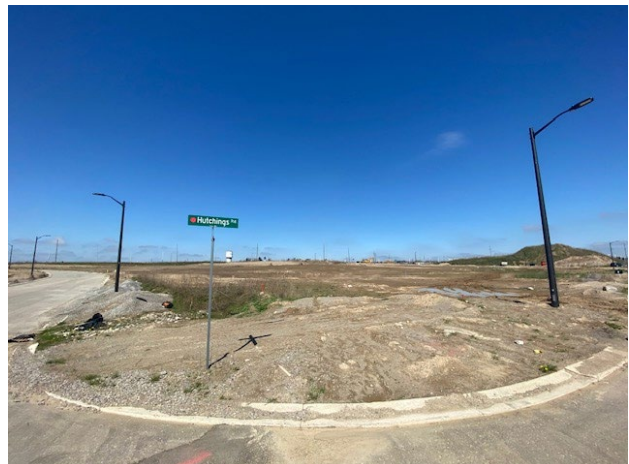
Photograph taken from Hutchings Street, southeast of the subject lot, looking north showing Hutchings Street



Photograph taken from the intersection between Hutchings Street and Markel Drive, looking north and showing the east side of the subject lot and part of Hutchings Street



Photograph taken from the intersection between Hutchings Street and Markel Drive, looking west and showing Markel Drive



Photograph taken from the intersection between Hutchings Street and Markel Drive, looking northwest and showing the subject lot



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 COMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: Thursday, May 15, 2025

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: A5-25-PB – 10 Markel Drive

Details of Application:

Minor Variance Application received from Zelinka Priamo Ltd. c/o Brooke Burlock, Agent on behalf of Kingwood Rest Acres Commercial Limited, Owner of lands legally described as PLAN 2M1973 BLOCK 1, County of Brant, in the geographic Township of Paris, municipally known as 10 Markel Drive is seeking the following relief from Zoning By-Law 61-16 to facilitate commercial development of the subject lands:

1. To permit a minimum street setback of 2.5 metres for a portion of Building A & B where 6.0 metres is required (Section 10.2.1);
2. To permit a maximum driveway width of approximately 14.50 m for the Hutchings Road access, whereas the maximum driveway width is 10 m (Section 5.7.2);
3. To permit 195 parking spaces, whereas a minimum of 208 parking spaces is required (Section 5.12.1); and
4. To permit the use of 10 required parking spaces for temporary snow storage (Section 5.1.d).

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 nicole.campbell@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 nicole.campbell@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: Piere Bordeaux, Planner, <piere.bordeaux@brant.ca>

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

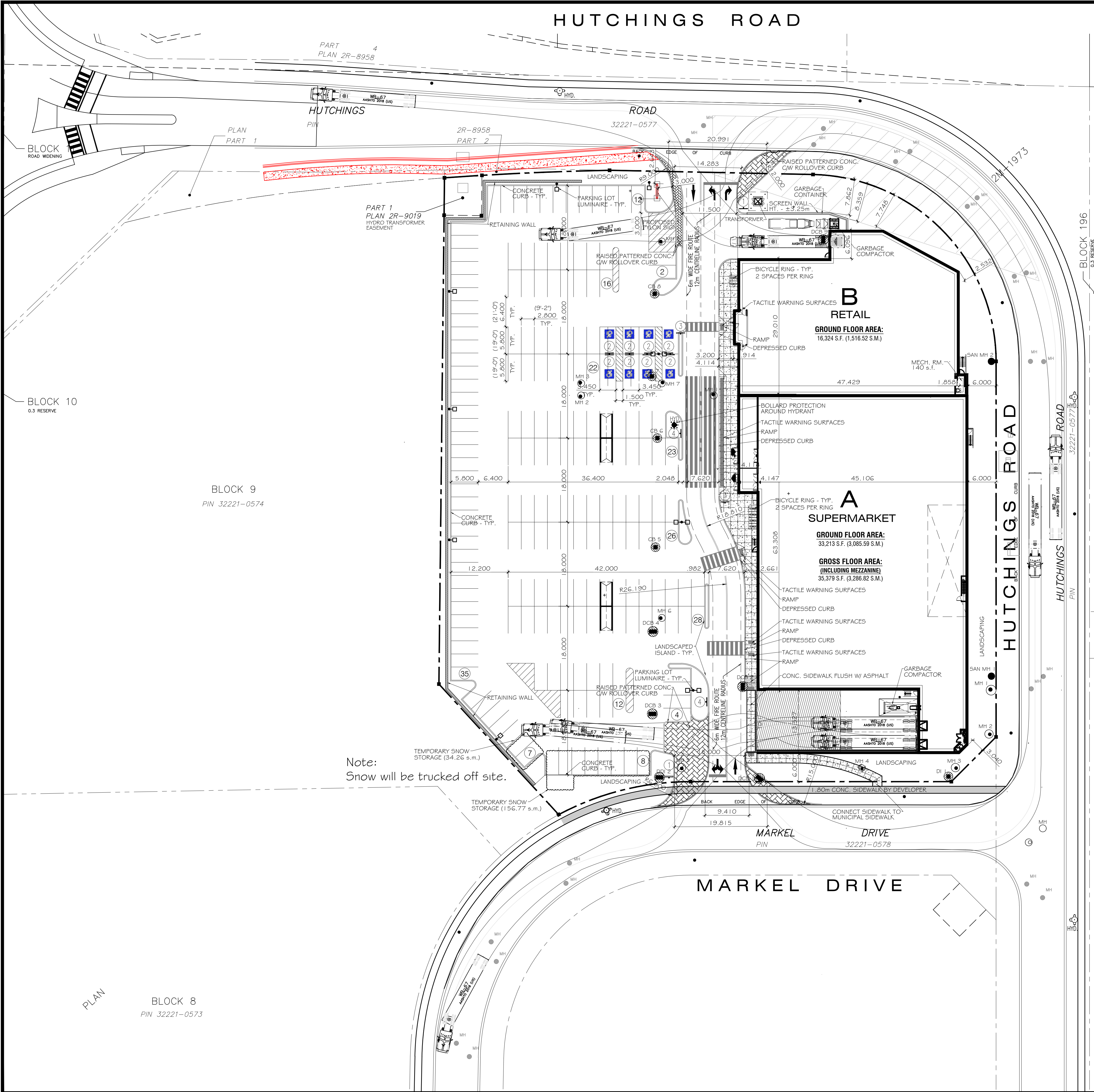
How do I appeal a Decision?

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, you may file a notice of appeal with the Clerk or Secretary-Treasurer via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Brant (County) as the Approval Authority or by mail 66 Grand River St. N., Paris, Ontario N3L 2M2, The appeal fees:

- of \$400 to the OLT can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.
- In addition, a fee of \$280.00 payable to the “County of Brant” as per the County of Brant’s Development Services fees online <https://webforms.brant.ca/finance/planning-applications-payment> or by mail to 66 Grand River St. N., Paris, Ontario N3L 2M2.

** 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.*



①
STOP Sign
R-1 (60x60) cm
Support: Steel

②
ACCESSIBLE PARKING Sign
(60x75) cm
Support: Steel
Refer to Detail 4/A-01

③
PEDESTRIAN CROSSING Sign
S-5 (36x45) cm
Support: Steel or Wall

④
FIRE ROUTE Sign FRS
Refer to Detail 5/A-1
Support: Steel or Wall
25m max. spacing

NOTE: 1. REFER TO SITE PLAN FOR SIGN LOCATIONS.
2. ALL SIGNS ARE TO BE DESIGNED, CONSTRUCTED AND INSTALLED IN CONFORMANCE WITH THE ONTARIO TRAFFIC MANUAL (OTM).

TRAFFIC SIGN LEGEND

C2 General Commercial		
SITE AREA	14,954.12 m ²	3.70 acres
Frontage (Market Drive)		94.75 metres
SETBACK	REQUIRED	PROVIDED
Minimum Lot Area	1,000 m ²	14,932.65 m ²
Minimum Lot Frontage	15 m	78.73 m
Minimum Rear Yard Depth	3.0 m	7.71 m
Min. Interior Side Yard Width	3.0 m	62.12 m
Minimum Street Setback	6.0 m	2.52 m
Maximum Lot Coverage	60%	31.0%
Minimum Landscaped Open Space	10%	15.3%
Maximum Building Height	12.0 m	9.50 m
BUILDING	FLOOR AREA ft.²	FLOOR AREA m²
A - SUPERMARKET	35,379	3,266.82
B - RETAIL	16,324	1,516.52
TOTAL	51,703	4,803.37
PARKING	REQUIRED	PROVIDED
Bldg. 'A' - 1 space / 25 m ² Gross Floor Area	132 spaces	
Bldg. 'B' - 1 space / 20 m ² Gross Floor Area	76 spaces	
Total	208 spaces	195 spaces
REQUIRED PARKING SPACE : 2.80m x 5.50m, 6.0m AISLE		
ACCESSIBLE PARKING	REQUIRED	PROVIDED
201-1,000 required spaces	2% of required spaces + 2 spaces = 7	8 Type 'A'
Type A : 3.40m x 5.50m, Type B : 2.80m x 5.50m, 1.50m Access Aisle		
LOADING	REQUIRED	PROVIDED
2,501m ² to 7,500m ²	3 spaces	3 spaces
10.0m Long, 3.50m Wide, Vertical Clearance 4.0m		
COVERAGE CALCULATIONS		
BUILDING AREA (includes all buildings)	4,602.14 m ²	30.8 %
LANDSCAPED AREA (includes all planting areas and walkways)	2,409.16 m ²	16.1 %
PAVED AREA (includes all driving aisles and parking areas)	7,942.82 m ²	53.1 %

SITE STATISTICS

② A-1	N.T.S.
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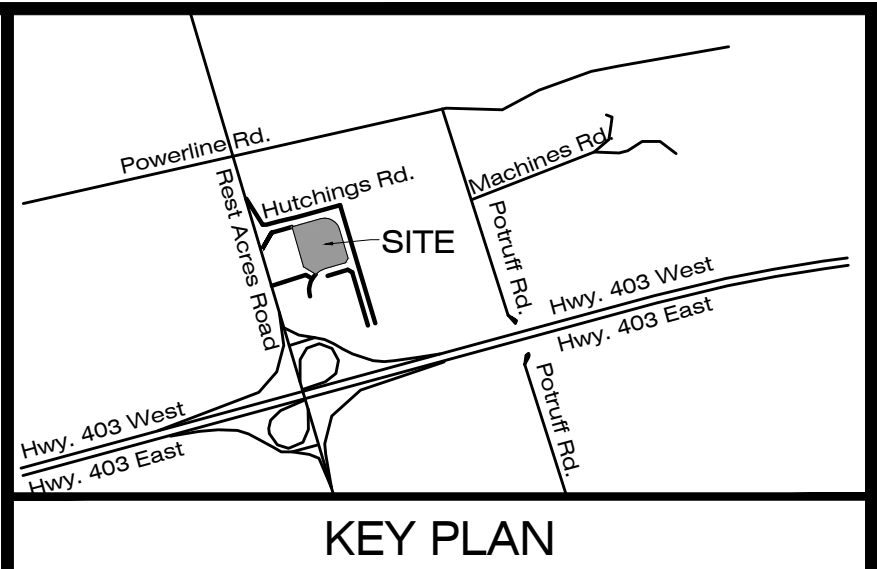
PLAN OF TOPOGRAPHICAL SURVEY OF
BLOCK 1
PLAN 2M-1973
COUNTY OF BRANT
SCALE 1:400
MacAULAY, WHITE & MUIR LTD.

①
A-1

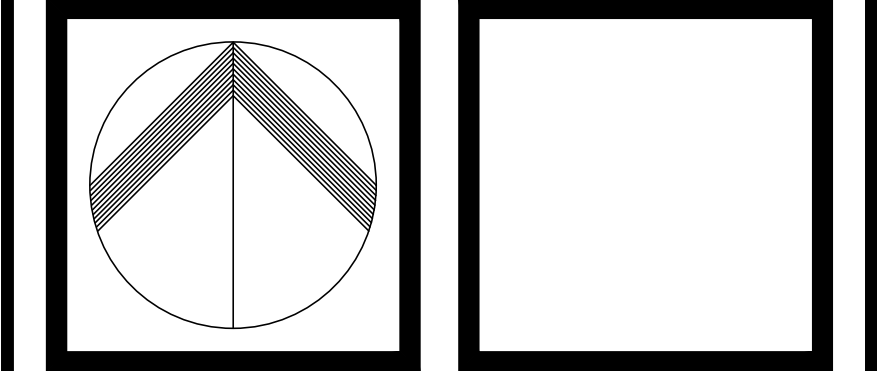
SITE PLAN
1 : 400

METRIC
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BENCHMARKS
SITE BENCHMARKS PROVIDED BY DEVELOPMENT ENGINEERING.
(B)17-007, SHEET 46)
SITE BENCHMARK TBM#3 - CUT CROSS SET IN BEND OF HEADWALL ACROSS FROM PREVIOUS BM, EAST SIDE ON POTRUFF ROAD.
ELEVATION = 249.826 METRES
SITE BENCHMARK TBM#5 - CUT CROSS SET IN NORTHWEST CORNER OF TRANSFORMER PAD (#12477) JUST NORTH OF RADIO TOWER ON SITE.
ELEVATION = 267.673 METRES
SITE BENCHMARK TBM#6 - NAIL SSET IN POLE, WEST FACE OF 3rd HYDRO POLE NORTH OF RAMP ON THE EAST SIDE OF WEST ACRES ROAD.
ELEVATION = 269.657 METRES



2025-04-15	Revised as per 3rd Sub Comments	G.B.
2025-03-28	Pylon Sign location confirmed	G.B.
2025-02-26	Revised as per 2nd Sub Comments	G.B.
2024-12-20	Coordinated W/ Civil	G.B.
2024-12-18	Sidewalk added at Building 'A' loading	G.B.
2024-12-12	Retaining Wall reconfigured	G.B.
2024-11-24	Revised as per Municipal comments	G.B.
Date	Revision	By



CLARE AVENUE
DESIGN INC.
1112 Clare Avenue, Cambridge, Ontario N3H 2E1
Phone: 519-498-7847 Email: greg@clareave.com

MAVERICK
DEVELOPMENT CORPORATION

Project:
COMMERCIAL DEVELOPMENT
10 Markel Drive
PARIS, ONTARIO

Drawing Title:
SITE PLAN

Drawn by: G.B.

Checked by:

Scale: 1 : 400

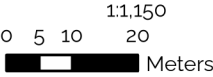
Date: April 15, 2025

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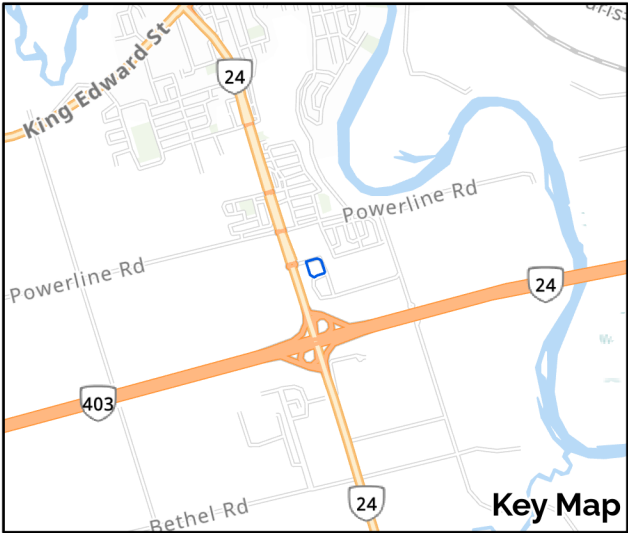
A-1

MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
A5-25-PB

10 Markel Drive
County of Brant
Ontario



Date Printed:2025-04-28





COUNTY OF BRANT COMMITTEE OF ADJUSTMENT REPORT

DATE: May 15, 2025

REPORT NO: RPT-0172-25

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

FROM: Piere Bordeaux, Planner

APPLICATION TYPE: Minor Variance Application

APPLICATION NO: A4-25-PB

LOCATION: Lauderdale Subdivision

OWNER: Steven Haggerty: Haggerty Homes Inc.

APPLICANT Ruchika Angrish: The Angrish Group

SUBJECT: Request for a decision on a Minor Variance Application seeking relief from Zoning By-law 61-16.

RECOMMENDATION

THAT Minor Variance Application A4-25-PB, from The Angrish Group c/o Ruchika Angrish, Agent on behalf of, Haggerty Homes Inc. Owner of lands legally described as BRANTFORD CONCESSION 4 PART LOT 17 REFERENCE PLAN 2R8414 PART 3, in the geographic Township of Brantford, County of Brant, and municipally located at Willowdale Street and Dalewood Ave seeking relief from Zoning By-Law 61-16, Section 9, to permit a reduced street setback of 5.10 metres where a minimum of 7.5 metres is required along the external side yard abutting the future extension of Willowdale Street, specifically lots identified as 11, 22, 23, 32 within the within the Draft Plan Approved Lauderdale/ Summit Estates Subdivision, **BE APPROVED.**

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

1. The application satisfies all four tests under Section 45 (1) of the Planning Act, R.S.O. 1990:
 - a. The variance is minor in nature and does not result in adverse impacts on adjacent properties.
 - b. It is desirable and appropriate for the development of the land, improving site functionality and enhancing streetscape character through built form continuity.
2. The proposed development conforms with the County of Brant Official Plan (2023), is consistent with the Provincial Planning Statement (2024), and generally complies with the intent of Zoning By-Law 61-16.

EXECUTIVE SUMMARY

This Minor Variance Application (A4-25-PB) seeks relief from Zoning By-Law 61-16, Section 9, to permit a reduced street setback of 5.10 meters where a minimum of 7.5 meters is proposed meters to enable the development of four residential lots (Lots 11, 22, 23, and 32) within the draft approved Summit Estates Subdivision (File PS2-13).

The request is triggered by the desire by the applicant to creating a unified architectural typology within the development to achieve urban aesthetics. The four lots subject this application are corner lots, where two sides of the lot are subject to a street setback provision. In order to provide the opportunity for similar housing on all the lots in the development the street setback of the proposed east west street (Willowdale as per plan of subdivision) is proposed to be reduced. The proposed adjustment supports a consistent building orientation and appealing streetscape with no adverse effects on neighboring dwellings, functionality and safety.

The Draft M-Plan and Planning Justification Brief submitted in support of this application demonstrate that the variance:

- Complies with the intent and purpose of the County of Brant Official Plan (2023) by supporting efficient, compact, and pedestrian-oriented greenfield development within a designated urban settlement area;
- Maintains conformity with the Provincial Planning Statement (2024), particularly with respect to intensification, land use compatibility, and infrastructure efficiency (Policies 2.3.1.1 and 2.3.2.2);
- Meets all four tests under Section 45 (1) of the Planning Act, as the reduced setback is considered minor in scale, desirable for appropriate development, and aligned with the Zoning By-law's objectives for the Urban Residential zone:
- Reflects good urban design principles, as established through the Site Plan and subdivision design review process, by preserving front yard character while promoting active frontages and visual continuity at intersections.

The proposed variance is a context-sensitive solution that enables high-quality residential development while supporting the County's broader planning vision for compact, complete communities.

For the reasons outlined in this report, it is my professional recommendation that Minor Variance A5-25-PB **BE APPROVED**.

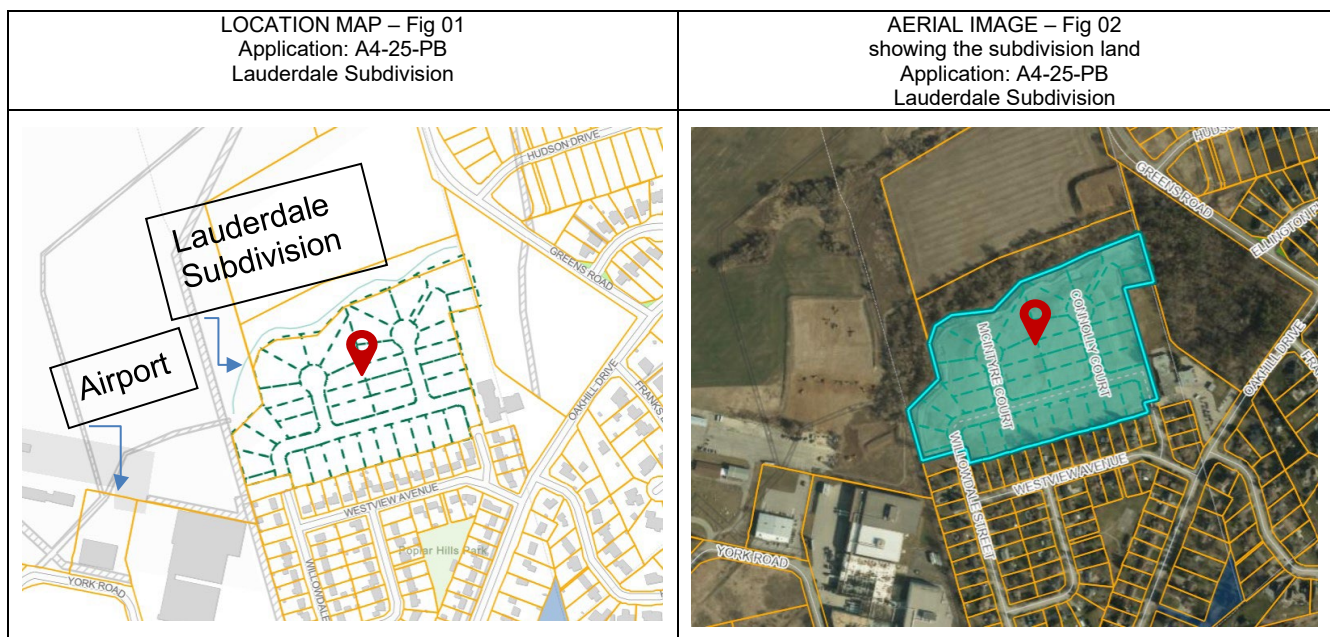
LOCATION / EXISTING CONDITIONS

Location Description

The subject lands are situated within the draft plan approved Summit Estates subdivision, municipally referenced as Willowdale Street and Dalewood Avenue, within the geographic Township of Brantford, County of Brant. The lands are legally described as Part of Lot 17, Concession 4, designated as Part 3 on Reference Plan 2R-8414.

The specific lots affected by this Minor Variance Application are Lots 11, 22, 23, and 32, which are corner lots located along the planned future extension of Willowdale Street.

These lots are part of a newly developing residential neighbourhood in the southern portion of Paris, adjacent to the existing urban settlement area boundary.



This area is located within the Airport Protected Area as shown in figure 3, zoned Suburban Residential (SR) as per the zoning by law 61-16 which is intended for low-density housing development supported by full municipal services and pedestrian-friendly design.

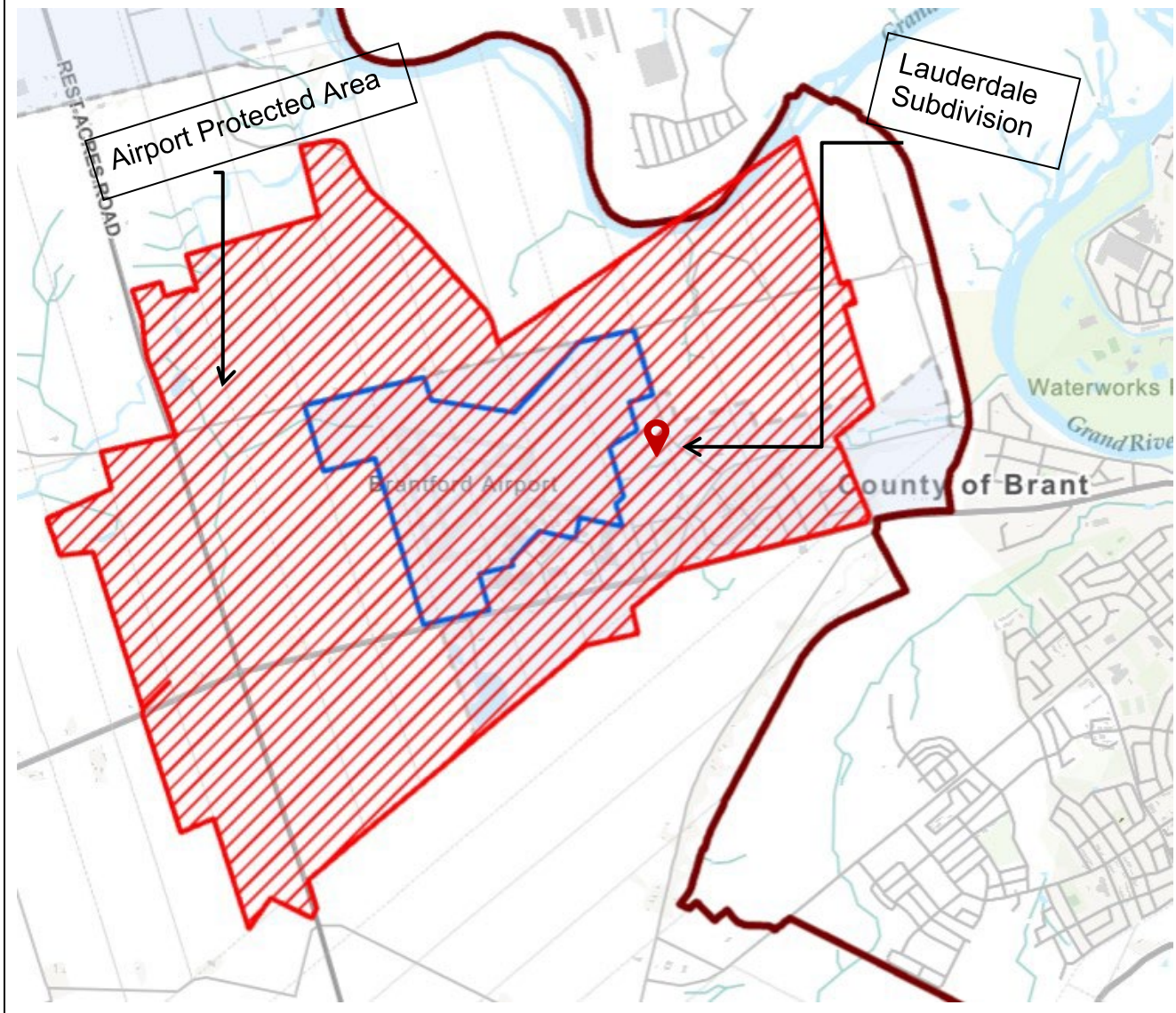
Key Roads Nearby

- **Colborne Street West** (Highway 53): A major east-west directly south of the site.
- **Rest Acres Road** (Highway 24): A major north-south arterial connecting highway 403 to Paris and Brantford.

Nearby Landmarks

- Brantford Municipal Airport is located just west of the subdivision (Fig 03)

LOCATION MAP – Fig 03
showing the Airport Protected Area
Application: A4-25-PB
Lauderdale Subdivision



Existing conditions:

Zoning: Suburban Residential

Official Plan Designation: Village Developed Area

Surrounding Uses: Predominantly residential to the south and east, agricultural lands to the northwest.

REPORT

Planning Act

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 in nature;
- (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.

Conformity with Provincial and Municipal Policies/Plans

Provincial Planning Statement, 2024

The **Provincial Planning Statement (PPS 2024)** provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the *Planning Act*, all decisions affecting planning matters shall be consistent with the PPS.

The following demonstrates that the proposed minor variance application is consistent with the applicable policies of the PPS 2024:

PPS Policy	Policy Direction	Consistency Status	Planning Analysis
2.3.1.1 – Growth Within Settlement Areas	Settlement areas shall be the focus of growth and development.	Consistent with	The subject lands are located within the Oakhill/Airport Settlement Boundary and are part of a draft approved residential subdivision, aligning with the PPS directive to direct growth to designated settlement areas.
2.3.1.2 – Efficient Use	Land use patterns should: a) use land and resources efficiently; b) optimize infrastructure; c) support active transportation; d) be transit supportive.	Consistent with	The reduced exterior side yard setback supports efficient land utilization and lot design while enhancing the compact form and walkability of the subdivision.
2.3.1.3 – Intensification and Redevelopment	Support intensification and redevelopment to achieve complete communities.	Consistent with	The proposal supports a compact urban form by contributing to the build-out of a previously approved subdivision within a serviced settlement area.
2.2 – Housing and	Provide for a range and	Consistent	The application facilitates the

Mixed Use	mix of housing types and support the development of complete communities.	with	delivery of low-density residential housing, contributing to the County's broader goal of providing a balanced housing supply in walkable neighbourhoods.
3.1.1 – Infrastructure and Public Service Facilities	Infrastructure and public services shall be provided efficiently to meet projected needs.	Consistent with	The proposed variance aligns with approved servicing and road layouts, ensuring efficient and coordinated infrastructure delivery within the subdivision.

County of Brant Official Plan 2023

The County of Brant Official Plan (2023) establishes the vision, goals, and policy direction for land use planning and development within the municipality. In accordance with the *Planning Act*, all decisions affecting planning matters must conform to applicable municipal planning documents, including the County's Official Plan.

The subject lands are designated Village Developed Area and are located within the Urban Settlement Area of Oakhill. The proposed development is part of draft approved subdivision. The following demonstrates conformity with key applicable policies:

Official Plan Policy	Policy Direction	Conformity Status	Planning Analysis
1.2 – Rural Settlement Area	Rural Settlement Areas contribute to complete communities by supporting complementary non-farm uses while protecting farmland from incompatible development.	Conforms	The proposed residential development is located within a designated growth area and supports the County's objective of accommodating rural settlement growth without encroaching on agricultural lands.
2.3 – Growth Management	Promote efficient and orderly development within designated settlement areas; focus intensification where full services are planned or available.	Conforms	The subject lands fall within the Village Developed Area designation and Oakhill/Airport Settlement Boundary, both targeted for growth and supported by municipal servicing infrastructure.
2.7 – Land Use Compatibility	Ensure new development does not create adverse visual,	Conforms	The proposed reduced side yard setback applies only to corner lots and maintains

	functional, or operational impacts on adjacent properties.		visual and functional compatibility with adjacent residential lots and public realm.
3.3.2 – Residential Policies (Village Developed Area)	Encourage low-density residential forms such as single detached dwellings.	Conforms	The reduced exterior side yard setback is limited in scope and scale and does not compromise the low-density residential character of the neighbourhood. Architectural compatibility will be maintained through subdivision design controls.
4.6 – Oakhill/Airport Area	Support residential development in this area where it does not negatively impact agricultural systems.	Conforms	The proposed development consists of single detached dwellings that are compatible with the planned character of the Oakhill/Airport area and will not impact the agricultural systems..

County of Brant Zoning By-Law 61-16

Standard (SR – Private Services)	Required	Proposed	Compliance
Lot Area (Minimum)	3,000 m ²	> 3,000 m ²	Complies
Lot Frontage (Minimum)	30.0 m	> 30.0 m	Complies
Exterior Side Yard (Minimum)	7.5 m	5.1 m	Does not comply
Interior Side Yard (Minimum)	1.5 m	≥ 1.5 m	Complies
Rear Yard (Minimum)	7.5 m	≥ 16.19 m	Complies
Lot Coverage (Maximum)	30%	< 30%	Complies
Landscaped Open Space (Minimum)	30%	> 30%	Complies
Building Height (Maximum)	10.5 m	< 10.5 m	Complies

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

Evaluation Criteria	Assessment
1. General Intent of the Official Plan	Maintained.

	Lands designated Village Developed Area; variance supports consistent low-density residential development in the subdivision and will maintain a consistent streetscape design.
2. General Intent of the Zoning By-Law	Maintained. Suburban Residential (SR) zone permits single-detached dwellings; all other provisions (height, coverage, parking) are met. Street setback is maintained through unifying the proposed setback on all four lots on Willowdale Street and the intent of the setback is maintained.
3. Appropriate Development	Yes. Variance allows for consistent home design on corner lots without adverse impacts on adjacent properties.
4. Minor in Nature	Yes. Reduction is modest (~30%) and functionally negligible; no safety, visual, or land use conflicts result.

INTERDEPARTMENTAL CONSIDERATIONS

No comments received regarding the minor variance application

PUBLIC CONSIDERATIONS

Notice of this Application, contact information and Public Hearing Date were circulated by mail on April 30, 2025, to all property owners within 60 meters of the subject lands in accordance with Section 45(5) of the *Planning Act* as required. The posting of the Public Notice sign was completed on April 28, 2025, by the owner/applicant and the site visit was completed on March 25, 2025.

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

CONCLUSIONS AND RECOMMENDATIONS

The requested minor variance to reduce the exterior side yard setback from 7.5 metres to between 5.1 metres for Lots 11, 22, 23, and 32 within the approved Lauderdale/Summit Estates Subdivision has been evaluated in accordance with Section 45 of the *Planning Act*, the *County of Brant Official Plan (2024)*, and Zoning By-Law 61-16.

The proposed relief maintains the general intent and purpose of both the Official Plan and Zoning By-Law, facilitates appropriate and efficient development of corner lots, and does not result in any adverse planning or physical impacts. The variance is considered minor in nature and represents good land use planning.

It is therefore recommended that the Committee of Adjustment approve the requested minor variance as it satisfies the four tests of the *Planning Act* and contributes positively to the orderly development of the subdivision.

Piere

PIERE BORDEAUX

Planner

Reviewed By:

- 1. Dan Namisniak, Manager of Development Planning
- 2. Jeremy Vink, Director of Planning

ATTACHMENTS

- 1. Drawings
- 2. Zoning Mapping, Official Plan Mapping, Detailed Map and Aerial Photo
- 3. Circulation Notice

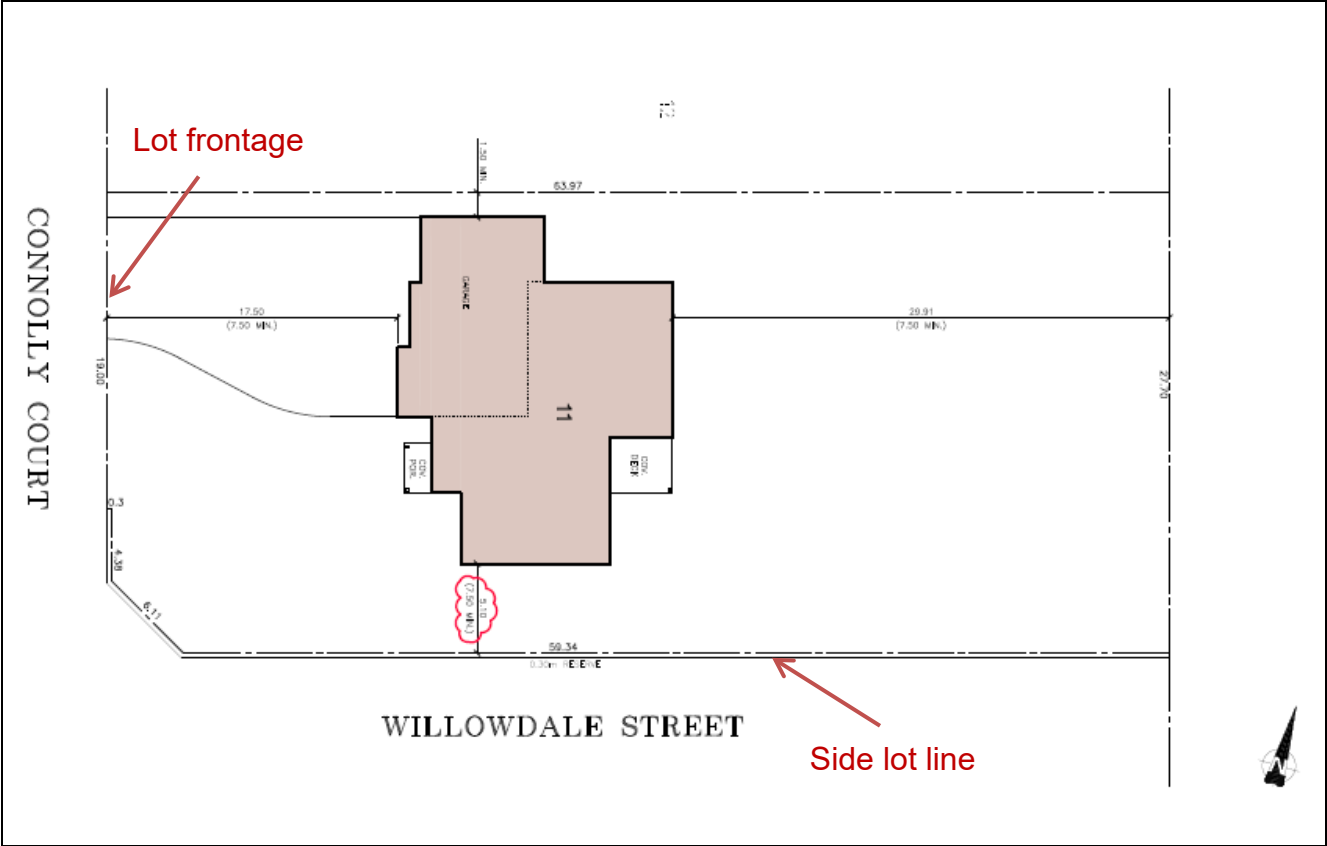
COPY TO

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

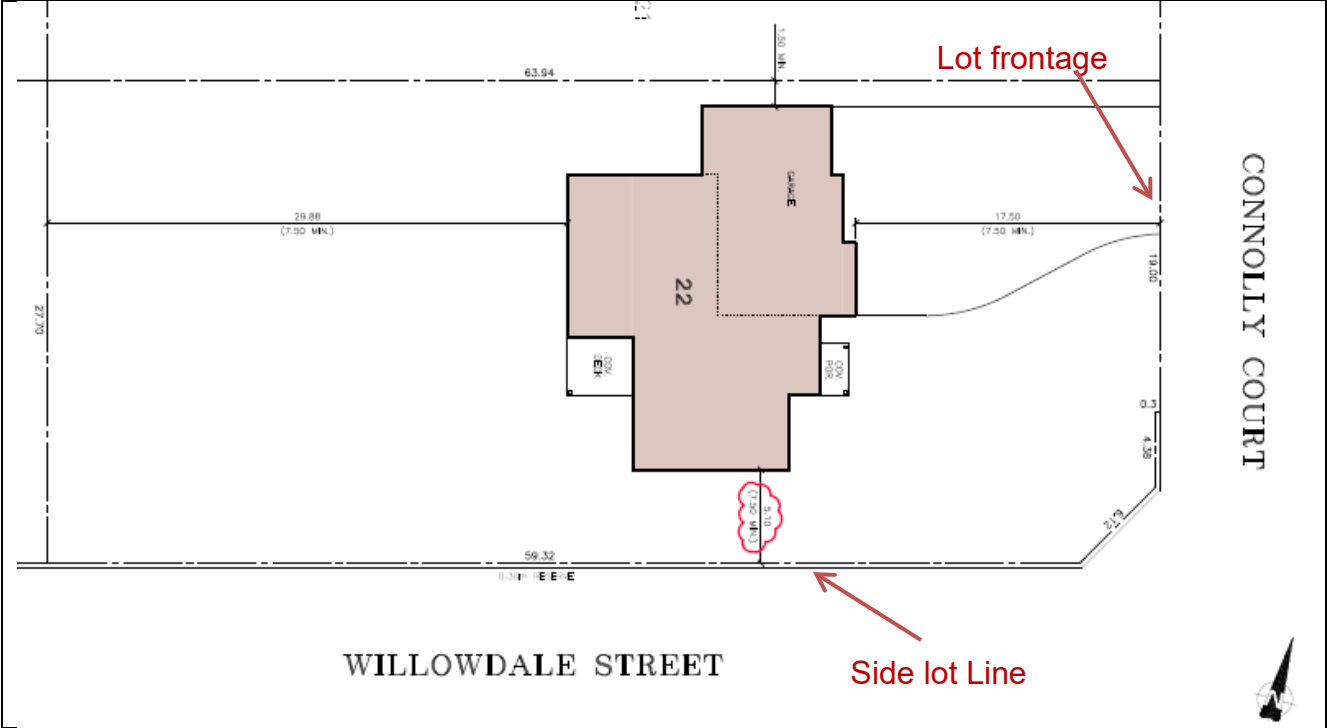
FILE # A4-25-PB

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 the Council?	NO

Attachment 1 – Drawings

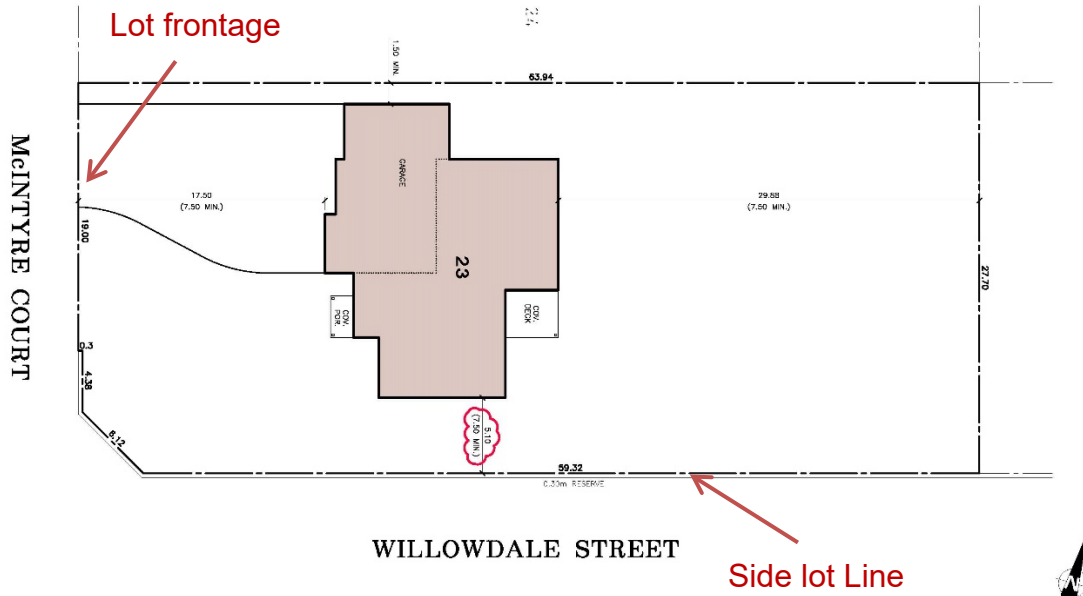


Lot 11

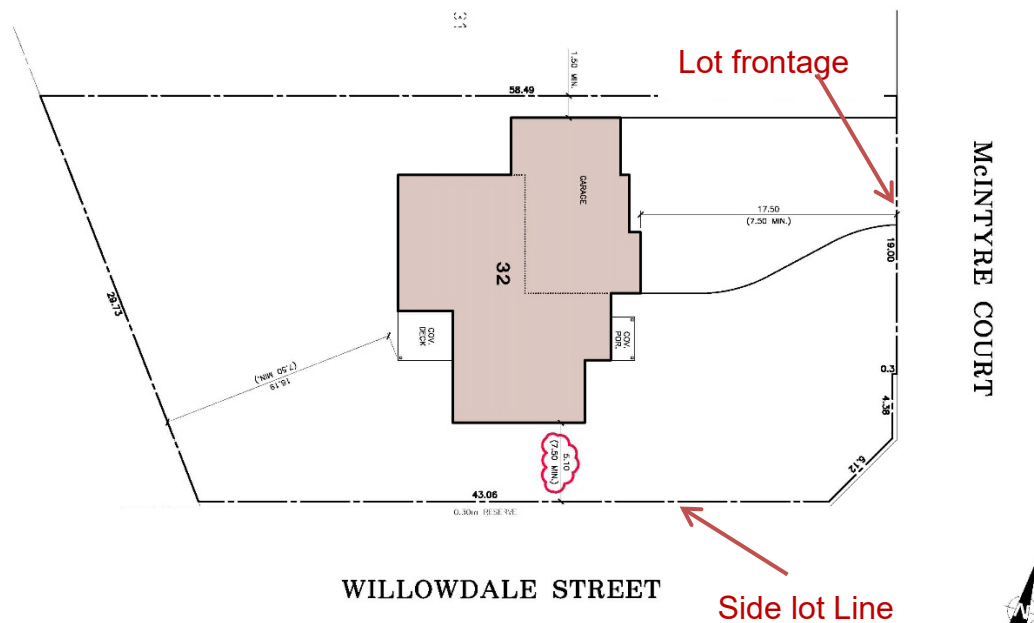


Lot 22

Lot 22



Lot 23

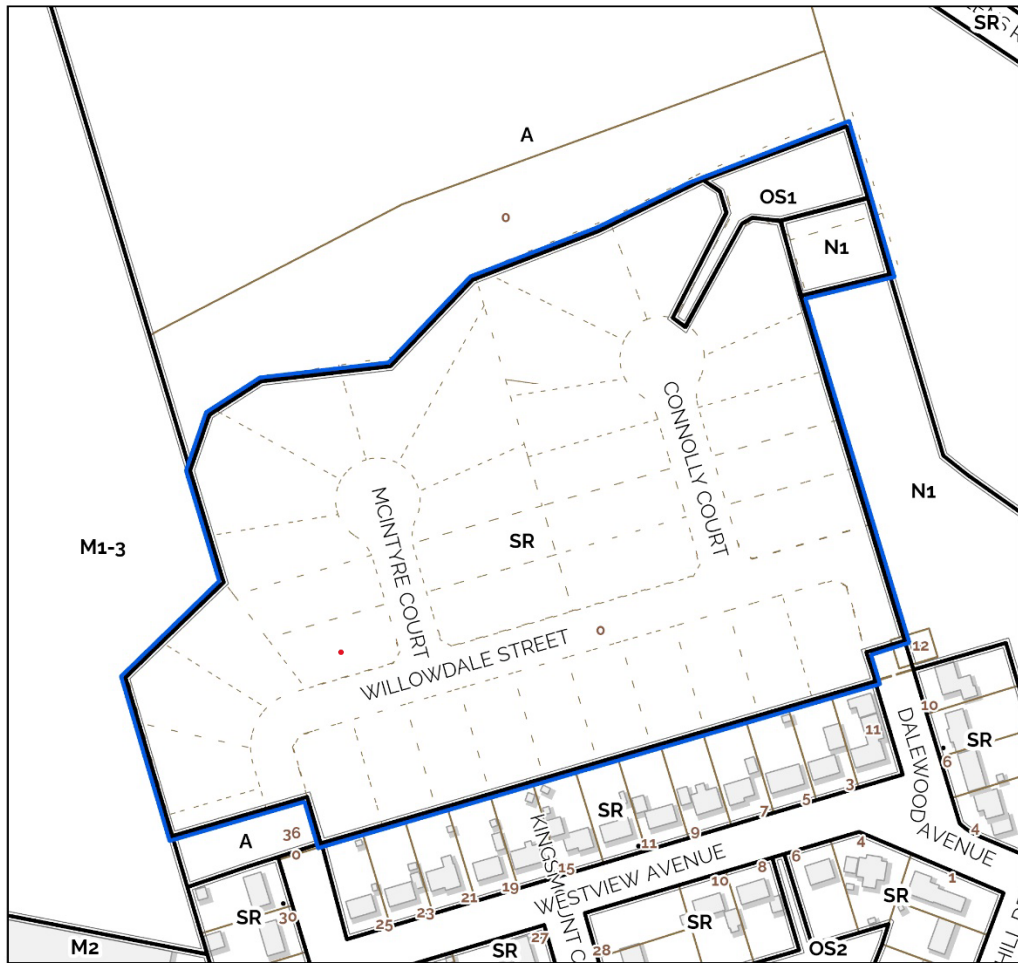
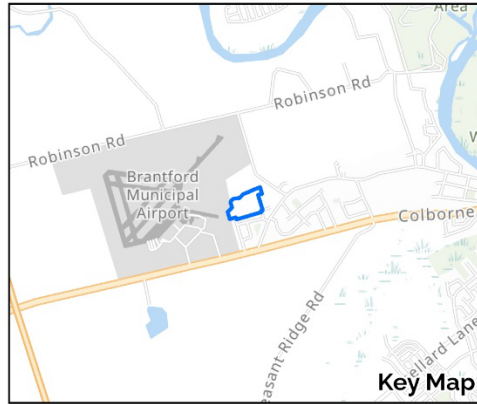
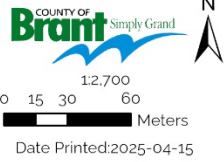


Lot 32

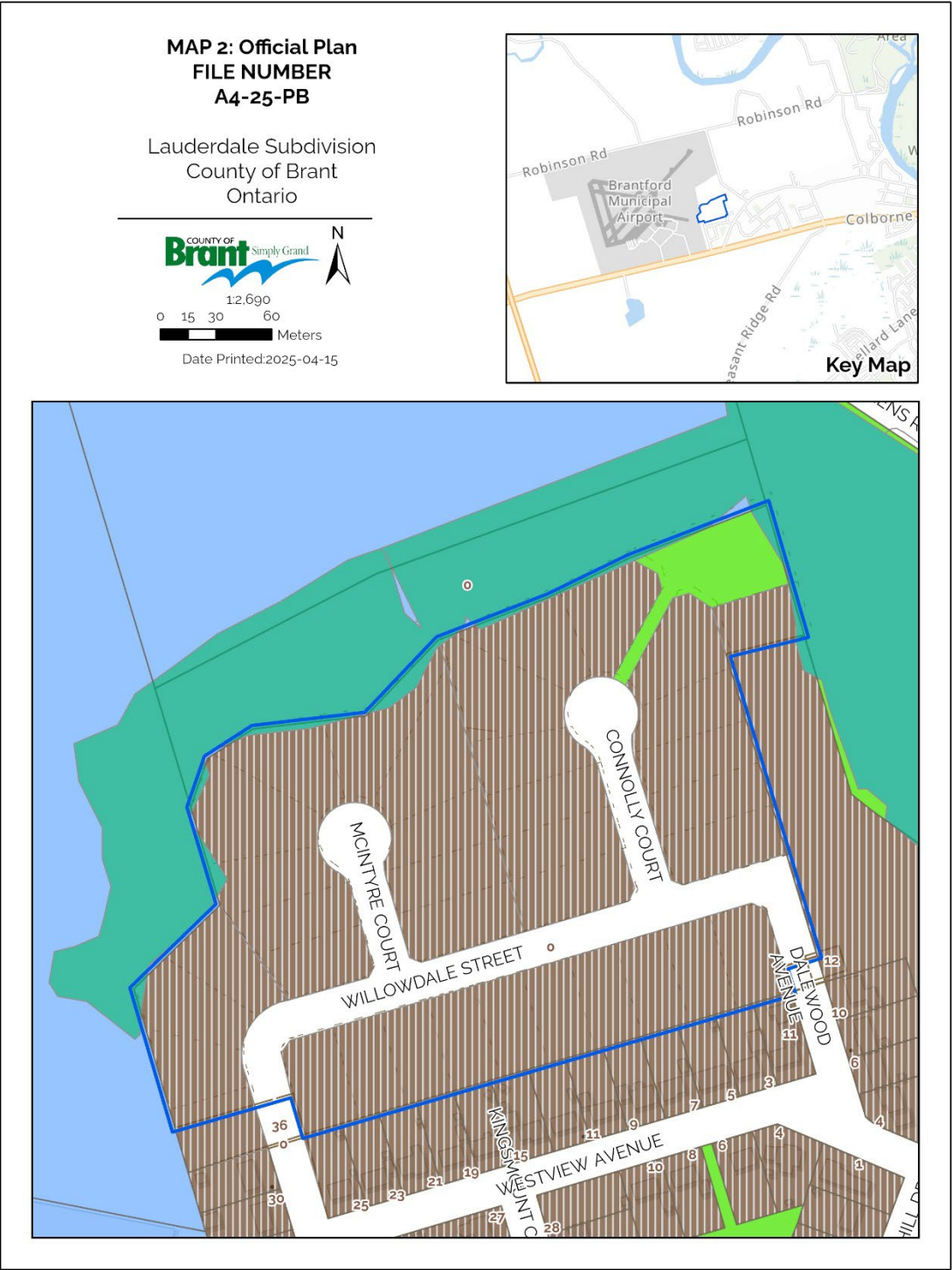
Attachment 2 – Zoning Map

**MAP 1: ZONING
FILE NUMBER
A4-25-PB**

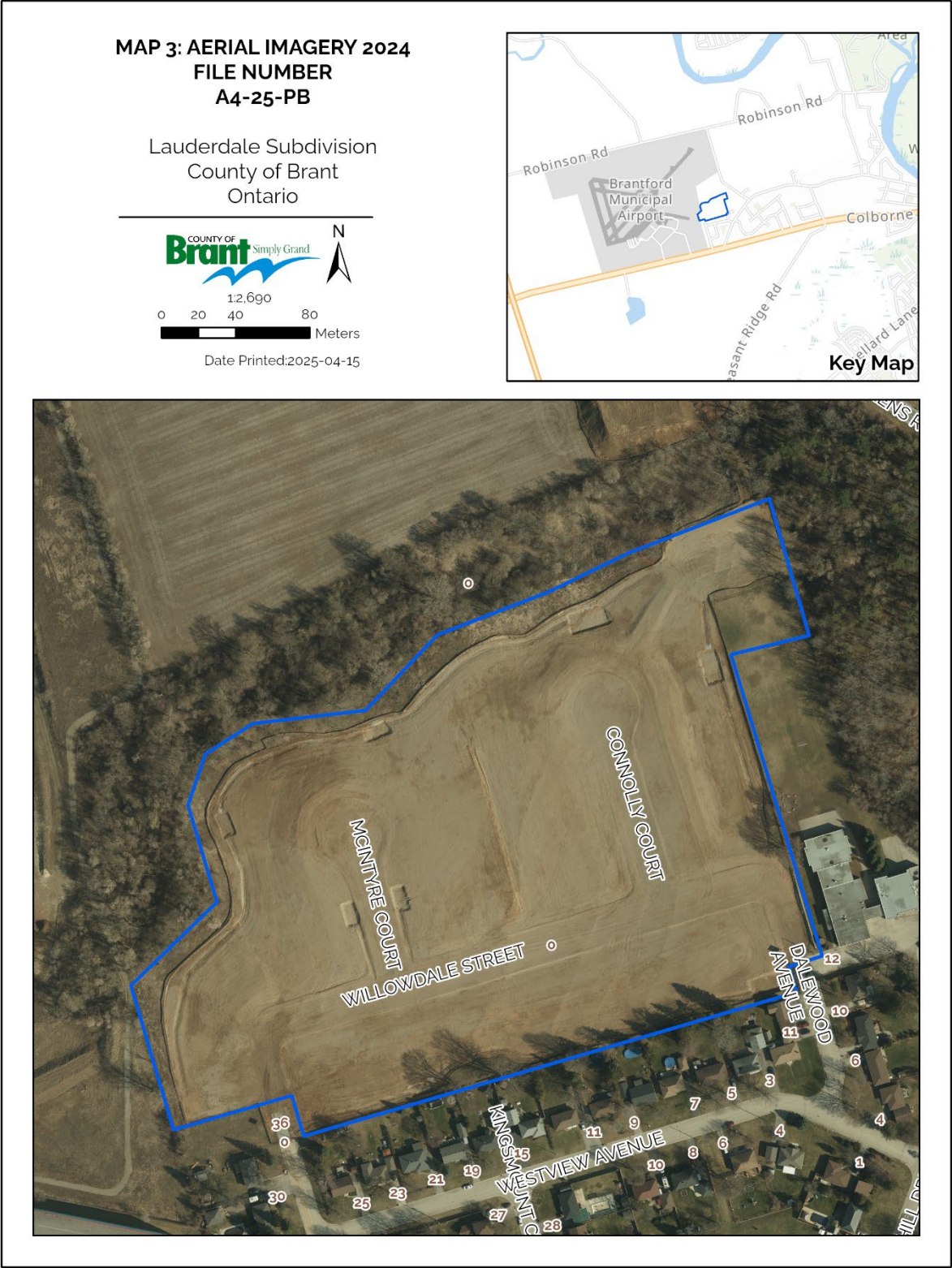
Lauderdale Subdivision
County of Brant
Ontario



Attachment 3 – Official Plan Map



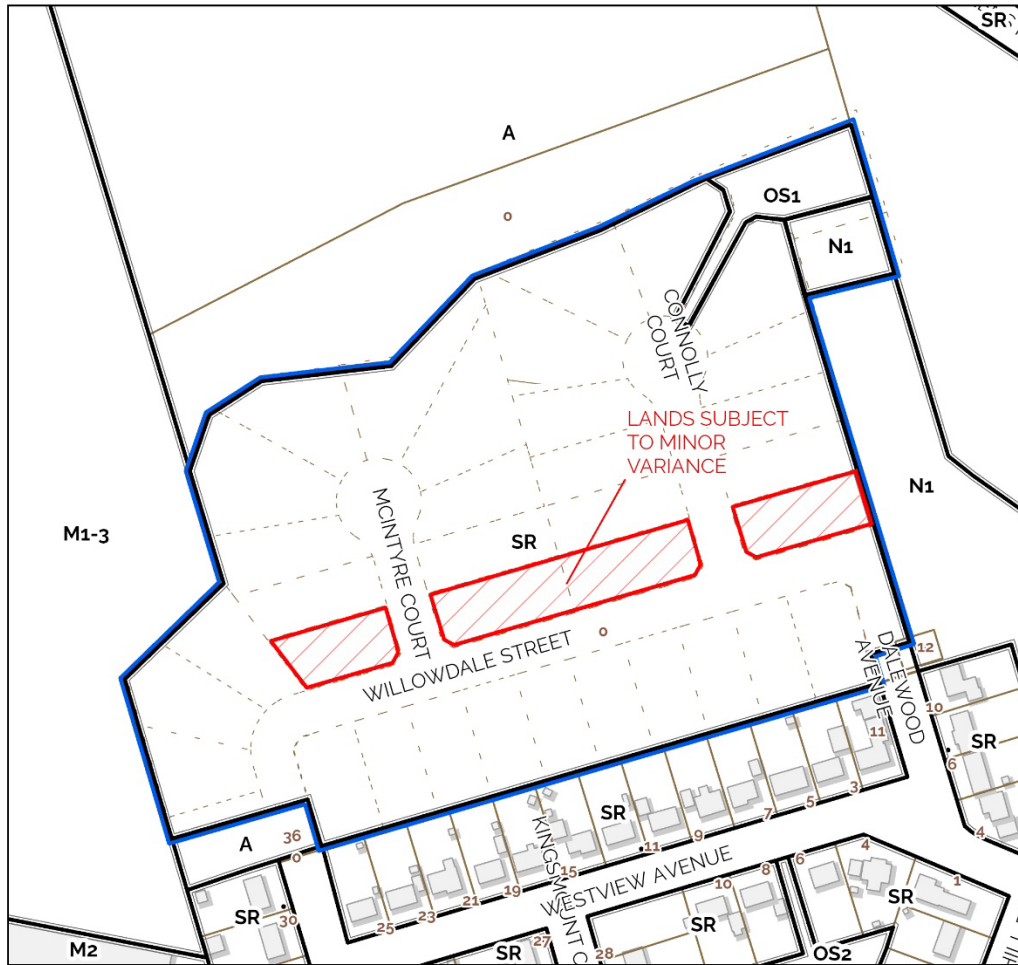
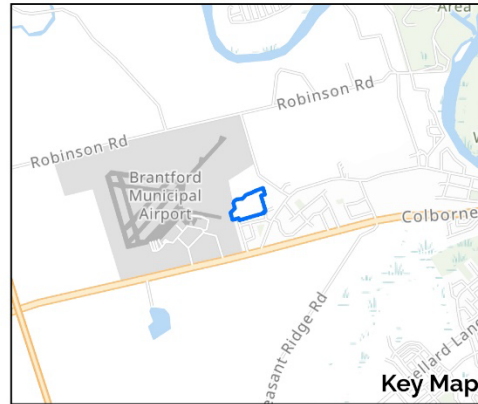
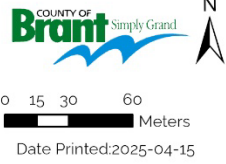
Attachment 4 – Aerial Imagery



Attachment 5 – Detailed Map

MAP 4: DETAILED MAP
FILE NUMBER
A4-25-PB

Lauderdale Subdivision
 County of Brant
 Ontario



Attachment 6 – Photographic Observation



Shot taken from southeast of the subdivision looking west north



Shot taken from southwest of the plan of subdivision looking east – showing St Theresa School



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 COMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: Thursday, May 15, 2025

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: A4-25-PB (Willowdale St. & Dalewood Ave)

Details of Application:

The Angrish Group c/o Ruchika Angrish, Agent on behalf of, Haggerty Homes Inc. Owner of lands legally described as BRANTFORD CONCESSION 4 PART LOT 17 REFERENCE PLAN 2R8414 PART 3, in the geographic Township of Brantford, County of Brant, and municipally located at Willowdale Street and Dalewood Ave seeking relief from Zoning By-Law 61-16, Section 9, to permit a reduced street setback of 5.10 metres where a minimum of 7.5 metres is required along the external side yard abutting the future extension of Willowdale Street, specifically lots identified as 11, 22, 23, 32 within the within the Draft Plan Approved Lauderdale/ Summit Estates Subdivision.

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 nicole.campbell@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 nicole.campbell@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: Piere Bordeaux, Planner, <piere.bordeaux@brant.ca>

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

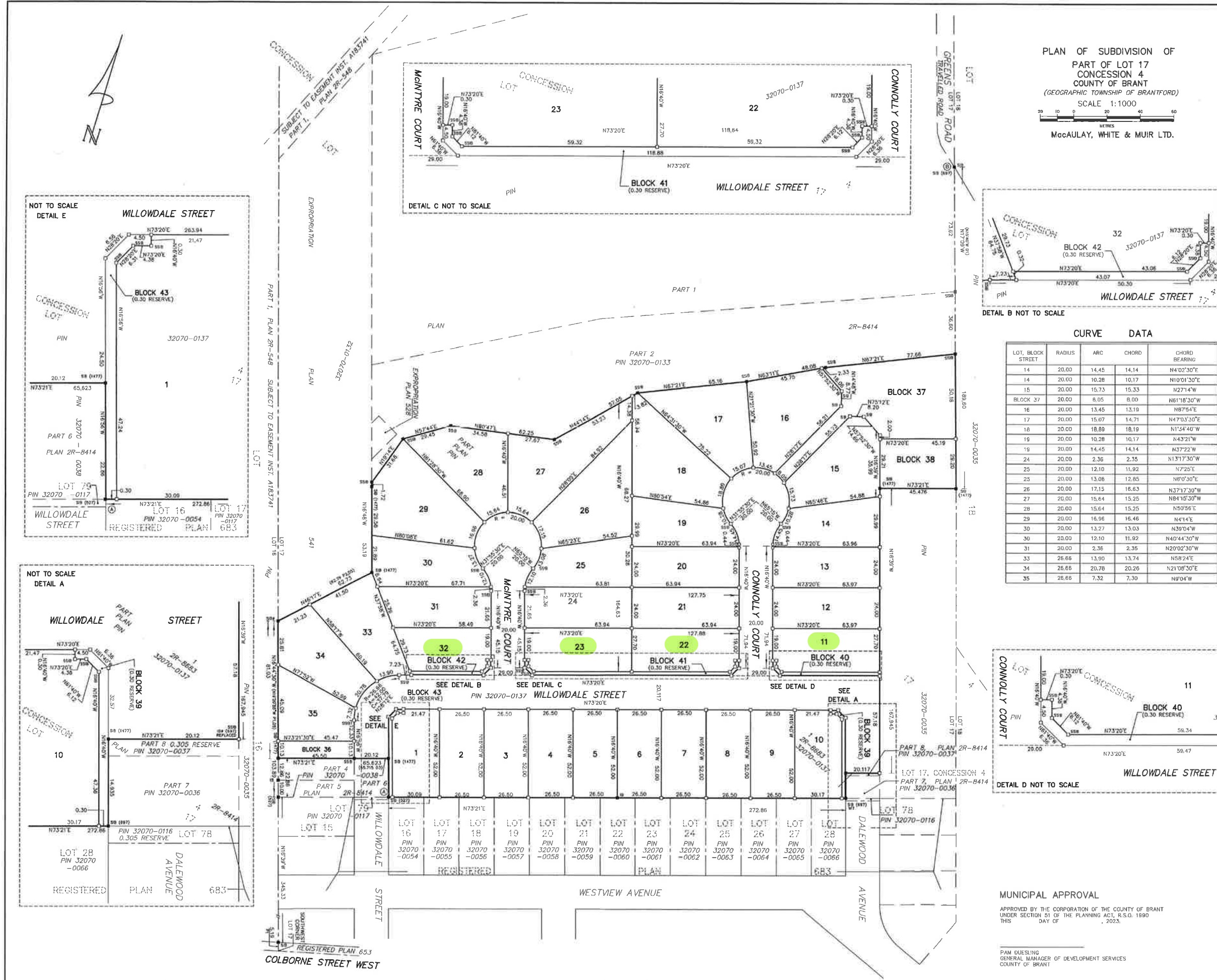
How do I appeal a Decision?

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, you may file a notice of appeal with the Clerk or Secretary-Treasurer via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Brant (County) as the Approval Authority or by mail 66 Grand River St. N., Paris, Ontario N3L 2M2, The appeal fees:

- of \$400 to the OLT can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.
- In addition, a fee of \$280.00 payable to the "County of Brant" as per the County of Brant's Development Services fees online <https://webforms.brant.ca/finance/planning-applications-payment> or by mail to 66 Grand River St. N., Paris, Ontario N3L 2M2.

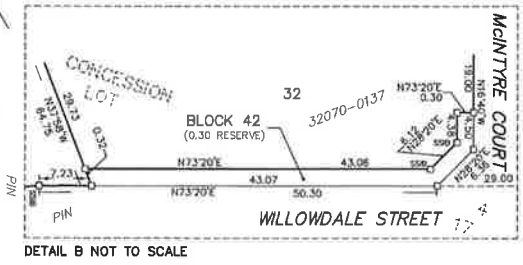
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation 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.*



PLAN OF SUBDIVISION OF
PART OF LOT 17
CONCESSION 4
COUNTY OF BRANT
(GEOGRAPHIC TOWNSHIP OF BRANTFORD)
SCALE 1:1000
MacAULAY, WHITE & MUIR LTD.

PLAN 2M-
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE
LAND TITLES DIVISION OF BRANT (No. 2) AT O'CLOCK ON THE DAY
OF 2023 AND ENTERED IN THE PARCEL REGISTER FOR
PROPERTY IDENTIFIER 32070-0137 AND THE REQUIRED CONSENTS ARE REGISTERED
AS PLAN DOCUMENT No.
REPRESENTATIVE FOR LAND REGISTRAR FOR
THE LAND TITLES DIVISION OF BRANT (No. 2)
THIS PLAN COMPRISES ALL OF PIN 32070-0137.

NOTE:
BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY
REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010.0)
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING
BY THE COMBINED SCALE FACTOR OF 0.999607.
ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED.
ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0)
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG 216/10.
POINT ID NORTHING EASTING
A 4775437.09 554324.11
B 4775890.26 554540.04
CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OF BOUNDARIES SHOWN ON THIS PLAN.
ALL DISTANCES SHOWN ON CURVED BOUNDARIES ARE ARC DISTANCES.
REFER TO CURVE DATA.
THE SCALING OF THE 0.30 RESERVES HAS BEEN EXAGGERATED FOR CLARITY.
ALL SET BARS ARE 18" UNLESS OTHERWISE NOTED.



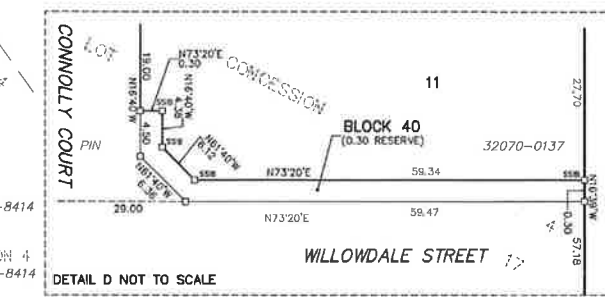
CURVE DATA				
LOT, BLOCK, STREET	RADIUS	ARC	CHORD	CHORD BEARING
14	20.00	14.45	14.14	N4°02'30"E
14	20.00	10.28	10.17	N10°01'30"E
15	20.00	15.73	15.33	N27°14'W
BLOCK 37	20.00	8.05	8.00	N61°18'30"W
16	20.00	13.45	13.19	N8°54'E
17	20.00	15.07	14.71	N47°03'30"E
18	20.00	18.89	18.19	N1°34'40"W
19	20.00	10.28	10.17	N43°21'W
19	20.00	14.45	14.14	N37°22'W
24	20.00	2.36	2.35	N13°17'30"W
25	20.00	12.10	11.92	N7°25'E
25	20.00	13.08	12.85	N8°03'30"E
26	20.00	17.15	16.63	N37°17'30"W
27	20.00	15.64	15.25	N84°15'30"W
28	20.00	15.64	15.25	N5°56'E
29	20.00	16.96	16.46	N41°14'E
30	20.00	13.27	13.03	N39°04'W
30	20.00	12.10	11.92	N40°44'30"W
31	20.00	2.36	2.35	N20°02'30"W
33	26.66	13.90	13.74	N58°24'E
34	26.66	20.78	20.26	N21°08'30"E
35	26.66	7.32	7.30	N9°04'W

- LEGEND
- SIB - STANDARD IRON BAR
 - SSIB - SHORT STANDARD IRON BAR
 - B - IRON BAR
 - CC - CUT CROSS
 - CP - CONCRETE PIN
 - - PLANTED
 - - FOUND (1779) UNLESS NOTED
 - - ROUND
 - WT - WITNESS
 - S - SET
 - P1 - PLAN 2R-548
 - P2 - EXPROPRIATION PLAN 541
 - P3 - REGISTERED PLAN 683
 - D1 - PIN 32070-0054 (WST, TB8932)
 - D2 - PIN 32070-0035 (WST, A27202)
 - D3 - PIN 32070-0036 (WST, A71966)
 - D4 - PIN 32070-0032 (WST, A33087 SECONDLY)
 - D5 - PIN 32070-0132 (WST, A115612)

METRIC
DISTANCES AND CO-ORDINATES SHOWN ON
THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048.

OWNER'S CERTIFICATE
THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 35 BOTH INCLUSIVE, BLOCKS 36 TO 38 BOTH INCLUSIVE, AND THE
STREETS NAMED WILLOWDALE STREET, CONNELLY COURT AND MCINTYRE COURT
AND 0.30 RESERVES, NAMELY BLOCKS 39 TO 43 BOTH INCLUSIVE, HAVE BEEN
LAIN OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
2. THE STREETS KNOWN AS WILLOWDALE STREET, CONNELLY COURT,
AND MCINTYRE COURT ARE DEDICATED TO THE CORPORATION OF THE COUNTY
OF BRANT AS PUBLIC HIGHWAYS.
DATED THE _____ DAY OF _____, 2023.

NAME: HAGGERTY HOMES INC.
STEVEN HAGGERTY - PRESIDENT
I HAVE THE AUTHORITY TO BIND THE CORPORATION.



SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS
ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS
MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 22nd DAY OF MARCH, 2023.

MUNICIPAL APPROVAL
APPROVED BY THE CORPORATION OF THE COUNTY OF BRANT
UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990
THIS _____ DAY OF _____, 2023.

MARCH 23, 2023
JOHN W. MUIR
ONTARIO LAND SURVEYOR

MacAULAY, WHITE & MUIR LTD.
ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS
440 HARDY ROAD, UNIT 2, BRANTFORD, ONTARIO, N3T 5L8
TELEPHONE: 519-752-0040 FAX: 519-752-0087
21-055

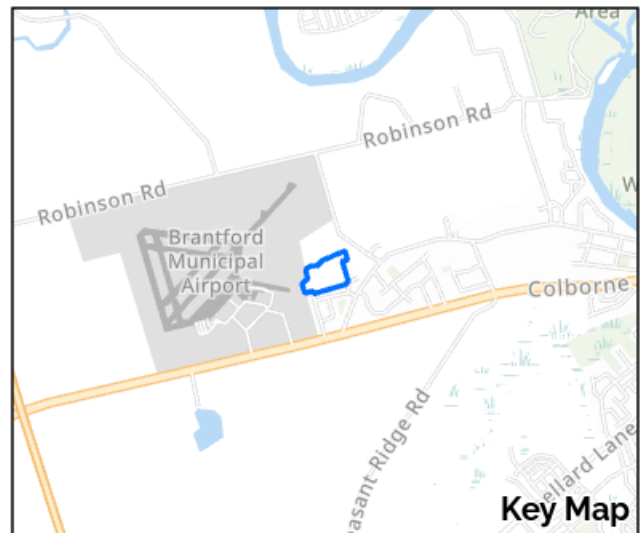
**MAP 4: DETAILED MAP
FILE NUMBER
A4-25-PB**

Lauderdale Subdivision
County of Brant
Ontario

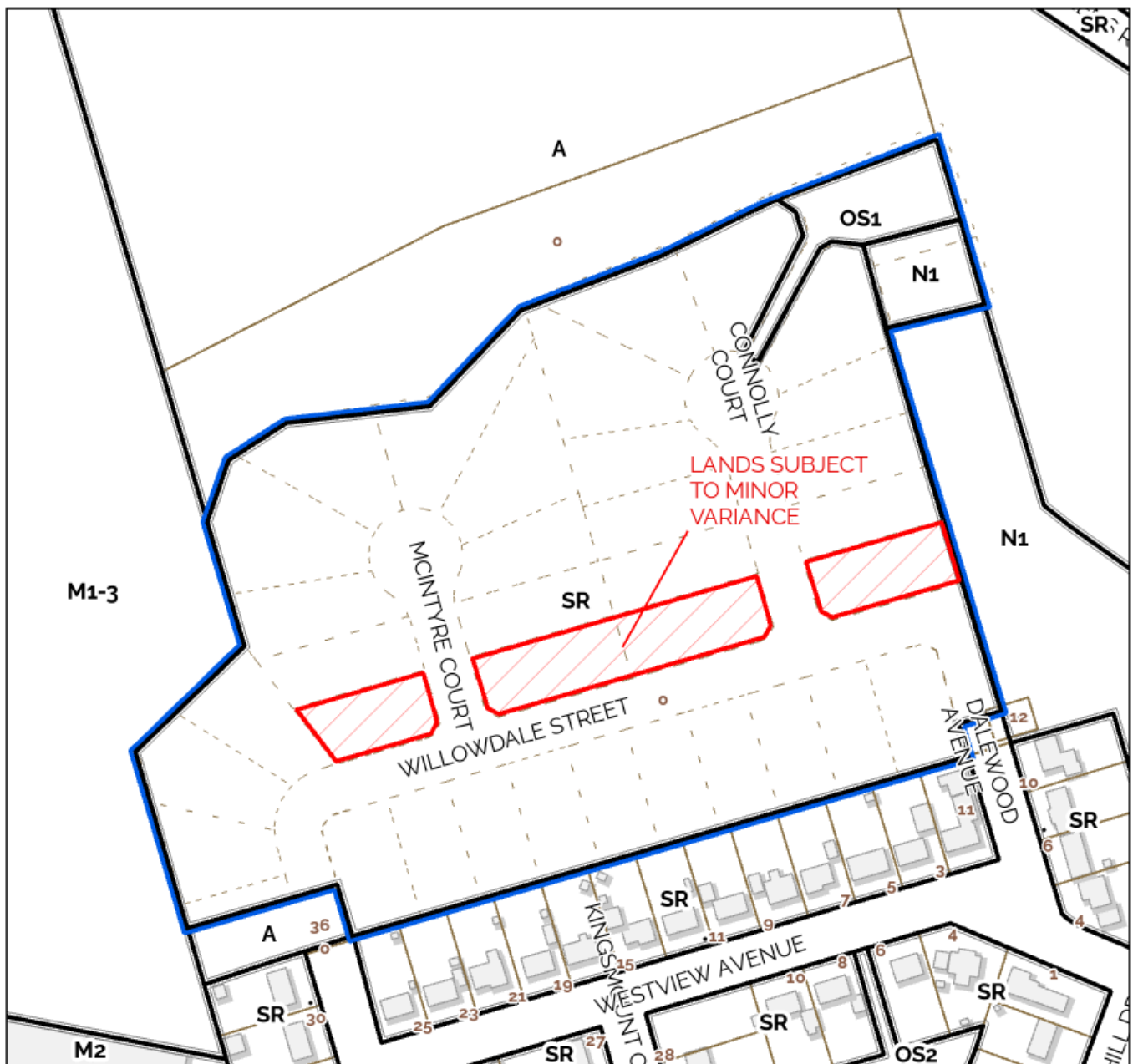


0 15 30 60
Meters

Date Printed: 2025-04-15

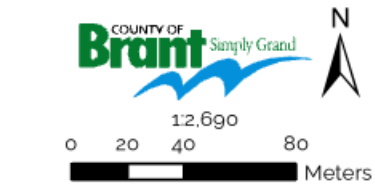


Key Map

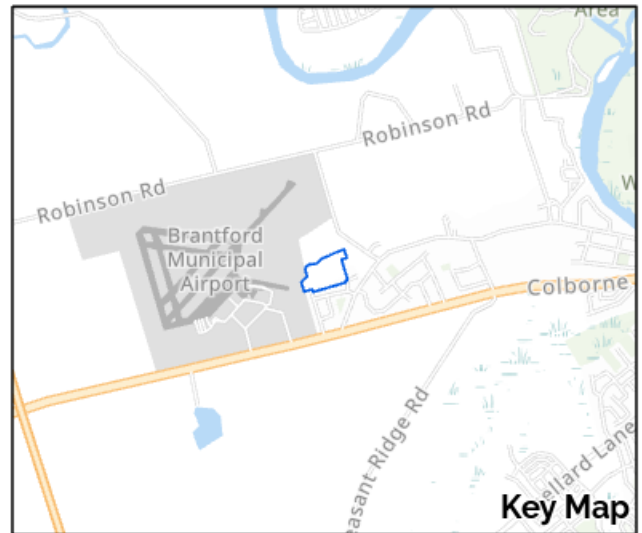


MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
A4-25-PB

Lauderdale Subdivision
County of Brant
Ontario



Date Printed: 2025-04-15





COMMITTEE OF ADJUSTMENT REPORT

DATE: May 15, 2025

REPORT NO: RPT-0182-25

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

FROM: Roxana Flores, Junior Planner

APPLICATION TYPE: Consent and Minor Variance Applications

APPLICATION NO: B81-22-LG, A39-22-LG & A40-22-LG

LOCATION: 347 & 335 Sixth Concession Road

AGENT / APPLICANT: Pavel and Angela Gerassime

OWNER: Pavel and Angela Gerassime, and Jerry Macerollo and Sandra Mercer-Macerollo

SUBJECT: Request for a decision on a Consent and Minor Variance Application to facilitate a lot line adjustment, and recognition of remaining farm parcel and residential parcel areas.

RECOMMENDATION

THAT Application for Consent **B81-22-LG** from Pavel and Angela Gerassime, Owner of lands legally described as BURFORD CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as **347 Sixth Concession Road**, County of Brant, proposing a lot line adjustment, having an area of approximately 0.10 Hectares (0.25 acres) to be severed from 347 Sixth Concession Road and conveyed to 335 Sixth Concession Road, **BE APPROVED.**

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

- The lot line adjustment is technical, minor in nature and compatible with surrounding land uses bringing the existing residential parcel lot area into greater compliance with Zoning By-Law 61-16.
- The proposal does not result in the creation of a new agricultural lot.
- The applications are consistent with the policies of *Provincial Planning Statement*.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan (2012) and Zoning By-Law 61-16.

AND

That Application for Minor Variance **A39-22-LG** Pavel and Angela Gerassime, Owner of lands legally described as BURFORD CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as **347 Sixth Concession Road**, County of Brant, proposing to recognize the reduced area of the existing legal non-complying lot being 28.30

hectares (69.92 acres), as a result of related lot line adjustment application B81-22-LG, **BE APPROVED**

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

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

AND

That Application for Minor Variance **A40-22-LG** Pavel and Angela Gerassime, Applicant on behalf of Devon and Katelyn Budgell, Owner of lands legally described as CONCESSION 6 PART LOT 17, in the geographic Township of Burford, municipally known as **335 Sixth Concession Road**, County of Brant, proposing to recognize the modified area of the existing legal non-complying lot being 1,740.15 square metres (0.43 acres), as a result of related lot line adjustment application B81-22-LG, **BE APPROVED**

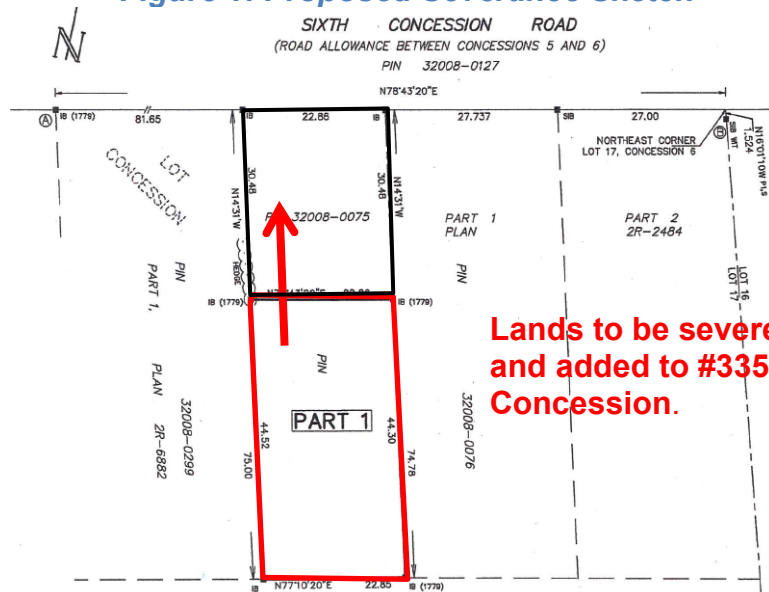
THAT the reason(s) for approval are as follows:

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

EXECUTIVE SUMMARY

Consent Application **B81-22-LG** proposes a lot line adjustment, with approximately 0.25 acres being severed from 347 Sixth Concession Road and consolidated with 335 Sixth Concession Road. The lands being conveyed are designated Hamlet and Villages and zoned Residential Hamlets and Villages.

Figure 1: Proposed Severance Sketch



Minor Variance Application **A39-22-LG** proposes to recognize the modified area of the existing legal non-complying lot being 28.30 hectares (69.92 acres), resulting from the related lot line adjustment **B81-22-LG**.

347 Sixth Concession Road Required (Agricultural – A)	<i>40 hectares (98.8 acres)</i>	
Existing	28.40 hectares (70.17 acres)	<i>*legal non-complying</i>
Proposed	28.30 hectares (69.92 acres)	<i>*as a result of B81-22-LG</i>

Minor Variance Application **A40-22-LG** proposes to recognize the modified area of the existing legal non-complying lot being 1,740.15 square metres (0.43 acres), resulting from the related lot line adjustment **B81-22-LG**.

335 Sixth Concession Road Required (Residential Hamlets and Villages – RH)	<i>3000 square metres (0.74 acres)</i>	
Existing	728.43 square metres (0.18 acres)	<i>*legal non-complying</i>
Proposed	1740.15 square metres (0.43 acres)	<i>*as a result of B81-22-LG</i>

The Consent and Minor Variance Applications related to the subject lands were previously submitted, deemed complete under the 2012 Official, and put on hold at the request of the Applicant. These applications are proceeding for review and approval, with the intent to proceed under the same policy framework. No changes have been made to the original proposal.

The lands municipally known as 347 Sixth Concession Road were subject to a Zoning By-Law Amendment Application (**ZBA46-15-BH**) which received approval from Council January 26, 2016. The Zoning By-Law Amendment proposed to rezone the subject lands from Agriculture (A) to Residential Hamlet and Villages (RH) (formerly Village Residential Type 1 (VR1)) to permit residential uses.

It is my professional opinion that the minor variances to recognize the undersized Agricultural parcel and residential parcel, are legal non-complying and considered existing lots of record, are appropriate and meet 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.

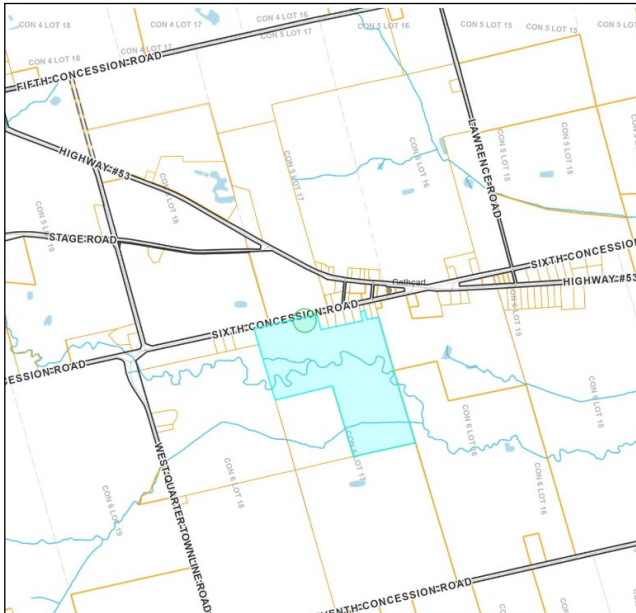
Therefore, it is my professional recommendation that the Consent and Minor Variance Applications **B81-22-LG, A39-22-LG, and A40-22-LG** be **APPROVED**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands are located east of West Quarter Townline Road and south of Sixth Concession Road.

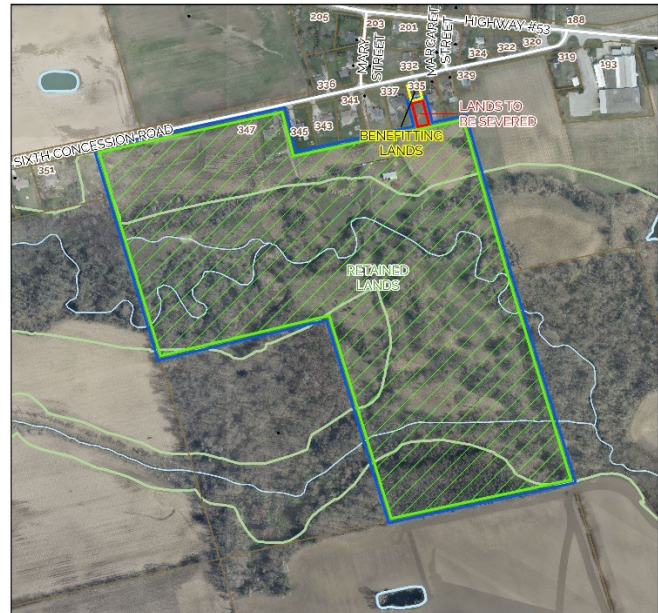
LOCATION MAP

Application: B81-A39-A40-22-LG
347 Sixth Concession Road



AERIAL IMAGE

Application: B81-A39-A40-22-LG
347 Sixth Concession Road



The subject lands municipally known as 347 Sixth Concession Road, within the geographic Township of Burford, County of Brant, contains one (1) residential dwelling, one (1) accessory structure and agricultural related buildings. The lot has a frontage of approximately 313.2 metres (1,026.9 feet) and an area of approximately 28.40 hectares (70.17 acres).

The benefitting parcel at 335 Sixth Concession Road within the geographic Township of Burford, County of Brant, contains one (1) existing dwelling. The lot has a frontage of approximately 22.86 metres (75 feet) and an area of approximately 728.43 square metres (0.18 acres).

The surrounding area consists of residential land uses to the east and agricultural land uses towards the north, south and west. The subject lands are privately serviced by well and septic.

REPORT

Planning Act

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.

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

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

Provincial Planning Statement – 2024

The *Provincial Policy 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*.

The *Provincial Planning Statement* identifies that Settlement Areas shall be the focus of growth and development. *Settlement Areas* can be identified as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets).

- ***The subject lands to be conveyed are designated as Hamlet and Villages and located within the settlement boundary of Cathcart. The Hamlet and Villages designation contemplates for residential development.***

The *Provincial Planning Statement* notes that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

- ***The lot line adjustment will not result in the creation of a new residential building lot and will allow for an existing residential lot to be enlarged.***

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 (2012)

The applications were previously submitted and deemed complete under the County of Brant Official Plan (2012). The resubmission is being reviewed in accordance with the same policy framework and transition policies as outlined in the new 2023 Official Plan.

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.

- ***347 Sixth Concession Road is designated as Agriculture, Hamlet and Villages, and Natural Heritage within Schedule 'A' of the County of Brant Official Plan, with a portion of the subject lands being within the settlement boundary of Cathcart.***
- ***The benefitting parcel at 335 Sixth Concession Road is designated as Hamlet and Villages and located within the settlement boundary of Cathcart.***
- ***The 0.1 hectares (0.25 acres) to be conveyed are designated Hamlet and Villages and located within the settlement boundary of Cathcart. The lot line adjustment will not result in the creation of a new lot.***

Section 2.2.3.2 of the County of Brant Official Plan advises that the Hamlets and Villages land use designation are intended to function as small rural clusters providing limited residential, commercial, industrial, institutional, and recreational services to the surrounding agricultural community.

- ***The Applicant is proposing to maintain one residential dwelling on each lot. No development is proposed as part of this application.***

Section 1.11.2.9.2(d) describes how the objectives of Natural Heritage Designated areas are to prevent the development or site alteration of lands that are adjacent to Provincially significant natural heritage features, areas, and systems, including the diversity and connectivity of such features and functions, unless it can be demonstrated that there shall be no negative impacts on the features or their ecological functions.

- ***The Natural Heritage features that exist at 347 Sixth Concession Road will not be impacted by the lot line adjustment.***

Section 6.8.2.2(g) of the Official Plan provides policies for dealing with non-agricultural consents. Consents for the creation of easements or rights-of-way are permitted and minor lot adjustments or minor boundary changes are permitted provided they are granted conditional to Section 50(3) or 50(5) of the Planning Act, and the consent would not result in the creation of a new building lot.

- ***The proposal is for a minor lot line adjustment and will not result in the creation of a new lot.***

Section 6.10 of the County of Brant Official Plan provides policies for dealing with 'non-complying uses' where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying.

As such, the following shall be the policies of the County with respect to noncomplying uses:

- a. Applications for the expansion, alteration or addition of the noncomplying use shall be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal and provided that the proposal can demonstrate that the expansion will have a minimal impact on surrounding land uses
- ***The retained agricultural parcel at 347 Sixth Concession Road is currently undersized (>40 hectares) at 28.40 hectares (70.17 acres).***

- ***The undersized farm parcel at 347 Sixth Concession Road is considered to be ‘legal non-complying’ as the lot area was established prior to the provisions of the current Zoning By-Law 61-16.***
- ***The application proposes a change to that parcel and therefore the ‘non-complying’ attributes will need to be recognized.***
- ***The conveyance of approximately 0.1 hectares (0.25 acres) from 347 Sixth Concession Road will further reduce the parcel size of the farm parcel to 28.30 hectares (69.92 acres).***
- ***The further reduction of the farm parcel at 347 Sixth Concession Road is considered appropriate as the lands being conveyed will allow for the existing residential parcel at 335 Sixth Concession Road to be brought into greater compliance with the Zoning By-Law.***
- ***The existing residential parcel at 335 Sixth Concession Road is currently undersized (>3000 square meters) at 728.43 square metres (0.18 acres).***
- ***The undersized residential parcel at 335 Sixth Concession Road is considered to be ‘legal non-complying’ as the lot area was established prior to the provisions of the current Zoning By-Law 61-16.***
- ***The application proposes a change to the lot area of the parcel and therefore the ‘non-complying’ attributes will need to be recognized.***
- ***The conveyance of approximately 1,011.71 square meter (0.25 acres) from 347 Sixth Concession Road will increase the residential parcel size to 1740.15 square metres (0.43 acres).***
- ***The lot area increase to the residential parcel at 335 Sixth Concession Road is considered appropriate as the lands are considered undersized for a Residential Hamlet and Villages lot (>3000 square metres) and the conveyance will bring the parcel into greater conformity with the Zoning By-Law.***

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

Zoning By-Law 61-16:

The subject lands are zoned as Residential Hamlets and Villages (RH), Agriculture (A), and Natural Heritage within the 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 Residential Hamlets and Villages (RH).

Permitted uses include but are not limited to the following:

- Dwelling, Single-Detached
- Group Home

The chart below demonstrates zoning compliance requirements for lots within the Residential Hamlets and Villages (RH) and Agricultural (A) zones.

	Frontage	Lot Area
--	----------	----------

Required (RH)	30 meters (98.43 feet)	3000 square meters (0.74 acres)
Severed Land (A40-22-LG)	22.86 metres (75 feet)	1740.15 square metres (0.43 acres)
Retained Lands (A39-22-LG)	313.2 metres (1,026.9 feet)	28.30 hectares (69.92 acres)
Required (A)	20 metres (66 feet)	40 hectares (98 acres)

It is my professional opinion that the lot line adjustment and subsequent variances maintain 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 - A39-22-LG (347 Sixth Concession Road)
1.	<i>Shall maintain the general intent and purpose of the Official Plan.</i>	347 Sixth Concession Road has an Official Plan Designation of Hamlet and Villages, Agriculture and Natural Heritage. The applicant has demonstrated that the agricultural portion of the retained lands will remain unchanged and continue to be used for agricultural purposes in the future. In my professional opinion the proposal in is keeping with the general intent of the County of Brant Official Plan.
2.	<i>Shall maintain the general intent and purpose of the Zoning By-Law.</i>	The subject lands are undersized (>40 hectares) at 28.40 hectares (70.17 acres). The conveyance of 0.1 hectares (0.25 acres) will further reduce the Agricultural parcel to 28.30 hectares (69.92 acres). The further reduction is appropriate as the lands being conveyed will bring the existing residential parcel into greater compliance with the Zoning By-Law 61-16 and is not expected to impact the existing agricultural land uses. In my professional opinion the proposal in is keeping with the general intent of the Zoning By-Law 61-16.
3.	<i>Shall be desirable for the appropriate development or land use of the land, building or structure.</i>	It is my professional opinion the proposed variance is desirable for the subject lands, as the lands to be conveyed cannot be farmed and the conveyance will establish a lot size and shape which is consistent with the surrounding residential parcels.
4.	<i>Shall be minor in nature.</i>	It is in my professional opinion that the proposed variance is minor in nature, as the subject lands will only convey 0.1 hectares (0.25 acres) and the retained lands will continue to be used for farming purposes.

	Four Tests	Discussion – A40-22-LG (335 Sixth Concession Road)
1.	<i>Shall maintain the general intent and purpose of the Official Plan.</i>	335 Sixth Concession Road has an Official Plan Designation of Hamlet and Villages and is located within the settlement boundary of Cathcart. The parcel to be conveyed from 347 Sixth Concession Road is designated as Hamlet and Villages and within the settlement boundary of Cathcart. The minor lot line adjustment will bring the existing residential parcels area, at 335 Sixth Concession Road into greater compliance with the Zoning By-Law 61-16 and will not result in the creation of a new lot. In my professional opinion the proposal in is keeping with the general intent of the County of Brant Official Plan.
2.	<i>Shall maintain the general intent and purpose of the Zoning By-Law.</i>	The subject lands are undersized (>3000 square metres) at 728.43 square metres (0.18 acres). The conveyance of 1,011.7 square metres (0.25 acres) will bring the existing parcel into greater compliance with the Zoning By-Law. In my professional opinion the proposal in is keeping with the general intent of the Zoning By-Law 61-16.
3.	<i>Shall be desirable for the appropriate development or land use of the land, building or structure.</i>	It is my professional opinion the proposed variance is desirable for the subject lands, as the conveyance will bring the existing residential parcels area into greater compliance with the Zoning By-Law and create a lot size and shape that is consistent with residential lots that currently exist along Sixth Concession Road.
4.	<i>Shall be minor in nature.</i>	It is in my professional opinion that the proposed variance is minor in nature, as only 1,011.7 square metres (0.25 acres) are being conveyed to 335 Sixth Concession Road. The retained lands will still be used for farming purposes.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Enbridge Gas	<ul style="list-style-type: none"> Enbridge Gas Inc., operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service

	relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.
Fire	<ul style="list-style-type: none"> • No issues with this application for a lot line adjustment. • If this adjustment leads to the creation of a new building lot in the future, then we will look at collecting the rural firefighting fee at that time.
Canada Post	<ul style="list-style-type: none"> • Please be advised that Canada Post does not have any comments on this application for a lot line adjustment as this will not impact mail delivery.
Parks and Forestry	<ul style="list-style-type: none"> • No comments
Environmental Planning	<ul style="list-style-type: none"> • No Comments
Development Engineering Department	<ul style="list-style-type: none"> • No objections to the proposed lot line adjustment as the existing 0.25 acre area to be added to 335 Sixth Concession Road appears to be too small to facilitate proper manoeuvring of agricultural implements. When staff attended the site, it was observed that the area is not currently used for agricultural purposes but instead manicured and likely already enjoyed for residential purposes. • From the submitted drawings, staff are unable to confirm the existing setback between the existing garage and the eastern boundary line. • Due to existing storm water drainage issues in the surrounding area, staff advise caution should there be impervious surfaces constructed (i.e. roof tops, patios, decks, driveways etc.) as a result of the boundary adjustment. • Staff note that no development is proposed in the submitted application. Any additional sizable development will be required to be addressed via the Building Permit Process where matters such as lot grading and storm water management will need to be addressed to the satisfaction of the County.

PUBLIC CONSIDERATIONS

Notice of the application, including contact information and the date of the Public Hearing, was mailed on April 30, 2025, to all property owners within 60 metres of the subject lands, in accordance with Section 45(5) of the Planning Act. A site visit and the posting of the Public Notice sign were also completed on the same date.

No public comments were received at the time the report was written.

CONCLUSIONS AND RECOMMENDATIONS

Consent Application **B81-22-LG** proposes a lot line adjustment, with approximately 0.25 acres being severed from 347 Sixth Concession Rd and consolidated with 335 Sixth Concession Rd. The lands being conveyed are designated Hamlet and Villages and zoned Residential Hamlets and Villages.

Minor Variance Application **A39-22-LG** proposes to recognize the modified area of the existing legal non-complying lot being 28.30 hectares (69.92 acres), resulting from the related lot line adjustment **B81-22-LG**.

Minor Variance Application **A40-22-LG** proposes to recognize the modified area of the existing legal non-complying lot being 1,740.15 square metres (0.43 acres), resulting from the related lot line adjustment **B81-22-LG**.

It is my professional opinion that the minor variances to recognize the undersized Agricultural parcel and residential parcel, are legal non-complying and considered existing lots of record, are appropriate and meet the four tests as established in Section 45(1) of the Planning Act R.S.O 1990:

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

Therefore, it is my professional recommendation that the Consent and Minor Variance Applications **B81-22-LG**, **A39-22-LG**, and **A40-22-LG** be **APPROVED**, subject to the attached conditions.



Roxana Flores
Junior Planner

Reviewed by: Dan Namisniak, Manager of Development Planning

ATTACHMENTS

1. Zoning Mapping, Official Plan Mapping and Aerial Photo
2. Drawings
3. Circulation Notice

COPY TO

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

FILE # B81, A39 & A40-22-LG

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)

APPLICANT: Pavel and Angela Gerassime

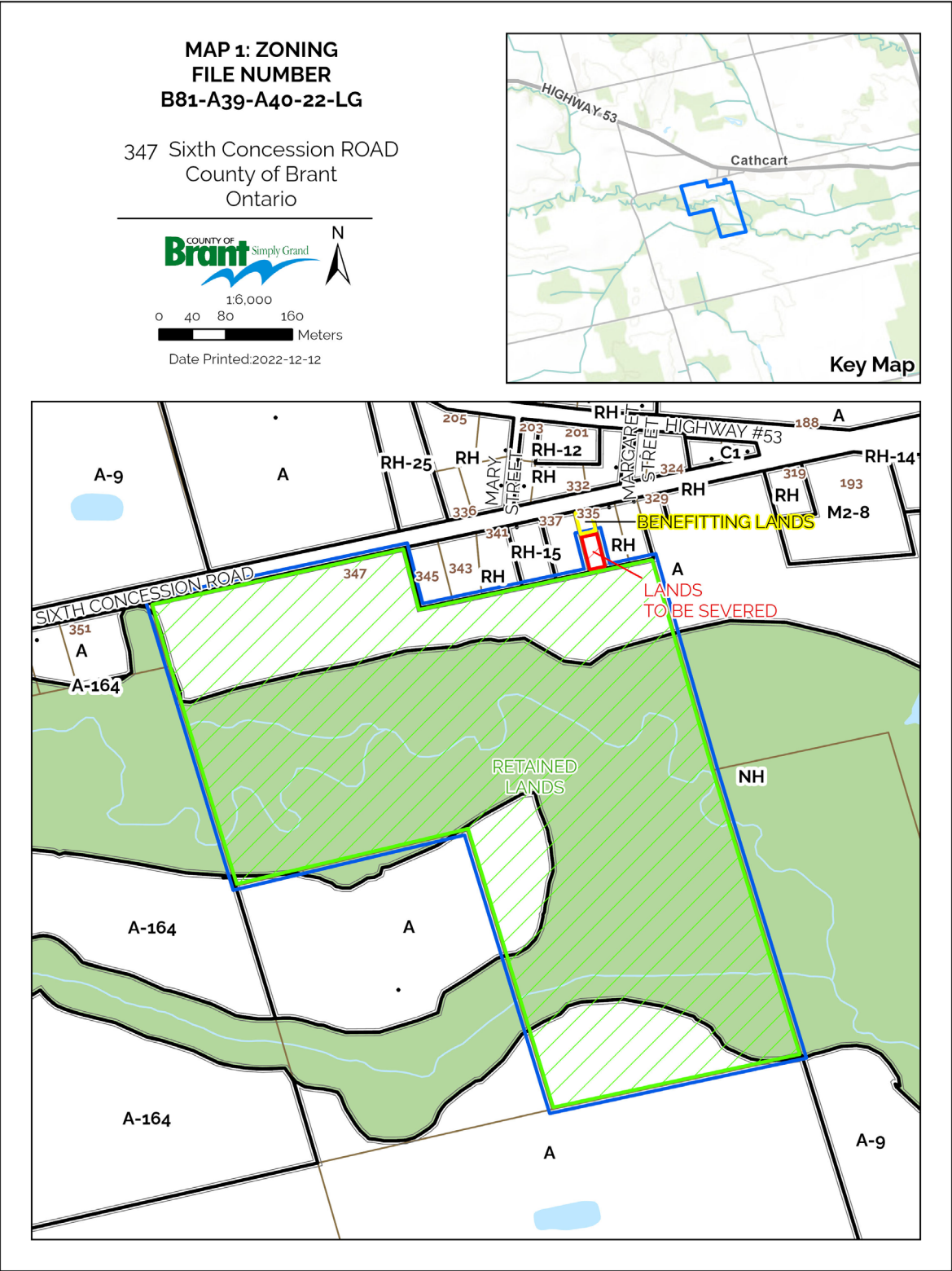
File No: B81 -22-LG
347 Sixth Concession Road
(Lot Line Adjustment)

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

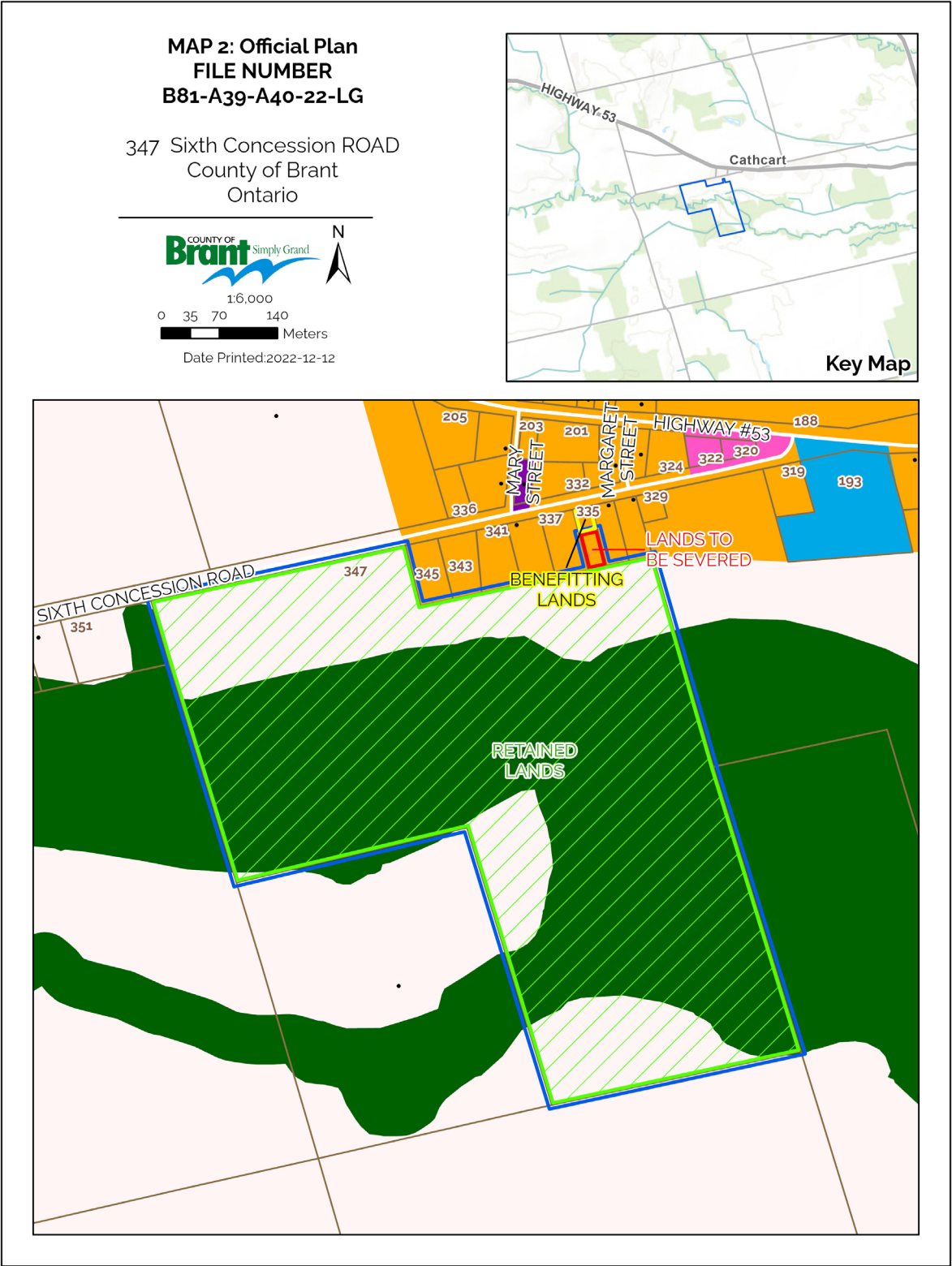
1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant provides a copy of the draft reference plan for the severed parcel, including the location of the existing buildings by a licensed surveyor, prior to the finalization of the Consent (i.e. registration of the deed in the appropriate Registry Office) to the satisfaction of the County.
3. That related Minor Variance Applications A39 & A40-22-LG be approved by the Committee of Adjustment with no appeals.
4. That the severed parcel, being part of 347 Sixth Concession Road become part and parcel of the abutting lands municipally known as 335 Sixth Concession 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.
5. That the Current Deed Stamping Fee be paid to the County of Brant, prior to the release of the 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 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.

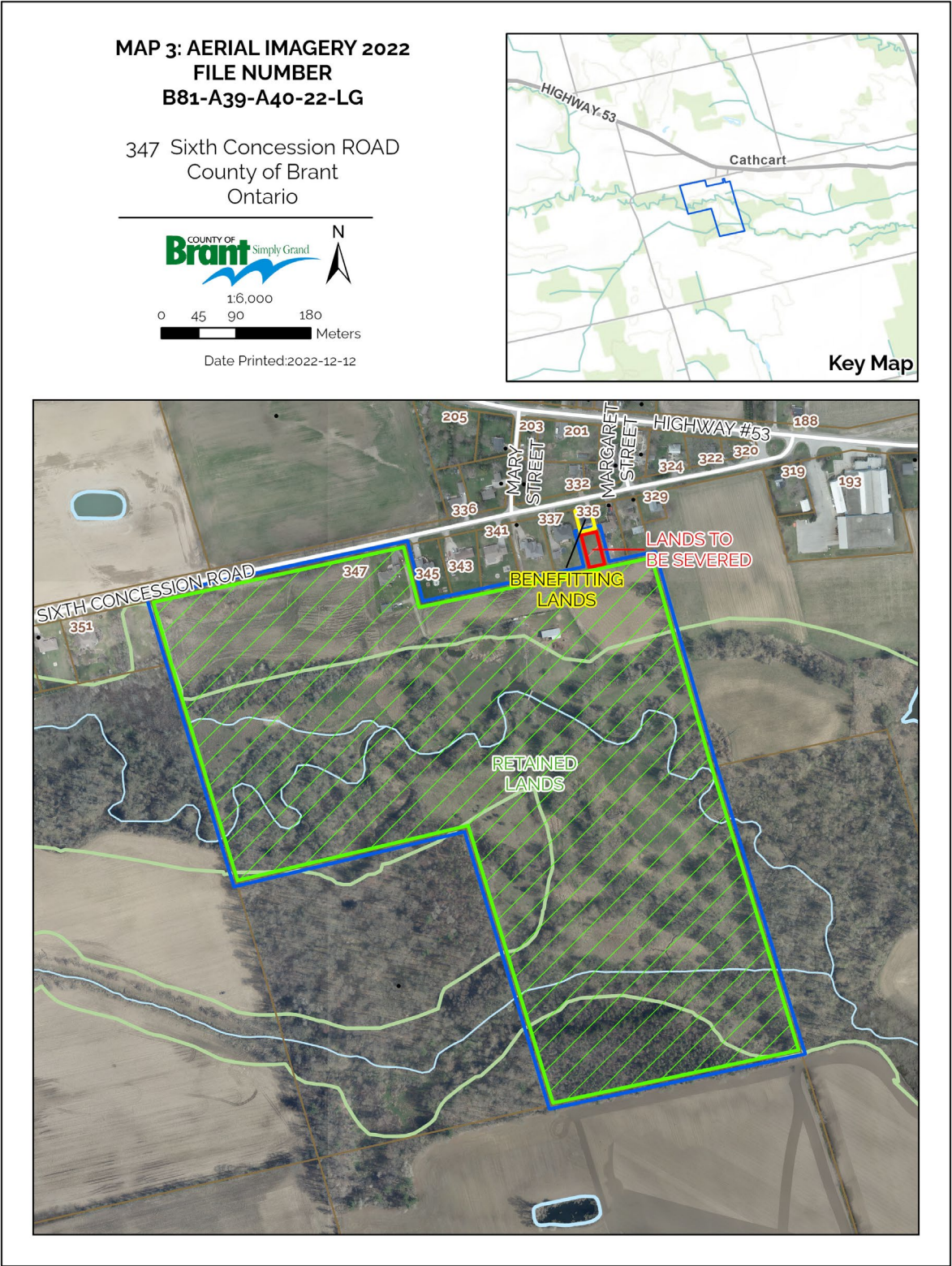
Attachment 1 – Zoning Map



Attachment 2 – Official Plan Map



Attachment 3 – Aerial Map



Attachment 4 – Site Plan

METRIC
DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048.

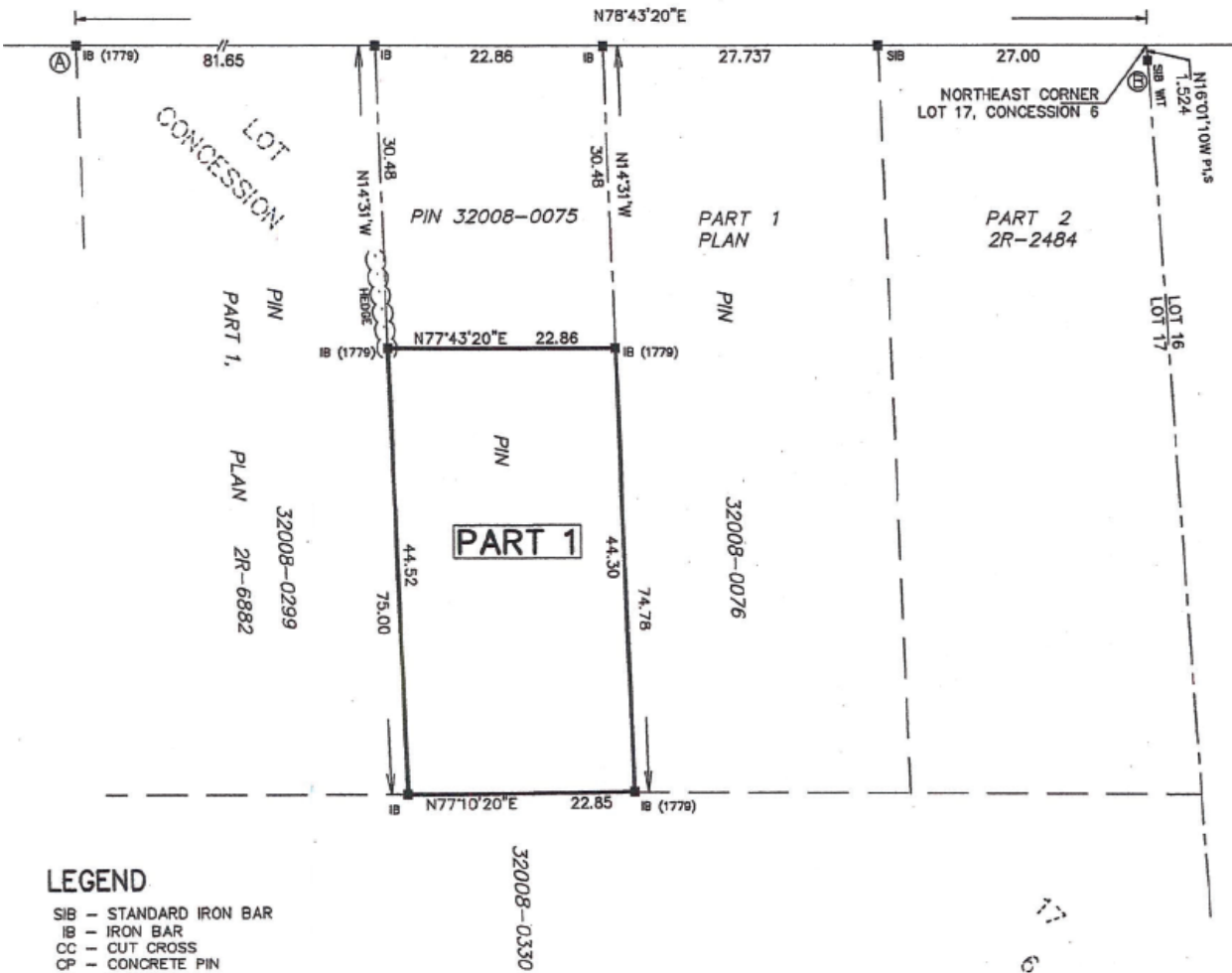
PLAN OF SURVEY OF
PART OF LOT 17
CONCESSION 6
COUNTY OF BRANT
(GEOGRAPHIC TOWNSHIP OF BURFORD)
SCALE 1:500



MacAULAY, WHITE & MUIR LTD.



SIXTH CONCESSION ROAD
(ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6)
PIN 32008-0127



LEGEND

- SIB - STANDARD IRON BAR
- IB - IRON BAR
- CC - CUT CROSS
- CP - CONCRETE PIN
- - PLANTED IB
- - FOUND, (1477) UNLESS NOTED
- ⊙ - ROUND
- WT - WITNESS
- S - SET
- P1 - PLAN 2R-6882
- D1 - PIN 32008-0075 (INST. A192187)



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
COMMITTEE OF ADJUSTMENT.

Notice of Complete Committee of Adjustment Application and Public Meeting

Date: Thursday, May 15, 2025

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: B81 & A39-A40-22-LG - 347 Sixth Con. Rd.

Details of Application:

Consent and Minor Variance Applications received from Pavel and Angela Gerassime, Applicant/Owner(s), of BURFORD CONCESSION 6 PART LOT 17, County of Brant, in the geographic Township of Burford, municipally known as 347 Sixth Concession Road is proposing the following:

1. B81-22-LG: A lot line adjustment, with approximately 0.10 Hectares (0.25 acres) being severed from 347 Sixth Concession Rd and conveyed to 335 Sixth Concession Rd.;
2. A39-22-LG: As a result of the lot line adjustment, a minor variance is required to recognize the reduced lot area of the existing undersized Agricultural parcel at 347 Sixth Concession Rd and;
3. A40-22-LG: As a result of the lot line adjustment, a minor variance is required to recognize the reduced lot area recognize the modified lot area of the existing undersized Hamlets and Villages parcel at 335 Sixth Concession Rd.

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 nicole.campbell@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 nicole.campbell@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: Roxana Flores < Roxana.flores@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).

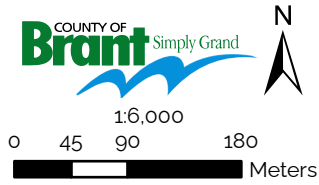
To appeal a Decision of the Committee of Adjustment on this matter to the Ontario Land Tribunal, you may file a notice of appeal with the Clerk or Secretary-Treasurer via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Brant (County) as the Approval Authority or by mail 66 Grand River St. N., Paris, Ontario N3L 2M2, The appeal fees:

- of \$400 to the OLT can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.
- In addition, a fee of \$280.00 payable to the “County of Brant” as per the County of Brant’s Development Services fees online <https://webforms.brant.ca/finance/planning-applications-payment> or by mail to 66 Grand River St. N., Paris, Ontario N3L 2M2.
- If the e-file portal is down, you can submit your appeal to clerks@brant.ca.

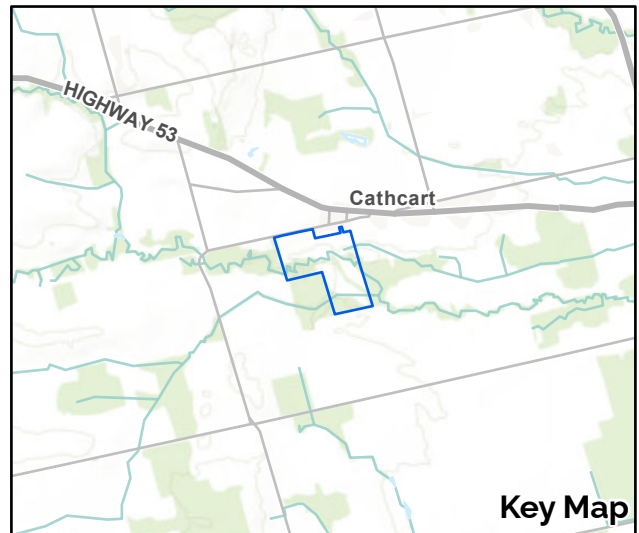
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation 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.*

MAP 3: AERIAL IMAGERY 2022
FILE NUMBER
B81-A39-A40-22-LG

347 Sixth Concession ROAD
 County of Brant
 Ontario



Date Printed: 2022-12-12





Committee of Adjustment Report

Date: May 15, 2025

Report No: RPT – 0181 – 25

To: The Chair and Members of the Committee of Adjustment
From: Roxana Flores, Junior Planner
Application Type: Consent Application
Application No: B5-25-RF
Location: 490 Brant County Road #18
Agent / Applicant: GSP Group c/o Rachel Bossie & Richard Kelly-Ruetz
Owner: Stage Road Inc. c/o Bart Veldhuizen
Subject: Request for a decision on a Consent Application to create a new industrial lot in the Rural Settlement area of Cainsville.

Recommendation

THAT Consent Application **B5-25-RF** from Rene Veldhuizen applicant on behalf of Bart Veldhuizen, Owner of lands legally described as PLAN 659 PT LOTS 1 AND 2 RP 2R4000 PART 2 RP 2R6853 PART 2, and municipally known as 490 Brant County Road 18, proposing to sever for the creation one (1) new industrial lot with a frontage of 53.50 meters along Ewart Drive, depth of 114.78 meters and an area of approximately 0.61 hectares with the retained parcel maintaining a frontage of approximately 116.82 meters along Brant County Road 18 and 81.51 meters on Ewart Drive, with a depth of 114.78 meters and area of 1.03 hectares. **BE APPROVED**, subject to the attached conditions.

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

- The lot creation is compatible and consistent within the context of existing development.
- The application is consistent with the policies of the *Provincial Planning Statement (2024)*
- The application conforms with the policies of the County of Brant Official Plan (2023) and Zoning By-Law 61-16.

Executive Summary

Consent Application **B5-25-RF** proposes the creation of one (1) new industrial lot with an area of approximately 0.61 hectares (1.51 acres). The subject lands are located within a Rural Settlement area of Cainsville and are designated General Employment and zoned as Heavy Industrial with site specific (M3-10).

Heavy Industrial (M3)	Frontage (min)	Lot area (min)
<i>Required</i>	30.0 m	1,100 sq. m
Proposed Severed Lands	53.50 m	6,100 sq. m
Proposed Retained Lands	116.82 m & 81.51 m	10,300 sq. m

Figure 1: Proposed Severance Sketch



No development is being proposed as part of this application. Future development of the severed and retained lands will be subject to a detailed technical review as part of a Site Plan Control Application.

Staff have reviewed the proposed Consent Application with applicable planning policy (i.e., Planning Act, Provincial Planning Statement (2024), County of Brant Official Plan (2023) and Zoning By-Law 61-16) in review of any comments received from relevant departments, the Applicant, and members of the public.

For the reasons outlined in this report, it is my professional recommendation that the Consent Application **B5-25-RF** to facilitate the creation of one (1) new lot be **APPROVED**, subject to the attached conditions.

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

Report

Location/ Existing Conditions

The subject lands are located within the Cainsville Settlement Area, north of Ewart Avenue, south of Colborne Street East, east of Brant County Road 18 and west of Zoeller Road. The subject lands are surrounded by industrial and institutional uses.

LOCATION MAP
Application: B5-25-RF
490 Brant County Road 18



AERIAL IMAGE
Application: B5-25-RF
490 Brant County Road 18



The subject lands have a frontage of approximately 116 metres (383.27 ft) along Brant County Road #18 and approximately 135 metres (41.15 ft) along Ewart Drive, and an area of approximately 1.64 hectares (4.05 acres).

The subject lands contain an existing large format retail use and related buildings (Peavy Mart) established and in compliance with previous Site Plan Approval SP20-12-JK and currently serviced by municipal water, sanitary and storm.

Analysis

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

Planning Act

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

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (h) the orderly development of safe and healthy communities;*
- (k) the adequate provision of employment opportunities;*
- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (p) the appropriate location of growth and development*

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

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*
- (b) whether the proposed subdivision is premature or in the public interest;*
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

- (d) *the suitability of the land for the purposes for which it is to be subdivided;*
- (e) *the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- (f) *the dimensions and shapes of the proposed lots;*
- (i) *the adequacy of utilities and municipal services;*
- (m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.*

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*.

The following demonstrates consistency with the applicable policies of the Provincial Planning Statement (2024):

<i>Provincial Planning Statement (2024)</i>	<i>Planning Analysis</i>
<p><i>Section 2.8.1 of the Provincial Planning Statement advises Planning authorities shall promote economic development and competitiveness by:</i></p> <p><i>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs:</i></p> <p><i>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</i></p> <p><i>c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</i></p>	<p><i>The proposed lot will provide opportunity for development on lands designated General Employment and zoned for Heavy Industrial uses.</i></p>

d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and;	<i>This application allows for the intensification of employment uses of an underutilized vacant portion of a parcel within an area designated for employment uses.</i>
e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.	<i>The severed lands are subject to Site Plan Control, and land use compatibility will be addressed through the Site Plan Control process.</i>
Section 2.8.2.1 Specifies that Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	<i>The subject lands are currently serviced by private water, sanitary, and stormwater infrastructure within the Cainsville area. Currently, Cainsville has limited sanitary capacity and any new development within the area is subject to an interim sanitary servicing solution. Full municipal servicing is anticipated as part of future infrastructure planning initiatives for the area.</i>
Section 2.8.2.3 c) Specifies Planning authorities shall designate, protect and plan for all employment areas in settlement areas by prohibiting retail and office uses that are not associated with the primary employment use.	<p><i>The site-specific M3-10 zoning is existing and historically established to permit limited retail uses in addition to the uses permitted in the Heavy Industrial (M3) zone.</i></p> <p><i>The consent application does not propose to add new retail uses to the Subject Property or change the list of uses permitted by the existing zoning. A future sign manufacturing facility is planned for the Severed Lands, making the application consistent with PPS objectives by supporting new employment uses.</i></p>
Section 3.6.4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. At the time of the official plan review	<p><i>Municipal services in Cainsville are available but currently limited in capacity with plans for expansion. Future development will require a temporary private holding tank as an interim solution.</i></p> <p><i>Servicing will be reviewed through the Site Plan Approval process at the time of development.</i></p>

<i>or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.</i>	
--	--

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 General Employment and located within the Rural Settlement Area of Cainsville.

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

<u>Official Plan (2023)</u>	<u>Planning Analysis</u>
<i>Part 3, Section 1.1 advises Employment Areas within the Urban System are clusters of economic activities that are generally industrial in nature and have existing or planned municipal water and/or wastewater servicing infrastructure.</i>	<i>The subject lands are located within the Rural Settlement Area of Cainsville and are serviced by private water, sanitary and stormwater.</i>
<i>Part 5, Section 7.2 advises the General Employment Designation is intended to accommodate employment uses that are largely industrial in nature and remain a crucial component of the County's economy. The Employment designation applies to land that is comprised of or intended to be developed for a range of industrial uses and may include service</i>	<i>The subject lands are designated as General Employment. The new lot created will facilitate future heavy industrial development.</i>

commercial uses and related uses that directly service the employment area.	
Part 6, Section 5.2 contains policies for consent , including Subsection 5.2.4 which states that as part of a complete application for a Severance to create a new lot(s) or a Lot Line Adjustment, an applicant shall submit the prescribed information, a Planning Justification Report and any other materials and information as identified by the County and any agency having jurisdiction, to demonstrate the following:	<p>The application complies with the policies of the Official Plan, as it contributes to orderly development and aligns with the intended land use designation. The severed Lands and the Retained Parcel comply with the provisions of the Zoning By-law.</p> <p>There is currently no municipal wastewater capacity for the severed lands. Any proposed development will be serviced by a holding tank for private wastewater management as an interim solution until municipal wastewater becomes available and will be reviewed through Site Plan Approval.</p>
<ul style="list-style-type: none"> the lands can be adequately serviced on municipal services. Where private servicing is permitted by this Plan, any proposed private potable water and onsite sewage disposal systems must be supported by a Hydrogeological Study. The study shall be prepared by a qualified engineer and must demonstrate and provide detailed explanation as to how the proposed development shall not negatively impact groundwater and surface water quality and quantity, and that each lot is capable of supporting private services; 	
<ul style="list-style-type: none"> 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; 	Both the retained lot and severed lot will both have frontage along a public road.
<ul style="list-style-type: none"> 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. 	Lot configurations for the proposed and retained parcels do not restrict future development or redevelopment potential.

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 Heavy Industrial with site specific (M3-10) 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 11, Table 11.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Heavy Industrial.

The Site-Specific Provision (M3-10) permits in addition to uses permitted in the Heavy Industrial (M3) Zone, the following shall also apply:

- A retail store selling home, agricultural, automotive and similar merchandise shall be permitted.
- Parking ratio for a retail store of 1 per 20 metres of parking space per 135 square metres of gross floor area.

<i>Heavy Industrial with Site Specific Provision (M3-10)</i>	<i>Required</i>	<i>Retained Land</i>	<i>Proposed Severed Land (vacant)</i>
<i>Lot Area Minimum</i>	1100 m²	10,339.00 m ² (1.03 ha)	6,131.00 m ² (0.61 ha)
<i>Lot Frontage, Minimum</i>	30.0 m	116.82 m & 81.51 m	53.50 m
<i>Minimum Street Setback</i>	15.0	21.48 m	<i>To be addressed through future Site Plan Control Applications.</i>
<i>Minimum Interior Side Yard Setback</i>	3.0 m	23.87 m & 0.0 m (Storage structure directly situated on proposed severed lot line which will be relocated/modified to meet 3.0 m setback)	
<i>Minimum Rear Yard Setback</i>	8.0 m	+8.0 m	
<i>Maximum Building Height</i>	12.0 m	4.62 m	

- ***Both the retained and severed parcels meet the lot requirements for the Heavy Industrial (M3) zone.***
- ***The subject lands containing existing development meet the zone requirements for the M3 zone.***
- ***It is staff understanding that the storage structure will be relocated or modified to comply with the interior side yard setback requirements of the retained lot. A condition of approval has been included to address this.***
- ***Future development will be subject to a detailed technical review as part of a Site Plan Control Application.***

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

Interdepartmental Considerations

The following documents were prepared and submitted for technical review as part of the submission of this application:

- 1. Completed and signed Consent Application form.
- 2. Planning Justification Brief (April 2024) prepared by Rachel Bosse, Registered Professional Planner, and by Richard Kelly-Ruetz, Registered Professional Planner.
- 3. Survey
- 4. Severance Sketch

The following comments were received from various internal and external agencies/departments as part of the circulation of this application:

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none">• The draft survey provided shows the existing metal frame garage along the severance line with a fence offset of 3.24m. A site visit identified the garage is directly along the fence.• The existing storage building along the east limit of the property at Municipal #490 Brant County Road #18 directly abuts the proposed severance. A Minor Variance may be required.• There is currently no sanitary service to the severed lot and Cainsville has no wastewater capacity for any future buildings. Any future buildings would have to be on a private sewage treatment system. A temporary holding tank would be required for any future buildings until wastewater capacity becomes available. The County is in talks with the City of Brantford to connect the sanitary sewer system to theirs but there is no firm timeline as of yet, but it may take approximately 2-3 years (minimum). The county will require that the subject lands hook up to the wastewater system when it becomes available and decommission of the holding tank be registered on title with proper securities provided. This is similar to what other properties have done in Cainsville recently. The County strives to provide 56.8 L/s (3,516 L/min) for a 2-hour duration to ICI properties while maintaining a minimum pressure of 140 kPa (20psi) at all points in the distribution system. Properties requiring more must supplement this from other sources. NOTE: Fire flow tests represent the available flow and pressure at a snapshot in time. Capacity is constructed in blocks. Ongoing development may consume capacity from what is observed at any point in time. Available flow and

	<p>pressure at any time may be less than any previous field measurement.</p> <ul style="list-style-type: none"> County staff have conducted a sight distance check across the entire frontage of the Severed lot along Ewart Avenue. It was found that there is sufficient visibility in both directions of the proposed frontage. <p><i>*Please note: There is no existing garage on the property. The structure referenced above is a metal-frame storage structure situated directly on the proposed severed lot line. Staff is the understanding that this structure will be relocated or modified to comply with the required setback, and a condition has been included to address this.</i></p>
Policy Planning Division	<ul style="list-style-type: none"> Cainsville Land Use Strategy: Staff wish to advise the applicant that Council has approved moving forward with creating a Cainsville Premier Employment Hub Comprehensive Land Use Strategy to help attract the highest and best employment uses, determine preferred commercial uses, a multimodal transportation plan with connected trails and future transit, greenspaces to support employment users, and an urban design framework. It is expected that this Project will begin by late spring or summer of 2025. Consultation including feedback from existing businesses will form an important part of this project and all owners will be notified when the project formally begins. Should you have any questions or wish to be added to a preliminary mailing list, please do not hesitate to reach out to policy@brant.ca. All project information and updates will be posted on www.engagebrant.ca.
GIS	<ul style="list-style-type: none"> That the applicant provides CAD drawing or GIS files with line work to import into database. That a civic address will be required for the parcel, this can be requested at the County of Brants Civic Address Requesting Form.
Operations Department	<ul style="list-style-type: none"> Only comments from operations would be for future applications. No issue with severance. In future we would need entrance requirements, servicing requirements, traffic study possibly.
Parks Capital Planning & Forestry	<p>If this application moves forward, cash-in-lieu of parkland is required for the creation of one (1) new industrial lot and is detailed as follows:</p>

	<p><u>Parkland Dedication:</u></p> <ul style="list-style-type: none"> As per Section 3.1 and Section 3.2 of the County of Brant Parkland Dedication By-law - The County requires the payment of money as cash-in-lieu payment for an amount calculated as follows: <ul style="list-style-type: none"> Two percent (2%) of the Gross Land Area appraised value for commercial or industrial land uses; As per Section 3.3. the payment required shall be paid to the County: <ul style="list-style-type: none"> c) Prior to final approval and receipt of the certificate confirming that all conditions have been satisfied and therefore the consent for severance has been granted and is in effect. As per Section 4 Appraisal: To determine the Cash-in-Lieu payment required, the landowner seeking approval for the site plan is required to submit an Appraisal Report, completed by a qualified appraiser, to the satisfaction of the County for review. The appraiser is to be approved by the County. <ul style="list-style-type: none"> The cost of the Appraisal Report shall be the responsibility of the landowner. The Appraisal Report will be reviewed by staff and the landowner will be notified of the required payment.
Fire	<ul style="list-style-type: none"> No objections to the land severance.
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.
Enbridge Gas	<ul style="list-style-type: none"> No objection to the proposed application, however they reserve the right to amend or remove development conditions.
Mississaugas of the Credit First Nation	<ul style="list-style-type: none"> Upon our review, we have determined that the project should be proceeded by, at minimum, a Stage 1 archaeological assessment to determine the location's archaeological potential. DOCA must be notified of, invited to participate in, and provided the opportunity to review this archaeological assessment, as well as any environmental assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

As part of the circulation, comments were not received from the following:

- Six Nations
- Hydro One

Public Considerations

Notice of this Application, contact information, and Public Hearing Date were circulated by mail on April 30, 2025, to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the *Planning Act* as required.

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

Conclusions and Recommendations

The application facilitates the creation of a new industrial lot within the Rural Settlement Area of Cainsville, on lands designated as General Employment. It is consistent with the policy framework of the Official Plan 2012, supporting the protection, preservation, and expansion of employment opportunities through future Heavy Industrial development in alignment with the intended land use designation.

There is currently no municipal wastewater capacity for the severed lands. Any proposed development will be serviced by a holding tank for private wastewater management as an interim solution until municipal wastewater becomes available and will be reviewed through Site Plan Approval.

Council has approved the development of a Cainsville Premier Employment Hub Comprehensive Land Use Strategy, aimed at attracting optimal employment uses, defining preferred commercial opportunities, and planning for transportation, greenspaces, and urban design. The project is expected to begin in late spring or summer of 2025, with public consultation and feedback from local businesses.

After reviewing the proposed application and considering the intended use, it has been determined that the existing Site-specific M3-10 zoning remains appropriate as the proposal does not seek to change the uses permitted under the current zoning or introduce retail uses. The zoning provisions continue to align with the intended future industrial use and development on the property. Therefore, no amendments to the zoning by-law are required at this time, and the M3-10 zoning will remain unchanged.

A condition has been included to ensure that the existing storage structure is relocated or modified to comply with the 3.0 m interior side yard setback requirement in order to facilitate the severance.

No development is being proposed as part of this application. Future development of the severed and retained lands will be subject to a detailed technical review as part of a Site Plan Control Application, including access, landscaping, grading, noise, drainage, lighting etc.

Staff have reviewed the proposed Consent with applicable planning policy (i.e. Planning Act, Provincial Planning Statement (2024), County of Brant Official Plan (2023) and Zoning By-Law

61-16 in review of any comments received from relevant departments, the applicant and the members of the public.

For the reasons outlined in this report, it is my professional recommendation that the Consent Application **B5-25-RF** to facilitate the creation of one (1) new lot be **APPROVED**, subject to the attached conditions.

Prepared by:



Roxana Flores
Junior Planner

Attachments

- 1. Conditions of Approval
- 2. Zoning Map
- 3. Official Plan Map
- 4. Aerial Map
- 5. Severance Sketch
- 6. Site Photos

Reviewed By

- 1. Dan Namisniak, Manager of Development Planning
- 2. Jeremy Vink, Director of Planning

Copied To

- 3. Nicole Campbell, Secretary Treasurer of the Committee of Adjustment
- 4. Committee of Adjustment
- 5. Applicant/Agent

By-law and/or Agreement

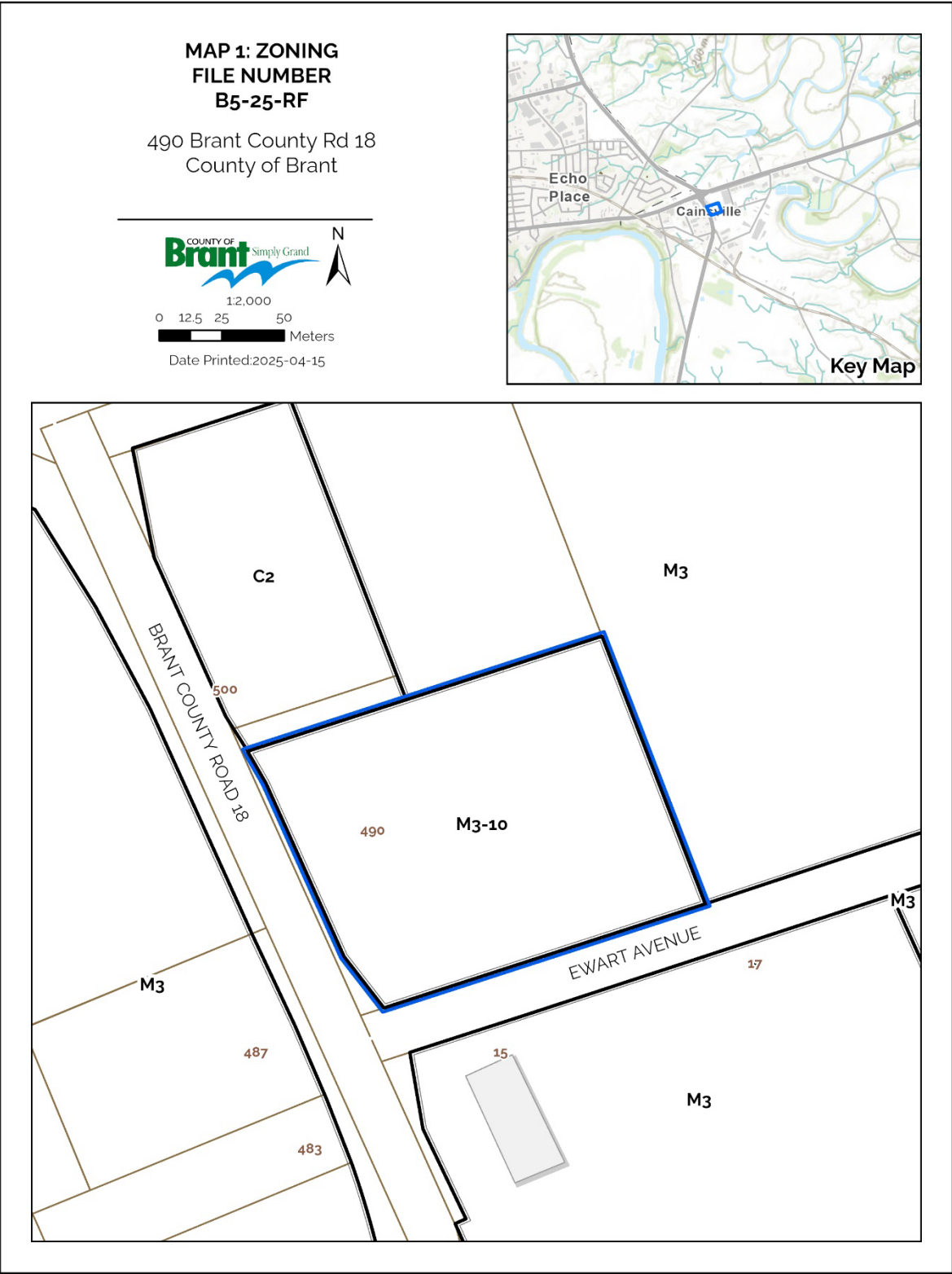
By-Law required	(No)
Agreement(s) or other documents to be signed by Mayor and /or Clerk	(No)
Is the necessary By-Law or agreement being sent concurrently to Council?	(No)

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

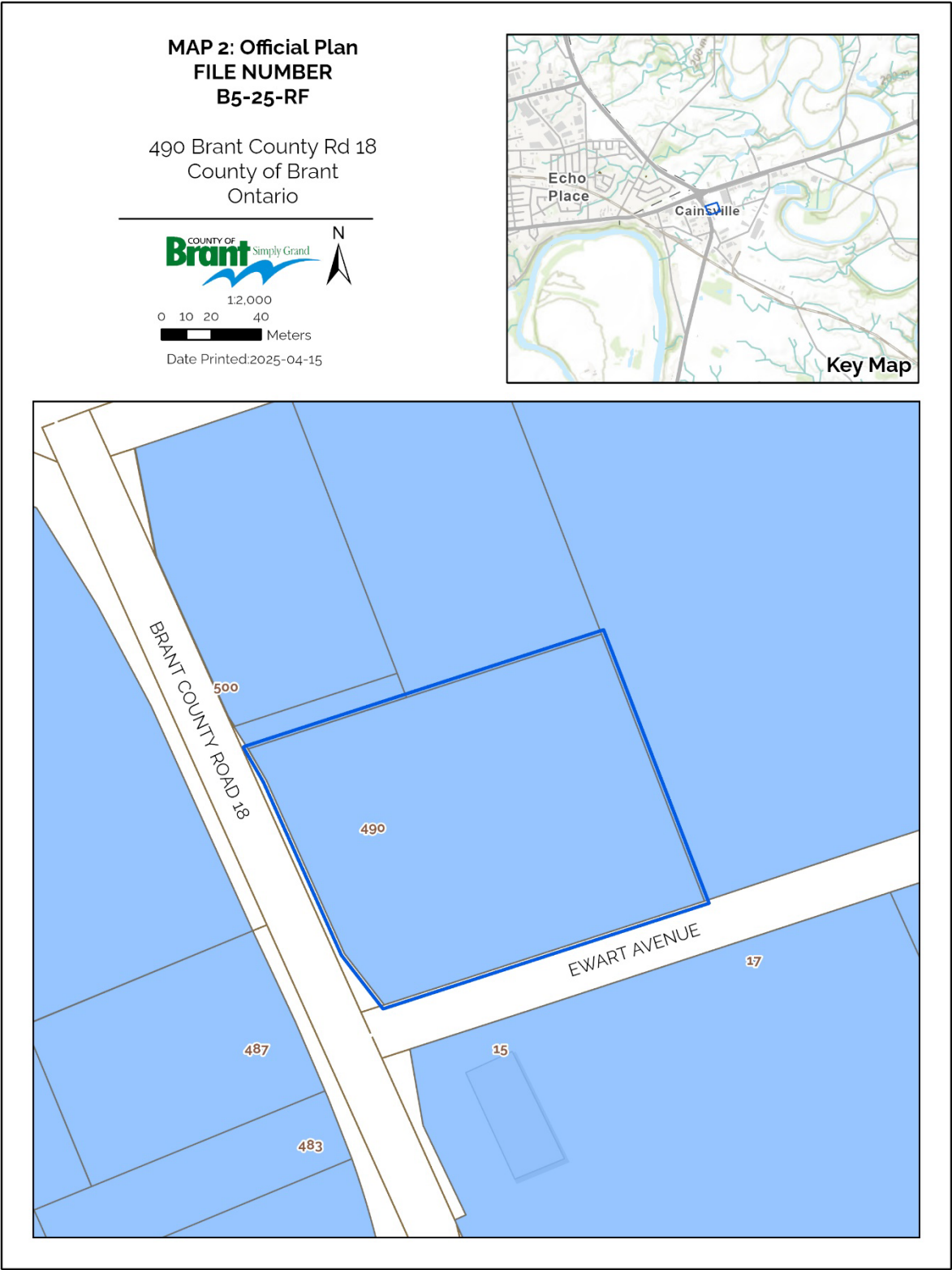
1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant(s) provide a copy of a Draft Reference Plan for the severed lands, completed by a licensed surveyor and reviewed by the County of Brant, prior to the finalization of the Consent (i.e. registration of the deeds in the appropriate Registry Office).
3. That the Owner/Applicant demonstrate that all detached structures have been relocated, modified and/or removed to comply with zoning regulations.
4. That the Owner/Applicant provide parkland dedication and/or cash-in-lieu of parkland equivalent to 2% of the appraised value of the gross land area for commercial or industrial land uses, per new lot, in accordance with Sections 3.1 and 3.2 of the County of Brant Parkland Dedication By-law 21-2022, to the satisfaction of the County of Brant.
5. That the Current Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
6. 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).
7. 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.
8. 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 2 – Zoning Map

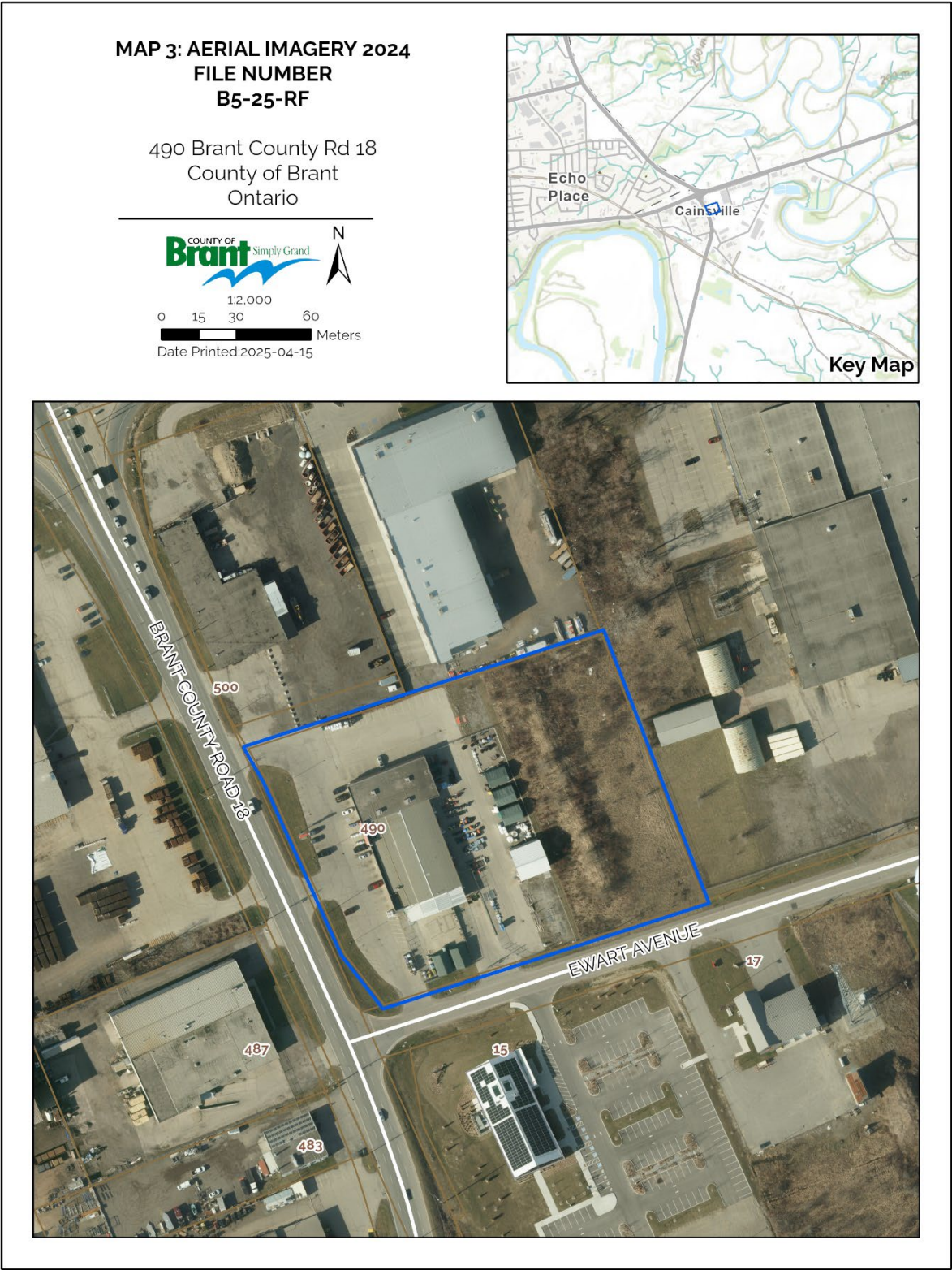


Attachment 3 – Official Plan Map



 General Employment

Attachment 4 – Aerial Map



METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN OF SURVEY OF
PARTS OF LOTS 1 and 2
REGISTERED PLAN 659
GEOGRAPHIC TOWNSHIP OF BRANTFORD
COUNTY OF BRANT
SCALE - 1 : 500

WEST & RUUSKA LTD.

COLBORNE STREET EAST

SCHEDULE		P.I.N.
PART	LOT	

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATED: _____

J.M. JOHNSON, O.L.S.

RECEIVED AND DEPOSITED

DATED: _____

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF BRANT (No. 2)

DRAFT COPY
(subject to change)

NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A and B, BY THE CANMET CAN-MET SEAL, TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010)
FOR BEARING COMPARISONS, A ROTATION OF 90° COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF

DERIVED REFERENCE POINTS (DRP), DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 17 NAD83 (CSRS) (1987), COORDINATES TO UTM93 ACCURACY PER SEC 14 (2) OF OREG 296/79

POINT ID	NORTHING	EASTING
DRP A	X	X
DRP B	X	X

COORDINATES 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 SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____

DATED: _____

J.M. JOHNSON
ONTARIO LAND SURVEYOR

LEGEND

□ DENOTES

■ FOUND MONUMENT

○ IRON BAR

□ IRON BAR

□ STANDARD IRON BAR

□ SHORT STANDARD IRON BAR

□ CONCRETE PIN

□ WEST & RUUSKA LTD., O.L.S.

REGISTERED PLAN 659

PLAN 28-4000

PLAN 28-4003

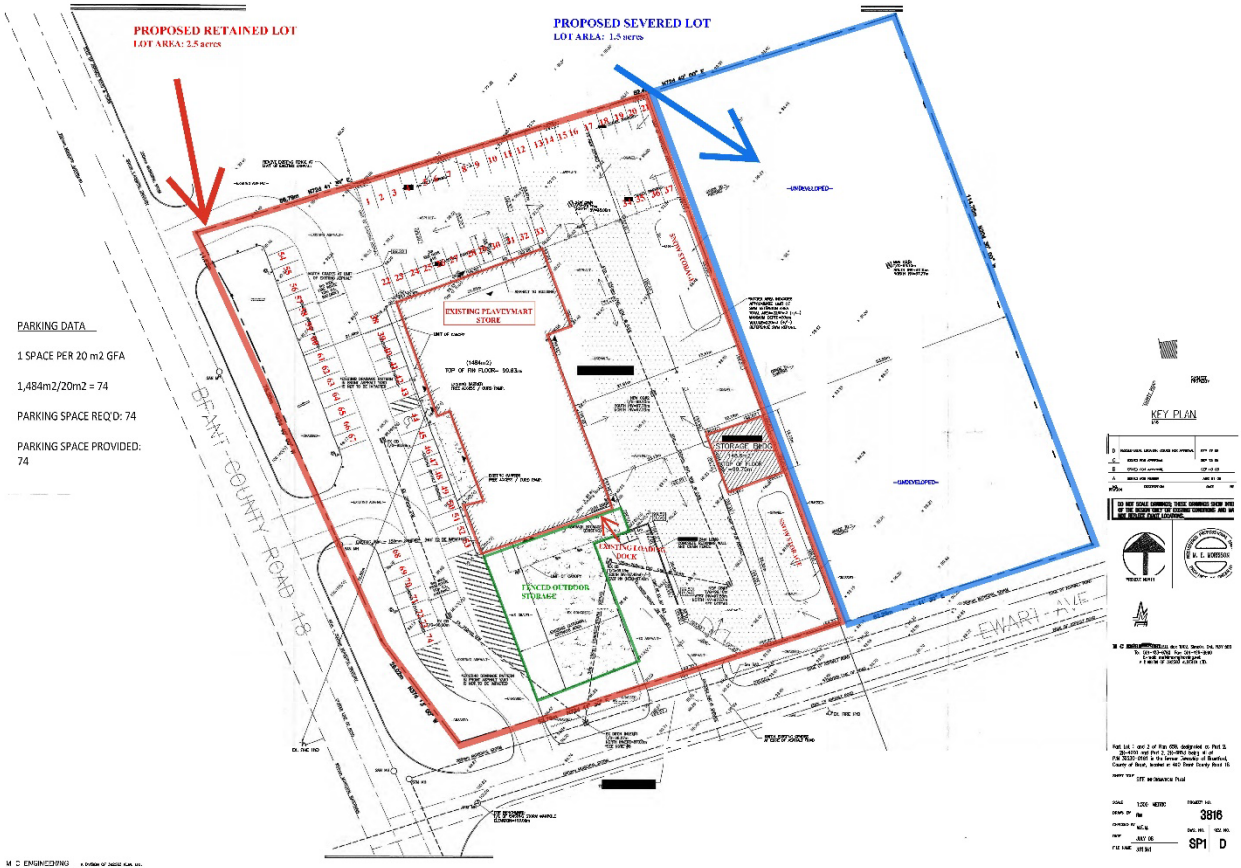
PLAN 28-8439

NOTE:
ALL SET 508 MONUMENTS WERE USED DUE TO LACK OF OVERSURCH and/or PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF OREG. 325/91.

WEST & RUUSKA LTD.
A Wholly Owned Subsidiary of I.D. Barnes Limited
17 NELSON STREET, BRANTFORD, ON N3T 2M6
Tel: (519) 752-8641 www.jdhammes.com

DRAWN: Ted S. Kutylo (O.L.S.)
CHECKED: _____
DATE: 15.08.24
25-50-043-00

Attachment 6 – Site Plan



Attachment 7 - Site Photos



Looking West of the lot



Looking East of the lot (vacant area)



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
COMMITTEE OF ADJUSTMENT.



Notice of Complete Committee of Adjustment Application and Public Meeting

Date: Thursday, May 15, 2025

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: B5-25-RF – 490 Brant County Road #18

Details of Application:

Consent Application received from Stage Road Inc. c/o Rene Veldhuizen and Bart Veldhuizen, Applicant/ Owner of lands legally described as PLAN 659 PART LOTS 1 AND 2 REFERENCE PLAN 2R4000 PART 2 REFERENCE PLAN 2R6853 PART 2, in the geographic Township of Brantford, County of Brant,, municipally known as 490 Brant County Road #18 is proposing to sever for the creation one (1) new industrial lot with a frontage of 53.50 meters along Ewart Drive, depth of 114.78 meters and an area of approximately 0.61 hectares. The retained parcel will maintain frontage of approximately 116.82 meters along Brant County Road 18 and 81.51 meters on Ewart Drive, with a depth of 114.78 meters and area of 1.03 hectares.

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 nicole.campbell@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 nicole.campbell@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: Roxana Flores, Junior Planner, 519-442-7268 Ext. 3065, <roxana.flores@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, you may file a notice of appeal with the Clerk or Secretary-Treasurer via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Brant (County) as the Approval Authority or by mail 66 Grand River St. N., Paris, Ontario N3L 2M2, The appeal fees:

- of \$400 to the OLT can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.
- In addition, a fee of \$280.00 payable to the "County of Brant" as per the County of Brant's Development Services fees online <https://webforms.brant.ca/finance/planning-applications-payment> or by mail to 66 Grand River St. N., Paris, Ontario N3L 2M2.

** 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.*

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN OF SURVEY OF
PARTS OF LOTS 1 and 2
REGISTERED PLAN 659
GEOGRAPHIC TOWNSHIP OF BRANTFORD
COUNTY OF BRANT

SCALE - 1 : 500

WEST & RUUSKA LTD.

COLBORNE STREET EAST

SCHEDULE

PART	LOT	P.I.N.

I REQUIRE THIS PLAN TO
BE DEPOSITED UNDER THE
LAND TITLES ACT.

DATED _____

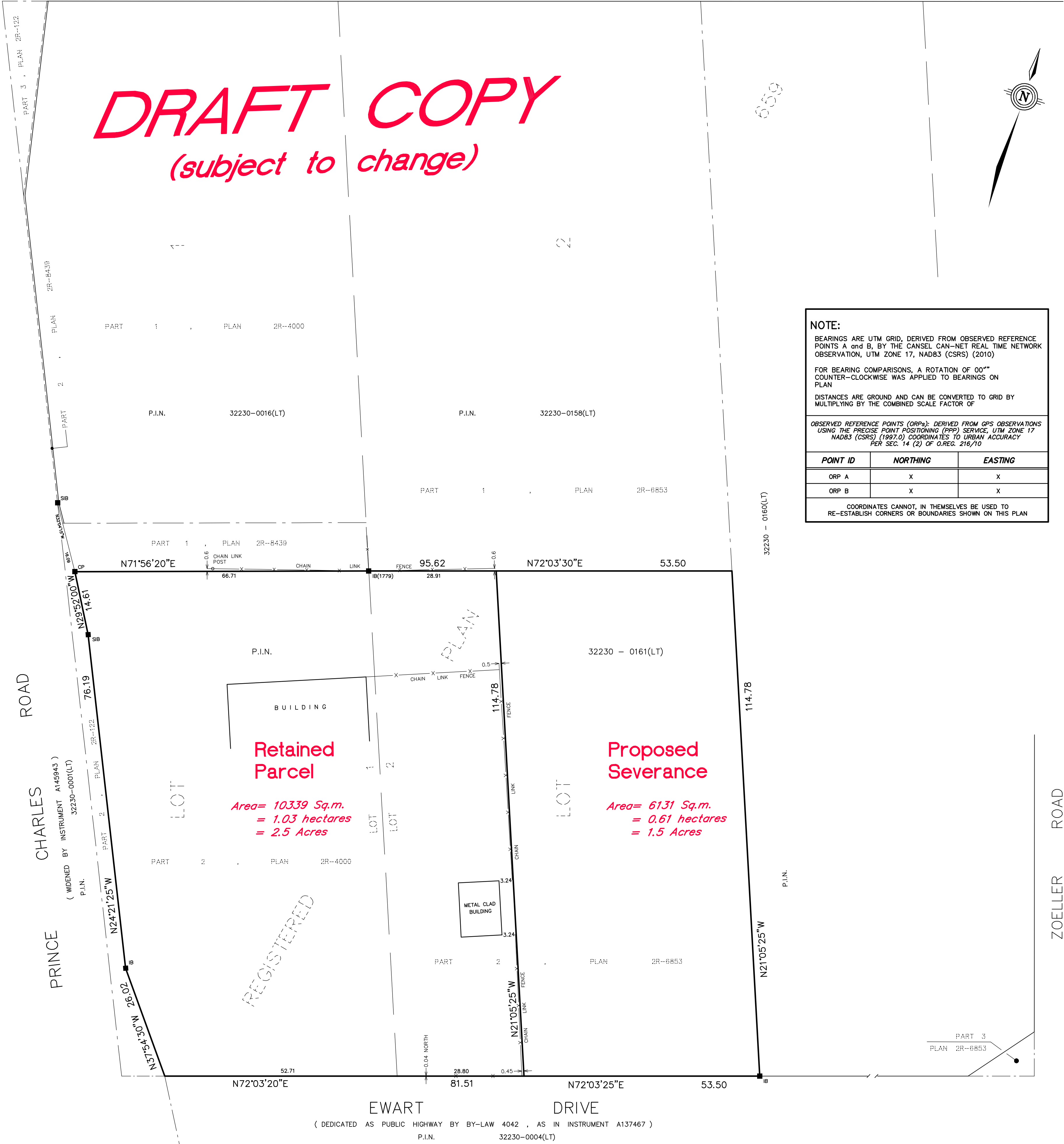
JIM JOHNSON, O.L.S.

PLAN 2R—

RECEIVED AND DEPOSITED

DATED _____

REPRESENTATIVE FOR THE LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF
BRANT (No. 2)



NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE
POINTS A and B, BY THE CANSEL CAN-NET REAL TIME NETWORK
OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010)

FOR BEARING COMPARISONS, A ROTATION OF 00°
COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON
PLAN

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY
MULTIPLYING BY THE COMBINED SCALE FACTOR OF

OBSERVED REFERENCE POINTS (ORPs): DERIVED FROM GPS OBSERVATIONS
USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 17
NAD83 (CSRS) (1997.0) COORDINATES TO URBAN ACCURACY
PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	X	X
ORP B	X	X

COORDINATES 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 SURVEYS ACT, THE SURVEYORS ACT AND
THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____

DATED: _____

JIM JOHNSON
ONTARIO LAND SURVEYOR

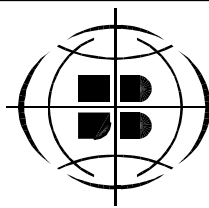
THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM NUMBER V—

LEGEND

DENOTES	SET MONUMENT
□	FOUND MONUMENT
■	IRON BAR
IB	ROUND IRON BAR
IBØ	STANDARD IRON BAR
SSB	SHORT STANDARD IRON BAR
CP	CONCRETE PIN
1889	WEST & RUUSKA LTD., O.L.S.
P1	REGISTERED PLAN 659
P2	PLAN 2R-4000
P3	PLAN 2R-6853
P4	PLAN 2R-8439

NOTE:

ALL SET SSB MONUMENTS WERE USED DUE TO LACK OF
OVERBURDEN and/or PROXIMITY OF UNDERGROUND UTILITIES
IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.



WEST & RUUSKA LTD.
ONTARIO LAND SURVEYORS

A Wholly Owned Subsidiary of J.D. Barnes Limited
17 NELSON STREET, BRANTFORD, ON N3T 2M6
Tel: (519) 752-8641 www.jdbarnes.com

DRAWN:

Ted S. Kutyla, cst, c.Tech

CHECKED:

Ref. No. _____ O.L.S.

25-50-043-00

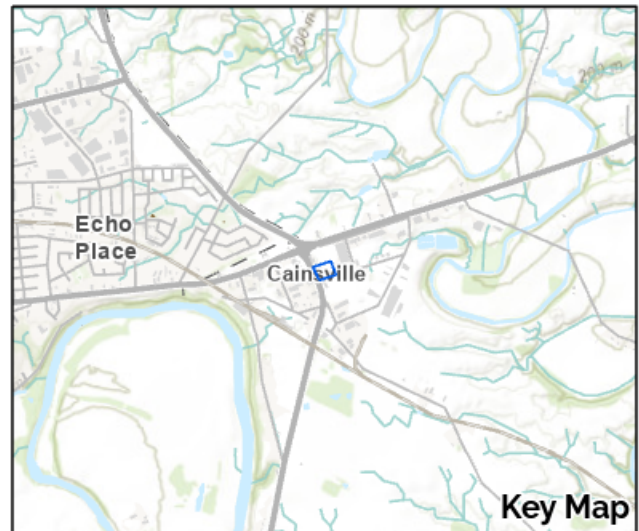
MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B5-25-RF

490 Brant County Rd 18
County of Brant
Ontario



0 15 30 60
Meters

Date Printed: 2025-04-15



Key Map

