

Committee of Adjustment Agenda

Date: Thursday, June 19, 2025
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

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Pages

1. Attendance
2. Approval of Agenda
3. Declaration of Pecuniary Interests
4. Adoption of Minutes from Previous Meetings
5. Public Hearings

5.1 B9-25-AV - 81 Washington Street
Recommendation

5 - 42

THAT Consent Application from Mattheus Reniers on behalf of Luiz Pimentel, the owner of the lands legally described as PLAN 492, BLOCK 52, PART OF LOTS 2 AND 13, REFERENCE PLAN 2R-4614, PART 1, in the geographic former Town of Paris, municipally known as 81 Washington Street, County of Brant, proposing the creation of one (1) new residential lot with an area of 568.81 square metres (0.14 acres) and a frontage of 15 metres (49.24 feet), within the Primary Settlement Area and on municipal services, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B9-25-AV are as follows:

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

5.2 A6-25-RF - 60A Dundas Street West
Recommendation

43 - 78

THAT Application for Minor Variance from Vince Bucciachio, owner of the lands legally described as PLAN 492 BLK 41 PT LOTS 3, 4 & 17, RP 2R5497 PART 5, in the former Town of Paris and municipally known as 60A Dundas Street West, requesting relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16 to permit an increased maximum lot coverage for accessory structures of approximately 121 square metres, whereas 95 square metres is permitted, and to permit an increased height for an accessory structure of 5.4 metres, whereas 4.5 metres is permitted, **BE APPROVED** subject to conditions.

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

- The proposed variances are considered minor in nature and are desirable for the appropriate development and use of the subject lands;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-Law 61-16; and
- The proposed variances meet the four tests of Section 45 (1) of the Planning Act.

5.3 A7-25-RF - 446 Ninth Concession Road
Recommendation

79 - 100

THAT Application for Minor Variance from Matt Bond, Owner of the lands legally described as CONCESSION 8 PART LOT 22 REFERENCE PLAN 2R2676 PART 1, in the former Township of Burford and municipally known as 446 Ninth Concession Road, requesting relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16 to permit an increased maximum lot coverage for all accessory structures of 313.50 square metres, whereas 240 square metres is permitted, to facilitate a new detached garage, **BE APPROVED**.

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

- The proposed variances are considered minor in nature and are desirable for the appropriate development and use of the subject lands;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-Law 61-16; and
- The proposed variances meet the four tests of Section 45 (1) of the Planning Act.

5.4 B8-25-AV - 54 Clarke Road
Recommendation

101 - 134

THAT Consent Application from Kris Martin, on behalf of David L Rosebrugh owner of lands legally described as CONCESSION 1, PART OF LOT 18, REFERENCE PLAN 2R-6865, PARTS 1 TO 3, in the geographic former Township of South Dumfries, municipally known as 54 Clarke Road, County of Brant, proposing to sever a surplus farm dwelling and associated accessory structures with an area of approximately 1 hectare (2.47 acres) and a frontage of approximately 99 meters (324.8 feet), **BE APPROVED** subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B8-25-AV are as follows:

- The existing farm dwelling is considered surplus to the needs of the farm operation, as a result of farm consolidation in the County of Brant with appropriate conditions included in order to ensure zoning compliance, conformity to the Official Plan and consistency with the Provincial Planning Statement.

5.5 B10-25-AV - 358 West Quarter Townline Road
Recommendation

135 - 162

THAT Consent Application from Jesse Kloepfer the owner of lands legally described as CONCESSION 7, PART OF LOT 18, in the geographic former Township of Burford, municipally known as 358 West Quarter Townline Road, County of Brant, proposing to sever a surplus farm dwelling and associated accessory structures with an area of approximately 0.52 hectares (1.28 acres) and a frontage of approximately 76 meters (249.3 feet), **BE APPROVED** subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B10-25-AV are as follows:

- The existing farm dwelling is considered surplus to the needs of the farm operation, as a result of farm consolidation in the County of Brant.
- The appropriate conditions have been included to ensure the subject lands are re-zoned to A-9 to prohibit residential development on the retained lands; and
- The proposal is consistent with the Provincial Planning Statement (2024) and meets policies in the County of Brant Official Plan (2023) and Zoning By-law 61-16.

5.6 B33-23-LG & B34-23-LG - 303 Highway #5
Recommendation

163 - 176

THAT Consent Application B33-23-LG from The Angrish Group c/o R. Angrish, Agent on behalf of John Oliver and Linda Oliver, Owners of lands legally described as CONCESSION 3 PART LOT 12 RP 2R647 PART 1, in the geographic Township of South Dumfries, municipally known as 303 Highway #5, County of Brant, proposing the creation of a mutual access easement along the existing driveway to benefit 309 Highway #5, recommending the following change to conditions originally approved on February 15, 2024:

1. Removal of Condition #3 –The easement is required to establish the existing shared access with 309 Highway #5. The creation of the easement is technical in nature and has no impact or relation to the creation of the new lot.

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

- The change to conditions maintains the intent of the original decision granted by the Committee of Adjustment on February 15, 2024;
- The establishment of the access easements are technical, minor in nature and compatible with surrounding land uses;

- The application is consistent with the policies of Provincial Planning Statement; and
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

AND

THAT Application B34-23-LG from The Angrish Group c/o R. Angrish, Agent on behalf of Charles Tomblin, Owners of lands legally described as CONCESSION 3 PART LOT 12 RP 2R 2558 PART 2, in the geographic Township of South Dumfries, municipally known as 309 Highway #5, County of Brant, proposing the creation of an mutual access easement along the existing driveway to benefit 303 Highway #5, recommending the following change to conditions originally approved on February 15, 2024:

1. Removal of Condition #3 –The easement is required to establish the existing shared access with 303 Highway #5. As the creation of the easement is technical in nature and has no impact or relation to the creation of the new lot.

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

- The change to conditions maintains the intent of the original decision granted by the Committee of Adjustment on February 15, 2024;
- The establishment of the access easements are technical, minor in nature and compatible with surrounding land uses;
- The application is consistent with the policies of Provincial Planning Statement; and
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

6. Next Meeting

7. Adjournment



Committee of Adjustment Report

Date: June 19, 2025

Report No: RPT – 0231– 25

To: The Chair and Members of the Committee of Adjustment
From: Afsoon Veshkini, Junior Planner
Application Type: Consent Application
Application No: B9-25-AV
Location: 81 Washington Street
Agent / Applicant: Mattheus Reniers
Owner: Luiz Pimentel
Subject: Request for a decision on a Consent Application to create one (1) new residential lot within the Paris Primary Settlement Area.

Recommendation

THAT **Consent Application B9-25-AV** from **Mattheus Reniers** on behalf of Luiz Pimentel, the owner of the lands legally described as PLAN 492, BLOCK 52, PART OF LOTS 2 AND 13, REFERENCE PLAN 2R-4614, PART 1, in the geographic former Town of Paris, municipally known as 81 Washington Street, County of Brant, proposing the creation of one (1) new residential lot with an area of 568.81 square metres (0.14 acres) and a frontage of 15 metres (49.24 feet), within the Primary Settlement Area and on municipal services, **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B9-25-AV are as follows:

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

Executive Summary

Consent Application B9-25-AV proposed the creation of one (1) new residential lot within the settlement boundary of Paris on municipal services. The severed lands will be an irregularly shaped lot with an area of approximately 568.81 square metres (0.14 acres) and a frontage of 15 metres (49.24 feet) along Washington Street. The retained lands will have an area of approximately 14,915.2 square metres (3.68 acres) and a frontage of 15.41 metres (50.55 feet) along Washington Street.

R2 Zone	Required	Proposed Severed Lands	Proposed Retained Lands
Lot Area (square meter)	450 sq.m	568.81 sq.m	14,915.2 sq.m
Lot Frontage (meter)	15.0 m	15.01 m	15.41 m

A detailed review of any future development on the proposed new lot, including access, grading, drainage, zoning compliance, and servicing, will be conducted through the building permit review process.

A scoped Stage 1 and 2 Archaeological Assessment was completed by TMHC Inc. as part of the complete application submission. The subject property is identified in the County's mapping as being within an area of archaeological potential. The Stage 1 background study and Stage 2 test pit survey were conducted in accordance with the Standards and Guidelines for Consultant Archaeologists. One archaeological site (AhHc-406) was identified on the property, consisting of both late 19th–20th century Euro-Canadian and undiagnostic Indigenous artifacts. However, the site did not meet the criteria for further cultural heritage value or interest under provincial guidelines. As a result, TMHC concluded that no further archaeological assessment is required for the proposed severance. The report recommends that the site be considered free of further archaeological concern. Indigenous engagement was also undertaken, including participation from the Six Nations of the Grand River, Mississaugas of the Credit First Nation, and the Haudenosaunee Development Institute. The report has been submitted to the Ministry of Citizenship and Multiculturalism for review and has been entered into the provincial registry.

An Arborist Report prepared by Eastwood Arborist Consulting, dated April 2, 2024, was submitted in support of this application. The report provides an assessment of trees located across the subject property, particularly along the north side of the existing driveway and garage, and near the woodlot on the eastern side. Several Eastern White Cedars located near the proposed demolition areas (garage and concrete pad) were identified as requiring protective measures due to their close proximity to construction activity. The arborist recommends installing snow fence tree protection zones to minimize root disturbance, with the protection zones built to at least the trees' dripline and adjusted where existing fencing provides adequate barriers. A follow-up inspection by a certified arborist is also recommended one year post-demolition to monitor tree health. Other mature trees, including Red Oak, Black Walnut, Norway Maple, and Norway Spruce, were found to be in good or fair condition and located far enough from the proposed demolition area to not require protective measures.

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.

As part of the application review, the Heritage Planning staff have advised that the existing front porch on the retained dwelling contributes to the property's heritage character and should be preserved. If its removal is pursued, a full heritage evaluation may be required. To support the retention of the porch and align with heritage objectives, the driveway should be relocated to the south of the dwelling.

Based on the analysis provided in this report, it is my professional recommendation that Consent Application B9-25-AV BE APPROVED, subject to the attached conditions.

Location / Existing Conditions

The subject lands are located west of Washington Street and are situated within the Primary Settlement Area boundaries, within the geographic area of the former Town of Paris, in the County of Brant.

The subject lands, municipally known as 81 Washington Street, contain an existing single detached dwelling along with several accessory structures, including a garage and two sheds. The existing dwelling is identified as a listed property on the County of Brant’s Heritage Register. The subject lands are regular in shape with a frontage of approximately 30.48 metres (100 feet), and an area of approximately 15,559 sq. m (1.55 hectares). There are significant woodland, valley land, and wetland features on the property, primarily located in the southern portion.

The surrounding area is primarily characterized by residential land uses to the north, east, and west, with natural heritage features located to the south. The subject lands are municipally serviced.

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

Report

Analysis

- Planning Act
Section 53(12) of the Planning Act states that, in considering whether a provisional consent is to be given, the approval authority shall have regard to the same criteria as set out in Section 51(24), with necessary modifications. As such, Section 51(24) sets out the applicable criteria to be considered when reviewing consent (severance) applications.
- Provincial Planning Statement (PPS) – 2024
The PPS (2024) provides policy direction on matters of provincial interest related to land use planning and development, forming the foundation for regulating the use and development of land in Ontario. In accordance with Section 3 of the Planning Act, all decisions affecting planning matters must be ‘consistent with’ the Provincial Planning Statement.

The following demonstrates consistency with the applicable policies of the PPS 2024:

Policy Reference	Policy Requirement	Planning Analysis
2.3.1 (1)	This policy states that settlement areas shall be the focus of growth and development.	The proposal supports this directive by facilitating residential development within an established settlement area.

2.3.1 (2)	This policy encourages land use patterns within settlement areas that efficiently use land and resources and optimize existing infrastructure.	The creation of a new residential lot within the Paris Primary Settlement Area supports infill development on full municipal services, making efficient use of land and public infrastructure while contributing to the overall density and mix of land uses in the area.
2.3.1 (3)	Planning authorities must support general intensification and redevelopment to achieve complete communities with a range and mix of housing options.	The introduction of a new residential lot contributes to housing diversity and supports the development of a complete community.

It is my professional opinion that the request is consistent with the policies of the Provincial Planning Statement (2024).

- County of Brant Official Plan (2023)

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

- **The subject lands, municipally known as 81 Washington Street, are designated Community Corridor and Natural Heritage System on Schedule A of the County of Brant Official Plan. The surrounding lands are predominantly designated Community Corridor and Natural Heritage System. The proposed new lot will be located within the Community Corridor designation. The Natural Heritage System lands will remain with the retained lands.**

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

Policy Reference	Policy Requirement	Planning Analysis
5.5.4	It states that priority shall be given to development, redevelopment, and intensification of land within the Primary Settlement Areas of the County having infrastructure on full	The application supports residential intensification within the Paris Primary Settlement Area on full municipal water and wastewater services.

	municipal water and wastewater services.	
1.2 Community Corridor Designation	The Community Corridor designation encourages intensification and infill that maximizes existing and planned infrastructure while promoting attractive, safe, and accessible streetscapes. Residential uses, including low- to mid-rise forms, are permitted and supported where compatible with surrounding land uses.	The proposal supports residential infill within a serviced area, aligns with surrounding lot patterns, and contributes to efficient use of infrastructure in keeping with the Community Corridor policies.
2.10.6	This policy states that creation of a new lot is not permitted in the Natural Heritage System.	The proposed new lot is located entirely within the Community Corridor designation.
1.15.1	Development and intensification should incorporate design that is in keeping with the traditional character of the area, including height, massing, orientation, aesthetic, and landscaping	Future building design will be reviewed through the building permit process to ensure it reflects the character of the area and aligns with Policy 1.15.1.

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

- Zoning By-Law 61-16

The subject lands, known as 81 Washington Street, are zoned as Residential Singles and Semis (R2) and Natural Heritage (NH) in accordance with Schedule 'A' of the County of Brant Zoning By-Law 61-16, as updated through the March 2024 Office Consolidation. The proposed new lot will be entirely located within the R2 zone.

Section 8, Table 8.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as R2. Permitted uses include but are not limited to the following:

- Single Detached Dwelling
- Duplex Dwelling (existing only)

Section 8, Table 8.2.1 of the County of Brant Zoning By-Law 61-16 advises the zoning requirements for each permitted building type for lands zoned as R2.

The existing dwelling will be retained on the severed lot; however, the application proposes to remove the attached covered front porch.

Residential Singles and Semis (R2)	Required (Single Detached Dwelling)	Retained Lands	Severed Lands (the new lot)
Lot Area, Min (sq.m)	450	14,915.2	568.81
Lot Frontage, Min (m)	15	15.41	15
Street Setback, to the attached garage, Min (m)	6	-	6.9
Street Setback, to habitable portion of the dwelling, Min (m)*	4.5	6.5	6.9
Interior Side Yard Setback, Min (m)	1.2	1.2 and >4	>1.5 and 1.48
Rear Yard Setback, Min (m)	6	>10	>8
Lot Coverage, Max**	40%	<30%	7%
Landscaped Open Space, Min	30%	>80%	>35%
Building Height, Max (m)	10.5 m	8	<10.5

* Provided the minimum width of the driveway shall be 5.6m

** Maximum lot coverage of 40% shall apply to dwelling units. Maximum overall lot coverage of 45% shall be permitted. The additional 5% shall only be used for accessory buildings or structures.

Section 4, Table 4.4.1 of the County of Brant Zoning By-Law 61-16 advises the required development regulations for accessory structures permitted in the Urban Residential Zones including R2.

- **Currently, the lot contains three detached accessory structures (including two sheds and one detached garage) as well as a concrete pad. The detached garage, one of the sheds, and the concrete pad are proposed to be removed, while the remaining shed will be retained on the proposed new lot.**

Urban Residential Zones including R2	Required	Accessory Structure (Severed Land)
Lot coverage, Maximum (%)	The lesser of 15% of the total lot area or 95m ²	< 1.5 %
Street Setback, Minimum (m)	6	>15
Interior side yard and rear yard setback, Minimum (m)	1.2	1.7 and >1.5
Structure height, Maximum (m)	4.5	<3

- The subject lands meet the zone requirements for the R2 zone.

It is my professional opinion that the proposed severed and retained lots meet the applicable provisions of the County of Brant Zoning By-law 61-16, including minimum lot area, frontage, and required setbacks for the R2 zone and are able to support the appropriate development of permitted residential uses. The existing accessory structure on the proposed new lot also complies with the development regulations for accessory buildings. Any future development, including the construction of a dwelling on the severed lot, will be subject to zoning compliance review through the building permit process.

Interdepartmental Considerations

- Development Engineering Department (County of Brant):
 - County staff are accepting of a new entrance to the retained lands, and a new entrance to the severed lands, despite the deficient sight lines looking south, due to the recent installation of speed humps on Washington Street about 40m south of the subject lands. The new entrance on the retained should be constructed at the already existing curb cut between the south property line and existing residence. Otherwise, after the transfer of the 2.46m Road Widening to the County, a parked vehicle in front of the covered porch would be parked partially on the County right of way. The new entrance on the severed lands is not to be constructed within 4.0m of the north property line, due to utilities.
 - The County of Brant Official Plan Schedule B identifies Washington Street as an Urban Residential Collector Road. Urban Residential Collector Roads should have a road allowance width between 20m and 26m. A Road Widening of 2.46m is required across the entire frontage of the Retained and Severed Parcels to ensure that all Utilities are within the County Right of Way, with similar Road Widenings being taken through other Planning Applications in the area. A Draft R-Plan will be required to be submitted for the required road widening for County approval prior to conveyance.
 - An Approved Public Works Permit is required prior to any construction within the Municipal Road Allowance.
 - There is existing water, sanitary, and storm servicing laterals along the frontage of the Severed Parcel. Viability of using the existing servicing connections will be determined through the Public Works Permit process.
 - The Subject Lands are within the GRCA Source Water Protection Area.

- Lands are subject to the Grand River Conservation Authority Regulation Limit. A GRCA Permit may be required.
- Any damage done to the County right of way during construction will be required to be restored to the satisfaction of the County.
- Fire Department (County of Brant): No comments.
- Geographic Information Systems Analyst (County of Brant):
 - 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 retained parcel, this can be requested at the [County of Brants Civic Address Requesting Form](#).
- Parks Capital Planning & Forestry (County of Brant):
 - Cash-in-lieu of parkland for the amount of \$6016 for the creation of one new residential lot is required.
 - Parks & Forestry is interested in exploring a possible acquisition of land, and/or land use agreement, easement agreement, dedication, and/or public/private ownership agreement for a portion of the rear of this property. The County recognizes the importance of acquiring and providing a well-connected public open space system consisting of parks, greenspaces, and natural heritage areas. The County has been exploring possible opportunities to connect Summit Park (98 Lorne Card Drive) through the natural area down to Washington Street.
- Environmental Planning (County of Brant):
 - The subject lands are located in the Natural Heritage System, which includes significant wildlife habitat in the form of a deer yard, a significant woodland, a valley system, and a wetland. The wetland is over 120 m from the proposed new lot. The proposed new lot is also at least 10 m from the boundary of the significant woodland. It is the opinion of staff that proposed application conforms to the natural heritage policies of the Official Plan and is consistent with those in the Provincial Planning Statement. Tree preservation measures will be reviewed as part of a future building permit application.
 - Staff recommend the following condition:
The applicant acknowledges and agrees that tree preservation as part of any future building permit application will be in accordance with the Arborist Report prepared by Eastwood Arborist Consulting dated April 2, 2024.
- Operations (County of Brant):
 - No comments.
 - Public work applications will be required to connect to municipal services and for entrance.
 - Lot Grading plan required.
- Source Water Protection (County of Brant):
 - The Property is in the Lake Erie Source Protection Region and subject to policies in the Grand River Source Protection Plan which came into effect July 1, 2016. A completed Section 59 Restricted Land Use (RLU) Screening Form must be part of any Complete Application for a Building Permit or application under the

Planning Act, Building Code Act or Condominium Act, except solely residential uses or if otherwise specified.

- More specifically, the Property is in a vulnerable area identified as the Intake Protection Zone 2 for the Brantford Water Supply and has a vulnerability score of 9.
- Policy Planning, Heritage (County of Brant):
 - As part of the pre-consultation process, Heritage Planning Staff advised that the existing home be retained and that the proposed new home be designed in a style consistent with the existing dwelling and the surrounding neighbourhood character. Staff are satisfied with the level of heritage documentation provided for the site. Given that the existing home is proposed to be preserved and the design of the new infill home appears to align with the heritage character of the area, no further heritage documentation or evaluation is required at this time.
 - The preferred direction is for a detached garage to be located at the rear of the property. However, given the proposed setbacks, a below-grade garage is supported, provided that the design of the new home continues to reflect the established heritage character of the existing dwelling.
 - It is noted that the front porch of the retained home is proposed to be removed to accommodate road widening requirements. However, it is the opinion of Staff that the porch be retained. Retaining the porch is important to preserving the character of the original structure. Should its removal be proposed, a full heritage evaluation may be required, as this would represent a significant impact on the heritage value of the existing home.
 - In addition, it is recommended that the existing driveway be relocated to the area shown below to better align with the County's heritage objectives.
 - Staff support the proposed single-detached dwelling designed to match the character of the existing dwelling. Staff suggest including further design features to match the existing home such as the following:
 - Incorporating further brick elements into the design to pull from the existing home's character such as incorporating brick work into the chimney;
 - Consider using curved shingles rather than square to match the shingles on the existing home; and,
 - Keeping the dormer consistent with the existing home by featuring a peaked roof rather than the flattened peak as demonstrated in the detailed plans. This could also support extended room for a similar arch window as seen on the existing home.
 - Staff are satisfied with the current level of archeological assessment conducted for the proposed development. A stage 3 archeological assessment would be required if future development were to occur outside of the proposed property boundaries and the applicable areas illustrated on Map 12 of the Archeological Assessment. This should be reflected in any future applicable zoning or development agreements related to this development to ensure undisturbed areas remain protected before further development beyond the current proposal can be contemplated.
- Canada Post: No comments

- Grand River Conservation Authority (GRCA):
 - The proposed severed lot is located outside of the GRCA's regulated area. Therefore, the GRCA does not have any concerns with the proposed lot and has no objection to the proposed application.
 - Due to the presence of natural heritage features, a portion of the retained property is regulated by the GRCA under Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits Regulation. Any future development activity or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.
 - Consistent with GRCA's 2023-2025 approved fee schedule, this application is considered a minor consent application, and the applicant will be invoiced in the amount of \$465.00 for the GRCA's review of this application.
- The Mississauga's of the Credit First Nation (MCFN): No comments.
- Grand Bridge Energy: No objection.
 - Owner/Applicant is responsible for 100% of the costs associated with any existing electrical equipment relocations.
 - Prior to site plan approval a Service Layout will be required. We will need to see a drawing that depicts the location of equipment, show existing and proposed grades at all electrical equipment on civil drawing. Only 1 primary service per property is permitted, if second metering is required it will need to be depicted on the service layout.
 - Must maintain ESA minimum clearances between any proposed building, lighting, signs etc. and existing electrical equipment.
- Enbridge Gas Inc.: No objections.
 - It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. Any service relocation required due to a severance would be at the cost of the property owner. For any encroachments, please contact ONTLands@enbridge.com

As part of the circulation, we have not yet received any comments from the following departments:

- Building Department (County of Brant)
- Six Nations
- Bell Canada
- Rogers Canada

Public Considerations

Notice of this application, including contact information and the date of the public hearing, was circulated by mail on May 28, 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 was conducted on May 26, 2025, and the Public Notice sign was posted on the property on June 4, 2025.

At the time of writing this report, one written public comment was received from the residents at 76 Washington Street, along with two additional notices of objection submitted without an address. The resident at 76 Washington Street expressed opposition to the proposed severance, citing concerns regarding the timing of the public notice, potential loss of trees and wildlife, increased traffic and congestion on Washington Street, and personal health impacts.

The two additional notices of objection did not include detailed comments.

Conclusions and Recommendations

The purpose of Consent Application B9-25-AV is to create one (1) new residential lot within the Paris Primary Settlement Area, with full municipal servicing. The proposed severed and retained lots conform to the applicable policies of the Planning Act, are consistent with the Provincial Planning Statement (2024), conform to the County of Brant Official Plan (2023), and meet the provisions of Zoning By-law 61-16.

The subject lands are designated Community Corridor and Natural Heritage System, and zoned Residential Singles and Semis (R2) and Natural Heritage (NH). The existing dwelling is listed on the County of Brant's Heritage Register. While staff are supportive of the proposed consent application, the proposed removal of the front porch raise heritage and compatibility concerns. Retaining the front porch and revising the design to better reflect the character of the existing home and surrounding neighborhood is strongly encouraged.

Any future development will be subject to zoning compliance, detailed design, and technical review through the building permit process. Interdepartmental and agency comments have been considered, and conditions of approval have been recommended where appropriate.

Therefore, it is recommended that Consent Application B9-25-AV be approved, subject to the attached conditions.

Prepared by: Afsoon Veshkini, Junior Planner



Attachments

1. Conditions of Approval
2. Zoning Map
3. Official Plan Map
4. Aerial Map
5. Severance Sketch
6. Site Plan
7. 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

File # B9-25-AV

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)

Attachment 1

Applicant: Mattheus Reniers

File No: B9-25-AV

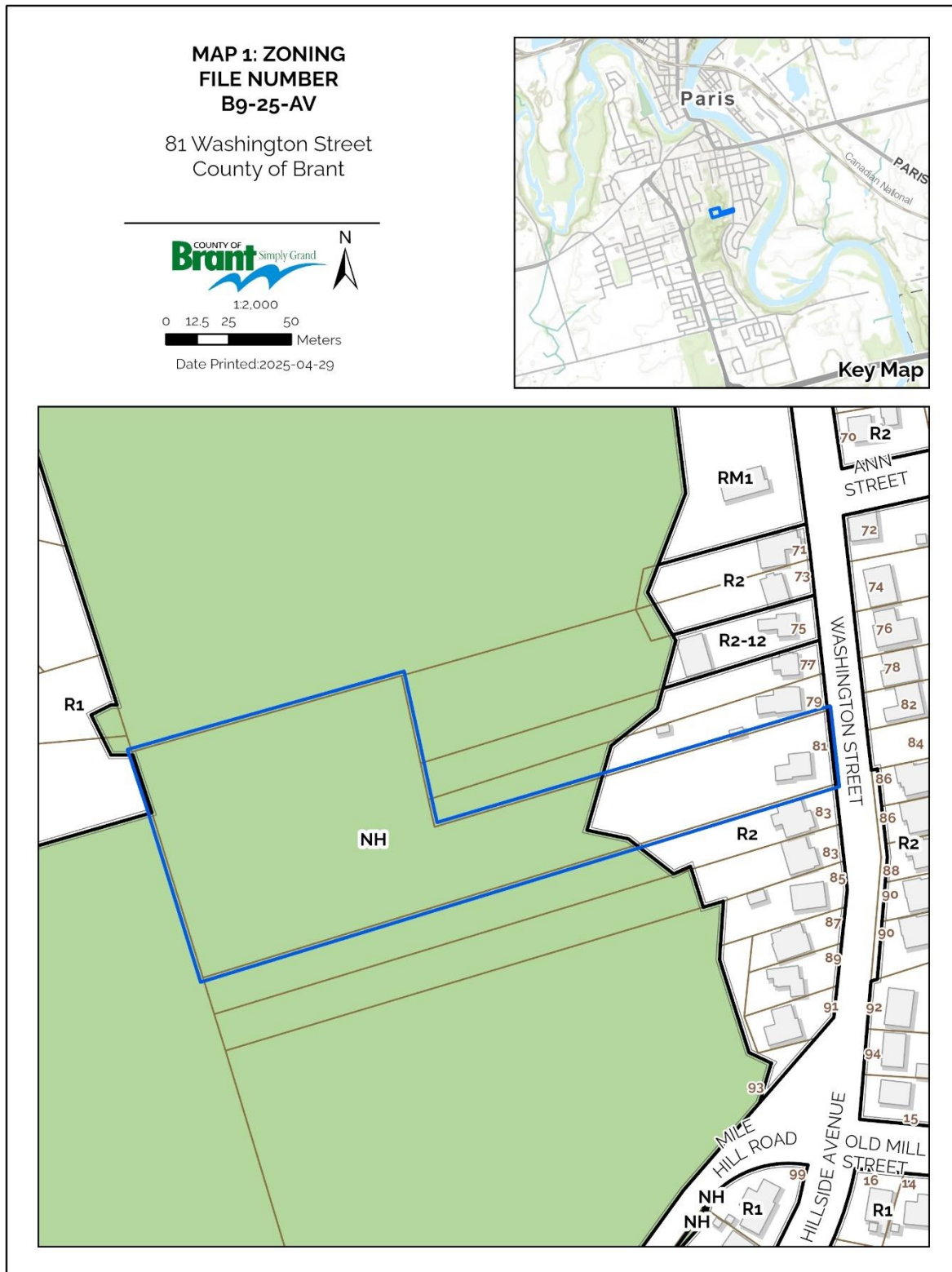
LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

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 a Draft Reference Plan for the proposed 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).
 - a. That the Draft Reference Plan include a 2.46-metre-wide Road Widening across the full frontage of both the Retained and Severed Parcels on Washington Street, conveyed to the satisfaction of the County of Brant.
3. That the Applicant(s) provide proof/copy of draft approved civic addressing for the Severed and Retained lands issued by the Planning Division to the satisfaction of the County of Brant.
4. That the Owner/Applicant(s) remove the detached garage, one shed (as identified on the application materials), and the existing concrete pad from the proposed severed lot prior to the finalization of the Consent, to the satisfaction of the County of Brant. The remaining shed, as proposed, may be retained on the severed lot. Proof of removal of the detached garage, one shed, and the concrete pad shall be provided to the County prior to the stamping of the deeds.
5. That the Owner/Applicant(s) acknowledge and agree that the final house design submitted with the building permit application will be consistent with the preliminary design endorsed through this application and acknowledge that substantial design changes may require further heritage evaluation.
6. That the Owner/Applicant(s) relocate the entrance and driveway for the retained lands to a location between the south property line and the existing residence. This will be done to facilitate the retention of the front porch and support heritage conservation objectives. The relocation shall be completed to the satisfaction of the County through the applicable entrance permit process or other required approvals.
 - b. That proof of entrance construction for the retained lot shall be provided to the County, to its satisfaction, following approval of the new entrance and prior to the stamping of the deeds.
7. That the Owner/Applicant(s) acknowledge and agree that tree preservation for all future development on the proposed new lot and retained lands shall be carried out in accordance with the Arborist Report prepared by Eastwood Arborist Consulting, dated

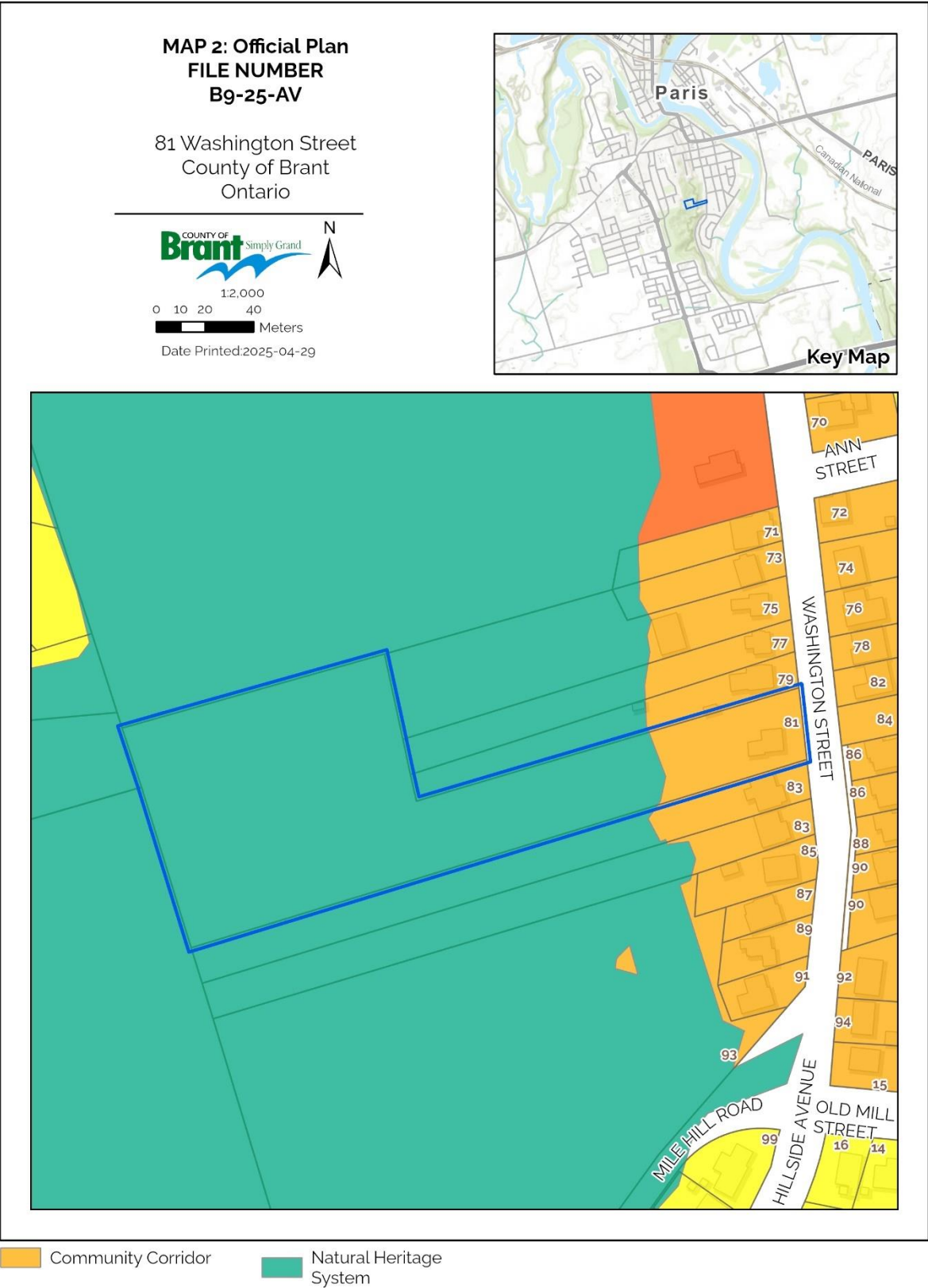
April 2, 2024, to the satisfaction of the County, and that this requirement shall be implemented through the applicable building permit review process.

8. That the Owner/ Applicant(s) provide Parkland dedication and/or Cash-in-lieu of parkland in the amount of \$6016.00, per new lot, to be paid to the County of Brant in accordance with Parkland Dedication By-Law 21-2022, Section 3.1 and 3.2 to the satisfaction of the County of Brant.
9. That the Applicant(s) provide proof that \$600.00, per new building lot, in monies for firefighting purposes has been submitted to the County of Brant, or some other method acceptable to the Fire Department if required, prior to the stamping of the deeds.
10. That the current Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
11. That the Applicant(s) 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).
12. 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.
13. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse .

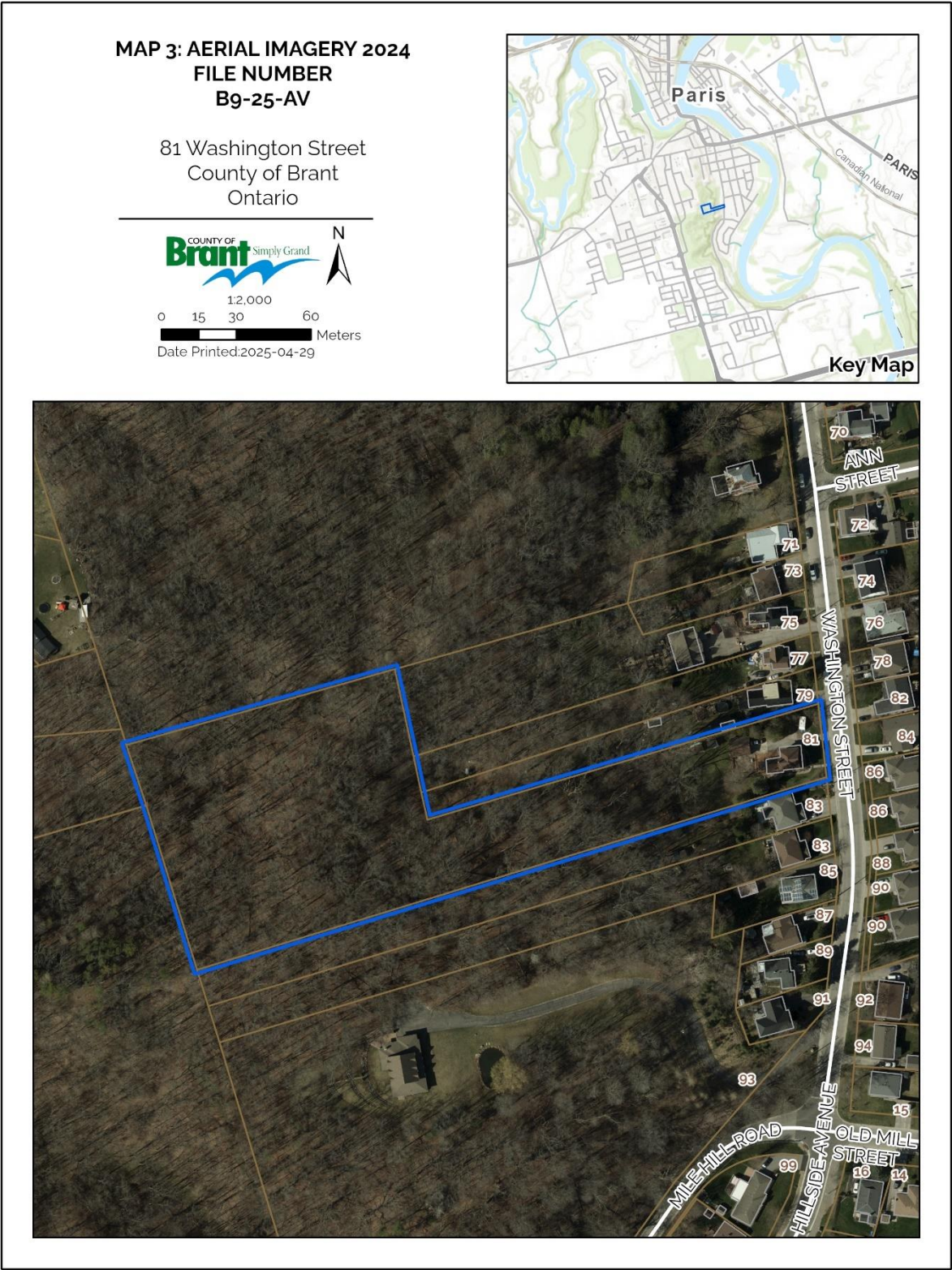
Attachment 2 – Zoning Map



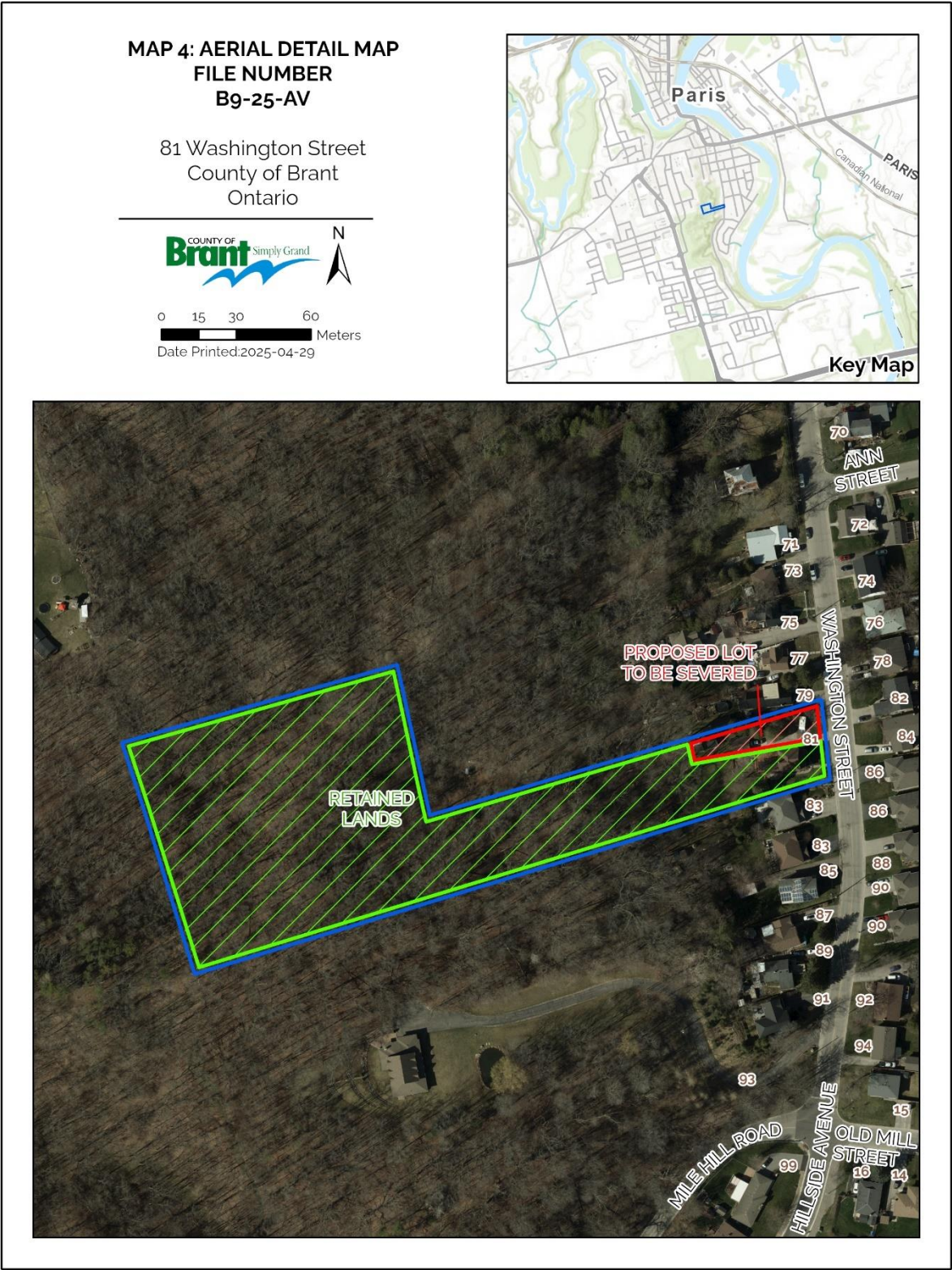
Attachment 3 – Official Plan Map



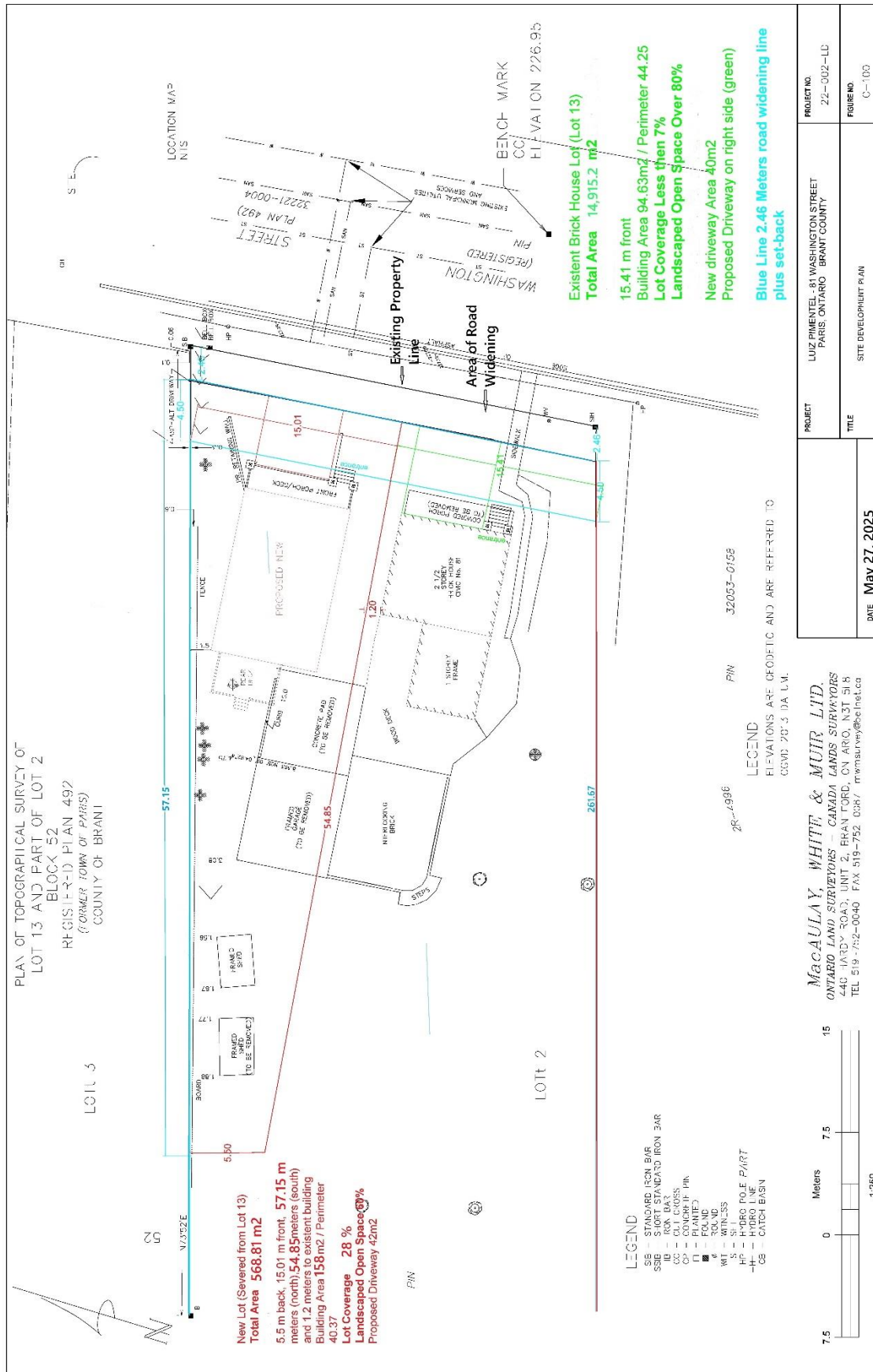
Attachment 4 -Aerial Map



Attachment 5 - Severance Sketch

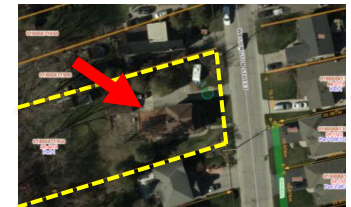


Attachment 6 - Site Plan



Attachment 7- Site Photos











Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Severance
Application No:	B9-25-AV
Location:	81 Washington Street
Agent / Applicant:	Matt Reniers & Associates c/o Matt Reniers
Owner:	Luiz Pimental

This application proposes: **to sever to create one (1) new residential lot to accommodate the construction of a single-detached dwelling. The proposed new lot will have a frontage of 15 metres along Washington Street and an area of 0.056 hectares (568.81 square metres). The retained parcel, which contains an existing single-detached dwelling to remain, will have a frontage of 15.41 metres along Washington Street and an area of approximately 1.49 hectares (14,915.2 square metres).**

Planner: Afsoon Veshkini, Junior Planner, 519.442.7268 x 3014 <afsoon.veshkini@brant.ca>

To view the application and supporting documents, please contact the Planning Department, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

** 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 4: AERIAL DETAIL MAP
FILE NUMBER
B9-25-AV

81 Washington Street
 County of Brant
 Ontario

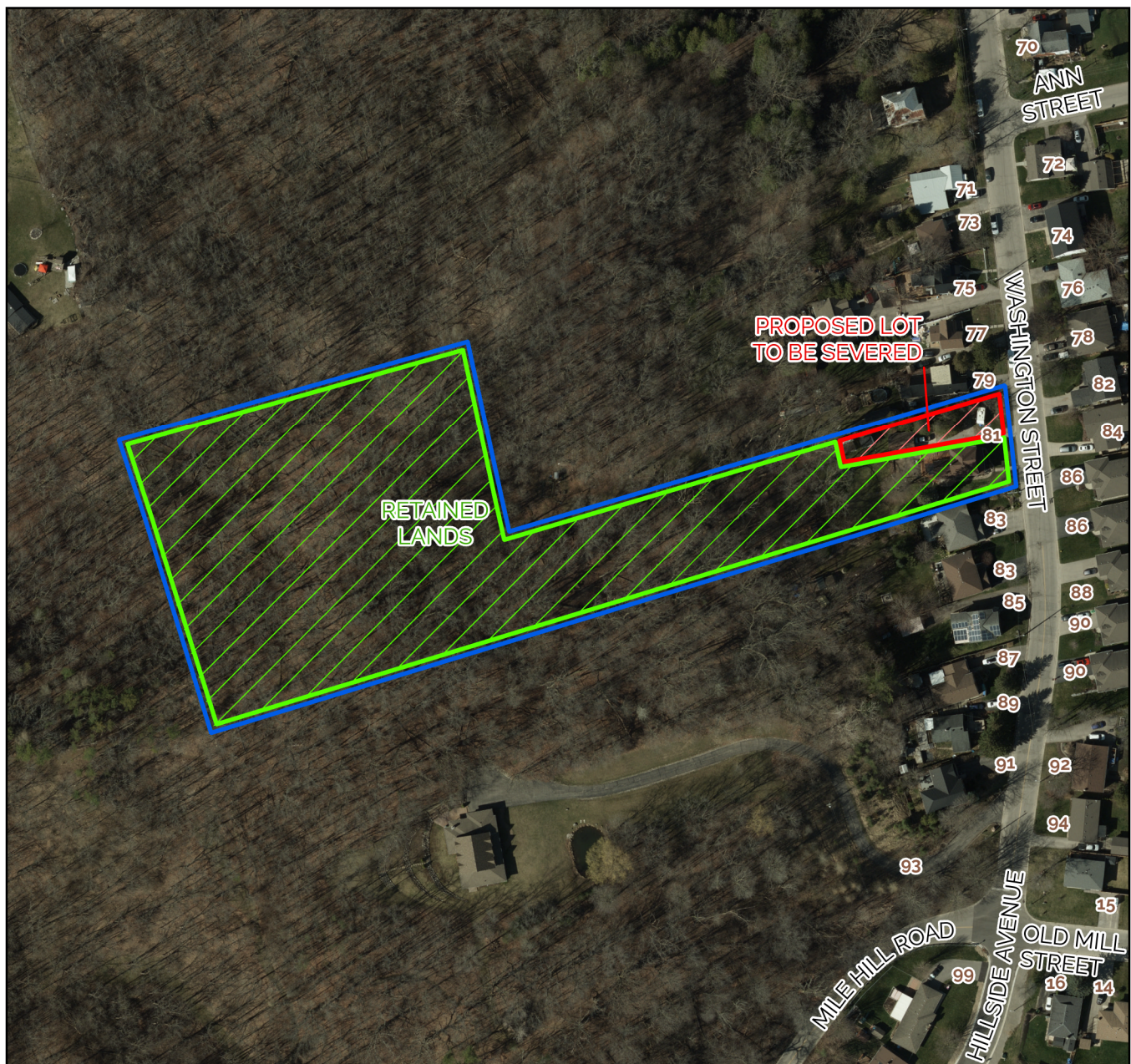


0 15 30 60
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Date Printed: 2025-04-29



Key Map



LOIt 3

New Lot (Severed from Lot 13)
Total Area 568.81 m²
 5.5 m back, 15.01 m front, **57.15 m**
 meters (north), **54.85** meters (south)
 and 1.2 meters to existent building
 Building Area **158 m²** / Perimeter
 40.37
Lot Coverage 28 %
Landscaped Open Space 60%
 Proposed Driveway 42m²

LEGEND

- ## LEGEND

DATE **May 27, 2025**

Page 34 of 176

Nicole Campbell

From: Alexandra Draper [REDACTED]
Sent: June 10, 2025 10:39 PM
To: Nicole Campbell
Subject: Severance

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

This is a email rejecting the B9-25-AV severance.

This is because too many main roads in Paris are currently under construction and the construction of this house will block up Washington Street (which has recently become a main road into Paris with the major development of Rest Acres) for the remainder of the summer at the same time as the Downtown Dig and Dundas Street.

Kind regards,
Alexandra Draper

Nicole Campbell

From: Emma Wylie [REDACTED]
Sent: June 11, 2025 6:35 AM
To: Nicole Campbell
Subject: Severance

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

This is an email rejecting the B9-25-AV severance.

Regards,
Emma Wylie

Nicole Campbell

From: Jessie Sidhu [REDACTED]
Sent: June 11, 2025 12:08 AM
To: Nicole Campbell
Subject: Severance

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole

This is an email rejecting the B9-25-AV severance

Kind Regards
Jessie Sidhu

Get [Outlook for iOS](#)

Nicole Campbell

From: Kim Draper [REDACTED]
Sent: June 10, 2025 5:43 PM
To: Nicole Campbell
Subject: Washington Street

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

We received this letter late last night and that is not appreciated.

The letter states that we need to have written submissions 1 week prior and this deadline is ludicrous. I would like to speak at this meeting. I am vehemently AGAINST this severance and I want that noted. Also, the fact that the late notice has caused me distress.

I have many concerns, many of which are the trees that you would like to take down. The last of the wildlife that remains is tragic.

Clearly the added traffic and the trucks and what this neighborhood has succumbed to in the last several years is nothing short of mind-boggling.

There is too much happening in Paris right now and planned already, congestion on Washington Street for this new build would absolutely be a detriment to my health. I advocated strenuously with Micheal Balog to move the speed hump that was to be positioned outside of my house and I will continue to fight.

I would like to stress that I will do everything and show up to every meeting to not let this happen in my neighborhood and clearly more specifically across from my house again.

I expect that you will respond to this email in kind. Respond that you received this email and that it is that this taken as a written submission as a PROTEST, comments and or whatever needs to count as being a week ahead of time.

If this is inadequate, I hope to hear from you from the end of day on Wednesday to dispute this matter.

What do you need hear more of?

What will it take to win a NO to this severance?

Who received this letter?

Has it already been decided?

Thanks for the short notice

Kim Draper

76 Washington St

From: [REDACTED]
To: [Nicole Campbell](#)
Subject: Severance
Date: June 12, 2025 9:53:12 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

This is an email rejecting the B9-25-AV severance.

Best regards,
Sakina Baqri

Nicole Campbell

From: Troy Draper [REDACTED]
Sent: June 10, 2025 11:55 PM
To: Nicole Campbell
Subject: Application B9-25-AV

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

I strongly suggest that the application to sever the property to build an additional residence at 81 Washington St, under application number B9-25-AV be rejected due to the disruption of the neighbourhood that this would cause.

Washington Street has become one of the main throughway streets connecting the new developments that are continuing to grow above Mile Hill and the North and East ends of Paris. Paris cannot support another main artery being affected while the property is being cleared, and the new build is happening.

Please plan accordingly as navigating the city is becoming increasingly more difficult as the Nith River Bridge on Grand River Street is closed, Dundas Street is reduced to a single lane in either direction, West River Road is closed at Mechanic Street, in addition to the construction happening as part of the Downtown Dig, and tourist season begins.

Sincerely,

Troy Draper

The information and any files attached to this email are confidential and intended solely for the use of AIIM and the intended recipient. Any disclosing, copying or distribution of information within this email without the expressed permission of the writer, is strictly prohibited. If you receive this message in error or are not the named recipient(s) please notify the sender at the email address above and destroy any copies in any form immediately. Any views expressed in this email, or its attachments are those of the individual sender except where the sender, expressly and with authority, states them to be the views of AIIM.



Committee of Adjustment Report

Date: June 19, 2025

Report No: RPT – 0196 - 25

To: The Chair and Members of the Committee of Adjustment
From: Roxana Flores, Junior Planner
Application Type: Minor Variance Applications
Application No: A6-25-RF
Location: 60A Dundas St W
Agent / Applicant: Paul Emerson
Owner: Vincent Bucciachio
Subject: Request for a decision on a Minor Variance Application seeking relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16.

That Application for Minor Variance **A6-25-RF**, from Vince Bucciachio, owner of the lands legally described as PLAN 492 BLK 41 PT LOTS 3, 4 & 17, RP 2R5497 PART 5, in the former Town of Paris and municipally known as 60A Dundas Street West, requesting relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16 to permit an increased maximum lot coverage for accessory structures of approximately 121 square metres, whereas 95 square metres is permitted, and to permit an increased height for an accessory structure of 5.4 metres, whereas 4.5 metres is permitted, **BE APPROVED** subject to conditions.

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

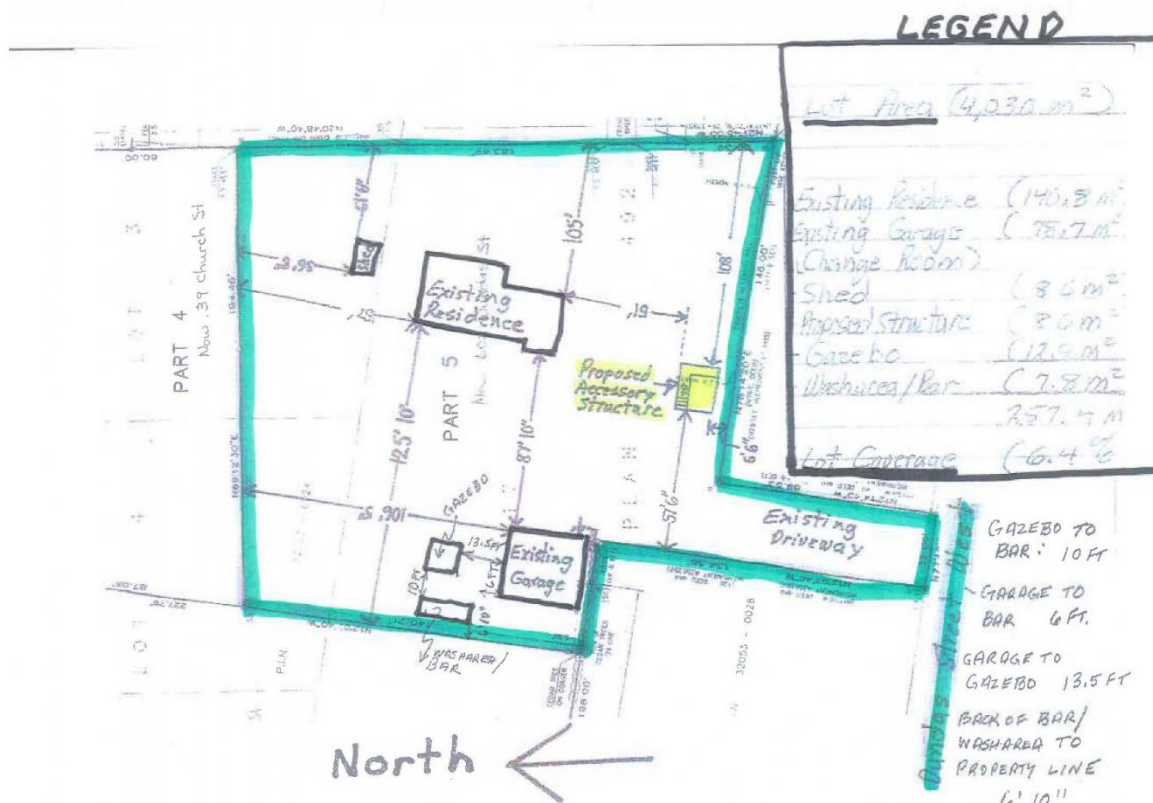
- The proposed variances are considered minor in nature and are desirable for the appropriate development and use of the subject lands;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-Law 61-16;
- The proposed variances meet the four tests of Section 45 (1) of the *Planning Act*.

Executive Summary

That Minor Variance Application **A6-25-RF**, requesting relief from Section 4, Table 4.4.1 of the County of Brant Zoning By-Law 61-16 to permit an increased maximum lot coverage for all accessory structures of approximately 121 square metres, and to permit an increased height for an accessory structure of 5.4 metres. The subject lands are located within an Urban Settlement Area of Paris and are designated Neighbourhoods and Natural Heritage Systems and zoned as Residential Singles and Semis (R2).

Residential Singles and Semis (R2)	Required for Accessory Structures	Proposed
Lot Coverage, max	The lesser of 15% of the total lot area or 95m ²	121 m ² (The addition of the non-complying 13 m ² structure will result in a total accessory lot coverage increase)
Structure Height	4.5m	5.4m (variance for height only applies to non-complying accessory structure)

Figure 1: Proposed Sketch



The application is required in order to facilitate an accessory structure intended for personal storage, resulting in total accessory lot coverage to exceed the maximum permitted. The proposed accessory structure, that has already been constructed, is also subject to the height relief request. The location of the structure is not within the Natural Heritage zoning.

By-law Enforcement received a complaint from a neighbouring property owner regarding the height of the accessory structure. The nature of the complaint was that the structure obstructed their view of the trees located on the subject property. However, the complainant later withdrew the complaint and indicated they had no further concerns about the structure. Based on this information, a building permit will be required, and a condition has been included as part of approval.

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

For the reasons outlined in this report, it is my professional recommendation that the proposed Minor Variance Application A6-25-RF to permit an increased maximum lot coverage for accessory structures of 121 square metres, and to permit an increased height for an accessory structure of 5.4 metres, are appropriate and meet the four tests of a minor variance as required by the *Planning Act* and be **APPROVED**.

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

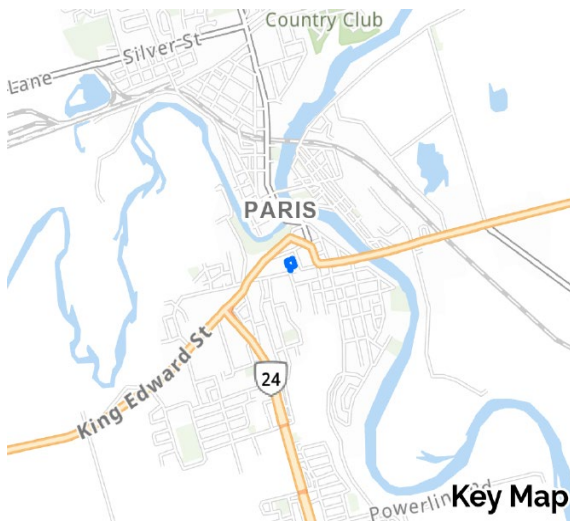
Report

Location/ Existing Conditions

The subject lands are located within the Urban Settlement Area of Paris, north of Church Street, south of Dundas Street, east of Mount Elgin Street, and west of King Edward Street. The subject lands are surrounded by a mix of low- to mid-density residential uses and open space areas.

LOCATION MAP
Application: A6-25-RF
60A Dundas St W

AERIAL IMAGE
Application: A6-25-RF
60A Dundas St W



The subject lands have a frontage of approximately 9.75 metres (31.98 ft) along Dundas Street West and an area of approximately 0.4 hectares (1 acres).

The subject lands contain a single detached dwelling, a detached garage, a gazebo, a small shed, an additional accessory structure used as a wash station, and a swimming pool. The property is currently serviced by municipal water, sanitary, and storm.

Analysis

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.

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

Provincial Planning Statement – 2024

The *Provincial Planning Statement (PPS)* provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for

regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the Planning Act.

The proposed Minor Variance application is consistent with Section 2.3 of the 2024 Provincial Policy Statement (PPS) for Settlement Areas, which directs growth to settlement areas and promotes efficient land use patterns.

- The subject property is located within the Urban Settlement Area of Paris and is fully serviced. The accessory structure supports the intent of the policy by utilizing existing infrastructure and complementing the established residential use on the property.

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

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 subject lands as being designated Neighbourhoods and Natural Heritage System under Section 1.1, and located within the Urban Settlement Area of Paris.

- The proposed Minor Variance is consistent with Section 1.1 of the Official Plan, which promotes the development of complete, connected, and sustainable communities. It also aligns with the intent of the Neighbourhoods designation, which supports residential uses and compatible supportive uses. The accessory structure supports an existing single detached dwelling and contributes to the established residential character and function of the surrounding area.

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

Zoning By-Law 61-16:

The subject lands are zoned as **Residential Singles & Semis (R2)** 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 8, Table 8.1.1 of the County of Brant Zoning By-Law identifies that a Single Detached Dwelling is a permitted use for lands zoned as Residential Singles & Semis (R2).

The table below outlines how the proposal conforms to the requirements of Section 4, Table 4.4.1 of the County of Brant Zoning By-law for accessory structures.

Residential Singles & Semis (R2)	Required	Proposed (Accessory Structure)
Lot coverage for accessory structures, max	The lesser of 15% of the total lot area or 95m ²	121 m ² (The addition of the non-complying 13 m ² structure will result in a total accessory lot coverage increase)
Interior side yard and rear yard setback, min (m)	1.2m	2.0m
Structure height, max (m)	4.5m	5.4m (for non-complying accessory structure)
Total lot coverage, max	40%	6.5%

- ***Any additional structures proposed in the future may be subject to further Minor Variance Applications.***
- ***All other requirements of the Zoning By-Law 61-16 are being satisfied.***

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

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

Relief Request 1: Lot coverage max for accessory structures

Zoning Standard: 95 m²

Relief Requested: 121 m²

Test 1 – Intent of the Official Plan:

60A Dundas Street West is designated as Neighbourhoods within the Urban Settlement Area of Paris under the County of Brant Official Plan (2023).

The proposed increase in lot coverage for accessory structures maintains the intent of the County of Brant Official Plan by supporting the continued use of the property for low-density residential purposes within the Urban Settlement Area. The increase in coverage is for an accessory structure that complements the existing single detached dwelling and does not compromise the residential character, function, or compatibility of the neighbourhood. The proposal supports a complete and functional living space by improving

how the property is used, while staying in line with the Neighbourhoods designation and not impacting infrastructure or planned land use.

Test 2 – Intent of the Zoning By-law:

The proposed increase in lot coverage for accessory structures maintains the intent of the Zoning By-Law, which is to ensure that accessory buildings remain secondary to the principal residential use and that overall development on the lot is compatible with the surrounding area. Although the accessory coverage exceeds the specific limit, the total lot coverage remains well below the permitted 40%, ensuring that the property is not overdeveloped and that open space and functionality are preserved.

Test 3 – Desirability / Appropriate:

The proposed increase in maximum lot coverage for accessory structures as it allows for functional use of the space without negatively impacting the surrounding properties. The structure remains compatible with the residential character of the area and supports the overall use of the property as a low-density residential lot.

Test 4 – Minor in Nature:

The proposed increase in accessory structure lot coverage is minor in nature, as the total coverage on the lot will remain at approximately 6.5%, which is well below the overall 40% lot coverage permitted for all structures in the R2 zoning. The variance involves a minor increase beyond the accessory structure limit and does not cause overdevelopment or negatively affect neighbouring properties.

Relief Request 2: Structure height max for accessory structures

Zoning Standard: 4.5 m

Relief Requested: 5.4 m

Test 1 – Intent of the Official Plan:

60A Dundas Street West is designated as Neighbourhoods within the Urban Settlement Area of Paris under the County of Brant Official Plan (2023).

The proposed increase in height for the accessory structure is consistent with the County of Brant Official Plan as it supports residential uses within the Urban Settlement Area. The increased height does not impact the character of the neighbourhood and allows the homeowner to better utilize their property. This supports the Official Plan's objective to maintain stable residential areas and promote efficient use of land and services.

<p>Test 2 – Intent of the Zoning By-law:</p> <p>The additional height of the accessory structure will accommodate the storage of large lawn equipment and personal items while maintaining its status as an accessory building. Furthermore, the structure remains lower in height than the main dwelling and continues to be visually and functionally accessory to the primary residence. The increased height does not cause any adverse effects on neighboring properties, such as loss of sunlight, privacy, or views, and the structure is appropriately set back from property lines. As such, the proposal aligns with and maintains the intent of the zoning by-law.</p>
--

<p>Test 3 – Desirability/ Appropriate:</p> <p>The increased height of the accessory structure allows for more storage and better use of the property without causing any negative effects on nearby properties. It supports the homeowner’s needs while maintaining the area’s residential character.</p>
--

<p>Test 4 – Minor in Nature:</p> <p>The proposed height increase from 4.5 m to 5.4 m is minor in nature. The structure is not visible from the road and is only visible from the subject property and the rear yards of immediately adjacent properties. The accessory structure meets all required setbacks, and the presence of mature trees on the property provides a natural buffer, minimizing any visual impact. Its location ensures adequate separation, preventing adverse shadowing or impact on adjacent properties. Overall, the increase maintains the accessory nature of the building and it doesn’t negatively affect the neighbourhood or neighbouring properties.</p>

Conclusion

Each of the two 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.

Interdepartmental Considerations

<p>Discussion with Building Department:</p> <p>As confirmed through discussion with the Building Department, a building permit will be required for the non-complying accessory structure. The inclusion of the uncovered stairs and balcony in the area calculation increases the total size from 8.6 square metres to approximately 13 square metres. Since accessory structures exceeding 10 square metres are not exempt from permit requirements, a building permit is required.</p> <p>As such, in light of the complaint that was received and the exceeded area of the structure, a condition has been included that a building permit will be required.</p>

Please note that from a Planning Department perspective, the building area calculation excludes open porches, verandas, steps, fire escapes, breezeways, and accessory buildings or structures.

No Comments were received from the following:

- Development Engineering Department
- Environmental Planning
- Enbridge Gas Inc.
- Mississaugas of the Credit First Nation (MCFN)

Public Considerations

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

A site visit was completed on March 25, 2025. The posting of the Public Notice sign was completed on June 4, 2025.

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

Conclusions and Recommendations

Minor Variance Application **A6-25-RF** is seeking relief from Zoning By-Law 61-16 Section 4, Table 4.4.1 to permit an increased maximum lot coverage for accessory structures of 121 square metres, whereas 95 square metres is permitted, and to permit an increased height for an accessory structure of 5.4 metres, whereas 4.5 metres is permitted

The applicant has provided a site sketch to demonstrate the location of the accessory structure with zoning setbacks. Additionally, an aerial photo demonstrates its position relative to other buildings on the property and illustrating the lot's substantial size.

Review of this Minor Variance Application has had regard for Section 45 (1) of the Planning Act R.S.O 1990 and Planning analysis confirms that the requested relief meets the 'four tests':

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

Therefore, it is my professional recommendation that Minor Variance Application **A6-25-RF**, **BE APPROVED** subject to conditions.

Page 9 of 19

Prepared by:



Roxana Flores

Attachments

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

File # A6-25-RF

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)

Attachment 1- Conditions of Approval

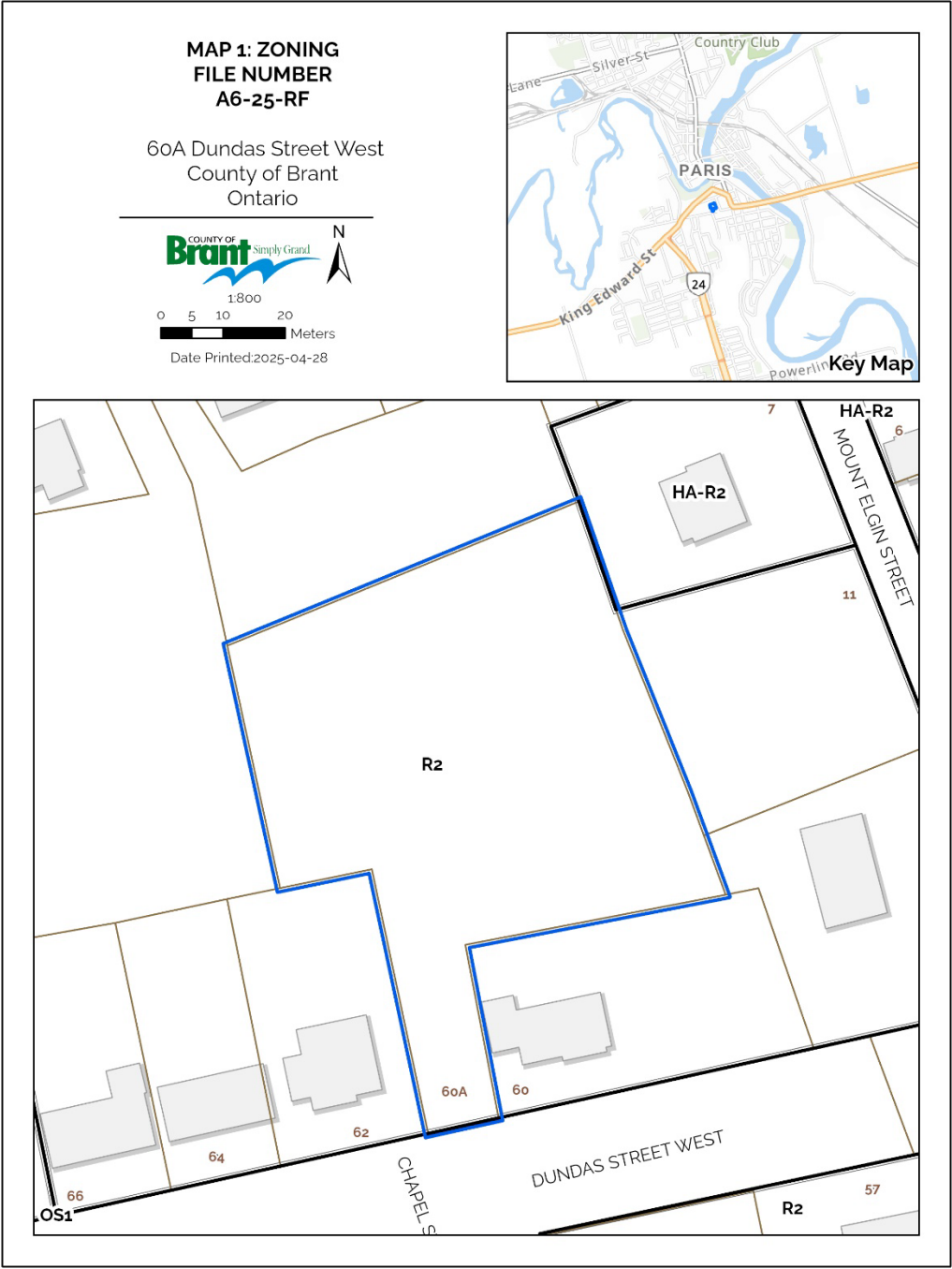
Applicant: Vincent Bucciachio

File No: A6-25-RF

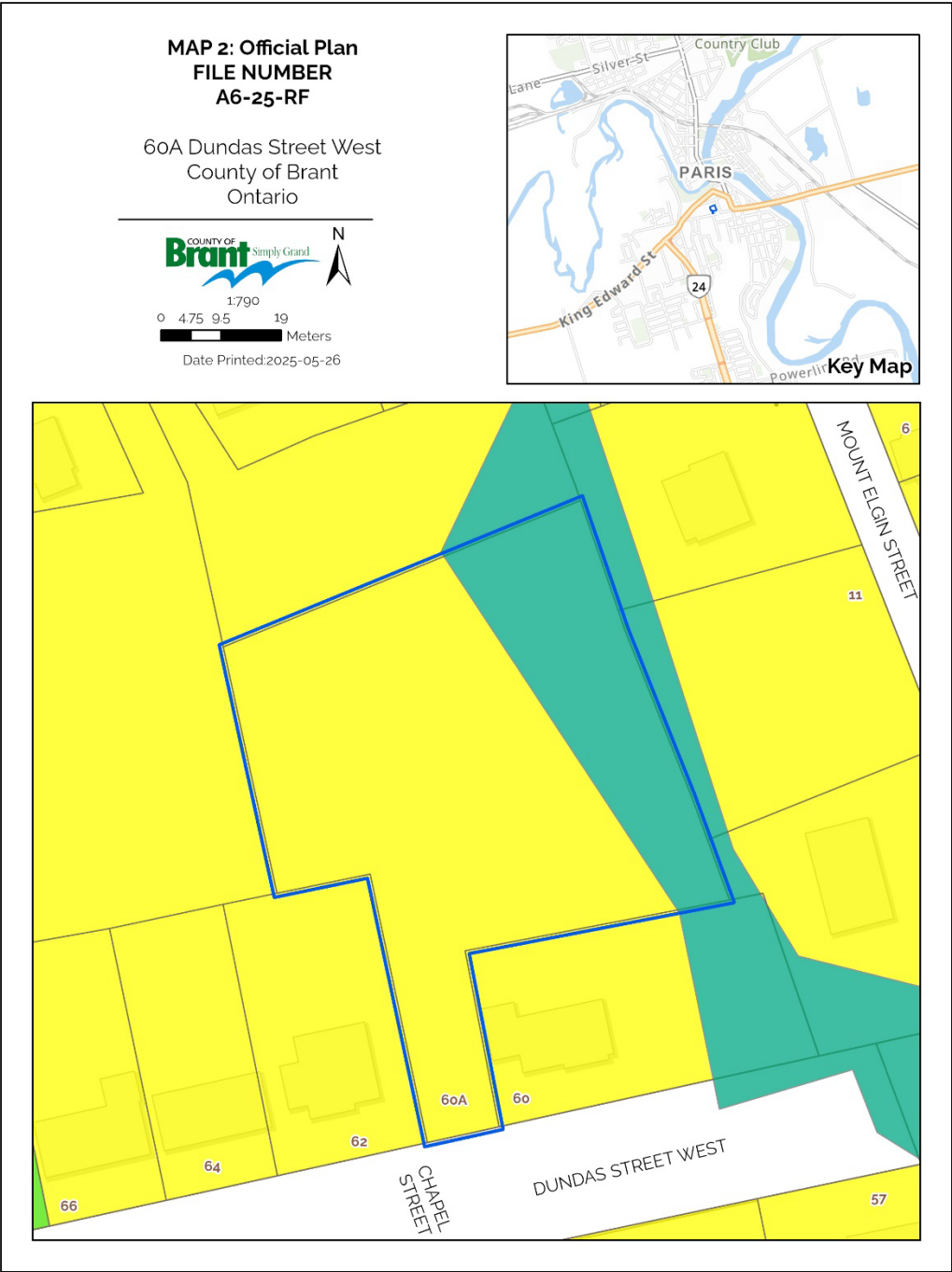
LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. That the Applicant/ Owner demonstrate confirmation from the Building Division that building permits, as required have been obtained, to the satisfaction of the County of Brant.
2. That the above conditions be satisfied within two years of the date of the decision, with confirmation sent by the Secretary-Treasurer pursuant to 45 (1) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

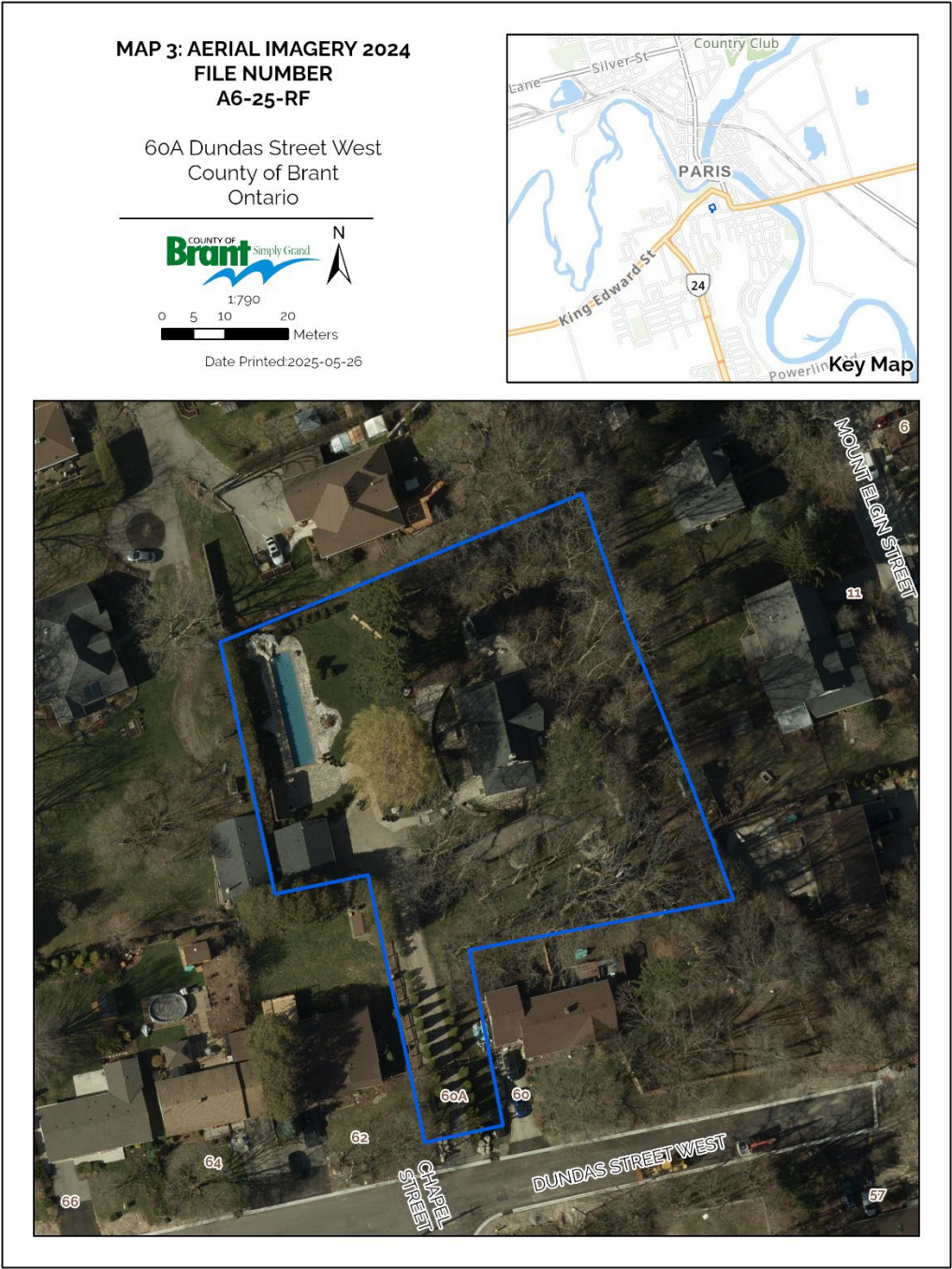
Attachment 2 – Zoning Map



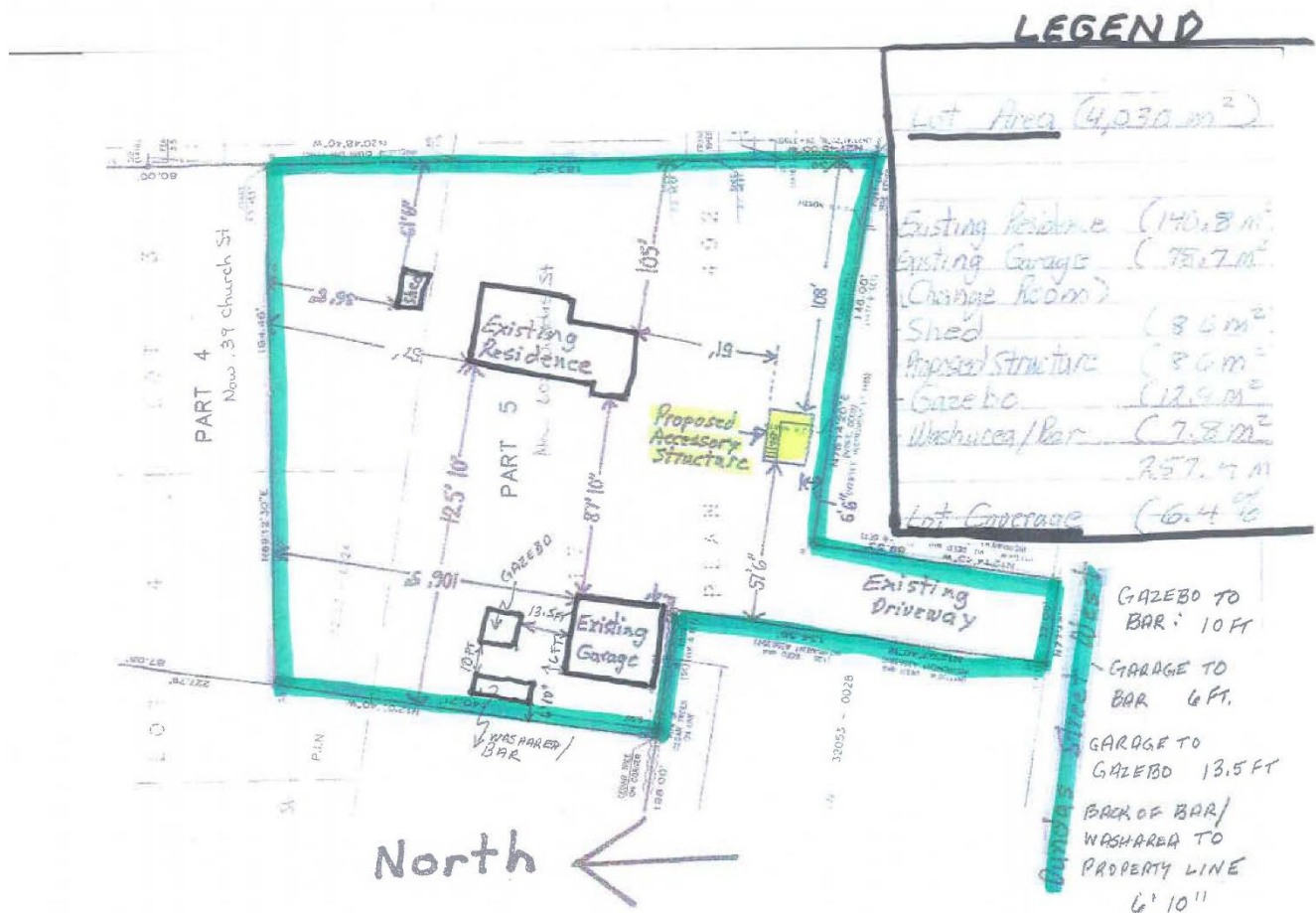
Attachment 3 – Official Plan Map



Attachment 4 – Aerial Map



Attachent 5 – Site Plan Sketch



Attachent 6 – Site Photos



View from Dundas Street – Neighbouring property to the right of the subject lands. The accessory structure is not visible.



View from the front entrance of the subject property – the accessory structure is not visible.



View from Dundas Street – Neighbouring property to the left of the subject lands. The accessory structure is not visible.



View of the accessory structure upon entering the subject property.



Front view of the accessory structure in relation to the main dwelling.



Side of the accessory structure.



Rear of the accessory structure.



Inside the accessory structure.



View from the rear boundary of the property



Pergola and wash station.



View from Dundas St.



View from Dundas St.

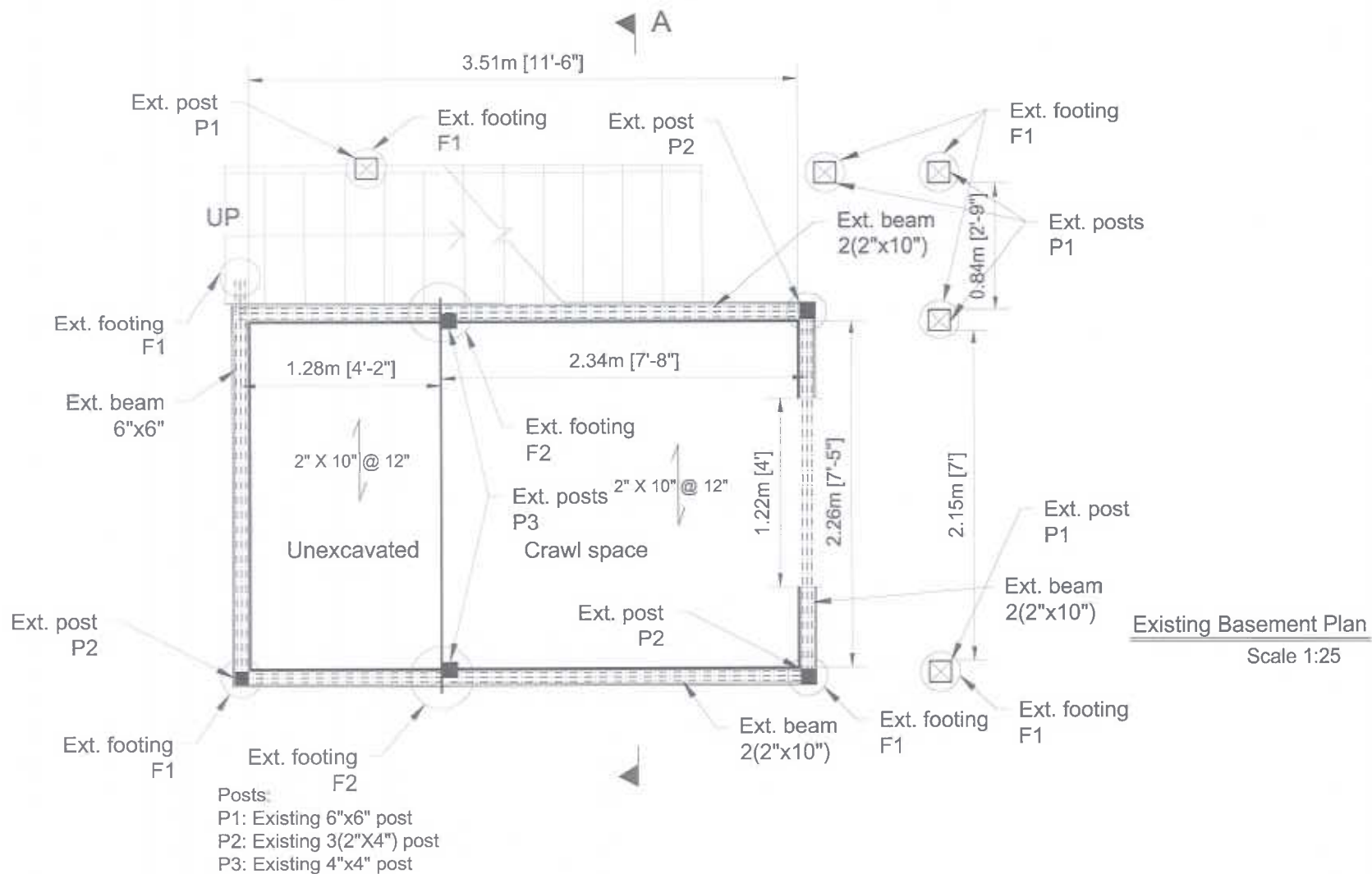
EXISTING SHED BUILDING LOCATED AT
60A DUNDAS STREET WEST, PARIS, ONTARIO

SHEET INDEX	
S0.01	COVER PAGE
S1.01	EXISTING BASEMENT PLAN
S1.02	EXISTING FIRST PLAN
S1.03	EXISTING SECOND PLAN
S1.04	PROPOSED BASEMENT PLAN
S1.05	PROPOSED FIRST PLAN
S2.01	EAST AND WEST VIEWS
S2.02	SOUTH AND NORTH VIEWS
S4.01	SECTION A

ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
60A Dundas street West Paris, Ontario		
TITLE:		
Cover Page		

SauzTeq
Engineering Inc.
www.SauzTeq.ca
Tel: 805-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S0.01
APPROVED BY:	



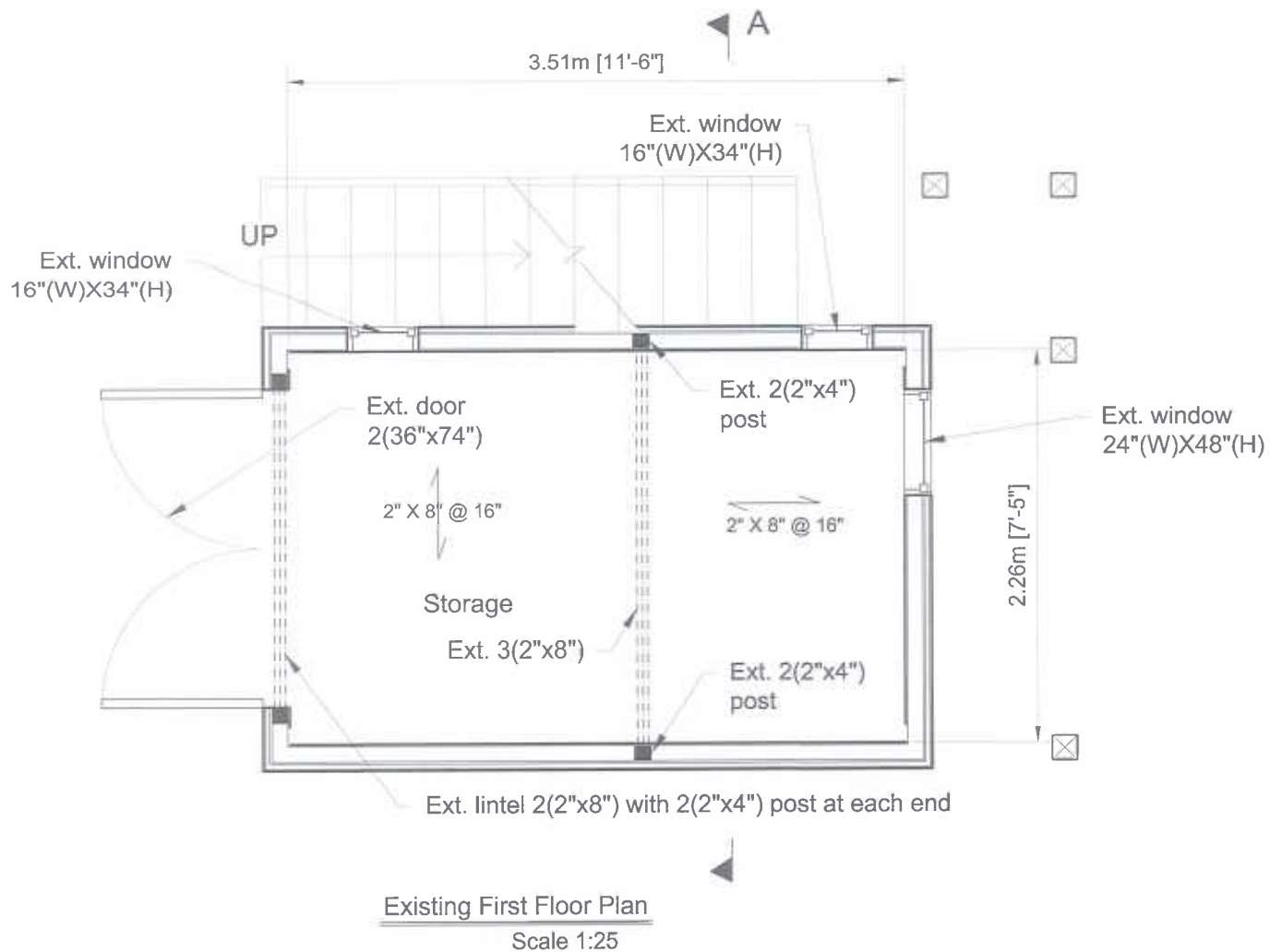
Posts:
P1: Existing 6"x6" post
P2: Existing 3(2"x4") post
P3: Existing 4"x4" post

Footings:
F1: Existing concrete footing 10" Dia. with 4ft(min) embedment
F2: Existing concrete footing 16" Dia. with 4ft(min) embedment
(size and depth of footings to be verified by contractor)

Existing Basement Plan
Scale 1:25

ENGINEER SEAL		
No.	Revision/Issue	Date
PROJECT: 60A Dundas street West Paris, Ontario		
TITLE: Existing Basement Plan		
SCALE:	DRAWING NO.:	S1.01
DESIGNED BY:		
APPROVED BY:		

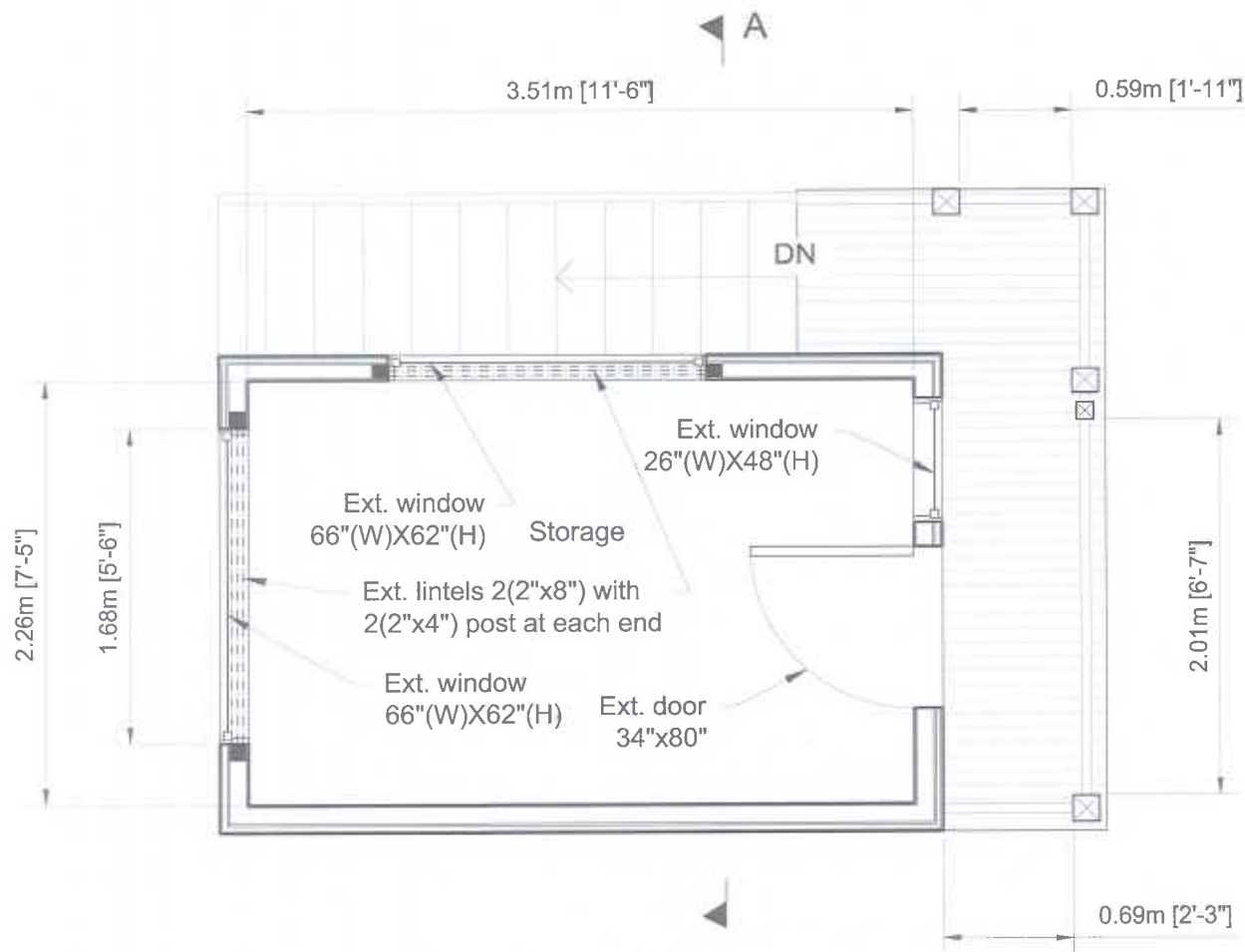
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www.SauzTeq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca



ENGINEER SEAL		
No.	Revision/Issue	Date
PROJECT: 60A Dundas street West Paris, Ontario		
TITLE: Existing First Floor Plan		

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Tel: 905-330-2431
Email: info@sauzteq.ca

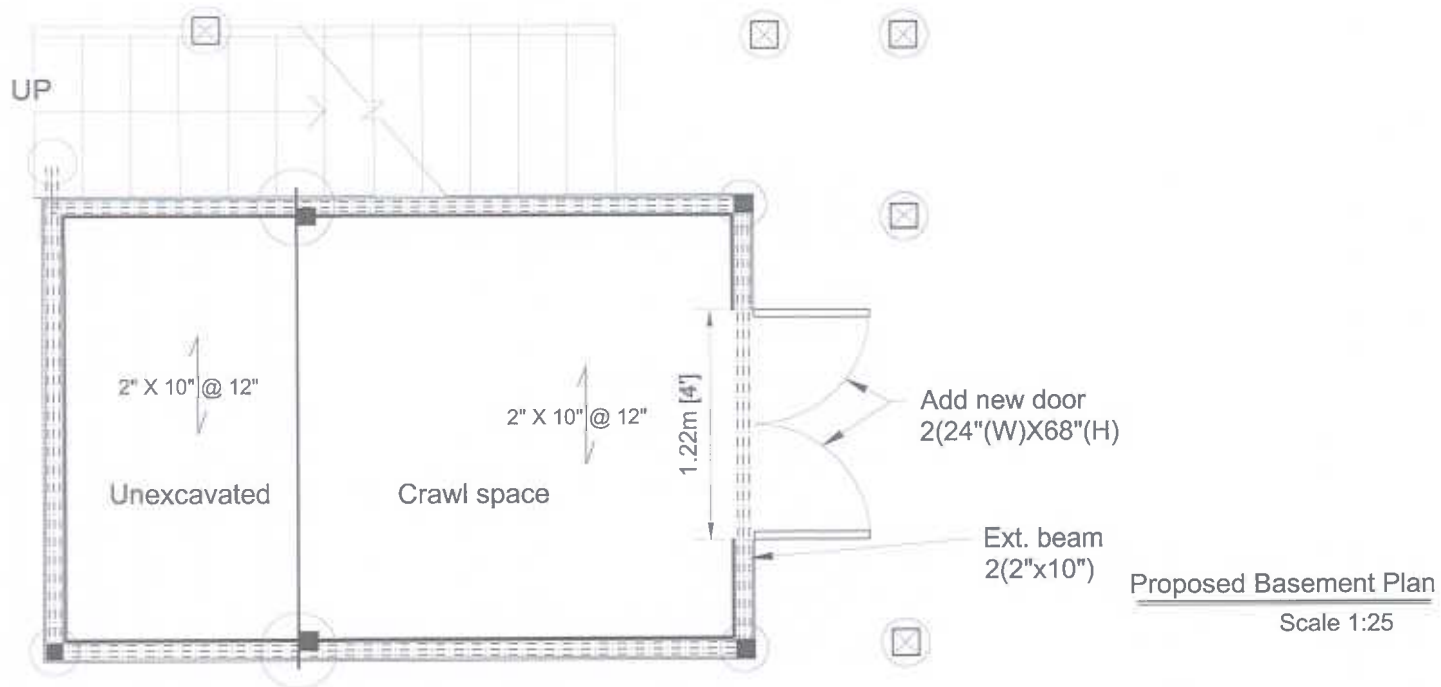
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DESIGNED BY:	S1.02
APPROVED BY:	



Existing Second Floor Plan
Scale 1:25

ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
60A Dundas street West Paris, Ontario		
TITLE:		
Existing Second Floor Plan		

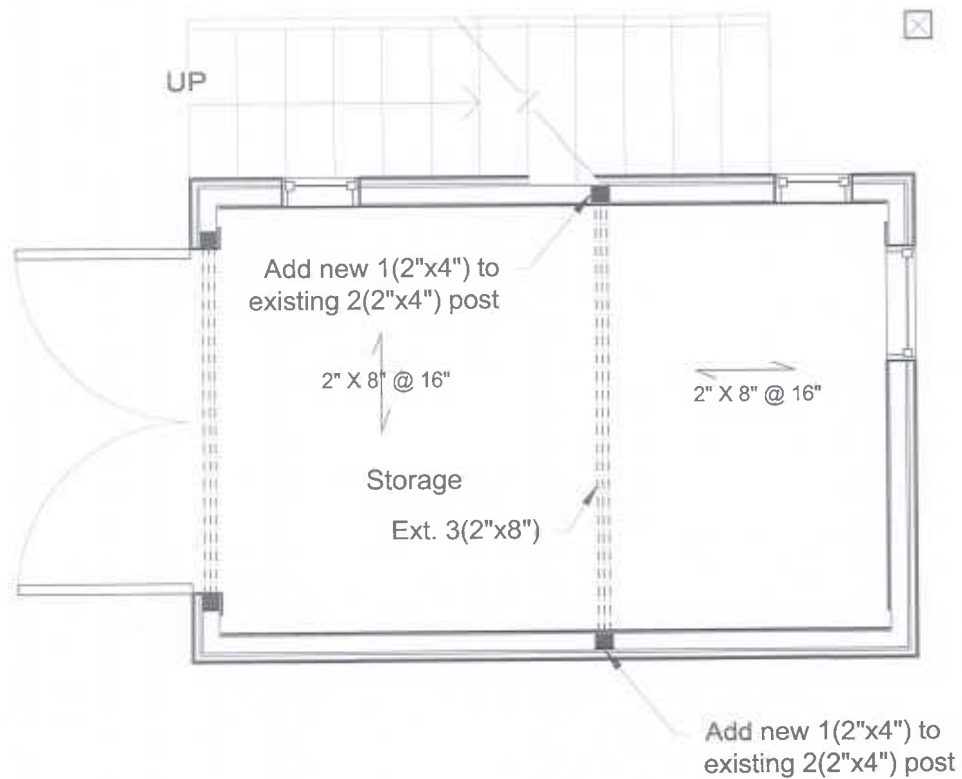
SauzTeq Engineering Inc. www.SauzTeq.ca Tel: 905-330-2431 Email: info@sauzteq.ca	SCALE:	DRAWING NO.
	DESIGNED BY:	S1.03
	APPROVED BY:	



ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
60A Dundas street West Paris, Ontario		
TITLE:		
Proposed Basement Plan		

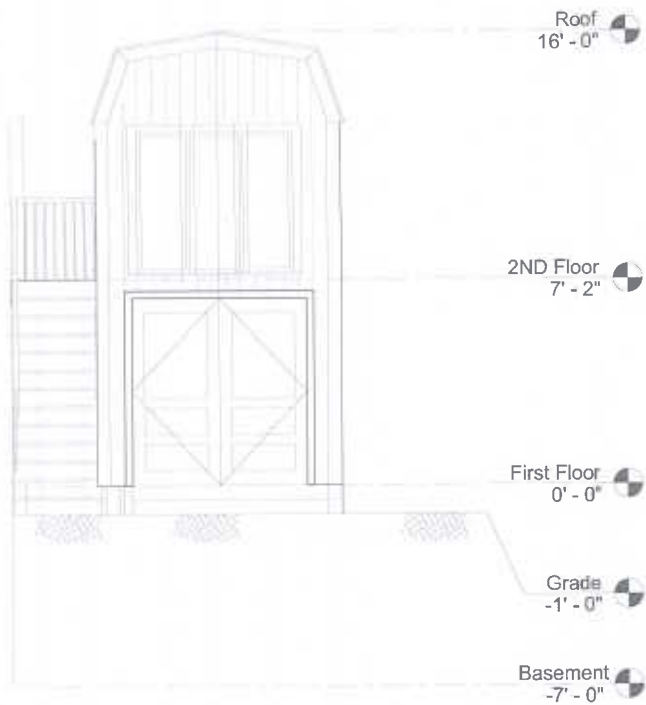
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Engineering Inc.**
www.SauzTeq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S1.04
APPROVED BY:	

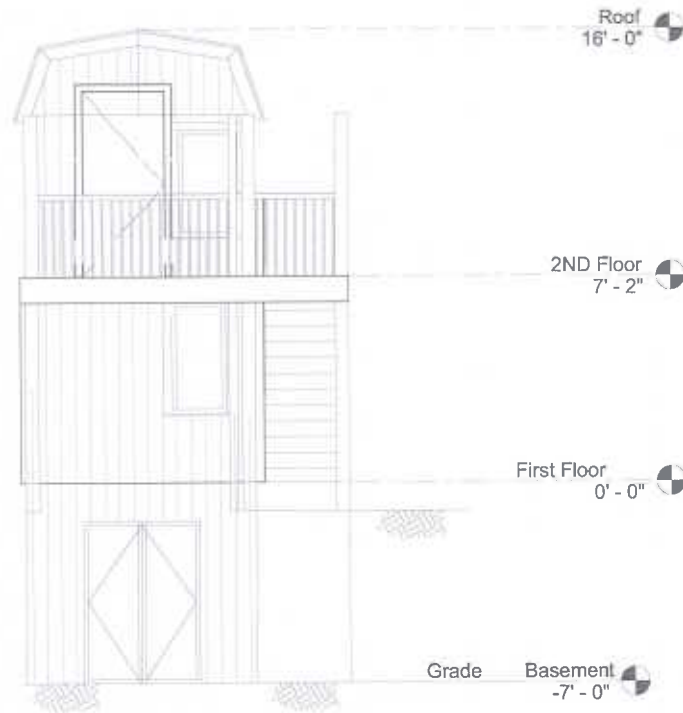


Proposed First Floor Plan
Scale 1:25

ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
60A Dundas street West Paris, Ontario		
TITLE:		
Proposed First Floor Plan		
SCALE:	DRAWING NO.	S1.05
DESIGNED BY:		
APPROVED BY:		



West View
Scale 1:50



East View
Scale 1:50

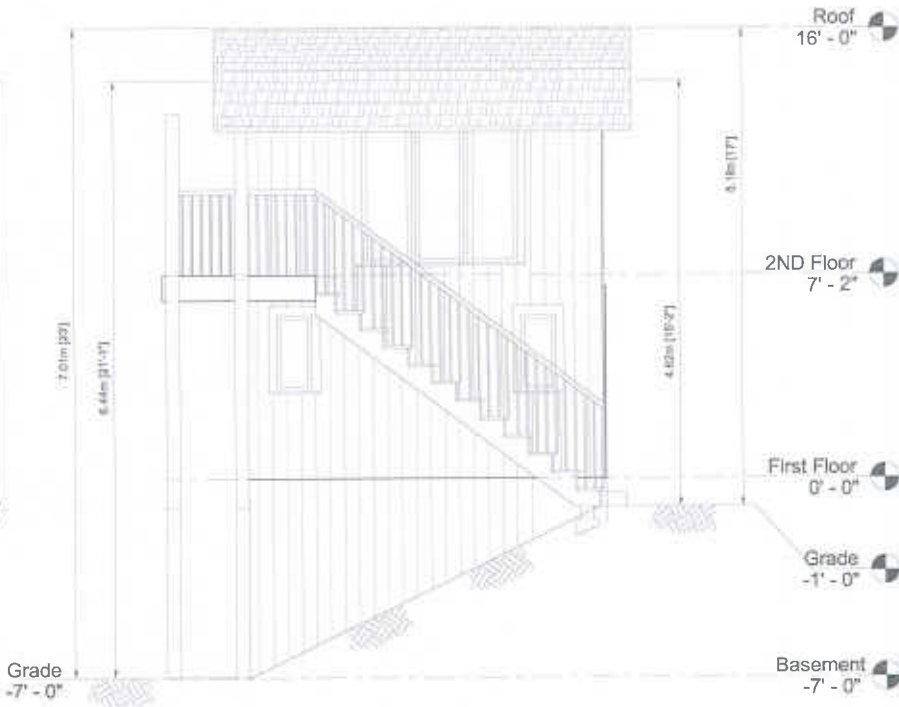
ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT:		
60A Dundas street West Paris, Ontario		
TITLE:		
West and East Views		

**SauzTeq
Engineering Inc.**
www.Sauzteq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.
DESIGNED BY:	S2.01
APPROVED BY:	



South View
Scale 1:50



North View
Scale 1:50

ENGINEER
SEAL

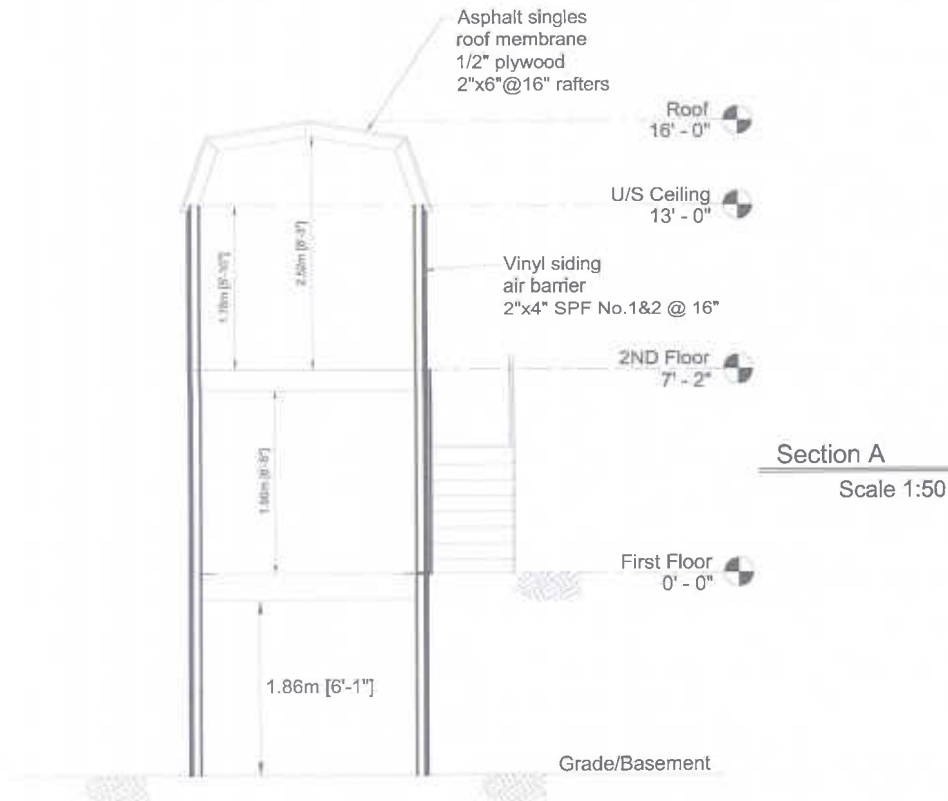
No.	Revision/Issue	Date

PROJECT:
60A Dundas street West
Paris, Ontario

TITLE:
South and North Views

SauzTeq
Engineering Inc.
www.SauzTeq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

SCALE:	DRAWING NO.:
DESIGNED BY:	S2.02
APPROVED BY:	



GENERAL NOTES:

- 1-ALL INFORMATION IS SHOWN AS EXISTING SHALL BE CHECKED AND VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. IF ANY DISCREPANCIES FOUND IN DRAWINGS, INFORM THE ENGINEER BEFORE PROCEEDING THE WORK.
- 2-CONTRACTOR TO CAREFULLY EXAMINE ALL EXISTING SITE CONDITIONS AND BUILDING COMPONENTS, SO THAT A CLEAR AND COMPREHENSIVE UNDERSTANDING OF THE SCOPE OF WORK IS ACHIEVED.
- 3-WHERE EXISTING CONSTRUCTION TO REMAIN IS DAMAGED BY CONTRACTOR'S DEMOLITION WORK, THE CONSTRUCTION MUST BE REPAIRED TO MATCH EXISTING.
- 4-THE EXISTING UTILITIES SHOULD BE PROTECTED AND RELOCATED IF REQUIRED.
- 5-IT IS THE CONTRACTOR'S RESPONSIBILITY WHEN DEMOLISHING THE EXISTING WALLS AND CEILINGS TO ENSURE THAT ELECTRICAL SERVICES WITHIN WALLS AND CEILING ARE NOT LIVE.
- 6-AT LOCATIONS WHERE EXISTING WALLS, PIPING, DUCTWORK, AND MILLWORK ARE TO BE REMOVED, CONTRACTOR SHALL REPAIR AND MAKE GOOD AFFECTED SURFACES TO MATCH EXISTING.
- 7-MATERIAL FOR LUMBERS IS S-P-F, NO.1/No.2.
- 8-DO SITE MEASUREMENTS FOR EXACT SIZES OF NEW POSTS.

ENGINEER SEAL:		
No.	Revision/Issue	Date
PROJECT: 60A Dundas street West Paris, Ontario		
TITLE: Section A		
SCALE:	DRAWING NO.	
DESIGNED BY:	S4.01	
APPROVED BY:		

**SauzTeq
Engineering Inc.**
www.SauzTeq.ca
Tel: 905-330-2431
Email: info@sauzteq.ca

Lot Area (4,030 m²)

Existing Residence	(140.8 m ²)
Existing Garage	(75.7 m ²)
(Change Room)	
Shed	(8.6 m ²)
Proposed Structure	(8.6 m ²)
Gazebo	(12.9 m ²)
Washhouse / Per	(7.8 m ²)
	257.4 m
Lot Coverage	(6.4 %)

GAZEBO TO
BAR: 10 FT

- GARAGE TO
BAR 6 FT.

GARAGE TO
GAZEBO 13.5 FT

BACK OF BAR/
WASH AREA TO
PROPERTY LINE
6' 10"

PART 4
Now, 39 church st

Existing Residence

Proposed
Accessory
Structure

Existing
Driveway

North

Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Minor Variance
Application No:	A6-25-RF
Location:	60A Dundas Street West
Agent / Applicant:	Paul Emerson
Owner:	Vincent Bucciachio

This application proposes: **To seek relief from Section 4.4, Table 4.4.1 of Zoning By-law 61-16 to permit the following:**

- 1. Increased lot coverage of 116.60m² for accessory structures, whereas a maximum of 95m² is permitted; and**
- 2. An accessory structure height of 5.4 metres, whereas the maximum permitted height is 5 metres. The accessory structure is intended for personal storage use.**

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. 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

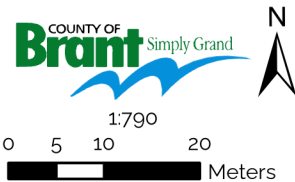
Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

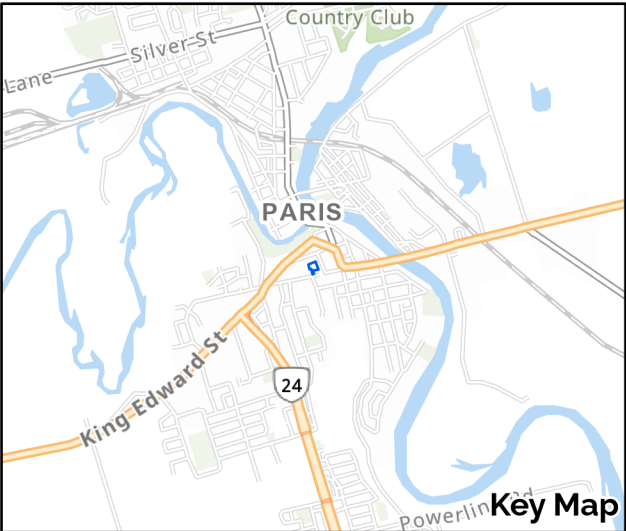
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation 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 2024
FILE NUMBER
A6-25-RF

60A Dundas Street West
County of Brant
Ontario



Date Printed: 2025-05-26



LEGEND

Lot Area (4,030 m²)

Existing Residence (145.8 m²)

Existing Garage (78.7 m²)

(Garage Room)

Shed (8.6 m²)

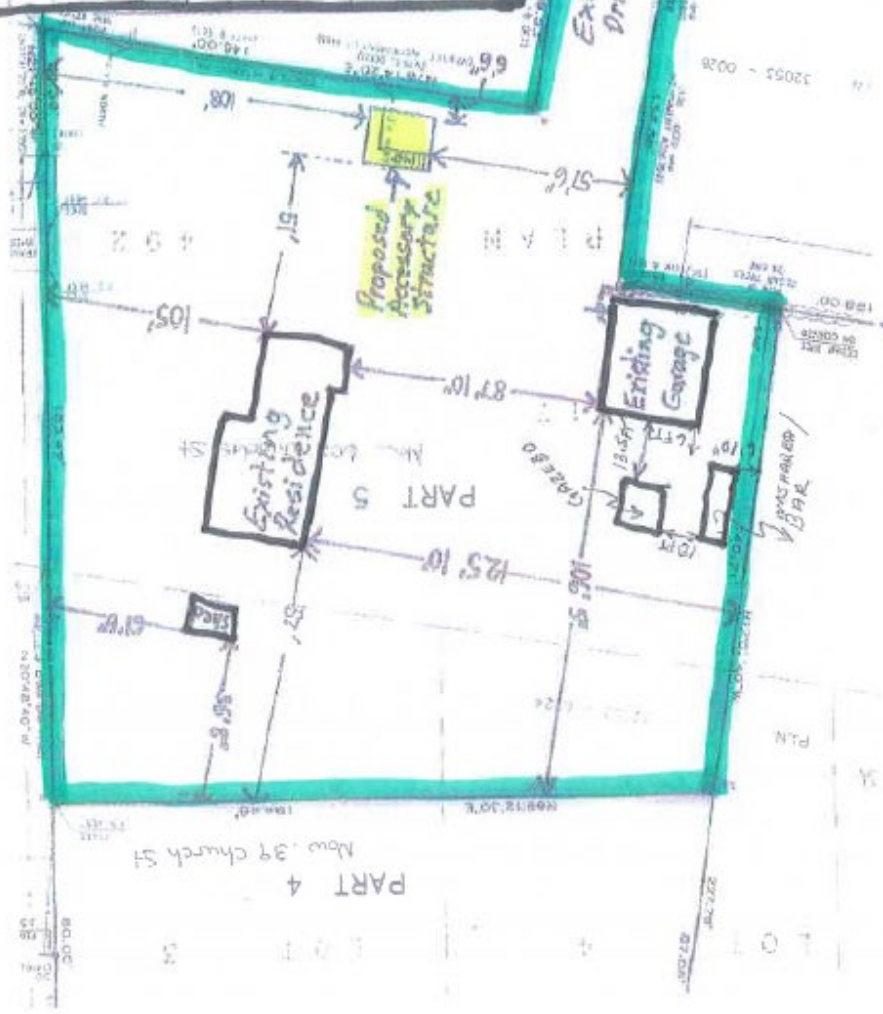
Proposed Structure (8.6 m²)

Gazebo (12.9 m²)

Warehouse/Bar (7.8 m²)

257.7 m

Lot Coverage (6.4 %)



GAZEBO TO BAR: 10 FT

GAZEBO TO BAR 6 FT

GAZEBO TO BAR 13.5 FT

BACK OF BAR/ WASH AREA TO PROPERTY LINE 6' 10"

North



Committee of Adjustment Report

Date: June 19, 2025

Report No: RPT - 0233 - 25

To: The Chair and Members of the Committee of Adjustment
From: Roxana Flores, Junior Planner
Application Type: Minor Variance Applications
Application No: A7-25-RF
Location: 446 Ninth Concession Road
Agent / Applicant: Nova Gen Construction Inc. c/o Joel Koutstaal
Owner: Matt Bond
Subject: Request for a decision on a Minor Variance Application seeking relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16.

That Application for Minor Variance **A7-25-RF**, from Matt Bond, Owner of the lands legally described as CONCESSION 8 PART LOT 22 REFERENCE PLAN 2R2676 PART 1, in the former Township of Burford and municipally known as 446 Ninth Concession Road, requesting relief from Section 4, Table 4.4.1 of Zoning By-Law 61-16 to permit an increased maximum lot coverage for all accessory structures of 313.50 square metres, whereas 240 square metres is permitted, to facilitate a new detached garage, **BE APPROVED**.

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

- The proposed variances are considered minor in nature and are desirable for the appropriate development and use of the subject lands;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-Law 61-16;
- The proposed variances meet the four tests of Section 45 (1) of the *Planning Act*.

Executive Summary

Minor Variance Application **A7-25-RF**, requesting relief from Section 4, Table 4.4.1 of the County of Brant Zoning By-Law 61-16 to permit an increased maximum lot coverage for all accessory structures of 313.50 square metres, whereas 240 square metres is permitted based on 5% of the existing lot area of 0.48 hectares (1.184 acres). The subject lands are located outside of a settlement area and are designated Agriculture and zoned as Agricultural (A).

Agricultural (A)	Required for Accessory Structures	Proposed
Lot Coverage, max	5% of total area (240 m ²)	6.5% or 313.50 m ²

(The addition of the proposed 222.9 m² structure will result in an increase in the total accessory lot coverage.)

The application is required in order to facilitate a detached garage intended for personal storage, which will result in total accessory lot coverage exceeding the maximum permitted.

The Development Engineering Department noted that two reference plans have been deposited on the property (2R-2642 and 2R-2676). Based on the County's GIS, the subject lands align with Part 1 of Plan 2R-2676, which provides an additional 4.57 m in depth. As a result, the lot area is 0.48 ha (1.184 acres), and 5% lot coverage equals 240 square metres, rather than the 225 square metres previously referenced in the memo. While the proposed accessory structure at 313.5 square metres still exceeds the permitted coverage, the revised calculation was reflected in the updated public sign notice and Notice of Complete Application.

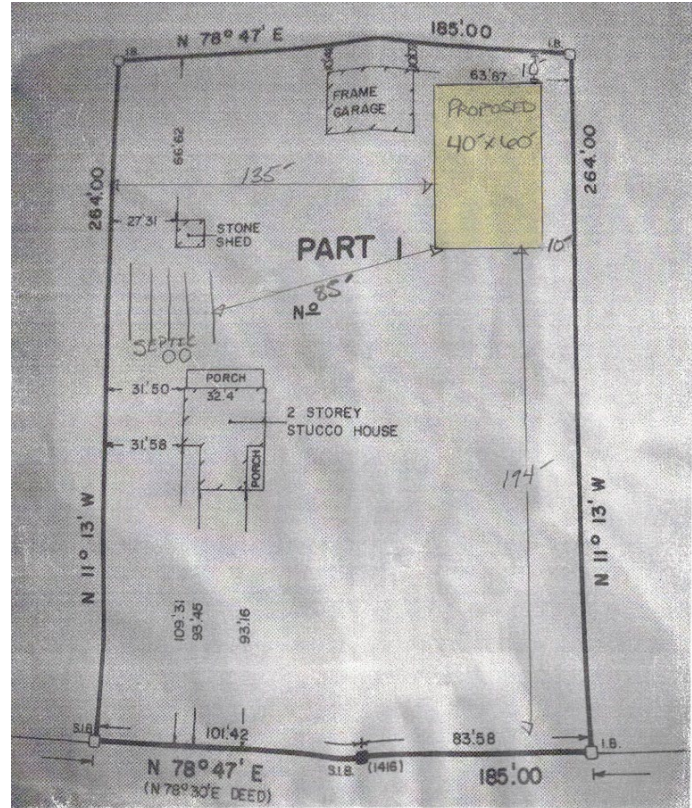


Figure 1: Proposed Sketch

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

For the reasons outlined in this report, it is my professional recommendation that the proposed Minor Variance Application A7-25-RF to permit an increased maximum lot coverage for all accessory structures of 313.5 square metres is appropriate and meet the four tests of a minor variance as required by the *Planning Act* and be **APPROVED**.

Strategic Plan Priority

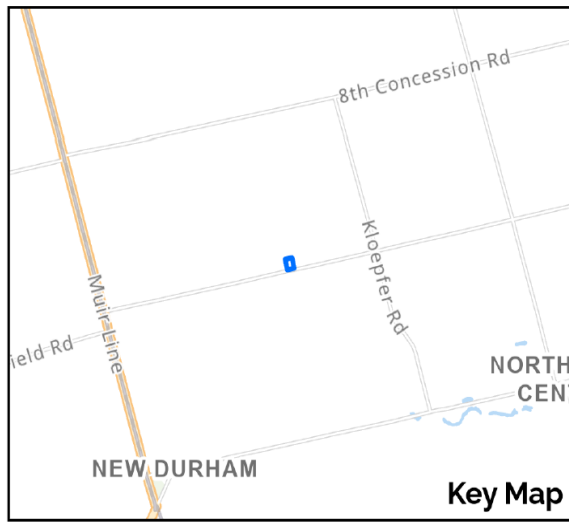
Strategic Priority 2 - Focused Growth and Infrastructure

Report

Location/ Existing Conditions

The subject lands are located outside of a Settlement Area, north of Ninth Concession Road, south of Eighth Concession Road, east of Kloepper Road, and west of Muir Road South. The subject lands are mostly surrounded by agricultural and natural heritage uses.

LOCATION MAP
Application: A7-25-RF
446 Ninth Concession Rd



AERIAL IMAGE
Application: A7-25-RF
446 Ninth Concession Rd



The subject lands have a frontage of approximately 56.39 metres (185 ft) along Ninth Concession Road, a depth of 80.77 metres and an area of approximately 0.48 hectares (1.184 acres).

The subject lands contain a single detached dwelling, a detached garage and a wooden shed. The property is privately serviced.

The property was previously subject to two temporary Zoning By-law Amendments for dog kennels (ZBA28-15-RA and ZBA24-14-RA). However, dog kennels are no longer present on the site.

Analysis

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.

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

Provincial Planning Statement – 2024

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

Section 4.3.2.4 a) states that a principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

- The subject lands are designated Agriculture, located outside a Settlement Area. The proposed increase in accessory structure lot coverage supports the property's use by providing essential space for personal storage related to the principal dwelling, without impacting surrounding farmland. This proposal complies with provincial policies and does not conflict with any prohibitions outlined in Section 4.3.3.1.c).

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

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 subject lands as being designated Agriculture under Section 2.1.

- The proposed Minor Variance aligns with Section 2.1 of the Official Plan by permitting residential uses that do not adversely affect agricultural land or operations. The accessory structure supports the existing single detached dwelling and reinforces the established residential character and function of the area.

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

Zoning By-Law 61-16:

The subject lands are zoned as **Agricultural (A)** 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 6, Table 6.1.1 of the County of Brant Zoning By-Law identifies that a Single Detached Dwelling is a permitted use for lands zoned as Agricultural (A).

The table below outlines how the proposal conforms to the requirements of Section 4, Table 4.4.1 of the County of Brant Zoning By-law for accessory structures.

Agricultural (A)	Required	Proposed (Accessory Structure)
Lot coverage for accessory structures, max	5% (240 m ²)	6.5% or 313.50 m ² (The addition of the proposed 222.9 m ² structure will result in a total accessory lot coverage increase)
Interior side yard and rear yard setback, min (m)	3.0m	3.1m
Structure height, max (m)	7.0m	7.0m
Total lot coverage, max	30%	10.5%

- ***Any additional structures proposed in the future may be subject to further Minor Variance Applications.***
- ***All other requirements of the Zoning By-Law 61-16 are being satisfied.***

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

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

Relief Request: Lot coverage max for accessory structures

Zoning Standard: 5 % (240 m²)

Relief Requested: 6.5 % (313.50 m²)

Test 1 – Intent of the Official Plan:

446 Ninth Concession Road is designated Agriculture and is outside of a Settlement Area under the County of Brant Official Plan (2023).

The proposed increase in lot coverage for accessory structures maintains the intent of the County of Brant Official Plan by supporting the continued residential use of the property without negatively impacting nearby farm operations. The increase in coverage is for an accessory structure that complements the existing single detached dwelling and does not introduce new or conflicting uses and preserves the agricultural and rural character of the area.

Test 2 – Intent of the Zoning By-law:

The proposed increase in lot coverage for accessory structures maintains the intent of the Zoning By-Law, by allowing the accessory structure to remain secondary to the principal residential use and that overall development on the lot is compatible with the surrounding area. The increase in lot coverage does not interfere with surrounding agricultural operations and preserves the overall intent to protect and maintain agricultural land for long-term use.

Test 3 – Desirability:

The proposed increase in maximum lot coverage for accessory structures is desirable for the appropriate development and use of the property, as it allows for functional use of the space without negatively impacting the surrounding agricultural land. The property is well-separated from neighbouring uses, and the location of the structure minimizes visual and functional impacts. The structure remains compatible with the rural residential character of the area and supports the overall use of the property within the Agriculture designation.

Test 4 – Minor in Nature:

The proposed increase in accessory structure lot coverage is minor in nature, as the total coverage on the lot will remain at approximately 10.5%, which is well below the overall 30% lot coverage permitted for all structures in the Agricultural zoning. The structure remains clearly accessory and does not compromise the intent of the Agricultural zone.

Conclusion

The requested variance satisfies all four tests under Section 45 (1) of the Planning Act. The variance maintains the general intent and purpose of the County's Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature when considered in context.

Interdepartmental Considerations

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none">The property lines are required to be verified. The verification can be completed by a certified Ontario Land Surveyor to address the proposed new setbacks for the proposed accessory structure to ensure that compliance is adhered to before, construction begins.
EnBridge Energy	<ul style="list-style-type: none">Enbridge Gas does not object to the proposed application(s), however, we reserve the right to amend or remove development conditions. <p>Please always call before you dig, see web link for additional details: https://www.enbridgegas.com/safety/digging-safety-for-contractors</p>

No Comments from the Following:

- Environmental Planning
- Enbridge Gas Inc.
- Mississaugas of the Credit First Nation (MCFN)

Public Considerations

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

A site visit and the posting of the Public Notice sign was completed on June 2, 2025.

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

Conclusions and Recommendations

Minor Variance Application **A7-25-RF** is seeking relief from Zoning By-Law 61-16 Section 4, Table 4.4.1 to permit an increased maximum lot coverage for accessory structures of 313.50 square metres, whereas 240 square metres is permitted, to facilitate a new detached garage.

The proposed minor variance seeks to increase the maximum lot coverage for accessory structures to accommodate an accessory building intended for personal storage. The application is supported by adequate justification, and no negative impacts on surrounding agricultural uses.

Review of this Minor Variance Application has had regard for Section 45 (1) of the Planning Act R.S.O 1990 and Planning analysis confirms that the requested relief meets the 'four tests':

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

Therefore, it is my professional recommendation that Minor Variance Application **A7-25-RF BE APPROVED**.

Prepared by:



Roxana Flores

Attachments

1. Zoning Map
2. Official Plan Map
3. Aerial Map
4. Site Plan Drawing
5. Site Photos

Reviewed By

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

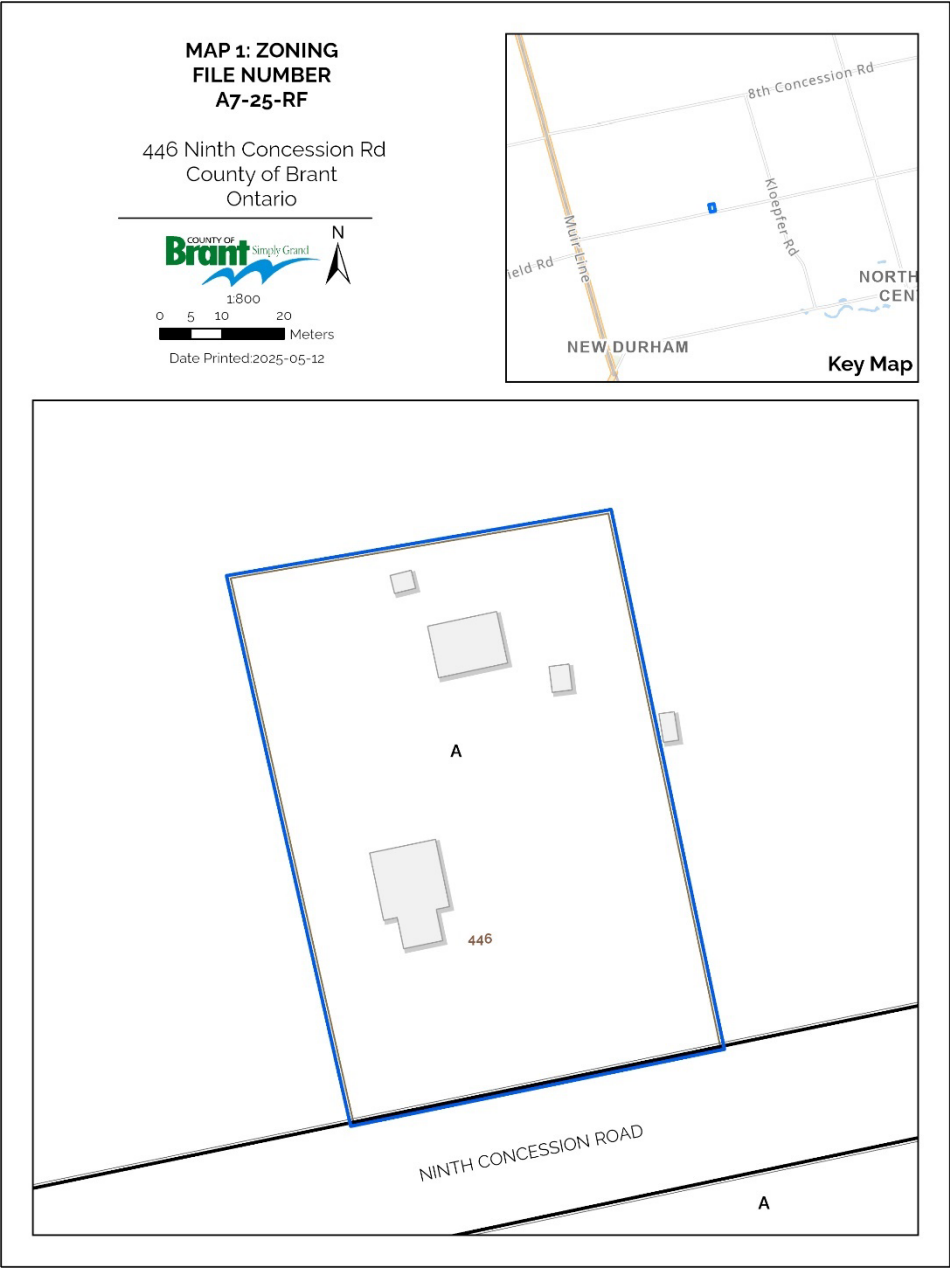
Copied To

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

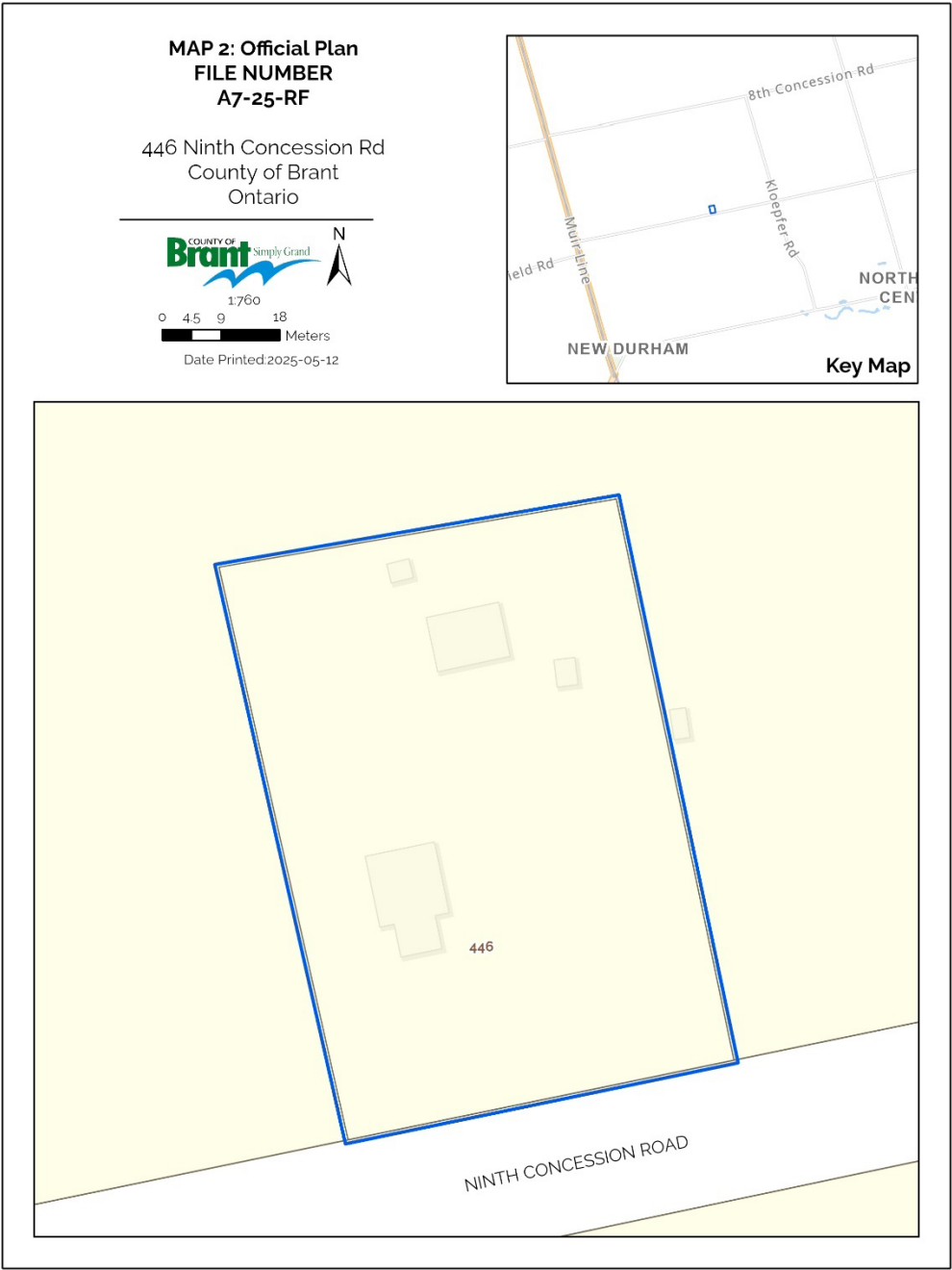
By-law and/or Agreement

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)

Attachent 1 – Zoning Map



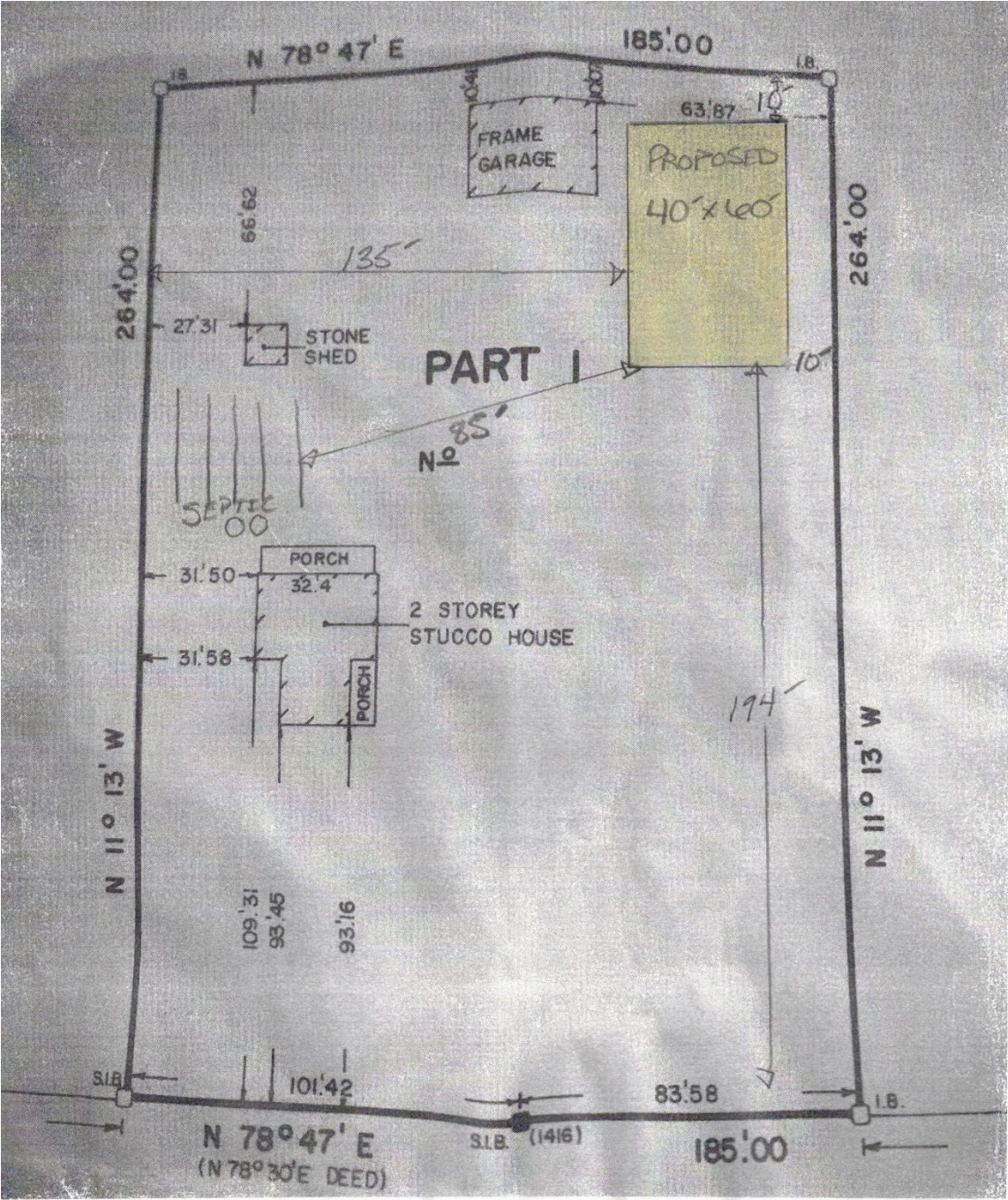
Attachment 2 – Official Plan Map



Attachment 3 – Aerial Map



Attachment 4 – Aerial Map



Attachment 5 – Site Photos



Front-facing (west) view from the right side of the property.



Front-facing (east) view from the left side of the property.



Front view (north) of the property at the entrance.



View of existing garage.



Close-up view of the existing garage.



Inside the existing garage.



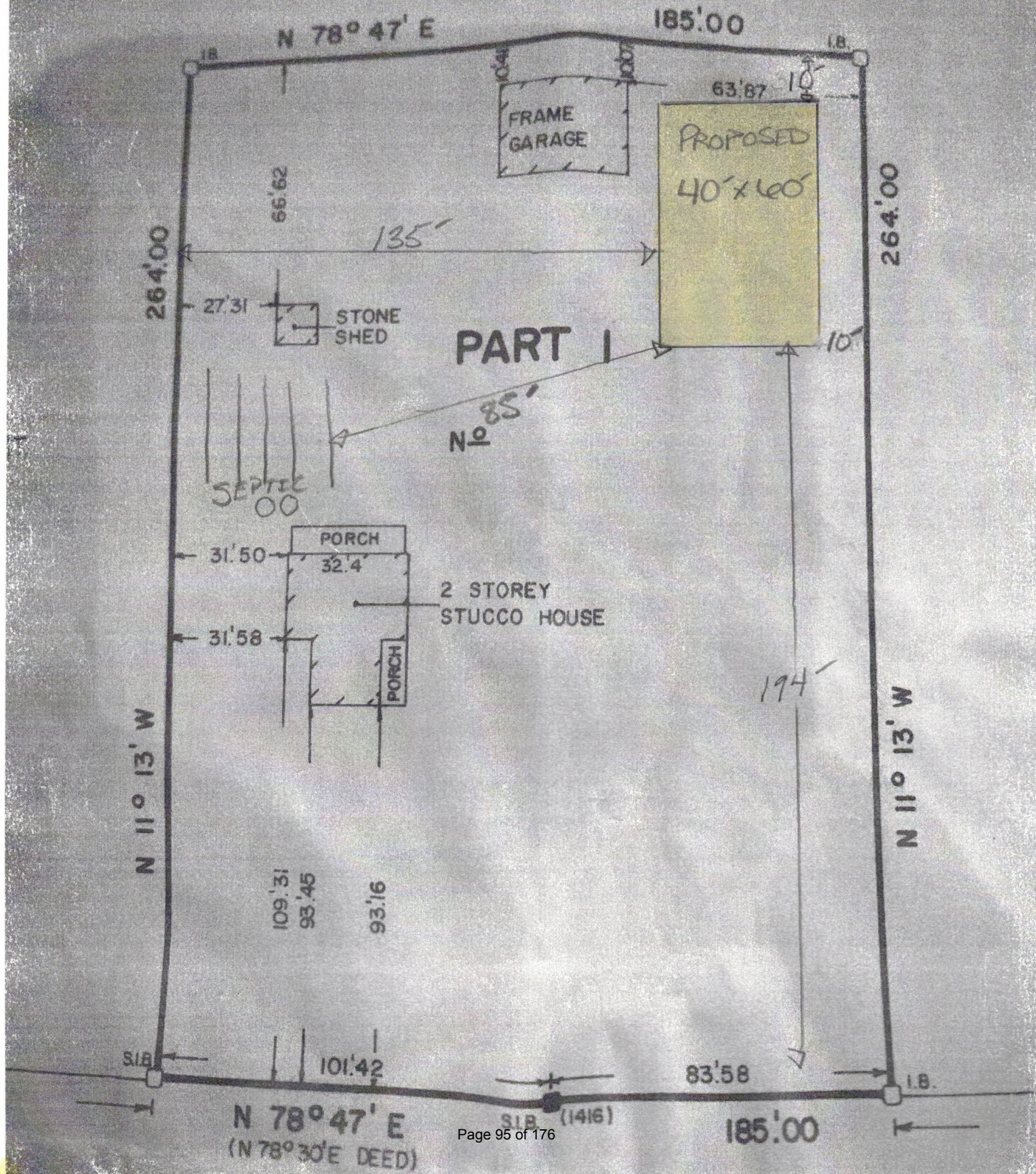
Planned location of the new garage.



View looking toward the neighboring property where the proposed garage will be located.



View toward the rear left side (west) of the property.



Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Minor Variance
Application No:	A7-25-RF
Location:	446 Ninth Concession Road
Agent / Applicant:	Joel Koutstaal
Owner:	Matthew Bond

This application proposes: **Seeking relief from Zoning By-Law 61-16, Section 4.4, Table 4.4.1 to permit a maximum total lot coverage for accessory structures of 313.50 m², whereas a maximum of 240 m² is permitted, based on 5% of the existing lot area of 0.48 hectares (1.184 acres). The structure is intended for personal storage accessory to the primary residential use.**

Planner: Roxana Flores, Junior Planner, 519.442.7268 x 3065, <roxana.flores@brant.ca>

To view the application and supporting documents, please contact the Planning Department. 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

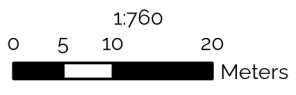
Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

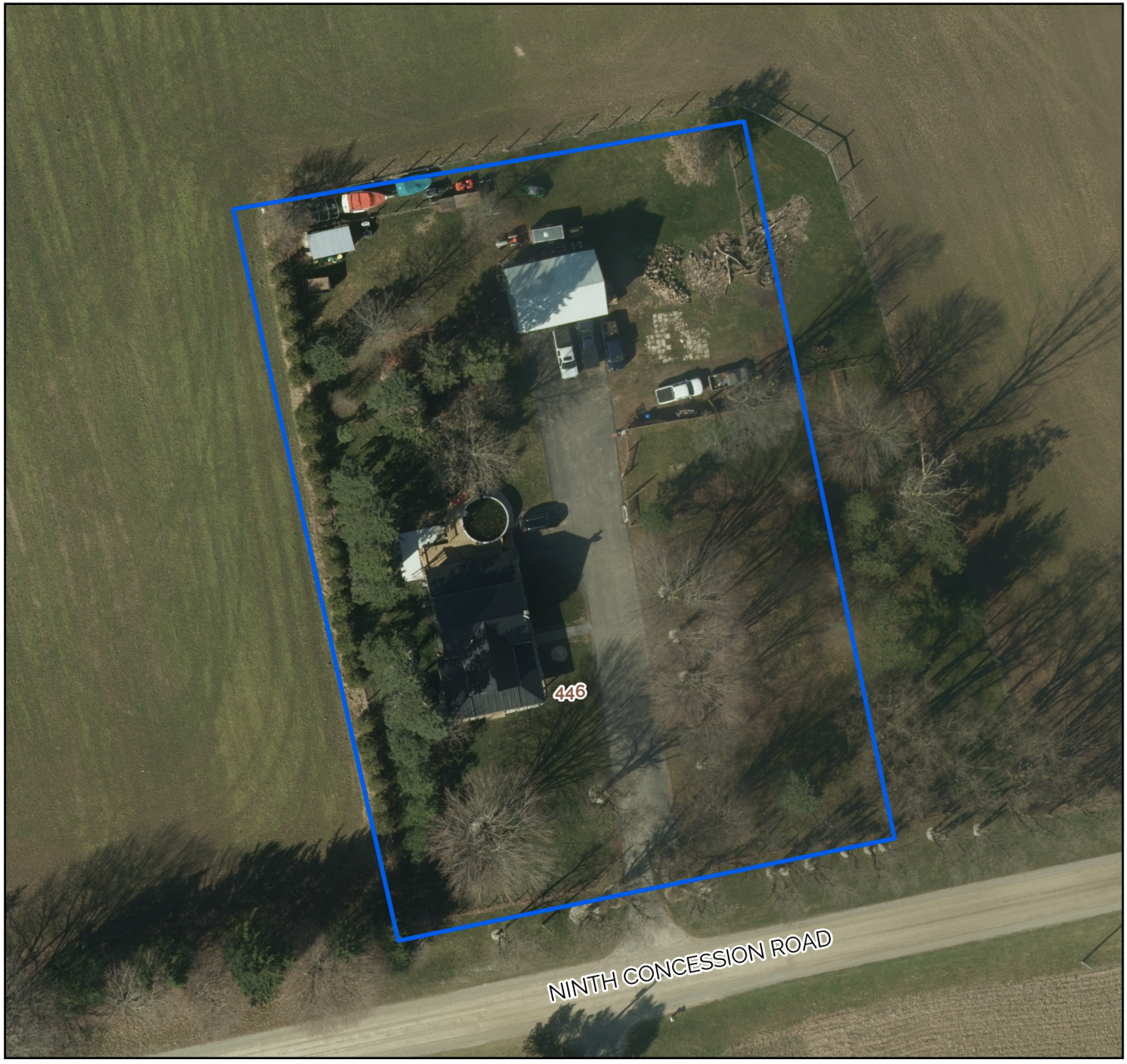
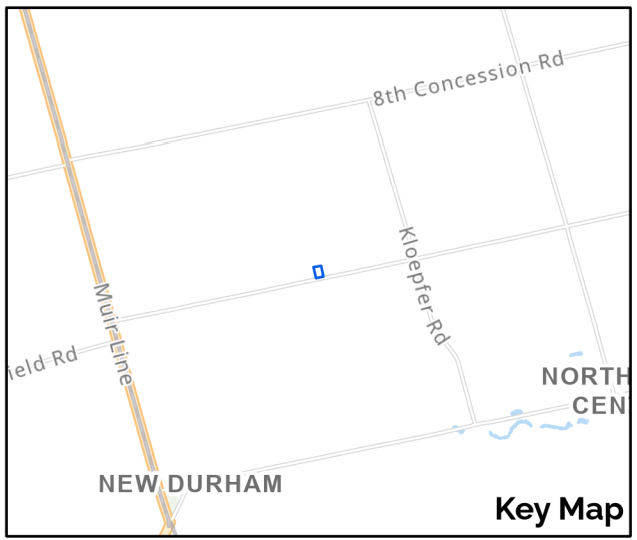
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation 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 2024
FILE NUMBER
A7-25-RF

446 Ninth Concession Rd
County of Brant
Ontario



Date Printed: 2025-05-12





Committee of Adjustment Report

Date: June 19, 2025

Report No: RPT – 0183 – 25

To: The Chair and Members of the Committee of Adjustment
From: Afsoon Veshkini, Junior Planner
Application Type: Consent (Surplus Farm Dwelling Severance)
Application No: B8-25-AV
Location: 54 Clarke Road
Agent / Applicant: Kris Martin
Owner: David L Rosebrugh
Subject: Request for a decision on a Consent Application to sever a surplus farm dwelling.

Recommendation

THAT **Consent Application B8-25-AV** from Kris Martin, on behalf of David L Rosebrugh owner of lands legally described as CONCESSION 1, PART OF LOT 18, REFERENCE PLAN 2R-6865, PARTS 1 TO 3, in the geographic former Township of South Dumfries, municipally known as **54 Clarke Road**, County of Brant, proposing to sever a surplus farm dwelling and associated accessory structures with an area of approximately 1 hectare (2.47 acres) and a frontage of approximately 99 meters (324.8 feet), **BE APPROVED** subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B8-25-AV are as follows:

- The existing farm dwelling is considered surplus to the needs of the farm operation, as a result of farm consolidation in the County of Brant with appropriate conditions included in order to ensure zoning compliance, conformity to the Official Plan and consistency with the Provincial Planning Statement.

Executive Summary

Consent Application B8-25-AV proposes to sever a surplus farm dwelling from the existing farm parcel with the remaining lands being consolidated with the abutting farm parcel at 446 German School Road (Roll Number 292001602052700).

Agricultural (A) Zone	Proposed Severed Lands (<i>Surplus Dwelling</i>)	Proposed Retained Lands	Proposed Total Retained Lands (<i>After Consolidation</i>)
Lot Area	1 ha (2.47 ac)	18.1 ha (44.72 ac)	122.78 ha (303.4 ac)
Lot Frontage	99 m (324.8 ft)	656 m (2,152.23 ft)	740 m (2,427.82 ft)

The retained lands, approximately 18.1 hectares (44.72 acres) in size, are proposed to be consolidated with the abutting agricultural property legally described as SOUTH DUMFRIES CONCESSION 1, PART OF LOTS 17 AND 18, COUNTY OF BRANT, which consists of approximately 104.70 hectares (258.7 acres) and a frontage of 740 meters on German School Road. Upon consolidation, the resulting farm parcel would total approximately 122.78 hectares (303.4 acres).

The retained lands are to be rezoned to Agriculture with a Special Exception (A-9) to prohibit any future residential development on the retained lands. The abutting lands with roll number 292001602052700 are already zoned Agriculture with a Special Exception (A-9) prohibiting any construction of residential development.

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.

Based on the analysis provided in this report, it is my professional recommendation that Consent Application B8-25-AV BE APPROVED, subject to the attached conditions.

Location / Existing Conditions

The subject lands are located east of Clarke Road, south of German School Road, north of Governor's Road East, and west of Brant Road. The lands are situated outside of the Paris Settlement Boundary, within the geographic former Township of South Dumfries in the County of Brant.

The lands, municipally known as 54 Clarke Road, have approximately 755 meters (2477 feet) of frontage on Clarke Road and comprise a total lot area of approximately 19.1 hectares (47.2 acres). The subject lands contain Significant Woodlands, primarily located in the southeastern corner of the lot, as well as Warm Water Fish Habitat. The parcel is rectangular in shape and contains one residential dwelling and two accessory structures, all of which are located within the proposed severed lot. The proposed retained parcel is currently being rented by the applicant and is actively farmed.

A recent site visit and the submitted photographs confirm the presence of multiple commercial vehicles and equipment on the subject lands. The owner has indicated that half of these vehicles can be stored inside the existing garage (storage building), while the remaining vehicles must be parked outside. The second accessory structure on-site is used for general storage purposes.

The benefiting parcel at 446 German School Road, owned by 1778206 Ontario Inc. (Kris Martin) have approximately 740 meters (2427.8 feet) of frontage on German School Road and a total area of 104.7 hectares (258.7 acres). The lands are actively farmed and contain several

accessory structures related to agricultural use. There is no livestock operation on the subject lands. The property contains Significant Woodlands in the southern portion, as well as Significant Wetlands and Warm Water Fish Habitat.

The surrounding area is primarily characterized by agricultural land uses to the north, east, west, and south. The subject lands are privately serviced.

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

Report

Analysis

- Planning Act

Section 53(12) of the Planning Act states that, in considering whether a provisional consent is to be given, the approval authority shall have regard to the same criteria as set out in Section 51(24), with necessary modifications. As such, Section 51(24) sets out the applicable criteria to be considered when reviewing consent (severance) applications.

- Provincial Planning Statement (PPS) – 2024

The Provincial Planning Statement (2024) provides policy direction on matters of provincial interest related to land use planning and development, forming the foundation for regulating the use and development of land in Ontario. In accordance with Section 3 of the Planning Act, all decisions affecting planning matters must be 'consistent with' the Provincial Planning Statement.

Although the subject lands are currently designated General Employment in the County of Brant Official Plan, the application is being reviewed under the surplus farm dwelling policies of the Provincial Planning Statement (2024), rather than as an employment land use. This approach reflects the current agricultural use of the property and the ownership pattern, as the lands are part of a larger farm operation.

Section 4.3.2 specifies that planning authorities shall use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.

- **The proposed severance is consistent with Section 4.3.2 of the PPS (2024). The retained agricultural lands, approximately 18.1 ha in size, are to be merged with the abutting 104.7 ha agricultural parcel under the same ownership. This consolidation supports ongoing agricultural operations and strengthens the geographic and functional continuity of the agricultural system, consistent with provincial guidance.**

Section 4.3.3.1 specifies that lot creation in prime agricultural areas is discouraged and may only be permitted for a residence surplus to an agricultural operation as a result of farm consolidation, provided that:

Policy Reference	Policy Requirement	Planning Analysis
4.3.3.1 (a)	The new lot is limited to the minimum size required to accommodate the use.	The proposed severed lot is approximately 1 ha in size, containing only the existing dwelling and accessory structures, reflecting the minimum area necessary to accommodate the use.
4.3.3.1(b)	The lot is serviced with appropriate sewage and water services.	The severed lot is privately serviced, fulfilling the requirement for appropriate sewage and water services.
4.3.3.1(c)	New dwellings and additional residential units are prohibited on the remnant parcel of farmland created by the severance.	The retained lands are to be rezoned to Agriculture with a Special Exception (A-9) zone to prohibit any future residential development, ensuring conformity with this policy requirement.

- **The proposal meets the criteria of Section 4.3.3.1 of the PPS, which allows lot creation in prime agricultural areas only for a “residence surplus to an agricultural operation” resulting from farm consolidation.**

Section 8.0 defines a “residence surplus to an agricultural operation” as “one existing habitable detached dwelling, including any associated additional residential units, that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).”

- **In line with Section 8.0, the surplus dwelling qualifies as one rendered unnecessary due to farm consolidation, as the owner will be operating the resulting 122.78 ha as a single farm unit. As such, the application is consistent with the PPS and supports the long-term protection and efficiency of agricultural land.**

It is my professional opinion that Consent Application B8-25-AV is consistent with the Provincial Planning Statement (2024), as it supports farm consolidation, limits lot creation in prime agricultural areas to a surplus dwelling and contributes to the long-term viability and continuity of the agricultural land base.

- County of Brant Official Plan (2023)

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that

affect a planning matter shall 'conform to' local municipal policies, including but not limited to the County of Brant Official Plan.

- **The subject lands, municipally known as 54 Clarke Road, are designated as General Employment and Natural Heritage System on Schedule A of the County of Brant Official Plan. The surrounding lands are predominantly designated Agriculture and the parcel is currently in agricultural use.**
 - **The General Employment designation has been identified by County Staff as a mapping error where the correction will be included as part of the next Official Plan Housekeeping Amendment initiated by the County. The lands are to be appropriately designated as Agriculture and Natural Heritage consistent with the surrounding lands. The review of the subject application can only be considered if the lands are redesignated as proposed. Should the lands not be redesignated the severance is premature and would require additional planning approvals including zoning changes to be consistent with the current Official Plan.**

The following analysis outlines how Consent Application B8-25-AV conforms to the applicable policies under Section 2.3.7 to section 2.3.11 of the County of Brant Official Plan (2023), which governs consents within agricultural areas, including severances for surplus farm dwellings:

Policy 2.3.7 of the Official Plan	Planning Analysis
The residence surplus to the farming operation is the direct result of a farm consolidation where the farming operation is merged with a contiguous farming operation in which no new lot is created or located within the County or an adjacent municipality;	The existing dwelling at 54 Clarke Road is not required as a result of consolidation with an adjacent farm parcel, forming a 122.78 ha farm operation.
No prior severance has been granted for residential purposes from the lands containing the surplus residence since January 1, 1999, as demonstrated through land registry records, deeds, and/or a survey.	The most recent residential severance occurred in 1975. No residential severances have been granted from the subject lands since that time.
The lands to be consolidated as part of the farming operation have a minimum lot size of 19 hectares, unless proposed to be merged with an abutting farming operation;	The retained lands, approximately 18.1 ha in size, are proposed to be consolidated with an adjacent agricultural property legally described as South Dumfries Concession 1, Part of Lots 17 and 18. The abutting parcel consists of approximately 104.70 ha

	and the resulting farm parcel would total approximately 122.78 ha.
The residence surplus to the farming operation was built at least 15 years ago or has replaced a residential dwelling that was built at least 15 years ago;	Recognizing a recent addition, the primary dwelling structure was constructed over 15 years ago.
The residence surplus to the farming operation must be considered a habitable residential dwelling that meets building code requirements for occupancy;	The existing dwelling is habitable and is currently occupied by the property owner and a permit was issued for the recent addition in 2022.
The lands to be consolidated as part of the farming operation have been purchased by a bona fide farming operator prior to the application for consent or there is a legally binding agreement of purchase and sale.	The applicant, who is the prospective buyer of the retained lands, is a registered bona fide farmer.
Accommodation of the surplus residence, accessory residential buildings and structures, existing access, and water and wastewater services;	The 1.0 ha lot contains the dwelling, two residential accessory structures, and services.
That the proposal will comply with the Minimum Distance Separation Formulae. More specifically: Where the existing surplus residence to be severed and a livestock facility or anerobic digester are located on separate lots prior to the consent, Minimum Distance Separation Formulae I is not required.	No livestock facility is on the same lot; MDS I compliance is met.
The severed lot containing the residence shall have a minimum lot area of 0.4 hectares and a maximum lot area of 1 hectare based on:	The proposed severed lot is 1.0 ha, meeting the lot area requirement.
Minimum lot frontage of 20 metres, measured from the front of the lot to the rear of the lot;	The proposed lot has approximately 99 m of frontage—well above minimum.
Safe and direct access to a public road, maintained year round, to the satisfaction of the County;	The lot has direct access to Clarke Road, a maintained public road.

Compatibility with surrounding established lot fabric	The severed lot is rectangular in shape and is consistent with the established rural lotting pattern.
Location within proximity to an existing building cluster; and Minimization of agricultural land consumption.	The dwelling proposed to be severed is situated in close proximity to the existing accessory structures that form a cluster on the property.
The lands containing the residence surplus to the farming operation have been owned by a bona fide farming operator for at least three years, as demonstrated through land titles and a farm business registration number;	The proposed retained lands have been rented to the owner/farmer of the adjacent agricultural parcel, who intends to purchase the lands through this application. The lands have been actively farmed as part of the neighbouring farm operation for several years.

- **The proposal satisfies the criteria under Section 2.3.7 of the Official Plan for surplus farm dwelling severances.**

Policies 2.3.8 to 2.3.11	Policy Requirement	Planning Analysis
2.3.8	Farmer must own and operate the farm and have a farm business registration.	The applicant satisfies these conditions, including providing proof of farm business registration.
	Farmer must own other farm properties and a separate residence.	The farmer operates multiple farm parcels and resides elsewhere.
	Ownership can include sole proprietors, corporations, or partnerships with registration.	The applicant satisfies these conditions, including providing proof of farm business registration.
2.3.9	Lands rented to others do not qualify the owner as a bona fide farmer.	The retained land, although currently rented, is being purchased by the bona fide farmer who has been actively farming them, thereby satisfying the intent of the policy.
2.3.10	New residential dwellings must be prohibited on retained lands via by-law.	The retained parcel is to be rezoned to A-9, prohibiting residential development.

2.3.11	Severances for irregular or flag-shaped lots are not supported.	The severed lot is not irregular or flag-shaped, meeting the policy requirement that discourages such lot configurations.
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- The proposal conforms to Policies 2.3.8 to 2.3.11 of the Official Plan, as the applicant is a bona fide farmer with a valid farm business registration, owns multiple farm parcels, resides off-site, the retained lands will be rezoned to prohibit residential use, and the severed lot meets all applicable criteria.

It is my professional opinion that Consent Application B8-25-AV conforms to the County of Brant Official Plan (2023), as it is consistent with the policies for surplus farm dwelling severances and supports the continued use of the retained lands for agricultural purposes.

- Zoning By-Law 61-16

The subject lands, known as 54 Clarke Road, are zoned as Agriculture (A) and Natural Heritage (NH) in accordance with Schedule 'A' of the County of Brant Zoning By-Law 61-16, as updated through the March 2024 Office Consolidation. The subject lands, identified by Roll Number 292001602052700, are primarily zoned Agricultural with a Special Exception (A-9), with portions designated as Natural Heritage (NH).

Section 6, Table 6.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Agricultural (A). Permitted uses include but are not limited to the following:

- Agricultural Use
- Dwelling, Single-Detached

Section 6, Table 6.2.1 of the County of Brant Zoning By-Law 61-16 advises the zoning requirements for each permitted building type for lands zoned as Agricultural (A).

Agricultural (A) Zone	Required, All Other Uses	Retained Lands (with lands to be Consolidated)	Required, Single Detached Dwelling	Severed Lands (Surplus Dwelling)
Lot Area, Min (ha)	40.0	122.78	40.0	1.0
Lot Frontage, Min (m)	150.0	740	150.0	99*
Street Setback, Min (m)	25.0	—	10.0	13.7
Interior Side Yard Setback, Min (m)	15.0	—	4.0	>30
Rear Yard Setback, Min (m)	15.0	—	10.0	>40

Lot Coverage, Max	30%	<2%	30%	8.5%
Landscaped Open Space, Min	30%	–	30%	–
Building Height, Max (m)	10.0 m	–	10.0	<10

* The required frontage for a single detached dwelling in the Agricultural zone is 150 meters, and the severed lot has a frontage of 99 meters. However, in accordance with Section 4.29(b) of the Zoning By-law, “where the severed and retained lands have a minimum 20.0 meter frontage, then said lot shall be deemed to comply with the requirements of this By-law with respect to the required lot area and lot frontage.

Section 4.29 of the County of Brant Zoning By-Law 61-16 specifies development criteria for Surplus Farm Dwellings. The following demonstrates conformity with sections 3.6 and 4.29 of the Zoning By-Law.

Section 3.6 and 4.29 of Zoning By-Law 61-16		Planning Analysis
3.6	This section defines Farm Consolidation to mean the acquisition of additional farm parcels to be operated as one farm operation within the Province of Ontario.	Staff have verified that the subject lands have been acquired as additional farm parcels to be added to the Farm Operation and that the dwelling is surplus.
	This section defines Farm Operation to mean lands that are assessed as farmland and have a valid Farm Business Registration Number or an official letter of exemption from Agricorp, for the purpose of on-site agricultural uses, but does not include cannabis production and processing.	Staff have verified the applicant as having a valid Farm Business Registration Number for the purpose of agricultural uses.
4.29 (a)	It states the severed lands shall be limited to an appropriate size to accommodate private onsite servicing, being generally less than 0.6 ha in size.	The severed lands are limited to 1 ha in size to accommodate private services, accessory structures and limit the amount of land taken out of production.
4.29 (b)	It states that where the severed and retained lands have a minimum 20.0 metre frontage, then said lot shall be deemed to comply with the requirements of this By-Law with	Both the retained land (760 m) and the severed land (99 m) exceed the minimum frontage requirements.

	respect to the required lot area and lot frontage.	
4.29 (c)	This policy states the dwelling on the severed lands shall only be considered surplus to the farming operation if it was constructed a minimum of 15 years prior to the date the application for the surplus farm dwelling consent is received.	The age of the dwelling is greater than 15 years old from the date the application was received.
4.29(d)	It states the dwelling must be considered habitable at the time of application, as may be determined by the local municipal Chief Building Official.	The surplus dwelling is considered habitable, as it is currently occupied by the property owner and a permit was issued for the recent addition in 2022.
4.29 (e)	This section states that Minimum Distance Separation Guidelines shall apply to the severed lands as a Type B land use;	The Minimum Distance Separation Formulae is not required per Implementation Guideline #9 in the Ontario Ministry of Agriculture, Food and Rural Affairs Publication 853, which states where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy.
4.29 (f)	It states that for any retained lands, being the lands containing the farming operation, a Special Exception Agricultural Zoning shall be applied to the lands on 'Schedule A' of this ByLaw and such amendment to 'Schedule A' shall be made as part of the granted consent without further notice being required provided the requirements of the Planning Act are met said special exception shall be applied to prohibit a dwelling unit on the retained lands and, provided there is a minimum of	As a condition of consent, the retained lands will be rezoned to Agricultural with a Special Exception (A-9) to prohibit future residential development and to satisfy zoning requirements for lot area and frontage, as both the severed and retained lands exceed the 20-metre frontage minimum.

	20.0m of frontage, and applied to grant relief required under Section 6.2 for minimum lot area and lot frontage.	
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- **The proposed severance complies with these sections of the Zoning By-Law. The dwelling is confirmed to be surplus, habitable, and over 15 years old, and the retained lands will be rezoned to prohibit future residential use. The proposal supports farm consolidation and maintains agricultural integrity.**

Section 4, Table 4.4.1 of the County of Brant Zoning By-Law advises the required development regulations for accessory structures permitted in the Agricultural (A) zone.

There are two accessory structures located on the severed lot. One is a storage building with an area of approximately 362 sq.m (3,896.54 sq.ft), for which a building permit was issued in March 2024. The second is an older accessory structure, open on one side, with an area of approximately 219 sq.m (2,357.3 sq.ft), and is currently used for storing materials related to the owner's business.

Agricultural (A) Zone	Required	Existing Accessory Structure 1 (the newer one)	Existing Accessory Structure 2
Lot coverage, Maximum (%)	5% of the total lot area	5.81 (3.62+2.19)	
Street Setback, Minimum (m)	10.0	19.7	> 25
Interior side yard and rear yard setback, Minimum (m)	3.0	3.07 and 4.07	> 8
Structure height, Maximum (m)	7.0	6.8	< 6.8

- **The proposed severed lot does not comply with the maximum lot coverage permitted for accessory structures under the Zoning By-law. The total lot coverage for accessory structures is calculated at approximately 5.81%, which exceeds the permitted maximum of 5%. As such, the subsequent Planning Act Application will need to permit increased accessory structure lot coverage on the severed lands, in accordance with the conditions of approval.**

Section 5.13(a) of the Zoning By-law states that a maximum of one (1) commercial vehicle is permitted to be parked or stored unenclosed on a property zoned Agricultural (A).

As noted, staff as part of the site visit observed various commercial vehicles on the lands and confirmed the use with the applicant. As the Zoning By-law the definition of Commercial Vehicle is as follows:

"A vehicle having attached to it, or the ability to attach to it, a truck or delivery body and includes any ambulance, mobile refreshment cart, hearse, cube van, casket wagon,

school bus, tilt and load truck, dump truck, fire apparatus, bus, tractor, or commercial trailer that may be used for hauling purposes on a public right-of-way."

Based on site observations, and the applicant's statement, multiple commercial vehicles and equipment are present on the subject lands, as confirmed by submitted photographs. These include three dump trucks, two farm tractors, two pickup trucks, and one highway tractor (8 vehicles). The applicant noted that approximately half of the vehicles can be stored inside the existing garage (storage building), while the remainder must be parked outside. The second accessory structure on the property is used for general storage. The vehicles are associated with the property owner's contracting business, which provides services such as fence row clean-up, field tile and ditch maintenance, excavation for barn foundations, and demolition of old barns. According to the applicant, about 90% of these services support the local farming community.

- **While the applicant has explained that their business primarily supports agricultural operations, the current number of commercial vehicles exceeds the zoning limit. This represents a zoning conformity that shall be addressed either through removal of excess vehicles or a separate Zoning By-law Amendment to legalize the expanded commercial activity. The applicant should explore options to legalize the use of the property with the County.**

It is my professional opinion that the proposal generally complies with the intent of the County of Brant Zoning By-Law, particularly with respect to surplus farm dwelling policies and Agricultural (A) zone requirements, and the retained lands will be rezoned to A-9 to prohibit future residential use, in accordance with Section 4.29(f). However, the severed lot exceeds the maximum lot coverage for accessory structures, and the number of commercial vehicles stored on-site exceeds the zoning limit. While the business supports agricultural operations, this represents a non-conformity. As conditions of approval, the applicant must:

- 1. Obtain approval to permit the increased accessory structure lot coverage (approximately 5.81%) on the severed lands; and***
- 2. Address the current commercial vehicle storage and use on the property, either by permitting the use through a site-specific provision or by bringing the property into compliance with the Zoning By-Law through the prohibition of such use.***

Interdepartmental Considerations

- Operations Department (County of Brant): No comments.
- Development Engineering Department (County of Brant):
 - Clarke Road is classified as Rural Local Road, with a right-of-way of 15m to 22m as noted in the County's Official Plan. The existing road allowance width is sufficient as such, road widening will not be required.
 - Staff performed a site inspection on April 14th, 2025 and noted that there are no Hydro Poles along the easement shown as Part 2, 2R-6865, also shown as Part 3 on the submitted Draft Legal Survey. This easement may be released and abandoned if not in use.

- There is a Hydro Service along the west limit of the Retained Lands from 20m+- north of the south limit to the Severed Lands, as shown on the submitted Draft Legal Survey. An Easement may be required
- The Subject Lands are within the GRCA Regulation Limits.
- Environmental Policy Planning (County of Brant): No comments.
- Fire Department (County of Brant):
 - The fire department has no objection to this severance.
 - There is a rural firefighting fee for lot severance that will be required.
- Geographic Information Systems Analyst (County of Brant):
 - 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 retained parcel, this can be requested at the [County of Brants Civic Address Requesting Form](#).
- Grand River Conservation Authority (GRCA):
 - No Objections to the proposal.
 - Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.
- Canada Post: No comments.
- Hydro One: No comments.

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

- Building Division (County of Brant)
- Six Nations

Public Considerations

Notice of this application, including contact information and the date of the public hearing, was circulated by mail on May 28, 2025, to all property owners within 60 meters of the subject lands, in accordance with Section 45(5) of the Planning Act. A Public Notice sign was posted on the property on June 3, 2025. A site visit was conducted on May 8, 2025.

At the time of writing this report, only one public inquiry has been received, requesting additional information about the application. No other inquiries or concerns have been submitted by members of the public.

Conclusions and Recommendations

Consent Application B8-25-AV proposes to sever a surplus farm dwelling and associated accessory structures from the property known as 54 Clarke Road, with the retained lands to be merged with the abutting agricultural parcel at 446 German School Road. The resulting consolidated farm unit will total approximately 122.78 hectares. The proposal supports the continued agricultural use of the lands and meets the intent and policies of the Planning Act,

the Provincial Planning Statement (2024), and the County of Brant Official Plan (2023) subject to being in an Agriculture designation.

The proposal generally complies with the requirements of Zoning By-Law 61-16, including the criteria for surplus farm dwelling severances. The dwelling is confirmed to be surplus, habitable, and over 15 years old, and the retained lands will be rezoned to Agriculture with a Special Exception (A-9) to prohibit future residential development.

However, the severed lot exceeds the maximum permitted lot coverage for accessory structures and includes more than one unenclosed commercial vehicle, contrary to Section 5.13(a) of the Zoning By-Law. These constitute zoning non-conformities. As conditions of approval, the applicant will be required to:

- Obtain approval to permit the increased accessory structure lot coverage (approximately 5.81%) on the severed lot; and
- Address the current commercial vehicle storage and use on the property, either by permitting the use through a site-specific provision or by bringing the property into compliance with the Zoning By-Law by prohibiting such use.

As noted, a portion of the subject lands is designated General Employment in the Official Plan, which staff have identified as a mapping error. As a condition of approval, an Official Plan Amendment to redesignate the lands to Agriculture shall be obtained to the satisfaction of the County of Brant.

It is the professional opinion of staff that the proposed severance represents sound land use planning, supports long-term agricultural viability, and is in the public interest. Therefore, it is recommended that Consent Application B8-25-AV be approved, subject to the attached conditions, including the rezoning of the retained lands to A-9 and consolidation with the abutting agricultural parcel.

Prepared by:

Afsoon Veshkini, Junior Planner

A handwritten signature in black ink, appearing to be 'A. Veshkini' with a stylized flourish at the end.

Attachments

1. Conditions of Approval
2. Zoning Maps
3. Official Plan Maps
4. Aerial Maps
5. Severance Sketches
6. Site Plan
7. 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

File # B8-25-AV

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)

Attachment 1

Applicant: Kris Martin

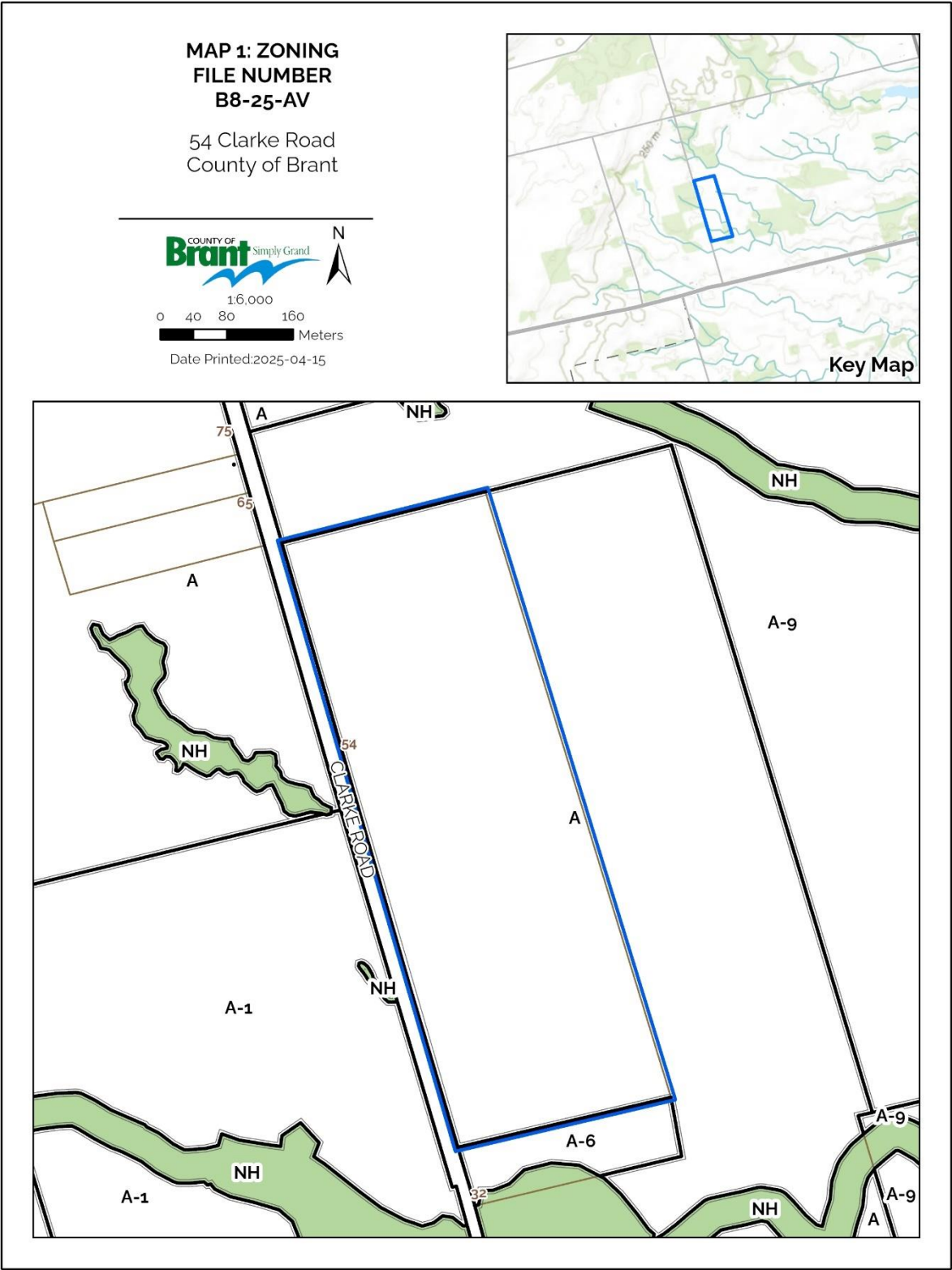
File No: B8-25-AV

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 retained 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 a subsequent Planning Act Application be received, deemed complete and approved with no appeals. The purpose of the subsequent Planning Act Application shall be to amend the Zoning By-law to:
 - a. Rezone the retained lands to Agricultural with a Special Exception (A-9) to prohibit a dwelling unit as a permitted use;
 - b. Permit the increased accessory structure lot coverage (approximately 5.81%) on the severed lands; and
 - c. Address the current commercial vehicle storage/use on the property to either: (i) permit the use through a site-specific provision; or (ii) bring the property into compliance with the Zoning By-law by prohibiting such use.
 - d. Any further Planning Applications required to satisfy the conditions of approval must be received and deemed complete a minimum of four (4) months prior to the lapsing of the Consent.
4. That the Applicant(s) provide proof/copy of draft approved civic addressing for the Severed and Retained lands issued by the Planning Division to the satisfaction of the County of Brant.
5. That an Official Plan Amendment be approved to redesignate the subject lands from General Employment to Agriculture, prior to finalization of the Consent, to the satisfaction of the County of Brant.
 - a. That the Owner/applicant(s) acknowledge that a larger portion of the subject lands is currently designated as General Employment in the County of Brant Official Plan (2023), and that this designation has been identified by staff as a mapping error.
6. That the Owner/ Applicant(s) provide Parkland dedication and/or Cash-in-lieu of parkland in the amount of \$6016.00, per new lot, to be paid to the County of Brant in accordance with Parkland Dedication By-Law 21-2022, Section 3.1 and 3.2 to the satisfaction of the County of Brant.

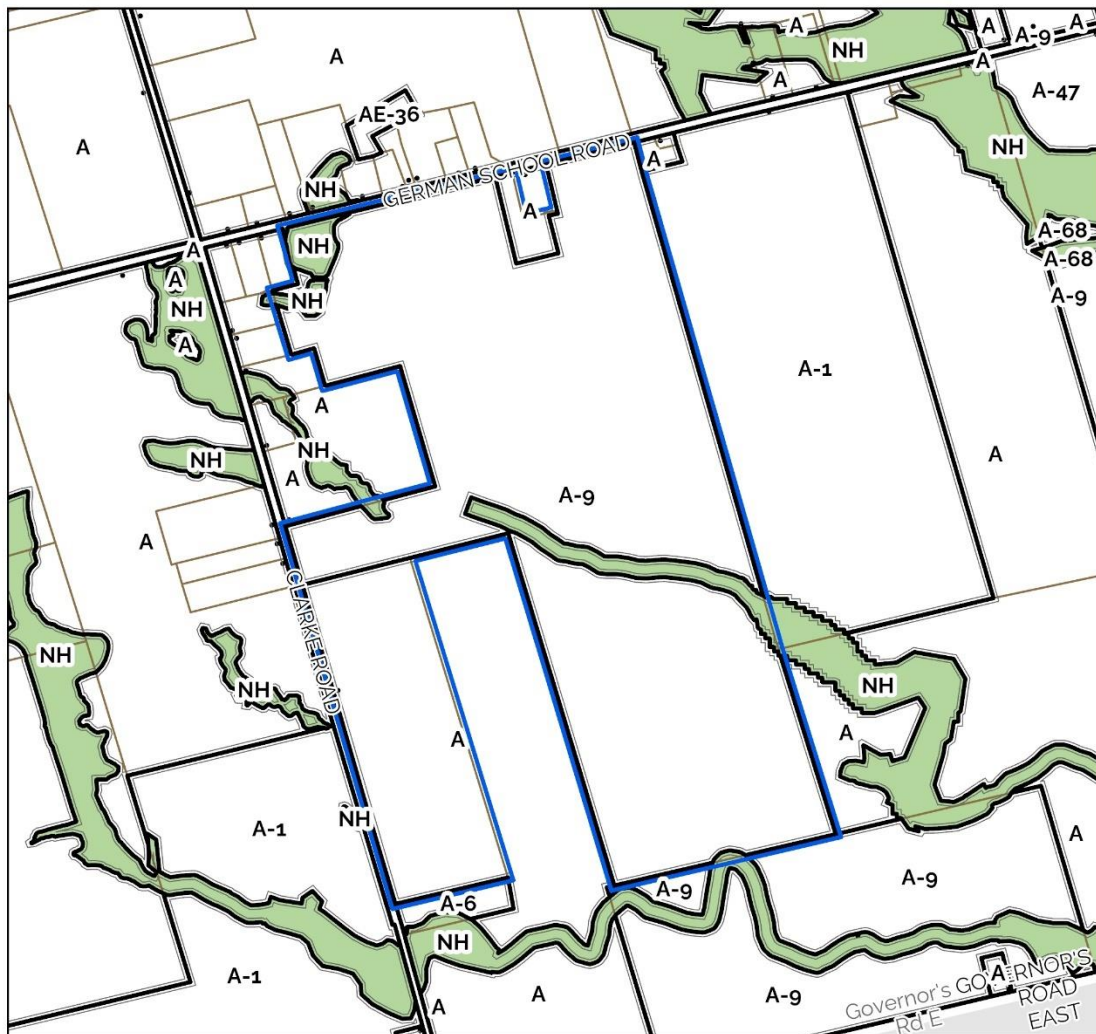
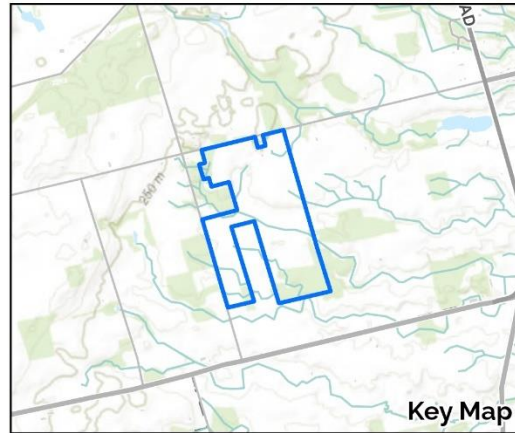
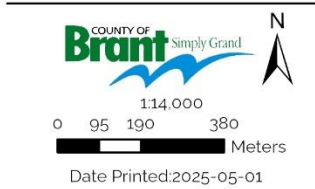
7. That the Applicant(s) provide proof that \$600.00, per new building lot, in monies for firefighting purposes has been submitted to the County of Brant, or some other method acceptable to the Fire Department if required, prior to the stamping of the deeds.
8. That the current Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
9. That the retained parcel becomes part and parcel of the abutting lands presently legally described SOUTH DUMFRIES CONCESSION 1, PART OF LOTS 17 AND 18, COUNTY OF BRANT (roll number 292001602052700) 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.
10. That the Applicant(s) 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).
11. 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.
12. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

Attachment 2 – Zoning Maps

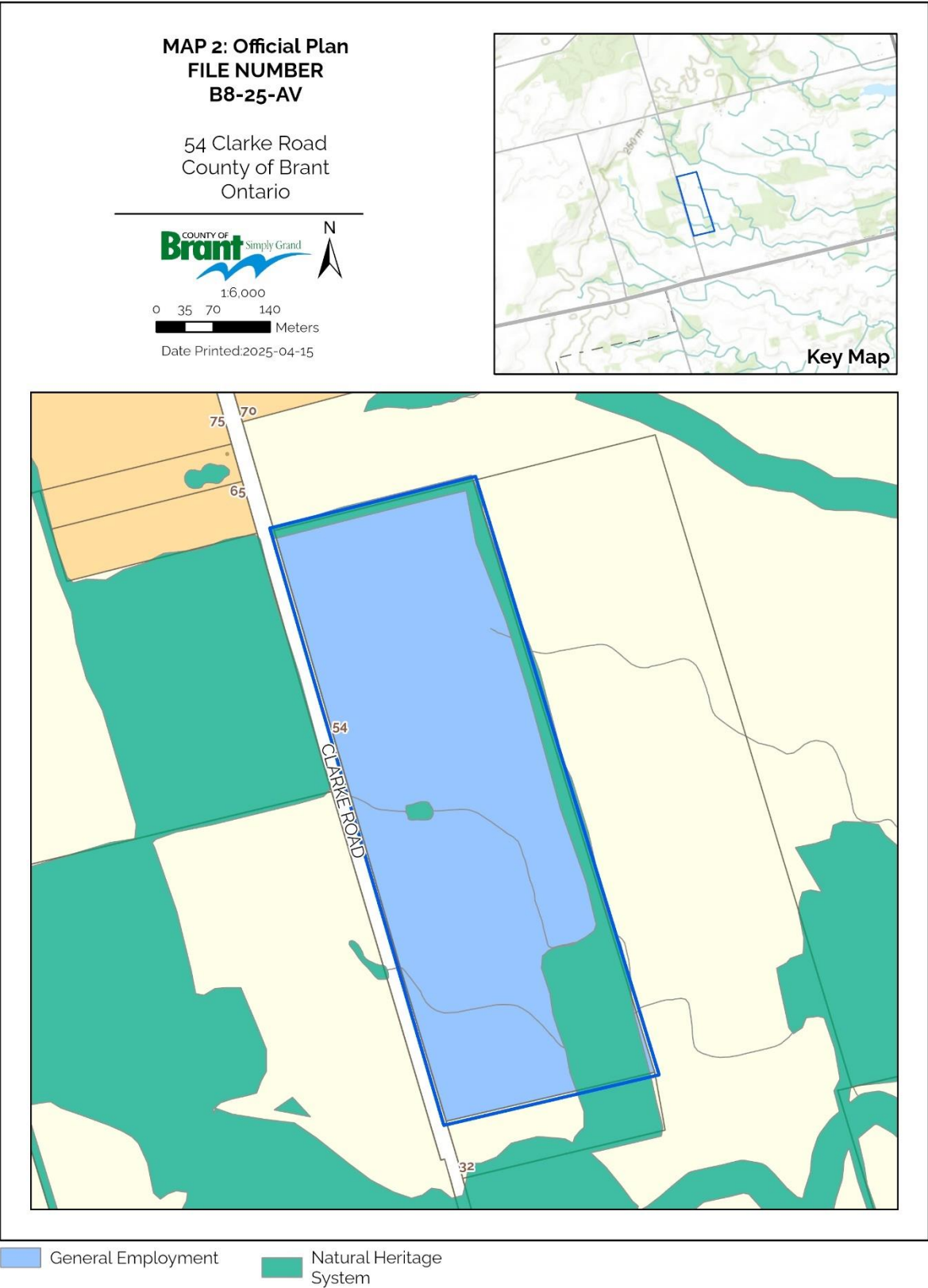


**MAP 1: ZONING
FILE NUMBER
B8-25-AV**

54 Clarke Road
County of Brant



Attachment 3 – Official Plan Maps



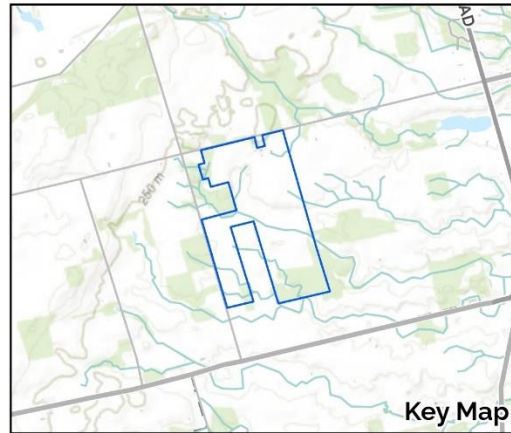
**MAP 2: Official Plan
FILE NUMBER
B8-25-AV**

54 Clarke Road
County of Brant
Ontario

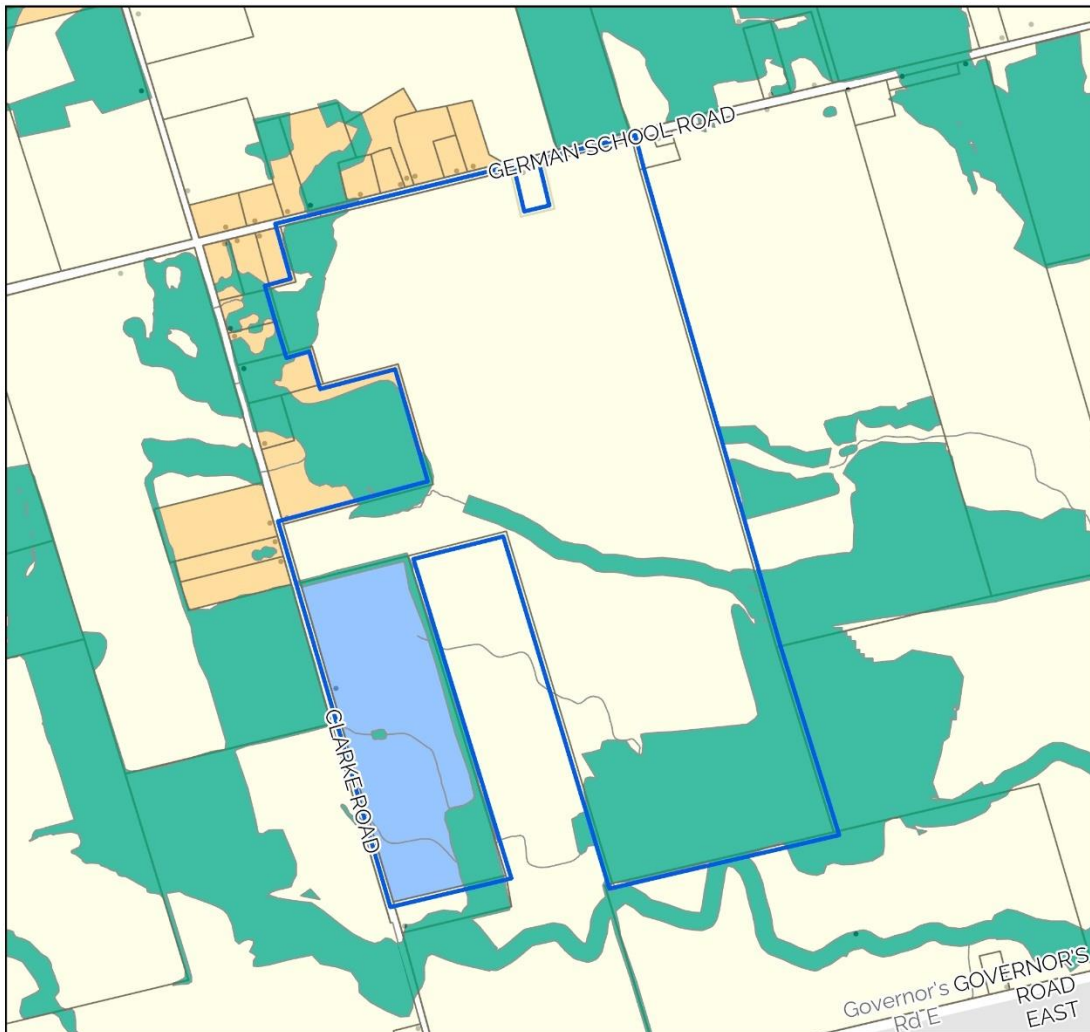


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Date Printed: 2025-05-01

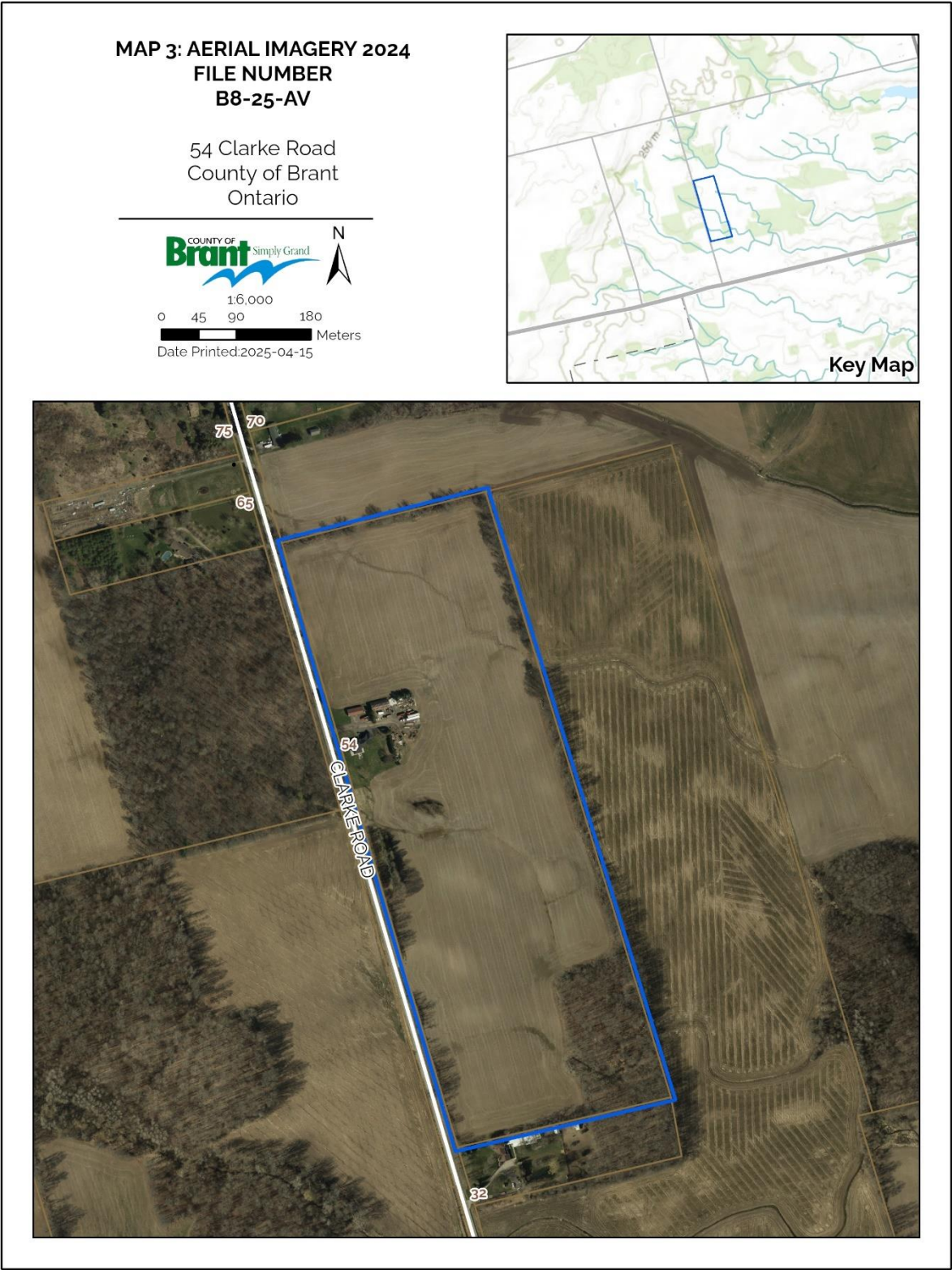


Key Map



- | | | |
|--------------------|-------------------------|-------------|
| General Employment | Natural Heritage System | Agriculture |
| | | Countryside |

Attachment 4 – Aerial Maps

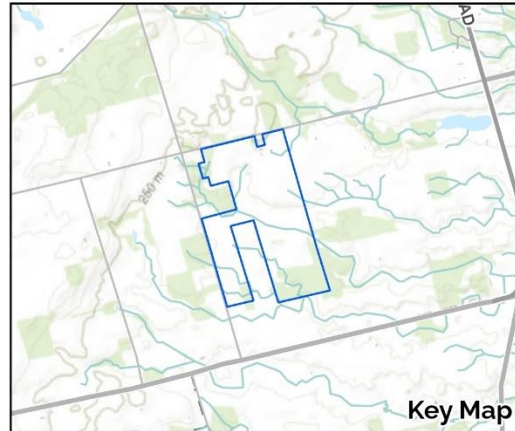


MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
B8-25-AV

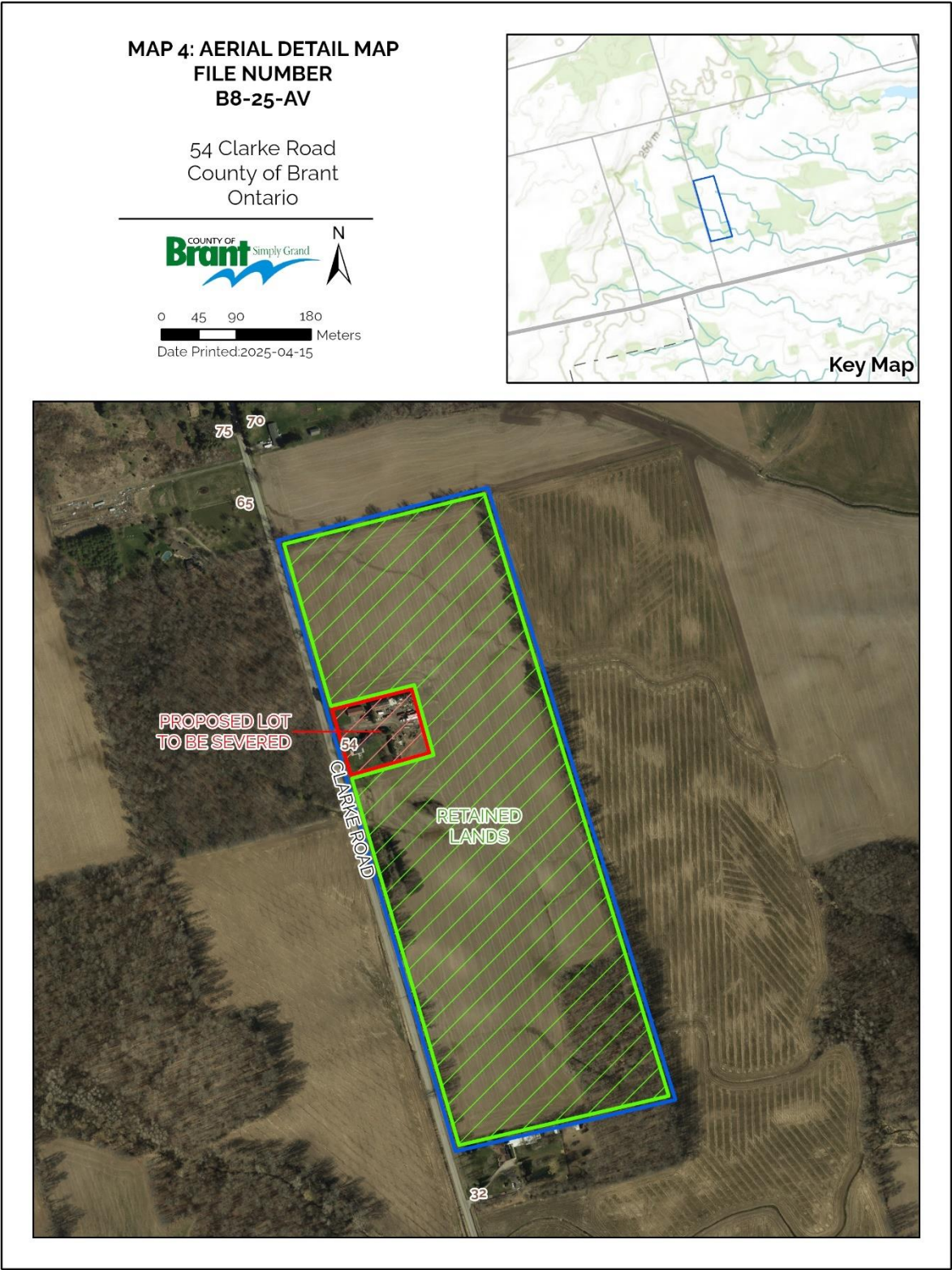
54 Clarke Road
County of Brant
Ontario



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Attachment 5 – Severence Sketeches

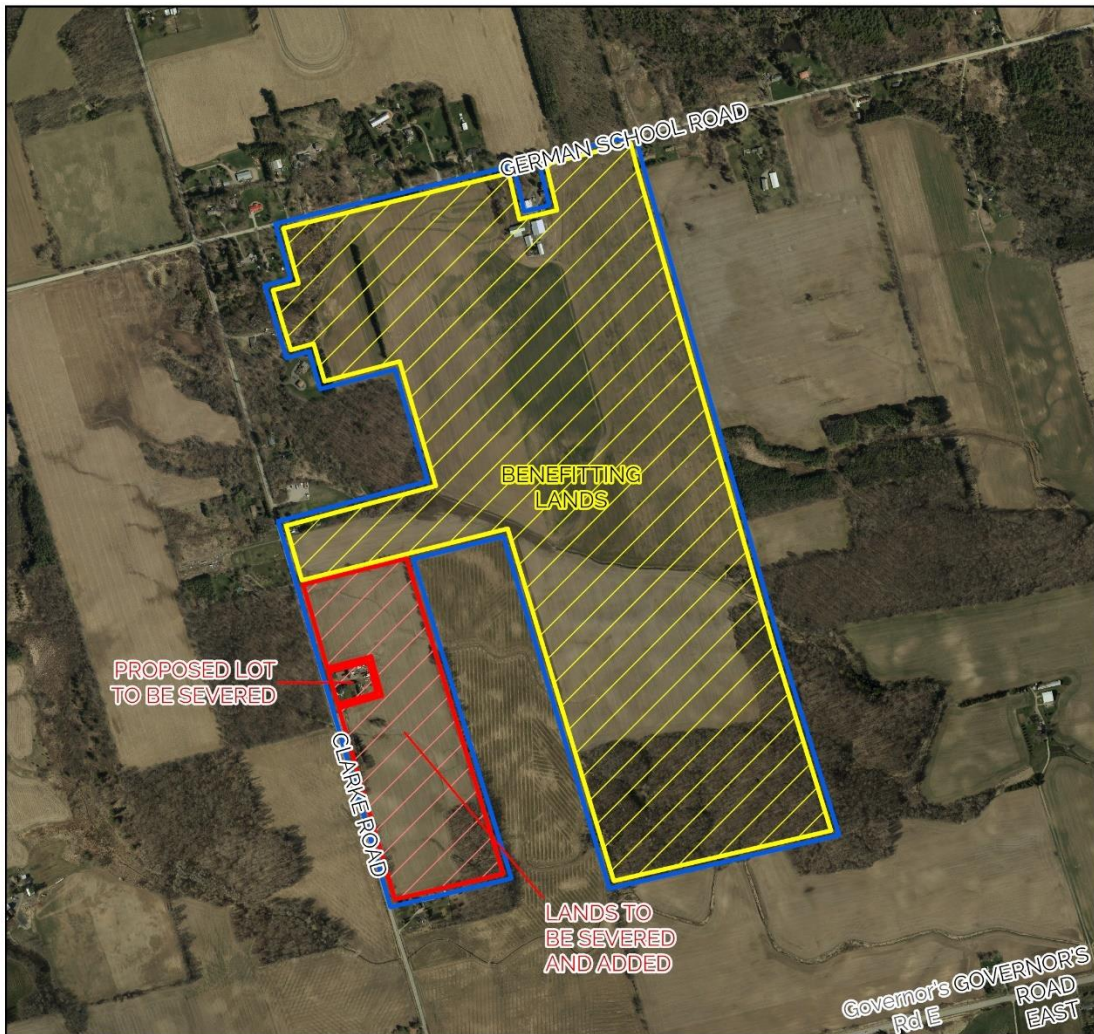
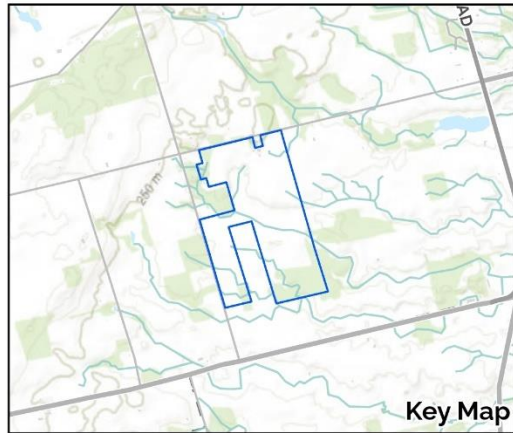


MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B8-25-AV

54 Clarke Road
 County of Brant
 Ontario



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 Date Printed: 2025-05-01

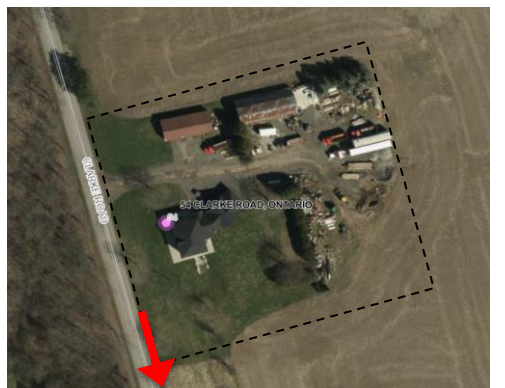


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Attachment 7- Site Photos







Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Severance
Application No:	B8-25-AV
Location:	54 Clarke Road
Agent / Applicant:	Kris Martin
Owner:	David Rosebrugh
<p>This application proposes: to sever approximately 2.47 acres (1 ha) of the subject land containing the existing residential dwelling and accessory structures fronting Clarke Road. The retained farmland, approximately 44.63 acres (18.06 ha) in size, is proposed to be consolidated with the abutting agricultural property legally described as CONCESSION 1, PART LOT 17 AND PART LOT 18, which consists of approximately 258.7 acres (104.70 ha). Following the consolidation, the total farm parcel would comprise approximately 303.35 acres (122.76 ha).</p>	

Planner: Afsoon Veshkini, Junior Planner, 519.442.7268 ext. 3014
<afsoon.veshkini@brant.ca>

To view the application and supporting documents, please contact the Planning Department. 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

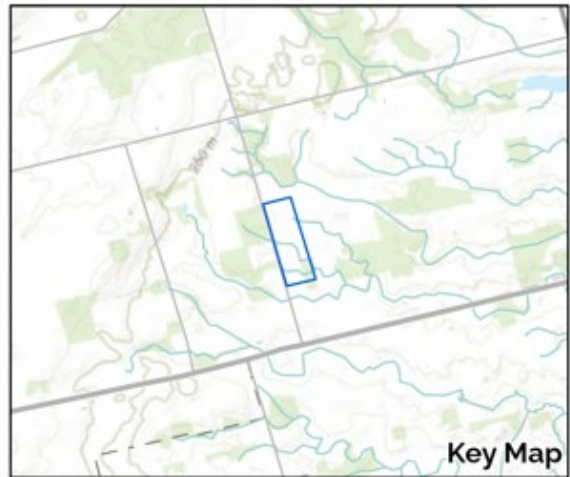
** Note: Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), The Corporation of the County of Brant wishes to inform the public that all information including opinions, presentations, reports and documentation 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 4: AERIAL DETAIL MAP
FILE NUMBER
B8-25-AV

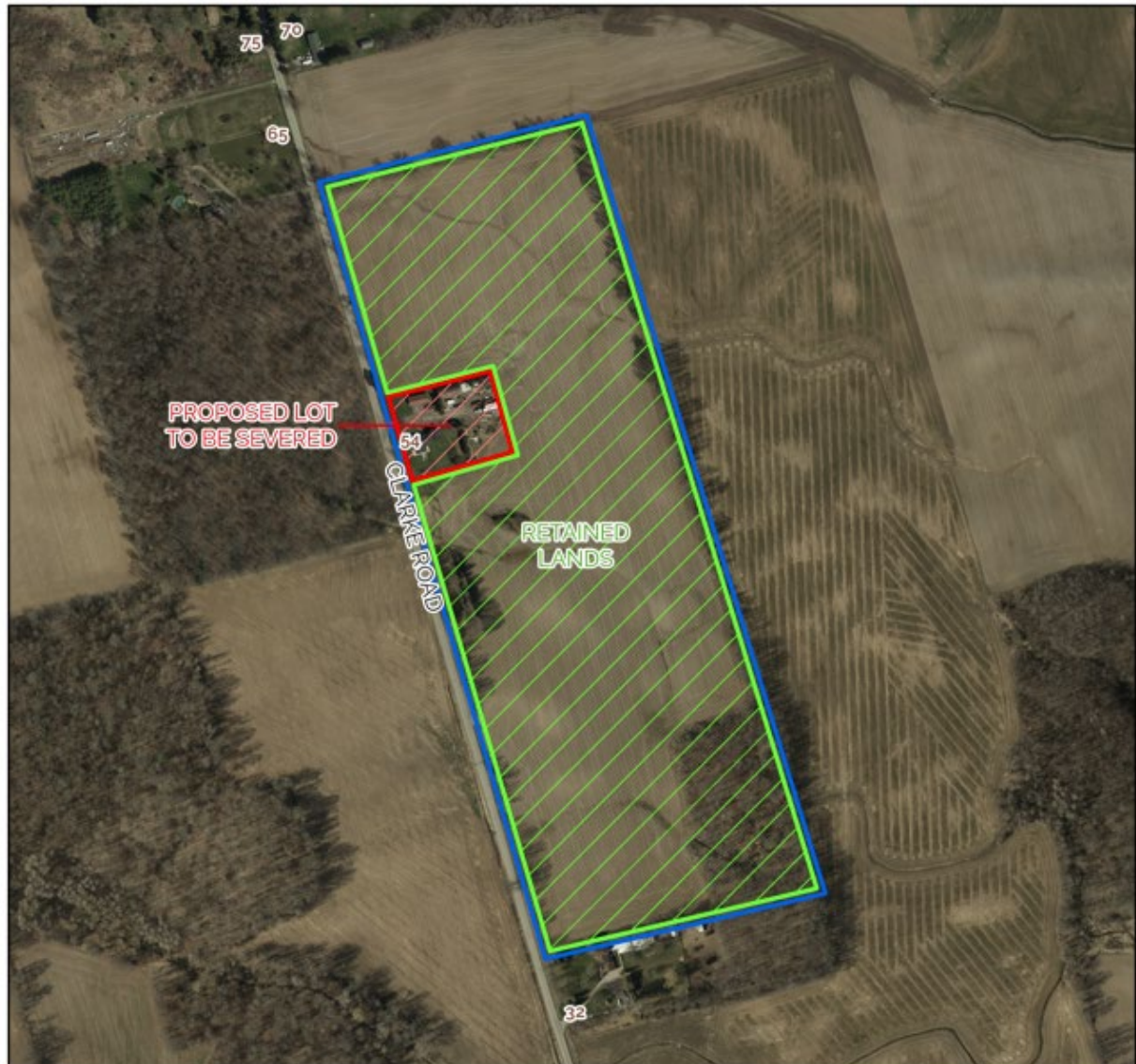
54 Clarke Road
County of Brant
Ontario



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Date Printed: 2025-04-15



Key Map

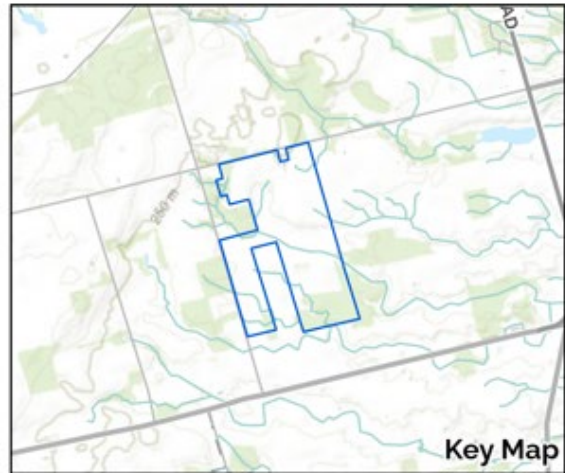


MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B8-25-AV

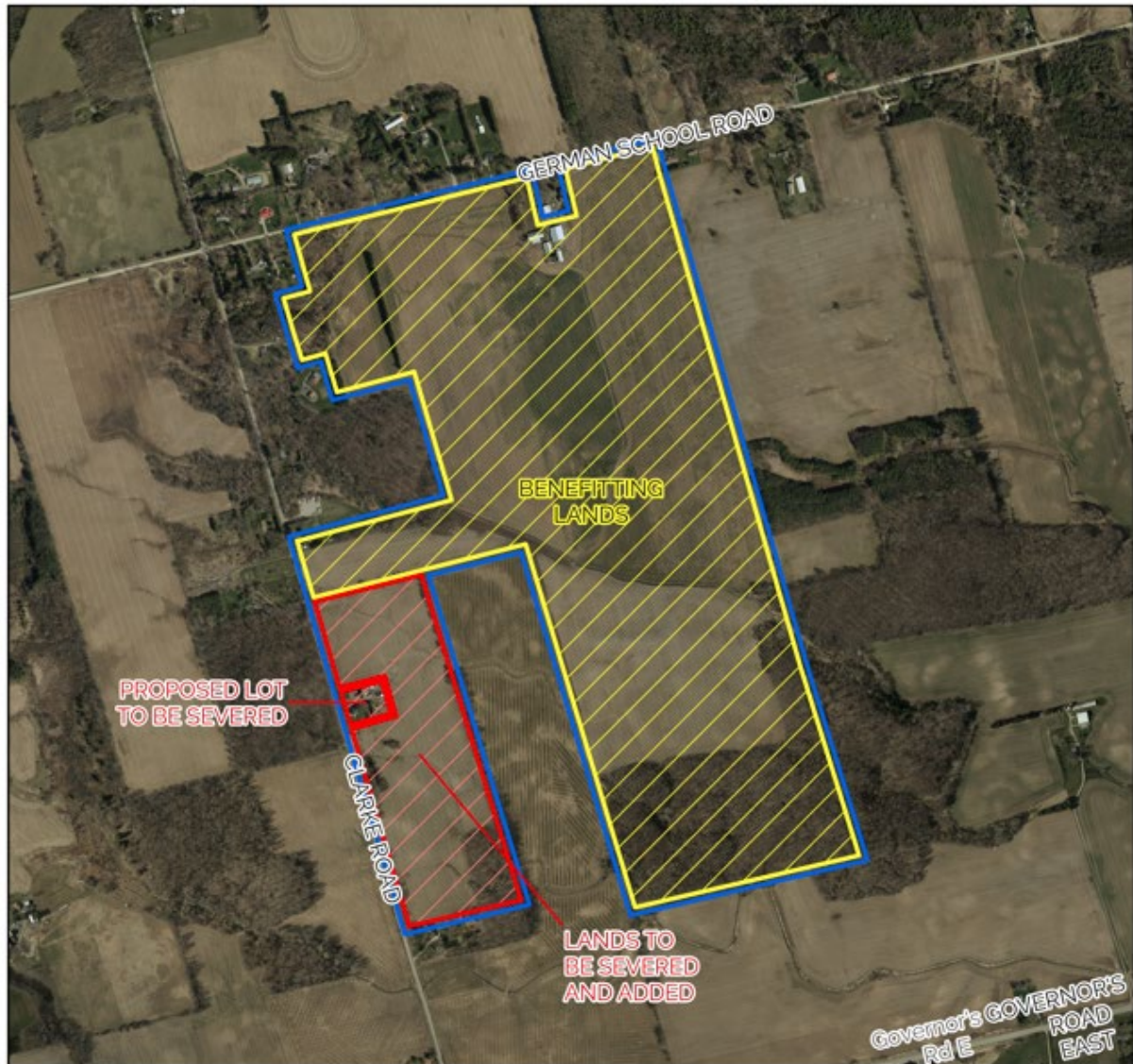
54 Clarke Road
County of Brant
Ontario



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Meters
Date Printed: 2025-05-01



Key Map





Committee of Adjustment Report

Date: June 19, 2025

Report No: RPT– 0232 – 25

To: The Chair and Members of the Committee of Adjustment
From: Afsoon Veshkini, Junior Planner
Application Type: Consent (Surplus Farm Dwelling Severance)
Application No: B10-25-AV
Location: 358 West Quarter Townline Road
Agent / Applicant: Jesse Kloepfer
Owner: Jesse Kloepfer
Subject: Request for a decision on a consent application to sever a surplus farm dwelling.

Recommendation

THAT **Consent Application B10-25-AV** from **Jesse Kloepfer** the owner of lands legally described as CONCESSION 7, PART OF LOT 18, in the geographic former Township of Burford, municipally known as 358 West Quarter Townline Road, County of Brant, proposing to sever a surplus farm dwelling and associated accessory structures with an area of approximately 0.52 hectares (1.28 acres) and a frontage of approximately 76 meters (249.3 feet), **BE APPROVED** subject to the attached conditions.

THAT the reason(s) for the approval of Consent Application B10-25-AV are as follows:

- The existing farm dwelling is considered surplus to the needs of the farm operation, as a result of farm consolidation in the County of Brant.
- The appropriate conditions have been included to ensure the subject lands are re-zoned to A-9 to prohibit residential development on the retained lands; and
- The proposal is consistent with the Provincial Planning Statement (2024) and meets policies in the County of Brant Official Plan (2023) and Zoning By-law 61-16.

Executive Summary

Consent Application B10-25-AV proposes to sever a surplus farm dwelling from the existing farm parcel.

Agricultural (A) Zone	Proposed Severed Lands (<i>Surplus Dwelling</i>)	Proposed Retained Lands
Lot Area (hectares)	0.52 ha	39.67 ha
Lot Frontage (meters)	76 m	532 m

Should the severance be approved, the retained lands are to be rezoned to Agriculture with a Special Exception (A-9) to prohibit any future residential development on the retained lands.

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.

Based on the analysis provided in this report, it is my professional recommendation that Consent Application B10-25-AV BE APPROVED, subject to the attached conditions.

Location / Existing Conditions

The subject lands are located east of West Quarter Townline Road, south of Seventh Concession Road, north of Eight Concession Road, and west of Middle Townline Road. The lands are situated outside of the Settlement Boundaries, within the geographic former Township of Burford in the County of Brant.

The subject lands, municipally known as 358 West Quarter Townline Road, have approximately 608 meters of frontage (1994.75 ft) along West Quarter Townline Road and a total lot area of approximately 40.19 hectares (99.31 acres). The property contains Significant Wetlands in the southwestern portion of the lot, and a watercourse traverses the northeastern section. The parcel is regular in shape and contains one residential dwelling and an attached accessory structure (garage), both located within the proposed severed lot. It also contains an old silo, which was observed during the site visit and will be located within the retained lands. The retained lands are currently actively farmed.

The surrounding area is primarily characterized by agricultural land uses to the north, east, west, and south. The subject lands are privately serviced.

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

Report

Analysis

- Planning Act

Section 53(12) of the Planning Act states that, in considering whether a provisional consent is to be given, the approval authority shall have regard to the same criteria as set out in Section 51(24), with necessary modifications. As such, Section 51(24) sets out the applicable criteria to be considered when reviewing consent (severance) applications.

- Provincial Planning Statement (PPS) – 2024

The PPS (2024) provides policy direction on matters of provincial interest related to land use planning and development, forming the foundation for regulating the use and development of land in Ontario. In accordance with Section 3 of the Planning Act, all decisions affecting planning matters must be ‘consistent with’ the Provincial Planning Statement.

Section 4.3.2 specifies that planning authorities shall use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.

- **The proposed severance is consistent with Section 4.3.2 of the PPS (2024), which promotes the protection and continuity of agricultural lands through an agricultural system approach. The retained parcel, approximately 39.67 hectares, will remain in active agricultural use, with no changes proposed to its current operation.**

Section 4.3.3.1 specifies that lot creation in prime agricultural areas is discouraged and may only be permitted for a residence surplus to an agricultural operation as a result of farm consolidation, provided that:

Policy Reference	Policy Requirement	Planning Analysis
4.3.3.1 (a)	The new lot is limited to the minimum size required to accommodate the use.	The proposed severed lot is approximately 0.52 ha in size, containing only the existing dwelling and one attached accessory structure, reflecting the minimum area necessary to accommodate the use.
4.3.3.1(b)	The lot is serviced with appropriate sewage and water services.	The severed lot is privately serviced, fulfilling the requirement for appropriate sewage and water services. The private services will be within the severed portion.
4.3.3.1(c)	New dwellings and additional residential units are prohibited on the remnant parcel of farmland created by the severance.	The retained lands are to be rezoned to Agriculture with a Special Exception (A-9) zone to prohibit any future residential development, ensuring conformity with this policy requirement.

- **The proposal meets the criteria of Section 4.3.3.1 of the PPS, which allows lot creation in prime agricultural areas only for a “residence surplus to an agricultural operation” resulting from farm consolidation.**

Section 8.0 defines a “residence surplus to an agricultural operation” as “one existing habitable detached dwelling, including any associated additional residential units, that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).”

- **In accordance with Section 8.0 of the PPS (2024), the proposed severance meets the definition of a "residence surplus to an agricultural operation," as it involves an existing habitable dwelling that is rendered surplus due to farm consolidation. The owner will continue to operate the retained lands along with other agricultural parcels as a single farm operation. The application is therefore consistent with the PPS and supports the long-term protection and efficient use of agricultural land.**

It is my professional opinion that the proposed severance is consistent with the policies of the Provincial Planning Statement (2024), as it supports the protection of agricultural lands, conforms to the criteria for surplus farm dwelling severances, and facilitates the continued agricultural use of the retained lands.

- County of Brant Official Plan (2023)

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

- **The subject lands, municipally known as 358 West Quarter Townline Road, are designated Agriculture and Natural Heritage System on Schedule A of the County of Brant Official Plan. The surrounding lands are predominantly designated Agriculture.**

The following analysis outlines how Consent Application B10-25-AV conforms to the applicable policies under Section 2.3.7 to Section 2.3.11 of the County of Brant Official Plan (2023), which governs consents within agricultural areas, including severances for surplus farm dwellings:

Policy 2.3.7 of the Official Plan	Planning Analysis
The residence surplus to the farming operation is the direct result of a farm consolidation where the farming operation is merged with a contiguous farming operation in which no new lot is created or located within the County or an adjacent municipality;	The proposal is consistent with the policy, as the residence is considered surplus to the needs of the farming operation due to a farm consolidation. The applicant owns and operates another farm within the County, and this application does not result in the creation of a new lot.

No prior severance has been granted for residential purposes from the lands containing the surplus residence since January 1, 1999, as demonstrated through land registry records, deeds, and/or a survey.	Our records indicate no history of residential severance from the subject lands. The owner has also confirmed that no residential severances have been granted from the lands during this time.
The lands to be consolidated as part of the farming operation have a minimum lot size of 19 hectares, unless proposed to be merged with an abutting farming operation;	The retained lands, approximately 39.67 ha in size, exceed the minimum lot size requirement of 19 ha for farm consolidation, and therefore conform to this policy.
The residence surplus to the farming operation was built at least 15 years ago or has replaced a residential dwelling that was built at least 15 years ago;	The owner has confirmed that the surplus residence was constructed prior to 2010, thereby satisfying this policy requirement.
The residence surplus to the farming operation must be considered a habitable residential dwelling that meets building code requirements for occupancy;	The existing dwelling is habitable and currently occupied by a tenant.
The lands to be consolidated as part of the farming operation have been purchased by a bona fide farming operator prior to the application for consent or there is a legally binding agreement of purchase and sale.	The owner is a bona fide farmer with ownership of additional farm parcels. As this application does not involve the sale or purchase of land, no agreement of purchase and sale is required for compliance with this policy.
Accommodation of the surplus residence, accessory residential buildings and structures, existing access, and water and wastewater services;	The proposed 0.52-hectare lot accommodates the existing dwelling, one attached accessory structure, and associated water and wastewater services.
That the proposal will comply with the Minimum Distance Separation Formulae. More specifically: Where the existing surplus residence to be severed and a livestock facility or anaerobic digester are located on separate lots prior to the consent, Minimum Distance Separation Formulae I is not required.	There are no livestock facilities located on the same lot as the surplus residence to be severed; therefore, MDS I does not apply, and the proposal complies with MDS requirements.

The severed lot containing the residence shall have a minimum lot area of 0.4 hectares and a maximum lot area of 1 hectare based on:	The proposed severed lot is 0.52 ha, meeting the lot area requirement.
Minimum lot frontage of 20 metres, measured from the front of the lot to the rear of the lot;	The proposed severed lot has approximately 76 m of frontage, above the minimum frontage required.
Safe and direct access to a public road, maintained year round, to the satisfaction of the County;	The lot has direct access to West Quarter Townline Road, a public road that is maintained year-round to the satisfaction of the County.
Compatibility with surrounding established lot fabric	The severed lot is regular in shape and is consistent with the established rural lotting pattern.
Location within proximity to an existing building cluster; and Minimization of agricultural land consumption.	The dwelling proposed to be severed includes an attached accessory structure, forming a compact building cluster and thereby minimizing the consumption of agricultural land.
The lands containing the residence surplus to the farming operation have been owned by a bona fide farming operator for at least three years, as demonstrated through land titles and a farm business registration number;	The retained land is owned by a bona fide farmer who intends to continue farming operations. The lands have been actively farmed and under the same ownership for approximately 24 years, satisfying the requirement for ownership by a farming operator for at least three years.

- **The proposal satisfies the criteria under Section 2.3.7 of the Official Plan for surplus farm dwelling severances.**

Policies 2.3.8 to 2.3.11	Policy Requirement	Planning Analysis
2.3.8	Farmer must own and operate the farm and have a farm business registration.	The applicant satisfies these conditions, including providing proof of farm business registration.
	Farmer must own other farm properties and a separate residence.	The farmer (owner) operates a second farm business under the name Elermae Acres and resides

		at a separate dwelling located at 112 Muir Road South.
	Ownership can include sole proprietors, corporations, or partnerships with registration.	The applicant satisfies these conditions, including providing proof of farm business registration.
2.3.9	Lands rented to others do not qualify the owner as a bona fide farmer.	The owner is a bona fide farmer who actively farms the land and has not rented it to others.
2.3.10	New residential dwellings must be prohibited on retained lands via by-law.	The retained parcel is to be rezoned to A-9, prohibiting residential development.
2.3.11	Severances for irregular or flag-shaped lots are not supported.	Both the proposed severed and retained parcels are regular in shape and not configured as flag lots, aligning with the policy direction that discourages irregular or flag-shaped lot configurations.

- The proposal conforms to Policies 2.3.8 to 2.3.11 of the Official Plan, as the applicant is a bona fide farmer with a valid farm business registration, owns multiple farm parcels, resides off-site, the retained lands will be rezoned to prohibit residential use, and the severed lot meets all applicable criteria.

It is my professional opinion that Consent Application B10-25-AV conforms to the County of Brant Official Plan (2023), as it is consistent with the policies for surplus farm dwelling severances and supports the continued use of the retained lands for agricultural purposes.

- Zoning By-Law 61-16

The subject lands, known as 358 West Quarter Townline Road, are zoned as Agriculture (A) and Natural Heritage (NH) in accordance with Schedule 'A' of the County of Brant Zoning By-Law 61-16, as updated through the March 2024 Office Consolidation.

Section 6, Table 6.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Agricultural (A). Permitted uses include but are not limited to the following:

- Agricultural Use
- Dwelling, Single-Detached

Section 6, Table 6.2.1 of the County of Brant Zoning By-Law 61-16 advises the zoning requirements for each permitted building type for lands zoned as Agricultural (A).

Agricultural (A) Zone	Required, All Other Uses	Retained Lands	Required, Single Detached Dwelling	Severed Lands (Surplus Dwelling)
Lot Area, Min (ha)	40.0	39.67	40.0	0.52
Lot Frontage, Min (m)	150.0	532	150.0	76*
Street Setback, Min (m)	25.0	—	10.0	16.3
Interior Side Yard Setback, Min (m)	15.0	—	4.0	>19
Rear Yard Setback, Min (m)	15.0	—	10.0	>23
Lot Coverage, Max	30%	< 0.2%	30%	7%
Landscaped Open Space, Min	30%	—	30%	—
Building Height, Max (m)	10.0 m	-	10.0	9

* The required frontage for a single detached dwelling in the Agricultural zone is 150 meters, and the severed lot has a frontage of 76 meters. However, in accordance with Section 4.29(b) of the Zoning By-law, “where the severed and retained lands have a minimum 20.0 meter frontage, then said lot shall be deemed to comply with the requirements of this By-law with respect to the required lot area and lot frontage.

Section 4.29 of the County of Brant Zoning By-Law 61-16 specifies development criteria for Surplus Farm Dwellings. The following demonstrates conformity with Sections 3.6 and 4.29 of the Zoning By-Law.

Section 3.6 and 4.29 of Zoning By-Law 61-16		Planning Analysis
3.6	This section defines Farm Consolidation to mean the acquisition of additional farm parcels to be operated as one farm operation within the Province of Ontario.	Staff have verified that the subject lands have been acquired as additional farm parcels to be added to the Farm Operation and that the dwelling is surplus.

	<p>This section defines Farm Operation to mean ands that are assessed as farmland and have a valid Farm Business Registration Number or an official letter of exemption from Agricorp, for the purpose of on-site agricultural uses, but does not include cannabis production and processing.</p>	<p>Staff have verified the Applicants as having a valid Farm Business Registration Number for the purpose of agricultural uses.</p>
4.29 (a)	<p>It states the severed lands shall be limited to an appropriate size to accommodate private onsite servicing, being generally less than 0.6 ha in size.</p>	<p>The severed lands are limited to 0.52 ha in size to accommodate private services, the accessory structure and limit the amount of land taken out of production.</p>
4.29 (b)	<p>It states that where the severed and retained lands have a minimum 20.0 metre frontage, then said lot shall be deemed to comply with the requirements of this By-Law with respect to the required lot area and lot frontage.</p>	<p>Both the retained land (532 m) and the severed land (76 m) exceed the minimum frontage requirements.</p>
4.29 (c)	<p>This policy states the dwelling on the severed lands shall only be considered surplus to the farming operation if it was constructed a minimum of 15 years prior to the date the application for the surplus farm dwelling consent is received.</p>	<p>The age of the dwelling is greater than 15 years old from the date the application was received.</p>
4.29(d)	<p>It states the dwelling must be considered habitable at the time of application, as may be determined by the local municipal Chief Building Official.</p>	<p>The surplus dwelling is considered habitable, as it is currently occupied by a tenant.</p>
4.29 (e)	<p>This section states that Minimum Distance Separation Guidelines shall apply to the severed lands as a Type B land use;</p>	<p>The Minimum Distance Separation Formulae is not required per Implementation Guideline #9 in the Ontario Ministry of Agriculture, Food and Rural Affairs Publication 853, which states where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the</p>

		consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy.
4.29 (f)	It states that for any retained lands, being the lands containing the farming operation, a Special Exception Agricultural Zoning shall be applied to the lands on 'Schedule A' of this Bylaw and such amendment to 'Schedule A' shall be made as part of the granted consent without further notice being required provided the requirements of the Planning Act are met said special exception shall be applied to prohibit a dwelling unit on the retained lands and, provided there is a minimum of 20.0m of frontage, and applied to grant relief required under Section 6.2 for minimum lot area and lot frontage.	As a condition of consent, the retained lands will be rezoned to Agricultural with a Special Exception (A-9) to prohibit future residential development and to satisfy zoning requirements for lot area and frontage, as both the severed and retained lands exceed the 20-metre frontage minimum.

Section 4, Table 4.4.1 of the County of Brant Zoning By-Law 61-16 advises the required development regulations for accessory structures permitted in the Agricultural (A) zone.

Agriculture (A) Zone	Required	Existing Accessory Structure 1 (Severed Land): Garage	Existing Accessory Structure 2 (Retained Land): Silo
Lot coverage, Maximum (%)	5% of the total lot area	1.16%	<0.2 %
Street Setback, Minimum (m)	25.0 m	>27	>60
Interior side yard and rear yard setback, Minimum (m)	3.0 m	>19 and 24	3.75 and >20
Structure height, Maximum (m)	7.0 m	3	12*

*The existing silo has an approximate height of 12 meters, which exceeds the maximum permitted height of 7 meters for accessory structures as outlined in

Table 4.4.1 of the Zoning By-Law. However, the silo was lawfully established prior to the passing of the current By-Law and is therefore considered legal non-conforming.

- **The subject lands containing existing development meet the zone requirements for the A zone.**

It is my professional opinion that the proposal maintains the intent of the County of Brant Zoning By-law by supporting farm consolidation and the long-term protection of agricultural lands. While the severed parcel does not meet the minimum required frontage of 150 meters, Section 4.29(b) deems the proposed 76 meters to be compliant. All other zoning requirements for the Agricultural zone are met. It is recommended that a condition of approval require the rezoning of the retained lands to an Agricultural Special Exception Zone to prohibit future residential development, in accordance with Section 4.29(f).

Interdepartmental Considerations

- Development Engineering Department (County of Brant):
 - A Legal Survey is required to demonstrate the new property boundaries. A draft reference plan is to be completed by a certified Ontario Land Surveyor and is to include all lot bearings, distances, and survey monumentation for the purpose of verifying parcel geometry. The draft is to be provided to the County for approval prior to depositing.
 - Per the Drainage Act, R.S.O 1990, c.D.17, the subject lands will need to be re-assessed for the purposes of collecting funds for repairs and maintenance of the Harley Municipal Drain. Under the terms of Section 65, re-assessment shall be via an Engineer's reapportionment (cost to borne by the parties noted in the reapportionment) OR via the owners entering into a mutual agreement on the share of the drainage assessment each shall pay, and filing said agreement with the County of Brant Clerk.
- Fire Department (County of Brant):
 - The Rural Fire Suppression fee of \$600.00 will apply.
- Geographic Information Systems Analyst (County of Brant):
 - 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 retained parcel, this can be requested at the [County of Brants Civic Address Requesting Form](#).
- Parks Capital Planning & Forestry (County of Brant):
 - Cash-in-lieu of parkland for the amount of \$6016 is required for the for the purpose of a surplus farm dwelling severance.
 - Parkland Dedication:
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:

c) Six thousand and sixteen dollars (\$6016, 2025 value) or as amended as per the County of Brant Fees By-Law, per lot created through consent, including but not limited to farm splits and surplus farm dwelling severances.

The payment required shall be paid to the County:

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.

- Canada Post: No comments.
- Long Point Region Conservation Authority (LPRCA):
 - The application is consistent with Section 5.2.2(b) of the Provincial Planning Statement (2024), as the proposed severed parcel is not located within hazardous lands adjacent to rivers or streams.
 - No portion of the severed parcel falls within the LPRCA's regulation limit; therefore, LPRCA has no objections to the proposed severance from a natural hazard perspective.
 - On the retained parcel, portions of the land do fall within the regulation limit due to:
 - A wooded area near the southern property boundary (within 30 m of a Provincially Significant Wetland),
 - A drain in the northeast corner, with regulation extending 15 m from the banks.
 - Permission from LPRCA will be required prior to any development within the regulated areas of the retained lands, under Ontario Regulation 41/24.
- Hydro One: No comments.

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

- Building Division (County of Brant)
- Operations Department (County of Brant)
- Environmental Policy Planning (County of Brant)
- Six Nations
- Mississaugas of the Credit First Nation

Public Considerations

Notice of this application, including contact information and the date of the public hearing, was circulated by mail on May 28, 2025, to all property owners within 60 meters of the subject lands, in accordance with Section 45(5) of the Planning Act.

The Public Notice sign was posted on the property on May 28, 2025.

A site visit was conducted on May 26, 2025.

At the time of writing this report, no public inquiries or feedback had been received.

Conclusions and Recommendations

Consent Application B10-25-AV proposes to sever a surplus farm dwelling and an associated accessory structure from 358 West Quarter Townline Road, with the retained lands to remain

in agricultural production and be rezoned to Agricultural with Special Exception (A-9) to prohibit future residential development. The resulting farm unit will consist of approximately 39.67 hectares and continue to support active farming operations.

The proposal is consistent with the intent and policies of the Planning Act, the Provincial Planning Statement (2024), the County of Brant Official Plan (2023), and complies with Zoning By-law 61-16. While the severed lot does not meet the minimum frontage of 150 meters required in the Agricultural (A) zone, Section 4.29(b) of the Zoning By-law deems it compliant, as both severed and retained lots exceed 20 meters of frontage. All other zoning and servicing requirements are met.

It is the professional opinion of staff that the proposed severance supports the long-term protection of agricultural lands, contributes to farm consolidation, and represents sound planning. Therefore, it is recommended that Consent Application B10-25-AV be approved, subject to the attached conditions, including rezoning the retained lands to Agricultural with Special Exception (A-9) to prohibit future residential development.

Prepared by:

Afsoon Veshkini, Junior Planner

A handwritten signature in black ink, appearing to read 'Afsoon Veshkini', with a stylized flourish at the end.

Attachments

1. Conditions of Approval
2. Zoning Map
3. Official Plan Map
4. Aerial Map
5. Severance Sketch
6. Site Plan
7. 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

File # B10-25-AV

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)

Attachment 1- Conditions of Approval

Applicant: Jesse Kloepfer

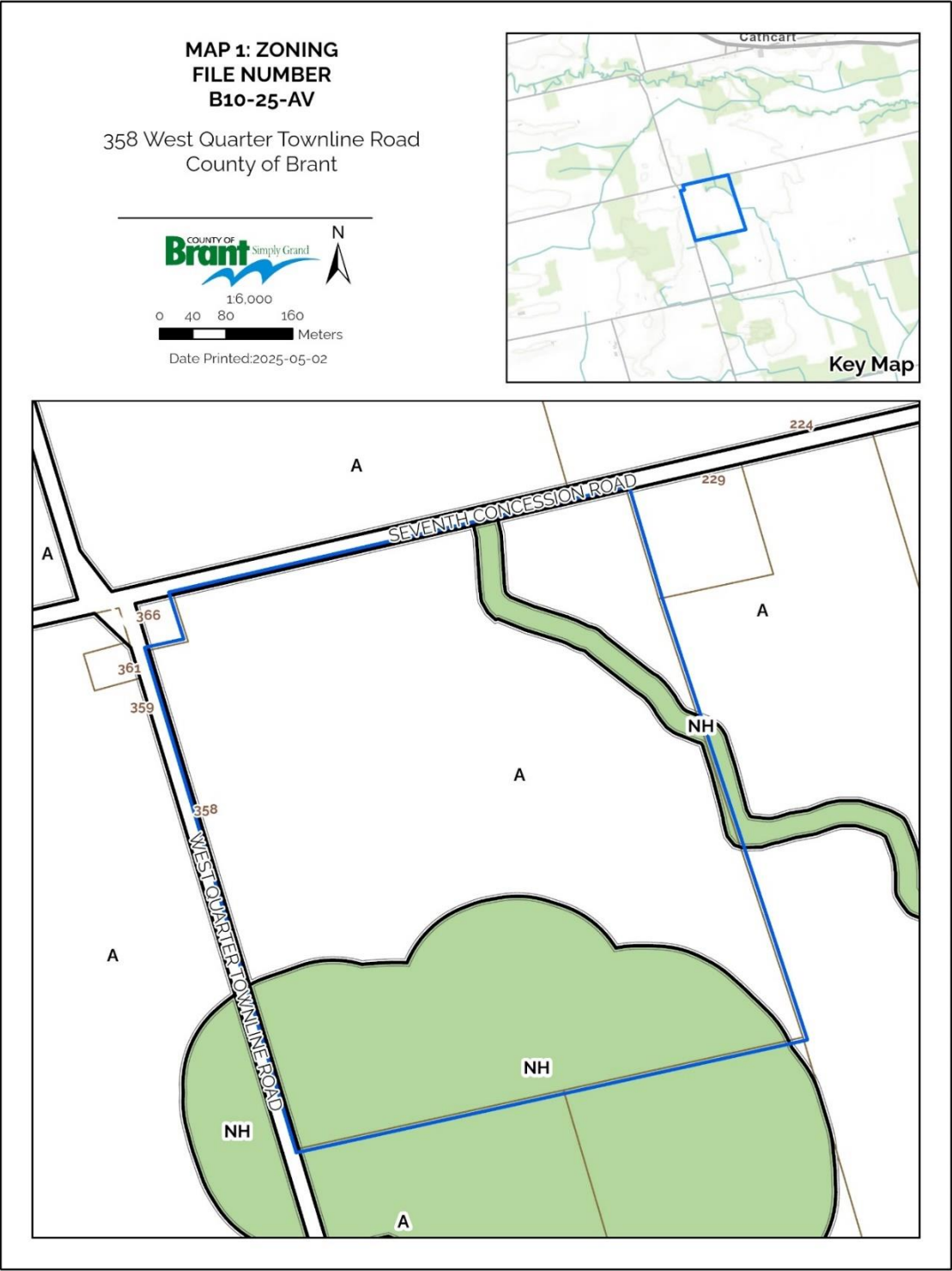
File No: B10-25-AV

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

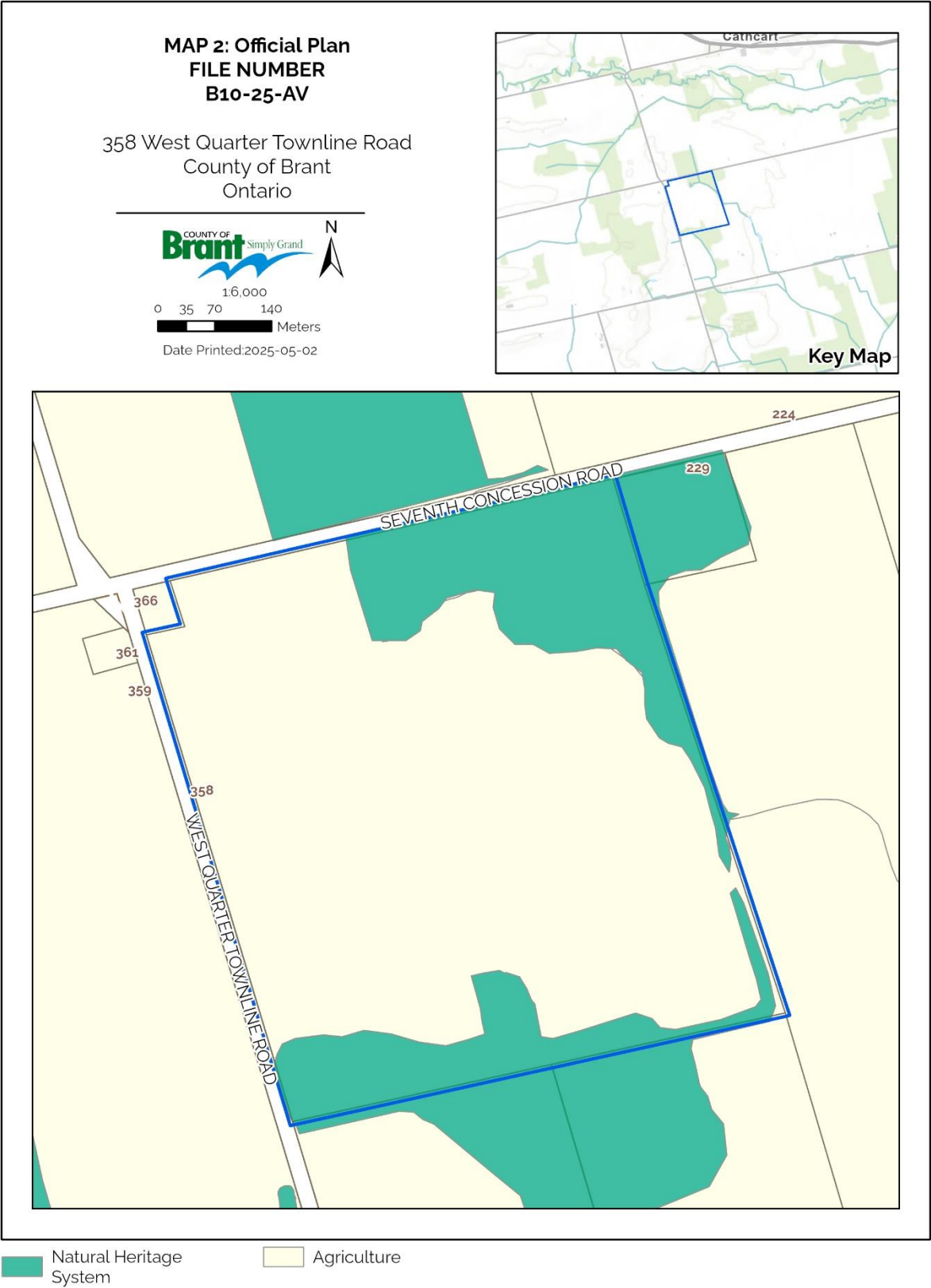
1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant(s) provide a copy a Draft Reference Plan for the retained lands, completed by a licensed surveyor and reviewed by the County of Brant, prior to the finalization of the Consent (i.e. registration of the deeds in the appropriate Registry Office).
3. That the following subsequent Planning Act Application be received, deemed complete and approved with no appeals:
 - a) To rezone the retained lands to Agricultural with a Special Exception (A-9) to prohibit a dwelling unit as a permitted use; and,
 - b) That any further Planning Applications required to satisfy the conditions of approval must be received and deemed complete a minimum of four (4) months prior to the lapsing of the Consent.
4. That the Owner/Applicant(s) provide proof, to the satisfaction of the County of Brant, that the subject lands have been re-assessed in accordance with the Drainage Act, R.S.O. 1990, c. D.17, for the purposes of collecting funds for repairs and maintenance of the Harley Municipal Drain. Such re-assessment shall be completed via one of the following:
 - a. An Engineer's reapportionment completed and filed in accordance with Section 65 of the Drainage Act (cost to be borne by the parties as noted in the reapportionment); or,
 - b. A mutual agreement entered into by the Owners of the affected lands, setting out the share of the drainage assessment each party shall pay, with said agreement filed with the County of Brant Clerk.
5. That the Applicant(s) provide proof/copy of draft approved civic addressing for the Severed and Retained lands issued by the Planning Division to the satisfaction of the County of Brant.
6. That the Owner/ Applicant(s) provide Parkland dedication and/or Cash-in-lieu of parkland in the amount of \$6016.00, per new lot, to be paid to the County of Brant in accordance with Parkland Dedication By-Law 21-2022, Section 3.1 and 3.2 to the satisfaction of the County of Brant.
7. That the Applicant(s) provide proof that \$600.00, per new building lot, in monies for firefighting purposes has been submitted to the County of Brant, or some other method acceptable to the Fire Department if required, prior to the stamping of the deeds.

8. That the current Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
9. That the Applicant(s) 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).
10. 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.
11. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

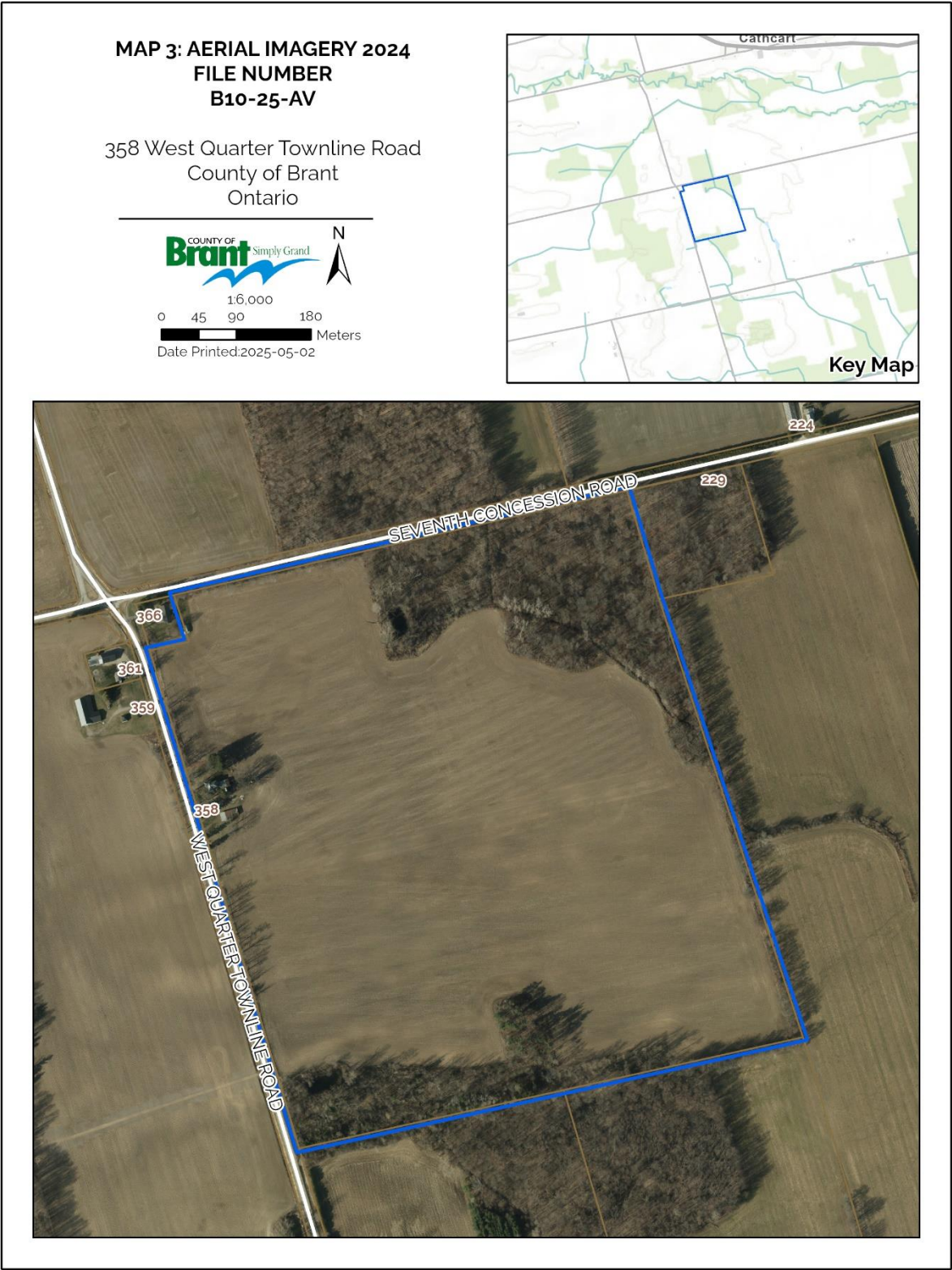
Attachment 2 – Zoning Map



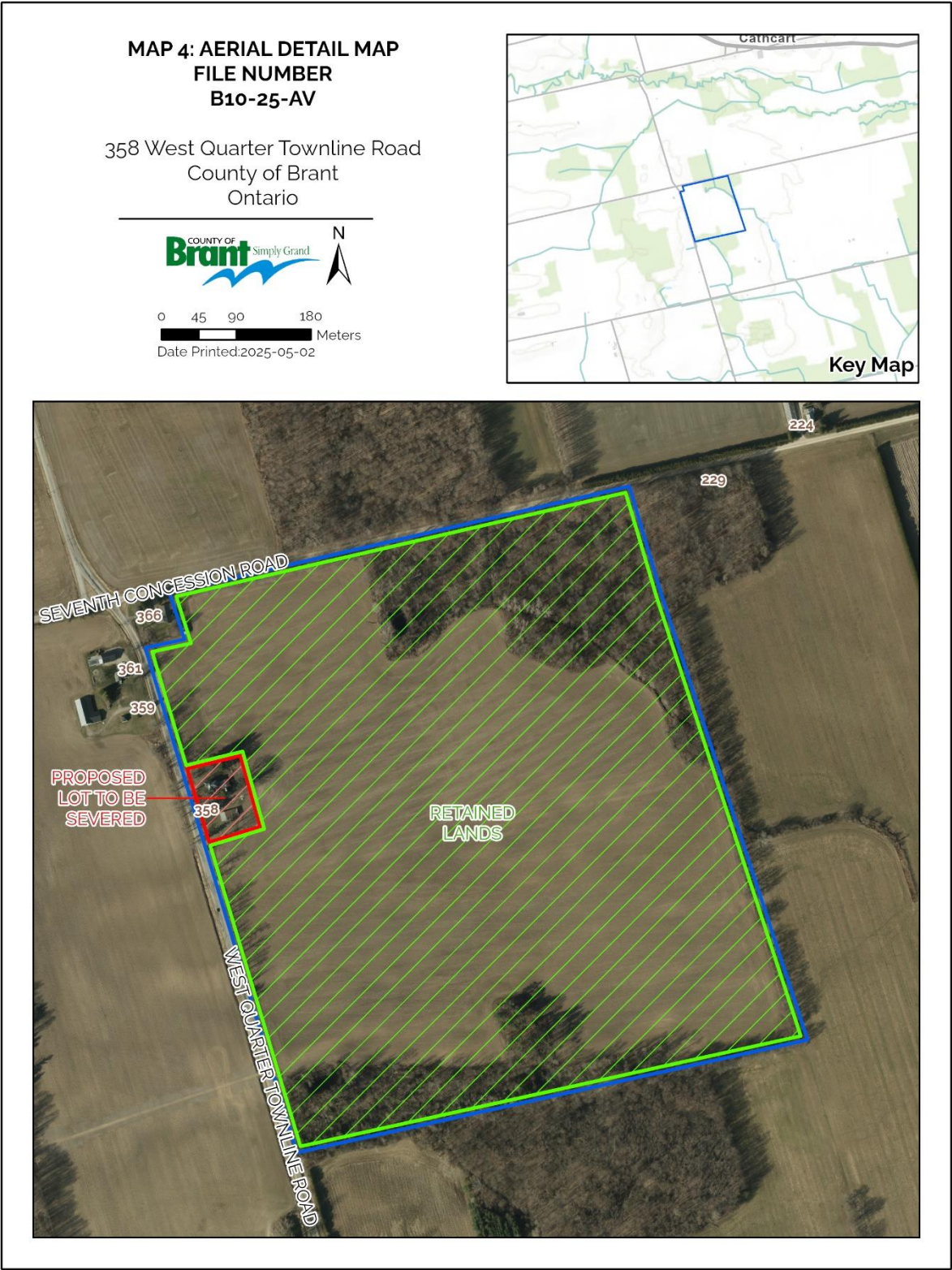
Attachment 3 – Official Plan Map



Attachment 4 – Aerial Map

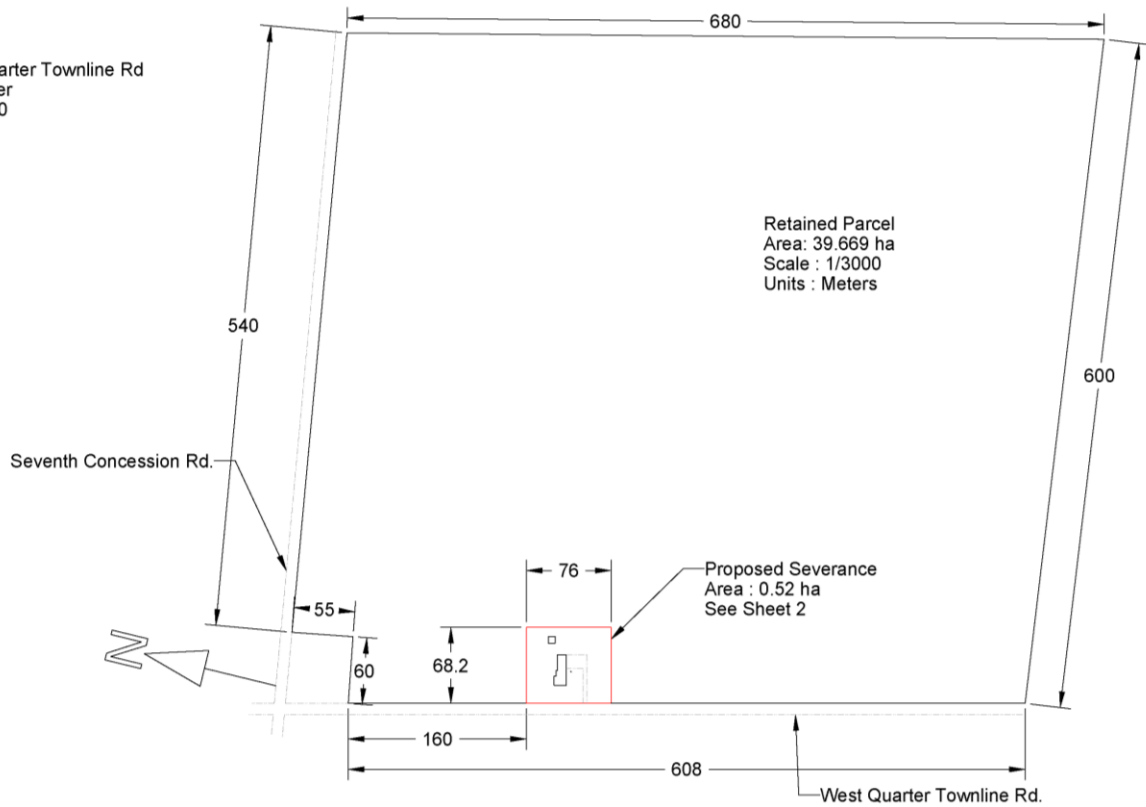


Attachment 5- Severance Sketch



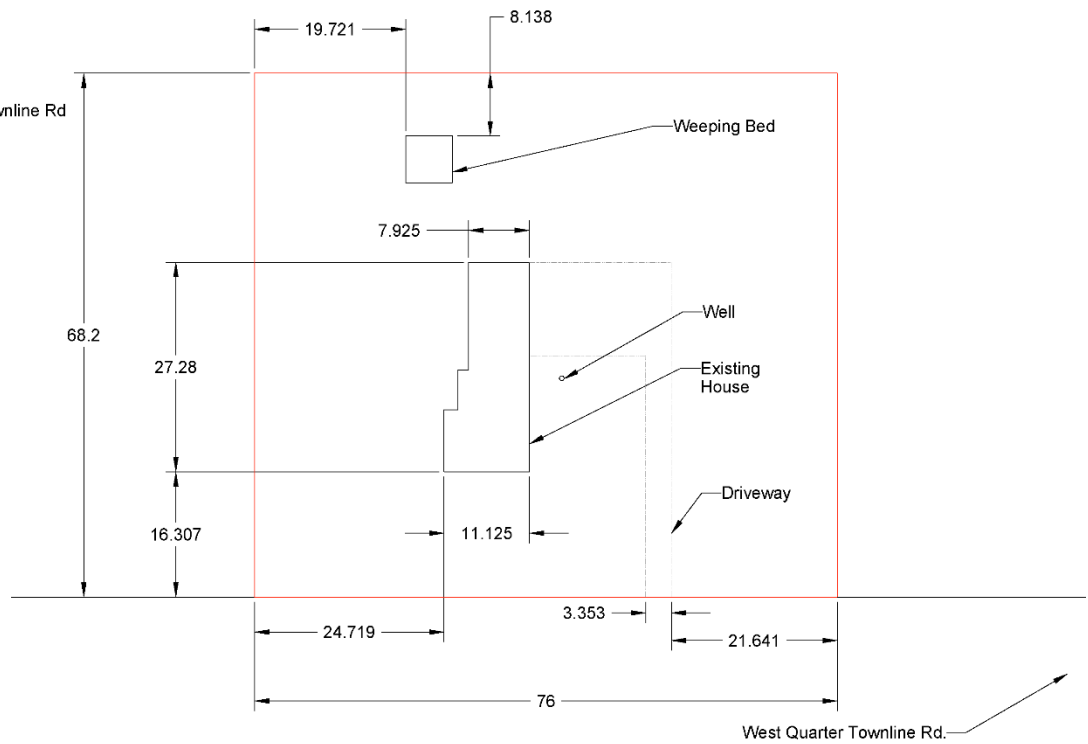
Attachment 6- Site Plan

Sheet 1
358 West Quarter Townline Rd
Jesse Kloepfer
Scale : 1/3000
Units: Meters



Sheet 2
Proposed Severance
Area : 0.52 ha

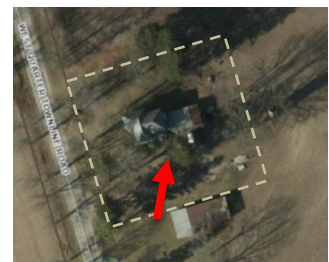
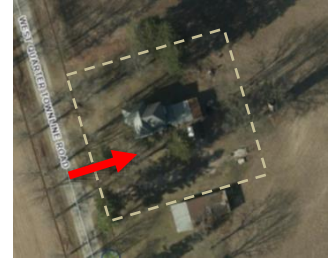
358 West Quarter Townline Rd
Jesse Kloepfer
Scale : 1/400
Units: Meters



Attachment 7- Site Photos







Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Severance
Application No:	B10-25-AV
Location:	358 West Quarter Townline Road
Agent / Applicant:	Jesse Kloepfer
Owner:	Jesse Kloepfer

This application proposes: **a surplus farm dwelling severance on the subject lands. The proposal is to sever approximately 1.28 acres (0.52 hectares) of land containing an existing residential dwelling and an accessory structure, with approximately 76 metres of frontage along West Quarter Townline Road. The retained farmland would be approximately 98.02 acres (39.67 hectares) in size, with a frontage of 532 metres.**

Planner: Afsoon Veshkini, Junior Planner, 519.442.7268 x 3014 <afsoon.veshkini@brant.ca>

To view the application and supporting documents, please contact the Planning Department. 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

** 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.*

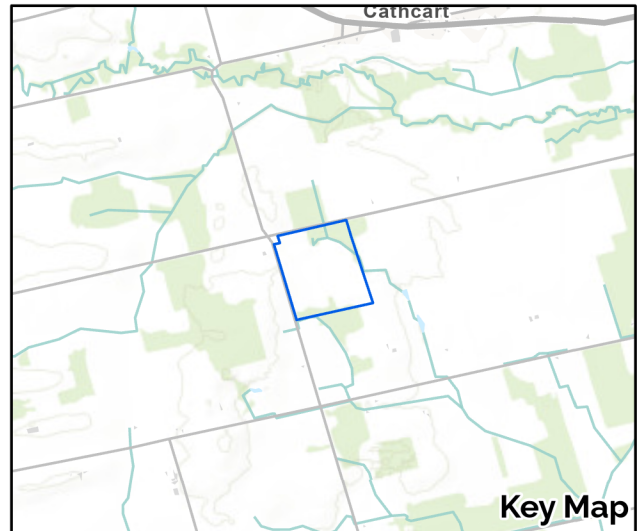
MAP 4: AERIAL DETAIL MAP
FILE NUMBER
B10-25-AV

358 West Quarter Townline Road
County of Brant
Ontario

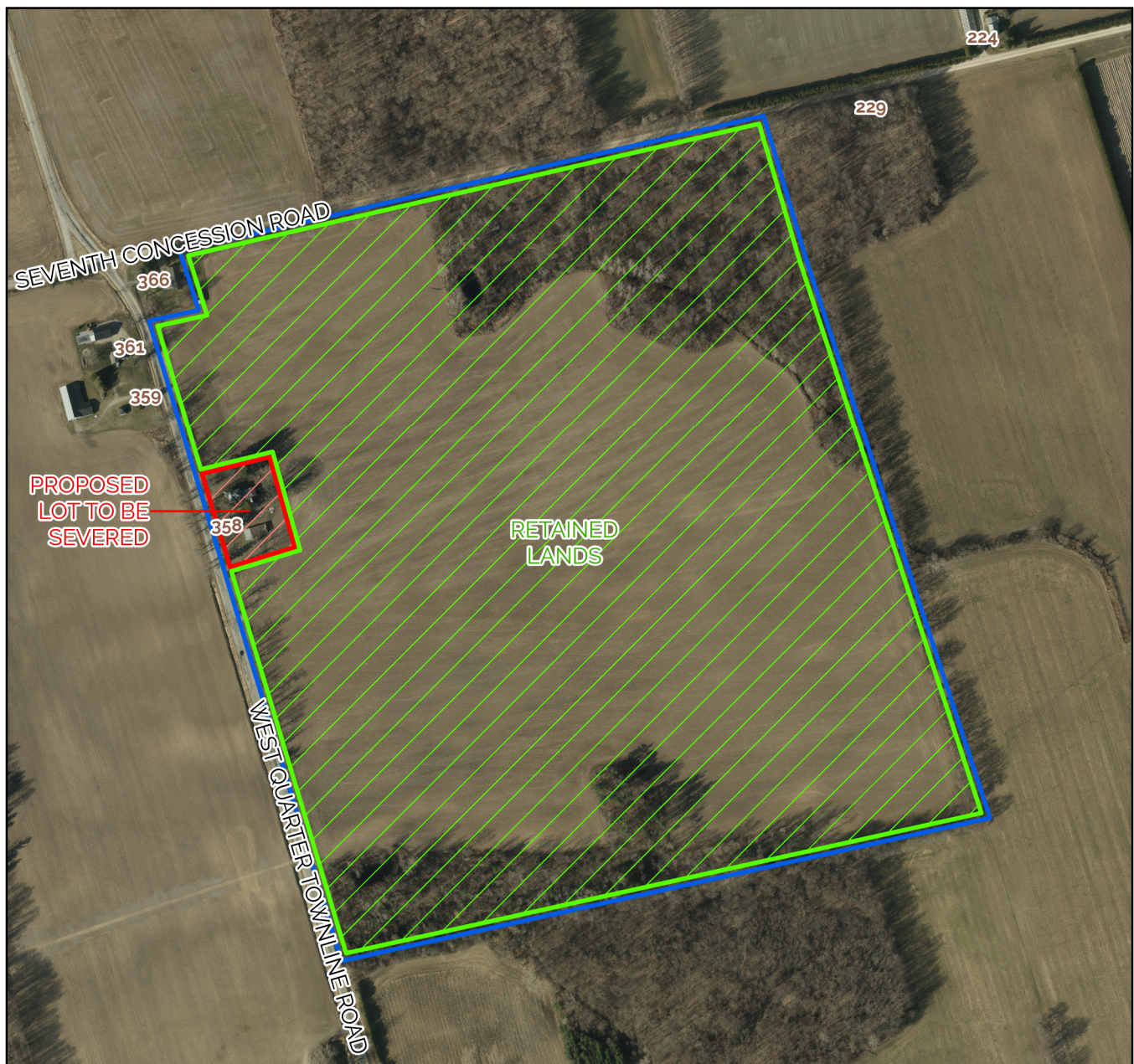


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Meters

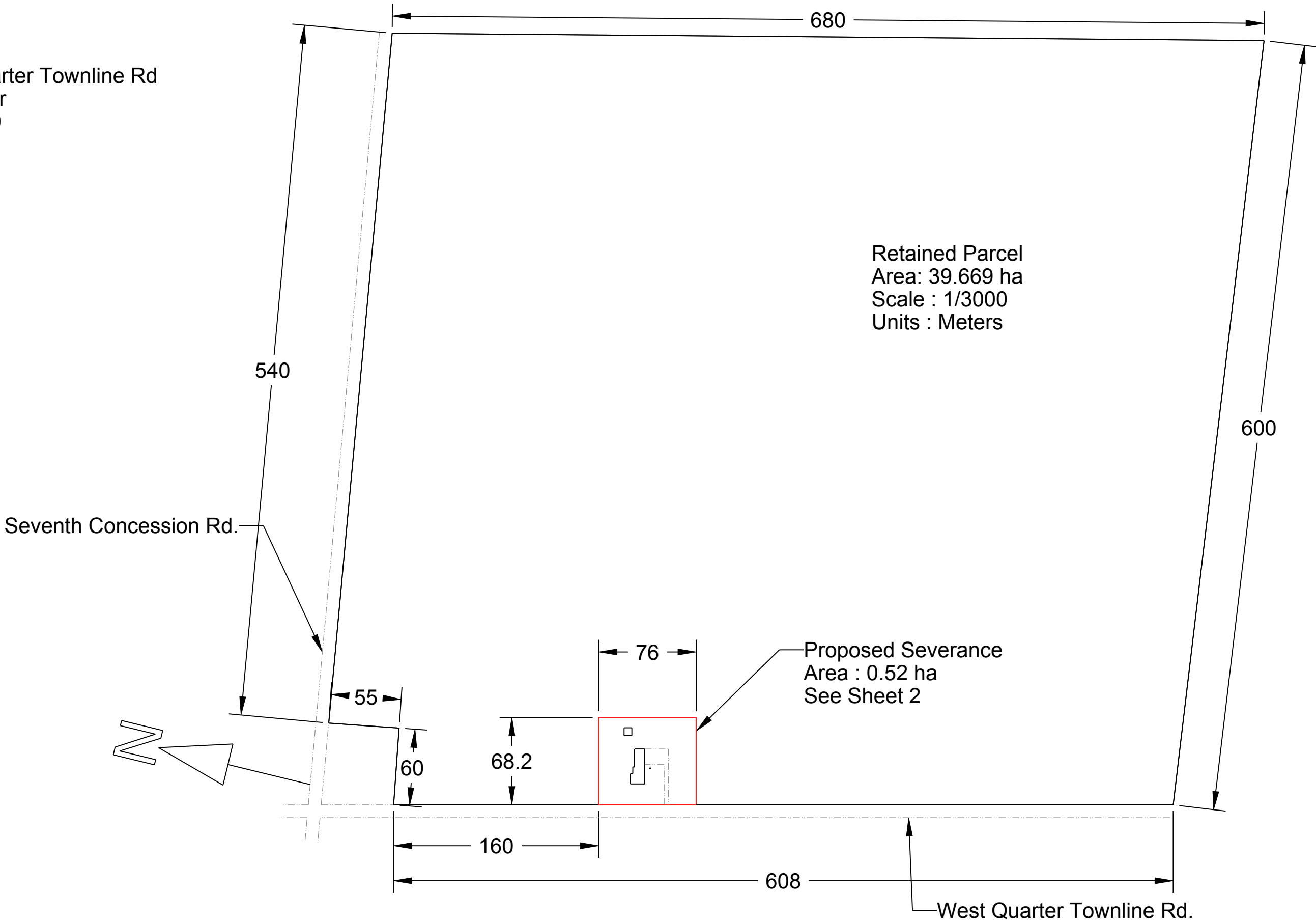
Date Printed: 2025-05-02



Key Map



Sheet 1
358 West Quarter Townline Rd
Jesse Kloefer
Scale : 1/3000
Units: Meters





COMMITTEE OF ADJUSTMENT REPORT

DATE: June 19th, 2025

REPORT NO: RPT - 0230 - 25

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

FROM: Lauren Graham, Planner

APPLICATION TYPE: Consent

APPLICATION NO: B33-23-LG and B34-23-LG

LOCATION: 303 Highway #5, St. George

AGENT / APPLICANT: The Angrish Group c/o R. Angrish

OWNER: John and Linda Oliver

SUBJECT: Request for a Change of Conditions for Consent Application B33-23-LG and B34-23-LG, approved on February 15, 2024, in order to establish the mutual access easement.

RECOMMENDATION

THAT Consent Application **B33-23-LG** from The Angrish Group c/o R. Angrish, Agent on behalf of John Oliver and Linda Oliver, Owners of lands legally described as CONCESSION 3 PART LOT 12 RP 2R647 PART 1, in the geographic Township of South Dumfries, municipally known as 303 Highway #5, County of Brant, proposing the creation of a mutual access easement along the existing driveway to benefit 309 Highway #5, recommending the following change to conditions originally approved on February 15, 2024:

1. Removal of Condition #3 –The easement is required to establish the existing shared access with 309 Highway #5. The creation of the easement is technical in nature and has no impact or relation to the creation of the new lot.

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

- The change to conditions maintains the intent of the original decision granted by the Committee of Adjustment on February 15, 2024.
- The establishment of the access easements are technical, minor in nature and compatible with surrounding land uses.
- The application is 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 and Zoning By-Law.

AND

THAT Application **B34-23-LG** from The Angrish Group c/o R. Angrish, Agent on behalf of Charles Tomblin, Owners of lands legally described as CONCESSION 3 PART LOT 12 RP 2R 2558 PART 2, in the geographic Township of South Dumfries, municipally known as 309

Highway #5, County of Brant, proposing the creation of an mutual access easement along the existing driveway to benefit 303 Highway #5, recommending the following change to conditions originally approved on February 15, 2024:

1. Removal of Condition #3 –The easement is required to establish the existing shared access with 303 Highway #5. As the creation of the easement is technical in nature and has no impact or relation to the creation of the new lot.

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

- The change to conditions maintains the intent of the original decision granted by the Committee of Adjustment on February 15, 2024.
- The establishment of the access easements are technical, minor in nature and compatible with surrounding land uses.
- The application is 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 and Zoning By-Law.

EXECUTIVE SUMMARY

Consent and Minor Variance Applications **B29-23-LG**, **B33-23-LG**, **B34-23-LG** and **A24-23-LG** received conditional approval from the Committee of Adjustment on February 15, 2024. Application **B29-23-LG** proposed the creation of one (1) new residential lot. Consent Applications **B33-23-LG** and **B34-23-LG** proposed the creation of a mutual access easement along the existing driveway to service 305 Highway #5 and 309 Highway #5. Minor Variance Application **A24-23-LG** proposed a reduced lot area and frontage for the severed lands.

The owner is requesting a change to the conditions of approval for Consent Applications B33-23-LG and B34-23-LG to remove Condition #3.

3. That related Consent Application B29-23-LG required to facilitate the creation of one (1) new residential lot be approved by the Committee of Adjustment with no appeals and Certificate of Official issued by the County of Brant Secretary Treasurer.

The change of conditions is required as the property owners have had a change in circumstances and now require completing the conditions related to the easement prior to the completion of Consent **B29-23-LG** for the creation of a new lot. The easement is technical in nature to service the existing dwellings and has no impact or relation to the creation of the new lot.

The requested change of conditions are appropriate to facilitate the creation of the mutual access easements. The change of conditions maintain the intent of the original decision granted by the Committee of Adjustment on February 15, 2024.

Therefore, it is my professional recommendation that the request for a change in conditions for applications **B33-23-LG** and **B24-23-LG**, be **APPROVED**.

LOCATION / EXISTING CONDITIONS

The subject lands are located north of Highway 5 and east of Brant Rd.

The subject lands municipally known as 303 Highway #5, within the geographic Township of South Dumfries, County of Brant, contains one (1) existing dwelling and two (2) detached accessory structures. The existing lot is rectangular in shape with an area of 5,589.5 square metres (1.38 acres) and a frontage of 62.51 meters (205.09 feet).

The existing driveway is currently shared with the abutting residence to the west, therefore the mutual access easement is required to service both 309 Highway #5 and 303 Highway #5.

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

REPORT

Planning Act

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

Section 53 (23) of the *Planning Act* states that:

The council or the Minister, as the case may be, may change the conditions of a provisional consent at any time before a consent is given.

Section 53 (24) of the *Planning Act* provides requirements for notices:

- ***The notice of change of conditions is in keeping with Section 53(24) of the Planning Act.***

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

Provincial Planning Statement – 2024

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

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

<i>Provincial Planning Statement – 2024</i>	<i>Planning Analysis</i>
Section 1.1.3.1 identifies that Settlement areas shall be the focus of growth and development. <i>Settlement Areas</i> can be identified as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets).	<i>The subject lands are designated as Suburban Residential and located within the Primary Urban Settlement Boundary of St. George.</i>
Section 1.1.3.4 of the <i>Provincial Planning Statement</i> 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.	<i>The Suburban Residential Designation supports residential growth in the form of infill development. The easements are technical in nature to service the existing dwellings and will not result in the creation of a new lot.</i>

<p>Section 1.6.6.4 advises 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 on-site 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. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.</p>	<p><i>The subject lands are located within the Primary Urban Settlement Boundary of St. George and are on private services. The mutual access easements will be used to service the existing dwellings at 305 Highway #5 and 309 Highway #5.</i></p>
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It is my professional opinion that the request is consistent with 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.

The subject lands are designated as Community Node within the County of Brant Official Plan (2023) and located within the Urban Settlement Area of St. George.

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>
<p>Section 1.1 of the Official Plan advises the County's Primary Settlement Areas consist of the settlement areas of Paris, St. George, and Burford, and are intended to accommodate the majority of current and future residential and employment growth to 2051.</p>	<p><i>The subject lands are designated as Community Node within the Official Plan and located within the Primary Settlement Area of St. George.</i></p>
<p>Part 6, Section 5.2.1 of the Official Plan advises a new lot(s) shall not be deemed to have been created where consent to sever is proposed for legal or technical reasons such as easements, rights-of-way, correction of deeds, and quit claims</p>	<p><i>The establishment of the mutual access easements are technical and will not result in the creation of a new lot.</i></p>

that do not result in the creation of a separate lot(s)	
---	--

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 Suburban Residential (SR) within the County of Brant Zoning By-Law 61-16.

Section 9, Table 9.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Suburban Residential (SR).

Permitted uses include but are not limited to the following:

- Dwelling, Single-Detached

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

INTERDEPARTMENTAL CONSIDERATIONS

Due to the nature of the change of conditions, additional technical circulation was not required.

PUBLIC CONSIDERATIONS

In keeping with Section 53(24) of the Planning Act, notice of the change of conditions application has been provided to the following:

- The Applicant / Owner

No written requests were submitted as part of the February 15, 2024 Committee of Adjustment meeting circulation therefore no public notices were circulated for this application. *At the time of writing this report, no public comments have been received.*

CONCLUSIONS AND RECOMMENDATIONS

The requested change of conditions are appropriate to facilitate the creation of mutual access easements. The change of conditions maintains the intent of the original decision granted by the Committee of Adjustment on February 15, 2024.

The owner is requesting a change to the conditions of approval for Consent Applications B33-23-LG and B34-23-LG to remove Condition #3.

3. That related Consent Application B29-23-LG required to facilitate the creation of one (1) new residential lot be approved by the Committee of Adjustment with no appeals and Certificate of Official issued by the County of Brant Secretary Treasurer.

The change of conditions is required as the property owners have had a change in circumstances and now require to complete the conditions related to the easement prior to the completion of the Consent related to the severed lot. The easement is technical in nature to service the existing dwellings and has no impact on the creation of the new lot.

Therefore, it is my professional recommendation that the request for a change in conditions for applications **B33-23-LG and B24-23-LG**, be **APPROVED**.

Lauren Graham

Lauren Graham

Planner

Reviewed by: Jeremy Vink, Director of 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 # B33-23-LG & B34-23-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) |

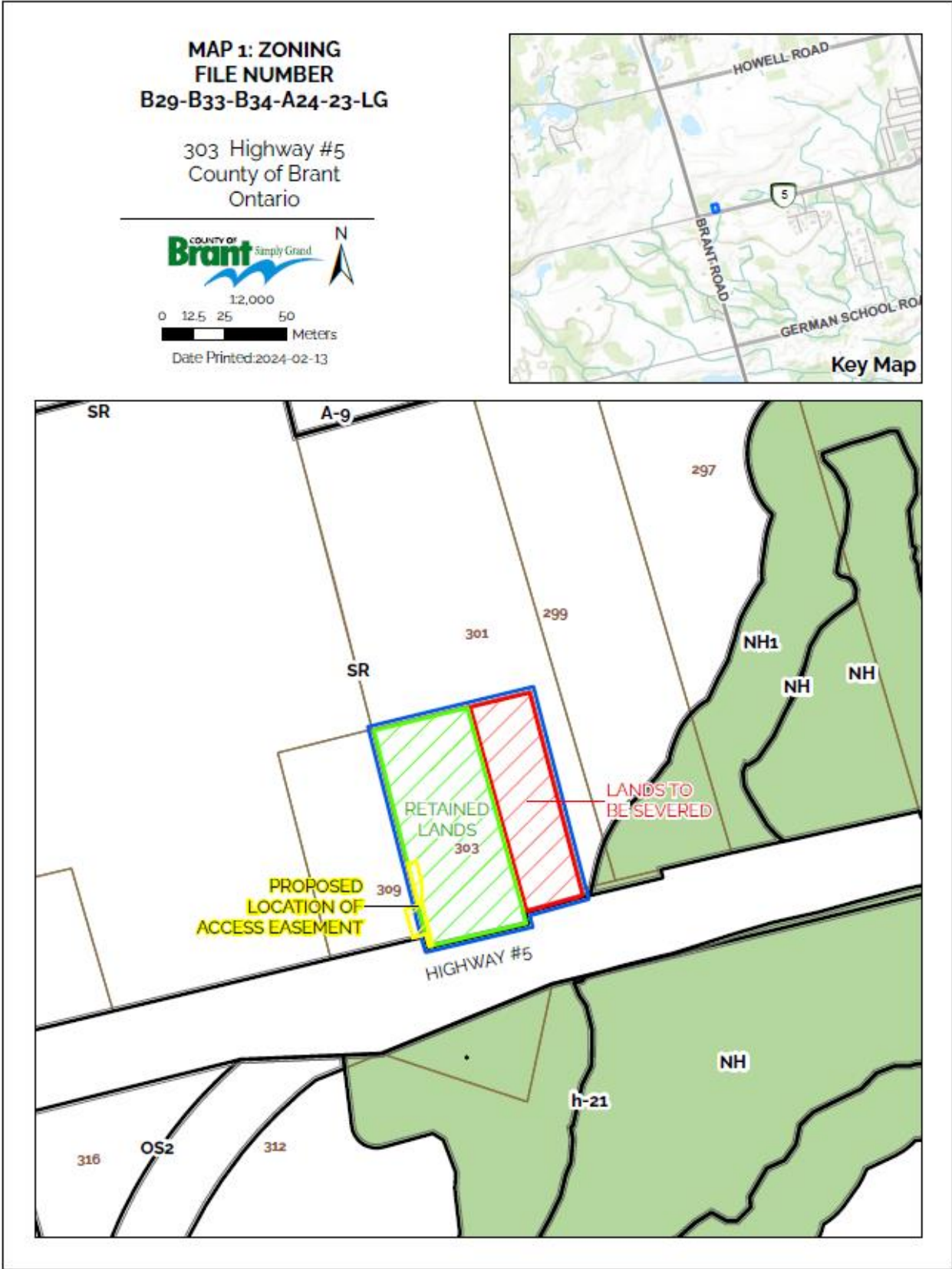
LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

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 access easement prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited and finalization of the Consent (i.e., registration of the deed in the appropriate Registry Office).
- ~~3. That related Consent Application B29-23-LG required to facilitate the creation of one (1) new residential lot be approved by the Committee of Adjustment with no appeals and Certificate of Official issued by the County of Brant Secretary Treasurer.~~
4. That the \$314.16 Deed Stamping Fee be paid to the County of Brant, prior to the release of the executed Certificate of Official.
5. That the Applicants provide draft transfer documents with legal descriptions of the access easement lands utilizing the Draft Reference Plan prior to the finalization of the Consent (i.e., registration of the deed in the appropriate Registry Office).
6. 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.
7. 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.
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.

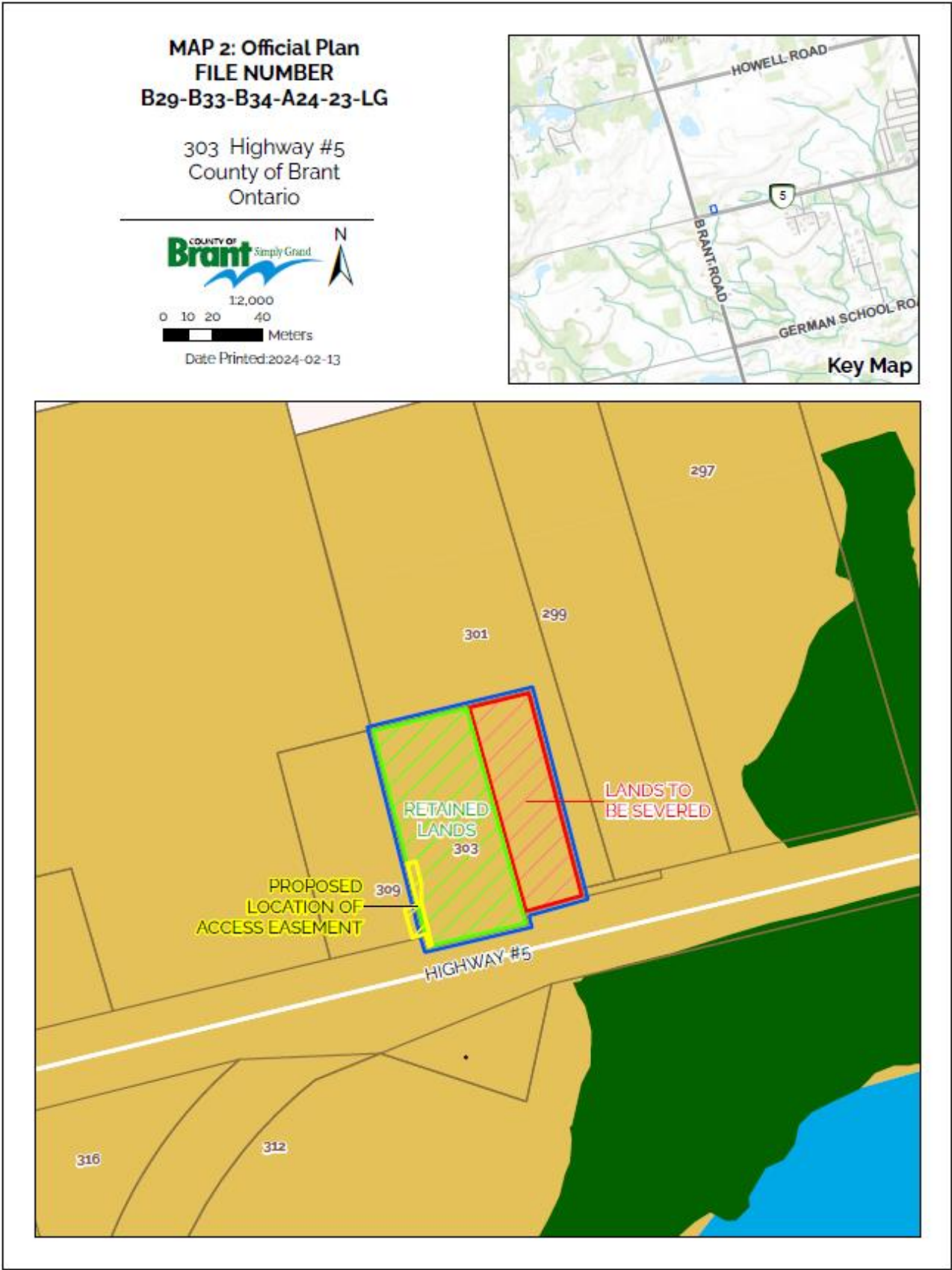
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Attachment 1 – Zoning Map



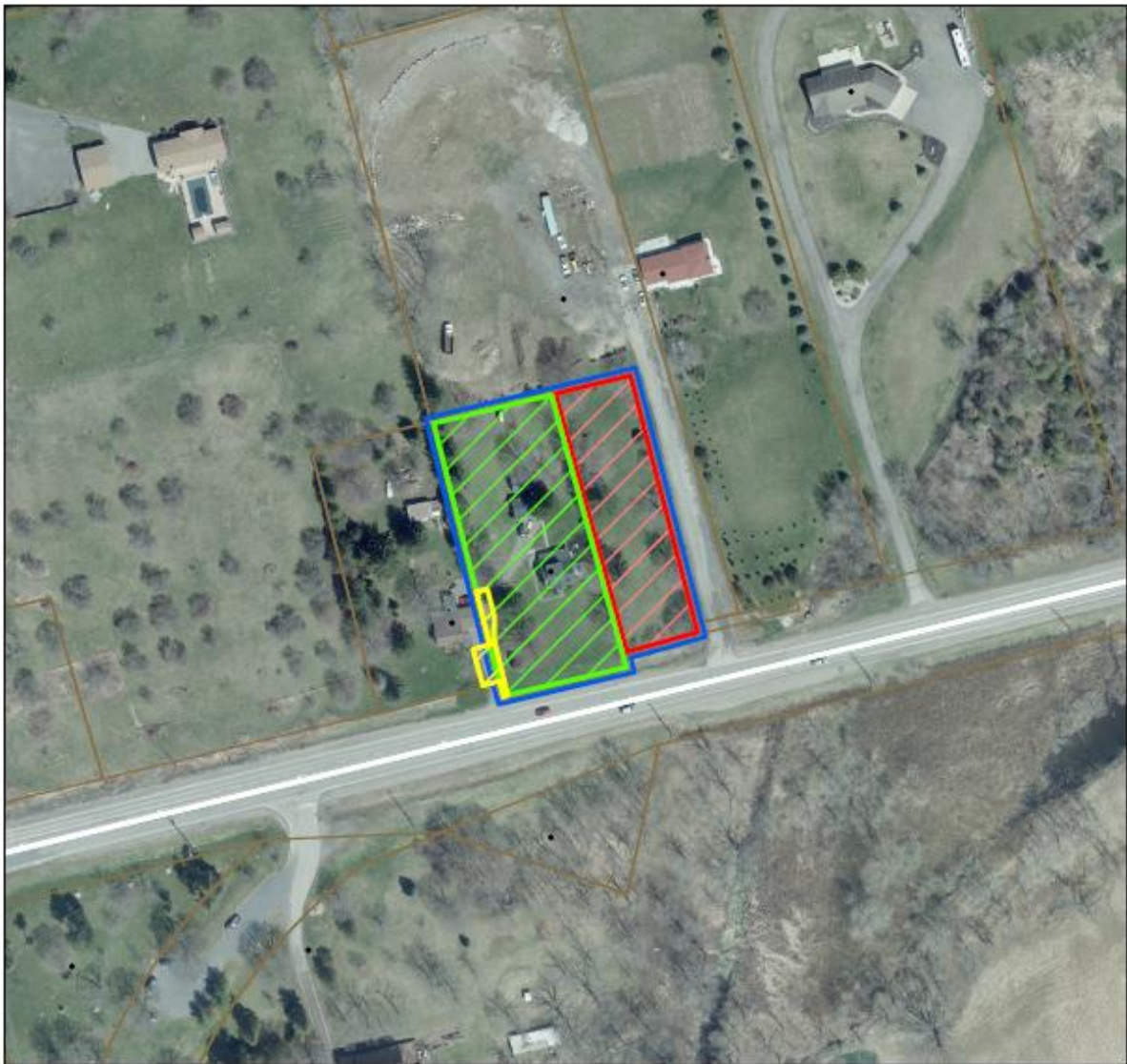
Attachment 2 – Official Plan Map



Attachment 3 – Aerial Map

MAP 3: AERIAL IMAGERY 2022
FILE NUMBER
B29-B33-B34-A24-23-LG

303 Highway #5
County of Brant
Ontario



[illegible]

Notice of Complete Committee of Adjustment Application and Public Meeting

Meeting Date:	Thursday, June 19, 2025
Time:	6:00 PM
Location:	County of Brant Council Chambers, 7 Broadway St W, Paris or Online at brant.ca/live

Details of Application:

Application Type:	Changes to Conditions
Application No:	B33-B34-23-LG
Location:	303 Highway #5
Agent / Applicant:	The Angrish Group c/o Ruchika Angrish
Owner:	John and Linda Oliver

This application proposes: **Requesting a Change of Conditions for Consent Application B33-23-LG and B34-23-LG, approved on February 15, 2024, in order to establish the mutual access easement.**

Planner: Lauren Graham, Planner <lauren.graham@brant.ca>

To view the application and supporting documents, please contact the Planning Department, 66 Grand River Street North, Paris, Ontario, N3L 2M2 or by email to the Planner noted above.

What is the Purpose of this Meeting?

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. Based on all the facts presented, the Committee of Adjustment will make a decision on those matters for which they are responsible.

How To Get Involved?

The Committee of Adjustment will review the application, and any other material received in order to make an informed decision on the application.

Written Submissions

- Written submissions must be made to the Planning Division one week prior to the meeting to allow your comments / concerns to be distributed to the members of the Committee of Adjustment.
- Any comments received after the agenda is posted, will be presented to the Committee on the evening of the meeting.

In-person / Virtual Presentations

- Any person may attend the public meeting and make a verbal presentation.
- You can attend in-person, watch virtually at brant.ca/live or participate virtually. If you wish to participate virtually, please contact the Planning Department.

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

How can we find out the Decision?

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 location/ contact noted above.

Who can appeal a Decision?

The applicant, the Minister or a specified person or public body as per the Planning Act may appeal in respect of applications for Consent or Minor Variance to the Ontario Land Tribunal (OLT). To learn more about your appeal rights, visit brant.ca/planningapplications

** 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.*