



## **Planning Advisory Committee Minutes**

---

**Date:** Tuesday, March 4, 2014

**Time:** 7:00 p.m.

**Place:** County of Brant Council Chambers, 7 Broadway Street West, Paris

---

**Present:** Mayor Eddy, Councillors Atfield, Gatward, Miller, Powell, Schmitt, Simons and Wheat

**Regrets:** Councillors Cardy, Chambers and Coleman

**Staff:** Emerson, Pomponi, Trotter, Angrish, Davidson and Crozier

Councillor Schmitt in the Chair.

### **Approval of Agenda**

Moved by – Councillor Miller

Seconded by – Councillor Simons

That the Planning Advisory Committee agenda for March 4, 2014 be approved.

Carried

### **Delegations/ Petitions / Presentations**

#### **Melanie Horton and Glenn Harrington, St. Marys Cement / CBM re: Update on Olszowka Pit Application**

Melanie Horton, St. Marys Cement, provided an update to members of the Committee and the community regarding the status of the applications necessary for the proposed Olszowka Pit on Bishopsgate Road. She explained that the process has been extended as they wanted to provide a fuller public consultation process than what is required by the *Aggregate Resources Act* (ARA). She noted that a number of public meetings have been held in Burford where the experts who are responsible for preparing the necessary background studies have been present to answer questions, and that CBM's website is updated with the newest information on the application.

She further explained that both the main components of the ARA application have been reviewed by the necessary Provincial Ministries, as well as the Grand River Conservation Authority (GRCA), and that they are in the process of responding to technical questions raised

during the review. She noted that a new survey has been conducted on the property to meet provisions in the *Endangered Species Act*. She further explained that the transportation component of the applications remains to be a significant area of study, and that they look forward to the County's update to the Transportation Master Plan, and the preparation of an Aggregate Resources Guide. She further noted that St. Marys/CBM has been recently highlighted for its rehabilitation efforts on exhausted pits.

Glenn Harrington, Harrington McAvan Ltd, explained that the applicants continue to respond to questions from the peer review stage of the application, noting that several Ministry approvals have been granted for the peer reviews, including air quality, noise, ground water and archeology. He also noted the enhanced consultation process that has been undertaken by St. Marys/CBM, indicating that 18 letters of objection have been filed for the ARA application, which will be responded to once each of the studies have been completed.

In response to a question, G. Harrington indicated that little has changed from the original proposal, but that they are investigating rehabilitating more of the area back to farmland, and creating smaller lakes, while investigating the potential to have aquaculture comprise a part of the rehabilitation plan. He further noted that they are approximately two-thirds through the ARA process, and likely will not be in a position to open for at least another two years.

#### Bill Green, GSP Group re: Update on Northwest Paris Area Study

B. Green explained that the GSP Group is the lead planning consultant for the land owners' group comprising the Northwest Paris Area Study, noting that the Terms of Reference were approved by Council in May 2008. He outlined the numerous studies that have been conducted on the subject lands during the study period, indicating that the overall study has taken a significant amount of time, partially owing to the lack of studies previously undertaken on Charlie Creek. He provided an outline of the proposed land uses in the study area, noting that the proposed plan is more detailed than a typical area study, and allows for the separate plans of subdivision to be considered as a more complete picture.

He explained that the proposed land use for the area does not include an extension of Whitlaw Way, or any residential land uses backing on to MacPherson Drive, as had been requested by local residents during the public consultation that was undertaken. With regard to density targets, he indicated that the area as planned does slightly exceed the targets placed in the *Places to Grow Act* and the Growth Plan for the Greater Golden Horseshoe. He further added that in conjunction with the proponents undertaking the Nith Peninsula Area Study, they have discovered a water supply source necessary to support the developments near the Airport.

Discussion was held on the costs for extending the potential water source to Paris, and the companies/individuals who own the land comprising the area study.

#### Approval of Minutes

Moved by – Councillor Gatward  
Seconded by – Councillor Miller

That the Planning Advisory Committee minutes of February 4, 2014 be approved.

Carried

**Public Hearings Under the Planning Act to Receive Information from the Public**

**ZBA08/14/RA – Part Lots 12-14, Range 1, SHR, geographic Township of Brantford  
(Bennett/Maycock, McBay Road)**

Ruchika Angrish, Senior Planner reviewed the application, which is presented to receive information from the public prior to staff's detailed analysis. She also noted that due to concerns by various divisions, a recommendation report to the Committee of Adjustment on the Consent Applications will be presented with a condition of approval being the passing of the Zoning By-Law Amendment.

Robert van Poorten, J.H. Cohoon Engineering Limited, Agent

R. van Poorten explained the requested Zoning By-law amendment has been filed concurrently with an application to sever a parcel from the existing property, and that the proposed lot is designated Rural Residential. He noted that due to deficient sightlines along McBay Road, a right of way has been applied for to construct the laneway for the proposed lot across the existing property from an existing farm entrance for the property, which has been done for other properties in the past. He further noted that any water availability matters will be addressed by conditions by the Committee of Adjustment should the severance be granted. R. van Poorten agreed to determine the width of the current entrance and laneway.

Members of the Public

Dan Antler, 88 McBay Road

D. Antler noted that his main concern is the availability of water on the property, acknowledging that it will be addressed during the planning process. He further noted that sightlines on McBay Road are limited.

**Public Hearings Under the Planning Act to Consider Staff Recommendations**

**ZBA07/14/RA – Block 20, Plan 2M-1873, geographic Town of Paris  
(Vanelislander, 30 Cedar Street)**

Ruchika Angrish, Senior Planner reviewed the application.

Agent/Owner/Applicant – No comment.

Members of the Public – None.

Committee Consideration

Moved by – Councillor Wheat  
Seconded by – Councillor Miller

That application ZBA7/14/RA from Lori VanElslander, on behalf of 832605 Ontario Inc., owner of lands described as Block 20, Plan 2M-1873, County of Brant, in the geographic Town of Paris, located at 30 Cedar Street to change the zoning on the subject lands from special provision Residential Multiple First Density (R4-4) to Institutional (I) **be approved.**

Carried

---

---

**ZBA09/14/RA – Part Lot 18, Concession 2, geographic Township of Burford  
(Gregor, 582 West Quarterline Road)**

Ruchika Angrish, Senior Planner reviewed the application.

Agent/Owner/Applicant – No comment.

Members of the Public – None.

Committee Consideration

Moved by – Mayor Eddy

Seconded by – Councillor Simons

That application ZBA9/14/RA from Carolyn Johnson, on behalf of Ronald and Margaret Gregor, owners of lands described as Part of Lot 18, Concession 2, County of Brant, in the geographic Township of Burford, located at 582 West Quarter Townline Road, to change the zoning on the subject lands from Agricultural (A) to Agricultural with special exception (A-9) to prohibit a dwelling unit, **be approved.**

Carried

**ZBA46/13/MD – Part of Lot 23, Part of the Gore Tract, geographic Township of South  
Dumfries  
(Mitchell, Governor’s Road East)**

Marcus Davidson, Senior Planner reviewed the application.

Howard Snodgrass, Snodgrass Planning Solutions, Agent

H. Snodgrass explained that the entire property is currently zoned Agricultural with a special provision (A-17), which enables a variety of uses. He indicated that the proposed rezoning would delete certain uses, and would add the ability to operate a sales outlet for farm machinery, and permit the storage of RVs to relieve storage issues at the applicant’s current operation. He noted that the sale of agricultural machinery is contemplated as permitted use in an Agricultural designated area in the County’s Official Plan, and that the land is unproductive as a result of being used previously as a wayside pit. He requested that Committee permit sales on the subject lands. He further questioned the need to apply a holding provision to the property as recommended by staff, noting his agreement with subjecting the lands to site plan control.

In response to a question, M. Davidson responded that the proposal, excluding the sales element of the proposal, does conform to the policies contained in the Official Plan, and that farm equipment sales are to occur in commercial designated areas.

Members of the Public

Sheri McGregor, 609 Governor’s Road East

S. McGregor noted her agreement with the buffer added to the eastern portion of the property, and inquired as to how the storage of RVs and other equipment would be handled.

Howard Snodgrass, Snodgrass Planning Solutions, Agent

H. Snodgrass responded that the majority of the storage would be in western portion of parcel surrounding the proposed building.

---

---

Committee Consideration

Rob Trotter, Director of Planning, explained that while the Official Plan contemplates the sale of agricultural machinery as an acceptable use in an Agricultural designated area, it only does so as a secondary use to the agricultural nature of the property, whereas the proposal would see it as the primary use. He suggested that the zoning not be amended without an Official Plan Amendment, as it would undermine other commercial zones in the County.

Moved by – Councillor Atfield

Seconded by – Councillor Wheat

That application ZBA46/13/MD from Snodgrass Consulting Services, on behalf of Don Mitchell, owner of lands described as Part of Lot 23, Part of the Gore Tract, County of Brant, in the geographic Township of South Dumfries, located on Governor's Road East, to modify the provisions of the Agricultural with a special exception (A-17) zone to permit a farm equipment sales and repair and RV sales and service as additional uses, AND to change the zoning on a portion of the subject lands from an Agricultural with a special exception (A-17) to Agricultural (A), **be refused;**

And that the subject lands described in application ZBA46/13/MD, received from Snodgrass Consulting Services, on behalf of Don Mitchell, owner of lands described as Part of Lot 23, Part of the Gore Tract, County of Brant, geographic Township of South Dumfries, located on Governor's Road East, be rezoned from Agricultural with a special exception (A-17) zone to a holding provision Agricultural with a special exception (h-A-17) to allow additional uses of a farm equipment repair and RV service and repair establishment, and that the easterly portion of the subject lands be rezoned from an Agricultural with a special exception (A-17) to Agricultural (A).

No Vote – Motion to defer follows

Moved by – Councillor Gatward

Seconded by – Councillor Wheat

That application ZBA46/13/MD **be deferred for one meeting cycle.**

Carried

**ZBA01/14/MD - Part of Lot 48, Part of the Burtch Tract, geographic Township of Brantford (Stigter, 24 River Road)**

Marcus Davidson, Senior Planner reviewed the application.

Robert van Poorten, J.H. Cohoon Engineering Limited, Agent

R. van Poorten noted that the rezoning application is concurrent with an application to sever two lots from the existing parcel.

Members of the Public – None.

Committee Consideration

Moved by – Councillor Wheat

Seconded by – Councillor Simons

That application ZBA1/14/MD from J.H. Cohoon Engineering Limited, on behalf of Paul Stigter, owner of lands described as Part of Lot 48, Part of the Burtch Tract, County of Brant, in the

---

geographic Township of Brantford, located at 24 River Road to change the zoning on the subject lands from an Agricultural (A) to Estate Residential (ER), **be approved**.

Carried

**ZBA04/14/MD - Part of Lot 13, Concession 3, geographic Township of South Dumfries (Loveless, 213 Brant Road)**

Marcus Davidson, Senior Planner reviewed the application, noting that the subject lands were excluded from the abutting Suburban Residential designation in the 2010 Official Plan.

Howard Snodgrass, Snodgrass Planning Solutions, Agent

H. Snodgrass provided Committee with an interpretation of the Official Plan and Zoning by-law text and schedules, which would support that the subject lands are intended for residential use. It would also infill between existing residences and the hydro substation to the west.

Members of the Public – None.

Committee Consideration

Moved by – Councillor Atfield  
Seconded by – Councillor Miller

That application ZBA4/14/MD from Snodgrass Consulting Services, on behalf of Brian Loveless, owner of lands described as Part of Lot 13, Concession 3, County of Brant, in the geographic Township of South Dumfries, located at 213 Brant Road to change the zoning on the subject lands from an Agricultural (A) to Village Residential (VR), **be refused**.

Defeated

Moved by – Councillor Wheat  
Seconded by – Mayor Eddy

Whereas the County of Brant Planning Advisory Committee interprets the Official Plan Designation for the lands described as Part of Lot 13, Concession 3, geographic Township of South Dumfries, owned by Brian Loveless and fronting on Blue Lake Road to be Rural Residential;

That application ZBA4/14/MD from Snodgrass Consulting Services, on behalf of Brian Loveless, owner of lands described as Part of Lot 13, Concession 3, County of Brant, in the geographic Township of South Dumfries, located at 213 Brant Road to change the zoning on the subject lands from an Agricultural (A) to Village Residential (VR), **be approved**.

Carried

CAO Emerson left the meeting at 9:40 p.m.

**ZBA39/13/MD & OPA-C13/MD Part A of the Jones Tract, Part A of William Curtis Grant, RP 2R-5359, Part 1, geographic Town of Paris (Zitia, 64, 70 and 72 Dundas Street East, 8 Fair Lane)**

Marcus Davidson, Senior Planner reviewed the application.

Robert van Poorten, J.H. Cohoon Engineering Limited, Agent

R. van Poorten explained that the proposal is to remove the dwellings at 70, and 72 Dundas Street East, and to in the interim, expand the parking lot for the existing commercial

development at 82 Dundas Street East for an additional 56 parking spaces. He noted that the houses at 64 Dundas Street East and 8 Fair Lane would remain as residences in the short term, with access remaining from Fair Lane. He further explained that the subject lands would be graded to be level with the existing commercial property, and that the retaining wall fronting Dundas Street East would be removed to a point abutting 60 Dundas Street East. He indicated that there would be no vehicular connection to the commercial development from the remaining portion of Fair Lane, noting that access is not required, and that the difference in grade would be significant.

Discussion was held on ability to construct a turnaround at the closed end of Fair Lane rather than a hammerhead to permit school buses to utilize Fair Lane, with it suggested that the staff recommendation be amended to remove mention of the existing plan included in the agenda.

#### Members of the Public

##### *Deanna Poechman, 60 Dundas Street East*

D. Poechman read a written submission, requesting a recorded vote, questioning the requested setback exception, and requesting a proper turnaround for Fair Lane. She questioned plans for the driveway between 60, and 64 Dundas Street East, and the need for commercial zoning.

Ms. Poechman expressed concern about the impact of removing a portion of the retaining wall on adjacent homes and lands. She inquired as to whether Fair Lane would be utilized as an entrance to the commercial property, and the future of trees shown on the site plan.

Ms. Poechman requested a copy of the previous traffic study referred to in the planning justification report, and indicated that she has asked several times since July for information regarding the retaining wall alteration. In light of new supporting documents in the agenda and new information gathered last week, she requested that the recommendations be deferred.

##### *Jolene Timon, 63 Curtis Avenue South*

J. Timon indicated her belief that the properties to the east of the subject lands are more of a gateway to Paris, and that the redevelopment of the subject lands into a parking lot is not positive for Paris. She expressed the opinion that pedestrian access from Fair Lane to the subject lands should not be permitted, and that the access to 64 Dundas Street East and 8 Fair Lane should be provided from the commercial property, and not Fair Lane.

##### Robert van Poorten, J.H. Cohoon Engineering Limited, Agent

In response to questions, R. van Poorten explained that the 3.0m setback from the roadway as proposed in the zoning by-law amendment is in line with current planning practices to locate buildings closer to the sidewalk and roadway to encourage pedestrian movement. As well, as the reduced setback is a tenet of the Southwest Paris Secondary Plan. He noted that the installation of a turnaround on Fair Lane when it closed, and matters related to the removal of the retaining wall can be dealt with through the site plan control process, which staff are recommending be a public process. He added that vehicular access from the closed portion of Fair Lane into the commercial property would not be possible due to the significant difference in grades between the two property. He further noted that there would be an additional application for site plan control if the properties at 64 Dundas Street East and 8 Fair Lane are demolished.

Committee Consideration

Moved by – Councillor Atfield  
Seconded by – Councillor Powell

That Application OPA-C13 from Zitia Group, owner of lands described as Part A of the Jones Tract, Part A of William Curtis Grant, RP 2R-5359, Part 1, County of Brant, in the geographic Town of Paris, for the lands known municipally as 64, 70, and 72 Dundas Street East and 8 Fair Lane to change the Official Plan designation on the subject lands from Urban Residential to General Commercial, **be approved**;

And that Application ZBA39/13/MD from Zitia Group, owner of lands described as Part A of the Jones Tract, Part A of William Curtis Grant, RP 2R-5359, Part 1, County of Brant, in the geographic Town of Paris, for the lands known municipally as 64, 70, and 72 Dundas Street East and 8 Fair Lane to change the zoning on the subject lands from Residential Second Density (R2) to Highway Commercial with a special exception (C2-37), and to modify the provisions of the C2-37 zone to permit a 3.0 metre setback, whereas 6.0 metres is required, **be approved**;

And that Staff be granted authority to negotiate the proposed closure and sale of a portion of Fair Lane;

And that Staff be granted authority to negotiate the removal of a portion of the retaining wall situated along Dundas Street East with the Applicants;

And that the future site plan control application be ‘bumped up’ to be presented to the Planning Advisory Committee in a public forum at a future date.

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Mayor Eddy	1	
Councillor Wheat	1	
Councillor Schmitt	1	
Councillor Simons	1	
Councillor Cardy		absent
Councillor Powell	1	
Councillor Atfield	1	
Councillor Chambers		absent
Councillor Miller	1	
Councillor Coleman		absent
Councillor Gatward	1	
<b>Carried</b>	<u>8</u>	<u>0</u>

Consent Items to be Received as Information

Moved by – Councillor Wheat  
Seconded by – Councillor Powell

That the following items be received as information:

1. Brant Heritage Committee Minutes of February 6, 2014
2. AMO Communications - 2014 Provincial Policy Statement (PPS) Released at ROMA/OGRA

Carried

---

---

### **General Manager's Update**

Mark Pomponi, General Manager of Development Services updated Committee on the following:

- Staff continue to speak with their colleagues in adjoining municipalities regarding the Health Canada Regulations for Legal Medical Marijuana Growing Operations, specifically trying to identify the relevant planning issues and how other municipalities are addressing them.
- Staff are looking at installing an electronic security gate at the Paris office to ensure that only authorized individuals enter the office area.
- Job interviews have been held for the vacant Secretary-Treasurer for the Committee of Adjustment position, and an advertisement for the new Development Engineer Reviewer has been posted.

Rob Trotter, Director of Planning, updated Committee on the following:

- Members of Council will be advised through the Friday Files regarding decisions of the Committee of Adjustment, and upcoming applications.
- At a recent Ontario Municipal Board hearing, the Board Chairman questioned whether the application met the tests for a surplus farm dwelling, notably in situations where there is only farm dwelling, and whether it is surplus to the operation, which may impact future applications of that nature.

### **Next Meeting and Adjournment**

The Committee adjourned at 10:15 p.m. to meet again on Tuesday, April 1, 2014, 7:00 p.m. in County of Brant Council Chambers.

---

Secretary