



Planning and Development Committee Minutes

Date: Tuesday, October 5, 2021
Time: 6:00 p.m.
Location: Electronic Participation only

Present: Mayor Bailey, Councillors Wheat, MacAlpine, Laferriere, Howes, Bell, Peirce, Miller, Chambers, Coleman, and Gatward

Staff: Walton, Duesling, Zuidema, Vaughan, Boyer, DeLeye, Namisniak, Wyszynski, Boyd and Davis

2. Approval of Agenda

Moved by Councillor Coleman
Seconded by Councillor Bell

That the Planning and Development Committee agenda for October 5, 2021 be approved.

Carried

3. Declaration of Pecuniary Interests - None

5. Adoption of Minutes from Previous Meetings

5.1 Planning and Development Committee Minutes of September 7, 2021

Moved by Councillor Peirce
Seconded by Councillor Laferriere

That the Planning and Development Committee minutes of September 7, 2021 be approved.

Carried

7. Public Hearings Under the Planning Act to Receive Information from the Public

7.1 PS1-18-RA/ZBA5-18-RA -Riverview Highlands (St. George) Holdings Ltd 70/72 Beverly St. W.

Kayla DeLeye, Senior Planner made a presentation outlining the application, which is presented for public comment before being referred to staff for review. In response to a question, K. DeLeye clarified that the former Block 39 is proposed for transfer. Staff was requested to verify multiple residential block number of hectares.

Stuart Hastings, GSP Group- Agent, Bob Stewart, Pinevest, Joseph Lance, NRSI – Environmental Consultant, and Rob Melick, MTE – Engineer

S. Hastings made a presentation outlining the proposed development and planning policies. B. Stewart reviewed the history and changes of the plan since 2018.

Members of the Public - None

Committee Consideration

Moved by Mayor Bailey
Seconded by Councillor Coleman

That application PS-18-RA/ZBA5-18-RA from Riverview Highlands (St. George) Holdings Ltd, to rezone the subject lands at 70/72 Beverly Street West, St. George, be received as information and any comments / submissions regarding this application be referred to staff for review.

Carried

7.2 PS1-20-MD/ZBA10-20-MD -Sifton-305 King Edward Street

Chair Miller noted that the application has been appealed, and as notices were issued to the public an opportunity for comments will be provided.

Kayla DeLeye, Senior Planner made a presentation outlining the application, noting that an appeal has been made to the Ontario Land Tribunal (OLT), the presentation is for information purposes, and that the application will not receive a decision of Council. In response to questions, Jennifer Boyer, Manager of Policy Planning, reviewed the excess lands policy and how it applies to the application. Rob Walton, General Manager of Operations, reported on the status of water and wastewater servicing capacity in the area, noting the timelines for the environmental assessment for upgrades to the water pollution control plant.

Eric Saulesleja and Peter Van Loan, GSP Group Agent

Peter Van Loan and Eric Saulesleja made a presentation outlining the application. Mr. Van Loan expressed the opinion that the County's identification of excess lands is not consistent with Provincial Policy of the Growth Plan. He noted that this application and its related planning studies predate the County's Municipal Comprehensive Review and should be considered based on the merits of the current Official Plan. Mr. Van Loan suggested that this development will serve to complete the community, tying in to the neighbourhood to the east. He expressed the desire to work with staff to refine the plan and build the community.

Members of the Public

Nancy Dolson, 503 Cleaver Road

N. Dolson noted her oppositions to the application have been expressed in her written submissions. In addition, she expressed concerns towards the impact of rapid development and the provision of services.

Jackie & John McDonald, 279 King Edward St

Jackie and John McDonald noted their opposition to the application. They expressed privacy concerns due to the proposed multi-story construction and disappointment with any development having done their due diligence prior to purchasing their property a year ago.

Eric Saulesleja, GSP Group, Agent

In response to concerns, Mr. Saulesleja noted that there are currently no detailed development plans, the mixed uses permitted on the medium density block would be subject to site plan approval, and noted consideration would be given to neighbouring development.

Committee Consideration

Discussion was held with regards to the expectations / perceptions of the developer and the public, earlier challenges to the excess land policy by Sifton, the process of appeal to the tribunal and concerns written and expressed of the community and staff.

In response to questions, K. DeLeye reported that staff concerns are covered in the motion presented. She noted the understanding that the application was on hold, reviewed key issues within her presentation, and reported that the application was deemed complete August 31, 2021. She reported that parties interested in receiving participant status at an OLT hearing can contact staff for further details.

Moved by Councillor Peirce
Seconded by Mayor Bailey

That comments for application PS1-20-MD/ZBA10-20-MD from Sifton Properties Limited, be received as information;

And that the applicant be advised that it would be more appropriate to bring this development forward when these lands are not deemed excess in the new Official Plan, there is appropriate servicing capacity, and when the project has taken into consideration development policy and standards for complete communities.

Recorded Vote

Mayor Bailey	Yes
Councillor Wheat	Yes
Councillor MacAlpine	Yes
Councillor Laferriere	Yes
Councillor Howes	Yes
Councillor Bell	Yes
Councillor Peirce	Yes
Councillor Chambers	Yes
Councillor Miller	Yes
Councillor Coleman	Yes
Councillor Gatward	Yes

.Carried (11 yes – 0 no)

7.3 ZBA23-21-DN - 29 Thirteenth Concession Rd., Scotland

Dan Namisniak, Planner made a presentation outlining the application, which is presented for public comment before being referred to staff for review.

In response to questions, D. Namisniak noted that concept plans include lands not owned by the applicant, detailed designs have not been discussed, and noted pre-consultation process will determine a list of studies for the applicant to provide if an application or development is proposed.

Ruchika Angrish, Agent

R. Angrish made a presentation outlining the application. In response to questions, she noted that sidewalk extensions are not proposed at this time, comprehensive development of the lands would be reviewed in future plan of subdivisions.

Members of the Public - None

Committee Consideration

Moved by Councillor Coleman
Seconded by Councillor Wheat

That application ZBA23-21-DN from Haley Elevator Inc., to rezone the subject lands at 29 Thirteenth Concession Rd., Scotland, be received as information and any comments / submissions regarding this application be referred to staff for review.

Carried

8. Public Hearings Under the Planning Act to Consider Staff Recommendations

8.1 ZBA28-21-AW-602 Mt. Pleasant Road

Amanda Wyszynski, Planner outlined the application.

George Ziotek, Agent

Available to answer questions.

Members of the Public

Andrew LaSalle, 600 Mt. Pleasant Road

A Lasalle lives beside the subject property and noted his preference that only one lot be established. He noted previous submissions to Council, expressed the desire for enhanced landscaping should trees be removed, increased setback, and requested that two different elevations of houses should two be created to look similar.

Christine Ludlow, 600 Mt Pleasant Rd

C. Ludlow lives beside the subject property. She note her opposition for the creation of two lots, suggesting that it would not be in keeping with the community and would provide a subdivision feel to the community and greenspace. She supported the creation of one lot.

Kelly Kmeth, 595 Mt Pleasant Rd

K. Kmeth expressed her opposition to the creation of two lots. She expressed concerns for the ambiance and land space of the area, and concessions to a by-law for profit. She supported the creation of one parcel.

George Ziotek, Agent

G. Ziotek reported on the owner's intent to utilize the property to severe two lots, maintain the natural vegetation, and noted considerations undertaken to ensure that development does not encroach on the natural heritage of the property. He reported that the proposed setback exceeds by-law requirements, will add to the character and streetscape of the property, and noted that a concession to the by-law for 1.32 meters is sought for the lot width. Mr. Ziotek reported that the buildings will be custom designed single-story structures and will conform with the area. He reported that servicing expansion is not anticipated for at least five years and would be required prior to the development of the northern portion. He expressed the desire of the proponent to work with neighbours to address concerns.

Committee Consideration

In response to a question, A. Wyszynski reported on options that could be taken by the owner should the application not be approved and the potential to build one residence.

In response to a question, Mr. Ziotek reported that the severed properties are intended to be occupied by the owners' family members.

Moved by Councillor Wheat
Seconded by Councillor Peirce

That Application ZBA28/21/AW from George Ziotek on behalf of Andrzej and Malgorzata Paluch, Owner of lands described as Range 1, East of Mount Pleasant Road, Part Lot 9, RP 2R-5907, Part 2 in the geographic Township of Brantford, known as 602 Mount Pleasant Road, County of Brant, be approved to rezone the subject lands from Agriculture (A) to:

Suburban Residential with site specific provision 57 (SR-57)

- To permit a frontage of approximately 18.6 metres along Mount Pleasant Road, whereas a minimum of 20 metres (65.6 feet) is required.
- All other provisions of the By-Law apply;

Holding - Suburban Residential with site specific provision 58 (h-SR-58)

- To rezone the retained lands with a holding due to capacity restraints
- To permit a frontage of approximately 18.6 metres along Mount Pleasant Road, whereas a minimum of 20 metres (65.6 feet) is required;
- All other provisions of the By-Law apply;

And that the reason(s) for approval are as follows:

- The application is consistent with the *Provincial Policy Statement* (2020).
- The application conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2020).
- The application is in conformity with the general intent of the policies of the County of Brant Official Plan (2012); and,
- The application maintains the intent of the County of Brant Zoning By-Law 61-16.

Carried

8.2 ZBA32-21-AW-178 Newport Road

Amanda Wyszynski, Planner, outlined the application.

Mattie Smith, Shermandale

Available to answer questions.

Members of the Public

None

Committee Consideration

Moved by Mayor Bailey
Seconded by Councillor Coleman

That Application ZBA32/21/AW from Shermandale Farms Limited, Owner of lands described as Burtch Tract, Part Lots A, B, C and D, RP 2R1335, PARTS 1 & 2 and RP 2R1749, PART 1 and RP 2R37, PART 7 in the geographic Township of Brantford, known as 178 Newport Road, County of Brant, proposing to rezone a portion of the subject lands from Agriculture (A) to Agriculture with Site Specific Provision 178 (A-178) to recognize an existing accessory structure area of approximately 810 square metres (8,718.8 square feet) on the surplus dwelling parcel, and to rezone a portion of the subject lands from Agriculture (A) and Natural Heritage (NH) to Agriculture with Site Specific Provision 9 (A-9) and Natural Heritage (NH) to prohibit a dwelling as a permitted use on the retained parcel, BE APPROVED, subject to the following site specific provisions;

Site Specific Provisions (A-9):

- Notwithstanding the provisions of By-Law 61-16 to the contrary, within any area zoned A-9, no dwelling unit shall be permitted.
- All other provisions of the By-Law to apply;

Site Specific Provisions (A-178):

- To permit a maximum accessory structure area of approximately 810 square metres (8,718.8 square feet) to only recognize the existing accessory structures.
- All other provisions of the By-Law to apply;

And that the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Growth Plan for the Greater Golden Horseshoe and consistent with the policies of *Provincial Policy Statement*.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

Carried

8.3 ZBA4-21-AW - 539 Paris Road

Amanda Wyszynski, Planner, outlined the application. In response to questions she credited the quick turnaround of the application to the applicant addressing concerns, and to the priority for Industrial Commercial Institutional (ICI) applications. A. Wyszynski reported that a review of the intersection is undertaken in the Transportation Master Plan, that a landscape plan is a requirement of the site plan control process, and the site plan control and Bump Up processes were explained.

In response to questions, M. Vaughan noted that the Committee will be engaged early into the site plan process, and he confirmed that the prohibited uses are binding if application is approved.

David Roe, Agent

Available for questions.

Members of the Public

Steve Kopp, 548 Paris Rd

S. Kopp noted his property is directly across from lot 1 of the subject lands. He expressed concerns with regards to increase and flow of traffic, timing and considerations of the traffic study, M3 heavy industrial zoning and uses of the property and protection of residential area. He suggested that the exit location be changed, a roundabout be installed, the property be zoned to level required and that a berm be built to block visibility of the development from the road.

Bill Van Nieuwenhuizen, 534 Paris Road

B Van Nieuwenhuizen noted his opposition to the commercial property, and highlighted previously written submissions as such. He expressed concern towards traffic, water supply, the quality of life and enjoyment of the rural area, and expressed opposition towards lack of input into the current zoning. He suggested that that heavy industrial be omitted in the permitted uses, that applications for 539 and 517 Paris Road be linked together, that the County of Brant do their due diligence for traffic and water concerns and expressed the desire to review the traffic report.

David Roe, Agent

In response to questions, D. Roe reported that the storm water management is part of the site plan approval and noted that the traffic impact study was prepared to be reviewed by County and City staff.

Bob Phillips, JH Cohoon Engineering

In response to questions, B. Phillips noted the detailed review of items covered the site plan approval process. He outlined how concerns have been addressed, specifically through the comprehensive traffic study completed earlier in the year, inclusive area of the Transportation Master Plan, storm water management requirements of the County and reports submitted, connection to municipal water, and limitations / site specific zoning. Discussion was held with regards to the storage use and impact of daily truck traffic.

Committee Consideration

Members noted their support of the application, identifying the zoning of the subject lands, proposed uses, willingness of the developer to address concerns, confidence in the site plan process, undertaking of the Transportation Master Plan and comprehensiveness of the traffic study, and process should an appeal be sought.

Moved by Councillor Laferriere

Seconded by Councillor Coleman

That Application ZBA4/21/AW on behalf of 2707130 Ontario Inc., Owner of lands described as Concession 1, Part Lot 18, RP 2R-3461, PART 1 in the geographic Township of Brantford, known as 539 Paris Road, County of Brant, proposes to rezone the subject lands be approved to:

1. Rezone a portion from Agriculture (A) to Heavy Industrial (M3) with site specific provision 27 (M3-27) to permit a service shop as a permitted use and to prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses.

2. Rezone a portion from Agriculture (A) and Heavy Industrial (M3) to Heavy Industrial with site specific provision 28 (M3-28) to permit a studio workshop as a permitted use and to prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses, and
3. Rezone a portion from Agriculture (A) and Heavy Industrial (M3) to Heavy Industrial with site specific provision 29 (M3-29) to prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses;

Subject to the following site specific provisions are being recommended for approval which reflect the proposed land uses in relation to the proposed parcel fabrics:

Heavy Industrial with site specific provision 27 (M3-27) "Lot #1"

- To permit a multi-unit industrial plaza with a service supply shop as a permitted use.
- A service supply shop shall be defined as "a lot, building or structure, other than an automotive use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, a printer's shop, a plumber's shop, a tinsmith's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a blacksmith's shop, a battery storage and recharging shop, a well driller's establishment, a tailor, an upholsterer's shop, an egg grading station, a machine shop or a monument engraving shop but does not include a butcher shop or a bakery."
- To prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses;

Heavy Industrial with site specific provision 28 (M3-28) "Lot #2"

- To permit a studio workshop as an additional permitted use.
- A studio workshop shall be defined as "shall mean a building or part of a building used to provide training workshops for arts and crafts, and may include accessory retail space for the sale of art and craft supplies and may include overnight accommodation for a maximum of 5 bedrooms or suites for persons engaged in the training workshops."
- To prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses;

Heavy Industrial with site specific provision 29 (M3-29) "Lot #3"

- To prohibit Cannabis Production and Processing, Chemical Pharmaceutical Industry, Dry Cleaning Establishment and Propane Transfer Facility as permitted uses;

And that the reason(s) for approval are as follows:

- The application is consistent with the Provincial Policy Statement (2020).
- The application conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2020).
- The application is in conformity with the general intent of the policies of the County of Brant Official Plan (2012); and,
- The application maintains the intent of the County of Brant Zoning By-Law 61-16.

Carried

10. Staff Reports

10.1 RPT-21-249 - Variance Application A 24/21/AW - Lowe, 25b Griffiths Drive

In response to a question, Mat Vaughan reviewed rationale of staff for the reimbursement.

Moved by Mayor Bailey

Seconded by Councillor Gatward

WHEREAS the Administration and Operations Committee heard a delegation, being item 4.1 on the September 21, 2021 agenda, and has requested further information on Variance Application A24-21-AW, applying to 25b Griffiths Drive in Paris

THAT report RPT-21-249 be received as information;

AND THAT a refund be issued for the minor variance fee for 25b Griffiths Drive.

Carried

14. Next Meeting and Adjournment

Committee adjourned at 8:55 p.m. to meet again virtually on Tuesday, November 2, 2021 at 6:00 p.m.

Secretary