



## Planning and Development Committee Minutes

**Date:** Tuesday, December 7, 2021  
**Time:** 6:00 p.m.  
**Location:** Electronic Participation only

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

**Staff:** Bradley, Zuidema, Duesling, Vaughan, DeLeye, Cummins, Namisniak, Wyszynski, Boyd, Walton, Dyjach

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### 1.1 Election of Chair and Vice Chair

The Deputy Clerk called for nominations for the Chair of the Planning and Development Committee.

Councillor Coleman nominated Councillor Bell - Councillor Bell accepted the nomination.

Moved by – Councillor Peirce  
Seconded by – Councillor Gatward

That nominations for Chair of the Planning and Development Committee be closed.

**Carried**

Councillor Bell was declared Chair of the Planning and Development Committee.

The Deputy Clerk called for nominations for Vice-Chair of the Planning and Development Committee.

Councillor Peirce nominated Councillor Miller - Councillor Miller accepted the nomination.

Moved by – Mayor Bailey  
Seconded by – Councillor Coleman

That nominations for Vice-Chair of the Planning and Development Committee be closed.

**Carried**

Councillor Miller was declared Vice-Chair of the Planning and Development Committee.

Councillor Bell assumed the Chair.

**2. Approval of Agenda**

Moved by Mayor Bailey  
Seconded by Councillor Coleman

That the Planning and Development Committee agenda and addendum for December 7, 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 November 2, 2021**

Moved by Councillor Miller  
Seconded by Councillor Peirce

That the Planning and Development Committee minutes of November 2, 2021, be approved.

**Carried**

**7. Public Hearing Under Section 11 of the County of Brant Telecommunication Tower Protocol**

**7.1 CT5-21-DN- 447 Baptist Church Road- D. Namisniak**

Dan Namisniak, Planner, reviewed the application, which consisted of a proposal for a 65 metre high telecommunication tower presented for informational purposes only. He confirmed that two residents had attended a public meeting expressing interest in the project. He noted that there was one residence within the preferred setback distance of 195 metres.

Tracey Pillon- Abbs, Land Squared, Agent,

T. Pillon-Abbs explained that the tower's design was selected with the location's rural nature in mind and is in keeping with the aesthetics of the existing hydro corridor. Access will be provided through an existing gravel driveway and the tower is required to improve the local telecommunications network. T. Pillon-Abbs confirmed that there is one residence 109 metres away from the proposed tower which would be within the required 120 metre distance setback requirement found in the Brant County Telecommunication Tower Protocol. However, they are proposing an exemption as a woodlot separates the two properties and the area is rural in nature. In response to questions, T. Pillon-Abbs confirmed that the applicant is required to consult with the Munroe International Airport, but the consultation has not yet occurred. She also noted that the tower would provide additional coverage over a distance of approximately two kilometers.

Members of the Public

Colleen Kelly, 431 Baptist Church Road

C. Kelly expressed concern regarding her family's health since her residence was within the minimum safety distance required by the Brant County Protocol. She confirmed that the tower would not blend in with the area, would cause water runoff issues, would result in a loss of privacy, and would create a decrease in her home value.

Committee Consideration

Moved by Mayor Bailey  
Seconded by Councillor Coleman

That CT5-21-DN regarding a telecommunications tower proposed for 447 Baptist Church Road be received as information and any comments/ submissions regarding this application be referred to staff for review.

**Carried**

7.2 CT6-21-DN-1 Albert Judge Drive- D. Namisniak

Dan Namisniak, Planner, discussed the application which proposes a 50 metre high telecommunications tower and is being presented for information purposes only.

Tracey Pillon-Abbs of LandSquared, Agent

T. Pillon-Abbs reviewed the proposed application. She noted that the tower would use the existing driveway and confirmed that this application complied with Brant County's Telecommunication Tower Protocol. She confirmed there was a nearby bell tower, but its low height resulted in inadequate coverage. Finally, she noted that no one from the public attended the open house on this application and no comments have been received.

Members from the public

None

Committee Consideration

Moved by Councillor Miller  
Seconded by Councillor Peirce

That application CT6-21-DN regarding a telecommunications tower proposed for 1 Albert Judge Drive, Burford, be received as information and any comments/ submissions regarding this application be referred to staff for review.

**Carried**

**7.3     CT1-21-KD-64 Brant Road- K. DeLeye**

Kayla DeLeye, Senior Planner, discussed the application, which proposes a 45 metre telecommunication tower. K. DeLeye explained that Industry Canada is the approval authority for this application and that the applicant is seeking confirmation of concurrence from the County of Brant in order to proceed with application. She noted that no members of the public attended public meeting and no communication has been received and that as the application is consistent with Provincial policy, she recommends approval.

Cyrus Ghassabeh, Forbes Bros Canada & Xplornet Communications, Agent

Appeared before the Committee to answer questions.

Members of the Public

None

Committee Consideration

Moved by Mayor Bailey

Seconded by Councillor Laferriere

That the County Clerk be directed to inform Forbes Bros Canada that:

- a) Forbes Bros Canada and Xplornet Communications has satisfactorily completed its consultation with the County of Brant;
- b) The County of Brant is satisfied with Forbes Bros Canada and Xplornet Communications public consultation process and does not require any further consultation with the public; and
- c) That the County of Brant concurs with Forbes Bros Canada and Xplornet Communications proposal to construct a freestanding communication base station & tower provided it is constructed in accordance with the plans submitted and described as facility ON 8094 – Osborne Corners at 64 Brant Road, Paris, ON.

**Carried**

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

**8.1     ZBA38-20-AW- 6 Maple Avenue- A. Wyszynski**

Amanda Wyszynski, Planner, discussed the application noting that the applicant proposed to build two low rise apartment buildings of 40 units each. The subject property is 1.7 hectares of privately serviced land with a proposed 160 parking spaces. In response to questions, A. Wyszynski stated that the proposed development is defined as a medium density build based on the policies within the Official Plan. She further noted that a holding provision is being proposed for the property for servicing, storm water, and the well permit, which would not be lifted until approval was received by the Province. She confirmed that the applicant was compliant with County parking provisions.

Dave Aston- MHBC Planning Urban Design & Landscape Architecture, Agent

D. Aston outlined the application and confirmed that the application would provide 80 units of housing that would be attainable to a wide range of residents. He noted that the applicant has conducted studies on the impact of the proposed development on surrounding wells and that the application met the County's parking requirement for unit to parking space ratio. He confirmed that the proposed development fell within that range of medium density under Official Plan, but suggested there may be some confusion as the zoning by-law refers to the land use as high density. In response to questions, D. Aston confirmed that the applicant had considered a low impact development but that the central green space was going to feature a storm water management pond instead. He noted that a response had been issued to deficiencies discussed by County staff in the geotechnical report and agreed to provide a copy of the document to the Committee. He stated that he is not aware of a shadow impact report being conducted. D. Aston agreed to return to the Committee with examples of other similar density developments on private services and confirmed that the applicant believed that the proposed application was compatible with the existing neighbourhood. He affirmed that he felt the development would have a positive impact on the downtown area and would return to the Committee with some information on the anticipated economic impact on downtown businesses. He noted that once approval was received it would be 1-2 years before work would commence on the site. He agreed to work with staff on addressing concerns of residents and will take the comments into consideration.

Members from the Public

Michael Robinet, 10 Maple Avenue North, Burford

M. Robinet provided a presentation which presented an alternative development proposal entitled "Miller Meadow Estates". He noted that he had supplied a petition of over 200 close residents who were opposed to the proposed application. He stated that the local wells cannot support the water requirements of the development, the proposed application would cast a large shadow on surrounding houses and is too large to fit in with the surrounding area. He suggested that a cul-de-sac with 10 single detached dwellings would be much more suitable for the location.

John Waters, Burford

J. Waters stated that residents were concerned about the effect of the development on local water quality. He stated that the proposed application does not fit in with the surrounding area, it will result in keeping the surrounding houses in shadows, and negatively impact the long-time residents of Burford. He suggested that a cul-de-sac with 10 single detached dwellings would be a more acceptable use of the land.

Committee Consideration

Moved by Councillor Coleman  
Seconded by Councillor Wheat

That application ZBA38-20-AW from Lanca Contracting Ltd, to rezone the subject lands at 6 Maple Avenue be received as information and any comments / submissions regarding this application be referred to staff for review.

**Carried**

8.2 OPA3-21-RC& ZBA42-21 39 Maple Avenue South- R. Cummins

Ryan Cummins, Planner, discussed the application and noted that the proposal was an application to amend the Official Plan and the zoning by-law to create a special policy area within the general commercial designation that would establish provisions to permit wholesaling, warehousing, and public self storage and wants to re-zone from Prestige Industrial M1 to Special Exception General Commercial C2.

Trevor Hawkins, MHBC Planning Urban Design & Landscape Architecture, Agent

T. Hawkins stated that the applicant will be re-purposing the two existing buildings to improve the current aesthetics and will install self-storage units. In response to questions, T. Hawkins noted that they will be improving the landscaping along Maple Avenue and confirmed that this development was occurring independently of any surrounding developments.

Members of the Public

None

Committee Consideration

Moved by Councillor Wheat  
Seconded by Councillor Peirce

That application OPA3-21-RC& ZBA42-21-RC from 2759953 Ontario Inc., to rezone subject lands at 369 Maple Avenue South, Burford, be received as information and any comments/ submissions regarding this application be referred to staff for review.

**Carried**

8.3 ZBA15-21-AW-184 Highway 53-A. Wyszynski

Amanda Wyszynski, Planner, discussed the application which proposes to rezone an area of 442 square meters located on the subject lands and to allow for a lot line adjustment to facilitate a future expansion of the applicant's business on an abutting parcel.

Bob Phillips, J. H. Cohoon Engineering, Agent and Darren Weatherbee, Applicant

Appeared before the Committee and available to answer questions. B. Phillips noted that this application will assist the applicant with the expansion of their business.

Members of the Public

None

Committee Consideration

Moved by Councillor Miller  
Seconded by Councillor Gatward

That application ZBA15-21-AW from Megan & Darren Weatherbee, to rezone the lands at 184 Highway # 53, Cathcart, be received as information and any comments/ submissions regarding this application be referred to staff for review.

**Carried**

8.4 ZBA39-21-AW-729 Mount Pleasant Road- A. Wyszynski

Amanda Wyszynski, Planner, discussed the application which is requesting a rezoning to facilitate a severance and a site specific provision for reduced lot frontage, while also placing a holding on the severed parcel due to capacity restrictions.

Rob Innes, Applicant

Appeared before the Committee to answer questions.

Members of the Public

None

Committee Consideration

Moved by Councillor Coleman  
Seconded by Mayor Bailey

That application ZBA39-21-AW from Robert and Meaghan Innes, to rezone the subject lands at 729 Mount Pleasant Road be received as information and any comments/ submissions received regarding this application be referred to staff for review.

**Carried**

8.5 ZBA40-21-AW- 571 Mt Pleasant Road- A. Wyszynski

Amanda Wyszynski, Planner, discussed the application noting that the application is proposing to rezone the subject lands from agriculture to suburban residential to align with the Official Plan designation and to facilitate a future severance. The applicant is proposing a holding provision on the severed lands due to capacity issues. In response to questions, A. Wyszynski noted that minimum distance separation is not required as the subject land is located within the secondary urban settlement boundary.

Brandon Adili, Waterous Holden Amey Hitchon LLP, Agent

Appeared before the Committee to answer questions.

Members of the Public

None

Committee Consideration

Moved by Councillor Wheat  
Seconded by Councillor Howes

That application ZBA40-21-AW from Darek and Denise Lesiak, to rezone the subject lands at 571 Mount Pleasant Road be received as information and any comments/submissions regarding this application be referred to staff for review.

**Carried**

8.6 ZBA41-21-DN-42 Hammond Road-D. Namisniak

Dan Namisniak, Planner, discussed the application, which proposes to rezone the western portion of the subject property from agricultural to rural residential to align the zoning with the designation in the Official Plan. The application also proposes a site specific regulation for recognition of the reduced lot area for the remaining farmland and staff are recommending that a dwelling be prohibited as a permitted use. D. Namisniak noted that comments have been received by neighbours who are concerned about the size of the proposed development. In response to questions, D. Namisniak explained that the farm parcel is currently non-confirming with the minimum land size required for a farm parcel, however, as soon as the application is approved, the property will lose its non-confirming status and the deficient area would need to be recognized through the zoning.

Douglas Stewart, IBI Group, Agent & Tyler Chute

D. Stewart noted that a technical review on points of access was submitted to staff and, as a result of comments received, the applicant will amend the request and is proposing to change the boundary of the first and second residential parcel to create an access that meet technical standards. D. Stewart further stated that the applicant opposes the staff request that the retained farmland contain a zoning provision which prohibits a dwelling as a permitted use. The applicant requests that they be provided with the option to build a farmhouse on the property in the future.

In response to questions, T. Chute confirmed that there was a previous severance on the property prior to his family's ownership.

Members of the Public

None

Committee Considerations

Moved by Councillor Wheat  
Seconded by Councillor Coleman

That application ZBA41-21-DN from Michael and Marian Chute, to rezone the subject lands at 42 Hammond Road be received as information and any comments/submissions regarding this application be referred to staff for review.

**Carried**



## **9. Public Hearings Under the Planning Act to Consider Staff Recommendations**

### **9.1 ZBA38-21-AW-55 Highway 2- A. Wyszynski**

Amanda Wyszynski, Planner, discussed the application which proposes to rezone a portion of the subject lands to prohibit a dwelling on the retained lands as a permitted use and to permit a reduced lot frontage. A. Wyszynski stated that the property has recently had a severance application conditionally approved and that she was recommending that the application be approved.

Mary Elder, Elder Plans Inc., Agent

Appeared before the Committee to answer questions.

Members of the Public

None

Committee Consideration

Moved by Councillor Wheat

Seconded by Mayor Bailey

That Application ZBA38/21/AW from Elder Plans Inc on behalf of Ross Knill, Colin Knill and Mary Lou Knill, Owners of lands described as Burford, Concession 1 Part Lot 3 irregular 98.64 acres, in the geographic Township of Burford, known as 55 Highway #2, County of Brant, proposing to rezone a portion of the subject lands from Agriculture (A) to Agriculture with Site Specific Provision 181 (A-181) to prohibit a dwelling as a permitted use and to recognize an undersized farm parcel with an area of approximately 39.14 hectares (96.7 acres), whereas a minimum of 40 hectares (98.8 acres) is required, and to permit a reduced frontage of approximately 124 metres (406.8 feet), whereas a minimum of 150 metres is required, BE APPROVED, subject to the following site specific provisions (A-181);

- Notwithstanding the provisions of By-Law 61-16 to the contrary, within any area zoned A-181, no dwelling unit shall be permitted.
- To permit an undersized agricultural area of 39.14 hectares (96.7 acres), whereas a minimum of 40 hectares (98.8 acres) is required.  
To permit a frontage of approximately 124 metres (406.8 feet), whereas a minimum of 150 metres is required.  
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**

**14. In Camera**

Moved by Councillor Peirce  
Seconded by Councillor Laferriere

That the Planning and Development Committee convene In Camera to discuss:

A litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose (RPT 21-315- 526 Scenic Drive- OLT Settlement, and RPT 21-321- 557 Lynden Road Appeal to OLT).

**Carried**

The Planning and Development Committee convened In Camera at 8:36 p.m. to discuss a litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose This portion of the meeting is recorded in the Confidential - In Camera minutes of December 7, 2021. The Planning and Development Committee reconvened in Open Session at 8:57 p.m. on a motion of Councillors Laferriere and Coleman.

**15. Next Meeting and Adjournment**

Committee adjourned at 8:55 pm to meet again on January 4, 2021, 6:00 pm via Electronic Participation Only

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Secretary