



THE ANGRISH GROUP

156 Charing Cross Street, Brantford, ON. N3R2J4

File: 2021_114

December 3, 2021

County of Brant
66 Grand River Street North,
Paris, ON, N3L 2M2

Attention: Mr. Mat Vaughan, Director of Planning

Re: Response to comments - Zoning By-Law Amendment (ZBA23-21), Haley's Elevator Inc. (Michael Haley), 29 Thirteenth Concession Road, County of Brant

Dear Mr. Vaughan,

In September, 2021 a revised application for rezoning was submitted to recognize the lands currently designated Suburban Residential in the County's in effect Official Plan (2012). These lands are within the Secondary Urban Settlement Boundary of Scotland. The revised application for rezoning involves rezoning the designated portion of the property as Holding Provision Suburban Residential (H-SR) to be in conformity with the Official Plan.

The original application involved a rezoning for a portion of the property from Agricultural (A) to Suburban Residential Zone (SR) to facilitate creation of five new lots along Thirteenth Concession Road and was submitted in May 2021. There have been previous applications for Zoning By-Law Amendment (ZBA32-19-DN) and Consent (B31to34-20-DN) on these lands that have been approved in 2019.

The application was circulated by the County Planning Staff on September 14, 2021. On November 11, 2021 we were provided with the comments received by the Planning Staff during both the first and second circulation. Amongst them were comments from County's Development Engineering and Operations Departments.

Based on these specific comments staff have advised us that the revised application, specifically for rezoning from A to H-SR for the balance of the lands cannot be supported.

This letter provides a provincial policy analysis as well as a response to the comments from the Development Engineering and Operations Departments.

Development Engineering Comments - Dated October 12, 2021

The comment letter provides no objection to the rezoning required for the creation of the five lots (A to SR). However, for the balance of lands (A to H-SR), notes that *“Due to insufficient technical information (i.e. Functional Servicing Report, Traffic Impact Study, overall Stormwater Management Plan, Secondary Plan (if required), etc.) supplied with the revised application, staff are unable to provide technical comments of the proposed subdivision development.”*

It should be noted that a conceptual plan was provided during the 2019 applications showing theoretical development of the lands within the Settlement Boundary. County staff referred to the conceptual site plan while making recommendations to the Committee of Adjustment and the Planning and Development Committee recognizing that the applications did not hinder or restrict the balance of developable lands. While no development was proposed for the balance of designated lands, there were no requests from County staff that technical information should be provided in support of the conceptual plan.

With the revised application, the same theoretical development concept was included. The revised application is only to rezone the designated lands for residential uses and will be developed via a future draft plan of subdivision. The County requires a pre-consultation meeting to determine ‘complete application’ submission requirements prior to submission of any Planning Act Applications. At the time of future subdivision applications, all technical information required by the County will be addressed. The holding provision is therefore proposed for the orderly development of the lands, including satisfying the technical analysis (Functional Servicing Report, Traffic Analysis, Storm Water Management etc.) and will not be lifted until any future applications are approved and agreements are in place with the County. It should be noted that specific holding provisions can also be provided by the County to address these matters.

Operations Department Comments - October 27, 2021

The comments from Water Operations Superintendent relate to various aspects such as connectivity to streets from existing and future developments, no studies to confirm if lands can be serviced by private services and get into the details of drainage, stormwater management etc.

Since the application only requests rezoning of lands in accordance with the current Official Plan policies and designation, all these technical matters will be dealt during the subdivision process. No building permits can be issued on these lands until the holding provision addressing all technical analysis is addressed.

Policy Context

Village of Scotland is an unserviced area of the County and development in this area is permitted on private well and septic systems.

As per Policy 2.2.9.6 of the Growth Plan for the Greater Golden Horseshoe (2020), *“New multiple lots or units for residential development will be directed to settlement areas, but may be allowed on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.”* The area subject to rezoning application is designated Suburban Residential in the current County of Brant’s Official Plan and are also located within the Secondary Urban Settlement Boundary of Scotland. The first Official Plan of amalgamated County of Brant (2000) had also identified these lands within the Settlement Boundary of Scotland as “Future Growth Direction” to be developed for residential.

The Growth Plan also highlights the importance of achievement of complete communities, which is defined as:

“Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.”

The definition of ‘complete communities’ includes settlement areas, which recognizes the rural settlements that are serviced by individual private water and septic systems and which have been long-established and identified in the official plans.

The property is within a Settlement Area identified in the County’s Official Plan and the development will be on private well and septic systems. These lands will provide additional housing options in the County’s rural areas, have been included in the rural settlement boundary for last over 20 years. Pedestrian and road networks will complete the community which will be analysed during the technical analysis required for the future draft plan of subdivision application. The storm water management, connections to existing streets, provision of parks and open spaces will be addressed during future applications.

Holding Provision

Section 36 of the Planning Act authorizes the Council to pass a by-law under Section 34 by the use of a Holding (H) provision if the provisions of the official plan in effect contain provisions related to the proposed use.

Section 6.5.2 of the Official Plan highlights the policies for Holding Provisions in the County.

The lands are designated Suburban Residential in the current Official Plan and the rezoning to a Suburban Residential Zone with a holding provision will be in conformity with the Official Plan policies. The holding symbol for the subject lands will require necessary subdivision approvals and signed agreements prior to the removal. The conditions of removal of the holding provision can address phasing of development, provision of adequate infrastructure including road and pedestrian network, provision of storm water management including securing a legal outlet for the system, completion of supporting studies, and any other matters deemed necessary by the County through the subdivision process. A site-specific holding symbol can be imposed to address these detailed matters.

We trust that this information is satisfactory for the approval of the rezoning application.

Regards,

TAG – The Angrish Group

Ruchika Angrish, MPlan, B.Tech, MCIP, RPP
Co-Founder

cc: Mr. Michael Haley, Owner
Ms. Maria Kinkel, Legal Council
Mr. Bob Philips, J.H. Cohoon Engineering Limited

I hereby certify that this Planning Justification Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners' Institute Act, 1994.



December 3, 2021

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within the meaning of the Ontario Professional Planners Institute Act, 1994.

Dec 3, 2021

Date

Ruchika Angrish
Registered Professional Planner