



Planning and Development Committee Minutes

Date: Tuesday, April 5, 2022
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, Boyer, DeLeye, Cummins, Kitchen, Namisniak, Kortleve, Schaeffle, Wyszynski, Crozier, Boyd, Walton, Dyjach, Allison

1. Approval of Agenda

Moved by Mayor Bailey
 Seconded by Councillor Gatward

That the agenda and addendum for the April 5, 2022 Planning and Development Committee be approved, as amended.

Carried

2. Declaration of Pecuniary Interests

None.

3. Adoption of Minutes from Previous Meetings

3.1 Planning and Development Committee Minutes of March 1, 2022

Moved by Councillor Howes
 Seconded by Councillor Laferriere

That the Planning and Development Committee minutes of March 1, 2022 be approved.

Carried

4. Business Arising from the Minutes

Employment Lands

In response to questions, Michael Bradley, Chief Administrative Officer, advised that an employment lands education session will be forthcoming to the Administration and Operations Committee later this month which will give a better understanding of the current employment lands status.

5. Public Hearing Under Section 11 of the County of Brant Telecommunications Tower Protocol

5.1 RPT-22-83-CT4-21-DN-1289 Highway 54 - D. Namisniak

Dan Namisniak, Planner/ Site Plan Coordinator, presented the telecommunication tower application from Bell Mobility c/o FONTUR International Inc, located at 1289 Highway #24. The Official Plan 2012 current land use designation is Agricultural & Natural Heritage and the Zoning By-law 2016 current zoning is Agricultural (A) and Natural Heritage (NH). The application proposes a steel, lattice tri-pole telecommunications tower, 90 metres in height surrounded by a fenced-in compound of approximately 25 metres by 25 metres. A Public Information Session was held on January 11, 2022, with public comments received by January 14, 2022. The proposed tower is located outside of the Natural Heritage / GRCA Regulated Area and no trees or vegetation are proposed to be removed. Next steps include public and technical circulation, a report to the Planning and Development Committee, further notice of formal public hearing circulation, and the formal public hearing.

Vallari Patel, FONTUR International Inc

Vallari Patel, FONTUR International Inc., advised on the public consultation process that has occurred to this date on the application noting that no members of the public attended the online meeting, but they did receive emails from one member of the public who represented a few properties. V. Patel also shared Transport Canada lighting requirements. V. Patel showed photo simulations of the current and proposed area and depicted the current coverage (2600 RSRP) without W4542 and after coverage (2600 RSRP) with W4542.

In response to questions, V. Patel that she can only speak on behalf of Bell and is unaware of any Rogers sites.

Members of the Public

Allison McBlain, 1302 Highway # 54

Allison McBlain spoke in opposition to the application, advising her home and business are located at 1302 Highway #54. A. McBlain did not attend the public consultation session as it did not reflect what was contained in the brochure including the high visibility paints and lights. She confirmed that she has not received a response about why the distance from the tower her home does not comply with the protocol requirements. She confirmed that Bell did agree the lighting may be a minor inconvenience. She noted objections to application based on reduced sleep quality, cost for window coverings, and developmental health concerns for her family.

In response to questions, D. Namisniak advised that tower applications are atypical in relation to typical planning approval matters. They are highly regulated by different governing bodies, and an approval or refusal of the application by Council would not be the final decision.

Moved by Councillor Coleman
Seconded by Mayor Bailey

That the application, proposing a steel, lattice tri-pole telecommunications tower, 90 metres in height surrounded by a fenced-in compound of approximately 25 metres by 25 metres be received as information and any comments/ submissions regarding this application be referred to staff for review.

Carried

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

6.1 RPT-22-21-ZBA6-22-DN & PS1-22-DN-982 Rest Acres Road - D. Namisniak

D. Namisniak, Planner, presented the application for a plan of subdivision and zoning by-law amendment located at 982 Rest Acres Road, Paris from - Vicano Development Ltd. The current land use designation is Employment SSPA 12&16 and Natural Heritage. The intent is for the employment areas to be developed for light, heavy and prestige industrial uses, limited service commercial uses, and related uses. The current zoning classification is (A) Agricultural and (NH) Natural Heritage. The plan of subdivision application proposes to create individual development blocks and a municipal road to allow for the development of employment uses. The zoning by-law amendment application proposes to rezone the subject lands from 'Agriculture' (A) and 'Natural Heritage' (NH) zone to 'Open Space' (OS1), 'Light Industrial' - M2 and M2) zone with exceptions. D. Namisniak showed the overall concept plan, advising that development of proposed blocks will be facilitated through future site plan control applications. Next steps include public and technical circulation, report, further notice of formal public hearing circulation, and the formal public hearing.

In response to questions, D. Namisniak pointed out the location of a new water tower and agreed that Street A is a municipal street and confirmed that although it is premature to know that distance from the road to the next roundabout, Operations and the MTO will be reviewing the technical specifications to ensure compliance.

In response to questions, D. Namisniak confirmed that he will follow up with Operations staff to determine where the storm water is draining in relation to the location.

In response to questions, D. Namisniak advised they do not have a timeline yet for when construction will begin, however it will be done as quickly as feasibly possible.

In response to questions, D. Namisniak advised that he will look at the previous Green Energy report to identify the Site Specific Policy Area in relation to Green Energy and that it is being maintained.

Dave Aston, MHBC Planning

Dave Aston, MHBC, presented the application on behalf of the Applicant. D. Aston advised that the lands have the flexibility to be developed as industrial lands and/or a small portion commercial depending on the need. D. Aston confirmed that the infiltration and emergency outlet will be along the highway corridor.

In response to questions, D. Aston replied they will continue discussions with staff on how the Green Energy Accord is to be maintained.

Members of the Public

None

Councillor Peirce joined the meeting at 6:40 pm.

Moved by Councillor Miller
Seconded by Mayor Bailey

That the application ZBA6-22 & PS1-22, which proposes to create individual development blocks and a municipal road to allow for the development of employment uses at 982 Rest Acres Road, be received as information and any comments/ submissions regarding this application be referred to staff for review.

Carried

6.2 RPT-22-82-ZBA8-22-DN-226 Burford Delhi Townline Road - D. Namisniak

D. Namisniak, Planner, presented the zoning by-law amendment application located at 226 Burford Delhi Townline Road, agent J.H. Cohoon Engineering Ltd. In the Official Plan 2012, current land use designation is Hamlet/Village (Kelvin). As per zoning by-law 61-16, current zoning classification is Agricultural-23 (A-23) - Automobile repair garage / sales and Temporary-82 (T-82) - Garden Suite (expires Sept 2024). The application proposes to change the zoning on the portion of lands located within the Hamlet/Village of Kelvin from Agricultural-Special Exception (A-23) Zone and Temporary (T-82) Zone to Residential Hamlet (RH) Zone; and Modify the Agricultural-Special Exception (A-23) zone to also permit a lot area of 3.1 hectares (7.7 acres) and frontage of 31 metres (101 feet). The application is required to support a subsequent consent application to facilitate the creation of three (3) new residential lots. D. Namisniak also showed the proposed by-law mapping and the proposed severance sketch. Next steps include public and technical circulation, report, further notice of formal public hearing circulation, and the formal public hearing. D. Namisniak also noted the additional comments received in the addendum and will follow up with the commenters.

In response to questions, D. Namisniak commented that the proposed lots are of a similar nature to the existing lots.

In response to questions, D. Namisniak advised that the proposed subject lands are within a settlement boundary where minimum distance separation is not applicable.

Bob Phillips, Cohoon Engineering

Bob Phillips, representing the applicant, was available to answer questions.

Members of the Public

None

Moved by Councillor Peirce

Seconded by Councillor Gatward

That application ZBA8-22, which proposes to re-zone a portion of lands located within the Hamlet/Village of Kelvin from Agricultural-Special Exception (A-23) Zone and Temporary (T-82) Zone to Residential Hamlet (RH) Zone and modify the Agricultural-Special Exception (A-23) zone to also permit a lot area of 3.1 hectares (7.7 acres) and frontage of 31 metres (101 feet), be received as information and any comments/ submissions regarding this application be referred to staff for review.

Carried

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

7.1 RPT-22-33-ZBA46-21-RC - 301 County Road 18 - R. Cummins

Ryan Cummins, Planner, presented the zoning bylaw amendment application located at 301 County Road 18, Brantford from IBI Group on behalf of Sherman Richardson. The subject lands currently contain three buildings, including a single detached dwelling, a detached garage and a storage building. The current Official Plan (2012) designation, Rural Residential, allows for limited low density residential development within existing clusters of development. Natural Heritage intent is to identify and protect natural heritage features such as wetlands and significant habitat. Zoning by-law 61-16 current zoning is Agricultural (A) and Natural Heritage (NH) and the proposed zoning is Rural Residential (RR) and Natural Heritage (NH).

In response to questions, R. Cummins, advised that several lots were severed to the north of the proposed location and zoning and limits for development will match the surrounding area.

Douglas Stewart and Christian Tsimenidis, IBI Group

Douglas Stewart and Christian Tsimenidis, IBI Group, verbally presented support for the staff recommendation and proposal.

Members of the Public

None

Moved by Councillor Coleman

Seconded by Councillor Gatward

That Application ZBA46/22/RC from IBI Group, on behalf of Sherman Richardson, owner of Concession 3, west of Fairchild's Creek, part lots 9 TO 11, County of Brant, located at 301 Brant County Road 18, in the geographic Township of Brantford, to amend the Zoning By-Law 61-16 to change the current zoning on a portion of the property from Agriculture (A) to Rural Residential (RR) to facilitate the future severance of a single residential lot, subject to a site specific minimum rear yard set back of 75 metres for a dwelling **BE APPROVED**; 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. Committee Reports

8.1 Agricultural Advisory Committee Report - March 21, 2022

Moved by Mayor Bailey
Seconded by Councillor Howes

That the Agricultural Advisory Committee Report - March 21, 2022 be approved.

Carried

9. Staff Reports

9.1 RPT-22-109 – Proposed Provincial Legislative Changes: More Homes for Everyone, 2022 - J. Boyer

Jennifer Boyer, Manager of Policy Planning, advised that on March 30, 2022, the Province announced new legislative changes, policies and initiatives under the More Homes for Everyone Plan. Changes include community infrastructure and housing accelerator tool, focus on increasing housing supply, investing in the OLT and Landlord Tenant Board, northern and rural municipal housing issues, community housing renewal strategy, and reviewing the supply action plan every 4 years. Key task force recommendations that are not included are increasing density, limiting consultation time, and legislating timelines. Comments and feedback can be submitted until April 29th, 2022.

Mayor Bailey suggested it would be appropriate for staff to send comments rather than Members of the Committee. Chairman Bell suggested there still be comments made from Members of Committee to groups like AMO.

In response to questions, J. Boyer advised that there is an emphasis on single detached homes and adding more units to existing homes. J. Boyer also commented that Council will need to decide what the County's tolerance for risk is with regard to taking action on the lack of response from the Province regarding the new Official Plan. She noted that a report will be coming in May to outline the risk factors.

In response to questions, J. Boyer agreed there is not much information related to inclusionary zoning, the only related proposal is financing for not-for-profit housing.

In response to comments, J. Boyer agreed these policy proposal changes will be in the Growth Plan. Different options to rural settlements to solve the issue zoning boundaries.

Chairman Bell left the meeting at 7:37 p.m.

Vice Chairman Miller assumed the Chair.

Chairman Bell returned to the meeting at 7:39 p.m. and re-assumed the Chair.

Moved by Councillor Laferriere

Seconded by Councillor Howes

That report RPT-22-109 – Proposed Provincial Legislative Changes: More Homes for Everyone, 2022 be received as information.

Carried

10. Communications

10.1 Communications from Ministry of Municipal Affairs and Housing

Moved by Councillor Laferriere

Seconded by Councillor Howes

That the communication from Ministry of Municipal Affairs and Housing be received as information.

Carried

11. In Camera

Moved by Mayor Bailey

Seconded by Councillor Peirce

That the Planning and Development Committee convene In Camera to discuss litigation or potential litigation, including matters before administrative tribunals (Telephone City Aggregates OLT Appeal, 517 Paris Road OLT Appeal, 241 Langford Church Road OLT Appeal, 80 Blossom Avenue OLT Appeal)

Carried

Committee convened In Camera at 7:42 p.m. to discuss RPT-22-60 - S.239(2)(e) litigation or potential litigation (Telephone City Aggregates Lands – Appeal to OLT) and (517 Paris Road - Appeal to OLT) and (241 Langford Church Road - appeal to OLT) and (80 Blossom Avenue - Appeal to OLT). This portion of the meeting is recorded in the Confidential – In Camera minutes of April 5, 2022. Committee reconvened in Open Session at 8:33 p.m., on a motion of Councillor's Coleman and Howes.

Councillor Coleman left the meeting at 8:36 p.m.

12. Next Meeting and Adjournment

Committee adjourned at 8:34 p.m. to meet again on May 3, 2022 at the County of Brant Council Chambers/ Electronic Participation.

Secretary