



## County of Brant – Planning and Development Report

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**To:** To the Chair and Members of the Planning and Development Committee

**From:** Shannon Labelle, Planner

**Date:** December 6, 2022

**Subject:** RPT-0334-22

Zoning By-Law Amendment Application ZBA15/22/SL

138 Langford Church Road, Geographic Township of Brantford

**Purpose:** **Recommendation Report for Approval**

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That Application ZBA15/22/SL from Bob Philips, Agent on behalf of Brian and Wendy Pigott, Owners of lands legally known as Range 2 South Hammond Road Part Lots 6 To 8, municipally known as 138 Langford Church Road, Geographic Township of Brantford, County of Brant, proposing to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR) in order to facilitate the creation of one new residential building lot, and to rezone a portion of the subject lands from Agriculture (A) to Natural Heritage with site specific provision 14 (NH-14) in order to limit development within the vegetation protection zone, be approved; and

That the following site specific provisions are being recommended for approval:

1. To permit the addition and expansion of the existing accessory structure up to a maximum of 150 square metres (1,614.6 square feet), provided that no additions or expansions are constructed within 6 metres (19.7 feet) of the top of slope or within a woodland as defined by the County's Good Forestry Practices By-Law as may be amended. Any additions or expansions shall comply with the setback regulations of the Agriculture (A) zone, and General Provisions Section 4, of the County of Brant Zoning By-Law.
2. All other provisions of the By-Law shall 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.

### Key Strategic Priority

Sustainable and managed growth.

### Financial Considerations

None.

## **Executive Summary / Proposal**

The purpose of this report is to provide Council and the Public with information from the applicants and staff regarding the details of an application to amend the County of Brant Zoning By-Law 61-16.

The proposed rezoning went before the Planning and Development Committee on September 6<sup>th</sup>, 2022 and was received for information purposes only. Comments were received from the Committee related to Minimum Distance Separation (MDS), and concerns regarding the existing horses on the subject lands. Staff have confirmed, through further correspondence and photos, that the existing barn used to house the horses has been decommissioned. Please see **Attachment 6**. If the rezoning is approved, Staff will require as a condition of approval of the severance application, that a change of use permit be acquired for the barn to reflect its current use of storage. Additionally, since there are no structures on the subject lands that are being used to house livestock and have been decommissioned, MDS is no longer applicable.

The rezoning is being sought to bring the subject lands into greater conformity with the existing land use designation, to facilitate the creation of one (1) new residential building lot, as well as to limit development within the required vegetation protection zone. The applicant is proposing to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR) and to rezone a portion of the subject lands from Agriculture (A) to Natural Heritage with site specific provision 14 (NH-14). The proposal is proceeding to recommendation.

The planning analysis focuses on literature review of applicable policy (i.e. *Planning Act*, *Provincial Policy Statement* (2020), Growth Plan for the Greater Golden Horseshoe (2020), Brant County Official Plan (2012) and Zoning By-Law 61-16, consultation with departments and discussions with both the agent/public. As outlined in this report, I am of the opinion the proposal represents good planning and am recommending approval of the application.

## **Location**

The subject lands are located on the north side of Langford Church Road. The lands municipally known as 138 Langford Church Road are irregular in shape, having frontage along the north side of Langford Church Road of approximately 272.9 metres (895.3 feet), and an approximate area of 21.1 hectares (52.1 acres).

The subject lands are currently occupied by a single detached dwelling, a decommissioned livestock barn, and three (3) horse paddocks.

To the north and east of the subject lands are lands designated and zoned for agricultural uses, and associated structures, to the south and west of the subject lands there is low density residential development, and agricultural fields with associated structures.

## **Report**

### **Planning Act R.S.O (1990)**

Section 34(10) of the *Planning Act* provides policy direction to be considered when reviewing Zoning By-Law Amendment applications.

### **Provincial Policy Statement (2020)**

*The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for*

*regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the Planning Act.*

Section 1.1.1(a) of the PPS speaks to promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.

***The subject lands are privately serviced, with private services being required for the proposed lot.***

Section 1.1.1(b) of the PPS speaks to accommodating an appropriate affordable and market-based range and mix of residential types (including single detached units).

***The proposed rezoning will facilitate the creation of one (1) new residential building lot. The proposed housing type is a single detached dwelling, which will contribute to the range and mix of residential types within the surrounding area.***

Section 1.1.1(c) of the PPS speaks to avoiding development and land use patterns which may cause environmental or public health and safety concerns.

***The subject lands are privately serviced, with private servicing being required for the proposed lot. The proposed rezoning will support land uses and development standards that are consistent with the existing land use designation.***

Section 1.1.4.1(a) of the PPS speaks to healthy, integrated and viable rural areas, should be supported by building upon rural character, and leveraging rural amenities and assets.

***The subject lands are privately serviced, private servicing will be required for the proposed lot. The proposed rezoning will facilitate the creation of one new residential building lot, which is consistent with the Rural Residential (RR) development standards and maintaining the rural character of the surrounding area. Future development will comply with the respective development standards of the Rural Residential (RR) zone.***

Section 1.1.4.1(d) of the PPS speaks to healthy, integrated and viable rural areas should be supported by encouraging the conservation and redevelopment of existing rural housing stock on rural lands.

***'Rural Lands' are defined as lands which are located outside settlement areas and which are outside prime agricultural areas. The subject lands meet the definition of 'rural lands'. Further, 'redevelopment' is defined as the creation of new units, uses or lots on previously developed land in existing communities. The proposed rezoning will facilitate the creation of one new residential building lot and contribute to the rural housing stock on rural lands. The subject lands were previously developed, as there is an existing single detached dwelling, and are within an existing community.***

Section 1.1.5.2(c) of the PPS speaks to the permitted uses on rural lands located within municipalities including, but not limited to residential development, including lot creation that is locally appropriate.

***The proposed rezoning will facilitate the creation of one (1) new residential building lot, and the proposed lot configuration appears to be consistent with the Rural Residential (RR) development standards.***

Section 1.1.5.4 of the PPS speaks to promoting development that is compatible with the rural landscape and can be sustained by rural service levels.

***The proposed rezoning will facilitate the creation of one (1) new residential building lot, which appears to be compatible with the rural landscape. The subject lands will be privately serviced.***

Section 1.1.5.5 of the PPS speaks to avoiding the need for the unjustified and/or uneconomical expansion of the infrastructure by ensuring development is appropriate to the infrastructure that is planned or available.

***The subject lands are privately serviced, private servicing will be required for the propose lot.***

Section 1.1.5.8 of the PPS speaks to new land uses, including the creation of lots, shall comply with the minimum distance separation formulae.

***The proposed rezoning to facilitate the creation of new residential building lot, complies with the minimum distance separation formulae.***

Section 2.1.1 of the PPS speaks to the long-term protection of natural features.

***A portion of the subject lands are being rezoned to protect the existing natural heritage feature, and to limit development within the Vegetation Protection Zone.***

***It is my opinion that the proposal is consistent with the policies in the Provincial Policy Statement (2020) for the following reasons:***

- ***The subject lands will be privately serviced.***
- ***The proposed rezoning will facilitate and contribute to the range and mix of residential housing types.***
- ***The proposed rezoning will facilitate redevelopment on rural lands.***
- ***The proposed rezoning will encourage efficient development and land use patterns.***
- ***The proposed rezoning will protect the existing natural heritage feature on the subject lands.***

### **Growth Plan for the Greater Golden Horseshoe (2020)**

*The Growth Plan is a framework that provides policy direction to implement strong and prosperous communities and how to manage growth in Ontario to 2051. The Planning Act requires that all decisions that affect a planning matter shall 'conform with' Provincial plans, including but not limited to the Growth Plan.*

Section 2.2.1.2(b) of the Growth Plan speaks to growth being limited in settlement areas that (i) are rural settlements; (ii) are not serviced by existing or planned municipal water and wastewater systems.

***The subject lands are located within an existing concentration of large lot residential development within the agricultural community. The subject lands are designated Rural Residential. The proposed lot will require private services.***

Section 2.2.1.2(d) of the Growth Plan speaks to development being directed to settlement areas, except where the policies of this Plan permit otherwise.

***Section 2.2.9 of the Growth Plan has policies specifically related to growth and development on rural lands. This has been identified below.***

Section 2.2.9.6 of the Growth Plan speaks to 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 subject lands are designated Rural Residential within the Official Plan which permits limited residential development. The proposed rezoning is to facilitate the creation of one (1) new residential building lot.***

Section 4.2.4.1(c) of the Growth Plan speaks to lands outside of settlement areas, where there is a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which: for key hydrologic features, fish habitat, and significant woodlands is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.

***The proposed development is within 120 metres of a key natural heritage feature. As part of the proposed rezoning, a 30 metre vegetation protection zone has been established from the outside boundary of the key natural heritage feature on the subject lands.***

Section 4.2.4.3 of the Growth Plan states that development or site alteration is not permitted in the vegetation protection zone.

***As part of the proposed rezoning, the established 30 metre vegetation protection zone is being rezoned to Natural Heritage with site specific provision 14 (NH-14), in order to ensure no development or site alteration occurs, except in accordance with Section 4.2.3.1 of the Growth Plan.***

Section 4.2.3.1(e) of the Growth Plan speaks to outside of settlement areas, development or site alteration is not permitted in key natural heritage features that are part of the Natural Heritage System for the Growth Plan except for expansions to existing buildings and structures, accessory structures and uses...subject to demonstration that the use does not expand into the key natural heritage feature or vegetation protection zone.

***The above policy is being maintained through the proposed rezoning of the vegetation protection zone to Natural Heritage with site specific provision 14 (NH-14). The site specific provision limits the extent of the addition or expansion to the existing structures within the vegetation protection zone.***

***It is my opinion that the proposal is in conformity with the policies in the Growth Plan for the Greater Golden Horseshoe (2020) for the following reasons:***

- ***The subject lands are privately serviced.***
- ***The proposed rezoning will facilitate the creation of one new residential building lot.***
- ***The proposed rezoning seeks to protect a natural heritage feature outside of a settlement area, and limits development and site alteration.***

### **Source Water Protection**

Source protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and other, are responsible for implementing source protection plan policies.

***The property is located within the Lake Erie Source Protection Region and is governed by the policies of the Grand River Source Protection Plan that was approved on November 26, 2015, came into effect on July 1, 2016, and was updated February 15, 2022. The property is located within an Intake Protection Zone 3 with an associated vulnerability score of 5. The property has been reviewed by the Risk Management Office and has informed the County of Brant there are no Significant Drinking Water Threats (SDWTs) proposed for the property for the following reasons:***

- ***The proposed development to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR) to facilitate the severance of one new residential building lot.***
- ***The property is located within an IPZ-3 with an associated vulnerability score of 5. There are no SDWTs within this boundary.***

### **County of Brant Official Plan (2012)**

*The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.*

***The Subject lands are designated as Rural Residential, Agriculture, and Natural Heritage System within Schedule 'A' and designated Woodlands and Vegetation, Hazardous Lands and Hazardous Sites within Schedule 'C' of the County of Brant Official Plan. The lands subject to the rezoning are designated Rural Residential.***

*Section 3.7.1 of the Official Plan speaks to the intent of the Rural Residential designation. The intent is to only recognize existing concentrations of large lot residential development in order to prevent scattered land consumption, inefficient use of existing infrastructure, and non-farm development in the Agriculture designation.*

***The proposed rezoning is to facilitate the creation of one (1) new residential building lot.***

*Section 3.7.2(a) of the Official Plan speaks to the permitted uses on lands designated Rural Residential. Single detached dwellings shall be permitted in the Rural Residential designation.*

***The subject lands contain an existing single detached dwelling, and a single detached dwelling is proposed for the severed lot.***

*Section 3.7.3(a) of the Official Plan provides policies related to lands designated Rural Residential. Lands designated Rural Residential does not mean they are suitable for further development. A limited amount of growth and development may occur within this designation subject to the following criteria:*

- i. *The proposed development represents an infill development within an existing Rural Residential area;*

***The proposal represents infill development within an existing Rural Residential area.***

- ii. *The proposed development has access to potable water, and such supply does not adversely affect adjoining properties;*

***The subject lands are privately serviced, with private servicing required for the proposed lot.***

- iii. *It has been demonstrated to the satisfaction of the County that on-site servicing is feasible;*

***To be confirmed at the time of building permit.***

- iv. The proposed servicing shall be appropriate for the proposed densities and land uses;

***A private well and septic is proposed, this is appropriate for the density and residential land use.***

- v. The patterns of new development shall be logical in the context of the existing development within the Rural Residential area;

***The proposed lot is meeting the minimum lot frontage and area requirements for lands zoned Rural Residential (RR). The lot configuration being proposed is similar in nature to the lots to the west of the subject lands. South of the subject lands are parcels that are similar in shape, however larger in area.***

- vi. The proposed development is compatible with existing development; and

***The proposed rezoning is to facilitate the creation of one (1) new residential building lot. Large lot residential development, and residential uses directly abut the lot to the west and south.***

- vii. Each lot proposed shall have provided a comprehensive drainage and lot grading plan demonstrating no adverse impacts on surrounding properties and a satisfactory outlet for stormwater.

***To be provided prior to the stamping of deed, and at the building permit stage.***

Section 3.7.3(b) of the Official Plan speaks to development being consistent with the servicing system requirements of Section 5.2 of this Plan.

***The requirements of Section 5.2 have been considered, and are consistent with the requirements of this section.***

Section 3.7.3(c) of the Official Plan speaks to the maximum density for new development shall not exceed 3 units per net hectare.

***This proposal will provide a total of 2 residential units (1 new residential unit) on a parcel having an area of 21.1 hectares resulting in 0.1 units per net hectare (2 units / 21.1 hectares = 0.1 units / hectare). The 0.1 units / hectare is in keeping with the intent of the density target for the Rural Residential designation given that the size and scale of the proposed development are appropriate for the context of the area.***

Section 3.7.3(f) of the Official Plan speaks to lots created within this designation must be consistent with the size and nature of surrounding lots while being consistent with the minimum size and frontage requirements of the Zoning By-Law.

***The proposed lot is meeting the minimum lot frontage and area requirements for lands zoned Rural Residential (RR). The lot configuration being proposed is similar in nature to the lots to the west of the subject lands. South of the subject lands are parcels that are similar in shape, however larger in area.***

Section 2.3.2.2(a) of the Official Plan speaks to policies related to development and site alteration on lands that are within and adjacent to natural heritage features. The County shall ensure in partnership with the Federal and Provincial governments, provincially and locally significant heritage resources are protected from development and site alteration.

***A 30 metre vegetation protection zone has been established along the boundary of the existing Natural Heritage (NH) zone to ensure the protection of the heritage resource.***

Section 2.3.2.2(e) of the Official Plan speaks to development or site alteration in or on land adjacent to. Natural heritage features and areas shall not be permitted unless it has been demonstrated to the satisfaction of the County that there shall be no negative impacts on the natural heritage features and areas or on their ecological function.

***Staff do not anticipate any negative impacts to the natural heritage feature and area, or on their ecological function. To ensure the protection of the natural heritage feature, a 30 metre vegetation protection zone has been established.***

Section 5.2.3.4(a) of the Official Plan speaks to areas of the Community Structure that are serviced only by private systems. Individual and on-site sewage disposal systems shall continue to provide the primary means of sanitary sewage disposal and private wells shall continue to be the primary means of water supply in the County's Rural Residential Areas.

***The subject lands are privately serviced, private servicing will be required for the proposed lot.***

Section 5.2.3.4(d) of the Official Plan speaks to development may take place within Rural Residential Areas on individual on-site sewage treatment systems.

***The proposed type of development is permitted on private services.***

***It is my opinion that the proposal conforms to the policies in the County of Brant Official Plan (2012) for the following reasons:***

- ***The lands are designated Rural Residential which support the existing use, and proposed rezoning.***
- ***The proposal is an example of infill development.***
- ***The natural heritage feature is being preserved and protected.***
- ***The subject lands are privately serviced, private servicing is required for the proposed lot.***
- ***The proposed consent maintains the general character of the surrounding neighbourhood and is compatible in terms of size and shape.***

### **County of Brant Zoning By-Law 61-16**

The subject lands are zoned as Agriculture (A) and Natural Heritage (NH) within the County of Brant Zoning By-Law 61-16.

The applicant is proposing to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR).

Additionally, the applicant is proposing to rezone a portion of the subject lands from Agriculture (A) to Natural Heritage with site specific provision 14 (NH-14) in order to limit development and site alteration within the vegetation protection zone. The following site specific provision is being proposed:

- To permit the addition and expansion of the existing accessory structure up to a maximum of 150 square metres (1,614.6 square feet), provided that no additions or expansions are constructed within 6 metres (19.7 feet) of the top of slope or within a woodland as defined by the County's Good Forestry Practices By-Law as may be amended. Any additions or expansions shall comply with the setback regulations of the Agriculture (A) zone, and General Provisions Section 4.



Section 9 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Rural Residential (RR).

Permitted uses include but are not limited to the following:

- Dwelling, Single Detached

Section 14 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Natural Heritage (NH).

Permitted uses include but are not limited to the following:

- Agricultural Use
- Boat Dock
- Boat House
- Boat Ramp
- Conservation and Flood or Erosion Control Projects
- Forestry
- Public Park or Private Park
- Small-scale structures for passive recreational uses
- Wildlife Management

Section 9.2 of the County of Brant Zoning By-Law speaks to the required development standards for each permitted building type for lands zoned as Rural Residential (RR).

Rural Residential (RR)	Required (Private Services)	Proposed – severed lot
Lot Area, Min	4,000sq.m	4,800sq.m
Lot Frontage, Min	40.0m	71.0m
Building Height, Max	10.5m	<i>To be confirmed at the time of building permit.</i>
Street Setback, Min	20.0m	
Interior Side Yard Setback, Min	5.0m	
Rear Yard Setback, Min	15.0m	
Lot Coverage, Max	30%	
Landscaped Open Space, Min	30%	
Off-Street Parking Requirements , Min	2 spaces	

Section 6.2 of the County of Brant Zoning By-Law speaks to the required development standards for each permitted building type for lands zoned as Agriculture (A).

Agriculture (A)	Required – Dwelling, Single Detached	Proposed – retained lot
Lot Area, Min	40.0 ha	20.6ha*
Lot Frontage, Min	150.0m	201.9m
Building Height, Max	10.0m	<10m – existing
Street Setback, Min	10.0m	Approx. 70m – existing
Interior Side Yard Setback, Min	4.0m	Approx 10m – existing
Rear Yard Setback, Min	10.0m	>10m
Lot Coverage, Max	30%	<30%
Landscaped Open Space, Min	30%	>30%
Off-Street Parking Requirements , Min	2 spaces	2 spaces

***\*As a condition of approval for the proposed severance, the applicant will be required to rezone the retained lands in order to recognize the undersized farm parcel\****

There are no development standards for the Natural Heritage (NH) zone, as development is not generally supported by this zone. Section 14.2 of the Zoning By-Law provides direction related to development within the Natural Heritage (NH) zone.

***It is my opinion that the proposal maintains the intent of the County of Brant Zoning By-Law 16-61 for the following reasons:***

- ***The proposed lot is meeting the frontage and area requirements of the Rural Residential (RR) zone***
- ***The retained lands, aside from area, are meeting all development standards of the Agriculture (A) zone.***
- ***The existing residential use is permitted on lands zoned Agriculture (A).***
- ***The proposed residential use and building type are permitted on lands zoned as Rural Residential (RR).***

## Interdepartmental Considerations

### GIS

- Maps have been created and the application has been added to the database

## Environmental Planning

Environmental Planning staff have reviewed the proposal to rezone the lands from Agriculture (A) to Rural Residential (RR) to facilitate the creation of one new residential lot, and wish to provide the following comments:

- A Planning Justification Report was submitted with the application. As part of pre-consultation staff requested that either an Environmental Impact Study (EIS) be completed or that a 30 metre vegetation protection zone adjacent to the woodland be zoned Natural Heritage.
- The applicant did not submit an EIS or propose to zone the vegetation protection zone as Natural Heritage, as requested by staff, to demonstrate conformity with the Growth Plan. Staff disagree with the statement on Page 6 of the Planning Justification Report that states 'The Natural Heritage Zone is not required to be amended as the proposed development is not located adjacent to any of the natural heritage features'. As per the Growth Plan, adjacent lands are considered those within 120 metres of key natural heritage and key hydrologic features. The proposed development is within 120 metres of a wetland, warm water fish habitat, woodlands and valleylands. The Official Plan contains adjacent distances in Table 2.2.
- The Planning Justification Report states that a 30 metre buffer will be provided for the protection of the natural features and that no development or site alteration is proposed within the buffer, however the Report does not clearly demonstrate how development and site alteration will be prevented within the buffer. While the Report states that a Development Agreement will be prepared, details of the draft agreement have not been provided to understand what would be addressed in the Agreement. Development Agreements are registered on title, while the zoning of a property is easily accessible to the public. Accordingly, in addition to a Development Agreement, it is recommended that the vegetation protection zone be zoned Natural Heritage.
- In the absence of an EIS, staff recommend that a 30 metre vegetation protection zone adjacent to the dripline of the woodland be zoned Natural Heritage.
  - ***Planning Staff note that this has been addressed, and as part of the Zoning By-Law Amendment, the 30 metres vegetation protection zone is being rezoned to Natural Heritage with site specific provision 14 (NH-14).***

## Development Engineering

- Staff cannot support the entranceway for the severed lands as shown on the submitted "Site Development Plan" (prepared by J.H. Cohoon Engineering Ltd. and dated April 7<sup>th</sup> 2022) due to insufficient sight lines along Langford Church Road at that location. The applicant may consider using the existing entrance at MN # 138 and implementing an easement/right-of-way to the severed parcel. Should this option be pursued, extensive clearing/grubbing is required along the frontage of the lands proposed to be severed to optimize sightlines to the east of the entrance.
  - ***The applicant has been made aware of this comment from Development Engineering. Either the severance application and proposal will be revised to incorporate the easement required, or as a condition of a approval of the severance application, an easement will be required.***
- An approved Public Works Permit is required prior to commencing works within the municipal road allowance.

## Operations

- No comments.

#### Fire

- No issues with the rezoning.
- Once the new lot is created, a rural fire fighting fee in the amount of \$600 will be required.

#### Grand River Conservation Authority (GRCA)

- The Grand River Conservation Authority (GRCA) has no objection to the proposed rezoning.

#### Mississaugas of the Credit First Nation (MCFN)

- No comments or concerns.

#### Finance – Tax Department

- No comments or concerns.

#### Source Water

- The property is located within the Lake Erie Source Protection Region and is governed by the policies of the Grand River Source Protection Plan that was approved on November 26, 2015, came into effect on July 1, 2016, and was updated February 15, 2022.
- The property is located within an Intake Protection Zone 3 with an associated vulnerability score of 5.
- The property has been reviewed by the Risk Management Office and this letter services to inform the County of Brant there are no Significant Drinking Water Threats (SDWTs) proposed for the property for the following reasons:
  - The proposed development to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR) to facilitate the severance of one new residential building lot.
  - The property is located within an IPZ-3 with an associated vulnerability score of 5. There are no SDWTs within this boundary.

#### Grandbridge Energy

- GrandBridge Energy Inc., has no objection to the proposal for a Zoning By-law amendment to facilitate the severance and construction of one single detached dwelling on the proposed severed parcel.
- The Owner/Applicant will be responsible for all costs to service the proposed development including all costs associated with the relocation and/or upgrade of the existing electrical plant, if required as a result of this proposal. As per GBE., Current Conditions to Service, latest edition, only one service per property is permitted.
- The Owner/Applicant will be required to grant easements at 100 % cost to the satisfaction of GBE., if required as a result of this proposal.

The following departments/agencies did not provide any comments with regard to this application:

- Building
- Hydro One
- Bell Canada

- Enbridge Gas Inc
- Six Nations

## Public Considerations

Staff are to visit the site for inspection on November 14<sup>th</sup>, 2022, and post the public notice sign in accordance with the *Planning Act*.

13 notices are to be mailed on November 14<sup>th</sup>, 2022.

At the time of writing this report, no public comments had been received.

## Conclusions and Recommendations

The applicant is proposing to rezone a portion of the subject lands from Agriculture (A) to Rural Residential (RR) to facilitate the creation of one new residential building lot, and to rezone a portion of the subject lands from Agriculture (A) to Natural Heritage with site specific provision 14 (NH-14) in order to limit development within the vegetation protection zone.

The following site specific provisions are being recommended for approval:

- To permit the addition and expansion of the existing accessory structure up to a maximum of 150 square metres (1,614.6 square feet), provided that no additions or expansions are constructed within 6 metres (19.7 feet) of the top of slope or within a woodland as defined by the County's Good Forestry Practices By-Law as may be amended. Any additions or expansions shall comply with the setback regulations of the Agriculture (A) zone, and General Provisions Section 4 of the County of Brant Zoning By-Law.
- All other provisions of the By-Law shall apply.

I am supportive of the rezoning application as it is consistent with the *Provincial Policy Statement*, in conformity with the Growth Plan for the Greater Golden Horseshoe, conforms to the County of Brant Official Plan and meets the intent of the County of Brant Zoning By-Law 61-16, and therefore recommend approval of the application

Prepared by:



**Shannon Labelle, BA, M.Sc.**

Planner

**Reviewed by:** Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3 Director of Planning

**Submitted By:** Pamela Duesling, MAES, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

## Attachments

1. Aerial Figure
2. Official Plan Figure
3. Zoning Figure

4. Site Development Plan
5. Site Photos
6. Decommissioned Barn
7. Draft By-Law

**Copy to**

1. Pam Duesling, General Manager of Development Services
2. Mat Vaughan, Director of Planning
3. Alysha Dyjach, Clerk/Manager of Council Committee Services
4. Alyssa Seitz, Planning Administrative Assistant
5. Applicant/Agent

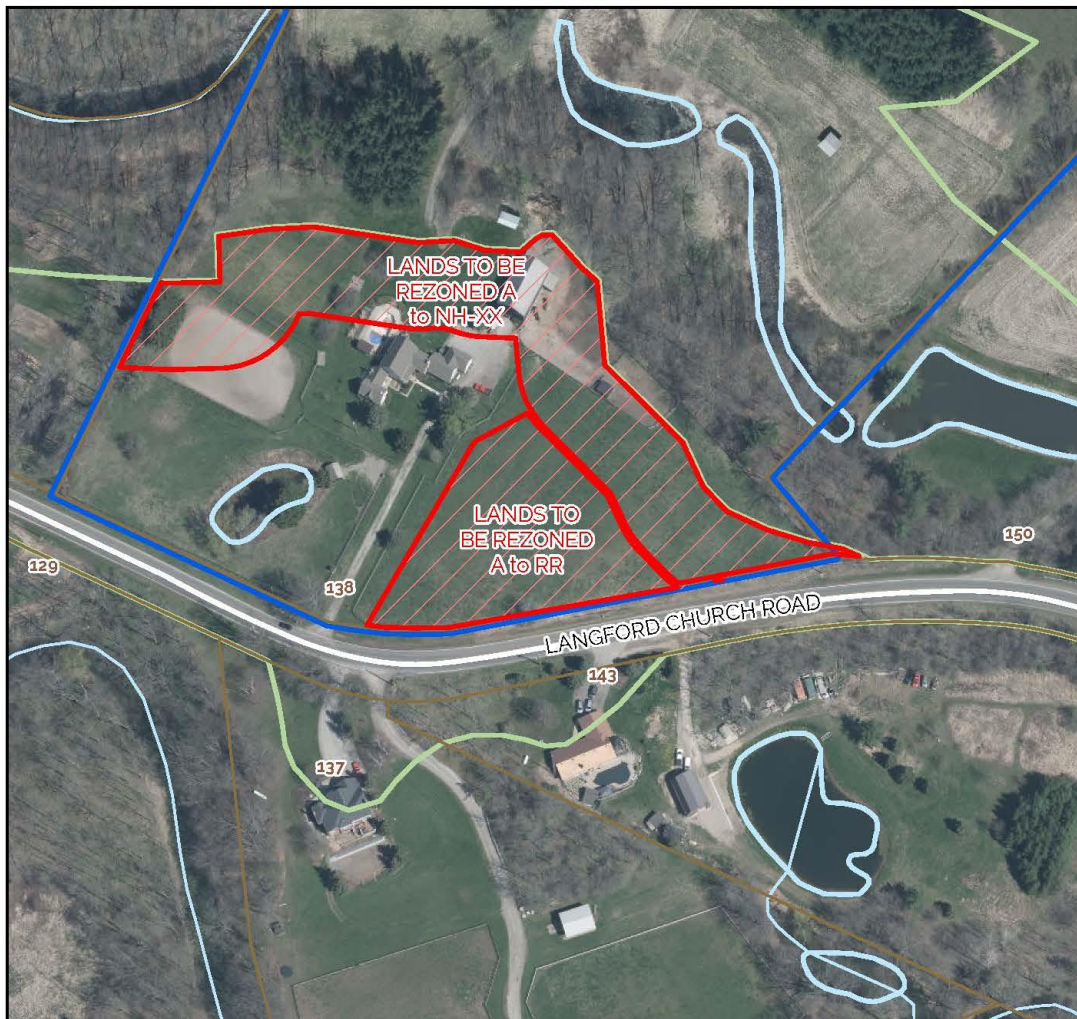
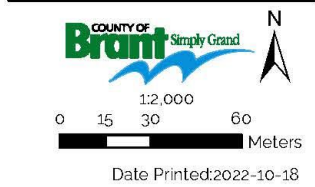
**File #** ZBA15/22/SL

**In adopting this report, is a bylaw or agreement required?**

By-Law required	(Yes)
Agreement(s) or other documents to be signed by Mayor and /or Clerk	(No)
Is the necessary By-Law or agreement being sent concurrently to Council?	(Yes)

**MAP 3: AERIAL IMAGERY 2020**  
**FILE NUMBER**  
**TCA Lands Rest Acres Road**

61 BETHEL ROAD  
County of Brant  
Ontario





**MAP 2: Official Plan  
FILE NUMBER  
TCA Lands Rest Acres Road**

61 BETHEL ROAD  
County of Brant  
Ontario

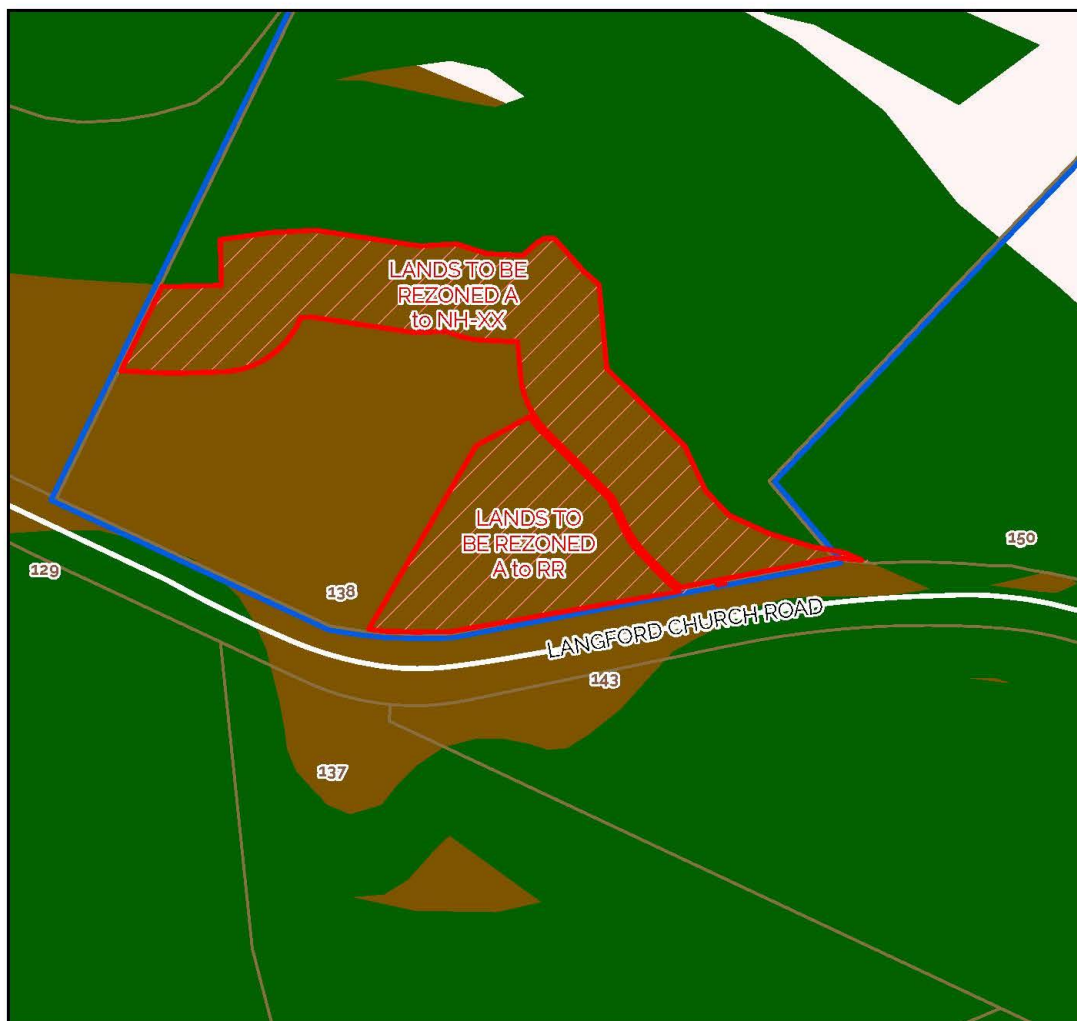


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Meters

Date Printed: 2022-10-18



**Key Map**





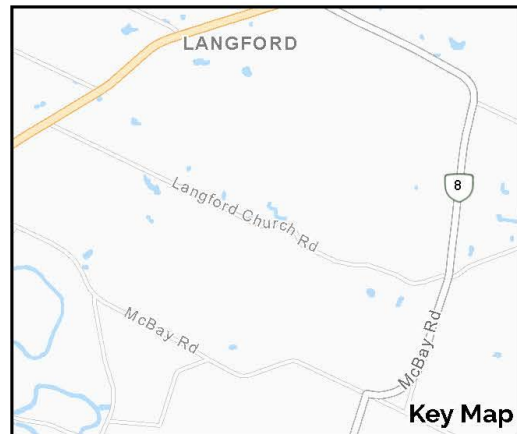
**MAP 1: ZONING  
FILE NUMBER  
TCA Lands Rest Acres Road**

61 BETHEL ROAD  
County of Brant  
Ontario

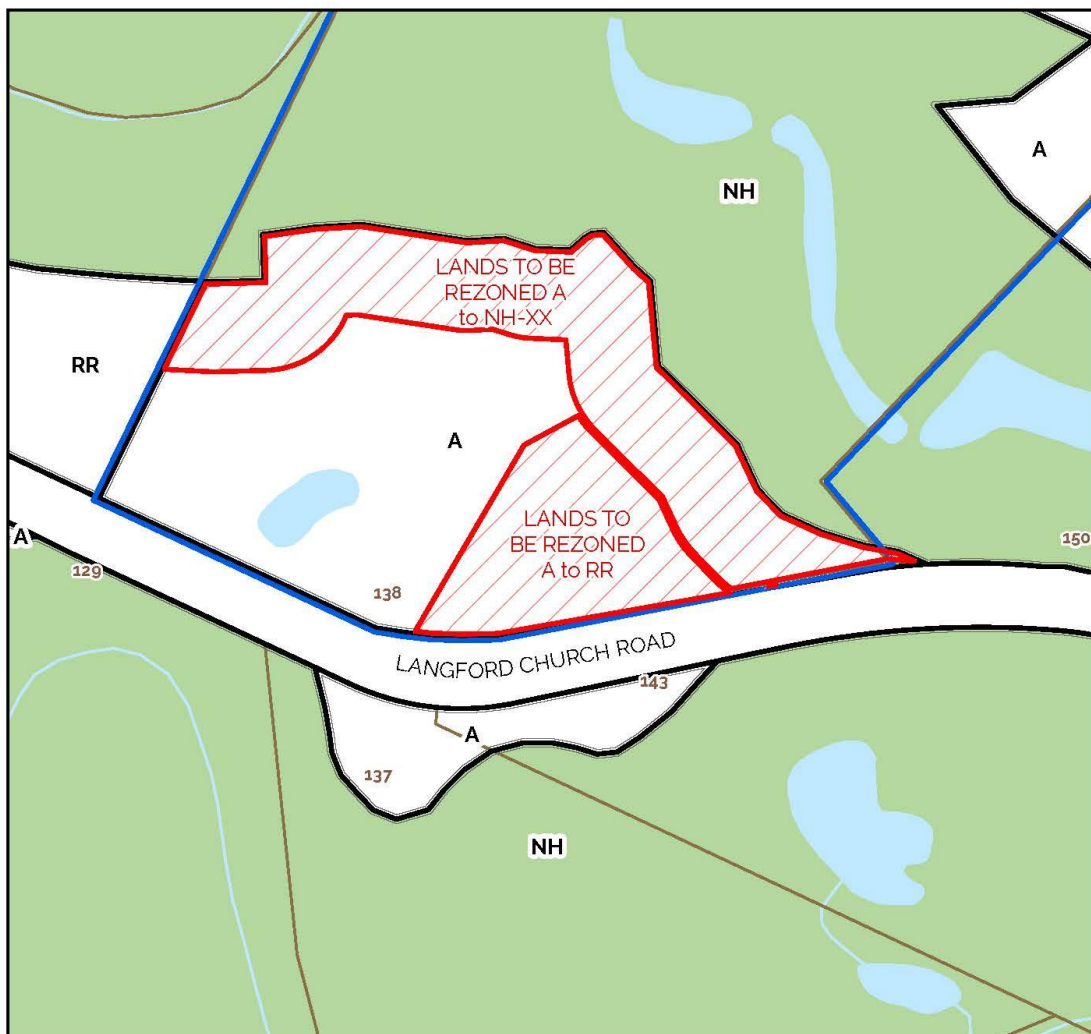


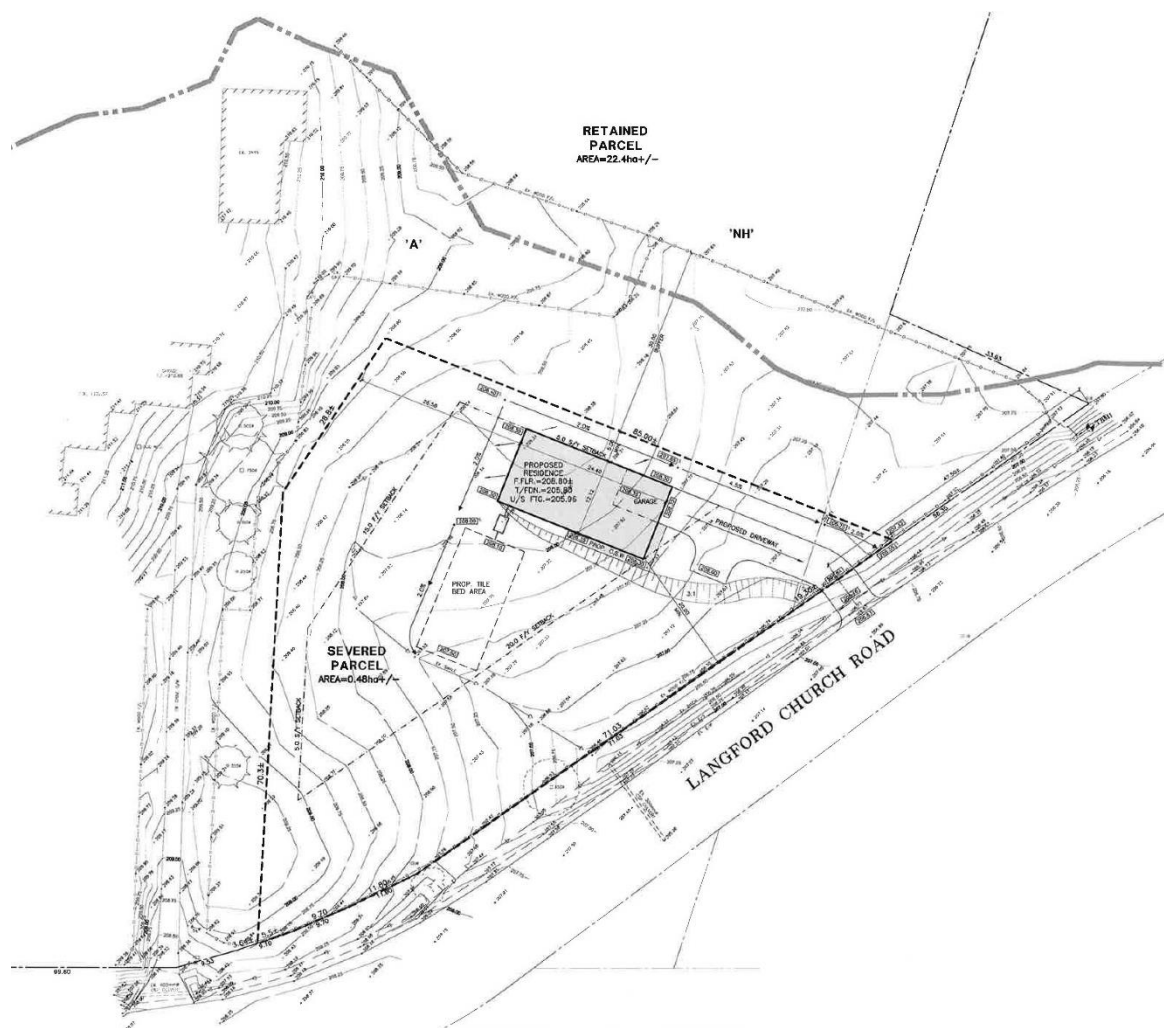
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0 12.5 25 50  
Meters

Date Printed: 2022-10-18



**Key Map**





Site Photos

North



South



East



West





Photos of Decomissioned Barn:

