



Planning and Development Committee Minutes

Date: Tuesday, April 4, 2023
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

Present: Mayor Bailey, Councillors Kyle, MacAlpine, Howes, Oakley, Bell, Miller, Chambers, Coleman (arrived at 6:31 pm and left at 8:40 pm), and Garneau

Regrets: Councillor Peirce

Staff: Zuidema, Duesling, Vaughan, Namisniak, Graham, Almaflahi, and Allison

1. Attendance

Attendance was taken, noting Councillor Peirce sent his regrets.

2. Approval of Agenda

Moved by Councillor Miller
Seconded by Mayor Bailey

That the agenda for the April 4, 2023, Planning and Development Committee be approved, as amended with an additional correspondence under Communications.

Carried

3. Declaration of Pecuniary Interests

Councillor Garneau declared a conflict on interest on item 15.1 RPT-0148-23 S.239(2)(e) Litigation matters and S.239(2)(f) Advice subject to solicitor client privilege (409 German School Road – ZBA) J. Zuidema & R. Welchman

4. Delegations / Petitions / Presentations

None.

5. Adoption of Minutes from Previous Meetings

5.1 Planning and Development Committee Minutes of February 7, 2023

Moved by Councillor Bell
Seconded by Councillor Howes

That the Planning and Development Committee minutes of February 7, 2023, be approved.

Carried

6. Business Arising from the Minutes

None.

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

7.1 RPT-0538-22-CT1-22-AA 510 Brant-Waterloo Road

Arwa Almaflahi, Planner, appeared before Committee and was available for questions.

Councillor Chambers reconvened the public meeting for the application as it was previously closed to allow for additional information.

Members of the Public

None.

Committee Consideration

Moved by Councillor Bell
Seconded by Councillor MacAlpine

That the Clerk be directed to inform Shared Tower Inc (STC):

a. That LandSquared on behalf of Shared Tower Inc. (STC) has completed consultation with the County of Brant and the public; and

b. THAT the Telecommunication Tower as proposed at 510 Brant-Waterloo Road is not in accordance with Section 4.iii – ‘Preferred Location Guidelines’ of the ‘Communication Tower and Communication Antenna Preferred Location Protocol (2020)’.

No Vote. Motion to Amend Follows

Moved by Councillor Miller
Seconded by Mayor Bailey

That clause c. be struck out and replaced with:

That notwithstanding the fact that the proposed cellular tower location fails to meet the County of Brant's Telecommunications Tower Protocol in regard to Natural Heritage setback, none the less the Planning and Development Committee is supportive of the proposed location.

Carried

Moved by Councillor Bell
Seconded by Councillor MacAlpine

That the Clerk be directed to inform Shared Tower Inc (STC):

a. That LandSquared on behalf of Shared Tower Inc. (STC) has completed consultation with the County of Brant and the public; and

b. That the Telecommunication Tower as proposed at 510 Brant-Waterloo Road is not in accordance with Section 4.iii – 'Preferred Location Guidelines' of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020); and

c. That notwithstanding the fact that the proposed cellular tower location fails to meet the County of Brant's Telecommunications Tower Protocol in regard to Natural Heritage setbacks, the Planning and Development Committee is supportive of the proposed location.

Carried

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

8.1 RPT-0143-23-ZBA6-23-LG 738 Mount Pleasant Road

Lauren Graham, Planner, presented the Zoning By-law Amendment application for information purposes only. She reviewed the property location and existing conditions, the development proposal for Part 1 - Future Retained Lands and Part 2 - Future Severed Lands and the current land use designation and zoning. L. Graham concluded with the application process and next steps.

In response to questions, Mat Vaughan, Director of Development Planning, advised an additional zoning by-law amendment application would come forward to remove the holding provision. The holding provision prevents any future development on the severed property until water servicing is put in place.

Nick Wood, Corbet Land Strategies, Agent

Nick Wood appeared before Committee and was available for questions.

Committee Consideration

Moved by Councillor Miller

Seconded by Councillor Oakley

That the Zoning By-law Amendment application proposing to rezone the subject lands from Suburban Residential (SR) to Suburban Residential (SR) with site specific provision XX (SR-XX), in order to permit area of approximately 747 square metres (0.18 acres), whereas a minimum of 1,000 square metres (0.25 acres) is required; to permit a frontage of 9.19 metres (30.15 feet), whereas a minimum 20 metres (65.62 feet) is required; to permit exterior side yard setback of 5.0 metres (16.40 feet), whereas a minimum of 7.5 metres (24.61 feet) is required; and to facilitate a future residential severance, be received as information and any comments/ submissions regarding this application be referred to staff for review;

And that the Zoning By-law Amendment application proposing to rezone the subject lands from Suburban Residential (SR) to Suburban Residential (SR) with site specific provision XX (h-SR-XX), in order to rezone the future severed lands with a holding provision due to capacity restraints; to permit an area of approximately 747 square metres (0.18 acres), whereas a minimum of 1,000 square metres (0.25 acres) is required; to permit a frontage of 9.19 metres (30.15 feet), whereas a minimum 20 metres (65.62 feet) is required; to permit exterior side yard setback of 5.0 metres (16.40 feet), whereas a minimum of 7.5 metres (24.61 feet) is required; and to facilitate a future residential severance, 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 RPT-0532-22-ZBA38-20-DN 6 Maple Ave North

Dan Namisniak, Planner, presented the Zoning By-law Amendment application for approval, subject to a holding provision. He reviewed the location and existing conditions, the current land use designation in the Official Plan and the current Zoning classification. D. Namisniak reviewed the previous proposal and timeline of process and proposal details to date. He presented the current proposal, key considerations including the Burford Master Servicing Strategy and Class Environmental Assessment, and public consultation. D. Namisniak concluded with the staff recommendation.

Councillor Coleman joined the meeting at 6:31 p.m.

In response to questions, D. Namisniak advised the Burford Master Servicing Strategy and Class Environmental Assessment will determine and guide the appropriate level of servicing, timing and phasing of development.

Dave Aston, MHBC Planning, Agent

Dave Aston appeared before Committee and provided the background for the proposal, policy framework, the revised townhouse concept plan, street view looking North and South, and the zoning and proposed development comparisons. He concluded with a summary of the proposal.

In response to questions, D. Aston advised the concept plan depicts full servicing and the storm water management is a combination of infiltration and an outlet system.

Members of the Public

Mike Robinet, 10 Maple Ave N

Mike Robinet appeared before Committee and expressed his opposition for the proposal. He noted a desire for the vacant land to house community services or single detached homes with a seniors complex housed in the centre.

Rick Leitch, 49 6th Concession Road

Rick Leitch appeared before Committee and questioned the appropriate level of servicing and speculated if the holding provision can be removed dependent on private services.

John Waters, Maple Av S

John Waters appeared before Committee and expressed opposition to private services and expressed a desire for low density.

Colleen Durham, 18 Maple Ave N

Colleen Durham appeared before the Committee virtually noting she previously spoke with the planner on file. She noted she did not agree with the street renderings and asked to keep the proposal in keeping with the neighbourhood.

Committee Consideration

Mat Vaughan, Director of Development Planning, advised the holding provision is a tool to allow the project to be approved in principle until the appropriate level of servicing is determined.

Moved by Councillor Oakley

Seconded by Councillor Coleman

That Zoning By-Law Amendment Application ZBA38-20-DN from MHBC Planning, Agent, on behalf of Grover Developments Ltd, Applicant/ Owner of lands legally described as Plan 727, Lot 98 & Lot 99, in the geographic Township of Burford, municipally known as 6 Maple Ave North, proposing to change the zoning on the subject lands from Suburban Residential (SR) to Residential Multiple Low Density (RM1) subject to a 'Holding Provision (h-RM1)' being applied to the entirety of the Subject Lands until such time that a desirable and appropriate level of municipal servicing is available, determined and guided by the completion of the Burford Master Servicing Class Environmental Assessment to the satisfaction of the County of Brant, be approved;

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

- The application represents desirable infill redevelopment, permitting a range of housing types within an established neighborhood, utilizing existing surrounding infrastructure and amenities.

- The Holding Provision (h) will determine the timing for desirable and appropriate development of the subject lands based on planned and/or available services;
- The application is consistent with the policies of the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe; and
- The application is in conformity with the policies of the County of Brant Official Plan (2012) and meets the general intent of Zoning By-Law 61-16.

No Vote. Motion to Amend Follows

Moved by Councillor Bell
Seconded by Councillor Miller

That the first clause of the main motion be struck out and replaced with the following:

That Zoning By-Law Amendment Application ZBA38-20-DN from MHBC Planning, Agent, on behalf of Grover Developments Ltd, Applicant/ Owner of lands legally described as Plan 727, Lot 98 & Lot 99, in the geographic Township of Burford, municipally known as 6 Maple Ave North, proposing to change the zoning on the subject lands from Suburban Residential (SR) to Residential Multiple Low Density, limited to detached and semi detached only (RM1), subject to a 'Holding Provision (h-RM1)' being applied to the entirety of the Subject Lands until such time that a desirable and appropriate level of municipal servicing is available, determined and guided by the completion of the Burford Master Servicing Class Environmental Assessment to the satisfaction of the County of Brant, be approved.

Defeated

Moved by Councillor Oakley
Seconded by Councillor Coleman

That Zoning By-Law Amendment Application ZBA38-20-DN from MHBC Planning, Agent, on behalf of Grover Developments Ltd, Applicant/ Owner of lands legally described as Plan 727, Lot 98 & Lot 99, in the geographic Township of Burford, municipally known as 6 Maple Ave North, proposing to change the zoning on the subject lands from Suburban Residential (SR) to Residential Multiple Low Density (RM1) subject to a 'Holding Provision (h-RM1)' being applied to the entirety of the Subject Lands until such time that a desirable and appropriate level of municipal servicing is available, determined and guided by the completion of the Burford Master Servicing Class Environmental Assessment to the satisfaction of the County of Brant, be approved;

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

- The application represents desirable infill redevelopment, permitting a range of housing types within an established neighborhood, utilizing existing surrounding infrastructure and amenities;
- The Holding Provision (h) will determine the timing for desirable and appropriate development of the subject lands based on planned and/or available services;
- The application is consistent with the policies of the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe; and
- The application is in conformity with the policies of the County of Brant Official Plan (2012) and meets the general intent of Zoning By-Law 61-16.

Carried

9.2 RPT-0142-23-ZBA4-23-DN 524 Old Onondaga Road East

Dan Namisniak, Planner presented the Zoning By-law Amendment application for approval. He reviewed the property location, the current land use designation in the Official Plan and current Zoning classification, and the proposal. D. Namisniak reviewed the related future consent application and key considerations, noting the Agricultural Advisory Committee has also reviewed the proposal. He concluded with the staff recommendation for approval.

Ruchika Angrish, The Angrish Group, Agent

Ruchika Angrish appeared before Committee and briefly outlined the proposal.

Members of the Public

John Paul Wheeler, Onondaga

John Paul Wheeler appeared before Committee and expressed concern for increased traffic and motor vehicle accidents.

Kathy Wellis, Onondaga Road

Kathy Wellis appeared before Committee and noted the property location is located on a dangerous curve. She also requested clarification of the special exception(s).

Erin Jaggard

Erin appeared before the Committee virtually and presented a statement regarding the application. She noted consideration for not only protection of agricultural lands but functionality and co-benefit of agricultural lands. E. Jaggard also noted agreement with the expansion of the natural heritage zone, however additional expansion of this zone is warranted, particularly in face of climate change precipitation hazards.

John, Onondaga

John appeared before Committee noting he did not receive notice of the proposal.

Committee Consideration

In response to questions, R. Angrish advised a traffic impact study was completed and accepted by staff, including site lines for the access points. She also noted the natural drainage areas were not identified as significant natural heritage features.

Moved by Councillor Coleman
Seconded by Councillor Miller

That Zoning By-Law Amendment Application ZBA4-23-DN from The Angrish Group, Agent, on behalf of Nick Vahrmeyer, Applicant/ Owner of lands legally described as Part Lot 23, East of Fairchilds Creek, Part Lot 41, River Range, East of Fairchilds Creek; Part Lot 9 South of John Street, Part Lot 9 North of Cedar Street, Plan 103, in the Geographic Township of Onondaga and municipally known as 524 Old Onondaga Road East, County of Brant, proposing the following to Zoning By-Law 61-16:

1. To allow the application of a Special Exemption to the Residential Hamlet and Villages (RH-27) zone to permit a minimum lot frontage of 12.5 metres (41 feet), whereas a minimum of 30 metres (98 feet) is required;
2. To allow the application of a Special Exemption to the Agricultural (A-193) zone to recognize the remaining undersized area of the agricultural portion having an area of 5.3 hectares (13 acres); and
3. To permit an expansion of the Natural Heritage (NH) Zone to incorporate a 30 metre buffer from the identified watercourse, be approved;

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

- The Applicants have demonstrated the adequate access to the remaining farm parcel;
- Potential nuisance issues between the farm and non-farm related uses are protected under the rules and procedures of the Normal Farm Practices Protection Board (NFPPB);
- The application is consistent with the policies of the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe; and
- The application is in conformity with the policies of the County of Brant Official Plan (2012) and meets the general intent of Zoning By-Law 61-16.

Carried

10. Consent Items

10.1 Consent Items to be Approved

None.

10.2 Consent Items to be Received

None.

11. Committee Reports

11.1 Agricultural Advisory Committee Minutes of February 13, 2023

Councillor Coleman left the meeting at 8:40 p.m.

Moved by Mayor Bailey

Seconded by Councillor Bell

That the Agricultural Advisory Committee Minutes of February 13, 2023, be received as information.

Carried

12. Staff Reports

12.1 RPT-0144-23 Committee of Adjustment Structure and Terms of Reference

Moved by Councillor Oakley

Seconded by Councillor MacAlpine

That RPT-0144-23 be received; and

That the current County of Brant Committee of Adjustment structure continue (OPTION 1); and

That a by-law adopting the Terms of Reference for the County of Brant Committee of Adjustment be prepared and forwarded to Council for approval.

Carried

13. Communications

None.

14. Other Business

In response to questions, Pam Duesling, General Manager of Development Planning, advised the zoning by-law amendment application and updated interim control by-law is expected to appear before Committee in the summer.

In response to questions, Jyoti Zuidema, Solicitor and Corporate Council, advised if a zoning by-law amendment application is appealed to the Ontario Land Tribunal (OLT) as a result of the studies of the extension of the Interim Control By-law (ICL), the ICL remains in place until the appeal is dealt with.

Moved by Councillor Howes

Seconded by Councillor Oakley

That the memo from Development Services regarding an update to the Interim Control By-law, be received.

Carried

15. In Camera

That the Planning and Development Committee convene In Camera to discuss RPT-0148-23 S.239(2)(e) Litigation matters and S.239(2)(f) Advice subject to solicitor client privilege (409 German School Road – ZBA) J. Zuidema & R. Welchman.

Committee convened In Camera at 9:06 p.m. to discuss RPT-0148-23 S.239(2)(e) Litigation matters and S.239(2)(f) Advice subject to solicitor client privilege (409 German School Road – ZBA) J. Zuidema & R. Welchman. This portion of the meeting is recorded in the Confidential – In Camera minutes of April 4, 2023. Committee reconvened in Open Session at 9:17 p.m. on a motion of Mayor Bailey and Councillor Miller.

16. Next Meeting and Adjournment

Committee adjourned at 9:17 pm to meet again on May 17, 2023 at the County of Brant Council Chambers.

Secretary