



## Committee of Adjustment Minutes

**Date:** June 20, 2024  
**Time:** 6:00 p.m.  
**Location:** Council Chambers  
7 Broadway Street West  
Paris, ON

**Present:** Brown, Emmott, Hamilton, Schmitt, Vamos, Panag

**Regrets:** Smith

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**1. Attendance**

**2. Approval of Agenda**

Moved by Member Emmott  
Seconded by Member Hamilton

Moved by myself and seconded by Member Hamilton that the agenda for the County of Brant Committee of Adjustment meeting of June 20, 2024, be approved.

**Carried Unanimously**

**3. Declaration of Pecuniary Interests**

No conflicts declared.

**4. Adoption of Minutes from Previous Meetings**

Moved by Member Schmitt  
Seconded by Member Hamilton

That the minutes of the May 16, 2024 meeting of the Committee of Adjustment be approved, as printed.

**Carried Unanimously**

## 5. Public Hearings

### 5.1 B6-B9-24-HH-Brown-19 Creeden St

#### Staff Presentation

- H. Hallema, Junior Planner presented consent application B6-B9-24-HH-Brown-19 Creeden St for approval. She reviewed the property location, the current land designation of Urban Residential within the Primary Urban Settlement Boundary of Paris and zoning classification of Residential singles and Semis (R2).
- She outlined the proposal to facilitate the division of the parcel containing an existing semi-detached dwelling into two separate and conveyable parcels and to establish an access easement for maintenance.
- Member Hamilton verifies the conditions must be cleared within a period of two years.
- Staff confirm.
- Member Vamos questions the residential use and fire wall.
- Staff notes a change of use permit was obtained through the Building Department from a church to residential. It was reviewed at the time of the change of use permit.

#### Agent/Applicant Presentation

- Christian Tsimenidis, Arcardis
- Agent supports staff recommendation. He notes the minimum lot frontages will be maintained for both lots.
- He appreciates the correction of the two year period for the clearance of conditions as previously identified.
- Member Emmott seeks clarification if the heating unit is servicing both units.
- Agent advises the heat pump is servicing the retained lot. It requires the easement on this application for the purposes of maintenance.
- Member Emmott inquires if easement can be modified in the future if not required.
- Staff note easement could be removed through Solicitors if change is required.
- Member Vamos inquires about the relocation of the heat pump.
- Agent notes the application for the easement is an appropriate approach given the equipment is existing.
- Mike Brown, Owner of 19 Creeden notes easement would be removed if no longer required. There would be a significant cost to relocate.

- Agent indicates it is an appropriate time to address the requirement of an easement as a condition of the severance.

Moved by Member Hamilton  
Seconded by Member Schmitt

THAT Consent Application **B6-24-HH** from Arcadis c/o Douglas Stewart, Agent on behalf of Michael Brown, Owner of lands known as PLAN 492 BLOCK 45 LOT H, municipally known as 19 Creeden Street, Paris, proposing the division of the parcel containing an existing semi-detached dwelling into two separate and conveyable parcels within the Primary Urban Settlement Boundary of Paris, BE APPROVED, subject to the attached conditions.

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

- The lot creation is compatible and consistent within the context of existing development.
- The application is consistent 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/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

**Carried Unanimously**

Moved by Member Hamilton  
Seconded by Member Schmitt

THAT Consent Application **B9-24-HH** from Arcadis c/o Douglas Stewart, Agent on behalf of Michael Brown, Owner of lands known as PLAN 492 BLOCK 45 LOT H, municipally known as 19 Creeden Street, Paris, proposing the creation of an easement for access and maintenance of an existing heat pump encroaching onto the proposed severed lands subject to the attached conditions noting two years to provide clearance.

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

- The existing heat pump currently impedes on the proposed property lines and requires legal access through an easement for maintenance.
- The application is consistent 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/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

**Carried**

### 5.1.1 Addendum - 19 Creeden

## 5.2 A7-24-HH-Alton-319 East Quarter Townline Rd

### **Staff Presentation**

- H. Hallema, Junior Planner presented minor variance application A7-24-HH-Alton-319 East Quarter Townline Rd for approval. She reviewed the property location, the current land designation of Agricultural and zoning classification of Heavy Industrial (M3).
- The minor variance application is seeking expansion of a legal non-conforming use to permit construction of a detached accessory structure within the Heavy Industrial (M3) Zone.
- The existing dwelling was constructed in the 1970s, which was legally established as a legal use before the passing of the existing by-law came into force and effect.
- As it stands within the current zoning a single detached dwelling is not permitted within the current Heavy Industrial (M3) zoning, and therefore the existing dwelling would be considered a legal non-conforming use.
- Staff recommends approval of A7-24-HH.
- Member Vamos confirms zoning.
- Staff zoning is Heavy Industrial M3 and designation is Agriculture.
- Member Vamos questions accessory structure in Agricultural land designation is limited to one.
- Staff outlines accessory structures are permitted within 5% of total lot area. Staff confirms one detached dwelling is permitted.
- Member Hamilton confirms this was established previously and the application is to align with current policies to obtain a building permit.
- Staff confirms application is to extend residential use to permit the accessory structure.

### **Agent/Application Presentation**

- Pat Alton, 319 East Quarter Townline Rd
- Mr. Alton does not have a presentation and offers to answer questions.
- Member Vamos seeks clarification on the entrance for the accessory structure.
- Staff indicates there is no proposed entrance to the accessory structure.
- Staff indicates that if an entrance is added then it would require a Public Works Permit.
- Member Vamos questions the location of the entrance.

- Mr. Alton confirms there will not be a driveway added. The plan is to drive on the grass.

Moved by Member Emmott  
 Seconded by Member Panag

THAT Application for Minor Variance **A7-24-HH** from Pat Alton, Owner of lands described as BURFORD CONCESSION 7 PART LOT 7 REGISTERED PLAN 2R520 PART 1, in the geographic Township of Burford, and located at 319 East Quarter Townline Road, requesting relief from Section 45(2) of the Planning Act to allow the extension of an existing legal non-conforming use and permit construction of a detached accessory structure within the Heavy Industrial (M3) Zone, **BE APPROVED.**

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

- The proposal meets Section 45(2) of the Planning Act for expansion of legal non-conforming uses;
- The proposed development is desirable for the appropriate development and use of the subject lands;
- The proposed development will not result in undue adverse impacts on the surrounding properties and neighbourhoods, and/or
- The proposed development will not be an increased risk to human health or wellbeing.

**Carried Unanimously**

5.3 A6-24-KD-Stubbes-44 Muir Rd S

**Staff Presentation**

- K. DeLeye, Supervisor of Development Planning presented minor variance application A6-24-KD-stubbes-44 Muir Rd S for approval. She reviewed the property location, current land designation of Employment and Zoning classification of Agricultural Employment (AE-29).
- The applicant has proposed an interior-side yard of 5.6m (18.37 ft), whereas 15m (49.21ft) is permitted.
- The variance is necessary to accommodate storage near a property line between two properties that act as one.
- Staff recommends approval of A6-24-KD.
- Member Emmott confirms the subject lands are the south side of the property line of the north property.
- Staff confirms map 3 aerial imagery, south of the existing building marked in "red".

**Agent/Applicant Presentation**

Brandon Flewweling, GSP Group

- Agent confirms staff presentation and recommendation.
- The site operates as one. There will be a future application for blanket easements between the two properties. It is considered a minor request. The reduction in interior yard setback will assist with business operations and does not serve a purpose given the abutting properties with essentially one owner.
- Member Hamilton confirms the two properties have two different owners therefore require the minor variance.
- Staff confirms applicants wish to maintain the separate parcel ownership for business purposes therefore require the minor variance application and the future easement application.
- Member Hamilton inquires if the current buildings meet the policies.
- Staff note the current buildings do meet the required setbacks. This property will be reviewed at the site plan stage for the requirements and deficiencies.

Moved by Member Hamilton  
Seconded by Member Panag

THAT Application for Minor Variance A6-24-KD from Mike Goor Owner(s) of lands legally described as BURFORD CON 9 PT LOT 24 AND 2R8076 PARTS 1 AND 2; County of Brant and municipally known as 44 Muir Road South is seeking relief from Section 6, Table 6.2.1 of the County of Brant Zoning By-Law 61-16 for a reduced interior side yard setback. The applicant has proposed a side yard of 5.6m (18.37 ft), whereas 15m (49.21ft) is permitted. It is recommended that the application BE APPROVED.

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

- The relief requested is considered minor in nature and is desirable for the appropriatedevelopment and use of the subject lands;
- The proposed variance is in keeping with the general intent of the Official Plan andZoning By-Law 61-16;
- The proposed variance meets the four tests of the Planning Act.

**Carried Unanimously**

5.4 Addendum - B21-B22-B23-23-LG- MacNeil-283 McLean School Road - Minor Condition Change Memo

**Staff Presentation:**

- Planning Staff are seeking Committee acknowledgement and support of minor changes to Condition #8outlined noting The Development Agreement would be registered on 'Severed Lands' only (Part 2 and 4

on Plan 2R-8987), where further development is proposed adjacent to the environmental sensitive area.

- Member Vamos comments the applicant should pay fees for each lot.
- Staff confirm that the fees have not been modified.
- Staff notes the Development Agreement was related to environmental concerns and securities have been collected for both part 2 and 4.
- The agreement would apply to the two vacant lots.
- Member Hamilton seeks clarification that fees will be collected on the other lots.
- Staff confirm.

Moved by Member Emmott  
Seconded by Member Hamilton

That the changes to the identified condition 8 B21-B22-B23-23-LG BE APPROVED as outlined above and attached are minor in nature, appropriate and maintains the intent of the original decision granted by the Committee of Adjustment on September 21, 2023.

**Carried Unanimously**

**6. Other Business**

- Haylee Hallema, Junior Planner will be moving onto a new opportunity effective June 21st.
- Jessica Abraham, contract Junior Planner will be moving onto a new opportunity effective June 20th.
- Mat Vaughan, Director of Development Planning has moved onto another municipality.

**7. Next Meeting**

The next meeting is scheduled to be July 18, 2024, and we will be a hybrid meeting starting at 6:00pm.

**8. Adjournment**

The meeting adjourned at 6:52 PM to meet again on July 18, 2024.

Moved by Member Schmitt  
Seconded by Member Vamos

Moved by myself and seconded by Member Vamos that the meeting of June 20, 2024 be adjourned.

**Carried Unanimously**

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Sarah Dymment-Smith Secretary-Treasurer