



COMMITTEE OF ADJUSTMENT REPORT

DATE: July 18, 2024

REPORT NO: RPT-0355-24

TO: To the Chair and Members of the Committee of Adjustment

FROM: Kayla DeLeye, Supervisor of Development Planning

APPLICATION TYPE: Consent & Minor Variance Application

APPLICATION NO: B26-23-SL & A11-24-KD

LOCATION: 369 Scenic Drive

AGENT / APPLICANT: Arcadis c/o D. Stewart / C. Henderson

OWNER: M. Kaye & E. Hilson

SUBJECT: Request for a decision on a Consent & Minor Variance proposing lot creation with reduced lot frontage within the Rural Residential (RR) zone.

RECOMMENDATION

THAT **Consent Application B26-23-SL** from Arcadis c/o D. Stewart, Agent on behalf of C. Henderson, Applicant on behalf of M. Kaye & E. Hilson, Owners of land legally described as CONCESSION 4 PART LOT 14, municipally known as 369 Scenic Drive, Geographic Township of South Dumfries, County of Brant, proposing a severance for the creation of one (1) new residential building lot within Rural Residential (RR) zone having a frontage along Scenic Drive 35 metres and area of approximately 0.67 ha (1.65 acres), **BE APPROVED, subject to the attached conditions.**

THAT the reason(s) for the approval of Consent Application B26-23-SL are as follows:

- The proposal prioritizes the protection and enhancement of the Natural Heritage System while facilitating compatible development of a permitted land use, in accordance with recommendations determined by the completion of the Environmental Impact Study (EIS).
- 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.

AND

THAT **Minor Variance Application A11-24-KD** from Arcadis c/o D. Stewart, Agent on behalf of C. Henderson, Applicant on behalf of M. Kaye & E. Hilson, Owners of land legally described as CONCESSION 4 PART LOT 14, municipally known as 369 Scenic Drive, Geographic Township of South Dumfries, County of Brant, requesting to permit a reduced minimum lot frontage of 35 metres, where a minimum of 40 metres is required in the Rural Residential (RR) zone to facilitate related Consent Application B26-23-SL, **BE APPROVED.**

THAT the reason(s) for the approval of Minor Variance Application A11-24-KD are as follows:

- The relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands;

- The proposed variance is in keeping with the general intent of the Official Plan and Zoning By-Law 61-16;
- The proposed variance meets the four tests of the *Planning Act*.

EXECUTIVE SUMMARY

Consent Application B26-23-SL proposes a severance for the creation of one (1) new residential building lot within Rural Residential (RR) zone having a frontage along Scenic Drive 35 metres and area of approximately 0.67 ha (1.65 acres).

Minor Variance Application A11-24-KD proposes to permit a reduced minimum lot frontage of 35 metres, where a minimum of 40 metres is required in the Rural Residential (RR) zone to facilitate related Consent Application B26-23-SL

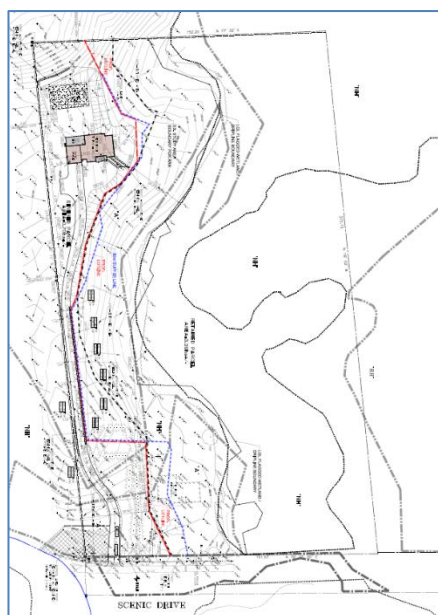
The lands were recently subject to a Zoning By-Law Amendment Application (ZBA7-23-SL), approved by Council on July 11, 2023. Amending By-Law 78-23 established the current Rural Residential-62 & Natural Heritage-15 zone implementing the Rural Residential & Natural Heritage land use designation in the current Official Plan permitting further residential land uses and protects identified environmental features and species at risk.

Approval of both Consent and Minor Variance Applications, subject to clearing conditions of approval, would permit the construction of a new single detached dwelling, privately serviced by septic and well.

The application submission contained the following studies, reports and plans provided for technical review in support of the proposal:

- **Site Development Plan** prepared by J.H. Cohoon Engineering Ltd.;
- **Zoning By-Law Amendment Schedule** prepared by Arcadis IBI Group;
- **Planning Justification Report** prepared by Arcadis IBI Group, May 21, 2024,
- **Minimum Distance Separation Formulae Report** prepared by Arcadis IBI Group;
- **Hydrogeological Assessment** prepared by Chung and Vander Doelen Engineering Ltd.;
- **Stage 1 & 2 Archaeological Assessment** by Archaeological Research Associates Ltd.;
- **Stage 1 & 2 Archaeological Assessment Ministry Acknowledgment Letter**;
- **Scoped Environmental Impact Study** prepared by LGL Ltd.

Figure 1 & 2: Proposed Severance Sketch



Adequate public notice and technical circulation of this application has been completed and comments received have been incorporated into the recommendation and conditions of approval attached to this report where appropriate.

The planning analysis focuses on literature review of applicable policy, including the *Planning Act*, *Provincial Policy Statement* (2020), Growth Plan for the Greater Golden Horseshoe (2020), County of Brant Official Plan (2012), the Adopted County of Brant Official Plan (2023) and County of Brant Zoning By-Law 61-16, consultation with departments, and an inspection of the surrounding area.

For the reasons outlined in this report, it is my professional recommendation that **Consent Application B26-23-SL & Minor Variance Application A11-24-KD** be **APPROVED, subject to attached conditions**.

LOCATION / EXISTING CONDITIONS

The subject lands are located north of Scenic Drive and north of the Stoney Brae Drive and Scenic Drive intersection.

The subject lands (severed and retained) are rectangular in shape, having a frontage of 151.5 metres (497.1 feet) along Scenic Drive and approximate area of 4.1 hectares (10.1 acres).

The proposed retained lands contain one single detached dwelling and are privately serviced by septic and well. The proposed severed lands are vacant.

The surrounding area consists of low density residential development to the west. Agricultural designated and zoned lands to the north and a combination of low density residential development and lands designated and zoned for agricultural uses to the south.

REPORT

Planning Act

Section 2(a-s) of the *Planning Act* outlines matters of provincial interest that decision making bodies shall have regard for.

- The application has regard for:
 - Section 2(a) the protection of ecological systems, including natural areas, features and functions.
 - Section 2(p) the appropriate location of growth and development

Section 51(24) of the *Planning Act* sets out criteria to be considered when reviewing consent applications.

Section 45 (1) of the *Planning Act* sets out criteria to be considered when reviewing Minor Variance Applications.

In reviewing the application staff analyzed the four tests as established in Section 45(1) of the *Planning Act* R.S.O 1990:

- (a) Shall be minor;
- (b) Shall be desirable for the appropriate development or land use of the land, building or structure;
- (c) Shall maintain the general intent and purpose of the Zoning By-Law; and
- (d) Shall maintain the general intent and purpose of the Official Plan.

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.

- **Planning Staff agree with the justification and policy analysis provided within the *Planning Justification Report, prepared by Douglas Stewart, RPP, MCIP of Arcadis Professional Services (Canada) Inc., dated May 21, 2024, therefore it is my independent professional planning opinion that applications B26-23-SL & A11-24-KD are consistent with the policies of the Provincial Policy Statement.***

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.

- **Planning Staff agree with the justification and policy analysis provided within the *Planning Justification Report, prepared by Douglas Stewart, RPP, MCIP of Arcadis Professional Services (Canada) Inc., dated May 21, 2024, therefore it is my independent professional planning opinion that applications B26-23-SL & A11-24-KD conform to the Growth Plan 2020.***

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 others, are responsible for implementing source protection plan policies.

- **Staff have reviewed Source Water Protection Area mapping, and the subject lands are not within a Source Water Protection zone.**

Brant County 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.

- **Schedule 'A' of the County of Brant Official Plan (2012) identifies the land use(s) designation on the subject lands as Rural Residential & Natural Heritage intended to function predominantly as low density residential areas on private services.**



It is my professional planning opinion that the recommendation conforms to the policies of the County of Brant Official Plan for the following reasons:

- For the purpose of demonstrating conformity to the County of Brant Official Plan, Planning Staff are satisfied and agree with the analysis within the *Planning Justification Report, prepared by Douglas Stewart, RPP, MCIP of Arcadis Professional Services (Canada) Inc., dated May 21, 2024.*

Minimum Distance Separation (MDS) (2017 – Publication 853)

The Minimum Distance Separation (MDS) Formulae are land use planning tools that determine setback distances between livestock barns, manure storages or anaerobic digesters and surrounding land uses. The objective of MDS is to minimize land use conflicts and nuisance complaints related to odour. MDS does not account for other nuisances such as noise or dust.

Guideline #6 - Required Investigation Distances for MDS

- As part of municipal consideration of planning or building permit applications, all existing livestock facilities or anaerobic digesters within a 750 m distance of a proposed Type A land use and within a 1,500 m distance of a proposed Type B land use shall be investigated and MDS I setback calculations undertaken where warranted.
- The MDSI – Type B Report completed by IBI Group identified livestock operations at the following locations:**

Location	Required (MDS1-Type B)
307 Howell Rd	355 metres (1164 feet)
347 Scenic Drive	307 metres (1007 feet)

- Based on review of the MDSI – Type B Report the proposal is outside the minimum distance separation required for new lot creation.**

It is my professional opinion that the proposal is maintaining the intent of the applicable OMAFRA MDS guidelines.

Zoning By-Law 61-16:

‘Schedule A’ of the Zoning By-Law identifies that the subject lands are zoned as:

- Rural Residential-62 (RR-62); and**
- Natural Heritage-15 (NH-15)**

The following restrictions shall apply in the Rural Residential (RR) with site specific provision 62 (RR-62) Zone:

- Due to species at risk in the area, no building, structures, access, servicing, uses and site alteration shall be permitted unless authorized by the County of Brant and, where applicable, written authorization has been obtained under the Endangered Species Act.
- All other requirements of the By-Law shall apply.



The following restrictions shall apply in the Natural Heritage (NH) with site specific provision 15 (NH-15) Zone:

- Due to species at risk in the area Agricultural use, Public Park or Private Park, and Small-Scale structures for passive recreational uses, including boardwalks, footbridges, fences and picnic facilities are prohibited unless authorized by the County of Brant, and where applicable, written authorization has been obtained under the Endangered Species Act.
- All other requirements of the By-Law shall apply.

Section 9, Table 9.1.1 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 9, Table 9.2.1 of the County of Brant Zoning By-Law 61-16 advises the required development standards for each permitted building type for lands zoned as Suburban Residential (SR).

Rural Residential (RR-62)	Required	Proposed Severed Land	Proposed Retained Land
Lot Area, Min <i>Single Detached</i>	4000 sq. m	7000 sq. m	33,900 sq. m
Lot Frontage, Min <i>Single Detached</i>	40.0 m	35.0 m*	111.57 m
Street Setback to habitable portion of the dwelling, minimum	20.0 m	<i>To be determined at the time of building permit.</i>	
Interior Side Yard Setbacks, Minimum	5.0 m		
Rear Yard Setback, minimum	15.0 m		
Lot Coverage, Max	30%		
Landscaped Open Space, Min	30%		
Building height, max	10.5 m		

*A11-24-KD seeks relief from the required lot frontage proposing a lot frontage of 35 metres where 40metres is required.

- **Planning Staff have reviewed the *Planning Justification Report, prepared by Douglas Stewart, RPP, MCIP of Arcadis Professional Services (Canada) Inc., dated May 21, 2024, and are satisfied with the analysis demonstrating that the Minor Variance request meets the 4 tests required per Section 45(1) of the Planning Act, specifically:***
 - **That the reduction is minor in nature, is desirable and appropriate development in the context of the existing neighbourhood and meets the intent of the Official Plan and Zoning By-law.**

The proposed lot frontage will provide sufficient frontage to accommodate the safe driveway access from Scenic Drive.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none"> • Safe sightlines for the new entrance for the severed lands has been achieved through the conveyance of PART 6 on PLAN 2R-8999 to the County of Brant in the form of road widening. • Further conveyance of PART 5 on PLAN 2R-8999 will be required for road widening as a condition of consent approval. • A Site Development/Grading Plan will be required to be submitted for review at the time of building permit. • Please note that the maximum permissible design grade for any driveway is 8% and is not recommended and should only be employed in exceptional cases where physical conditions prohibit the use of lesser grades (as per Section 7- Design Standards). • A swale is shown discharging to the west onto a private property. If this arrangement is desired, an easement is required between the two land owners. • The proposal shows regrading in the ditch along the front lot line. The ditch shown grading to the west may require additional grading in order to reach the pond and not discharge onto the road. • There is a proposed retaining wall shown nearly on the severance line. An easement may be required for the property owner to access the wall and provide future maintenance. • There are overhead Hydro lines crossing the proposed severance that may require an easement.
Fire	<ul style="list-style-type: none"> • The Rural Fire Fighting Fee should be collected for the lot
Parks and Forestry	<ul style="list-style-type: none"> • Cash-in-lieu of parkland for the amount of \$5,814 (2023 value, 2024 value forthcoming) for the creation of one new residential lot is required. • For Consent applications, the payment so required shall be paid to County prior to final approval and receipt of the certificate confirming that all conditions have been satisfied and therefore the consent for severance has been granted and is in effect. • Tree protection buffer from Woodland suffices. Please ensure at least a 10m buffer to the woodland is marked clearly on-site during development to avoid encroachment into this regulated area.
Environmental Planning	<p>Should the proposed consent be approved, the following conditions should be required to be completed by the applicant to the satisfaction of the Environmental Planner, specifically:</p> <ul style="list-style-type: none"> • That written authorization be obtained from the Ministry of Environment, Conservation and Parks that the subject proposal is permitted under the Endangered Species Act. If required, a permit shall be obtained from the Ministry under the Endangered Species Act.

- **That an Addendum to the Environmental Impact Study prepared by LGL Limited in April 2023 be submitted regarding amphibian surveys, spring vegetation surveys, and consultation with the Ministry of Environment, Conservation and Parks.**
- **That an Environmental Implementation Plan in accordance with a Terms of Reference approved by the County, be completed and implemented, to implement the recommendations of the Environmental Impact Study prepared by LGL Limited, any associated Addendum, and requirements of the Ministry.**
- **That the applicant apply for and enter into a Development Agreement with the County, to be registered on title, that will require the posting of securities and agreeing to develop the site in accordance with approved plans including the Environmental Implementation Plan. Prior to release of securities, the applicant shall provide a verification letter by a qualified environmental consultant confirming that the approved plans have been implemented.**

An addendum to the Scoped Environmental Impact Study is required with regards to the additional survey completed including any implications for the proposed development. Ideally this should be submitted, prior to conditional approval. Otherwise, a condition should be required with any recommendations to be addressed through a Development Agreement.

Written authorization including a potential permit from MECP is required such as to demonstrate consistency/conformity to the PPS and Official Plan, and to ensure that future development will follow legislative requirements of the Endangered Species Act. If approved, authorization from MECP should be a condition.

A summary of key mitigation recommendations from the EIS (which may be updated as a result of consultation with MECP) are as follows and must be addressed through a Development Agreement or Site Plan Control Process:

- Wildlife trees may provide habitat for bats. If trees are proposed for removal, a tree inventory must be completed to include an assessment of wildlife habitat trees.
- In addition to the vegetation protection zone, the following measures are recommended:
 - Seed the vegetation protection zone with a native wildflower seed mix such that it will be maintained as self-sustaining vegetation.
 - The proposed residence and septic system should be sited as far from the wetland and woodland as possible.
 - Sediment and erosion control, to ensure that no sediment enters the provincially significant wetland during construction. This will also act as wildlife exclusion fencing to ensure amphibians do not enter the construction area.

	<ul style="list-style-type: none"> ○ A simple stewardship plan should be provided with the new title of the property. ● Mitigation measures for Blanding's Turtle are as follows: <ul style="list-style-type: none"> ○ Design mitigation: The driveway should be installed at grade and avoid barriers to animal movement such as steps or ledges that may inhibit free movement across the site. The driveway and parking areas should minimize exposed gravel, as these could encourage nesting in dangerous areas for turtles. ○ Pre-construction: Wildlife exclusion fencing will be installed prior to construction according to provincial guidelines (OMECP 2021b). This includes a fence with a height of 60 cm and burying the fence 10-20 cm. Geotextile fencing is suitable, however the fencing must not have a nylon mesh lining due to a risk of entangling. As the adult dispersal/ mitigation period for this species is April to September of each year, it is recommended that fencing be installed outside of the active season for turtles, either prior to April 1 or after September 1. ○ Construction – Contractor training should be undertaken to explain the obligations of the <i>Endangered Species Act</i> and the measures in place to avoid contravention of the Act. Training should include species information, description, and images of the species to be aware of on or adjacent to the site, contact information for a qualified professional in the case of wildlife conflict including species at risk. A wildlife sweep should be completed within the exclusion/construction area following installation to ensure no trapped wildlife. A posted slow speed sign is recommended, as well as ensuring contractors maintain slow speeds when entering and accessing the site. ○ Post construction – A stewardship plan including a land owner information package, registered on title, so that future owners are educated on potential species at risk and best practices.
Canada Post	<ul style="list-style-type: none"> ● Please be advised that Canada Post does not have any comments on this application for severance and additional dwelling. The customer should cluster their rural mailbox with 369 Scenic Dr.
Grand River Conservation Authority	<ul style="list-style-type: none"> ● See attached memo from 2023, noting that the GRCA had no revised comments based on the 2024 submission.
Hydro One	<ul style="list-style-type: none"> ● We are in receipt of your Application for Consent, B26-A11-23-SL dated June 3rd, 2024. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. ● For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

PUBLIC CONSIDERATIONS

Notice of this Application, Contact information and Public Hearing Date were circulated by mail on June 27, 2023 to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the *Planning Act* as required.

A site visit along with the posting of the Public Notice sign was completed on June 26, 2024.

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

CONCLUSIONS AND RECOMMENDATIONS

Planning staff have reviewed the *Planning Justification Report, prepared by Douglas Stewart, RPP, MCIP of Arcadis Professional Services (Canada) Inc., dated May 21, 2024*, and are in agreement with the policy review specifically that:

- Approval of both Consent and Minor Variance Applications, subject to the recommended conditions, would permit the construction of a new single detached dwelling, privately serviced by septic and well in accordance with previously established RR-62 & NH-15 zoning requirements.
- The proposal prioritizes the protection and enhancement of the Natural Heritage System while facilitating compatible development of a permitted land use, in accordance with recommendations determined by the completion of the Environmental Impact Study (EIS).
- The proposed new lot and development will not fragment land parcels associated with the existing natural heritage features but rather will provide for an additional buffer to enhance the protection of the core feature. The proposed new lot and development will occur outside of these natural heritage features and the proposed 30 metre buffer, to protect and maintain the existing features.
- Although the parcel to be severed is an irregular, flag shape lot, the subject lands are unique in that the creation of a new lot is contemplated within the Rural Residential designation, provided that the Natural Heritage is protected. In this instance, the protection of the Natural Heritage features has resulted in an irregular lot shape. Overall, planning staff is satisfied that the intent of both the Rural Residential and Natural Heritage policies are being upheld in this proposal. The proposed new dwelling will be located on the lot, a similar setback distance to the westerly lots in the area.

Key Conditions:

- The Applicant will be required to demonstrate that the proposed development is not anticipated to cause adverse impacts to the existing natural heritage features and systems, as well as the groundwater and surface water resources through the completion of a Hydrogeological Report. This report will be circulated by the County of Brant for a third party technical review, at the Applicant's expense.
- Land conveyance to the County of Brant is required for the purpose of road widening. Previous conveyances have taken place for the purpose of establishing safe sightlines.
- The Owner will be required to enter into a Development Agreement with the County, for the purpose of implementing the findings and recommendations of the Environmental Impact Study and Environmental Implementation Plan, to be registered on title of the Severed and Retained lands, with securities posted.
-

I am supportive of the consent and minor variance applications, as they are 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 meet the four tests as outlined in the Planning Act. Therefore, I recommend **Approval of applications B26-23-A11-SL, subject to the attached conditions.**

Submitted By: Kayla DeLeye, Supervisor of Development Planning MA, Ec.D, MCIP, RPP



Reviewed by: Dan Namisniak, Senior Planner/ Acting Director of Development Planning

ATTACHMENTS

- 1. Zoning Mapping, Official Plan Mapping and Aerial Photo
- 2. Site Photos
- 3. Drawings
- 4. Circulation Notice

COPY TO

- 1. Dan Namisniak, Senior Planner/ Acting Director of Development Planning
- 2. Sarah Dymont-Smith, Secretary Treasurer, Committee of Adjustment
- 3. Applicant/Agent

FILE # B26-23-LG & A11-24-KD

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

- By-Law required (No)
- 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? (No)

APPLICANT: Arcadis c/o Douglas W. Stewart

File No: B26-23-LG
369 Scenic Drive
(Severance)

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant provides a copy of a Reference plan for the severed parcel prepared by a licensed surveyor, acceptable to the County of Brant, prior to the plan being deposited and finalization of the Consent (i.e. registration of the deed in the appropriate Registry Office).
3. That the accepted reference plan includes the necessary parts for the purpose of identifying and conveying required road widening, free and clear of encumbrances to the County of Brant, to the satisfaction of the Development Engineering Division.
4. That related concurrent Planning Act Application A11-24-KD, required to permit a reduced lot frontage of 35 metres, be approved with no appeals and any applicable conditions are complete to the satisfaction of the County of Brant.
5. That the Applicant provide proof/copy of draft approved civic addressing for the Severed and Retained lands issued by the Planning Division to the satisfaction of the County.
6. That the Applicant/Owner provide proof/copy of draft approved entrance locations for the Severed and Retained lands in accordance with the County of Brant Entrance By-Law, issued by the Development Engineering or Operations Division to the satisfaction of the County of Brant.
7. That the Applicant/Owner demonstrate the ability to privately service the proposed development through the completion of a Hydrogeological Assessment prepared by a Qualified Professional. This assessment shall demonstrate proof of potable water (both quality and quantity) and the ability of the proposed development to sustain private wastewater servicing without negatively impacting existing neighbouring properties. Review of the completed Assessment may be subject to a peer review at the sole expense of the Applicant/Owner and additional steps may be identified in order to implement the findings of the Hydrogeological Assessment should the development be deemed appropriate.
8. That the following conditions identified by the Senior Environmental Planner are completed to the satisfaction of the County of Brant:
 - a. That an Addendum to the Environmental Impact Study prepared by LGL Limited in April 2023 be submitted regarding amphibian surveys, spring vegetation surveys, and consultation with the Ministry of Environment, Conservation and Parks (MECP).
 - b. That an Environmental Implementation Plan (EIP) in accordance with a Terms of Reference approved by the County, be completed and implemented, to implement the recommendations of the Environmental Impact Study prepared by LGL Limited, any associated addendum, and requirements of the Ministry.
 - c. That written authorization be obtained from the Ministry of Environment, Conservation and Parks (MECP) that the subject proposal is permitted under the Endangered Species Act. If required, a permit shall be obtained from the Ministry under the Endangered Species Act.
 - d. That the Applicant/ Owner enter into a Development Agreement with the County, for the purpose of implementing the findings and recommendations of the Environmental Impact Study and Environmental Implementation Plan, to be registered on title of the Severed and Retained lands, with securities posted.

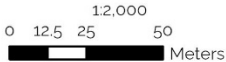
- i. That the value of securities be determined by the itemized cost estimate prepared for the works associated with the Environmental Implementation Plan.
 - ii. Prior to release of securities, the Applicant/ Owner shall provide a verification letter by a qualified environmental consultant confirming that the approved plans have been implemented.
 - iii. The agreement is subject to the special agreement fee in accordance with the *Current County of Brant Fee Schedule*, with confirmation issued by the Planning Division to the satisfaction of the County.
9. That a Cash-in-lieu of parkland payment be provided for each new building lot, in the amount of \$5813.00 in accordance with *By-Law 31-2022*, with confirmation issued by the Planning Division to the satisfaction of the County.
10. That a Rural Firefighting Fee in the amount of \$600.00 be provided, for each new building lot, be in accordance with the *Current County of Brant Fee Schedule*, with confirmation issued by the Planning Division to the satisfaction of the County.
11. That the \$328.00 Deed Stamping Fee be paid to the County of Brant, prior to the release of the executed Certificate of Official, with confirmation issued by the Planning Division to the satisfaction of the County.
12. That the Applicant's Solicitor prepare and provide draft transfer documents with legal descriptions for any required conveyances and transfers utilizing the Deposited Reference Plan, for review to the satisfaction of the County of Brant, prior to the finalization of the Consent (i.e., registration of the deed in the appropriate Registry Office) and immediately following registration, the Applicant's lawyer shall provide a certificate satisfactory to the County Solicitor that the registrations have been completed properly and in accordance with the approvals provided.
13. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two (2) years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

NOTE: Any further Planning Applications required to satisfy the conditions of approval must be applied four (4) months prior to the lapsing of the application.

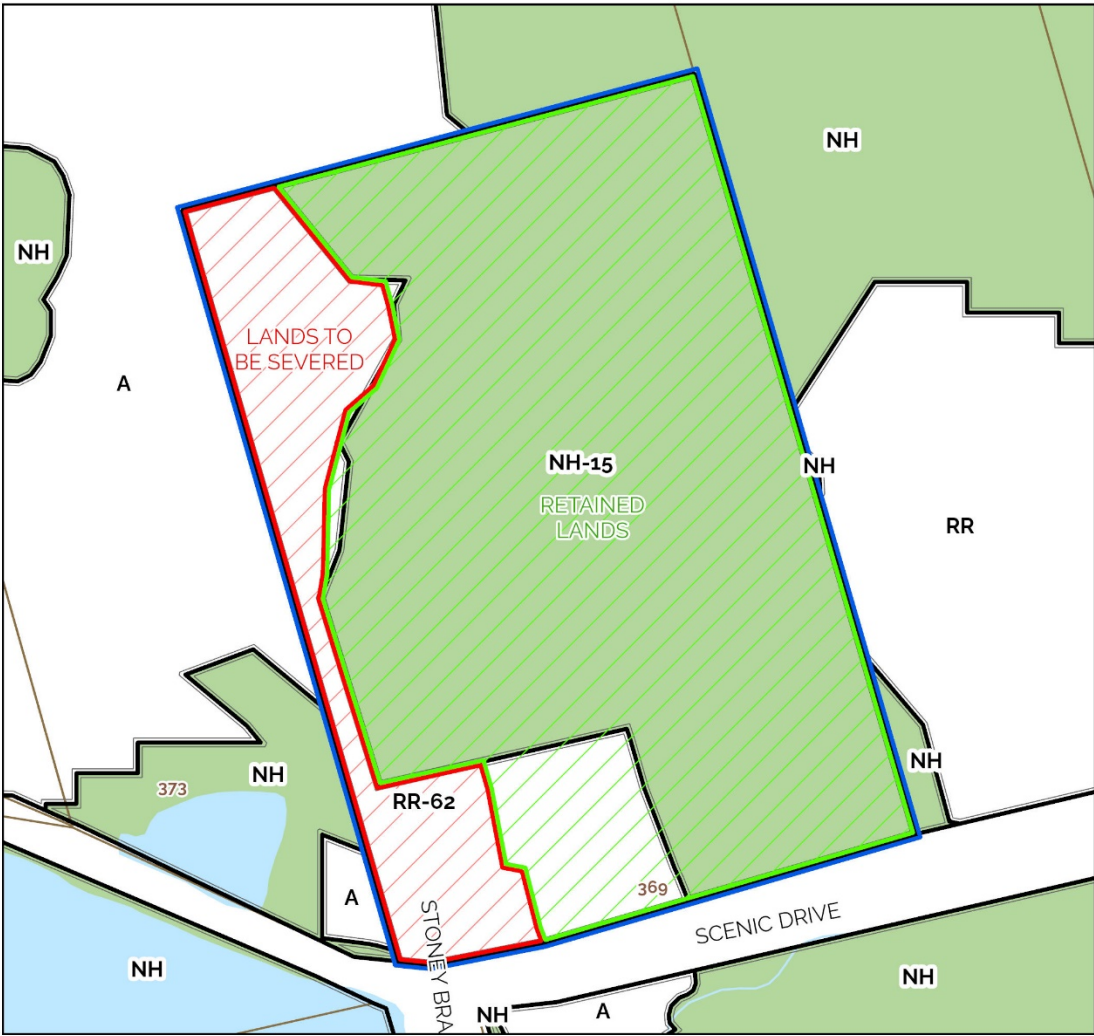
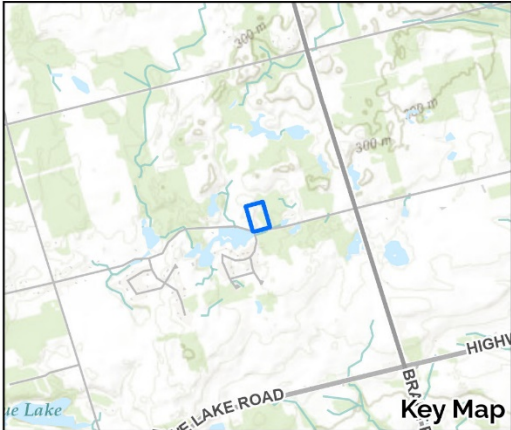
Attachment 1 – Zoning Map

MAP 1: ZONING
FILE NUMBER
B26-23-SL

369 Scenic Drive
County of Brant
Ontario



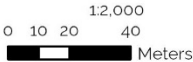
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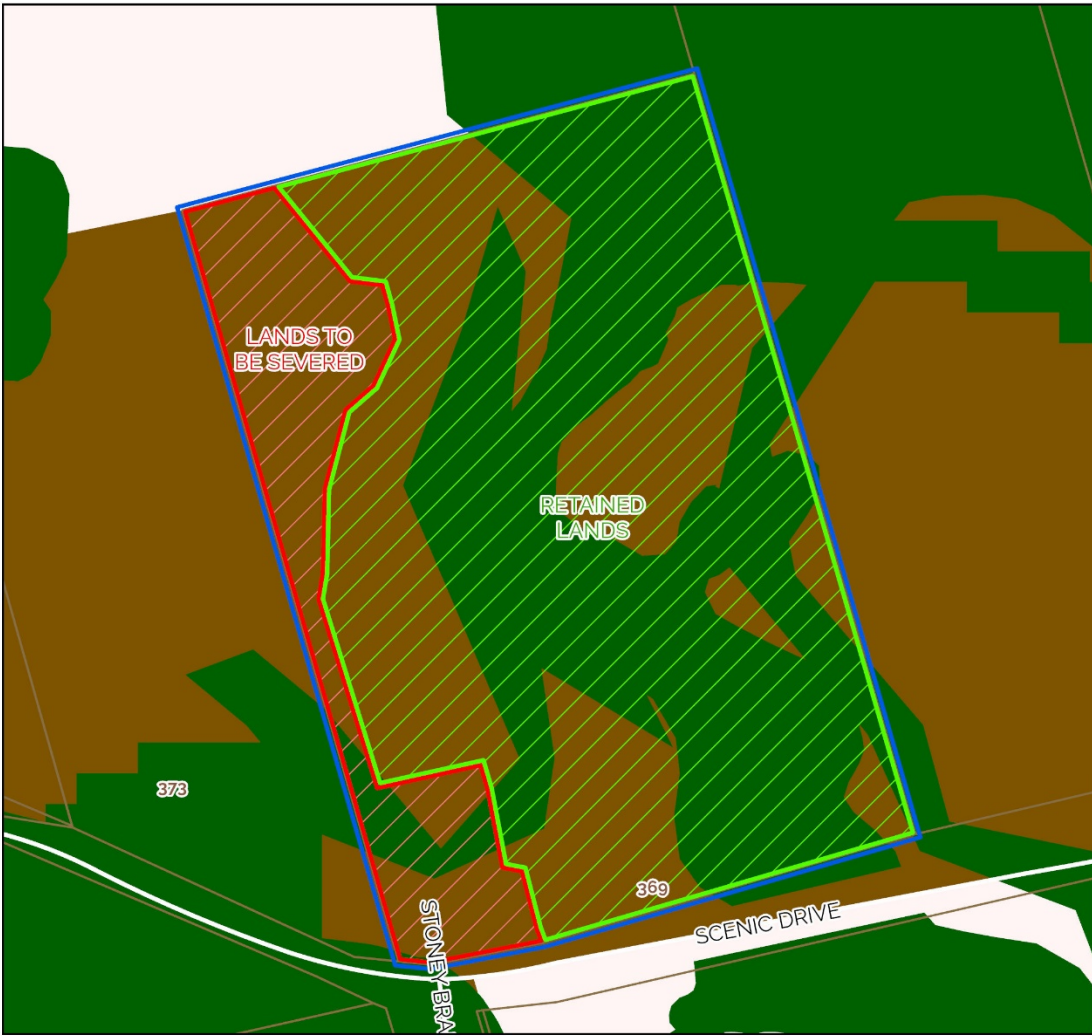
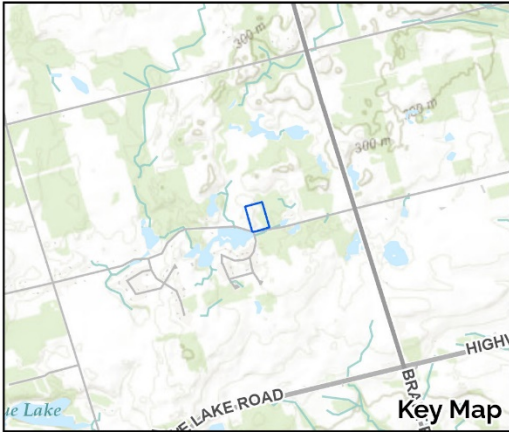
Attachment 2 – Official Plan Map

MAP 2: Official Plan
FILE NUMBER
B26-23-SL

369 Scenic Drive
County of Brant
Ontario



Date Printed: 2023-10-10




Attachment 3 – Aerial Map

MAP 3: AERIAL IMAGERY 2022
FILE NUMBER
B26-23-SL

369 Scenic Drive
County of Brant
Ontario

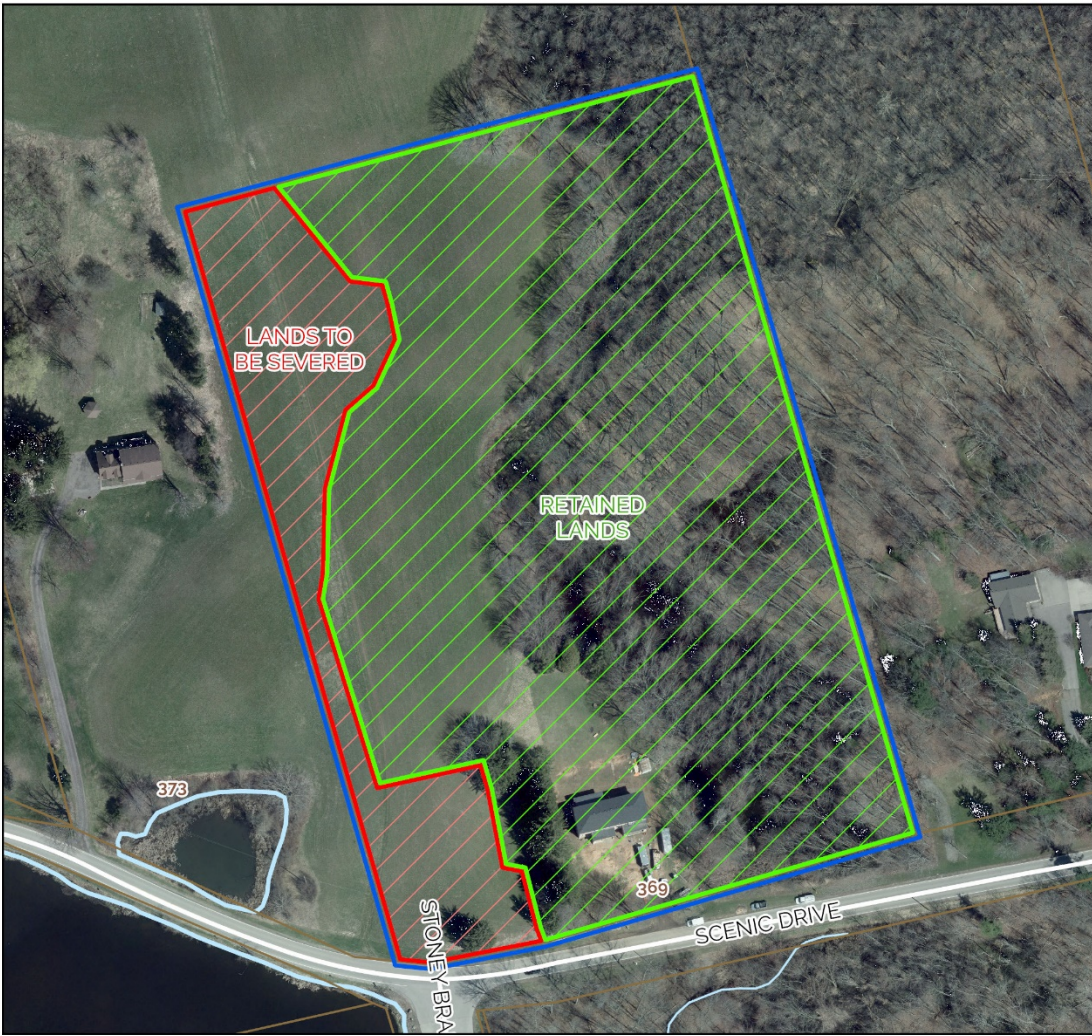
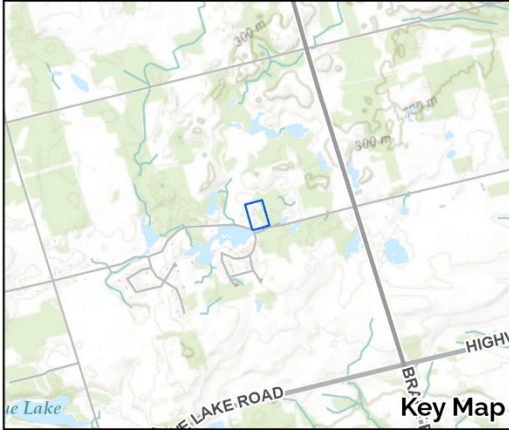
COUNTY OF Brant Simply Grand



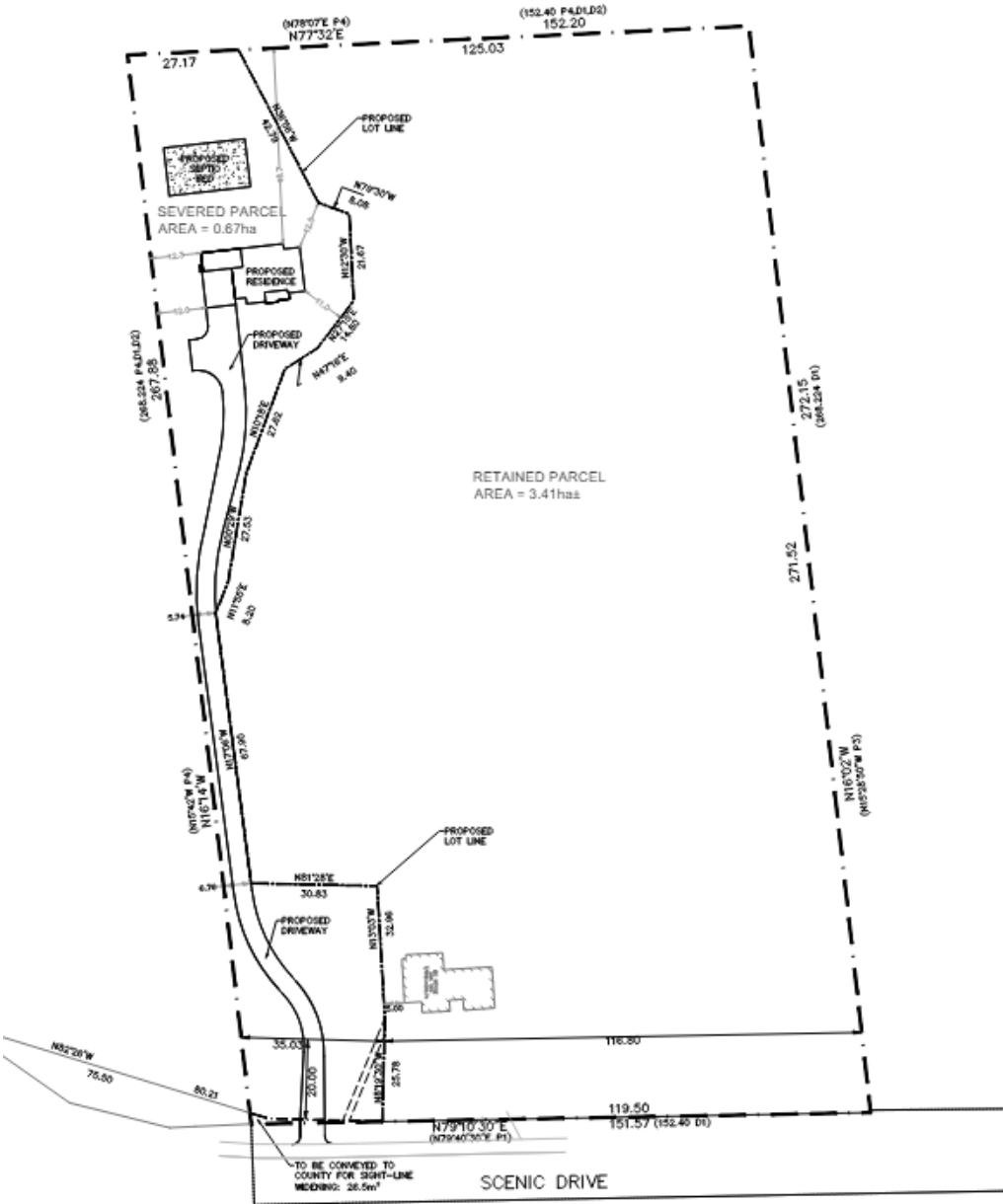
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0 15 30 60 Meters

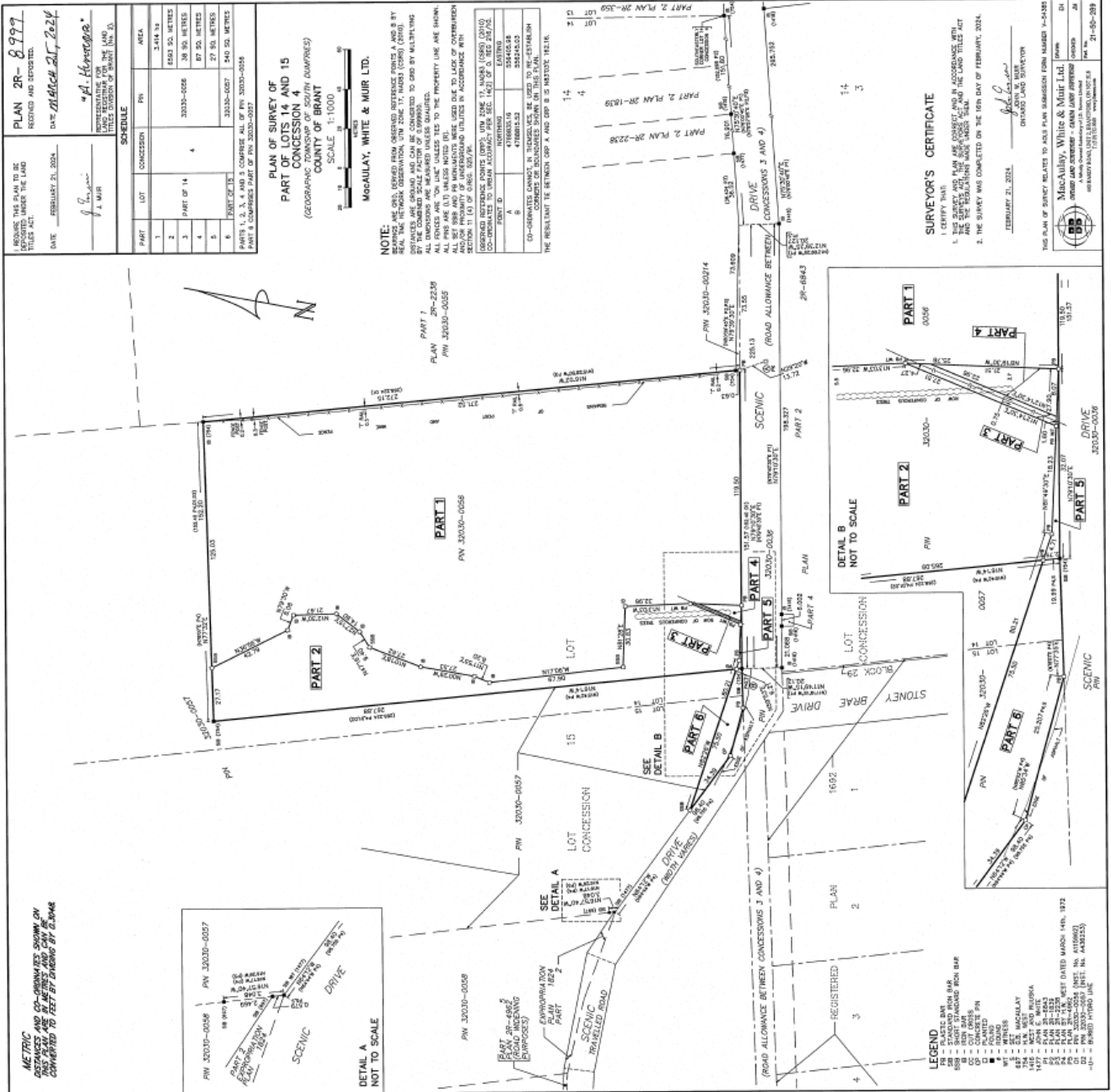
Date Printed: 2023-10-10



Attachment 4 – Site Plan



Attachment 6 – Reference Plan



Attachment 7- Site Photo

