



## Committee of Adjustment Minutes

**Date:** September 19, 2024  
**Time:** 6:00 p.m.  
**Location:** Council Chambers  
7 Broadway Street West  
Paris, ON

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

**Regrets:** Vamos

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**1. Attendance**

**2. New Business**

**3. Approval of Agenda**

Moved by Member Schmitt  
Seconded by Member Emmott

Moved by myself and seconded by Member Emmott that the agenda for the County of Brant Committee of Adjustment meeting of September 19, 2024, be approved.

**Carried Unanimously**

**4. Declaration of Pecuniary Interests**

No conflicts declared.

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

Moved by Member Panag  
Seconded by Member Smith

That the minutes of the July 18, 2024 meeting of the Committee of Adjustment be approved, as printed.

**Carried Unanimously**

**6. Public Hearings**

6.1 B11-24-NM-Gulas-560 West Quarter Townline Rd

**Staff Presentation**

- K. DeLeye, Supervisor of Development Planning presented consent application B11-24-NM-560 West Quarter Townline Rd for approval. She outlined the proposal for a lot line adjustment of approximately 0.18 hectares to accommodate the existing septic bed and a metal shed located on 374 Third Concession Road, known as adjacent lands. The land use designation is agriculture, the zoning classification is agriculture.
- Staff recommended approval of B11-24-NM as outlined in the report.
- No questions to staff.

**Agent Presentation**

- Ruchika Angrish, The Angrish Group offered to answer questions.
- No questions to agent.

Moved by Member Schmitt

Seconded by Member Panag

THAT Consent Application **B11-24-NM** from The Angrish Group c/o Ruchika Angrish, agent on behalf of Jeff Gulas, applicant, and Alex Gulas, Owner of lands legally described as CONCESSION 2 PART LOT 18, in the Former Township of Burford, and municipally known as 560 West Quarter Townline Road is proposing a lot line adjustment of approximately 0.18 hectares to accommodate the existing septic bed and a metal shed located on 374 Third Concession Road, known as adjacent lands BE APPROVED, subject to the attached conditions.

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

- The appropriate conditions have been included to ensure no new building lot is created as a result of the consent.
- The proposal is consistent with the Provincial Policy Statement (2020) and conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2020) and meets policies in the County of Brant Official Plan (2012) and Zoning By-law 61-16.

**Carried Unanimously**

6.2 B7-24-KD-Stubbes-20 and 44 Muir Rd S

**Staff Presentation**

- K. DeLeye, Supervisor of Development Planning presented B7-24-KD-20 and 44 Muir Rd S. She outlined the proposal to create two (2) reciprocal blanket easements to provide access to both 20 and 44 Muir Road South.

- Both properties currently have access via a private lane off Muir Road South. The easement will facilitate shared access to the entirety of 20 and 44 Muir Road South.
- Staff is recommending approval of B7-24-KD as outlined in the report.

**Agent Presentation**

- Brandon Flewwelling, GSP Group
- Agent outlines the two existing properties that function as one and are held under two ownerships. This application is to facilitate legal access. Applicants are in support of the report and attached conditions.
- No questions to agent.

Moved by Member Smith  
 Seconded by Member Emmott

THAT Application for Consent **B7-24-KD** from GSP Group c/o Brandon Flewwelling on behalf of Stubbe’s c/o Mike Goor, Owner of lands legally described as BURFORD CON 9 PT LOT 24 AND 2R5945 PART 1 and BURFORD CON 9 PT LOT 24 AND 2R8076 PARTS 1 AND 2; County of Brant and municipally known as 20 and 44 Muir Road South proposing the creation of two (2) reciprocal blanket easements to provide access to both 20 and 44 Muir Road South **BE APPROVED**, subject to the attached conditions:

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

- The easement will facilitate access to the entirety of 20 and 44 Muir Road South;
- 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**

6.3 **B8-24-DN-358 Bishopsgate Rd**

**Staff Presentation**

- K. DeLeye, Supervisor of Development Planning presented consent application B8-24-DN-358 Bishopsgate Rd proposing a severance for the creation of one (1) new lot to be developed for employment uses. There is an existing access easement with a depth of 30 metres from the primary entrance on the subject lands that will provide right-of-way access to both the retained and severed lands. Further development of the lands will be addressed through site plan control.
- Staff is recommending approval of B8-24-DN as outlined in the report.

- Member Hamilton seeks confirmation parcel one was approved recently as well as access easement. Staff confirms.

**Agent Presentation**

- Zach Hoffner, Paulsan Construction
- No questions to agent.

Moved by Member Emmott  
 Seconded by Member Schmitt

THAT Consent Application **B8-24-DN** from Paulsan Construction Inc. c/o Zach Hoffner for lands known legally known as CONSESSION 5 LOT 1, in the former geographic township of Burford, municipally known as 356-358 Bishopsgate Road, County of Brant, proposing to sever for the creation of one (1) new lot having an approximate frontage of 66.73 metres along Bishopsgate Road, depth of 122.83 metres and area of 0.75 hectares (1.85 acres) to be developed for employment uses, 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 the existing development.
- Detailed design and technical review of the proposed Light Industrial parcel will be facilitated through the Site Plan Control.
- 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.

**Carried Unanimously**

6.4 A14-24-KD-Gill-35 McBay Rd

**Staff Presentation**

- N. Mousavi Berenjaghi, Development Planning Student presented minor variance application A14-24-KD requesting relief from Zoning By-law 61-16, Section 9, Table 9.2.1 to permit an increased height of 13.87 metres for a new two-storey residential building, whereas a maximum building height of 10.5 metres is permitted. The application is required to accommodate the proposed roof design. The proposed height is within a similar character to existing development along McBay Road.
- Staff is recommending approval of A14-24-KD as outlined in the report.
- Member Hamilton notes Development Engineering commented that the driveway was touching the property line and does not conform with setbacks.

- Staff confirms applicant is aware the current proposed location of the driveway is not permitted due to setbacks and will be addressed at the time of building permit.

### **Agent Presentation**

- VS Design Studio
- Agent acknowledges the driveway location and notes the property is an estate lot. The intention is to minimize the height given the large footprint. The efforts to minimize impacts to the neighboring property.
- Member Smith seeks clarification if the relief from height from the front or the back given the design is a walk-out design.
- Agent notes the height is based on the average.
- Smith re-iterates the relief isn't based solely on the front of the house.
- Member Hamilton confirms the Committee was provided the public comment prior to the meeting and had the opportunity to review.

Moved by Member Smith

Seconded by Member Schmitt

THAT Application for Minor Variance **A14-24-KD** from VS Design Studio on behalf of Bhavan Gill, Owner(s) of lands legally described as BRANTFORD RANGE 1 SHR PT LOT 14 RP 2R8332 PART 1; County of Brant and municipally known as 35 McBay Road is seeking relief from Section 9, Table 9.2.1 of the County of Brant Zoning By-Law 61-16 for an increase in height for a new two-storey residential building with a walkout basement. The applicant has proposed a height of 13.87m (45.50 ft), whereas 10.5m (34.44 ft) 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 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.

**Carried Unanimously**

#### 6.4.1 Addendum - Public Comment

#### 6.5 A15-24-NM-Landry-130 Brant Rd

### **Staff Presentation**

- N. Mousavi Berenjaghi, Development Planning Student presented minor variance application A15-24-NM requesting relief from Zoning By-law 61-16, Section 4, Table 4.4.1 to permit a maximum lot coverage of 180 square metres, whereas 140 square metres is permitted. The application

is required to allow for a lean-to space to be added to the existing detached garage for the purpose of additional storage. Staff confirms the civic address of 130 Brant Rd.

- Staff is recommending approval of A15-24-NM as outlined in the report.

#### **Agent/Applicant Presentation**

- Steve Landry, Applicant/Owner offers to answer any questions.
- Member Hamilton seeks clarification of the location of the accessory structure given no drawings.
- S. Landry describes the location of the building will be on the north side of the building.
- Member Hamilton questions the use of the building.
- S. Landry responds outdoor, covered boat storage.
- No further questions.

Moved by Member Panag

Seconded by Member Emmott

THAT Application for Minor Variance **A15-24-NM** from Steve Landry, Owner of lands legally described as CON 2 PT LOT 12, in the Geographic Township of Brantford; County of Brant and municipally known as 130 Brant Road, requesting relief from Section 4, Table 4.4.1 of the Zoning By-Law to permit a maximum lot coverage of 180 square metres for accessory structures, whereas a maximum of 140 square metres is permitted, to allow for a lean-to space to be added to the existing detached garage for the purpose of additional storage, **BE APPROVED**.

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

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

**Carried Unanimously**

#### 6.6 A12-24-HH-Douglas-1377 Highway 54

##### **Staff Presentation**

- N. Mousavi Berenjaghi, Development Planning Student presented minor variance application A12-24-HH-1377 Highway 54 requesting relief from Zoning By-law 61-16, Section 4, Table 4.4.1 to permit an increased structure height of 10 metres, whereas 7 metres is permitted. The application is required to facilitate the conversion of the existing

farmhouse to an additional residential unit with a new primary dwelling to be constructed in place of the existing barn.

- A public comment was received and staff confirm the structure is not intended for livestock.
- Staff is recommending approval of A12-24-NM as outlined in the report.

### **Agent Presentation**

- Christine Brown, Agent
- Member Smith inquires on the timeline for the new building and the servicing for the new structure.
- C. Brown responds new septic and cistern will be installed to service the new dwelling. Building will start as soon as possible if approved.
- No further questions.

Moved by Member Emmott  
Seconded by Member Panag

THAT Application for Minor Variance **A12-24-HH** from Christine Brown on behalf of Lois B. Douglas, Owner(s) of lands legally described as RIVER RANGE PT LOT 76, municipally known as 1377 Highway 54, Former Township of Onondaga, County of Brant, seeking relief from Zoning By-law 61-16, Section 4, Table 4.1.1 for a maximum accessory structure height of 10 metres, whereas 7 metres is permitted to facilitate the conversion of the existing farmhouse to an Additional Residential Unit (ARU) with a new dwelling to be constructed as the primary dwelling, **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 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.

**Carried Unanimously**

## 6.7 FV2-24-LK - 45 Broadway Way Street East

### **Staff Presentation**

- L. Keen, Junior Planner presented the Fence Variance Appeal FV2-24-LK-45 Broadway St E.
- Fence Variance Application is seeking relief to permit a 7.5-foot (2.28 m) fence to be permitted along red outlined property lines whereas a maximum 3-foot (0.91 m) fence is permitted.

- A Notice of Objection was received from property owners at 180 Grand River St N citing the variance restricts use of driveway, concerns of sightlines etc.
- Staff is requesting a decision on fence variance FV2-24-LG pursuant to the County of Brant Fence By-law 135-23.
- Member Emmott clarifies the front yard vs backyard determination.
- L. Keen considers the backyard of 45 Broadway to have front yard restrictions.
- Member Smith inquires on the date of the Fence By-law.
- Amanda Paine, Supervisor of Enforcement - Fence By-law was revised in 2023. Definition of front yard is defined differently than zoning by-law to support safe sightlines and road use restrictions.
- Member Panag clarifies if current fence is in violation.
- Staff confirms.
- Member Hamilton believes the fence was built in 2022.

#### **Appellant Presentation**

- Monique Price, 180 Grand River St N
- M. Price opposes the variance to replace the existing chain link fence with a newer 7.5 foot fence on the disputed property line. The proposed new location will encroach on the property line.
- The variance will negatively impact the use of the driveway as it is long and narrow and bordered by the fence and hedge as well as a steep gully on the right side. This is a safety concern.
- If the variance proceeds then it would require an extension of driveway which is very costly.
- The approval should include a modification that no part of the fence is placed on the 180 Grand River St N property and should not require trespassing to maintain 45 Broadway.

#### **Applicant Presentation**

- Glen and Karen Drinkle, applicants at 45 Broadway St E.
- Applicants outline the proposal to seek relief on the height of the fence. The current fence was installed in 2022 and were advised no permits were required.
- Applicants obtained a survey, installed current fence inside the property line.
- The variance is required to increase privacy and the location is changing to increase the ability to maintain the property at 45 Broadway. The



reasons for the variance include typical backyard privilege, privacy, swimming pool, and the suitability to fence their dogs.

- The fence variance is concerning the height of the fence not the location.
- Member Hamilton appeals to the Committee to make a decision on the height of the fence.
- Member Smith confirms the survey has been done. Member Smith confirms the location of the chain link fence.
- K. Drinkle confirms it will be on the property line and will remain as a chain link fence.
- Member Brown confirms the material of the fence.
- Member Brown question to staff of the required setback for the fence.
- Staff confirm the fence can be located on the property line although recommended slightly inset. The location of the fence is a civil matter.

Moved by Member Smith

Seconded by Member Brown

That in the matter of an application for an exemption to the County of Brant Fence By-law 135-23, made by Karen and Glen Drinkle with respect to as PART LOT 24 PART LOT 25 E BROADWAY E located at 45 Broadway Street East, the exemption application be Approved and County of Brant Fence By-law 135-23, as amended in the following respects:

- To permit a 7.5 foot fence (2.28 metres) to be constructed along the south, east and northfacing property lines whereas a maximum 3 foot (0.91 metres) high fence is permitted.

Moved by myself and seconded by Member Brown that application FV2-24-LK be APPROVED as presented in the report.

**Carried Unanimously**

#### 6.7.1 Addendum - Applicant Submission

### 7. **Other Business**

### 8. **Next Meeting**

The next meeting is scheduled to be October 17, 2024, and we will be a hybrid meeting starting at 6:00pm.

### 9. **Adjournment**

The meeting adjourned at 7:08 PM to meet again on October 17th.

Moved by Member Emmott  
Seconded by Member Schmitt

Moved by myself and seconded by Member Schmitt that the meeting of September 19, 2024 be adjourned.

**Carried Unanimously**

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Sarah Dymment-Smith Secretary-Treasurer