



WATEROUS HOLDEN AMEY HITCHON^{LLP}
LAWYERS

November 15, 2024

BY EMAIL kayla.deleye@brant.ca; dan.namisniak@brant.ca

County of Brant
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Attention Kayla DeLeye & Dan Namisniak
CC: Rochelle Welchman

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Dear County Council:

RE: Haley's Elevator Inc. - 29 Thirteenth Concession Road
File No. ZBA12-24 & PS1-24-KD
Our File No. 517637-136201

We are writing to request a deferral of the decision for the Applicant's Zoning Bylaw Amendment and Draft Plan of Subdivision Application on the agenda for the December 3, 2024 Council meeting to the February 2025 Council meeting.

You may recall that this matter was deferred from the September 10, 2024 meeting to December 3, 2024 meeting to allow for the opportunity to address both staff and public feedback received through the process. A resubmission was made on October 18, 2024.

The Applicant has been working with County staff to address several of these items and request additional time to allow for these discussions to continue. At this time, the Applicant has not received comments from County staff on the resubmission. In discussions with County staff, it has been requested that the Applications be deferred to the February 2025 Council meeting to allow for comments to be received.

The Applicant is in agreement with the deferral to the February 2025 Council meeting for a decision on the Applications.

As a deferral of the decision will result in a lapse in the deadlines for decisions under the *Planning Act*, R.S.O. 1990, c. P.13, the Applicant is prepared to undertake not to appeal until after February 4, 2025. Any appeal filed by the Applicant would be on the decision or non-decision as at the February 2025 meeting. In other words, the Applicant would temporarily waive appeals rights to allow the matter to return to Council on February 4, 2025 for decision.

For further clarity, should the deferral not be granted, then the Applicant would be permitted to appeal in the ordinary course under the *Planning Act*.

We will be in attendance at the December 3, 2024 meeting to address any further questions from either staff or Council.

We trust that the above is satisfactory.

Yours truly,

WATEROUS HOLDEN AMEY HITCHON LLP

Per:

A handwritten signature in blue ink, appearing to read 'C. Boyd', with a stylized flourish at the end.

Courtney Boyd, Associate Lawyer

CJB/cjb

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