



County of Brant Council Minutes

Date: November 12, 2024
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

Present: Mayor Bailey, Councillors Kyle, MacAlpine, Howes, Oakley, Bell, Peirce, Miller, Coleman, and Garneau

Regrets: Councillor Chambers

Staff: Dyjach, Vink, Kortleve, Katikapalli, Namisniak, and Pluck

Mayor Bailey in the Chair.

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1. Attendance

Attendance was taken noting Councillor Chambers was not in attendance.

2. Land Acknowledgement

Councillor Coleman read the land acknowledgement.

3. Approval of Agenda

Councillor Kyle noted she had two items to discuss under other business.

Mayor Bailey added the public meeting protocol to the agenda under item 7.1.

Moved by Councillor Howes

Seconded by Councillor Bell

That the County of Brant Council agenda and addendum for November 12th, 2024, be approved, as amended.

Carried

4. Declaration of Pecuniary Interests

4.1 Councillor Kyle - By-law Number 100-24, Being a By-law to provide for drainage works in the County of Brant (Mitchell Municipal Drain) - 3rd Reading Only

Councillor Kyle declared a conflict of interest due to the Mitchell Municipal Drain running through her property.

5. Delegations / Petitions / Presentations

None.

6. Adoption of Minutes from Previous Meetings

6.1 County of Brant Council Minutes of October 8, 2024

Moved by Councillor MacAlpine
Seconded by Councillor Oakley

That the County of Brant Council minutes of October 8, 2024 be approved.

Carried

7. Business Arising from the Minutes

7.1 Public Meeting Protocol

Spencer Pluck, Deputy Clerk, appeared before Council and read the public meeting protocol.

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

8.1 ZBA22-24-DN 304 East River Road

Denise Landry, Principal Planner - Nethery Planning

Denise Landry, Principal Planner with Nethery Planning, appeared before Council and presented on the application for information purposes. She noted the property location, the development proposal, a summary of resident comments, and concluded with the next steps.

In response to questions, D. Landry confirmed that the application will fall under the 2012 Official Plan.

Matt Reniers, agent & Matt Robillard, Soil Solutions Plus

Matt Reniers appeared before Council and spoke further to the application, noting the current and proposed Minimum Distance Separation (MDS).

Matt Robillard appeared before Council and spoke to the MDS calculations, noting the setback type, and the setbacks of neighbouring properties.

In response to questions, M. Robillard confirmed that the MDS calculations are based on the livestock present on the neighbouring property, how many box stalls the farm can have, and the type of livestock. In response to further questions, M. Robillard advised that if there were to be new livestock, the owner would apply for a

building permit for supporting infrastructure, and that a MDS2 calculation would be completed.

In response to questions, Jeremy Vink, Director of Planning, advised that there are no concerns regarding road width and that the ability to widen the road in the future is available. He further noted that the application was received prior to the date of approval of the new Official Plan.

Members of the Public

Jane Southgate, 301 East River Road

Jane Southgate appeared before Council and spoke to their opposition to the application. She raised concerns regarding the reduction of the MDS, the impact the application will have on the zoning of her property, the ability to expand her livestock, and the impact on her property value.

Kel Vandenberg, 203 East River Road

Kel Vandenberg appeared before Council and spoke to the application, noting that part of the reasoning behind the application is to have the houses be in line.

Council Consideration

Moved by Councillor Miller
Seconded by Councillor Coleman

That the Zoning By-law Amendment application ZBA22-24-DN - from KVCP Inc. c/o Matt Reiners Agent, on behalf of owner Kelly Vandenberg, of 304 East River Road, to amend the existing Rural Residential-53 (RR-53) zoning to permit a minimum required street setback of 20 metres, where a minimum setback of 49.4 metres (along the north property line) and 75 metres (along the south property line) is required by current MDS standards, 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 ZBA44-20-DN Block 98-99

Dan Namisniak, Senior Planner

Dan Namisniak, Senior Planner, appeared before Council and presented the zoning by-law amendment application for approval. He presented the property location, application background, Official Plan, current zoning, proposed modifications, public consultations, and the next steps. D. Namisniak highlighted that a revised application was received in late October, proposing a maximum building height of 3.5 stories to facilitate the construction of stacked, back-to-back, and standard townhomes.

In response to questions, D. Namisniak advised that the detailed design is reviewed at the site plan stage to confirm they are meeting the required minimum and maximum requirements. He further noted that the transition policy of the Official Plan allowed the applicant to provide a submission which leveraged policies of the new Official Plan. In response to further questions, D. Namisniak advised that medium

density refers to the build form. He further advised that the current concept may provide a private road width that doesn't accommodate on-street parking, and that it would not count towards the on-street parking targets.

Emily Elliott, MHBC Planning, Agent

Emily Elliott, MHBC Planning appeared before Council and presented on the site location and surrounding area. She presented on the concept plans and conceptual renderings for Block 98 and Block 99, how the proposed application fits into the County of Brant Official plan, the proposed zoning, and concluded with noting that the proposal is consistent with the Provincial Planning Statement and contributes to the range of housing types in the community.

In response to questions, J. Vink advised that the application will meet the parking requirements.

In response to questions, E. Elliott confirmed that there are 164 parking spaces in Block 98 and 187 parking spaces in Block 99. She further confirmed that both blocks exceed the minimum landscaped open space requirements, and that there is a common amenities space.

Members of the Public

Samantha Mota, 10 Edgar Place

Samantha Mota appeared before Council and spoke in opposition to the application. She presented on the site plans of Blocks 98 & 99, and noted her concerns regarding parking, privacy, traffic, transit, and safety.

Kevin Wilson & James Leonetti - Via Zoom

Not in attendance.

Council Consideration

Councillor Peirce requested a recorded vote.

Discussion was held regarding the application, with concerns being noted about parking, density, and continued requests for exemptions to the County's standard requirements.

Moved by Councillor Peirce
Seconded by Councillor Coleman

THAT Zoning By-Law Amendment Application ZBA44-20-DN received from MHBC Planning Ltd. c/o E. Elliott Agent on behalf of, Losani Homes (Paris) Ltd. c/o D. Borrelli, Owner of lands legally described as of PLAN 2M-1956, BLOCK 98 & 99, Town of Paris, County of Brant proposing to modify the existing Mixed-Use Commercial (C5-1) & Residential Multiple Medium Density Site Specific-29 (RM2-29) zone as outlined in the Draft Amending By-Law, to establish a new Residential Multiple Medium Density Site Specific-34 (RM2-34) zone, in order to facilitate development of the subject lands, be **APPROVED**;

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

- a. The application promotes efficient, compact development and land use patterns within a settlement area, utilizing existing infrastructure

contributing to a range of housing types, sizes, and tenure within close proximity to a mix of land uses, supporting the achievement of complete communities;

- b. The application conforms to the policies of the Official Plan (2023) and is in keeping with the intent of the Zoning By-Law 61-16, and;
- c. The application is consistent with the policies of the Provincial Policy Statement (2024).

Yes (6): Councillor Kyle, Councillor MacAlpine, Councillor Oakley, Councillor Miller, Councillor Coleman, and Councillor Garneau

No (4): Mayor Bailey, Councillor Howes, Councillor Bell, and Councillor Peirce

Absent (1): Councillor Chambers

Carried (6 to 4)

9.2 ZBA21-24-DN 1024 Rest Acres

Dan Namisniak, Senior Planner

D. Namisniak appeared before Council and spoke to the application, noting that the application is to extend the temporary use for an additional three years. He advised that the entrance was relocated as part of the previous extension of the temporary use.

Stephanie Mirtitsch, MHBC Planning, Agent

Stephanie Mirtitsch, MHBC Planning, appeared before Council to speak to the application.

Members of the Public

None.

Council Consideration

Moved by Councillor Peirce
Seconded by Councillor Bell

THAT Temporary Use By-Law Amendment Application ZBA21-24-DN received from MHBC Planning, Agent on behalf of LIV Communities, Owner of lands legally described as CONCESSION 1 PART LOT 10, in the geographic former Township of Brantford, municipally known as 1024 REST ACRES ROAD County of Brant, proposing to amend the existing Temporary-98 (T-98) zoning to permit the extension of the temporary use for the purposes of a sales trailer up to three (3) additional years, be APPROVED;

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

- a. The application demonstrates consistency with the Provincial Policy Statement providing opportunity to establish a use on a temporary basis which in order to facilitate orderly development.
- b. The proposed temporary use satisfies the tests outlined in the Official Plan (2012) with respect to the passing of a Temporary Use By-law in accordance with the provisions of the Planning Act.

Carried

9.3 ZBA10-24-HH 8th Concession Road

Dan Namisniak, Senior Planner

D. Namisniak appeared before Council and presented on the zoning by-law amendment application. He presented the property location, the current designation and zoning of the property, the development proposal, and the public consultation. He further advised that the application was is being assessed and was deemed complete under the previous Official Plan.

In response to questions, D. Namisniak advised that the feasibility of private services on any future lot creation is being reviewed. In response to raised concerns in regard to ensuring there is the option for a transportation corridor from the industrial park to Eight Concession Road, D. Namisniak advised that the concern will be kept in consideration.

Scott Puillandre, Vallee Consulting, Agent

Scott Puillandre, Vallee Consulting, appeared before Council and noted that the holding provision on the property would prevent any future development at this time. He further advised that should future development come forward, the holding provision would require the plan of subdivision process which would allow the County to request road connections along the Eighth Concession.

Members of the Public

None.

Council Consideration

Moved by Councillor Howes
Seconded by Councillor Garneau

THAT Zoning By-Law Amendment Application ZBA10-24-DN received from Vallee Consulting c/o Scott Puillandre, Agent on behalf of Ethel Fintas, Applicant/ Owner of the subject lands as identified BURFORD CONCESSION 7 PART LOTS 4 AND 5 AND REGISTERED PLAN 2R5926 PART 2, in the geographic former Township of Burford, County of Brant proposing:

1. To amend the zoning on the entire 17 hectare (42 acre) parcel from Agricultural (A) to Suburban Residential (SR) to conform with the current Suburban Residential Official Plan (2012) Designation to facilitate a future severance application to create two (2) new residential lots, be **APPROVED**; and
2. To apply a Holding Provision (h) to approximately 16 hectare (39 acres), being the future retained lands to ensure orderly future development in recognition of the ongoing Burford Master Environmental Servicing Plan / Study, be **APPROVED**.

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

- a. The application allows for limited development on private services while utilizing a holding provision (h) on the majority of the parcel to ensure orderly future development, in recognition of the ongoing Burford Master Environmental Servicing Plan / Study.
- b. The application conforms to the policies of the Official Plan and is in keeping with the intent of the Zoning By-Law.
- c. The application is consistent with the policies of the Provincial Policy Statement.

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 October 28, 2024

In response to questions, Brandon Kortleve, Manager of Policy Planning, advised that discussion regarding on-farm diversified use was regarding the policy framework and how property owners would be held to the requirements of on-farm diversified use.

Moved by Councillor Coleman
Seconded by Councillor Kyle

That the minutes from the October 28, 2024, Agricultural Advisory Committee be approved.

Carried

12. Staff Reports

12.1 RPT-0477-24 Implementation of the County of Brant's new Official Plan

B. Kortleve appeared before Council and provided an overview of the report.

In response to questions, B. Kortleve advised that the Community Planning Permit System is the combination of zoning and site plan tools, and that the timeline for implementation is two years.

Moved by Councillor Bell
Seconded by Councillor Kyle

Whereas the County of Brant Council approved *A Simply Grand Plan, 2023* (“the OP”) as the new Official Plan for the County of Brant on May 30th, 2023, and the Ministerial Decision on the Plan was received on October 18th, 2024.

That RPT 0477-24 be received as information to guide the implementation of the OP;

That staff be directed to initiate an omnibus housekeeping amendment to the OP for presentation to Council in the first half of 2025;

That staff be directed to commence the implementation of the OP through the development of a Community Planning Permit System;

That staff create a new engagement framework to provide alternative measures for public notice and collecting feedback as it relates to development applications and return to Council for approval;

That the list of comprehensive studies outlined in RPT-0477-24 and the preliminary study areas shown on Attachment 4 be endorsed as the next steps in the implementation of the County’s Growth Management Strategy and included as an Annex to the OP;

And that staff be directed to formalize a detailed 10-year schedule and the capital budgetary needs for future comprehensive studies as part of the 2025 budget discussions.

Carried

13. Communications

None.

14. Resolutions

None.

15. Other Business

Councillor Kyle - Royal Agricultural Winter Fair

Councillor Kyle shared that the Bite of Brant program received an Excellence in Agricultural Award from the Ontario Ministry of Agriculture, Food and Agribusiness at the Royal Agricultural Winter Fair.

Councillor Kyle - Mock Council Meeting with the Grade Six Class of Hope Reformed Christian School

Councillor Kyle advised that she and Councillor Oakley hosted a mock council meeting in Council Chambers with the grade six class of Hope Reformed Christian School, noting it was a great experience.

Mayor Bailey - Jonny's Gold Ribbon Gala

Mayor Bailey noted he attended the Jonny's Gold Ribbon Gala that took place on November 9, 2024, and advised that County of Brant paramedic Andrew Wood received recognition for his work with the Community Paramedic Palliative Wish Program.

Councillor Peirce - TVO, Who Does What?

Councillor Peirce shared a video from TVO, *Who Does What*, which provides an overview of services provided by Federal, Provincial, and Municipal government.

16. In Camera

None.

17. By-laws

Moved by Councillor Garneau
Seconded by Councillor MacAlpine

That By-laws 104-24, 107-24, 110-24, and 114-24 to 116-24, be read a first time.

Carried

Moved by Councillor Garneau
Seconded by Councillor MacAlpine

That By-laws 104-24, 107-24, 110-24, and 114-24 to 116-24, be read a second time and all preambles and clauses be adopted.

Carried

Councillor Kyle declared a conflict of interest on item 17.1, By-law 100-24 and did not participate in debate or vote.

Moved by Councillor Garneau
Seconded by Councillor MacAlpine

That By-laws 100-24 be read a third time, passed, signed and executed.

Carried

Moved by Councillor Garneau
Seconded by Councillor MacAlpine

That By-laws 104-24, 107-24, 110-24, and 114-24 to 116-24, be read a third time,
passed, signed, and executed.

Carried

18. Next Meeting and Adjournment

Council adjourned at 8:43 pm to meet again on Tuesday, November 26, 2024, at 6:00
p.m. at the County of Brant Council Chambers.

Secretary