



## County of Brant Council Report

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**To:** The Mayor and Members of County of Brant Council  
**From:** Denise Landry, Nethery Planning Services  
**Date:** February 11, 2025  
**Report #:** RPT-0073-25  
**Subject:** Zoning By-Law Amendment Application ZBA12-24-KD & Draft Plan of Subdivision Application PS1-24-KD  
**Purpose:** For Deferral

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### Recommendation

That Zoning By-Law Amendment Application ZBA12-24-KD & Draft Plan of Subdivision Application (PS1-24-KD) from J.H. Cohoon Engineering Limited c/o Bob Philips and The Angrish Group c/o Ruchika Angrish on behalf of Haley Elevator Inc. c/o Micheal Haley, applicant/ owner of CONCESSION 13 PART LOT 1 to 3, REGISTERED PLAN 2R1765 PART 1, County of Brant, in the geographic Former Township of Burford, municipally known as 29 Thirteenth Concession Road proposes to change the zoning on the subject lands from 'Special Exception Holding Suburban Residential (h-33-SR)' to the 'Suburban Residential 'SR', and 'Open Space (OS1)' zones to facilitate the creation of 77 single detached lots, a park block, storm water management block and multiple walkway blocks, **BE DEFFERED, for up to six months; And**

THAT the reason(s) for Deferral are as follows: The applicant is requesting additional time to work through the comments provided on the second submission and to allow time for Cambium, the peer reviewer for the hydrogeological study, to review and provide comments.

### Strategic Plan Priority

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Strategic Priority 1 - Sustainable and Managed Growth

### Impacts and Mitigation

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#### Social Impacts

If relevant, the future recommendation report will discuss social impacts.

#### Environmental Impacts

If relevant, the future recommendation report will discuss environmental impacts.

## Economic Impacts

If relevant, the future recommendation report will discuss economic impacts.

## **Report**

### Background

The subject lands are legally described as Concession 13 Part Lot 1 to 3, Registered Plan 2R1765 Part 1, County of Brant, in the geographic Former Township of Burford (Figure 1).

The subject lands are designated Suburban Residential in the County's 2012 Official Plan and zoned Special Exception Holding Suburban Residential h-33-SR (as ordered by the Ontario Land Tribunal).

Applications for a Draft Plan of Subdivision and Zoning Bylaw Amendment were submitted to the County on May 30, 2024 and deemed complete on June 19, 2024.

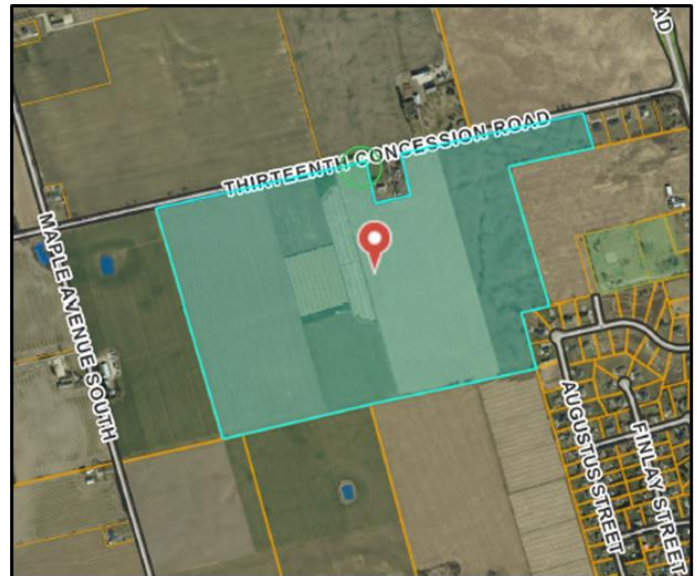
The plan consisted of 108 lots for single detached dwellings, a park block, a stormwater management block, and a mixed-use residential-commercial block. The lots ranged in size from just over 2,000 square metres to 3,500 square metres (approximately half an acre to just under one acre). A statutory public meeting to receive feedback on the proposal concept, was held on July 9, 2024. The applicant's lawyer prepared a letter, dated August 20, 2024, requesting that Council defer making a decision on the application until December 3, 2024, to allow for the opportunity to address both staff and public feedback.

On October 28, 2024, the applicant submitted revised plans and studies to County planning staff for review and comment. The number of single detached units was reduced to 77 and still included a park block and storm water management block. The mixed-use residential-commercial block originally proposed was removed. The lots increased in size to a minimum of 3,000 square metres and up to over 5,000 square metres (approximately three quarters of an acre to 1.2 acres). A revised hydrogeological report was not submitted at this time. The resubmission was circulated internally and to peer reviewers for comment.

Subsequently, on November 15, 2024, the applicant's lawyer, requested that Council defer making a decision on the applications until February, 2025. Council supported the request and deferred making a decision at the December 3, 2024 Council meeting.

### Deferral Request

County staff provided a comprehensive set of comments (excluding the hydrogeological report) on the resubmission to the applicant in early January, 2025.



*Figure 1 Location Map*

On January 10, 2025, the applicant submitted the revised hydrogeological report to staff and it has been provided to Cambium, the peer review consultant for review and comment. Comments on the report are anticipated by the end of January or early February.

A terms of reference for the Transportation Impact Study (TIS) was provided to the applicant in February of 2024. County transportation staff reviewed the submitted TIS and determined that the report did not include the criteria outlined in the terms of reference. A revised TIS was not provided as part of the resubmission package and is still outstanding.

To provide time for the applicant to finalize these reports and for the County to review the same so that Planning can make a recommendation, a further deferral is proposed.

The applicant's lawyer has requested that Council again defer making a decision on the applications until the May 13, 2025 Council meeting. Staff remain committed to moving the project forward in an appropriate and timely manner, but are unsure if May would provide sufficient time for the work and necessary review to be completed. If staff are in a position to make a recommendation before or at that time, a recommendation will be brought forward. However, rather than seek further repeated deferrals, allowing up to six months should give more than adequate time to bring back a recommendation. If the applicant feels that the County is delaying or they wish to see a decision from Council at any point, they may make that request and staff will proceed to bring back a recommendation earlier if so desired. Alternatively, the applicant could appeal to the Ontario Land Tribunal for lack of a decision.

### **Attachments**

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1. Deferral Request from Courtney Boyd, Associate Lawyer, Waterous Holden Amey Hitchon LLP

### **Reviewed By**

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1. Jeremy Vink, Director of Planning
2. Alysha Dyjach, General Manager of Development Services

### **Copied To**

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1. Sunayana Katikapalli, Director of Council Services, Clerk
2. Nicole Campbell, Planning Administrative Assistant
3. Applicant/Agent/Owner

### **By-law and/or Agreement**

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By-law Required	No
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No