



COMMITTEE OF ADJUSTMENT REPORT

DATE: February 20, 2025

REPORT NO: RPT-0070-25

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

FROM: Lauren Graham, Planner

APPLICATION TYPE: Consent

APPLICATION NO: B1-25-LG

LOCATION: 292000401014510

AGENT / APPLICANT: WEBB Planning Consultants Inc. c/o James Webb

OWNER: Greycan 13 Properties Inc. c/o Chris Serio

SUBJECT: Request for a decision on an application for Consent Application to facilitate the creation of one (1) new industrial lot in the Urban Settlement Area of Paris.

RECOMMENDATION

THAT Application for Consent **B1-25-LG** from WEBB Planning Consultants Inc. c/o James Webb, applicant on behalf of Greycan 13 Properties Inc. c/o Chris Serio, Owner of lands legally described as PLAN 2M1990 BLK 2, in the geographic Township of Brantford, County of Brant, proposing the creation of one (1) new industrial lot within the recently registered subdivision **PS2-20-RC**, **BE APPROVED**, subject to the attached conditions.

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

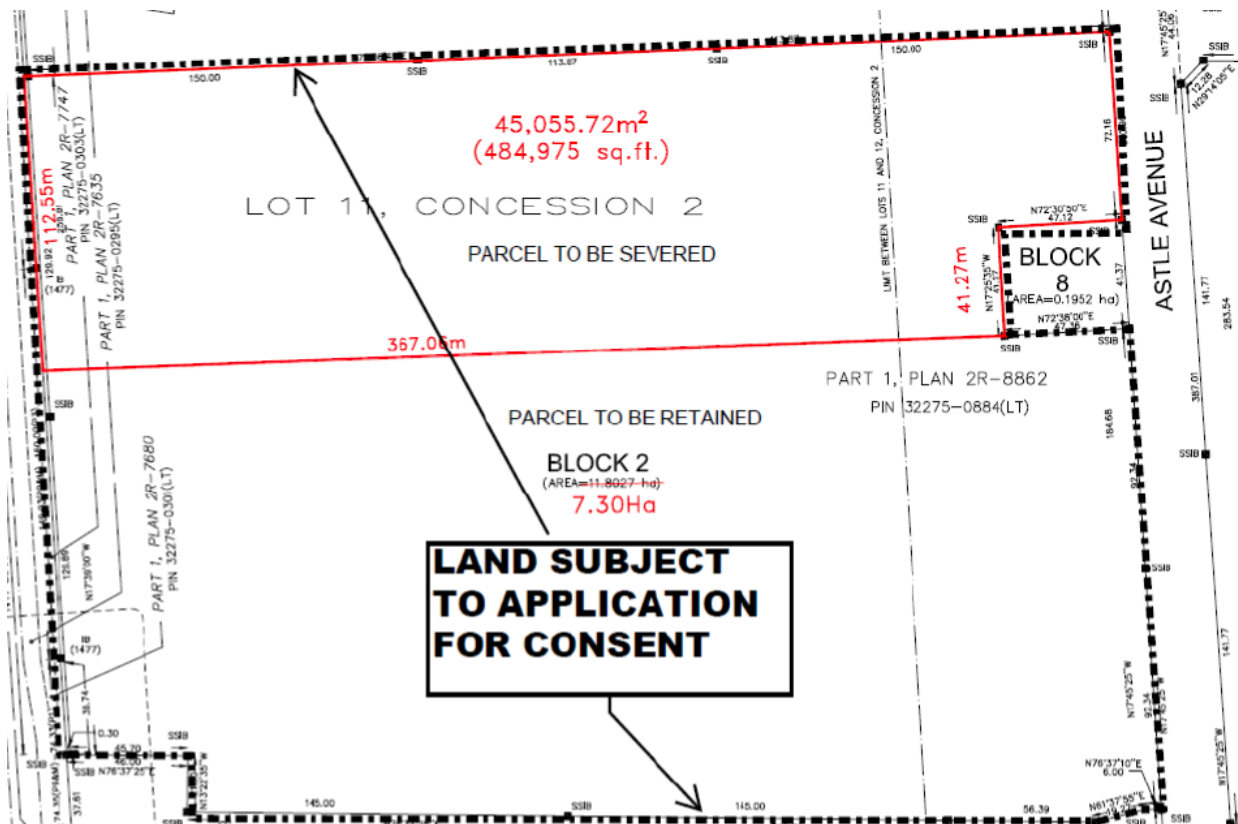
- The lot creation is compatible and consistent within the context of the existing development.
- Detailed design and technical review of the proposed Prestige Industrial parcel will be facilitated through Site Plan Control.
- The application is consistent with the policies of the Provincial Planning Statement.
- The application is in conformity/ compliance with the general intent of the policies of the Official Plan and Zoning By-Law.

EXECUTIVE SUMMARY

Consent Application **B1-25-LG** proposes the creation of one new industrial lot within Block 2 of the recently registered subdivision **PS2-20-RC** at 61 Bethel Rd and Rest Acres Road Business Park. The subject lands are located within the Urban Settlement Area of Paris and are designated as Prestige Industrial and zoned as Prestige Industrial with site specific and subject to a holding provision (h-M1-16).

Light Industrial (<u>M1</u>)	Frontage (min)	Lot Area (min)
<i>Required</i>	30 m	1,100 sq. m
Severed Lands	72.1 m (236.55 ft)	45,000 sq. m (4.5 ha)
Retained Lands	184.6 m (605.64 ft)	73,000 sq. m (7.3 ha)

Figure 1: Proposed Severance Sketch



A holding provision (h) has been applied to ensure orderly development of the subject lands, and requires that a development agreement, pursuant to the requirements of the *Planning Act*, be entered into.

No development is being proposed as part of this application. Future development of the severed and retained lands will be subject to a detailed technical review as part of a Site Plan Control Application, including access, landscaping, grading, noise, drainage, lighting etc.

Staff have reviewed the proposed Consent with applicable planning policy (i.e. Planning Act, Provincial Planning Statement (2024), County of Brant Official Plan (2023) and Zoning By-Law 61-16 in review of any comments received from relevant departments, the applicant and the members of the public.

For the reasons outlined in this report, it is my professional recommendation that the Consent Application **B1-25-LG** to facilitate the creation of one (1) new lot be **APPROVED**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands are located north of Bethel Road, east of Pottruff Road, south of Highway 43 and west of Rest Acres Road.

LOCATION MAP
Application: B1-25-LG
61 Bethel Road



AERIAL IMAGE
Application: B1-25-LG
61 Bethel Road



The subject lands are located within Urban Settlement Area as Paris and identified as Block 2 within the recently registered subdivision **PS2-20-RC**. The lands are currently vacant.

The Severed parcel will have a frontage of 72 metres (236.22 feet) along Astle Avenue and an area of 4.5 hectares (11.12 acres).

The retained parcel will have a frontage of 184 metres (603.67 feet) along Astle Avenue and an area of 7.3 hectares (18.04 acres).

The surrounding area consists of Agriculture uses to the north, Aggregate Extraction and Agricultural uses to the east, Industrial land uses to the west and Agricultural land 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(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.

Consistency and/or Conformity with Provincial and/or Municipal Policies/Plans

Provincial Planning Statement – 2024

The *Provincial Planning 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*.

The following demonstrates consistency with the applicable policies of the Provincial Planning Statement (2024):

<i>Provincial Planning Statement – 2024</i>	<i>Planning Analysis</i>
<p>Section 2.8.1 of the <i>Provincial Planning Statement</i> advises Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p>	<p><i>The consent will permit future development for lands designated for General Employment uses and zoned as Prestige Industrial with Site Specific and holding provision (h-M1-16) within a settlement area.</i></p>
<p>d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and</p>	
<p>e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.</p>	
<p>Section 2.8.2 of the <i>Provincial Planning Statement</i> advises Planning authorities shall plan for, protect and preserve employment areas for</p>	<p><i>This application will allow for the intensification of employment uses within an area designated for employment uses.</i></p> <p><i>Future development will be subject to a Site Plan Control Application. Land use compatibility will be addressed through the Site Plan Control process.</i></p> <p><i>The subject lands will be connected to municipal sewer and water.</i></p>

<i>current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.</i>	
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It is my professional opinion that the request is consistent with the policies of the Provincial Planning Statement.

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 located within a Significant Ground Water Recharge Area.

Through previous Draft Plan of Subdivision and Zoning By-Law Amendment applications it was established a condition of approval would be for the applicant to regularly monitor the ground water through the monitoring of test wells. This is to ensure development activities will not negatively impact the ground water of surrounding neighbours.

Brant County Official Plan (2023)

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.

The subject lands are designated as General Employment within the County of Brant Official Plan (2023) and located with the Urban Settlement Area of Paris.

The following demonstrates conformity with the applicable policies of the County of Brant Official Plan (2023):

<u>Official Plan (2023)</u>	<u>Planning Analysis</u>
<i>Part 3, Section 1.1 advises Employment Areas within the Urban System are clusters of economic activities that are generally industrial in nature and have existing or planned municipal water and/or wastewater servicing infrastructure.</i>	<i>The subject lands are located within the Urban Settlement Area of Paris and are serviced by municipal sewer and water.</i>
<i>Part 5, Section 7.2 advises the General Employment Designation is intended to accommodate employment uses that are largely industrial in nature and remain a crucial component of the County's economy. The Employment designation applies to land that is comprised of or intended to be developed for a range of industrial uses and may include service</i>	<i>The subject lands are designated as General Employment. Creation of a one (1) new lot is required to facilitate future industrial development.</i>

commercial uses and related uses that directly service the employment area.	
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It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Zoning By-Law 61-16:

The subject lands at 61 Bethel Road are zoned as Prestige Industrial with site specific and holding provision (h-M1-16) within the County of Brant Zoning By-Law 61-16.

Section 11, Table 11.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Prestige Industrial.

The Site-Specific Provision (M1-16) permits in addition to the uses permitted in the Prestige Industrial (M1) Zone, the following shall also apply:

- Warehouse and Ancillary Offices shall be permitted.
- A parking ratio of 1 space per 160 square metres of gross floor area shall be required for Warehouse and Ancillary Office uses.
- Where a development block or lot abuts Bethel Road, a planting strip of 6.0 metres wide shall be required abutting the street line consisting of a continuous row of trees.

The holding provision (h) has been applied to ensure orderly development of the subject lands and requires that a development agreement, pursuant to the requirements of the *Planning Act*, be entered into.

Prestige Industrial with Site Specific Provision (M1-16)	Required	Proposed Severed Lands	Proposed Retained Lands
Lot Area, Minimum (sq. m)	1100	45,000	73,000
Lot Frontage, Minimum (metres)	30.0	72.1	184.6
Street Setback, Minimum (metres)	9.0	To be addressed through future Site Plan Control applications.	
Interior Side Yard Setback, Minimum (metres)	3.0		
Rear Yard Setback, Minimum (metres)	7.5		
Any yard abutting Residential or	10.0		

Institutional Zone (metres)		
Lot Coverage, Maximum	60%	
Landscaped Open Space, Minimum	10%	
Building Height Maximum, (metres)	12.0	

- ***Both the severed and retained parcels meet the lot requirements for the Prestige Industrial (M1) zone.***
- ***Future development will be subject to a detailed technical review as part of a Site Plan Control Application.***

It is my professional opinion that the request maintains the intent of the County of Brant Zoning By-Law 61-16.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Civic Addressing	<ul style="list-style-type: none"> • <i>That the applicant provides CAD drawing or GIS files with line work to import into database.</i> • <i>That a civic address will be required for the parcel, this can be requested at the County of Brants Civic Address Requesting Form.</i>
Development Engineering Department	<ul style="list-style-type: none"> • <i>Staff have no objection to the proposed creation of one (1) new industrial lot within the industrial plan of subdivision (Registered Plan 2M-1990). Technical matters (e.g. accesses, servicing etc.) will be addressed via the review of the forthcoming Site Plan Control Applications or Amendments.</i>
Environmental Planning	<ul style="list-style-type: none"> • <i>Environmental Planning has no comments</i>
Fire	<ul style="list-style-type: none"> • <i>No comments from Fire</i>
Canada Post	<ul style="list-style-type: none"> • <i>Please be advised that Canada Post does not have any comments on this application. This building will be serviced through a Community mailbox that will be going in the area for mail delivery.</i>

PUBLIC CONSIDERATIONS

Notice of this Application, Contact information and Public Hearing Date were circulated by mail on February 5, 2025 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 February 4, 2025.

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

CONCLUSIONS AND RECOMMENDATIONS

Consent Application **B1-25-LG** proposes the creation of one new industrial lot within Block 2 of the recently registered subdivision **PS2-20-RC** at 61 Bethel Rd and Rest Acres Road Business Park.

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Lauren Graham

Planner

Reviewed by: Dan Namisniak, BA, CPT, MCIP, RPP – Manager of Development Planning

ATTACHMENTS

1. Zoning Mapping, Official Plan Mapping and Aerial Photo
2. Drawings
3. Circulation Notice

COPY TO

1. Jeremy Vink, Director of Planning
2. Applicant/Agent

FILE # B1-25-LG

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)

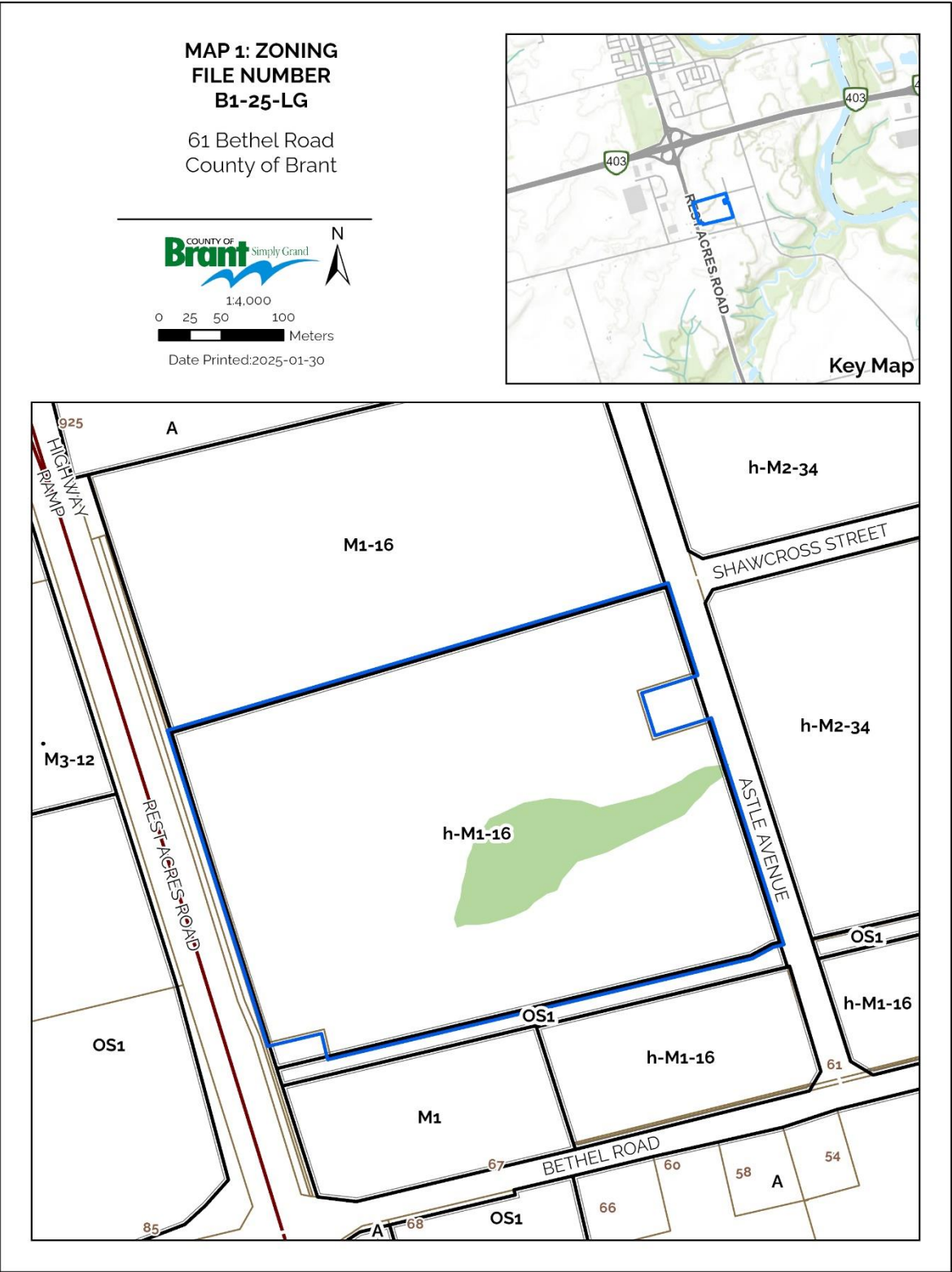
Is the necessary By-Law or agreement being sent concurrently to Council? (No)

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/Owner provide a copy of a Draft Reference Plan prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited at the Land Registry Office.
 - a. That the Draft Reference Plan be required to identify the proposed severed parcel.
3. That the \$345.00 Deed Stamping Fee for each consent application be paid to the County of Brant, prior to the release of the executed Certificate of Official.
4. That the Applicant/ Owner provide the applicable draft transfer documents with legal descriptions of the proposed severed lands utilizing the Deposited Reference Plan for review to the satisfaction of the County of Brant.
 - a. The Applicant/ Owner's Solicitor shall prepare and register all the necessary documents following review and approval by the County Solicitor. Immediately following the registration, the Applicant/ Owner's Solicitor shall provide a certificate satisfactory to the County Solicitor that the registrations have been completed properly and in accordance with the approvals provided.
5. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two 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.

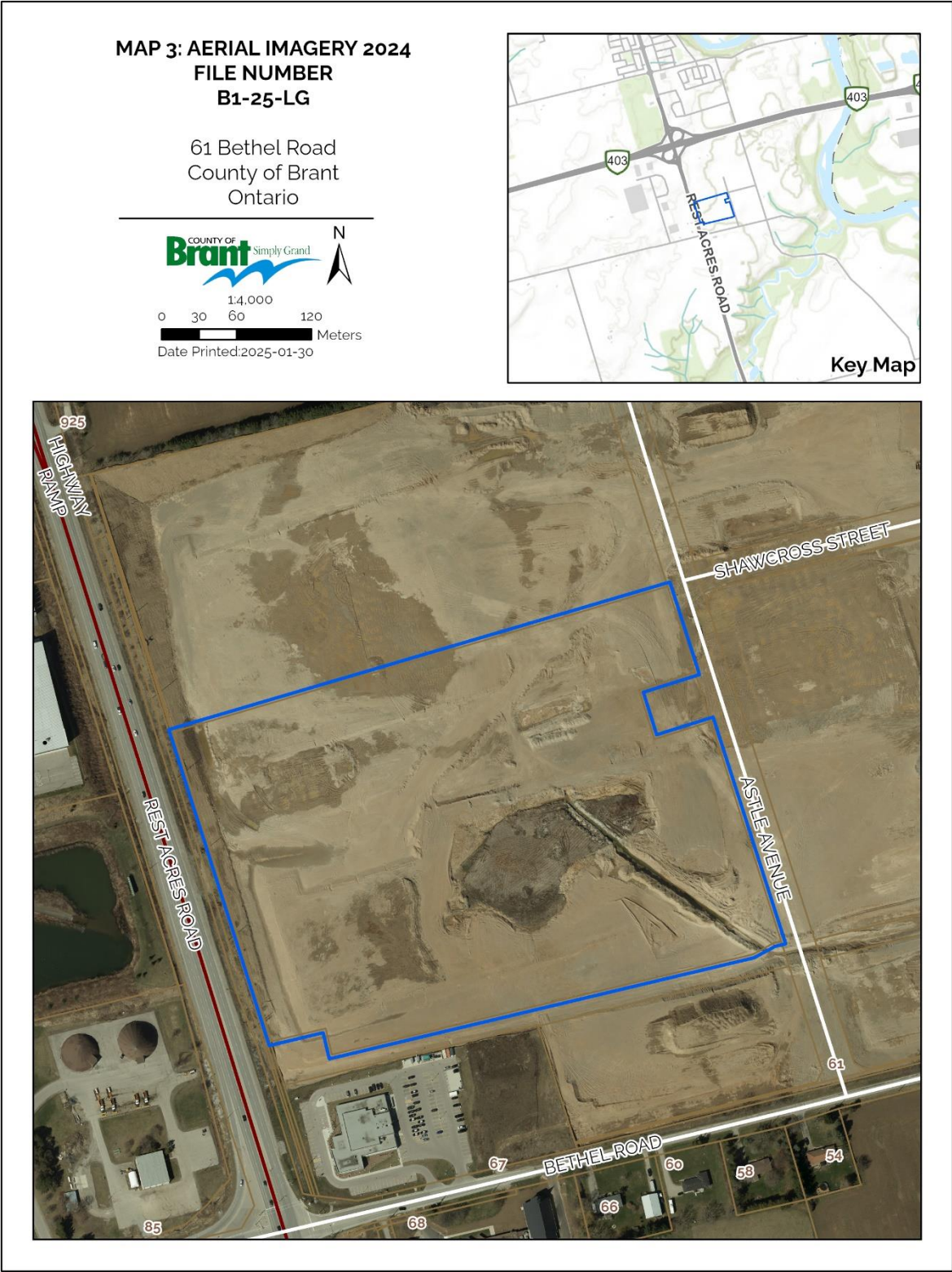
Attachment 1 – Zoning Map



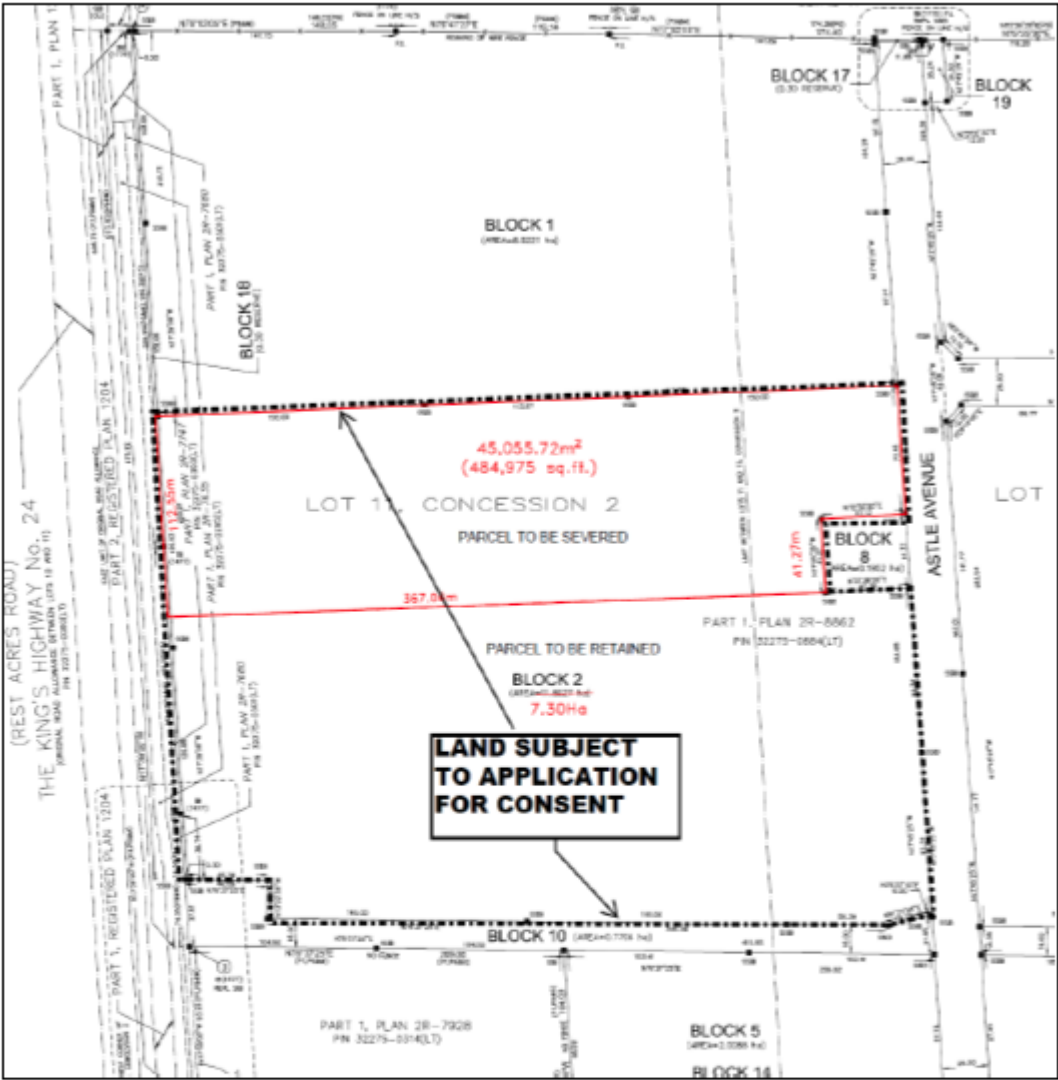
Attachment 2 – Official Plan Map



Attachment 3 – Aerial Map



Attachment 4 – Site Plan



SKETCH PLAN – APPLICATION FOR CONSENT (LOT CREATION)
BLOCK 2 OF PLAN 2M-1990

SEVERED PARCEL: AREA OF 4.506 HA, FRONTAGE OF 72.1 METRES
RETAINED PARCEL: AREA OF 7.3 HA, FRONTAGE OF 184.6 METRES

PREPARED BY: WEBB PLANNING CONSULTANTS, JAN. 2025