



Committee of Adjustment Minutes

Date: February 20, 2025
Time: 6:00 p.m.
Location: Council Chambers
7 Broadway Street West
Paris, ON

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

Staff: D. Namisniak, N. Campbell, R. Flores, L. Keen, L. Graham

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1. Attendance

2. Approval of Agenda

Moved by Member Schmitt
Seconded by Member Hamilton

That the agenda for the County of Brant Committee of Adjustment Meeting of February 20, 2025 be approved.

Carried

3. Declaration of Pecuniary Interests

No conflicts declared.

4. Adoption of Minutes from Previous Meetings

Moved by Member Panag
Seconded by Member Vamos

That the minutes of the January 16, 2025 meeting of the Committee of Adjustment be approved, as printed.

Carried

5. Public Hearings

5.1 A18-24-LK - 112 Dundas St W

Staff Presentation

- R. Flores, Junior Planner, presented minor variance application A18-24-LK for approval as outlined in the staff report.
- Member Hamilton inquired if the garage is included in the area coverage with the Additional Residential Unit (ARU) to which staff confirmed.
- Member Hamilton noted an error on Page 7 of the staff report, which referenced Rural Residential (RR) instead of Urban Residential (R2). Planner confirmed it was an oversight.

Applicant Presentation

- Jill Palmer, Owner, was present online and added that the ARU is intended for her son who has a life-long disability.
- Member Hamilton asked whether the proposed dwelling would have a separate sewer and water connection or be linked to the existing dwelling.
- Owner responded that she believes it will have a separate connection but is unsure at this stage.
- Planner confirmed that will be addressed at the building permit stage.

No public comments

Moved by Member Smith

Seconded by Member Schmitt

THAT Application for Minor Variance **A18-24-LK** from Jill Palmer, Owner of lands legally described as PLAN 581 LOT 49, municipally known as 112 Dundas Street West, Former Town of Paris, County of Brant, is seeking relief from Zoning By-law 61-16 to permit a maximum accessory structure height of 4.8 metres whereas 4.5 metres is permitted, and to recognize the existing street setback of 3.93 metres, whereas 4.5 metres is required, **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

5.2 B26-24-LK - 19 King St S

5.2.1 Addendum - B26-24-LK - Updated Report and Conditions List

Staff Presentation

- R. Flores presented consent application B26-24-LK for approval as outlined in the staff report.

- Member Hamilton questioned the difference between Conditions 2 and 6 and whether they can be combined.
- Mr. Namisniak, Manager of Development Planning, acknowledged the similarity in wording and noted one condition could be removed with staff recommending keeping Condition 2.

Agent/ Applicant Presentation

- Bob Phillips with J.H. Cohoon's Engineering, Agent on behalf of the Owner, was present online. Agent confirmed support for the planning staff report and acknowledged recent discussions with staff regarding the late addition of the hydrogeological study condition noting that they are in acceptance of the amended condition.
- Agent explained that the two landlocked parcels were originally created through a plan of subdivision. Intention was to transfer parcels to abutting owners; however, due to a lack of interest, the applicant is now seeking the lot line adjustment to establish formal frontage onto King Street.
- Member Hamilton noted that the severed lands are on a steep slope, requiring earthmoving. The agent confirmed that all necessary earthworks were included in the application and that engineering staff approved the proposed entrance location.
- Member Smith requested clarification on the hydrogeological study and whether the newly added condition was due to concerns with potable water or private septic.
- Agent responded that further evaluation determined additional work was needed but reiterated their commitment to compliance.
- Planner noted that the Director of Environmental Services noted that the initial water study was incomplete and did not fully demonstrate the site's capacity for private water and wastewater servicing, necessitating additional studies.

No public comments

Moved by Member Hamilton

Seconded by Member Panag

THAT Consent Application **B26-24-LK** from J.H Cohoon Engineering, Agent on behalf of Taylor Whiting and Lisa Whiting, Owners of lands legally described as Part Lot 6 Concession 1, Part 1 on 2R-4504, former Geographic Township of Oakland and municipally known as 19 King Street South, County of Brant, proposing a lot line adjustment of approximately 0.18 hectares (0.44 acres) to be added to landlocked Blocks 18 and 19, 2M-1845, known as benefiting lands **BE APPROVED**, subject to the attached conditions.

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

- The application will provide frontage for the landlocked blocks 18 & 19 to facilitate construction of one single detached dwelling.
- The application is consistent with the policies of the Provincial Planning Statement (2024).
- The application conforms with the policies of the County of Brant Official Plan (2023) and Zoning By-Law.

Carried

5.3 B27-24-LK - 290 Brant County Hwy #5

Staff Presentation

- L. Keen, Planner, presented consent application B27-24-LK for approval as outlined in the staff report.
- Member Smith sought confirmation whether the lands to be severed is the full length of the lot. Staff confirms.

Agent/ Applicant Presentation

- Bob Phillips with J.H. Cohoon Engineering Ltd., Agent on behalf of the Owner, was present online and added that the two lots are serviced through an easement for common access. A condition requires the easement to be modified between the two owners to ensure access is maintained.
- Member Smith inquired whether the easement is properly registered on title. The agent confirmed that it is and believes it can be modified. Member Smith emphasized the importance of ensuring proper registration for potential future owners.
- Member Vamos inquired if construction had commenced for the proposed structure. Agent confirmed that the foundation has been installed.
- Member Hamilton sought clarification on Condition 7 regarding the removal of a retaining wall. The agent explained that a small retaining wall currently crosses the new property line and will be rectified.
- Member Hamilton also inquired whether the foundation, now started, complies with zoning requirements. The agent confirmed that modifications were made to the application to ensure conformity with the zoning by-law.

Public Presentation

- Howard Hussey Jr., Owner of 292 Brant County Hwy #5 (Benefiting Lands) noted that he had thought appropriate permits and processes were in place by his father (Owner/ Applicant of this application).

Moved by Member Schmitt

Seconded by Member Panag

THAT Consent Application **B27-24-LK** from Cohoon Engineering Ltd on behalf of Howard Hussey, Owner of lands legally known as South Dumfries Concession 2 Part Lot 11 Registered Plan 2R4549 PT Parts 2 and 4, municipally known as 290 Brant County Highway 5, proposing a lot line adjustment to sever a 352.5 square metre strip of land from of the western property line to be added to the abutting property at 292 Brant County Highway 5, **BE APPROVED**, subject to the attached conditions.

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

- The application is in conformity 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

5.4 B17-24-LK and A1-25-LK - 29 Sixth Concession Rd & 62 King St

Staff Presentation

- L. Keen, Planner, presented consent application B17-24-LK and minor variance application A1-25-LK for approval as outlined in the staff report.
- Member Hamilton inquired how they will access the lands. Staff was unsure and redirected to the Agent/ Applicant.

Agent Presentation

- Dave Aston from MHBC Planning, Agent on behalf of the Owner, was present online and responded to Member Hamilton's question clarifying that the land will be farmed by the same farmer as the surrounding agricultural lands and accessed through the abutting properties on either side.

No public comments

Moved by Member Smith

Seconded by Member Schmitt

THAT Consent Application **B17-24-LK** from MHBC Planning, Agent, on behalf of Ruie and William Greenwood, Owners of the lands legally described as Concession 6 Part Lot 2, in the Former Township of Burford, municipally known as 29 Sixth Concession Road, proposing to sever approximately 3.1 hectares from 29 Sixth Concession Road to the benefitting lands municipally known as 62 King Street, **BE APPROVED**, subject to the attached conditions.

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

- The consent application maintains the function of the existing residential and agricultural land uses.
- The application is in conformity with the policies of the Provincial Policy Statement;
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law.

Carried

Moved by Member Smith

Seconded by Member Schmitt

THAT Minor Variance Application **A1-25-LK** from MHBC Planning, Agent, on behalf of Ruie and William Greenwood, Owners of the lands legally described as Concession 6 Part Lot 2, in the Former Township of Burford, municipally known as 29 Sixth Concession Road, seeking the following:

1. Relief under Planning Act, Section 45(1) to permit a lot area of 0.6 hectares for the proposed retained lands; and
2. Relief under Planning Act, Section 45(2) to permit the extension of a legal nonconforming use in recognition of the existing residential land uses.

BE APPROVED.

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

- The relief requested is considered minor in nature and is desirable for the appropriate function of the subject lands;
- The proposed minor variance is in keeping with the intent of the Official Plan and permits extension of the existing residential legal non-conforming condition of the site.

Carried

5.5 B25-24-LG - 354 Bishopsgate Rd

Staff Presentation

- L. Graham, Planner, presented consent application B25-24-LG for approval as outlined in the staff report.
- Member Smith inquired about the status of the conditionally approved file.
- Planner responded that the applicants are in the process of nearing completion.

Applicant Presentation

- Zach Hoffner with Paulsan Construction Inc., Applicant, was present and confirmed the purpose of the application is to correct the lot depth error and confirmed that the conditionally approved file is nearly complete.
- Applicant noted two (2) Site Plan Control Applications are in process and cannot be finalized until this is resolved.
- No questions to the applicant.

No public comments

Moved by Member Hamilton

Seconded by Member Panag

THAT Application for Consent **B25-24-LG** from Paulsan Construction Inc. c/o Zach Hoffner, applicant on behalf of Paulsan Construction Inc. c/o Paul McCaig, Owner or lands legally described as CONCESSION 5 PART LOT 1, in the geographic Township of Burford, municipally known as 354 Bishopsgate Road, County of Brant, proposing a lot line adjustment, having an area of approximately 0.27 hectares (0.67 acres) to be severed from 354 Bishopsgate Road and consolidated with 356 Bishopsgate Road, **BE APPROVED**, subject to the attached conditions.

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

- The lot line adjustment is technical, minor in nature and compatible with surrounding land uses.
- 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.

Carried

5.6 B1-25-LG

Staff Presentation

- L. Graham, Planner, presented consent application B1-25-LG for approval as outlined in the staff report.
- Madame Chair Brown requested clarification about the holding provision on the land.
- Planner explained that through the subdivision agreement, all the blocks are under a holding provision and are required to go through the site plan control process and enter into a development agreement with the County to develop the lands. Planner confirmed no condition is required as the holding provision is already existing on the lands.

Agent/ Applicant Presentation

- James Webb from WEBB Planning Consultants Inc., Agent on behalf of the Owner, was present online to answer any questions from the Committee.
- No questions to the Agent.

No public comments

Moved by Member Panag

Seconded by Member Vamos

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 or 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.

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 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.

Carried

6. Next Meeting

The next meeting is scheduled to be March 20, 2025, and will be a hybrid meeting starting at 6:00pm.

7. Adjournment

The meeting adjourned at 7:02 pm to meet again on March 20, 2025.

Moved by Member Schmitt
Seconded by Member Vamos

That the Committee of Adjustment meeting of February 20, 2025 be adjourned.

Carried

A handwritten signature in cursive script, appearing to read "Nicole Campbell", written in black ink. The signature is positioned above a horizontal line.

Nicole Campbell, Secretary-Treasurer