

PLANNING ADVISORY COMMITTEE

MINUTES

County Council Chambers
7 Broadway Street West, Paris
Wednesday, August 20, 2008
7:00 p.m.

Present: Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers and Gatward

Regrets: Mayor Eddy, Councillors Hodge and Coleman

Staff: Johnston, Pomponi, Stone, Davidson and Lehmann

Councillor Chambers in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Schmitt
Seconded by – Councillor Powell

That the Planning Advisory Committee agenda for August 20, 2008 be approved, with additions.

.Carried

MINUTES

Moved by – Councillor Wheat
Seconded by – Councillor Simons

That the Planning Advisory Committee minutes of July 16, 2008, be approved, as printed.

.Carried

PUBLIC HEARINGS UNDER THE PLANNING ACT

1. **ZBA-3/08 PART LOT 10, CONCESSION 1, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF BRANTFORD PART 2 ON PLAN 2R-5915, 1084 REST ACRES ROAD**

In the matter of an application from First Urban Inc., agent / Applicant for Ronald and Donna Mason, owner of Part Lot 10, Concession 1, County of Brant, geographic Township of Brantford, located at 1084 Rest Acres Road, Part 2 on Plan 2R-5915, to amend By-law Number 110-01, to change the present Agricultural Restrictive (AR) to permit commercial uses.

Councillor Chambers reported that a request for deferral of the application has been received by Planning staff.

Mr. David Johnston, Director of Development Services, noted that as part of the staff report that was submitted to Committee for review in conjunction with the application, a process is currently underway to have the traffic information that was provided in an earlier report peer-reviewed by technical experts for the County of Brant. The Director reported that as the peer-review process is not yet complete, the Applicant has requested a deferral of the application in an effort to facilitate all traffic issues being reviewed in their entirety.

Moved by – Councillor Haggart
Seconded by – Councillor Gatward

That Official Plan Amendment File No. OPA-A08 and Zoning By-law Amendment File No. ZBA3/08 from First Urban Inc., Agent/Applicant for Ronald & Donna Mason, owner of Part Lot 10, Concession 1, County of Brant, in the geographic Township of Brantford, located at 1084 Rest Acres Road, to change the present Official Plan designation and present Zoning By-law regulations in order to permit a range of commercial uses, institutional uses and automotive uses on this site **be deferred**, until such time as all traffic issues have been reviewed in their entirety.

.Carried

2. **ZBA18/08/MD PART LOTS 20 & 21, CONCESSION 4 AND PART OF THE KERR TRACT, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF BRANTFORD, LOCATED AT 243 OAKHILL DRIVE**

In the matter an application from John Young and Sheila Jacobs, Applicant / owners of Part Lots 20 & 21, Concession 4 and Part of the Kerr Tract, County of Brant, in the geographic Township of Brantford, located at 243 Oakhill Drive to change the zoning by-law regulations on the subject lands from Agricultural Restrictive (AR) to Agricultural Restrictive with a special exception (AR-6) to prohibit residential dwellings on the subject lands and to an Agricultural Restrictive (AR-___) to recognize deficient frontage on the remnant property.

Mr. Steve Stone, Senior Planner, stated that notice of this application was given on July, 28, 2008, to concerned agencies and assessed persons of property within 120 metres of the subject lands by first class mail and by posting a notice on the property.

The Senior Planner reported that the Applicants are requesting permission to rezone a portion of the property to preclude its use as a building lot and that the application is a result of the Committee of Adjustment's decision to approve Consent B11/08 which created a lot supporting a surplus farm dwelling on the north side of Oakhill Drive. If approved, the Senior Planner noted that the rezoning will change the regulations on the retained lands from Agricultural Restrictive (AR) to Agricultural Restrictive with a special exception (AR-6) to prohibit residential dwellings on the new vacant agricultural lot. Further, the Senior Planner reported that if approved, the rezoning will change the regulations on the severed lot to Agricultural Restrictive (AR-xx) to recognize deficient frontage on the remnant parcel. The Senior Planner reported that the severed lot, supporting the dwelling surplus to the farm operation, has an area of 2.0 hectares and that the retained lands consist of 25.5 hectares and will continue to be used only for agriculture. The Senior Planner noted that the rezoning will satisfy a condition of approval for the Consent.

The Senior Planner reported that correspondence was received as follows:

Planning Staff Report – Recommending Approval;

Public Works Department – No Objections;

Zoning Administrator – A condition of approval should be included that the lands to be retained are rezoned to Agricultural Restrictive with a special exception (AR-6) to preclude the erection of a dwelling;

Building Department – Require the location of the existing septic system and existing well relative to property lines for the proposed lot to be severed to determine if they comply with the building code.

In response to questions, the Senior Planner noted that the application is in compliance with provincial policy, as the severance will not result in the creation of a new residential building lot if the rezoning is approved, as applied for.

With respect to frontage, the Senior Planner reported that if the application is approved, it will be governed by the zoning by-law.

- **Mr. Howard Snodgrass, Agent for the Applicant**

Mr. Howard Snodgrass, agent for the Applicant, reported that the portion of land that leads onto the property and into the Young residence has existed for over 150 years and that it is the principal and only access that they use. Mr. Snodgrass indicated that the application is seeking a technical relief to recognize a frontage that already exists.

Mr. Snodgrass noted that one of the key reasons for the severance application is the existence of two distinct topographical levels on the subject property. He advised that there is an elevation difference of approximately 65 to 90 feet between the existing residence and the farmland. In response to questions regarding ranges of use, Mr. Snodgrass noted that current uses would remain the same and that the only exception would be that a new residence could not be constructed on the subject property.

- **Public Consideration**

Mr. Brian Pineau - 72 Jennings Road

Mr. Pineau questioned whether or not there was anyone currently residing in the residence and if the residence would eventually be torn down. He noted that the lands where the residence currently exists cannot be farmed.

- **Mr. Howard Snodgrass, Agent for the Applicant**

In response to Mr. Pineau's questions, Mr. Snodgrass reported that the residence has been rented to tenants for a number of years and that there is no intention to tear the residence down. Mr. Snodgrass further reported that the property is currently owned by John Young and Sheila Young-Jacobs, who are brother and sister, and that the intention is that John and Sheila will continue to own the farmland and that Mr. Young's son will purchase and reside at the existing residence.

● **Committee Consideration**

In response to questions regarding future legislation, Councillor Chambers noted that the application must be addressed in conjunction with the policies that are currently in place.

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That File No. ZBA18/08/SS from Snodgrass Consulting, agent for John Young and Sheila Jacobs, Applicant / owners of Part Lots 20 & 21, Concession 4 and Part of the Kerr Tract, County of Brant, in the geographic Township of Brantford, located at 243 Oakhill Drive to change the zoning by-law regulations on the subject lands from Agricultural Restrictive (AR) to Agricultural Restrictive with a special exception (AR-6) to prohibit residential dwellings on the subject lands and to an Agricultural Restrictive (AR-28) to recognize deficient frontage on the remnant property, **be approved**.

.Carried

3. **ZBA17/08/MD PART LOTS 11 & 12, CONCESSION 14, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF BURFORD, 226 BURFORD-DELHI TOWNLIN ROAD**

In the matter of an application from Rick Johnson, Applicant / owner of Part Lots 11 & 12, Concession 14, County of Brant, geographic Township of Burford, located at 226 Burford-Delhi Townline Road to temporarily rezone the subject lands for a period of ten (10) years to permit a garden suite (granny flat).

Mr. Steve Stone, Senior Planner, stated that notice of this application was given on July, 24, 2008, to concerned agencies and assessed persons of property within 120 metres of the subject lands by first class mail and by posting a notice on the property.

The Senior Planner reported that the Applicant is requesting permission to permit a second residence (garden suite) as a temporary use for ten (10) years on their lands.

He reported that the property is located on the north side of Burford-Delhi Road in the Hamlet of Kelvin and is designated in part as Hamlet Residential, Natural Environment (Flood Plain) and Agricultural in the County Official Plan.

In response to questions, the Senior Planner reported that the lands are not serviced by municipal services at this time.

The Senior Planner reported that correspondence was received as follows:

Planning Staff Report – Recommending Approval, subject to the following conditions:

- a. The Applicant locate the garden suite in close proximity to the existing dwelling (i.e. within 30 metres) thereby utilizing its existing infrastructure (i.e. driveway, well and septic system);
- b. The Applicant enter into an Undertaking or Agreement with the County of Brant to ensure the temporary dwelling unit and associated infrastructure can be removed at the end of the ten (10) year period;

- c. The posting of an appropriate amount of securities (\$2,000) with the County of Brant;
- d. The siting of the garden suite be to the satisfaction of the Long Point Conservation Authority

Public Works Department – A Public Works Permit will be required if a new entrance is proposed, construction of an entranceway must comply with By-law 176-99, which controls property entranceways and culverts in the County of Brant and all works are the responsibility of the Applicant and are to be to the satisfaction of the County.

In response to questions regarding appeals to the Ontario Municipal Board, the Director advised that existing legislation states that if a municipality chooses to allow garden suites as a “right”, no person can appeal that decision, but if applications for garden suites are dealt with on an individual basis, then there are still appeal rights.

In response to questions, the Senior Planner advised that at the end of the ten (10) year temporary rezoning period, there is the option for extension, in three year increments, and based upon a further application being submitted for each extension.

In response to questions regarding policy compliance, the Senior Planner reported that within the Official Plan, garden suites are included in the agricultural portion of the Plan, but that they are permitted in any residential area. He advised that within the Official Plan, Section 8.6 defines garden suites as:

“a self-contained, portable dwelling unit located in the rear or side yard of an existing residential property, designed primarily to provide temporary residential accommodations for aged or disabled persons”.

He noted that the individual applications adhere to Official Plan policy and that as the existing by-law specifically dictates one residence per lot, the applications are brought forward on an individual basis, via an application for rezoning.

- **Mr. Rick Johnson, Owner / Applicant**

Mr. Johnson reported that he is in agreement with the recommendations put forth by Planning staff and noted that the garden suite will be occupied by his mother, in her retirement.

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

That Zoning By-law Amendment File No. ZBA17/08/SS (Cornwell), from Rick Johnson, owner / Applicant of Part Lots 11 & 12, Concession 14, located at 226 Burford-Delhi Townline Road, County of Brant, in the geographic Township of Burford, to rezone a portion of the property temporarily to permit a garden suite for up to ten (10) years **be approved, subject to the following:**

- a. The Applicant locate the garden suite in close proximity to the existing dwelling (i.e. within 30 metres) thereby utilizing its existing infrastructure (i.e. driveway, well and septic system);

- b. The Applicant enter into an Undertaking or Agreement with the County of Brant to ensure the temporary dwelling unit and associated infrastructure can be removed at the end of the ten (10) year period;
- c. The posting of an appropriate amount of securities (\$2,000) with the County of Brant;
- d. The siting of the garden suite be to the satisfaction of the Long Point Conservation Authority

.Carried

4. **ZBA20/08/MD PART LOTS 23 & 24, CONCESSION 1, EFC, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF ONONDAGA, 1004 SAWMILL ROAD**

In the matter of an application from Chris Caruso, agent for Peter Caruso, Applicant / owner of Part Lots 23 & 24, Concession 1, EFC, County of Brant, geographic Township of Onondaga, located at 1004 Sawmill Road to temporarily rezone the subject lands for a period of ten (10) years to permit a garden suite (granny flat).

Mr. Marcus Davidson, Senior Planner, stated that notice of this application was given on July, 25, 2008, to concerned agencies and assessed persons of property within 120 metres of the subject lands by first class mail and by posting a notice on the property.

The Senior Planner reported that the Applicant is proposing to temporarily rezone the site to permit a garden suite for a period not to exceed ten years (10).

With regard to consideration of the Brant County Official Plan, the Senior Planner noted that the subject lands are designated as Agricultural and that the temporary zoning being requested will allow a garden suite to be located on the subject lands for 10 years.

The Senior Planner noted that correspondence was received as follows:

Planning Staff Report – Recommending approval;

Public Works Department – No concerns;

Zoning Administrator – Suggesting that the Applicants sign and register a standard garden suite agreement.

● **Mr. Chris Caruso, Agent for the Applicant**

Mr. Caruso reported that he is in agreement with the recommendation of Planning staff and noted that he is desirous of eventually purchasing the subject property from his father, Mr. Peter Caruso.

Moved by – Councillor Wheat
Seconded by – Councillor Powell

That File No. ZBA20/08/MD received from Chris Caruso, agent for Peter Caruso, Applicant / owner of Part Lots 23 & 24, Concession 1, EFC, County of Brant, geographic

Township of Onondaga, located at 1004 Sawmill Road to change the present Agricultural (A) zone to permit a garden suite not to exceed ten (10) years, **be approved**.

.Carried

5. **ZBA19/08/MD PART LOTS 53 AND A, CONCESSION 3, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF BRANTFORD, 194 JERSEYVILLE ROAD**

In the matter of an application from Waterous, Holden, Amey & Hitchon, agent for Antoli & Zofia Szekszello, Applicant / owners of Part Lots 53 and A, Concession 3, County of Brant, geographic Township of Brantford, 194 Jerseyville Road to change the zoning by-law regulations on the subject lands from Agricultural (A) to Estate Residential Type Two with a special exception (ER2-___) to recognize a minimum frontage of 53 metres whereas 60 metres are required.

Mr. Marcus Davidson, Senior Planner, stated that notice of this application was given on July, 28, 2008, to concerned agencies and assessed persons of property within 60 metres of the subject lands by first class mail and by posting a notice on the property.

The Senior Planner reported that the Applicant is proposing to rezone the subject lands to Estate Residential Type Two with a special exception (ER2-___) to permit the creation of two lots with a minimum frontage of 53 metres (whereas 60 metres are required).

With regard to the Brant County Official Plan, the Senior Planner noted that the lands are designated as Estate Residential and Agricultural and that the proposed rezoning is permitted within the context of the Official Plan.

With regard to the Zoning By-law, the Senior Planner recommended that the subject lands be rezoned to an Estate Residential Type 2 (ER2-___) Zone. He noted that although the proposed lots will meet the minimum lot area for this zoning category, they cannot meet the minimum frontage requirements.

The Senior Planner noted that the subject property has been the subject of seven severances over the past number of years and that the Planning Advisory Committee had previously directed staff that any lots created in this area should comply with the ER2 standards.

The Senior Planner reported that staff has worked together with the agent to establish two lots that would closely reflect the previously created lots in the area, but that given the size of the subject lands this was not possible. However, it was noted that the existing tree line would provide for two lots that have a frontage of 53 metres. The Senior Planner indicated that staff believes this to be the most logical location for the lot line, as it follows a natural boundary line.

The Senior Planner reported that staff is recommending approval of the application as it is in conformity with the Official Plan and is in keeping with the character of lots that have been previously created in this area.

The Senior Planner noted that correspondence was received as follows:

Planning Staff Report – Recommending Approval;

Public Works Department – No Objections;

Zoning Administrator – No Objections

- **Mr. Jay Hitchon, Agent for the Applicant**

Mr. Hitchon reported that the application is in conformity with all County of Brant technical requirements, with the Official Plan and with Provincial policy statements. Mr. Hitchon noted that he is unaware of any residents who have contacted his firm or planning staff with an objection to the application. Mr. Hitchon made note of the fact that there were no members of the public in the audience to speak to the application.

- **Committee Consideration**

In response to questions regarding the Grand River Conservation Authority, the Senior Planner noted that their comments had been received at the time of severance and that there were no objections presented.

Moved by – Councillor Wheat
Seconded by – Councillor Haggart

That File No. ZBA19/08/MD from Antoli and Zofia Szekszello, owners of Part Lot 53 & A, Concession 3, 194 Jerseyville Road, geographic Township of Brantford, to rezone the subject lands from Agricultural (A) to Estate Residential Type Two with a special exception (ER2-5) to recognize a minimum frontage of 53 metres whereas 60 metres are required, **be approved**.

.Carried

6. **ZBA16/08MD PART LOT 10, CONCESSION 2, WFC, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF ONONDAGA, OLD ONONDAGA ROAD EAST**

In the matter of an application from J.H. Cohoon Engineering Ltd., agent for 2063519 Ontario Inc., c/o George Moyer, owner / Applicant of Part Lot 10, Concession 2, WFC, County of Brant, geographic Township of Onondaga, located on Old Onondaga Road East, to rezone the subject lands to Estate Residential with a special exception (ER-2) to permit residential uses with a minimum front yard setback of 30.0 metres, whereas Zoning By-law 110-01 requires 15.0 metres.

Mr. Marcus Davidson, Senior Planner, stated that notice of this application was given on July, 24, 2008, to concerned agencies and assessed persons of property within 60 metres of the subject lands by first class mail and by posting a notice on the property.

The Senior Planner reported that the Applicant has received provisional consent to sever five lots for residential purposes.

With regard to the Brant County Official Plan, the Senior Planner reported that the lands are designated as Estate Residential and Agricultural and that the proposed rezoning is permitted within the context of the Official Plan.

With regard to the Zoning By-law, the Senior Planner noted that the lands are currently zoned Agricultural (A) and in order to satisfy a condition of the provisionally approved lots, it is required that they rezone the lands to Estate Residential with a special exception (ER-2). He reported

that the special exception will increase the front yard setback from the required 15 metres to 30 metres, and that this is being suggested to ensure that the proposed dwellings will be in keeping with the existing housing on the south side of Old Onondaga Road.

The Senior Planner reported that no objections were raised through the circulation of this application. He further reported that in support of the application, the agent has provided a traffic impact statement which has concluded that the proposed driveways could be provided without significant impact on traffic operation and safety on Old Onondaga Road. Also provided were pumping test results for the proposed lots which conclude that the proposed wells are expected to have negligible quantity impacts to both the neighbouring groundwater supplies and to the base flow for Fairchild's Creek.

The Senior Planner noted that correspondence was received as follows:

Planning Staff Report – Recommending Approval;

Public Works Department – No Objections;

Zoning Administrator – No Comments;

Fire Department – No Comments

- **Committee Consideration**

In response to questions regarding parkland dedication, the Senior Planner noted that the application was circulated to the Parks and Recreation Department and they did not provide an indication that there is a need for parkland dedication in the area.

- **Mr. Jay Hitchon and Mr. Joe Cohoon, Agents for the Applicant**

In response to questions, Mr. Hitchon reported that the remnant parcel is approximately 34 hectares and that the Applicant resides in the City of Brantford. Mr. Hitchon noted that the severances have already been granted, conditional upon the zoning application being approved. Mr. Hitchon reported that the application is consistent with past practice and ER2 zone requirements.

In response to questions regarding water supply issues, Mr. Cohoon reported that the appropriate tests are conducted as the wells are drilled and that the results of such testing is reported to the neighbouring property owners. Mr. Cohoon reviewed the results of the pumping tests conducted by Naylor Engineering Associates Ltd. and noted that the draw down reported by Naylor Engineering Associates Ltd. is negligible.

- **Public Consideration**

Ms. Susan Wakeley - 251 Old Onondaga Road

Ms. Wakeley expressed her concern that there is not enough water available to support the proposed development and reported that her well ran dry as a result of previous development. Ms. Wakeley also expressed concern that the proposed lots do not conform to the size and shape as the existing lots.

Ms. Mary Lou Paine - 260 Old Onondaga Road

Ms. Paine expressed similar concerns to Ms. Wakeley and noted that ~~although~~ her well ~~had not~~ **has run dry in the past, and that** the water had become contaminated (***amendment approved by Planning Advisory Committee meeting of October 15, 2008***). Ms. Paine reported that any time land is excavated within the vicinity of her home, her well water becomes contaminated. Ms. Paine also expressed concern with respect to drainage and reported that when the road was re-designed, her property experienced an increase in water draining down the east side of her home. Ms. Paine expressed concern that the design of the proposed lots will cause water to drain off of the proposed lots and directly onto her property.

- **Mr. Jay Hitchon and Mr. Joe Cohoon, Agents for the Applicant**

Mr. Hitchon noted that the proposed lots are compatible with and not precisely the same as the existing lots.

Mr. Cohoon noted that if Ms. Paine's well water is being contaminated intermittently, it is likely the result of surface water entering the well. With respect to Ms. Wakeley's well, Mr. Cohoon noted that watering lawns from shallow wells is not recommended. Mr. Cohoon reported that surface wells are subject to a myriad of interference and asked that Committee be cognizant that the pumping test results received from Naylor Engineering Associates Ltd. have indicated a negligible impact on the existing wells and that there is an abundant supply of water in the bedrock wells.

Committee Consideration

In response to questions, Mr. Cohoon noted that the ground elevation at the site of well installation is an important feature and that the elevation of a well at the surface area must be determined before a determination can be made with respect to which aquifer that well is a part of. Mr. Cohoon noted that it is normal for wells to run dry during the summer months, particularly in cases of over-pumping and that it is likely that Ms. Wakeley's well is part of a separate aquifer.

Ms. Susan Wakeley – 251 Old Onondaga Road

Ms. Wakeley reiterated her belief that she is on the same aquifer as the proposed lots.

In response to questions, the Senior Planner reported that when the first five lots of the subdivision were created, a condition of approval was that a grading and drainage agreement be entered into and that this agreement will be included for the proposed lots.

Councillor Haggart suggested that in an effort to be fair, in the interest of time and for the assurance of Committee that what is being reported is correct, that a condition be inserted into the recommendation whereby the Applicants and / or their agent would be required to meet with ratepayers who have expressed concerns with respect to hydro geological matters and that staff be provided with a report of the results of said discussions. Mr. Hitchon and Mr. Cohoon advised that they were agreeable to such a condition.

Moved by – Councillor Wheat
Seconded by – Councillor Atfield

That Application ZBA16/08/MD by George Moyer, for Part Lot 10, Concession 2, WFC, located on Old Onondaga Road, geographic Township of Onondaga, to rezone the lands from Agricultural (A) to Estate Residential with an exception (ER-2) to facilitate the creation of five (5) lots for single detached dwellings **be approved, subject to the following:**

1. That in an effort to address the water supply issues of concerned ratepayers, the Applicant arranges to meet with concerned ratepayers to address said issues; and
2. That following the meeting(s) with concerned ratepayers, the Applicant report the results of those discussions to Planning staff, for inclusion in their report and recommendation to County of Brant Council.

.Carried

In an effort to ensure that the recommendation being put forth by Committee is reviewed by Council in conjunction with all additional information reported with respect to the water supply concerns of ratepayers, it was noted that if the timing of the meetings between the Applicant and concerned ratepayers does not coincide with the County of Brant Council meeting scheduled for September 2, 2008, the recommendation could be tabled and reviewed at the County of Brant Council meeting scheduled for September 16, 2008.

7. **PS3/07/MD RANGE 1 WMPR, PART LOT 4, PLAN 48, LOTS 12-17, PART LOT 11 S RUSSELL STREET LOTS 12-17 PART LOTS 9-11 (RP 2R-4632 PARTS 1 TO 8), GEOGRAPHIC TOWNSHIP OF BRANTFORD, COUNTY OF BRANT**

In the matter of an application from J.H. Cohoon Engineering Ltd., agent for 977243 Ontario Ltd., owner of Range 1 WMPR Part Lot 4 Plan 48 Lots 12-17 Part Lot 11 S Russell Street Lots 12-17 Part Lots 9-11 (RP 2R-4632 Parts 1 to 8), geographic Township of Brantford, County of Brant, for a Draft Plan of Subdivision known as Barnes Estates – Phase 2, to allow for the development of a portion of the property for 29 Village Residential lots.

Mr. Marcus Davidson, Senior Planner, reported that comments received from the Grand River Conservation Authority call for a complete redesign of the subdivision and noted that staff requires additional time to review the draft conditions.

Moved by – Councillor Schmitt
Seconded by – Councillor Powell

That the application from J.H. Cohoon Engineering Ltd., agent for 977243 Ontario Ltd., owner of Range 1 WMPR Part Lot 4 Plan 48 Lots 12-17 Part Lot 11 S Russell Street Lots 12-17 Part Lots 9-11 (RP 2R-4632 Parts 1 to 8), geographic Township of Brantford, County of Brant, for a Draft Plan of Subdivision known as Barnes Estates – Phase 2, to allow for the development of a portion of the property for 29 Village Residential lots, **be deferred**, until such time as the technical concerns of the Grand River Conservation Authority can be addressed.

.Carried

OTHER APPLICATIONS

1. **PA-08-47 400 MT. PLEASANT ROAD, PART OF STEWART AND RUGGLES TRACT, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF BRANTFORD**

In the matter of an application received from J.H. Cohoon Engineering Ltd., agent for Ruijs Development Inc. and Zorgwijk Stables Inc., owners of 400 Mt. Pleasant Road, Part of Stewart and Ruggles Tract, County of Brant, geographic Township of Brantford, to permit the residential development of the subject lands for 84 single detached dwellings at the above noted location.

Mr. Steve Stone, Senior Planner, reported that the Applicants are requesting permission to lift the Holding 'h' Provision from the Zoning By-law and to adopt a By-law permitting the residential development of these lands for 84 single detached dwellings at the subject lands.

With respect to Zoning By-law 110-01, the Senior Planner noted that the area to be redeveloped is zoned in part for Village Residential uses, subject to a Holding 'h' Provision.

The Senior Planner reported Plan of Subdivision PS3/05 (Valley Estates) was draft approved by the County of Brant on May 1, 2007, that the related engineering plans and functional servicing reports were submitted, the subdivision agreement was signed, the securities were posted and the associated by-law was approved at the Council meeting of July 22, 2008.

The Senior Planner advised that the developer has posted irrevocable letters of credit for the sums not exceeding the total of \$1,636,100.00 for the Works (i.e. LC 2008-42) and \$300,000.00 for the Fire Protection and Water System Upgrades (i.e. LC 2008-43) respectively.

● **Committee Consideration**

In response to questions regarding the Grand River Conservation Authority and the soccer pitch park land area, Mr. Cohoon advised that applications to the Grand River Conservation Authority have been submitted and approved.

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That Zoning By-law Amendment File No. ZBH5/08 (Valley Estates), from J.H. Cohoon Engineering Ltd., agent for Ruijs Development Inc. and Zorgwijk Stables Inc., owners of 400 Mt. Pleasant Road, Part of Stewart and Ruggles Tract, County of Brant, in the geographic Township of Brantford, **be approved;**

And that the Holding "H" Provision be removed from the Zoning By-law;

And that the By-law, permitting the residential development of these lands for 84 single detached dwellings, be adopted.

.Carried

CONSENT ITEMS TO BE RECEIVED

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the following consent items be received as information:

- i. Accessibility Advisory Committee Minutes – July 21, 2008;
- ii. County of Brant Heritage Committee Minutes – June 5, 2008;
- iii. County of Brant Heritage Committee Minutes – July 10, 2008;
- iv. Agricultural Advisory Committee Minutes – July 14, 2008

.Carried

OTHER BUSINESS

Official Plan Land Designations

Councillor Haggart expressed concern that via the Official Plan Review process, it has been determined that there exists a surplus of approximately 74 years worth of land already designated for residential / industrial-commercial use, available to accommodate growth within the County of Brant. He reported that following Council's meeting with representatives from the Ministry of Public Infrastructure Renewal, it was noted that there are lands within that 74 years worth of designated land that will never be utilized under the residential and / or industrial-commercial designation. Councillor Haggart indicated that the perception seems to be that it is unnecessary to discuss expansion when there exists surplus and that it is imperative that this perception be corrected.

Councillor Haggart requested that staff begin to draft a process and / or recommendation by which the County can move forward with respect to where the 74 years worth of lands are, the opportunities for use of those lands and how to address re-designation issues. It was noted that staff's recommendation may be that the County needs to hire an outside consultant to assist with such a process.

Councillor Chambers suggested that the item be included on the agenda for consideration at the next Planning Advisory Committee meeting.

Cobblestone Common

Councillor Simons reported that the pacer stones are being installed at the Cobblestone Common and that the works are creating a great deal of smoke in the downtown Paris core. In response to questions regarding the financial statement for the works being conducted, Councillor Simons reported that a financial statement will be provided with the next County of Brant Council agenda. Councillor Simons further reported that the Cobblestone Common Committee has withdrawn their request to the County for a grant in the amount of \$30,000 and has decided to construct the project with the funds raised to date.

Update Re: Sterling Bridge

Mr. Mark Pomponi, Chief Planning Official, noted that Development Services staff have met with Sterling Bridge staff and that they are proceeding to commence environmental works, understanding that any work submitted to Development Services staff will still be subject to Council approval.

13 Cedar Street – Potential Demolition

In response to questions, the Senior Planner reported that 13 Cedar Street is not a designated property under the *Heritage Act* and if the present owners were to demolish the residence without a permit, they would be subject to the standard penalty of \$70.00, multiplied by two.

The Senior Planner further reported that there has been willingness expressed on behalf of the owner to keep the building from being demolished.

69 Washington Street - Inventory of Heritage Homes

The Chief Planning Official noted that the Brant Heritage Committee is finalizing a heritage inventory of heritage properties under the *Heritage Act*. If approved by Council, the issuance of demolition permits for properties on the list can be delayed up to 60 days in an effort to find an alternative to demolition.

NEXT MEETING

The Committee adjourned at 9:05 p.m. on a motion of Councillors Haggart and Schmitt, to meet again on Wednesday, September 17, 2008, 7:00 p.m. at the County Council Chambers, Paris Office.

Secretary