

PLANNING ADVISORY COMMITTEE

MINUTES

County Council Chambers
7 Broadway Street West, Paris
Wednesday, February 18, 2009
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers, Hodge, Coleman and Gatward

Staff: Urbanski, Johnston, Pomponi, Stone and Lehmann

APPROVAL OF AGENDA

Moved by – Councillor Powell
Seconded by – Councillor Wheat

That the Planning Advisory Committee agenda and addendum for February 18, 2009 be approved.

.Carried

MINUTES

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the Planning Advisory Committee minutes of January 28, 2009, be approved, as printed.

.Carried

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the Planning Advisory Committee minutes of January 21, 2009, be approved, as printed.

.Carried

Councillor Gatward noted that the date of the January 19, 2009 Planning Advisory Committee meeting was Monday, January 19, 2009 and not Wednesday, January 19, 2009.

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the Planning Advisory Committee minutes of January 19, 2009, be approved, as amended.

.Carried

1. **ZBA3/09/SS PART LOT 31, CONCESSION 5, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF SOUTH DUMFRIES, 825 WEST DUMFRIES ROAD**

In the matter of an Application received from Brian Groh, applicant / owner of Part Lot 31, Concession 5, in the County of Brant, geographic Township of South Dumfries, being located at 825 West Dumfries Road, to rezone a portion of the subject property temporarily in order to allow a garden suite on the subject lands up to a period not exceeding ten (10) years.

Mr. Steve Stone, Senior Planner, reported that pursuant to Section 39 of the *Planning Act*, notice was given and the application was circulated to agencies and by mail to property owners within 120 metres of the property and posting on site.

With respect to the Official Plan, the Senior Planner reported that the subject property is designated in part as Agricultural, Natural Environment (Flood Prone), Wetlands, and Woodlands.

It was noted that the subject lands are not serviced by municipal services at this time and that the request of the applicant is consistent with both the *Planning Act* and the County Official Plan.

● **Committee Questions and Comments**

Councillor Coleman noted that there is an address error on page one of Staff Report PAC-09-14.

● **Mr. Brian Groh - 825 West Dumfries Road, Paris – Owner / Applicant**

Mr. Groh reported that the proposed garden suite will be occupied by his parents. Mr. Groh reviewed the location of the proposed garden suite and noted that an Environmental Impact Study has been completed.

● **Public Questions and Comments**

Darlene Dougherty - 831 West Dumfries Road, Paris

Ms. Dougherty reported that she resides on a twenty-five acre property adjacent to the subject property. She expressed concern that the addition of a garden suite on the subject property would result in an increase to her property taxes. Ms. Dougherty requested information with respect to the policing of County By-laws as well as the precise location of the proposed suite. She expressed her belief that there are unresolved issues within the Environmental Impact Statement and requested clarification with respect to same.

The Senior Planner reported that the County's By-law Enforcement Department is responsible for policing County By-laws and reviewed the rules and regulations governing the extension of garden suite approvals. In response to questions, the Senior Planner noted that there is presently one home and one garage on the subject property.

- **Mr. Brian Groh - 825 West Dumfries Road, Paris – Owner / Applicant**

Mr. Groh reviewed the location of the driveway onto the subject property, noting that he has worked cooperatively with the County Public Works Department, as well as with the Grand River Conservation Authority, to ensure that all conditions are satisfied.

It was noted by Committee that taxation issues can be addressed through the County Treasury Department and that the construction of a garden suite on the subject property should not adversely affect Ms. Dougherty's property taxes.

- **Committee Consideration**

Councillor Powell requested that in future, a site-specific representation of the subject lands be provided to Committee. In response to questions, the Senior Planner noted that the proposed garden suite will utilize existing infrastructure.

Moved by – Councillor Coleman
Seconded by – Mayor Eddy

That Zoning By-law Amendment File No. ZBA3/09, from Brian Groh, applicant / owner of Part Lot 31, Concession 5, in the County of Brant, geographic Township of South Dumfries, being located at 825 West Dumfries Road, wherein the applicant proposes to rezone a portion of the subject property temporarily in order to allow a garden suite on these lands up to a period not exceeding ten (10) years, **be approved.**

.Carried

2. **OPA-B08, ZBA10/08 AND PS2/08 PART LOTS 8 & 9, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF SOUTH DUMFRIES, COUNTY OF BRANT, LOCATED AT 205, 209 AND 239 COUNTY HIGHWAY 5**

In the matter of an Applications received from Armstrong Hunter & Associates, agent for Empire Communities, applicant of Part Lots 8 & 9, Concession 3, geographic Township of South Dumfries, in the County of Brant, located at 205, 209 and 239 County Highway 5, to:

- a. **Change the Official Plan land use designation on the subject properties in order to introduce a range of commercial uses and medium density residential uses in addition to the low density residential uses already permitted;**
- b. **To amend the Zoning By-law in order to permit the establishment of a range of commercial uses, medium density residential uses and low density residential uses instead of the agriculturally restricted presently allowed; and**
- c. **To redevelop the subject properties for a range of commercial and residential uses by way of plan of subdivision**

The Senior Planner reported that the Applicant is proposing to change the Official Plan land use designation on the subject properties from Agricultural, in order to establish several new Settlement Area land use designations, which include commercial, institutional, recreational and woodlands. With respect to the Zoning By-law amendment application, the Senior Planner noted that the amendment would allow for the redevelopment of the subject properties to permit a range of commercial and residential uses on these lands.

With respect to the proposed plan of subdivision, the Senior Planner reviewed the components of the plan, as follows:

Low Density Residential:	723 units per 26.6 ha
Medium Density Residential:	168 attached townhouses per 4.3 ha
Commercial:	2 blocks per 3.0 ha
Parkland:	2 blocks per 1.8 ha
Stormwater Management:	2 blocks per 5.9 ha
Institutional (School):	1 block per 2.0 ha
Public Right-of-ways:	15 streets per 14.6 ha
Woodlots/Open Space:	2 blocks per 7.9 ha

Total Land Area	65.1 ha
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Pursuant to Sections 17, 34 and 51 of the *Planning Act*, the Senior Planner reported that notices were given and the applications were circulated to agencies and by mail to property owners within 120 metres of the properties. Notices were also posted on site.

With respect to the Planning Analysis, the Senior Planner reviewed the following:

Growth Plan for the Greater Golden Horseshoe

Section 1.1 of the Plan states, in part, that growth is to be directed to built-up areas where sustainable water and wastewater services are available to support future growth.

The Senior Planner noted that:

- The area in and around the Empire Communities development has not been the subject of a community infrastructure planning process to date;
- This exercise would be one of the deliverables of a full scale Area Study complete with a financial analysis.

Provincial Policy Statement

Section 1.1.1 of the Policy Statement states, in part, that healthy, liveable and safe communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The Senior Planner noted that:

- The growth suggested in the Empire Communities development cannot be accommodated in St. George, due to a lack of services;

- New infrastructure for this site will require the completion of the St. George Area Study, the deliverables of which include a Master Servicing Plan, Developer Financing Plan and Area Specific Development Charges By-law.

County of Brant Official Plan

The property is designated, in part, as Agricultural and Natural Environment (Flood Prone). Section 2.2.3(4) Servicing Strategy / Full Municipal Services states that new proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site.

The Senior Planner noted that:

- The Empire Communities development will require the extension of services from the existing St. George built-up area which will include the construction of a new water supply, an expansion of the sewage treatment plant and the extension of water/wastewater conveyance systems;
- The scope of these infrastructure components will be determined as part of the St. George Area Study.

- **Committee Questions and Comments**

Committee discussion focused on frontage, number of units, the St. George Area Study and Land Use Schedule "A".

In response to a question regarding the St. George Area Study, the Senior Planner noted that the overall Area Study process involves, among other things, detailed design work, a financial impact study and a comprehensive plan including schedules. With respect to public input, the Senior Planner advised that workshops, public meetings, etc. will be arranged by Armstrong & Hunter, the consultants responsible for having authored the Terms of Reference for the Study.

Committee requested that at any future meetings where the application will be discussed, that a colour version of Land Use Schedule "A" be provided, for ease of reference.

In response to a question, the Senior Planner advised that the application is being heard in advance of the completion of the St. George Area Study because the *Planning Act* provides that applicants may submit their application at any time, regardless of whether or not an Area Study has been completed, and, once that application has been received by the County, there is a statutory requirement to hold a public meeting within a certain timeframe.

- **Mr. Steven Armstrong, Armstrong & Hunter - Applicant**

Mr. Armstrong reported that he is supportive of tabling the application until such time as the St. George Area Study is complete. Mr. Armstrong reviewed a power point presentation with Committee and noted that the subject lands are within the County's urban settlement boundary for St. George and should therefore be considered as priority lands for development. Discussion focused on the types of homes being proposed and density targets. With respect to public participation, Mr. Armstrong noted that the approved Terms of Reference include public consultation, workshops, open houses, etc.

- **Committee Questions and Comments**

Committee discussion focused on employment lands, and in response to a question, Mr. Armstrong noted that the St. George Area Study encompasses all of St. George and that the subject application does not specifically have to meet the density targets prescribed by the Province, but rather that the basis of the Area Study must meet the underlying objectives of Provincial Policy Statement.

Further discussion focused on the term “complete application” and the process that the County is required to follow once it is in receipt of same. With respect to compatibility with adjacent lands, Mr. Armstrong reviewed an aerial photograph of the subject lands and noted that the adjacent lands include detached single homes. He advised that a buffer, inclusive of a green space corridor, has been incorporated into the draft design plan.

In response to a question, Mr. Armstrong noted that he is confident that his firm can satisfactorily address the comments received and issues identified by concerned agencies, such as AECOM and the Grand River Conservation Authority.

Discussion was held regarding Provincial density targets and Mr. Armstrong expressed his belief that the targets are unreasonably high.

With respect to comments received from the Facilities & Parks Manager, Mr. Armstrong reported that his firm is willing to work cooperatively with the Parks and Recreation Department in order to address the issues identified.

- **Public Questions and Comments**

Mr. Roy Amaron – 5 Hampton Court, St. George

On behalf of the St. George Citizen’s Association, Mr. Amaron expressed his concurrence with tabling the application.

- **Committee Consideration**

Moved by – Councillor Wheat
Seconded by – Councillor Hodge

That the consideration of the Application for **Official Plan Amendment** File No. OPA-B08, received from Armstrong Hunter & Associates, agent for Empire Communities, applicant of Part Lots 8 & 9, Concession 3, in the geographic Township of South Dumfries, in the County of Brant, located at 205, 209 and 239 County Highway 5, wherein the applicant proposes to change the Official Plan land use designation on these properties in order to introduce a range of commercial uses and medium density residential uses in addition to the low density residential uses already permitted, **be tabled**, in order for the St. George Area Study to be completed;

And that the consideration of the Application for **Zoning By-law Amendment** File No. ZBA-10/08 received from Armstrong Hunter & Associates, agent for Empire Communities, applicant of Part Lots 8 & 9, Concession 3, in the geographic Township of South Dumfries, in the County of Brant, located at 207, 209 and 239 County Highway 5, wherein the applicant proposes to change the zoning by-law regulations in order to permit the establishment of a

range of commercial uses, medium density residential uses and low density residential uses instead of the agriculturally restricted presently permitted, **be tabled**, in order for the St. George Area Study to be completed;

And that the consideration of the **Application for Draft Plan of Subdivision** File No. PS-2/08 received from Armstrong Hunter & Associates, agent for Empire Communities, applicant of Part Lots 8 & 9, Concession 3, in the geographic Township of South Dumfries, in the County of Brant, located at 205, 209 & 239 County Highway 5, wherein the applicant proposes to redevelop these properties for a range of commercial and residential uses by way of plan of subdivision on the subject lands, **be tabled**, in order for the St. George Area Study to be completed.

.Carried

Committee requested that at such time as the application is re-submitted for Committee's consideration, that a large copy view of the site be provided to Committee, along with a large copy view of the adjoining property, for Committee's ease of reference.

3. **ZBA2/09/SS PART LOTS 7 AND 8, CONCESSION 2, COUNTY OF BRANT, GEOGRAPHIC TOWNSHIP OF SOUTH DUMFRIES, LOCATED AT 195 GERMAN SCHOOL ROAD.**

In the matter of an Application received from GSP Group, agent for Activa Group, applicant of Part Lots 7 and 8, Concession 2, in the County of Brant, geographic Township of South Dumfries, being located at 195 German School Road, to rezone the subject lands from its existing Agricultural Restrictive (AR) Zone to Residential Second Density (R2) Zone in order to allow the redevelopment of these lands for residential

The Senior Planner reviewed the breakdown of the proposed plan of subdivision, as follows:

Low Density Residential:	212 units per 11.9 ha
Parkland:	1 blocks per 0.6 ha
Stormwater Management:	2 blocks per 1.5 ha
Public Right-of-ways:	8 streets per 6.1 ha
Woodlots/Open Space:	5 blocks per 6.1 ha

Total Land Area **26.3 ha**

Pursuant to Sections 34 and 51 of the *Planning Act*, the Senior Planner reported that notice was given and the applications were circulated to agencies and by mail to property owners within 120 metres of the subject properties. Notices were also posted on site.

With respect to the Planning Analysis, the Senior Planner reviewed the following:

Growth Plan for the Greater Golden Horseshoe

Section 1.1 of the Growth Plan states, in part, that growth is to be directed to built-up areas where sustainable water and wastewater services are available to support future growth.

The Senior Planner noted that:

- The area in and around the proposed development has not been the subject of a community infrastructure planning process to date;
- This exercise would be one of the deliverables of a full scale Area Study, complete with a financial analysis.

Provincial Policy Statement

Section 1.1.1 of the Policy states, in part, that healthy, liveable and safe communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The Senior Planner noted that:

- The growth suggested in the Activa - St. George development cannot be accommodated in St. George due to a lack of services;
- New infrastructure for this site will require the completion of the St. George Area Study which deliverables include a Master Servicing Plan, Developer Financing Plan and Area Specific Development Charges By-law.

County of Brant Official Plan

The property is designated, in part, as Agricultural and Natural Environment (Flood Prone). Section 2.2.3(4) of the Official Plan, dealing with Servicing Strategy / Full Municipal Services, states that new proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site.

The Senior Planner noted that:

- The proposed development will require the extension of services from the existing St. George built-up area, which will include the construction of a new water supply, an expansion of the sewage treatment plant and the extension of water / wastewater conveyance systems;
- The scope of these infrastructure components will be determined as part of the St. George Area Study.
- **Mr. Hugh Handy - GSP Group - Agent for the Applicant**

Mr. Handy reported that his firm is agreeable with the recommendation of Planning staff to table the application and noted that GSP Group is partnering with Armstrong & Hunter with respect to the preparation of the St. George Area Study. Mr. Handy reviewed the Applicant's acquisition of the subject property and the draft plans proposed by the previous owner. Mr. Handy noted that GSP Group has been in contact with the landowners to the north of the subject properties, to ensure that the Applicant's proposal is complimentary to activities presently taking place with respect to a walking trail.

Committee discussion focused on parkland, environmental features, flooding, servicing, frontage, topography, density, drainage and erosion issues and the necessity of a peer review.

In response to questions, Mr. Handy noted that a fisheries analysis has been completed, that the proposed development would ultimately be serviced via municipal services and that the engineering consultants have taken topographical issues into account throughout the engineering design. With respect to a peer review, Mr. Handy advised that he would need to liaise with the applicant and obtain direction regarding same.

- **Public Questions and Comments**

Mr. Roy Amaron - 5 Hampton Court, St. George

On behalf of the St. George Citizen's Association, Mr. Amaron expressed his concurrence with tabling the application and noted that the Association would be pleased to assist with and / or facilitate any public meetings that the Applicant may want to arrange with the residents of St. George.

Mr. Tim Tonner - 201 German School Road, St. George

Mr. Tonner expressed concerns with respect to capacity, compatibility, site sensitivity, additional proposed developments in the area, leapfrog development and wildlife. Mr. Tonner provided Committee with photographs of the extensive flooding that has recently occurred on his property and requested that the County maintain the present zoning.

In response to a question, the Senior Planner requested that Mr. Tonner add his name and contact information to the sign-in sheets located in Council Chambers.

Mr. Jay Foy - 117 St. George Road, St. George

Mr. Foy expressed concerns with respect to flooding in the area of the subject property and noted that he resides adjacent to proposed "Street One" as included in the draft plan of subdivision. Mr. Foy discussed the past purchases and sales of the subject property and questioned the impact that being surrounded by a subdivision would have on his property.

Mr. Mike Larken - Larken Associates

Mr. Larken reported that he represents Mr. and Mrs. John and June Newton with regard to land use planning matters for their property located at 183 Main Street South, St. George. He reported that Mr. and Mrs. Newton's property abuts the portion of the lands included in the subject application, that front onto St. George Road.

Mr. Larken advised that Mr. and Mrs. Newton have maintained an interest in development within the St. George Settlement Area for a number of years, and in particular, the potential redevelopment of their lands. Mr. Larken reported that he has reviewed the Draft Plan of Subdivision submitted with the zoning amendment application and is concerned that the development potential of Mr. and Mrs. Newton's lands has not been adequately considered, noting his belief that access to the tableland portion of the Newton property should be provided in the vicinity of "Street Two" shown on the Draft Plan.

Mr. Larken advised that Mr. and Mrs. Newton are willing to work with the Applicant to seek a resolution of their concerns in this regard and have initiated contact with their agent. In the interim, Mr. Larken requested Committee's consideration of the Newton's concerns and interests in the proposed development.

Mr. Oliver Grob -182 Governors Road East, Brantford

Mr. Grob expressed concern with respect to earth moving activities undertaken on the subject property and noted that it would be advantageous for the County to have a record of the topography of the subject property before said activities were undertaken. Mr. Grob further expressed concern with respect to the St. George Area Study being conducted by developers Armstrong & Hunter and GSP Group, noting that Area Studies should be undertaken by the County, to ensure impartiality. With respect to future development in Paris, Mr. Grob noted that the County cannot disentitle those persons who wish to develop property that they own, simply because the property exists outside of the Paris area.

Mr. Murray Brooks – 238 German School Road, St. George

Mr. Brooks reported that he was speaking on behalf of residents of German School Road. Mr. Brooks expressed concern with respect to existing traffic issues in the area, noting that additional development would exacerbate the problem and encouraging a major reconstruction of the area roads.

Mr. Brooks reported that on December 16, 2008, a number of residents met with representatives of the Ministry of Transportation and the Ontario Provincial Police with respect to the safety of the intersection of German School Road and Highway 24. Mr. Brooks suggested that the proposed development not include an entrance off of and exit onto German School Road, but rather, that such entrance and exit be accommodated via St. George Road.

Mr. Doug Boreham - 189 German School Road, St. George

Mr. Boreham reported that the subject property is rich in biodiversity and expressed concern with respect to the process in which an access road off of German School Road into the proposed development was permitted, noting that the area is comprised of wetlands and fish habitat and that the construction of the road caused environmental destruction.

● **Mr. Hugh Handy - GSP Group - Agent for the Applicant**

In response to questions, Mr. Handy responded as follows:

Flooding

Mr. Handy noted that his firm has thoroughly reviewed the engineering studies and will continue to work with the County and area residents to address issues of flooding.

Impact on 117 St. George Road

Mr. Handy reported that the grades of the property lines will be matched and that his firm may need to meet specifically with the owner of 117 St. George Road in order to ensure that this can be accomplished.

Comments Received from Mr. Larken, on behalf of Mr. and Mrs. Newton

Mr. Handy reported that his firm has been in contact with the property owners to the north of the proposed development and will continue to liaise with them, in order to achieve a mutually satisfactory plan.

Erosion and Existing Soil Conditions

Mr. Handy advised that Naylor Engineering Associates have undertaken additional works that have been incorporated into the work previously completed by Stantec. Mr. Handy reported that his firm is cognizant of the pre-existing topography, earth that has been relocated and what may need to be moved in future.

St. George Area Study

Mr. Handy reported that although the St. George Area Study is being conducted by development firms, the Study will be transparent, inclusive of a peer review process and the receipt of public input.

Access

Mr. Handy advised that his firm has undertaken a Traffic Impact Analysis and that although there have been no necessary immediate improvements identified, his firm is willing to liaise with concerned members of the public to ensure that public safety issues are addressed.

Natural Habitat Protection

Mr. Handy reported that the Environmental Impact Study is available at the County Administration Office for review and that the Study is comprised of a three-season analysis.

● **Committee Questions and Comments**

Mayor Eddy noted that County Council has at no time directly stated that all growth must be directed to Paris and reviewed various other County locations where development has recently occurred or been permitted to occur, namely, Mt. Pleasant, St. George and Tutela Heights.

Concern was expressed that there are no comments from the Public Works Department, nor the Grand River Conservation Authority included in the Planning Staff report, noting that the material was presented to the Public Works Department less than two weeks previously.

With respect to Area Studies, Committee discussion focused on the following:

- Area Studies being conducted by developers and the rationale for same;
- planning, engineering, finance and public participation;
- County peer reviews and their independence of development firms;
- importance of County Planning staff working closely with the Area Study authors to ensure that there is ongoing public participation

Committee expressed their thanks to the concerned area residents of St. George who have dedicated their time and input to reviewing issues identified at the intersection of Highway 24 and German School Road. It was noted that a flashing light and advisory signs are scheduled to

be installed at the intersection and that although stop lights have not been permitted by the Ministry of Transportation at this time, the Ministry has committed to reviewing ways in which the request for same can be fast tracked.

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That the consideration of the Application for **Zoning By-law Amendment** File No. ZBA-2/09 received from GSP Group, agent for Activa Group, applicant of Part Lots 7 and 8, Concession 2, in the County of Brant, geographic Township of South Dumfries, being located at 195 German School Road, to rezone the subject lands from its existing Agricultural Restrictive (AR) Zone to Residential Second Density (R2) Zone in order to allow the redevelopment of these lands for residential land uses, **be tabled**, in order for the St. George Area Study to be completed;

And that the consideration of the **Application for Draft Plan of Subdivision** File No. PS-1/09 received from GSP Group, agent for Activa Group, applicant of Part Lots 7 and 8, Concession 2, in the County of Brant, geographic Township of South Dumfries, being located on the west side of St. George Road and the north side of German School Road, to redevelop these lands as a residential plan of subdivision for 212 single detached dwelling units via municipal services, **be tabled**, in order for the St. George Area Study to be completed.

.Carried

The Committee recessed at 9:20 p.m. and reconvened at 9:25 p.m.

4. **ZBA29/08/SS PART LOT 6, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF SOUTH DUMFRIES, COUNTY OF BRANT, LOCATED ON MAIN STREET NORTH & ST. GEORGE ROAD**

In the matter of an Application received from J.H. Cohoon Engineering Ltd., agent for Starlite Homes, applicant of Part Lot 6, Concession 3, geographic Township of South Dumfries, County of Brant, located on Main Street North and St. George Road, to change the zoning by-law regulations for the subject lands in order to allow the redevelopment for residential and parkland uses by way of plan of subdivision.

The Senior Planner reviewed the breakdown of the proposed plan of subdivision, as follows:

Low Density Residential:	153 units per 8.5 ha
Parkland:	1 block per 1.2 ha
Public Right-of-ways:	3 streets per 3.0 ha

Total Land Area	13.3 ha
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Pursuant to Sections 34 and 51 of the *Planning Act*, the Senior Planner reported that notice was given and the applications were circulated to agencies and by mail to property owners within 120 metres of the properties. Notices were also posted on site.

With respect to the Planning Analysis, the Senior Planner reviewed the following:

Growth Plan for the Greater Golden Horseshoe

Section 1.1 of the Growth Plan states, in part, that growth is to be directed to built-up areas where sustainable water and wastewater services are available to support future growth.

The Senior Planner noted that:

- The area in and around Stony Ridge development has not been subject of a community infrastructure planning process to date;
- This exercise would be one of the deliverables of a full scale Area Study complete with a financial analysis.

Provincial Policy Statement

Section 1.1.1 of the Policy states, in part, that healthy, liveable and safe communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The Senior Planner noted that:

- The growth suggested in the Stony Ridge development cannot be accommodated in St. George due to a lack of services;
- New infrastructure for this site will require the completion of the St. George Area Study which deliverables include a Master Servicing Plan, Developer Financing Plan and Area Specific Development Charges By-law.

County of Brant Official Plan

The property is designated, in part, as Agricultural. Section 2.2.3(4) of the Official Plan, dealing with Servicing Strategy / Full Municipal Services, states that new proposals shall not be granted development approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site.

The Senior Planner noted the following:

- The Stony Ridge development will require the extension of services from the existing St. George built-up area which will include the construction of a new water supply, an expansion of the sewage treatment plant and the extension of water/wastewater conveyance systems;
- The scope of these infrastructure components will be determined as part of the St. George Area Study.
- **Mr. Joe Cohoon - Agent for the Applicant**

Mr. Cohoon reported that Starlite Homes would like to continue with Stage 4 of the Sunnyside Development and that the development includes 153 single-family lots and a large park area in the southwest section of the development.

Mr. Cohoon reviewed a number of display maps of subject lands and provided Committee with a copy of correspondence, noting the following:

- Phase 4 is an extension and final phase of the previous three stages of development;
- the Urban Settlement Boundary abuts the northeast limit of Phase 4;
- current infrastructure in the first three phases was designed to accommodate Phase 4 development;
- the watermain, storm and sanitary sewers and stormwater management facility have each been sized to accommodate the proposed Phase 4 development;
- although the County questions servicing capacity, Mr. Cohoon's firm has recently reviewed and submitted its own calculations with respect to capacity and are of the opinion that adequate capacity exists to service the proposed development.

Mr. Cohoon advised that Phases 1, 2 and 3 of the development has provided \$1,500,000 in development charges over the course of six years and that the proposed Phase 4 development would see that number grow to \$3,100,000. Mr. Cohoon noted that his client is agreeable to pre-paying the development charges.

Mr. Cohoon reviewed the numerous ways in which Starlite Homes has contributed to the County and reported that it is his submission that the existing infrastructure, inclusive of requirements for fire, water, parkland, etc. have been provided in advance by Starlite Homes.

- **Committee Questions and Comments**

In response to questions, Mr. Cohoon advised that an average single family unit, with three people residing in the unit, consume approximately 220 to 260 litres of water per person, per day, and that the current engineering standards is 450 litres per person, per day.

With respect to correspondence received from Imperial Oil, Mr. Cohoon advised that the construction of the proposed units will comply with the requirements of Imperial Oil, particularly as they relate to setbacks.

With regard to water capacity, Mr. Cohoon reviewed the history of the aquifer in the area, noting that the aquifer is of a substantial size and reviewed well maintenance issues with Committee.

In response to questions regarding project timing, Mr. Cohoon reported that the park construction component of the project would be shovel-ready in July of 2009 and that proposed roads would be ready for construction in late October to early November 2009.

With respect to the St. George Area Study, Mr. Cohoon advised that exclusive of any unforeseen delays, the Area Study schedule is showing a completion date of approximately November to December of 2009, noting that the Study would then require a peer review, at a minimum of three months time to complete.

In response to questions regarding the number of proposed units to be built each year, Mr. Cohoon advised that Starlite Homes would be willing to consider and discuss a phasing program that would limit growth to a specific number of units per year.

With respect to tabling the application, Mr. Cohoon advised that although a one month tabling is an ambitious goal, he is confident that at the very least, additional figures will be available for presentation to Committee at that time.

- **Public Questions and Comments**

Roy Amaron - 5 Hampton Court, St. George

On behalf of the St. George Citizen's Association, Mr. Amaron expressed his concurrence with tabling the application and noted that the Association has no objection to the project, in principle. He requested that the application be tabled at least until such time as Committee and Council is satisfied that the development can be accommodated via existing infrastructure.

- **Committee Consideration**

Committee discussion focused on a shortage of building lots in the St. George area, the need to provide housing throughout the County, the phasing of the proposed development, capacity, the feasibility of a one month tabling cycle versus a two month tabling cycle, water supply and infrastructure.

Concern was expressed that if an agreement with respect to servicing capacity could not be reached between Mr. Cohoon's firm, the County Public Works Department and AECOM, in advance of the application being resubmitted to Committee, the Committee will be required to make a decision based on conflicting professional opinions, without the benefit of personal engineering expertise.

Moved by – Councillor Wheat
Seconded by – Councillor Haggart

That the consideration of the Application for **Zoning By-law Amendment** File No. ZBA29/08 received from J.H. Cohoon Engineering Ltd., agent for Starlite Homes, applicant of Part Lot 6, Concession 3, in the geographic Township of South Dumfries, in the County of Brant, located on Main Street North, wherein the applicant proposes to change the zoning by-law regulations for these lands in order to allow the redevelopment for residential and parkland uses by way of plan of subdivision, **be tabled**, for a two month cycle;

And that the consideration of the **Application for Draft Plan of Subdivision** File No. PS-4/08 received from J.H. Cohoon Engineering Ltd., agent for Starlite Homes Ltd., applicant of Part Lot 6, Concession 3, in the geographic Township of South Dumfries, in the County of Brant, located at Main Street North, wherein the applicant proposes to redevelop these lands for residential and parkland uses by way of plan of subdivision, **be tabled**, for a two month cycle.

.Carried

5. **OPA-C07 PART LOTS 42 AND 43, CONCESSION 2, PART 1 OF RP 2R-6745 AND PART 1 OF RP 2R-6728, IN THE GEOGRAPHIC TOWNSHIP OF BRANTFORD, COUNTY OF BRANT, LOCATED AT 299 & 253 LYNDEN ROAD.**

In the matter of an Application received from First Urban – Ron Thomson, agent for Welton & Innes, G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, County of Brant, located at 299 & 253 Lynden Road, to change the Official Plan land use designation on these properties from Agricultural to Neighbourhood Commercial, Low and Medium Density Residential, and Natural Environment (Flood Prone Area and Steep

Slope) and to introduce a Special Policy in Section 3.7.4.1 of the Official Plan wherein townhouses will be permissible in the Low Density Residential designation on the subject lands.

Councillor Schmitt reviewed with Committee the status of the application. It was noted that at the January 28, 2009 meeting of Committee, the public portion of the meeting was closed and the application was subsequently tabled, until such time as elected County officials had an opportunity to dialogue with senior Provincial officials. Councillor Schmitt noted that in order for consideration of the application to resume, a motion would be required for same.

Moved by – Mayor Eddy
Seconded by – Councillor Coleman

That the motion to table the Application for **Official Plan Amendment** File No. OPA-C07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to 1) change the Official Plan land use designation on these properties from Agricultural to Neighbourhood Commercial, Low and Medium Density Residential, and Natural Environment (Flood Prone Area and Steep Slope), and 2) introduce a Special Policy in Section 3.7.4.1 of the Official Plan wherein townhouses will be permissible in the Low Density Residential designation on the subject lands **be lifted**;

And that the motion to table the Application for **Zoning By-law Amendment** File No. ZBA37/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to change the zoning by-law regulations in order to permit a range of neighbourhood commercial as well as low and medium density residential uses on the subject lands **be lifted**;

And that the motion to table the **Application for Draft Plan of Subdivision** File No. PS4/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to redevelop these properties for a range of neighbourhood commercial as well as low and medium density residential uses by way of plan of subdivision on the subject lands **be lifted**.

.Carried

The Director reviewed Supplementary Report PA-09-04A with Committee and noted the following:

- based on Staff's review of Provincial Policy, the Growth Plan for the Greater Golden Horseshoe and the County's Official Plan, Staff has not supported the approval of the applications;
- should Committee and Council wish to support the application, consideration should be given to the ramifications of not following Provincial Policy, the precedent that will be set with respect to other properties that are in similar circumstances along the current

municipal boundary and the treatment of the development interests of others that have applied for similar consideration;

- as the public portion of the meeting has been completed, any further representations should be made directly to Council.

Committee discussion focused on anticipated meetings with senior Provincial officials, the Boundary Negotiations Committee, the County's right to make a decision with respect to growth, growth in Cainsville and Brant East, water supplies, sewage treatment systems, development charges, the scale of the requested re-designation, the need for industrial development and industrial assessment, the appeal process as it relates to the Ontario Municipal Board, servicing, holding provisions, the Cainsville water tower, conditions of the draft plan of subdivision, settlement boundaries, comprehensive studies, a demonstrated need to expand settlement boundaries, future land supplies, the location of the subject property in relation to Highway 403, the absence of a justification report, agriculture lands, restrictive agriculture, the residents of Cainsville, favorable comments received with respect to the Applicant's vision for the subject property, planning principles, compatibility, sustainability and employment lands.

In response to a question, the Director noted that although the Applicant has committed to initially, wholly finance the servicing infrastructure required on the subject property, it is likely that he will seek to recoup a portion of those monies as other properties that benefit from the new infrastructure are developed in the area.

The Director noted that the only application that would be approved by the Minister of Municipal Affairs and Housing is the application for an Official Plan amendment. In response to a question, the Director discussed the difference between the terms "conforms to" and "consistent with".

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the 11:00 p.m. curfew be extended.

.Carried

Moved by – Councillor Haggart
Seconded by – Councillor Powell

That the consideration of the Application for **Official Plan Amendment** File No. OPA-C07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to 1) change the Official Plan land use designation on these properties from Agricultural to Neighbourhood Commercial, Low and Medium Density Residential, and Natural Environment (Flood Prone Area and Steep Slope), and 2) introduce a Special Policy in Section 3.7.4.1 of the Official Plan wherein townhouses will be permissible in the Low Density Residential designation on the subject lands **be refused**;

And that the consideration of the Application for **Zoning By-law Amendment** File No. ZBA37/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden

Road, wherein it is proposed to change the zoning by-law regulations in order to permit a range of neighbourhood commercial as well as low and medium density residential uses on the subject lands **be refused**;

And that the consideration of the **Application for Draft Plan of Subdivision** File No. PS4/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to redevelop these properties for a range of neighbourhood commercial as well as low and medium density residential uses by way of plan of subdivision on the subject lands **be refused**.

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Coleman		1
Councillor Gatward	1	
Councillor Schmitt	1	
Councillor Wheat		1
Mayor Eddy		1
Councillor Simons	1	
Councillor Haggart	1	
Councillor Powell	1	
Councillor Atfield		1
Councillor Chambers		1
Councillor Hodge		1
	<u>5</u>	<u>6</u>

. **Defeated**

Moved by – Mayor Eddy
Seconded by – Councillor Coleman

That the consideration of the Application for **Official Plan Amendment** File No. OPA-C07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to 1) change the Official Plan land use designation on these properties from Agricultural to Neighbourhood Commercial, Low and Medium Density Residential, and Natural Environment (Flood Prone Area and Steep Slope), and 2) introduce a Special Policy in Section 3.7.4.1 of the Official Plan wherein townhouses will be permissible in the Low Density Residential designation on the subject lands **be approved**;

And that the consideration of the Application for **Zoning By-law Amendment** File No. ZBA37/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to change the zoning by-law regulations in order to permit a range of neighbourhood commercial as well as low and medium density residential uses on the subject lands **be approved, subject to a holding provision**;

And that the consideration of the **Application for Draft Plan of Subdivision** File No. PS4/07 received from First Urban – Ron Thomson, agent for Welton & Innes G.P. Inc., owner of Part Lots 42 and 43, Concession 2, Part 1 of RP 2R-6745 and Part 1 of RP 2R-6728, in the geographic Township of Brantford, in the County of Brant, being located at 299 & 253 Lynden Road, wherein it is proposed to redevelop these properties for a range of neighbourhood commercial as well as low and medium density residential uses by way of plan of subdivision on the subject lands **be approved, subject to satisfactory conditions of draft plan approval being drafted by Planning staff and submitted directly to and approved by County Council.**

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Hodge	1	
Councillor Coleman	1	
Councillor Gatward		1
Councillor Schmitt		1
Councillor Wheat	1	
Mayor Eddy	1	
Councillor Simons		1
Councillor Haggart		1
Councillor Powell		1
Councillor Atfield	1	
Councillor Chambers	1	
	<u>6</u>	<u>5</u>

.Carried

Moved by – Councillor Haggart
Seconded by – Councillor Gatward

That agenda items numbered 8 through 13 be deferred until the March 4, 2009 meeting of Committee.

.Carried

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 11:32 p.m., on a motion of Councillors Powell and Wheat, to meet again on Wednesday, March 4, 2009, Council Chambers at 7:00 p.m., Paris.

Secretary