

PLANNING ADVISORY COMMITTEE

SPECIAL MEETING

MINUTES

Brant County Council Chambers
7 Broadway Street, Paris
Wednesday, March 4, 2009
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Powell, Chambers, Hodge, Coleman (7:31p.m.) and Gatward

Regrets: Councillor Atfield

Staff: Johnston, Davidson, Baycetch, Beacock and Lehmann

Others: Mr. John Kennedy and Ms. Nancy Reid, MMM Group

Councillor Schmitt in the Chair.

Approval of Agenda

Moved by – Councillor Powell
Seconded by – Councillor Simons

That the agenda for the Special Planning Advisory Committee meeting of March 4, 2009, be approved, as amended.

.Carried

Official Plan Submissions:

Submission A-8 – Larry & Karen Clarkson – 670 Bishopsgate Road, Falkland

Mr. Rob van Poorten, J.H. Cohoon Engineering Limited, provided information regarding the subject property to the Committee, as follows:

- the property is occupied by a dwelling, a barn used for the harboring of several horses and a dog boarding and training area (all in compliance with the Zoning By-law);
- the property was the subject of a severance and rezoning in 2004 / 2005, which created a new residential lot on Bishopsgate Road. At that time, Planning staff acknowledged in their report that the subject property is designated by the current Official Plan as “Hamlet Residential”;
- the draft Official Plan designates the linear development along Bishopsgate Road as “Hamlet and Villages” (the settlement area of Falkland) and as a result, this divides the subject property by placing the frontage along Bishopsgate Road in the “Hamlet and Villages” designation and the bulk of the property, including the existing dwelling and accessory uses, in the “Agricultural” designation.

Mr. van Poorten reviewed the development concept, illustrating a proposal for a residential development, as attached to the Planning staff report. Mr. van Poorten expressed his opinion that since the entire property has in the past been accepted as being within the Falkland settlement area and as nothing has changed since the previous severance, that the entire subject property should be recognized and designated as "Hamlet and Village".

Mr. Larry Clarkson reviewed the history of his request and expressed his opinion that what he is requesting does not equate to an extension of the settlement area.

Submission A-14 & H-34 – Paul & Mary Poirier - 432 Branchton Road, South Dumfries

On behalf of Mr. and Mrs. Poirier, Mr. Brian Smith, Plansmith, briefly reviewed the information previously provided to the Committee by the Poiriers and expressed his belief that the addition of one building lot will not compromise the integrity of the agricultural area. Mr. Smith reviewed the size and location of the subject property, as well as an aerial map of the subject property. He noted that despite the information contained in the Planning staff report, Mr. and Mrs. Poirier are not requesting the creation of a "new residential cluster or Hamlet" but rather the ability to create one lot that is consistent with the existing character of the surrounding area.

Submission A-17 – Mr. Stuart Sharp - 512 McLean School Road, South Dumfries

Mr. Sharp requested that Committee reconsider the staff recommendation not to approve his request to designate approximately seven acres of frontage along McLean School Road to Estate Residential. Mr. Sharp reviewed the history of the subject property and previous Official Plan reviews. He noted that the lands surrounding the subject property are designated as Estate Residential and expressed his belief that Planning staff's recommendation to not approve his request is discriminatory.

Submission A-38 – Edward and Judith Stevens - 611 West Quarter Townline Road, Gobles

Mr. Stevens provided Committee with a copy of correspondence from J.H. Cohoon Engineering Limited.

Mr. Rob van Poorten, J.H. Cohoon Engineering Limited, reviewed the following information, as contained in the correspondence provided by Mr. Stevens:

- the subject property has a dual designation of Agriculture and Recreational;
- the Recreational designation applies to approximately 4.5 to 5 hectares along the road frontage and was established by the Municipality in 2000, to allow the establishment of a golf centre;
- the golf centre use has been discontinued and the proponent is looking at after use land use options;
- the Recreational designation provides few options for alternate usage, including agriculture;
- the current and draft Official Plans acknowledge that the frontage along West Quarterline Road is not appropriate for agricultural uses, as it is not a permitted use

Mr. Stevens reported that his request is to use the subject property for a residential infill development, consisting of six building lots, noting that he wishes to market the lots as "green lots", including solar power and wind power on a one acre lot.

Councillor Coleman joined the meeting at 7:31 p.m.

Submissions B-5 A,B&C, E-11 & F-8 – Rottar, Bairos and Robinson – Adult Lifestyle Community and Golf Course

On behalf of Mr. Rottar, Mr. Bairos and Mr. Robinson, Mr. Mike Wood, Cambridge Engineering, provided Committee with a copy of correspondence as circulated from Mr. Wood to Mr. Scott Oliver, Municipal Planner for the Ministry of Municipal Affairs and Housing, noting that Mr. Oliver has indicated a willingness to meet with sister Ministries that are involved with the subject application. Mr. Wood reported that Mr. Oliver has promised that such meetings will take place before the week of March 16th through 21st and that Council, Committee and Planning staff will receive follow up information and recommendations arising out of those meetings.

Mr. Wood requested that if the Committee is unwilling at this time to grant the request for re-designation to consider instead a deferral of the matter until such time as the information is received from the Ministry of Municipal Affairs and Housing.

Submission B-7 – Howard Snodgrass – Future Development in Brant West – Burford Area

It was noted that Submission B-7 is now being recommended for deferral and accordingly, Mr. Snodgrass did not speak to the matter.

Submission F-11 & H-27 – Riverview Highlands – 158 Willow Street, Paris

On behalf of Riverview Highlands, Mr. Bill Green, GSP Group, provided Committee with a copy of correspondence and discussed the following:

- the draft Official Plan, Schedule A-1 “Paris Land Use Plan” designates the site as Urban Residential, Natural Hazards and Significant Woodlands and Vegetation;
- reviewed the relevant polices of the Official Plan;
- the Environmental Impact Study has been prepared by Natural Resource Solutions Inc. and has been circulated to the County and the Grand River Conservation Authority, for their review and approval.

Mr. Green requested the Committee support the Planning staff recommendation to approve the request for re-designation.

Submission F-16 – Doug & Laura Axford – 295 Brant Road, South Dumfries

Mr. Axford reviewed the history of the request, as well as the history of the subject property. Mr. Axford provided Committee with a power point presentation and discussed the following:

- he and Mrs. Axford are not requesting any additional access to Highway 24;
- he and Mrs. Axford are not requesting any additional lands / lots;
- there is significant separation between the working fields and the subject property;
- he and Mrs. Axford are not requesting new development;
- he and Mrs. Axford are not aware of any active livestock operation within one kilometer of the subject property;
- the subject property is not prime agricultural land;

- a re-designation of the subject property would not, in his opinion, have any effect on surrounding agricultural activities;
- a re-designation of the subject property would not, in his opinion, result in an ability to add additional housing and / or development;
- a re-designation of the subject property is sensible in that it would conform with adjoining land uses

Submission F-42 – Michael Chute – 42 Hammond Road

On behalf of Mr. Chute, Mr. Howard Snodgrass advised that Mr. Chute is requesting a modification to his original proposal and is requesting that Committee consider the merits of relocating the existing Estate Residential designation on the subject lands from the “low value agriculture lands” to the more “residentially natured” corner of Barton Road and McBay Road, noting that there presently residences in existence at that corner. Mr. Snodgrass provided Committee with an aerial map of the subject property, along with a diagram illustrating the requested designation relocation. Mr. Snodgrass discussed topographical and Minimum Distance Separation (MDS) issues.

Mr. Chute noted that he is desirous of maintaining as much viable farmland as is possible, while at the same time taking advantage of the Estate Residential designation that he currently has.

Submission H-2 A,B&C –Telephone City Aggregates, Edward Vilaca & 1132030 Ontario Inc.

On behalf of Telephone City Aggregates, Edward Vilaca and 1132030 Ontario Inc., Mr. Rob van Poorten provided correspondence to Committee, outlining the following:

- the property owners own extensive landholdings on the north side of Pleasant Ridge Road;
- TCA operates a licensed gravel extraction operation and the Vilaca and 1132020 properties are marginal farmland;
- the current Official Plan designates the licensed portion of the TCA lands as Extractive Industrial and the strip of the TCA lands along Pleasant Ridge Road as Agricultural;
- opinion that the TCA lands outside of the licensed area (which is 130-180 metres wide) and the Vilaca and 1132030 lands are not prime agricultural land, based on soil classification and limitations;
- opinion that there is no other potential use that can be established on a narrow strip of land (such as the TCA lands at 130-180 metres wide), except for low-density residential;
- opinion that because the Vilaca and 1132020 properties are of limited viability as productive agricultural operations and because of the extent of residential development taking place on the south side of Pleasant Ridge Road, the use of these lands for a limited amount of residential usage appear to be appropriate.

Mr. van Poorten noted that the subject lands are identified on Official Plan Schedule B-9 as being in the “Airport / Oakhill Settlement Area” and expressed his belief that the request would not require an enlargement of the settlement area, but rather recognize the existing settlement area.

Mr. Greg Sweetman, Vice President, Telephone City Aggregates, reported that the requested re-designation would facilitate the rehabilitation of the licensed portion of the TCA lands in the coming year. Mr. Sweetman expressed his opinion that the re-designation would efficiently

utilize infrastructure and noted that the size of the unlicensed strip of land is not conducive to aggregate extraction and it would not make sense to apply for an extraction license for same.

Submission H-19 – Walker, Nott & Dragicevic for Schuyler Hill Orchards

Mr. J.A. Hitchon, on behalf of Schuyler Hill Orchards and Ms. Wendy Nott, expressed his opinion that the request for re-designation is in keeping and in accordance with the *Places to Grow Act*, the Growth Plan for the Greater Golden Horseshoe, the County's Official Plan and the development plan for Southwest Paris. Mr. Hitchon noted that the request should not be deferred, but rather that Planning staff and MMM be directed to incorporate the appropriate provisions into the Official Plan. Mr. Hitchon discussed the conversion of employment lands, market studies, the Southwest Paris study, the vision for the property, the interchange located in proximity of the subject lands and the importance of commercial assessment. For information purposes, Mr. Hitchon provided Committee with a conceptual sketch of the subject lands.

Submission H-26 – GolfNorth Properties Ltd.

On behalf of GSP Group, agents for GolfNorth Properties Ltd., Ms. Kendra Green reported that the Paris Grand Golf Club is designated Low Density Residential and Low Density Residential Special Policy Area 1 in the current Official Plan. She noted that the Golf Course is also within the County's urban boundaries and that the new Urban Residential designation carries forward the residential permissions on the site while recognizing the existing golf course use.

Ms. Green noted that the golf course use will continue on the site for the near future. She advised that it is GolfNorth's intention to develop the lands with residential uses in the longer term. It was noted that GSP Group understands that there will be a need for a number of supporting studies, as well as future discussion with County staff accompanying the an application for a plan of subdivision.

Submission H-37 – Riverview Highlands / Northern Rudder Holdings

Mr. Henry Stolp and Ms. Lisa Dalpe provided Committee with a copy of correspondence outlining a request that the downtown Paris core be designated as "Special Policy Area" and discussion was held with respect to the following:

- provisions within the Official Plan that encourage and promote the downtown core;
- the importance of developing a plan for the next twenty years, in conjunction with the Special Policy Area designation, that would give "teeth" to the objectives stated in the Official Plan;
- belief that similar strategies can be applied to the Burford and St. George downtown cores;
- Planning staff have indicated an interest in the initiatives;
- importance of adhering to the requirements of the Grand River Conservation Authority

Mr. Stolp and Ms. Dalpe requested that provisions be included in the new Official Plan to designate the Paris downtown as "Special Policy Area" and set out a policy basis to:

- establish a joint private / public steering committee to develop an action plan;
- identify the specific physical improvements, promotion and marketing initiatives for the downtown area;

- provide a framework to evaluate, consider and mitigate the impacts of development;
- review existing development regulations to ensure that a full range of development opportunities are permitted in the downtown core;
- determine the study area

Reports from Staff

PA-09-15 5 Year Official Plan Update – Miscellaneous and Items Referred back to Staff – D. Johnston and M. Pomponi

The Director reported that the following modifications have been made to Staff Report PR-09-15:

- Submissions B-7 & E-2, B-5 A,B&C and E-11 and H-39 are now recommended for deferral until such time as the final version of the Official Plan has been submitted to the Planning Advisory Committee for consideration.

The Director noted that staff's remarks and recommendations are based on Provincial Policy Statement, the *Places to Grow Act*, the Growth Plan for the Greater Golden Horseshoe and the County's Official Plan.

Mayor Eddy requested that Submissions H-26 and H-37 be considered separately.

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the County of Brant receive as information the following submissions made as part of the 5 Year Update to the Official Plan:

B-4 A&B, H-28, H-30 and H-31.

.Carried

Submission H-26

In response to a question, the Director advised that in the current Official Plan, the subject site has a special policy that allows for 450 dwellings and that while it is currently a golf course, under the current Official Plan, there could be (subject to the normal development process) 450 dwelling units without the need for an amendment of the Official Plan. The Director noted that the applicants are seeking to have the 450 modular home special policy language deleted entirely and the site referred to simply as residential. In response to questions, the Director advised that staff does not believe there is any issue with respect to recognizing the site as residential, given that it is recognized as residential in the existing Official Plan.

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That Submission H-26 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission H-37

Committee discussion focused on the information provided by Mr. Stolp and Ms. Dalpe in their presentation to Committee.

Moved by – Councillor Chambers
Seconded by Mayor Eddy

That Submission H-37 be referred to staff for further review and report.

.Carried

Discussion focused on the need for an all-encompassing report discussing the future of the Burford, Paris and St. George downtown cores. It was noted that steering committees representative of each core should be formed and comprised of area residents. In response to a question, the Director noted that information regarding a market study (ies) would form part of the report.

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That the County of Brant approve the following requests for re-designation as part of the review of the 5 Year Update to the Official Plan:

F-11 & H-27 and H-35

.Carried

Councillor Wheat requested that Submission H-19 be considered separately.

Moved by – Councillor Chambers
Seconded by – Mayor Eddy

That the County of Brant defer consideration of the following submissions made as part of the 5 Year Update to the Official Plan until the final version of the Official Plan is brought to Planning Advisory Committee for consideration:

B-5 A,B&C, E-11 & F-8, B-7, E-2, H-39, E-13, F-1 A,B&C, H-22, H-29 A&B and H-33 & H-38.

.Carried

Submission H-19

Councillor Wheat expressed his concurrence with Mr. J.A. Hitchon's statements, noting that the location is ideal for commercial development, given its proximity to the future Twin Pad Complex.

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

That Submission H-19 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Defeated

Committee discussion focused on the residential buffer strip along Powerline Road, special industrial zoning, the maintenance of downtown cores and special policy areas. In response to a question, the Director reported that a re-designation of the subject lands requires a comprehensive study and that the Industrial Land Study will be presented in the very near future to the public and County Council. Further, he noted that based on the findings of Industrial Land Study, recommendations will be made with respect to rationalizing industrial lands. The Director advised that it would be appropriate for Committee and Council to have the results of the Industrial Land Study before making a determination with regard to the subject request for re-designation.

Moved by – Councillor Chambers
Seconded by – Mayor Eddy

That Submission H-19 be deferred until such time as the Industrial Land Needs Study is complete.

. Carried

Councillor Coleman requested that Submission A-5 and A-17 be considered separately.

Councillor Gatward requested that Submissions A-8 and F-42 be considered separately.

Councillor Wheat requested that Submissions A-14 & H-34, F16 and H-25 be considered separately.

Councillor Simons requested that Submission H-36 be considered separately.

Councillor Chambers requested that Submissions F-12 and F-21 be considered separately.

Councillor Hodge requested that Submissions H-2 A,B&C be considered separately.

Moved by – Councillor Chambers
Seconded by – Councillor Powell

That the County of Brant not approve at this time the following requests for re-designation as part of the review of the 5 Year Update to the Official Plan:

A-31, A-38, B-1, F-13, F-31, F-37 A&B, H-10, H-21, H-24 and H-32

.Carried

Submission A-5

Councillor Coleman expressed his belief that the request for re-designation is an example of infilling.

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That Submission A-5 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission A-8

Committee discussion focused on the aerial map provided to Committee, topography, past severance grant, access, land use and ownership patterns and whether or not the existing designation line is consistent with what it is in reality.

Moved by – Councillor Chambers
Seconded by – Councillor Powell

That Submission A-8 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission A-14 & H-34

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

That Submission A-14 & H-34 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission A-17

Councillor Coleman expressed his support for the request for re-designation, noting that a re-designation of the frontage of the subject property would facilitate infilling.

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That Submission A-17 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission F-12

Discussion focused on the differing interpretations of the request for re-designation. Councillor Chambers reviewed the aerial map of the subject property and expressed his belief that the subject property is land-locked by an environmental ridge, two hamlets and an urban settlement area, making it appropriate for re-designation.

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That Submission F-12, in its entirety, be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Defeated

In response to questions and comments from Committee members, Councillor Chambers reviewed the existing residence and barn on the subject property.

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That Submission F-12, to the topographical boundary, be approved for re-designation as part of the 5 Year Update to the Official Plan.

.Defeated

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That Submission F-12, specific to the frontage along County Highway 53, be approved for re-designation as part of the 5 Year Update to the Official Plan.

.Carried

Committee discussion focused on MDS requirements, available building lots, servicing, village residential requirements, soil characteristics, staff's reasons for initially refusing the request for re-designation and the practice of "rounding out".

Submission F-16

Moved by – Councillor Wheat
Seconded by – Mayor Eddy

That Submission F-16 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission F-21

In response to a question regarding growth analysis, the Director reported that when the land needs evaluation was completed, MMM Group considered the population and land needs for both residential and employment land needs, noting that MMM concluded that the County has an abundance of both. The Director advised that the Industrial Land Needs Study may have a bearing on the subject request for re-designation.

Moved by – Councillor Chambers
Seconded by – Mayor Eddy

That Submission F-21 be deferred until such time as it can be considered in conjunction with the findings of the Industrial Land Needs Study.

.Carried

Submission F-42

In response to a question from the Director, it was noted that the motion for approval is based on the revised map provided to Committee at the meeting.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That Submission F-42 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission H-2 A,B&C

In response to a question, Mr. Joe Cohoon reported that if approved, the request for re-designation would facilitate the development of approximately twenty residential building lots in total.

In response to a question, Mr. Greg Sweetman reported that at a cordial, informative meeting with concerned area residents, discussion took place with respect to the final phase of rehabilitation, the real estate market and potential future uses of the gravel pit. With regard to servicing, Mr. Cohoon advised that he is of the opinion that there is enough water available to support the creation of twenty residential units.

Committee discussion focused on restoring the gravel pit to an agricultural use, tree planting, top soil quality (Class 5), the reasoning behind staff's recommendation to not approve, infill, rounding out, frontage and the current settlement area.

Moved by – Councillor Gatward
Seconded by – Councillor Haggart

That Submissions H-2 A,B&C not be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission H-25

Committee discussion focused on the St. George Fitness Centre, commercial taxation, commercial use, number of staff, past operations of the business, home occupations, compatibility, the potential for future expansion and temporary zoning.

In response to a question, Mr. John Kennedy, MMM Group Limited, reported that an example of residential commercial would be a large structure with mixed commercial uses in potential multiple units within the structure and that an example of neighbourhood commercial would be a single structure with a single commercial use on one level of the structure and perhaps an apartment or two on another level.

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

That Submission H-25 be approved for re-designation as part of the review of the 5 Year Update to the Official Plan.

.Carried

Submission H-36

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That Submission H-36 be deferred for consideration, until such time as the Industrial Land Needs Study has been completed.

.Carried

Other Business

Note of Thanks to Committee

The Director thanked Committee for their continued consideration and dedication to the Submission review process.

Request for Special Council Meeting

The Director requested and Committee concurred that a special Council meeting be scheduled for Monday, March 9, 2009 at 6:45 p.m. to introduce a By-law that would authorize the removal of the Holding provision on the affordable housing project. The Director reported that the applicant has recently received his record of site condition, which permits the County to authorize the agreement, but the Holding provision must first be removed.

Note of Thanks to Staff

Chairman Schmitt thanked Planning staff for their time and dedication to the Submission review process.

Adjournment and Next Meeting

The Committee adjourned at 10:48 p.m., on a motion of Councillors Gatward and Powell, to meet again on Wednesday, March 18, 2009 at 7:00 p.m., in Council Chambers, Paris.

Secretary