

## **PLANNING ADVISORY COMMITTEE**

County Council Chambers  
7 Broadway Street West  
Wednesday, July 22, 2009  
7:00 p.m.

**Present:** Mayor Eddy, Councillors Hodge, Wheat, Simons, Haggart, Powell, Chambers, Gatward and Coleman (8:35 p.m.)

**Regrets:** Councillors Schmitt and Atfield

**Staff:** Glassford, Johnston, Pomponi, Davidson, Baycetch, Moore and Boyd

Councillor Hodge in the Chair.

### **APPROVAL OF AGENDA**

Moved by – Councillor Wheat

Seconded by – Councillor Gatward

That the Planning Advisory Committee agenda for July 22, 2009 be approved.

.Carried

### **DELEGATIONS**

#### **Robert van Poorten and Edward Stevens – Submission A-38 – 611 West Quarter Townline Road**

Mr. van Poorten reviewed that the subject lands are currently designated for agricultural use, with approximately 4.5 acres designated for recreational use (a former golf centre). The applicant proposes to designate the recreational lands for limited residential development (between the existing house and the Hamlet of Gobles) and the balance for agricultural use. In response to questions, Mr. van Poorten clarified the portion of property currently designated for recreational use.

#### **Robert van Poorten – Submission H-2(A) – Telephone City Aggregates (TCA) – North Side of Pleasant Ridge Road**

Mr. van Poorten reviewed that the bulk of the property contains a licensed aggregate pit, which is nearly exhausted and is in the process of being rehabilitated to agricultural use as per the pit license. A second portion of the property is physically isolated from the pit and forms a linear tract 130m – 200m in width along Pleasant Ridge Road. The applicant requests that this tract of land be designated for residential use in keeping with the character of the community and homes across the street. Mr. van Poorten noted that although the entire property is currently designated Resource Development, this is not an appropriate designation for the isolated tract as there is no practical way it could be extracted. He questioned the “prime agricultural” classification for the property, noting that soil conditions, topography and stoney constraints would inhibit the use of the isolated tract for agriculture. Councillor Gatward questioned future plans for the entire property.

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Robert Phillips – Submission H-8 – Heron Ridge Estates (McLean School Road)

Mr. Phillips reviewed that the subject lands are surrounded by environmental (wetland, woodlot and open space) designations, an existing condominium development and Provincial Highway 24 (to which it has no access). The lands are isolated from any agricultural access and could not logically be used for agriculture. The applicant requests that the property be designated Rural Residential and developed in keeping with the character of the neighbouring residential use. Mr. Phillips noted that in view of questions previously raised regarding Minimum Distance Separation (MDS) compliance for the site, Burnside Engineering has concluded that there would not be any compliance issue. He expressed the opinion that given the natural barriers, the general character of the area and in keeping with the principle of making an efficient use of land, this proposal would comply with Provincial Policy and Growth Plan objectives.

In response to questions Mr. Phillips advised that this development would essentially be an expansion of the existing subdivision and would utilize the same access to McLean School Road. He stated that water availability, septic system adequacy and sufficient traffic access would be demonstrated through the development agreement process. Access to McLean School Road utilizing the private condominium roads has been secured.

Councillor Coleman joined the meeting.

Joe Chaves – Submission H-21 – 360 Blue Lake Road

Mr. Chaves reviewed that his parents purchased the subject property and tried for many years to operate it as a viable farm, however he is of the opinion that the property is too small to be competitive with large farming operations. In light of the large sums of money his family invested into the farm, his father was always of the opinion that he would be able to sever several lots off the farm as a source of retirement income. Mr. Chaves distributed photos of area homes and suggested that designating the subject lands in a manner that would allow for the severance of one or two lots would be in keeping with the character of the community.

Hugh Handy & David Clemons – Submission H-48 – 501 Blue Lake Road

Mr. Handy reviewed this proposal to designate a portion of the subject lands (identified as "Parcel 2") Rural Residential to permit the establishment of one developable lot at the end of Hilltop Lane. As part of this request, a Planning Report and Environmental Impact Study have been submitted. Mr. Handy advised that the parcel is isolated with soils and topography that are not conducive to agricultural use and noted that only one building lot is proposed.

Mr. Clemons stated that the property historically housed a cement plant and that since its closure, the only flat, developable area is barren and tree planting has been unsuccessful due to poor soil conditions and quick loss of moisture. The remainder of the property consists of steep slopes, ravines and marshland. Mr. Clemons noted that his family discovered that white oaks do well in the area and are working to re-establish an Oak Savannah / Oak Woodland mix of trees and grasses. This, however, requires considerable effort to maintain the trees, thin the underbrush, etc. and it was suggested that if a residence were established on the lot and occupied by a like-minded individual, they could assist in maintaining the woodland. Mr. Clemons indicated that there are no environmentally significant areas where the residence is proposed. The steep slopes, ravines and marshes are part of the significant wetland and will not be disturbed. Mr. Clemons clarified that the designation only needs to be for the proposed building lot and that water and septic system adequacy would have to be demonstrated in order to obtain building permits.

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Robert van Poorten and William Marmula – Submission H-49 – 457 & 463 Bateman Line Road

Mr. van Poorten reviewed that the subject lands are located in the southeast corner of the municipality, isolated by significant woodlot and wetland constraints to the north and west, Bateman Line Road / Six Nations to the east and Indian Line Road / County of Norfolk to the south. The size, location and natural features of the properties do not make them conducive to agricultural use and the applicant is requesting a Rural Residential designation to facilitate the development of 1 or 2 lots per property. Mr. van Poorten contended that the properties have no agricultural use and limited development potential. In response to a question, he clarified that the developable portion of the properties would be outside of the Grand River Conservation Authority areas of concern. The impact of any development on the wetland features would be determined as part of the planning process.

**PA-09-55 – FIVE YEAR OFFICIAL PLAN UPDATE – DEFERRED AND LATE ITEMS**

The Chief Planning Official reviewed this report, which was prepared giving due consideration to Provincial Policy Statement, Places to Growth legislation, etc.

Mayor Eddy questioned the implementation of single designations for entire properties, expressing the opinion that two or more designations on one property may be appropriate in some circumstances. He further questioned submissions that remove lands from industrial designations, in view of previous direction to support increased industrial development.

The Committee reviewed staff recommendation No. 1 and requests were made for the following submissions to be considered separately: A-38, E-13, F-21, H-2(A), H-8, H-21, H-48 and H-49.

Moved by – Councillor Wheat  
Seconded by – Councillor Powell

That the County of Brant **REFUSE** the following submissions made as part of the Five Year Update to the Official Plan:

B-5(A, B & C), E-11 & F-8, H-36 and H-40

.Carried

Submission A-38 – Councillor Wheat spoke in support of the designation of the recreational area, with a portion for agricultural use and a portion for residential use. In response to a question, the Chief Planning Official clarified that the proposed Rural Residential designation is essentially the same as the former Estate Residential designation. He noted that since agricultural activities are not permitted in the existing recreational designation, this submission technically does not represent a removal of lands from agricultural use. Councillor Chambers suggested that this submission represents more of an expansion of a hamlet area than the creation of a new residential area.

Moved by – Councillor Wheat  
Seconded by – Councillor Coleman

That the County of Brant **APPROVE** submission A-38 as part of the Five Year Update to the Official Plan.

.Carried

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Submission E-13 – Councillor Coleman spoke in support of this submission to maintain the commercial core along Colborne Street East. In response to a question, the Chief Planning Official clarified that the primary difference between the Employment and Commercial designations is the range of commercial uses permitted.

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the County of Brant **APPROVE** submission E-13 as part of the Five Year Update to the Official Plan.

.Carried

Submission F-21 – Councillor Coleman spoke in support of this submission, encouraging industrial uses along the Highway 403 corridor. In response to a question, the Chief Planning Official advised that the northwest corner of the existing industrial park is mostly developed, however the balance of the lands designated for industrial use has not been developed.

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the County of Brant **APPROVE** submission F-21 as part of the Five Year Update to the Official Plan.

.Carried

Submission H-2(A) – Councillor Chambers spoke in support of this submission, suggesting that this area is a good candidate for rural residential development in keeping with the character of the community and noting that the subject lands are not suitable for another purpose. Councillor Gatward questioned the future use of the gravel pit lands and the compatibility of the proposed residential use with the neighbouring aggregate extractive uses. Mayor Eddy expressed concern that by proceeding with this request under the Five Year Official Plan Review, the County would circumvent its own circulation and notice policies that would apply if the submission was dealt with as an Official Plan Amendment application.

Moved by – Councillor Chambers  
Seconded by – Councillor Coleman

That the County of Brant **APPROVE** Submission H-2(A) as part of the Five Year Update to the Official Plan.

.Carried

Submission H-8 – Councillor Wheat spoke in support of this submission, noting that the subject lands are an isolated lot with no access for agricultural activities.

Moved by – Councillor Wheat  
Seconded by – Councillor Chambers

That the County of Brant **APPROVE** Submission H-8 as part of the Five Year Update to the Official Plan.

.Carried

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Submission H-21 – Councillor Wheat suggested that a portion of the property be designated for residential use to facilitate the severance of one or two lots, rather than designating the entire parcel which could lead to a more significant development. The Chief Planning Official advised that this could be achieved by implementing a Special Policy Area to limit the number of permitted lots or by designating an area with specific dimensions to limit possible development to one or two lots. Councillor Chambers expressed concern about the precedence that would be established by designating a lot to facilitate a potential severance, which is contrary to the intent of Provincial Policy Statement. He suggested that there are many farmers who may wish to embark on a similar submission to allow for severances of their lands.

Moved by – Councillor Wheat  
Seconded by – Councillor Powell

That the County of Brant **APPROVE** Submission H-21 as part of the Five Year Update to the Official Plan to the extent of designating a portion of the frontage of the subject lands as Rural Residential for a length of 60m and to a depth of 150m.

.Carried

Submission H-48 – Councillor Chambers asked a question in regards to how the Grand River Conservation Authority (GRCA)'s review of this development would be impacted by implementing a residential designation through the Official Plan Update process rather than through an Official Plan Amendment application. The Chief Planning Official noted that the GRCA would be circulated on the related rezoning application, has authority to prohibit the issuance of a building permit and will have opportunities to comment on and/or appeal the Official Plan Update.

Moved by – Councillor Wheat  
Seconded by – Mayor Eddy

That the County of Brant **APPROVE** Submission H-48 as part of the Five Year Update to the Official Plan.

.Carried

Submission H-49 – Councillor Coleman spoke in support of this application and suggested that given the size, layout and location of the subject lands, they would never actually serve an agricultural purpose. The Chief Planning Official clarified that the lines on the maps provided delineate GRCA regulation limits, where the GRCA would have an opportunity to review any development application. They do not necessary represent lands that are strictly prohibited from development.

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the County of Brant **APPROVE** Submission H-49 as part of the Five Year Update to the County of Brant Official Plan.

.Carried

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The Committee reviewed Staff Recommendation No. 2. In discussion, concerns were expressed about applying an Urban Reserve designation (under which it may be possible to establish a residential end-use) to lands that are currently designated for industrial use, given the County's objective of encouraging industrial development. In response to questions, the Chief Planning Official advised that an area study would determine the best possible use for the lands and noted that the Industrial Review identified this area as a low priority for industrial development.

Moved by – Councillor Coleman  
Seconded by - Councillor Powell

That the County of Brant **APPROVE** the designation of lands contained in Submissions F-1(A) and (B) to Urban Reserve as part of the Five Year Update to the Official Plan.

.Carried

The Committee reviewed Staff Recommendation No. 3. A request was made to consider submission H-37 separately.

Moved by – Councillor Chambers  
Seconded by – Councillor Wheat

That the County of Brant **RECEIVE AS INFORMATION** Submission H-41 made as part of the Five Year Update to the Official Plan.

.Carried

Submission H-37 – The Committee requested that stronger wording be used to support flexibility in Official Plan policies for the downtown Paris area, pertaining to the renovation and expansion of residential and commercial units. It was suggested that the establishment of a Special Policy Area for downtown Paris may be capable of achieving this goal, recognizing the need to have further dialogue with the GRCA to address flood plain issues.

Moved by – Mayor Eddy  
Seconded by – Councillor Haggart

That with respect to Submission H-37 made as part of the Five Year Update to the County of Brant Official Plan, the County of Brant endorse the creation of a special policy area for downtown Paris and work with the Grand River Conservation Authority to establish policies that encourage growth while addressing issues related to the flood plain.

.Carried

The Committee reviewed Staff Recommendation No. 4. Councillor Gatward requested clarification on the proposed designation for Submission H-22. The Chief Planning Official reviewed that currently the property has both Highway Commercial and Industrial parcels, with the majority of the land designated Highway Commercial. The proponent had requested that the entire parcel be designated Highway Commercial, however staff had initially proposed that the site be entirely designated Industrial. In response, the proponent requested that no change be made, however staff concurs that it would be more appropriate to designate the entire property as Highway Commercial rather than leave the split designation.

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Moved by – Councillor Chambers  
Seconded by – Councillor Wheat

That the County of Brant **APPROVE** submissions H-19, H-22 and H-42 made as part of the Five Year Update to the Official Plan.

.Carried

**SUBMISSIONS H-29(A), H-29(B), H-33 & H-38, H-39, H-43, H-44, H-45, H-46 AND H-47 (FIRST URBAN)**

The Chief Planning Official reviewed that the submissions from First Urban have been deferred for consideration at the Planning Advisory Committee meeting on August 19, 2009.

**CORRESPONDENCE**

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the following items of correspondence be received as information:

- i. E-mail from First Urban seeking deferral;
- ii. Letter from Walker, Nott, Dragicevic regarding Brookfield Homes – Dunk and Cochrane; and
- iii. Letter from Walker, Nott, Dragicevic regarding Schulyer Hill Orchards.

.Carried

The meeting adjourned at 9:45 p.m.

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Secretary