



Notice of Appeal Received

Date: August 6, 2026

Application Number: ZBA3-26-RC – 40 Curtis Ave. N

This is to notify you that an appeal of decision for the above noted application(s) has been received from the Applicant.

The Application was presented for information at the Council Meeting on April 14, 2026 and recommendation at the Council Meeting on July 14, 2026 where the application was refused. Enclosed is a copy of the Notice of Refusal.

What Happens Next?

The application is now under the jurisdiction of the Ontario Land Tribunal (OLT) and further communication and decisions will be made through the tribunal process.

The status of all Ontario Land Tribunal previous and current case files can be found online at <https://jus-olt-prod.powerappsportals.com/en/e-status/>.

**Notice of Refusal of Zoning By-Law Application
By the Count of Brant**

TAKE NOTICE that the Council of the Corporation of the County of Brant refused the application for Zoning By-law Amendment **ZBA3-26-RC** under Section 34 of the Planning Act, R.S.O. 1990, as amended.

The proposed amendment applied to the property legally described as CON 1 PT GORE FRONTING LOT28 PLAN 492 PT BLK 13 RP 2R3051 PART 1 County of Brant, in the geographic former township of Paris, municipally known as 40 CURTIS AVENUE NORTH.

The purpose of the application was to change the present zoning from Heavy Industrial (M3) to Special Exception Heavy Industrial (M3-35) with site specific provisions to permit a *Hydrovac Slurry Processing Facility*, as defined

The Notice of Public Meeting was dated March 25, 2026 and was circulated to the required agencies, property owners and municipal departments in accordance with the requirements of the Planning Act, R.S.O. 1990, cP.13 and associated with Regulations. A public meeting was held on April 14, 2026 to obtain any comments.

TAKE NOTICE Third parties (anyone who is not a specified person or public body in accordance with Section 1(1)(f) of the Planning Act) do not have the right to appeal a decision of application to the Ontario Land Tribunal.

Only individuals, corporations, and public bodies may appeal a decision of the County of Brant to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

Any specified person or public body may file a notice of appeal with the Clerk or Secretary Treasurer via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Brant (County) as the Approval Authority or by mail 66 Grand River St. N., Paris, Ontario N3L 2M2, no later than 4:00 p.m. on August 05, 2026. The filing of an appeal after 4:00 p.m., in person or electronically, will be deemed to have been received the next business day. The following appeal fees are required:

- A fee of \$1,100 to the OLT can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca.
- In addition, a fee of \$285.00 payable to the "County of Brant" as per the County of Brant's Development Services fees online <https://webforms.brant.ca/finance/planning-applications-payment> or by mail to 66 Grand River St. N., Paris, Ontario N3L 2M2 .
- If the e-file portal is down, you can submit your appeal to clerks@brant.ca .

No specified person or public body shall be added as a party to the hearing of the appeal unless, before a decision was made or by-law was passed, the specified person or public body made oral submissions

at a public meeting, written submissions to the council, or in the opinion of the Ontario Land Tribunal, there is reasonable grounds to add the specified person or public body as a party.

If no Notice of Appeal has been filed with the Clerk of the County of Brant within the time stipulated above; the decision or by-law thereupon comes into effect and does not require the approval of the Ontario Land Tribunal.

If a Notice of Appeal has been filed with the Clerk of the County of Brant within the time stipulated above, the decision or by-law shall be submitted to the Ontario Land Tribunal and will not come into effect unless approved by the Ontario Land Tribunal.

As per Section 34(19.0.1) of the Planning Act, if the appellant intends to argue that the decision or By-law is inconsistent with a policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan, the Notice of Appeal must also explain how the decision or By-law is inconsistent with, fails to conform with or conflicts with the other document. 2015, c. 26, s. 26(9)

Dated this 16 day of July, 2026

EXPLANATION OF REFUSAL

The reason(s) for refusal are as follows:

- proposal incompatible with the surrounding areas