

Planning Report

Date: June 1, 2026

Report No: RPT - 0216 - 26

To: Jeremy Vink, Director of Planning
From: Lauren Graham, Planner
Application Type: Zoning By-Law Amendment
Application No: ZBA8-26-LG
Municipal Address: 705 Paris Plains Church Road
Legal Description: CONCESSION 4 PART LOT 27
Agent: MHBC Planning c/o Caitlin Port
Applicant: Miller Paving Ltd. c/o Ken Zimmerman
Owner: South Dumfries Cemetery Trustee
Subject: Request for decision related to a Planning Application.

Application Details

Zoning By-Law Amendment Application **ZBA8-26-LG** is required to satisfy a condition of related Consent Application **B15-25-LG**, conditionally approved on September 18, 2025, proposing a lot line adjustment having an area of approximately 0.89 hectares (2.2 acres) to be



severed from 699 Paris Plains Church Road and consolidated with 705 Paris Plains Church Road.

705 Paris Plains Church Road contains the Heritage Designated Paris Plains Cemetery. The cemetery use was established circa 1813 and is considered a legal non-conforming use.

This application proposes the following amendments to Zoning By-Law 61-16:

1. To recognize the existing legal non-conforming Heritage Designated Paris Plains Cemetery as a permitted use.
2. To permit a minimum lot area of 1.5 hectares (3.71 acres), whereas a minimum of 40 hectares (98.84 acres) is required.
3. To permit a minimum lot frontage of 108.73 metres (356.73 feet), whereas a minimum of 150 metres (492.13 feet) is required.

The following studies/plans/reports form part of the complete submission and were circulated as part of a technical review by applicable internal and external commenting agencies:

- Zoning By-Law Amendment Application Form
- Cover Letter
- Site Plan
- Survey

Location / Existing Conditions

The subject lands are located north of Paris Plains Church Road and east of Pinehurst Road, within the geographic township of South Dumfries.

The subject lands contain the Paris Plains Cemetery which is designated under the Ontario Heritage Act. The lands are rectangular in shape with a frontage of approximately 90.35 metres (296.44 feet) along Paris Plains Church Road and an area of approximately 0.61 hectares (1.51 acres).

The surrounding land uses consist of Agricultural land uses to the north, east and west, with the Heritage Designated Paris Plains Church and Maus School being located to the southwest.

The Committee of Adjustment conditionally approved Consent Application **B15-25-LG**, on September 18, 2025. The application was not appealed and the applicants are in the process of clearing the conditions.

Planning Policy

Planning Act

Matters of Provincial Interest

Section 2(a-s) of the Planning Act outlines matters of provincial interest that decision making bodies shall have regard for. This application has regard for:

(b) the protection of the agricultural resources of the Province;

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Section 34(10) of the Planning Act provides policy direction to be considered when reviewing Zoning By-Law Amendment applications.

- The Application is in keeping with Section 34(10) of the Planning Act.

Provincial Planning Statement – 2024

It is my professional planning opinion that the recommendation is **consistent** with the policies of the *Provincial Planning Statement* for the following reasons:

- This application seeks to implement the recommendations of conditionally approved Consent Application B15-25-LG. (Section 4.3.3.2)
- The subject lands are designated as Agriculture, and agricultural uses remain protected there is no expansion proposed to existing cemetery. (Section 4.3.5.2)

Brant County Official Plan (2023)

In accordance with Official Plan - Part 6, Section 2.27 & 2.2.8, the passing of By-Law 16-26 & 17-26 (OPA3-A-25) establish framework for alternative measures for public engagement framework and amendment to delegated authority to Staff for limited planning related decisions.

Schedule ‘A’ Land Use Designation: Agriculture

It is my professional planning opinion that the recommendation conforms to the policies of the *Official Plan* for the following reasons:

- This application seeks to implement the recommendations of conditionally approved Consent Application B15-25-LG. (Part 5, Section 2.3.2)
- The existing cemetery was established circa 1813 and is considered a legal non-conforming use (Part 6, Section 4.2.2).
- Should the existing use seek to expand in the future, further justification will be required to identify the demand or need for the expansion and potential impacts to surrounding agricultural operation’s (Part 6, Section 4.2.3).

Zoning By-Law 61-16:

Schedule ‘A’ Zone Classification: Agriculture (A)

- Section 6, Table 6.2.1 of the County of Brant Zoning By-Law 61-16 advises the development standards for lands zoned as Agriculture (A).
- The following chart demonstrates the proposed benefiting and retained lands lot frontage and area following the lot line adjustment, where 699 Paris Plains Church Road will convey lands to increase the undersized 705 Paris Plains Church Rd in lot frontage and area.

Zone Regulations Agriculture (A)	Required	Proposed – Benefitting lands at 705 Paris Plains Church Rd	Retained – 699 Paris Plains Church Rd
Lot Area, Min	40.0 hectares	1.5 ha (3.71 ac)	109.41 ha (270.3 ac)

Lot Frontage, Min	150 metres	108.73 m (356.73 ft)	1274 m (4,179.79 ft)
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- **705 Paris Plains Church Rd is considered an Existing Lot of Record as per Section 4.28.1 and the Paris Plains Cemetery use was established circa 1813 is considered a legal non-complying use (subject to Section 4.28.3). The subject conveyance will increase the size of the undersized parcel, thereby improving the current parcel frontage and area.**
- **As application B15-25-LG has been approved the receiving lands are no longer considered legal non-conforming and this application seeks to recognize the deficient lot area and frontage.**

Technical Circulation

As part of the technical circulation process, the following agency comments were received:

Department / Agency Comments
<p>Development Engineering Division</p> <p>I have no comment to the re-zoning application which seeks to recognize the undersized Agricultural area and frontage of 705 Paris Plains Church Road (Paris Plains Cemetery) which is to satisfy a condition of consent application B15-25-LG.</p>
<p>Policy Planning Division</p> <p>Policy has reviewed the application and has no concerns.</p>
<p>Parks Capital Planning and Forestry</p> <p>Parks Capital Planning & Forestry have no comments regarding the Minor Zoning By-Law Application.</p>
<p>The following Departments/ Commenting Agencies were included on the technical circulation of this application with no comments received:</p> <ul style="list-style-type: none"> - Operations Division - Building Division - Fire Department

Public Consultation

Notice of this application has been provided in accordance with the *alternative measures* for public engagement authorized under By-law 17-26 (OPA3-A-25). A copy of the public notice is attached to this report.

- Notice of this application, including contact information was circulated by mail on April 21, 2026, to all property owners within 180 meters of the subject lands.
- A Public Notice sign was posted on the property on April 27, 2026.

At the time of writing this report, no inquiries/concerns or objections have been received from members of the public.

Recommendation & Decision

THAT Zoning By-Law Amendment Application **ZBA8-26-LG** from MHBC Planning c/o Caitlin Port, agent on behalf of Miller Paving Ltd. c/o Ken Zimmerman, applicant, on behalf of South Dumfries Cemetery Trustee owner of CONCESSION 4 PART LOT 27, County of Brant, in the geographic former township of South Dumfries, located at 705 Paris Plains Church Rd seeking relief from the County of Brant Zoning By-Law 61-16, Section 6, Table 6.2.1 to permit a minimum lot area of 1.5 hectares (3.71 acres) and to permit a minimum lot frontage of 108.73 metres (356.73 feet), on Paris Plains Church Road and to recognize the Paris Plains Cemetery, **BE APPROVED**.

AND THAT the reasons for approval are as follows:

- a) The application is required to satisfy conditions of related consent application B15-25-LG to recognize the legal non-conforming use and undersized lot of record.
- b) The proposal is consistent with the Provincial Planning Statement (2024), conforms to the County of Brant Official Plan (2023), and brings the property into compliance with Zoning By-law 61-16.
- c) The proposal is consistent with Section 2.2.15.d of the Alternative Public Engagement Measures By-law 17-26.

Prepared by:

Lauren Graham

Lauren Graham, Planner

*THAT the Application be **APPROVED**, for the reasons outlined in the recommendation, and that the Mayor and Clerk be directed to sign the authorizing bylaw as attached, and that the bylaw be numbered accordingly.*



Jeremy Vink, Director of Planning

This decision is in accordance with and authorized by the delegated authority By-law 16-26 (OPA3-A-25).

Attachments

1. Zoning Map
2. Official Plan Map
3. Aerial Map
4. Drawing
5. Site Photos
6. Draft By-Law

Reviewed By

1. Dan Namisniak, Manager of Development Planning
2. Jeremy Vink, Director of Planning

Copied To

3. Nicole Campbell, Secretary Treasurer of the Committee of Adjustment
4. Applicant/Agent/ Owner

File # ZBA8-26-LG

By-law and/or Agreement

- | | |
|--|-------|
| By-Law required | (Yes) |
| Agreement(s) or other documents to be signed by Mayor and /or Clerk | (No) |
| Is the necessary By-Law or agreement being sent concurrently to Council? | (No) |

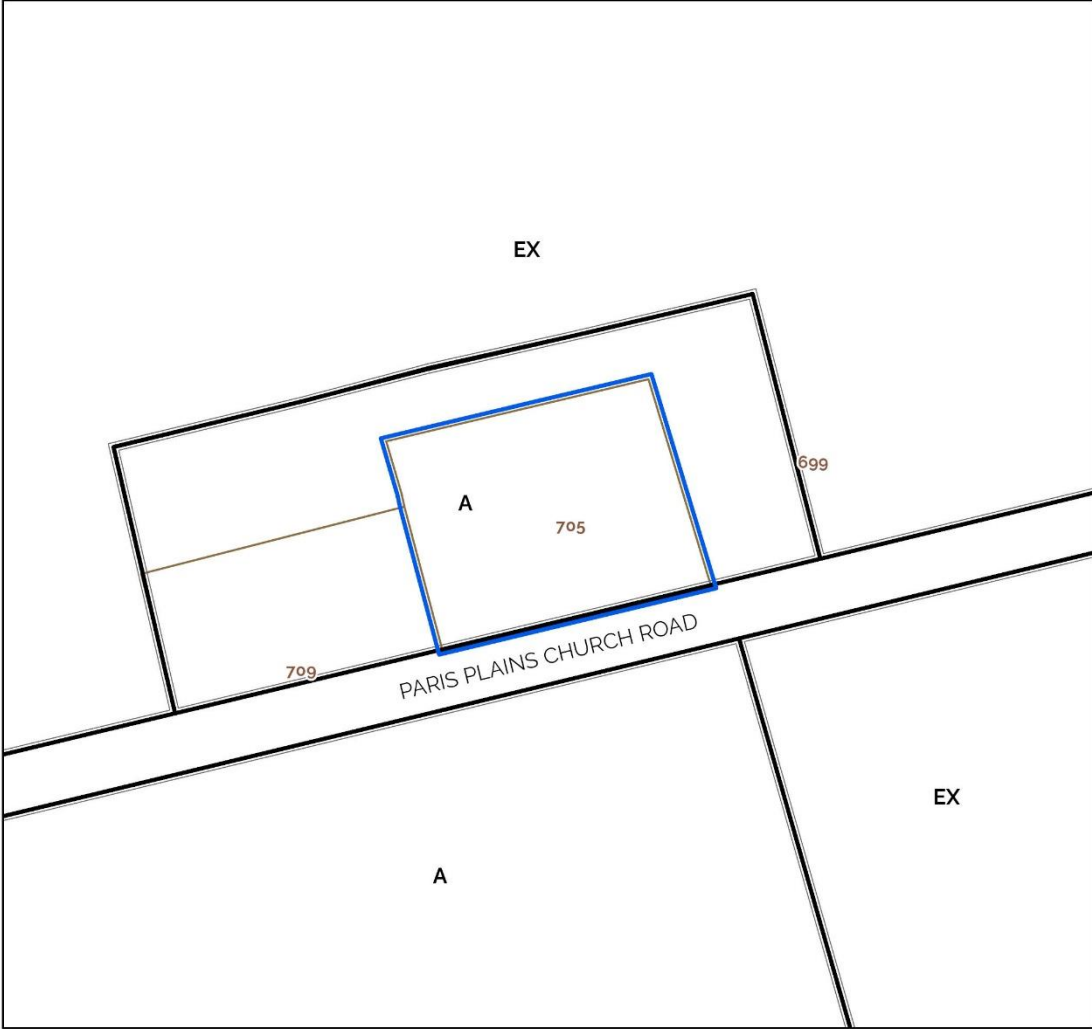
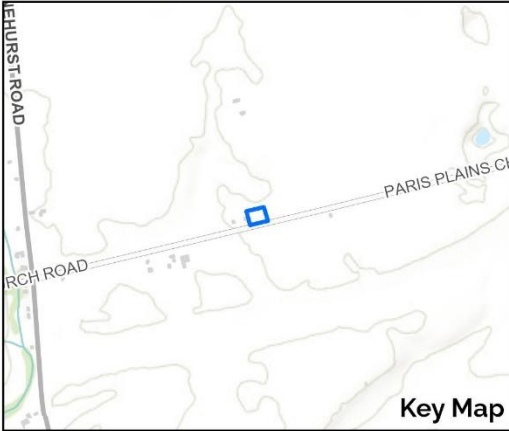
Attachment 1 - Zoning Map

**MAP 1: ZONING
FILE NUMBER
ZBA8-26-LG**

705 Paris Plains Church Road
County of Brant
Ontario



Date Printed: 2026-04-23



Attachment 2 - Official Plan Map

**MAP 2: Official Plan
FILE NUMBER
ZBA8-26-LG**

705 Paris Plains Church Road
County of Brant
Ontario



Date Printed: 2026-04-23

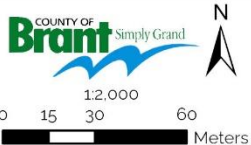


 Agriculture

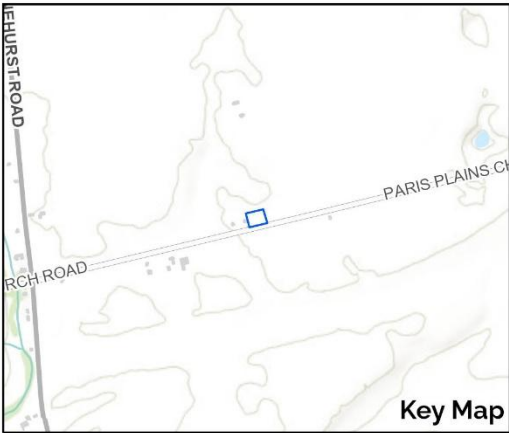
Attachment 3 - Aerial Map

MAP 3: AERIAL IMAGERY 2024
FILE NUMBER
ZBA8-26-LG

705 Paris Plains Church Road
County of Brant
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Date Printed: 2026-04-23



Attachment 5 - Site Photos



Figure 1 - 705 Paris Plains Church Road