

COUNTY OF BRANT  
COMMITTEE OF ADJUSTMENT  
66 GRAND RIVER STREET NORTH  
PARIS ON N3L 2M2

**Applicant: Margaret Givens & Betty Shrubbs**

**Submission No.: B9-26-RF**

**Roll No.: 292001101013000**

**DECISION OF COMMITTEE**  
**IN THE MATTER OF SECTIONS 50 & 53**  
**OF THE PLANNING ACT, R.S.O. 1990, as amended**  
**-and-**

**IN THE MATTER OF A CONSENT APPLICATION** from Harrison Pensa c/o Jacob Williams on behalf of the owner, Margaret Givens and Betty Shrubbs, for the lands legally described as CONCESSION 3 PART LOT 16 PART LOT 17 in the Geographic Former Township of Burford, County of Brant, and municipally known as 76 Fourth Concession Road, proposing to sever a surplus farm dwelling with a frontage of approximately 66.0 metres (217 feet) on Fourth Concession Road, and an area of 0.6 hectares (1.5 acres), and the retained lot having a frontage of approximately 392.0 metres (1,296 feet) and an area of 44.6 hectares (110 acres)

This Application was heard on the **18<sup>th</sup> Day of June 2026** after notice by mail and personal service to surrounding property owners and interested parties as directed by the Committee and Rules of Procedure.

**THE DECISION OF THE COMMITTEE IS:**

THAT the Application be **APPROVED**

Having regard for the criteria under Section 51 (24) of the Planning Act, The decision is based upon the following reason(s):

- The existing farm is surplus to the needs of the farming operation as a result of farm consolidation within the County of Brant; and
- The proposal is consistent with the Provincial Planning Statement (2024), conforms to the County of Brant Official Plan (2023), and complies with the Zoning By-Law 61-16.

THAT this decision be subject to the following conditions:

1. Proof that taxes have been paid up-to-date on the subject property to the County of Brant.
2. That the Applicant/Owner provide a copy of a Draft Reference Plan prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited at the Land Registry Office. a) The Draft Reference Plan shall clearly identify the severed and retained lands and be used to demonstrate zoning compliance, including the location of existing buildings, access, well and septic system, and identify any natural heritage features and buffers.
3. That a subsequent Planning Act Application be received, deemed complete and approved with no appeals. a) Rezone the Agricultural (A) portion of the retained lands to Agricultural with Special Exception (A-9) to prohibit a dwelling unit as a permitted use. The Natural Heritage (NH) portion of the retained lands is to remain unchanged.
  - a) Obtain relief for maximum total lot coverage requirements for accessory structures to bring accessory structures into compliance and to address any deficiencies related to accessory structure height, if applicable.
  - b) That any further Planning Act applications required to satisfy the conditions of approval, as applicable, be received and deemed complete a minimum of four (4) months prior to the lapsing of this application.
4. That the Applicant/Owner provide proof/copy of draft proposed civic addressing for the Severed and Retained lands issued by the Development Planning Division to the satisfaction of the County of Brant.
5. That the Applicant/Owner provide proof/copy of draft approved entrance locations for the Retained lands in accordance with the County of Brant Entrance By-Law, issued by the Operations Division to the satisfaction of the County of Brant.
6. That, prior to the issuance of the Certificate of Official, the Applicant remove the existing shed at the rear of the severed parcel, to the satisfaction of the County of Brant.
7. That, prior to the issuance of the Certificate of Official, the Applicant remove the existing agricultural structure east of the severed parcel, to the satisfaction of the County of Brant.

8. That the Applicant/ Owner demonstrate that the existing agricultural structures to remain with the proposed severed lands have been decommissioned for agricultural / livestock uses and that a change-of-use permit has been obtained, as required, issued by the Building Division, to the satisfaction of the County of Brant.
9. That the Owner/ Applicant provide Parkland dedication and/or Cash-in-lieu of parkland in the amount of \$6016.00, per new lot, to be paid to the County of Brant in accordance with Parkland Dedication By-Law 21-2022 to the satisfaction of the County of Brant.
10. That the Applicant(s) provide proof that \$600.00, per new building lot, in monies for firefighting purposes has been submitted to the County of Brant, or some other method acceptable to the Fire Department if required, prior to the stamping of the deeds.
11. That the current Deed Stamping Fee be paid to the County of Brant, prior to the release of each executed Certificate of Official.
12. That the Applicant provide evidence satisfactory to the County of Brant confirming that the purchaser identified in the Agreement of Purchase and Sale for the retained agricultural lands owns and/or operates an existing agricultural operation within the County of Brant.
13. That the Applicant's lawyer shall prepare and register all the necessary documents following review and approval by the County Solicitor, and immediately following the registration, the Applicant's lawyer shall provide a certificate satisfactory to the County Solicitor that the registrations.
14. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

*NOTE: Any further Planning Applications required to satisfy the conditions of approval must be applied for four (4) months prior to the lapsing of the Consent.*

*NOTE: THAT pursuant to Section 53(17)-(18.2) and Section 45(8)-(8.2) of the Planning Act, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:*

*"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in the staff report, addendum (if required) and public meeting.*

DATED this 18<sup>th</sup> day of June, 2026

Concur in the Decision:

APPROVED

\_\_\_\_\_  
Mary-Jane Brown, Chair

APPROVED

\_\_\_\_\_  
Bob Hamilton, Vice-Chair

APPROVED

\_\_\_\_\_  
John Vamos, Member

APPROVED

\_\_\_\_\_  
Steve Schmitt, Member

APPROVED

\_\_\_\_\_  
Jang Panag, Member

APPROVED

\_\_\_\_\_  
Harry Emmott, Member

APPROVED

\_\_\_\_\_  
Rebecca Smith, Member

NOTE:

1. **The last date for filing a notice of appeal to the Ontario Land Tribunal (OLT) is July 9, 2026.**
2. Appeal of the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal (OLT) can be made by the **Applicant or Minister**, not later than 20 days after the making of a decision under Section 45(12) for a Minor Variance and not later than 20 days after the giving of notice of a decision under Section 53(17) or (27) for Consent.
3. Only the Applicant or Minister may appeal decisions in respect of applications for consent or minor variance to the Ontario Land Tribunal (OLT). 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 group on its behalf.
4. To appeal a Decision of the Committee of Adjustment on this matter to the Ontario Land Tribunal, you 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 July 9, 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 appeal fees:
  - of \$400 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](http://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](mailto:clerks@brant.ca).
5. You will be entitled to the conditions of the provisional consent and/or minor variance if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent and/or minor variance or make a written request to be notified of changes to the conditions of the provisional consent and/or minor variance.
6. Additional information regarding this application for consent and/or minor variance is available at the offices of the County of Brant, 66 Grand River Street North, Paris, Ontario, during regular office hours Monday to Friday 8:30 a.m. to 4:30 p.m. Tel: 519-442-6324; [planning@brant.ca](mailto:planning@brant.ca)



**Legend**  
X – to be removed  
#1, #2, #3 - Accessory Structures to remain  
H – House

MAP 4: AERIAL DETAIL MAP  
FILE NUMBER  
Bg-26-RF

76 Fourth Concession Road  
County of Brant  
Ontario



0 625 125 250  
Meters  
Date Printed: 5/22/2026

