



Alternative formats and communication supports available upon request. Please contact accessibility@brantford.ca or 519-759-4150 for assistance.

Date November 6, 2024 **Report No.** 2024-643
To Chair and Members
City of Brantford Committee of Adjustment
From Lindsay King
Intermediate Development Planner

1.0 Type of Report

Application(s) for Consent and/or Minor Variance [
Item for Consideration or Consent [

2.0 Topic **Application B17-2024 – 555 and 565 Greenwich Street**
Agent – CB Planning c/o Cynthia Baycetch
Applicant/Owner – Ingenia Polymers c/o Gord
Thompson, BSC Landco Inc. c/o John Paul De Boer

3.0 Recommendation

- A. THAT consent application B17-2024 requesting to sever a parcel of land having a lot area of approximately 1.45 ha from 555 Greenwich Street, to be added to 565 Greenwich Street, BE APPROVED, subject to the conditions listed in **Appendix A** of Report No. 2024-643;
- B. THAT the reasons for approval of the consent application are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act* and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity

with the general intent and policies of the Official Plan and Zoning By-law;
and,

- C. THAT pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

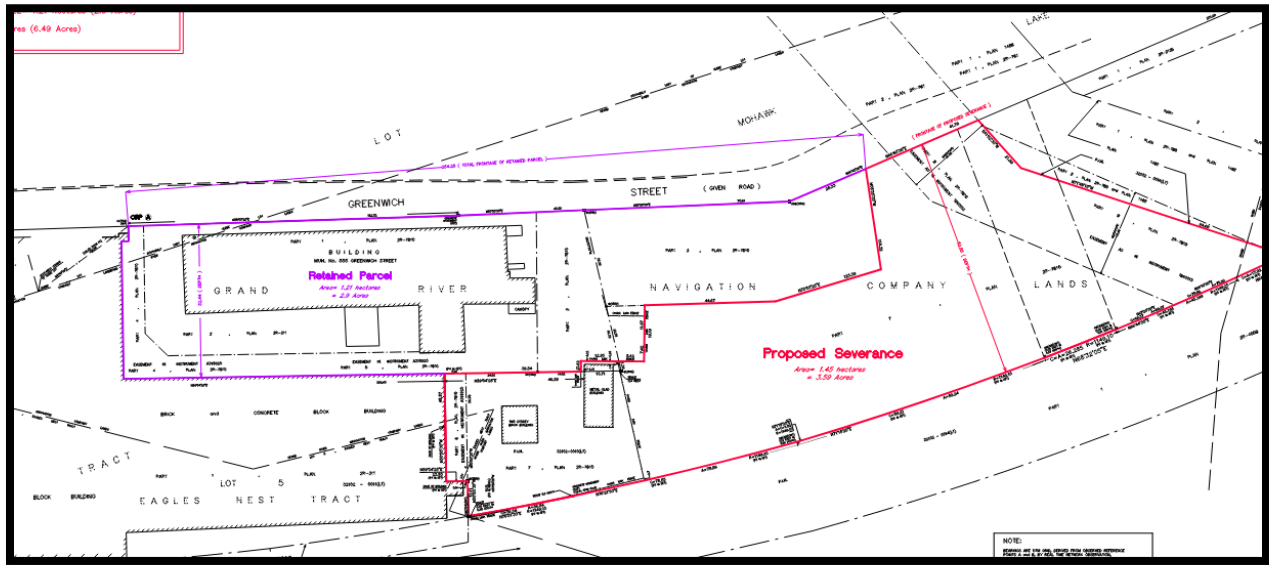
“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-643”.

4.0 Purpose and Description of Application(s)

Table 1 - Description of Application(s)

Application Details	
Type of Application	Consent (Boundary Adjustment)
Purpose of Application	<p>To transfer approximately 1.45 ha (3.59 acres) from 555 Greenwich Street to 565 Greenwich Street to facilitate a future expansion of Ingenia Polymers operations, located on 565 Greenwich Street.</p> <p>The proposed lot dimensions for the Retained and Severed Parcel(s) are shown in Table 2.</p> <p>The applicant has not yet submitted a site plan application.</p>
Additional Relevant Information	
Previous Applications	N/A
Concurrent Planning Applications	N/A
Any other relevant information	<p>The subject lands are, under Zoning By-law 160-90, zoned “General Industrial”. Planning Staff note that Zoning By-law 124-2024, approved on September 24, 2024, rezones a portion of these lands to “Core Natural Areas” to conform with the underlying “Core Natural Areas” designation.</p> <p>The appeal period for Zoning By-law 124-2024 ended on October 24, 2024, and is currently under appeal. As such, Zoning By-law 160-90 remains in effect at the time of statutory public meeting held for this application.</p>

Figure 1 – Site Plan / Severance Sketch



(see Appendix D for larger resolution)

Figure 2 - Aerial Photo



Table 2 - Lot Dimensions for Severance

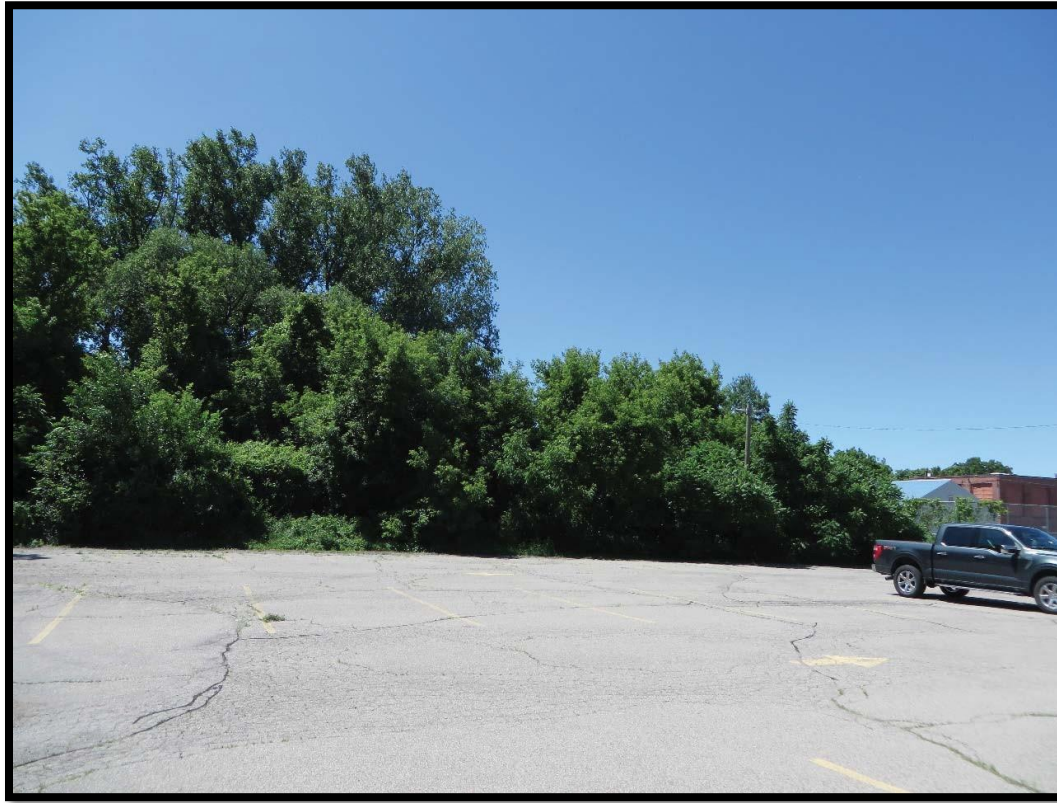
Regulation	By-law Section	Required	Retained Lot	Severed Lot/Transferred Lands
Lot Area (minimum)	Section 10.2.2.1	.2 ha	1.21 ha	1.45 ha

Regulation	By-law Section	Required	Retained Lot	Severed Lot/Transferred Lands
Lot Width (minimum)	Section 10.2.2.2	30 m	248.28 m	41.79 m

Table 3 – Information on the Subject Lands

Site Details									
Site Features	<p>The site features on the subject lands include:</p> <ul style="list-style-type: none"> • An existing finishing, screen printing and sign use business with a primary warehouse building and two accessory buildings. • Along the eastern portion of the existing property at 555 Greenwich Street is undeveloped with vegetation and some forested area. These areas are designated “Core Natural Areas” in the City’s Official Plan and through Zoning By-law 124-2024 will be rezoned from “General Industrial (M2)” to “Core Natural Areas” to align with the Official Plan designation. • There is also an eastern section of the property that is subject to an easement in favour of Hydro One. The trees in this area have recently been removed by Hydro One to maintain access to hydro infrastructure. <p>See Figure 2 - Photo of the Subject Lands</p>								
Surrounding Context	<p>The following are the surrounding features/uses of the subject lands:</p> <table> <tr> <td>North</td> <td>Greenwich Street, Mohawk Lake, Six Nations Lands</td> </tr> <tr> <td>South</td> <td>Rail corridor, Six Nations Lands</td> </tr> <tr> <td>East</td> <td>Undeveloped vegetation and forested area</td> </tr> <tr> <td>West</td> <td>Six Nations Lands, Industrial Lands</td> </tr> </table>	North	Greenwich Street, Mohawk Lake, Six Nations Lands	South	Rail corridor, Six Nations Lands	East	Undeveloped vegetation and forested area	West	Six Nations Lands, Industrial Lands
North	Greenwich Street, Mohawk Lake, Six Nations Lands								
South	Rail corridor, Six Nations Lands								
East	Undeveloped vegetation and forested area								
West	Six Nations Lands, Industrial Lands								

Figure 2 – South-facing photo of the lands to be conveyed



5.0 Input from Other Sources

5.1 Technical Comments

The application was circulated to all applicable departments and agencies on September 17, 2024. The notable comments are summarized below.

Table 4 - Technical Comments

Department/Agency	Comments
Development Engineering	Requested Easement Plan to ensure that existing and required easements are maintained.
Environmental Services	Advised that only one water service is permitted per property, and that no water services should be located within the severed property as water services must not cross private property lines.
Mississauga of the Credit First Nation	Requested a Stage 1 Archaeological Study (and any subsequent studies recommended) for the lands to be transferred, and that an MCFN field liaison participate on-site.

Six Nations	Requested a Stage 1 Archaeological Study (and any subsequent studies recommended) for the lands to be transferred.
--------------------	--

5.2 Public Comments

This application was circulated for public comment on October 22, 2024, to property owners within 60 m of the subject lands pursuant to the *Planning Act*.

At the time of writing this report, no public comments on this application have been received.

6.0 Planning Staff Comments and Conclusion

The Subject Lands are designated “General Employment” and “Core Natural Area” in the City’s Official Plan and zoned “General Industrial (M2)” in the Zoning By-law 160-90, as shown in **Appendix B** and **Appendix C** respectively.

6.1 Planning Analysis for Consent

The *Planning Act* sets the standard to which provincial and local interests, policies, and goals are implemented. Section 51(24) of the *Planning Act* lists the criteria that the Committee of Adjustment must have regard for when considering a consent application, as summarized in the table below.

Table 5 - Consent Criteria

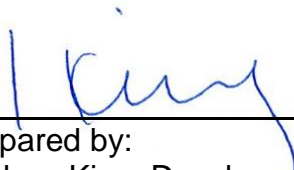
Criteria for Considering a Consent Application	Discussion
1. That the plan conforms to the Official Plan	Section 9.3 (g – i) of the Official Plan also outlines criteria for the subdivision of land and stipulates when consents are appropriate which includes: <ul style="list-style-type: none"> a) when a Plan of Subdivision is deemed unnecessary and where the application conforms to the policies of the Official Plan, b) no more than three new lots are being created; and c) all lots have frontage on a municipal road and do not require that municipal services be extended.

Criteria for Considering a Consent Application	Discussion
	<p>Section 9.3 (i) states that, “Consents may be permitted for the creation of up to three (3) new lots, to create easements, <u>boundary adjustments</u>, rights-of-way, lot additions and long-term leases in accordance with the provisions of the Planning Act.”</p> <p>Part of the lands are designated as “Core Natural Areas”, and the Official Plan states under section 5.6.1 (h) that “where development, redevelopment, and/or site alteration is proposed within the Core Natural Areas Designation, the City shall require that an Environmental Impact Study be prepared that demonstrates that there will be no negative impacts on any natural heritage features, or their ecological and hydrological functions.” Staff note that the applicant/property owner is aware of this requirement, and has begun to complete an Environmental Impact Study, although at the time of writing this report, it has not yet been completed.</p> <p>This application meets the above criteria.</p>
<p>2. The dimensions and shapes of the proposed lot</p>	<p>As shown in Table 2, both the Retained and Severed Lot comply with the required lot area and lot width in the Zoning By-law 160-90.</p> <p>The proposed lots would suite the general character of the surrounding lands which are characterized by large industrial properties to the west. Staff are satisfied that the proposed boundary adjustment will not cause adverse impacts to the residential and open space lands to the east and south.</p>
<p>3. The adequacy of utilities and municipal services</p>	<p>Both 555 Greenwich Street and 565 Greenwich Street have frontage onto a fully-serviced public road, and will continue to. Therefore, servicing is considered adequate.</p> <p>It is also noted that a Site Servicing Plan would be required for a future Site Plan Application, which would be required for anything deemed “development” according to the City of Brantford’s Site Plan Control By-law 90-2018. During the future Site Plan Control stage, Staff will be better positioned to consider servicing specifics and can assess detailed site design requirements at that time.</p>


6.2 Conclusion

Staff recommends approval of the subject application(s) for the following reasons:

- The application(s) satisfies Section 51(24) of the *Planning Act*, as detailed above.
- The boundary adjustment will facilitate the expansion of an existing industrial property with lands that are currently vacant and naturalized.
- A site inspection was completed on October 21, 2024 and no issues were found.



Prepared by:
Lindsay King, Development Planning
October 28, 2024



Reviewed by:
Jeff Medeiros, MCIP, RPP, Acting
Manager of Development Planning
October 30, 2024

APPENDIX A – Conditions of Consent (B17-2024)

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt of confirmation that all taxes are paid up to date.
3. Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer*

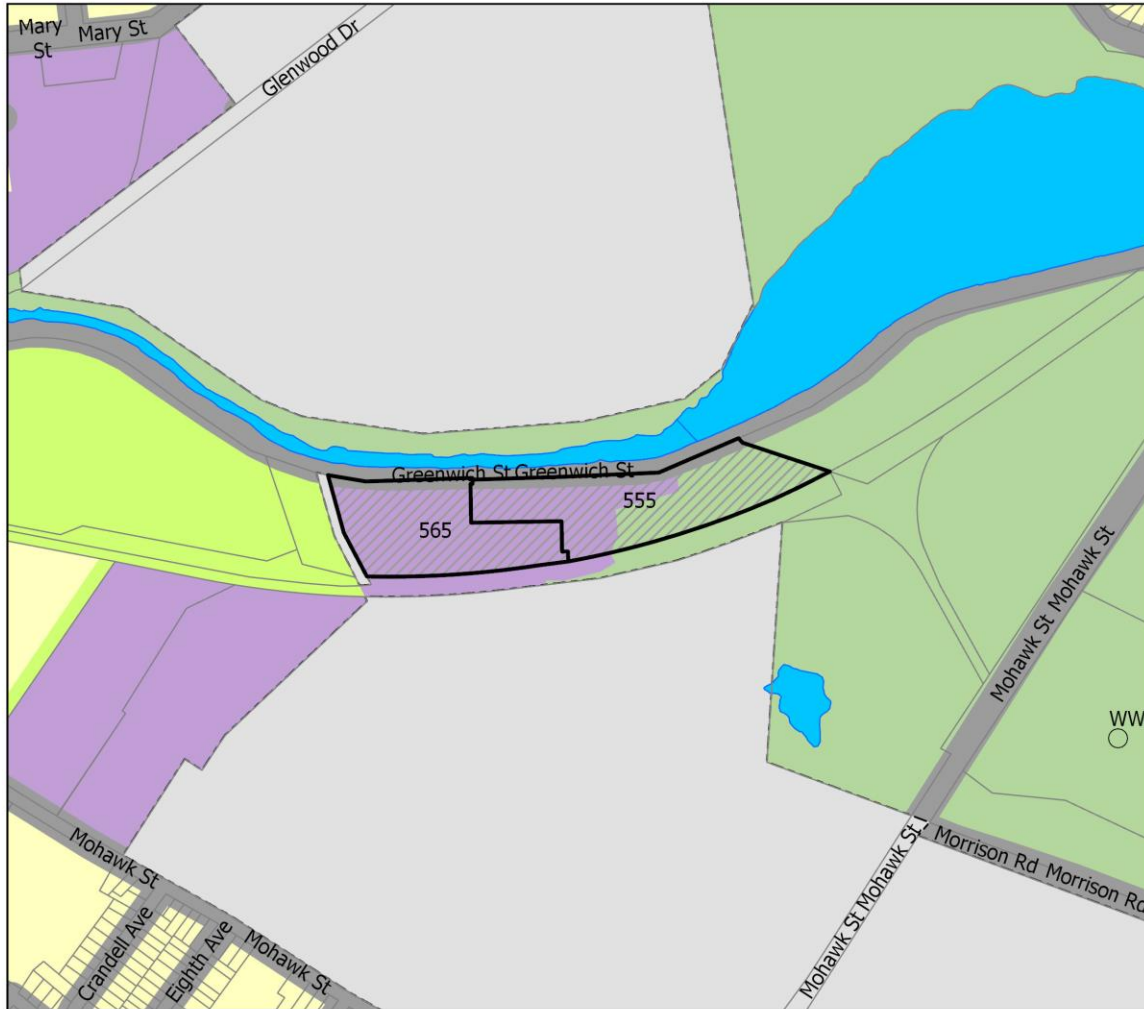
deed shall be provided to the City).

4. Receipt of an undertaking from the Solicitor acting in the transfer confirming that the severed parcel will be merged in title with the adjacent property and that a copy of the registered application to consolidate be provided to the City;
5. Receipt of acknowledgement that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land, free and clear of any encumbrances, being the subject of this consent;
6. The Owner/Applicant shall provide an Easement Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Easement Plan should distinctly illustrate all necessary easements, such as access, service, and drainage, etc.
7. The Owner/Applicant shall prepare and submit an updated archaeological assessment in accordance with the Province of Ontario's Standards and Guidelines for Consultant Archaeologists. The Owner agrees to provide the City with any associated letters from the Ministry of Citizenship and Multiculturalism stating that the study or studies have been entered into the Ontario Public Register of Archaeological Reports.
8. That the above conditions be fulfilled and the Certificate of Consent be issued on or before November 6, 2026, after which time the consent will lapse.

APPENDIX B – Official Plan

OFFICIAL PLAN EXCERPT MAP

Application: B17-2024 & B18-2024
 555 & 565 Greenwich Street



Legend

- | | |
|--|--------------------------------|
| Subject Land | General Employment Designation |
| Agricultural Designation | Six Nations Territory |
| Core Natural Areas Designation | VIA Station |
| Residential Designation | Transit Terminal |
| Major Institutional Designation | LOCATION |
| Parks and Open Space Designation | Landfill |
| Downtown Urban Growth Centre Designation | Municipal Works Yard |
| Major Commercial Centre Designation | Transit Service Bus Barns |
| Intensification Corridor Designation | Wastewater Treatment Facility |
| Prestige Employment Designation | Water Treatment Plant |
| Commercial Mixed Use Corridor | |

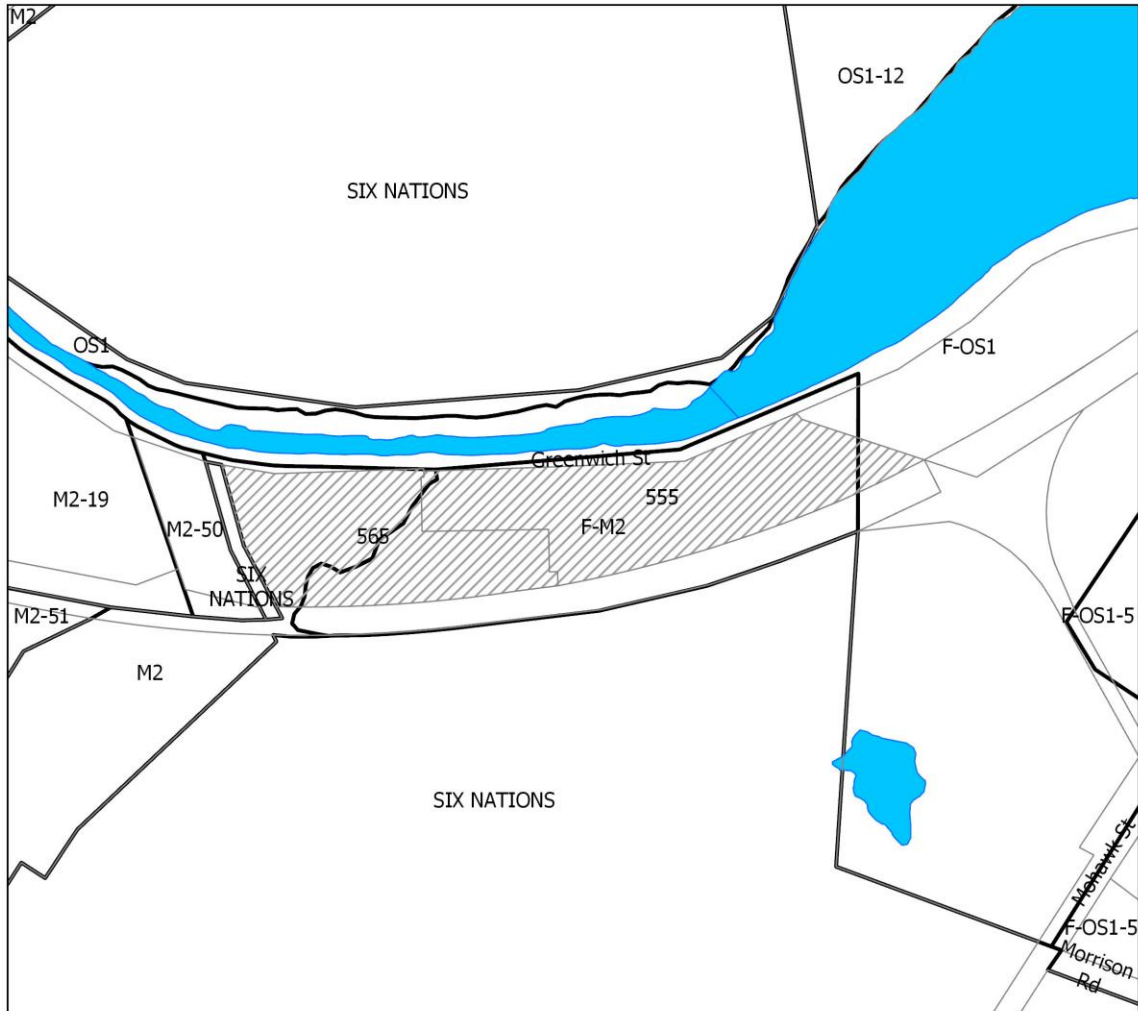


0 130 260 Metres

APPENDIX C – Zoning By-law

ZONING MAP

Application: B17-2024 & B18-2024
555 & 565 Greenwich Street



Legend

- Subject Land
- Zoning

ZONING (Bylaw 160-90) and County of Brant(61-16)

- M2 General Industrial
- OS1 Open Space Type 1
- SIX NATIONS
- F Floodplain Provision
- # Exception Number



0 130 260 Metres