

Approval of Zoning By-Law Application Pursuant to section 34 of the Planning Act, R.S.O. 1990, as amended

The Council of the Corporation of the County of Brant has passed By-law No. 107-26 on September 08, 2026, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended.

The following items are attached:

1. Copy of By-law No. 107-26
2. An explanation of the purpose and effect of By-law No. 107-26
3. A statement from the Clerk of the Corporation of the County of Brant stating that By-law No. 107-26 is in conformity with the Official Plan of Land Use for the Municipality's Planning area.

How do I appeal an approval?

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 September 29, 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.

County of Brant Development Services

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).

The last day for filing an appeal is September 29, 2026. The appeal must be received by 4:00 P.M. on this date in order to be valid.

Dated this 09 day of September, 2026

**County of Brant
Customer Service Office
66 Grand River St. North
Paris ON, N3L 2M2
519.44BRANT**

Copies Available: A copy of the associated Zoning By-law Amendment File No. ZBA15-26-LK is available by contacting the County's Planning Division at 519.44BRANT and 1.855.44BRANT

- No description or Key Map of the subject lands is included as the lands are shown on "Schedule A" of the By-law.
- The only service of Notice of the Passing of a By-law chosen in this instance is Ordinary Mail.

Explanatory Note

to rezone the lands from Heavy Industrial with site specific provisions (M3-29) to Heavy Industrial with site specific provisions (M3-29) to include a minimum number of required parking spaces (364 standard, 10 accessible), and a maximum building height of 42.0 metres.

BY-LAW NUMBER 107-26
-of-
THE CORPORATION OF THE COUNTY OF BRANT

To further amend By-Law Number 61-16, being the Comprehensive Zoning By-Law for the
County of Brant, as amended.

Brimich Real Holdings Inc, 635 Oak Park Road

WHEREAS Section 34 of *The Planning Act* authorizes the council of the County of Brant to pass By-Laws restricting the use of land and the erecting, locating, or using of buildings or structures, for or except for such purposes as set out in the Comprehensive Zoning By- Law, including that the Comprehensive Zoning By-Law may be amended.

AND WHEREAS ZBA15-26-LK was received from Cynthia Baycetch of CB Planning, on behalf of Patrick Fergus, Brimich Real Holdings Inc, Owner of lands legally described as BRANTFORD CON 1 PT LOT 18 RP 2R8715 PART 3, and municipally known as 635 Oak Park Road, in the County of Brant, proposing to amend the Comprehensive Zoning By-law for the County of Brant, being By-law 61-16 as amended.

AND WHEREAS the application to amend the Comprehensive Zoning By-Law for the County of Brant seeks to change the present zoning of 635 Oak Park Road from Heavy Industrial Special Exemption 29 (M3-29) to Heavy Industrial Special Exemption 29 (M3-29).

AND WHEREAS this application to amend the Comprehensive Zoning By-Law for the County of Brant is in conformity with the policies of Official Plan for the County of Brant (2023).

AND WHEREAS the Council of the Corporation of the County of Brant recommended approval of this By-Law on September 8, 2026.

AND WHEREAS the Council of the Corporation of the County of Brant deems such an amendment to the County of Brant Zoning By-Law to be desirable for the future development and use of the lands.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS AS FOLLOWS:

1. **THAT** Section 6 of By-Law 61-16, as amended, is hereby further amended to add the following site-specific provisions:
 - a. Notwithstanding Section 5.12.1 of the By-Law 61-16 as amended, the minimum number of required parking spaces for a cold storage facility are as follows:
 - 364 standard parking spaces;
 - 10 accessible parking spaces.
 - b. Notwithstanding Section 11.2.1 of the By-Law 61-16 as amended, the Maximum Building Height shall be 42.0 metres.

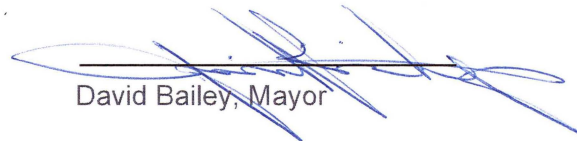
All other requirements of By-law shall apply.

2. **THAT**, provided no appeals have been received, this By-Law shall come into force and take effect on the day after the last day of appeal in compliance with the provisions of *The Planning Act*, R.S.O., 1990, as may be amended from time-to-time.

READ a first and second time, this 8th day of September, 2026.

READ a third time and finally passed in Council, this 8th day of September, 2026.

THE CORPORATION OF THE COUNTY OF BRANT



David Bailey, Mayor



Spencer Pluck, Deputy Clerk

Schedule 'A' of By-Law 107-26

