



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

Date March 27, 2019 **Report No.** 2019-216

To Chair and Members
City of Brantford Committee of Adjustment

From Sean House
Development Planner

1.0 Type of Report

Committee of Adjustment Decision Regarding Application for Minor Variance

2.0 Topic

APPLICATION NO. A05/2019

AGENT Architecture for All (c/o Richard Papa)

APPLICANT/OWNER 1821154 Ontario Ltd.

LOCATION 7 Erie Avenue

3.0 Recommendation

- A. THAT Application A05/2019 requesting relief from the City of Brantford Zoning By-law as outlined in Section 4 of Report 2019-216 BE APPROVED;
- B. THAT the reason(s) for approval are as follows: The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject land; and
- C. THAT pursuant to 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 Section 6.2 of Report No. 2019-216.”

4.0 Purpose and Description of Application

A minor variance application has been received for the lands municipally addressed as 7 Erie Avenue. The applicant proposes to construct an 8-storey mixed-use building with 92 residential units and two ground floor commercial units. A conceptual site plan and elevations are attached as **Appendices B and B1**. To facilitate the development, the applicant is seeking relief from the following requirements of Zoning By-law 160-90:

- To reduce the minimum amount of landscaped open space from 15% (364 m²) to of 6.6% (160 m²)
- To reduce the minimum interior side yard when abutting a building with windows on the facing wall from 5.5 m to 0 m
- To reduce the number of required off-street residential parking spaces from 92 (1 space/unit) to 69 (0.75 spaces/unit)
- To reduce the minimum building step-back above the sixth storey from 1.5 m to 0 m on the east, west, and north elevations

The subject lands are designated “Core Commercial” in the City’s Official Plan and are zoned “Flood - Core Commercial Zone” (F-C1) in Zoning By-law 160-90. The proposed development is currently going through the Site Plan Control process (File No. SPC-32-2018).

5.0 Site Features

The subject lands municipally known as 7 Erie Avenue are located on the southeast corner of Erie Avenue and Market Street South. The property has an area of 2,465.68 m² and is currently occupied by a small retail store known as Bathal Grocery.

The subject lands are surrounded by Earl Haig Park to the west, the Brantford Convention Centre to the South, the former TH&B Railway Station to the north and a vacant gas station to the west. The Brantford Civic Centre and Casino are located further northwest, and a commercial plaza further north. An aerial photo, site photographs, and a land use map are attached as **Appendices C, D and E**.

6.0 Input from Other Sources

6.1 Technical Comments

This application was circulated to all applicable departments and agencies and detailed comments from the Building Department, Engineering Department, and Grand River Conservation Authority are attached as **Appendices F, G and H**. Environmental Services provided detailed comments relating to water servicing, and these will be addressed at the Site Plan Control Stage.

The Transportation and Parking Services Department commented on the variance as it related to the parking reduction and required further clarification on the Parking Supply Assessment prepared by F.R Berry & Associates, dated April 18, 2018, revised November 2018 and with an addendum dated January 2019. These points of clarification related to a claim that an additional 12 space reduction currently exists for the site, to elaborate on nearby amenities and transit stops, and the requirement for a similar proxy site to be used for comparison. The applicant provided a response that satisfied the comments related to transit and nearby amenities, however it has been confirmed that the reduction of 12 parking spaces is not applicable and a similar proxy site was not provided.

Planning Staff had recommended that the application be deferred at the January 24, 2019 Committee of Adjustment meeting to allow the applicant an opportunity to either provide further rationale for a parking reduction or amend their application for a lesser amount of reduced parking. The applicant has since added 8 off-street parking spaces to the proposed development, in conjunction with further justification from the transportation engineer retained by the applicant. Transportation and Parking Services are now satisfied that the parking demand is met. This is discussed further in Section 8.1 of this Report.

Planning Staff identified that the subject lands are adjacent to 60 Market Street South, a known heritage resource. On June 18, 2018, the City of Brantford Heritage Committee passed a resolution to undertake research and prepare a report to determine whether the property at 60 Market Street South merits designation under the *Ontario Heritage Act*. As the variance related to a reduced step-back to the proposed building, this request could potentially increase the impact on the heritage resource, Staff recommended deferral of this application at the January 24, 2019

Committee of Adjustment until a Heritage Impact Statement was provided. The applicant has since prepared a Heritage Impact Statement and presented it to the Heritage Committee on February 25, 2019. The Heritage Committee acknowledged that the development at 7 Erie Avenue does not appear to impact the property at 60 Market Street South which is currently vacant, but noted that future uses of the building may be impacted differently which is outlined in the draft minutes of the meeting (see **Appendix I**). This is discussed further in Section 8.4 of this Report.

6.2 Public Response

Notice of public hearing was issued by personal mail (7 notices) and by posting a sign on-site. Attached as **Appendix J** is a plan illustrating the notification area. No objections were received.

6.3 Grand River Notification

Notice of the public meeting was issued to representatives of the Six Nations of the Grand River and the Mississaugas of the Credit First Nation, with no response received to date.

7.0 Policy Review

7.1 Planning Act, R.S.O 1990

The *Planning Act* sets the standard to which provincial and local interests, policies and goals are implemented. Minor variance applications must be evaluated in the context of Section 45(1) of the *Planning Act*. When evaluating the merits of a minor variance application, the Committee of Adjustment must be satisfied that the four tests of Section 45 (1) have been met. If any one of the four tests is not satisfied, then the application cannot be approved. To be approved, a minor variance must be minor in nature, desirable for the appropriate development and use of the land, and the general intent and purpose of the Zoning By-law and Official Plan must be maintained.

Planning Staff are of the opinion that the subject minor variance application is consistent with Section 45(1) of the *Planning Act*, as discussed in Section 9 of this Report.

7.2 Provincial Policy Statement

The subject minor variance application has been reviewed with respect to the policies contained in the Provincial Policy Statement (PPS). The PPS is issued under the authority of Section 3 of the *Planning Act*, which requires that planning decisions “shall be consistent with” policy statements issued under the Act.

The PPS encourages “*an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemetery and long-term care homes), recreation and park and open space, and other uses to meet long-term needs.*”

Planning Staff is of the opinion that the proposed minor variance is consistent with the direction set out in the PPS.

7.3 Places to Grow – Growth Plan for the Greater Golden Horseshoe (2017)

The subject consent and minor variance application has been reviewed with respect to the policies contained in the Growth Plan for the Greater Golden Horseshoe (Growth Plan). Section 1.2.1 of the Growth Plan outlines the principles that provide the basis for guiding decisions in the GGH on how land is developed, resources are managed and protected, and public capital is invested. The proposed variances are consistent with these policies. Planning Staff are of the opinion that the proposed development conforms to the Growth Plan.

7.4 City of Brantford Official Plan

The subject lands are designated “Core Commercial” in the City’s Official Plan. This designation permits a wide range of uses, including residential and commercial uses within mixed use buildings as proposed. This particular location is identified as being a major entranceway to the “Core Commercial” area, and the type of development as proposed is encouraged. Specifically, Section 7.3.2.15 states that “*Streetscape improvements, landscaping and significant building forms will be encouraged at the major entranceways to the Core Commercial Area and, in particular, in the areas adjacent to Dalhousie, Clarence, and Colborne Streets, Brant Avenue and the Lorne Bridge and Market Street South.*”

Section 7.3.2.18 of the Official Plan sets out policies to guide development in the “Core Commercial” designation. The proposed development is consistent with several of these policies by enhancing the built form, pedestrian orientation and attractive streetscape character of the district. In addition, new buildings on lands designated “Core Commercial” area shall generally not exceed 8-storeys in height, and all new development should directly address the street, with pedestrian entrances and other amenities fronting the sidewalk. In redevelopment areas, new buildings should be built close to the street edge, to reflect traditional development patterns and to create an inviting environment for pedestrians. Street-related retail, restaurants, entertainment and other pedestrian-related uses will be encouraged at grade in new developments. The proposed development conforms to these policies and meets the general intent of the Official Plan.

The subject lands are also located in a floodplain known as Special Policy Area 1 (SPA1) in the Official Plan. Development in this area is permitted, provided the proposal conforms to the policies of SPA1. These policies include prohibiting basements and requiring mechanical equipment to be located above the first floor elevation. The development as proposed conforms to these policies.

7.5 City of Brantford Zoning By-law 160-90

The subject lands are zoned “Flood – Core Commercial” (F-C1) in Zoning By-law 160-90. The F-C1 Zone permits a wide variety of commercial and residential uses, including mixed use buildings. The flood provision restricts sensitive uses in the zone, prohibits basements and requires mechanical equipment to be located above the first floor elevation. The specific requirements are listed in Section 6.28 of the Zoning By-law. The regulations of the F-C1 Zone as they relate to the proposed development are reviewed in Section 8 of this Report.

8.0 Planning Analysis

8.1 Minor Variance 1 - Reduction of Parking

The applicant is seeking relief from Section 6.18.7.8 to permit 69 residential parking spaces for 92 residential units (0.75 spaces/residential unit) whereas 92 residential parking spaces are normally required (1 space/residential unit for a mixed use building). The C1 Zone allows for

required parking spaces to be provided on an abutting lot, provided it is within 150 m of the proposed development and a parking agreement is entered into with the City and registered on all affected parcels of land. Of the proposed residential off-street parking, 28 spaces are proposed to be located on the abutting lots to the south and east. The applicant currently owns these abutting parcels and the required parking agreement will be made a condition of Site Plan Control.

In support of the parking reduction, the applicant has submitted a Parking Supply Assessment prepared by F.R Berry & Associates, dated April 18 2018, revised November 2018 and with an addendum dated January 2019. The reasoning for the proposed parking reduction includes that the subject lands are within walking distance to amenities, employment, public parking facilities, public transit and active transportation routes. In addition, 43 indoor bicycle parking spaces are provided on site to promote the use of active transportation. The Assessment also submits that it is anticipated students from local post-secondary school campuses and young professionals will be occupying some of the units, and that vehicle ownership among this demographic is low.

Due to the location in the floodplain, underground parking is not permitted which further constrains the provision of required parking on-site. Section 7.3.2.4.2 of the Official Plan states that *“a lesser reduction of on-site parking standards may be permitted in the remaining portions of the Core Commercial Area.”* Transportation and Planning Staff are satisfied with this rationale and recommend that Variance 1 be approved.

8.2 Minor Variance 2 - Reduction of Landscaped Open Space

The applicant is seeking relief from Section 9.1.2.9.14.1 of Zoning By-law 160-90 to permit a minimum of 6.6% (160 m²) of landscaped open space whereas a minimum of 15% (364 m²) is required. This variance was previously deferred to allow the applicant an opportunity to further rationalize or amend their application. The applicant has since increased the amount of landscaped open space and provided Staff with further rationale for the reduction.

The general intent of this provision is to reduce the amount of impervious surfaces to aid with storm water management, provide outdoor amenity space and enhance the streetscape. The applicant has provided that the balance of the minimum required landscaping can be accommodated on lands to be dedicated to the City for road widening. In addition, a second

storey rooftop amenity space with 50 m² of soft landscaping is proposed. While this does not technically fall under the definition of landscaped open space, it does help achieve the intent of this provision. Similarly, landscaped areas at grade located beneath upper storey balconies also do not technically fall under the definition of landscaped open space. These areas will, however, reduce storm water run-off, and through design of the building enhance the streetscape to achieve the intent of this provision.

Landscaping will be further reviewed at through the site plan control process, and Staff will ensure that an enhanced level is provided through the approval of a landscape plan prepared by a certified landscape architect. Planning Staff are of the opinion that Variance 2 meets the four tests of the *Planning Act* and recommend approval.

8.3 Minor Variance 3 - Reduction in Interior Side Yard

The applicant seeks relief from Section 9.1.2.9.10.2 of Zoning By-law 160-90 to permit a minimum interior side yard of 0 m, whereas a minimum interior side yard of 5.5 m is required when abutting a building with windows on the facing wall.

The intent of this provision relates to reducing the potential for fire spreading between buildings. The next building is approximately 50 m away from the subject land property line and any future development on the abutting property will be subject to the Ontario Building Code. As already mentioned in this Report, the applicant also owns the abutting lands and is aware that this could potentially restrict future development of those lands. The Ontario Building Code will also control for glazed openings and the Fire Department will also be circulated on future development of the abutting property. If there were no glazed openings on the building on the adjacent side yard, an interior side yard of 0 m would be permitted.

Planning Staff are supportive of Variance 3 and recommend approval

8.4 Minor Variance 4 - Reduction in Building Step-back

Minor Variance 4 seeks relief from Section 9.1.2.9.6 to permit a minimum building step-back of 0 m above the sixth storey on the east, west and north elevations, whereas a minimum step-back of 1.5 m is required above 6 storeys.

As previously discussed in Section 6.1 of this Report, the subject lands are adjacent to 60 Market Street South, a known heritage resource. On June 18, 2018, the City of Brantford Heritage Committee passed a resolution to undertake research and prepare a report to determine whether the property at 60 Market Street South merits designation under the *Ontario Heritage Act*. As the variance related to a reduced step-back that could increase the impact on the heritage resource, Staff had recommended deferral of this variance at the January 24, 2019 Committee of Adjustment meeting until a Heritage Impact Statement was provided. The applicant has since prepared a Heritage Impact Statement that included a shadow impact study and presented it to the Heritage Committee on February 25, 2019. The Heritage Committee acknowledged that the development at 7 Erie Avenue does not appear to impact the property at 60 Market Street South which is currently vacant, but noted that future uses of the building may be impacted differently which is outlined in the draft minutes of the meeting (see **Appendix I**).

The intent of this provision is to reduce shadowing impacts on adjacent properties and the applicant has demonstrated this proposal will have minimal impact. Additionally, the upper storey balconies and variation in materials on the seventh and eighth storey (**Appendix B1**) achieve the articulation that is also intended by this provision. Planning Staff are supportive of this Variance 4.

9.0 Conclusion

A site visit was conducted on December 22, 2019. Upon completion of this visit and review of the applicable policies, Planning Staff are supportive of the application. The minor variances as proposed represent good land use planning, and facilitate appropriate infill and intensification that is encouraged by the PPS, Growth Plan, and Official Plan.

The variances satisfy the criteria of Section 45(1) of the *Planning Act*. The proposed variances are desirable for the appropriate development or use of the land as it allows for a mixed use building that will contribute to the surrounding area. The variances are minor in nature as it will have no adverse impacts on adjacent properties. In Planning Staff's opinion, the general intent of the Zoning By-law is maintained as the use is permitted and the site will function appropriately. Lastly, the minor variances are in keeping with the general intent of the Official Plan by facilitating the development of a permitted use that

achieves the goals of the “Core Commercial” designation. Staff recommends that Application No. A05/2019 be approved.



Prepared On: March 21, 2019
Prepared By: Sean House,
Development Planner



Reviewed By: Joe Muto, MCIP, RPP
Manager, Development Planning


APPENDIX A
Location Map

LOCATION MAP

Application: A05/2019
7 Erie Avenue



Legend

 Subject Property



1710 ERIE SITE PLAN

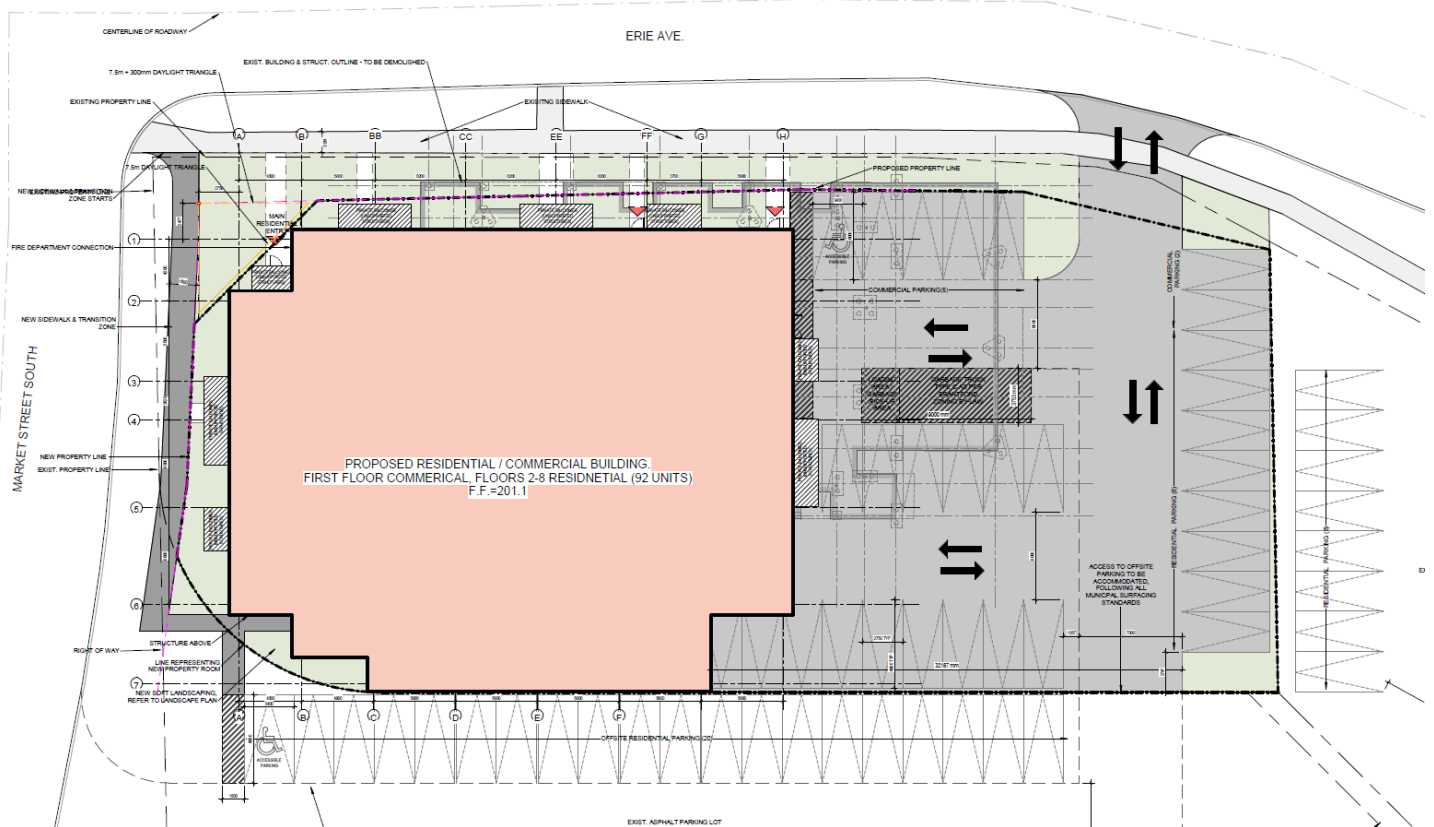
As Indicated

DECEMBER, 2018

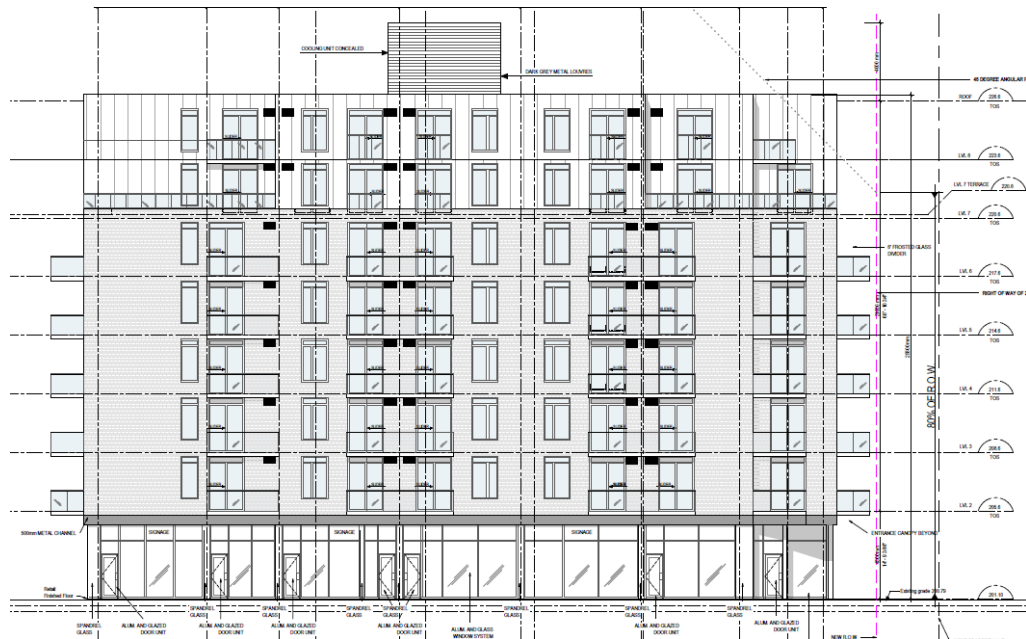
SITE PLAN

1710

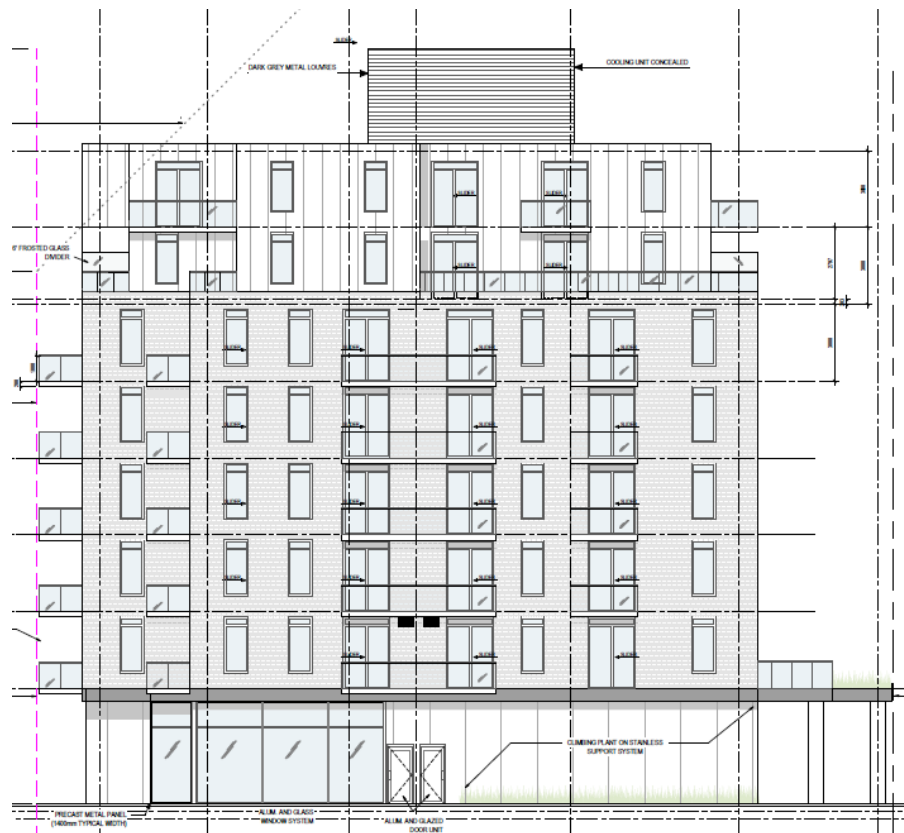
A-101



APPENDIX B1
Submitted Concept Elevations



North Elevation on Erie Avenue



West Elevation on Market Street South


APPENDIX C
Aerial Photo

AERIAL PHOTO (2017)

Application: A05/2019
7 Erie Avenue



LEGEND

 Subject Property



APPENDIX D
Site Photos



View of Subject Lands from northeast corner of Market Street and Erie Avenue

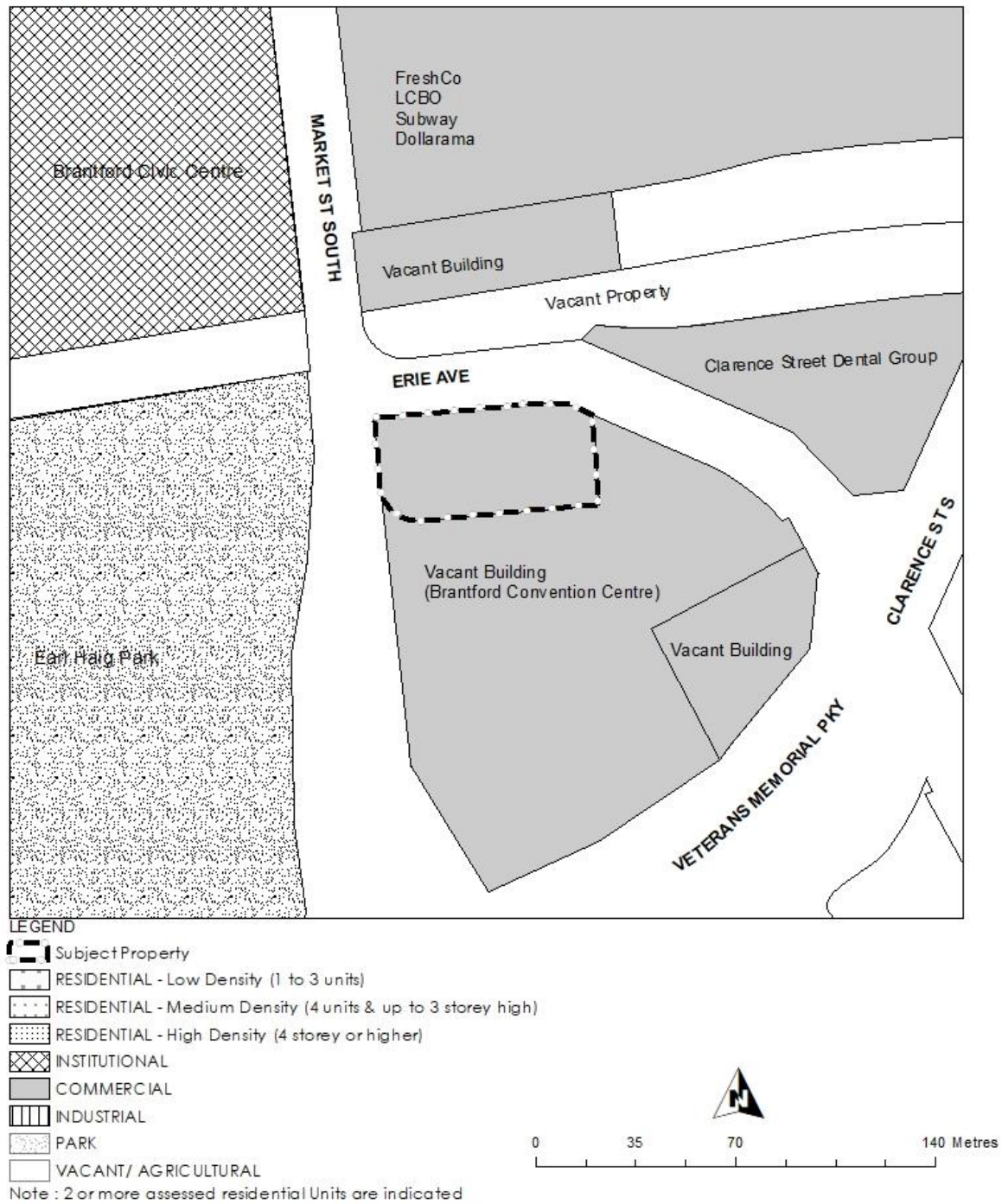


View of Subject lands from Market Street

APPENDIX E Existing Land Uses

LAND USE

Application: A05/2019
7 Erie Avenue



APPENDIX F
Building Department Comments



**BUILDING
DEPARTMENT**

PRELIMINARY REPORT TO PLANNING

<input checked="" type="checkbox"/> MINOR VARIANCE	<input type="checkbox"/> SEVERANCE
<input type="checkbox"/> DRAFT PLAN OF SUBDIVISION	<input type="checkbox"/> ZONING BYLAW AMENDMENT
<input type="checkbox"/> OFFICIAL PLAN AMENDMENT	<input type="checkbox"/> DRAFT PLAN OF CONDOMINIUM
<input type="checkbox"/> RENTAL HOUSING PROTECTION ACT	<input type="checkbox"/> SITE PLAN CONTROL APPROVAL

APPLICATION / SUBMISSION N^o **A01/19**

SITE: **7 Erie Ave**
TO PERMIT: **Various**
APPLICANT: **1821154 Ontario Ltd.**

COMMENTS:

BYLAW: 160-90 ZONE: F-C1

There no active violations related to this property.
We don't have any objections to the proposed variances.

Please be advised that we can't provide any Building Code related comments with respect to required Fire Routes, Spatial Separations, etc. until Building Code matrix is submitted for review.

A handwritten signature in black ink, appearing to read "Russ Thomson".

Russ Thomson, MAATO, CBCO, CPSO
Chief Building Official

12/28/18
Date

APPENDIX G Engineering Department Comments

No. A05/2019

COMMITTEE OF ADJUSTMENT APPLICATION ENGINEERING SERVICES STAFF REPORT

HEARING DATE: DECEMBER 28, 2018

NAME OF APPLICANT / OWNER: 1821154 Ontario Ltd.

AGENT: Architecture for All

ADDRESS: 7 Erie Avenue

NATURE OF APPLICATION: Variance Application

ENGINEERING DEPARTMENT REQUIREMENTS:

1.	Land required for road widening purposes	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
2.	Ingress and Egress satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
3.	Off-street parking satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.	Sanitary sewers available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
5.	Storm sewers available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
6.	Water Service available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

COMMENTS OR REMARKS:

1. TRAFFIC/PARKING

Following comments #1 -4 are in regard to the proposed reduction in on-site parking and the Parking Supply Assessment (FR Berry & Associates, April 28, 2018);

1. The report makes reference to an existing 12 space reduction for the site. Without further clarification, this existing reduction would not seem to be applicable to the proposed use.
2. Under the 'Site Location' section, the second paragraph indicates walking opportunity to nearby landuses. The report should expand on the uses and their distance from the site.
3. For the nearby transit routes identified, the report should indicate walking distance to the nearest existing stop locations.
4. The 'Parking Ratios' section of the report refers to a recently approved site at 1 Wellington St. The reduction granted at this site is consistent with City policy pertaining to an established boundary area that unfortunately does not include the property of 7 Erie Ave. Therefore, a greater reduction in on-site parking would not seem to be appropriate. Comparison to a similar proxy site may be beneficial in providing further justification.

T. KU, P.ENG., PTOE
MANAGER, TRANSPORTATION AND PARKING SERVICES

2. TRANSIT SERVICES

- Transit requires an in out driveway for Brantford Lift buses to service this location.

E. VANDERMADE
MANAGER OF TRANSIT

No. A05/2019

COMMITTEE OF ADJUSTMENT APPLICATION
ENGINEERING SERVICES STAFF REPORT

HEARING DATE: DECEMBER 28, 2018

NAME OF APPLICANT / OWNER: 1821154 Ontario Ltd.

AGENT: Architecture for All

ADDRESS: 7 Erie Avenue

NATURE OF APPLICATION: Minor Variance

ENGINEERING DEPARTMENT REQUIREMENTS:

1.	Land required for road widening purposes	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
2.	Ingress and Egress satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
3.	Off-street parking satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.	Sanitary sewers available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
5.	Storm sewers available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
6.	Water Service available and satisfactory	-	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

COMMENTS OR REMARKS:

3. WATER

I reviewed the minor variance application and site plan—as prepared by Architecture for All Inc.—on behalf of Environmental Services and have no concerns regarding the minor variances; however, I would like to offer the following water comments for consideration when applying for Site Plan Control:

1. City records indicate 7 Erie Avenue is located within Water Intake Protection Zone #3 (IPZ3). The Applicant must complete and submit a Source Water Protection: Restricted Land Use Declaration Form to the City's Coordinator, Water Compliance—attached hereto;
2. City records indicate 7 Erie Avenue is serviced by a 100 mm Ductile Iron/Cast Iron (public/private) lateral from the 300 mm Ductile Iron main in Erie Avenue. The service appears to be located 13.3 m out from the building and 1.6 m right of the left side of the building;
3. At the time of application for a Demolition Permit for the existing building, the Owner must submit a deposit in the amount of \$5000.00CAD for the removal of the water service. The Owner can apply to the City's Water Customer Service Department to have the deposit returned once the water services are removed to the satisfaction of the City Inspector;
4. Removal of the existing service will require a temporary shutdown of the main affecting delivery of water to 1325 Clarence Street South, 33 Erie Avenue and 43 Erie Avenue; the work to remove the service shall occur after hours to reduce the impact to local businesses;
5. The water service must come up through the floor immediately after crossing the footing and be metered at that point. Please revise the ground floor plan accordingly;
6. The Owner will be required to obtain a Street Excavation Permit prior to commencing any work within the City's road right-of-way;
7. The Owner must obtain a Water Service Connection Permit and pay all applicable fees prior to commencing any work to connect the new water service. Only one (1) water service will be permitted to the property;
8. The development must be metered during construction and the Owner will be required to pay the current fee per cubic metre for the quantity of water used;
9. All materials and construction methods must comply with the latest version of the City's Linear Design & Construction Manual and Ontario Building Code; and
10. The City will complete the inspection of all watermain and appurtenances within the development. The Owner will be required to pay the City's inspection time. The Owner will be required to pay a deposit for the inspections. The estimated deposit will be determined once the final design has been approved.

J. SPAGNUOLO, C.E.T.
SENIOR PROJECT MANAGER, ENVIRONMENTAL SERVICES

No. A05/2019

COMMITTEE OF ADJUSTMENT APPLICATION
ENGINEERING SERVICES STAFF REPORT

HEARING DATE: DECEMBER 28, 2018

NAME OF APPLICANT / OWNER: 1821154 Ontario Ltd.

AGENT: Architecture for All

ADDRESS: 7 Erie Avenue

NATURE OF APPLICATION: Minor Variance

ENGINEERING DEPARTMENT REQUIREMENTS:

- | | | | | | | |
|----|--|---|-----|--------------------------|----|--------------------------|
| 1. | Land required for road widening purposes | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 2. | Ingress and Egress satisfactory | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 3. | Off-street parking satisfactory | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 4. | Sanitary sewers available and satisfactory | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 5. | Storm sewers available and satisfactory | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 6. | Water Service available and satisfactory | - | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

COMMENTS OR REMARKS:

4. DEVELOPMENT ENGINEERING

➤ No comments.



G. PEEVER, P. ENG.,
ACTING MANAGER, DEVELOPMENT ENGINEERING

January 2, 2019
DATE



R. LOUKES, P. ENG.,
DIRECTOR, ENGINEERING SERVICES
PUBLIC WORKS COMMISSION

APPENDIX H Grand River Conservation Authority Comments



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6
Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

PLAN REVIEW REPORT TO:	City of Brantford Attention: Sean House Planner
-------------------------------	--

DATE:	January 2 nd , 2019	YOUR FILE:	A05/2019
GRCA FILE:	A05_2019 7 Erie Street, Brantford		

RE:	Application for Minor Variance A27/2017 Architecture for All (Richard Papa) – Agent 1821154 Ontario Ltd. - Owners 7 Erie Street, City of Brantford
------------	---

GRCA COMMENT:

Grand River Conservation Authority (GRCA) staff does not object to the proposed minor variance application.

Development on the subject lands will require prior written permission (a permit) from the GRCA. The development must conform to the Brantford Special Policy Area (SPA) policies.

BACKGROUND:

1. Resource Issues:

The entire subject property is identified as natural hazard lands impacted by the flooding of the Grand River. These lands are also known as the regulatory floodplain.

2. Legislative/Policy Requirements and Implications:

The subject lands contain natural hazard land identified by the Provincial Policy Statement (2014) and the City of Brantford Official Plan. These natural hazard lands are associated with the floodplain of the Grand River and are identified as Special Policy Area 1 (SPA 1) in the City of Brantford Official Plan. The City of Brantford SPA permits development and site alteration within the identified floodplain (Provincial Policy Statement 3.1.4) provided the proposal conforms to the policies/criteria established for the approved Special Policy Area, as agreed to by the Province of Ontario, the City of Brantford and the Grand River Conservation Authority.

The policies/criteria established for SPA 1 in the City of Brantford Official Plan (Section 10.2.8) include:

- No basements, including under additions to existing buildings. A crawl space may be permitted.
- First floor elevations not less than that of the nearest existing building comprising the main use on a lot or the elevation of the 100 Year Flood, whichever is less.
- Pipe and utility spaces may be provided below the elevation of the first floor, however all mechanical and electrical service equipment is to be installed above the first floor elevation.

The proposal is for two storage sheds on the rear of the subject property. The applicant is seeking relief from the minimum landscaped open space, parking, side yard interior setback and minimum setback above 6 metres.

All future development on the Subject Lands will require prior written approval (a permit) from the GRCA pursuant to the Grand River Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, Ontario Regulation 150/06.

The Grand River Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, Ontario Regulation 150/06 applies to the following development activities:

- the construction, reconstruction, erection or placing of a building or structure of any kind,
- any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- site grading,
- or the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The permit process involves the submission of a Permit Application, supporting plans/reports and the required application fee to this office, the review of the proposal by Authority staff and the subsequent presentation of the Permit Application to the Internal Review Committee of the GRCA.

3. Additional Information/Suggestions provided in an advisory capacity:

The enclosed map shows the assumed boundaries of the subject lands.

This application is considered a 'minor' minor variance application. With a copy of this letter, the applicant will be invoiced in the amount of \$270.00.

If you have any questions, please contact me at this office.

Sincerely,



Nathan Garland
Resource Planner
Grand River Conservation Authority

Enclosure

c.c. 1821154 Ontario Ltd., 600 Orwell St. Unit 22, Mississauga, ON L5A 3R9
Architecture for All (Richard Papa), 910 – 8 Dovercourt Road, Toronto, ON M6J 0B6

APPENDIX I

Excerpt from Draft Heritage Committee Minutes – February 25, 2019

4.3 Heritage Impact Statement - 7 Erie Avenue

The Committee discussed the Heritage Impact Statement prepared by Architecture for All regarding the proposed development at 7 Erie Avenue and impacts on 60 Market Street South.

Moved by B. Garner

Seconded by M. Radojewski

THAT the following comments regarding the Heritage Impact Statement for 7 Erie Avenue be FORWARDED to staff:

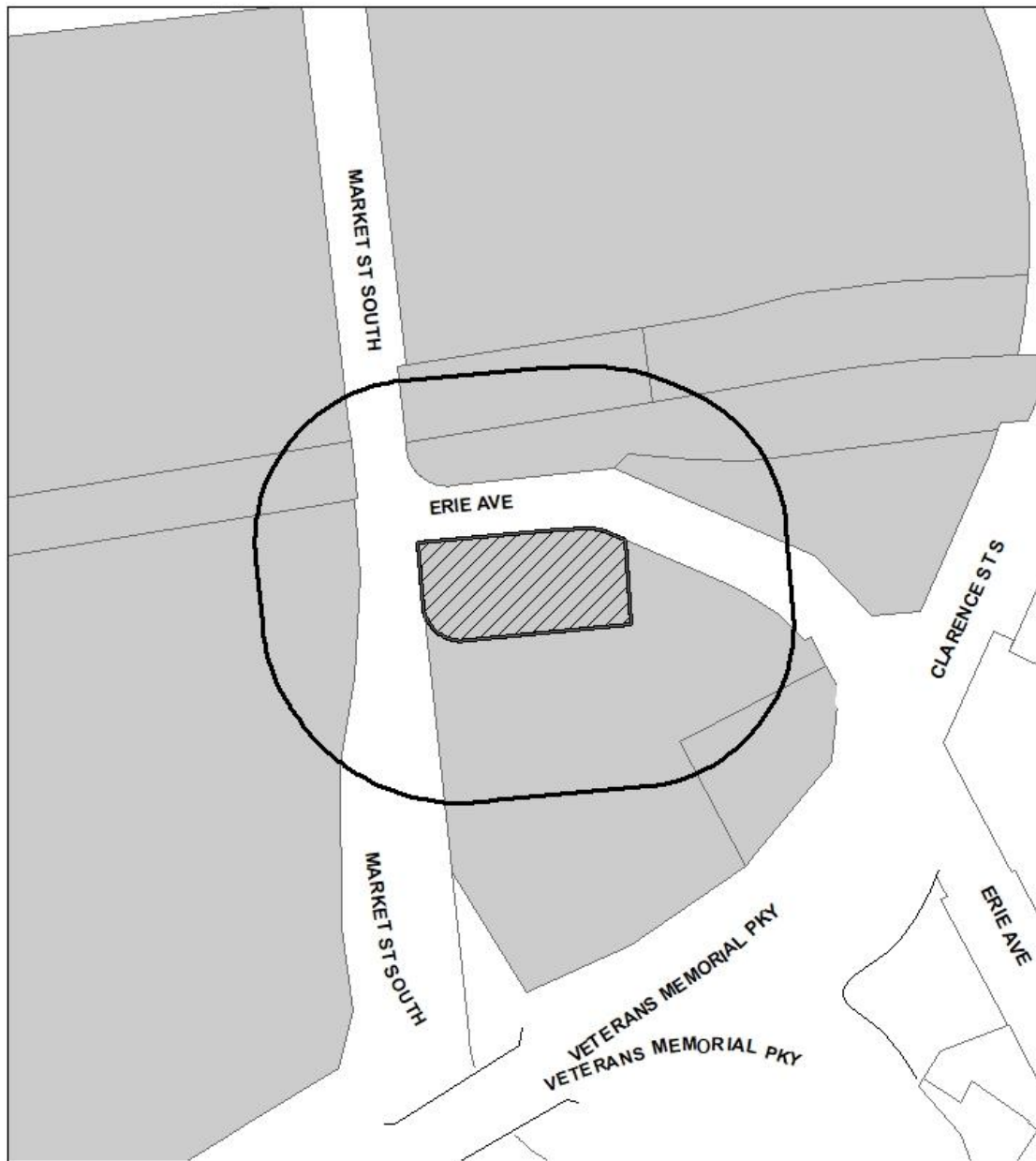
- The Committee would like to thank Staff for requesting a Heritage Impact Statement be prepared and for providing it to the Committee for review so quickly.
- The Committee acknowledges that the development at 7 Erie Avenue does not appear to impact the property at 60 Market Street South which is currently vacant but notes that future uses of the building may be impacted differently.

T. Philp did not discuss or vote on this matter as he declared a conflict of interest.




APPENDIX J
Notification Area

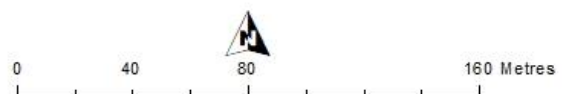
AREA OF PUBLIC NOTIFICATION

Application: A05/2019
7 Erie Avenue



LEGEND

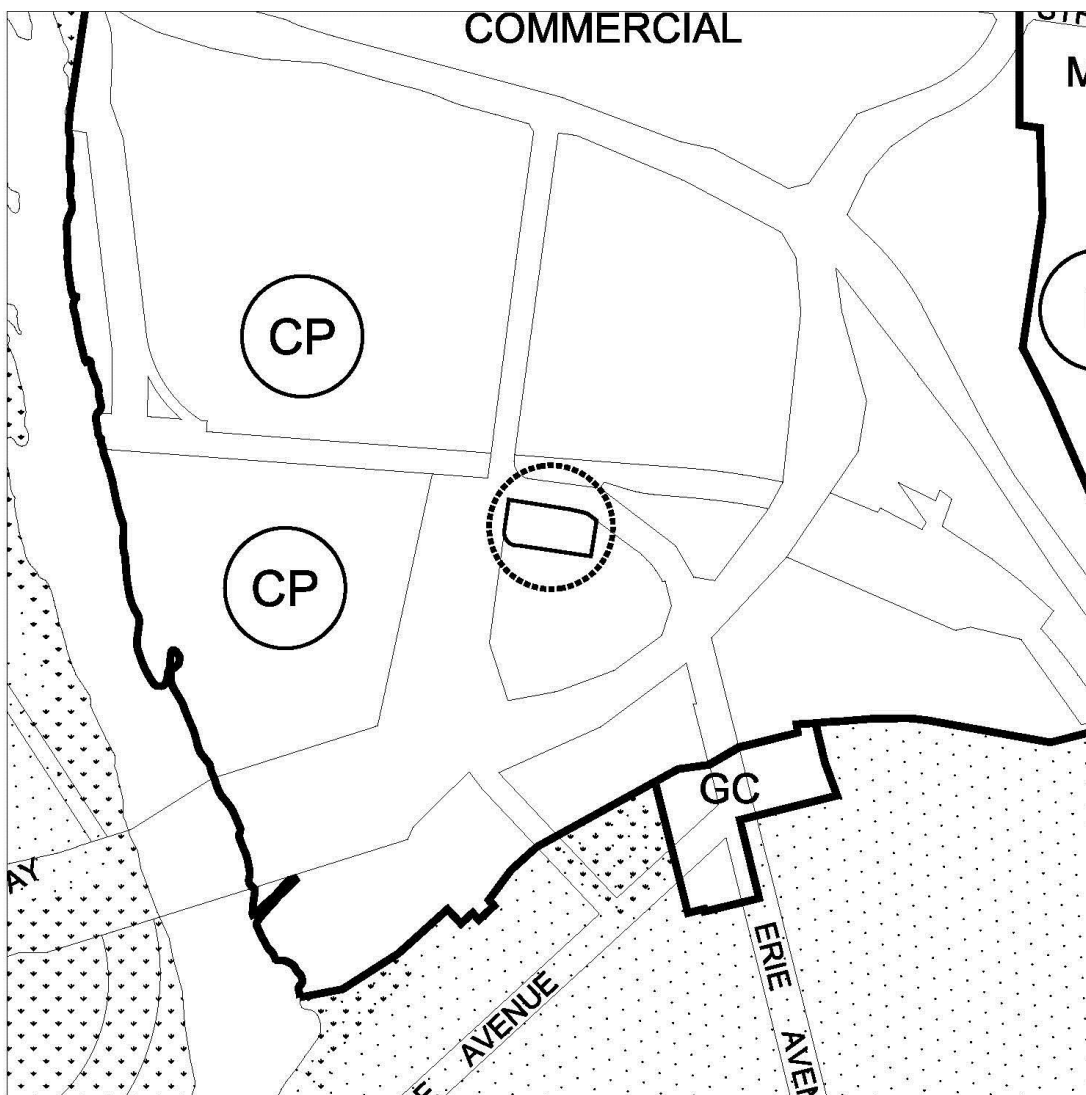
-  60m RADIUS from Subject Property
-  Subject Property
-  Notified Properties



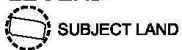
APPENDIX K
Official Plan

OFFICIAL PLAN

Application: A05/2019
7 Erie Avenue



LEGEND



- LOW DENSITY RESIDENTIAL AREA
- MEDIUM DENSITY RESIDENTIAL AREA
- HIGH DENSITY RESIDENTIAL AREA
- GENERAL INDUSTRIAL AREA
- MIXED INDUSTRIAL COMMERCIAL AREA
- BUSINESS PARK AREA
- MAJOR INSTITUTIONAL
- MAJOR OPEN SPACE

- CORE COMMERCIAL AREA
- COMMUNITY CENTRE COMMERCIAL AREA
- GENERAL COMMERCIAL AREA
- MIXED COMMERCIAL RESIDENTIAL AREA
- DISTRICT CENTRE COMMERCIAL AREA
- NEIGHBOURHOOD CENTRE COMMERCIAL AREA
- HIGHWAY COMMERCIAL AREA
- NEW FORMAT COMMERCIAL AREA

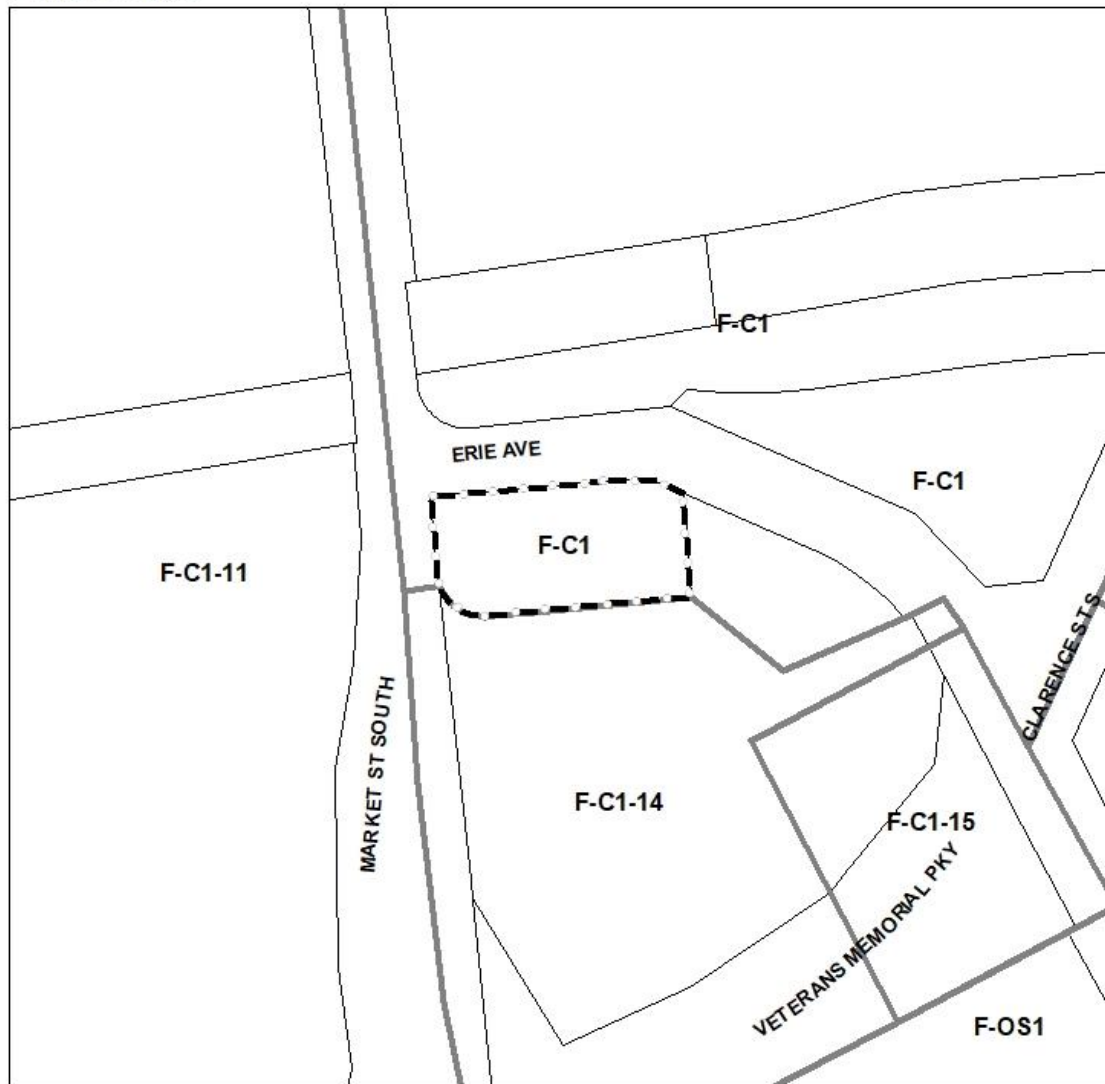
- CEMETERY
- ELEMENTARY SCHOOL
- FREEWAY
- LONG TERM CORRIDOR PROTECTION
- SPECIALIZED PARK and OPEN SPACE
- COMMUNITY PARK and OPEN SPACE
- NEIGHBOURHOOD PARK and OPEN SPACE

APPENDIX L
Zoning

ZONING BY-LAW

Application: A05/2019

7 Erie Avenue



LEGEND

Subject Property

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

ZONE BOUNDARY

C1 CORE COMMERCIAL

F FLOODPLAIN PROVISION

-3 Exception Number

