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Date December 6, 2023 **Report No.** 2023-625

To Chair and Members
City of Brantford Committee of Adjustment

From Tausha Adair, BES, MCIP, RPP
Intermediate Development Planner

1.0 Type of Report

Committee of Adjustment Decision Regarding Application for Minor Variance

2.0 Topic

Application No. A35/2023

Applicant/Owner Elite M.D. Developments

Agent Weston Consulting c/o Martin Quarcoopome

Location 575 Conklin Road

3.0 Recommendation

- A. THAT application A35/2023 seeking relief from Section 7.11.2.1.1 of Zoning By-law 160-90 to permit a minimum lot area of 48 sq. m per unit, whereas 50 sq. m per unit is required, BE APPROVED;
- B. THAT application A35/2023 seeking relief from Section 7.11.2.1.3 of Zoning By-law 160-90 to permit a maximum lot coverage of 39%, whereas 35% is required, BE APPROVED;
- C. THAT application A35/2023 seeking relief from Section 7.11.2.1.6 of Zoning By-law 160-90 to permit a minimum rear yard of 11.5 m, whereas 7.5 m plus 1.5 m per storey is required (13.5 m), BE APPROVED;

-
- D. THAT the reason(s) for approval of the minor variances 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 lands; and,
- E. 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 2023-625”.

4.0 Purpose and Description of Application

A minor variance application has been received for the lands municipally addressed as 575 Conklin Road. The applicant is proposing to construct a four-storey apartment building with a total of 8 units, and a GFA of 1,349.77 square metres.

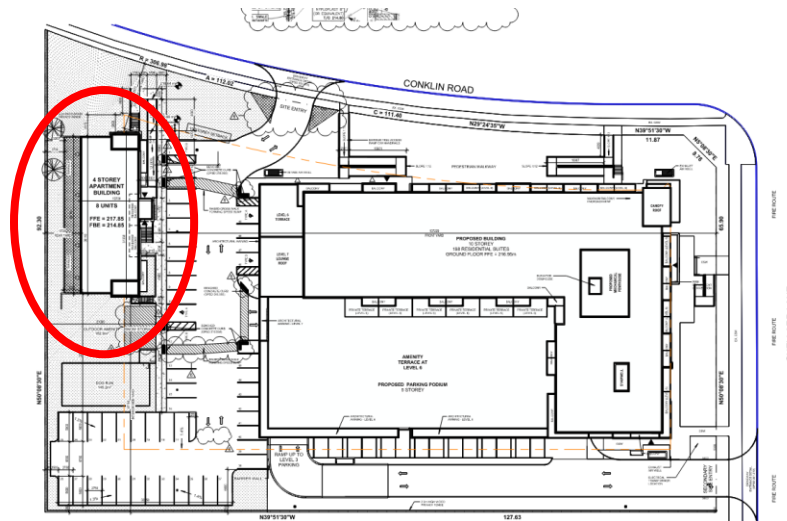
A previous minor variance application had been received which was scheduled to be heard at the November 1st, 2023 Committee of Adjustment Hearing date (see **Figure 1**). Through the previous application, three minor variances were proposed to provide relief from the following sections of Zoning By-law 160-90:

1. Section 7.11.2.1.1 to permit a minimum lot area of 48 sq. m per unit, whereas 50 sq. m per unit is required;
2. Section 7.11.2.1.3 to permit a maximum lot coverage of 39%, whereas 35% is required; and,
3. Section 7.11.2.1.6 to permit a minimum rear yard of 6.7 m, whereas 7.5 m plus 1.5 m per storey is required (13.5 m).

The Staff Report had recommended approval of the first and second variances, however recommended refusal of the third variance which proposed a 6.7 meter reduction to the minimum rear yard setback. Staff had recommended refusal of the third variance to the minimum rear yard as the relief requested was not minor in nature, did not meet the intent and purpose of the Official Plan or Zoning By-law, and was not desirable for the appropriate development and use of the land. Additionally, Staff had received numerous comments from members of the public in opposition of the minimum rear yard variance request (see **Appendix C**).

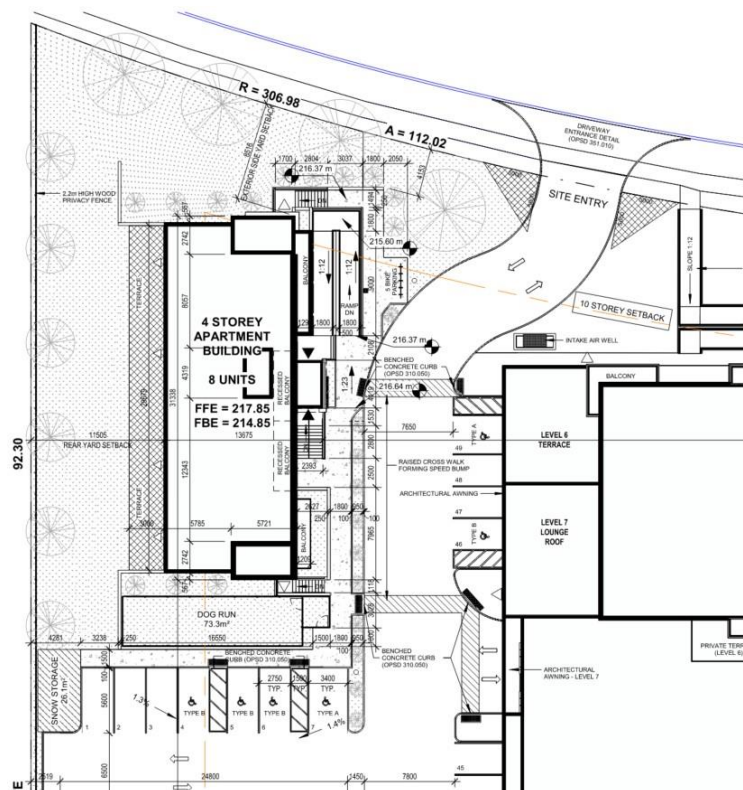
The Applicant was made aware of Staff's recommendation of approval for two out of three of the requested variances, and had decided to defer the application from the November 1st Committee of Adjustment Hearing Agenda. Accordingly, Staff had provided formal deferral notice by mail to all members of the public within the 60m mailing area, as well as by email to all members of the public who had provided written comments.

Figure 1 – Previous Conceptual Site Plan



Following the deferral, Staff met with the Applicant's Team to review and discuss the revised concept plan, which featured an increased minimum rear yard setback (see **Figure 2**). Staff had determined that the revised variances were supportable, and the application was placed on the December 6, 2023 Committee of Adjustment Hearing Agenda. A revised Public Notice was provided by mail to all members of the public within the 60m mailing area, as well as by email to all members of the public who had provided written comments. Further, the Notice Sign on-site was updated to reflect the December 6th Committee date as well as the revised variances. Since the revised Public Notice was sent, Staff has received numerous comments from members of the public still in opposition of the revised variances (see **Appendix C**).

Figure 2 – Revised Conceptual Site Plan



In order to facilitate the residential development, minor variances are proposed to provide relief from the following sections of Zoning By-law 160-90:

- Section 7.11.2.1.1 to permit a minimum lot area of 48 sq. m per unit, whereas 50 sq. m per unit is required;
- Section 7.11.2.1.3 to permit a maximum lot coverage of 39%, whereas 35% is required; and,
- Section 7.11.2.1.6 to permit a minimum rear yard of 11.5 m, whereas 7.5 m plus 1.5 m per storey is required (13.5 m).

To facilitate the development as proposed, the applicant is seeking the following relief Zoning By-law 160-90:

Table 1 - Requested relief from Zoning By-law 160-90

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum Lot Area	7.11.2.1.1	50 sq. m / unit	48 sq. m / unit	- 2.0 sq. m / unit

Regulation	By-law Section	Required	Proposed	Relief Requested
Maximum Lot Coverage	7.11.2.1.3	35%	39%	+ 4%
Minimum Rear Yard	7.11.2.1.6	7.5 m + 1.5 m / storey (13.5 m total – for four storeys)	11.5 m	- 2.0 m

5.0 Site Features

The subject lands are located on the western side of Conklin Road, north of Shellard Lane. The lands have an area of 9,940 m², and are currently occupied by a 10-storey apartment building containing 198 residential suites (SPC-46-18) which is currently under construction.

Figure 3 - Location Map

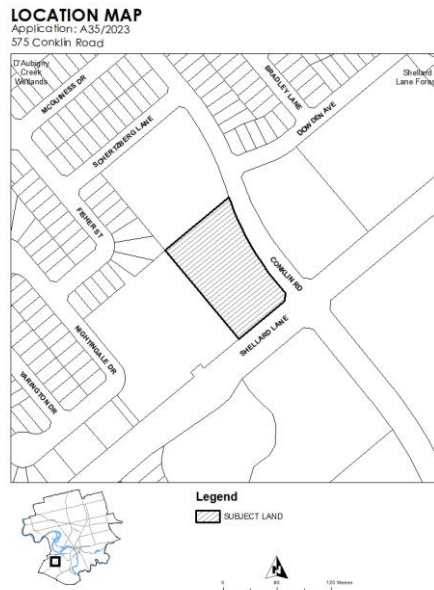


Figure 4 - Aerial Photo



Figure 5 - View of the subject property under construction.



6.0 Input from Other Sources

6.1 Technical Comments

The application was circulated to all applicable departments and agencies. A summary of the comments/conditions is provided below:

Table 2 - Department and Agency Comments

Agency Name	Agency Comment
Building	Parking okay for phase 1 and phase 2. Any proposed construction will require that a building permit be applied for and approved through this department. Development charges may be applicable to any new development.
Environmental Services	No objections or concerns in regards to the minor variances. Site specific comments will be addressed during Site Plan Control.
Development Engineering	No comments.
Landscape	The Development Landscape Reviewer is generally in support of reduced setback provided that additional softscaping is provided where feasible (i.e. reduce proposed pavers shown on landscaping plan in the rear yards and add grass).

Agency Name	Agency Comment
Source Water Protection	No comments received.
Transit	No comments received.
Transportation	No comments.
Bell Canada	No comments received.
Long Range	No comments received.
Brant County	No comments.
Canada Post	No comments. This development will still require mailbox panels to be installed by the developer / owner for mail delivery.
GRCA	GRCA has no objection to the approval of the above applications. The subject properties do not contain any natural hazards such as watercourses, floodplains, shorelines, wetlands, or valley slopes. The properties are not subject to Ontario Regulation 150/06, and therefore, a permission from GRCA is not required.
MTO	No comments received.

6.2 Public Response

Notice of public hearing was issued by personal mail (44 notices) and by posting of a sign on-site. At the date of the preparation of this Report, numerous comments have been received from both members of the public, as well from a member of Council (see **Appendix C**). The concerns as received through public comments have been reviewed and analyzed in relation to the minor variance application currently before the Committee of Adjustment for decision. After review, Staff have determined that the concerns raised regarding traffic flow, shadowing, landscape, stormwater management, flooding, etc. are not directly related to the on-going minor variance application but rather would be further addressed through the subsequent site plan control process. The minor variance application was circulated to all technical staff, and no concerns were raised and any technical matters will be addressed through the site plan control process. Comments regarding quality of life, property values, overcrowding, and on street parking have been documented and acknowledged. In Staff's opinion, those concerns are in relation to the

neighbourhood as a whole and not specifically concerning this development and the eight additional units proposed. Numerous concerns were raised regarding privacy of nearby residences; however an Angular Plane analysis was submitted which satisfies the 45 degree angular plane requirements within the Urban Design Guidelines. Lastly, some comments were received regarding shadowing impacts on nearby properties. A revised shadow analysis will be required through the subsequent site plan control process, as the current shadow analysis which was submitted through site plan control reflects the previous conceptual site plan which sat closer to the neighbouring property line in comparison to the revised conceptual site plan. In regard to this matter, it should be noted that the current shadow analysis as referenced reflects minimal anticipated shadowing impacts to the neighbouring properties, which will further be addressed through privacy fencing and appropriate landscape buffer.

Figure 6 - Area of Public Notification Map



7.0 Planning Staff Comments and Conclusion

7.1 Policy Context

This application was reviewed in the context of the Provincial Policy Statement, the Growth Plan, the Official Plan and the Zoning By-law. A summary is provided in the table below:

Table 3 - Policy Context and Conformity

Document	Relevant Policy	Conformity
Provincial Policy Statement (PPS) (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)	These policies set the standard to which provincial and local interests, policies and goals are implemented. The PPS outlines that Ontario’s long term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.	Planning Staff is of the opinion that the proposed minor variance application is consistent with the direction set out in the PPS and Growth Plan.
City of Brantford Official Plan (Envisioning Our City: 2051)	The subject lands are designated “Residential” on Schedule 3 of the City of Brantford’s Official Plan. The “Residential” designation permits residential units in Low-Rise, Mid-Rise, and High-Rise residential buildings.	The subject application conforms to the policies set out in the Official Plan.
City of Brantford Zoning By-law 160-90	The subject lands are zoned “Residential High Density (RHD) Zone” in Zoning By-law 160-90. The RHD Zone permits apartment dwellings, etc.	Aside from the proposed variances sought, the subject property will continue to satisfy all other zoning requirements of the RHD Zone.

7.2 Planning Analysis

When evaluating the merits of a minor variance application, the Committee of Adjustment must be satisfied that the four tests of Section

45(1) of the *Planning Act* have been met. 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. These tests are discussed in the table below:

Table 4 - Four Tests of a Minor Variance

Four Tests	Discussion
1. That the requested variance is minor in nature	Planning Staff are of the opinion that this request for minor variances are considered minor in nature, as it would involve minor variations from the RHD Zone By-law to permit a residential use within a predominately residential area. All other regulations of the By-law are satisfied.
	“Minor” is determined by impact, not by the value of the variance being sought. Allowing for the proposed variations will not change the character of the existing neighbourhood.
	The revised reduction to the rear yard setback is not anticipated to have negative impacts on the abutting properties to the rear, in terms of privacy, overlook, or shadowing. The previous concept proposed a rear yard of 6.7 meters whereas the revised concept proposes a rear yard of 11.5 metres. An Angular Plane Analysis was also submitted which confirms that the 45 degree angular plane has been satisfied as per the Urban Design Guidelines. Through the site plan control process, additional measures will be implemented such as privacy fencing and landscaping to buffer the neighboring properties.
2. That the intent and purpose of the Zoning By-law is maintained	Aside from the proposed variances, the subject property will continue to satisfy all other zoning requirements of the RHD Zone.
	It is Planning Staff’s opinion that the proposed variances will continue to maintain the intent and purpose of the Zoning By-law.
	The proposed reduction to the minimum lot area and the minimum lot coverage are not anticipated to have any adverse impacts on the functionality of the subject site, nor any negative impacts on the surrounding properties. Transportation Staff and Landscape Staff did not have any comments regarding impacts to site functionality as a result of the proposed variances (see Table 2).
3. That the general	The Official Plan highlights several guiding principles aimed

Four Tests	Discussion
intent and purpose of the Official Plan is maintained	<p>at promoting strategic intensification with balanced mixture of services, business, shopping and housing options for residents, students and visitors.</p> <p>It is the opinion of Planning Staff that the proposal will maintain the general intent and purpose of the Official Plan.</p>
4. That the variance is desirable for the appropriate development and use of the land, building or structure	This application is desirable as it supports a variety of goals for future intensification such as: efficient land use. The proposed variance will facilitate the development of residential units on-site which currently houses numerous additional residential units. The additional proposed units will assist in increasing the much-needed housing stock in the City.

7.3 Conclusion

A site inspection was completed on October 13, 2023. Upon completion of the site visit and review of the applicable policies, Planning Staff are supportive of the requested variances regarding file A35/2023. The supported minor variances will facilitate the creation of an additional 8 residential dwelling units and an increased building footprint of 365.59 m². For the reasons mentioned above, the minor variances satisfy the criteria of Section 45(1) of the *Planning Act*, and Staff recommends approval.

Tausha Adair

Prepared By:
Tausha Adair, BES, MCIP, RPP
Intermediate Development Planner
Prepared on: November 30, 2023

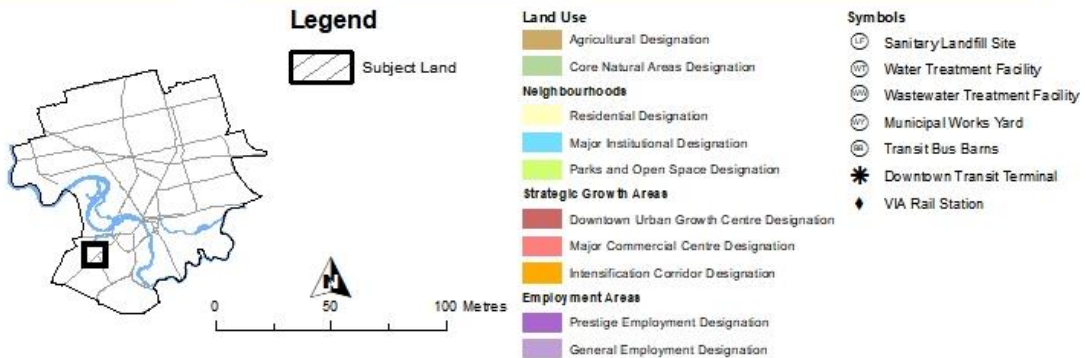
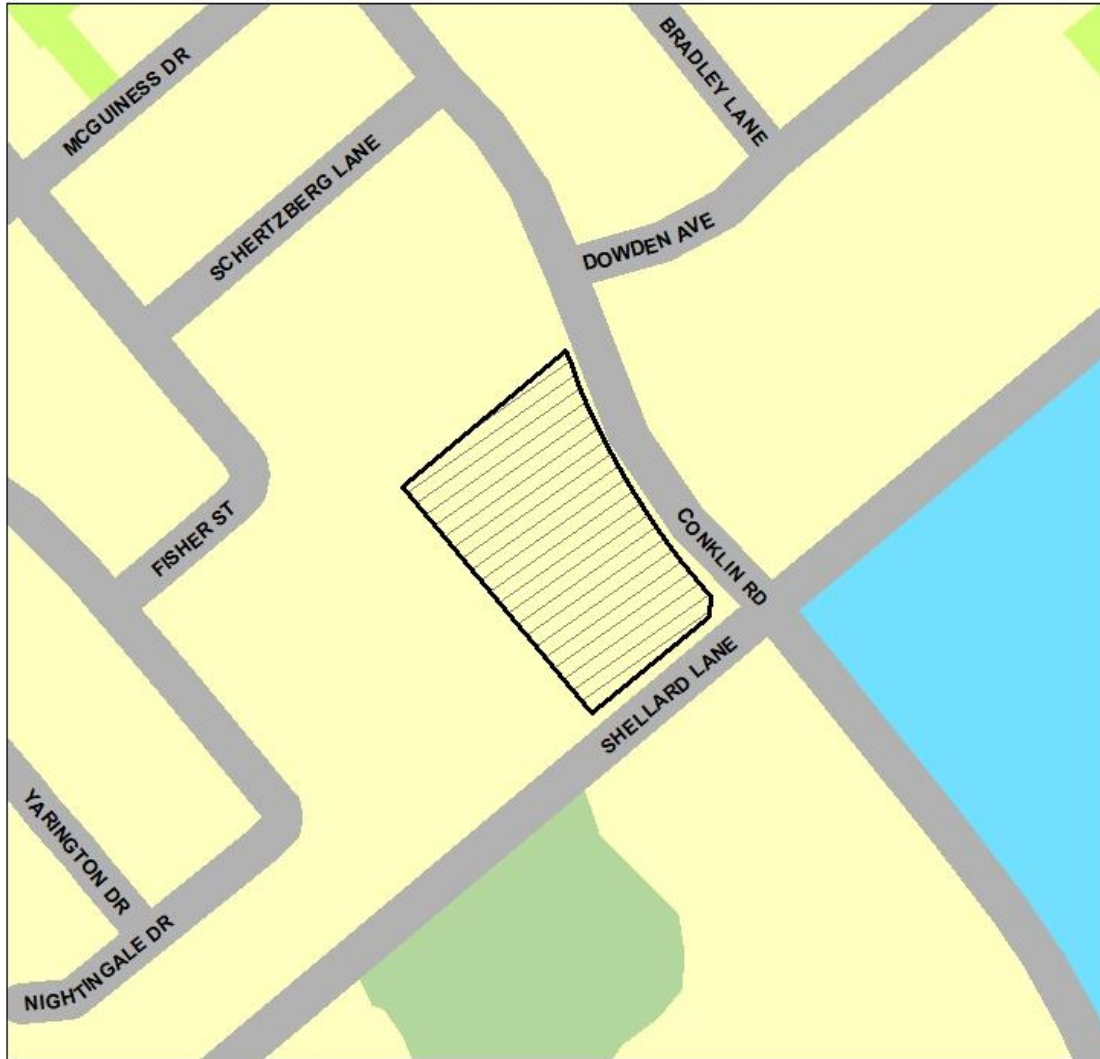
Joe Muto

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

Appendix A – Official Plan

OFFICIAL PLAN EXCERPT MAP

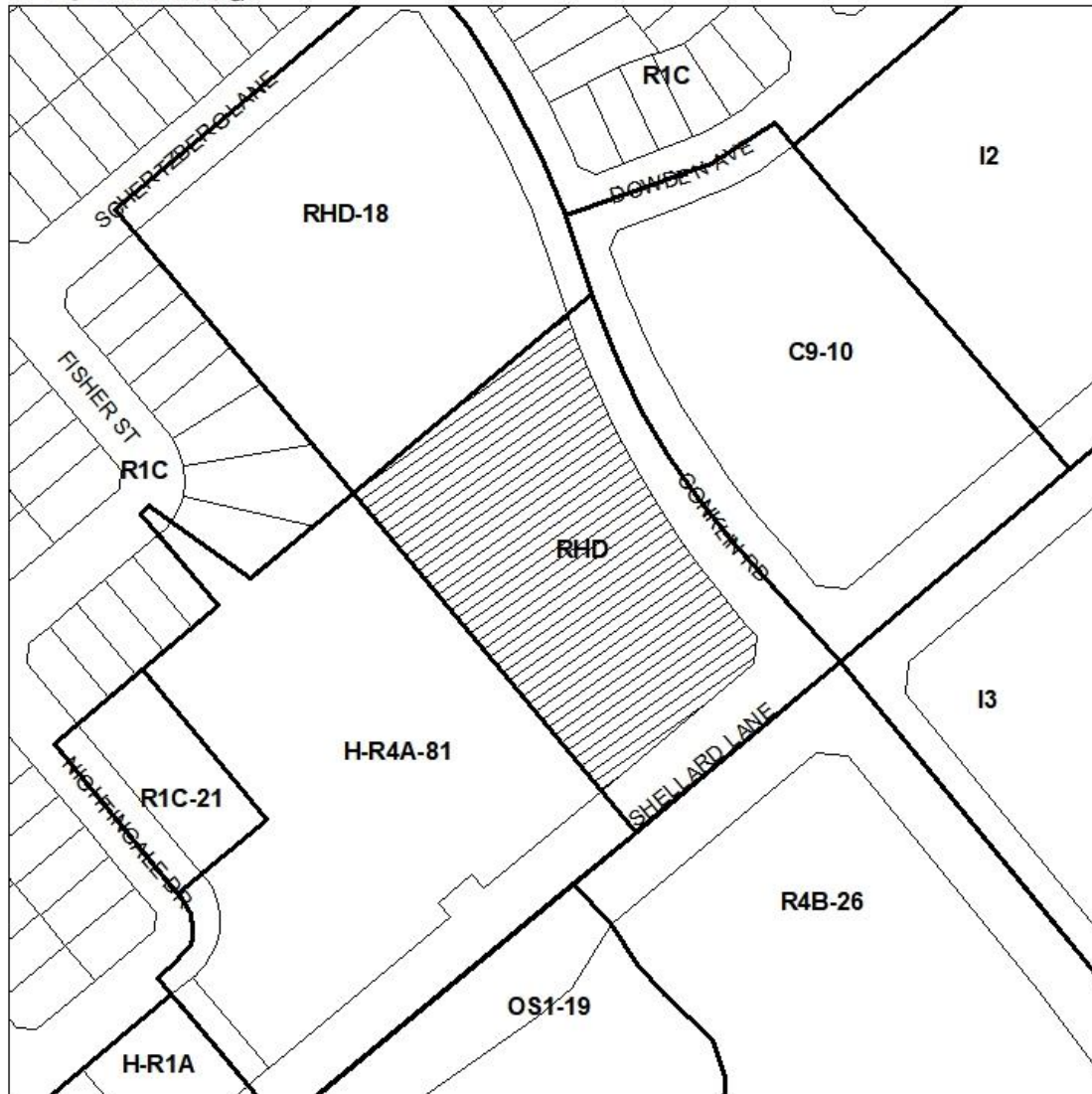
Application: A35/2023
575 Conklin Road



Appendix B – Zoning

ZONING

Application: A35/2023
 575 Conklin Road



Legend
 Subject Land
 Zone Boundary



0 50 100 Metres

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

- R1A Residential Type 1A (18 metre)
- R1C Residential Type 1C (12 metre)
- R4A Residential Medium Density Type A
- R4B Residential Medium Density Type B
- RHD Residential High Density
- I2 Institutional School
- I3 Institutional Major
- C9 Neighborhood Centre Commercial
- OS1 Open Space Type 1
- H Holding Provision
- # Exception Number

Appendix C – Public Comments

From: Catherine [REDACTED]
Sent: Thursday, November 2, 2023 1:41 PM
To: Tausha Adair
Subject: Re File No. A35-2023; 575 Conklin Rd.

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Hello, Ms Adair, is the staff report available for this application?

Catherine [REDACTED]
[REDACTED]

From: Sarah Hague
Sent: Monday, October 30, 2023 11:41 AM
To: Claudia [REDACTED]
Cc: Tausha Adair
Subject: Minor Variance Application Submission for 575 Conklin Road
Attachments: 1. Ambrose Phase 2 Variance Cover Letter and Rationale.pdf; 2. Application Form.pdf; 3. Ambrose Phase 2 - Architectural Package.pdf; HYBRID Notice of Public Hearing (A35-2023).pdf; A35-2023 Cancellation Notice.pdf

Good morning Claudia,

It was nice speaking with you this morning regarding the Minor Variance application for 575 Conklin Road.

Attached are the Cover Letter, Application Form and Drawings submitted as part of their submission. I have also attached the original Public Notice, as well as the Cancellation Notice (which was sent on Friday). I just wanted to reiterate that as discussed, the applicant chose to defer their application to enter into addition conversation with Staff. At this time, the application has not been assigned to any specific agenda of the Committee of Adjustment, but an additional notice will be sent to all residents within 60 m of the property when the file is placed on another agenda.

I have also CC'd Tausha Adair, the planner on this file. Please reach out to us if you have any additional questions.

Thank you and kind regards,

Sarah Hague (H)BA, GIS(PG), MS

Hi Sarah

Please note that I am not in favour of the 575 Conklin Rd Requested variance, as well as the city's communication breakdown with those who will be effected, ie. Neighbours and the neighbourhood. A variance this large, should of had a neighbourhood meeting, and I will be moving that such meeting take place before any possible variance be permitted.

Regards

[REDACTED] Michael [REDACTED]

From: Janet [REDACTED]
Sent: Thursday, October 19, 2023 11:04 AM
To: Tausha Adair
Subject: public notice for 575 Conklin

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As you can see from the attached photographs the public notice sign for 575 Conklin Road is neither accessible or readable. The section of sidewalk where it is posted is blocked off and closed to the public. It is also overgrown with weeds, cracked and uneven. To photograph the public notice I stood on the street between two parked trucks and as you can from the attached photograph the signage is illegible. The public notice is also easily overlooked by all the other signage attached to the temporary fencing. Will these issues be corrected in order that West Brant resides can be made aware of the public notice?

Sincerely, Janet
[REDACTED]

November 14, 2023

Chris Gauthier · City Clerk

**City Clerk/Director of Clerk's Services City of
Brantford
Committee of Adjustment**

For distribution: Planning Department and

Committee of Adjustment Members and Planning,

In my view, any proposed apartment development, at 575 Conklin Road, will adversely impact the quality of life of condominium owners at 601 Conklin Road and the surrounding neighbourhood. Unreasonably cramming luxury apartments into a healthy, liveable, diverse and successful community is short sighted with permanent consequences.

The BSCC#85 condominiums directly abutting the 575 Conklin, 4 storey apartment proposal, will have sight lines profoundly altered. As a result property values will plummet.

The Shadow Study submitted is misleading, as it in no way illustrates, the real world impact on the yards, decks and windows of the unit owners.

Developers, fulfilling the need for housing, in the crudest of fashions, with a boomtown, Wild West approach to growth, is morally and ethically suspect. Consider the negative social values and unintended consequences of overcrowding the Ambrose Condominium site with the 575 Conklin apartments. Can this create a community that people will aspire to live in? Residents want development that will have a long lasting, positive impact on the community.

Pragmatically, there will be additional burdens on Public Works infrastructure such as water supply, sewage, electricity, and telecommunications.

Environmental and urban planning considerations include additional traffic, air and noise pollution. Consider enhanced flood susceptibility with car parking replacing green space.

The 575 Conklin Road proposal, comes off as an ill planned afterthought to the original Ambrose Condominium, 401 Shellard Lane site plan, which never referenced any additional "Phases" or planned construction at 575 Conklin Road.

In summary, the continued success of this community is predicated, on sound planning. The proposed 575 Conklin Road development is flawed. The apartment will have an unacceptable social and monetary impact for condominium unit owners of BSCC#85 and the density and overcrowding will negatively effect the quality of life for the neighbouring community as a whole.

Plainly, this is unreasonable planning and I oppose it.

Regards,

2

Richard 

From: Ken [REDACTED]
Date: November 19, 2023 at 3:33:32 PM EST
To: clerk@brantford.ca
Cc: [REDACTED]

Subject: Variance hearing Dec.06/23

The following is my written submission to the hearing group regarding the request for variance for the property at the north west corner of Shellard Lane and Conklin Rd. I would also request to be placed on a speakers list for the meeting. Thank you!:

To Brantford City Council,

I have reviewed the submission for the meeting and would like to state the following. Having been a federal bureaucrat for 32 years I recognize the format of the submission meets the "Planning Departments requirements. That is:

- A) they specifically reference the Departments criteria for submitting a proposal in their document. To meet consideration requirements.
- B) they make mention of article 5.1 which relates to the priority of maintaining the quality of life for the surrounding neighbours! As a comment in passing.
- C) they(the developers) then go on to describe the placement of the new apartment building adjacent to the fence of 601 Conklin Rd.; then offering to buffer the neighbours by building a higher fence(further blocking access to the sky), and planting trees.

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My point is simple items A & C are irrelevant as City Council has a "Prima Face" responsibility to maintain the quality of our neighborhood as outlined in 5.1. Anything beyond that is simply the developer massaging the Department using their criteria and then creating an irrelevant smoke screen of how they will mediate the imposition of that structure on our condominium residences! Incredible increases in traffic create both noise and people movement barriers; ongoing expansion imposes further disruption to our quality of life; none of the proposed expansion or ongoing development offers 100% affordable accommodation; we are suddenly being suffocated by unlimited area over population that destroys the quality and integrity of our lives as affected seniors!

We our presently overwhelmed by the uncontrolled housing expansion along Shellard lane. Fast tracking housing development to access Federal dollars for wealthy developers to maximize profits and completely avoid developing affordable options is patently irresponsible and contrary to your role as guardians of our cities quality of life for all!

Creating thousands of new homes with thousands of residence who mostly work in the Toronto area but have no reasonable access out of the neighborhood, to the 403, is seriously problematic because both ends of Shellard Lane end in two lanes, which cannot handle the volume! Even one more unit is beyond the capacity of our area to accomodate if we are to maintain our quality of life.

Please take our rights and concerns seriously and refuse this building expansion in the best interests of the existing neighborhood.

Elected officials above all other responsibilities are primarily in your positions to protect, consider and make decisions in our communities best interests. This four storey atrocity is an infringement and must be responsibly rejected. Thank you.

Ken [REDACTED]

From: cecilandalida [REDACTED]
Sent: Monday, November 20, 2023 10:03 AM
To: Tausha Adair
Subject: Committee of Adjustment Minor Variance Application A35/2023

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We are objecting to this variance application for the following reasons:

1. Quality of Life: The impact on the quality of life for condominium residents living in the shadow of a four story apartment cannot be construed as acceptable.
2. Privacy issues: 24 apartment windows will overlook the decks, bedroom and living rooms of BSCC #85 condominium owners. Imagine trying to have a summer barbeque with family and friends under these conditions?
3. Effect on Property Values: You don't need to be a real estate agent to calculate the financial impact of this imposition.
4. Overcrowding: This looks like a case book study in overdevelopment.
5. Wetlands and Wildlife Conservation: D'Aubigny Creek watershed: allowing this variance could lead to more areas being overcrowded and increase the impact on the wildlife in the wetlands nearby. (In danger: Eastern Meadowlark, Bobolink and Barn Swallow.)
6. Stormwater Management: Did City of Brantford conduct a Stormwater Management Study for the Ambrose Condominiums? If so, did that include a second apartment building on the property? This building was not in the original site plans.
7. Parking: Already crowded along Conklin Road. Since parking is usually decided based upon one car per owner, the number of spots will be grossly underestimated.
8. More Homes Built Faster (Ontario) An eight-unit apartment building is not going to make a huge difference in the provincial plan to provide more housing, but it will have an enormously negative impact on those residents who live next door.
9. Traffic: There is no ease of access through this neighbourhood. Traffic along Shellard and Conklin continue to increase and there have been no changes to the infrastructure or access to a highway.
10. Variance: Applicant is proposing a MINIMUM of 48 sq. m. per unit; 50 sq. m. is currently the requirement. Requesting a minimum means more buildings can be placed on smaller lots, since section 7.11 of By-Law 160-90 includes such structures as retirement homes, B & B establishments, nursing homes, group homes, and several others.
11. Applicant also proposes to increase their lot coverage by 4%. This brings the building closer to the fence of Brant Standard Condominium #85. Again, permission to do this may lead to more overcrowding in the neighbourhood and the city. Closer to home, the residents in condos next to that fence will be jammed in. Windows and walls will block air, sun, and view.
12. Applicant also proposes to cut the amount of land currently required for a back yard from 13.5 m. to 11.5 m. Once again, allowing overcrowding, and, in our case, the building can be placed very close to the fence of Brant Standard Condominium #85.
13. Elected officials above all other responsibilities are primarily in your positions to protect, consider and make decisions in our communities' best interests. This four-story atrocity is an infringement and must be responsibly rejected. (Section 5.1, City of Brantford Official Plan.)
14. Time to Respond: City of Brantford has cut back on the process

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time as per city requirements, giving residents limited time and access to pertinent information, which is required to respond appropriately.

Cecil and Alida [REDACTED]

From: Catherine [REDACTED]
Sent: Monday, November 20, 2023 12:31 PM
To: Tausha Adair
Subject: File No. 35/2023

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I have sent the email below to the Committee of Adjustment via the Clerks Office. I would like to receive any information about this case.

Submission Regarding File No. A35/2023

Location: 575 Conklin Road

Applicant: Elite M.D. Developments (called Elite below)

Agent: Weston Consulting

Applicant proposes to build a 4-storey apartment building in the lot next to the 10-storey apartment building that is already in progress.

Submitted by Catherine [REDACTED]

[REDACTED]

Unfortunately, the delay in filing this proposal before the Committee of Adjustment means that the November 28 deadline for Bill 23, which no longer allows for members of the public to appeal decisions of the Committee of Adjustment, will have passed. In addition, the re-filing of the proposed minor variance adjusted demonstrates a suspected fore knowledge of what the staff in the planning department may/may not accept. The rescheduling was also very sudden and gives very little time for those affected to prepare. No notices were sent to the neighbourhoods surrounding the building except for Brant Standard Condominium Corporation (BSCC) #85 owners. Although our fence borders the affected site, allowing this by-law to be changed affects everyone in the area.

The impact on the quality of life of having a 4-storey apartment building right up against our fence cannot be overstated. In the site plans, it appears there will be up to 24 windows overlooking the back yards of the row of BSCC #85 units that face that fence. In reality, this means people can see right into the living room, bedroom, and deck of those homes. Imagine what this will do to property values for our homes, something that will have a ripple effect throughout the neighbourhood.

The by-law was written to protect against overcrowding and this sort of invasion of privacy. It's supposed to be the MINIMUM protection. The applicant's proposal is to cut that minimum even more.

When the approved 10-storey apartment building was proposed, our owners were against it for several reasons, some of which still apply (see below). At first, the builders wanted 12 storeys. The City of Brantford turned this application down and held them to 10 storeys. Now the builder wants to do a work-around on this decision: they couldn't put two floors on top, so they have decided to ask to put four floors in the area where a green space was promised. This is overcrowding at its worst. In addition, all the studies regarding issues of traffic etc. were done based on a ten-storey, 198 unit building.

Concerns that still stand and, in fact, are worsened by this new proposal:

Traffic! The intersection at Shellard and Conklin is already overcrowded with two schools entering and being dismissed at approximately the same times. There is only one way for the Elite apartment dwellers to turn left on Shellard: from their exit onto Conklin, turning left at the lights. More traffic to clog the intersection where hundreds of children walk. Conklin Road is already jammed with parking. There is a curve in the road just beyond Dowden Avenue. Sightlines are terrible. Many children cross here. Many vehicles turn left out of Dowden or right onto Dowden. This is a danger zone. There is no ease of access through this neighbourhood, as promised by the City planners. Traffic along Shellard and Conklin continue to increase, yet there have been no changes to the infrastructure or access to a highway.

The Wetlands around D'Aubigny Creek are very close by. Allowing this variance could lead to more areas being overcrowded and increase the impact on the wildlife in the wetlands nearby. (In danger: Eastern Meadowlark, Bobolink and Barn Swallow.)

Did the City of Brantford conduct a Stormwater Management Study for the Ambrose Condominiums? If so, did that include a second apartment building on the property? This building was not in the original site plans.

Conklin Road is already crowded with parking. Since parking is usually decided based upon one car per owner, the number of spots will be grossly underestimated.

More Homes Built Faster (Ontario): An eight-unit apartment building is not going to make a huge difference in the provincial plan to provide more housing, but it will have an enormously

negative impact on those residents who live next door. Brantford has already met its housing targets and more. This is an unnecessary and thoughtless proposal.

The applicant is proposing a MINIMUM of 48 sq. m. per unit; 50 sq. m. is currently the requirement. Requesting a minimum means more buildings can be placed on smaller lots, since section 7.11 of By-Law 160-90 includes such structures as retirement homes, B & B establishments, nursing homes, group homes, and several others.

The applicant proposes to increase their lot coverage by 4%. This brings the building closer to the fence of Brant Standard Condominium #85. Again, permission to do this may lead to more overcrowding in the neighbourhood and the city. Closer to home, the residents in condos next to that fence will be jammed in. Windows and walls will block air, sun, and view.

Applicant also proposes to cut the amount of land currently required for a back yard from 13.5 m. to 11.5 m. Once again, allowing overcrowding, and, in our case, the building can be placed very close to the fence of Brant Standard Condominium #85, affecting the right to privacy.

Brantford's Official Plan ascribes to the following policies: "Good urban design contributes to the vitality and health of a community, and to vibrant and successful public spaces." (Section 3.3 a, City of Brantford Official Plan.) Section 5.1 b) states: "Compatible development is development that respects or enhances the character of the community, **without causing any undue, adverse impacts on adjacent properties.**"

I submit to you that allowing this variance in order to place another apartment building in the back yards of our adjacent owners **will cause undue, adverse effects on both the adjacent property** and cause more jeopardy to the entire neighbourhood, especially two schools full of walkers.

Please turn down this application for the safety and peace of mind of all residents in this area of West Brant.

RESIDENTIAL OWNER'S COMMENTS REGARDING VARIANCE APPLICATION BY ELITE M D DEVELOPMENTS
- FILE A35/2023, 575 Conklin Road, Brantford, Ontario

To Ms Tausha Adair, Development Planner, Clerks Office, Michael Sullivan, Rose Sicoli, Larry Brock, Wil Bouma, Housing Minister of Ontario, Prime Minister Office, Deputy Prime Minister

I am a resident at 601 Conklin Road, Unit 15 and I am making a formal complaint as well as advising you of the negative impact that the proposed apartment building will impose upon myself, my neighbours and the surrounding community. While I appreciate the need for housing and the impact to the City's bottom line from taxes I fail to see how any member of City Council or the Committee of Adjustment could be in favour, with good conscience, of this proposal by Elite M. D. Developments. With the City already being at 176% of their building plan how could the Committee of Adjustment even consider this proposal as being necessary?

I would also like it noted that next time a communication is issued to the residents that the City provide MORE OF THE RELEVANT INFORMATION to all neighbouring residents as well, and not pick and choose the least amount, hoping to get a quick approval by not informing the neighbourhood, hence not getting any feedback. We have had to dig for further information. We have provided a post to the West Brant Neighbourhood Association's facebook page to inform people, circulated a petition on short notice, and urged residents to send letters, but we were given such short notice and faced with information barriers that our fear is there was insufficient time to bring forth all the concerns of the community. An Informal Public meeting or Neighbourhood Ward meeting is warranted. Most residents knew nothing about this proposal until we told them. That is not fair to the home owners directly impacted by this proposal.

Zoning by-laws are put in place for a reason. The 3 variances requested by Elite do not meet the MINIMUM requirements of the City's by-laws. What is the purpose of having these by-laws if they are going to be disregarded? The proposed building would be 37 feet from our fence. Lot coverage of 39% is over the allowance of 35% under Section 7.11.2.1.3 of Zoning By-law 160-90. There is not enough room for this building or any building. Is the City so desperate that we have to squeeze every inch out of the land? Perhaps this is acceptable in large urban concrete jungles like Toronto, but not in Brantford. It is bad enough that the the 10 storey building currently being built was approved (where it is clearly out of place to the surrounding landscape) but Elite is going back on it's original plan which was to provide a greenspace for the people who purchased units at that property. Where did Phase 2 come from suddenly? How can Elite mislead people? How can the builder go back on what was originally approved? It 'appears' as a great deception by Elite. A greenspace was what residents were presented with. Does the City realize how close to our backyard private area this building would be? Please come to see the property and then ask yourselves if you would want to live here for the rest of your lives looking at that atrocity. Moving is not an option for us. Our property values were diminished when the 10 storey building started construction. It is out of place and unattractive. The promised greenspace was the only positive out of that building approval and would add some much needed nature to the area

and serve as a buffer to our adjacent property. This Phase 2 proposal is threatening to further decrease our property values by THOUSANDS. Will my property taxes go down since my condo isn't worth nearly what it was?

We are being presented with a 'new' phase 2 that changes the landscape and the original approval. How can this be acceptable? A letter dated August 30, 2023 to the City of Brantford Planning Dept, Attn: Sarah Hague, states that this 'new phase 2' is "an EXTENSION of the approved Phase 1 with common elements such as driveways and amenity space to be shared." It then goes on to state that "these units (the new apt building) will be contained and INDEPENDENT of Phase 1 with the exception of the shared common elements." How can it be an extension of the original approval and then be deemed independent of that approval in the same paragraph? Very misleading. This was not in the original Phase 1 approval. This is Elite's attempt to get the 2 storeys back from its original plan for a 12 storey building. It is based on greed, and has nothing to do with enhancing the City of Brantford's Official Plan, or the existing 10 storey condominium under construction, or the adjacent property or the surrounding neighbourhood. The original proposal was to have a buffer along the fenceline of the adjacent property, a greenspace for the new occupants of 575 Conklin to enjoy. How can the developer get away with changing the use of the designated greenspace after the fact? This is a deception by the builder solely for their own benefit \$\$\$ and not the residents.

So let's talk about QUALITY OF LIFE for the residents at my complex and the surrounding neighbourhood. I thought it was a priority for the City, to provide a safe, healthy, stress-free, private, and appealing environment to live in. Under Section 3.0 Application, Administration and Enforcement, 3.2 Interpretation, 3.2.1 it states: 'In interpreting and applying the provisions of this Bylaw, they shall be held to the minimum requirements for the promotion of PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE.' In this Bylaw it further states under 3.2.2 that '1) The word SHALL is mandatory and not permissive...' The proposed building violates all of this. It is devastating to the residents of the adjacent property at 601 Conklin, is unsightly and adds no intrinsic value to the neighbourhood or City.

The existing 10 storey building (Ambrose Condos) once complete, will bring a huge increase of traffic to Conklin Road. There are 198 units which potentially brings with it another 200 plus cars coming in and out of the Conklin entrance.....don't make it worse! It is a busy roadway with cars in and out of the plaza across the street. Traffic is a big problem now! There are school children constantly crossing Conklin where no crosswalk exists, there are cars of parents always trying to find a parking spot to collect their kids after school on both sides of Dowden Street off of Conklin, traffic backed up all the way from the intersection of Shellard and Conklin to Dowden, people can't make a left-hand turn off of Dowden, a right-hand turn onto Dowden because of parking and not enough room for two way traffic, or a right-hand turn from 601 Conklin....it is congested and DANGEROUS NOW! What is it going to take to have the City and the Committee of Adjustment realize that someone is going to get killed? What if it is a child, your child or loved one? Please do not add to the inevitable by permitting more traffic.

This proposed apartment building does not make us feel safe. It greatly encroaches upon our right to privacy, our right to enjoy our yards/decks, our right to have a reasonable expectation of peace and

quiet. There are traffic issues as mentioned, drainage issues that already exist from the 575 Conklin property, the worry of garbage and smell, unsightly and unkept back yards, noise, lights shining through our windows, potential fire hazard, and large windows proposed in the new building where people can clearly view our private spaces to consider here. You cannot give us any guarantees that these things won't happen and it is pretty clear to say that Elite does not care. The fence they propose will not stop any of this. How can we feel safe when strangers can look right into our windows? Why should we have to close our doors, windows, blinds and stay inside because a greedy builder doesn't think he's getting enough money out of Brantford? There is so much construction going on right now this building would have minimal affect on the City coffers. We are STRESSED by the burden this proposal brings....many residents are having countless, sleepless nights from worrying....mental health and physical well being is being affected and will only be exacerbated if this building is allowed. We are concerned that this could increase crime issues on our property. The worry of fire carrying over to our homes because the proposed building is too close to be safe for existing owners. Can Committee members sleep at night knowing that they have literally hurt people because of money? Does the Committee think that this building is worth more than the well-being of the people whose quality of life will be devastated and permanently altered for the rest of their lives by the negative affects of this building if it is allowed? This is NOT something that people will get used to. Would any of you want to live here with that building overlooking your private decks and into your homes, listening to your conversations if your windows are open or if you are on your decks? We won't be able to even enjoy a summertime BBQ.

It is one thing for new people moving to the area to purchase a home/condo that already backs on to a 4 storey building overshadowing a potential home, but that is their choice as they can see what they are getting. We did not get that choice. To take away the privacy, security, safety, comfort, and general welfare of existing homeowners is not acceptable. We choose to NOT HAVE THE PROPOSED APARTMENT BUILDING BUILT BEHIND US.

Who has the right to take away another person's QUALITY OF LIFE? The City is supposed to work on behalf of the residents of Brantford, not look after a big developer who doesn't live here and doesn't care what he leaves in his wake. City Planners need to start listening to the public concerns. When is it enough money? The PUBLIC TRUST is at stake here as well, and if we as tax payers cannot count on fair and just representation by the people we pay to look out for our best interests, whether we are few or many, then where is the City of Brantford heading to?

May I remind you of two of Brantford's core values taken from your site.

INTEGRITY - We're honest open and sincere in the way we treat our community and our citizens. We are united in our beliefs that together we will create A BETTER PLACE TO LIVE -ALWAYS REMAINING TRUE TO OURSELVES.

COMMITMENT - We are committed to PUTTING CITIZENS FIRST by providing excellent service and exceptional experiences. By FOCUSING ON OUR CITIZENS our employees are engaged in challenging and meaningful work that enables the PEOPLE OF OUR COMMUNITY TO THRIVE AND PROSPER.

We shall see.

Elaine [REDACTED]

Home owner, Taxpayer and concerned resident of Brantford's future

From: Janet [REDACTED]
Sent: Monday, November 20, 2023 5:38 PM
To: Tausha Adair, Clerks Office
Subject: Minor Variance Application - 575 Conklin Road - File No.: A35/2023

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Subject: 575 Conklin Road
File No.: A35/2023

Attention: Members of Committee of Adjustment

I recognize the need for new housing and development. What I object to is the construction of another building on what is a small piece of land at a very congested intersection in a community that lacks adequate infrastructure.

The traffic converging on Edith Monture School and Assumption College at drop-off and pick-up times has resulted in poor traffic circulation and congestion, inadequate parking and often unsafe conditions. I can just imagine the impact Ambrose Condos will create. Let's do the math: 190 condo units x 1.5 vehicles (ballpark) = 285 vehicles coming and going from this complex. If this overzealous developer is allowed to construct another building at Conklin and Shellard the congestion will only increase!

There is a significant infrastructure deficit that will only worsen as West Brant continues to grow exponentially. Present and future residents of West Brant need and have a right to schools, public transit, community centres, libraries, hospital beds, policing and parks. Unfortunately our existing schools, hospital, transit system and recreational services have been stretched to their limits and have not kept pace with the growth of our city. Our quality of life will continue to suffer if these infrastructure deficits remain on the back burner.

The City of Brantford needs to accurately evaluate the impact that the Ambrose Condos will have on our community before permitting a second apartment at this location. This can only happen once the condo units and main floor businesses at the Ambrose are occupied. I ask the Committee of Adjustment to examine these concerns and deny the application.

Janet [REDACTED]

Tausha Adair

From: Andy [REDACTED]
Sent: Tuesday, November 21, 2023 8:35 AM
To: Clerks Office; Tausha Adair; Michael Sullivan; Rose Sicoli
Cc: Premier@ontario.ca; Wil.bouma@pc.ola.org; Larry.brock@parl.gc.ca; RHEU.info@ontario.ca
Subject: Elite Developments v. Conklin Court

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Dear Premier, Ministers, Councilors, City Planner and City Clerk:

I am contacting you about the proposed Ambrose Condominium planned for the northwest corner of Shellard and Conklin. The builder, Elite Developments, has applied to the city for a variance because Elite plans to build this new condo closer to the homes of Conklin Court than the current by-law would allow.

This is an extremely important issue. The applicant's attempt to circumvent this by-law affects our entire neighbourhood and city. If successful, Elite and other builders will *over-crowd every piece of land they own*.

If *you* lived adjacent to such a development, would you be "okay" with that?

Specific concerns include:

1. Privacy and quality of life: The impact on the quality of life for Conklin Court (CC) residents living in the shadow of a four-storey apartment cannot be construed as acceptable. Would you want someone's apartment looking directly onto your backyard and the back of your home? Twenty-four apartment windows will overlook the decks, bedroom and living rooms of BSCC #85 homeowners. Imagine trying to have a summer barbeque with family and friends under these conditions.

Talk about living in an overcrowded fishbowl!

2. Effect on property values: You don't need to be a real estate agent to calculate the financial impact of this imposition.

3. Wetlands and wildlife conservation: Regarding the D'Aubigny Creek watershed, allowing this variance could lead to more areas being overcrowded, and thereby increase the impact on the wildlife in area wetlands. (With specific concern for Eastern Meadowlark, Bobolink and Barn Swallow.)

4. Stormwater management: Did the City of Brantford conduct a *stormwater management study* for the Ambrose Condominiums? If so, did that include a second apartment building on the property? *This building was not in the original site plans.*

5. Traffic and parking: Conklin Road is already quite busy, especially given the two schools nearby. There is no ease of access through this neighbourhood. Traffic along Shellard and Conklin continue to increase and

there have been no changes to the infrastructure or access to a highway. Since parking is usually decided based upon one car per owner, the number of required spots will be grossly underestimated.

6. More Homes Built Faster (Ontario): An eight-unit apartment building is not going to make a huge difference in the provincial plan to provide more housing—but *it will have an enormously negative impact on those residents who live next door.*

7. Variance: Elite Developments is proposing a *minimum* of 48 sq. m. per unit; *50 sq. m. is currently the requirement.* Requesting a minimum means more buildings can be placed on smaller lots, since section 7.11 of By-Law 160-90 includes such structures as retirement homes, B&B establishments, nursing homes, group homes, and several others.

8. Elite Developments also proposes to increase their lot coverage by 4%. This brings the building closer to the fence of Brant Standard Condominium #85. Again, permission to do this may lead to more overcrowding in the neighbourhood and the city. Closer to home, the residents in condos next to that fence will be jammed in. Windows and walls will block sunlight, the view, and freer-flowing air.

9. The variance applicant also proposes to cut the amount of land currently required for a back yard from 13.5 m. to 11.5 m. Once again, this would allow overcrowding; and, in our case, the building can be placed very close to the fence of Brant Standard Condominium #85.


Unacceptable.

10. Elected officials, above all other responsibilities, are primarily tasked with *protecting, considering, and making decisions in our communities' best interests.* This four-storey atrocity is an infringement and must be responsibly rejected. (See Section 5.1, City of Brantford Official Plan.)

11. Time to Respond: The City of Brantford has cut back on the process time, as per city requirements, giving residents limited time and access to pertinent information, which is required to respond appropriately.

Please consider the above concerns we have—and ask yourself how you'd feel if you were a resident in this neighbourhood right next to the proposed development.

Thanks and regards,
Andy & Carolyn



Tausha Adair

From: John [REDACTED]
Sent: Tuesday, November 21, 2023 11:49 AM
To: clerk@brantford.ca; Tausha Adair
Cc: Rose Sicoli; MichaelSullivan@brantford.ca; Wil.buoma@pc.ola.org; Premier@ontario.ca; Larry.Brock@parl.gc.ca
Subject: Re: Minor Variance Application, file #A35/2023

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We have several concerns about the planned further development of the Ambrose condominium property at 401 Shellard Lane/575 Conklin Road that cause us to be opposed to this minor variance application.

Safety/Traffic: The intersection of Shellard Lane and Conklin Road is already extremely congested. Both pedestrian and vehicular traffic are perilous during the day as students from two large schools, one elementary and one secondary, are escorted to and from school and walk to the plaza throughout the day to access fast food outlets. Adding further buildings so close to this dangerous intersection is irresponsible. Are we waiting for a child to be killed before we address this serious safety issue? We shudder to think what this situation will look like even as the nearly completed 10 story condominium building becomes occupied.

Parking: The overcrowded parking situation along Conklin Road already presents many dangers for pedestrians and drivers. Since parking is usually decided based upon one car per owner, these dangers are likely to be grossly underestimated.

Quality of Life and Privacy: This proposed building would be squeezed next to the properties of BSCC #85 condominiums. Apartment windows of this proposed development would overlook the decks, bedrooms and living rooms of several of these existing condominiums. Four story walls will block air, sun and view. Imagine trying to have a summer BBQ with family and friends under these conditions. This request for variance comes across as greed with no concern for the treatment of the citizens in the neighbourhood.

Property Values: You don't need to be a real estate agent to calculate the negative financial impact of this development. Will this create a community where people will aspire to live? Residents want development that will have a long lasting, positive impact on the community.

In summary, the continued success of this community is predicated on sound planning. The proposed 575 Conklin Road development is flawed. The impact will be devastating for condominium unit owners of BSCC #85. The density and overcrowding will negatively affect the quality of life for the neighbouring community.

We oppose any further development on the Ambrose Consortium property at 401 Shellard Lane/575 Conklin Road.

Respectfully,

Maire & John [REDACTED]

Tausha Adair

From: Richard [REDACTED]
Sent: Wednesday, November 22, 2023 8:40 AM
To: Clerks Office
Cc: Tausha Adair
Subject: Committee of Adjustment: Inappropriate Development Compounded

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Committee,
Please consider that the current Ambose Condominium Development is not compatible with a community that prides itself on The Grand River, green spaces and wetlands. This design of building would be appropriate in any downtown core but sadly is out of context in this urban environment. To manipulate the Variance Process to squeeze an additional apartment at 575 Conklin just compounds the issue.
(photo attached)



From: Susan [REDACTED]
Sent: Wednesday, November 22, 2023 8:49 AM
To: Clerks Office; Tausha Adair
Subject: Fw: Letter re: proposed development

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----- Forwarded Message -----

From: Susan [REDACTED]
Sent: Wednesday, November 22, 2023 at 08:32:58 a.m. EST
Subject: Letter re: proposed development

Hello

We are opposed to further development by Elite at 401 Shellard Lane/575 Conklin Road, Brantford, Ontario. We feel that the proposed development by Elite has deeply affected our quality of life and those of 601 Conklin Road and area. We are very worried for the safety of our neighbourhood's elderly, young families, children, their pets and everyone in the area. When we first moved to West Brant, twenty years ago, this area was marketed to us as being a safe/great place to raise a family and having great nature trails. West Brant has certainly grown in our twenty years of being here. It is VERY BUSY, especially at the intersection of Conklin Road and Shellard Lane where the proposed new development by Elite is supposed to go.

There are three very crowded, big schools in this immediate vicinity. The traffic at Shellard Lane and Conklin Road is HERENDOUS, especially when schools are about to start, lunch time and when schools are getting out. The population boom in West Brant has also drastically increased, thereby increasing road, pedestrian and bicyclist traffic in this area. THE LIVES OF OUR CHILDREN, PARENTS, ELDERLY AND THEIR PETS ARE AT GREAT RISK!!!

How many accidents does there have to be! How many people have to die (two already) before this City will see that this IS A VERY BUSY INTERSECTION AT CONKLIN ROAD AND SHELLARD LANE !!! The sun restricts vision at certain times of the day, making this intersection that much more dangerous.

Is the greed of ELITE/AMBROSE CONDOMINIUMS to build MORE Condos, because they couldn't get approval for the total amount of floors they originally wanted, really worth the lives of people?

The traffic is very high already at the intersection of Shellard Lane and Conklin Road. Adding another Condominium would increase traffic even more and make this intersection/area much MORE DANGEROUS and UNSAFE! What ever happened to West Brant being a safe area for families!!!

The proposed further development by Elite at the intersection of Shellard Lane and Conklin Road decreases ALL of our property values. We can't sleep at night worrying about this and the safety of people and pets at this intersection.

We also see the toll all of this has taken on our beautiful neighbours. People are getting sick with worry. Being Doctors, you'll already know the affects stress can have on the body and mind.

A lot of people here have worked very hard all their lives and now are at an age of retirement. These years are supposed to be a time to relax and enjoy life. How can they, with this proposed development butted up right next to their/our properties!!!

Some people in our area have served our country by enlisting in past wars. IS THIS HOW YOU TREAT THE PEOPLE WHO HAVE FOUGHT FOR YOUR FREEDOM!!! SHAME ON YOU!!! West Brant was originally advertised as a place for family and connecting with nature. It's now a place for OUT OF TOWN developers to STEAM ROLL people, who live here, and GET RICH! (RICHER!) WHERE ARE YOUR ETHICS ELITE MD!!!

Sincerely,

Susan and Adrian [REDACTED]

Tausha Adair

From: Richard [REDACTED]
Sent: Wednesday, November 22, 2023 8:58 AM
To: Clerks Office
Cc: Tausha Adair
Subject: Committee of Adjustment: Density of Development

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Committee,
Please consider the density of development when reviewing the 575 Conklin Variance application. This successful neighbourhood in no way needs an additional apartment building crammed into the Ambrose Condominium Site lowering the property values of any residence within view. (photo attached)



Tausha Adair

From: Richard [REDACTED]
Sent: Wednesday, November 22, 2023 9:37 AM
To: Clerks Office
Cc: Tausha Adair
Subject: Committee of Adjustment: File No A35/2023

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Committee,
Please consider traffic density when evaluating the 575 Conklin Road Minor Variance Application. The Ambrose Condominium 190 units, plus retail outlets along with the proposed 8 units at 575 Conklin Road at the standard 1.5 vehicles per unit ball parks at 300 cars. We already have a traffic choke point at Edith Monture Elementary School dropping off and picking up children. A large portion of these parents coming and going off Conklin Road. (photo attached)



Brant Condo Corporation #85



November 21, 2023

City of Brantford
58 Dalhousie Street
Box 818
Brantford, Ontario
N3T 2J2

ATTENTION: Chris Gauthier, City Clerk/Director of Clerk's Services
Tausha Adair, Development Planner
Committee of Adjustments

RE: File A35/2023, 575 Conklin Road, Proposal for 4 Storey Apartment Building by Elite M.D.

Developments – Filing of Complaint by BCC #85 (Property Managed by G3 Property Solutions)

Dear Mr. Gauthier, MS. Adair, Committee Members,

On behalf of Brant Condominium Corporation #85, the Board of Directors wish to file a formal complaint against the proposed building of a 4-storey apartment complex adjacent to our property. According to the developer's request for variance approvals, and by visually examining the site, there is clearly insufficient property available to accommodate this build.

The residents of BCC#85, including the Board members, are further opposed for the additional reasons:

- 1) Quality of life will be irreversibly diminished particularly for residents along the fence line. The rights of residents to be healthy and feel safe in the comfort of their homes is paramount.
- 2) There is a privacy infringement to unit owners residing directly behind, and in the sightline of the upper floors of the proposed building. That is unacceptable. This is NOT something that the residents will 'get used to'.
- 3) Property values at 601 Conklin and 1-11 Schertzberg Lane have declined with the existing 10-storey building and will continue to do so exponentially with a building overlooking this property. This affects all our units.
- 4) Storm water management issues along the property line.
- 5) Traffic flow is currently a problem at the intersection of Conklin and Shellard, as well as Dowden Avenue. Every day, children cross Conklin Road at Dowden Avenue. There is no crosswalk. Additional traffic will potentially add to an existing dangerous situation.
- 6) Overcrowding/overdevelopment of the area. The City of Brantford site states we are at 176% of the building plan. The absence of this proposed 4-storey building (8 units) will have no impact on the City's success rate or bottom line.
- 7) Lack of sufficient street parking.
- 8) The 3 variances requested are outside the perimeters of the by-laws and are not 'minor'.

- 9) The impact on wetlands and wildlife conservation if overcrowding is allowed to continue.
- 10) The urban landscape will not be enhanced by this proposed building. A greenspace was in the original plan and should remain as such.

As you can see there are several valid concerns that the residents have brought forth. This development will NOT enhance the character of the community, but it will have significant undue, adverse impacts on the adjacent property of 601 Conklin Road and 1-11 Schertzberg Lane, BCC#85. It will devastate the community.

We ask that you TURN DOWN the proposal by the developer. Thanking you in advance.

Yours truly,

Cecil [REDACTED]
Catherine [REDACTED]
Elaine [REDACTED]
Carolyn [REDACTED]

Tausha Adair

From: Vincent [REDACTED]
Sent: Wednesday, November 22, 2023 1:03 PM
To: Clerks Office; Tausha Adair; Larry.brock@parl.gc.ca; Wil.bouma@pc.ola.org; Premier@ontario.ca
Subject: Neighbourhood Problems

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My name is Vincent [REDACTED] and I live in the area of Brantford called West Brant by many of us who live there.

I want to make you aware of a long-brewing problem that especially concerns those of us who live here, specifically at 601 Conklin Road, in a group of condominium houses, 29 units, in Brantford, Ontario.

Elite construction is currently building a multi-level condominium next to our properties. Recently the City of Brantford sent all of us, the 29 homeowners at 601 Conklin Road, notification that Elite now wants to erect an additional building made up of 8 more units on the same tract of land that currently holds the towering main building that Elite still has to complete. Evidently, Elite now wants the City of Brantford to agree with their request to alter the dimensions of the add-on mini tower (8 units and 4 stories high) which will further encroach upon our privacy.

Enough is enough!

Here are some other related concerns we the home owners are very upset about:

1. Quality of Life: The impact on the quality of life for condominium residents living in the shadow of a four storey apartment cannot be construed as acceptable.
2. Privacy issues: 24 apartment windows will overlook the decks, bedroom and living rooms of BSCC #85 condominium owners. Imagine trying to have a summer barbeque with family and friends under these conditions?
3. Effect on Property Values: You don't need to be a real estate agent to calculate the financial impact of this imposition.
4. Overcrowding: This looks like a case book study in overdevelopment.
5. Wetlands and Wildlife Conservation: D'Aubigny Creek watershed: allowing this variance could lead to more areas being overcrowded and increase the impact on the wildlife in the wetlands nearby. (In danger: Eastern Meadowlark, Bobolink and Barn Swallow.)
6. Stormwater Management: Did City of Brantford conduct a Stormwater Management Study for the Ambrose Condominiums? If so, did that include a second apartment building on the property? This building was not in the original site plans.
7. Parking: Already crowded along Conklin Road. Since parking is usually decided based upon one car per owner, the number of spots will be grossly underestimated.
8. More Homes Built Faster (Ontario) An eight-unit apartment building is not going to make a huge difference in the provincial plan to provide more housing, but it will have an enormously negative impact on those residents who live next door.
9. Traffic: There is no ease of access through this neighbourhood. Traffic along Shellard and Conklin continue to increase and there have been no changes to the infrastructure or access to a highway.

10. Variance: Applicant is proposing a MINIMUM of 48 sq. m. per unit; 50 sq. m. is currently the requirement. Requesting a minimum means more buildings can be placed on smaller lots, since section 7.11 of By-Law 160-90 includes such structures as retirement homes, B & B establishments, nursing homes, group homes, and several others.

11. Applicant also proposes to increase their lot coverage by 4%. This brings the building closer to the fence of Brant Standard Condominium #85. Again, permission to do this may lead to more overcrowding in the neighbourhood and the city. Closer to home, the residents in condos next to that fence will be jammed in. Windows and walls will block air, sun, and view.

12. Applicant also proposes to cut the amount of land currently required for a back yard from 13.5 m. to 11.5 m. Once again, allowing overcrowding, and, in our case, the building can be placed very close to the fence of Brant Standard Condominium #85.

13. Elected officials above all other responsibilities are primarily in your positions to protect, consider and make decisions in our communities' best interests. This four-storey atrocity is an infringement and must be responsibly rejected. (Section 5.1, City of Brantford Official Plan.)

14. Time to Respond: City of Brantford has cut back on the process time as per city requirements, giving residents limited time and access to pertinent information, which is required to respond appropriately.

Your response to this email is welcomed.

Vincent 

Tausha Adair

From: Richard [REDACTED]
Sent: Thursday, November 23, 2023 8:47 AM
To: Clerks Office
Cc: Tausha Adair
Subject: File No. A35/2023, Minor Variance Application Committee of Adjustment

CAUTION EXTERNAL EMAIL. This email originated from outside of the City of Brantford email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure, please contact the Service Desk at ext. 5555

Committee,
This is not a Minor Variance as the primary impacts for abutting owners are related to loss of sunlight, privacy, views, spacing and openness which result from the mass, height and bulk of the Ambrose Condominiums which will be amplified and compounded by the proposed development at 575 Conklin Road.

Related issues include reduction of green space and drainage sloping into a problematic swale or ditch.

General neighbourhood concerns include traffic congestion and noise. The proposed Conklin development is incompatible with the established character of the community. This density of building degrades the aesthetics of the streetscape.

Putting a human face to 575 Conklin. Damage has been done and is ongoing regarding the proposed apartment abutting the community at 601 Conklin Road. The owners are beside themselves, some not sleeping, after enduring two years of Ambrose Condominium construction. To exacerbate the damage by bulldozing forward with the 575 apartments is beyond the pale, and an unreasonable trampling of the quality of life of these senior citizens who have been stalwart members of the City of Brantford community.

This Minor Variance needs to be rejected by the Committee of Adjustment. If this Application for a Minor Variance is valid the applicant has an appeal process open to them.

Regards
Richard [REDACTED]



Tausha Adair

From: Judy [REDACTED]
Sent: Sunday, November 26, 2023 5:30 PM
To: Tausha Adair
Subject: Minor variance application: file no.: A35/2023

CAUTION EXTERNAL EMAIL. This email originated from outside of the City of Brantford email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure, please contact the Service Desk at ext. 5555

Minor variance application: file no.,: A35/2023

My name is Judy [REDACTED] and I am a resident of [REDACTED] a property adjacent to 575 Conklin Rd. The property listed in the above application.

I have reviewed the notice sent to me and find the minor variance to be quite objectionable.

I have converted the published numbers to feet since many of my fellow seniors still visualize feet more clearly than meters.

As a condo owner I believe that our lands already fall under RDH ZONING, (Residential High Density).

A condo such as ours only has a light source front and back. Generally residents in these condos are seniors who enjoy their homes and decks with no need to be regularly out in the community as opposed to those still in the work force.

We have limited land use therefore there are only fourteen feet (14') from decks to lot line.

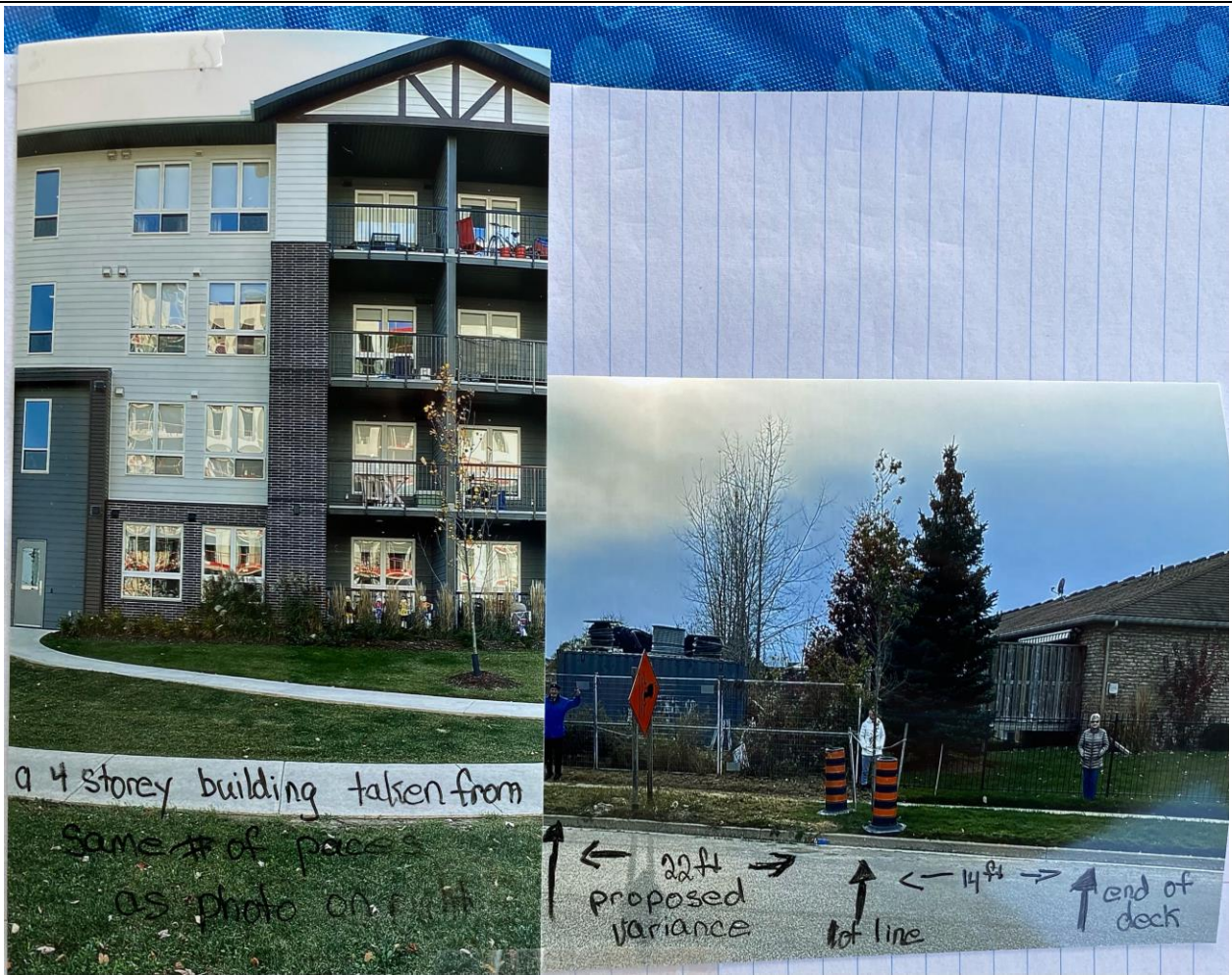
The proposed (4) four storey apartment is requesting that the current bylaw allowing it to be built forty four feet (44') from the lot line be allowed to move twenty two feet (22') closer to the lot line. A total of 36 feet from deck to the 4 story building.

This variance will have a huge impact on our condos severely affecting their right to a light source as well as their privacy.

I encourage you to see that this requested variance is turned down.

- 14' is 4.27 M 22' is 6.7 M. 44' is 13.4 M 36' is 10.97M

This is what a 4 storey building next to a 1 storey building looks like. Theses photos were taken from the same distance.



November 24, 2023

Chris Gauthier – City Clerk/Director of Clerk Services
58 Dalhousie Street
P.O. Box 818
Brantford, Ontario
N3T 2J2

Mr. Gauthier

For distribution to Tausha Adair, Development Planner, Committee of Adjustments re: file
A35/2023

I would like to register a formal complaint concerning the proposed development at 575 Conklin Road. I am adamantly opposed to the granting of the variances required to construct this apartment building. My unit is adjacent to the planned construction, placing the apartment a mere 37 feet behind my property line. Twenty four windows of this four story building would directly overlook my deck, allowing the residents full view of my patio, living room and bedroom. The proposed privacy (?) fence would be only four feet above my deck. Given that the building is 36 feet high and 100 feet wide, you can't seriously believe this fence and a small tree would screen my home from this monstrosity! The tree in the plan provided by Weston consultants shows a 26 foot tall tree. Where can you purchase a 26 foot tall tree???

A tree planted now would take at least 15 years to grow that tall and I will likely be dead by then!

To protect my privacy , I would have to close my shutters on my patio and bedroom windows, thereby blocking any natural light from entering my unit. We are a middle unit and these windows are our only source of light for our main living area. I suffer from Seasonal Affective Disorder and Generalized Anxiety Disorder and have been prescribed medication to help me manage my symptoms. According to my doctor, exposure to light is essential to my mental and emotional well-being. The thought of this development has already caused me many sleepless nights and fear-filled days.

The Ambrose condominiums have decreased the amount of morning light entering my patio door this fall. I have photographs to show the morning sun disappearing behind the building by 10am. The proposed apartment, which is much closer to my unit, will block the sun from view even earlier in the morning. Studies of SAD and its treatment have shown that bright light exposure is more antidepressant when it is scheduled in the morning than when it is scheduled later in the day.

In addition, I have spent hundreds of dollars on plants to beautify my home and provide relief from my feelings of anxiety and depression. It is a well documented fact that indoor plants can improve mood, reduce stress and lower blood pressure. A 2007 study found that there is a bacteria in plant soil that triggers the release of serotonin. If I close my blinds or apply a privacy film to my windows, my plants will die.

I am also concerned about the noise, light pollution and increase in traffic congestion created by the building residents and their vehicles. Since these stacked apartments have two stories, it is unlikely that seniors would choose to live there. My husband and I moved to our condo complex to avoid the commotion created by young families and their children. We love our children and grandchildren, but prefer that they do not live over our back fence. This development has the potential to destroy our quiet and peaceful neighbourhood. We are a senior community that has worked hard throughout our lives and collectively contributed millions of tax dollars to the federal, provincial and municipal governments.

I do not understand why it is essential that a four story, 36 foot high, 100 foot long building be constructed in the lot directly behind my home. There are many new, high density developments down Shellard Lane where an eight unit apartment building would fit in nicely. According to the City of Brantford website, Brantford is on track to exceed its housing target by 176 %. I don't believe these eight units are going to have a noticeable effect on that statistic.

As a final note, my property value would decrease by tens of thousands of dollars as a result of this build. Will Elite MD compensate me for my loss, given they stand to profit enormously from this construction? I would move except I can't afford to because of the decrease in the value of my property.

In closing, I hope you will consider the very real human impact of this proposed construction. Variances are required because the four story apartment building does not legally fit into the existing lot. In order to comply with the minimum building standards, the apartment would have to be almost two stories shorter than proposed. Perhaps a smaller, two story apartment building, which would not require variances, could be considered?

Diana [REDACTED]
[REDACTED]

Diana [REDACTED] Signed _____

FILE A35/2023

Please find attached submissions against the building of 525 Conklin Road. By Elite Developments.

From the following units at 601 Conklin Road:-

1, 3, 4, 7, 13, 16, 18, 22, 24, 26, 27.

Also a document which is a combined submission from the units backing onto 525 Conklin Road, Brantford :-

8, 9, 10, 11, 13, 14, 15. (unit 12 is not included as the owner is in hospital with health issues and we do not wish to burden her with this issue at this time!)

Also a petition of 47 signatures against the building of 575 Conklin Road, Brantford.

Please copy and forward these to the people and committee's shown on the individual documents.

tommarrriott13@yahoo.com

FILE A35/2023

601 Conklin Road, Unit 1
Brantford, Ontario,
N3T 0C1.

November 20, 2023
Attention Chris Gauthier – City Clerk/Director of Clerk Services
58 Dalhousie Street,
P.O.Box 818
Brantford, Ontario,
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of adjustments.

I/We are opposed to any further development on the Ambrose Condominium property at 401 Shellard Lane/575 Conklin Road. My/our concerns are as follows:

Any competent real estate agent will attest to the immediate and future decrease of property values, with the overbuilding of apartments at 575 Conklin Road.

The three variances that Elite are applying for are indicative of a late addition and under no circumstances could they meet the minimum requirements for this building under the cities plan. Hence the need for three vital changes to get the building approved.

The intersection of Shellard and Conklin is already extremely congested when the school day and it will only get worse with another apartment building. Brantford is already on tract to exceed provincial home building targets by 176% (according to the City of Brantford's own website). Granting variances to allow squeezing another apartment building on this site is unreasonable and thoughtless. This density of development, with the increase of traffic, noise and pollution can only negatively impact an already successful neighbourhood.

Pragmatically, there will be additional burdens on Public Works Infrastructure such as water supply, sewage, electricity, and telecommunications.

Environmental and urban planning considerations include additional traffic, air pollution, noise pollution, wetland habitats, flood zone susceptibility and the reduction of planned for green space replaced by car parking. Everything looks great on an artist conception or schematic. In the real world, how are tree plantings to screen the buildings from view going to thrive in the shade of two buildings?

Developers, fulfilling the need for housing, in the crudest of fashions, with a boomtown, Wild West approach to growth, is morally and ethically suspect.

FILE A35/2023

601 Conklin Road, Unit 3
Brantford, Ontario,
N3T 0C1.

November 21, 2023
Attention Chris Gauthier – City Clerk/Director of Clerk Services
58 Dalhousie Street,
P.O.Box 818
Brantford, Ontario,
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of adjustments.

I/We are opposed to any further development on the Ambrose Condominium property at 401 Shellard Lane/575 Conklin Road. My/our concerns are as follows:

Any competent real estate agent will attest to the immediate and future decrease of property values, with the overbuilding of apartments at 575 Conklin Road.

The three variances that Elite are applying for are indicative of a late addition and under no circumstances could they meet the minimum requirements for this building under the cities plan. Hence the need for three vital changes to get the building approved.

The intersection of Shellard and Conklin is already extremely congested when the school day and it will only get worse with another apartment building. Brantford is already on tract to exceed provincial home building targets by 176% (according to the City of Brantford's own website). Granting variances to allow squeezing another apartment building on this site is unreasonable and thoughtless. This density of development, with the increase of traffic, noise and pollution can only negatively impact an already successful neighbourhood.

Pragmatically, there will be additional burdens on Public Works Infrastructure such as water supply, sewage, electricity, and telecommunications.

Environmental and urban planning considerations include additional traffic, air pollution, noise pollution, wetland habitats, flood zone susceptibility and the reduction of planned for green space replaced by car parking. Everything looks great on an artist conception or schematic. In the real world, how are tree plantings to screen the buildings from view going to thrive in the shade of two buildings?

Developers, fulfilling the need for housing, in the crudest of fashions, with a boomtown, Wild West approach to growth, is morally and ethically suspect.

FILE ABS/2023

601 Conklin Road, Unit 4
Brantford, Ontario,
N3T 0C1.

November 20, 2023
Attention Chris Gauthier – City Clerk/Director of Clerk Services
58 Dalhousie Street,
P.O.Box 818
Brantford, Ontario,
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of adjustments.

I/We are opposed to any further development on the Ambrose Condominium property at 401 Shellard Lane/575 Conklin Road. My/our concerns are as follows:

Any competent real estate agent will attest to the immediate and future decrease of property values, with the overbuilding of apartments at 575 Conklin Road.

The three variances that Elite are applying for are indicative of a late addition and under no circumstances could they meet the minimum requirements for this building under the cities plan. Hence the need for three vital changes to get the building approved.

The intersection of Shellard and Conklin is already extremely congested when the school day and it will only get worse with another apartment building. Brantford is already on tract to exceed provincial home building targets by 176% (according to the City of Brantford's own website). Granting variances to allow squeezing another apartment building on this site is unreasonable and thoughtless. This density of development, with the increase of traffic, noise and pollution can only negatively impact an already successful neighbourhood.

Pragmatically, there will be additional burdens on Public Works Infrastructure such as water supply, sewage, electricity, and telecommunications.

Environmental and urban planning considerations include additional traffic, air pollution, noise pollution, wetland habitats, flood zone susceptibility and the reduction of planned for green space replaced by car parking. Everything looks great on an artist conception or schematic. In the real world, how are tree plantings to screen the buildings from view going to thrive in the shade of two buildings?

Developers, fulfilling the need for housing, in the crudest of fashions, with a boomtown, Wild West approach to growth, is morally and ethically suspect.

A35/2023

601 Conklin Road, Unit 7
Brantford, Ontario,
N3T 0C1.

November 20, 2023
Attention Chris Gauthier – City Clerk/Director of Clerk Services
58 Dalhousie Street,
P.O.Box 818
Brantford, Ontario,
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of adjustments.

I/We are opposed to any further development on the Ambrose Condominium property at 401 Shellard Lane/575 Conklin Road. My/our concerns are as follows:

Any competent real estate agent will attest to the immediate and future decrease of property values, with the overbuilding of apartments at 575 Conklin Road.

The three variances that Elite are applying for are indicative of a late addition and under no circumstances could they meet the minimum requirements for this building under the cities plan. Hence the need for three vital changes to get the building approved.

The intersection of Shellard and Conklin is already extremely congested when the school day and it will only get worse with another apartment building. Brantford is already on tract to exceed provincial home building targets by 176% (according to the City of Brantford's own website). Granting variances to allow squeezing another apartment building on this site is unreasonable and thoughtless. This density of development, with the increase of traffic, noise and pollution can only negatively impact an already successful neighbourhood.

Pragmatically, there will be additional burdens on Public Works Infrastructure such as water supply, sewage, electricity, and telecommunications.

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Developers, fulfilling the need for housing, in the crudest of fashions, with a boomtown, Wild West approach to growth, is morally and ethically suspect.

601 Conklin Road, Unit 13
Brantford, Ontario
N3T 0C1

November 22, 2023

Re file A35/2023

Chris Gauthier-City Clerk/Director of Clerk Services
58 Dalhousie Street
P.O. Box 818
Brantford, Ontario
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of
Adjustments. Both ward 1 councillors (info only)

I the undersigned, oppose any further development to the Ambrose
Condominium property at 401 Shellard Lane/575 Conklin Road. My
concerns are as follows:

This building is an afterthought, and does not meet the city's legal
requirements for such a building, without variances, due to the size of the
Ambrose condominium building. It would have to be squeezed in, as the
developer knew there was not enough free lot coverage space for the
development. Elite has addressed this issue with a series of variances.

Variance #1

The units are stacked to reduce lot coverage. In addition, it was necessary
to reduce the size of each of the units within the apartment by two square
meters, thereby creating undersized apartment units. Cleverly they make it
a small number, hoping to push it through.

Variance #2

Since the lot size is still 4% over the maximum allowable coverage, another
variance was required. Though 4 % may seem like a small variance, the
building is still imposing, 100 feet wide by 38 feet tall.

However, if the new building is 4% over and on the same lot as the Ambrose, doesn't this now make the Ambrose 4% out of compliance as well! Why don't they need a variance on the Ambrose??? They share the same lot.

Variance #3

Since they have trouble locating the building due to the entrance onto Conklin Road, they have had to locate the building closer to my property than the legal requirement of 13.5 meters (based on the number of stories of the building). Initially, Elite asked for a variance of 6.8 meters. They withdrew this proposal before the November 1st meeting as I suspect someone from the city told Elite that the variance was too large and would not fly. As a result they pulled the request from the Committee. The new proposal by Elite asks for a setback of 11.5m, which is still 2 meters short of the minimum requirements. Though that may sound like a small variance, it translates into the top one and one third stories of the building.

In reality our biggest issue with this building (100 feet wide by 38 feet as shown in latest plans) is that it towers over our back yards. In the attached drawing I have added our deck which is 3 feet higher than the bottom of the fence. It clearly shows the new fence, higher by 1 foot than our existing fence does not offer any privacy at all from our deck (see photo).

Twenty four of the 32 windows have unrestricted view onto our decks and into our living room and master bedroom. (see attached). This is a gross invasion of our legal right to privacy within our own dwelling! Regardless, both the fence and trees were part of the original Ambrose development, not due to this new building as was stated in the study by Weston. Regardless, the trees and privacy fence do nothing to mitigate this intrusion. The 26 foot high tree in the drawing provided by Elite may offer some privacy, however it would take 15 years for a tree planted now to grow 26 feet.

So, our time on the deck will be like living in a fish bowl. So what about our bedroom privacy? As we have a window in the bedroom and a large sliding door as the only source of light we need the windows open to the light. We could close our Californian shutters and turn on the lights. Alternately we could install a film on our windows which makes it look grey outside all the time. Also the film filters out light and all our plants would die and we would

have to buy plastic. My wife suffers from anxiety and really loves the natural light and sunshine.

Speaking of sunshine, in the fall, winter and spring the sun comes up low. We love the early mornings as the sun and warmth stream through the window and door. Should the building be built, we will get a small amount of time before the building blocks the sun. Then it will magically reappear ever so briefly before it disappears again behind the Ambrose condominium.

Seeing as the developer is making a lot of money out of this building, let's talk money.

Any competent real estate agent will attest to the immediate and future decrease of property values with the overbuilding of apartments at 575 Conklin Road. There are 5 units who stand to lose the most money as the new 38 foot tall building is directly behind their units, less than 38 feet from the property line. So while the developer stands to make hundreds of thousands of dollars on this development, we will lose value on OUR property, somewhere between 40 to 50 thousand dollars each. And we get the bonus of looking at this 100 foot by 38 foot piece of concrete for the rest of our lives.

We love our condos and feel we have rights and they should be taken into consideration when voting on this issue. While Weston will tell you all the good they are doing by building it (and they won't say profit), remember the damage they are causing to the long term residents who chose to live here. All for the sake of eight units.

Quality of life should count for something. We are mainly an older community; we did not need this fight. We will not be bullied by a developer who is trying to squeeze more money out of this development at the expense of the people backing on to the project before he leaves this all behind to the taxpayers who live next to it.

See attached documents.

Thank you for your time and if I may I would ask you to put yourself in our place and what would you think if a developer was going to be putting this 100' wide and 38' high building behind your fence?

Thomas [REDACTED]

Thomas [REDACTED] signed 



VIEW FROM BACK DECK BUILDING GOING IN ABOUT LITTLE
BACK OF BUS LIFT TRUCK AND SIDEWAYS FROM PARADE
ENTRANCE TO HIT THE CONSTRUCTION TRAILER



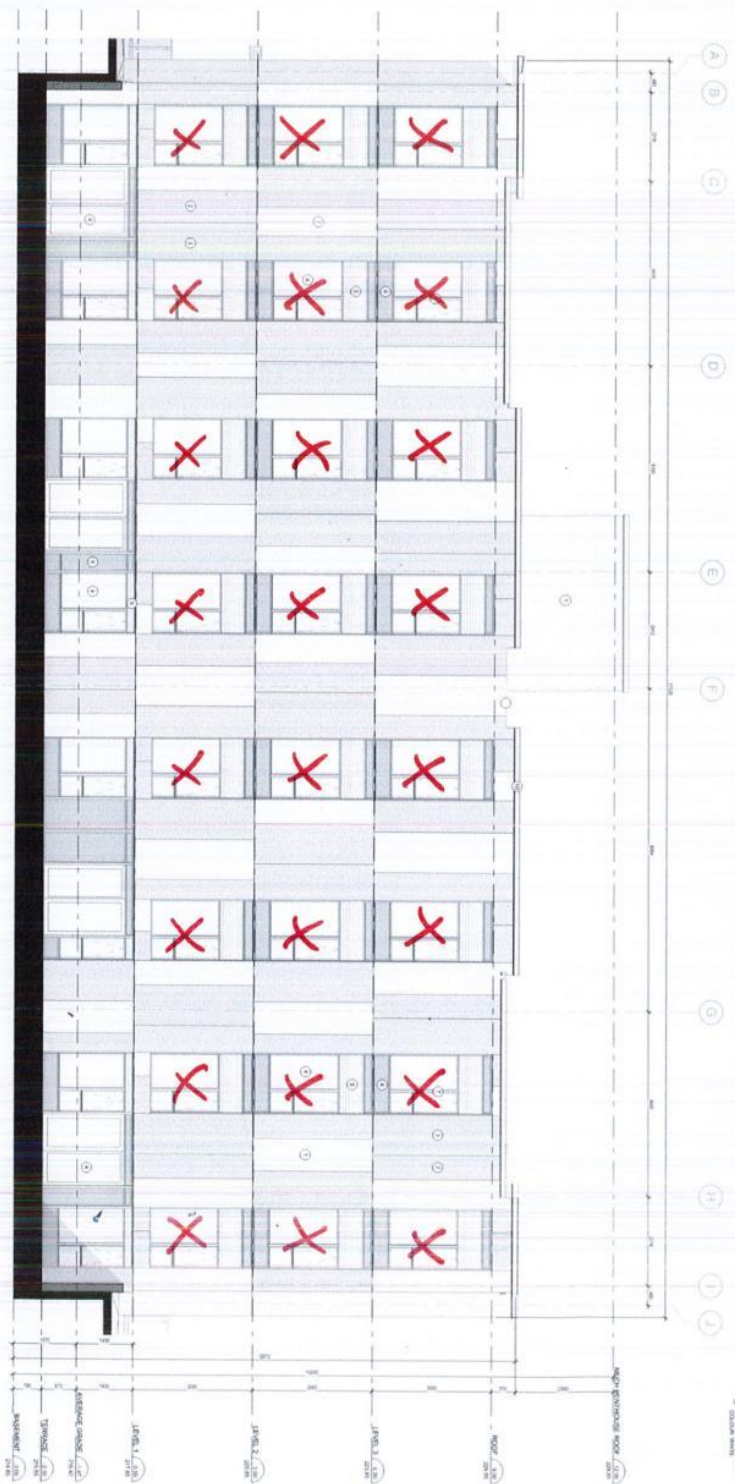
FRONT OF UNIT 13 SHOWING AMBROSIO BUILDING
BEHIND.



BACK OF UNIT 13 SHOWS MASTER BEDROOM WINDOW AND HEIGHT OF DECK (36" ABOVE BOTTOM OF FENCE,



BACK OF UNIT 13. DOUBLE GLASS DOORS ONLY LIGHT
ACCES FOR LIVING AREA.



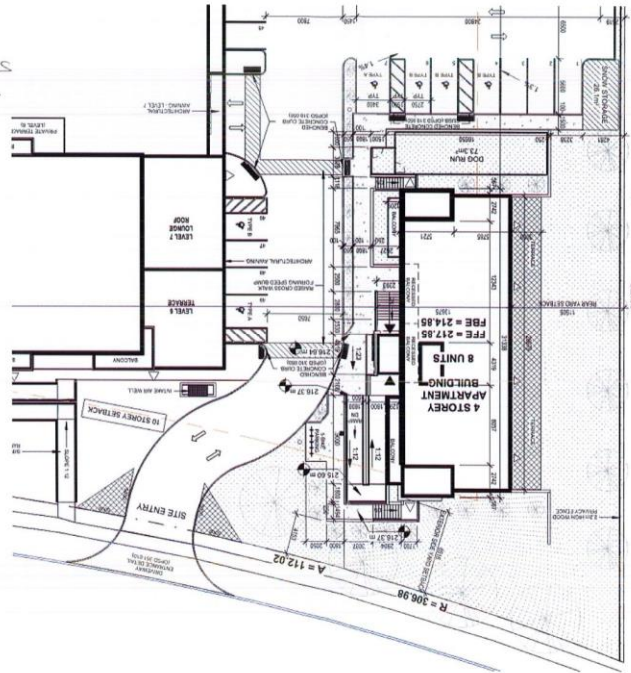
24 Windows over looking over Block X
Building clad in same imitation concrete cladding
Random Pattern.

YOU CAN SEE FROM THE POSITION OF THE BUILDING THAT IT WAS NEVER GOING TO MEET

CITY MINIMUM SET BACKS, DUE TO ROAD ENTERING PROPERTY.

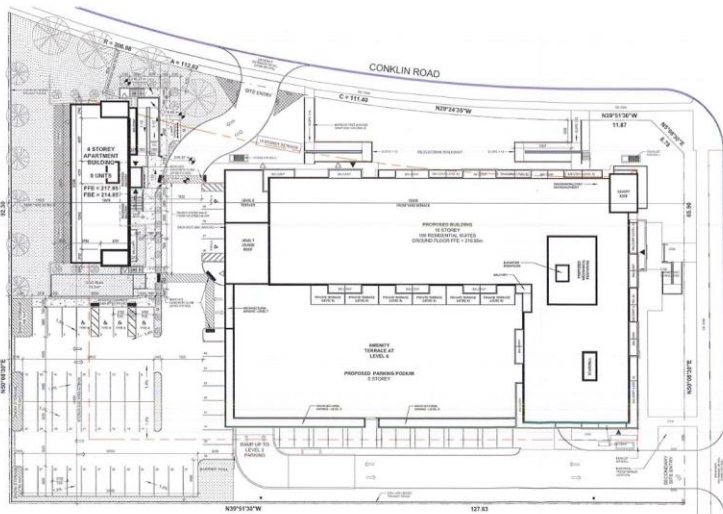
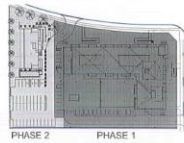
WHERE IS PARKING FOR SHOPS ON LOWER LEVEL?

STREET PARKING FAR TOO CLOSE TO INTERSECTION!



UNITS 15 14 13 12 11
 SET BACK 7.5M TO LOT LINE.
 DECKS 36" 1 YARD ABOVE BOTTOM OF EXISTING FENCE
 NEW FENCE ONLY 1" HIGHER NO PRIVACY TO DECK OR WINDOWS 4 GLASS SLIDING DOORS.
 22 WINDOWS HAVE VIEW INTO HOUSES AND DECK. LIVE LIVING IN A GOLDFISH BOWL.

- REQUIREMENTS**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 2. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 3. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 4. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 5. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 6. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 7. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 8. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.



SITE DATA - PHASE 2

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

BUILDING DATA - PHASE 1

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

BUILDING DATA - PHASE 2

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

BUILDING DATA - TOTAL SITE (BOTH PHASES)

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

LANDSCAPING DATA - TOTAL SITE (BOTH PHASES)

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

VEHICLE PARKING DATA - PHASE 1

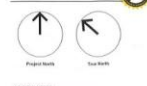
DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

VEHICLE PARKING DATA - PHASE 2

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT

VEHICLE PARKING DATA - TOTAL SITE (BOTH PHASES)

DATE	REVISION	DESCRIPTION
12/06/23	1	ISSUED FOR PERMIT



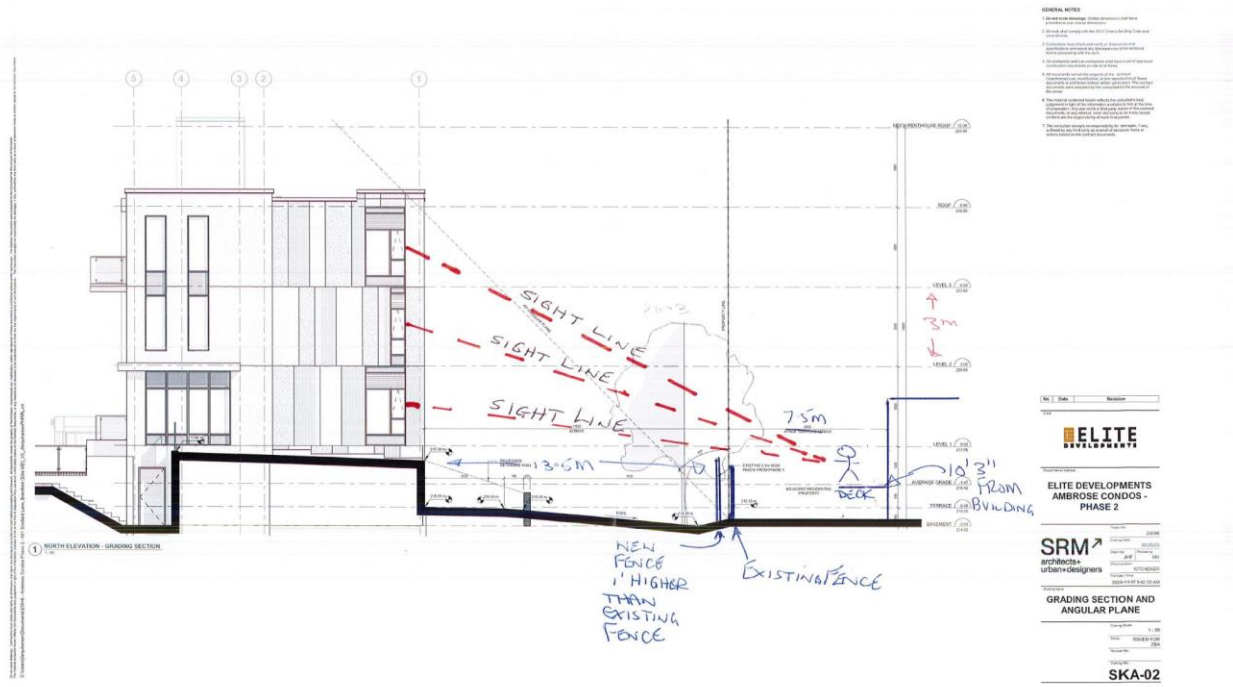
- GENERAL NOTES**
1. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
 2. THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ORDINANCES AND ALL APPLICABLE CODES AND REGULATIONS.
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ELITE DEVELOPMENTS
 AMBROSE CONDOS - PHASE 2

SRM
 architects
 urban designers

SITE PLAN

DATE: 12/06/23
 SCALE: AS SHOWN
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]



FILE A35/2023

601 Conklin Road, Units 8-15
Brantford, Ontario
N3T 0C1

November 19, 2023

Chris Gauthier-City Clerk/Director of Clerk Services
58 Dalhousie Street
P.O. Box 818
Brantford, Ontario
N3T 2J2

Mr. Gauthier,
For distribution to Tausha Adair, Development Planner, Committee of
adjustments.

We, the undersigned, oppose any further development to the Ambrose
Condominium property at 401 Shellard Lane/575 Conklin Road. Our concerns
are as follows:

The erection of an imposing four story, 100 foot long, 36 foot high apartment
building will utterly degrade the experience of using our decks. Imagine yourself
hosting a family get together with this proposed building as a backdrop!

Additionally, the potential privacy infringement of 24 windows looking directly
down and into condominium decks and living spaces needs to be considered.

The shadow study submitted by Elite MD is misleading, and in no way illustrates
the real world impact on the yards, decks and windows of the adjacent unit
owners. The morning sun, especially in the fall, winter and spring, will disappear
behind the new building, make a brief return and then disappear again behind the
larger building. We have already experienced decreased light in our units due to
the Ambrose building. Our condos rely on the double patio doors overlooking our
decks to supply light for our units. Light is a requirement for the physical and
mental health of human beings.

Any competent real estate agent will attest to the immediate and future decrease
of property values with the overbuilding of apartments at 575 Conklin Road.

The intersection at Shellard Lane and Conklin Road is already extremely
congested when the school day begins and ends, creating a safety issue for
children and their care givers alike. This will only get worse if another apartment
building is added to the mix. Brantford is already on track to exceed provincial
home building targets by 176% (according to the City of Brantford's own
website). Granting variances to allow for the squeezing of another apartment
building on this site is unreasonable, thoughtless and indicative of greed on the

part of the developer. This density of development, with the increase in traffic, noise and pollution can only negatively impact the existing neighbourhood.

Pragmatically, there will be additional burdens on Public Works infrastructure such as water supply, sewage, electricity and telecommunications.

Environmental and urban planning considerations include traffic, air pollution, noise pollution, wetland habitats, flood zone susceptibility and the reduction of the planned for green space which has been replaced with a parking lot.

Developers, fulfilling the need for housing in the crudest of fashion with a boomtown, Wild West approach to growth, is morally and ethically suspect. Consider the negative social values and unintended impacts of the overcrowding of the Ambrose Condominium site with the 575 Conklin apartments. Will this create a community that people will aspire to live in? Residents want development that will have a long lasting, positive effect on the community.

Pointedly, this kind of growth is not very neighbourly and appears self-serving and rapacious. Is this how Brantford planning wants to treat its citizens, much less long contributing senior members of this community?

The intent of land use under section 5.1 of the City of Brantford's official plan (July 2023) states that "compatible development is development that respects or enhances the character of the community, without causing undue adverse impacts on adjacent properties. Compatible development is not necessarily the same as, or even similar to existing development in the vicinity". We are fully aware that Weston Consulting's proposal for a minor variance referred to section 5.1 in their planning justification. However, the twist that they put on the meaning of this is greatly skewed in favour of Elite MD Development and does not in any way adhere to the purpose of this policy. The negative effects to the neighbourhood community are long-lasting and irreversible. Elite has deprived us of our legal rights to health, safety and privacy. The proposed three meter "densely planted landscape buffer" will in no way mitigate the effects of this hideous eyesore.

We are in agreement with the attached letter:-

Name ELANE [REDACTED] Unit 15 Signature [Signature]

Name BEV. [REDACTED] Unit 14 Signature [Signature]

Name Diana [REDACTED] Unit 13 Signature [Signature]

Name Tom [REDACTED] Unit 13 Signature [Signature]

Name DOUGLAS [REDACTED] Unit 11 Signature [Signature]

Name Liz [REDACTED] Unit 8 Signature [Signature]

Name MARK [REDACTED] Unit 9 Signature [Signature]

Name Shirley [REDACTED] Unit 9 Signature [Signature]

Name GARY [REDACTED] Unit 8 Signature [Signature]

Name ROGER [REDACTED] Unit 10 Signature [Signature]

Name WYNW [REDACTED] Unit 10 Signature [Signature]

Name _____ Unit _____ Signature _____

Name _____ Unit _____ Signature _____

OWNER OF UNIT 12 IS SERIOUSLY ILL IN
HOSPITAL SO WE DID NOT GET HER ~~SIGNATURE~~
SIGNATURE.

FILE A35/2023

PETITION AGAINST THE BUILDING OF 575 CONKLIN
ROAD, BRANTFORD
ELITE DEVELOPMENTS

Please copy City Clerk, Tausha Adair, Committee of Adjustments, Ward one councilors , The Mayor of Brantford.

①

DEVELOPERS BULLDOZING RESIDENTS

Petition to the Committee of Adjustment and Planning Department, City of Brantford

Elite Developments is trying to construct a second apartment building on the 401 Shellard Lane, Ambrose Condominium site. This proposed apartment was never planned for when the Ambrose condo construction was approved.

Squeezing in another building will require multiple variances to zoning by-laws which will impact abutting properties directly. Additionally, property values, traffic noise, pollution and quality of life in this neighbourhood will be significantly affected.

PRINT	SIGN	ADDRESS
ELAINE [REDACTED]	[Signature]	15-601 CONKLIN RD, BRANTFORD
MHARTEL [REDACTED]	[Signature]	20-601 Conklin Rd
Susan [REDACTED]	[Signature]	22-601 Conklin Rd
Debbie [REDACTED]	[Signature]	16-601 Conklin Rd.
DIANNE [REDACTED]	[Signature]	3-601 CONKLIN RD
Adrian [REDACTED]	[Signature]	22-601 Conklin
Ken [REDACTED]	[Signature]	6-601 Conklin Rd Bldg U3T0C1
Beryl [REDACTED]	[Signature]	16-601 Conklin Rd.
John [REDACTED]	[Signature]	9 Schertzberg Lane
Nancy [REDACTED]	[Signature]	20-601 Conklin Rd.
RICK [REDACTED]	[Signature]	1 SHURTZBERG UNIT 29
TOM [REDACTED]	[Signature]	601 CONKLIN #13
Diana [REDACTED]	[Signature]	601 Conklin Rd. Unit 13

(2)

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PRINT	SIGN	ADDRESS
Judy [REDACTED]	J. Ernst	27 LIMERICK LANE
BEV. [REDACTED]	Bev. Hughes	601 Conklin RD UNIT 14
DOUGLAS [REDACTED]	Douglas Cunningham	601 Conklin RD UNIT- 11
LIZ [REDACTED]	Liz TAYLOR	601 Conklin unit 8.
CATHY [REDACTED]	C. Costello	601 Conklin Unit 17
Vince [REDACTED]	V. Costello	601 Conklin Unit 17
JENS [REDACTED]	J. P. Ansell	601 CONKLIN UNIT #18
MARLENE [REDACTED]	M. Boek	601 CONKLIN RD. UNIT 7
Cec. [REDACTED]	C. Rosulman	601 Conklin Rd Unit 21
Alida [REDACTED]	A. Rosulman	601 Conklin Rd. Unit 21
Carolyn [REDACTED]	C. Robinson	601 Conklin Rd Unit 23
HARVEY [REDACTED]	Harvey Wolfe	" " Unit 3
Corrie [REDACTED]		11 Schertzberg 24

5

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PRINT	SIGN	ADDRESS
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ADAM	[REDACTED]	Adam Pinsky 7 SCHERTZBERG LANE
Lorna	[REDACTED]	L. Pinsky 7 Schertzberg Lane Unit 26
ALICIA	[REDACTED]	Alicia Kelly 5 Schertzberg Lane #
JANET	[REDACTED]	Janet Taylor 1 Schertzberg Lane.
NANCY	[REDACTED]	Nancy Connell 1-601 Conklin Rd.
LYNN	[REDACTED]	Lynn 10-601 Conklin Rd.
ROGER	[REDACTED]	Roger 10-601 CONKLIN RD.
MARK	[REDACTED]	Mark 09-601 Conklin Rd
Shirley	[REDACTED]	Shirley 9-601 CONKLIN RD
GARY	[REDACTED]	Gary Taylor 601 Conklin Rd. #8
Irene	[REDACTED]	Irene Teminger 601 Conklin Rd #4
KIERAN	[REDACTED]	Kieran Stadel 22 FISHER ST
Jacqueline	[REDACTED]	J.S. 20 Fisher St.

4

DEVELOPERS BULLDOZING RESIDENTS

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PRINT	SIGN	ADDRESS
John [REDACTED]	[Signature]	14 Fisher St
Hailey [REDACTED]	[Signature]	20 Schertzberg Ln
Randy [REDACTED]	[Signature]	4 Fisher St
Aron [REDACTED]	[Signature]	27 Nightingale Dr
Kimberley [REDACTED]	[Signature]	31 Nightingale Dr
Mary [REDACTED]	[Signature]	33 Nightingale
Katie [REDACTED]	Katie Day	37 Nightingale Dr.
Michael [REDACTED]	[Signature]	2 Schertzberg Ln

u

Beryl [REDACTED]
[REDACTED]

November 16, 2023

Chris Gauthier-City Clerk/Director of Clerk Services
58 Dalhousie Street
P.O. Box 818
Brantford, Ontario
N3T 2J2

Mr. Gauthier,
For distribution to Planning and Committee of Adjustment

We the undersigned oppose any further development on the Ambrose Condominium property at 401 Shellard Lane/575 Conklin Road. Constructing an additional apartment building at 575 Conklin Road will adversely affect our quality of life, privacy and future property values.

Erecting an imposing 36 foot high, 100 foot long building, 36 feet away, apartment building, will utterly degrade the experience, the quality of life use, of our decks. Imagine yourself, hosting a family get together with this apartment building as a backdrop. (see attached photo)

Additionally, the potential privacy infringement of 24 windows looking directly down on the decks and into condominium windows needs to be factored in to the equation.

Any competent real estate agent, will attest to the immediate and future decrease of property values, with the overbuilding of luxury apartments at 575 Conklin Road.

The developer, attempting to mitigate these impacts, by erecting a 2.2 metre fence and landscaping with trees, right next to the property line (future damage inevitable) is ill conceived window dressing at best. In fact the fence and trees were going in already due to the building at 401 Shellard Lane! We were also promised a berm behind the fence. It seems this is no longer available.

PRINT

Beryl [REDACTED]

SIGN

Beryl [REDACTED] [REDACTED]

City of Brantford Planning and Committee of Adjustment
thank you for your consideration of this matter.