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Date March 7, 2024 **Report No.** 2024-139
To Chair and Members
City of Brantford Committee of Adjustment
From Lindsay King
Development Planner

1.0 Type of Report

Committee of Adjustment Decision Regarding Application for Minor Variance

2.0 Topic

APPLICATION NO.: A11-2024
AGENT: Reinders + Law Ltd. c/o Rodney Gay
APPLICANT/OWNER: Paul Schuit
LOCATION: 1 Galileo Boulevard

3.0 Recommendation

- A. THAT minor variance application A11-2024 seeking relief from Section 6.18.7.1 of Zoning By-law 160-90 to permit a parking ratio of 1.15 parking spaces per dwelling unit, whereas 1.5 parking spaces per dwelling unit are otherwise required, BE APPROVED;
- B. THAT the reasons for the approval of the minor variance are as follows: the proposed variance that would provide relief from Section 6.18.7.1 is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, and the relief requested is considered minor in nature and desirable for the appropriate development and use of the subject lands; and,

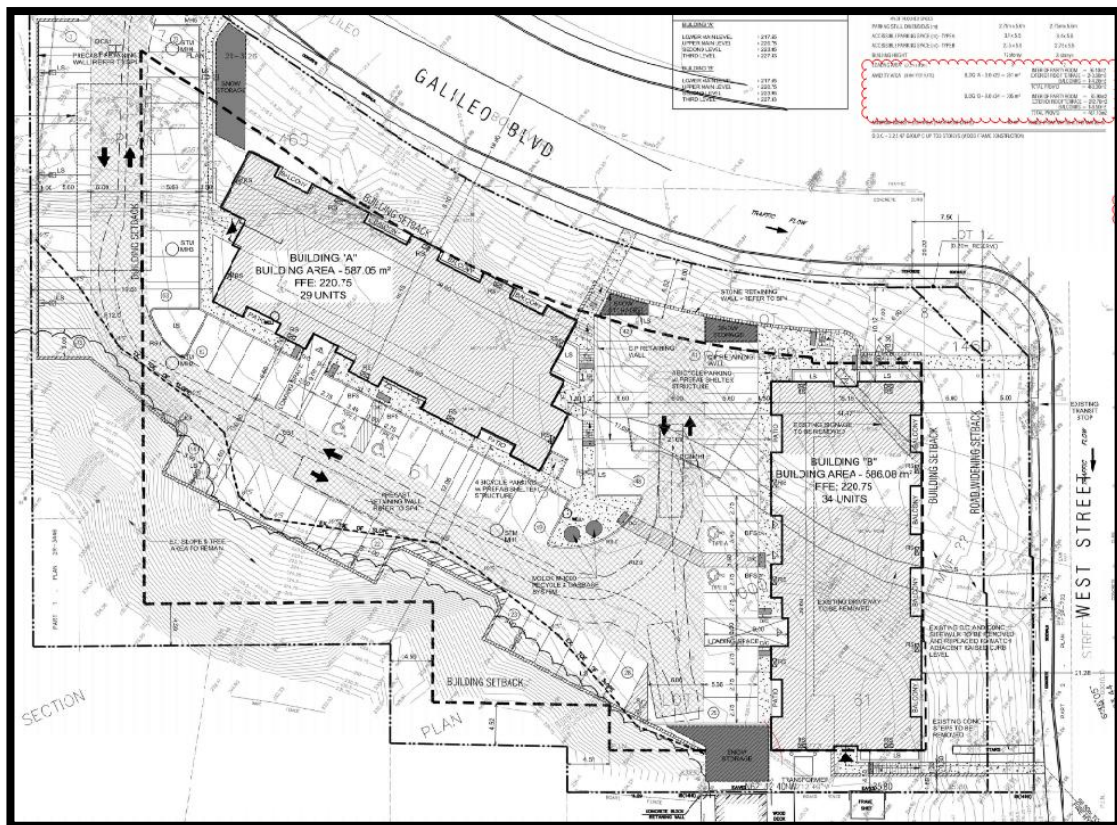
C. THAT pursuant to Section 45(8)-(8.2) of the *Planning Act*, R.S.O 1990, c. P. 13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of report 2024-139.”

4.0 Purpose and Description of Application

The applicant is seeking a minor variance to reduce the parking requirement from 1.5 parking spaces per dwelling unit to 1.15 parking spaces per dwelling unit. The applicant initially submitted a request for a parking ratio of 1 parking space per dwelling unit; however, after consultation with Development Engineering Transportation Staff, it became evident that such a reduction would pose significant challenges for recommending approval because staff deemed this parking ratio insufficient. In that regard, the applicant modified their proposal to seek relief from 1.15 parking spaces per dwelling unit.

Figure 1 - Concept Site Plan



The primary motivation behind this variance is to develop the property into two three-storey residential buildings, collectively accommodating 65 residential units. However, this property is constrained by a relatively steep, southeast-facing incline, which makes it difficult to convert into parking. This topographical challenge underscores the purpose of the application. The applicant proposes parking in the rear yard and interior side yard with access from Galileo Boulevard at the west side of the property. A Site Plan was conditionally approved for this property in 2022, however that Site Plan showed 72 parking spaces. The conditions of that Site Plan approval have not yet been satisfied. Should this application be approved, the property owner would then be required to update their Site Plan and satisfy all related and outstanding conditions before construction.

5.0 Site Features

The subject property is currently a vacant lot with a billboard facing the intersection of Galileo and West Street, where there is also a stoplight, if proposed the billboard sign will be removed from the site. The site's existing vegetation is a mixture of trees and shrubbery. The undulating terrain, characterized by its east-facing orientation presents challenges for site design and development. This will be further reviewed and analyzed through the Site Plan Control process.

Figure 2 - Site Photo



The property is designated “Intensification Corridor” and zoned “Holding – High Residential Development.” The property is situated on three public transit routes (1, 2, and 15). The proximity to key transportation arteries facilitates connectivity that does not require individual vehicle ownership. A stoplight at the intersection of Galileo and West Street enhances traffic management and pedestrian safety.

A property listed on the City of Brantford Heritage Register abuts the subject property to the rear, where the challenging terrain exists. Allowing relief from the required parking would provide this identified heritage property with additional buffering and space from the more intensive planned development. There are also several institutional uses across West Street and personal service uses across Galileo Street.

Figure 3 – Aerial Photo



6.0 Input from Other Sources

6.1 Technical Comments

This application was circulated for technical review on January 26, 2024, and the following feedback was provided:

Development Engineering Transportation Staff: Initially, Staff expressed concerns regarding the proposed parking ratio. However, subsequent revisions to the application, aligning it with the proposed 1.15 parking spaces per dwelling

unit in the new Zoning By-law, and can now be supported. Similar developments have also been supported for this proposed parking standard.

Development Engineering Landscaping Staff: noted that a significant portion of the subject property is identified as a Woodlot under “Schedule B” of the Tree Protection By-law (171-2002), and the applicant is required to adhere to the various provisions within that By-law. Landscaping Staff emphasized the importance of an updated Tree Management Plan to assess the impacts of the revised parking configuration on the trees in the established woodlot area, shown below with the green overlay in **Figure 4**. Although some trees were removed in the recent past, those trees were deemed to be of poor health. A Tree Management Plan was a Condition of Approval for the Site Plan, as approved in 2022. However, this condition remains outstanding and will need to be updated to reflect changes to the Site Plan, should this application be granted approval.

Figure 4 – Schedule B Woodlot



Six Nations Staff requested that trees be replaced at a ratio of 10:1. This requirement is best addressed during the Site Plan stage with the assessment of the updated Tree Protection and Management Plan.

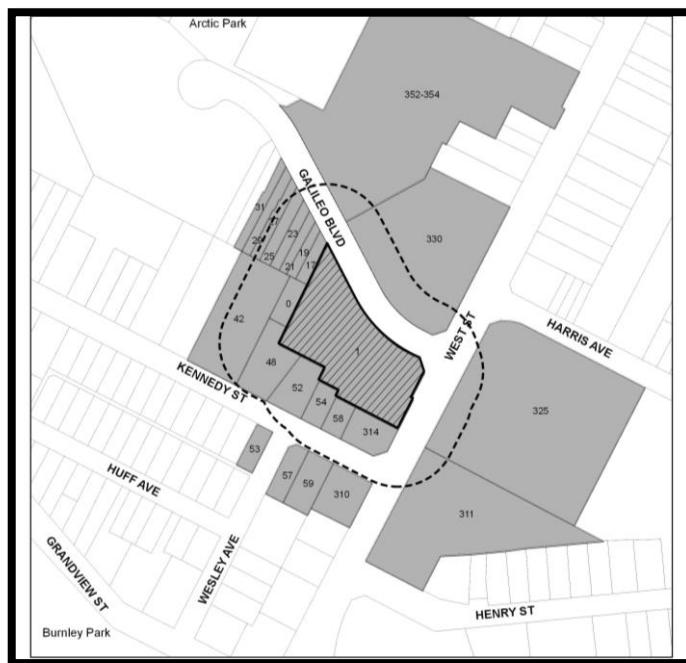
Accessibility and Building Department Staff considerations will be further assessed at the site plan stage. Concerns regarding amenity space were flagged by the Building Department initially; however, subsequent visions and a resubmission of the concept plan by the applicant demonstrated that relief from the amenity space requirement is not necessary.

Grand Erie District School Board Staff, while not opposed to the development, did note concerns regarding the project construction, given that the bordering sidewalks are pedestrian walking routes that students use to get to and from the various schools in the area. They requested that the developer provide notice of any street/sidewalk closures, construction hoarding, or other activity impacting access to existing transportation infrastructure. This feedback has been relayed to the applicant.

6.2 Public Comments

Property owners within 60 m of the subject lands were circulated for comment on February 15, 2024, as shown in **Figure 5**. At the time of writing this Report, staff have received one public comment from the owners of 330 West Street who expressed opposition to this application, attached as **Appendix C**. They do not believe that a parking ratio of 1.15 spaces per dwelling unit is adequate. They state that currently, school buses pickup children who live on Galileo in their parking lot. Their concern relates to increased traffic in their parking lot, should this application be approved. Staff also note that the School Boards were circulated on this application and did not oppose the reduction to parking.

Figure 5 - Notification Map



7.0 Planning Staff Comments and Conclusion

This application has been assessed against the four tests of a minor variance below in **Table 1**.

Table 1 - Four Tests of a Minor Variance

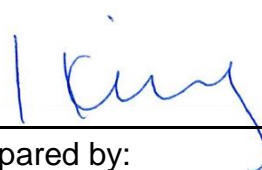
Four Tests	Discussion
1. That the requested variance is minor in nature	“Minor” is determined by impact, not by the value of the sought variance. Staff are of the opinion the proposed relief is minor as the site can be accessed by public transit and has adequate pedestrian infrastructure.
2. That the intent and purpose of the Zoning By-law 160-90 is maintained	Section 6.18.7.1 of the City of Brantford’s Zoning By-law aims to ensure adequate parking. Under the current Zoning By-law, the required parking ratio is 1.5 parking spaces/dwelling unit. Staff note that the proposed parking ratio (1.15 parking spaces/dwelling unit) is consistent with the proposed new draft Zoning By-law parking requirements coming forward later this year for Council approval.
3. That the general intent and purpose of the Official Plan is maintained	The subject lands are designated “Intensification Corridor”, wherein the City encourages <i>“opportunities for creating vibrant, pedestrian and transit-oriented places through investment in infrastructure, residential intensification, infill,</i>


Four Tests	Discussion
	<i>and redevelopment.</i> ” It is the opinion of Staff that the proposed variance would maintain the general intent and purpose of the Official Plan.
4. That the variance is desirable for the appropriate development and use of the land, building or structure	Staff are of the opinion that the requested parking reduction is desirable for the site since it will allow for residential intensification while maintaining adequate parking spaces on an otherwise constrained site. The applicant shows two bicycle parking shelters to accommodate a total of eight bicycles. There are also sidewalks along Galileo, and West Street, and several bus routes that stop within 50 m of the site The proposed development is with 100 m of a drugstore, ServiceOntario, and several health services.

After careful consideration of the technical comments and site characteristics, including a site inspection conducted on February 9, 2024, Planning Staff recommend approval of the application. The subject property’s location within an intensification corridor, coupled with its High Residential Development zoning highlights its strategic importance for accommodating increased residential density in line with municipal planning objectives.

The site’s proximity to key transportation arteries and public transit routes underscores its suitability for transit-oriented development, promoting connectivity and reducing reliance on individual vehicle ownership. The presence of a stoplight at the intersection of Galileo and West Street enhances traffic management and pedestrian safety, contributing to the overall livability of the site.

Acknowledging the challenges posed by the undulating terrain and the presence of a Heritage Registry property abutting the site, as well as a ‘Schedule A’ Woodlot’ (as identified in the Private Tree By-law 171-2002, later amended by 95-2004). Relief from the required parking ratio would not only facilitate the proposed development but also provide additional buffering for the identified Heritage asset and the Woodlot. Staff are supportive of A11-2024 and recommend approval.

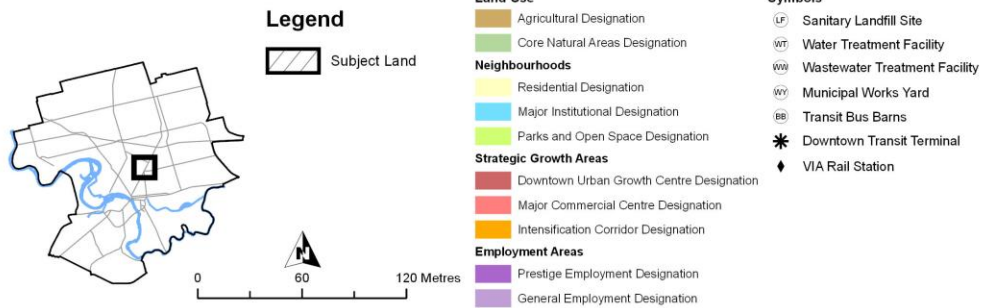

 Prepared by:
 Lindsay King
 Development Planner
 Prepared on: February 29, 2024


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

Appendix A – Official Plan

OFFICIAL PLAN EXCERPT MAP

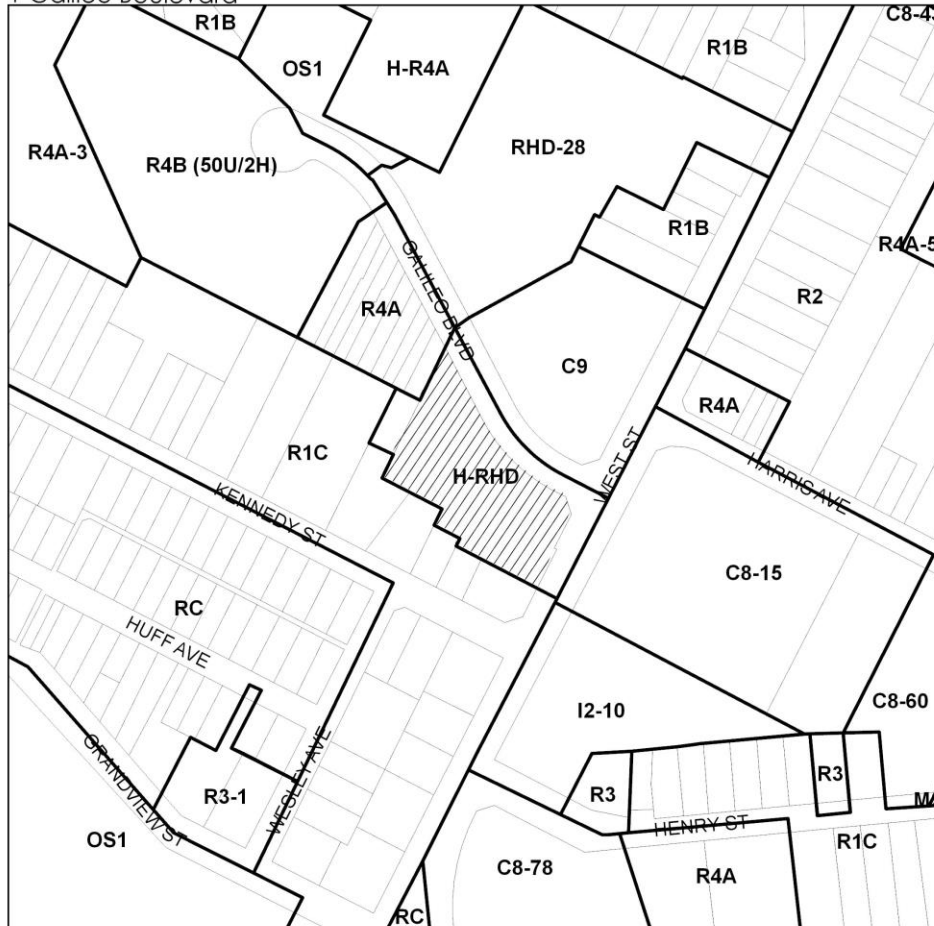
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1 Galileo Boulevard



Appendix B – Zoning

ZONING

Application: A11/2024
 1 Galileo Boulevard



Legend
 Subject Land
 Zone Boundary



0 60 120 Metres

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

- R1B RESIDENTIAL Type 1B (15 metre)
- R1C RESIDENTIAL Type 1C (12 metre)
- R1D RESIDENTIAL Type 1D (9 metre)
- R3 RESIDENTIAL Type 3
- RC RESIDENTIAL CONVERSION
- R4A RESIDENTIAL MEDIUM DENSITY Type A
- R4B RESIDENTIAL MEDIUM DENSITY Type B
- RHD RESIDENTIAL HIGH DENSITY
- I2 INSTITUTIONAL SCHOOL
- C8 GENERAL COMMERCIAL
- C9 NEIGHBOURHOOD CENTRE COMMERCIAL
- OS1 OPEN SPACE Type 1
- H HOLDING PROVISION
- # Exception Number

APPENDIX C – Public Comment

WEST HILL PLAZA,
330 West Street, Unit 7,
Brantford, ON N3R 7V5

February 26, 2024

City of Brantford Planning Department,
City Hall,
58 Dalhousie Street,
Brantford, ON N3T 2J2
Attention: Lindsay King, Development Planner

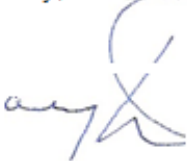
Dear Ms. King: Re: File No. A11-2024

We are the owners of the property at 330 West Street, Brantford, and we are opposed to the changes to the parking by-laws with respect to 1 Galileo Boulevard, Brantford, Ontario.

We are concerned that the requested changes will not allow for enough parking for the residents of the proposed high-rise buildings. We are already experiencing a situation where school buses use our parking lot as a pick-up area for the children who live on Galileo Boulevard. The expected increase in traffic would make the area dangerous for not only the residents but also the children.

The changes to the parking requirement would expose our parking lot to overflow parking from the proposed project and we are strongly opposed to this.

Gary Dorsey, Paula Turkiewicz and Noreen Novak, operating as West Hill Plaza



G Dorsey

Contact — Gary Dorsey, 519-755-2517, garydorsey2233@yahoo.com