

## **EXPLANATORY NOTE**

**TO**

**BY-LAW NO. 184-2024**

This By-law applies to the lands which are located at 571 West Street. The lands have an area of approximately 7032.9 m<sup>2</sup> (1.74 acres) and currently contain an existing one-storey vacant commercial use.

The Zoning By-law Amendment (ZBA) amends the zoning from “General Industrial Zone” (M2) to “Holding – General Commercial - Exception 108 Zone” (H-C8-108) to facilitate the development of a 10-storey mixed use building that includes a retirement home and ground floor commercial uses and associated parking area. This By-law includes site-specific provisions adding mixed use building and retirement home as permitted uses, increasing the maximum building height, and a reduction to the required number of loading spaces. The Holding “H” provision is included in this By-law to ensure that a land use compatibility study and noise study are completed to the Chief Planner’s satisfaction prior to construction.

File No. PZ-16-24  
Applicant: Danny Bawa  
Report No. 2024-668

**BY-LAW NUMBER 184-2024**

**OF**

**THE CORPORATION OF THE CITY OF BRANTFORD**

*To amend By-law No. 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford*

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WHEREAS the Council of The Corporation of The City of Brantford desires that By-law No. 160-90, as amended, be further amended as hereinafter set out;

AND WHEREAS such amendment will be within the terms and intent of the Official Plan for the City of Brantford;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD UNDER THE PROVISIONS OF SECTION 36 OF THE PLANNING ACT R.S.O. 1990 HEREBY ENACTS AS FOLLOWS:

**1. SCHEDULE AMENDMENTS TO BY-LAW NO. 160-90**

1. THAT Schedule "A" Map D-11 be amended as shown on Schedule "A" attached to and forming part of this By-law, and as summarized as follows:

Change from "General Industrial Zone" (M2) to "Holding – General Commercial - Exception 108 Zone" (H-C8-108).

**2. TEXT AMENDMENTS TO BY-LAW NO. 160-90**

1. That Section 9.8.3 be amended by the addition of the following new subsection:

**“.108 571 West Street (H-C8-108)**

- .1 The lands zoned H-C8-108 may only be used in accordance with the permitted uses in the H-C8-108 Zone upon the removal of the Holding (H) provision. Removal of the "H" may occur once the following requirement has been satisfied:

- .1 That the applicant provides a Land Use Compatibility Study and Noise Study to the satisfaction of the City.

- .2 Notwithstanding any provision of this By-law to the contrary, any lot within any H-C8-108 Zone may be used for all of the uses in the C8 Zone plus the following uses:

- .1 Notwithstanding "Schedule M", Mixed Use Buildings, in accordance with Section 9.8.2.13.

.2 Retirement Homes

Notwithstanding Section 2.4.8, retirement home units may be considered dwelling units and therefore constitute a principal use of a mixed-use building in accordance with Section 2.13.7.1.

.3 Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C8-108 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

.1 Building Height (maximum) 10 Storeys

.2 Parking

.1 Notwithstanding Section 6.18.7.8 of this By-Law, a minimum of 156 parking spaces shall be provided for 239 retirement home units. Should the unit count increase, the rate of 1.0 space per private bedroom or dwelling unit shall apply to each additional unit.

.2 Loading Spaces

.1 Notwithstanding Section 6.23.6.2, 6.23.6.3, and Table 6.2 of this By-law, no loading spaces are required for a commercial use with less than 500 m<sup>2</sup> of Gross Floor Area.

That all the provisions of the C8 Zone in Section 9.8.2 to this By-law, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.”

3. EFFECTIVE DATE

- .1 THAT this By-law shall become effective from and after the date of passing thereof.

READ A FIRST TIME:                   DECEMBER 17<sup>th</sup>, 2024

READ A SECOND TIME:               DECEMBER 17<sup>th</sup>, 2024

PASSED:                                 DECEMBER 17<sup>th</sup>, 2024


\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



# Schedule 'A'

Legend

 Area to be rezoned



File Number: PZ-16-24

This is Schedule 'A' To Bylaw No. \_\_\_\_\_  
to amend Zoning Bylaw No. 160-90  
Schedule 'A' Map(s):  
**D-11**

Passed the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

