Date: July 14, 2020

To: Mayor and Members of Council
   Special City Council

From: Paul Moore, General Manager
       Community Development

1.0 Type of Report

   Consent Item [ ]
   Item For Consideration [X]

2.0 Topic Application for Zoning By-law Amendment PZ-01-20 – 150 Colborne Street West [Financial Impact – None] (2020-144)

3.0 Recommendation

   A. THAT Zoning By-law Amendment Application PZ-01-20, submitted by J.H Cohoon Engineering Ltd. on behalf of John Henley, affecting the lands located at 150 Colborne Street West to change the zoning to “Holding – Flood – General Commercial – Exception 100 Zone (H-F-C8-100)” to permit a range of commercial uses in the existing building BE APPROVED subject to the application of a ‘Holding’ provision and in accordance with the applicable provisions outlined in Section 8.3 of Report 2020-144;

   B. THAT the By-law to remove the Holding “H” provision from the subject lands not be presented to Council for approval until the applicant has satisfied the requirements of the City of Brantford relating to the Traffic Impact Study and vehicle turning movement analysis; and,

   C. THAT Pursuant to Section 34(18) of the Planning Act, R.S.O. 1990, c.P.13. the following statement SHALL BE INCLUDED in the Notice of Decision:
4.0 Purpose

An application to amend Zoning By-law 160-90 has been received for the lands municipally known as 150 Colborne Street West (refer to Appendix A). The applicant is proposing to amend the zoning to allow for a range of commercial uses within an existing two-storey brick building that was formerly used as a place of worship. The applicant intends to repurpose the existing building and construct a parking area consisting of 14 off-street parking spaces at the south end of the property. The existing building and proposed parking area is illustrated on a conceptual site plan attached as Appendix B.

5.0 Background

5.1 Site Features and Surrounding Lane Use

The subject lands front the south side of Colborne Street West, between Welsh Street and Mount Pleasant Street. The subject lands are 1090 m² in area with approximately 24 metres of frontage along Colborne Street West. These lands are currently occupied by a vacant two storey brick building that was formerly the St. John’s Anglican Church. A grass yard occupies the south end of the property.

This section of Colborne Street West consists of a mix of commercial and residential uses. An automobile service station abuts the subject lands to the northeast, and a commercial plaza and ‘Tim Hortons’ with a drive-through is located immediately to the south. Two multi-unit residential buildings abut the subject lands to the east. The immediate area is served by Brantford Transit with routes along both Colborne Street West and Mt. Pleasant Street. An aerial photo, map of surrounding land uses and site photographs are attached as Appendices C, D and E.

5.2 Description of the Proposal

The applicant is proposing to repurpose the vacant place of worship and has applied to amend Zoning By-law 160-90 to permit a range of commercial uses within the existing building. The subject lands are currently zoned “Flood - Institutional School Zone (F-I2)” in Zoning By-law 160-90 and designated “General Commercial Area” on Schedule 1-1 of
the City’s Official Plan. The current zoning permits the existing place of worship but not the proposed commercial uses. To facilitate the development as proposed, the applicant is seeking to amend the current zoning of the subject lands to “Flood - General Commercial – Exception 100 Zone (F-C8-100)”.

The following uses are proposed:

- Art Gallery;
- Bakery;
- Fresh Produce Outlet;
- Health Club;
- Meat Store;
- Medical Clinic/Office;
- Pharmacy;
- Place of Entertainment;
- Restaurant (Full Service);
- Specialty Retail Store;
- Artist Studio;
- Commercial School;
- General Office;
- Home Furnishing Store;
- Neighbourhood Convenience Store;
- Photographer’s Studio;
- Private Club;
- Retail Store; and
- Service or Repair Shop.

The applicant has also applied for the following site specific exemptions:

- A minimum of 14 off-street parking spaces for the proposed uses; and,
- No requirement for a loading space.

The applicant is proposing to construct a parking area consisting of 14 parking spaces at the south end of the property, including one required accessible parking space. Some landscaping will be provided along the eastern and western boundaries of the parking area, and a garbage collection area is proposed on the eastern side of the building. The following technical studies, reports and plans were submitted in support of the application:

- Planning Justification Brief;
- Site Development Plan;
- Transportation Impact Statement;
- Functional Servicing Report; and,
- Storm Water Management Brief.
6.0 Corporate Policy Context

6.1 Provincial Policy

Application PZ-01-2020 was reviewed in the context of Provincial Policy, including the Provincial Policy Statement, 2020 (PPS) 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. The adaptive re-use of the former place of worship efficiently makes use of existing infrastructure while promoting opportunities for economic development. Planning Staff is of the opinion that the proposal is consistent with the direction set out in the PPS.

The Growth Plan outlines the principals that provide the basis for guiding decisions in the Greater Golden Horseshoe on how land is developed, resources are managed and protected, and public dollars are invested. The Growth Plan states that “population and employment growth will be accommodated by directing a significant portion of new growth to the built-up areas of the community through intensification” and it encourages cities and towns to develop “complete communities” with a diverse mix of land uses. The subject lands are located within the delineated Built-Up Area of the City and the proposal will increase the range of land uses in the immediate area. Planning Staff is of the opinion that the proposed amendment to the Zoning By-law conforms to the Growth Plan.

7.0 Input from Other Sources

7.1 Public Response

Notice of the Public Meeting in consideration of this application under the Planning Act was issued to all property owners within a 120 m radius of the subject lands (72 owners in total) (refer to Appendix F). At the time of writing this Report, one resident had contacted Staff.

A notification letter was also mailed to surrounding land owners to inquire if there were any concerns expressed that would warrant a neighbourhood meeting. In response to this letter, a neighbouring resident contacted Staff inquiring about the use of the subject lands as a ‘bar establishment’ and if so, what the permitted hours of operation would be. Staff explained that
while a “bar” is not defined in the Zoning By-law, the proposed restaurant use would allow for the serving of alcoholic beverages. The Zoning By-law does not regulate hours of operation; however, there is a noise by-law which prohibits operational noise from lands zoned for Commercial or Industrial uses from a distance of 70 metres to a residentially zoned property between the hours of 10:00 p.m. to 7:00 a.m. Monday to Saturday and 10:00 p.m. to 9:00 a.m. on Sundays. In consultation with the Ward Councillors, a neighbourhood meeting was not held.

7.2 Technical Liaison Response

This application was circulated to internal departments and external agencies for review, and the comments received are summarized in Appendix G with detailed comments from the Engineering Department attached as Appendices H and H1.

The Engineering Department reviewed and commented on several aspects of the proposal relating to transportation. The department has concerns related to the Traffic Impact Study (TIS) and functionality of the proposed parking area. This is discussed further in Section 8.3 of this Report.

All other applicable comments have been noted and will be addressed through the Site Alteration Permit, Building Permit and licensing processes should this application be approved.

7.3 Grand River Notification Area Input

Notice was issued in accordance with the Grand River Notification Agreement and no comments were received.

8.0 Analysis

8.1 City of Brantford Official Plan

Existing Land Use Designation: “General Commercial”

The subject lands are designated “General Commercial Area” on Schedule 1-1 Land Use Plan of the City’s Official Plan (refer to Appendix I). The “General Commercial Area” designation permits a broad range of commercial uses such as; restaurants, entertainment uses; and business
services. All of the proposed uses are in conformity with the policies of the Official Plan.

The subject lands are situated within an “Intensification Corridor” as identified on Schedule 1-2 Growth Management Plan of the Official Plan. Policies for Intensification Corridors are outlined in Section 15.5 of the Official Plan and generally recognize that certain areas in the City have the potential to provide a focus for increased residential and employment densities, mixed use development and redevelopment. The Official Plan states that such areas are encouraged to develop at densities and at a form that are supportive of transit and compatible with surrounding land uses.

This application to amend Zoning By-law 160-90 will introduce a variety of commercial uses into this building that will increase the employment density in the corridor, as well as serve the surrounding residential uses. Planning Staff are of the opinion that the proposed development conforms to the Official Plan provisions relating to development within intensification corridors.

8.2 Zoning By-law 160-90

Existing Zoning: “Flood - Institutional School Zone (F-I2)”

Proposed Zoning: “Flood - General Commercial – Exception 100 Zone (F-C8-100)”

The subject lands are currently zoned “Flood - Institutional School Zone (F-I2)” in Zoning By-law 160-90. A map identifying the zoning in the general area of the subject lands is attached as Appendix J. To facilitate the additional permitted uses noted in Section 5.2 of this Report, the applicant is seeking to amend the current zoning of the subject lands to “Flood - General Commercial – Exception 100 Zone (F-C8-100)”. The proposed amendment will also provide site specific regulations for the entire lot which include permitting a reduced number of parking spaces and waiving the requirement for a loading space. This is discussed in Section 8.3.2 of this Report.

Staff recommends that a Holding “H” provision be placed on the subject lands until the applicant has addressed the comments noted by the Engineering Department relating to the Traffic Impact Study (TIS) and
functionality of the proposed parking area. This is discussed in greater detail in Section 8.3 of this Report.

8.3 Development Considerations

8.3.1 Compatibility

While there are some residential uses in close proximity to the subject lands, the surrounding area is primarily commercial in nature. The proposed commercial uses will complement the existing neighbourhood and add a diverse range of services to the area as the proposed uses are similar to existing uses in the intensification corridor (Colborne Street West). Adjacent residential uses are currently buffered from the site with board on board wood fencing, as illustrated in Appendix D, Photo 6. The applicant is also proposing to landscape along the eastern and western boundaries of the parking area. Further, the applicant is not proposing any new development at this time, only to retain and repurpose the existing two-storey brick building. It is Planning Staff’s opinion that the proposed uses are compatible with the surrounding area.

8.3.2 Heritage

The subject lands are not designated under the Ontario Heritage Act, however, they are identified on the City’s Heritage Inventory. While Staff note that the proposal does not include alterations to the exterior of the building, if any exterior alterations are proposed through a future development application (i.e. Site Plan Application) then the alterations should be designed in accordance with Section 7.0 - Intensification Corridors and Urban Growth Centre and Section 9.0 - Residential Areas with a Heritage Context, of the City’s Urban Design Guidelines for Intensification Proposals.

8.3.3 Parking

The subject lands currently do not contain any off-street parking spaces on site. When the church was in use, parking likely took place off site on streets in the surrounding neighbourhood or possibly on the adjacent commercial properties. The applicant recognises that off-street parking is necessary for the proposed commercial uses and is able to provide a total of 14 off-street parking spaces on site (including one accessible parking space), as shown on the site plan attached as Appendix B.
Table 6.1 of Zoning By-law 160-90 currently regulates parking for the proposed uses based on the Gross Floor Area (GFA) of the existing building. **Table 1** below details the number of off-street parking spaces that would be required for the proposed uses listed in Section 5.2 of this Report, based on the existing Gross Floor Area of 440 m². Where more than one use is provided on the property, the parking requirements are calculated by adding up the spaces needed, which depends on the floor area for each use.

**Table 1: Proposed Uses and Required Parking**

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Table 6.1 Parking Regulation</th>
<th>Parking Requirement based on 440 m² GFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Art Gallery, Art Studio</td>
<td>1.0 space/ 25.0 m² GFA</td>
<td>18</td>
</tr>
<tr>
<td>• Fresh Produce Outlet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Medical Clinic or Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Bakery</td>
<td>1.0 space/ 30.0 m² GFA</td>
<td>15</td>
</tr>
<tr>
<td>• General Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Meat Store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Neighbourhood Convenience Store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Pharmacy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Photographers Studio</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Retail Store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Service or Repair Shop</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Specialty Retail Store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Commercial School</td>
<td>The greater of either 3.0 spaces/teaching station or 1.0 space/4 persons of permitted capacity</td>
<td>Dependent on number of teaching stations/ 14 spaces would permit a capacity of 56 people</td>
</tr>
<tr>
<td>• Health Club</td>
<td>1.0 space/ 20.0 m² GFA</td>
<td>22</td>
</tr>
<tr>
<td>• Home Furnishing Store</td>
<td>1.0 space/</td>
<td>9</td>
</tr>
</tbody>
</table>
As noted previously, parking spaces were never provided on site for the church. To address redevelopment proposals that affect lands with existing parking deficiencies, Zoning By-law 160-90 contains a regulation that applies a parking credit to a change in use where a use existing at the date of adoption of the By-law provides fewer than the minimum number of parking spaces currently required. Section 6.18.2.2 of Zoning By-law 160-90 states:

A use identified in Section 6.18.2.1 may be enlarged or changed to another permitted use in accordance with the following:

.1 The minimum number of parking spaces existing at the date of adoption of this Bylaw shall continue to be provided.

.2 Additional parking spaces for the enlarged or changed use shall be established as follows:

.1 The total minimum number of parking spaces for the enlarged or changed use as required by Table 6.1 of this Bylaw, minus the total minimum number of parking spaces the previous use would have required pursuant to Table 6.1, notwithstanding Section 6.18.2.1.

Given the above, technically, if this application were approved; off-street parking spaces are not required to facilitate the change in use. The previous use of the property (place of worship) would have been required to provide 35 parking spaces, which is greater than the spaces required for the proposed commercial uses. The applicant recognizes the need to provide off-street parking and can accommodate 14 spaces on the subject lands. The subject lands are in close proximity to public transportation routes, on-street parking is available, and the subject lands are located within a walkable area which is close to many private and public services. Outdoor bicycle racks are also proposed on site. Given the foregoing,
Planning Staff recommend that the implementing Zoning By-law stipulate that a minimum of 14 spaces shall be provided to reflect the proposal before Council.

### 8.3.4 Loading Space

The applicant has also applied to not provide the required loading space. The applicant has indicated that the proposed uses do not require large delivery vehicles, and that the deliveries will be off-peak business hours using a smaller vehicle such as a cube van. These deliveries will be limited during the week and could utilize the proposed parking area.

Table 6.2 of Zoning By-law 160-90 requires that a commercial use with a GFA between 300 m² and 1850 m² shall provide a minimum of one loading space. The existing building has a GFA of 440 m², which is at the lower end of the range for the loading space requirement. Given that the GFA is only slightly above the loading space requirement threshold, and the nature of the proposed uses, Planning Staff are supportive of this request.

### 8.3.5 Site Alteration Permit

Site Plan Control is not applicable to this proposal as it does not fall under the definition of “development” in the Planning Act or pursuant to the City’s Site Plan Control By-law 90-2018. The construction of the parking lot, however, will require a site alteration permit administered through the Development Engineering Department, pursuant to the Site Alteration By-law. This will allow Development Engineering Staff the opportunity to review grading, storm water management and ensure that the adjacent residential uses will be buffered from the proposed commercial uses.

### 8.3.6 Holding “H” Provision

At the time of writing this Report, comments from the Development Engineering Department relating to the Traffic Impact Study (TIS) and functionality of the proposed parking area had not yet been addressed to their satisfaction (Appendix H1). City Staff identified some inconsistencies in regard to the TIS and they require some additional analysis from the consultant that speaks to the proposed uses. This was communicated to the Agent in February and again in April and the Agent has indicated that they are working on resolving this issue, which is
expected to be addressed in advance of the public meeting. Development Engineering has also indicated that this matter is solvable.

In the absence of a resolution to the outstanding matter at the time of writing this Report, Planning Staff recommends applying a Holding provision ("H") to the subject lands, pursuant to Section 18.5 of the Official Plan to ensure that the outstanding comments regarding the TIS have been addressed to the satisfaction of the City. Provided the requirements are addressed within two years of the Council approval date, a new Report would not be required to be presented to Council for the removal of the "H", and no further application fees would be required. In the event that this issue is resolved by the date of this public meeting, the Holding provision would not be required.

9.0 Financial Implications

There are no direct Municipal financial implications respecting this application.

10.0 Conclusion

The proposed uses are considered to be compatible with the surrounding neighbourhood and will promote the adaptive re-use of a landmark building along Colborne Street West. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, and in conformity with the Growth Plan and Official Plan. The Holding “H” provision and Site Alteration Permit process will ensure that the requirements of the City and other agencies are addressed and implemented. The proposed development is located in a walkable area which is close to many private and public services and on a transit route that will benefit the citizens of Brantford. Based on these considerations, Planning Staff is of the opinion that the application to amend Zoning By-law 160-90 is appropriate and represents good land use planning.

Sean House
Planner
Community Development

Joe Muto, MCIP, RPP
Manager of Development Planning
Community Development
In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required [X] yes [ ] no
Agreement(s) or other documents to be signed by Mayor and/or City Clerk [ ] yes [X] no
Is the necessary by-law or agreement being sent concurrently to Council? [X] yes [ ] no
APPENDIX A
Location Map

LOCATION MAP
Application: PZ-01-20
150 Colborne Street West

Legend
- Subject Land
APPENDIX B

Conceptual Site Plan

[Diagram of a site plan with labels for streets and property boundaries]
APPENDIX C
Aerial Photo

AERIAL PHOTO
Application: PZ-01-20
150 Colborne Street West
APPENDIX D
Site Photographs

Photo 1: Subject lands (Photo taken from Colborne Street West)

Photo 2: Subject lands (Photo taken from rear of the property)
Photo 3: Neighbouring property to the north

Photo 4: Neighbouring properties to the east
Photo 5: Neighbouring property to the south

Photo 6: Existing fencing between subject lands and adjacent residential properties
APPENDIX E
Surrounding Land Uses

LAND USE
Application: PZ-01-20
150 Colborne Street West
APPENDIX F
Notification Area

AREA OF PUBLIC NOTIFICATION
Application: P2-01-20
150 Colborne Street West

Legend
- Subject Land
- Notified Properties
- 120 m Buffer from Subject Land
## APPENDIX G

### Agency Comments

<table>
<thead>
<tr>
<th>Department / Agency</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell Canada</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Brantford Power</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Brant Haldimand Norfolk Catholic District School Board</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Building Department</td>
<td>No comments</td>
</tr>
<tr>
<td>Engineering Department</td>
<td>Refer to <a href="#">Appendix H</a> (February 18, 2020) and <a href="#">Appendix H1</a> (April 22, 2020)</td>
</tr>
<tr>
<td>Fire Prevention Officer</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Grand River Conservation Authority</td>
<td>No objections to Zoning By-law Amendment. As the Stormwater Management Scheme is to outlet to the City of Brantford infrastructure our office would defer review of the stormwater management scheme to the City.</td>
</tr>
<tr>
<td>Hydro One</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Roger’s Cable TV</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Union Gas Limited</td>
<td>No comments received.</td>
</tr>
</tbody>
</table>
APPENDIX H
Engineering Comments (First Submission)

CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

☐ DRAFT PLAN OF SUBDIVISION
☐ OFFICIAL PLAN AMENDMENT
☐ RENTAL HOUSING ACT
☐ OTHER —
☐ ZONING BY-LAW AMENDMENT
☐ DRAFT PLAN OF CONDOMINIUM
☐ SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20
DEADLINE FOR REPORT: FEBRUARY 18, 2020
APPLICANT / OWNER: John Henley / Cornerstone Investments Inc.
AGENT: J.H. Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS

1. TRANSPORTATION/TRAFFIC

1. With respect to the Traffic Impact Study (TIS) from Cohoon Eng. Ltd dated December 2019:

   a. Report should indicate ITE trip generation rates used in the analysis.

   b. In support of the conclusion from the report that the proposed site will not impact Colborne Street operations, analysis of existing conditions of the intersection of Colborne Street West at Norwich Street/Proposed Site Access is required in order to determine whether any additional forecast analysis is warranted.

   c. Report should include analysis of left turn requirements for the proposed access.

2. The plan should include the curb on both sides of Colborne Street West, including any existing or proposed intersections and/or driveways.

3. Continuous path turning movement analysis should be provided for any large vehicle that will require access to the property (e.g. waste removal). Include the type of vehicle used in the analysis.

4. Justification should be provided for the proposed reduction to zero (0) loading spaces.

5. The site plan should include driveway visibility triangles as per the Site Plan Manual.

6. The Official Plan (OP) identifies that a road widening be obtained from this section of Colborne Street West to achieve an ultimate right-of-way (ROW) of 26m. This would require a conveyance of approximately 3m from the subject property. It has been determined that this conveyance would not be applicable to the currently proposed application. Staff recommend that the front 3m of the property along Colborne St West be left free of any structure or other required aspect of the site.

7. Staff may have further comments as a result of additional information provided or revisions required to the analysis in response to the above comments.

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

2. TRANSIT SERVICES

   ☐ Transit has no concerns with this amendment, the terminal would service this area for bus connections.

   E. VANDERMADE
   MANAGER, TRANSIT
3. **WATER**

I reviewed the above noted application and accompanying site plan—DWG. No. 13155-1, dated Sept. 12/15, with no revisions as prepared by J.H. Cooon Ltd.—on behalf of Environmental Services and have no objections to the change in use; however, I would like to offer the following water comments for consideration:

1. City records indicate 150-162 Colborne Street West is located within Water Intake Protection Zone #3 (IPZ3). The Owner submitted a Source Water Protection: Restricted Land Use Declaration Form to the City's Coordinator along with this application. The owner will be required to work with the City's Water Compliance staff should they determine a risk management plan is required;

2. City records indicate 150-162 Colborne Street West is serviced as follows:
   - Service #1 (150 Colborne St. W.) – 38 mm copper (street) x 13 mm lead (private) lateral from the 200 mm Polyvinyl Chloride watermain in Colborne Street West. This service appears to be located 5.8 m Right of the Left side of the existing building at 150 Colborne Street West and the curb stop 2.8 m out from the same;
   - Service #2 (152 Colborne St. W.) – 25 mm copper lateral from the 200 mm PVC watermain in Colborne Street West. This service appears to be located 5.84 m Right of the Right side of the existing building at 150 Colborne Street West and the curb stop 3.05 m out from the same.

3. Only one (1) service connection is permitted to the property. The Owner will be required to remove the redundant service to the property. The service must be removed from the main to preserve water quality and prevent leaks and the curb stop removed to avoid confusion;

4. If “Service #1” is retained, the Owner will be required to replace the lead portion of the 38 x 13 mm lateral with 25 mm copper. The Owner may be eligible for a grant through the City's “Lead Service Replacement Financial Assistance Program”;

5. The Owner will be required to provide detailed site servicing plans identifying the location of all services to the properties for review, comment and approval;

6. The provided FSR indicates the anticipated population equivalent to be 72 persons; however, domestic demand calculations appear to account for 30 persons. Confirm the anticipated population equivalent. Furthermore, the current standard for average daily demand for a commercial use is 275 L/cap/d. Revise the report accordingly;

7. If the existing service is inadequate to service the development, the Owner will be required to replace the existing lateral. If applicable, the obsolete service must be removed from the main to preserve water quality and prevent leaks and the curb stop removed to avoid confusion;

8. The Owner will be required to submit a deposit for the removal of each applicable water service; the deposit will be based on the current Corporation approved rate. The Owner can apply to the City's Water Customer Service Department to have the deposit returned once the water service(s) is (are) removed to the satisfaction of the City;

9. If applicable, the Owner will be required to obtain a Water Service Connection Permit and pay all applicable fees prior to commencing any work to connect a new water service; the City will complete the inspection of all connections to City watermains;

10. The Owner will be required to obtain a Street Excavation Permit prior to commencing any work in the City's right-of-way.
3. **WATER cont**

11. The development must be metered during construction; the Owner is responsible to pay the current fee per cubic metre for the quantity of water used;

12. All materials and construction methods must comply with the latest version of the City’s Linear Design & Construction Manual and Ontario Building Code;

On behalf of Environmental Services—Solid Waste, I would like to offer the following solid waste management comments:

13. The City of Brantford does not collect Commercial, Industrial or Institutional waste materials. The owner must utilize Private Collection services (at property owner’s expense) to manage waste material collector;

14. Under Bill 151, Waste Free Ontario Act (WFOA) and “Food and Organic Waste Framework in Ontario”, Part B, Waste Policy Statement, new requirements have been established for the future management of food and organic waste materials for residential and commercial locations. The proposed development shall comply with all future requirements of the Provincial Waste Policy Statement; and

15. The Owner is responsible for the management of all waste and recyclables materials during construction.

J. ELLIOTT, C.E.T.
SENIOR PROJECT MANAGER
CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

☐ DRAFT PLAN OF SUBDIVISION
☐ OFFICIAL PLAN AMENDMENT
☐ RENTAL HOUSING ACT
☐ ZONING BYLAW AMENDMENT
☐ DRAFT PLAN OF CONDOMINIUM
☐ SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20
DEADLINE FOR REPORT: FEBRUARY 18, 2020
APPLICANT / OWNER: John Hanley / Cornerstone Investments Inc.
AGENT: JH Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS
4. DEVELOPMENT ENGINEERING

General
1. Any surplus sanitary and storm private drain connections to the subject lands are to be abandoned and must be capped in concrete at the property line. Any surplus water services are to be abandoned at the main as per City of Brantford standards, and a "no water" notice must be posted.
2. The Owner’s Contractor will be required to obtain a Road Cut Permit.
3. A Driveway Permit will be required for the construction of any new driveways to the subject lands.
4. Full public services are to be constructed, or replaced if damaged (sidewalk, boulevards, driveway approaches, etc.)
5. One connection to sanitary and water services is permitted per lot (and storm as required) as per City of Brantford standards. Multiple connections will not be permitted.
6. The installation of new water and sewer connections to the proposed development may necessitate the complete resurfacing of the roadway, abutting the proposed development. This will be dependent on the location and depth of new service and will be determined on a site-by-site basis.
7. A Sanitary Lateral Connection Permit will be required for any proposed sanitary service connections.
8. A Road Occupancy Permit will be required for any proposed work within the municipally owned road.

Site Alterations By-law Requirements
1. The applicant/owner should be aware that no person shall cause or permit alteration of a site in the municipality, without having first obtained a Site Alteration Permit in accordance with By-law Number 2011.
2. Further to the requirements of the Site Alteration By-law, a siltation and erosion control (SEC) plan is to be submitted in accordance with current municipal requirements and the following issues are to be acknowledged and addressed, including but not limited to:
   a. Site works are to be staged in such a manner that erosion will be minimized, and the consultant must provide confirmation that all approved siltation and erosion control facilities have been installed prior to the commencement of any grading, excavation or demolition.
   b. Clearing and grubbing of the site should be kept to a minimum and vegetation removed only in advance of immediate construction.
   c. Stockpiles of earth or topsoil are to be located and protected to minimize environmental interference. Erosion control fencing is to be installed around the base of all stockpiles.
   d. The owner is responsible to ensure that municipal roadways are cleaned of all sediments from vehicular tracking etc. to and from the site, at the end of each workday.
   e. All disturbed areas, not included in the construction zone, are to be top soiled and seeded immediately after completion of area grading.
   f. All existing and proposed catch basins on the subject property, plus any catch basins within the influence of runoff from the site, are to be protected with filter cloth or approved equivalent.
   g. Silt fencing is required around all perimeter areas of the site where discharge of surface runoff, from within the site, can occur.

Continued...
CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

- DRAFT PLAN OF SUBDIVISION
- OFFICIAL PLAN AMENDMENT
- RENTAL HOUSING ACT
- OTHER
- ZONING BYLAW AMENDMENT
- DRAFT PLAN OF CONDOMINIUM
- SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20
DEADLINE FOR REPORT: FEBRUARY 18, 2020
APPLICANT / OWNER: John Hanley / Cornerstone Investments Inc.
AGENT: J.H. Choon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS

4. DEVELOPMENT ENGINEERING cont’

Zoning Comments

1. Proposed parking lot indicates no setback of the parking lot from the property lines. A 0.5m setback is required to facilitate room for items such as fence on the portions of the lot abutting residential lots. This appears that it will result in a reduction in available parking and proposed zonings for the property should appropriately address this reduction.

2. The proposed grade of the parking area appear to alter the pre-development drainage scheme for adjacent lots based on the topographic survey provided. Review and revise accordingly.

The following comments will be required to be addressed prior to any works commencing on the site:

1. Functional Servicing Report
   - How was 72 Persons (max.) assumption determined? (ie. What use and where was the equivalent derived from)
   - When doing the comparison for wastewater, why were different sanitary loading factors (300L/cap/day vs. 125L/cap/day) used? Further review units as 0.125L/person was listed in the text whereas the calculation assumes 1.25L/person.
   - Site area is listed as 1.09ha when discussing commercial zoning vs 0.11ha when contemplating institutional zoning. Review and revise accordingly.
   - While the parking will limit the amount of anticipated users there is also pedestrian traffic and transit to also consider and therefore parking should not be used as justification for the reduction in wastewater outflows from this site.

2. Engineering Plans to be submitted are as follows but not limited to:
   - Site Development Plans
     - Proposed driveway location does not match the existing driveway location. Curb Cuts and replacement curb should be shown on the drawings.
     - Where is winter snow storage proposed?
     - Show services in the Colborne Street right of way. There should be curbs shown around the parking lot.
     - What is the tie-in invert at the existing storm manhole in Colborne Street?
     - Show insulation on pipes where 1.5m cover is not achieved.
   - Site Lighting/Photicomeric Plans

   - Enhanced protection is to be specified for stormwater quality control.

4. Where existing services are to be re-used there should be video inspection provided to the City confirming that the services are in good repair and are adequate to service proposed commercial uses.

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

March 2, 2020

G. PEEVER, P. ENG.
MANAGER, DEVELOPMENT ENGINEERING
PUBLIC WORKS COMMISSION
APPENDIX H1
Engineering Comments (Second Submission)

CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

- DRAFT PLAN OF SUBDIVISION
- OFFICIAL PLAN AMENDMENT
- RENTAL HOUSING ACT
- OTHER –
- ZONING BYLAW AMENDMENT
- DRAFT PLAN OF CONDOMINIUM
- SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20 – 2nd Submission
DEADLINE FOR REPORT: APRIL 22, 2020
APPLICANT / OWNER: John Hersey / Cornerstone Investments Inc.
AGENT: J.H. Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS

TRANSPORTATION/TRAFFIC

1. With respect to the Traffic Impact Study (TIS) from Cohoon Eng. Ltd. dated December 2019 and subsequent response to comments dated April 13, 2020:
   a. Trip generation does not seem to be consistent with land uses indicated
   b. Trip generation should be based on highest trip generators per respective peak hours of the proposed uses
   c. In support of the conclusion from the report that the proposed site will not impact Colborne Street operations, analysis of existing conditions of the intersection of Colborne Street West at Norwich Street/Proposed Site Access is required in order to determine whether any additional forecast analysis is warranted.
   d. Report should include analysis of left turn requirements for the proposed access.

2. Waste pickup vehicle must be represented by the TAC standard Heavy Single Unit (HSU) vehicle and must include all critical movements beginning from the public roadway, accessing applicable areas of the site, and re-entering the public roadway.

3. Justification to not provide a loading space does not seem consistent with proposed landuses.

4. Proposed parking should not conflict with access to garbage area.

5. Access to proposed parallel parking space, circled below, should be justified through continuous path turning movement analysis for ingress and egress of the TAC standard passenger (P) vehicle.

   ![Diagram of driveway visibility triangles]

6. Within the area of the driveway visibility triangles, the height of any structure or vegetation should not exceed 0.6m.

G. PEEVER, P. ENG.,
MANAGER, DEVELOPMENT ENGINEERING
CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

☐ DRAFT PLAN OF SUBDIVISION
☐ OFFICIAL PLAN AMENDMENT
☐ RENTAL HOUSING ACT
☐ OTHER –
☐ ZONING BYLAW AMENDMENT
☐ DRAFT PLAN OF CONDOMINIUM
☐ SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20 – 2nd Submission
DEADLINE FOR REPORT: APRIL 22, 2020
APPLICANT / OWNER: John Harley / Cornerstone Investments Inc.
AGENT: J.H. Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS

2. WATER

I reviewed the above noted application and accompanying site plan—DWG. No. 13156-1, dated Mar. 20/20, with no revisions as prepared by J.H. Cohoon Ltd. —on behalf of Environmental Services and have no objections to the change in use; however, I would like to offer the following water comments for consideration:

1. City records indicate 150-152 Colborne Street West is located within Water Intake Protection Zone #3 (IPZ3). The Owner submitted a Source Water Protection: Restricted Land Use Declaration Form to the City’s Coordinator along with this application. The owner will be required to work with the City’s Water Compliance staff should they determine a risk management plan is required; **ADRESSED**

2. City records indicate 150-152 Colborne Street West is served as follows:
   - Service #1 (150 Colborne St. W.) – 38 mm copper (street) x 13 mm lead (private) lateral from the 200 mm Polyvinyl Chloride watermain in Colborne Street West. This service appears to be located 5.8 m Right of the Left side of the existing building at 150 Colborne Street West and the curb stop 2.8 m Out from the same;
   - Service #2 (152 Colborne St. W.) – 25 mm copper lateral from the 200 mm PVC watermain in Colborne Street West. This service appears to be located 5.64 m Right of the Right side of the existing building at 150 Colborne Street West and the curb stop 3.05 m out from the same.

3. Only one (1) service connection is permitted to the property. The Owner will be required to remove the redundant service to the property. The service must be removed from the main to preserve water quality and prevent leaks and the curb stop removed to avoid confusion; **ADRESSED**

4. If "Service #1" is retained, the Owner will be required to replace the lead portion of the 38 x 13 mm lateral with 25 mm copper. The Owner may be eligible for a grant through the City’s "Lead Service replacement Financial Assistance Program"; **ADRESSED**

5. The Owner will be required to provide detailed site servicing plans identifying the location of all services to the properties for review, comment and approval; **ADRESSED**

6. The provided FSR indicates the anticipated population equivalent to be 72 persons; however, domestic demand calculations appear to account for 30 persons. Confirm the anticipated population equivalent. Furthermore, the current standard for average daily demand for a commercial use is 275 L/cap/d. Revise the report accordingly; **ADRESSED**

7. If the existing service is inadequate to service the development, the Owner will be required to replace the existing lateral. If applicable, the obsolete service must be removed from the main to preserve water quality and prevent leaks and the curb stop removed to avoid confusion; **ADRESSED**

8. The Owner will be required to submit a deposit for the removal of each applicable water service; the deposit will be based on the current Corporation approved rate. The Owner can apply to the City’s Water Customer Service Department to have the deposit returned once the water service(s) is(are) removed to the satisfaction of the City; **ADRESSED**

9. If applicable, the Owner will be required to obtain a Water Service Connection Permit and pay all applicable fees prior to commencing any work to connect a new water service; the City will complete the inspection of all connections to City watermains; **ADRESSED**

Continued...
10. The Owner will be required to obtain a Street Excavation Permit prior to commencing any work in the City's right-of-way; **Addressed**

11. The development must be metered during construction; the Owner is responsible to pay the current fee per cubic metre for the quantity of water used; **Addressed**

12. All materials and construction methods must comply with the latest version of the City's Linear Design & Construction Manual and Ontario Building Code; **Addressed**

On behalf of Environmental Services—Solid Waste, I would like to offer the following solid waste management comments:

13. The City of Brantford does not collect Commercial, Industrial or Institutional waste materials. The owner must utilize Private Collection services (at property owner's expense) to manage waste material collection; **Addressed**

14. Under Bill 151, Waste Free Ontario Act (WFOA) and “Food and Organic Waste Framework in Ontario”, Part 8, Waste Policy Statement, new requirements have been established for the future management of food and organic waste materials for residential and commercial locations. The proposed development shall comply with all future requirements of the Provincial Waste Policy Statement; and **Addressed**

15. The Owner is responsible for the management of all waste and recyclables materials during construction. **Addressed**

J. ELLIOTT, C.E.T.
SENIOR PROJECT MANAGER
CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

- DRAFT PLAN OF SUBDIVISION
- OFFICIAL PLAN AMENDMENT
- RENTAL HOUSING ACT
- ZONING BYLAW AMENDMENT
- DRAFT PLAN OF CONDOMINIUM
- SITE PLAN APPROVAL

PLANNING BOARD FILE NO.: PZ-01-20 – 2nd Submission
 DEADLINE FOR REPORT: APRIL 22, 2020
APPLICANT / OWNER: John Harley / Cornerstone Investments Inc.
AGENT: J.H. Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS

DEVELOPMENT ENGINEERING

1. Development Engineering has no concerns with the Re-Zoning Application.

The following comments will be required to be addressed prior to any works commencing on the site:

1. Functional Servicing Report

   - When doing the comparison for wastewater, why were different sanitary loading factors (300L/cap/day vs. 125L/Cap/day) used?

     This comment was made previously and the provided response did not adequately address the Cities concerns. Based on Building Code alone, the existing use (Church No Kitchen) would have used 8L/Seat/Day or (Church with Kitchen) would have used 36L/Sea/Day, both of which are significantly less than proposed use (Restaurant Not 24Hr) which OBC defines as 125L/Seat/Day. Design Criteria should remain consistent amongst proposed and existing wastewater allocation calculations (ie. Use OBC to calculate both or use City of Brantford Design Criteria to calculate both).

   - Page 3, Units of 0.125L/person was listed in the text whereas the calculation assumes 125L/person. Review and revise so that the number is shown properly in the text (ie. 125 not .125)

   - Page 4, Site Area is listed as 1.09ha in paragraph text when discussing commercial zoning vs 0.11ha when contemplating institutional zoning. Review and revise accordingly.

     This comment was made previously and remains unaddressed.

2. Engineering Plans to be submitted are as follows but not limited to:

   - Site Development Plans
     - Proposed driveway location does not match the existing driveway location. Curb Cuts and replacement curb should be shown on the drawings.

       This comment was made previously and while the new curb cut and replacement is shown the existing curb cut to be removed is not shown on the drawings to be removed and replaced. The drawings should be updated to show the existing driveway entrance to be removed and replaced with Full Barrier Curb as per typical on Colborne Street West.

     - Show a cross section of the proposed storm service be-in. Ensure that 1.5m minimum cover is achieved within the Cities right of way.

     - Notes should be added to the drawings that a watertight connection to Ex. STM M/H within Colborne Street Right of Way is required.


   - Enhanced protection is to be specified for stormwater quality control.

     Response to comments was provided however a revised report was never submitted to confirm that City comments were addressed.
CITY OF BRANTFORD
ENGINEERING SERVICES PRELIMINARY REPORT ON

☐ DRAFT PLAN OF SUBDIVISION ☐ ZONING BYLAW AMENDMENT
☐ OFFICIAL PLAN AMENDMENT ☐ DRAFT PLAN OF CONDOMINIUM
☐ RENTAL HOUSING ACT ☐ SITE PLAN APPROVAL
☐ OTHER –

PLANNING BOARD FILE NO.: PZ-01-20 – 2nd Submission
DEADLINE FOR REPORT: APRIL 22, 2020
APPLICANT / OWNER: John Henley / Cornerstone Investments Inc.
AGENT: J.H. Cohoon Engineering
SITE: 150 Colborne Street West

REQUIREMENTS OR COMMENTS
DEVELOPMENT ENGINEERING con’t

4. Where existing services are to be re-used there should be video inspection provided to the City confirming that the services are in good repair and are adequate to service proposed commercial uses.

A response was provided however the City still requires that Video inspection of existing services to remain is completed to ensure that the service is in good repair.

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

May 6, 2020
DATE

G. PEEVER, P. ENG.,
MANAGER, DEVELOPMENT ENGINEERING
PUBLIC WORKS COMMISSION
APPENDIX I
Official Plan – Land Use Designations

OFFICIAL PLAN
Application: PZ-01-20
150 Colborne Street West

LEGEND
SUBJECT LANDS
- LOW DENSITY RESIDENTIAL AREA
- MEDIUM DENSITY RESIDENTIAL AREA
- HIGH DENSITY RESIDENTIAL AREA
- GENERAL INDUSTRIAL AREA
- MIXED INDUSTRIAL COMMERCIAL AREA
- BUSINESS PARK AREA
- MAJOR INSTITUTIONAL
- MAJOR OPEN SPACE
- CORE COMMERCIAL AREA
- COMMUNITY CENTRE COMMERCIAL AREA
- GENERAL COMMERCIAL AREA
- MIXED COMMERCIAL RESIDENTIAL AREA
- DISTRICT CENTRE COMMERCIAL AREA
- NEIGHBOURHOOD CENTRE COMMERCIAL AREA
- HIGHWAY COMMERCIAL AREA
- NEW FORMAT COMMERCIAL AREA
- CEMETERY
- ELEMENTARY SCHOOL
- FREEWAY
- LONG TERM CORRIDOR PROTECTION
- SPECIALISED PARK and OPEN SPACE
- COMMUNITY PARK and OPEN SPACE
- NEIGHBOURHOOD PARK and OPEN SPACE
APPENDIX J
Existing Zoning

ZONING
Application: PZ-01-20
150 Colborne Street West

Legend
- Subject Land
- Zone Boundary

ZONING (Bylaw 160-90) and County of Brant(61-16)
RC Residential Conversion
I2 Institutional School
C8 General Commercial
F Floodplain Provision
- Exception Number

Compass Scale: 0 20 50 100 Metres