



Planning and Development Committee Report

To: To the Chair and Members of the Planning and Development Committee
From: Dan Namisniak, Planner
Date: December 6, 2022
Report: RPT-0324-22
Subject: ZBA33-22-DN - Zoning By-Law Amendment Application
Purpose: For Approval.

Recommendation

That Zoning By-Law Amendment Application ZBA33-22-DN from Sierra Construction Group, Agent on behalf of Veranda Property Investments, Applicant/ Owner of Part Lots 33 and 34 East Willow, County of Brant, in the geographic former Township of Paris, municipally known as 31 Willow Street, proposing to change the zoning on the subject lands from Residential Singles and Semis (s-R2) to Residential Multiple Low Density (s-RM1-XX), be approved, with site specific provisions:

1. To permit a '*Dwelling, Apartment*' as an additional permitted use in the Residential Multiple Low Density (RM1) zone;
2. To limit the maximum building height for a '*Dwelling, Apartment*' to 12 metres where 20 metres would be permitted;
3. To permit a maximum driveway width of 12 metres, where a maximum of 7.3 metres is permitted;
4. To permit a minimum number of 'off-street' parking spaces required of 11 spaces, serving 6 *Dwelling units*, where a minimum of 13 'off-street' parking spaces are required; and

That the reason(s) for approval are as follows:

- The application represents desirable infill redevelopment that is compatible with the character of the established neighborhood, utilizing existing buildings, infrastructure and amenities.
- The application is consistent with the policies of the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe.
- The application is in conformity with the general intent of the policies of the County of Brant Official Plan (2012) and Zoning By-Law.

Key Strategic Priority

Undertaking actions that elevate customer service to those we serve.

Financial Considerations

None.

Executive Summary

The purpose of this report is to provide the Planning and Development Committee and the public with information from the application to amend the County of Brant Zoning By-Law 61-16.

Zoning By-Law Amendment Application **ZBA33-22-DN** proposes to change the zoning on the subject lands from Residential Singles and Semis (s-R2) to Residential Multiple Low Density (s-RM1-XX) with site specific provisions:

1. To permit a '*Dwelling, Apartment*' as an additional permitted use in the Residential Multiple Low Density (RM1) zone;
2. To limit the maximum building height for a '*Dwelling, Apartment*' to 12 metres where 20 metres would be permitted.
3. To permit a maximum driveway width of 12 metres, where a maximum of 7.3 metres is permitted; and
4. To permit a minimum number of 'off-street' parking spaces required of 11 spaces, serving 6 *Dwelling units*, where a minimum of 13 'off-street' parking spaces are required.

The application proposes to renovate the interior of the existing 3-storey building to establish a 6 two-bedroom units, having an area of approximately 93 sq.m. (1000 sq.ft.) each.

The type and size of the individual units will provide for efficient infill re-development and attainable housing opportunities within an established neighborhood with access to a wide range of amenities.

The parking area will provide 11 spaces for residents. Access to the parking area will be permitted via the public lane and access width maximum of 12 metres. Although no changes are proposed to the zoning and existing deficiencies are considered to be legal non-conforming, the site specific zoning does limit the maximum height of the building to 12 metres to ensure future development of the site remains compatible with existing built form.

This application represents efficient infill development within an established neighbourhood where minimal changes to the building are required. The existing proposal represents a highest and best use of the subject lands given existing conditions. The existing conditions such as the building, available on-street parking, public lane way and proximity to a wide range of amenities support the application and site specific provisions included.

Adequate public notice and technical circulation of this application have been provided and comments received have been incorporated into the recommendations of this report.

Landscape and Fencing details are being reviewed as result of comments from the public and will be finalized as part of the Site Plan Control process.

The planning analysis focuses on literature reviews of applicable policy (i.e. Planning Act,

Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2020), County of Brant Official Plan (2012), and County of Brant Zoning By-Law.

For the reasons outlined in this report, it is my professional recommendation that Zoning By-Law Amendment Application **ZBA33-22-DN** be **Approved**.

Location / Existing Conditions

The subject lands are located along the east side of Willow Street, north of Brock Street, south of Yeo Street within the Primary Urban Settlement Area of Paris.

The subject lands are also adjacent to Walnut Lane which extends from Willow Street to William Street. Walnut Lane is a paved laneway which provides vehicular access to parking areas for number of residential dwellings.

The subject lands are rectangular in shape and have frontage along Willow Street of approximately 20 metres (66 feet), depth of 37 metres (122 feet) and a total area of approximately 730 square metres (0.09 acres).

The subject lands contain an existing 3-storey (11m) tall building which previously provided a range of limited residential, commercial/ office related uses.

Constructed in 1928, the building contains a unique art deco style architecture and is documented in the County of Brant Heritage Registry.

The subject lands are fully serviced by municipal water, sanitary and storm.

The surrounding area consists of a mix of residential dwelling types including, single detached, semi-detached, low rise (3-storey) apartment, four-plex and street fronting rowhouse.

Off-Street Parking – Existing Conditions

- The subject lands currently do not provide any off-street parking spaces.

On-Street Parking – Existing Conditions

- On-Street Parking Map 1 & 2, included with this report, demonstrates that on-street parking is currently permitted, across the entire frontage of the subject lands extending from Brock Street, north/west to Yeo Street, where driveways and safe sightlines at intersections permit.
- On-Street Parking Map 1 & 2 also demonstrates that there is on-street parking permitted along both sides of Brock Street and on the North side of Walnut Lane.
- Along Willow Street, on-street parking is provided out of the traveled roadway in a dedicated parking lane
- Existing *Dwelling units* fronting Willow Street access individual off-street parking from a driveway facing Willow Street or utilize Walnut Lane to access a parking area in the rear of the property.
- Existing *Dwelling units* fronting Walnut Lane utilize the laneway exclusively to access individual parking areas.

Report

Planning Act R.S.O (1990)

Section 34(10) of the *Planning Act* provides policy direction to be considered when reviewing Zoning By-Law Amendment Applications.

Conformity with Municipal Policies/Plans

Provincial Policy Statement – 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be ‘consistent with’ policy statements issued under the Planning Act.

Section 1.1.1 of the Provincial Policy Statement identifies a number of criteria which contributes to sustaining a healthy, livable and safe community which include:

- b. Accommodating an appropriate affordable and market-based range and *mix of residential types* (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons);
- e. Promoting the integration of land use planning, growth management, transit-supportive development, *intensification* and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- ***The application proposes to renovate an existing 3-storey building to create a housing type in the form of a 6-unit Apartment. This housing type will compliment the range of housing options offered within the existing surrounding area and Town of Paris.***
- ***The proposal is considered a form of intensification or infill development as the proposal will result in a net increase of units.***

Section 1.1.3.1 of the *Provincial Policy Statement* identifies that Settlement Areas shall be the focus of growth and development. *Settlement Areas* can be identified as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets).

- ***The subject lands are located within the designated Primary Urban Settlement Area of Paris.***

Section 1.1.3.4 of the *Provincial Policy Statement* notes that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

- ***This Zoning By-Law Amendment Application is required to facilitate the proposed intensification and housing type as the Apartment use is not permitted within the current zone.***
- ***The application also includes site specific development standards related to driveway width and parking space requirements which reflect the applicants’ efforts to incorporate current zoning standards and function given the sites physical restrictions.***
- ***Other deficiencies such as building height and building setbacks were legally established prior to the current Zoning By-Law 61-16 and are considered to be ‘legal non-conforming’ and will be permitted to continue and be repaired or maintained***

within the permissions of Official Plan Section 6.9 & 6.10 and Zoning By-Law 61-16, Section 4.28.2.

Section 1.1.3.5 of the *Provincial Policy Statement* directs planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

- ***The County of Brant Official Plan (Section 3.4.5) establishes density targets for various types of residential development (low, medium and high).***
- ***The density target for Medium Density Urban Residential development, which specifies low-rise apartment buildings with a maximum height of four-storeys, shall not exceed 50 units per net hectare.***
- ***Further analysis of the density target is included in the Official Plan section of this report.***

In summary, based on the review of the Provincial Policy Statement, this infill development is located within an identified Primary Urban Settlement Area and promotes a residential built form that will contribute to a compatible and desirable mix of housing options within the established built boundary.

It is my professional opinion that the request is consistent with the policies of the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan is a framework that provides policy direction to implement strong and prosperous communities and how to manage growth in Ontario to 2051. The Planning Act requires that all decisions that affect a planning matter shall 'conform with' Provincial plans, including but not limited to the Growth Plan.

Policy 2.2.1.2(a) describes how the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems and can support the achievement of complete communities.

- ***The subject lands are located within the designated Primary Urban Settlement Area of Paris, utilizing an existing building and available infrastructure (roads, services, sidewalks) within an established built-up boundary.***
- ***The subject lands have access to full municipal services and amenities such as commercial uses and park / open spaces to support and contribute to characteristics of 'complete communities'.***

It is my professional opinion that the request conforms to the policies of the Growth Plan.

County of Brant Official Plan 2012

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

- ***The Subject lands are designated as an Urban Residential land use within Schedule 'A' of the County of Brant Official Plan.***

Section 2.2.3.1.1 of the County of Brant Official Plan describes that Primary Urban Settlement

Areas shall function as the main areas for growth, development, and urban activities in the County over the course of the planning horizon.

Section 2.2.5.1 of the County of Brant Official Plan encourages intensification through infill development within the established built boundary shown as the Primary Urban Settlement Area boundary.

- ***The subject lands are located within the designated Primary Urban Settlement Area of Paris, utilizing an existing building and available infrastructure (roads, services, sidewalks) within an established built-up boundary.***

Section 2.2.5.1.d of the County of Brant Official Plan outlines that intensification shall include infill residential development and new residential development of vacant land or underutilized land in existing neighborhoods as well as the redevelopment which includes the replacement of existing residential uses with compatible residential developments at a higher density.

- ***The application proposes to renovate an existing 3-storey building within the built-up boundary in an existing neighborhood.***
- ***The application proposes a form of residential development that is more efficient and of a higher density than current or past conditions.***

Section 2.2.5.1.e of the County of Brant Official Plan provides criteria to assist the County in the evaluation and consideration of applications for intensification:

- i. The development proposal is located within the built boundary/built-up area;
 - ii. The existing water and sanitary sewer services can accommodate the additional development;
 - iii. The road network can accommodate the traffic generated;
 - iv. The development proposal is adequately serviced by parks, schools and other community facilities;
 - v. The proposed development is compatible with the existing development and the physical character and scale of adjacent buildings, streetscapes, and surrounding neighbourhood; and
 - vi. The proposed development is consistent with the policies of the appropriate land use designation associated with the land.
- ***This development proposal is located within the established built boundary/ built up area.***
 - ***The proposed development will be serviced by full municipal services (water, sanitary and storm).***
 - ***The proposed development will utilize an existing road network with road classifications intended for access to residential uses.***
 - ***Driveway widths proposed are in keeping with those established along the existing laneway and will provide for efficient access to parking.***
 - ***On-Street Parking is available along Willow Street, Yeo Street and Brock Street.***
 - ***Local recreational amenities such as Willow Street Park, the Grand River and local trail networks are located within close proximity (1km) of the subject lands.***
 - ***Commercial and Institutional amenities along Dundas Street East and Grand River St South within the Downtown core are also located within close proximity (1km) of the subject lands.***
 - ***The close proximity to the wide range of amenities listed above will encourage alternative modes of non-motorized transportation to be used.***

- ***It is for the reasons described above that support the reduction of parking spaces required from 13 to 11.***
- ***The proposed development conforms to the policies of the Urban Residential land use designation***

Section 3.4.1 & 3.4.2 of the County of Brant Official Plan identify that the predominant use of land in the Urban Residential designation shall be for a variety of residential housing types, in accordance with the density and location criteria outlined in the following Urban Residential designation policies and in the County Zoning By-Law.

- ***The application proposes to renovate an existing 3-storey building to create a housing type in the form of a 6-unit Apartment dwelling.***

Section 3.4.3 of the County of Brant Official Plan outlines the density targets for low, medium and high density development in the urban residential area set out by the Municipality as required by Section 1.1.3.5 of the Provincial Policy Statement.

Section 3.4.5 of the County of Brant Official Plan establishes density targets for various types of residential development (low, medium and high). The density target for Medium Density Urban Residential development, which specifies low-rise apartment buildings with a maximum height of four-storeys, shall not exceed 50 units per net hectare.

- ***This proposal for a Six (6) unit, 3-storey apartment on a parcel having an area of 0.073 hectares, provides for 82 units per net hectare (6 units / 0.073 hectares = 82 units / hectare).***
- ***82 units / hectare is in keeping with the intent of the density target for Medium Density Urban Residential development when considering that no new building construction is required to accommodate the 6 units proposed and the development can utilize existing and available infrastructure (roads, services, sidewalks) within an established neighbourhood.***

Road Classification

Section 5.3.2.1 of the County of Brant Official Plan provides explanation to the classification of roads and the existing and proposed road system as shown on Schedule B.

- ***The following chart identifies the various Road Classifications servicing the Subject lands as defined in Schedule 'B' of the County of Brant Official Plan.***

Street Name	Road Classification	Direction	Purpose
Willow Street	Urban Res. Collector Road	Two-Way	Moderate volumes of local traffic adjacent to Residential and Commercial uses.
Walnut Lane	Public Lane	Two-Way	Designed to serve adjoining land uses only. No Through Traffic.
Todd Lane	Public Lane	One-Way	
Brock Street	Urban Res. Local Road	Two-Way	Provide land access to adjacent Residential, Commercial, Institutional or other uses
Yeo Street	Urban Res. Local Road		

- ***Review of the Road Classifications outlined in Schedule 'B' and Section 5.3.2.1 of the Official Plan demonstrates that the proposed use of Walnut Lane as a Public Lane is appropriate as it will serve as access to a private parking area required for the Residential use by its tenants.***

In summary, based on review of the applicable Official Plan policies, the subject lands are located within the built boundary/ built up area of the Primary Urban Settlement Boundary of Paris. The proposed development meets the Official Plan criteria for infill development. This application to amend the Zoning By-Law reflects the effort to develop the subject lands in a way that considers and compliments the character of the existing neighborhood.

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Source Water Protection

Source water protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

- ***Staff have reviewed Source Water Protection Area mapping, and the subject lands are not within a Source Water Protection zone.***

County of Brant Zoning By-Law 61-16

Zoning By-law 61-16 identified that the subject lands are zoned Special Policy Area-Residential Singles and Semis (s-R2).

Special Policy Area - "s"

The subject lands are located within the flooding hazard of the Grand River and are subject to special regulations in addition to the regulations and requirements of the primary zone.

- a) Any residential development shall be permitted subject to approval by the Conservation Authority, and that the habitable floor space is located at the minimum elevation equal to the Regulatory Flood Level and that the structure is flood proofed to the Regulatory Flood Level.
 - ***The proposed residential units are located above the regulatory flood elevation (existing ground floor 225.47m, regulatory 225.3m CGVD28).***
- b) Additions and alterations up to fifty percent (50%) of the ground floor area of existing residential buildings and structures shall be permitted subject to approval by the Conservation Authority, provided the new habitable floor space is constructed no lower than the existing habitable floor space and flood proofed to the existing floor and/or opening elevation where feasible. Furthermore, the development of nonresidential buildings and structures shall be permitted subject to the approval of the Conservation Authority and where flood proofing to the Regulatory Flood Level can be achieved.
 - ***No new buildings or additions are proposed as part of this proposal.***
 - ***The residential units are proposed above the ground floor level. The basement will be used for storage and is required to provide flood proofing details to minimize damage to the existing basement as a result of flood events.***

- c) No development or redevelopment shall have an adverse effect on the hydraulics or storage capacity of the floodway.
 - **No new buildings or additions are proposed as part of this proposal.**
- d) Where practical, new mechanical, electrical, and heating services shall be located above the Regulatory Flood Level. Where this is not feasible, such services shall be flood proofed to the Regulatory Flood Level.
 - **The location of the utilities and mechanical will be confirmed at the time of building permit.**
 - **As previously noted, flood proofing mitigation will be required in case of flooding.**

Residential Singles and Semis - 'R2'

This application proposes to change the zoning on the subject lands from Residential Singles and Semis (s-R2) to Residential Multiple Low Density (s-RM1-XX) with site specific provisions:

1. To permit a '*Dwelling, Apartment*' as an additional a permitted use in the Residential Multiple Low Density (RM1) zone;
2. To limit the maximum building height for a '*Dwelling, Apartment*' to 12 metres where 20 metres would be permitted.
3. To permit a maximum driveway width of 12 metres, where a maximum of 7.3 metres is permitted; and
4. To permit a minimum number of 'off-street' parking spaces required of 11 spaces, serving 6 *Dwelling units*, where a minimum of 13 'off-street' parking spaces are required.

Section 8.1 - Zoning By-Law 61-16 **Zone Permitted Uses:**

Existing		Proposed
Residential Singles and Semis (s-R2)	to	Residential Multiple Low Density (s-RM1-XX)
<ul style="list-style-type: none"> · <i>Dwelling, Duplex</i> · <i>Dwelling, Semi Detached</i> · <i>Dwelling, Single Detached</i> 		<ul style="list-style-type: none"> · <i>Dwelling, Duplex</i> · <i>Dwelling, Rowhouse</i> · <i>Dwelling, Semi Detached</i> · <i>Dwelling, Single Detached</i> · <i>Dwelling, Stacked Townhouse</i> · <i>Dwelling, Street Fronting Rowhouse</i> · <i>Dwelling, Triplex</i> · *<i>Dwelling, Apartment</i>

Dwelling, Apartment means a building consisting of four or more dwelling units, in which each of the units obtain access through a common entrance from the street level and where the occupants have the right to use in common halls, stairs, yards and accessory buildings.

Section 8.2.1 - Zoning By-Law 61-16
Zone Development Standards:

	Required Residential Multiple Low Density (s-RM1-XX)	Proposed Residential Multiple Low Density (s-RM1-XX)	
Lot Area, Min	1800 sq.m.	730 sq.m.	<i>Existing</i>
Lot Frontage, Min	30 metres	23.5 metres	<i>Existing</i>
Street Setback, Min (Willow Street)	7.5 metres	6.00 metres	<i>Existing</i>
Street Setback, Min (Walnut Lane)	7.5 metres	9.68 metres	<i>Existing</i>
Interior Side yard Setback (east)	7.5 metres	3.43 metres	<i>Existing</i>
Interior Side yard Setback (west)	7.5 metres	8.77 metres	<i>Existing</i>
Lot Coverage, Max %	40 %	26%	<i>Existing</i>
Building Height, Max	12 metres	11 metres	<i>Existing</i>
Landscaped Open Space, Min	30%	47.8%	<i>Proposed</i>
Driveway, Width, Min	7.3m	12m	<i>Proposed</i>

Section 4.28.2 of Zoning By-Law 61-16 identifies provisions for *legal non-conforming buildings and structures*.

- a) A building or structure that has been lawfully established prior to the passing of this By-Law shall be permitted under Section 34(9) of the Planning Act as a legal nonconforming building or structure and considered as such for the purposes of this ByLaw.
- b) Such a building or structure shall be permitted to be altered or restored without the need for evaluation and approval by the Committee of Adjustment under the powers granted by Section 45(2) of the Planning Act provided it can be shown to the satisfaction of the County of Brant that any alteration or restoration does not result in the following:
 - i. The enlargement or extension of the building or structure that results in an increase to a situation of non-conformity with respect to any applicable performance standard of this By-Law,
 - ii. An increased risk to human health or wellbeing, and/ or
 - iii. The potential for undue adverse impacts to the surroundings.

- ***Any zoning deficiencies identified are considered to be legal non-conforming as these existing conditions were lawfully established prior to the current Zoning By-Law 61-16.***
- ***A Dwelling, Apartment is only permitted within the Residential Multiple High Density (RM3) zone. This application will result in the zoning on the subject lands to permit the Apartment, Dwelling within the Residential Multiple Low Density (RM1-XX) zone.***
- ***Any future building additions or redevelopment of the subject land will be required to comply with all applicable provisions of the RM1 zone based on the housing type proposed.***
- ***The intent of introducing the Residential Multiple Low Density (RM1-XX) zone with site specific provisions is to allow for higher density to be established on the***

subject lands while ensuring the built form remains compatible with the surrounding area.

- *Similar RM1 zoning is currently for the property west of the subject lands.*

The chart below provides details for the residential unit type proposed.

Dwelling, Apartment (3-storey)	Proposed
Number of Units	6 units (2 bedroom/ unit)
Avg. Unit Size	93 sq.m. (1000 sq.ft.)

- *The type and size of the individual units will provide for attainable housing opportunities within an establish neighborhood with access to a wide range of amenities. 93 sq.m. (1000 sq.ft.)*

Section 5 - Zoning By-Law 61-16

Parking Requirements:

<i>(Dwelling, Apartment)</i>	Calculation	Required	Proposed
1 space per unit	(1 x 6)	6	11
+ 0.25 spaces per bedroom	(0.25 x 12)	3	0
+ 0.35 visitor spaces	(0.35 x 6)	2.1	0
+ 1 barrier free space	1	1	0
	Total	12.1 (13)	11

- *The proposed parking requirements reflect the ability to achieve a revitalized and efficient use of the existing building within the limits of the existing property boundaries.*
- *The scenario proposed prioritizes parking for the residents where 5 of 6 units will have access to 2 dedicated parking spaces (in tandem) and 1 unit will utilize the remaining space. This scenario supports the intent of the 'Public Lane' road classification as it encourages the lane to be utilized for resident traffic only.*
- *Not providing dedicated visitor parking or accessible parking allows for the parking area to be utilized to its highest potential and is consistent with other low-rise, small scale multi-unit residential uses in the area.*
- *The parking deficiency of 2 spaces is considered appropriate and is supported by the unit type, size and location within proximity to a wide range of amenities.*

Parking Area Layout/ Design:

- *A copy of the proposed site plan is included as an attachment to this report.*
- *The parking area proposed utilizes the existing lane way to access the rear of the property in a similar manner to other existing residential uses along Willow Street.*
- *The parking layout proposes a row of 4 parking spaces in tandem (8 spaces total) to be utilized by 4 of the units. This is considered an efficient use of the area to provide the greatest number of parking spaces.*
- *The tandem parking spaces will function in a similar manner to those single width, double car length driveways that exist within the surrounding area.*

- ***Parking spaces will be pushed as far south as possible to ensure there is a buffer between the end of the parking space and the public laneway to eliminate encroachment of vehicles.***
- ***The parking area needs to account for an existing hydro pole which will remain in place. The gap between parking will help reduce the driveway width and visual impact of the parking area.***

Access from Willow Street:

- ***No new driveway access from Willow Street would be supported by the County of Brant Entrance By-Law.***
- ***Due to the road classification along Willow Street, new access points shall be reduced or limited.***
- ***A curb cut for a new driveway along Willow Street to gain 2 off-street parking spaces will result in the removal of 4 on-street parking spaces.***
- ***No driveway along Willow Street will also maintain the character of the existing frontage / landscape area.***

Snow Storage:

- ***Adequate areas will be provided on site for snow storage. Snow removal and seasonal maintenance will be provided by a private property maintenance company. The public lane is maintained by the County of Brant.***

Landscape & Fencing:

- ***Fencing will be provided along the abutting property lines to match existing conditions.***
- ***Fencing height will be considered to add privacy along abutting property lines.***
- ***The height of fencing around the parking area will be reduced to ensure safe sightlines for access to and from the parking spaces.***
- ***Sidewalks are proposed to be provided / extended to entrances and through the site.***
- ***Landscape and Fencing details are being reviewed as result of comments from the public and will be finalized as part of the Site Plan Control process.***

It is my professional opinion that the request is appropriate and maintains the intent of the County of Brant Zoning By-Law (61-16).

Interdepartmental Considerations

The following comments were received from departments/agencies as part of the circulation of this application:

Development Engineering Division:

- The Development Engineering Division will be providing additional technical input with respect to stormwater management, drainage and Public Works Permits, etc. through future Planning applications, which are required for the development of the subject lands.

Operations Division:

- The Operations Division will be providing additional technical input with respect to with regards to the water/wastewater calculations through future Planning applications, which are require for the development of the subject lands.

Grand River Conservation Authority (GRCA):

- The Grand River Conservation Authority (GRCA) has no objection to the proposed zoning by-law amendment.
- Based on the circulated site plan, the proposed residential units are located above the regulatory flood elevation (existing ground floor 225.47m, regulatory 225.3m CGVD28). We recognize that the basement in the structure exists and is proposed to be used for storage. As part of the permit application, we request the proponent provide flood proofing details to minimize damage to the existing basement as a result of flood events. We have no further objections to the proposal.
- Consistent with GRCA's 2022 approved fee schedule, the application is considered a 'minor' zoning by-law amendment and the applicant will be invoiced in the amount of \$445.

Environmental Planning:

- The subject lands are located in the Flats Special Policy Area, which is a floodplain. As such, I defer to GRCA regarding feasibility of the development. Any comments provided by GRCA, such as restrictions on units if any due to the Regulatory Floodplain should be reflected in the amending zoning by-law.

The following departments/agencies did not provide any comments/ concerns as part of the circulation of this application:

- | | |
|------------------------|---|
| • Field Services | • Canada Post |
| • Fire | • GIS Mapping / Civic Addressing |
| • Building | • Parks & Facilities |
| • Economic Development | • Energy Plus: |
| • Energy Plus | • Union Gas |
| | • Imperial Oil |
| | • Six Nation/Mississaugas of the Credit |
| | • Bell Canada |

Public Considerations

Notice of this Application has been circulated to all property owners within 125 metres of the subject lands in accordance with the *Planning Act* as follows:

- Notice of Complete Application – August 12, 2022
- Notice of *September 6, 2022* Public Information Meeting - August 17, 2022

Public Comments:

- 4 Brock Street, B Murray – questions of clarification regarding property lines and removal

of exiting vegetation

- 33-35 Willow Street, A Leblanc – See Comments Attached.
 - Concerns about the removal of vegetation and fencing height proposed. Concerns about the walkway and apartment access along the shared property line.
- Notice of the *December 6, 2022 Public Recommendation Meeting* – November 16, 2022
- A site visit along with the posting of the Public Notice sign was completed on November 16, 2022

At the time of writing this report, no public comments or correspondence have been received.

Conclusions and Recommendations

Zoning By-Law Amendment Application **ZBA33-22-DN** proposes to amend the current Residential Singles and Semis (s-R2) to Residential Multiple Low Density (s-RM1-XX) with site specific provisions.

This application represents efficient infill development within an established neighbourhood where minimal changes to the building are required. The existing proposal represents a highest and best use of the subject lands given existing conditions. The existing conditions such as the building, available on-street parking, public lane way and proximity to a wide range of amenities support the application and site specific provisions included.

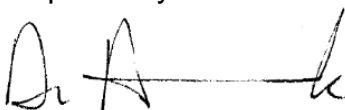
Adequate public notice and technical circulation of this application have been provided and comments received have been incorporated into the recommendations of this report.

Landscape and Fencing details are being reviewed as result of comments from the public and will be finalized as part of the Site Plan Control process.

Based on the analysis above, I confirm that the appropriate measures have been taken to ensure that the rezoning is consistent with the Provincial Policy Statement and conforms to the Growth Plan and County of Brant Official Plan and is in compliance with Zoning By-Law 61-16.

It is my professional opinion that the request is, appropriate and represents good planning and therefore I recommend that the Minor Zoning By-Law Amendment Application **ZBA33-22-DN** be **Approved.**

Prepared by:



Dan Namisniak, BA, CPT, MCIP, RPP
Planner

Reviewed by: Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3 Director of Planning

Submitted By: Pamela Duesling, MAES, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

Attachments

1. Zoning Map

2. Official Plan Map
3. Aerial Map
4. Site Plan
5. On-Street Parking Map 1
6. On-Street Parking Map 2
7. Site Photos

Copy to

1. Pam Duesling, General Manager of Development Services
2. Mat Vaughan, Director of Development Planning
3. Alysha Dyjach, Clerk and Director of Council Services
4. Alyssa Seitz, Planning Administrative Assistant
5. Applicant/Agent

File # ZBA33-22-DN

In adopting this report, is a bylaw or agreement required?

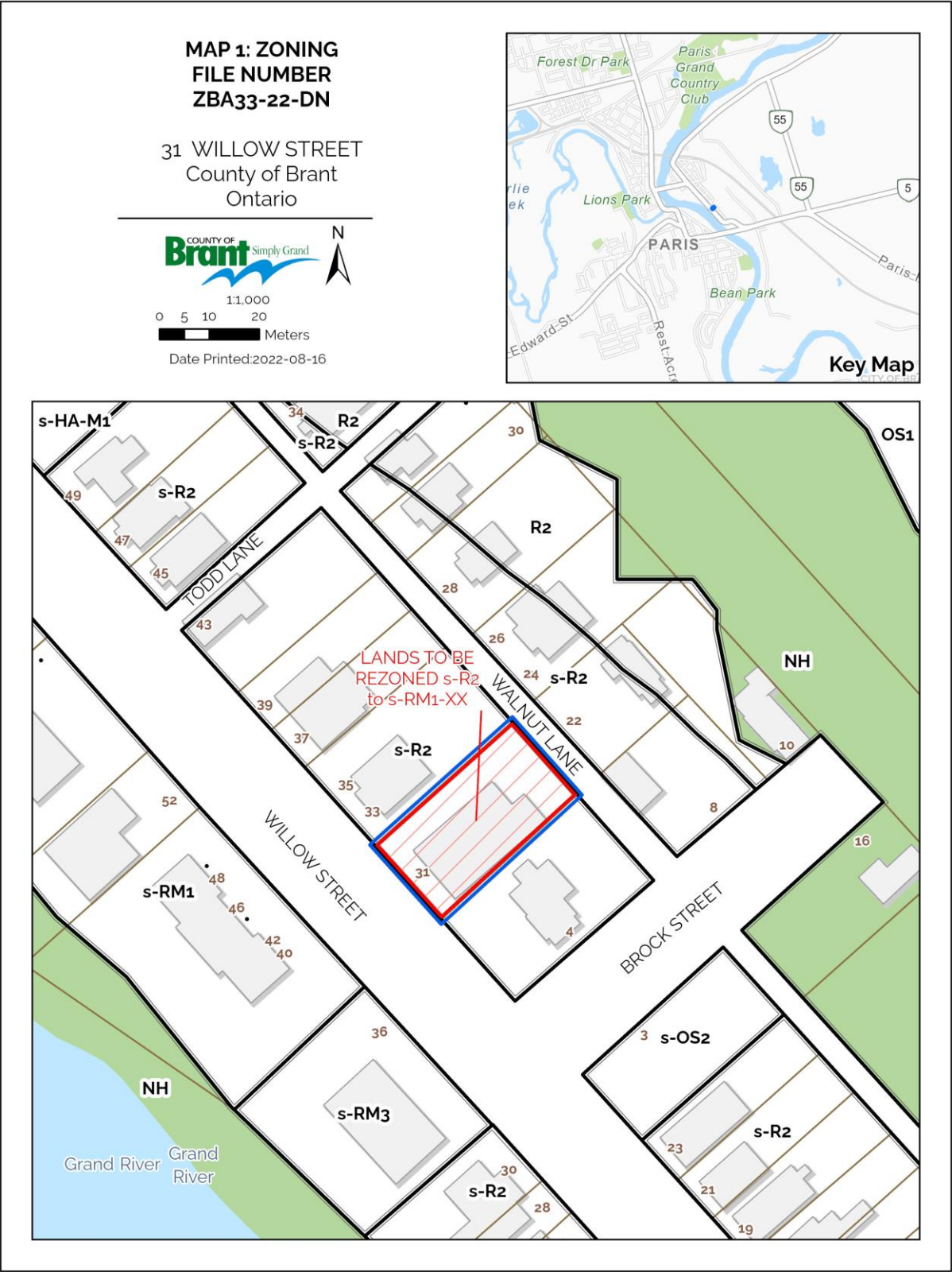
If so, it should be referenced in the recommendation section.

By-law required? (Yes)

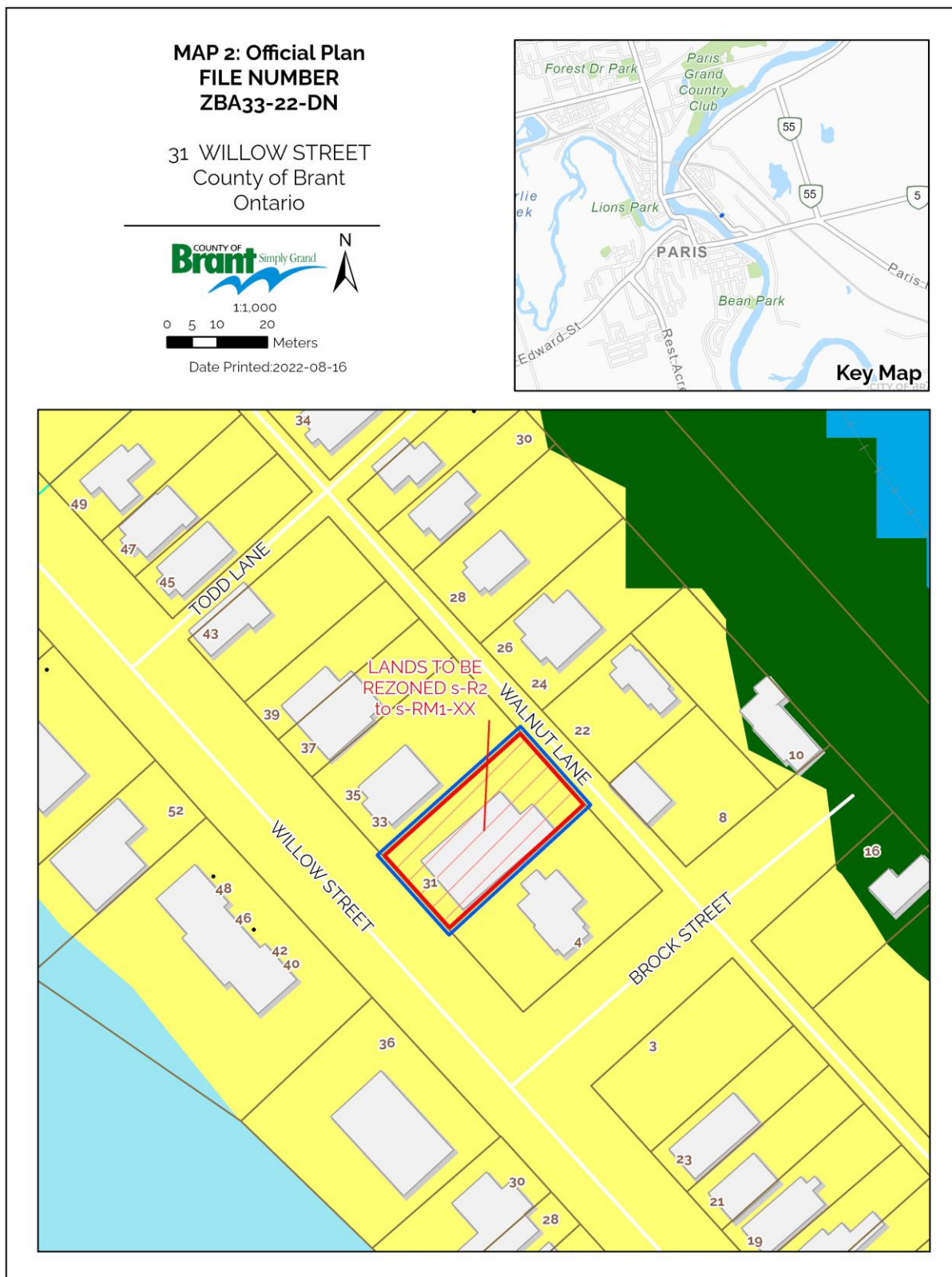
Agreement(s) or other documents to be signed by Mayor and /or Clerk? (No)

Is the necessary by-law or agreement being sent concurrently to Council? (Yes)

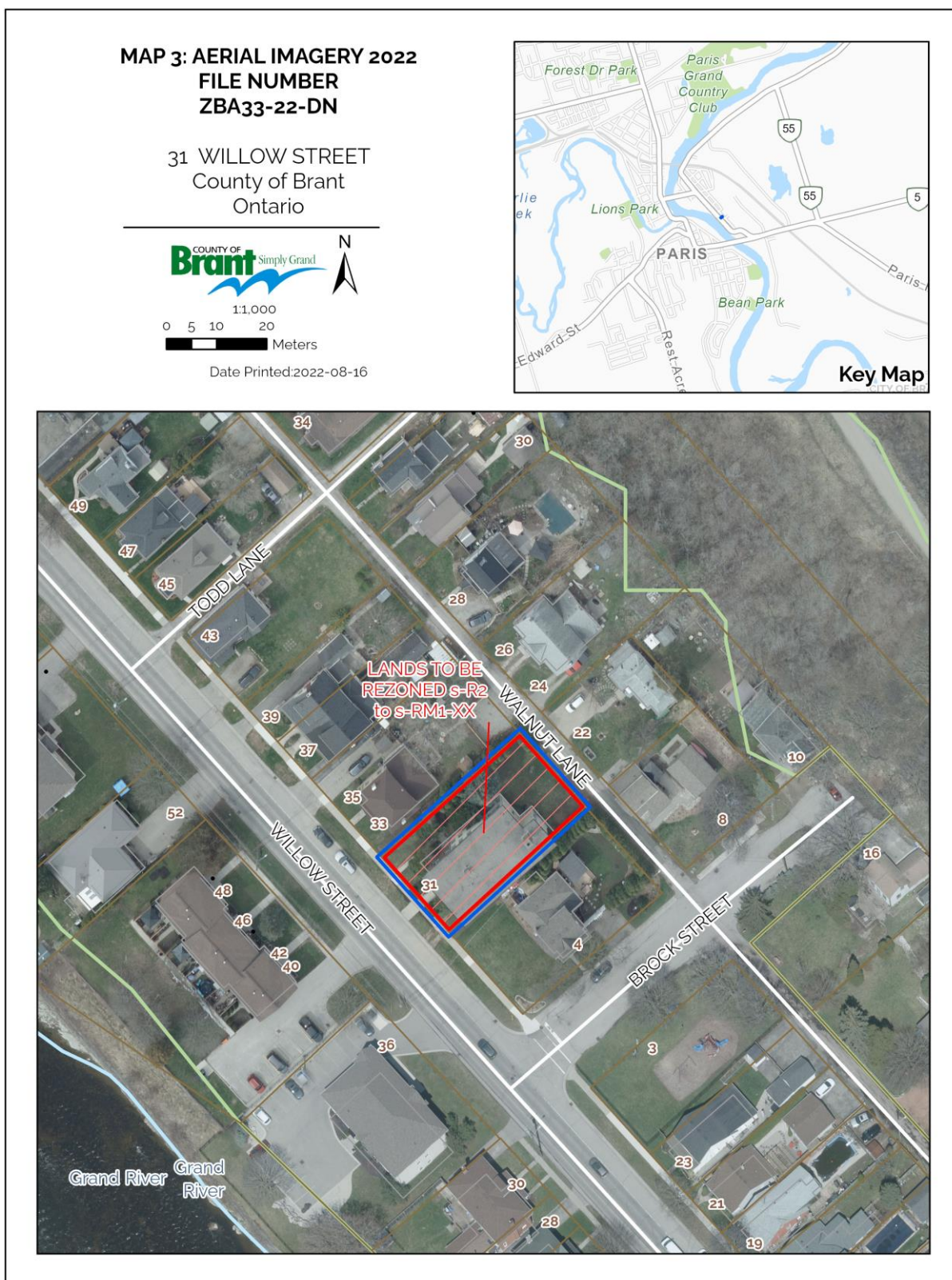
Attachment 1 - Zoning Map



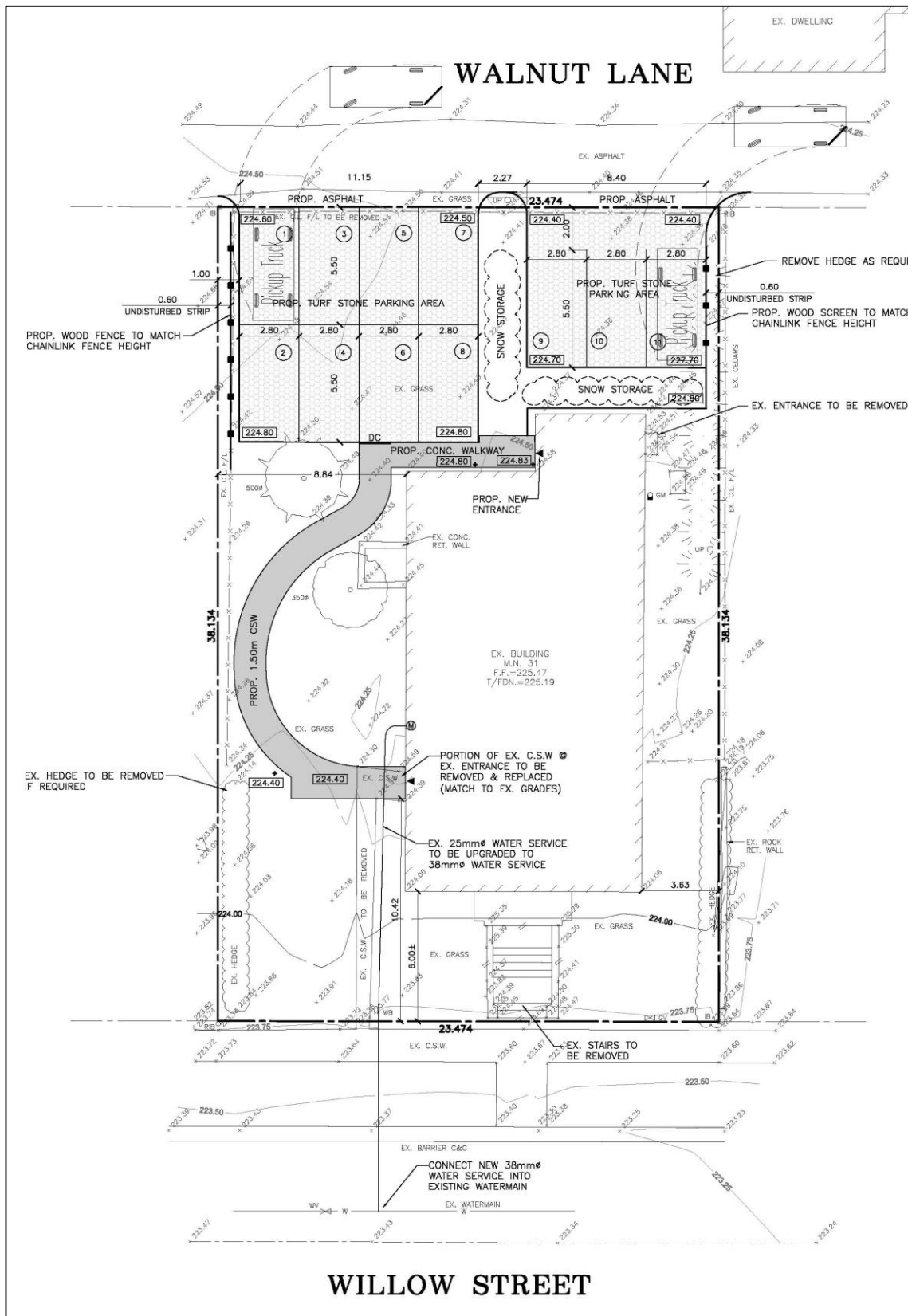
Attachment 2 - Official Plan Map

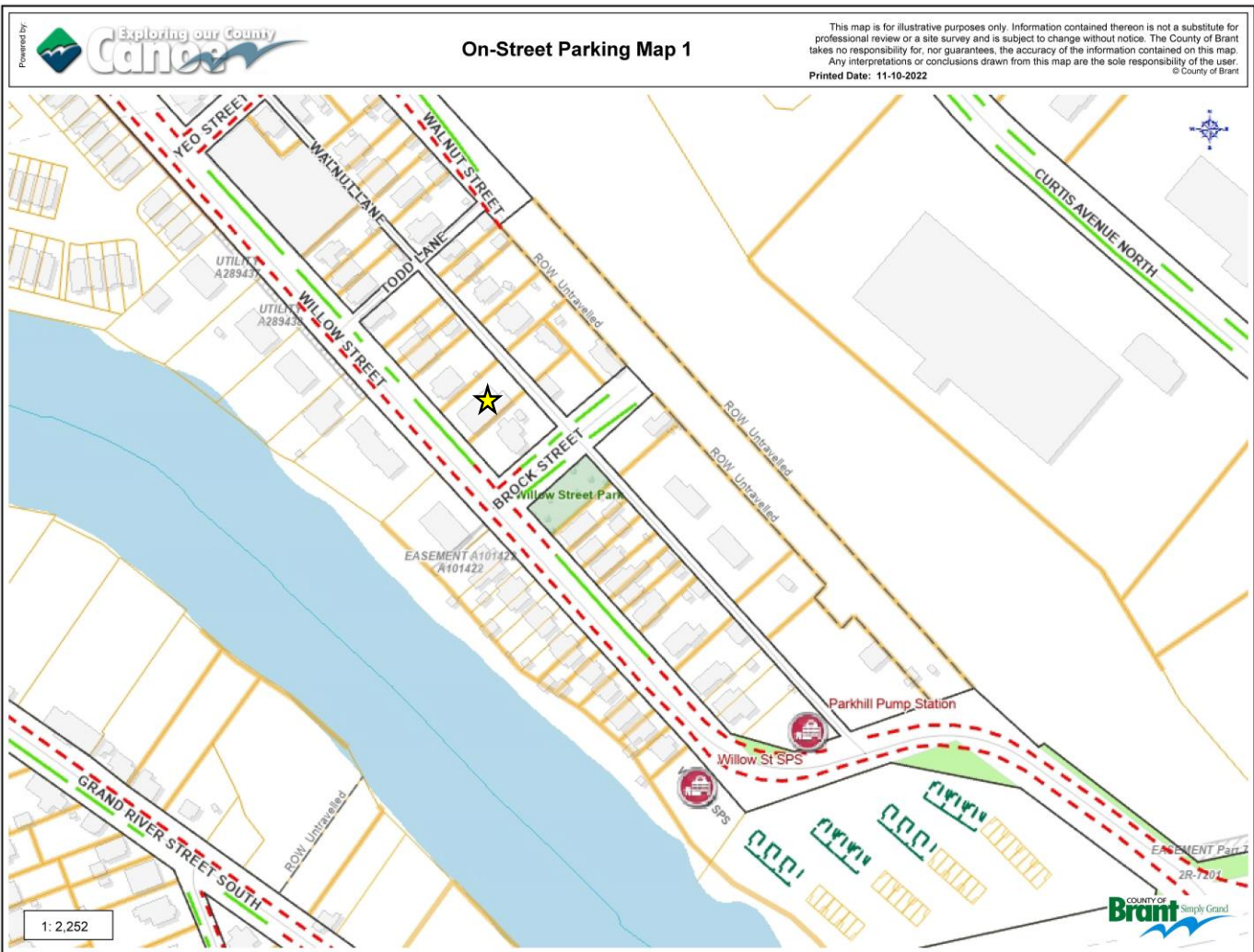


Attachment 3 - Air Photo

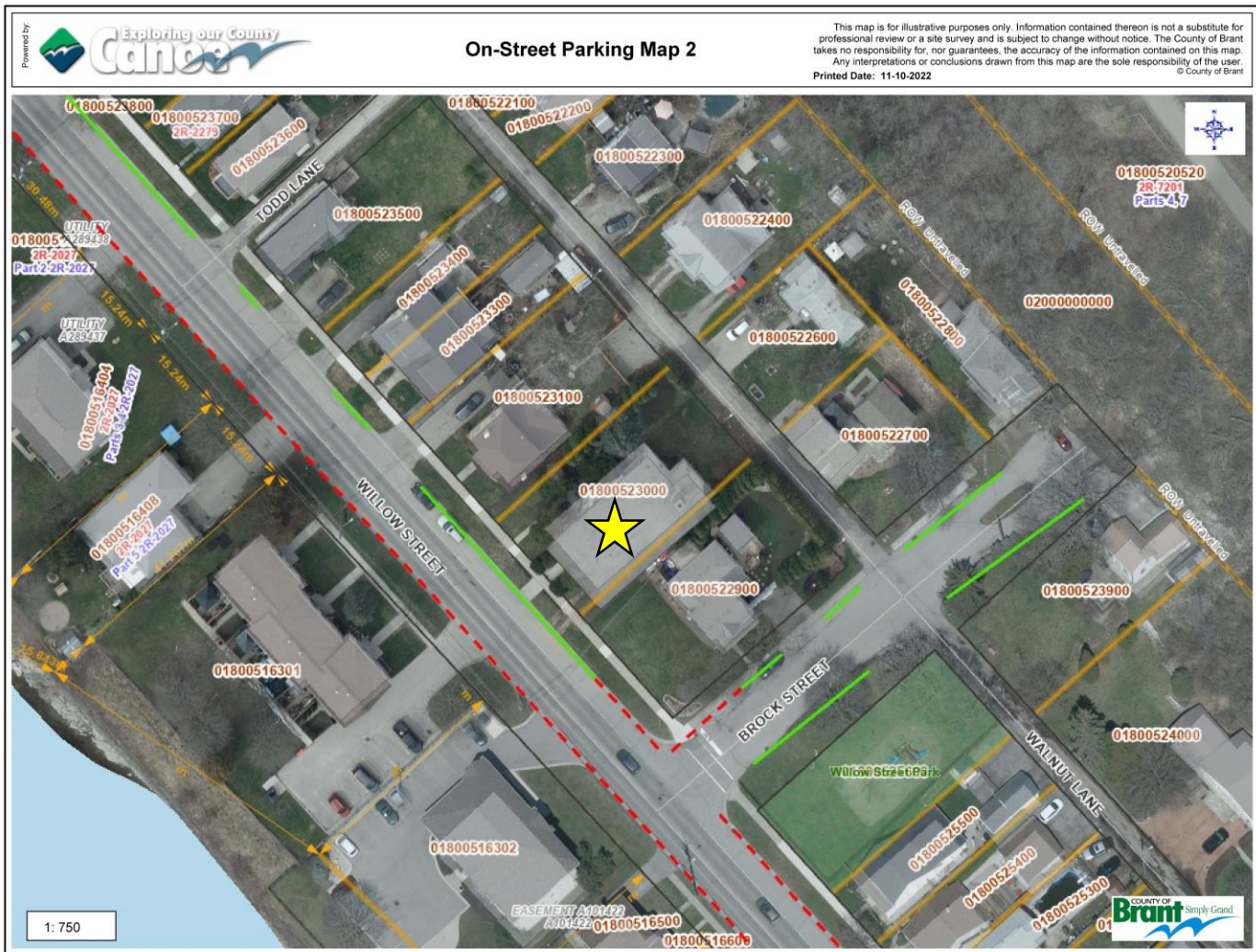


Attachment 5 - On-Street Parking Map 1





Attachment 6 - On-Street Parking Map 2



Attachment 5 - Site Photos



Front of Existing Building along Willow Street



Rear of Existing Building along Public Lane.



Rear of Existing Building along Public Lane.



Side yard of Existing Building facing from Public Lane.