



# THE ANGRISH GROUP

156 Charing Cross Street, Brantford, ON N3R 2J4

File: 2022\_113

December 14, 2022

Honorable Mayor and Members of Council  
Corporation of the County of Brant  
66 Grand River Street North,  
Paris, ON, N3L 2M2

**Re: ZBA 28-22-SL 649 Colborne Street West, County of Brant**

Dear Mayor Bailey and Members of Council,

On behalf of the Karol Bicz, owner of lands located at 649 Colborne Street West, we are pleased to provide additional information on the Zoning By-Law Amendment Application ZBA 28-22-SL.

The lands are located within the Secondary Urban Settlement Boundary of Airport/Oakhill and are designated General Commercial in the current County of Brant Official Plan, 2012 ("Official Plan"). The Zoning By-Law 61-16 zones these lands as Agricultural Employment (AE) Zone. The application proposes to rezone the subject lands from Agricultural Employment (AE) to Special Provision General Commercial (C2-39). The proposed amendment will assist the owner in smooth functionality of the commercial property from a financial perspective only. There are no changes to the uses, buildings or structures proposed through the application. No new construction is proposed for the site.

Planning and Development Committee (PDC) reviewed the application at its meeting on December 6, 2022. Staff Report RPT-0328-22 from Ms. Shannon Labelle, Planner was presented to the Committee in support of the application.

We have reviewed the concerns raised by the neighbour and would like to provide the following additional information.

## 1. Removal of Trees

At the time of PDC Meeting, we were unaware of the clearing of vegetation that had taken place in 2016 immediately after the purchase of the lands by the current owner. However, through County's by-law enforcement process, the concerns were addressed by the owner. No further removal of vegetation or damage to the existing woodlot has taken place since 2016. Attached to the letter shows aerial imagery of the property from 2015 and 2020 showing the extent of the woodlot on the subject lands.

By-Law 70-21 - Good Forestry Practices By-Law was adopted by County Council in 2021 for the conservation, protection and promoting good forestry practices in the County. The By-Law provides Staff and Council many tools for the protection of natural heritage on the lands.

Furthermore, the amended zoning to a Natural Heritage (NH) Zone will ensure protection of the woodlot on the property. NH Zone does not permit construction of new buildings or structures. Any new development within this zone will require completion of an Environmental Impact Assessment as per the policies of County's Official Plan.

The policies and procedures the County has in place will ensure the protection of the natural heritage system on the lands and any further tree removal will require approvals from the County.

## 2. Slope Erosion and Drainage

The northerly portion of the lands contains a woodlot. The contour mapping attached to this letter depicts the slope variations from the subject lands to the residential properties to the north. The lands drop approximately 20 meters from the edge of the parking lot to the northern property line. Additionally, there is a significant drop from the edge of the parking lot towards north side of the lands and hence this treed area cannot be further encroached upon.

There has been no site alteration on the subject property since 2016 and no additional site changes are proposed through these applications.

In accordance with Section 41 of the Planning Act and as per Section 6.7 of the Official Plan, the proposal does not meet the definition of 'development' as no new buildings, structures or changes to the lands have been proposed through this application. As such, no additional studies or materials can be requested for a Site Plan Control Application.

Furthermore, County Council adopted By-Law 82-22 –Site Alteration on July 26, 2022. The By-Law regulates site alteration on all properties in the County including bringing

of fill, removal of topsoil or alteration to grades on lands. Any alteration to the site is subject to the policies in place under By-Law 82-22.

### 3. Parking

Parking of vehicles related to the commercial uses on the lands has occurred on the property since at least the year 2000. Many abutting commercial uses along Colborne Street West allow truck and trailer parking.

The NH Zone will restrict the use of the lands to the dripline. The trailers will be moved further into the parking lot to address any further erosion concerns.

We have reviewed Staff Presentation to Council and would recommend that a 2.5-meter buffer is a reasonable setback for the protection of the slope. A 10-meter setback will impact the usability of the site. Attached to this letter is a map showing an approximate 10-meter setback from the proposed NH Zone.

### 4. Site Plan Control

As stated previously, the proposal does not meet the definition of 'development' as no new buildings, structures or changes to the lands have been proposed through this application. Hence as per Section 41 of the Planning Act and in accordance with Policy 6.7 of the Official Plan, Site Plan Control is not applicable to the lands.

Should further developments and expansion of the building be proposed in the future, appropriate approvals will be obtained.

We have reviewed the Staff Report and support the recommendations contained in the report. We understand from discussions with staff that a buffer is preferred for the protection of the slope. Since this is a relatively small site, and for the smooth functioning of the commercial uses, we would recommend that a 2.5 meter buffer is a reasonable setback.

As such, we request that Council approve the recommendations put forward by the staff, as the proposal is in conformity with the County of Brant Official Plan, and is required for the continuous and smooth operations of the commercial uses in the County.

We trust that the information is satisfactory and request approval of the Zoning By-Law Amendment Application as submitted.

Regards,

**TAG – The Angrish Group**



Ruchika Angrish, MPlan, B.Tech, MCIP, RPP  
Co-Founder

Attachments:

- 2015 Aerial Imagery
- 2020 Aerial Imagery
- Contour Mapping
- Approximate 10-m setback



## 2015 Aerial showing the extent of the woodlot

### Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2022.

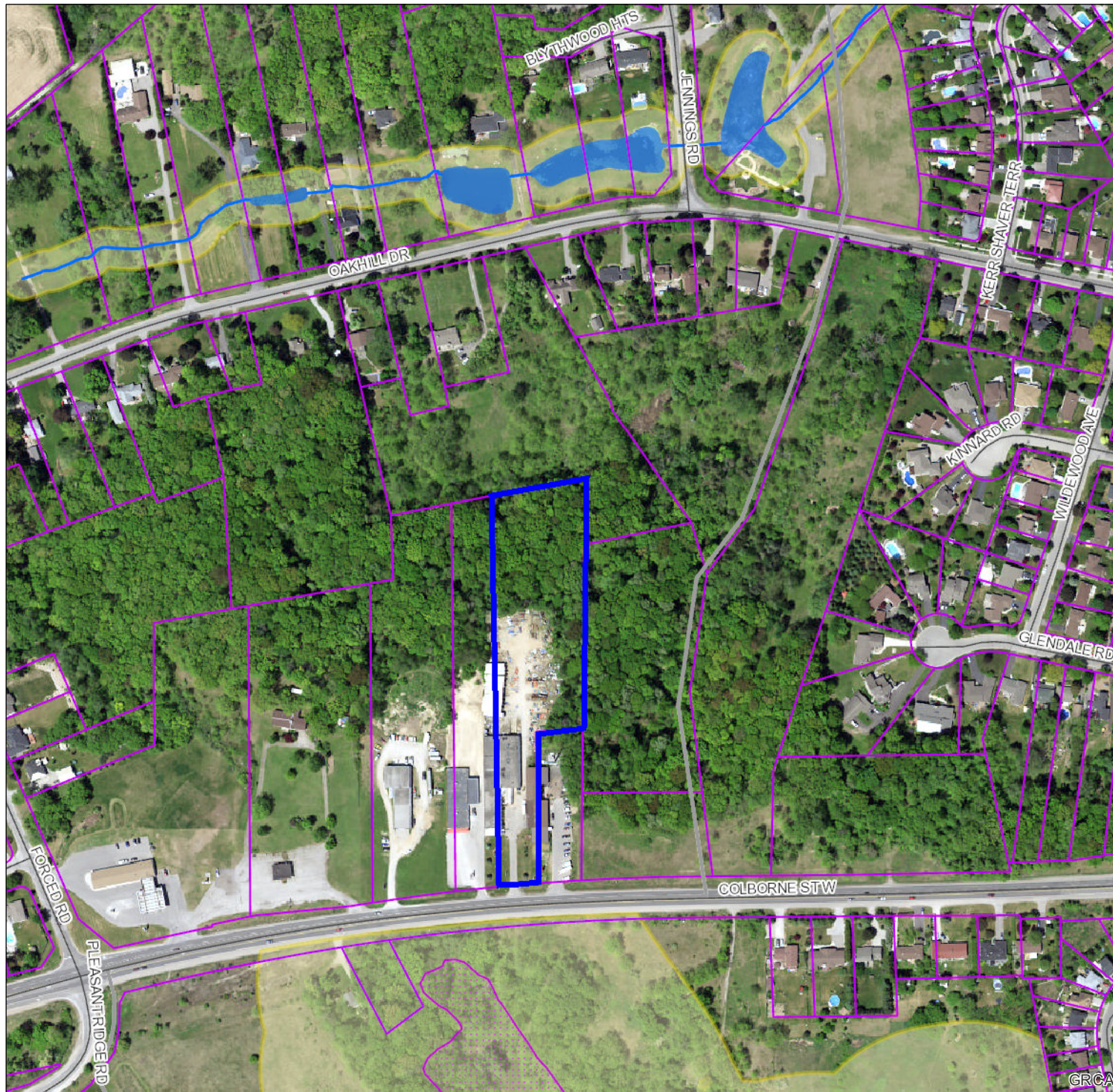
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 25 50 100 150 Metres

NAD 1983 UTM Zone 17N

Scale: 4,149





## 2020 Aerial showing the extent of the woodlot

### Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2022.

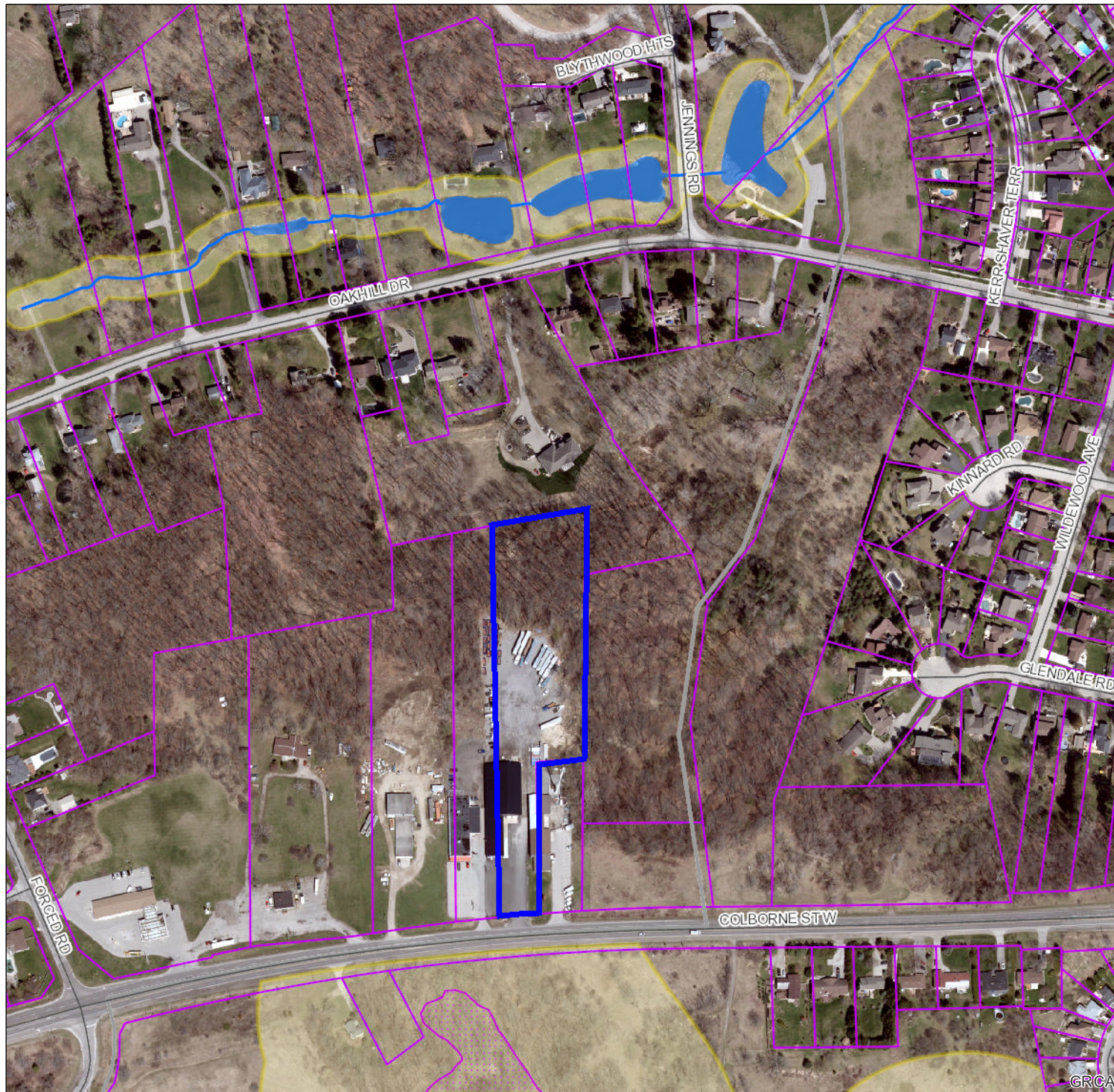
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 25 50 100 150 Metres

NAD 1983 UTM Zone 17N

Scale: 4,149





## Contour Map

### Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

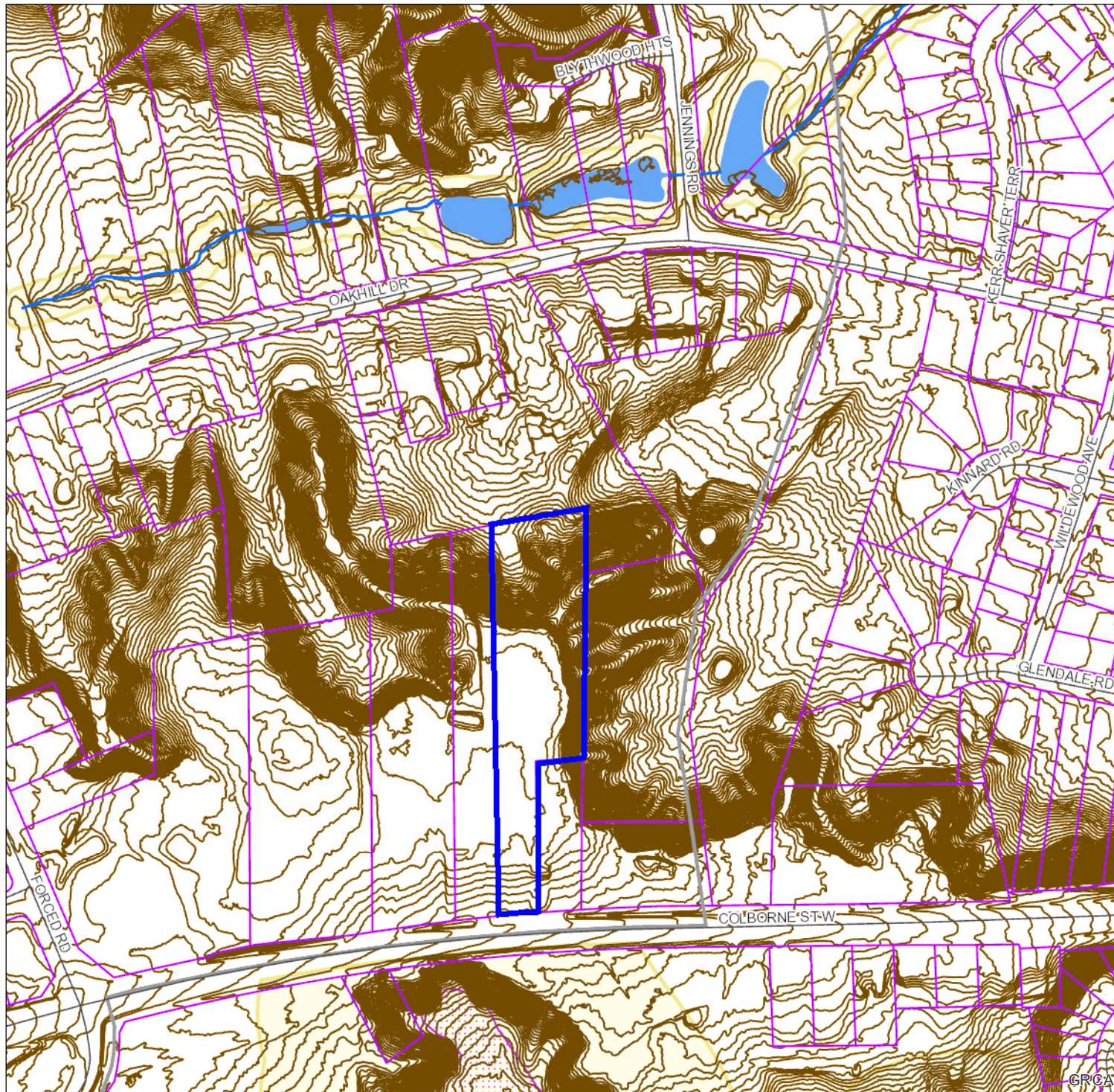
This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

**Copyright Grand River Conservation Authority, 2022.**  
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 25 50 100 150 Metres

NAD 1983 UTM Zone 17N

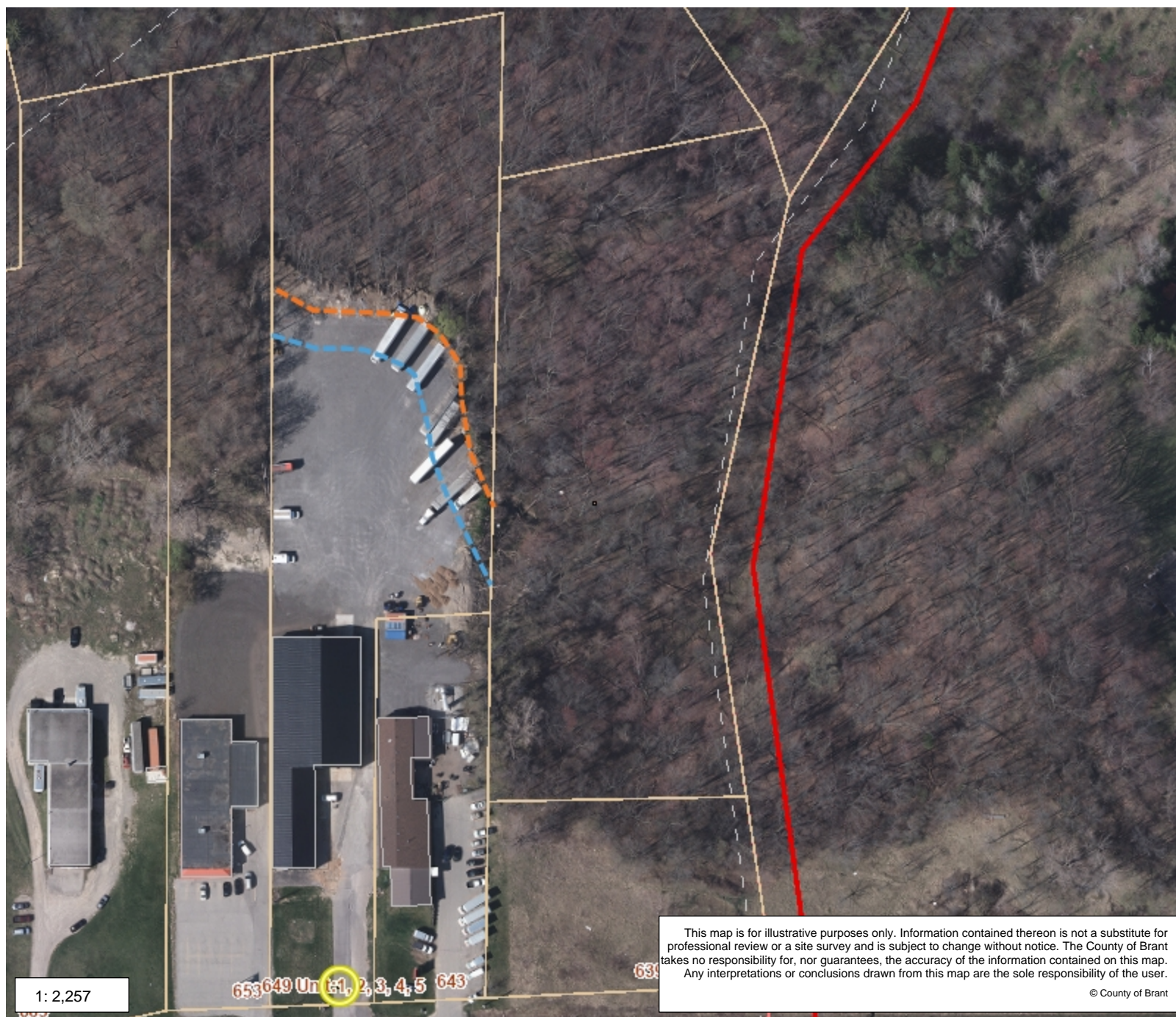
Scale: 4,149





- Emergency Services
  - Ambulance
  - Fire Station
  - Police Station
- Address
- Highway Centerline
- Street Centerline
- Parks
- Buildings
- Assessment Parcels
- Settlement Boundaries Outline
- County of Brant
- Lots Concessions

**Map showing  
approximate 10  
meter setback (in  
blue dotted line)  
from the proposed  
NH Zone line  
(shown in orange  
dotted line)**



This map is for illustrative purposes only. Information contained thereon is not a substitute for professional review or a site survey and is subject to change without notice. The County of Brant takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

© County of Brant

1: 2,257

653649 Unit 1, 2, 3, 4, 5 643