

# **ZBA28-22-SL, Shannon Labelle**

649 Colborne Street West

Karol Bicz

The Angrish Group c/o Ruchika Angrish

## **Council Meeting**

December 20, 2022



<b>Application No.:</b>	ZBA28-22-SL
Report No.:	RPT-0328-22
Application Type:	Zoning By-Law Amendment
Subject Lands:	649 Colborne Street West
Agent / Applicant:	The Angrish Group
Owner:	Karol Bicz

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Staff Recommendation: Approval

**Council Meeting**

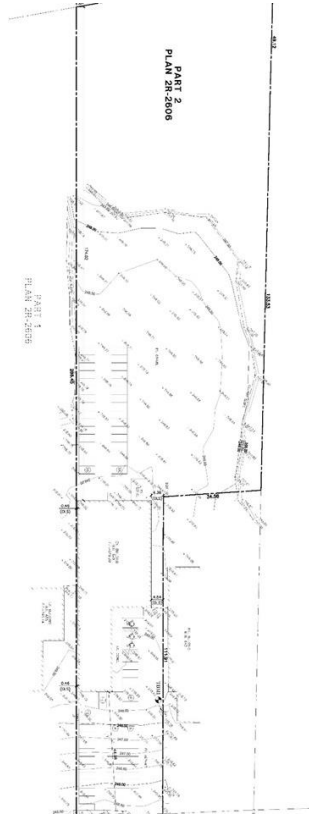
December 20,  
2022



- Subject lands are located on the north side of Colborne Street West
- Within the geographic township of Brantford
- **Frontage:** 30.6 metres (100.4 feet)
- **Area:** 15,458.9 sq.m (3.8 acres)
- Subject lands contain an existing commercial building



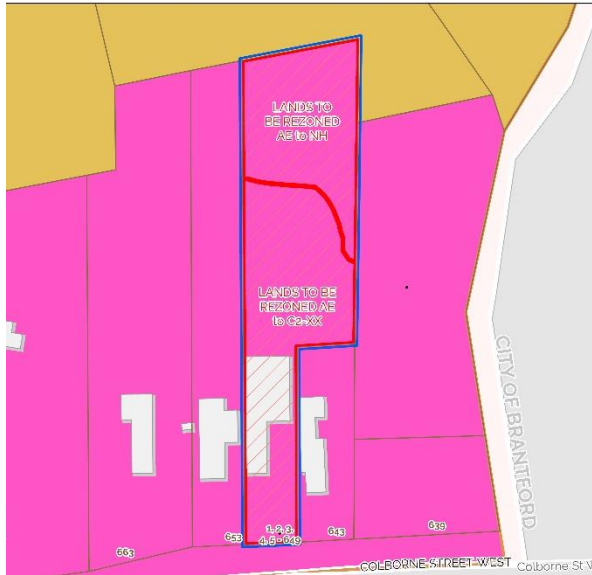
# Development Proposal



## Zoning By-Law Amendment

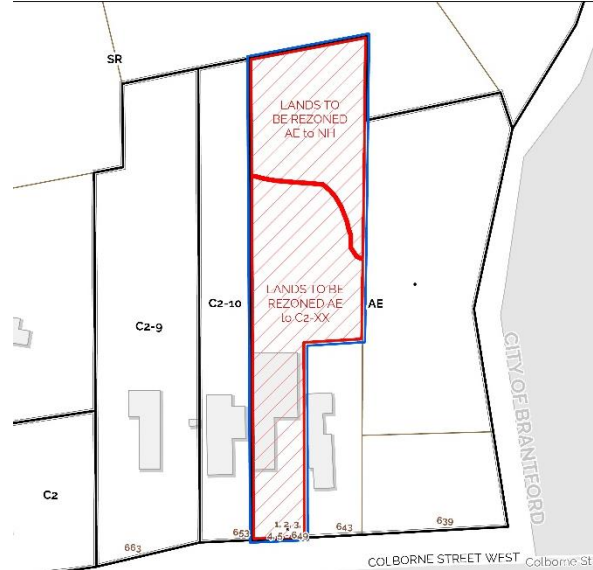
- Proposing to rezone a portion of the subject lands from Agricultural Employment (AE) to General Commercial (C2) with site specific provision 39 (C2-39) in order to permit an existing westerly interior side yard setback of 0.45 metres (1.5 feet), and to permit the parking of commercial vehicles and storage of materials associated with existing/ permitted commercial uses within the rear yard
- Proposed to rezone a portion of the subject lands from Agricultural Employment (AE) to Natural Heritage (NH)

# Official Plan (2012)



**Current Designation:**  
General Commercial

# Zoning By-Law (2016)



**Current Zoning:**

Agriculture Employment (AE)

**Proposed Zoning:**

General Commercial (C2) with site specific provision 39 (C2-39) and Natural Heritage (NH).

# Resident Concerns

## 1. Tree removal

### Staff Response:

1. Property was acquired in September 2015. Tree removal resolved through By-Law in 2016. Site Alt requirements were not in place yet. Woodland is proposed to be rezoned to 'NH', this will ensure its protection going forward. Additional processes in place now – Site Alt and Good Forestry Practices By-Law 81-22.

### Staff Recommendation:

- Update to site specific - Proposing to rezone a portion of the subject lands from Agricultural Employment (AE) to General Commercial (C2) with site specific provision 39 (C2-39):
  - to permit an existing westerly interior side yard setback of 0.45 metres (1.5 feet)
  - to permit the parking of commercial vehicles and storage of materials associated with existing/ permitted commercial uses within the rear yard.
  - **Parking of vehicles and storage of materials not permitted within 5- 10 metres of the top of bank.**

# Resident Concerns

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## 1. Safety of bank/ berm for slope stability and erosion

### Staff Response:

1. Applicant is proposing to rezone the remainder of the existing Woodlot to Natural Heritage (NH). Section 14.2 of the Zoning By-Law describes permitted uses and development standards.
  1. Permitted uses limited to passive/ recreational structures
  2. No development standards, as it is generally not permitted, subject to specific requirements.
  3. Good Forestry Practices By-Law 81-22 in place
  4. Site Alteration By-Law 82-22 in place.

# Resident Concerns

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1. **Increased impervious surfaces and drainage, not site contained and drain onto illegal outlets.**

## Staff Response:

1. Proposal is related to rezoning the subject lands in order to bring it into greater conformity with the underlying designation – General Commercial.
2. No further development is being proposed. There is no increase to impervious surfaces, and drainage will remain as is.
3. If further development or site alteration is proposed, Staff will have mechanisms to mitigate these concerns.



# Resident Concerns

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## 1. Vehicle turning, proper distancing and parking curbs

### Staff Response:

1. If further development is proposed, the above noted items would be addressed through Site Plan Control.
2. Proposed revision to General Commercial (C2) Site Specific Provision 39 (C2-39) to maintain a 5m to 10m setback from the top of bank.

# Resident Concerns

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## 1. Visibility and noise from property activity

### Staff Response:

1. Proposed revision to General Commercial (C2) site specific 39 (C2-39) to maintain a 5m to 10m setback from the top of bank in order to address this.
2. If further development is proposed, noise and visibility would be mitigated through Site Plan Control.

# Resident Concerns

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1. **Following studies not asked for:**
  1. **Geotechnical**
  2. **Tree and Plant Inventory**
  3. **Peer Review**
  4. **Site Plan Control**
  5. **EIS**
  6. **GRCA Comments**

## Staff Response:

1. Due to the nature of the proposal, and since no further development is being proposed, Staff were not able to ask for the above noted studies. If further development is proposed, through Site Plan Control, the above noted studies could be asked for.
2. Site Plan Control is not applicable at this time.
3. Subject lands are not within the Regulation Limit of the Grand River Conservation Authority (GRCA). Approvals are not required from the GRCA.

# Questions?

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Staff Recommendation:  
That ZBA28-22-SL be **APPROVED**

