

DATE: June 9, 2014

REPORT NO. CD2014-104

TO: Chair and Members
Committee of the Whole

FROM: Gregory Dworak, General Manager
Community Services

1.0 TYPE OF REPORT **CONSENT ITEM [X]**
ITEM FOR COUNCIL CONSIDERATION []

2.0 TOPIC
Ground Floor Zoning in the Downtown Core

3.0 RECOMMENDATION

THAT the Staff Report CD2014-104 BE RECEIVED for information.

4.0 PURPOSE

To respond to Council's request for information concerning zoning regulations affecting the ground floor of buildings in the Core Commercial Area in Downtown Brantford.

5.0 BACKGROUND

From the Decisions of City Council of April 22, 2014 the following Notice of Motion was passed:

THAT staff BE REQUESTED to review the ground floor zoning in the downtown core and report back within one cycle.

6.0 CORPORATE POLICY CONTEXT

N/A

7.0 INPUT FROM OTHER SOURCES

N/A

8.0 ANALYSIS

8.1 City of Brantford Official Plan

In the Official Plan the Core Commercial Designation covers about two-thirds of the Downtown Brantford Urban Growth Centre with a northern limit at Nelson Street (see Appendix A– Map: Downtown Brantford Zoning Categories in the Core Commercial Area). The Official Plan encourages new development in the Core Commercial Area to create pedestrian –related uses at grade. A specific policy which gives direction about uses on the ground floor is included in Subsection 7.3.2.11.3 which states that apartments as an upper storey use over non-residential uses at grade are permitted throughout the Core Commercial Area. This policy is implemented in the Zoning By-law and the regulations are found in the various zones in the Core Commercial Area.

8.2 Zoning Bylaw 160-90

The zoning categories applicable to the Core Commercial Area are mainly characterized by Commercial and Residential zones. These zones include:

- (C-1) Core Commercial Zone
- (C-2) Fringe Core Commercial Zone
- (C-3) Mixed Commercial Residential Zone

The '(C1) Core Commercial Zone' and the '(C2) Fringe Core Commercial Zone' are focused on the historical city centre and permit the broadest variety of uses including apartment dwellings, cultural uses such as museums and theatres, places of assembly and entertainment and recreation. Medical clinics and offices are also permitted as well as a wide variety of commercial uses ranging from specialty retail stores to department stores and grocery stores. Only the C1 Zone is identified as an area where public transit facilities are permitted.

The '(C3) Mixed Commercial Residential Zone' is generally located beyond lands zoned C2 and include a wider variety of residential uses ranging from single-detached dwellings to apartments. Service type uses are permitted, but the commercial uses are more limited and smaller in scale as compared to the uses permitted in the C1 and C2 Zones.

A range of uses including commercial and residential dwelling units are permitted in these zones. However, there are variations between the zones with respect to regulations for uses on the ground floor, as outlined in Table 1.

Table 1 - Comparison of Permitted Ground Floor Uses - Core Commercial Zone (C1), Fringe Core (C2), Mixed Commercial Residential (C3), and Established General Commercial Area (C8-19)

Zones in the Commercial Core Area	Ground Floor Uses	Regulation Reference
C1	Permitted commercial uses	9.1
	Dwelling units a) in existing buildings originally designed and/or used for non-residential purposes, provided they are not located adjacent to the front lot line. b) as apartment units in an exclusive use buildings.	9.1.1.2 9.1.9
C2	Permitted commercial uses	9.2.1
	Dwelling units (up to a maximum of 4)	9.2.2.2
C3	Permitted commercial uses	9.3.1.1
	Single-detached, semi-detached, Duplex, Triplex, Fourplex, Converted and Street Townhouse Dwellings etc.	
	Dwelling units in a building containing one or more permitted non-residential uses.	

9.0 FINANCIAL IMPLICATIONS

N/A

10.0 CONCLUSION

Commercial uses are permitted on the ground floor in all commercial zones in the Core Commercial area. In addition, while residential uses are also permitted in all zones within the Core Commercial Area, regulations vary for permissions concerning residential uses on the ground floor adjacent to the street between zones. For example, residential units at grade are prohibited in existing buildings designed or used for non-residential purposes in the C1 zone, but ground floor residential uses can be created in the C1 zone through new construction and / or exclusive use apartment buildings. Both the C2 and C3 zones permit residential on the ground floor in both existing buildings and new construction.

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Appendix "A"

Map: Downtown Brantford Zoning Designations in the Core Commercial Area

In adopting this report, is a bylaw or agreement required? If so, it should be referenced in the recommendation section.

Bylaw required yes no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk yes no

Is the necessary by-law or agreement being sent concurrently to Council? yes no