



April 25, 2019

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A08/2019
Related File Number: N/A
Address: 108 Colborne Street West
Roll Number: 2906010008017000000
Agent: Catherine Cooper, Planning Solutions
Applicant/Owner: Zitia Developments

IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

A minor variance application has been received for the property municipally known as 108 Colborne Street West. The owner of the Dairy Queen is proposing to erect a ground sign with a digital sign board along the Colborne Street West frontage. To facilitate the erection of the proposed sign, the applicant is seeking relief from the following sections of Chapter 478 of the Municipal Code:

1. Relief from Section 478.4.14(d) to permit a digital sign board – ground sign to be located 27 m from the Colborne Street West and Oak Street intersection, whereas no electronic message display, illuminated sign being electronically animated or message change is permitted to be located within 50 m to the nearest traffic signal or pedestrian crossing intersection;
2. Relief from Section 478.8.1 to permit a ground sign to be located 26 m from another ground sign located on the property, whereas the minimum distance apart between ground signs on the same property is 30 m, and;
3. Relief from Section 478.8.9 to permit a ground sign with a face area of over 1.11 m² to be located 7 m from a driveway exit, whereas ground signs with a face area of over 1.11 m² shall be constructed and located as to not interfere with the ability of motorists exiting from the property to see for a distance of at least 9 m on each side of the driveway exit.

DECISION: **DEFERRED**

DATE: April 24, 2019

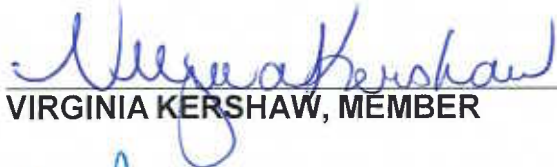
THAT Application A20/2018 seeking relief from Chapter 478 of the Brantford Municipal Code BE DEFERRED; and

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

- To allow time for the opportunity for the applicant to review options regarding the placement of the signage and to provide a written reply from the applicant to staff and committee to address the concerns raised in the Report 2019-279.

THAT pursuant to Section 45(8)-(8.2) of the Planning Act, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2019-279.”


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER


CHRIS SZOKE, MEMBER


TIM PHILP, MEMBER


TARA GASKIN, MEMBER

CERTIFICATION

I hereby certify that this is a true copy of the original document


Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Local Planning Appeal Tribunal.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The fee for an appeal to the Local Planning Appeal Tribunal is \$300.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "Minister of Finance". In addition you must complete an Appellant Form (A1).

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 14, 2019

END OF DECISION



THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A12/2019
Related File Number: N/A
Address: 374 Mount Pleasant Road
Roll Number: 2906010030085000000
Owners: Rob & Lisa Rowald
Agent: Carrothers & Associates

IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

A minor variance application has been received for the lands municipally addressed as 374 Mount Pleasant Road. The applicant is proposing a new garage addition to an existing single detached dwelling. The proposed garage location is where the current driveway access is, as well as there is less conflict to architecturally to construct the attached garage on the westerly side of the existing dwelling. To facilitate the proposed development the applicant is seeking relief from the following requirements of the County of Brant County Zoning By-law No. 61-16:

- Relief from Section 9.2 to permit a minimum side yard setback of 1.2 m for the west interior side yard, whereas a minimum side yard setback of 1.5 m is required; and,
- Relief from Section 4.43, Table 4.6 "*Yard encroachments in required yards*" to permit a maximum projection of eaves and gutters of 0.8 m into the required side yard setback (to a setback of 0.7 m), whereas a maximum projection of eaves and gutters into a required interior side yard setback of 0.5 m is required.

DECISION: **APPROVED**

DATE: April 24, 2019

THAT Application No. A12/2019 seeking relief from County of Brant Zoning By-law 61-16 for the lands municipally known as 374 Mount Pleasant Road to permit a minimum side yard setback of 1.2 m, whereas 1.5 m is required, and a maximum projection of eaves and gutters into the side yard setback of 0.8 m, whereas a maximum projection of 0.5 m is required, BE APPROVED;

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

- a. The proposed variances are considered compatible with the surrounding area;
- b. The proposed variances are in keeping with the general intent of the County of Brant Official Plan and County of Brant Zoning By-law 61-16; and

c. The requested relief is considered minor in nature and the application complies with the criteria set out in Section 45(1) of the *Planning Act*; and,
THAT pursuant to Section 45(8) – (8.2) of the *Planning Act*, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2019-253.”


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER


LEE RYNAR, MEMBER


Secretary-Treasurer


CHRIS SZOKE, MEMBER


TARA GASKIN, MEMBER


TIM PHILP, MEMBER

CERTIFICATION

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Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

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The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

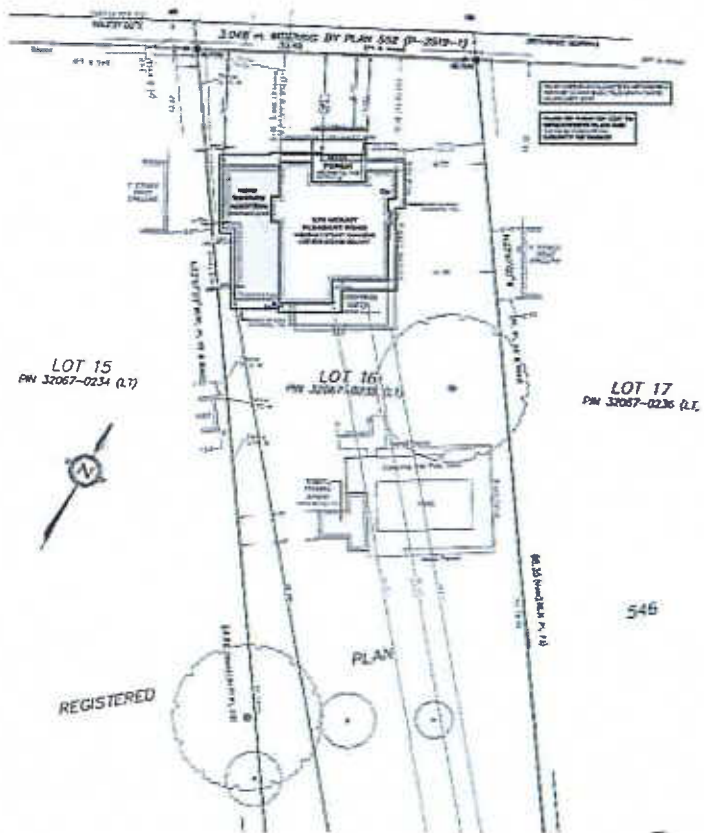
Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 14, 2019

END OF DECISION



LOCATION MAP Application: A12/2019 374 Mount Pleasant Road



Legend

Subject Property





April 25, 2019

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A13/2019
Related File Number: N/A
Address: 5 Hampton Street
Roll Number: 29060400133634000000
Applicant/Agent: Ralph & Teresa Noack
Owners: Zachary & Julie Anne Pilling

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION
45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

Proposal:

An application for minor variance has been received for the property municipally addressed as 5 Hampton Street. The applicant proposes to permit a parking space in the required front yard. The additional parking space is required to facilitate the creation of a second dwelling unit within the existing single detached dwelling. The existing driveway will be widened in order to create the additional parking space.

The applicant proposes the following minor variance for relief from Zoning By-law 160-90:

- Relief from Section 6.18.3.3 to permit a parking space within a front yard.

DECISION: APPROVED

DATE: April 24, 2019

THAT Application A13/2019 requesting relief from the City's Zoning By-law to permit a parking space within the required front yard setback, BE APPROVED;

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

- The proposed variance will facilitate appropriate residential intensification that is considered compatible with the surrounding area;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90; and,
- The relief requested is considered minor in nature and the application complies with criteria set out in Section 45(1) of the *Planning Act*; and,

THAT pursuant to Section 45(8)-(8.2) of the *Planning Act*, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2019-254."


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

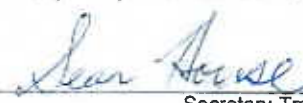

CHRIS SZOKE, MEMBER


TARA GASKIN, MEMBER


TIM PHILP, MEMBER

CERTIFICATION

I hereby certify that this is a true copy of the original document


Secretary-Treasurer

APPEALS

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ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

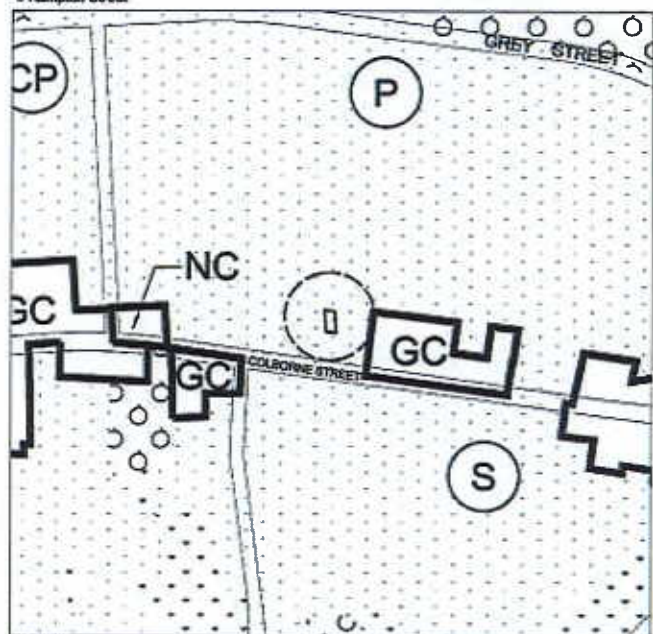
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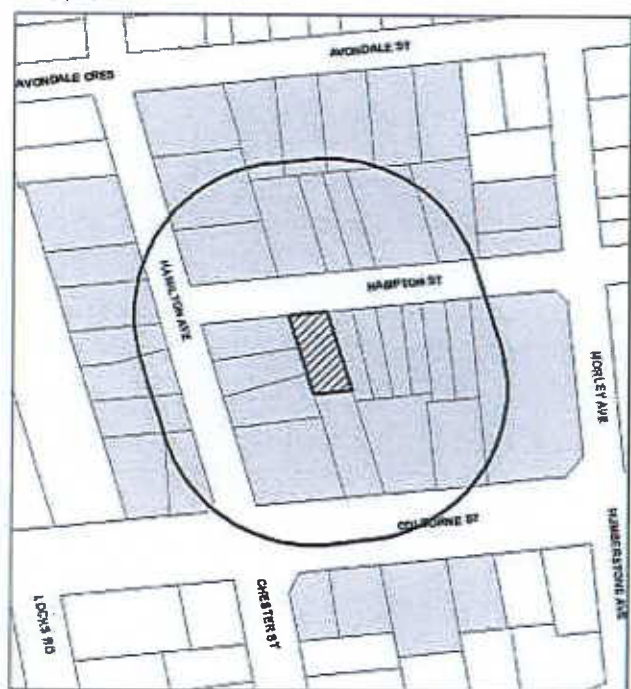
The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 14, 2019

END OF DECISION

Application: A13/2019
5 Hampton Street



Application: A13/2019
5 Hampton Street





April 25, 2019

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A14/2019
Related File Number: N/A
Address: 36 Varadi Avenue
Roll Number: 290600300023464000000
Owners: Frank & Terri Mirecki

IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

An application for minor variance has been received for the property municipally addressed as 36 Varadi Avenue. The applicant proposes to permit a parking space in the required front yard. The additional parking space is required to facilitate the creation of a second dwelling unit in the existing single detached dwelling. An additional variance is being sought to decrease the required parking space width so that the existing driveway does not need to be widened. The applicant proposes the following minor variances for relief from Zoning Bylaw 160-90:

- Relief from Section 6.18.3.3 to permit a parking space within a front yard; and,
- Relief from Section 6.18.1.1.6 of Zoning By-law 160-90 to permit two required parking spaces with minimum widths of 2.65 m whereas a minimum parking space width of 2.75 m is required.

DECISION: APPROVED

DATE: April 24, 2019

THAT Application A14/2019 requesting relief from the City's Zoning Bylaw to permit a parking space within the required front yard setback, and a decrease in required parking space width from 2.75 m to 2.65 m BE APPROVED;

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

- The proposed variance will facilitate appropriate residential intensification that is considered compatible with the surrounding area;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90; and,
- The relief requested is considered minor in nature and the application complies with criteria set out in Section 45(1) of the *Planning Act*; and,

THAT pursuant to Section 45(8)-(8.2) of the *Planning Act*, R.S.O. 1990,

c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2019-255.”


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER


LEE RYNAR, MEMBER


CHRIS SZOKE, MEMBER


TARA GASKIN, MEMBER


TIM PHILP, MEMBER

CERTIFICATION

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Secretary-Treasurer

ADDITIONAL INFORMATION

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APPEALS

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Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 14, 2019

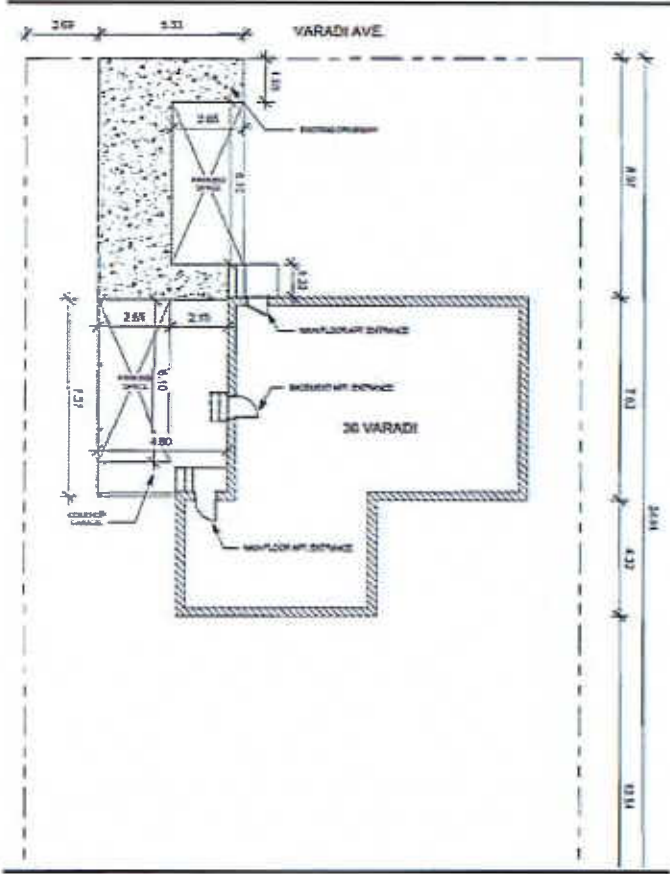
END OF DECISION

LOCATION MAP
Application: A14/2019
36 Varadi Avenue



Legend

Subject Property





April 24, 2019

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A24/2018

Related File Number: N/A

Address: 19 Pollard Street

Roll Number: 2906010011099200000

Applicant/Owner: Alexey Repnikov & Liubov Rashina

IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

PROPOSAL:

A Minor Variance Application has been received for the property municipally addressed as 19 Pollard Street. The applicant requests relief from the Zoning By-law to permit an existing gazebo in the rear yard of the subject property. The gazebo is considered an accessory structure, and the main structure is located 0.33m from the rear property line and 0.33m from the western side lot line whereas the Zoning By-law requires accessory buildings or structures to be located no closer than 0.6m to an interior lot line and 0.6m from a rear lot line. The eaves are 0.076m from the rear lot line and 0.076m from the western side lot line whereas the Zoning By-law requires eaves to be no closer than 0.3m from the lot line.

After circulating the application, the Engineering Department advised Planning Staff that the application will not be supported. Based on a site inspection, the gazebo and rear yard landscaping has blocked the grading as per the approved Draft Plan of Subdivision 29T-13501 (Wyndfield West Phase 4). A Report signed and stamped by a Professional Engineer will be required in order to verify that the gazebo and landscaping in place either does not impact the grading and drainage of the subject site and subdivision, or that any proposed alterations to the existing gazebo and landscaping would allow for the grading and drainage to function as required per the approved Draft Plan of Subdivision 29T-13501. The Committee of Adjustment has moved a deferral to give the opportunity to provide further justification and to comply with Planning Staff request for a Professional Engineer Report. The Committee of Adjustment recommends the following:

DECISION: DEFERRAL

DATE: April 24, 2019

THAT Application A24/2018 BE DEFERRED.

THAT the reason(s) for deferral are as follows:

To allow the Applicant an opportunity to provide a written report prepared by a Professional Engineer in order to verify that the grading as per the approved Draft Plan of Subdivision 29T-13501 (Wyndfield West Phase 4) has not been impacted, and to give the opportunity to make any proposed alterations, if required.

VIRGINIA KERSHAW, MEMBER



DANIEL NAMISNIAK, MEMBER



LEE RYNAR, MEMBER

CHRIS SZOKE, MEMBER



TARA GASKIN, MEMBER



TIM PHILP, MEMBER

CERTIFICATION

I hereby certify that this is a true copy of the original document



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact ~~Brandon Keshin, Secretary-Treasurer, (519)759-4150 ext. 5160, bkashin@brantford.ca~~ or, Sean House, Deputy Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Municipal Board.

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Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is ~~August 28, 2018~~

May 14, 2019.

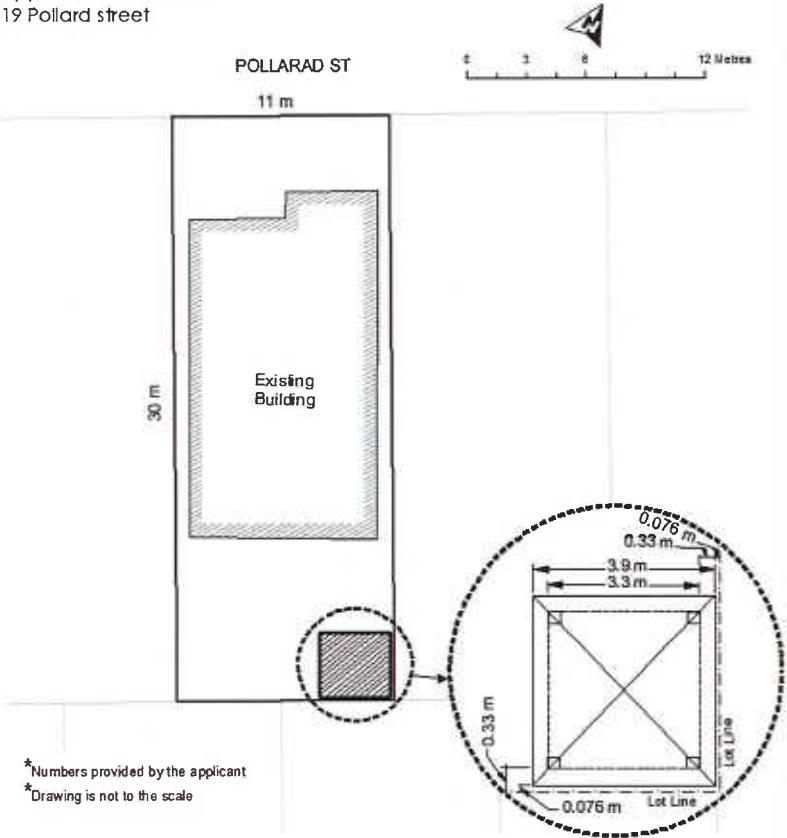
END OF DECISION

I hereby certify that this is a true copy of the original document



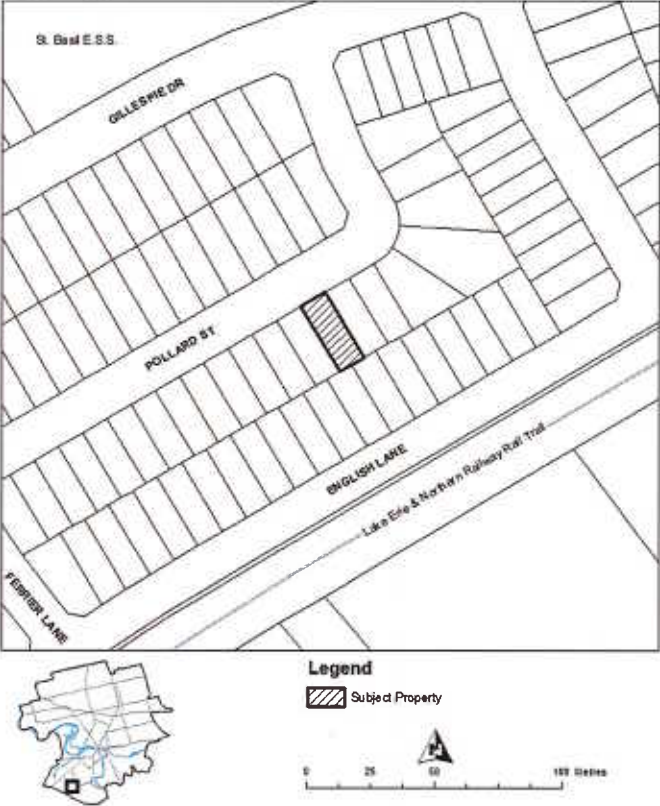
Secretary-Treasurer
Brantford Committee of Adjustment

SITE PLAN MAP
 Application: A24/2018
 19 Pollard street



Legend
 Subject Property

LOCATION MAP
 Application: A24/2018
 19 Pollard street





April 25, 2019

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B14/2019
Related File Number: B15/2019, B16/2019
Address: 4 Willow Drive
Roll Number: 2906030014005000000
Agent: J.H. Cohoon Engineering Ltd.
Applicant/Owner: The Trustees of the Evangel Pentecostal Church

IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

Three consent applications have been received for the lands municipally addressed as 30 Fairview Drive and 4 and 8 Willow Drive. The applicant is proposing a severance and two boundary adjustments to facilitate the expansion of the church parking lot and amenity space, as well as the creation of a new residential lot on Willow Drive.

Application B14/2019 proposes to sever the southern portion of 4 Willow Drive for a new residential lot. The existing single detached dwelling on the northern portion of 4 Willow Drive is to remain. The proposed site specific zoning for the retained lands will permit the reduced minimum lot area and reduced minimum rear yard, eliminating the need for a minor variance. The lot dimensions are detailed below:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Width (m)</i>	14.7	19.51
<i>Depth (m)</i>	19.5	28.02
<i>Area (m²)</i>	285.9	518.4

The lands to be merged with the existing church property are proposed to be rezoned from R1A to Institutional School Zone (I2) to allow the institutional use, with a special exception (13) to reduce the required buffering where an institutional use abuts a residential use from 15 m of landscaped open space to a 3 m planting strip with a 1.8 m board on board fence.

In summary, the dimensions of the proposed lot fabric are detailed below:

	<i>Width (m)</i>	<i>Depth (m)</i>	<i>Area (m²)</i>
4 Willow Drive	19.5	28.0	518.4
6 Willow Drive	14.7	30.1	441.3
8 Willow Drive	18.3	30.1	550.5
30 Fairview Drive	105.0	140.0	9,671.9

DECISION: PROVISIONAL APPROVAL

DATE: April 24, 2019

THAT application B14/2019 to sever the southern portion of the lands municipally known as 4 Willow Drive to create a new residential lot to be merged with the southeastern portion of the lands municipally known as 36 Fairview Drive through application B15/2019, having a lot area of 285.9 m² and to retain a parcel of land having a lot area of 518.4 m² BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the proposed lot fabric;
2. Receipt of confirmation that all taxes are paid up to date;
3. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*);
4. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(5) of the Planning Act shall apply to any subsequent conveyance of the severed parcel. Therefore, the Solicitor acting in the transfer will provide a letter of undertaking confirming that the severed parcel will be merged in title with the lot to be created through application B15/2019;
5. Receipt of confirmation that Zoning By-law Amendment PZ-14-18 is in full force and effect;
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of Engineering and Operational Services;
8. Receipt of confirmation that the required 7.5 metre daylight corner at 4 Willow Drive has been dedicated to the City
9. Receipt of confirmation that a 3.05 m road widening strip at 4 Willow Drive has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the Applicant(s);
10. Receipt of confirmation that elevation drawings and calculations are provided to the Chief Building Official verifying that the spatial separations requirements of the Ontario Building Code are met relative to the severance line;
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before April 25, 2020, after which time the consent will lapse.

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

Having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 18.9 (Official Plan) respecting the creation of lots and boundary adjustments within the City of Brantford and consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement.

THAT pursuant to Section 53(17)-(18.2) of the *Planning Act*, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2019-287."


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER


LEE RYNAR, MEMBER

CHRIS SZOKE, MEMBER


TARA GASKIN, MEMBER


TIM PHILP, MEMBER

CERTIFICATION

I hereby certify that this is a true copy of the original document


Secretary-Treasurer

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Local Planning Appeal Tribunal.

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ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

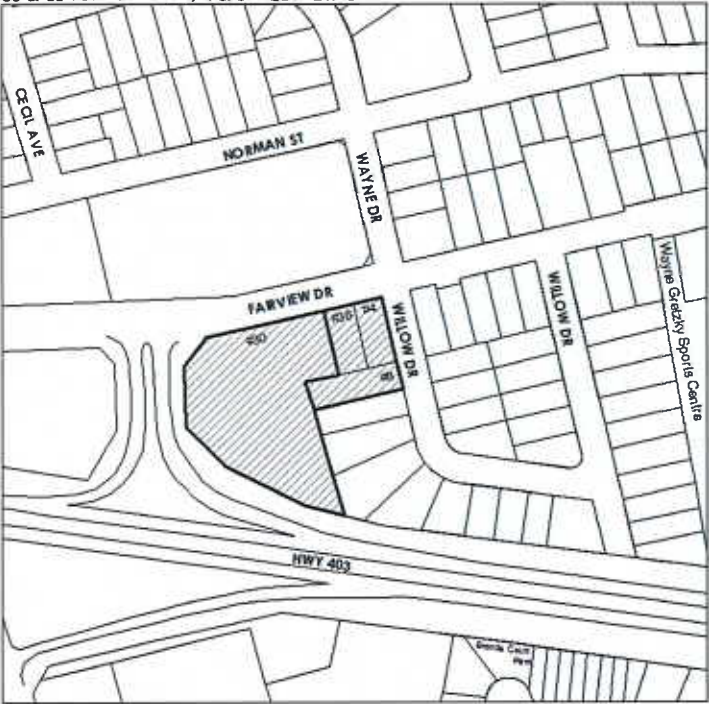
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 15, 2019

END OF DECISION

LOCATION MAP

Application B14-2019, B15-2019, B16-2019
30 & 36 Fairview Drive, 4 & 8 Willow Drive



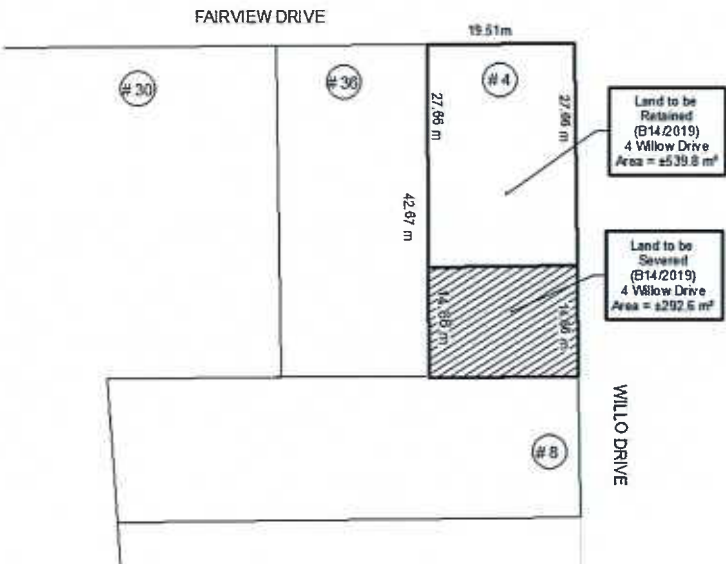
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Subject Lands



SITE PLAN MAP

Application: B14-2019, B15-2019 and B16-2019
30 & 36 Fairview Drive, 4 & 8 Willow Drive



*Numbers provided by the applicant
*Drawing is not to the scale





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B15/2019
Related File Number: B14/2019, B16/2019
Address: 36 Fairview Drive
Roll Number: 2906030014004000000
Agent: J.H. Cohoon Engineering Ltd.
Applicant/Owner: The Trustees of the Evangel Pentecostal Church

IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

Three consent applications have been received for the lands municipally addressed as 30 Fairview Drive and 4 and 8 Willow Drive. The applicant is proposing a severance and two boundary adjustments to facilitate the expansion of the church parking lot and amenity space, as well as the creation of a new residential lot on Willow Drive. Site specific zoning to facilitate this proposal was approved by the Committee of the Whole on February 5, 2019.

Application B15/2019 proposes a lot boundary adjustment for the southeastern portion of 36 Fairview Drive. The application proposes to add 155.2 m² to the newly created lot on Willow Drive, and 673.5 m² to the existing Evangel Church property at 30 Fairview Drive. With this boundary adjustment, the total lot area of the newly created lot on Willow Drive would equal 441.3 m². The proposed site specific zoning for the new residential lot will permit the reduced minimum lot area and width. The lot dimensions are detailed below:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Width (m)</i>	10.6	19.5
<i>Depth (m)</i>	14.7	42.6
<i>Area (m²)</i>	155.2	673.5

The lands to be merged with the existing church property are proposed to be rezoned from R1A to Institutional School Zone (I2) to allow the institutional use, with a special exception (13) to reduce the required buffering where an institutional use abuts a residential use from 15 m of landscaped open space to a 3 m planting strip with a 1.8 m board on board fence.

In summary, the dimensions of the proposed lot fabric are detailed below:

	<i>Width (m)</i>	<i>Depth (m)</i>	<i>Area (m²)</i>
4 Willow Drive	19.5	28.0	518.4
6 Willow Drive	14.7	30.1	441.3
8 Willow Drive	18.3	30.1	550.5
30 Fairview Drive	105.0	140.0	9,671.9

DECISION: PROVISIONAL APPROVAL

DATE: April 24, 2019

That application B15/2019 for a lot boundary adjustment for the southeastern portion of the lands municipally known as 36 Fairview Drive to add 155.2 m² to the lot created through application B14/2019, and to retain a parcel of land having a lot area of 673.5 m² to be merged with the lands municipally known as 30 Fairview Drive BE APPROVED, subject to the following conditions:

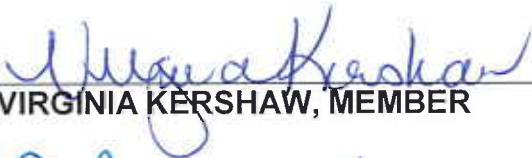
1. Receipt of a registered reference plan showing the proposed lot fabric;
2. Receipt of confirmation that all taxes are paid up to date;
3. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*);
4. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(5) of the Planning Act shall apply to any subsequent conveyance of the severed parcel. Therefore, the Solicitor acting in the transfer will provide a letter of undertaking confirming that the severed parcel will be merged in title with the lot to be created through application B14/2019;
5. Receipt of confirmation that Zoning By-law Amendment PZ-14-18 is in full force and effect;
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of Engineering and Operational Services;
8. Receipt of confirmation that a 3.05 m road widening strip at 36 Fairview Drive has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the Applicant(s);
9. Receipt of confirmation that elevation drawings and calculations are provided to the Chief Building Official verifying that the spatial separations requirements of the Ontario Building Code are met relative to the severance line;
10. That the above conditions be fulfilled and the Certificate of Consent be issued on or before April 24, 2020, after which time the consent will lapse.

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

Having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 18.9 (Official Plan) respecting the creation of lots and boundary adjustments within the City of Brantford and consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement.

THAT pursuant to Section 53(17)-(18.2) of the *Planning Act*, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2019-287."


VIRGINIA KERSHAW, MEMBER


DANIEL NAMISNIAK, MEMBER


LEE RYNAR, MEMBER


CHRIS SZOKE, MEMBER


TARA GASKIN, MEMBER


TIM PHILP, MEMBER

CERTIFICATION

I hereby certify that this is a true copy of the original document


Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

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Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The fee for an appeal to the Local Planning Appeal Tribunal is \$300.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "Minister of Finance". In addition you must complete an Appellant Form (A1).

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
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The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 15, 2019

END OF DECISION

LOCATION MAP

Application B14-2019, B15-2019, B16-2019
30 & 36 Fairview Drive, 4 & 8 Willow Drive



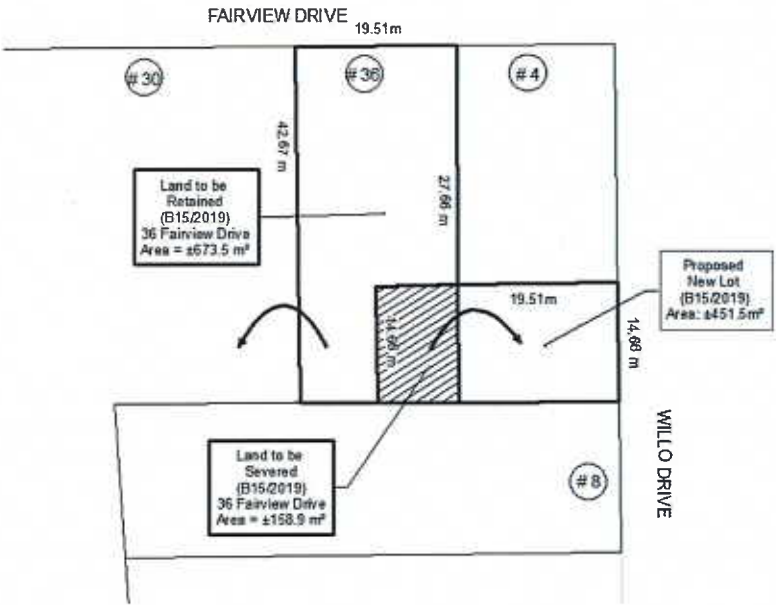
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Subject Lands



SITE PLAN MAP

Application: B14-2019, B15-2019 and B16-2019
30 & 36 Fairview Drive, 4 & 8 Willow Drive



*Numbers provided by the applicant
*Drawing is not to the scale





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B16/2019
Related File Number: B14/2019, B15/2019
Address: 8 Willow Drive
Roll Number: 2906030014006000000
Agent: J.H. Cohoon Engineering Ltd.
Applicant/Owner: The Trustees of the Evangel Pentecostal Church

IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:

Proposal:

Three consent applications have been received for the lands municipally addressed as 30 Fairview Drive and 4 and 8 Willow Drive. The applicant is proposing a severance and two boundary adjustments to facilitate the expansion of the church parking lot and amenity space, as well as the creation of a new residential lot on Willow Drive. Site specific zoning to facilitate this proposal was approved by the Committee of the Whole on February 5, 2019.

Application B16/2019 proposes a lot boundary adjustment at 8 Willow Drive to add an additional 587.1 m² to 30 Fairview Drive, and retain 550.5 m² of land for the existing residential lot. The existing single-detached dwelling on the retained lands is to remain. The retained lands meet the provisions of the Zone. The lot dimensions are detailed below:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Width (m)</i>	18.3	18.3
<i>Depth (m)</i>	32.5	30.1
<i>Area (m²)</i>	587.1	550.5

The lands to be merged with the existing church property are proposed to be rezoned from R1A to Institutional School Zone (I2) to allow the institutional use, with a special exception (13) to reduce the required buffering where an institutional use abuts a residential use from 15 m of landscaped open space to a 3 m planting strip with a 1.8 m board on board fence.

In summary, the dimensions of the proposed lot fabric are detailed below:

	<i>Width (m)</i>	<i>Depth (m)</i>	<i>Area (m²)</i>
4 Willow Drive	19.5	28.0	518.4
6 Willow Drive	14.7	30.1	441.3
8 Willow Drive	18.3	30.1	550.5
30 Fairview Drive	105.0	140.0	9,671.9

DECISION: **PROVISIONAL APPROVAL**

DATE: April 24, 2019

That application B16/2019 for a lot boundary adjustment for the western portion of the lands municipally known as 8 Willow Drive to add 587.1 m² to the lands municipally known as 30 Fairview Drive, and to retain a parcel of land having a lot area of 550.5 m² BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the proposed lot fabric
2. Receipt of confirmation that all taxes are paid up to date;
3. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (Upon registration a final copy of the Transfer deed shall be provided to the City);
4. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(5) of the Planning Act shall apply to any subsequent conveyance of the severed parcel. Therefore, the Solicitor acting in the transfer will provide a letter of undertaking confirming that the severed parcel will be merged in title with the lands municipally known as 30 Fairview Drive.
5. Receipt of confirmation that Zoning By-law Amendment PZ-14-18 is in full force and effect;
6. That the above conditions be fulfilled and the Certificate of Consent be issued on or before April 24, 2020, after which time the consent will lapse.

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

Having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 18.9 (Official Plan) respecting the creation of lots and boundary adjustments within the City of Brantford and consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement.

THAT pursuant to Section 53(17)-(18.2) of the *Planning Act*, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

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DANIEL NAMISNIAK, MEMBER


LEE RYNAR, MEMBER

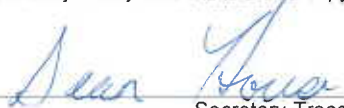
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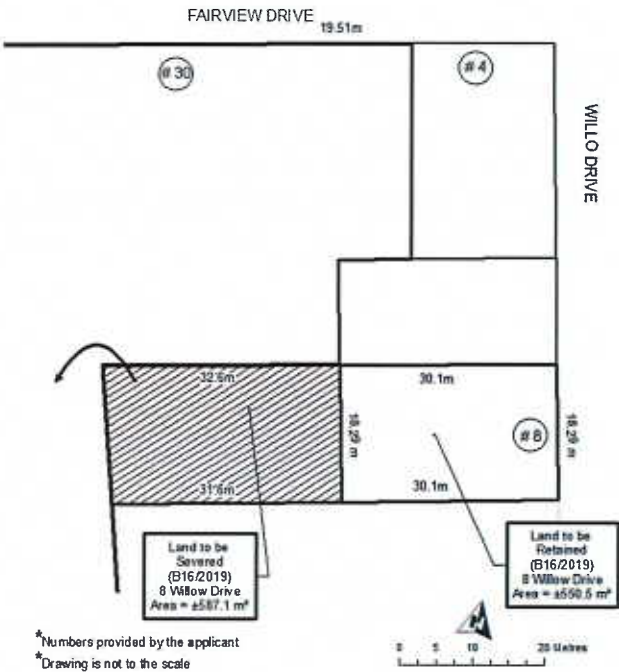
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END OF DECISION

SITE PLAN MAP
 Application: B14-2019, B15-2019 and B16-2019
 30 & 36 Fairview Drive, 4 & 8 Willow Drive



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LOCATION MAP
 Application B14-2019, B15-2019, B16-2019
 30 & 36 Fairview Drive, 4 & 8 Willow Drive



Legend
 [Hatched Box] Subject Lands

