



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: B05/2019
Address: 21 Hill Avenue
Roll Number: 2906030012255000000
Agent/Owner: Jo-Lynn Construction Inc.
 Applicant: Hugh MacNeil

**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:

A Consent Application has been received for the lands municipally addressed as 21 Hill Avenue. A location map and a conceptual site plan illustrating the proposed development are attached. The applicant is proposing to sever the property into two separate parcels in order to develop each lot with a single detached dwelling unit. The dwelling at 21 Hill Ave has been demolished. The proposed lot dimensions are detailed below:

	Lands to be severed	Lands to be retained
Width:	12m	12m
Depth:	37m	37m
Area:	450.7m ²	451.1m ²

DECISION: PROVISIONAL APPROVAL

DATE: February 27 2019

THAT Application B05/2019 to sever a parcel of land from the south side of the lands municipally addressed as 21 Hill Avenue, having a lot area of 450.7m² and to retain a parcel of land having a lot area of 451.1m² BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lots and the road widening;
2. Receipt of payment for cash-in-lieu of parkland. (Payment for cash-in-lieu of parkland is to be based on an opinion of value for the lands in accordance with City of Brantford By-law 50-2018)
3. Receipt of confirmation that all taxes are paid up to date;
4. 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);

5. Receipt of confirmation from the Engineering Department indicating that their requirements have been satisfied concerning the driveway location;
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 road widening strip, as required by the Engineering Department, 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 from the General Manager of Public Works Commission confirming their requirements have been satisfied regarding the receipt and approval of a lot grading plan addressing surface water drainage from both the severed and retained lands;
10. Receipt of confirmation that the Owner has entered into a Site Plan Control Agreement for the retained lands with the City;
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before February 28, 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 application is 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 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. 2019-125.”

LESLEY ANN BOWEN, MEMBER



GREGORY KEMPA, MEMBER



DANIEL NAMISNIAK, MEMBER

ERIN RUBY, MEMBER

LEE RYNAR, MEMBER

CERTIFICATION

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



Deputy 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.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent 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).

Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is March 20 2019

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

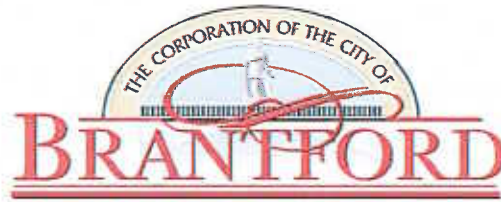
The letter of appeal, Appellant Form (A1) and fee for appeal **are** to be filed with the following:

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>.

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: A07/2019
Related File Number: N/A
Address: 88 Dalhousie Street
Roll Number: 29060030001078000000
Applicant/Owner: City of Brantford
Agent: Gilda Collins, Permit World

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 88 Dalhousie Street, The Sanderson Centre for the Performing Arts (Sanderson Centre). The subject site is located on the north side of Dalhousie Street between Queen and Market Streets, and also has frontage on Darling Street at the rear of the building. To facilitate the proposed replacement signage, the Applicant is seeking relief from the following Sections of Chapter 478 of the Municipal Code:

1. Section 478.9.3 to permit a wall sign of 2.06m along the Dalhousie Street Frontage, whereas no part of any wall sign shall project more than 0.61m front the face of the wall except in the case of a sign painted on an awing or canopy provided the location is in accordance with Sections 478.4.17 and 478.4.24 of this Chapter;
2. Section 2.5 of Schedule 'B' of Chapter 478 to permit two signs along the Dalhousie Street frontage, whereas one is permitted;
3. Section 2.7 of Schedule 'B' of Chapter 478 to permit one internally illuminated sign and one electronic message board sign along the Dalhousie Street frontage, whereas internally illuminated and electronic message board signs are not permitted;
4. Section 3.2 b) of Schedule 'B' of Chapter 478 to permit the proposed electronic message board sign to have an area of 6.70m² along the Dalhousie Street frontage and an additional 1.08m² on each end for a total of 8.87m², whereas the total area of a fascia sign shall not exceed 0.3m² for each 1.0m of linear frontage of the building wall upon which the sign is located, and in any event not greater than 1.25m²;
5. Section 3.3 a) of Schedule 'B' of Chapter 478 of the Municipal Code to permit a sign area of 9.32m² along the Dalhousie Street frontage, whereas a hanging sign shall not exceed 0.75m²; and
6. Section 3.3 b) of Schedule 'B' of Chapter 478 of the Municipal Code to permit a sign projection of 2.05m along the Dalhousie Street frontage, whereas a maximum projection of 0.9m from the face of the building is permitted.

DECISION: APPROVED

DATE: February 27, 2019

THAT Application A07/2019 requesting relief from Chapter 478 of the City of Brantford Municipal Code, BE APPROVED, as follows:

1. THAT Section 478.9.3 be amended to permit a wall sign of 2.06m along the Dalhousie Street frontage, whereas no part of any wall sign shall project more than 0.61m from the face of the wall except in the case of a sign painted on an awning or canopy the location in accordance with Sections 478.4.17 and 478.4.24 of this Chapter;
2. THAT Section 2.5 of Schedule 'B' of Chapter 478 be amended to permit two signs along the Dalhousie Street frontage, whereas one sign is permitted;
3. THAT Section 2.7 of Schedule 'B' of Chapter 478 be amended to permit one internally illuminated sign and one electronic message board sign along the Dalhousie Street frontage, whereas internally illuminated and electronic message board signs are not permitted;
4. THAT Section 3.2 b) of Schedule 'B' of Chapter 478 be amended to permit the proposed electronic message board sign to have an area of 6.70m² along the Dalhousie Street frontage and an additional 1.08m² on each end for a total of 8.87m², whereas the total area of a fascia sign shall not exceed 0.3m² for each 1.0m of linear frontage of the building wall upon which the sign is located, and in any event not greater than 1.25m²;
5. THAT Section 3.3 a) of Schedule 'B' of Chapter 478 be amended to permit a sign with a total area of 9.32m² along the Dalhousie Street frontage, whereas a hanging sign shall not have an area exceeding 0.75m²; and
6. THAT Section 3.3 b) of Schedule 'B' of Chapter 478 be amended to permit a sign projection of 2.05m along the Dalhousie Street frontage, whereas a maximum projection of 0.9m from the face of the building is permitted.

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

- The proposed variances are compatible with the historical use and heritage of the building, as well as the surrounding land uses;
- The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90; and
- The relief request is considered minor in nature and the application complies with criteria set out in Section 45(1) of the *Planning Act*.

THAT pursuant to Section 45(8) – (8.2) of the *Planning Act*, R.S.O. cP.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 2019-114.”


LESLEY ANN BOWEN, MEMBER


GREGORY KEMPA, MEMBER

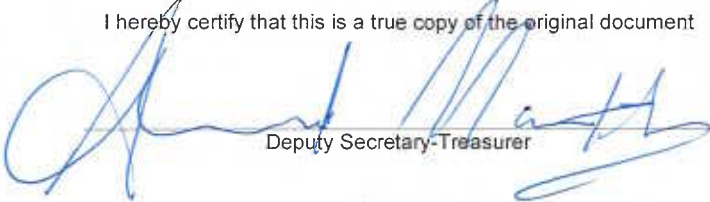

DANIEL NAMISNIAK, MEMBER

ERIN RUBY, MEMBER

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Deputy Secretary-Treasurer

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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).

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The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is March 19, 2019

END OF DECISION

LOCATION MAP

Application: A07/2019
88 Dalhousie Street



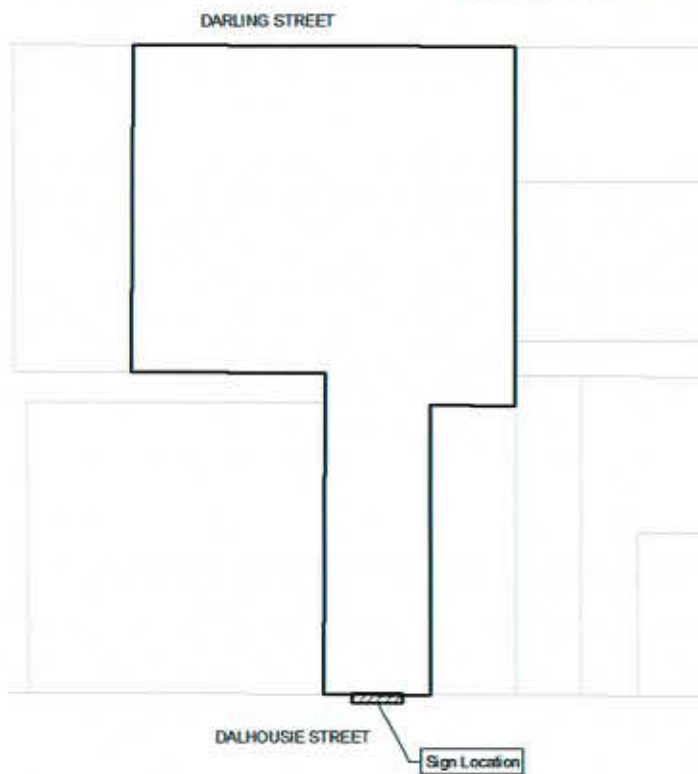
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 Subject Property



SITE PLAN MAP

Application: A07/2019
88 Dalhousie Street



*Drawing is not to the scale