



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: A09/2021
Related File Number: B05/2021
Address: 223 Sydenham Street
Roll Number: 2906030010260000000
Applicant/Owner: 2712007 Ontario Inc.

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:

Consent and minor variance applications have been received for the lands municipally addressed as 223 Sydenham Street. To facilitate the consent application, minor variances are required to provide relief from Zoning By-law 160-90 for the following Sections:

- Section 7.4.2.1.1 to permit a minimum lot area of 355 m² (retained) and 311 m² (severed), whereas a minimum lot area of 360 m² is required;
- Section 7.4.2.1.2 to permit a minimum lot width of 9.1 m, whereas a minimum lot width of 12 m is required for both the severed and the retained lands; and,
- Section 7.4.2.1.7.1 to permit a minimum side yard of 1.2 m, whereas 1.0 and 3.0 m are required.

DECISION: APPROVED

DATE: February 3, 2021

THAT Application A09/2021 seeking relief from Section 7.4.2.1.1 of Zoning By-law 160-90 to permit minimum lot areas of 355 m² (retained) and 311 m² (severed), whereas a minimum lot area of 360 m² is required for both the severed and retained lots; Section 7.4.2.1.2 of Zoning By-law 160-90 to permit a minimum lot width of 9.1 m, whereas a minimum lot width of 12 m would be required for both the severed and retained lots; and Section 7.4.2.1.7.1 to permit an interior side yard of 1.2 m for the retained lands only, whereas 3 m is required BE APPROVED; and

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; and,

THAT pursuant to Section 53(17)-(18.2) and 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. 2021-127.”

**Original signed by D. Namisniak,
Chair**

**Original signed by M. Bodnar,
Member**

**Original signed by V. Kershaw,
Member**

**Original signed by K. Brooks,
Member**

**Original signed by T. Gaskin,
Member**

**Original signed by G. Kempa,
Member**

**Original signed by L. Rynar,
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 \$400.00 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). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

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/>.

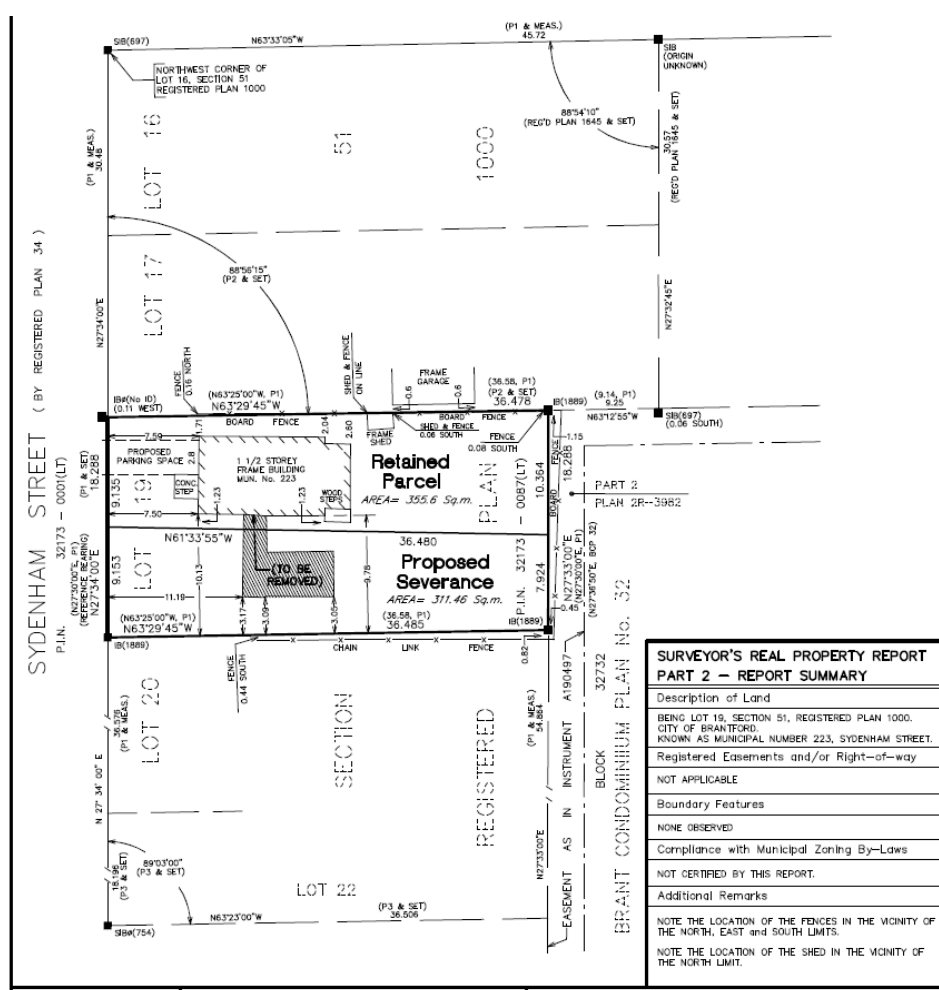
The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is February 23, 2021

END OF DECISION

Application: B05/2021 and A09/2021
223 Sydenham Street



Legend

 SUBJECT LANDS



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: A10/2021
Address: 11 South Street
Roll Number: 2906040008166000000
Applicant: Mazher Latif
Owner: Thomas John McCool

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 11 South Street. The applicant is proposing to construct a duplex dwelling on the vacant property. To facilitate the development as proposed, the applicant is seeking relief from the following sections of Zoning By-law 160-90:

- Section 7.8.2.1.2.2 to permit a lot width of 10.5 m for a duplex dwelling, whereas 12 m is required.
- Section 6.18.3.3 to permit a required parking space in the required front yard.
- Section 6.18.3.10 to permit tandem parking for a duplex dwelling.

DECISION: APPROVED

DATE: February 3, 2021

THAT Application A10/2021 seeking relief to permit tandem parking for a duplex dwelling, whereas tandem parking is not permitted; to permit a tandem parking space within the required front yard; and to permit a minimum lot width of 10.5 m for a duplex dwelling whereas 12 m is required BE APPROVED; and

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; 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:

“Regards has been had for all written and oral submissions received from the public before the decision was made in relation this planning matter, as discussed in Section 6.2 of Report No. 2021-117.”

Original signed by D. Namisniak,
Chair

Original signed by M. Bodnar,
Member

Original signed by V. Kershaw,
Member

Original signed by K. Brooks,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

Original signed by L. Rynar,
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 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 last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is February 23, 2021

END OF DECISION

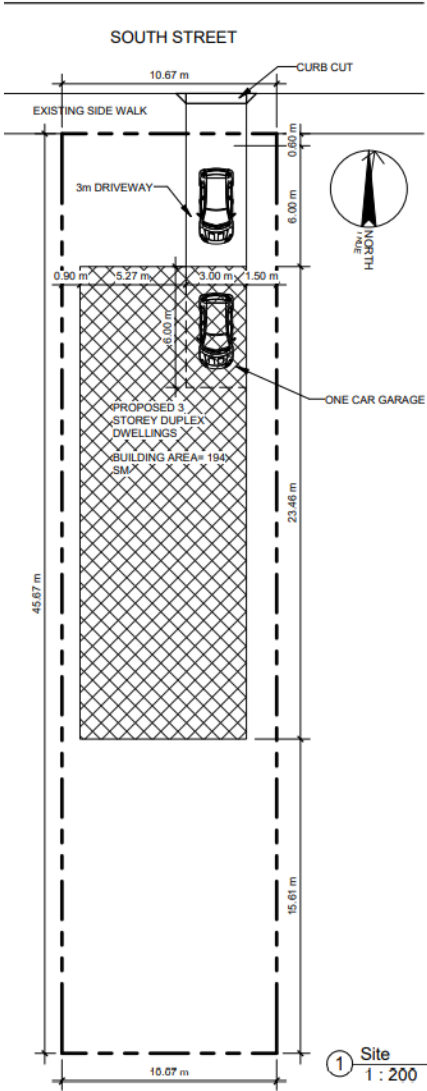
LOCATION MAP

Application: A10/2021
11 South Street



Legend

 SUBJECT LAND





February 4, 2021

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: B05/2021
Related File Number: A09/2021
Address: 223 Sydenham Street
Roll Number: 2906030010260000000
Applicant/Owner: 2712007 Ontario Inc.

**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:

Consent and minor variance applications have been received for the lands municipally addressed as 223 Sydenham Street. The applicant is proposing to sever the existing property into two lots for the purposes of developing a single detached dwelling on the severed lands. The existing single detached dwelling on the retained lands will remain, however the attached garage will be demolished. The proposed lot dimensions are as follows:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Lot Width</i>	<i>9.1 m</i>	<i>9.1 m</i>
<i>Lot Depth</i>	<i>36.4 m</i>	<i>36.4 m</i>
<i>Lot Area</i>	<i>311 m²</i>	<i>355 m²</i>

DECISION: PROVISIONAL APPROVAL

DATE: February 3, 2021

THAT Application B05/2021 to sever a parcel of land from the south portion of the lands municipally addressed as 223 Sydenham Street, having a lot area of 311 m², and retain a parcel of land having a lot area of 355 m² BE APPROVED, subject to the following conditions:

1. Receipt of confirmation that Application A09/2021 receives final and binding approval and is in full force and effect.
2. Receipt of a registered reference plan showing the severed and retained lands.
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 Manager of Development Engineering or his/her designate, indicating that a Wastewater Allocation Request Form has been submitted and approved.
6. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted and the appropriate fee has been paid.
7. The Owner/Applicant shall provide a Servicing Plan to the satisfaction of the Manager of Development Engineering or his/her designate, indicating that the severed and retained parcels can have their own independent sanitary sewer and water service connections, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner/applicant will be required to relocate or construct new services from the City sewers and watermain at his/her own costs.
8. The Owner/Applicant shall provide a grading and drainage plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist. The Grading and Drainage Plan shall delineate existing and proposed grades for both the severed and retained properties.
9. 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).
10. Receipt of confirmation that the attached garage on the property has been demolished or otherwise removed through the appropriate permits from the Building Department to the satisfaction of the Chief Building Official.
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before February 4, 2022, 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 consent application 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 160-90, specifically Section 18.9 of the Official Plan respecting consent applications including 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; and

THAT pursuant to Section 53(17)-(18.2) and 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. 2021-127.”

Original signed by D. Namisniak,
Chair

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Original signed by K. Brooks,
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CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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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 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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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 February 24, 2021

END OF DECISION

Application: B05/2021 and A09/2021
223 Sydenham Street

 SUBJECT LANDS