



THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A01/2022
Related File Numbers: N/A
Address: 85 Mary Street
Roll Number: 2906040007158000000
Applicant/Agent: Ken Bekendam
Owner: Vahe Ohan

**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 85 Mary Street. The applicant is proposing to renovate the existing single detached dwelling into a converted dwelling with an additional unit. The existing driveway is able to accommodate a tandem parking space. To facilitate this development proposal, the applicant is seeking relief from Section 7.8.2.1.8.2 to permit a minimum Gross Floor Area of 47 m² for a converted dwelling unit, whereas 55 m² is required. The variance is only requested for the additional unit.

DECISION: APPROVAL

DATE: January 13, 2022

THAT Application A01/2022 requesting relief from the City of Brantford Zoning Bylaw 160-90 to permit a minimum Gross Floor Area of 47 m² for a converted dwelling, whereas a minimum Gross Floor Area of 55 m² required, BE APPROVED;

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 subject land;

THAT pursuant to Section 56(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALLE 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. 2022-46.”

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

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

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

**Original signed by V. Kershaw,
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 Alexandra Mathers, Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca or Sarah Hague, Deputy Secretary-Treasurer, (519)759-4150 ext. 5160, shague@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 Land Tribunal.

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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
58 Dalhousie Street
Brantford ON
N3T 2J2

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

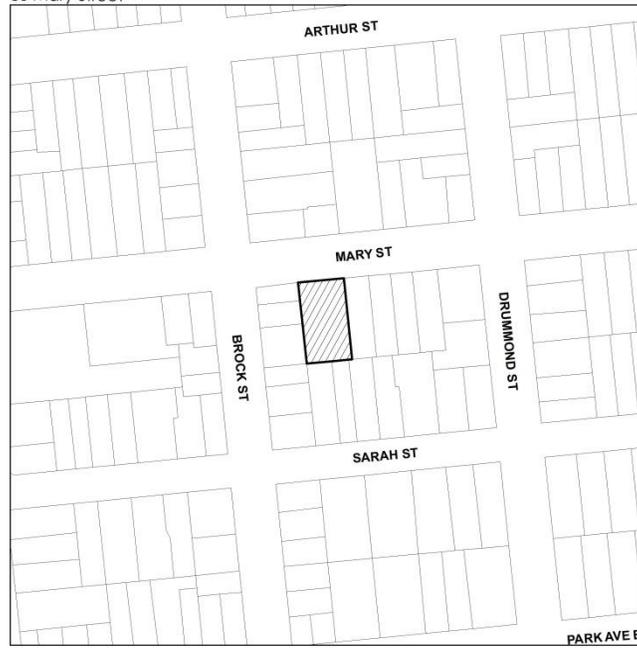
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is February 2, 2022**

END OF DECISION

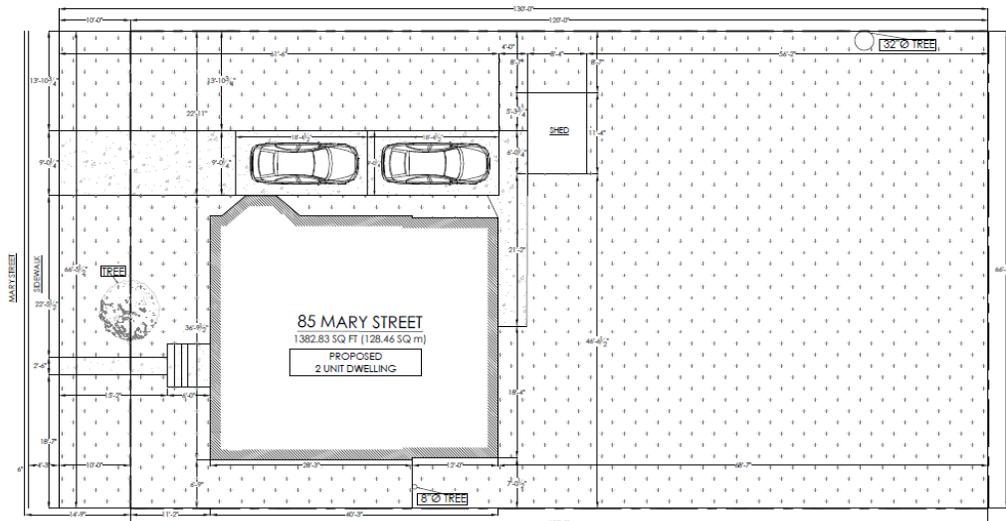
LOCATION MAP

Application: A01/2022
85 Mary Street



Legend

 SUBJECT LAND



SITE PLAN:
BASED ON BRANTFORD SITE
MAPS AND MEASUREMENTS ON
SITE DESIGNER ASSUMES NO
RESPONSIBILITY FOR ACCURACY
OF BRANTFORD MAPS.
THIS SITE SHALL NOT BE USED FOR
ANY OTHER PURPOSES.
NO WORK TO ENCRDACH
ONTO ADJOINING PROPERTIES.





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A42/2021
Related File Numbers: B25/2021
Address: 349 West Street
Roll Number: 2906030007184000000
Applicant: Dushaan Poobalaskingham
Agent: Urban Solutions c/o Matt Johnson

**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 349 West Street.

To facilitate the consent application and the future development of the lands, minor variances are required to provide relief from Zoning By-law 160-90 for the following sections:

- Section 7.6.2.1.5 to permit a front yard setback of 5.66 m for the retained lot, whereas 6.0 m is required;
- Section 7.6.2.1.2.1 to permit a lot width of 8.3 m for a single detached dwelling for the severed lot, whereas 9.0 m is required;
- Section 7.6.2.1.2.4 to permit a lot width of 8.3 m for a converted dwelling for the severed lot, whereas 9.0 m is required;
- Section 6.18.3.9 to permit a minimum of 37% landscaping open space for the retained lot, whereas 50% is required; and,
- Section 6.18.3.3 to permit two (2) parking spaces in a front yard for the retained lot, whereas one (1) is permitted.

DECISION: REFUSED

DATE: January 13, 2022

THAT Application A42/2021 seeking relief from the following Sections of Zoning By-law 160-90: Section 7.6.2.1.5 to permit a front yard setback of 5.66 m for the retained lot, whereas 6.0 m is required; Section 7.6.2.1.2.1 to permit a lot width of 8.3 m for a single detached dwelling for the severed lot, whereas 9.0 m is required; Section 7.6.2.1.2.4 to permit a lot width of 8.3 m for a converted dwelling for the severed lot, whereas 9.0 m is required; Section 6.18.3.9 to permit a minimum of 37% landscaping open space for the retained lot, whereas 50% is required; and Section 6.18.3.3 to permit two (2) parking spaces in a front yard for the retained lot, whereas one (1) is permitted, BE REFUSED.

THAT the reason(s) for refusal are as follows: the proposed variances are not in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is not considered minor in nature and is not desirable for the appropriate development and use of the subject 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:

“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 2022-45.”

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

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

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

**Original signed by L. Rynar,
Member**

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

**Original signed by V. Kershaw,
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 Alexandra Mathers, Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca or Sarah Hague, Deputy Secretary-Treasurer, (519)759-4150 ext. 5160, shague@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
58 Dalhousie Street
Brantford ON
N3T 2J2

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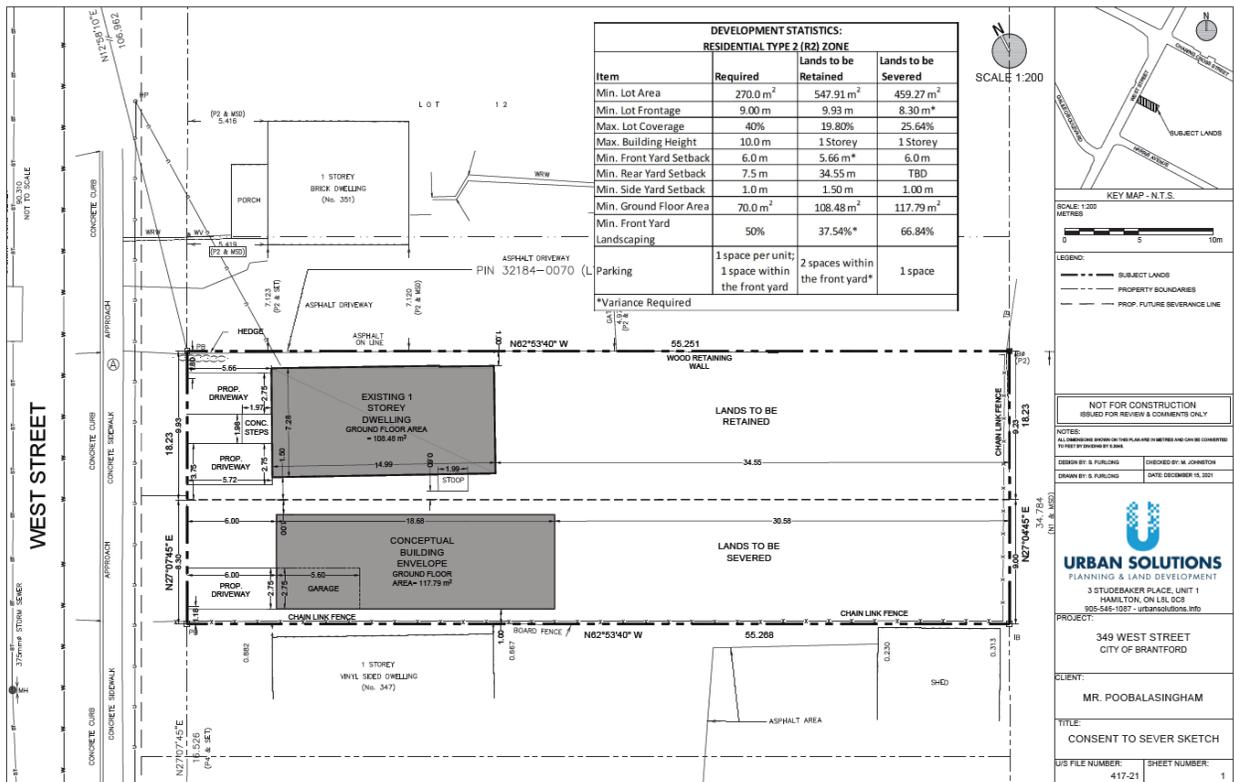
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Notice of Changes

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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is February 2, 2022**

END OF DECISION



LOCATION MAP

Application: B25/2021 & A42/2021
349 West Street



Legend

SUBJECT LAND





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B01/2022
Related File Numbers: N/A
Address: 111 Grand Street
Roll Number: 2906010003163000000
Applicant/Owner: Anchor Real Estate Group 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:

A consent application has been received for the lands municipally addressed as 111 Grand Street. The applicant intends to sever the subject lands into two residential lots. The existing single detached dwelling will remain. The applicant intends to sell the proposed severed lot prior to development of a single detached dwelling, which will be required to go through Site Plan Control process. The proposed lot dimensions are as follows:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Lot Frontage</i>	13.35 m	16.34 m
<i>Lot Area</i>	857.32 m ²	1045.74 m ²

DECISION: APPROVAL

DATE: January 13, 2022

THAT Application B01/2022 to sever a parcel of land from the north portion of the lands municipally addressed as 111 Grand Street, having a lot area of 857.32 m² and retain a parcel of land having a lot area of 1045.74 m², BE APPROVED subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lands.
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. 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.

5. Receipt of 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 connection, 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 at his/her own costs.
6. Receipt of a Proposed Grading Plan to the satisfaction of the Manager of Development Engineering or his/her designate, demonstrating that both the severed and retained lots will control their own storm water independently and identify acceptable access to the sites. If the proposed grading plan indicates the retained lands require regrading, the applicant/owner shall complete the regrading of the retained lands through a site alteration permit at their own costs;
7. Receipt of confirmation from the Engineering Department indicating that their requirements have been satisfied.
8. 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).
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before January 14, 2024, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matter under Section 51(24) of the Planning Act, Staff is satisfied that the proposed consent application is desirable and compatible with the surrounding area. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90, specifically, Section 9.3 (g – i) of the Official Plan respecting consent applications with the City of Brantford and consistent with the policies for the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; and

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 the Report No. 2022-49.”

Original signed by D. Namisniak,
Chair

Original signed by M. Bodnar,
Member

Original signed by K. Brooks,
Member

Original signed by V. Kershaw,
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

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Committee of Adjustment
58 Dalhousie Street
Brantford ON
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 3, 2022

END OF DECISION

LOCATION MAP

Application: B01/2022
111 Grand Street



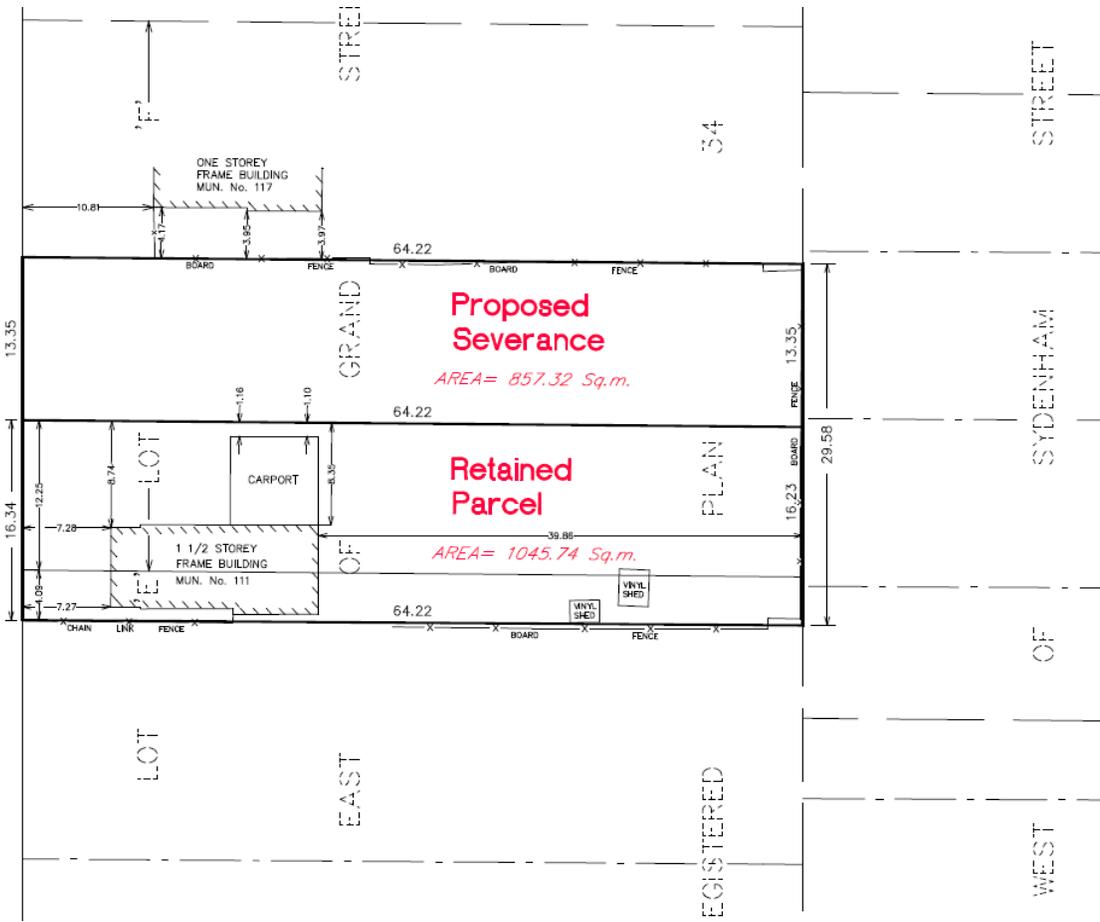
Legend

 SUBJECT LAND



GRAND STREET

(REGISTERED PLAN 34)
P.L.N. 32228-000(LT)





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B25/2021
Related File Numbers: A42/2021
Address: 349 West Street
Roll Number: 2906030007184000000
Applicant: Dushaan Poobalaskingham
Agent: Urban Solutions c/o Matt Johnson

**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 349 West Street. The applicant is proposing to sever the lot to create one additional lot to construct a single detached dwelling and then add a unit (to create a converted dwelling). The existing dwelling, which is in the process of changing from a single detached dwelling to a converted dwelling (two units) by adding a unit in the basement, will remain on the retained lot. The proposed lot dimensions are as follows:

	<i>Severed</i>	<i>Retained</i>
Lot Frontage	8.30 m	9.93 m
Lot Area	459.27 m ²	547.91 m ²

DECISION: REFUSED

DATE: January 13, 2022

THAT application B25/2021 to sever a parcel of land from the south side of the lands municipally addressed as 349 West Street, having a lot area of 459 m² and to retain a parcel of land having a lot area of 548 m², BE REFUSED; and,

THAT the reason(s) for refusal are as follows: Does not have regard for the matters under Section 51 (24) of the Planning Act, and does not meet the policies of the Official Plan; 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 2022-45.”

Original signed by D. Namisniak,
Chair

Original signed by M. Bodnar,
Member

Original signed by K. Brooks,
Member

Original signed by L. Rynar,
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Original signed by G. Kempa,
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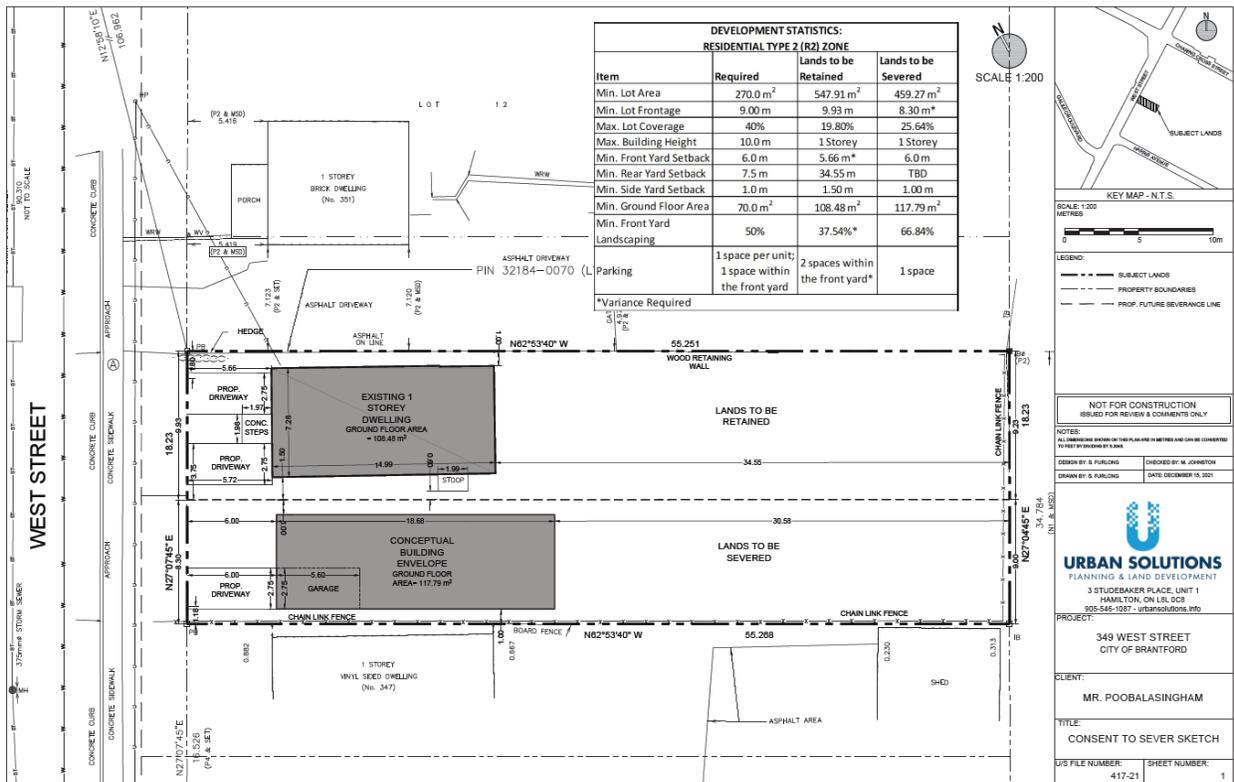
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 3, 2022

END OF DECISION



LOCATION MAP

Application: B25/2021 & A42/2021
349 West Street



Legend

SUBJECT LAND

