



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: A24/2021

Related File Number: N/A

Address: 119 Jennings Road

Roll Number: 2906010010010600000

Applicant: Grand River Conservation Authority

Agent: John MacDonald Architect 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:

A minor variance application has been received for the lands municipally addressed as 119 Jennings Road. The property is known as Brant Park, operated by the Grand River Conservation Authority. The applicant is proposing to develop an accessory building for maintenance of GRCA vehicles and general park maintenance. The maintenance building will also have an associated yard and parking area. To facilitate the development as proposed, the applicant is seeking relief from Section 6.3.1.2.5 to permit a building height of 7.0 m, whereas a maximum height for accessory buildings and structures is 4.5 m within an Open Space Zone. While the proposed elevations indicate a height of 6.8 m for the accessory building, this number has been rounded up by the applicant to account for tolerances during the construction process.

DECISION: APPROVED

DATE: July 7, 2021

THAT Application A24/2021 requesting relief from the City of Brantford Zoning By-law 160-90 to permit a maximum height of 7.0 m for the proposed accessory building, whereas 4.5 m is 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 lands; 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 submission received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2021-455.”

Original signed by K. Brooks,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

Original signed by V. Kershaw,
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 Ontario Land Tribunal.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Ontario Land 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 Ontario Land 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

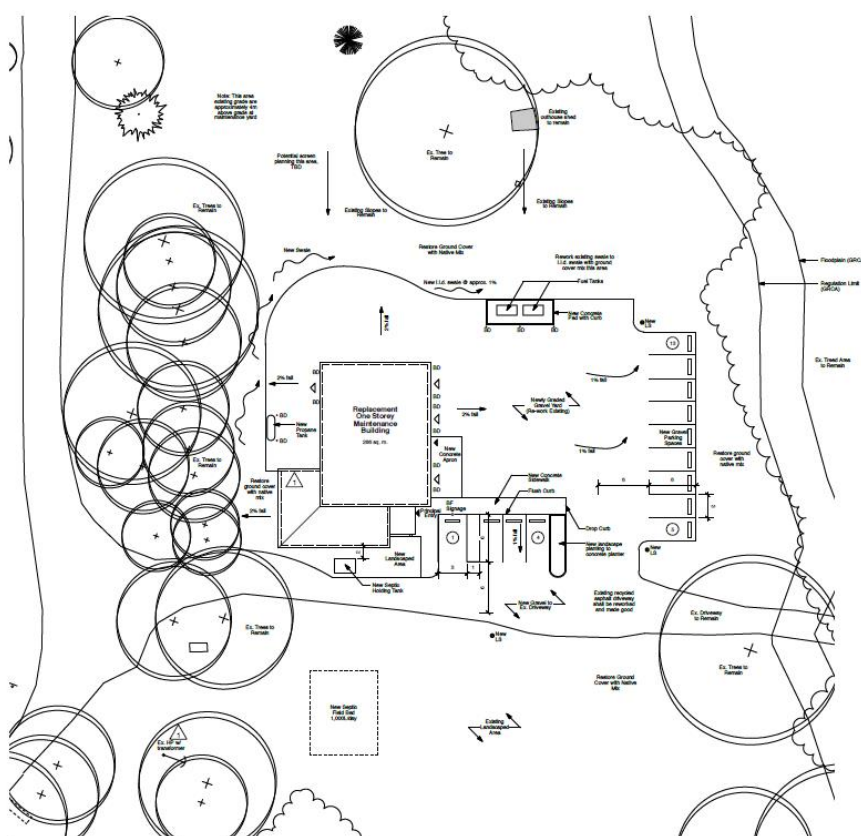
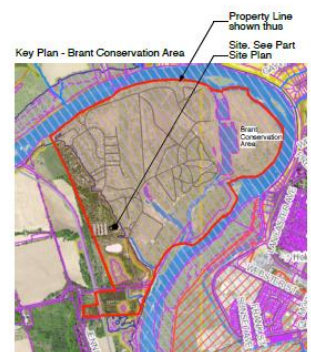
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the 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 July 27, 2021

END OF DECISION

Application: A24/2021
119 Jennings Road

 SUBJECT LAND[illegible]



July 8, 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: B16/2021
Related File Number: N/A
Address: 39 Westmount Blvd.
Roll Number: 2906010005127000000
Applicant: David Neill
Agent: John Hall
Owners: Colin & Amy Coulter

**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 39 Westmount Boulevard. The application proposes a boundary adjustment to convey a 468 m² portion of the rear yard of 39 Westmount Boulevard to the rear yard of a neighbouring property at 15 Riverview Drive. It is the desire of the owners of 15 Riverview Drive to add the severed lands to their property to ensure that the view from their rear yard is maintained. No development is proposed. The proposed lot dimensions will be as follows:

| | <i>Severed (to be added to 15 Riverview Drive)</i> | <i>Retained (39 Westmount Boulevard)</i> |
|--------------|---|---|
| Lot Frontage | 22.89 m | 22.91 m |
| Lot Area | 468 m ² | 943 m ² |

DECISION: PROVISIONAL APPROVAL

DATE: July 7, 2021

THAT Application B16/2021 to sever a 468 m² parcel of land from 39 Westmount Boulevard to be transferred to the neighbouring property 15 Riverview Drive for the purposes of a lot boundary adjustment 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 Applicant's solicitor that Section 50(3) or 50(5) of the *Planning Act* shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent. Therefore, the Solicitor acting in the transfer will provide a letter of undertaking confirming that the severed lands will be merged in title with the property municipally addressed as 15 Riverview Drive; and,
5. That the above conditions be fulfilled and the Certificate of Consent be issued on or before July 8, 2022, after which time the consent will lapse.

THAT reasons for approval are as follows: having regard for 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 boundary adjustments within the City of Brantford, conforms with the policies of the Growth Plan for the Greater Golden Horseshoe and is consistent with the 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 Decisions:

“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. 2021-464.”

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

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

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

**Original signed by V. Kershaw,
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 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.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land 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 Ontario Land 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.

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

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

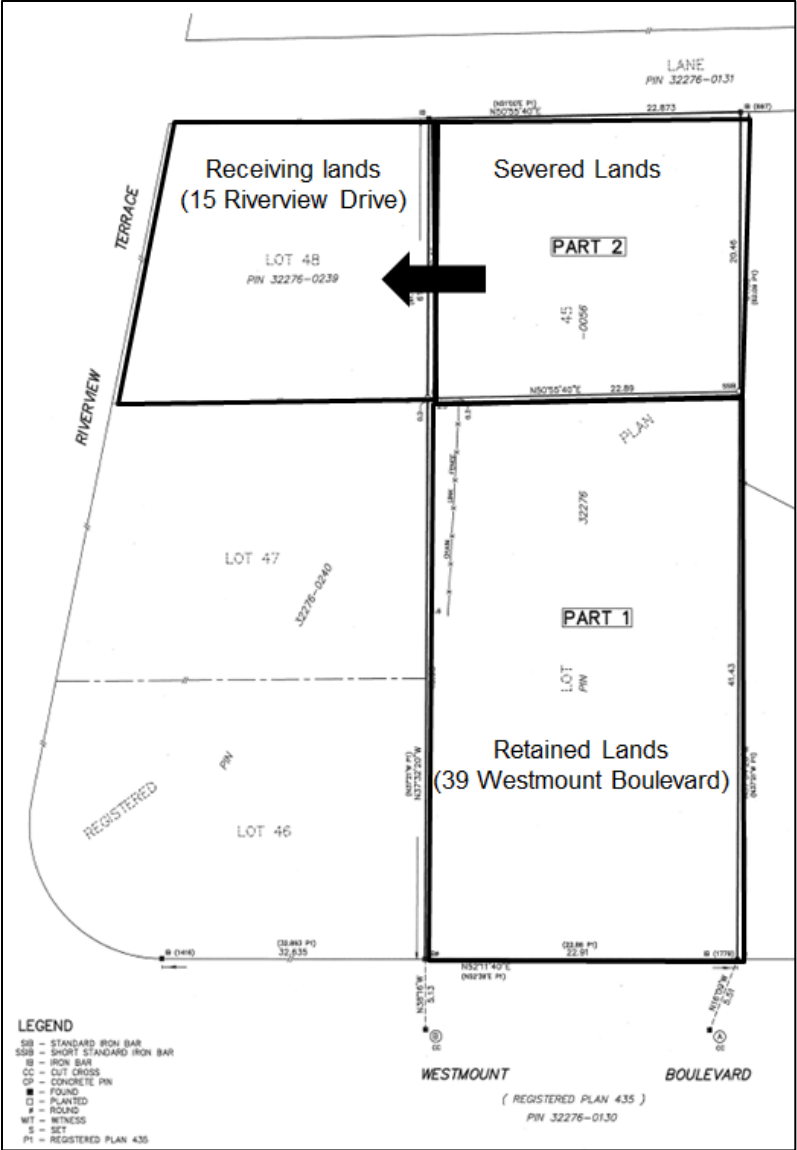
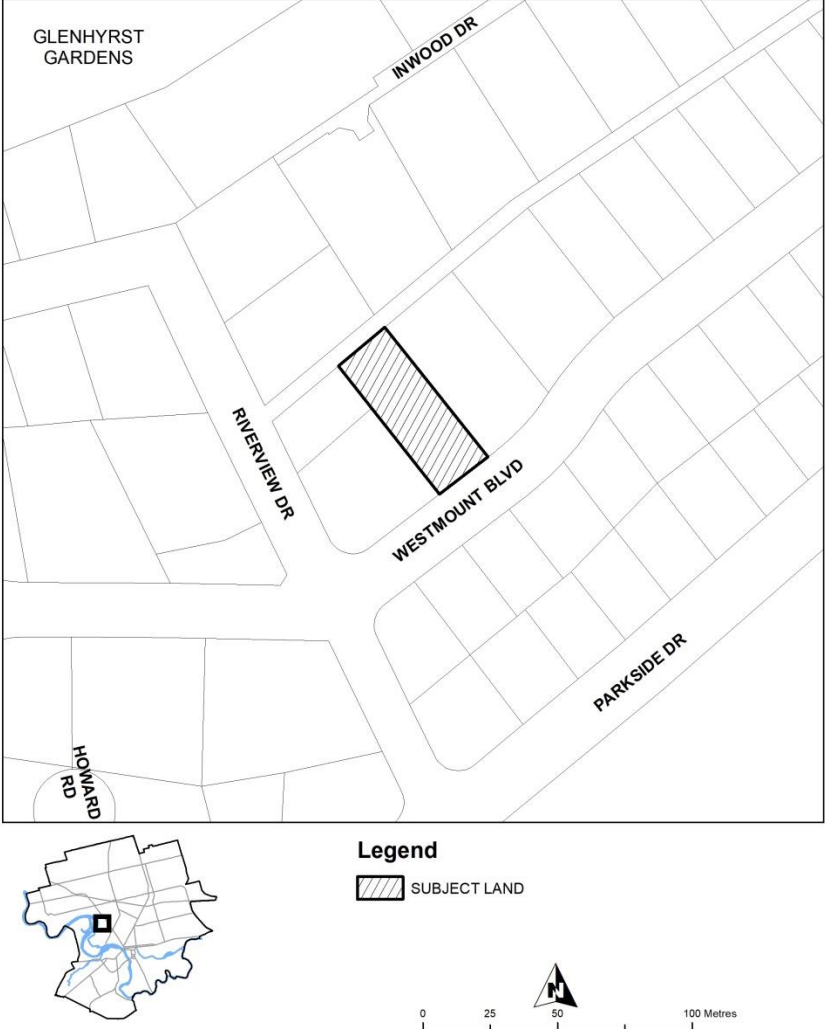
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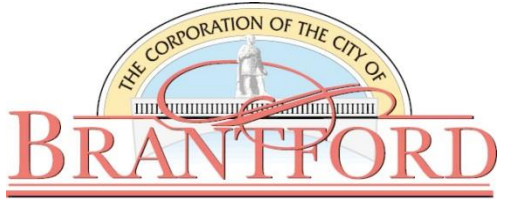
**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is July 28, 2021**

END OF DECISION

LOCATION MAP

Application: B16/2021
39 Westmount Boulevard





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: B17/2021
Related File Number: N/A
Address: 104 & 108 Catharine Avenue
Roll Number: 2906010007182000000
Applicant/Owner: Donald Henry Kingswood
Agent: J.H. Cohoon Engineering Limited

**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 104 Catharine Street and 108 Catharine Street. The subject lands have two separate municipal addresses as they were previously two lots that have unintentionally merged on title. There is no change in the proposed land use or type of building structure as a part of this consent application. The portion of the property known as 108 Catharine Street is the proposed severed lot, while 104 Catharine Street will be the retained lot. In addition to the severance of 108 Catharine Street, the applicant is also proosing to merge Parts 2 and 3. The proposed new lot dimensions are as follows:

| | <i>Land to be Severed (108 Catharine Street)</i> | <i>Lands to be Retained (104 Catharine Street)</i> |
|--------------|---|---|
| Lot Frontage | 15.3 m | 24.9 |
| Lot Area | 382.8 m ² | 629.4 m ² |

DECISION: PROVISIONAL APPROVAL

DATE: July 7, 2021

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. 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 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. 2021-460.”

THAT Application B17/2021 to sever the parcel of land known municipally as 108 Catharine Street, having a lot area of 382.8 m² and retain a parcel of land municipally known as 104 Catharine Street having a lot area of 629.4 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 Applicant's solicitor that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent; and,
5. That the above conditions be fulfilled and the Certificate of Consent be issued on or before July 8, 2022, after which time the consent will lapse.

Original signed by K. Brooks,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

Original signed by V. Kershaw,
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

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Notice of Changes

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

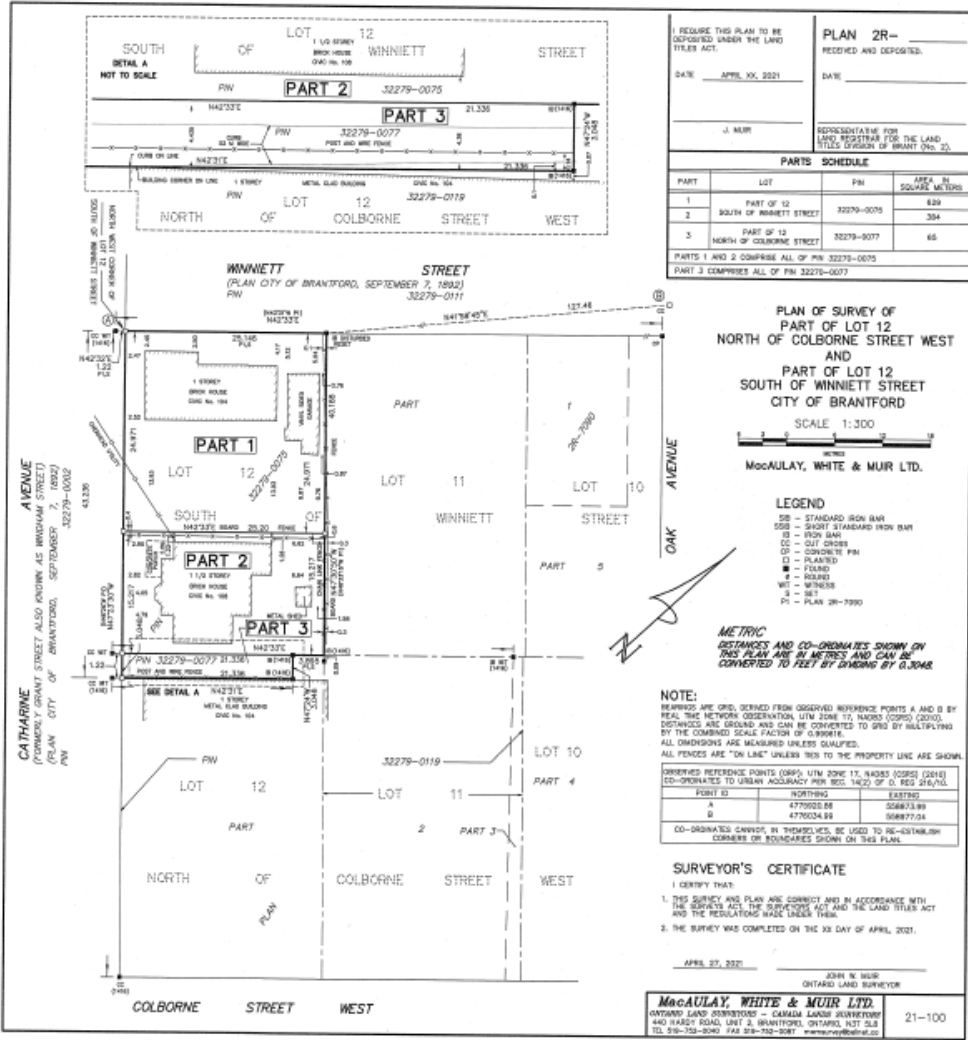
Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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 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 July 28, 2021

END OF DECISION



LOCATION MAP
Application: B17/2021
104 & 108 Catharine Avenue

