



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:** A18/2022  
**Related File Numbers:** B17/2022  
**Address:** 30 Proctor Avenue  
**Roll Number:** 2906040014287000000  
**Applicant:** Joan Griffin  
**Agent:** Bob Phillips, J.H. Cohoon Engineering Limited

**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 30 Proctor Avenue.

To facilitate the consent application, a minor variance is required to provide relief from Section 7.3.2.1.5 of Zoning 160-90 to permit a front yard setback of 3 m for the severed lot, whereas 6 m is required.

Additionally, a minor variance is required to provide relief from Section 7.3.2.1.6 of Zoning 160-90 to permit a rear yard setback of 1.23 m for the retained parcel, whereas 7.5 m is required.

**DECISION:** APPROVAL

**DATE:** July 6, 2022

THAT Application A18/2022 requesting relief from Section 7.3.2.1.5 of the City Of Brantford Zoning By-law 160-90 to permit a 3 m front yard setback for a proposed garage, whereas 6 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 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. 2022-486.”*

**Absent - D. Namisniak,  
Chair/Member**

**Electronically signed by V. Kershaw,  
Acting Chair/Member**

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

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

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

**Electronically signed by G. Kempa,  
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 Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, [shague@brantford.ca](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto:hstemberger@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 \$575.00 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  
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.

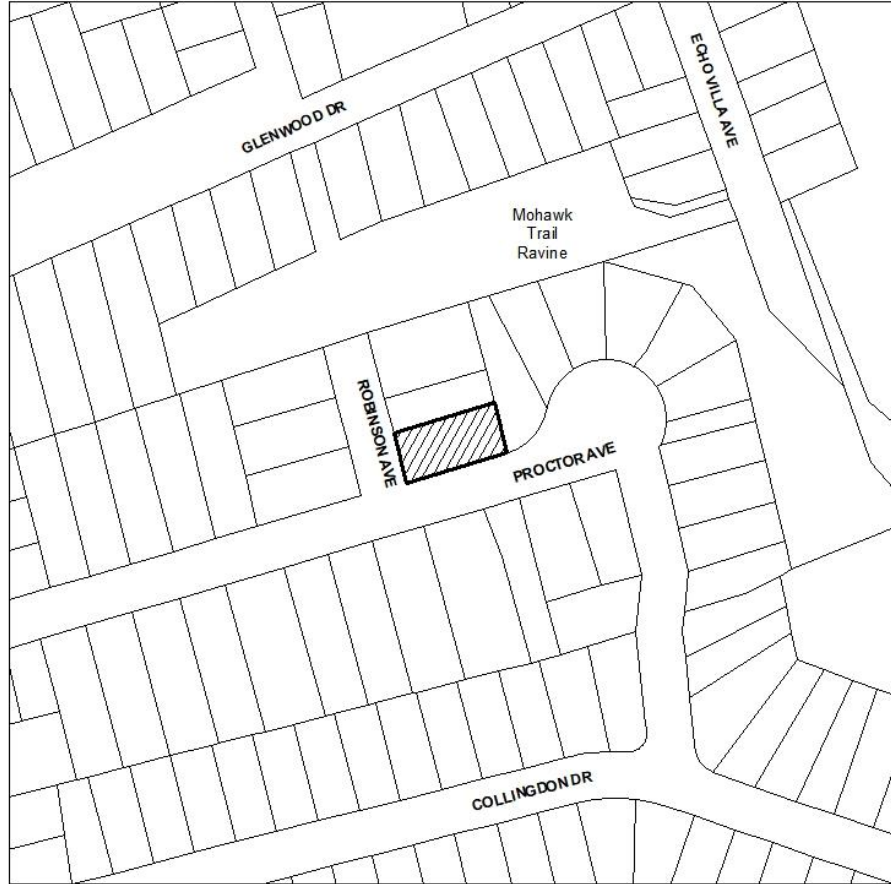
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this  
Decision is July 26, 2022**


**END OF DECISION**

---

**LOCATION MAP**  
 Application : B17/2022 & A18/2022  
 30 Proctor Avenue

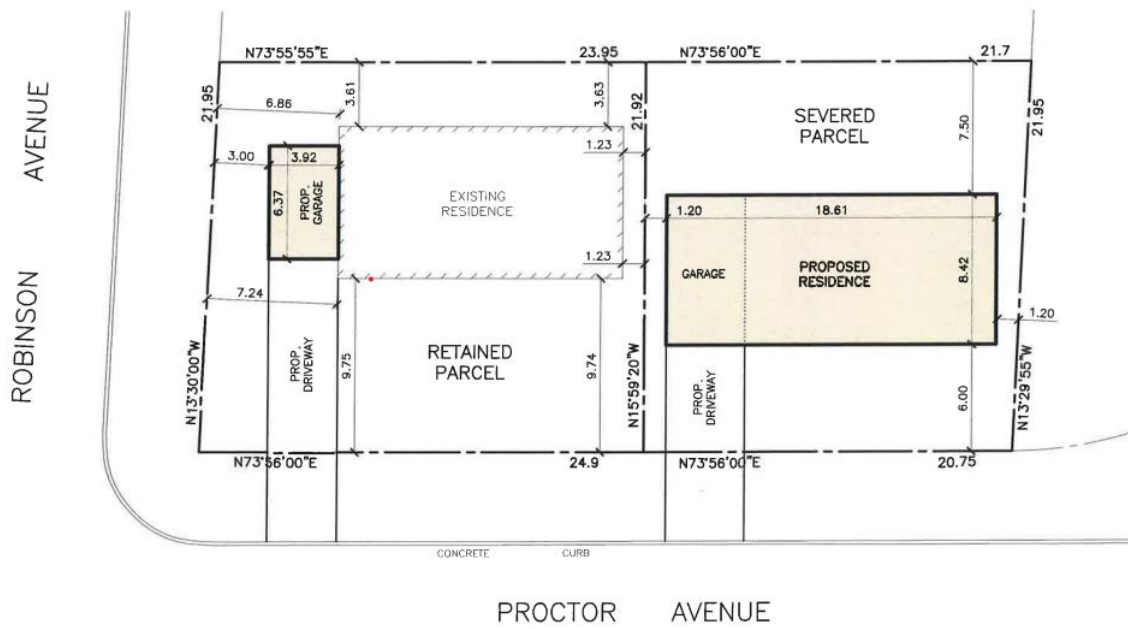


**Legend**

 SUBJECT LAND



**Survey Sketch**





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:** B17/2022  
**Related File Numbers:** A18/2022  
**Address:** 30 Proctor Avenue  
**Roll Number:** 2906040014287000000  
**Applicant/Owner:** Joan Griffin  
**Agent:** Bob Phillips, 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:**

Consent and minor variance applications have been received for the lands municipally addressed as 30 Proctor Avenue. 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 for occupancy. The existing single detached dwelling will remain on the retained parcel, but the attached garage (which will be mostly on the severed portion) along with the accessory structure and the in-ground pool on the severed lands will be demolished. The proposed lot dimensions are as follows:

	<b><i>Lands to be Severed</i></b>	<b><i>Lands to be Retained</i></b>
<i>Lot Width</i>	20.75 m	21.95 m
<i>Lot Depth</i>	21.92 m -21.95 m (varies)	23.95 m -24.9 m (varies)
<i>Lot Area</i>	465 m <sup>2</sup>	535 m <sup>2</sup>

**DECISION:           PROVISIONAL APPROVAL**

**DATE:                 July 6, 2022**

THAT Application B17/2022 to sever a parcel of land from the west portion of the lands municipally addressed as 30 Proctor Avenue, having a lot area of 465 m<sup>2</sup> and retain a parcel of land having a lot area of 535 m<sup>2</sup>, BE APPROVED subject to the following conditions:

1. Receipt of confirmation that Application A18/2022 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. Receipt of confirmation that the Owner has entered into a site plan agreement with the City of Brantford for the development of the retained and/or severed parcels of land has been received.
  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. Receipt of confirmation of a demolition permit for the demolition of the existing attached garage and an accessory building to the existing residence to the satisfaction of the Chief Building Official.
  10. Receipt of confirmation that the in-ground pool has been removed from the severed lands to the satisfaction of the Chief Building Official.
  11. Receipt of confirmation that a Site Alteration Permit has been issued for the removal and filling of said pool to the satisfaction of the Chief Building Official.
  12. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
  13. That 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 Engineer licensed in the Province of Ontario.
  14. That 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 have been independently serviced with a sanitary and storm sewer connection and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
  15. That the above conditions be fulfilled and the Certificate of Consent be issued on or before July 11, 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 and will not result in adverse impacts on the surrounding properties. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90, and is 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) 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. 2022-486.”*

**Absent - D. Namisniak,  
Chair/Member**

**Electronically signed by V. Kershaw,  
Acting Chair/Member**

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

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

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

**Electronically signed by G. Kempa,  
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 Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, [shague@brantford.ca](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto:hstemberger@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 \$575.00 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  
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.

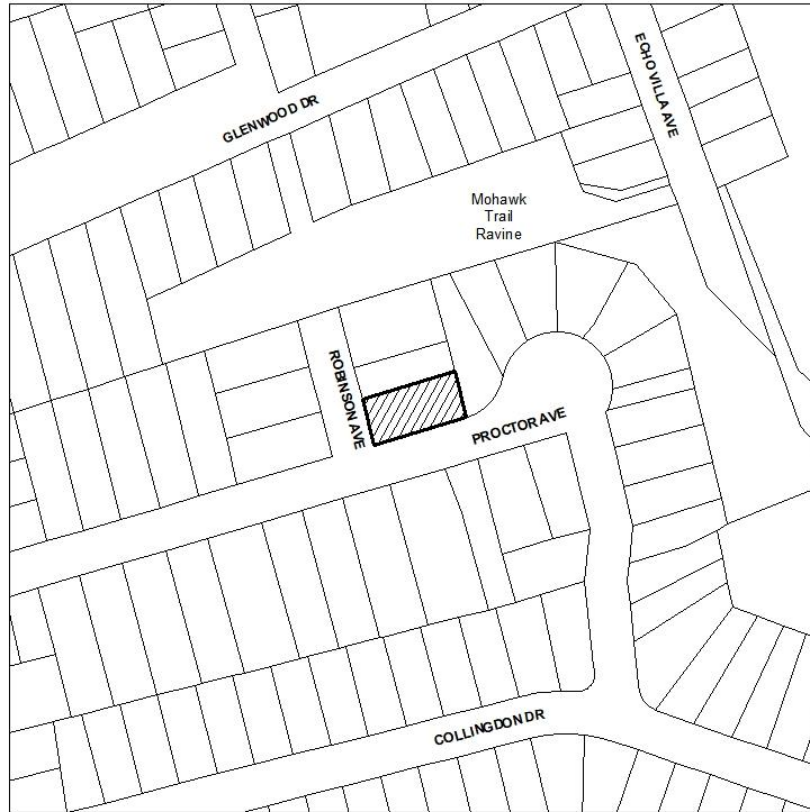
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this  
Decision is July 31, 2022**

**END OF DECISION**

# LOCATION MAP

Application: B17/2022 & A18/2022  
 30 Proctor Avenue



## Legend

 SUBJECT LAND



## Survey Sketch

