



March 28, 2019

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:** B06/2019

**Related File Number:** B13/2019

**Address:** 335, 339 & 341 St. Paul Avenue

**Roll Number:** 2906020009150000000, 2906020009151000000 &  
2906020009152000000

**Applicant/Agent:** Underwood, Ion & Johnson Law c/o Carolyn Johnson

**Owner:** John K. Rose Enterprises 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:

Two consent applications have been received for the lands municipally addressed as 335, 339 & 341 St. Paul Avenue. The applicant is proposing to reestablish two lots, addressed as 339 & 341 St. Paul Ave as they were merged in title with the gas station property (335 St. Paul Avenue) as a result of being under the same ownership. The application proposes to sever the properties to their previous lot configuration. The dimensions of the proposed properties are as follows:

	335 St. Paul Ave	339 St. Paul Ave	341 St. Paul Ave
Width:	24.4m	12.2m	12.2m
Depth:	40.2m	86m	86m
Area:	980.9m <sup>2</sup>	1,049m <sup>2</sup>	1,049m <sup>2</sup>

**DECISION:**            **PROVISIONAL APPROVAL**

**DATE:**                March 27, 2019

THAT Applications B06/2019 & B13/2019 to sever two parcels of land from the lands municipally addressed as 335, 339 & 341 St. Paul Avenue, both having lot areas of approximately 1093 m<sup>2</sup>, and to retain a parcel of land having a lot area of 980.9 m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed parcel and retained parcel;
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 deeds for each lot for review (Upon registration a final copy of the Transfer deed shall be provided to the City);

4. That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 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; 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 Report No. 2019-196."*

  
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

  
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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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 April 17, 2019**

END OF DECISION







March 28, 2019

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:** B07/2019

**Address:** 194 Terrace Hill Street

**Roll Number:** 290602000807000000

**Agent:** Brant Community Health Care System

**Agent:** David Clement, Waterous Holden Amey Hitchon

**Owner:** Brant County Health Unit

---

### 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 for the creation of an easement for a portion of the lands municipally addressed as 194 Terrace Hill Street. The applicant is proposing to reestablish a previously existing easement.

1. A feeder line and poles servicing the transformer above grade, owned by Brant Community Healthcare System located at 28 Elizabeth Street, directly south of the Site.

A new easement agreement is also required to be entered into with the City of Brantford, over the same portion of lands.

2. A 250mm cast iron watermain below grade owned by the City of Brantford.

**DECISION: PROVISIONAL APPROVAL**

**DATE: March 27, 2019**

THAT Application B07/2019 to create an easement for access and maintenance purposes for a portion of the lands municipally known as 194 Terrace Hill Street, BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the easement;
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 drafts of the Transfer Easement documentation for both required easements, specifically an easement in favour of the Brantford Community Healthcare System for the electrical feeder line and poles, and an easement in favour of the Corporation of the City of Brantford for the existing watermain (Upon registration a final copy of the Transfer Easements shall be provided to the City);
4. That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 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, 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) 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. 2019-176"*

  
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

  
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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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

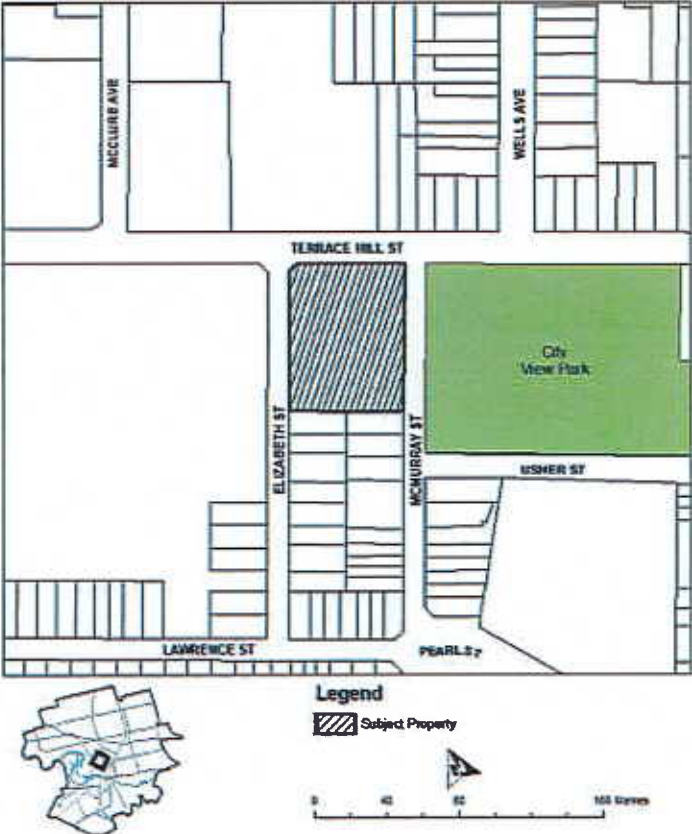
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

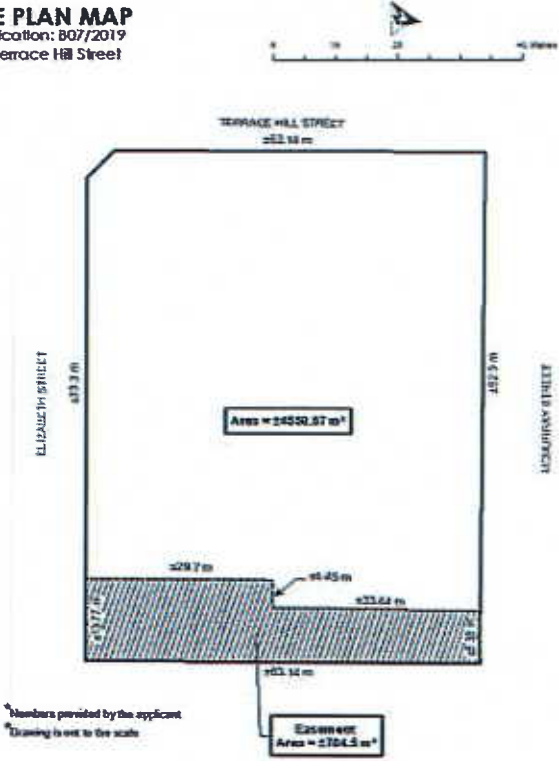
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is April 17, 2019**

**END OF DECISION**

**LOCATION MAP**  
Application: B07/2019  
194 Terrace Hill Street



**SITE PLAN MAP**  
Application: B07/2019  
194 Terrace Hill Street







March 28, 2019

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:** B8/2019

**Address:** 84 Lynden Road

**Roll Number:** 2906030007082000000

**Applicant/Agent/Owner:** NADG (LPM) LTD.; I.G Investment Management Ltd.

---

### 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 for a long-term lease has been received for a portion of the lands municipally addressed as 84 Lynden Road, the site of Lynden Park Mall. The long term lease is proposed for the CIBC building in order to establish a lease that is longer than 21 years, as per Section 50(3) of the *Planning Act*.

**DECISION: PROVISIONAL APPROVAL**

**DATE:** March 27, 2019

THAT application B08/2019 to create a long term lease limited to a period of 30 years, for a portion of the lands municipally known as 84 Lynden Road, BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the lands subject to the long term lease;
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 Lease for review (Upon registration a final copy of the Transfer deed shall be provided to the City);
4. That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 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, 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) 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. 2019-179"*

  
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

  
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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, [amathers@brantford.ca](mailto: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 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 letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

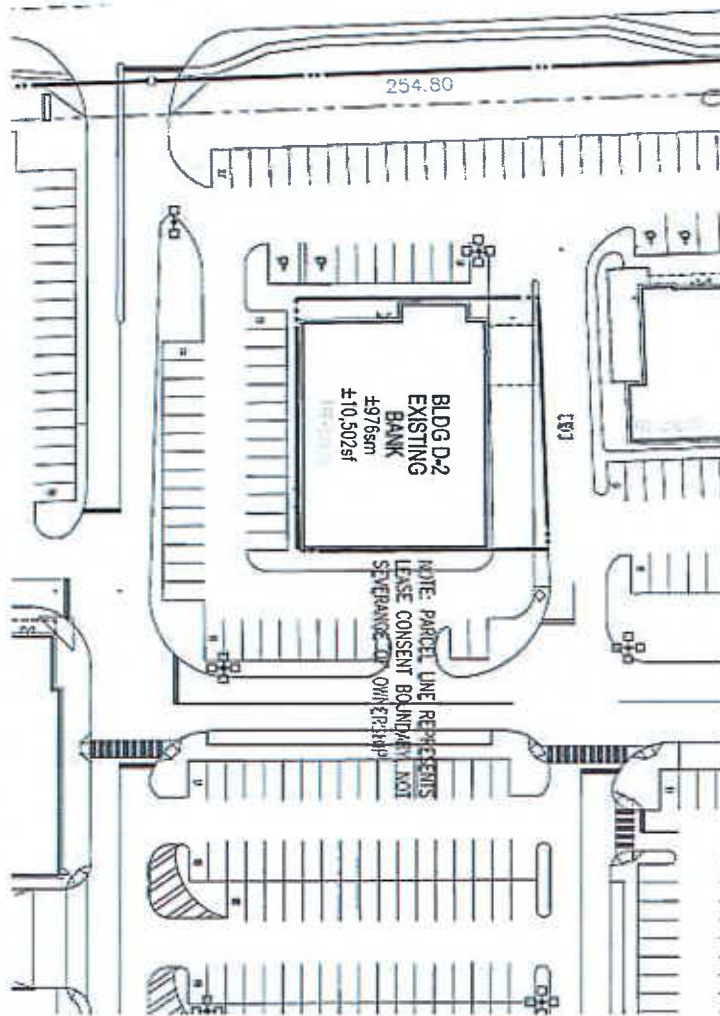
Secretary-Treasurer  
Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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

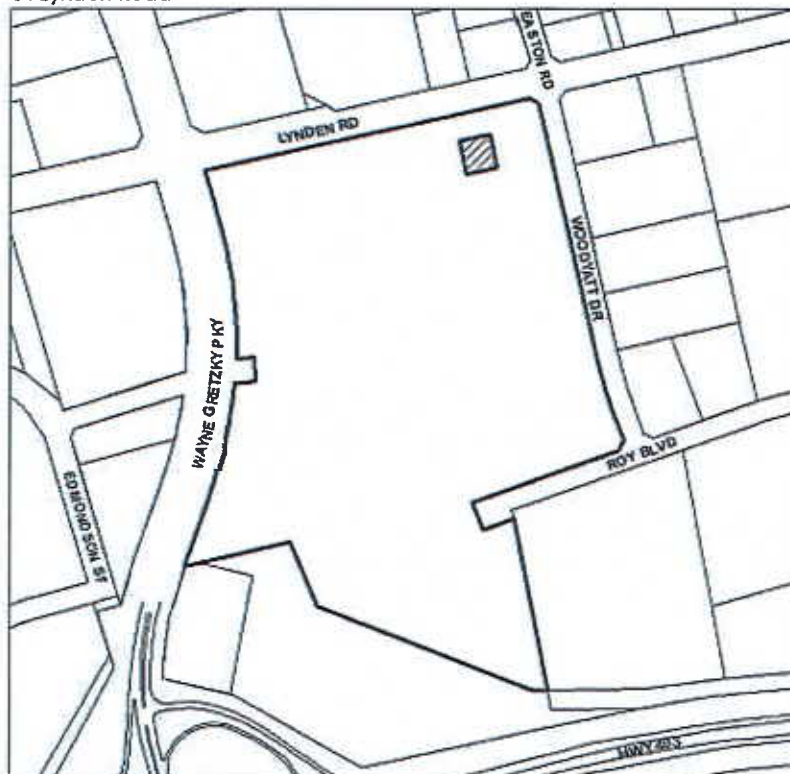
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is April 17, 2019**

**END OF DECISION**



# **LOCATION MAP** Application: B08/2019 84 Lynden Road



## **Legend**

- Subject Property
- Location of the Long Term Lease Property





March 28, 2019

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:** B13/2019

**Related File Number:** B6/2019

**Address:** 335, 339 & 341 St. Paul Avenue

**Roll Number:** 2906020009150000000, 2906020009151000000 &  
2906020009152000000

**Applicant/Agent:** Underwood, Ion & Johnson Law c/o Carolyn Johnson

**Owner:** John K. Rose Enterprises 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:

Two consent applications have been received for the lands municipally addressed as 335, 339 & 341 St. Paul Avenue. The applicant is proposing to reestablish two lots, addressed as 339 & 341 St. Paul Ave as they were merged in title with the gas station property (335 St. Paul Avenue) as a result of being under the same ownership. The application proposes to sever the properties to their previous lot configuration. The dimensions of the proposed properties are as follows:

	335 St. Paul Ave	339 St. Paul Ave	341 St. Paul Ave
Width:	24.4m	12.2m	12.2m
Depth:	40.2m	86m	86m
Area:	980.9m <sup>2</sup>	1,049m <sup>2</sup>	1,049m <sup>2</sup>

**DECISION:**            **PROVISIONAL APPROVAL**

**DATE:**                March 27, 2019

THAT Applications B06/2019 & B13/2019 to sever two parcels of land from the lands municipally addressed as 335, 339 & 341 St. Paul Avenue, both having lot areas of approximately 1093 m<sup>2</sup>, and to retain a parcel of land having a lot area of 980.9 m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed parcel and retained parcel;
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 deeds for each lot for review (Upon registration a final copy of the Transfer deed shall be provided to the City);



4. That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 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; 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 Report No. 2019-196."*

  
LESLEY ANN BOWEN, MEMBER

  
GRÉGOR Y 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

  
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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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

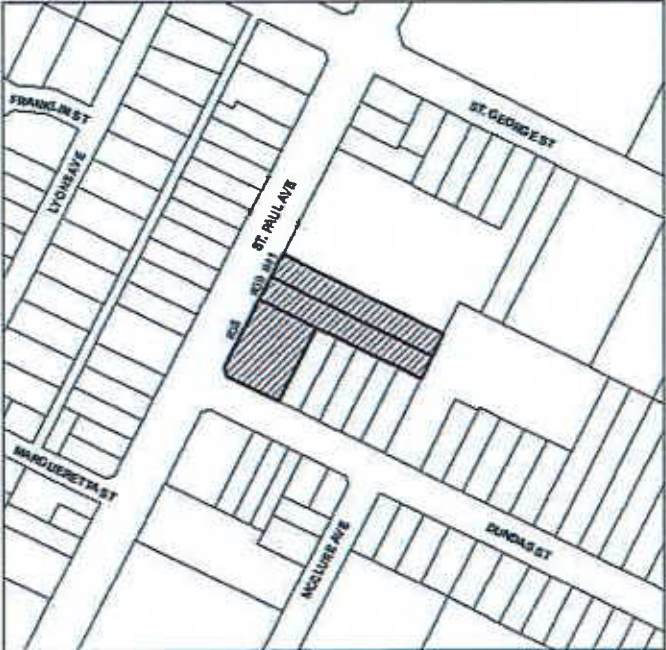
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

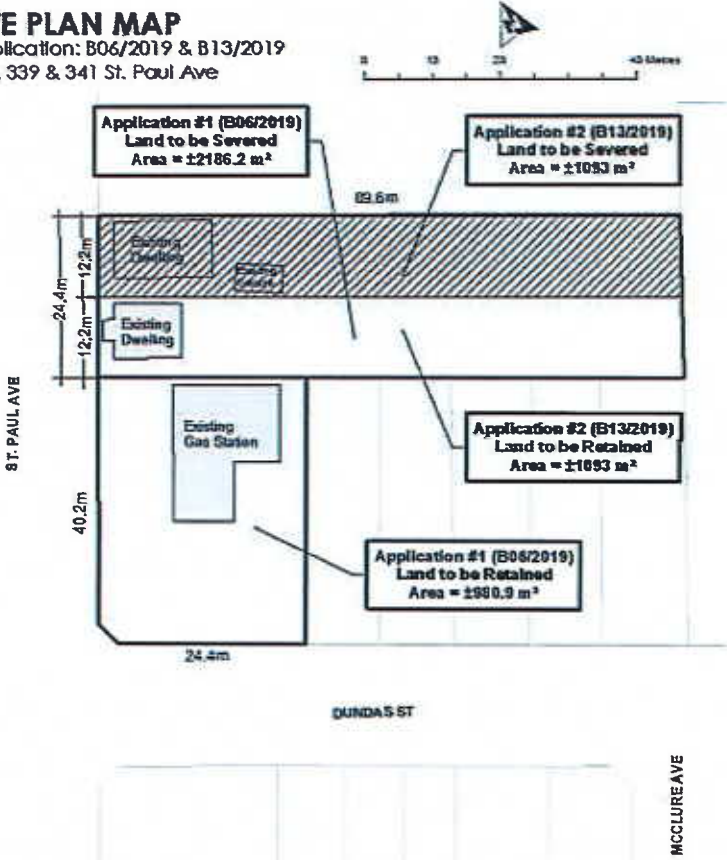
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is April 17, 2019**

**END OF DECISION**

**LOCATION MAP**  
Application: B06/2019 & B13/2019  
335, 339 & 341 St. Paul Ave



**SITE PLAN MAP**  
Application: B06/2019 & B13/2019  
335, 339 & 341 St. Paul Ave



\*Numbers provided by the applicant  
\*Drawing is not to the scale



March 28, 2019

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:** A09/2019  
**Address:** 30 Dublin Street  
**Roll Number:** 2906030009109000000  
**Applicant/Owner:** Ennio Cupoli

---

### 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 30 Dublin Street. The property was severed from the property located at 45 Fulton Street in order to create two lots for single-detached residential use on April 25, 2018 (File Nos. B05/2018 and A15/2018, Report No. CD2018-067). The subject property at 30 Dublin Street is under Site Plan Control for a proposed single detached dwelling (SPC-06-19). In order to facilitate the development of the proposed single-detached dwelling, the applicant is seeking relief from the following sections of the Zoning By-law 160-90:

- Relief from Section 7.4.2.1.5 to permit a minimum front yard of 4.5 m, whereas 6.0 m is required; and
- Relief from Section 7.4.2.1.6 to permit a minimum rear yard of 1.5 m, whereas 7.5 m is required.

**DECISION:           APPROVED**

**DATE:                March 27, 2019**

THAT Application No. A09/2019 seeking relief from Zoning By-law 160-90 for the lands municipally known as 30 Dublin Street to permit a minimum front yard of 4.5 m, whereas 6.0 m is required, and a minimum rear yard of 1.5 m, whereas 7.5 m is required, BE APPROVED:

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

- a. The proposed variances are considered compatible with the surrounding area;
- b. The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90; and
- c. The requested relief is considered minor in nature and the application complies with the criteria set out in Section 45(1) of the *Planning Act*; 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 2019-178.”*

  
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

  
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](mailto:shouse@brantford.ca) or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, [amathers@brantford.ca](mailto: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 \$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).

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 April 16, 2019**

**END OF DECISION**





March 28, 2019

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:** B09/2019  
**Address:** 37 Glenwood Drive  
**Roll Number:** 2906040014078000000  
**Applicant:** Dan Skater  
**Owner:** Carol Skater

---

**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 property municipally addressed as 37 Glenwood Drive. The Applicant proposes to sever the existing lot to create two residential lots. The site is proposed to be developed by severing the parcel into two lots, the retained parcel with the existing single detached dwelling, and the severed which is proposed for future single detached residential development.

**DECISION:           DEFERRED**

**DATE:**               March 27, 2019

THAT Application B09/2019 BE DEFERRED; and

THAT the reason(s) for deferral is as follows:

To allow time for Bell Canada and the Owner to address the existing pedestal and buried utilities on the subject lands and provide recommendations for conditions regarding the application.





LESLEY ANN BOWEN, MEMBER



GRÉGORY 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



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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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 April 17, 2019**

**END OF DECISION**



March 28, 2019

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:** A05/2019  
**Related File Number:** N/A  
**Address:** 7 Erie Avenue  
**Roll Number:** 290605000301000000  
**Owner:** 1821154 Ontario Ltd  
**Agent:** Architecture for All (c/o Richard Papa)

---

### 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 7 Erie Avenue. The applicant proposes to construct an 8-storey mixed-use building with 92 residential units and two ground floor commercial units. To facilitate the development, the applicant is seeking relief from the provisions of Zoning By-law 160-90 related to landscaped open space, interior side yard setback, off street parking and building step-back.

**DECISION:           APPROVED**

**DATE:**               March 27, 2019

THAT Application No. A05/2019 seeking relief from the following requirements of Zoning By-law 160-90:

- Relief from Section 9.1.2.9.14.1 to reduce the minimum amount of landscaped open space from 15% (364 m<sup>2</sup>) to of 6.6% (160 m<sup>2</sup>)
- Relief from Section 9.1.2.9.10.2 to reduce the minimum interior side yard when abutting a building with windows on the facing wall from 5.5 m to 0 m
- Relief from Section 6.18.7.8 to reduce the number of required off-street residential parking spaces from 1 space/unit to 0.75 spaces/unit
- Relief from Section 9.1.2.9.6 to reduce the minimum building step-back above the sixth storey from 1.5 m to 0 m on the east, west, and north elevations BE APPROVED.

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

- a. The proposed variances are considered compatible with the surrounding area;
- b. The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90; and
- c. The requested relief is considered minor in nature and the application complies with the criteria set out in Section 45(1) of the Planning Act; 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 2019-216*



LESLEY ANN BOWEN, MEMBER



GREGORY KEMPA, MEMBER



DANIEL NAMISNIAK, MEMBER

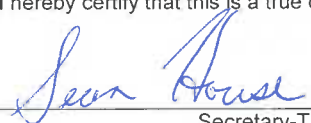
ERIN RUBY, MEMBER



LEE RYNAR, MEMBER

#### CERTIFICATION

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



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](mailto:shouse@brantford.ca) or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, [amathers@brantford.ca](mailto: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 \$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).

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

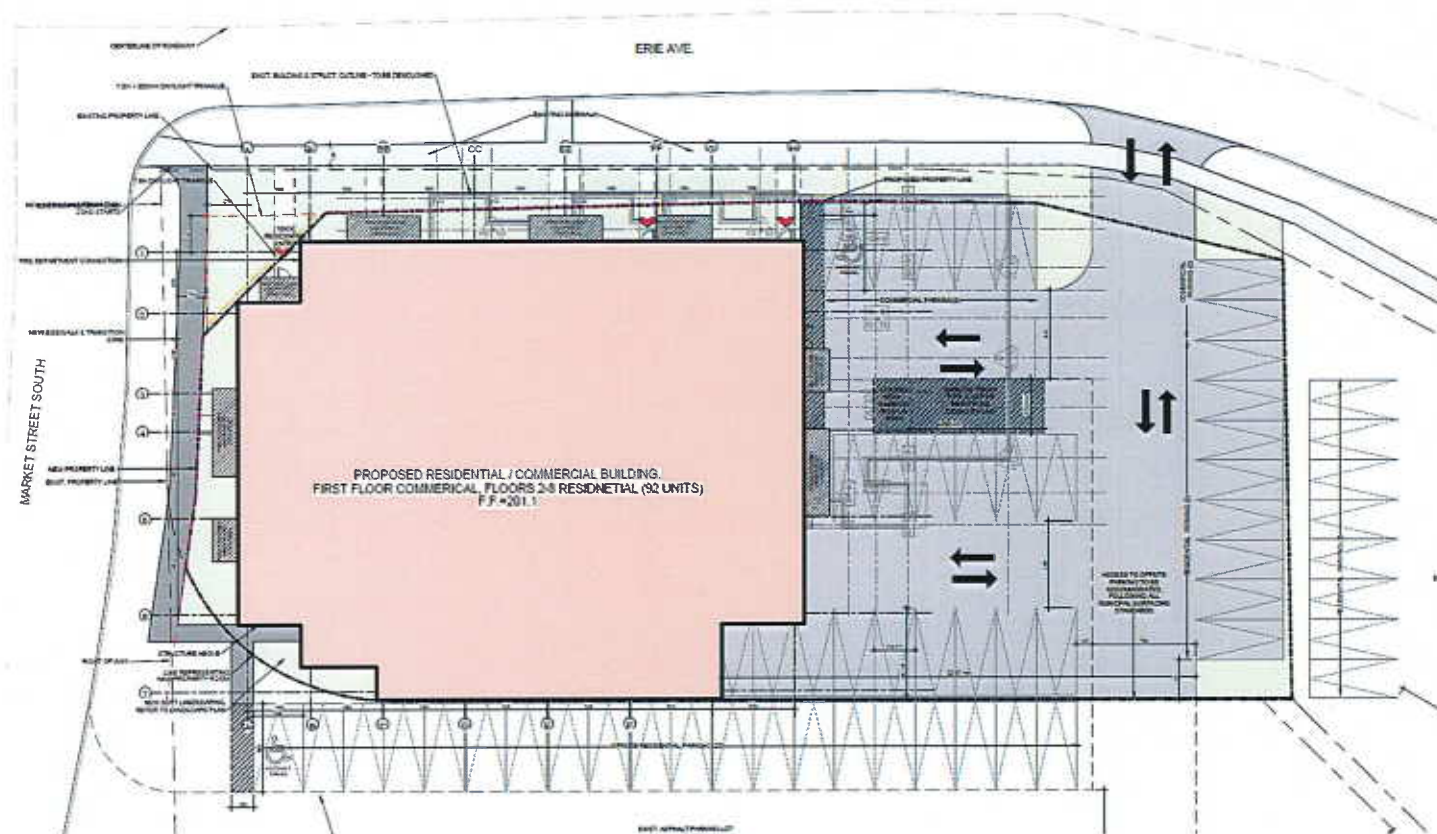
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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 April 16, 2019**

END OF DECISION

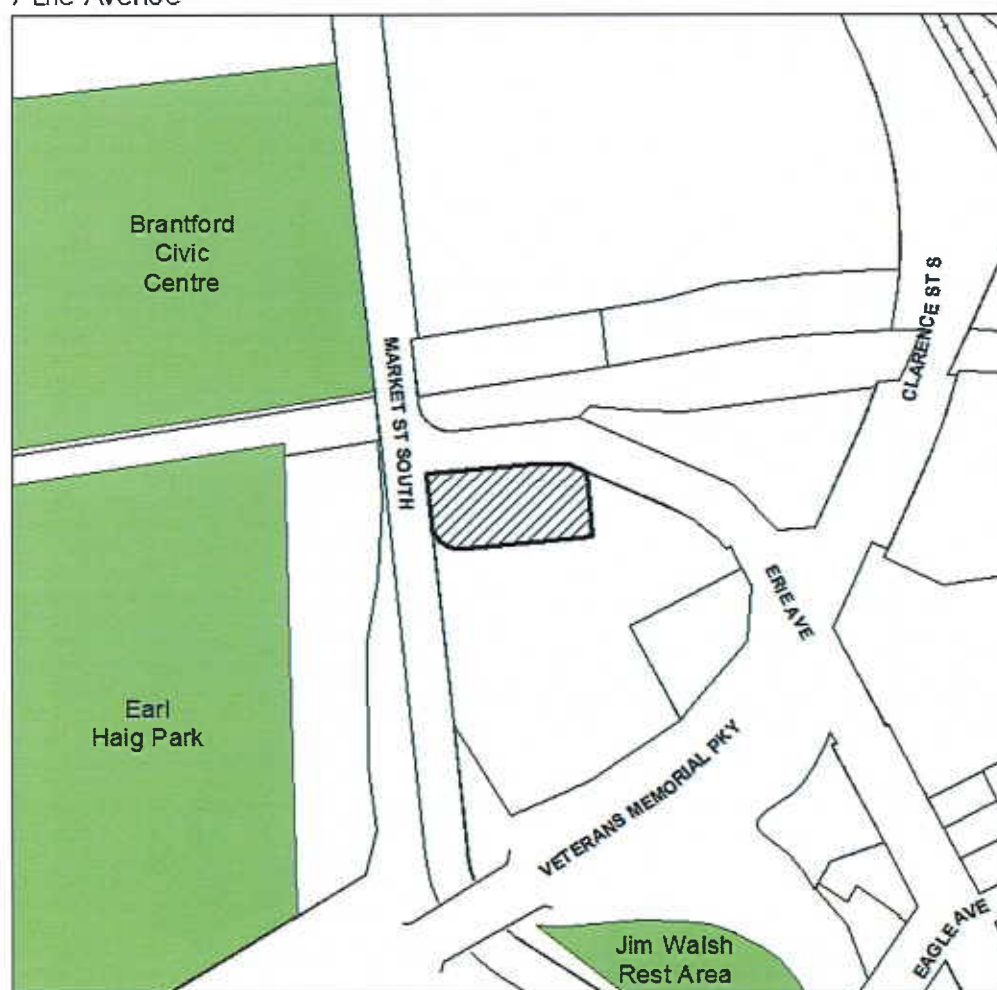




## LOCATION MAP

Application: A05/2019

7 Erie Avenue



### Legend

 Subject Property







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:** A10/2019

**Related File Number:** B10/2019 & B11/2019

**Address:** 1 & 3 Spring Lane and 46 Jarvis Street

**Roll Number:** 2906010001162000000, 2906010001161000000 &  
2906010001164000000

**Applicant:** TJA Developments – Andrew Neill

**Agent:** 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:**

Two consent applications and a minor variance application have been received for the lands municipally addressed as 1 and 3 Spring Lane and 46 Jarvis Street. These properties have recently merged and the applicant is proposing to sever the land into three new parcels for the purposes of constructing a single detached dwelling and 2 blocks of 3 street townhouse dwellings for a total 7 dwelling units.

To facilitate the creation of the lot proposed through application B10/2019 and the future construction of the proposed townhouse dwellings, application A10/2019 seeks relief from Zoning By-law 160-90 related to reduced lot area, increased lot coverage, staircase encroachment into the rear yard and front yard landscaped open space.

**DECISION:            DEFERRED**

**DATE:                March 27, 2019**

THAT Application A10/2019 seeking relief from the following sections of Zoning By-law 160-90:

- Relief from Section 7.8.2.1.1 to permit a minimum lot area of 217 m<sup>2</sup>, whereas a minimum lot width of 270 m<sup>2</sup> is required
- Relief from Section 6.4.1.1 to permit an exterior staircase to encroach greater than 1.5 m into the required rear yard, whereas the maximum permitted encroachment into a rear yard is 1.5 m.
- Relief from Section 7.8.2.1.3 to permit a maximum lot coverage of 42 % for the severed lands (Part 2 on the submitted site plan), whereas a maximum of 40% is required
- Relief from Section 7.8.2.1.4 to permit a minimum lot area of 174 m<sup>2</sup> for the middle street townhouse lot on Part 1 of the submitted site plan, whereas a minimum lot area of 185 m<sup>2</sup> is required
- Relief from Section 7.8.2.1.4 and to permit a minimum lot area of 158 m<sup>2</sup> for the middle street townhouse lot on Part 2 of the submitted site plan, whereas a minimum lot area of 185 m<sup>2</sup> is required
- Relief from Section 6.18.3.9 to reduce the amount landscaped open space in the front yard from 50% to 43% for the interior street townhouse lots BE DEFERRED; and

THAT the reason(s) for deferral area as follows:

To allow the applicant to amend their application to include the newly identified variance and provide the required public notice.

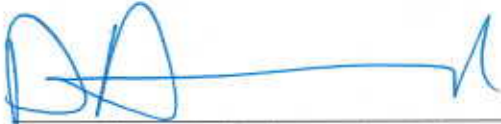
March 28, 2019



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



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](mailto:shouse@brantford.ca) or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, [amathers@brantford.ca](mailto: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 \$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).

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.

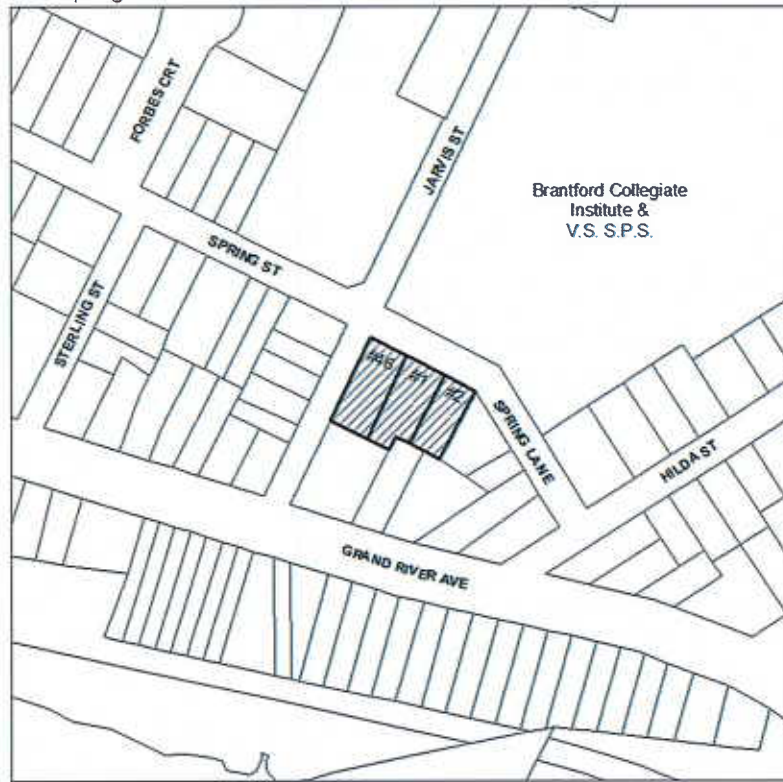
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is April 16, 2019**

**END OF DECISION**

## LOCATION MAP

Application: B10-2019, B11-2019 & A10-2019  
1 & 3 Spring Lane & 46 Jarvis Street



### Legend

Subject Property

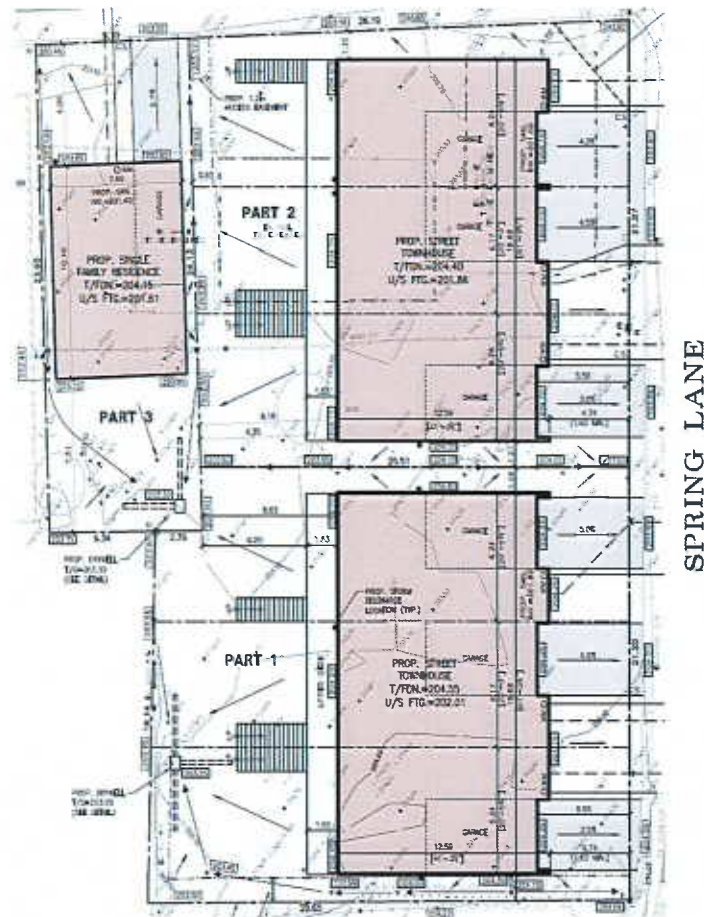


## SITE PLAN MAP

Application: B10-2019, B11-2019 and A10-2019  
1 & 3 Spring Lane and 46 Jarvis Street



JARVIS STREET







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:** B10/2019

**Related File Numbers:** B11/2019 & A10/2019

**Address:** 1 & 3 Spring Lane and 46 Jarvis Street

**Roll Number:** 2906010001162000000, 2906010001161000000 & 2906010001164000000

**Applicant:** TJA Developments – Andrew Neill

**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:

Two consent applications and a minor variance application have been received for the lands municipally addressed as 1 and 3 Spring Lane and 46 Jarvis Street. These properties have recently merged and the applicant is proposing to sever the land into three new parcels for the purposes of constructing a single detached dwelling and 2 blocks of 3 street townhouse dwellings for a total 7 dwelling units.

Application B10/2019 proposes to sever 218.4 m<sup>2</sup> of land (Part 3 on attached submitted sketch) for the purpose of constructing a single-detached dwelling. The proposed lot dimensions are detailed below:

	<i><b>Lands to be Retained</b></i>	<i><b>Lands to be Severed</b></i>
<i><b>Width:</b></i>	<i><b>43.07 m</b></i>	<i><b>9 m</b></i>
<i><b>Depth:</b></i>	<i><b>28.65 m</b></i>	<i><b>24.13 m</b></i>
<i><b>Area:</b></i>	<i><b>1148.2 m<sup>2</sup></b></i>	<i><b>218.4 m<sup>2</sup></b></i>

**DECISION:            DEFERRED**

**DATE:                March 27, 2019**

THAT Application B10/2019 to sever a parcel of land having a 9 m lot width, a lot depth of 24.13 m and a lot area of 218.4 m<sup>2</sup> and to retain a parcel of land with a lot width of 43.07 m lot width, lot depth of 28.65 m and lot area of 1148.2 m<sup>2</sup> BE DEFERRED

THAT the reason(s) for deferral are as follows:

To allow the applicant to amend their application to include the newly identified variance and provide the required public notice.

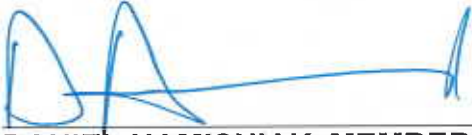
March 28, 2019



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



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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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

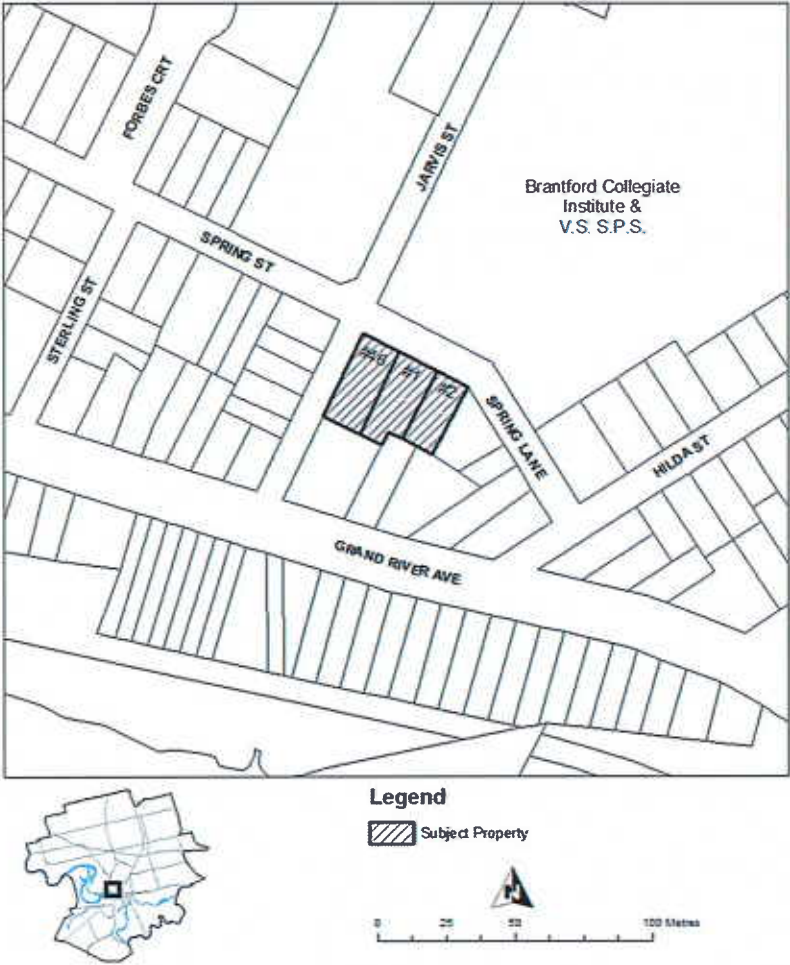
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

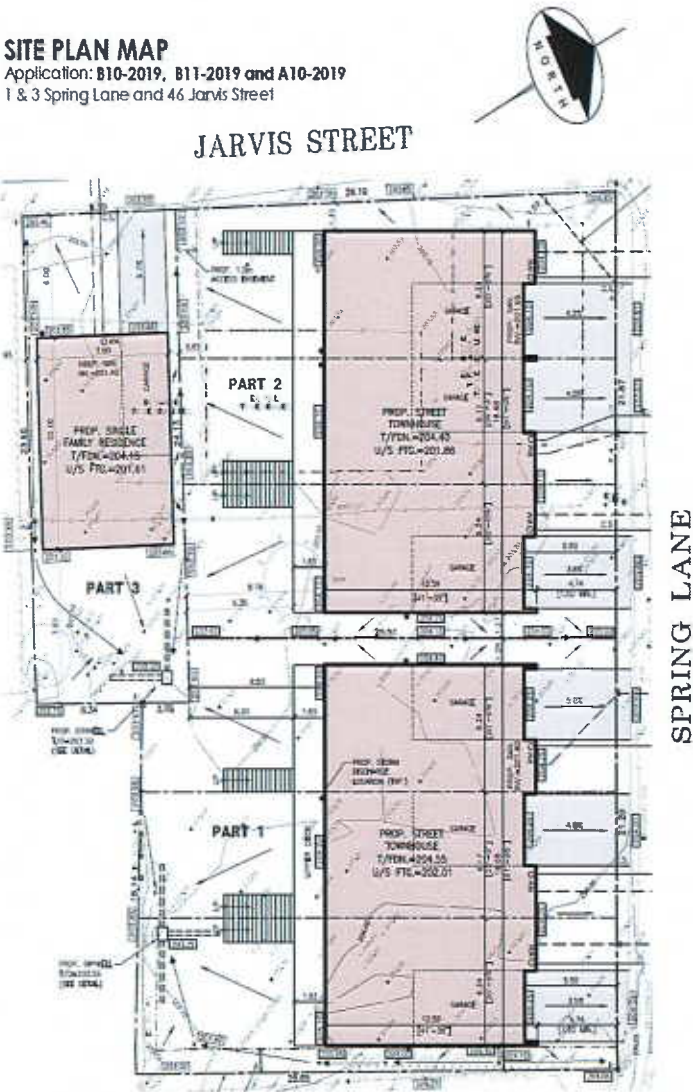
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is April 17, 2019**

**END OF DECISION**

**LOCATION MAP**  
Application: B10-2019, B11-2019 & A10-2019  
1 & 3 Spring Lane & 46 Jarvis Street



**SITE PLAN MAP**  
Application: B10-2019, B11-2019 and A10-2019  
1 & 3 Spring Lane and 46 Jarvis Street







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:** B11/2019

**Related File Numbers:** B10/2019 & A10/2019

**Address:** 1 & 3 Spring Lane and 46 Jarvis Street

**Roll Number:** 2906010001162000000, 2906010001161000000 &  
2906010001164000000

**Applicant:** TJA Developments – Andrew Neill

**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:

Two consent applications and a minor variance application have been received for the lands municipally addressed as 1 and 3 Spring Lane and 46 Jarvis Street. These properties have recently merged and the applicant is proposing to sever the land into three new parcels for the purposes of constructing a single detached dwelling and 2 blocks of 3 street townhouse dwellings for a total 7 dwelling units.

Application B11/2019 proposes to sever 553.3 m<sup>2</sup> of land (Part 2 on attached submitted sketch) from the remnant parcel of application B10/2019 for the purpose of constructing 2 blocks of 3 street townhouse dwellings (six units total). The proposed lot dimensions are listed below:

	<i><b>Lands to be Retained</b></i>	<i><b>Lands to be Severed</b></i>
<i>Width:</i>	21.20 m	21.87 m
<i>Depth:</i>	28.65 m	26.19 m
<i>Area:</i>	594.9 m <sup>2</sup>	553.3 m <sup>2</sup>

**DECISION:            DEFERRED**

**DATE:                March 27, 2019**

THAT Applications B11/2019 to sever a parcel of land having a lot width of 21.87 m, a lot depth of 26.19 m and a lot area of 553.3 m<sup>2</sup> and to retain a parcel of land having a lot width of 21.20 m, 28.65 m and a lot area of 594.9 m<sup>2</sup> BE DEFERRED;

THAT the reason(s) for deferral area as follows:

To allow the applicant to amend their application to include the newly identified variance and provide the required public notice.





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



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](mailto:shouse@brantford.ca) or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, [amathers@brantford.ca](mailto: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 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 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 April 17, 2019**

**END OF DECISION**

**LOCATION MAP**  
Application: B10-2019, B11-2019 & A10-2019  
1 & 3 Spring Lane & 46 Jarvis Street



**SITE PLAN MAP**  
Application: **B10-2019, B11-2019 and A10-2019**  
1 & 3 Spring Lane and 46 Jarvis Street

