



May 30, 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**

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**File Number:** A08/2019  
**Related File Number:** N/A  
**Address:** 108 Colborne Street West  
**Roll Number:** 2906010008017000000  
**Agent:** Catherine Cooper, Planning Solutions  
**Applicant/Owner:** Zitia Developments

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### **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 108 Colborne Street West. The owner of the Dairy Queen is proposing to erect a ground sign with a digital sign board along the Colborne Street West frontage. To facilitate the erection of the proposed sign, the applicant is seeking relief from the following sections of Chapter 478 of the Municipal Code:

1. Relief from Section 478.4.14(d) to permit a digital sign board – ground sign to be located 27 m from the Colborne Street West and Oak Street intersection, whereas no electronic message display, illuminated sign being electronically animated or message change is permitted to be located within 50 m to the nearest traffic signal or pedestrian crossing intersection;
2. Relief from Section 478.8.1 to permit a ground sign to be located 26 m from another ground sign located on the property, whereas the minimum distance apart between ground signs on the same property is 30 m, and;
3. Relief from Section 478.8.9 to permit a ground sign with a face area of over 1.11 m<sup>2</sup> to be located 7 m from a driveway exit, whereas ground signs with a face area of over 1.11 m<sup>2</sup> shall be constructed and located as to not interfere with the ability of motorists exiting from the property to see for a distance of at least 9 m on each side of the driveway exit.

**DECISION:**           **APPROVED**

**DATE:**                May 29, 2019

THAT Application A20/2018 seeking relief from the following sections of Chapter 478 of the Brantford Municipal Code:

1. Relief from Section 478.4.14(d) to permit a digital sign board – ground sign to be located 27 m from the Colborne Street West and Oak Street intersection, whereas no electronic message display, illuminated sign being electronically animated or message change is permitted to be located within 50 m to the nearest traffic signal or pedestrian crossing intersection, BE APPROVED; and,

2. Relief from Section 478.8.1 to permit a ground sign to be located 26 m from another ground sign located on the property, whereas the minimum distance apart between ground signs on the same property is 30 m, BE APPROVED; and,
3. Relief from Section 478.8.9 to permit a ground sign with a face area of over 1.11 m<sup>2</sup> to be located 7 m from a driveway exit, whereas ground signs with a face area of over 1.11 m<sup>2</sup> shall be constructed and located as to not interfere with the ability of motorists exiting from the property to see for a distance of at least 9 m on each side of the driveway exit, BE APPROVED.


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

- The relief requested is considered minor in nature and the application does comply with the criteria set out in Section 45(1) of the Planning Act; and
- The proposed variances are in keeping with the general intent of the Official Plan and Chapter 478 of the Brantford Municipal Code.

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 No. 2019-279."*

VIRGINIA KERSHAW, MEMBER



DANIEL NAMISNIAK, MEMBER

CHRIS SZOKE, MEMBER



TIM PHILP, MEMBER

LEE RYNAR, MEMBER

TARA GASKIN, 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.

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

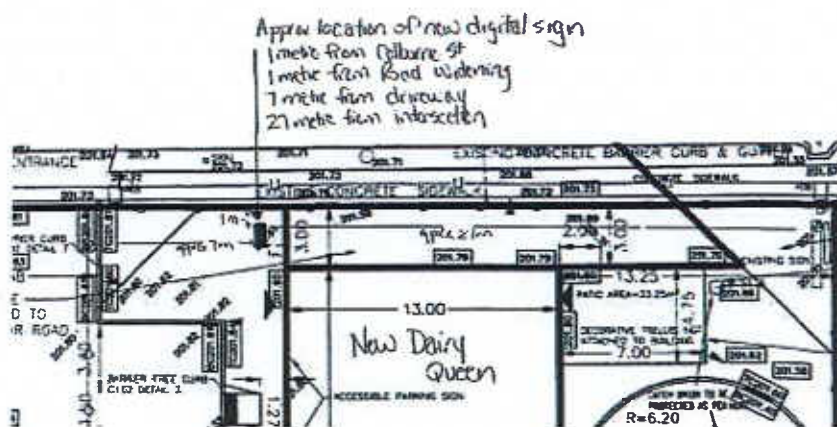
Secretary-Treasurer  
Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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

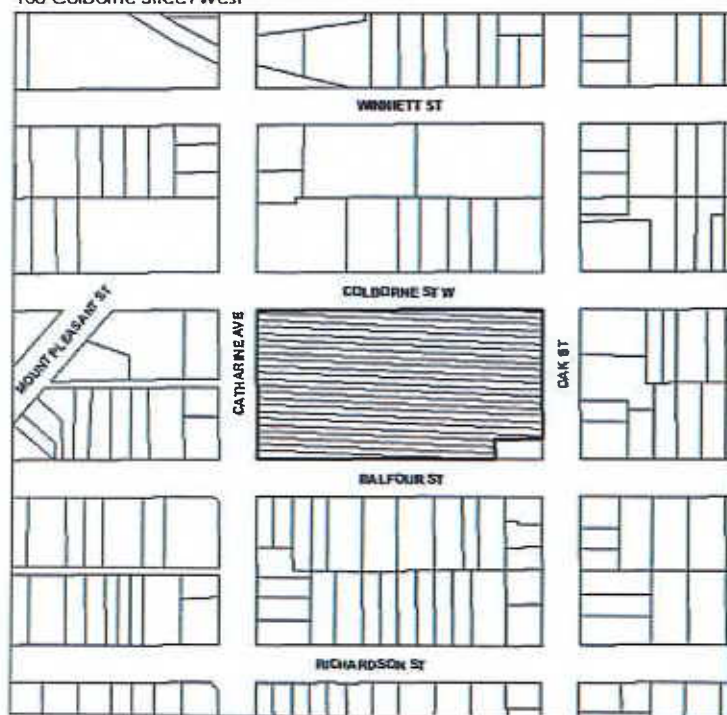
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 18, 2019**

END OF DECISION



# **LOCATION MAP** Application: A08/2019 108 Colborne Street West



## **Legend**

 Subject Property







May 30, 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:** A10/2019

**Related File Numbers:** B10/2019 and B11/2019

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

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

**Agent:** J.H. Cohoon Engineering Ltd.

**Applicant/Owner:** TJA Developments

### 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 & 3 Spring Lane & 46 Jarvis Street. These properties have recently been consolidated and the applicant is proposing to sever the existing parcel into three (3) individual lots via two consent applications. The applicant proposes to construct six street townhouse dwellings and a single detached dwelling. To facilitate the development of this proposed addition, the applicant is seeking relief from the sections of Zoning By-law 160-90 detailed below.

**DECISION:**           **APPROVED**

**DATE:**                May 29, 2019

THAT Application A10/2019 (as amended) BE APPROVED, in accordance with the following:

1. Relief from Section 7.8.2.1.1.1 for Part 3 on the attached site plan to permit a minimum lot area of 217 m<sup>2</sup>, whereas a minimum lot area of 270 m<sup>2</sup> is required in the RC Zone;
2. Relief from Section 7.8.2.1.1.4 for Part 2 on the attached site plan to permit a minimum lot area of 540 m<sup>2</sup>, whereas a minimum lot area of 555 m<sup>2</sup> (185 m<sup>2</sup>/townhouse unit) is required in the RC Zone;
3. Relief from Section 7.8.2.1.3.1 for Part 2 on the attached site plan to permit a maximum lot coverage of 43 % for the severed lands whereas a maximum of 40% is required;
4. Relief from Section 6.4.1.1 for Units 3, 4, 5 and 6 on the attached site plan to permit an exterior staircase to encroach 3.5 m into the required rear yard, whereas the maximum permitted encroachment into a rear yard is 1.5 m;
5. Relief from Section 7.8.2.1.1.4 to permit a minimum lot area of 174 m<sup>2</sup> for Unit 2 on the attached site plan, whereas a minimum lot area of 185 m<sup>2</sup> is required;
6. Relief from Section 7.8.2.1.1.4 to permit a minimum lot area of 158 m<sup>2</sup> for Unit 5 on the attached site plan, whereas a minimum lot area of 185 m<sup>2</sup> is required;
7. Relief from Section 7.8.2.1.2.2 to permit a minimum lot width of 4.6 m for Unit 6 on the attached site plan, whereas a minimum lot width of 6 m is required; and

8. Relief from Section 6.18.3.9 to permit a minimum of 47 % landscaped open space in the front yard for Units 2, 5 and 6 on the attached site plan, whereas 50 % is required.


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

The proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject land.

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. 2019-212."*

  
VIRGINIA KERSHAW, MEMBER

  
CHRIS SZOKE, MEMBER

  
DANIEL NAMISNIAK, MEMBER

  
TARA GASKIN, MEMBER

LEE RYNAR, MEMBER

  
TIM PHILP, 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

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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 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 June 18, 2019**

**END OF DECISION**

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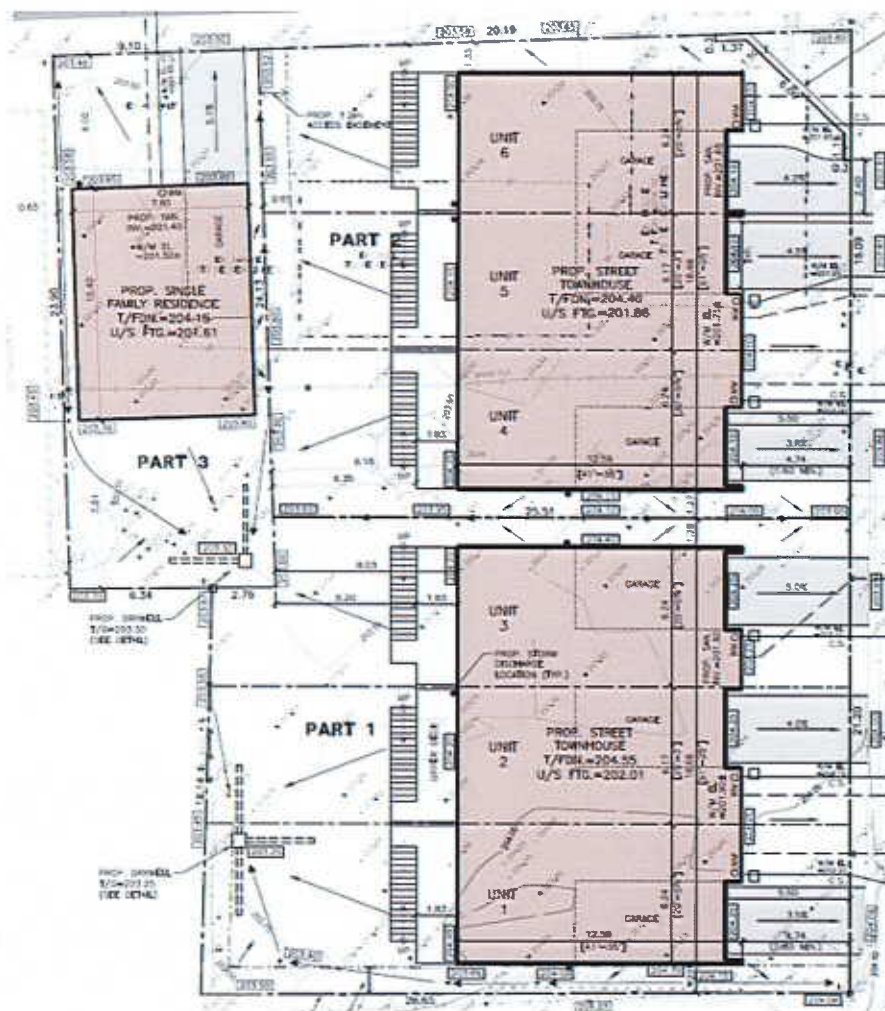
Application: B10-2019, B11-2019 & A10-2019  
1 & 3 Spring Lane & 46 Jarvis Street



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



JARVIS STREET



SPRING LANE





May 30, 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

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**File Number:** A15/2019  
**Related File Number:** N/A  
**Address:** 38 Middleton Street  
**Roll Number:** 2906030019165520000  
**Agent:** Mallot Creek Group  
**Owner/Applicant:** Piller's Fine Foods

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### 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 38 Middleton Street. The applicant is proposing a 2,523 m<sup>2</sup> addition to the existing building. The purpose of the addition is for office space, packaging, storage, and shipping. The height of the addition will match that of the existing building (15 m). The applicant is concurrently pursuing an application for Site Plan Control (File No. SPC-14-19). To facilitate the development of this proposed addition, the applicant is seeking relief from the following section of Zoning By-law 160-90:

- Section 10.2.2.1.3.2 to permit a lot coverage of 62.0% whereas a maximum of 60.0% is required

While the site plan for the proposed development only indicates a lot coverage of 61.4%, this number has been rounded up to account for tolerances during the construction process.

**DECISION:           APPROVED**

**DATE:                 May 29, 2019**

THAT Application A15/2019 requesting relief from the City of Brantford Zoning By-law to permit a maximum lot coverage of 62%, whereas a maximum lot coverage of 60% 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 variance is in keeping with the general intent of the Official Plan and Zoning By-law 160-90;
- c. 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 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. 2019-372."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, MEMBER

#### CERTIFICATION

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

  
Secretary-Treasurer

#### ADDITIONAL INFORMATION

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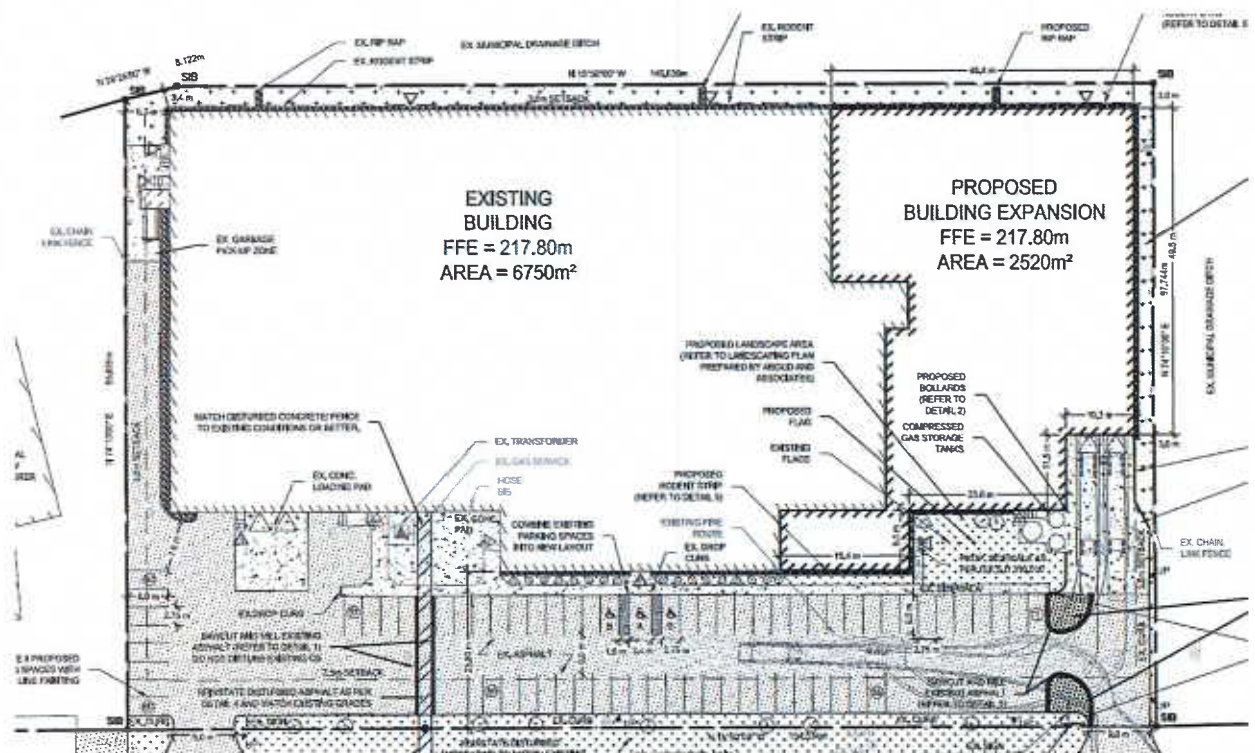
**END OF DECISION**

Application: A15/2019  
38 Middleton Street

38 Middleton Street



 Subject Property







May 30, 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**

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**File Number:** A17/2019  
**Related File Number:** N/A  
**Address:** 210 Hachborn Road  
**Roll Number:** 2906030007013950000  
**Agent:** Martin Middlekoop  
**Owner/Applicant:** 22155198 Ontario Inc.

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### **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 210 Hachborn Road. An industrial manufacturing building exists on the subject lands. The applicant is proposing an addition to the building for an accessory office to the main manufacturing use. In order to facilitate the development, the applicant is seeking relief from the following sections of Zoning By-law 160-90:

- Section 6.18.7.1, in accordance with Table 6.1 to permit 2 parking spaces for the 93 m<sup>2</sup> of accessory office space proposed, whereas 3 parking spaces are required; and
- Section 10.2.2.1.5 to permit a front yard of 9 m whereas 15 m is required.

**DECISION:           APPROVED**

**DATE:               May 29, 2019**

THAT Application No. A17/2019 seeking relief from Zoning By-law 160-90 for the lands municipally known as 210 Hachborn Road to permit a total of 2 parking spaces for the 93 m<sup>2</sup> addition of accessory office space whereas 3 are required; and a minimum front yard of 9 m, whereas 15 m is required, BE APPROVED:

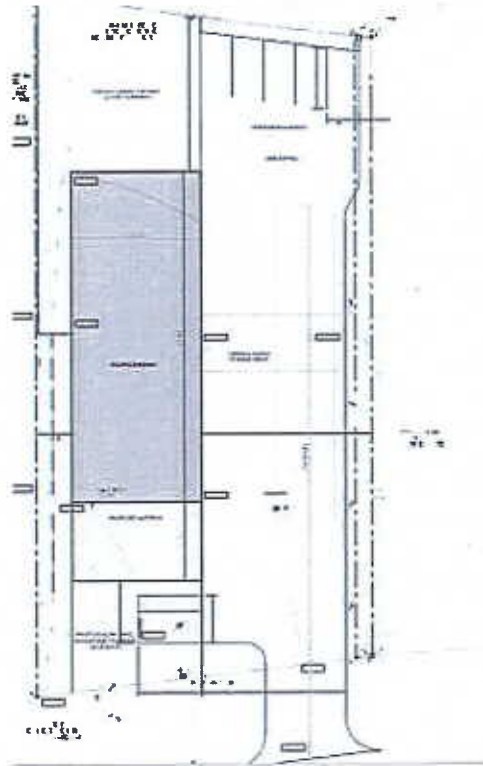
THAT the reason(s) for approval are as follows:

- the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90;
- the requested relief is considered minor in nature and is desirable for the appropriate development and use of the subject land; and
- The application complies with 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:

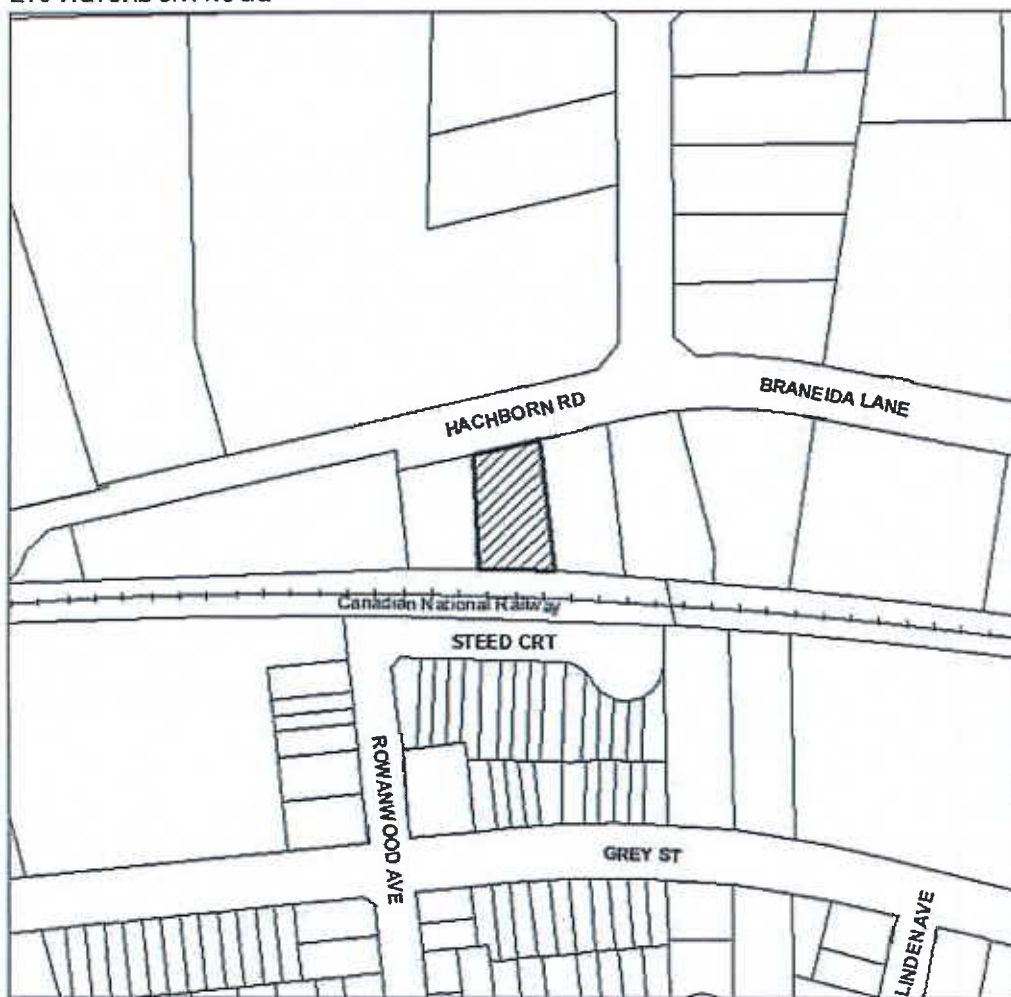


*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2019-370.”*



## LOCATION MAP

Application: A17/2019  
210 Hatchborn Road



### Legend

 Subject Property



  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, 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

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100 Wellington Square  
Brantford ON  
N3T 2M3

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**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 18, 2019**

**END OF DECISION**



May 30, 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  
**Agent/Owner:** Dan 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 lands municipally known as 37 Glenwood Drive. The applicant is proposing to sever the property into two separate parcels. The retained parcel fronts onto Glenwood Drive and has an existing single detached dwelling unit which will remain on the property. The proposed severed parcel will front onto Fairmount Avenue. The proposed lot dimensions are detailed below:

	Lands to be severed	Lands to be retained
Width:	15m	16.98m
Depth:	48.3m	28m
Area:	549m <sup>2</sup>	475m <sup>2</sup>

**DECISION: PROVISIONAL APPROVAL**

**DATE: May 29, 2019**

THAT Application B21/2019 to sever a parcel of land from the south side of the lands municipally addressed as 37 Glenwood Drive, having a lot area of 549m<sup>2</sup> and to retain a parcel of land having a lot area of 475m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lots;
2. 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);
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*);



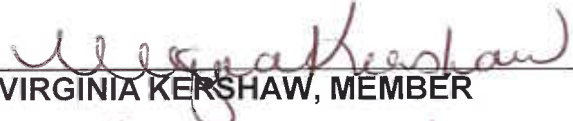
5. Receipt of confirmation from the Engineering Department indicating that their requirements have been satisfied;
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of Engineering and Operational Services;
8. Receipt of confirmation that survey evidence has been submitted showing that the dwellings and any accessory buildings or structures located on the severed and retained parcel comply with the requirements of the Zoning By-law to the satisfaction of the Chief Building Official;
9. Receipt of confirmation that the existing building located on the severed parcel is demolished or otherwise removed to the satisfaction of the Chief Building Official;
10. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 2020, after which time the consent will lapse.

THAT the reason(s) for approval area as follow:

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.

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. 2019-204.”*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER


  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, 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).

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##### Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent

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

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

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**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 19, 2019**

**END OF DECISION**

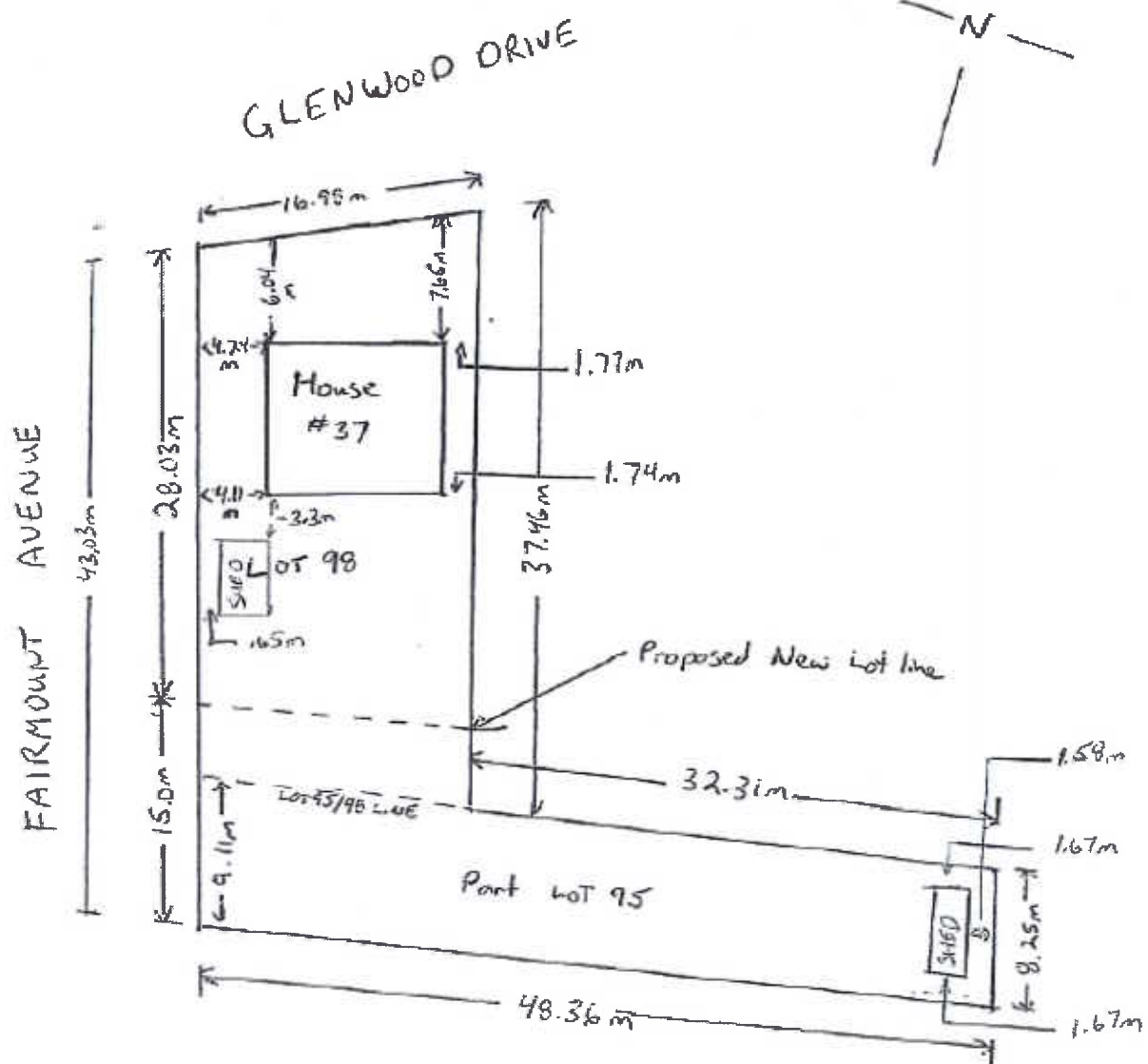
# LOCATION MAP

Application: B09/2019  
37 Glenwood Drive



## 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:** B10/2019

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

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

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

**Agent:** J.H. Cohoon Engineering Ltd.

**Applicant/Owner:** TJA Developments

**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 & 3 Spring Lane & 46 Jarvis Street. These properties have recently been consolidated and the applicant is proposing to sever the existing parcel into three (3) individual lots via two consent applications. The applicant applied for a demolition permit through the City's Building Department, and all buildings and structures on the subject lands have now been demolished. The first severance (B10/2019) is for the parcel labelled Part 3 on the attached site plan, with Parts 1 and 2 being retained. The applicant has indicated that this proposed lot will be used for 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>Width (m):</i>	23.7	9.1
<i>Depth (m):</i>	39.9	24.0
<i>Area (m<sup>2</sup>):</i>	1135.5	218.4

**DECISION: PROVISIONAL APPROVAL**

**DATE: May 29, 2019**

THAT Application B10/2019 to sever a parcel of land from the southwest side of the lands municipally addressed as 1 and 3 Spring Lane and 46 Jarvis Street, having a lot area of 218.4 m<sup>2</sup> and to retain a parcel of land having a lot area of 1135.5 m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of confirmation that the related lot area variance of application A10/2019 has received final approval
2. Receipt of a registered reference plan showing the severed and retained parcels;
3. 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)
4. Receipt of confirmation that all taxes are paid up to date;



5. 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);
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of the Public Works Commission;
8. Receipt of confirmation that the required 4.5 metre daylight corner with 0.3 metre reserve has been dedicated to the City, to the satisfaction of the General Manager of Public Works Commission;
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 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.

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. 2019-212."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER


  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, MEMBER

#### CERTIFICATION

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

  
Secretary-Treasurer

#### 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

#### 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)

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

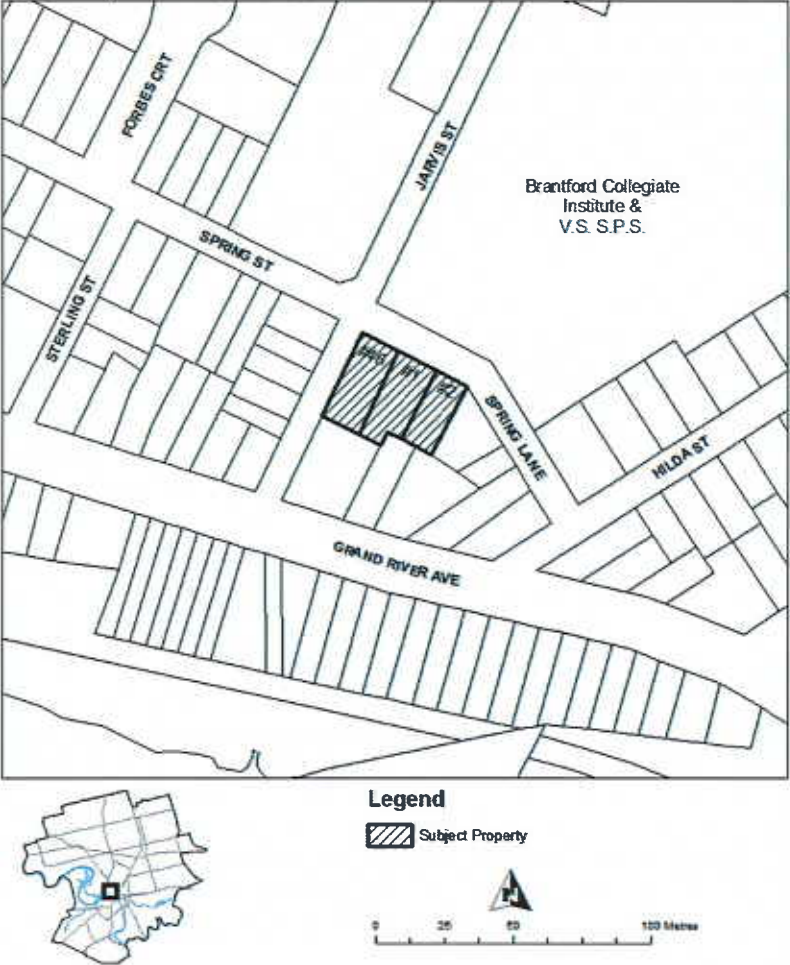
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

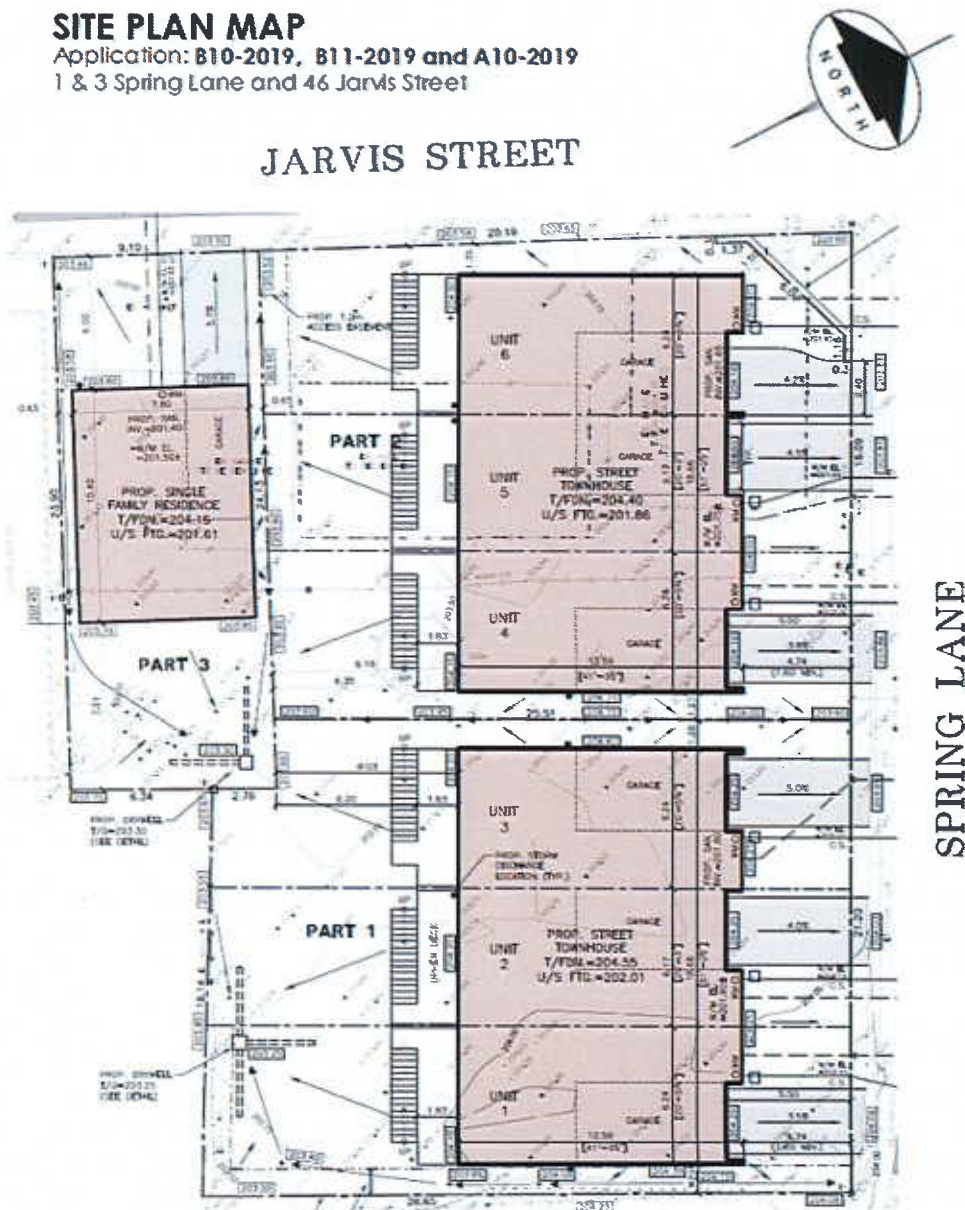
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 19 2019**

**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







May 30, 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:** B11/2019

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

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

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

**Agent:** J.H. Cohoon Engineering Ltd.

**Applicant/Owner:** TJA Developments

**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 & 3 Spring Lane & 46 Jarvis Street. These properties have recently been consolidated and the applicant is proposing to sever the existing parcel into three (3) individual lots via two consent applications. The applicant applied for a demolition permit through the City's Building Department, and all buildings and structures on the subject lands have now been demolished. The second severance (B11/2019) is for the parcel labelled Part 2 on the attached site plan, with Part 1 being retained. The applicant proposes to construct three street townhouse dwellings on both the severed and retained lands (for a total of six street townhouse dwellings). Drainage, maintenance and access easements are also proposed through this application. The proposed lot dimensions are detailed below:

	<i><b>Lands to be Retained</b></i>	<i><b>Lands to be Severed</b></i>
<i>Width (m):</i>	21.2	18.4
<i>Depth (m):</i>	27.1	22.9
<i>Area (m<sup>2</sup>):</i>	594.9	540.6

**DECISION: PROVISIONAL APPROVAL**

**DATE:** May 29, 2019

THAT Application B11/2019 to sever a parcel of land from the northwest side of the lands municipally addressed as 1 and 3 Spring Lane and 46 Jarvis Street, having a lot area of 540.6 m<sup>2</sup> and to retain a parcel of land having a lot area of 594.9 m<sup>2</sup> and to create drainage, maintenance and access easements on the subject lands BE APPROVED, subject to the conditions below:

1. Receipt of confirmation that the related lot area variance of application A10/2019 has received final approval
2. Receipt of confirmation that application B10/2019 has received final approval.
3. Receipt of a registered reference plan showing the severed and retained parcels;



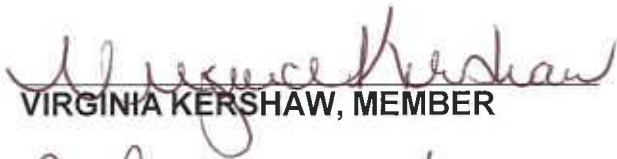
4. Receipt of payment for cash-in-lieu of parkland. (Payment for cash-in-lieu of parkland is to be based on an opinion of value for the lands in accordance with City of Brantford By-law 50-2018)
5. Receipt of confirmation that all taxes are paid up to date;
6. Receipt of confirmation that the Applicant 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);
7. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
8. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of the Public Works Commission;
9. Receipt of confirmation that the required 4.5 metre daylight corner with 0.3 metre reserve has been dedicated to the City, to the satisfaction of the General Manager of Public Works Commission;
10. Receipt of confirmation that Site Plan Control applies to any development on the retained lands;
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 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.

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. 2019-212."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

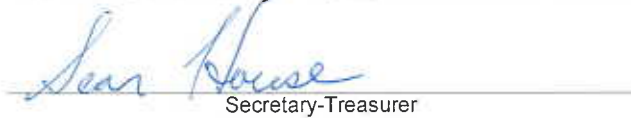
  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, MEMBER

#### CERTIFICATION

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

  
Secretary-Treasurer

#### 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 last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 19 2019**

#### 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).

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>.

**END OF DECISION**

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



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

[illegible]

SPRING LANE





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:** B17/2019

**Address:** 72 Balfour Street

**Roll Number:** 2906010008099000000

**Agent:** J.H. Cohoon Engineering Ltd.

**Applicant/Owner:** Multani Custom Homes

**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 72 Balfour Street. A single detached dwelling is currently under construction on the eastern portion of the subject lands (the proposed severed lands), and the applicant is proposing to sever the lot to facilitate the construction of a single detached dwelling on the western portion of the subject lands. The proposed lot dimensions are detailed below:

	Lands to be Severed	Lands to be Retained
Width (m):	10.1	10.1
Depth (m)	38.4	38.4
Area (m²)	389.0	389.0

**DECISION:           PROVISIONAL APPROVAL**

**DATE:                 May 29, 2019**

THAT application B17/2019 to sever a parcel of land from the east side of the lands municipally known as 72 Balfour Street having a lot area of 389 m² and to retain a parcel of land having a lot area of 389 m² BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcels;
2. 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)
3. That the retained lands be subject to Site Plan Control in accordance with City of Brantford By-law 90-2018;
4. Receipt of confirmation that all taxes are paid up to date;
5. 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);
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;



7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of the Public Works Commission;
8. Receipt of confirmation from the Grand River Conservation Authority that all of their requirements have been satisfied;
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 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.

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. 2019-353.”*

  
VIRGINIA KERSHAW, MEMBER

  
CHRIS SZOKE, MEMBER

  
DANIEL NAMISNIAK, MEMBER

  
TARA GASKIN, MEMBER

  
LEE RYNAR, MEMBER

  
TIM PHILP, 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

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##### Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent

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

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

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 June 19 2019**

**END OF DECISION**

Application: B17/2019  
72 Balfour Street

Application: B17/2019  
72 Balfour Street



 Subject Property

[illegible]



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:** B18/2019  
**Address:** 11 Sarah Street  
**Roll Number:** 2906040008008000000  
**Applicant/Owner:** Domenic Reale

**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 a portion of the lands municipally addressed as 11 Sarah Street. The applicant is proposing a servicing and maintenance easement for an existing sanitary lateral that is located on 11 Sarah Street which services the westerly single detached dwelling at 9 Sarah Street. The dimensions for the proposed easement are:

	Width (m)	Depth (m)	Area (m <sup>2</sup> )
Easement	1.5	14.5	21.75

**DECISION:           PROVISIONAL APPROVAL**

**DATE:**               May 29, 2019

THAT Application B18/2019 to create an easement for service and maintenance purposes for a portion of the lands municipally known as 11 Sarah 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 a draft of the Transfer easement documentation 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 May 29, 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.



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. 2019-363."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, 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.

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##### Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent

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

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

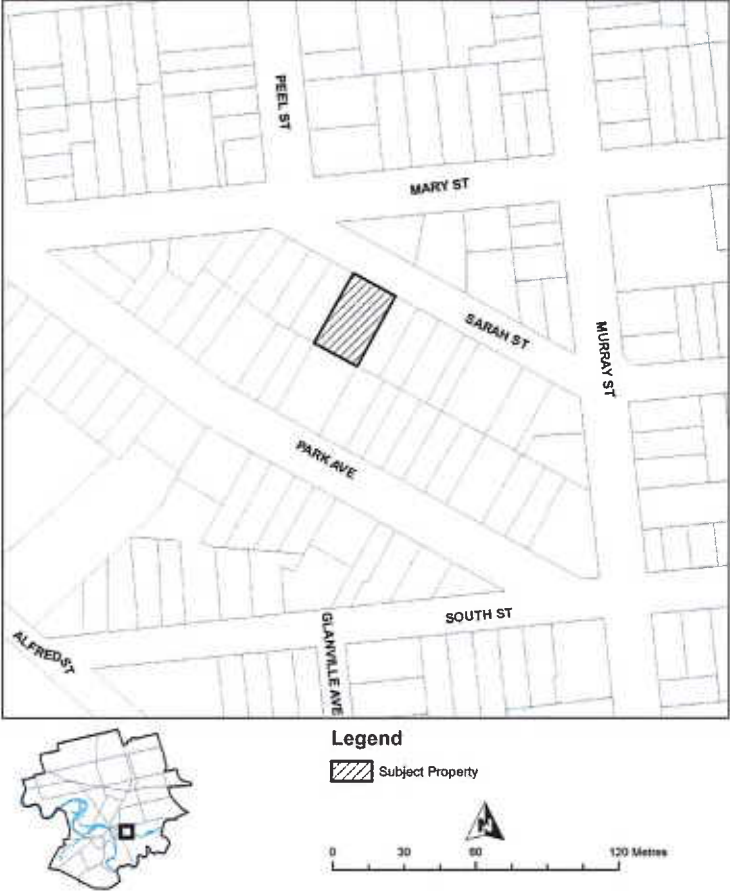
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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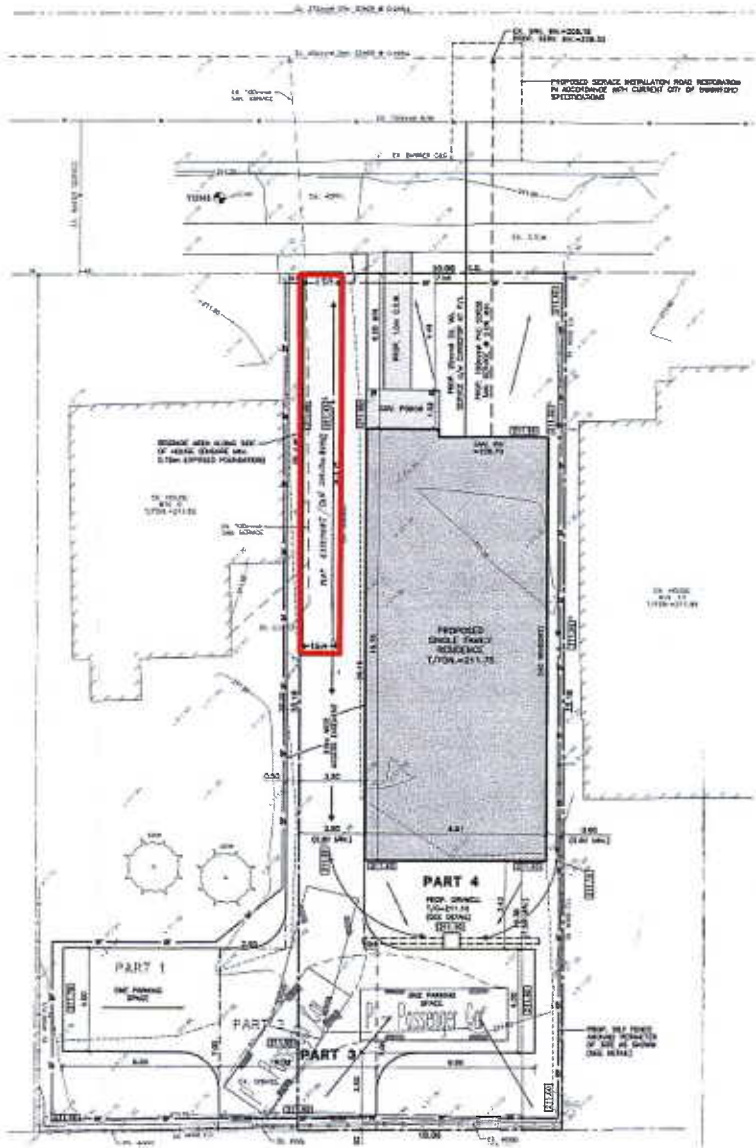
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 19 2019**

**END OF DECISION**

LOCATION MAP  
Application: B18/2019  
9-11 Sarah Street



SARAH STREET





May 30, 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:** B19/2019  
**Address:** 476 West Street  
**Roll Number:** 2906030011129000000  
**Agent/Owner:** Urbano Torto

**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 476 West Street. The applicant is proposing to sever the property into two separate parcels and construct a new single detached dwelling. The severed property would have the dimensions 15.5 m by 36.6 m for a total area of 567.3 m<sup>2</sup>. The retained property would measure 24.31 m by 36.61 m for a total area of 887.7 m<sup>2</sup>. The existing dwelling will be retained.

**DECISION:           PROVISIONAL APPROVAL**

**DATE:                 May 29, 2019**

THAT Application B19/2019 to sever a parcel of land from the northwest side of the lands municipally addressed as 476 West Street, having a lot area of 549m<sup>2</sup> and to retain a parcel of land having a lot area of 906m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcels;
2. 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)
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 Engineering Department indicating that their requirements have been satisfied concerning the driveway location for the retained lands;
6. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;



7. Receipt of confirmation that the lands to be severed and retained have been, or will be, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of the Public Works Commission;
8. Receipt of confirmation that the required 7.5 metre daylight triangle with 0.3 metre reserves has been dedicated to the City, to the satisfaction of the General Manager of the Public Works Commission;
9. Receipt of confirmation that survey evidence has been submitted showing that the dwellings and any accessory buildings or structures located on the severed and retained parcel comply with the requirements of the Zoning By-law to the satisfaction of the Chief Building Official;
10. Receipt of confirmation that the existing detached garage located on the retained parcel is demolished or otherwise removed to the satisfaction of the Chief Building Official;
11. Receipt of confirmation from the Manager of Development Engineering that an Arborist Report has been received, and approved to the satisfaction of the General Manager of the Public Work Commission. This report must be prepared by a qualified professional identifying all existing trees, their type, size, condition and any tree species of provincial significance, those three proposed to be removed and retained, and the methods to be used to ensure preservation of those tree to be retained;
12. Receipt of confirmation that the Owner has entered into an easement agreement with Bell Canada, for the creation of an easement in favour of Bell Canada for the purposes of access and maintenance to existing equipment;
13. Receipt of confirmation that if the existing water service to 476 West Street is found within the severed parcel, the owner will be required to remove the 19x15mm service from the main in Morton Avenue and install a new 25mm copper service to the existing dwelling, to the satisfaction of the Manager of Environmental Services; and,
14. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 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.

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. 2019-354."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER

  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, 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

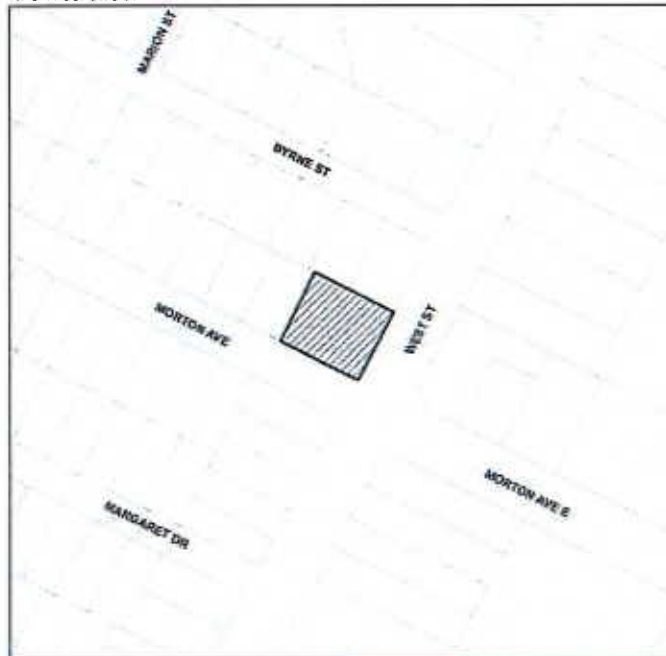
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.


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

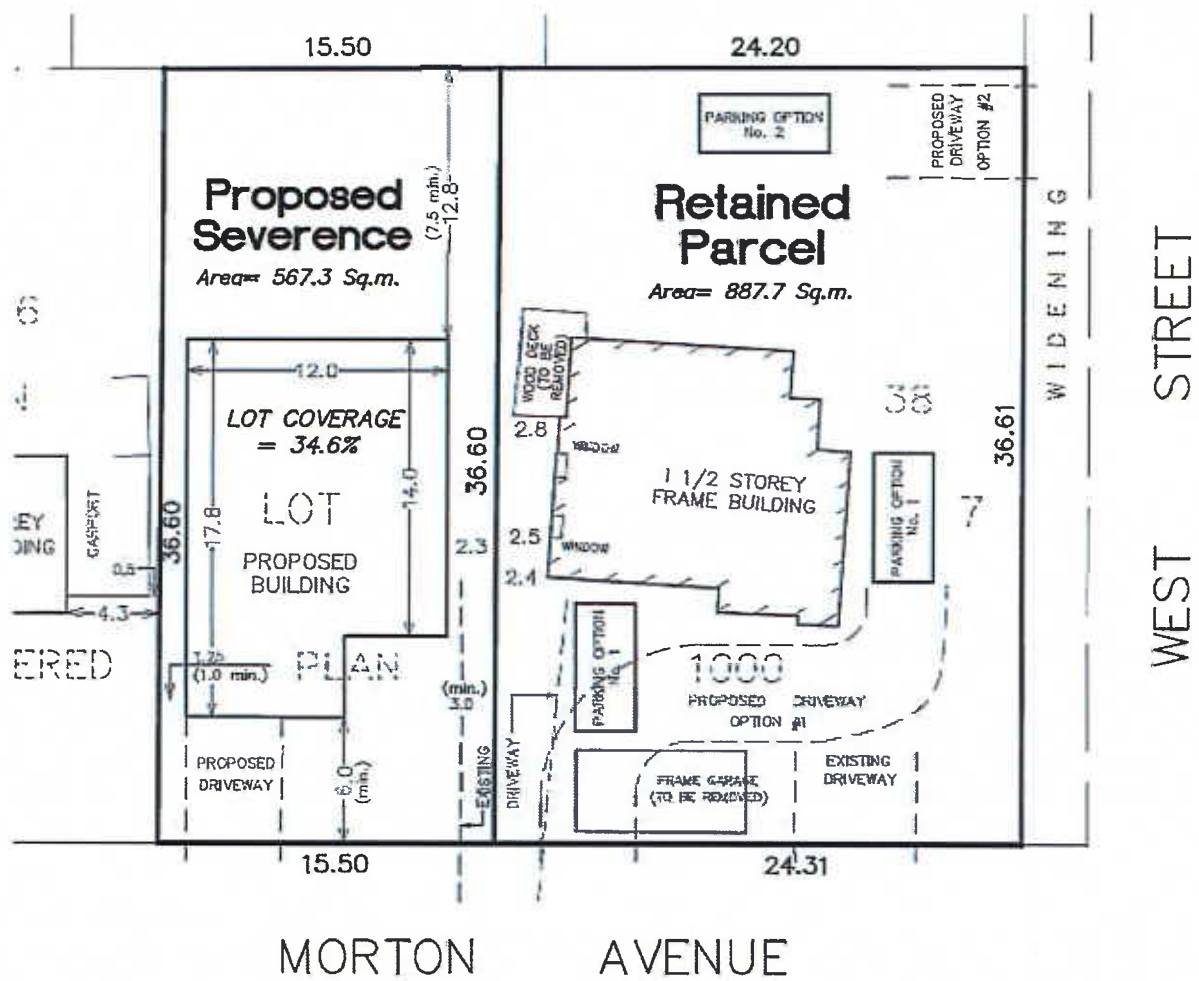
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is June 19 2019**

**END OF DECISION**

Application: B19/2019  
476 West Street



 Subject Property







May 30, 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:** B21/2019  
**Address:** 76 North Park Street  
**Roll Number:** 2906030008186000000  
**Agent/Owner:** Tadeusz Wegrzyn

**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 76 North Park Street. The semi-detached dwelling units are currently under construction and close to completion.

Once severed, the applicant is proposing to create a new residential lot which will recognize separate ownership of the semi-detached dwelling (divided vertically by common wall) so that each dwelling unit can be conveyed separately. The proposed lot dimensions are detailed below:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Width:</i>	<i>10 m</i>	<i>10 m</i>
<i>Depth:</i>	<i>32 &amp; 42 m</i>	<i>42 m</i>
<i>Area:</i>	<i>357 m<sup>2</sup></i>	<i>412 m<sup>2</sup></i>

**DECISION:           PROVISIONAL APPROVAL**

**DATE:                 May 29, 2019**

THAT Application B21/2019 to sever a parcel of land from the north side of the lands municipally addressed as 76 North Park Street, having a lot area of 357m<sup>2</sup> and to retain a parcel of land having a lot area of 412m<sup>2</sup> BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lots;
2. 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);
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 Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
6. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 29, 2020, after which time the consent will lapse.

THAT the reason(s) for approval area as follow:

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.

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. 2019-365."*

  
VIRGINIA KERSHAW, MEMBER

  
DANIEL NAMISNIAK, MEMBER

LEE RYNAR, MEMBER


  
CHRIS SZOKE, MEMBER

  
TARA GASKIN, MEMBER

  
TIM PHILP, 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

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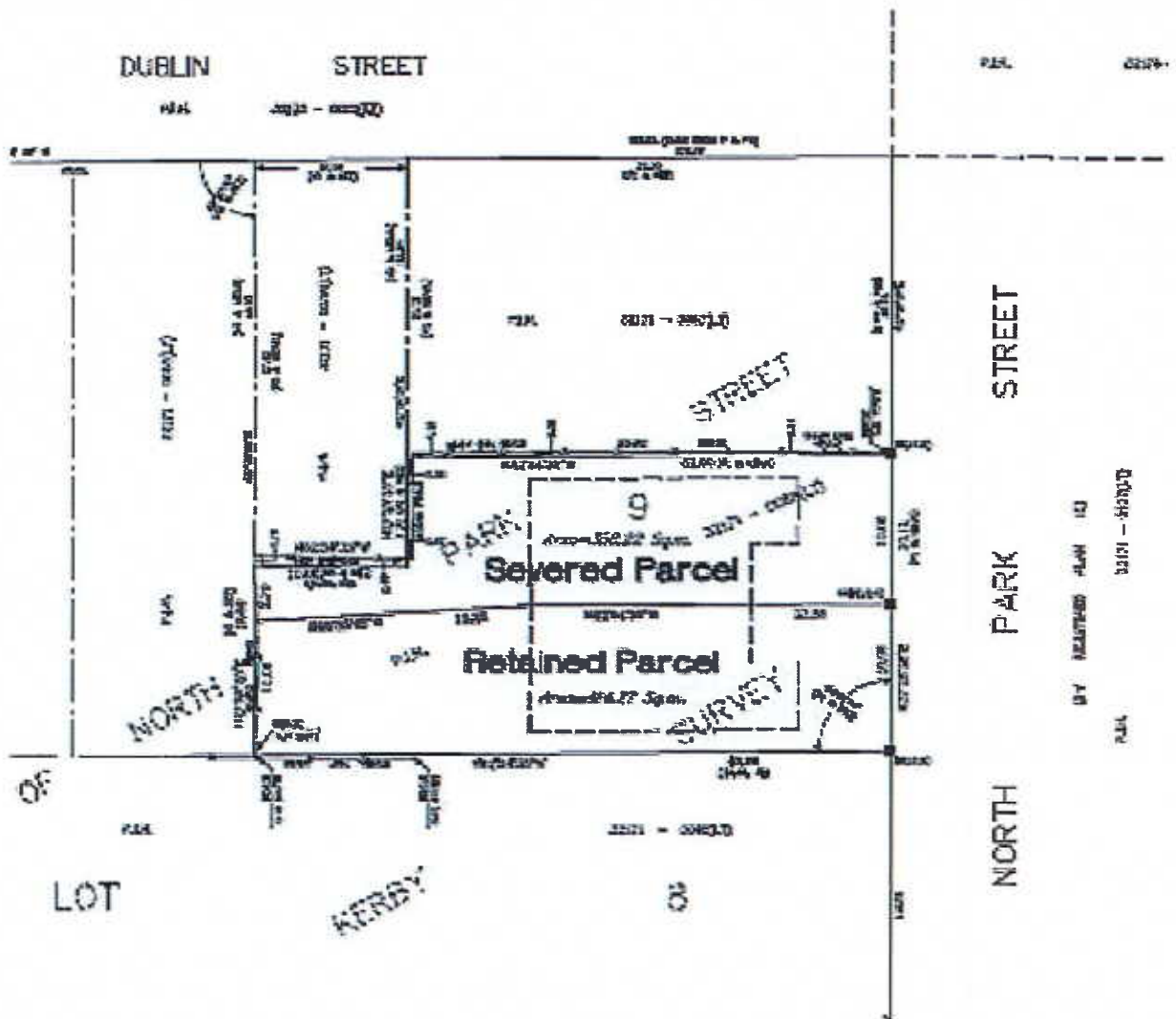
Secretary-Treasurer  
Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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 June 19 2019**

**END OF DECISION**



# LOCATION MAP

Application: B212019  
76 North Park Street



## Legend

 Subject Property

