



October 8, 2020

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: A15/2020

Related File Number: N/A

Address: 79 Buffalo Street / 15 Wynarden Court

Roll Number: 2906020006095000000

Applicant: Steve Talos

Agent: Wynarden Enterprises Ltd.

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 15 Wynarden Court / 79 Buffalo Street (the subject lands has two addresses). The applicant is proposing to construct a detached garage with an area of 275 square metres. To facilitate the development as proposed, the applicant is seeking relief from the following section of Zoning By-law 160-90:

- Section 6.3.1.2.1 to permit a maximum height of an accessory building of 7.3 m, whereas a maximum height of 4.5 m is permitted for an accessory building.

DECISION: APPROVED

DATE: October 7, 2020

THAT Application A15/2020 requesting relief from Section 6.3.1.2.1 of Zoning By-law 160-90 to permit a maximum height of an accessory building of 7.3 m whereas a maximum height of 4.5 m is permitted for an accessory building BE APPROVED;

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; and

THAT pursuant to Section 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHAL 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. 2020-404.”

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

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

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

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

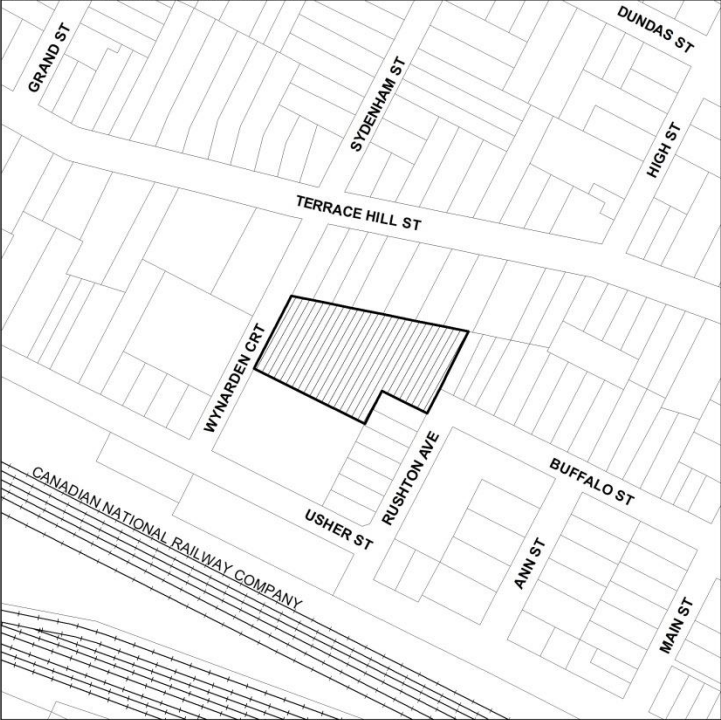
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is October 27, 2020

END OF DECISION

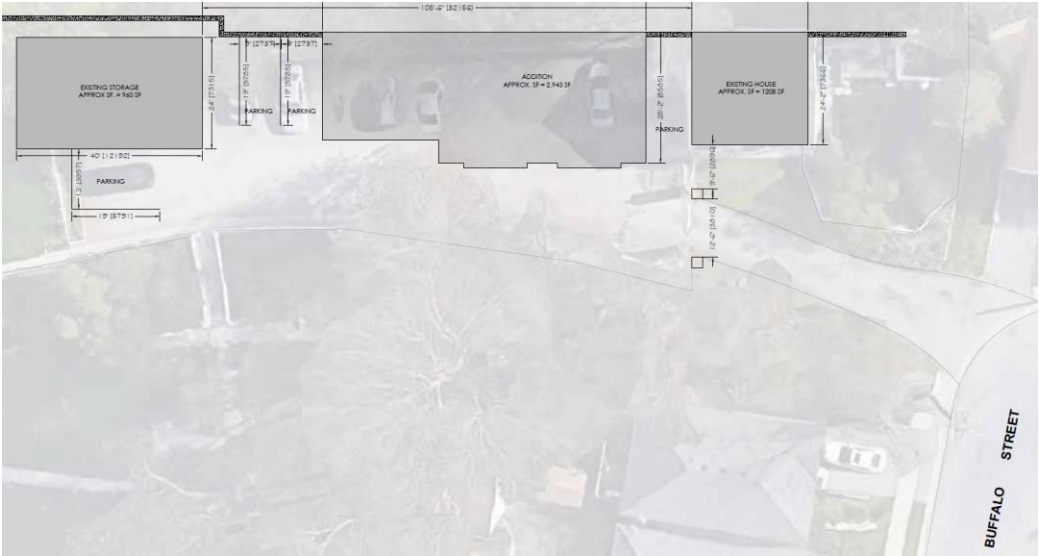
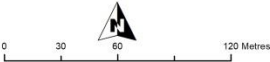
LOCATION MAP

Application: A15/2020
79 Buffalo Street / 15 Wynarden Ct



Legend

SUBJECT LAND





October 8, 2020

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: A16/2020
Related File Number: N/A
Address: 13 Alma Street
Roll Number: 2906030010033000000
Applicant/Owner: Cody Eckart & Tikila Babiak

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 13 Alma Street. The applicant had converted their basement and accessory structure into accessory dwelling units without Building Permits. The applicant is seeking relief from two Sections of the Zoning By-law 160-90 in order to legalize the units from a zoning perspective and go forward with the Building Permit process. The applicant is seeking relief from the following Sections of Zoning By-law 160-90:

- Section 2.4.8.1.1 to permit a shared area between the exterior entrance and an accessory dwelling unit, whereas accessory dwelling units are required to have a clearly identifiable, separate, exterior entrance, which provides direct access to the accessory dwelling unit from outdoors.
- Section 6.32.8 to permit an accessory dwelling unit above the first floor in an accessory structure, whereas accessory dwelling units are not permitted above the first floor in accessory structure.

DECISION: **Variance 2 – APPROVED**

DATE: **October 7, 2020**

THAT Application A16/2020 requesting relief from Section 6.32.8 of Zoning By-law 160-90 (Variance 2) to permit an accessory dwelling unit above the first floor in an accessory structure, whereas accessory dwelling units are not permitted above the first floor in accessory structures BE APPROVED;

THAT the reasons for approval of Variance 2 from Section 6.32.8 of the Zoning By-law are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is minor in nature and is desirable for the appropriate development and use of the land; and

THAT pursuant to Section 45(8)-(8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submission received from the public before the decision was made in relation to this planning mater, as discussed in Sections 6.2 and 7.4 of Report 2020-449.”

Original signed by D. Namisniak,
Chair

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "**Minister of Finance**". In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

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

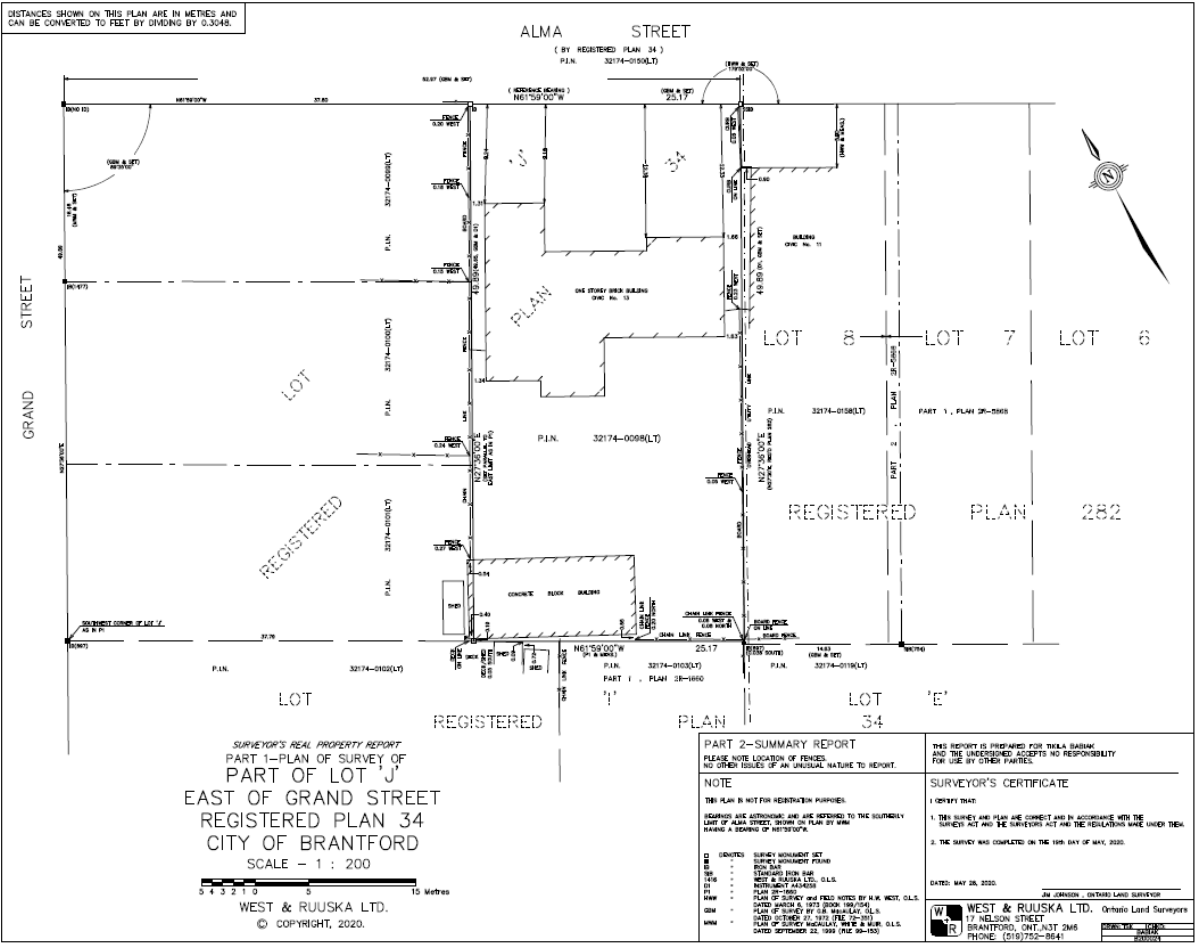
Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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

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

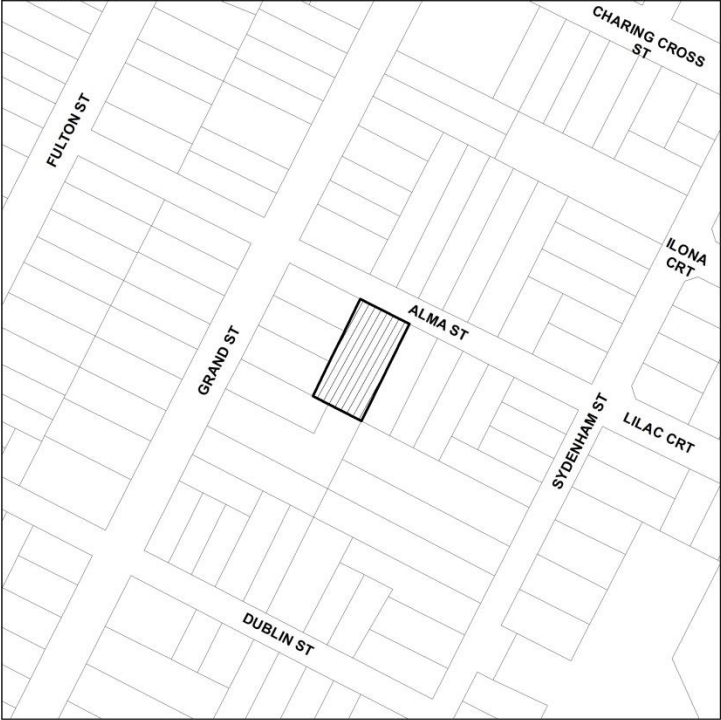
The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is October 27, 2020

END OF DECISION



LOCATION MAP

Application: A16/2020
13 Alma Street



Legend

SUBJECT LAND





October 8, 2020

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: A16/2020
Related File Number: N/A
Address: 13 Alma Street
Roll Number: 2906030010033000000
Applicant/Owner: Cody Eckart & Tikila Babiak

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 13 Alma Street. The applicant had converted their basement and accessory structure into accessory dwelling units without Building Permits. The applicant is seeking relief from two Sections of the Zoning By-law 160-90 in order to legalize the units from a zoning perspective and go forward with the Building Permit process. The applicant is seeking relief from the following Sections of Zoning By-law 160-90:

- Section 2.4.8.1.1 to permit a shared area between the exterior entrance and an accessory dwelling unit, whereas accessory dwelling units are required to have a clearly identifiable, separate, exterior entrance, which provides direct access to the accessory dwelling unit from outdoors.
- Section 6.32.8 to permit an accessory dwelling unit above the first floor in an accessory structure, whereas accessory dwelling units are not permitted above the first floor in accessory structure.

DECISION: **Variance 1 – APPROVED**

DATE: October 7, 2020

THAT Application A16/2020 requesting relief from Section 2.4.8.1.1 of Zoning By-law 160-90 (Variance 1) to permit a shared common area between the exterior entrance and entrance to the accessory dwelling unit, whereas accessory dwelling units are to have a clearly identifiable, separate, exterior entrance, which provides direct access to the accessory dwelling unit from outdoors BE APPROVED;

THAT reasons for approval of Variance 1 from Section 2.4.8.1.1 are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is minor in nature and is desirable for the appropriate development and use of the land; and

THAT pursuant to Section 45(8)- (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submission received from the public before the decision was made in relation to this planning mater, as discussed in Sections 6.2 and 7.4 of Report 2020-449.”

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

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

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

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

For further information regarding the appeal process and the 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 October 27, 2020

END OF DECISION



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: A18/2020
Related File Number: B12/2020
Address: 38 Golfdale Road
Roll Number: 2906010005050000000
Applicant/Owner: Susan Tokarz
Agent: Ted Tokarz

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:

To facilitate Consent Application B12/2020, a Minor Variance Application is required to provide relief from Section 7.2.3.2.2 of Zoning By-law 160-90 to permit a minimum lot width of 22.23 m, whereas 24.5 m is required. The lot width measurement is taken at the rear extremity of the minimum front yard, which is considered the shorter of the two lot lines on a corner lot. In this instance, it is measured 6 m from the westerly property line.

DECISION: APPROVED

DATE: October 7, 2020

THAT Application A18/2020 seeking relief from Section 7.2.3.2.2 of Zoning By-law 160-90 to permit a minimum lot width of 22.23 m, whereas 24.5 m is required for the severed lands of Application B12/2020 BE APPROVED;

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; and,

THAT pursuant to Section 53(17)-(18.2) and Section 45(8)-(8.2) of the *Planning Act*, R.S.O 1990, c.P. 13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2020-446."

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "Minister of Finance". In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

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

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

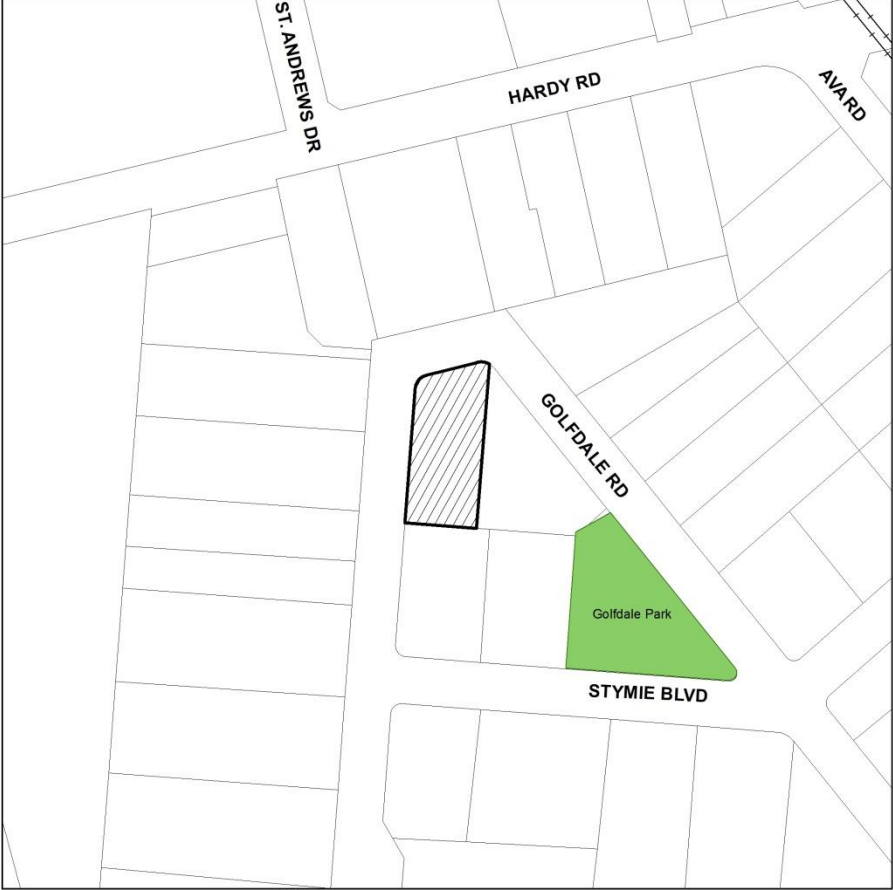
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

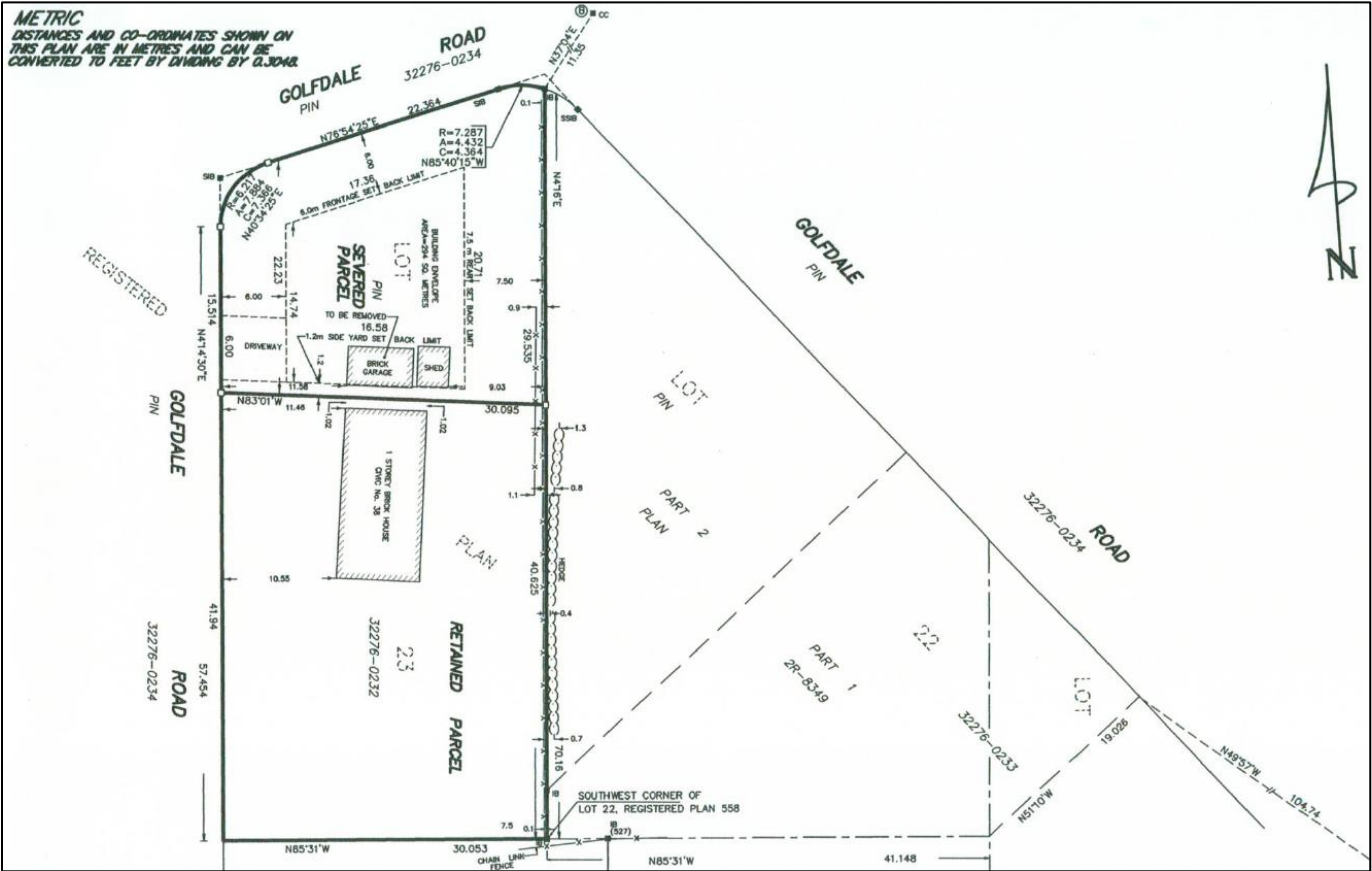
The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is October 27, 2020

END OF DECISION

LOCATION MAP
Application: B12/2020 & A18/2020
38 Golfdale Road



Legend
SUBJECT LAND





October 8, 2020

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: B12/2020
Related File Number: A18/2020
Address: 38 Golfdale Road
Roll Number: 2906010005050000000
Applicant/Owner: Susan Tokarz
Agent: Ted Tokarz

**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 38 Golfdale Road. The applicant is proposing to sever one new lot and retain the existing dwelling and remnant land. The existing garage and shed are proposed to be demolished to facilitate the severance application. The proposed new lot dimensions will be as follows:

	Severed	Retained
Lot Frontage	22.23 m	41.94 m
Lot Area	761 m ²	1241 m ²

DECISION: PROVISIONAL APPROVAL

DATE: October 7, 2020

THAT Application B12/2020 to sever a parcel of land from the northern portion of the lands municipally addressed as 38 Golfdale Road, having a lot area of 761m² and retain a parcel of land having a lot area of 1,241 m² BE APPROVED subject to the following conditions:

1. Receipt of confirmation that Application A18/2020 receives final and binding approval and is in full force and effect
2. Receipt of a registered reference plan showing the severed and retained lands.
3. Receipt of confirmation that all taxes are paid up to date.
4. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (Upon registration a final copy of the Transfer deed shall be provided to the City).

5. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels
6. Receipt of confirmation that the lands to be severed and retained have been, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of Engineering and Operational Services
7. 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)
8. Receipt of confirmation that the applicant has installed a parking space on the retained lands which is compliant with Zoning By-law 160-90 through the appropriate permits of the City, including a site alteration permit and driveway permit
9. Receipt of confirmation that elevation drawings and calculations are provided to the Chief Building Official verifying that the spatial separations requirements of the Ontario Building Code are met relative to the severance line
10. Receipt of confirmation that the accessory shed on the severed lands has been demolished or otherwise removed through the appropriate permits from the Building Department to the satisfaction of the Chief Building Official.
11. Receipt of confirmation that the attached garage has been demolished or otherwise removed and the associated roof of the retained dwelling has been modified through the appropriate permits from the Building Department to the satisfaction of the Chief Building Official
12. That the above conditions be fulfilled and the Certificate of Consent be issued on or before October 8, 2021, 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 boundary adjustment is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties, The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90, specifically Section 18.9 of the Official Plan respecting consent applications including boundary adjustments 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) 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. 2020-446.”

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "Minister of Finance". In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

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

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

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

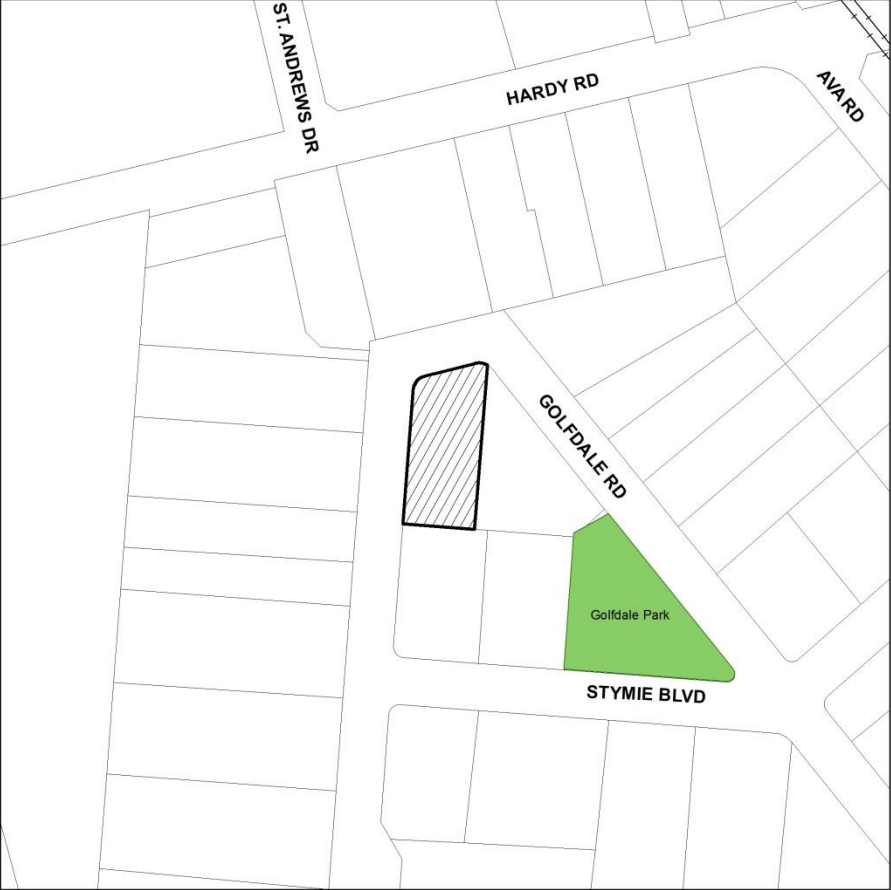
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

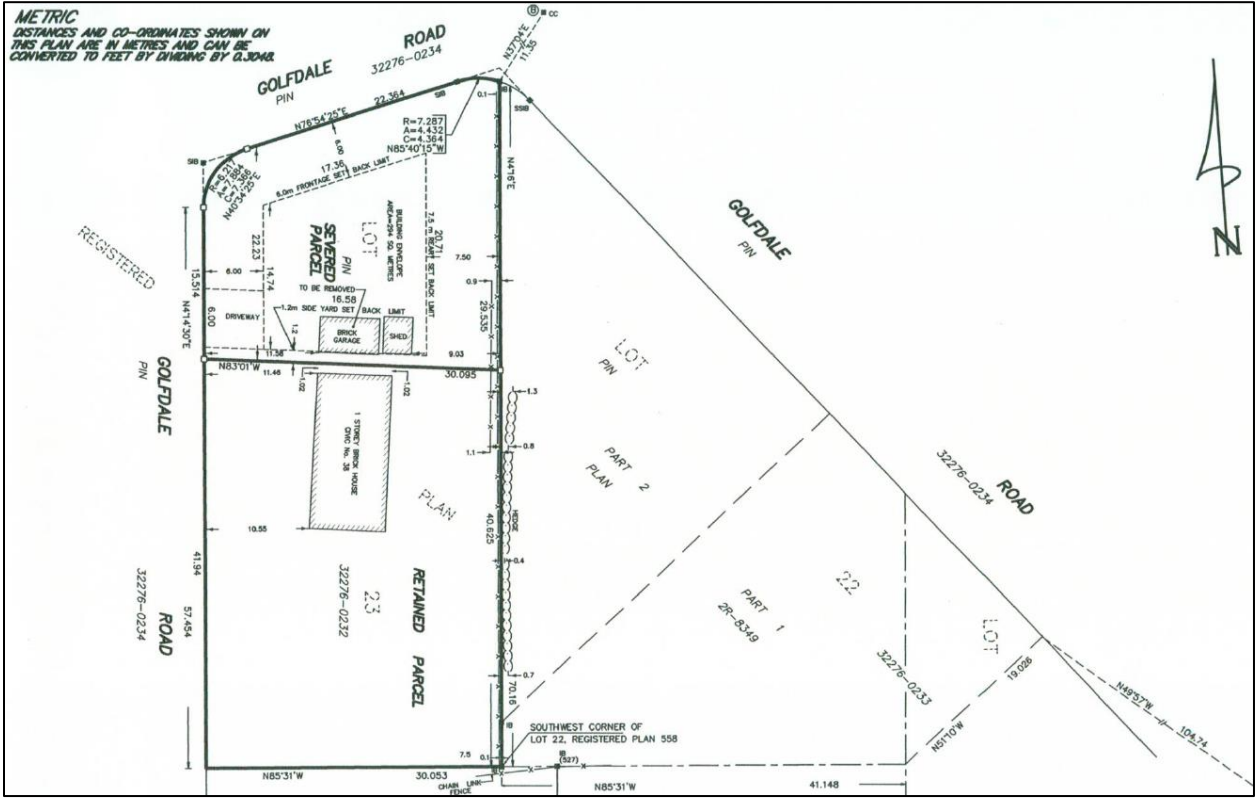
The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is October 28, 2020

END OF DECISION

LOCATION MAP
Application: B12/2020 & A18/2020
38 Golfdale Road



Legend
SUBJECT LAND





October 8, 2020

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: B13/2020

Related File Number: N/A

Address: 33 & 77 White Owl Crescent

Roll Numbers: 2906030019091000000 & 2906030019085000000

Agent: Eddy Vance, Waterous Holden Amey Hitchon, LLP

Owner: Rajinder Gill

**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 33 White Owl Crescent and 77 White Owl Crescent. The subject lots share a rear property line. Each lot contains one unit of a semi-detached dwelling. The lots were inadvertently merged due to them being in the same ownership. The applicant is proposing to sever along the original property line. The proposed new lot dimensions for both lots will be as follows:

	33 White Owl Crescent	77 White Owl Crescent
Lot Frontage	9.14 m	9.14 m
Lot Area	278.6 m ²	278.6 m ²

DECISION: PROVISIONAL APPROVAL

DATE: October 7, 2020

THAT Application B13/2020 to sever 33 and 77 White Owl Crescent into two separate lots, both having lot areas of approximately 278.6 m², BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the subject parcels;
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 October 8, 2021, 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. 2020-445”.

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

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

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

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

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

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 October 28, 2020

END OF DECISION

LOCATION MAP
Application: B13/2020
33 & 77 White Owl Crescent



Legend

 SUBJECT LANDS





October 8, 2020

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: B14/2020
Related File Number: N/A
Address: 149 Albion Street
Roll Number: 2906020004125000000
Applicant/Owner: F. Rossi
Agent: J.H. Cohoon Engineering Limited

**IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53
OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

PROPOSAL:

A consent application has been received for the lands municipally addressed as 149 Albion Street. There is an existing semi-detached dwelling that was recently constructed on the property and the applicant is proposing a severance to separate ownership of each semi-detached unit and all associated yards. The proposed lot dimensions are detailed below:

	Severed Lands	Retained Lands
Width (m):	10.05	10.05
Depth (m):	37	37
Area (m ²)	373	373

DECISION: PROVISIONAL APPROVAL

DATE: October 7, 2020

THAT Application B14/2020 to sever a parcel of land from the northern portion of the lands municipally addressed as 149 Albion Street, having a lot area of 373 m² and to retain a parcel of land having a lot area of 373 m² BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lands.
2. Receipt of confirmation that all taxes are paid up to date.
3. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (Upon registration a final copy of the Transfer deed shall be provided to the City).
4. Receipt of confirmation from the Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels.

5. Receipt of confirmation that the applicant has installed parking spaces on the retained and severed lands which are compliant with Zoning By-law 160-90 through the appropriate permits of the City, including a site alteration permit and driveway permit, to the satisfaction of the City.
6. Receipt of confirmation that the lands to be severed and retained lots have been, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the General Manager of Public Works.;
7. 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)
8. That the above conditions be fulfilled and the Certificate of Consent be issued on or before October 8, 2021, 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, conforms with the policies of the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement; and,

THAT pursuant to Section 53(17)-(18.2) of the Planning Act, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of 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. 2020-451."

Original signed by D. Namisniak,
Chair

Original signed by V. Kershaw,
Vice-Chair

Original signed by L. Rynar,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext.5440, amathers@brantford.ca.

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the 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 \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$500.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

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

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

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

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

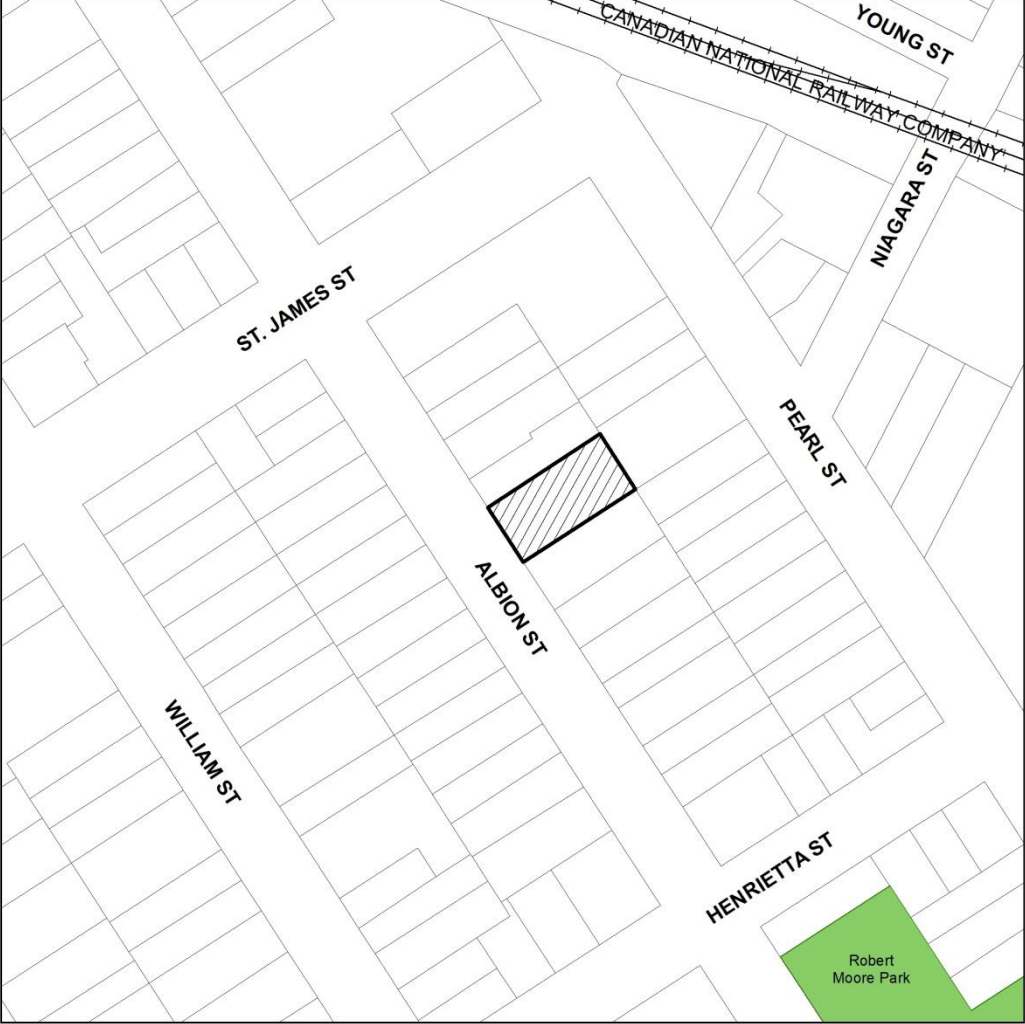
For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is October 28, 2020

END OF DECISION

LOCATION MAP

Application: B14/2020
149 Albion Street



Legend
SUBJECT LAND

