



THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B01/2023
Related File Numbers: N/A
Address: 8 Arthur Street
Roll Number: 2906040006253000000
Applicant/Owner: Scott Bertrand

**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 8 Arthur Street. The proposed consent will facilitate the creation of a new residential lot (Part 1) for the purposes of developing a single detached dwelling on the severed lands with separate ownership. The existing single detached dwelling will be maintained on the retained lot (Part 2).

To facilitate the development as proposed, the lot dimensions are detailed below:

Table 1: Proposed lot statistics for retained and severed lot at 8 Arthur Street

	Lands to be Severed (Part 1 on Site Plan)	Lands to be Retained (Part 2 on Site Plan)
Lot Width	14.63 m	20.16 m
Lot Depth	20.16 m	40.39 m
Lot Area	294.94 m ²	814.26 m ²

DECISION: PROVISIONAL APPROVAL

DATE: January 19, 2023

THAT Application B01/2023 to sever a parcel of land from the southwestern portion of the lands municipally addressed as 8 Arthur Street, having a lot area of 294.94 m², and to retain a parcel of land having a lot area of 814.26 m², BE APPROVED, subject to the following conditions:

1. Receipt of confirmation that all taxes are paid up to date.
2. 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).
3. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.

4. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.
5. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Wastewater Allocation Request Form has been submitted and approved
6. The Owner/Applicant shall provide a Servicing Plan to the satisfaction of the Manager of Development Engineering or his/her designate and the Manager of Capital and Development, Environmental Services, or his/her designate, indicating that the severed and retained parcels have been independently serviced with a sanitary and storm sewer connection and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
7. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
8. The Owner/Applicant shall provide a Grading and Drainage Plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Engineer licensed in the Province of Ontario
9. Receipt of confirmation that the daylight triangle, as required by the Engineering Department, has been conveyed to the City, at no cost to the municipality and free and clear of any encumbrances, with any costs regarding the transfer being borne by the Applicant(s).
10. Provide spatial separation calculations from a qualified designer for exposing building face of the existing building facing proposed lot line.
11. Receipt of confirmation that the Building Department requirements have been met.
12. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
13. Receipt of confirmation from the Development Engineering Department indicating that their requirements have been satisfied.
14. 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 139-2022).
15. That the above conditions be fulfilled and the Certificate of Consent be issued **on** or before January 20, 2025, 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 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is 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. 2023-40.”

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

**Electronically signed by G. Kempa,
Acting Chair/Member**

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

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

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

**Absent - V. Kershaw,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "**Minister of Finance**". In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

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

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

Secretary-Treasurer
Committee of Adjustment
58 Dalhousie Street
Brantford ON
N3T 2J2

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

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

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 9, 2023


END OF DECISION

LOCATION MAP

Application: B01/2023
8 Arthur Street

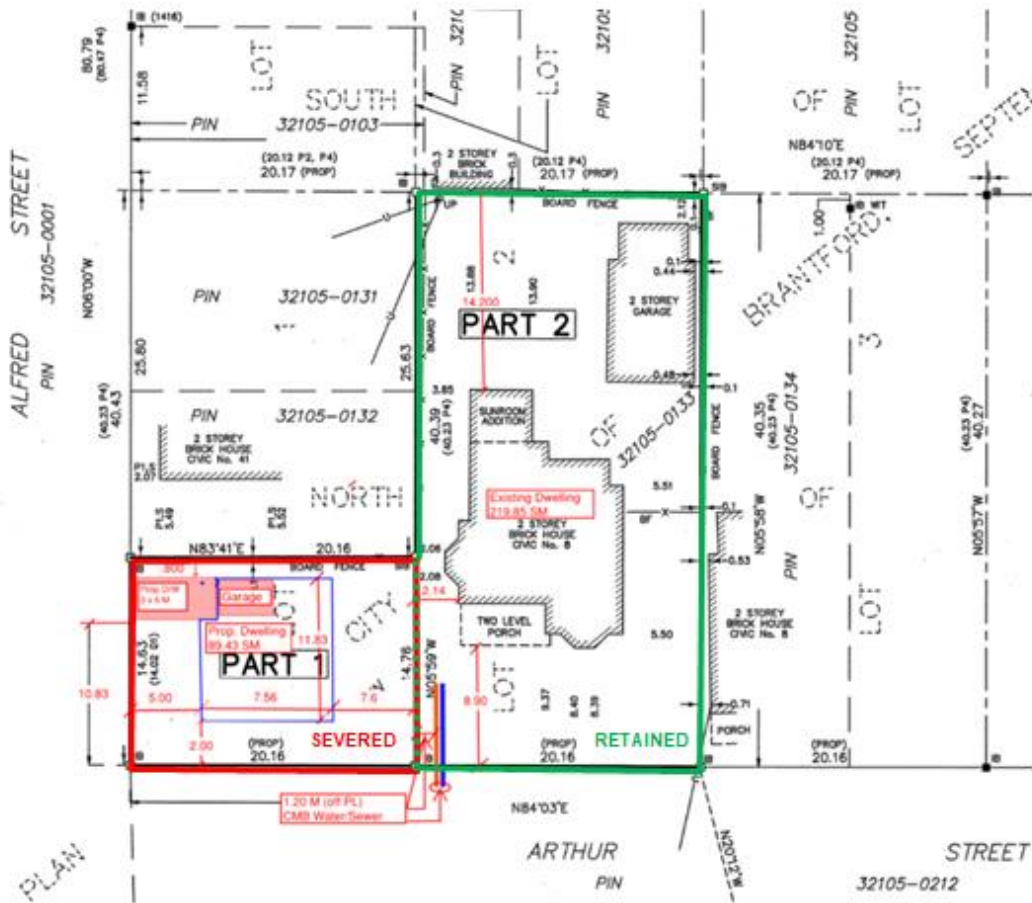


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 SUBJECT LAND



Conceptual Site Plan





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A02/2023
Related File Numbers: B02/2023
Address: 11-13 Rose Avenue
Roll Number: 2906050001094000000
Applicant/Owner: Kenbrooke Ltd. (Scott Saint)
Agent: GSP Group Inc. (Daniel Borrelli)

**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:

Minor variance and severance applications have been received for the lands municipally addressed as 11-13 Rose Avenue. The applicant is requesting a severance to create separate ownership over each existing semi-detached dwelling unit and land.

To facilitate the severance, the applicant is seeking the following relief from Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Lot area (semi-detached dwelling)	7.8.2.1.1.2	230.0 m ² /unit	Parcel A: 138 m ² Parcel B: 160 m ²	Parcel A: 92 m ² Parcel B: 70 m ²
Lot coverage (semi-detached dwelling)	7.8.2.1.3.3	40% maximum	Parcel A: 46.59% *Rounded to 47% to accommodate for minor measurement discrepancies Parcel B: 40.75% *Rounded to 41% to accommodate for minor measurement discrepancies	Parcel A: 6.59% Parcel B: 0.75%

DECISION: APPROVED

DATE: January 19, 2023

THAT Application A02/2023 requesting relief from Section 7.8.2.1.1.2 of Zoning By-law 160-90 to permit a lot area of a semi-detached unit of 138 m² for Parcel A and 160 m² for Parcel B, whereas a minimum lot area of 230 m² is required, and from Section 7.8.2.1.3.3 to permit a lot coverage of 47% for Parcel A and 41% for Parcel B, whereas a maximum of 40% is permitted, 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, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands; and,

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

“Regard has been had for all written and oral 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. 2023-36”.

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

**Electronically signed by G. Kempa,
Acting Chair/Member**

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

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

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

**Absent - V. Kershaw,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) for consents and 45(12) for minor variances) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: “Minister of Finance”. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

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

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Committee of Adjustment
58 Dalhousie Street
Brantford ON
N3T 2J2

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

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 8, 2023

END OF DECISION

LOCATION MAP

B02/2023 & A02/2023
11-13 Rose Avenue

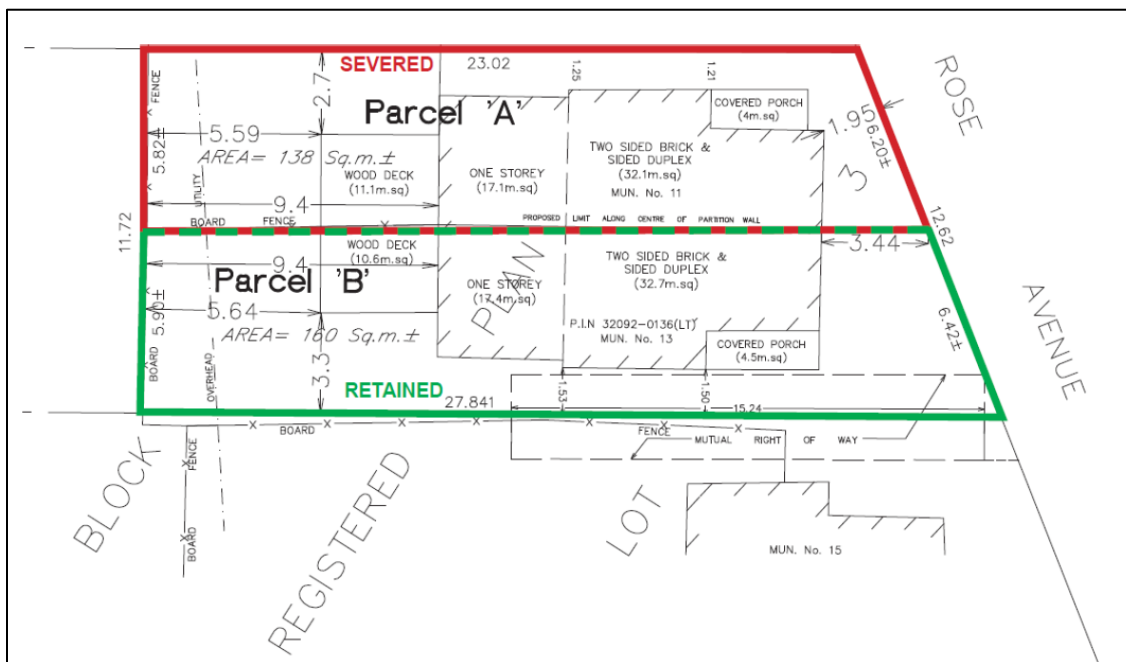


Legend

 SUBJECT LAND



Conceptual Site Plan





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B02/2023
Related File Numbers: A02/2023
Address: 11-13 Rose Avenue
Roll Number: 2906050001094000000
Applicant/Owner: Kenbrooke Ltd. (Scott Saint)
Agent: GSP Group Inc. (Daniel Borrelli)

**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:

Minor variance and severance applications have been received for the lands municipally addressed as 11-13 Rose Avenue. The applicant is requesting a severance to create separate ownership over each existing semi-detached dwelling unit and land. The proposed lot dimensions will be as follows:

	Severed (11 Rose Avenue)	Retained (13 Rose Avenue)
Lot Frontage	6.0 m	6.0 m
Lot Area	138 m ²	160 m ²

DECISION: PROVISIONAL APPROVAL

DATE: January 19, 2023

THAT Application B02/2023 to sever a parcel of land from the northwestern portion of the lands municipally addressed as 11-13 Rose Avenue, having a lot area of 138 m², and to retain a parcel of land having a lot area of 160 m², BE APPROVED, subject to the following conditions:

1. Receipt of confirmation that Application A02/2023 receives final and binding approval and is in full force and effect
2. Receipt of a registered reference plan showing the severed, retained and receiving lands;
3. Receipt of confirmation that all taxes are paid up to date;
4. Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (Upon registration a final copy of the Transfer deed shall be provided to the City);
5. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment

Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.

6. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.
7. The Owner/Applicant shall provide a Servicing Plan to the satisfaction of the Manager of Development Engineering or his/her designate, indicating that the severed and retained parcels have been independently serviced with a sanitary and storm sewer connection and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
8. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
9. The Owner/Applicant shall provide a Grading and Drainage Plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Engineer licensed in the Province of Ontario.
10. Provide drawing to the satisfaction of the Chief Building Official, showing location and continuity of proposed party wall along proposed property line. Drawing to be signed or stamped by qualified designer.
11. Confirmation from Bell Canada that the necessary easement has been registered.
12. That the above conditions be fulfilled and the Certificate of Consent be issued on or before January 20, 2025, 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 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is 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. 2023-36”.

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

**Electronically signed by G. Kempa,
Acting Chair/Member**

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

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

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

**Absent - V. Kershaw,
Member**

CERTIFICATION

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Secretary-Treasurer

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APPEALS

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Committee of Adjustment
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Brantford ON
N3T 2J2

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 9, 2023

END OF DECISION

LOCATION MAP

B02/2023 & A02/2023
11-13 Rose Avenue

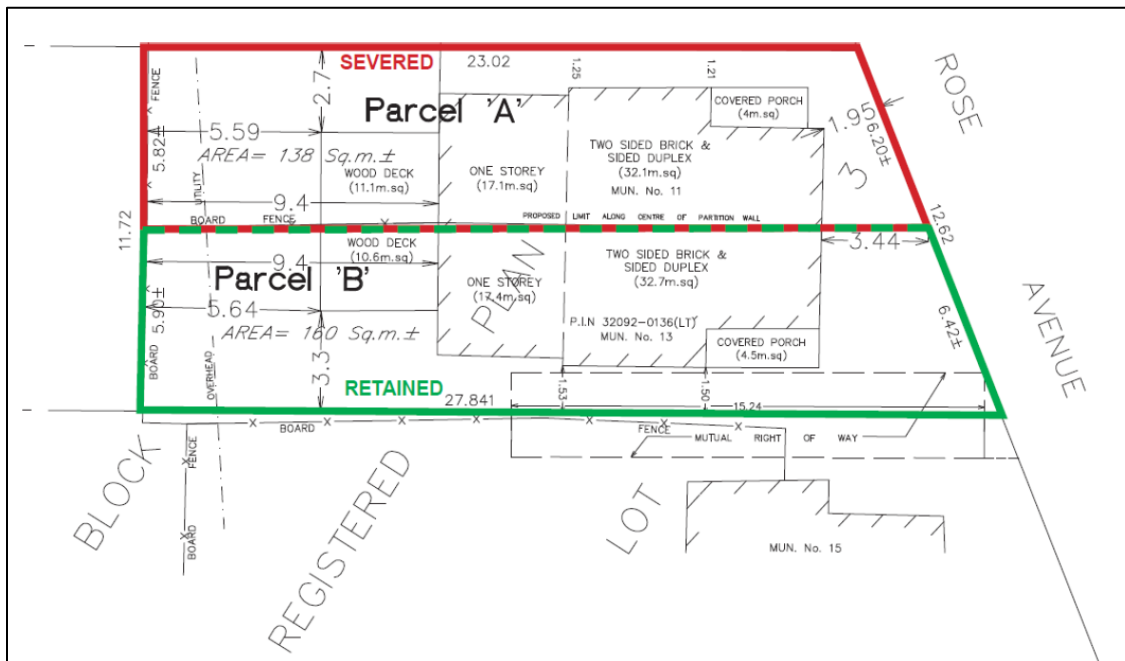


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 SUBJECT LAND



Conceptual Site Plan





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A03/2023
Related File Numbers: N/A
Address: 253 Wellington Street
Roll Number: 2906040003202020000
Applicant/Agent: John Sibenik
Owner: Cyrus Mirza

**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 253 Wellington Street. The applicant is converting the existing one-storey single detached dwelling into a converted dwelling. The main dwelling unit is located on the first floor and the accessory unit is located in the basement.

To facilitate the development as proposed, the applicant is seeking the following relief from Zoning By-law 160-90:

Table 1: Requested relief from Zoning By-law 160-90

Regulation	By-law Section	Required	Proposed	Relief Requested
Parking in the front yard	6.18.3.3	1 space (maximum)	2 spaces	1 space
Landscaped open space in the front yard	6.18.3.9	50% (minimum)	34.8%	15.2%

DECISION: APPROVED

DATE: January 19, 2023

THAT Application A03/2023 requesting relief from Section 6.18.3.3 of the City of Brantford Zoning By-law 160-90 to permit a maximum of two (2) parking spaces in the minimum front yard, whereas (1) parking space is the maximum permitted, and from Section 6.18.3.9 to permit 34.8% front yard landscaped open space, whereas the minimum required is 50%, 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 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 and of Report No. 2023-37.”

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

**Electronically signed by G. Kempa,
Acting Chair/Member**

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

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

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

**Absent - V. Kershaw,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 45(12) for minor variances) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

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Notice of Changes

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

Secretary-Treasurer
Committee of Adjustment
58 Dalhousie Street
Brantford ON
N3T 2J2

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

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 8, 2023

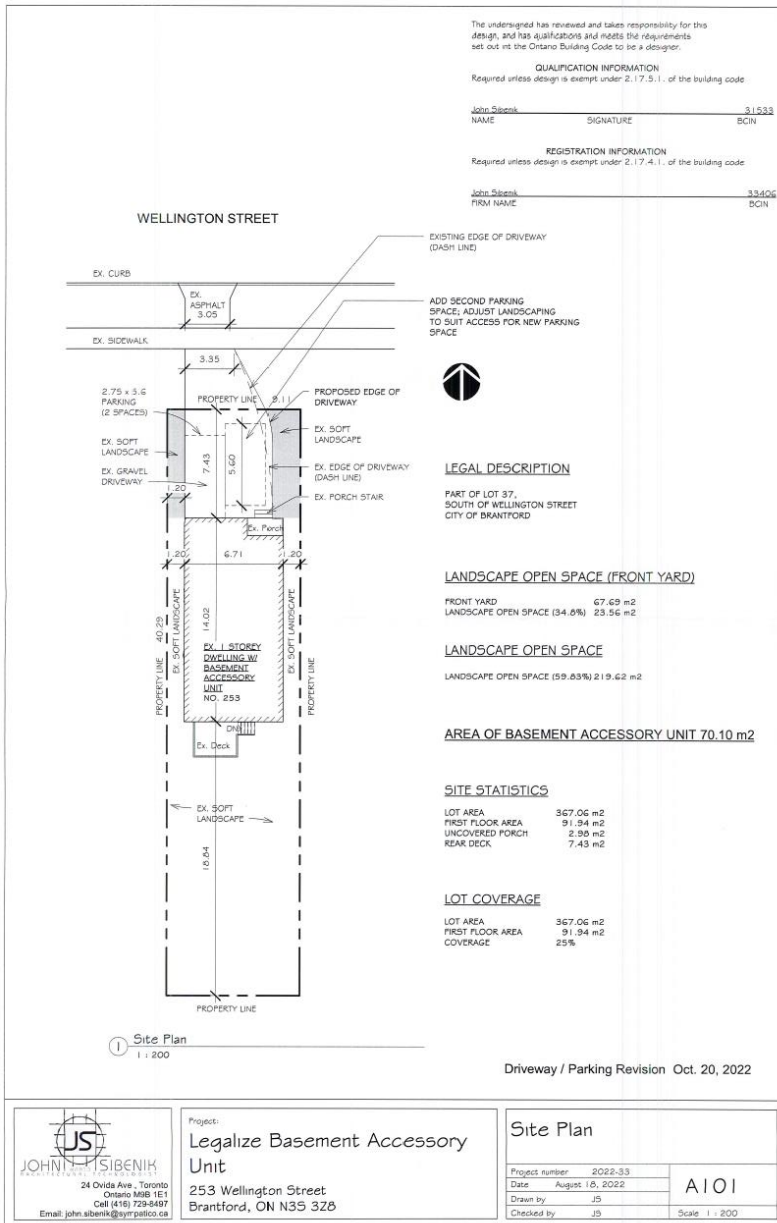
END OF DECISION

LOCATION MAP

Application: A03/2023
253 Wellington Street



Conceptual Site Plan





THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A37/2022
Related File Numbers: N/A
Address: 306 Dalhousie Street
Roll Number: 2906040004110000000
Owner/Applicant: Dante DeDominicis
Agent: Ruchika Angrish

**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 306 Dalhousie Street. The subject lands are already under construction for semi-detached dwellings, the applicant is now looking to build a four unit converted dwelling in an existing duplex fronting onto Dalhousie Street. The proposed building will have four (4) residential units with two above ground and two below. In an effort to meet the parking requirements, the applicant is proposing a parking configuration with one less space than required by Zoning By-law 160-90. The applicant is also proposing to reduce the width of the parking stalls from 2.75 m to 2.50 m, and reduce the amount of landscaped open space in the front yard from the required 50% to 22%.

To facilitate the development as proposed, the applicant requires a minor variance, and is seeking the following relief from Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Parking Space Dimensions	6.18.1.1.6	2.75 m width	2.50 m width	0.25 m reduction
Front Yard Landscaped Open Space	6.18.3.9	50%	22%	27%
Off-street Parking	6.18.7.8	1.0 space / unit with 4 proposed units	3 spaces	1 space

DECISION: APPROVED

DATE: January 19, 2023

THAT Application A37/2022 requesting relief from Section 6.18.1.1.6 of Zoning By-law 160-90 to permit a parking stall width of 2.50 m, whereas a width of 2.75 m is required, and from Section 6.18.3.9 to permit 22% of the front yard to be landscaped open space, whereas a minimum of 50% is required, and from Section 6.18.7.8 to permit 3 parking spaces, whereas a minimum of 4 parking spaces are required for a converted dwelling with 4 units, 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, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands; and,

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

“Regard has been had for all written and oral 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. 2023-38”.

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

**Electronically signed by G. Kempa,
Acting Chair/Member**

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

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

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

**Absent - V. Kershaw,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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APPEALS

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

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58 Dalhousie Street
Brantford ON
N3T 2J2

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

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

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 8, 2023


END OF DECISION

LOCATION MAP

Application: A37/2022
306 Dalhousie Street

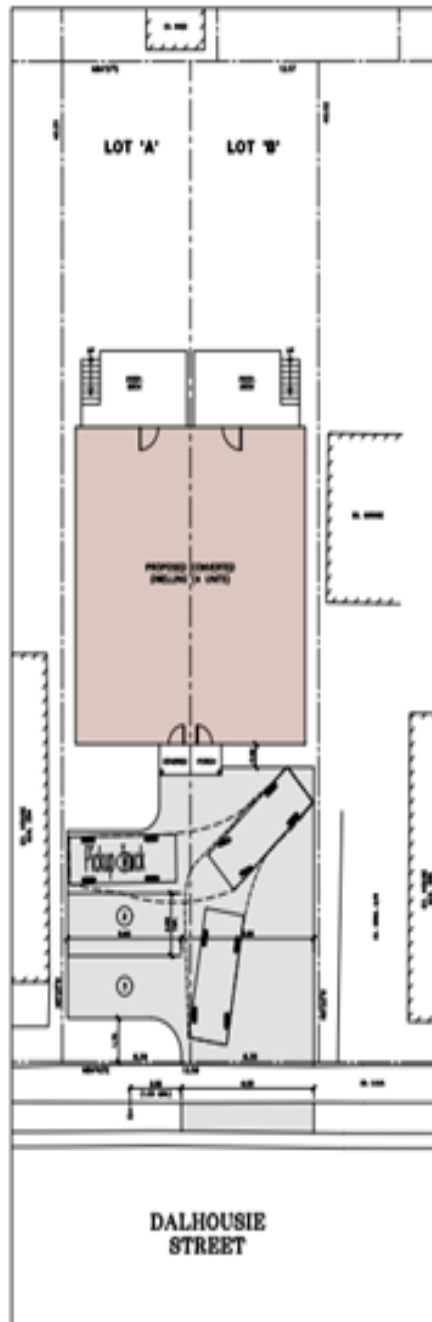


Legend

 SUBJECT LAND



Conceptual Site Plan



OPTION No. 2