



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: A29/2023
Related File Numbers: B27/2023, B28/2023
Address: 72 Ava Road
Roll Number: 2906010005055000000
Applicant/Owner: Kasco Properties Ltd
Agent: J. H. Cohoon Engineering (c/o Bob Phillips)

**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 72 Ava Road, legally described as Plan 1000 Section 20 Lot 5. The applicant is requesting to sever the subject property to create two additional lots on the property for the construction of two single-detached dwellings in addition to a retained parcel for a total of 3 residential lots. The property is located at the southern corner of the intersection between Ava Road and Stymie Boulevard, immediately to the west of the CN rail line. To facilitate the development, the applicant is requesting relief from Section 7.2.3.2.2 of Zoning By-law 160-90 to permit a lot width of 18.4 m, whereas a minimum lot width of 24.5 m is required, and from Section 7.2.3.2.1 of Zoning By-law 160-90 to permit a lot area of 655.7 m², whereas a minimum lot area of 745.0 m² is required.

DECISION: DEFERRED

DATE: September 6, 2023

THAT Minor Variance application A29/2023 requesting relief from Section 7.2.3.2.2 of Zoning By-law 160-90 to permit a lot width of 18.4 m, whereas a minimum lot width of 24.5 m is required, and from Section 7.2.3.2.1 of Zoning By-law 160-90 to permit a lot area of 655.7 m², whereas a minimum lot area of 745.0 m² is required, BE DEFERRED for up to two meeting cycles to allow staff and the applicant further time to consult with the public.

Pursuant to Section 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, 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. 2023-551.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
Member**

CERTIFICATION

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



Secretary-Treasurer

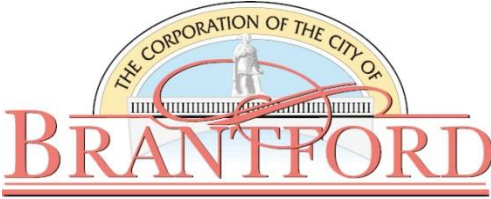
ADDITIONAL INFORMATION

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

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.

END OF DECISION



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: B27/2023
Related File Numbers: B28/2023 & A29/2023
Address: 72 Ava Road
Roll Number: 2906010005055000000
Applicant/Owner: Kasco Properties Ltd
Agent: J. H. Cohoon Engineering (c/o Bob Phillips)

**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 72 Ava Road, legally described as Plan 1000 Section 20 Lot 5. The applicant is requesting to sever the subject property to create two additional lots on the property for the construction of two single-detached dwellings in addition to a retained parcel for a total of 3 residential lots. The property is located at the southern corner of the intersection between Ava Road and Stymie Boulevard, immediately to the west of the CN rail line. This application is for Severed Lot 2.

Lot Dimension	Severed Lot 1	Severed Lot 2	Lands to be Retained
Lot Width	18.49 m	18.49 m	18.49 m
Lot Depth	35.48 m	35.48 m	35.48 m
Lot Area	655.7 m ²	655.7 m ²	655.7 m ²

DECISION: DEFERRED

DATE: September 6, 2023

THAT Consent applications B27/2023 requesting to sever a parcel of land from the subject land municipally addressed as 72 Ava Road, having a lot area of 655.7 m², and to retain a parcel of land having a lot area of 1,311.4 m², BE DEFERRED for up to two meeting cycles to allow staff and the applicant further time to consult with the public.

Pursuant to Section 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, 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. 2023-551.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

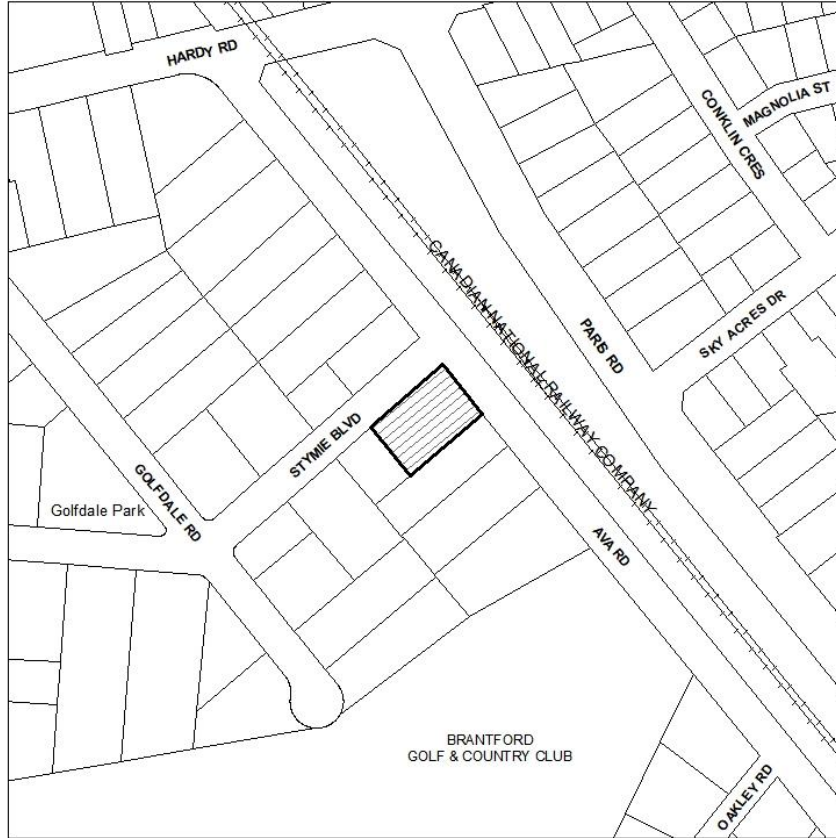
Notice of Changes

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.

END OF DECISION

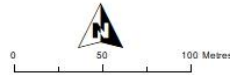
LOCATION MAP

Application: B27/2023, B28/2023 & A29/2023
72 Ava Road

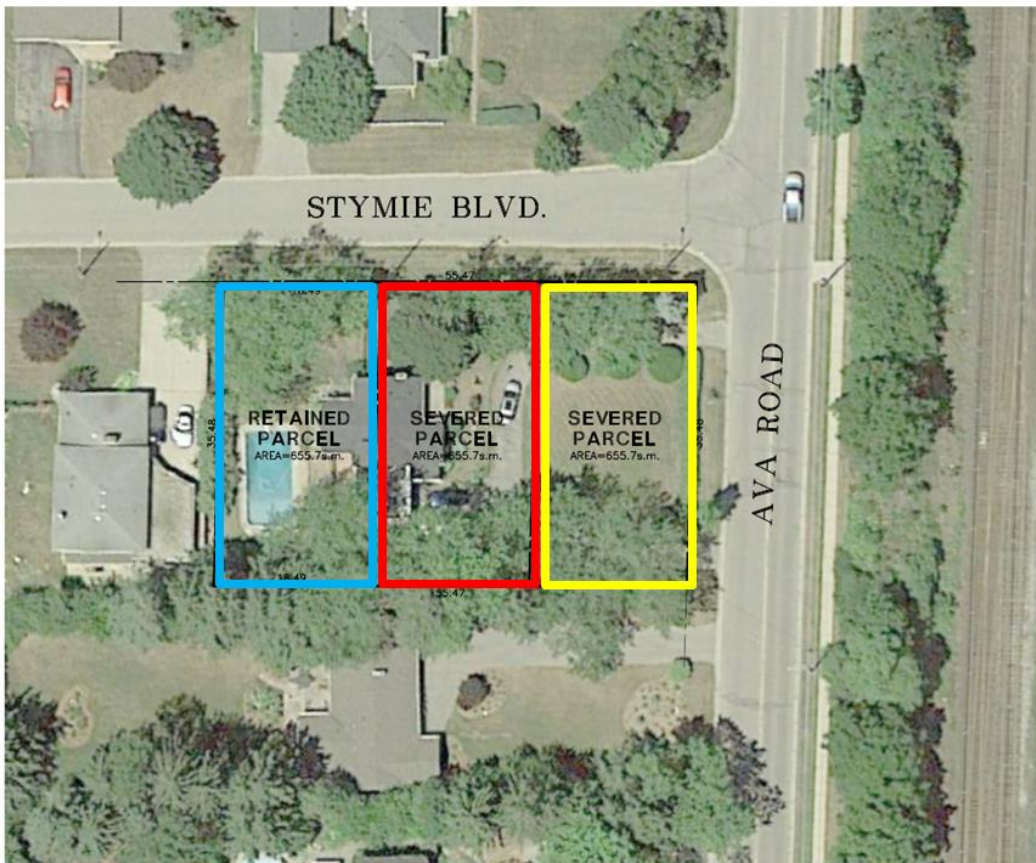





Legend

 SUBJECT LAND




Consent Sketch



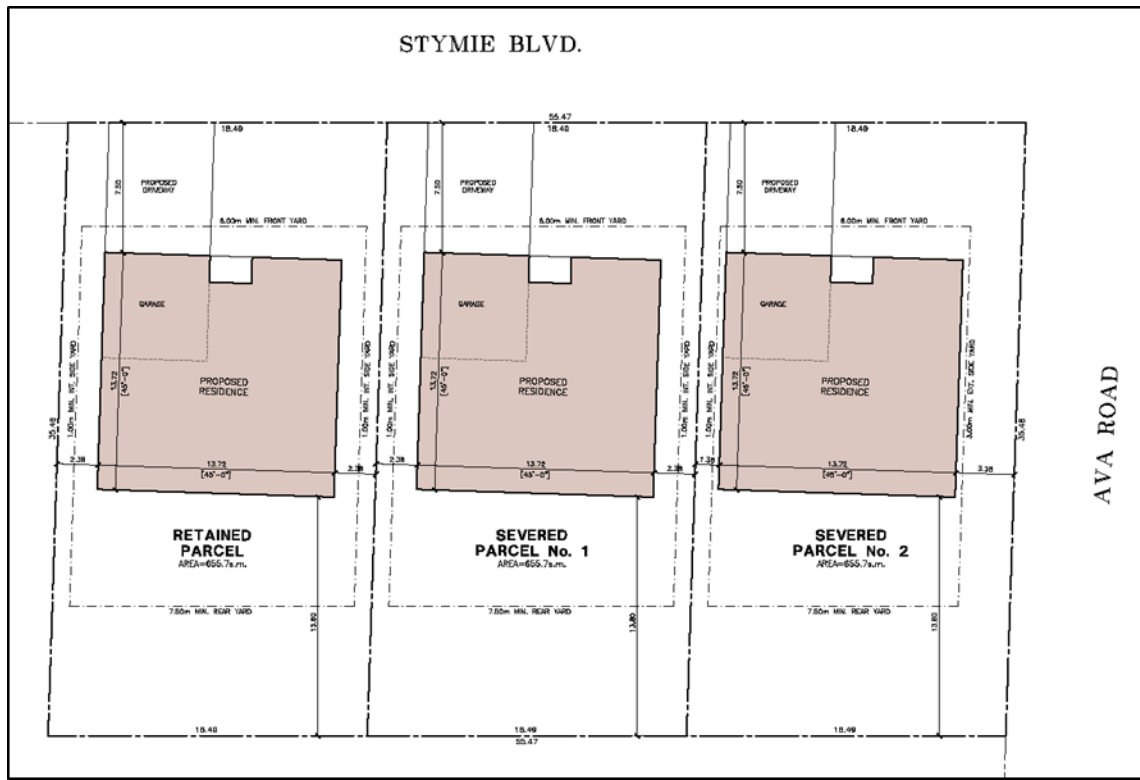
-  Retained Parcel
-  Severed Parcel 1 (B28/2023)
-  Severed Parcel 2 (B27/2023)

CONCEPT #2
 PROPOSED SEVERANCE
 72 AVA ROAD — BRANTFORD

 **J.H. COHOON ENGINEERING LIMITED**
 CONSULTING ENGINEERS
 BRANTFORD

CLIENT: KEN SPIRET JOB: 15643
 SCALE: 1:400

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: B28/2023
Related File Numbers: B27/2023 & A29/2023
Address: 72 Ava Road
Roll Number: 2906010005055000000
Applicant/Owner: Kasco Properties Ltd
Agent: J. H. Cohoon Engineering (c/o Bob Phillips)

**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 72 Ava Road, legally described as Plan 1000 Section 20 Lot 5. The applicant is requesting to sever the subject property to create two additional lots on the property for the construction of two single-detached dwellings in addition to a retained parcel for a total of 3 residential lots. The property is located at the southern corner of the intersection between Ava Road and Stymie Boulevard, immediately to the west of the CN rail line. This application is for Severed Lot 1.

Lot Dimension	Severed Lot 1	Severed Lot 2	Lands to be Retained
Lot Width	18.49 m	18.49 m	18.49 m
Lot Depth	35.48 m	35.48 m	35.48 m
Lot Area	655.7 m ²	655.7 m ²	655.7 m ²

DECISION: DEFERRED

DATE: September 6, 2023

THAT Consent application B28/2023 requesting to sever a parcel of land from the subject land municipally addressed as 72 Ava Road, having a lot area of 655.7 m², and to retain a parcel of land having a lot area of 655.7 m², BE DEFERRED for up to two meeting cycles to allow staff and the applicant further time to consult with the public.

Pursuant to Section 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, 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. 2023-551.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

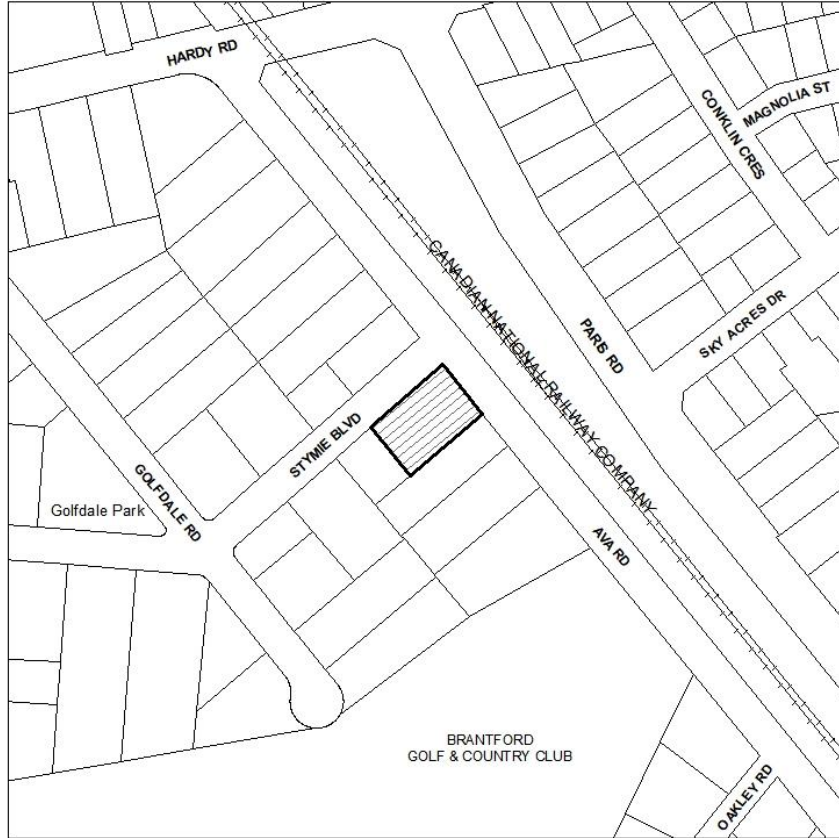
Notice of Changes

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.

END OF DECISION

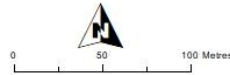
LOCATION MAP

Application: B27/2023, B28/2023 & A29/2023
72 Ava Road

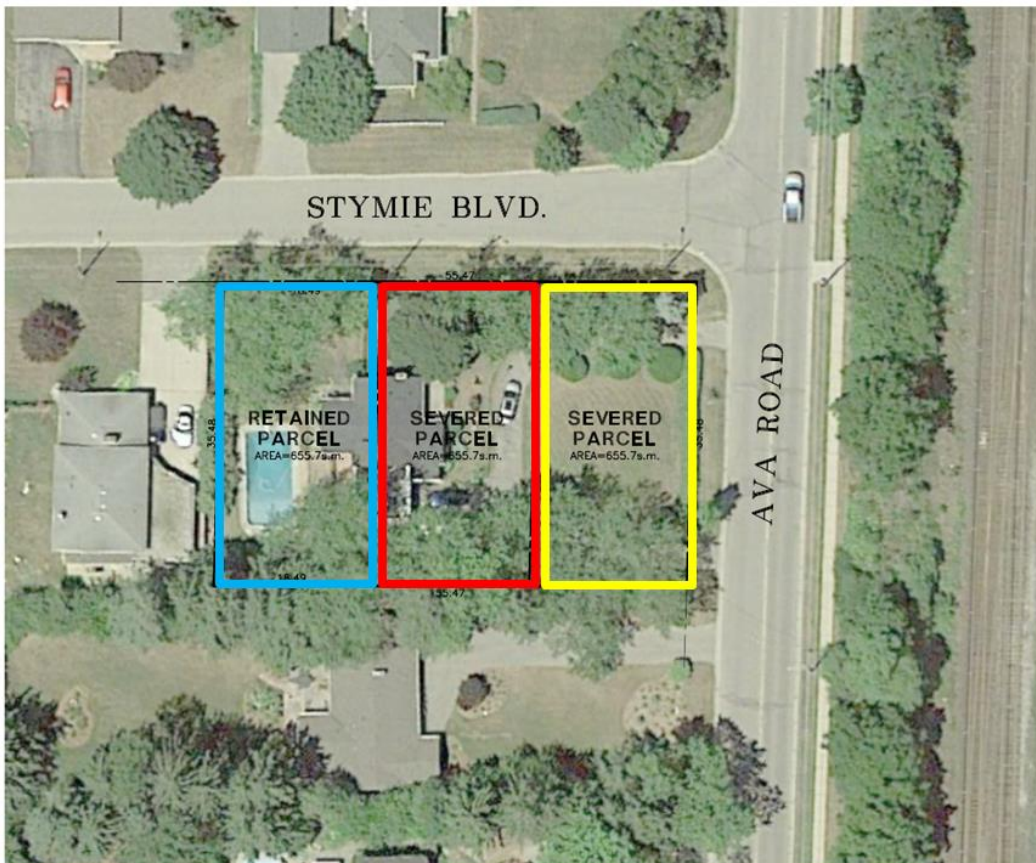


Legend

SUBJECT LAND



Consent Sketch



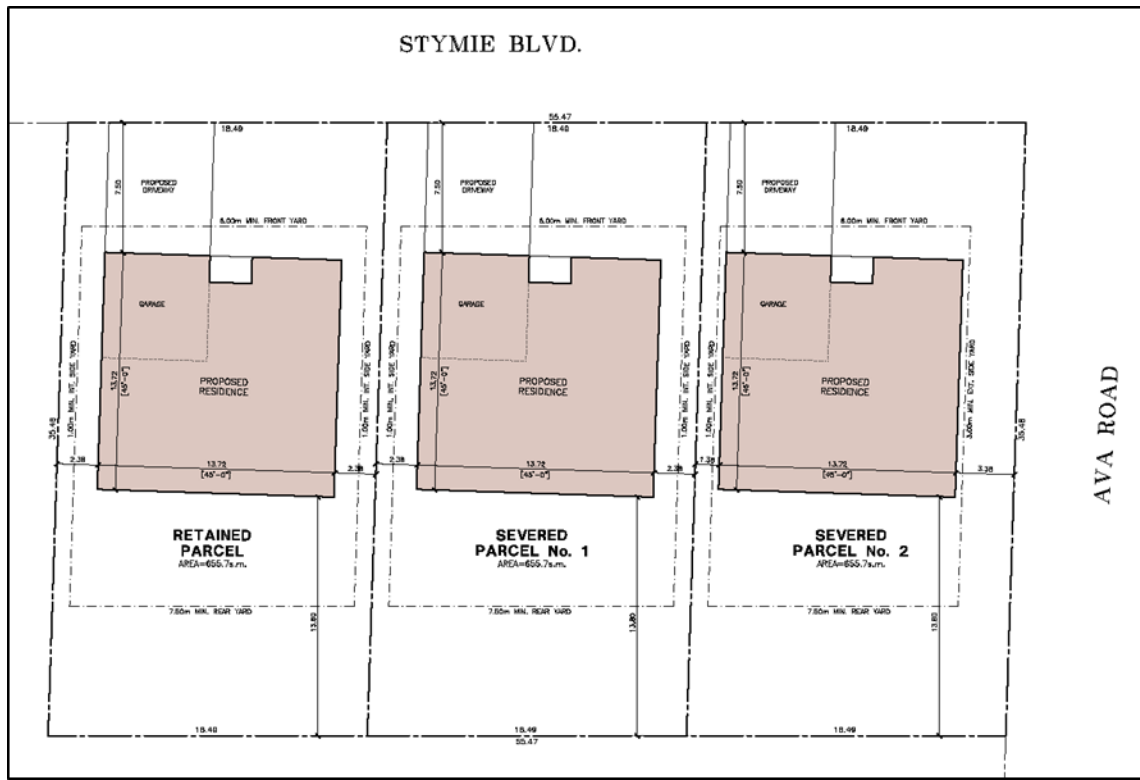
- Retained Parcel
- Severed Parcel 1 (B28/2023)
- Severed Parcel 2 (B27/2023)

CONCEPT #2
 PROPOSED SEVERANCE
 72 AVA ROAD — BRANTFORD

J.H. COHOON ENGINEERING LIMITED
 CONSULTING ENGINEERS
 BRANTFORD

CLIENT: KEN SPIRET JOB: 15643
 SCALE: 1:400

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: A28/2023
Related File Numbers: N/A
Address: 187 Phelps Road
Roll Number: 2906010030174000000
Applicant/Owner: Aaron Penrice
Agent: J.H. Cohoon Engineering Limited c/o Bob Phillips

**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:

An application has been received for the lands municipally addressed as 187 Phelps Road. The owner/applicant has received a building permit for the construction of the single-detached dwelling and garage which was proposed to be attached to the house via a breezeway. The dwelling and a detached garage have now been constructed (without the breezeway). The applicant has applied for a minor variance to permit the detached garage in the front yard.

DECISION: APPROVED

DATE: September 6, 2023

THAT Application A28/2023 requesting relief from Section 4.4(b) of County of Brant Zoning By-law 61-16 to allow an accessory building in the front yard, whereas the Zoning Bylaw does not allow buildings or structures accessory to a dwelling unit to be located in a front yard, BE APPROVED;

THAT the reason(s) for approval of the minor variance are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 61-16, the relief requested is minor in nature and is desirable for the appropriate development and use of the subject lands, and,

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, 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. 2023-545.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
Member**

CERTIFICATION

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

Sarah Hague

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.

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.

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

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.

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/>

Notice of Changes

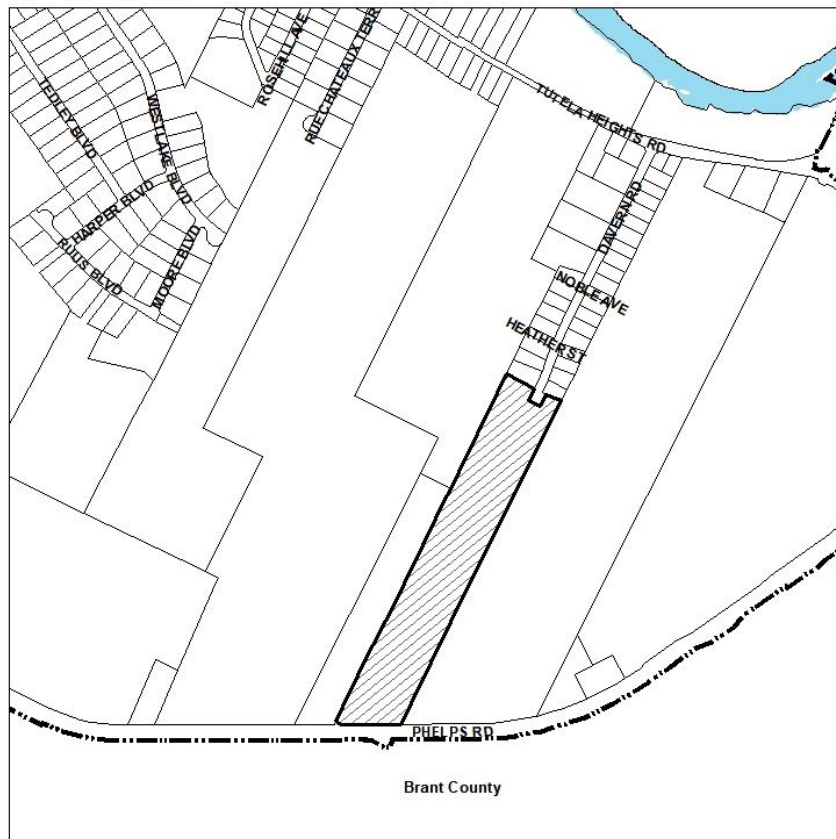
You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is September 26, 2023

END OF DECISION

LOCATION MAP

Application: A28/2023
187 Phelps Road



Legend

SUBJECT LAND



sanitary and storm sewer connection and that these services do not cross the proposed severance line(s) 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 prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before September 8, 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.

Pursuant to Section 53(17) – (18.2) of the Planning Act, R.S.O 1990, c. P. 13, 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 2023-490.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

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) 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.

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/>

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 Ontario Land Tribunal of this Decision is September 28, 2023

END OF DECISION

LOCATION MAP

Application: B29/2023
12 Wright Street



Legend

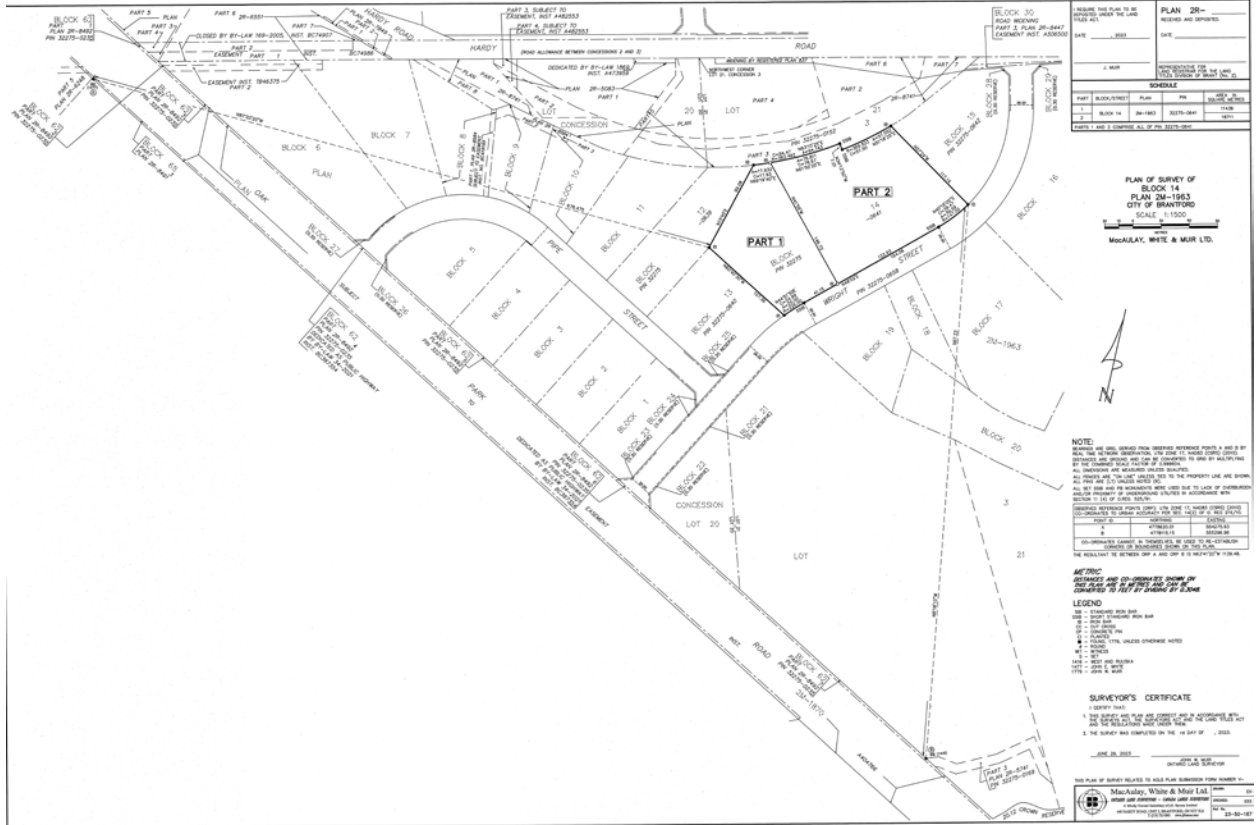
 SUBJECT LAND



Consent Sketch



Draft Reference Plan



Plan and Zoning By-law and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement;

Pursuant to Section 53(17) of the Planning Act, R.S.O 1990, c. P. 13, 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 2023-558.

**Opposed - V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Opposed - T. Gaskin
Member**

**Opposed - G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

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) 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

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.

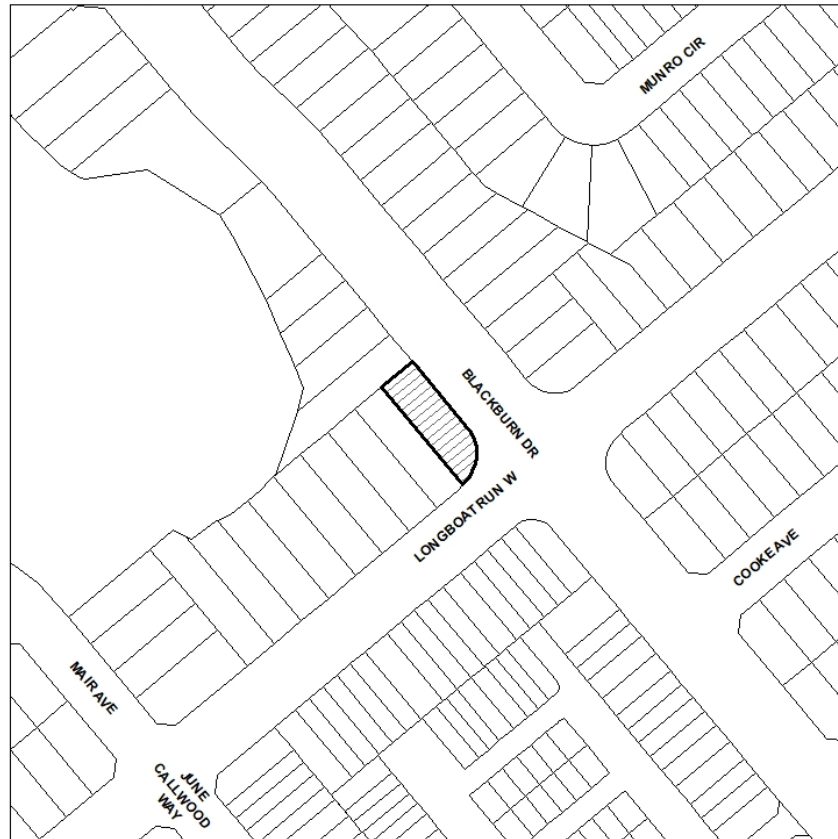
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is September 28, 2023

END OF DECISION

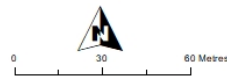
LOCATION MAP

Application: B31/2023 and A31/2023
192 Longboat Run West

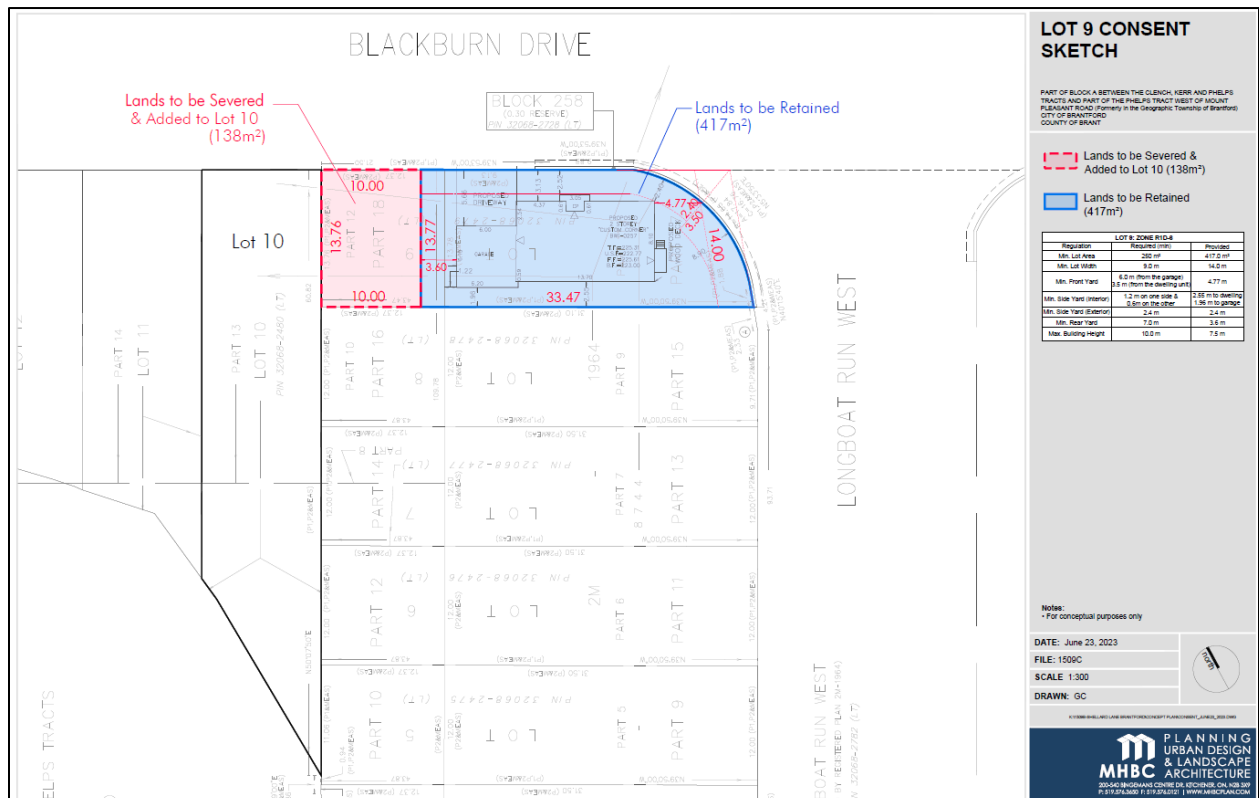


Legend

SUBJECT LAND



Proposed Site Plan and Consent Sketch





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

**COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE**

File Number: A31/2023
Related File Numbers: B31/2023
Address: 192 Longboat Run West
Roll Number: 2906010011107770000
Applicant/Owner: Losani Homes Ltd., c/o Travis Skelton
Agent: MHBC Planning, c/o Dave Aston

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

PROPOSAL:

Consent and minor variance applications have been received for the lands municipally addressed as 192 Longboat Run West (Lot 9 on 2M-1964) in Phase 1 of Shellard Lane Subdivision (Subdivision File 29T-16502). The applicant is proposing to reduce the depth of Lot 9 by adjusting the rear boundary through a lot addition (boundary adjustment). The severed parcel at the rear of the lot is to be combined with Lot 10 for future development. The applicant is requesting relief from Section 7.5.3.6.6 of Zoning By-law 160-90 to permit a rear yard setback of 3.6 m, whereas a minimum rear yard of 7.0 m is required.

DECISION: APPROVED AS AMENDED

DATE: September 6, 2023

THAT Minor Variance application A31/2023 seeking relief from Section 7.5.3.6.6 of Zoning By-law 160-90 to permit a rear yard setback of 5.0 m, whereas a minimum rear yard of 7.0 m is required, BE APPROVED;

THAT the reason(s) for approval of the minor variance are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 61-16, the relief requested is minor in nature and is desirable for the appropriate development and use of the subject lands, and,

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, 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 2023-558.

**Opposed - V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Opposed - T. Gaskin
Member**

**Opposed - G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
Member**

CERTIFICATION

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

Sarah Hague

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.

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.

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

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.

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/>

Notice of Changes

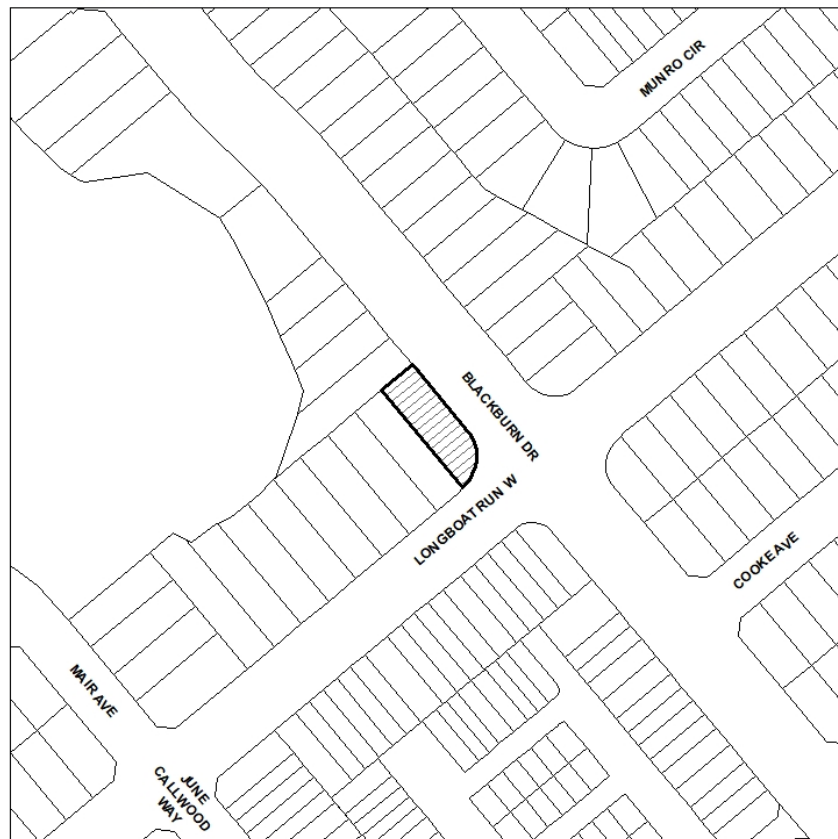
You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is September 26, 2023


END OF DECISION

LOCATION MAP

Application: B31/2023 and A31/2023
192 Longboat Run West

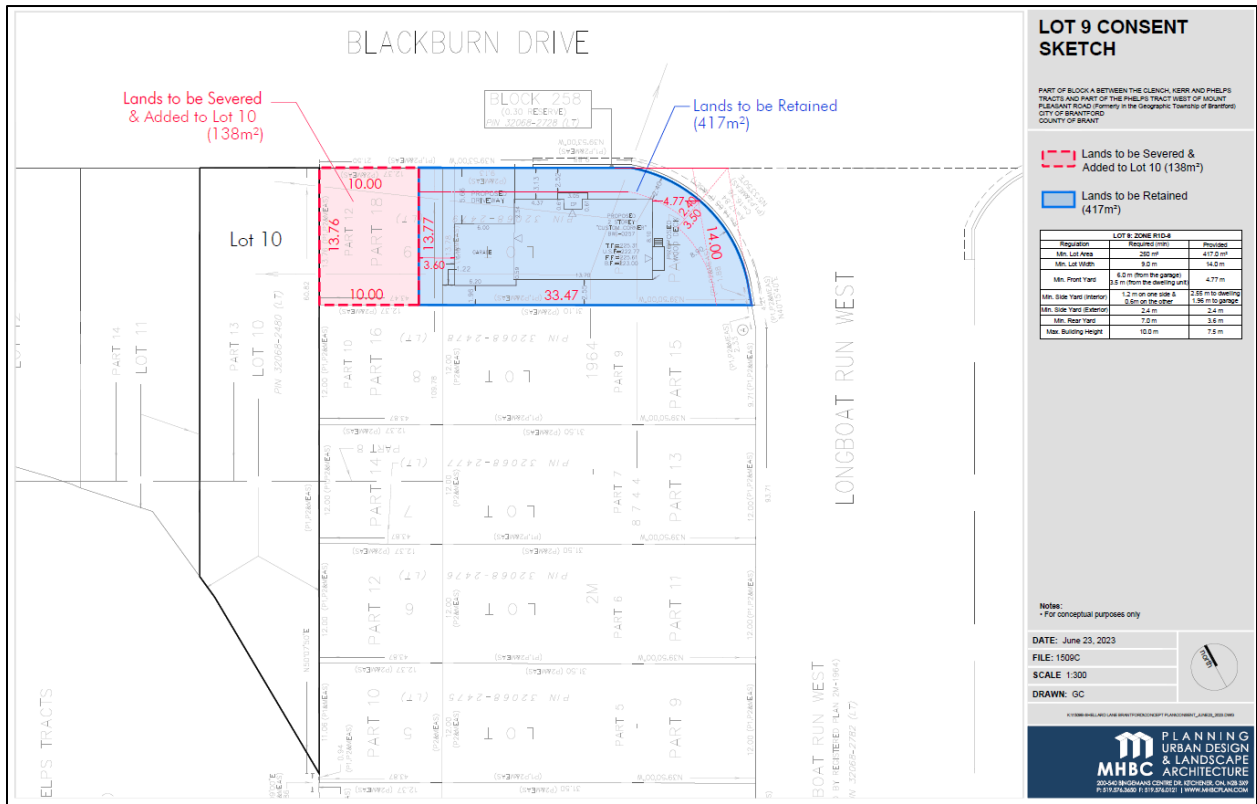


Legend

 SUBJECT LAND



Proposed Site Plan and Consent Sketch





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

**COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE**

File Number: A32/2023
Related File Numbers: B32/2023, B33/2023, B34/2023
Address: 44 and 48 Gladstone Avenue
Roll Number: 2906050004209000000 & 2906050004207000000
Applicant: 1000104279 ON INC. c/o James Delodder
Owner (44 Gladstone Ave): 1000104279 ON INC. c/o James Delodder
Owner (48 Gladstone Ave): James Delodder

**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:

Three consent applications and a minor variance application have been received for the lands municipally addressed as 44, 46, and 48 Gladstone Avenue. The applicant is proposing to sever off the back portions of the three lots, to be merged to create a new lot with frontage on Ontario Street. The addition on the rear of the dwellings at 44 and 48 Gladstone Avenue will be removed to provide a larger rear yard for the retained lots. To facilitate the developments as proposed, the applicant has requested relief from Section 7.5.2.1.6 of Zoning By-law 160-90 to permit a minimum rear yard of 5.36 m for 44 Gladstone Avenue, whereas a minimum rear yard setback of 7.5 m is required, from Section 7.5.2.1.8 of Zoning By-law 160-90 to permit a minimum Gross Floor Area of 68 m² for 44 Gladstone Avenue, whereas 70 m² is required, and from Section 7.5.2.1.8 of Zoning By-law 160-90 to permit a Gross Floor Area of 56 m² for 48 Gladstone Avenue, whereas 70 m² is required.

DECISION: APPROVED

DATE: September 6, 2023

THAT Minor Variance application A32/2023 requesting relief from Section 7.5.2.1.6 of Zoning By-law 160-90 to permit a minimum rear yard of 5.36 m, whereas a minimum rear yard setback of 7.5 m is required for 44 Gladstone, and from Section 7.5.2.1.8 of Zoning By-law 160-90 to permit a minimum Gross Floor Area of 68 m², whereas 70 m² is required for 44 Gladstone avenue, and from Section 7.5.2.1.8 of Zoning By-law 160-90 to permit a Gross Floor Area of 56 m² whereas 70 m² is required for 48 Gladstone Avenue, 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 relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands;

Pursuant to Sections 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, 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. 2023-562.

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
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.

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.

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

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.

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/>

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 Ontario Land Tribunal of this Decision is September 26, 2023

END OF DECISION

LOCATION MAP

Application: B32/2023, B33/2023, B34/2023 and A33/2023.
44, 46 & 48 Gladstone Avenue

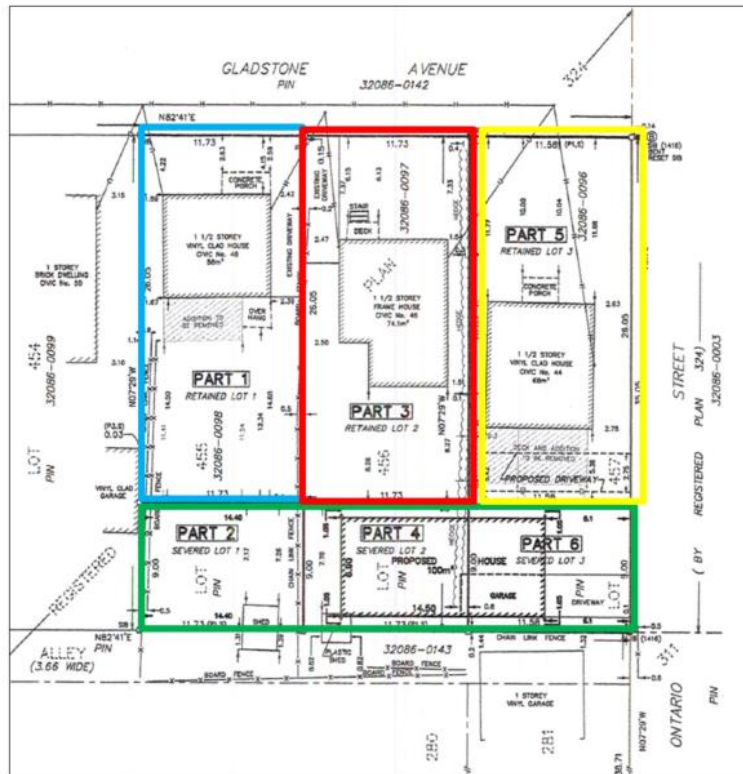




Legend

 SUBJECT LANDS



Site Plan



-  Retained lot 1 (B32/2023 & A32/2023): 48 Gladstone Ave.
-  Retained lot 2 (B33/2023): 46 Gladstone Ave.
-  Retained lot 3 (B24/2023): 44 Gladstone Ave.
-  New proposed lot



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: B33/2023
Related File Numbers: B32/2023, B34/2023 & A32/2023
Address: 46 Gladstone Avenue
Roll Number: 2906050004208000000
Applicant: 1000104279 ON INC. c/o James Delodder
Owner: Karen Green

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:

Three consent applications and a minor variance applications have been received for the lands municipally addressed as 44, 46, and 48 Gladstone Avenue. The applicant is proposing to sever off the back portions of the three lots, to be merged to create a new lot with frontage on Ontario Street. The addition on the rear of the dwellings at 44 and 48 Gladstone Avenue will be removed to provide a larger rear yard for the retained lot. This application is for Severed Lot 2.

	Required (F-R1D Zone)	48 Gladstone Ave. (Retained Lot 1)	46 Gladstone Ave. (Retained Lot 2)	44 Gladstone Ave. (Retained Lot 3)	Proposed New Lot
Lot Width	9.0 m	11.58 m	11.73 m	11.73 m	9.0 m
Lot Area	270 m ²	302 m ²	306 m ²	306 m ²	316 m ²

DECISION: PROVISIONAL APPROVAL

DATE: September 6, 2023

THAT Consent application B33/2023 requesting to sever a parcel of land from the subject land municipally addressed as 46 Gladstone Avenue, having a lot area of 106 m², and to retain a parcel of land having a lot area of 306 m², BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed, retained and receiving lands.
2. Receipt and confirmation that Applications B32/2023 and B34/2023 receive final and binding approval and iare in full force and effect.
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 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).
6. Receipt of confirmation from the Applicant's solicitor that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent. Therefore, the Solicitor acting in the transfer will provide an undertaking confirming that 'Part 2', 'Part 4' and 'Part 6' on Appendix F of Report 2023-562 will be merged in title.
7. 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.
8. 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.
9. The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Servicing Plan shall indicate 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.
10. 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.
11. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
12. Any existing driveway and curb cut that will not be utilized by the proposed development shall be restored to the proper boulevard and curb.
13. A demolition permit is required to demolish the existing accessory structure, to the satisfaction of the Manager of Building Services, or his/her designate.
14. That the above conditions be fulfilled and the Certificate of Consent be issued on or before September 8, 2025, after which time the consent will lapse.

THAT the reason(s) for approval of application B33/2023 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;

Pursuant to Section 53(17) – (18.2) of the Planning Act, R.S.O 1990, c.P.13, the 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. 2023-562.

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
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.

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) 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

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 September 28, 2023

END OF DECISION

LOCATION MAP

Application: B32/2023, B33/2023, B34/2023 and A33/2023.
44, 46 & 48 Gladstone Avenue

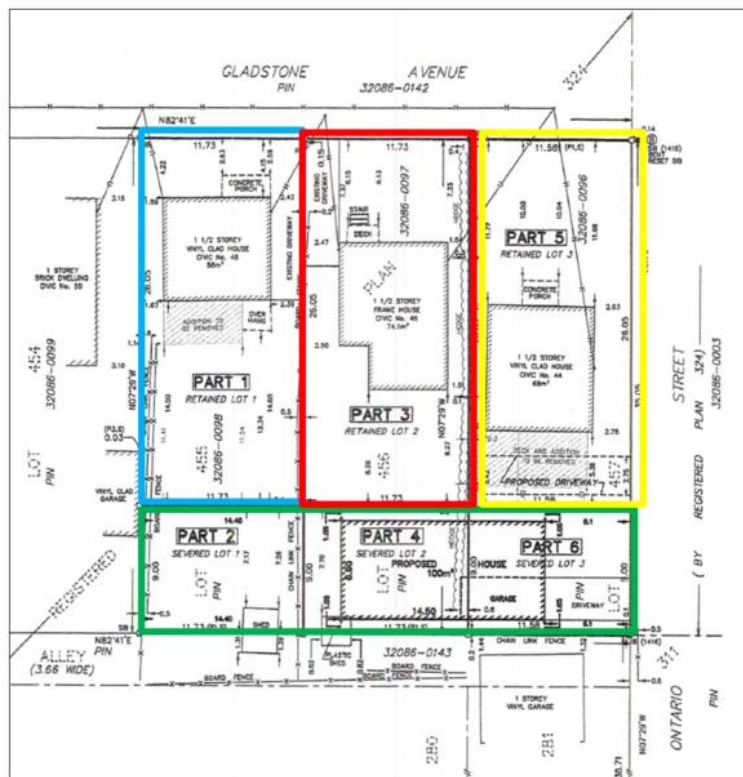


Legend

SUBJECT LANDS



Site Plan and Consent Sketch



- Retained lot 1 (B32/2023 & A32/2023): 48 Gladstone Ave.
- Retained lot 2 (B33/2023): 46 Gladstone Ave.
- Retained lot 3 (B24/2023): 44 Gladstone Ave.
- New proposed lot



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: B32/2023
Related File Numbers: B33/2023, B34/2023 & A32/2023
Address: 48 Gladstone Avenue
Roll Number: 2906050004207000000
Applicant: 1000104279 ON INC. c/o James Delodder
Owner: James Delodder

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:

Three consent applications and a minor variance applications have been received for the lands municipally addressed as 44, 46, and 48 Gladstone Avenue. The applicant is proposing to sever off the back portions of the three lots, to be merged to create a new lot with frontage on Ontario Street. The addition on the rear of the dwellings at 44 and 48 Gladstone Avenue will be removed to provide a larger rear yard for the retained lot. This application is for Severed Lot 1.

	Required (F-R1D Zone)	48 Gladstone Ave. (Retained Lot 1)	46 Gladstone Ave. (Retained Lot 2)	44 Gladstone Ave. (Retained Lot 3)	Proposed New Lot
Lot Width	9.0 m	11.58 m	11.73 m	11.73 m	9.0 m
Lot Area	270 m ²	302 m ²	306 m ²	306 m ²	316 m ²

DECISION: PROVISIONAL APPROVAL

DATE: September 6, 2023

THAT Consent application B32/2023 requesting to sever a parcel of land from the subject land municipally addressed as 48 Gladstone Avenue, having a lot area of 106 m², and to retain a parcel of land having a lot area of 306 m², BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed, retained and receiving lands.
2. Receipt and confirmation that Application A32/2023 receives final and binding approval and is in full force and effect.
3. Receipt and confirmation that Applications B33/2023 and B34/2023 receive final and binding approval and are in full force and effect .
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 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).
7. Receipt of confirmation from the Applicant's solicitor that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent. Therefore, the Solicitor acting in the transfer will provide an undertaking confirming that 'Part 2', 'Part 4' and 'Part 6' on Appendix F of Report 2023-562 will be merged in title.
8. 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.
9. 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.
10. The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Servicing Plan shall indicate 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.
11. 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.
12. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
13. Any existing driveway and curb cut that will not be utilized by the proposed development shall be restored to the proper boulevard and curb.
14. A demolition permit is required to demolish the existing accessory structure, to the satisfaction of the Manager of Building Services, or his/her designate.
15. A demolition permit is required to demolish the addition to the single-detached dwelling, to the satisfaction of the Manager of Building Services, or his/her designate.
16. That the above conditions be fulfilled and the Certificate of Consent be issued on or before September 8, 2025, after which time the consent will lapse.

THAT the reason(s) for approval of application B32/2023 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;

Pursuant to Section 53(17) – (18.2) of the Planning Act, R.S.O 1990, c.P.13, the 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. 2023-562.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

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) 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 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

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.

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/>

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 Ontario Land Tribunal of this Decision is September 28, 2023

END OF DECISION

LOCATION MAP

Application: B32/2023, B33/2023, B34/2023 and A33/2023.
44, 46 & 48 Gladstone Avenue

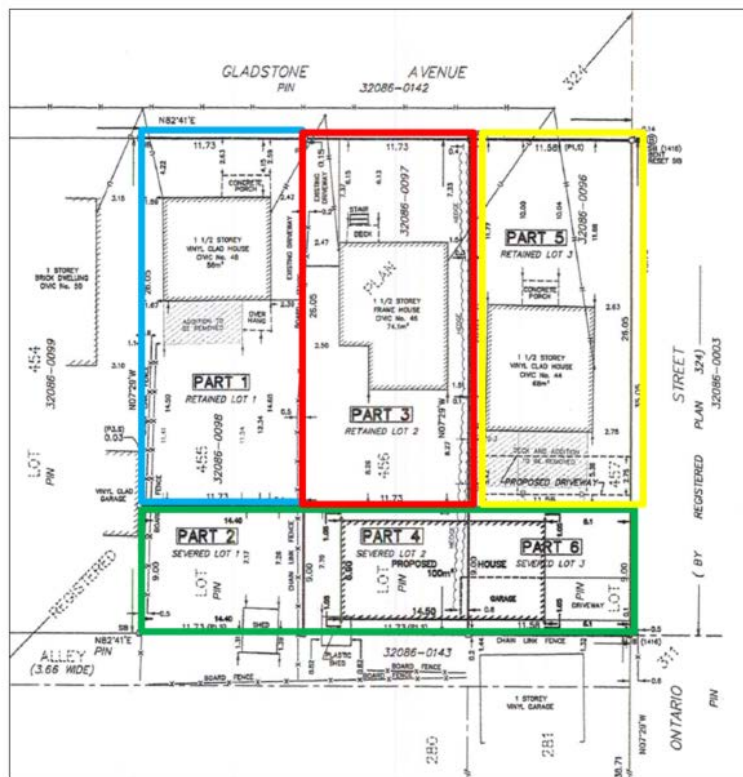


Legend

 SUBJECT LANDS



Site Plan and Consent Sketch



-  Retained lot 1 (B32/2023 & A32/2023): 48 Gladstone Ave.
-  Retained lot 2 (B33/2023): 46 Gladstone Ave.
-  Retained lot 3 (B24/2023): 44 Gladstone Ave.
-  New proposed lot

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 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).
7. Receipt of confirmation from the Applicant's solicitor that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent. Therefore, the Solicitor acting in the transfer will provide an undertaking confirming that 'Part 2', 'Part 4' and 'Part 6' on Appendix F of Report 2023-562 will be merged in title.
8. 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.
9. 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.
10. The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Servicing Plan shall indicate 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.
11. 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.
12. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
13. Receipt of confirmation that a daylight triangle measuring 4.5 m at the corner of the property nearest the intersection of Ontario Street at Gladstone Avenue and accompanying 0.3m reserves, 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).
14. Any existing driveway and curb cut that will not be utilized by the proposed development shall be restored to the proper boulevard and curb.
15. A demolition permit is required to demolish the existing accessory structure, to the satisfaction of the Manager of Building Services, or his/her designate.
16. A demolition permit is required to demolish the addition to the single-detached dwelling, to the satisfaction of the Manager of Building Services, or his/her designate.
17. That the above conditions be fulfilled and the Certificate of Consent be issued on or before September 8, 2025, after which time the consent will lapse.

THAT the reason(s) for approval of application B34/2023 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;

Pursuant to Section 53(17) – (18.2) of the Planning Act, R.S.O 1990, c.P.13, the 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. 2023-562.

**Electronically signed by V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Electronically signed by T. Gaskin
Member**

**Electronically signed by G. Kempa,
Member**

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
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.

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) 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 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

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.

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/>

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 Ontario Land Tribunal of this Decision is September 28, 2023

END OF DECISION

LOCATION MAP

Application: B32/2023, B33/2023, B34/2023 and A33/2023.
44, 46 & 48 Gladstone Avenue

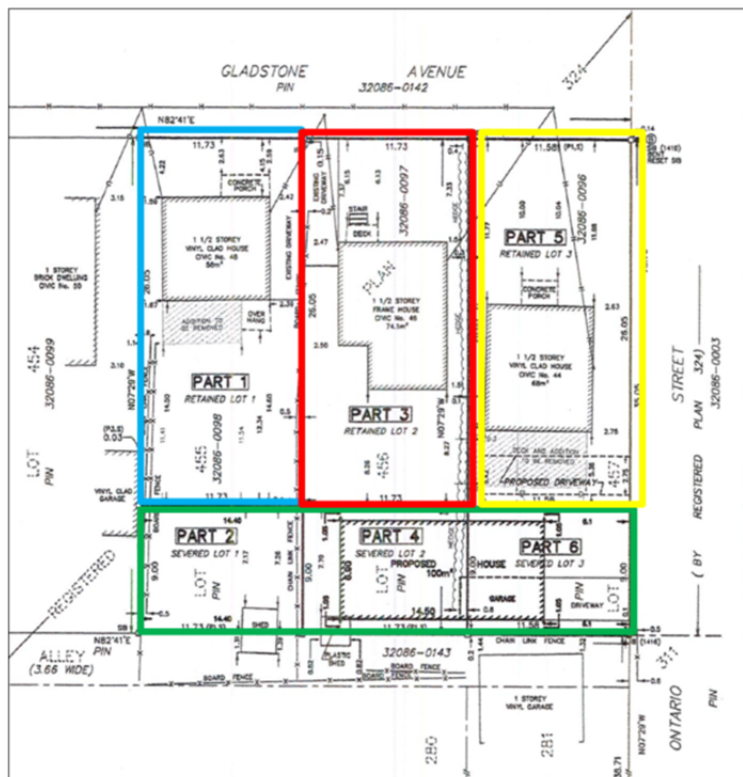






Legend

 SUBJECT LANDS



Site Plan and Consent Sketch



-  Retained lot 1 (B32/2023 & A32/2023): 48 Gladstone Ave.
-  Retained lot 2 (B33/2023): 46 Gladstone Ave.
-  Retained lot 3 (B24/2023): 44 Gladstone Ave.
-  New proposed lot



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: A20/2023
Related File Numbers: N/A
Address: 190 Savannah Oaks Drive (Lot 5 & 6)
Roll Number: 2906010012144000000
Applicant/Owner: 958071 Ontario Limited, c/o Paul Vicano
Agent: Vicano Development Limited, c/o Yaw Yawson

**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:

An application has been received for the lands legally described as Lots 5 and 6, Registered Plan 2M-1854. The subject property is currently undergoing a Site Plan Control application (SPC-31-2022) for a commercial development. The applicant is proposing to develop the subject property with a warehouse and attached three storey office. To facilitate the development as proposed, the applicant has requested relief from Section 10.3.3.2.1.3.2 of Zoning By-law 160-90 to permit a maximum lot coverage of 53.9%, whereas a maximum lot coverage of 40% is required, and from Section 10.3.2.1.7.1 and 10.3.3.2.1.7.1 of Zoning By-law 160-90 to permit a minimum interior side yard setback of 3.0 m, whereas a minimum interior side yard of 9.0 m is required.

DECISION: APPROVED

DATE: September 6, 2023

THAT application A20/2023 seeking relief from Section 10.3.3.2.1.3.2 of Zoning By-law 160-90 to permit a maximum lot coverage of 53.9%, whereas a maximum lot coverage of 40% is required, BE APPROVED;

THAT application A20/2023 seeking relief from Section 10.3.2.1.7.1 and 10.3.3.2.1.7.1 of Zoning By-law 160-90 to permit a minimum interior side yard setback of 3.0 m, whereas a minimum interior side yard of 9.0 m is required, BE APPROVED;

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 lands; and,

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, 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 2023-547.

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
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.

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.

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/>

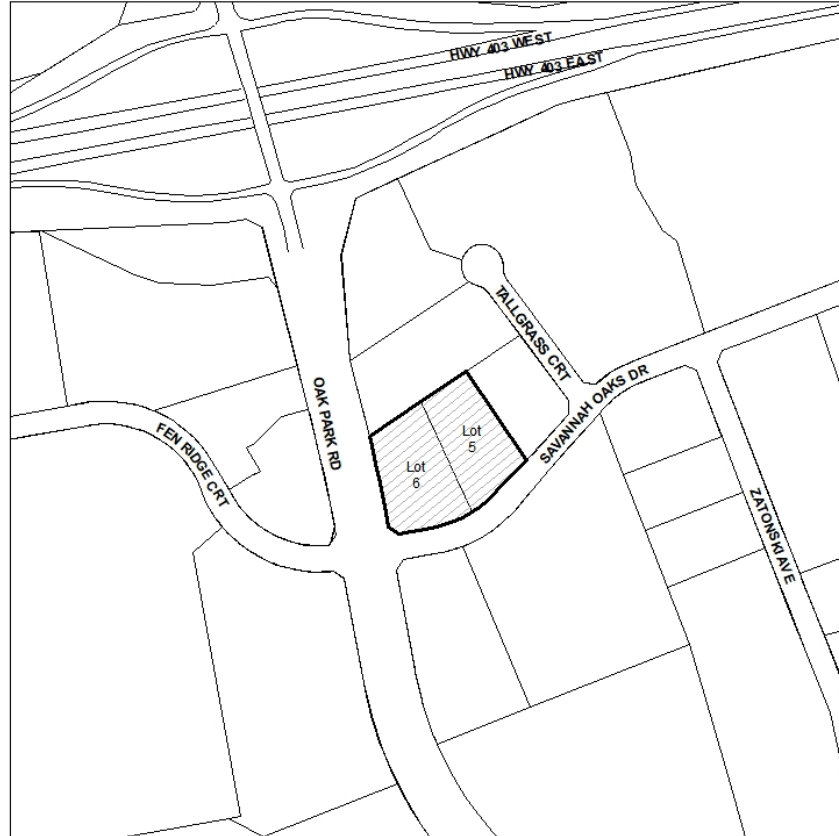
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is September 26, 2023

END OF DECISION

LOCATION MAP

Application: A20/2023

Savannah Oaks Drive (Lot 5 and 6).



Legend

 SUBJECT LANDS



Site Plan

