



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: B25/2023
Related File Numbers: A27/2023 & B26/2023
Address: 251 Stanley Street
Roll Number: 2906030005293000000
Applicant/Owner: Mazher Latif
Agent: J.H. Cohoon Engineering Ltd.

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

PROPOSAL:

Two consent applications and one minor variance application have been received for the lands municipally addressed as 251 Stanley Street. Application B25/2023 proposes to create a 15.8 m wide property fronting on to Stanley Street to facilitate the construction of a double duplex (4 units), and retain a 24.4 m wide property for the existing single detached dwelling. Application B26/2023 proposes to create an additional property to facilitate the development of two 5-unit townhouse dwellings (10 units total). This application is for Severed Lot 1.

Lot Dimension	Severed Lot 1 (B25/2023) [Double Duplex]	Lands to be Retained
Lot Width	15.8 m	24.4 m
Lot Depth	+/- 65.41 m	+/- 56.17 m
Lot Area	878.3 m ²	938.7 m ²

DECISION: PROVISIONAL APPROVAL

DATE: August 2, 2023

THAT Application B25/2023 to sever a parcel of land from the lands municipally addressed as 251 Stanley Street, having a lot area of 878.3 m² and retain a parcel of land occupied by the existing single detached dwelling having a lot area of 938.7 m²,

BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcel;
2. Receipt and confirmation that Application A27/2023 receives final and binding approval and is 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 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. 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.
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. 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(s) 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. A Stage 1 Archaeological Assessment, together with associated Ministry letter, be submitted, to the satisfaction of MCFN DOCA and the Manager of Long Range Planning and his/her designate. If it is determined that a Stage 2 is required, MCFN DOCA is expected to be involved in the field study with MCFN Field Liaison Representation (FLR) on-site participation
13. That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 3, 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 2023-457.

Electronically signed by V. Kershaw,
Chair/Member

ABSENT - M. Bodnar, Member

ABSENT – 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



Deputy 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 Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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
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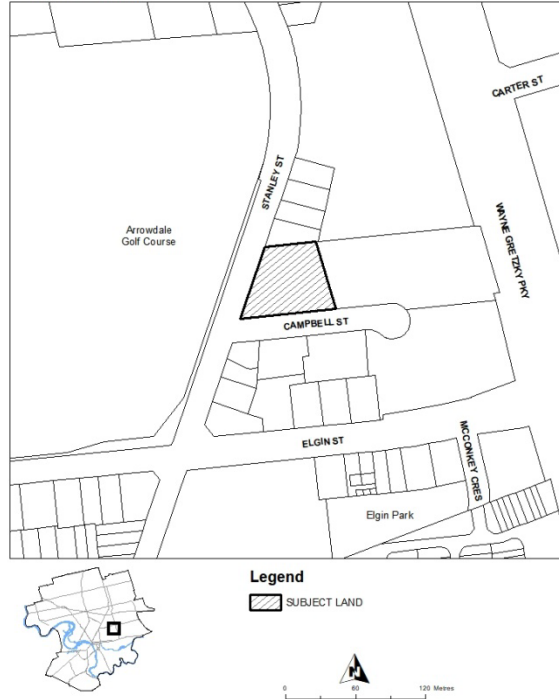
Notice of Changes

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

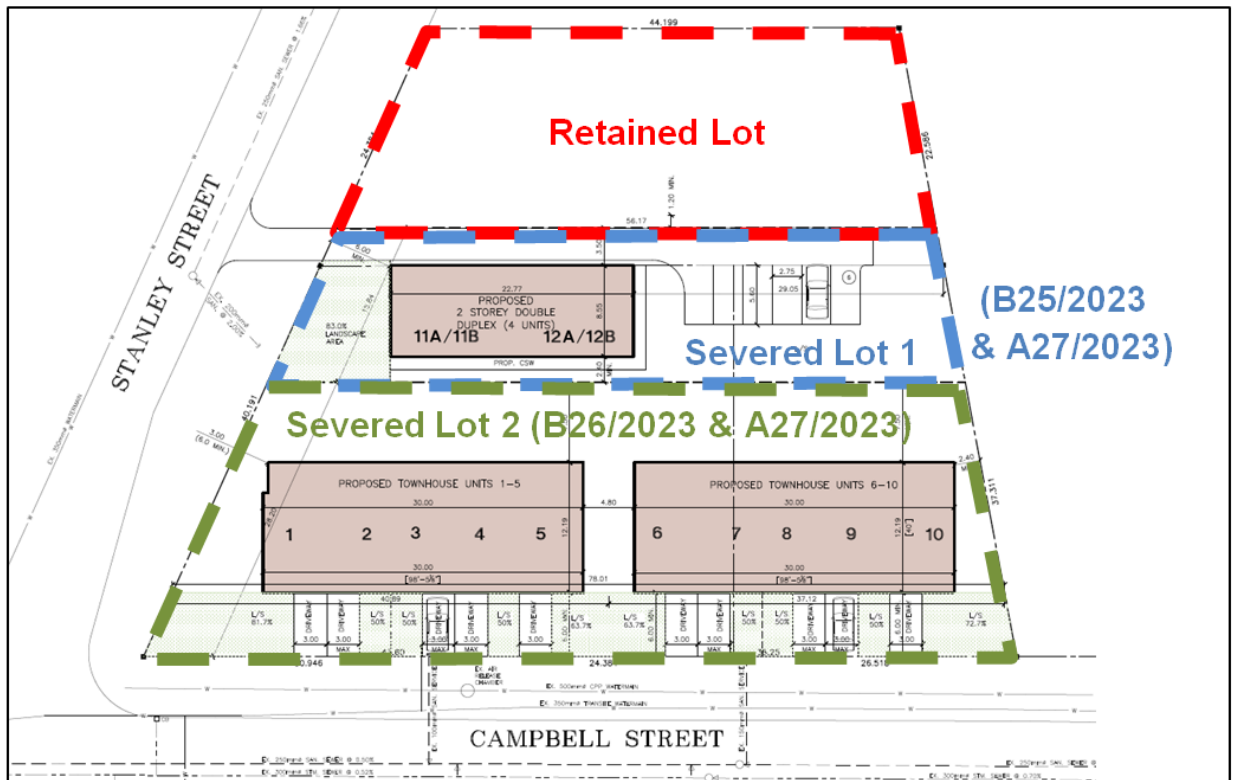
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is August 23, 2023

END OF DECISION

LOCATION MAP
 Application: B25/2023, B26/2023 & A27/2023
 251 Stanley Street



Concept 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: B26/2023
Related File Numbers: A27/2023 & B25/2023
Address: 251 Stanley Street
Roll Number: 2906030005293000000
Applicant/Owner: Mazher Latif
Agent: J.H. Cohoon Engineering Ltd.

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

PROPOSAL:

Two consent applications and one minor variance application have been received for the lands municipally addressed as 251 Stanley Street. Application B25/2023 proposes to create a 15.8 m wide property fronting on to Stanley Street to facilitate the construction of a double duplex (4 units), and retain a 24.4 m wide property for the existing single detached dwelling. Application B26/2023 proposes to create an additional property to facilitate the development of two 5-unit townhouse dwellings (10 units total), to be further subdivided through a Plan of Subdivision at a later date. This application is for Severed Lot 2.

Lot Dimension	Severed Lot 2 (B26/203) [Two 5-unit townhouses]	Lands to be Retained
Lot Width	28.2 m	40.2 m
Lot Depth	+/- 81.85 m	+/- 56.17 m
Lot Area	1,891.67 m ²	1,817.0 m ²

DECISION: PROVISIONAL APPROVAL

DATE: August 2, 2023

THAT Application B26/2023 to sever the southern portion of land municipally addressed as 251 Stanley Street, having a lot area of 1,891.67 m² and retain a parcel of land having a lot area of 1,817.0 m², **BE APPROVED**, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcel;
2. Receipt and confirmation that Application A27/2023 receives final and binding approval and is 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 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. 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.
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. 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(s) 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. A daylight triangle measuring 4.5m is to be conveyed to public roadway at the corner of the property nearest the intersection of Campbell Street at Stanley Street. Accompanying 0.3 m reserves should also be conveyed to the City. The dimensions shall be confirmed by an Ontario Land Surveyor through the submission of a reference plan. See the City's Site Plan Manual for further detail.
13. Receipt of a plan illustrating that no driveways are located closer than 9.2 m to the intersection, measured along the lot line from the nearest side of the driveway to the newly established daylight triangle limits of the intersection road.
14. Receipt of a plan illustrating the conceptual layout for sidewalk along Campbell Street between the property limits. This is to ensure that sidewalk can be installed at a future date.
15. A Stage 1 Archaeological Assessment, together with associated Ministry letter, be submitted, to the satisfaction of MCFN DOCA and the Manager of Long Range Planning and his/her designate. If it is determined that a Stage 2 is required, MCFN DOCA is expected to be involved in the field study with MCFN Field Liaison Representation (FLR) on-site participation
16. That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 3, 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 2023-457.

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

ABSENT - M. Bodnar, Member

ABSENT – 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



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 Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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.

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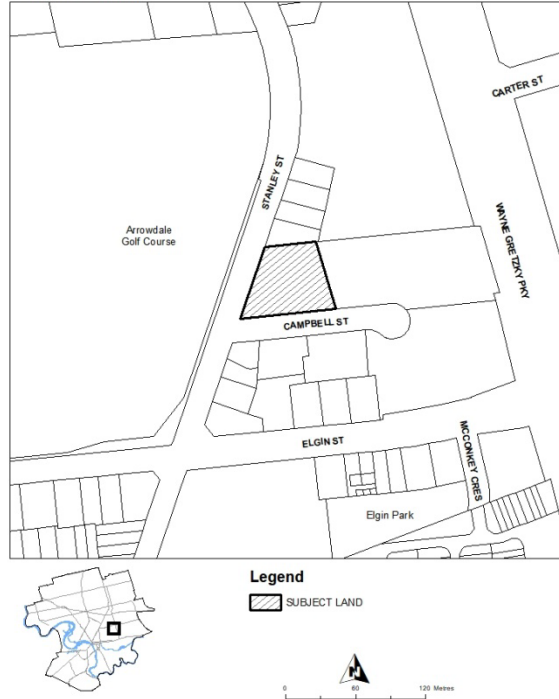
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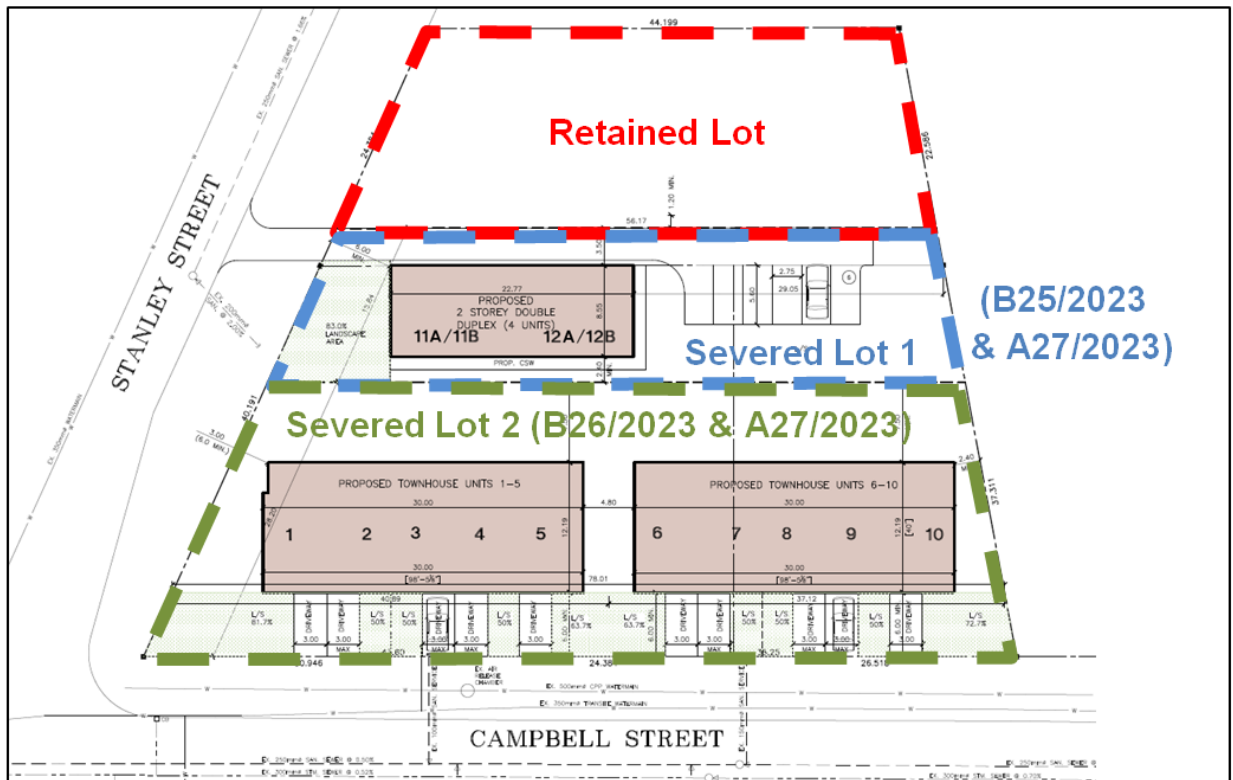
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is August 23, 2023

END OF DECISION

LOCATION MAP
 Application: B25/2023, B26/2023 & A27/2023
 251 Stanley Street



Concept 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: A27/2023
Related File Numbers: B25/2023 & B26/2023
Address: 251 Stanley Street
Roll Number: 2906030005293000000
Applicant/Owner: Mazher Latif
Agent: J.H. Cohoon Engineering 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:

Two consent applications and one minor variance application have been received for the lands municipally addressed as 251 Stanley Street. Application B25/2023 proposes to create a 15.8 m wide property fronting on to Stanley Street to facilitate the construction of a double duplex (4 units), and retain a 24.4 m wide property for the existing single detached dwelling. Application B26/2023 proposes to create an additional property to facilitate the development of two 5-unit townhouse dwellings (10 units total).

To facilitate the consent applications, minor variances are required to provide relief from the following Sections of Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum lot width (double duplex)	7.9.2.1.1.2.1	6.0 m/unit (24.0 m)	3.96 m/unit (15.84 m)	2.04 m/unit (8.16)
Minimum front yard (street townhouse)	7.9.2.1.5	6.0 m	3.0 m	3.0 m
Minimum rear yard (street townhouse)	7.9.2.1.6.1	7.5 m	2.4 m	5.1 m
Minimum lot width (street townhouse)	7.9.2.1.2.1	6.0 m/unit (60.0 m)	2.82 m/unit (28.2 m)	3.18 m/unit (31.8 m)

DECISION: APPROVED

DATE: August 2, 2023

THAT Application A27/2023 seeking relief from Zoning By-law 160-90 for the severed portions of the lands municipally known as 251 Stanley Street, **BE APPROVED** for the following variances, provided that a minimum interior side yard of 7.5 m and a minimum exterior side yard of 6.0 m are provided for Severed Lot 2:

Severed Lot 1 (B25/2023)

- Section 7.9.2.1.1.2.1 to permit a lot width of 3.96 m/unit (15.84 m) for a double duplex for severed lot 1, whereas a minimum lot width of 6.0 m/unit (24.0 m) is required;

Severed Lot 2 (B26/2023)

- Section 7.9.2.1.5 to permit a front yard setback from Stanley Street of 3.0 m for severed lot 2, whereas 6.0 m is required;
- Section 7.9.2.1.6.1 to permit a rear yard of 2.4 m for severed lot 2, whereas a minimum rear yard of 7.5 m is required;
- Section 7.9.2.1.2.1 to permit a lot width of 2.82 m/unit (28.2 m) along Stanley Street for 10 street townhouse dwelling units for severed lot 2, whereas a minimum lot width of 6.0 m/unit (60.0 m) is required; and

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 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 2023-457.

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

ABSENT - M. Bodnar, Member

ABSENT – 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

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ADDITIONAL INFORMATION

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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

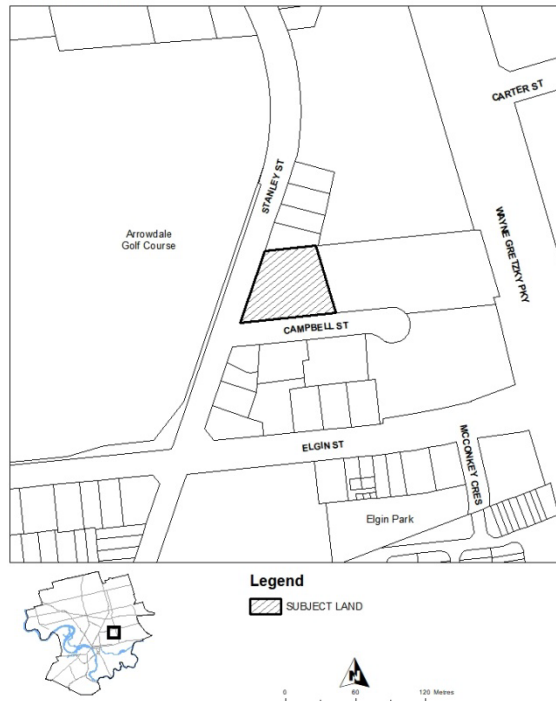
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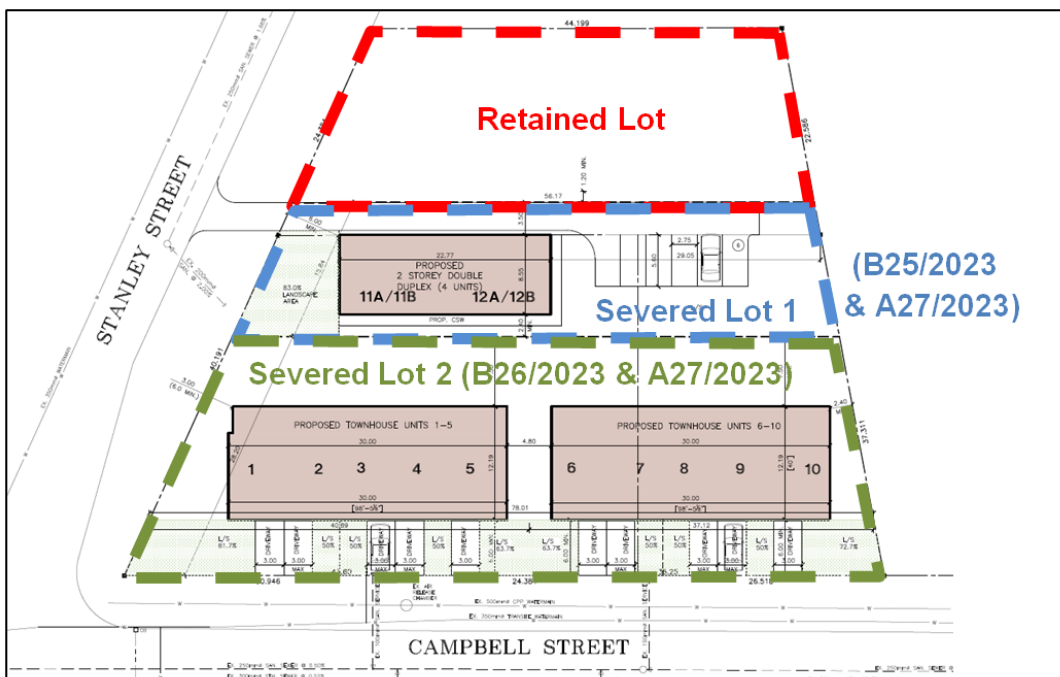
END OF DECISION

LOCATION MAP

Application: B25/2023, B26/2023 & A27/2023
251 Stanley Street



Concept 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: A26/2023
Related File Numbers: B24/2023
Address: 163 Grand River Avenue
Roll Number: 2906010003143000000
Applicant/Owner: Lara Williams, c/o Oriyomi Holdings Inc.
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:

Consent and minor variance applications have been received for the lands municipally addressed as 163 Grand River Avenue. Previous consent and minor variance applications were heard by the Committee of Adjustment in May 2023, which were refused. In consultation with Staff, the applicant has amended their applications and is now proposing to sever a single residential lot from the existing 870 m² lot. The existing dwelling has received a building permit and is currently under construction to alter the layout of the 3 unit converted dwelling, which will remain on the retained lands. A single-detached dwelling is proposed on the severed lot.

To facilitate the consent application, minor variances are required to provide relief from the following Sections of Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum lot width (single detached dwelling)	7.8.2.1.2.1	9.0 m/unit	8.31 m	0.69 m
Minimum rear yard (converted dwelling)	7.8.2.1.6	7.5 m	2.09 m	5.41 m

DECISION: APPROVED

DATE: August 2, 2023

THAT Application A26/2023 requesting relief from Section 7.8.2.1.2.1 of Zoning By-law 160-90 to permit a minimum lot width of 8.3 m for a single-detached dwelling on the severed lot, whereas a minimum lot width of 9.0 m is required, and from Section 7.8.2.1.6 to permit a minimum rear yard of 2.09 m for the retained lot, whereas a minimum rear yard of 7.5 m is required, BE APPROVED; and

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 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 2023-458.

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

ABSENT - M. Bodnar, Member

ABSENT – 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

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Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

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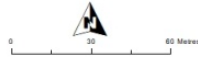
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END OF DECISION

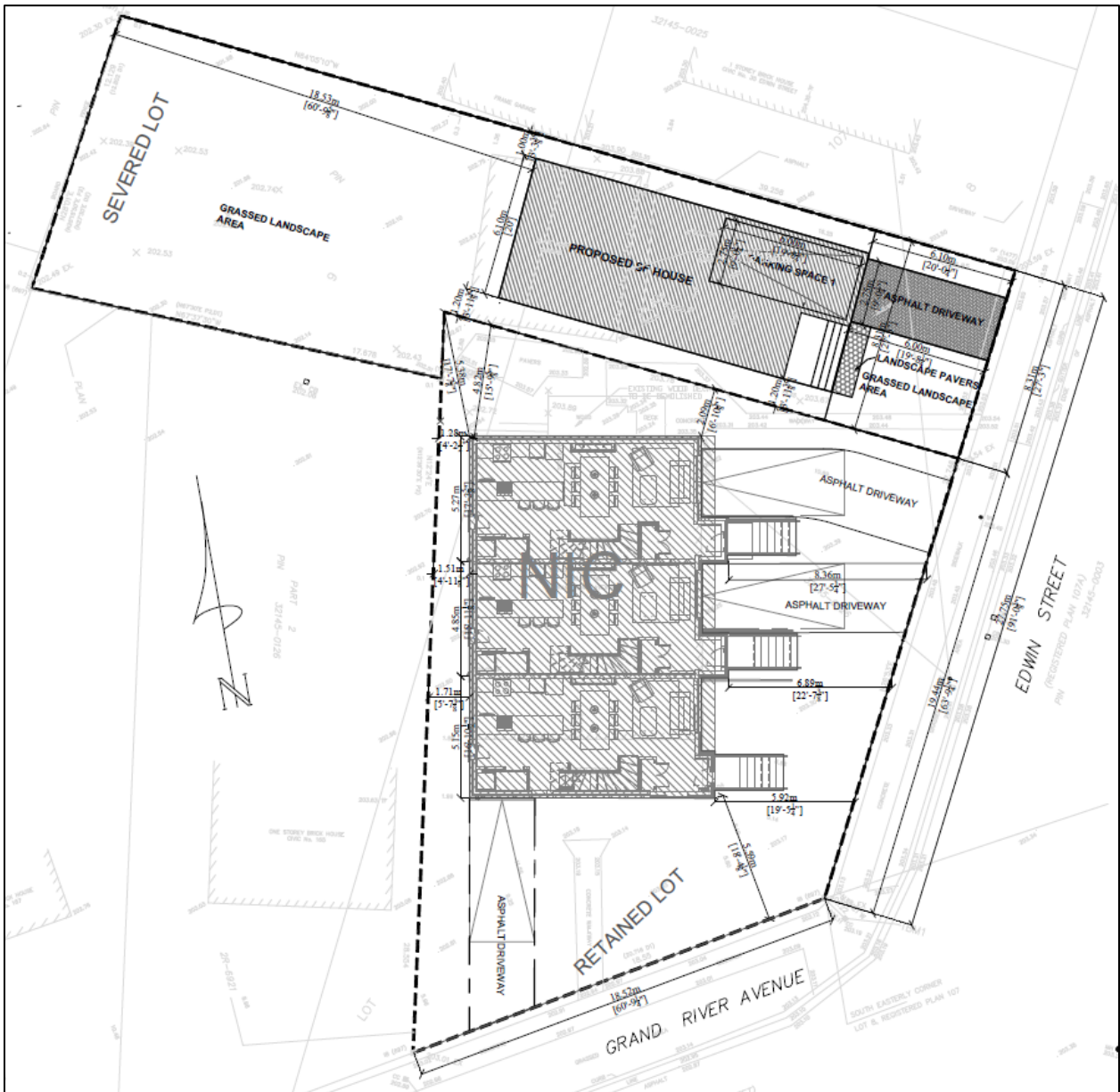
LOCATION MAP
 Application: B24/2023 & A26/2023
 163 Grand River Avenue



Legend
 [Shaded Box] SUBJECT LAND



Concept 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: B24/2023
Related File Numbers: A26/2023
Address: 163 Grand River Avenue
Roll Number: 2906010003143000000
Applicant/Owner: Lara Williams, c/o Oriyomi Holdings Inc.
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Consent and minor variance applications have been received for the lands municipally addressed as 163 Grand River Avenue. Previous consent and minor variance applications were heard by the Committee of Adjustment in May 2023, which were refused. In consultation with Staff, the applicant has amended their applications and is now proposing to sever a single residential lot from the existing 870 m² lot. The existing dwelling has received a building permit and is currently under construction to alter the layout of the 3 unit converted dwelling, which will remain on the retained lands. A single-detached dwelling is proposed on the severed lot.

The proposed lot dimensions are detailed below:

Lot Dimension	Lands to be Severed	Lands to be Retained
Lot Width	8.31 m	21.15 m
Lot Area	383.27 m ²	486.75 m ²

DECISION: PROVISIONAL APPROVAL

DATE: August 2, 2023

THAT Application B24/2023 to sever the northern portion of 163 Grand River Avenue (Severed Lot), having a lot area of approximately 383 m² , and to retain a parcel of land having a lot area of approximately 487 m² , BE APPROVED, subject to the following conditions:

- 1) Receipt of a registered reference plan showing the severed and retained parcel.
- 2) Receipt and confirmation that Application A26/2023 receives final and binding approval and is 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) A demolition permit is required to demolish the existing detached garage, to the satisfaction of the Manager of Building Services, or his/her designate.
- 7) Spatial separation calculations in compliance with OBC DIV B 9.10.15.4 completed by a qualified designer are required for the rear elevation of the converted dwelling on the retained lot, to the satisfaction of the Manager of Building Services, or his/her designate. The submitted documents should include an elevation showing all dimensions used for calculations and a site plan showing distance from proposed property line to exposing building face perpendicular to exposing building face.
- 8) The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections and a water service to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the City Manager of Development Engineering or his/her designate.
- 9) The Owner/Applicant shall provide a Servicing Plan sealed by a qualified Professional Engineer licensed in good standing to practice in the Province of Ontario 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 water service, sanitary and storm sewer connections and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
- 10) The owner shall confirm that the services to the retained parcel are not located in the severed parcel. Any services located in the severed parcel that are not a part of the development shall be moved into their respective parcels
- 11) The Owner/Applicant shall obtain a Water Service Connection Permit and pay all applicable fees prior to commencing any work to install the water service. The City will complete the inspection of all water service connections to City watermains.
- 12) 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.
- 13) 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.
- 14) 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.
- 15) 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.

- 16) A daylight triangle measuring 4.5 m is to be conveyed to public roadway at the corner of the property nearest the intersection of Edwin Street at Grand River Avenue. Accompanying 0.3 m reserves should also be conveyed. The dimensions shall be confirmed by an Ontario Land Surveyor through the submission of a reference plan. See the City's Site Plan Manual for further detail.
- 17) A Stage 1 Archaeological Assessment, together with associated Ministry letter, be submitted, to the satisfaction of MCFN DOCA and the Manager of Long Range Planning and his/her designate. If it is determined that a Stage 2 is required, MCFN DOCA is expected to be involved in the field study with MCFN Field Liaison Representation (FLR) on-site participation.
- 18) That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 3, 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 Sections 53(17) – (18.2) and 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. 2023-458”.

Electronically signed by V. Kershaw,
Chair/Member

ABSENT - M. Bodnar, Member

ABSENT – T. Cupoli, Member

Electronically signed by T. Gaskin
Member

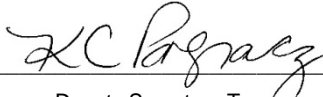
Electronically signed by G. Kempa,
Member

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



Deputy 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 Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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/>

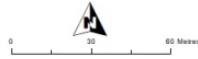
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is August 23, 2023

END OF DECISION

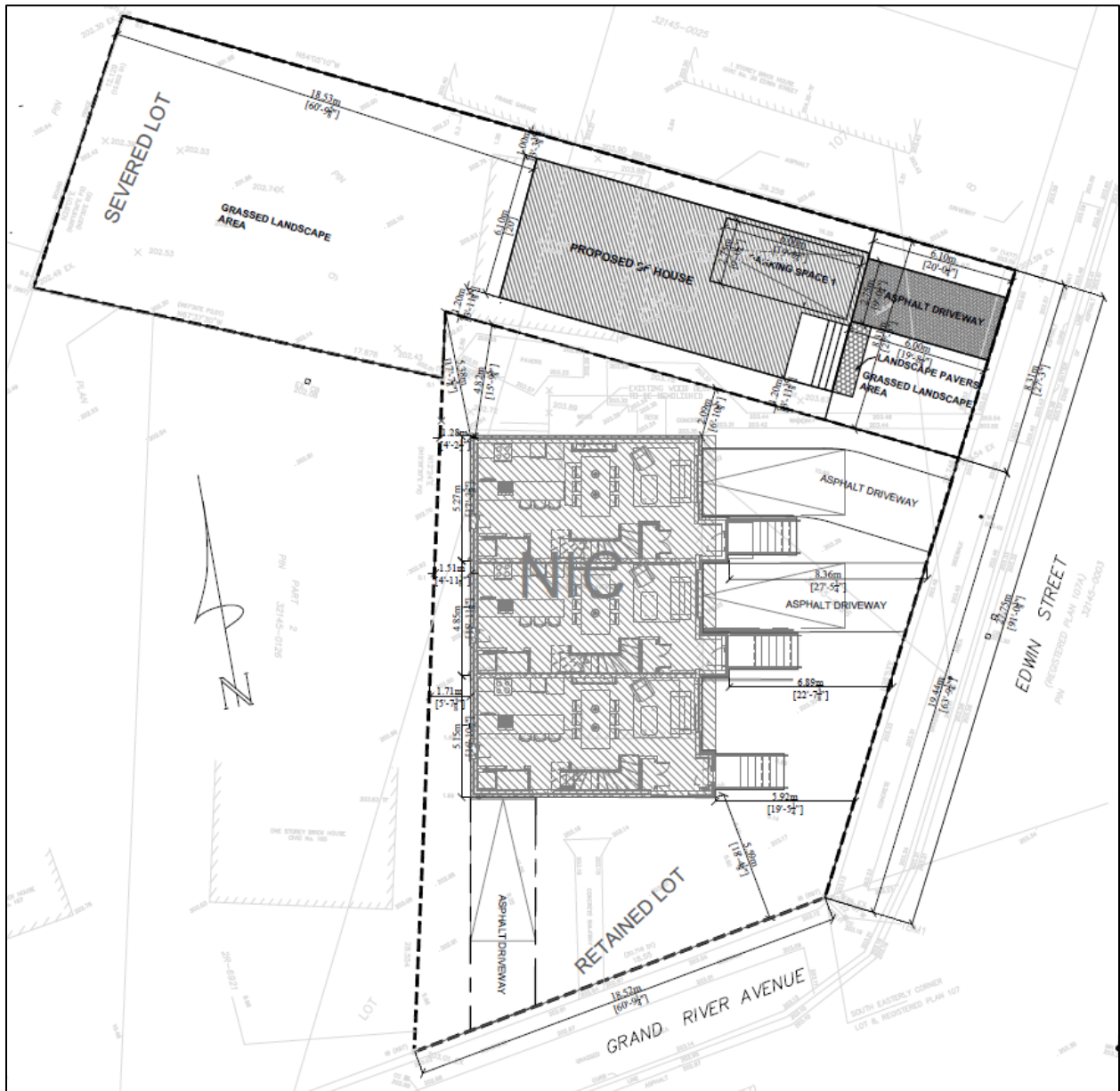
LOCATION MAP
 Application: B24/2023 & A26/2023
 163 Grand River Avenue



Legend
 [Hatched Box] SUBJECT LAND



Concept 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: A25/2023
Related File Numbers: B23/2023
Address: 59 Church Street
Roll Number: 2906010001103000000
Applicant/Owner: Oloyede Fatogun
Agent: N/A

**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 and one minor variance application have been received for the lands municipally addressed as 59 Church Street. Application A25/2023 proposes to develop the lot with a single dwelling. To facilitate the development, a number of minor variances are requested.

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum lot area (single-detached dwelling)-severed	7.8.2.1.1.1	270 m ²	213.81 m ²	56.19 m ^{2m}
Minimum rear yard -severed	7.8.2.1.6	7.5 m	3.58 m	3.92 m
Minimum Lot Area -retained	7.8.2.1.1.3	360 m ²	330.18 m ²	29.82 m ²
Minimum rear yard -retained	7.8.2.1.6	7.5 m	6.0 m	1.27 m
Parking Requirements (3 Unit Converted Dwelling)	6.18.7.8	3 spaces	2 spaces	1 space

DECISION: APPROVAL

DATE: August 2, 2023

THAT application A25/2023 requesting relief from Section 7.8.2.1.1.1 of Zoning By-law 160-90 to permit a lot area of 213.81 m² for a single-detached dwelling on the severed lot, whereas the Zoning By-law requires 270 m², and from Section 7.8.2.1.6 of Zoning By-law 160-90 to permit a rear yard of 3.58 m for the severed lot and 6.0m for the retained lot, whereas the Zoning By-law requires 7.5 metres, and from Section 7.8.2.1.1.3 of Zoning By-law 160-90 to permit a lot area of 330.18 m² for a converted dwelling on the retained lot, whereas the Zoning By-law requires 360.0 m², and from Section 6.18.7.8 to permit two parking

spaces for a three unit converted dwelling, whereas three parking spaces are required, BE APPROVED;

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

The proposed variances are in keeping with the general intent of the Official Plan and Zoning Bylaw 160-90, 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 2023-463.”

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

ABSENT - M. Bodnar, Member

ABSENT – T. Cupoli, Member

**Opposed - T. Gaskin
Member**

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

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

**Opposed - M. Simpson
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 Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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 August 22, 2023

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: B23/2023
Related File Numbers: A25/2023
Address: 59 Church Street
Roll Number: 2906010001103000000
Applicant/Owner: Oloyede Fatogun
Agent: N/A

**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 and one minor variance application have been received for the lands municipally addressed as 59 Church Street. Application B25/2023 proposes to create a 12.6m wide property fronting on to Grand River Avenue to facilitate the construction of a single dwelling, and retain an 11.56 m wide property fronting on Church Street for the existing three unit converted dwelling. This application is for retained Lot 1.

Lot Dimension	Severed Lot	Retained Lot
Lot Width	12.6m	11.56m
Lot Area	213.81 m ²	330.18 m ²

DECISION: PROVISIONAL APPROVAL

DATE: August 2, 2023

THAT Application B23/2023 to sever the western portion of 59 Church Street (severed lot), having a lot area of 213.81 m² and the retained lot of 330.18 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 A25/2023 receives final and binding approval and is 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 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.
7. 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.
8. 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.
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. Receipt of a storm water management brief indicating that the post development peak flow rates are contained to the pre development levels for the site is to be submitted. Please demonstrate that drainage to the municipal right of way is not increased as a result of the proposed development.
13. A daylight triangle measuring 4.5m is to be conveyed to public roadway at the corner of the property nearest the intersection of Church Street at Grand River Ave. Accompanying 0.3m reserves should also be conveyed. The dimensions shall be confirmed by an Ontario Land Surveyor through the submission of a reference plan. See the City's Site Plan Manual for further detail.
14. Receipt of a plan illustrating that no driveways are located closer than 9.2 m to the intersection, measured along the lot line from the nearest side of the driveway to the newly established daylight triangle limits of the intersecting road. See the City's Site Plan Manual for further detail.
15. Provide spatial separation calculations for the rear building faces for both the severed and retained lots, to the satisfaction of the Manager of Building Services or his/her designate.
16. A Stage 1 Archaeological Assessment, together with associated Ministry letter, be submitted, to the satisfaction of MCFN DOCA and the Manager of Long Range Planning and his/her designate. If it is determined that a Stage 2 is required, MCFN DOCA is expected to be involved in the field study with MCFN Field Liaison Representation (FLR) on-site participation.
17. The Owner/Applicant shall provide a Tree Protection Plan and accompanying Arborist Report prepared by a qualified Arborist for the Right-of-Way Trees located at 59 Church St. The Tree Protection Plan shall prescribe protection measures which shall include tree protection fencing measures, compaction mitigation measures and root pruning (if applicable) in lieu of proposed nearby works, to the satisfaction of the Manager of Development Engineering or his/her designate.
18. That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 3, 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 2023-463.

Electronically signed by V. Kershaw,
Chair/Member

ABSENT - M. Bodnar, Member

ABSENT – T. Cupoli, Member

Opposed - T. Gaskin
Member


Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Opposed - M. Simpson
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 Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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

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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 August 23, 2023

END OF DECISION

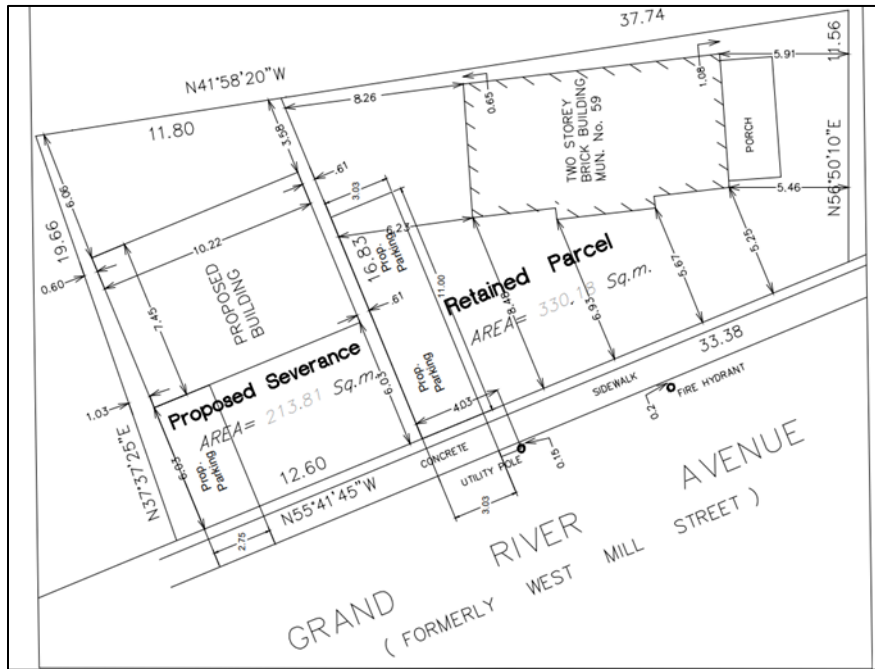
LOCATION MAP
 Application: B23/2023 & A25/2023
 59 Church Street



Legend
 [Shaded Box] SUBJECT LAND



Concept 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: A24/2023
Related File Numbers:
Address: 13 Charles Street
Roll Number: 2906010009324020000
Applicant/Owner: New Royal Homes
Agent: Dino Scalia

**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 minor variance application have been received for the lands municipally addressed as 13 Charles Street. Application A24/2023 proposes to develop the lot with a single dwelling. To facilitate the development as proposed for 13 Charles Street, the applicant is seeking to re-establish the pre-existing lot width and area, and is seeking additional relief to lot coverage to construct a new dwelling structure.

Regulation	By-law Section	Required	Proposed	Relief Requested
Lot width	7.3.2.1.2	15.0 m	12.192 m	2.8 m
Lot area	7.3.2.1.1	450 m ²	405.86 m ²	44.14 m ²
Lot coverage	7.3.2.1.3	35%	41%	7%

DECISION: APPROVAL

DATE: August 2, 2023

THAT application A24/2023 seeking relief from Section 7.3.2.1.2 of Zoning By-law 160-90 to permit a lot width of 12.19 m, whereas a lot width of 15 m is required, relief from Section 7.3.2.1.1 of Zoning By-law 160-90 to permit a lot area of 405.86 m², whereas a lot area of 450 m² is required, and relief from Section 7.3.2.1.3 to permit lot coverage of 41% whereas the maximum lot coverage permitted is 35%, BE APPROVED, provided that a Tree Protection Plan and accompanying Arborist Report prepared by a qualified Arborist for the Right-of-Way Tree located at 11/13 Charles St. be submitted and approved, to the satisfaction of the Manager of Development Engineering or his/her designate;

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 Bylaw 160-90, 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 2023-476.”

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

ABSENT - M. Bodnar, Member

ABSENT – 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


Deputy 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 Blaine Yatabe, Deputy Secretary-Treasurer, (519)759-4150 ext. 5170, byatabe@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

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Notice of Changes

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

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is August 22, 2023

END OF DECISION

