



Alternative formats and communication supports available upon request. Please contact accessibility@brantford.ca or 519-759-4150 for assistance.

Date January 18, 2024 **Report No.** 2024-28

To Chair and Members
City of Brantford Committee of Adjustment

From Lindsay King
Development Planner

1.0 Type of Report

Committee of Adjustment Decision Regarding Applications for Consent and Minor Variance

2.0 Topic

APPLICATION NO.: B01/2024 and A01/2024

AGENT: J.H. Cohoon Engineering Ltd.

APPLICANT/OWNER: Elsina and John DeJong

LOCATION: 34 Devon Street

3.0 Recommendation

- A. THAT Minor Variance application A01/2024 requesting relief from Section 7.2.2.1.2 to permit a minimum lot width of 13 m whereas 18 m is otherwise required, BE APPROVED;
- B. THAT the reason(s) for approval of the minor variance are as follows: the proposed variances are in keeping with the general intent of the Zoning By-law 160-90 and the Official Plan, and the relief requested is considered minor in nature and desirable for the appropriate development and use of the subject lands;

- C. THAT Consent application B01/2024 requesting to sever a parcel of land from the subject property municipally addressed as 34 Devon Street, having a lot area of 611.97 m², and to retain a parcel of land having a lot are of 1,227.1 m² BE APPROVED; subject to the conditions attached as **Appendix A** to Report 2024-28.
- D. THAT the reason(s) for approval of B01/2024 are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act*, is suitable for the lands, in the public interest, and would not result in adverse impacts on surrounding properties;
- E. THAT pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c. P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2024-28.”

4.0 Purpose and Description of Applications

Concurrent minor variance and consent applications have been received for the lands municipally addressed as 34 Devon Street. The applicant is requesting to sever the subject property to create one additional lot and maintain the existing single detached dwelling on the subject lands. To facilitate the consent application, a minor variance application is also required to provide relief from the following section of Zoning By-law 160-90:

- Section 7.2.2.1 to permit a lot width of 13.23 m, whereas 18 m is otherwise required.

The proposed lot dimensions are detailed below:

Lot Dimension	Severed Lot	Retained Lot
Lot Width	13.23 m	26.36 m
Lot Depth	46.41 m	46.94 m
Lot Area	611.97 m ²	1,227.1 m ²

Table 1 - Proposed Lot Statistics for Retained and Severed Lots at 34 Devon Street

The proposed severed lot has been identified as having a lot width of 13.23 m, however Planning Staff recommend a lot width of 13 m to address any potential discrepancies with the measurements provided and for construction related matters.

5.0 Site Features

The subject property is located on the northeastern side of Devon Street, south of Henderson Avenue, west of Springfield Drive, and north of Elm Street. The site currently has a single detached dwelling that will remain on the retained parcel if these applications are approved. The subject lands also contain a small accessory building which the applicant proposes to demolish to facilitate the development of a new dwelling unit on the severed parcel, if approved. The property is surrounded by residential uses, primarily in the form of single detached dwellings. The subject lands are designated “Residential” and zoned “Residential Type 1A” as shown in **Appendix B** and **Appendix C**, respectively.

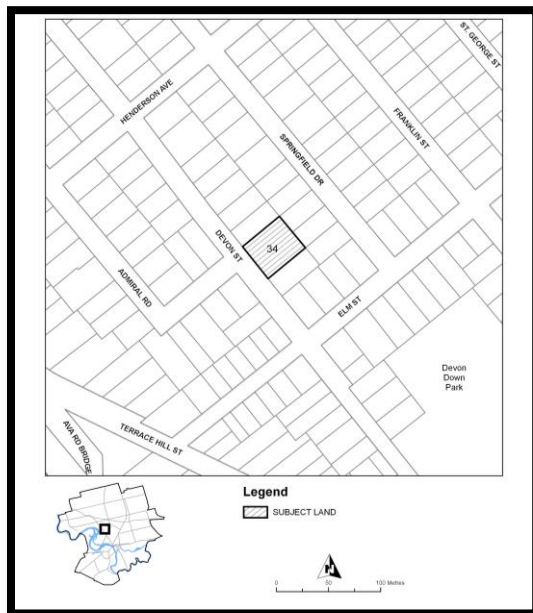


Figure 1 - Location Map



Figure 2 - Aerial Photo



Figure 3 – Site Visit view of Lot (to be developed).

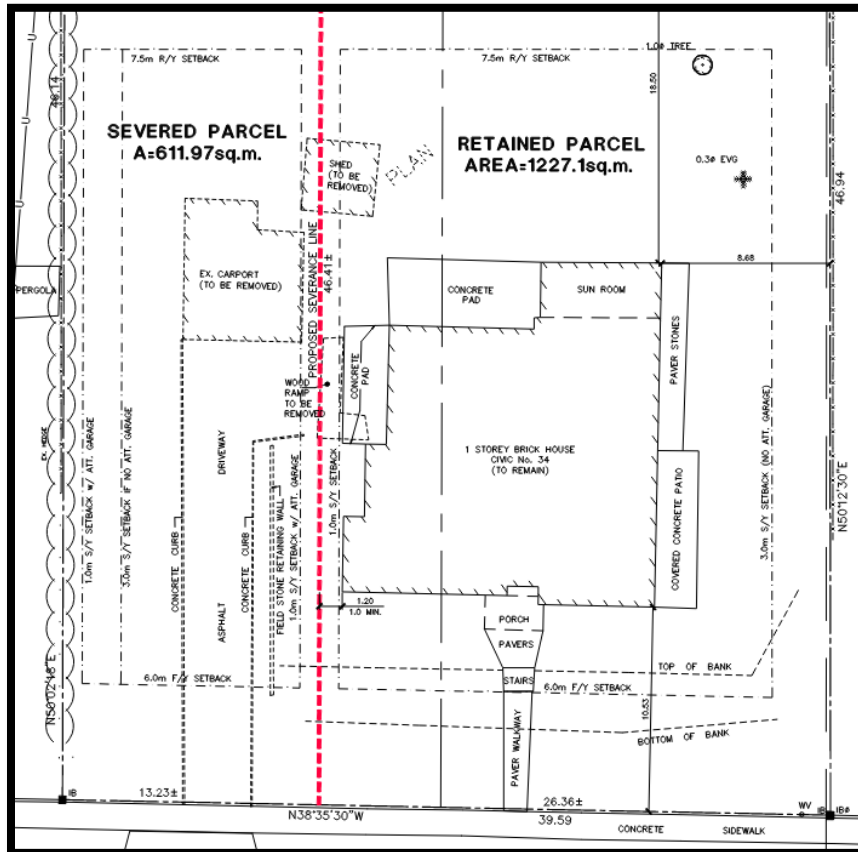


Figure 4 – Proposed Severance Sketch

6.0 Input from Other Sources

6.1 Technical Comments

The application was circulated to all applicable departments and agencies. No adverse comments or objections were received from the commenting agencies. Conditions of approval have been requested by Development Engineering, Landscaping, and Transportation staff. A summary of the comments is provided below.

Agency Name	Agency Comment
Accessibility	No comment
Building Department	Retained lot: a demolition permit for a shed (if the area is over 15sm/161.5 sqft)
	Retained lot: provide spatial separation calculations by a designer/engineer/architect for the left side building face for the reduced side yard setbacks.
	Severed/proposed lot: a demolition permit for a carport/garage.
	Any proposed construction will require that a building permit be applied for and approved through this department. Development charges may apply to any new development.
Economic Development	No comment
Environmental Services	I have reviewed this application and have no objections on behalf of Environmental services. The following comments are for the applicant's information only.
	City records indicate that the proposed severed parcel is currently not serviced;
	City records indicate the subject property at 34 Devon Street is currently serviced by a 19 mm copper lateral (public) by a 15 mm copper lateral (private) from the 150 mm PVC watermain in Devon Street; this service lateral appears to be located 7.8m Right of right and 10.5m out.
	Only one (1) service connection is permitted to each property the minimum permitted service size is 25 mm; the proposed building shall be serviced within the frontage of their respective property. The severed property must be serviced independently;
	The water service must be brought to grade immediately after passing under the footing and the water meter placed in this location;
	The Owner must obtain a Street Excavation Permit prior to commencing any work in the City's right-of-way;
	The Owner will be required to obtain a Right-of-Way Activity Permit prior to commencing any work within the City's road right-of-way;

Agency Name	Agency Comment
	<p>The City will complete the inspection of all watermains and appurtenances within each development; the Owner must pay the City's inspection time;</p> <p>The Owner is responsible for collection, haulage and disposal of all waste from the property until such time as the site is approved for collection services.</p> <p>The Development must be metered during construction; the Owner is responsible to pay the current fee per cubic metre for the quantity of water used;</p> <p>The Owner is required to contact the Solid Waste Department to request the start of waste collection service upon occupancy; and</p>
<p>Development Engineering</p>	<p>A Site Alteration Permit will be required for any changes/modifications made to the site as defined by the Site Alteration By-Law 29-2023. This Permit is administered by the City's Development Engineering Department.</p> <p>A Right of Way Activity Permit will be required for any access/driveway activity, any proposed excavation within the Right of Way and any occupancy activity within the Right of Way. This Permit is administered by the City's Operational Services Department.</p> <p>A Sanitary Lateral Connection Permit will be required for any proposed sanitary service connections. This Permit is administered by the City's Development Engineering Department. Only one service is permitted to each parcel.</p> <p>A Water Connection Permit will be required for any proposed water service connections. This Permit is administered by the City's Environmental Services Department.</p> <p>Full public services are to be constructed, or replaced if damaged (sidewalk, boulevards, driveway, approaches, noise barrier, etc.)</p> <p>Requested Condition: Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that <u>the deposited reference plan</u> showing the severed and retained parcels of land has been received.</p> <p>Requested Condition: Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a <u>Wastewater Allocation Request Form</u> has been submitted and approved.</p> <p>Requested Condition: Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a <u>Municipal Numbering Assignment Request Form</u> to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.</p> <p>Requested Condition: The Owner/Applicant shall provide a <u>Servicing Plan</u> 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.</p> <p>Requested Condition: The Owner/Applicant shall be responsible, <u>financial and otherwise, to provide sanitary and storm sewer</u> 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.</p> <p>Requested Condition: The Owner/Applicant shall provide a <u>Grading and Drainage Plan</u> prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.</p>

Agency Name	Agency Comment
Heritage Planning	No comment
Landscaping	Please note that this development is adjacent to street trees (located at 34 Devon St) and are subject to the City Tree By-law, 38-2023.
	<p>The Owner/Applicant shall provide a Tree Protection Plan prepared by a qualified Arborist for the Right-of-Way Tree located at 34 Devon St. The Arborist must assess trees for health and structural condition; the Tree Protection Plan shall prescribe protection measures which shall include tree protection fencing measures, proper root excavation and root compaction mitigation measures in lieu of the proposed driveway modifications/installation, to the satisfaction of the Manager of Development Engineering or his/her designate.</p> <p>Requested Condition: If disturbed, the municipal Right-of-Way must be restored back to City Boulevard standards inclusive of any Street Trees as per the City's Linear Design Manual.</p>
Long Range Planning	No comment
Transportation	<p>All work proposed within the road allowance or the purpose of constructing, altering, or extending a driveway approach, will require the contractor to obtain a Right of Way Activity Permit administered by the City's Operational Services Department.</p> <p>https://www.brantford.ca/en/living-here/right-of-way-activity.aspx</p> <p>Requested Condition: A driveway shall be provided for the retained parcel. The dimensions for the driveway shall reflect the parking requirement for the proposed use. Please ensure parking stall dimensions are shown on the plan.</p> <p>Requested Condition: All driveways and curb returns shall be designed in such a manner to avoid public and private objects and utilities such as utility poles, transit stops, street lighting, boulevard trees, hydrants, telecoms, transformers, mailboxes, etc. A minimum clearance of 1.2 metres shall be provided from the respective objects or infrastructure. Driveway curb returns must be contained within the extension of the subject development's property line so they do not interfere or hinder adjacent properties. If existing infrastructure does need to be relocated in order to align with driveways on the opposite side of the road or for other relevant reasons, the respective utility or owner must be notified and agree to relocation in writing prior to any approval being granted by the City.</p> <p>Requested Condition: Any existing driveway and curb cut that will not be utilized by the proposed development shall be restored to proper boulevard and curb.</p>
Canada Post	No comment

Agency Name	Agency Comment
<p>Hydro One</p>	<p>We are in receipt of your Application for Consent, B01-2024 dated November 24th, 2023. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. <u>Our preliminary review considers issues affecting Hydro One’s 'High Voltage Facilities and Corridor Lands' only.</u></p> <p>For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.</p> <p>To confirm if Hydro One is your local distributor please follow the following link:</p> <p>HydroOne Map</p> <p>Please select “ Search” and locate address in question by entering the address or by zooming in and out of the map</p>
<p>Rogers</p>	<p>No cable conflict of the proposed demo or the small accessory building next to the home</p>

Table 2 – Technical Comments

6.2 Public Response

A notice of public hearing was issued by personal mail (35 notices) and by positing two signs on-site. At the time of writing this Report three members of the public have contacted Staff regarding this application. One individual called to request digital copies of concept plans and elevation drawings (which were provided). The second individual called to enquire about the proposed lot size and how it compared to nearby lot sizes. Staff advised that the proposed lot was in keeping with the general character of the neighbourhood and provided some examples for their reference. The third individual, who inhabits a neighbouring property, called and emailed to communicate their objection to the development due primarily to concerns of over intensification. They also voiced concerns regarding the proposed interior side yard. Staff clarified the minimum required interior side yard setback for this property (1 m) as identified in section 7.2.2.1.7.1. The associated emails are included in **Appendix D** to this Report. The primary concern was over intensification. Staff responded to these concerns by encouraging the feedback, and providing contextual information including how the proposal compared to nearby properties and zoning requirements with regards to lot area, depth, and width.

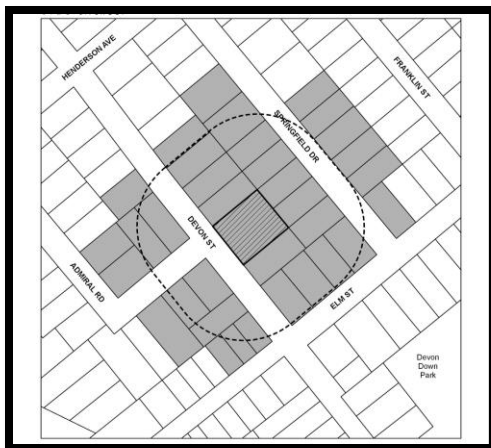


Figure 5 – Area of Public Notification

7.0 Planning Staff Comments and Conclusion

7.1 Policy Context

These applications were reviewed in the context of the Provincial Policy Statement, the Growth Plan, the Official Plan, and the Zoning By-law. A summary of the analyses is provided in the table below:

Document	Relevant Policy	Conformity
<p>Provincial Policy Statement (PPS) (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)</p>	<p>These policies set the standard to which provincial and local interests, policies and goals are implemented.</p> <p>The PPS outlines that Ontario’s long term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The Growth Plan outlines the principals that provide the basis of guiding decisions in the Greater Golden Horseshoe on how land is developed, resources are managed and protected, and public dollars are invested.</p>	<p>The proposed consent would facilitate the creation of a building lot within an existing neighbourhood on an underutilized site. As such, it aligns with the objectives of the PPS to promote efficient land use and the creation of a range and mix of housing options.</p> <p>Planning staff are of the opinion that the proposed consent and minor variances are consistent with the direction established through the PPS and conforms to the Growth Plan.</p>

Document	Relevant Policy	Conformity
<p>City of Brantford Official Plan (Envisioning Our City: 2051)</p>	<p>The subject lands are designated “Residential” on Schedule 3 of the City of Brantford’s Official Plan (Appendix C).</p> <p>The “Residential” designation permits a full range of residential dwelling types, including single-detached, converted dwellings and additional residential units, as well as supporting land uses intended to serve local residents.</p>	<p>The subject applications conform to the policies set out in the Official Plan as the proposed new building lot will maintain the planned function of the ‘Residential’ designation by facilitating a residential development form that is permitted in the designation of the Official Plan.</p>
<p>City of Brantford Zoning By-law 160-90</p>	<p>34 Devon Street is zoned “Residential Type 1A (18 Metre) Zone (R1A)” in Zoning bylaw 160-90 (Schedule A, Map E-8). The R1A zone permits single detached dwellings, bed and breakfast establishments, day nurseries, home occupations, mini-group homes and associated accessory uses, buildings and structures.</p> <p>The subject application requires relief from Section 7.2.2.1.2 of Zoning By-law 160-90, to permit a reduced lot width of 13.23 m whereas 18 m is required, for the lot to be severed.</p>	<p>Aside from the proposed variance to recognize the deficiency for the proposed lot width for the lands to be severed, both the severed and retained parcels will continue to satisfy all other zoning requirements of the R1A Zone.</p>

Table 3 – Policy Context Analysis

7.2 Planning Analysis

When evaluating the merits of a minor variance application, the Committee of Adjustment must be satisfied that the four tests of Section 45(1) of the *Planning Act* have been met. To be approved, a minor variance must be minor in nature, desirable for the appropriate development and use of the land, and the general intent and purpose of the Zoning By-law and Official Plan must be maintained these tests are discussed in the table below:

Four Tests	Discussion
<p>1. That the requested variance is minor in nature</p>	<p>“Minor” is determined by impact, not by the value of the variance being sought. The proposed reduction to lot width would result in a property that was slightly narrower than those in the immediate vicinity. However; Staff are of the opinion that this relief is minor and still generally consistent with the existing streetscape along Devon Street.</p>

Four Tests	Discussion
<p>2. That the intent and purpose of the Zoning By-law is maintained</p>	<p>The intent and purpose of minimum lot width is to ensure adequate space for the development of a residential dwelling and setbacks, parking.</p>
	<p>The proposed lot would maintain adequate space for a residential dwelling, appreciating for required setbacks and parking.</p>
	<p>Aside from lot width of the lands to be severed, both the severed and retained lots appear to meet all other zoning requirements and as such Staff are satisfied that the intent and purpose of the Zoning By-law is maintained.</p>
<p>3. That the general intent and purpose of the Official Plan is maintained</p>	<p>The “Residential” designation permits a range of dwelling types and supporting land uses intended to serve the residents.</p>
	<p>However, Section 5.1 c) of the Official Plan, <i>Development Proposal Review</i>, outlines that compatible development shall be considered in the evaluation of all development proposals throughout the City and that the following shall be considered when evaluating the compatibility of development proposals:</p> <ul style="list-style-type: none"> ○ The use, height, massing, orientation and landscape characteristics of nearby properties is properly considered and appropriate transitions between the built forms and uses shall be ensured; ○ On-site amenity space is provided and is reflective of, or enhances, the existing patterns of private and public amenity space in the vicinity; and, <p>Streetscape patterns, including block lengths, setbacks and building separations are generally maintained.</p>
	<p>This application provides adequate on-site amenity space and the use, height, massing, and orientation all appear consistent with the neighbourhood.</p>
	<p>Planning Staff are of the opinion that the general intent of the Official Plan is maintained.</p>
<p>4. That the variance is desirable for the appropriate development and use of the land, building or structure</p>	<p>Planning Staff are of the opinion that the requested variance is desirable for the appropriate development and use of the site since it would facilitate the creation of a new residential property and contribute to the supply of housing in the City of Brantford.</p>

Table 4 – Minor Variance Tests

The *Planning Act* also sets the standard to which provincial and local interests, policies, and goals are implemented. Section 51(24) of the *Planning Act* lists the criteria that the Committee of Adjustment must have regard for when considering a consent application, as summarized in the table below.

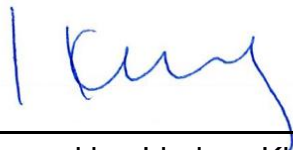
Criteria for Considering a Consent Application	Discussion
1. That the plan conforms to the Official Plan	The proposed consent application is for the purpose of creating one new residential lot within an existing residential neighbourhood.
	The Official Plan encourages a wide range of housing types to accommodate the anticipated population. Section 3.1(d) of the Official Plan promotes the supply of new affordable housing in a variety of locations, dwelling types and tenures.
	Section 9.3 (g – i) of the Official Plan also outlines criteria for the subdivision of land and stipulates when consents are appropriate which includes: a) when a Plan of Subdivision is deemed unnecessary and where the application conforms to the policies of the Official Plan, b) no more than three new lots are being created; and c) all lots have frontage on a municipal road and do not require that municipal services be extended
	This application meets all of the above criteria.
2. The dimensions and shapes of the proposed lot	The proposed lots are similar in both size and shape to other single detached dwelling lots in the neighbourhood.
3. The adequacy of utilities and municipal services	Both the severed and retained parcels will have frontage on a municipal roadway and have access to municipal services and utilities.

Table 5 - Consent Criteria

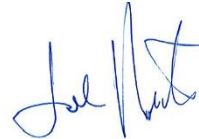
7.3 Conclusion

A site inspection was completed on December 29, 2023. Upon completion of this visit and review of all relevant policies, Planning Staff are supportive of the application. The proposed consent application could create a new residential lot that is in keeping with the surrounding neighbourhood. For the reasons discussed above, Planning Staff think

that the variance satisfies all four tests as defined under the *Planning Act*. Staff recommend the approval of applications A01/2024 and B01/2024.



Prepared by: Lindsay King
Development Planner
Prepared on: January 10, 2024



Reviewed by: Joe Muto, RPP, MCIP
Manager of Development Planning

Appendix A – Conditions of Consent

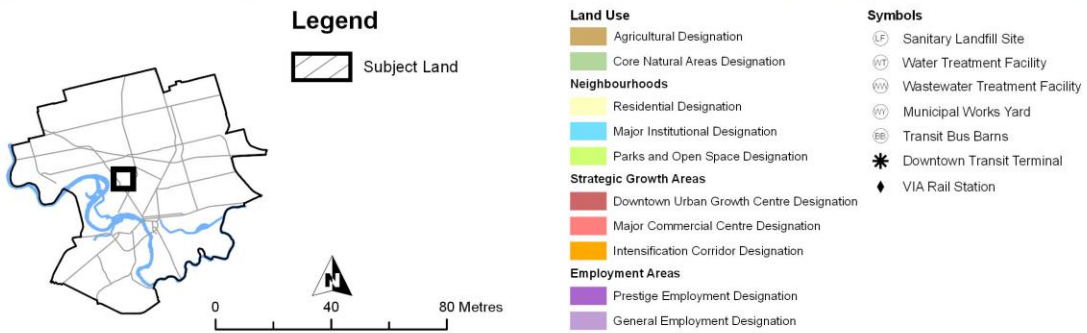
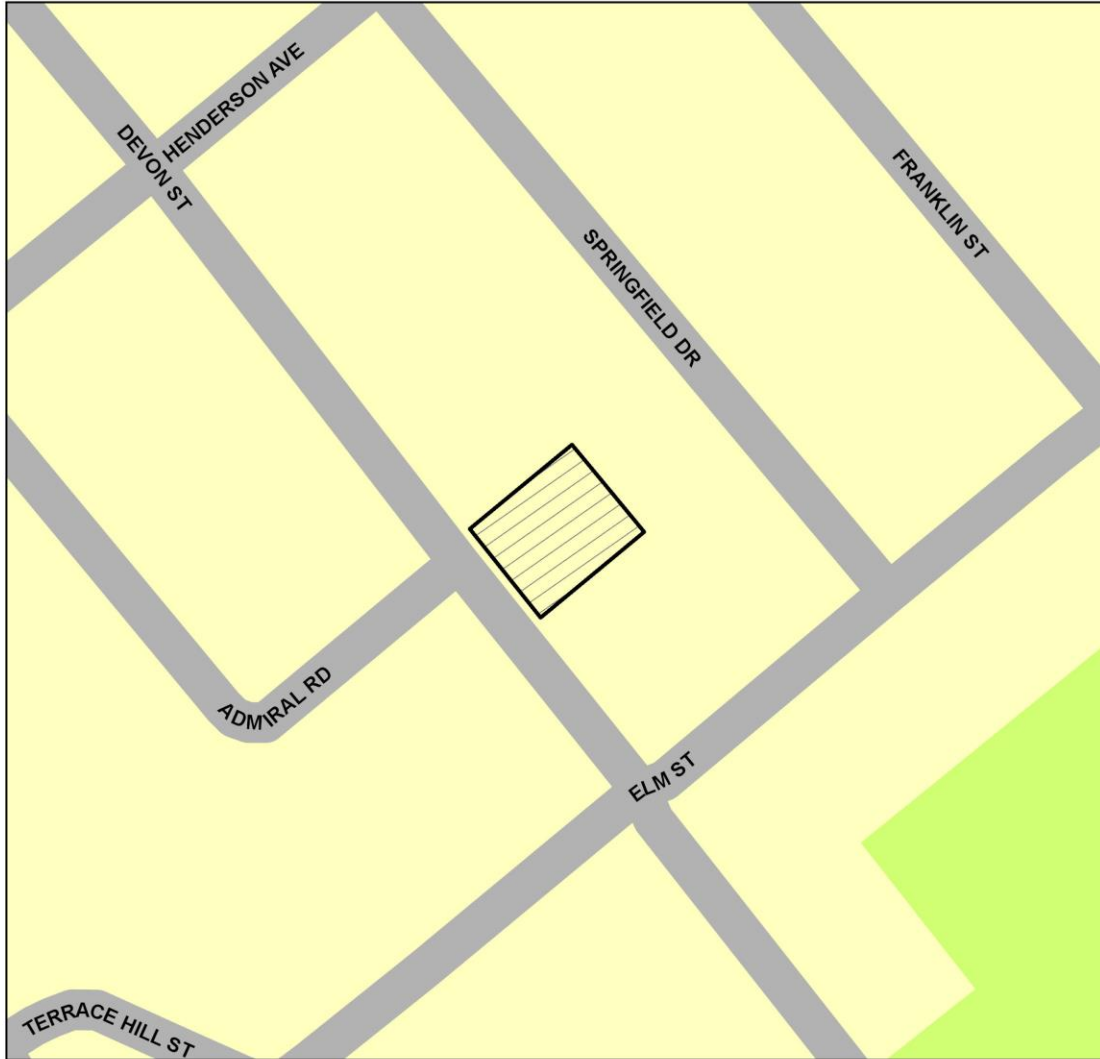
1. Receipt of a registered reference plan showing the severed and retained parcels.
2. Receipt of confirmation that Application A01/2024 receives final and binding approval and is in full force and effect.
3. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
4. Receipt of confirmation that all taxes are paid up to date;
5. Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*);
6. Receipt of confirmation that the Zoning Bylaw Amendment is in full force and effect;
7. Receipt of confirmation that the required Site Plan Control By-law for the severed lot is in full force and effect;
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 to the satisfaction of the Manager of Development Engineering or his/her designate and the Manager of Capital and Development, Environmental Services, or his/her designate, indicating that the severed and retained parcels have been independently serviced with a sanitary and storm sewer connection and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
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. 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.
12. Receipt of confirmation that the 0.3 m reserves have been lifted at the owner's cost to the satisfaction of the General Manager of Public Works Commission;

-
13. Receipt of confirmation that a road widening strip, as required by the Manager of Development Engineering or his/her designate, has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the applicant(s);
 14. The Owner/Applicant shall provide a Grading and Drainage Plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Engineer licensed in the Province of Ontario.
 15. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
 16. Receipt of confirmation that the Building Department requirements have been met.
 17. That the above conditions be fulfilled and the Certificate of Consent be issued on or before January 18, 2026 after which time the consent will lapse.

Appendix B – Official Plan

OFFICIAL PLAN EXCERPT MAP

Application: B01/2024 & A01/2024
34 Devon Street



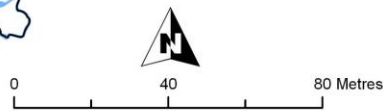
Appendix C – Zoning

ZONING

Application: B01/2024 & A01/2024
34 Devon Street



Legend
Subject Land
Zone Boundary



ZONING (Bylaw 160-90) and County of Brant(61-16)
R1A RESIDENTIAL Type 1A (18 metre)
R1B RESIDENTIAL Type 1B (15 metre)
OS1 Open Space Type 1
-# Exception Number

Appendix D – Public Comment

From: Lindsay King
Sent: Wednesday, December 20, 2023 12:27 PM
To: 'Nadia Fleming'
Subject: RE: Land Severance 34 Devon Street Brantford File #801/2024 and A01/2024
Attachments: [34 Devon Street - Severance Plan.pdf](#)

Hello Nadia,

Thank you for your email and for your interest in this application. I've attached the site plan that was submitted for this application.

Apologies for the confusion, the new zoning by-law is still in the public consultation phase, so it is not in effect yet. We are still using the [Zoning By-law 160-90](#), and will be until the public consultation phase is over and until Council votes on it.

I know you plan to join the meeting, which is great, but you are also able to provide comment in written/email form as well or instead. This will allow me time to understand your feedback and incorporate them into my staff report. Either way, by speaking to this application at the public meeting and/or emailing your comments in, you are providing valuable feedback that will become part of the public record.

Let me know if you have further questions, I am happy to help.

Kind regards,

Lindsay King

Planner

Planning and Development Services

Phone: (519)759-4150 ext. 5358

Email: lking@brantford.ca

Web: brantford.ca/planning



New Zoning By-law Project

<https://www.brantford.ca/en/business-and-development/new-zoning-by-law-project.aspx>

NEW: The fastest way to submit pre-consultation applications is through Cloudpermit (<https://ca.cloudpermit.com>). Create a free account and start today!

From: Nadia Fleming [<mailto:nadia.fleming@yahoo.ca>]
Sent: Wednesday, December 20, 2023 11:09 AM
To: Lindsay King <LKing@brantford.ca>
Subject: Land Severance 34 Devon Street Brantford File #801/2024 and A01/2024

CAUTION EXTERNAL EMAIL. This email originated from outside of the City of Brantford email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure, please contact the Service Desk at ext. 5555

Hello Lindsay.

I am the neighbour next door to this proposed severance at 38 Devon Street. I am wondering what bylaws I should be looking at to address our questions. I did look at the new zoning bylaws that were sent out in "Let's Talk Brantford" but did not find anything specific to this notice 7.2.2.1.2

Is there a drawing submitted of the proposed structure and its dimensions. Can you help me please.

Thx for your help. As there will be a general meeting on January 18/24, it would be great if you could provide information before that date.

[Sent from Yahoo Mail for iPad](#)

Lindsay King

From: Lindsay King
Sent: Monday, January 8, 2024 10:56 AM
To: 'Nadia Fleming'
Subject: RE: Application to Sever 34 Devon Street

Hello Nadia,

I do not believe it calls for an 'easement', but rather it stipulates a required side yard. The definitions for exterior side yard, and interior side yards are included in section 2 of the by-law for your reference.

For the proposed severed lot, the applicant is not requesting any relief from the zoning by-law beyond lot width. As such, they will need to adhere to the by-law that you have and provide either a 1.0 m setback on both sides (with an integral garage) or 3.0 m if the garage is detached. This would be enforced at the Building Permit stage.

Kind regards,

Lindsay King

Planner

Planning and Development Services

Phone: (519)759-4150 ext. 5358

Email: lking@brantford.ca

Web: brantford.ca/planning



New Zoning By-law Project

<https://www.brantford.ca/en/business-and-development/new-zoning-by-law-project.aspx>

*NEW: The fastest way to submit pre-consultation applications is through Cloudpermit (<https://ca.cloudpermit.com>).
Create a free account and start today!*

From: Nadia Fleming [mailto:nadia.fleming@yahoo.ca]
Sent: Monday, January 8, 2024 10:38 AM
To: Lindsay King <LKing@brantford.ca>
Subject: Re: Application to Sever 34 Devon Street

Hi Lindsay

Thx for the reply. I do have a copy of the bylaw. What I am looking for is clarification of what is an interior side yard and what is an exterior side yard. If a garage is located on one side then does the other side of the house call for a 3 metre easement?

[Sent from Yahoo Mail for iPad](#)

On Monday, January 8, 2024, 10:28 AM, Lindsay King <LKing@brantford.ca> wrote:

Hello Nadia,

No trouble. The By-law states that the interior side yard must be 3.0 m unless there is an integral garage or carport, in which case it can be 1.0 m. I've attached the section of the by-law below for your review.

7.2.2

Regulations

Any use, building, or structure in a R1A Zone established in accordance with the following

Amended by
Bylaw No.
34-93

- .1 Single-Detached Dwellings
 - .1 Lot Area (minimum)
 - .2 Lot Width (minimum)
 - .3 Lot Coverage (maximum)
 - .4 Building Height (maximum)
 - .5 Front Yard (minimum)
 - .1 6.0 m or the Established f
is the lesser.
 - .6 Rear Yard (minimum)
 - .7 Side Yard (minimum)
 - .1 Interior

Where an integral garage
the minimum interior side

Please feel free to ask as many questions as you like. Kind regards,

Lindsay King
Planner
Planning and Development Services

Phone: (519)759-4150 ext. 5358

Email: lking@brantford.ca

Web: brantford.ca/planning



<https://www.brantford.ca/en/business-and-development/new-zoning-by-law-project.aspx>

*NEW: The fastest way to submit pre-consultation applications is through Cloudpermit
(<https://ca.cloudpermit.com>).
Create a free account and start today!*

From: Nadia Fleming [<mailto:nadia.fleming@yahoo.ca>]

Sent: Sunday, January 7, 2024 1:33 PM
To: Lindsay King <L.King@brantford.ca>
Subject: Application to Sever 34 Devon Street

CAUTION EXTERNAL EMAIL. This email originated from outside of the City of Brantford email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure, please contact the Service Desk at ext. 5555

Hi Lindsay

Hopefully last question to you. We have gone over the diagrams and need clarification on the easement. According to Bylaw 7.2.2 R1A zone, there should be a minimum 3 metre easement at least on one side should there be a garage. From what I can see, the drawing only shows a 1 metre easement on both sides.

Can you clarify please.

[Sent from Yahoo Mail for iPad](#)

This email and any files transmitted with it are confidential and may contain privileged information. Any rights to confidentiality and privilege have not been waived. You must not present this message to another party without the permission of the sender. If you are not the intended recipient you must not copy, distribute or use this email or the information contained in it for any purpose other than to notify us. If you have received this message in error, please notify the sender immediately, and delete this email from your system. We do not guarantee that this material is free from viruses or any other defects although due care has been taken to minimize the risk. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of The Corporation of the City of Brantford.