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**Date:** March 4, 2024  
**To:** Mayor Davis and Members of Council  
**From:** Councillor Brian Van Tilborg  
**Re:** Waiving of Certain Planning Application Fees for 83 Port Street

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## 1.0 Resolution

WHEREAS the Corporation of The City of Brantford requires a minor variance application be approved to address deviations from the minimum/maximum requirements of the City's applicable zoning by-laws; and,

WHEREAS the owner of 83 Port Street received an approval on June 8, 2022 for a minor variance application (File. A10-2022) to permit a maximum building height of 6.65 m and maximum lot coverage of 11% for a detached accessory building; and,

WHEREAS the owner of 83 Port Street submitted a minor variance application on December 17, 2024 to permit a maximum building height of 7.32 m and maximum lot coverage of 14% for the detached accessory building and submitted a cheque for \$2,790 (the applicable 2024 minor variance application fee);

NOW THEREFORE BE IT RESOLVED that City Council WAIVE the applicable minor variance application fee and DIRECT Planning Staff to REFUND the submitted fee of \$2,790 to the applicant.

## 2.0 Corporate Policy Context

Municipalities are responsible for ensuring that the delivery of land use planning services is undertaken in accordance with Provincial legislation and are permitted under the *Planning Act* to charge fees to offset the cost of providing services. In February 2024, the City completed a fee review as part of the City's

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streamlining development approvals initiatives. The intent of the fee review was to establish the full cost of providing development application review services and calculate appropriate fee rates for recovering those costs and reduce the burden on the tax levy for these services. Following the results of the review, Council approved a new fee schedule which came into effect on May 1st, 2024. Planning fees relate to Strategic Theme 4 of the 2023-2026 Council Priorities document: “Create a vision and strategy for managing development and affordable housing”, and the associated action area priority which states:

- Considers Funding and Affordability – Ensure the City considers affordability, the funding requirements, and the ability to garner such funding in a way that imposes the least burden on the taxpayer.

Additionally, the new minor variance application is a result of the owner wishing to increase the size of the proposed detached accessory building, beyond what was previously applied for and reviewed and approved by the City via minor variance application A10-2022 over two and half (2½) years ago in 2022. The assessment and processing of this new application will require staff time and resources dedicated to circulation, technical review and preparation of the Staff Report, and a physical mailout to all surrounding property owners within 60 metres of the subject lands, as mandated by the *Planning Act*. These costs will not be recovered should the application fee be waived.

### 3.0 Resources

If Council approves a resolution to waive the minor variance fee or a portion thereof, Staff will issue a refund of \$2,790 to the applicant, representing the applicable 2024 minor variance application fee, or portion thereof.

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the resolution section.

By-law required  yes  no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk  yes  no

Is the necessary by-law or agreement being sent concurrently to Council?  yes  no