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ONTARIO HERITAGE TRUST

MAR 10 2021

RECEIVED

Sent by mail  
Erin Semande  
Provincial Heritage Registrar  
The Ontario Heritage Trust, Ontario Heritage Act  
10 Adelaide Street East  
Toronto, ON M5C 1J3

March 4, 2021

Dear Ms. Semande,

**Re: Notice of Decision – Application under Section 34 of the Ontario Heritage Act - 35 Chatham Street**

Please be advised that the Council of The Corporation of the City of Brantford, at its meeting held on February 23, 2021, adopted the following:

**12.3.7 Applications under Section 34 of the Ontario Heritage Act (Application HD-01-20) and Demolition Control By-law 156-2019 to Remove and Relocate the Crystal Cottage from 35 Chatham Street [Financial Impact – None], 2021-72**

- A. THAT the Application under Section 34 of the Ontario Heritage Act (Application HD-01-20) to remove the building known as the Crystal Cottage from 35 Chatham Street and relocate it to 53 Charlotte Street BE APPROVED, subject to the following conditions:
- a. THAT a Heritage Easement Agreement, substantially in the form attached as Appendix J to Report 2021-72 or as otherwise approved by the City Solicitor or designate, has been executed and registered on title of 35 Chatham Street; and
  - b. ii. THAT a Site Plan Agreement has been executed and registered on title of the receiving lands, known as 53 Charlotte Street; and
  - c. THAT a Building Permit to install the Crystal Cottage at 53 Charlotte Street has been issued by the Corporation of the City of Brantford; and
  - d. THAT a Moving Permit to move the Crystal Cottage from 35 Chatham Street to 53 Charlotte Street has been issued by the Corporation of the City of Brantford; and
- B. THAT the necessary By-law to authorize the entering into of a Heritage Easement Agreement BE PRESENTED to Council for adoption; and
- C. THAT Staff BE DIRECTED to give notice of Council's decision regarding the Application under Section 34 of the Ontario Heritage Act to remove the Crystal Cottage; and



- D. THAT the necessary By-law to repeal By-law 6-85, which designates 35 Chatham Street under the Ontario Heritage Act, BE PRESENTED to Council for adoption after the release of the Heritage Easement Agreement for 35 Chatham Street; and
- E. THAT, upon the adoption of the By-law to repeal By-law 6-85, Staff BE DIRECTED to complete the required duties outlined in Section 34.3 (2) of the Ontario Heritage Act; and
- F. THAT Staff BE DIRECTED to prepare a report regarding the designation of 53 Charlotte Street under the Ontario Heritage Act for Council's consideration once the Crystal Cottage has been relocated and all permits for 53 Charlotte Street have been closed; and
- G. THAT the Demolition Control Application for 35 Chatham Street BE APPROVED.

A copy of the Notice of Decision is attached for your information.

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Coates".

**Victoria Coates, MCIP, RPP**  
Intermediate Planner, Long Range Planning  
Planning Department  
Community Development  
519-759-4150 ext. 5712  
[vcoates@brantford.ca](mailto:vcoates@brantford.ca)

**THE CORPORATION OF THE CITY OF BRANTFORD  
IN THE MATTER OF ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18  
35 CHATHAM STREET  
NOTICE OF DECISION**

TAKE NOTICE that the Council of the City of Brantford on February 23, 2021, having considered an application under Section 34 of the Ontario Heritage Act to remove a building from 35 Chatham Street, a property designed under Section 29 of the Ontario Heritage Act, decided among other things, to:

- A. Approve the application to remove the building known as the Crystal Cottage from 35 Chatham Street and relocate it to 53 Charlotte Street, subject to the following conditions:
- i. THAT a Heritage Easement Agreement, substantially in the form attached as Appendix J to Report 2021-72 or as otherwise approved by the City Solicitor or designate, has been executed and registered on title of 35 Chatham Street; and
  - ii. THAT a Site Plan Agreement has been executed and registered on title of the receiving lands, known as 53 Charlotte Street; and
  - iii. THAT a Building Permit to install the Crystal Cottage at 53 Charlotte Street has been issued by the Corporation of the City of Brantford; and
  - iv. THAT a Moving Permit to move the Crystal Cottage from 35 Chatham Street to 53 Charlotte Street has been issued by the Corporation of the City of Brantford.

**Appeal to the Local Planning Appeal Tribunal**

The Ontario Heritage Act states that if a Council of a municipality consents to an application to remove a building from a designated heritage property subject to certain terms or conditions, the owner may, within thirty days of the day the owner received notice of Council's decision, give notice of appeal to the Local Planning Appeal Tribunal and to the Clerk of the municipality:

Tanya Daniels, City Clerk  
100 Wellington Square P.O. Box 818  
Brantford, ON N3T 5R7  
Phone: 519-759-4150 ext. 5715  
Email: [clerks@brantford.ca](mailto:clerks@brantford.ca)

A notice of appeal shall set out the reasons for objection to the decision of Council and be accompanied by the prescribed fee. Notice dated March 4, 2021.