



August 8, 2024

**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:** A35-2024  
**Related File Numbers:** n/a  
**Address:** 904 Colborne Street  
**Roll Number:** 2906040015124000000  
**Agent:** Castle Concepts Ltd. c/o Rober Grundy  
**Owner/Applicant:** Scott Vet Clinic c/o Shannon Lee

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:**

A Minor Variance application has been received for the lands municipally known as 904 Colborne Street. The purpose of this application is to facilitate the construction of an addition to the existing vet clinic. The addition will be used for office purposes. The applicant is seeking relief from the following Sections of the Zoning By-law 160-90:

- Section 9.8.2.1.7.2 to permit a side yard setback of 3.86 m whereas a side yard setback of 6 m is otherwise required for lots abutting any other lot lines.

**Decision:** **APPROVED**

**Date:** **August 7, 2024**

THAT application A35-2024 seeking relief from Section 9.8.2.1.7.2 of Zoning By-Law 160-90 to permit a side yard setback of 3.86 m, whereas 6.0 m is otherwise required, BE APPROVED;

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 Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands; and,

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 2024-450.”

Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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



K. Pongracz, Secretary-Treasurer

## Additional Information

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 making of the decision is completed (under Section 45(12) of the *Planning Act*), 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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer, Committee of Adjustment  
58 Dalhousie Street  
Brantford ON N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

## Notice of Changes

You will be entitled to be notified of 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 27, 2024**.


## End of Decision

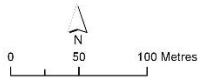
# LOCATION MAP

Application: A35-2024  
904 Colborne Street

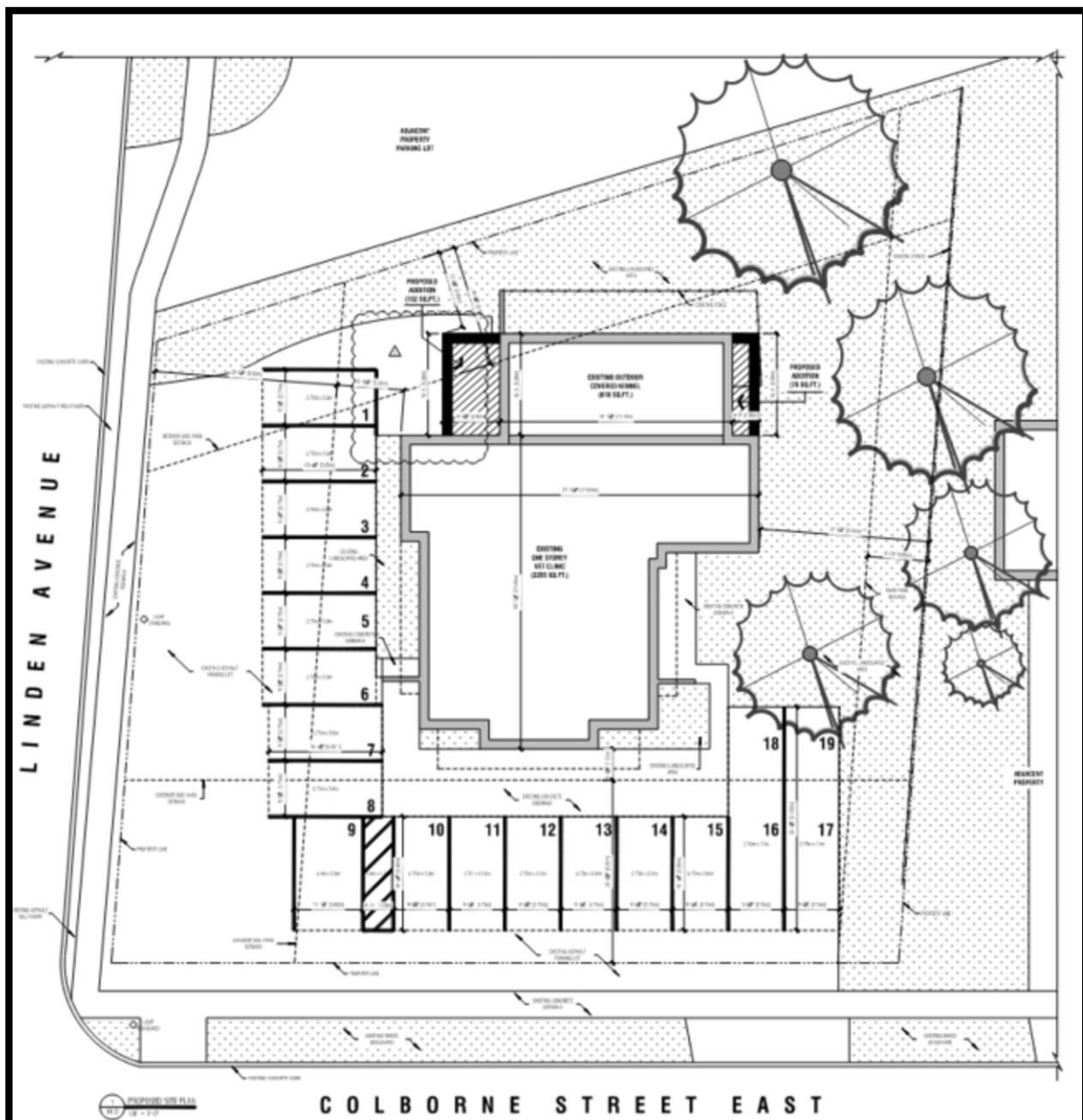


Legend

 Subject Land



# Concept Plan





August 8, 2024

**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:** A36-2024  
**Related File Numbers:** n/a  
**Address:** 32 Niagara Street  
**Roll Number:** 2906020007035000000  
**Agent:** Muhammad Mughal  
**Owner/Applicant:** Muhammad Mughal

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:**

A combined Consent and Minor Variance application has been received for the lands municipally addressed as 32 Niagara Street. The purpose of this application is to sever a residential lot having a width of 8.3 m and a lot area of 333.9 m<sup>2</sup>. The retained lands contain a single detached dwelling and have a lot width of 11.8 m and a lot area of 472.6 m<sup>2</sup>. The existing detached garage is proposed to be demolished. The applicant is seeking relief from the following section of the Zoning By-law 160-90:

- Section 7.8.2.2.1 to permit a lot width of 8.3 m, whereas 9 m is otherwise required.

**Decision: APPROVED**

**Date: August 7, 2024**

THAT application A36-2024 seeking relief from Section 7.8.2.1.2.1 of Zoning By-Law 160-90 to permit a lot width of 8.3 m for the severed parcel, whereas a minimum of 9 m is otherwise required, BE APPROVED;

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 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;

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 2024-442.”*

Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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



K. Pongracz, Secretary-Treasurer

## Additional Information

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 making of the decision is completed (under Section 45(12) of the *Planning Act*), 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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer, Committee of Adjustment  
58 Dalhousie Street  
Brantford ON N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

## Notice of Changes

You will be entitled to be notified of 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 27, 2024.**



## LOCATION MAP

Application: B29-2024 & A36-2024  
32 Niagara Street

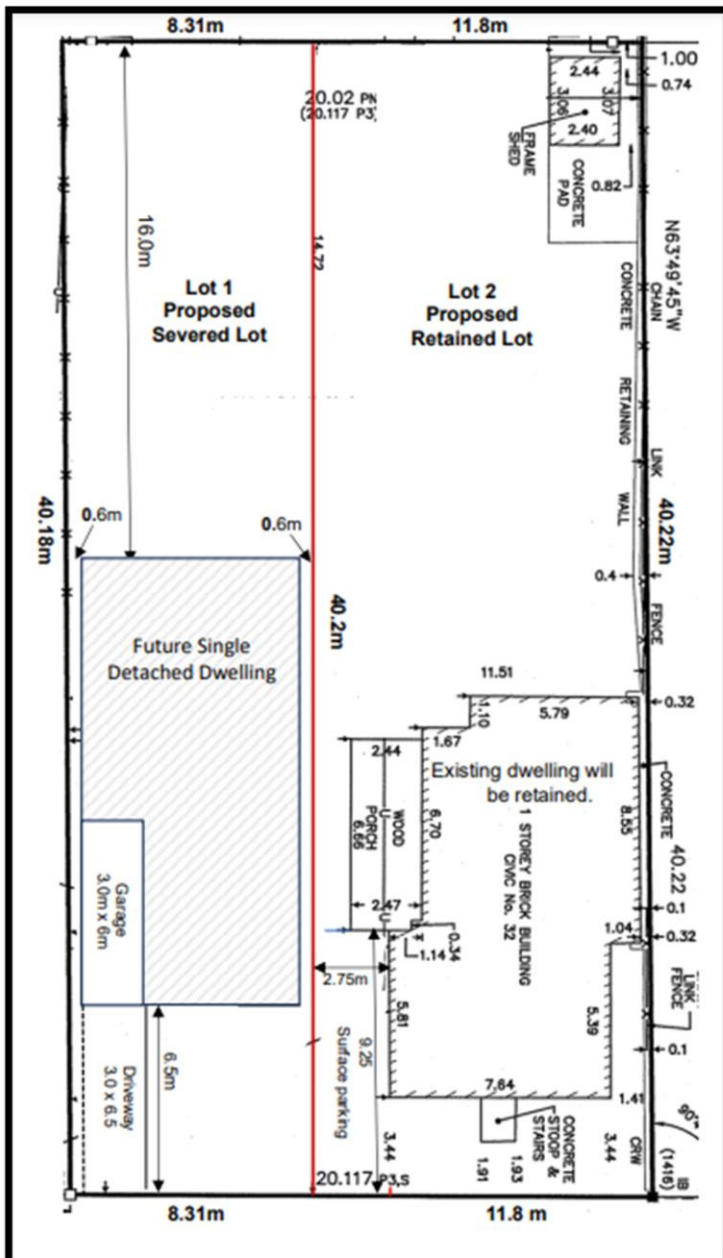


Legend

Subject Land



## Concept Plan





August 8, 2024

**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:** B29-2024  
**Related File Numbers:** A36-2024  
**Address:** 32 Niagara Street  
**Roll Number:** 2906020007035000000  
**Agent:** Muhammad Mughal  
**Owner/Applicant:** Muhammad Mughal

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 combined Consent and Minor Variance application has been received for the lands municipally addressed as 32 Niagara Street. The purpose of this application is to sever a residential lot having a width of 8.3 m and a lot area of 333.9 m<sup>2</sup>. The retained lands contain a single detached dwelling and have a lot width of 11.8 m and a lot area of 472.6 m<sup>2</sup>.

**Decision: PROVISIONAL APPROVAL**

**Date: August 7, 2024**

THAT Consent application B29-2024 requesting to sever a parcel of land from the subject property municipally addressed as 32 Niagara Street, having a lot area of 333.97 m<sup>2</sup> and a retained parcel of land having a lot area of 472.66 m<sup>2</sup>, BE APPROVED subject to the following conditions:

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt and confirmation that Minor Variance Application A36-2024 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 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 to a legal outlet 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 a legal outlet for 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. The Owner/Applicant shall obtain a Right of Way Activity Permit administered by the City's Operational Services Department for all work proposed within the road allowance for the purpose of constructing, altering, or extending a driveway approach.
13. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement, to the satisfaction of the Manager of Development Planning or his/her designate.
14. The Owner/Applicant shall provide the City with copies of all archaeological assessment reports and associated materials, including Ministry Letters indicating that the relevant archaeological assessments have been entered into the Ontario Public Register of Archaeological Reports, that demonstrate that the subject area has no further cultural heritage value or interest with respect to archaeological resources, and that no further archaeological assessment is required.
15. The Owner/Applicant shall satisfy the servicing requirements of Grandbridge to the satisfaction of the Manager of Development Planning or his/her designate.
16. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **August 7, 2026**, after which time the consent will lapse.

THAT the reason(s) for approval of B29-2024 are as follows: having regard for the matters under Section 51 (24) of the Planning Act, Staff is satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties; and,

THAT pursuant to Section 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 2024-442.”*



Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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



K. Pongracz, Secretary-Treasurer

## Additional Information

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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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Brantford ON  
N3T 2J2

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## **Notice of Changes**

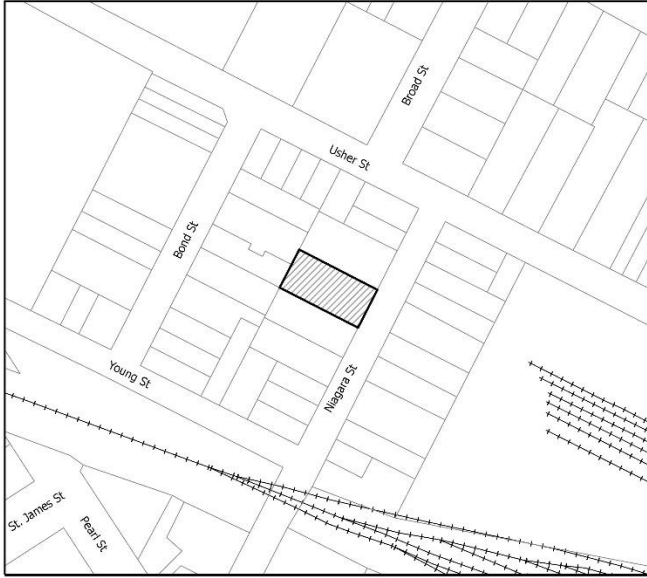
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 28, 2024.**

**End of Decision**

## LOCATION MAP

Application: B29-2024 & A36-2024  
32 Niagara Street

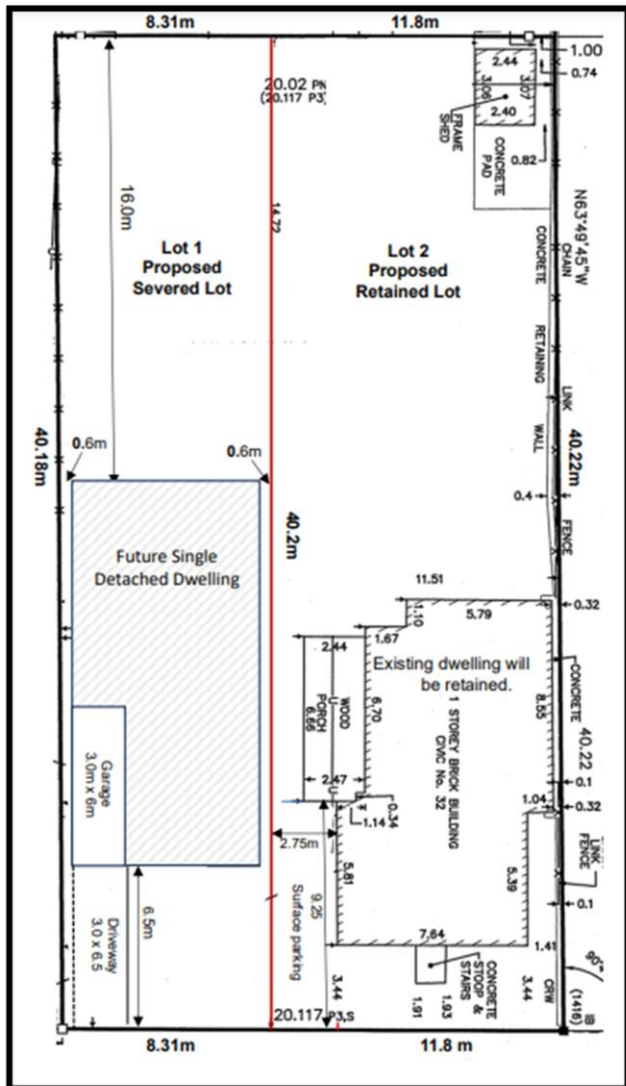


### Legend

 Subject Land



## Concept Plan





August 8, 2024

**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:** A37-2024  
**Related File Numbers:** n/a  
**Address:** 17 Pleasant Crescent  
**Roll Number:** 2906010030103000000  
**Agent:** Bryce Casier  
**Owner/Applicant:** Allan Dickenson

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:**

A Minor Variance application has been received for the lands municipally addressed as 17 Pleasant Crescent. The property currently has a single detached dwelling on site, and the applicant proposes to develop a detached garage in the exterior side yard. To facilitate this construction, the applicant is seeking the following relief from the Zoning By-law 61-16:

- To permit an accessory building in an exterior side yard, whereas it is otherwise not permitted [Section 4.4 (b)]
- To permit a structure within 2.7 m of Mount Pleasant Road, and within 5.4 m of Pleasant Crescent, whereas a minimum of 7.5 m from a public roadway is otherwise required [Section 9.2]

**Decision: APPROVED**

**Date: August 7, 2024**

THAT application A37-2024 seeking relief from Section 4.4 (b) and 9.2 of Zoning By-law 61-16 to permit an accessory building in an exterior side yard, and within 2.7 m of Mount Pleasant Road and within 5.4 m of Pleasant Crescent, whereas a minimum distance of 7.5 m from a public roadway is otherwise required, BE APPROVED; and,

THAT the reasons for the approval of the minor variances are as follows: the proposed variance is in keeping with the general intent and purpose of the Zoning By-law, and the Official Plan, and that the relief requested is considered minor in nature and 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 statements 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. 2024-457.*

Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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



K. Pongracz, Secretary-Treasurer

## Additional Information

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@brantford.ca).

## Appeals

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Secretary-Treasurer, Committee of Adjustment  
58 Dalhousie Street  
Brantford ON N3T 2J2

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 27, 2024.**

## End of Decision

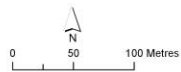


### LOCATION MAP

Application: A37-2024  
17 Pleasant Crescent



Legend  
Subject Land



### Concept Plan





August 8, 2024

**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:** A38-2024  
**Related File Numbers:** n/a  
**Address:** 77 Waldron Street  
**Roll Number:** 2906010012020050000  
**Agent:** MHBC Planning c/o Stephanie Mirtitsch  
**Owner/Applicant:** LIV (Conklin) LP c/o Jeff Colyer

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:**

A Minor Variance has been received for the lands municipally addressed as 77 Waldron Street (Lot 79). The purpose of the application is to permit a rear yard setback of 0.88m, and permit the location of the proposed single detached dwelling. The applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

- Section 7.7.3.10.3.5 to permit a rear yard setback of 0.88m whereas a minimum rear yard setback is 6.0m is otherwise required.

**Decision:** **APPROVED**

**Date:** **August 7, 2024**

THAT Minor Variance application A38-2024 seeking relief from Section 7.7.3.10.3.5 of Zoning By-law 160-90 for the lands municipally known as 77 Waldron Street to permit a rear yard setback of 0.88 m, whereas 6.0 m is otherwise required, BE APPROVED, conditional upon a minimum interior side yard of 15 m being provided adjacent to 31 Dennis Avenue for any residential use or structure;

THAT the reasons for the approval of the minor variance is as follows: the proposed variance is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development 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 2024-434."

Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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K. Pongracz, Secretary-Treasurer

## Additional Information

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 27, 2024.**







August 8, 2024

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

**COMMITTEE OF ADJUSTMENT**  
**DECISION OF THE COMMITTEE**

**File Number:** B28-2024  
**Related File Numbers:** n/a  
**Address:** 64 Cumberland Avenue  
**Roll Number:** 2906040013390020000  
**Agent:** J.H. Cohoon Engineering Ltd.  
**Owner/Applicant:** Richard Lawrence

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 has been received for the lands municipally addressed as 64 Cumberland Street. The subject lands have an existing semi-detached dwelling which is to be severed into individual saleable units, each parcel having a minimum lot width of 9m, and a minimum lot area of 291 m<sup>2</sup> required by Zoning By-law 160-90.

**Decision: PROVISIONAL APPROVAL**

**Date: August 7, 2024**

THAT Consent application B28-2024 requesting to sever a parcel of land with an area of 291.42 m<sup>2</sup> from the subject property municipally addressed as 64 & 64 ½ Cumberland Street, BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcels.
2. 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).
3. Receipt of confirmation that all taxes are paid up to date, to the satisfaction of the Manager of Development Planning or their designate.
4. Receipt of payment for cash-in-lieu of parkland if required (amount to be determined in accordance with City of Brantford By-law 139-2022).
5. Receipt of confirmation from the Manager of Development Engineering Department, or his/her designate, indicating that their requirements have been satisfied.
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. 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 to a legal outlet for each parcel of land (severed and retained) and that these services do not cross the proposed



severance line and are connected directly to City infrastructure.

- 8. 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.
- 9. 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.
- 10. 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.
- 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. That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 7, 2026, after which time the consent will lapse.

THAT the reason(s) for approval of B28-2024 are as follows: having regard for the matters under Section 51 (24) of the Planning Act, Staff is satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties;

THAT pursuant to Section 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 2024-474.”*

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

**ABSENT - V. Kershaw, Member**

**Electronically signed by M. Bodnar,  
Member**

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

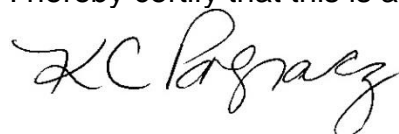
**Electronically signed by T. Cupoli,  
Member**

**Electronically signed by M. Simpson,  
Member**

**Electronically signed by A. Patel,  
Member**

**Certification**

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



K. Pongracz, Secretary-Treasurer

**Additional Information**

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

## Notice of Changes

You will be entitled to be notified of 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 28, 2024.**

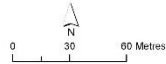
## End of Decision

**LOCATION MAP**

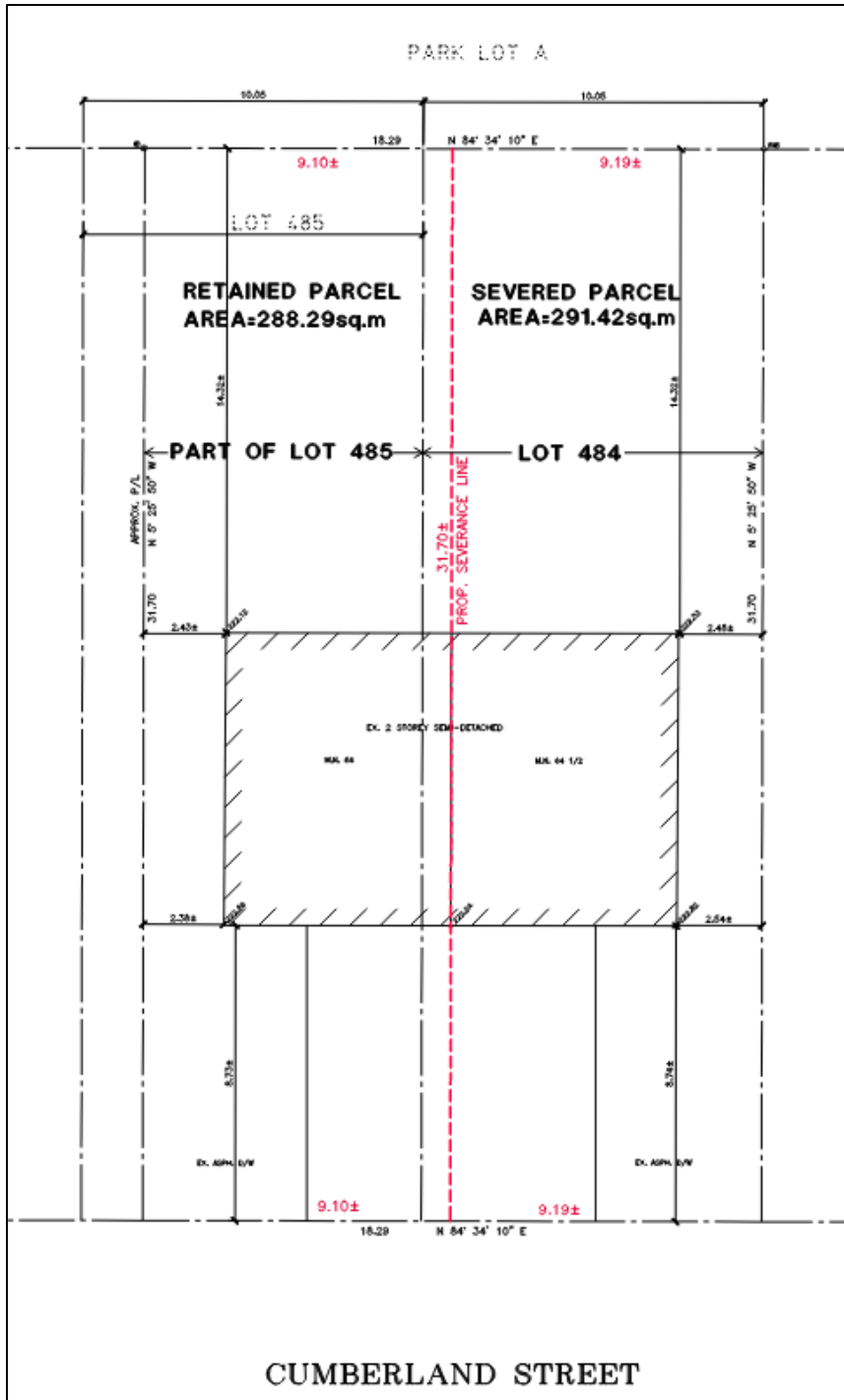
Application: B28-2024  
4 Cumberland Avenue



Legend  
 Subject Land



**Concept Plan**





August 8, 2024

**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:** B30-2024  
**Related File Numbers:** B31-2024  
**Address:** 410 Hardy Road  
**Roll Number:** 2906010012031000000  
**Agent:** J.H. Cohoon Engineering Ltd.  
**Owner/Applicant:** 2298842 Ontario Inc. c/o Jeff

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:**

The City of Brantford has received two Consent applications for the lands municipally known as 410 Hardy Road. This property currently has an industrial building fronting onto Ferrero Boulevard. The proposed consents would create two new industrial properties.

Lot 2 (B30-2024) is proposed to have a lot area of approximately 0.78 ha. and a lot width of 84.04 m with frontage onto Cornell Lane. On this parcel, the applicant plans to develop a 2,839 m<sup>2</sup> multi-tenant industrial building with 43 parking spaces.

Lot 3 (B31-2024) is proposed to have a lot area of approximately 1.98 ha. and a lot width of 155.47 m with frontage onto Hardy Road. On this parcel, the applicant plans to develop a 9,171 m<sup>2</sup> multi-tenant industrial building with 116 parking spaces.

**Decision: PROVISIONAL APPROVAL**

**Date: August 7, 2024**

THAT consent application B30-2024 requesting to sever the subject lands municipally addressed as 410 Hardy Road, BE APPROVED, subject to the following conditions;

1. Receipt of a registered reference plan showing the severed and retained parcels and any applicable easements, to the satisfaction of the Manager of Development Planning or their designate.
2. Receipt of a draft of the Transfer deed for review (upon registration a final copy of the transfer deed shall be provided to the City), to the satisfaction of the Manager of Development Planning or their designate.
3. Receipt of confirmation that all taxes are paid up to date, to the satisfaction of the Manager of Development Planning or their designate.

4. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
5. 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.
6. That an undertaking is provided from the applicant's solicitor confirming that the overland flow easement and any other applicable easements will be registered on title for the properties;
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 to a legal outlet 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 a legal outlet for 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. The Owner will be required to obtain a Water Service Connection Permit for each new service and pay all applicable fees prior to commencing any work to connect the new water service; the City will complete the inspection of all connections to City watermains.
13. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
14. That the above conditions are fulfilled and the Certificate of Consent be issued on or before **August 7, 2026**, after which time the consent will lapse.

THAT the reason(s) for approval of B30-2024 are as follows: having regard for the matters under Section 51(24) of the *Planning Act*, Staff are satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties; and,

THAT pursuant to Section 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. 2024-459.”*

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

**ABSENT - V. Kershaw, Member**

**Electronically signed by M. Bodnar,  
Member**

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

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

**Electronically signed by M. Simpson,  
Member**

**Electronically signed by A. Patel,  
Member**

## **Certification**

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



K. Pongracz, Secretary-Treasurer

## **Additional Information**

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

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<https://olt.gov.on.ca/appeals-process/>

## **Notice of Changes**

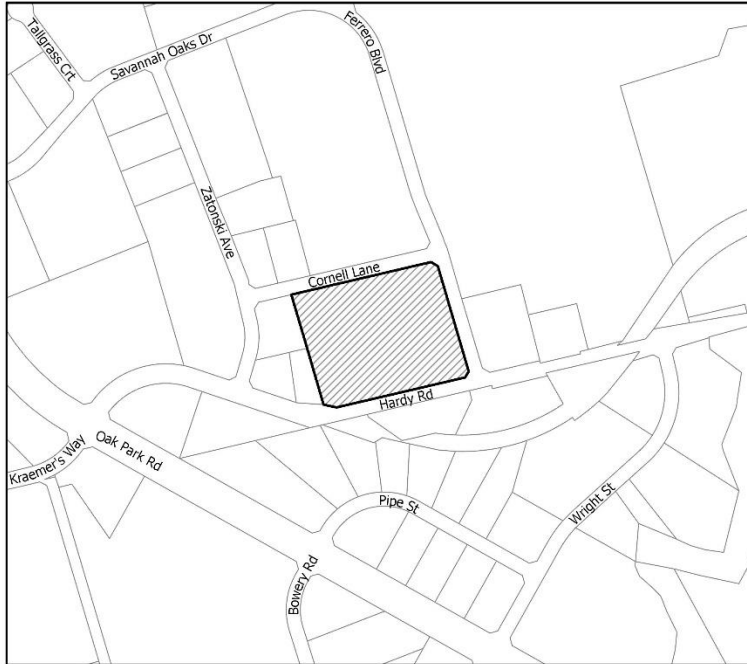
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 28, 2024.**

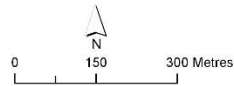
**End of Decision**

# LOCATION MAP

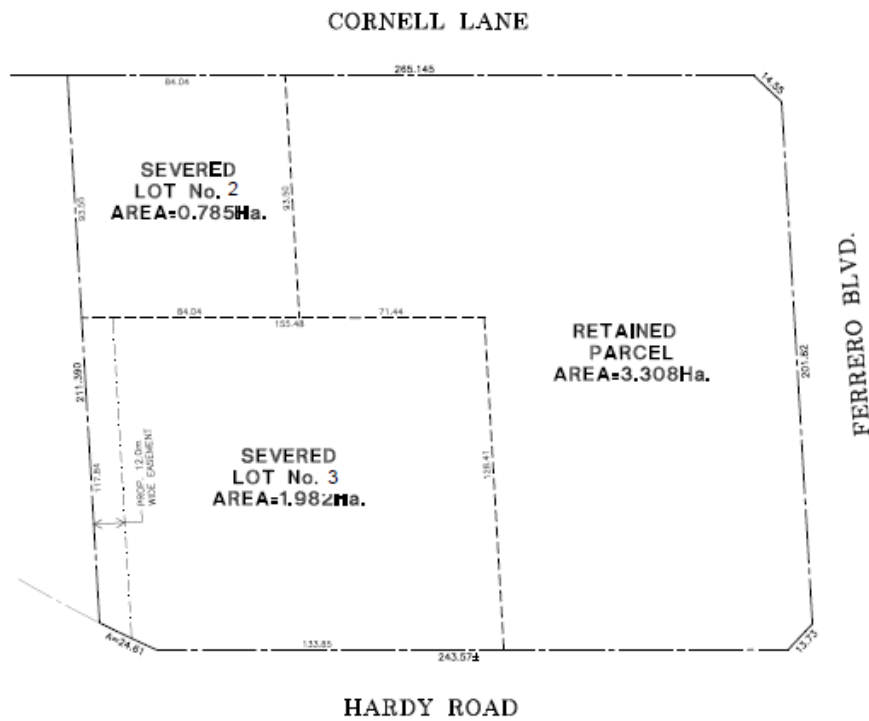
Application: B30-2024 & B31-2024  
410 Hardy Road



Legend  
 Subject Land



# Concept Plan



**SEVERANCE PLAN**

410 HARDY ROAD BRANTFORD



**J.H. COHOON ENGINEERING LIMITED**  
 CONSULTING ENGINEERS  
 100-1100

LEIT CORNEL CONSTRUCTION LTD. 208 2293  
 SCALE: 1:1250 DATE MAY 14/24



August 8, 2024

**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:** B31-2024  
**Related File Numbers:** B30-2024  
**Address:** 410 Hardy Road  
**Roll Number:** 2906010012031000000  
**Agent:** J.H. Cohoon Engineering Ltd.  
**Owner/Applicant:** 2298842 Ontario Inc. c/o Jeff

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:**

The City of Brantford has received two Consent applications for the lands municipally known as 410 Hardy Road. This property currently has an industrial building fronting onto Ferrero Boulevard. The proposed consents would create two new industrial properties.

Lot 2 (B30-2024) is proposed to have a lot area of approximately 0.78 ha. and a lot width of 84.04 m with frontage onto Cornell Lane. On this parcel, the applicant plans to develop a 2,839 m<sup>2</sup> multi-tenant industrial building with 43 parking spaces.

Lot 3 (B31-2024) is proposed to have a lot area of approximately 1.98 ha. and a lot width of 155.47 m with frontage onto Hardy Road. On this parcel, the applicant plans to develop a 9,171 m<sup>2</sup> multi-tenant industrial building with 116 parking spaces.

**Decision: PROVISIONAL APPROVAL**

**Date: August 7, 2024**

THAT consent application B31-2024 requesting to sever the subject lands municipally addressed as 410 Hardy Road, BE APPROVED, subject to the following conditions;

1. Receipt of a registered reference plan showing the severed and retained parcels and any applicable easements, to the satisfaction of the Manager of Development Planning or their designate.
2. Receipt of a draft of the Transfer deed for review (upon registration a final copy of the transfer deed shall be provided to the City), to the satisfaction of the Manager of Development Planning or their designate.
3. Receipt of confirmation that all taxes are paid up to date, to the satisfaction of the Manager of Development Planning or their designate.

4. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
5. Receipt of confirmation from the Manager of Development Engineering or their designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.
6. That an undertaking is provided from the applicant's solicitor confirming that the overland flow easement and any other applicable easements will be registered on title for the subject property;
7. The Owner/Applicant shall provide a Tree Protection Plan to the satisfaction of the Manager of Development Engineering or his/her designate. The Tree Protection Plan shall assess all trees which are, or may be, subject to injury or removals due to the development of the site.
8. Receipt of confirmation from the Risk Management Official that a Restricted Land Use Declaration Form and any necessary risk management plans have been submitted to and approved.
9. Receipt of confirmation from the Manager of Development Engineering or their designate, indicating that a Wastewater Allocation Request Form has been submitted and approved.
10. Receipt of confirmation from the Manager of Development Engineering or their 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.
11. 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 to a legal outlet and that these services do not cross the proposed severance line(s) and are connected directly to City infrastructure.
12. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to a legal outlet for 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.
13. 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.
14. Receipt of confirmation that a road widening strip, free and clear of any encumbrances, 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).
15. The Owner will be required to obtain a Water Service Connection Permit for each new service and pay all applicable fees prior to commencing any work to connect the new water service; the City will complete the inspection of all connections to City watermains.



- 16. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
- 17. That the above conditions are fulfilled and the Certificate of Consent be issued on or before **August 7, 2026**, after which time the consent will lapse.

THAT the reason(s) for approval of B31-2024 are as follows: having regard for the matters under Section 51(24) of the *Planning Act*, Staff are satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties; and,

THAT pursuant to Section 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. 2024-459.”*

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

**ABSENT - V. Kershaw, Member**

**Electronically signed by M. Bodnar,  
Member**

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

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

**Electronically signed by M. Simpson,  
Member**

**Electronically signed by A. Patel,  
Member**

**Certification**

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



K. Pongracz, Secretary-Treasurer

**Additional Information**

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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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Committee of Adjustment  
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Brantford ON  
N3T 2J2

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### **Notice of Changes**

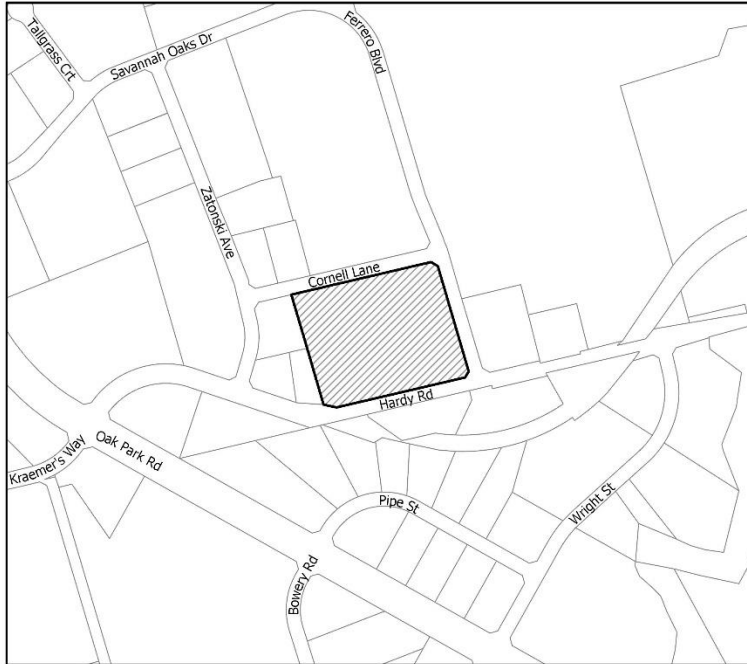
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 28, 2024.**

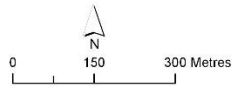
### **End of Decision**

# LOCATION MAP

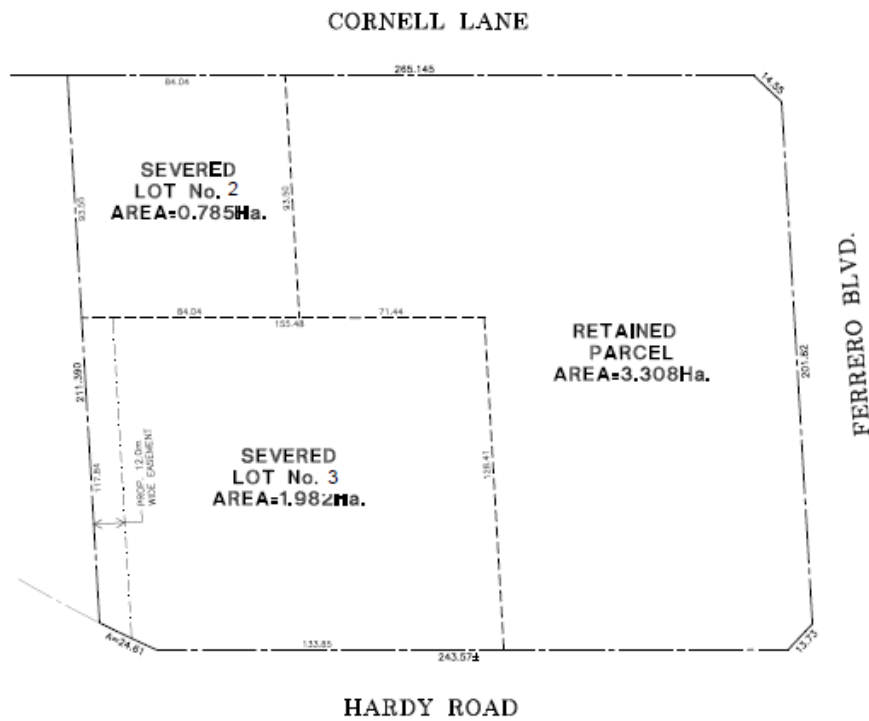
Application: B30-2024 & B31-2024  
410 Hardy Road



Legend  
 Subject Land



# Concept Plan



**SEVERANCE PLAN**

410 HARDY ROAD BRANTFORD



**J.H. COHOON ENGINEERING LIMITED**  
 CONSULTING ENGINEERS  
 100-1100

LEIT CORNEL CONSTRUCTION LTD. 208 2293  
 SCALE: 1:1250 DATE MAY 14/24



August 8, 2024

**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:** A15-2024  
**Related File Numbers:** B15-2024  
**Address:** 111-113 Pearl Street  
**Roll Number:** 2906020005211000000  
**Agent:** Ruchika Angrish  
**Owner/Applicant:** Kevin Walchuk

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:**

A consent and minor variance application have been received for the lands municipally known as 111 and 113 Pearl Street. 111 Pearl Street currently contains a single-detached dwelling and a large accessory structure on site, and 113 Pearl Street currently contains a single-detached dwelling on site. The applicant proposes a boundary adjustment that would add a parcel of land having an area of approximately 117.18m<sup>2</sup> that is currently part of 113 Pearl Street, to 111 Pearl Street to facilitate an addition to the noted accessory structure on 111 Pearl Street.

A concurrent Minor Variance Application has also been received to accommodate the addition. Relief is sought for the following sections of Zoning By-law 160-90:

- Section 6.3.1.1 to permit a maximum lot coverage for accessory buildings of 20.3%, whereas 18.7% is otherwise permitted [previously approved through A43/2016] (111 Pearl); and
- Section 7.8.2.1.6 to permit a rear yard setback of 3.3 m, whereas 7.5 m is otherwise permitted (113 Pearl)

**Decision:** **APPROVED**

**Date:** **August 7, 2024**

- A. THAT application A15-2024 seeking relief from Sections 6.3.1.1 of Zoning By-law 160-90 to permit a maximum Accessory Lot Coverage of 20.3% whereas 18.7% is otherwise permitted, BE APPROVED;
- B. THAT the reasons for the approval of minor variance application A15-2024 are as follows: the proposed variance is considered minor, is in keeping with the general intent and purpose of the Zoning By-law or Official Plan, and is considered desirable for the appropriate development and use of the subject lands; and,

- C. THAT application A15-2024 seeking relief from Section 7.8.2.1.6 of Zoning By-law 160- 90 to permit a rear yard setback of 3.32 m whereas 7.5 m is otherwise required, on the lands municipally known as 113 Pearl Street, BE APPROVED;
- D. THAT the reasons for the approval of the minor variance seeking relief from Section 7.8.2.1.6 are as follows: the proposed variance is considered minor in nature, maintains the general intent and purpose of the Zoning By-law and Official Plan, and is considered desirable for the appropriate use of the subject lands; and,
- E. 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 2024-24.”

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

**ABSENT - V. Kershaw, Member**

**Electronically signed by M. Bodnar,  
Member**

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

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

**Electronically signed by M. Simpson,  
Member**

**Electronically signed by A. Patel,  
Member**

**Certification**

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



K. Pongracz, Secretary-Treasurer

**Additional Information**

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 making of the decision is completed (under Section 45(12) of the *Planning Act*), 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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer, Committee of Adjustment  
58 Dalhousie Street  
Brantford ON N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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<https://olt.gov.on.ca/appeals-process/>

### **Notice of Changes**

You will be entitled to be notified of 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 27, 2024.**

### **End of Decision**



# LOCATION MAP

Application: B15/2024 & A15/2024  
111-113 Pearl Street

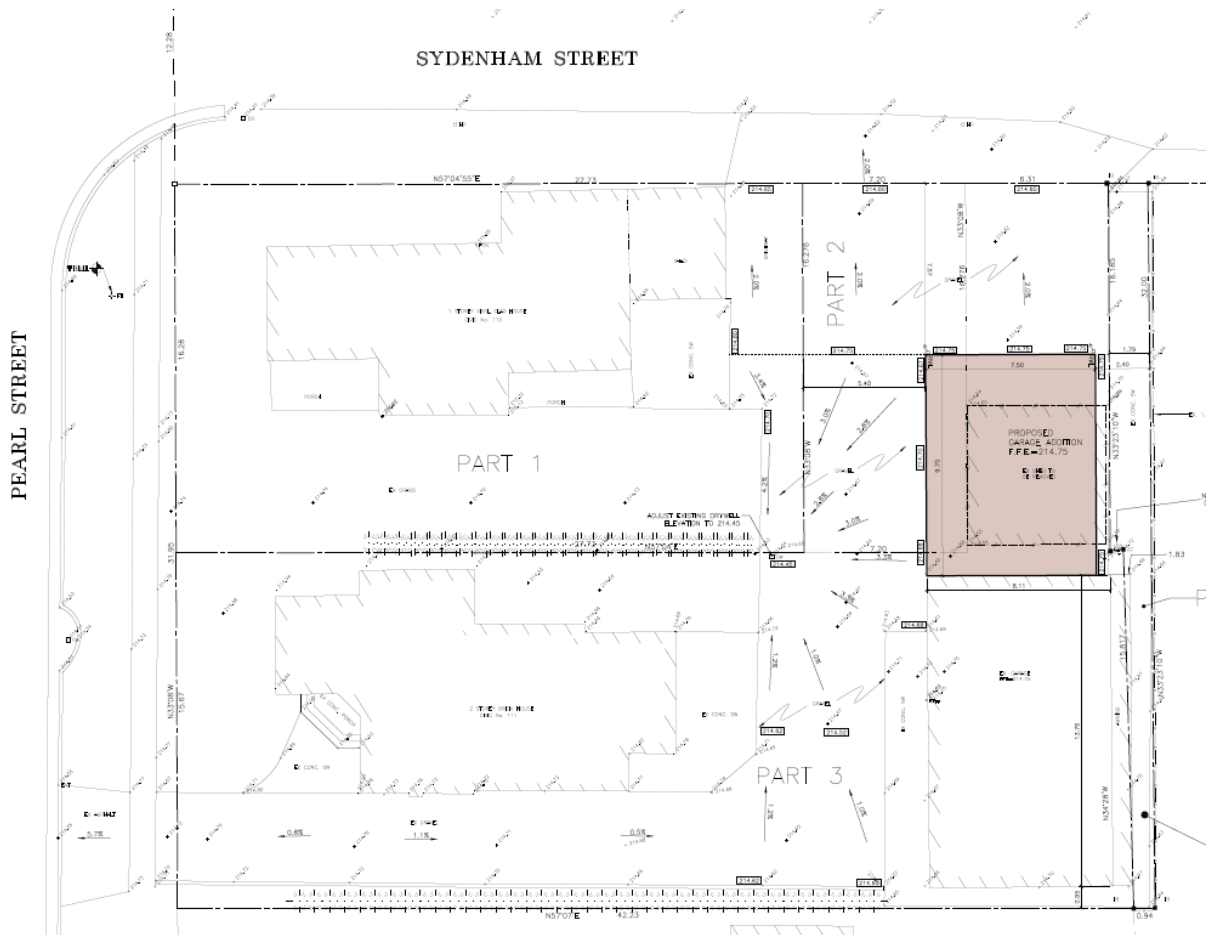


### Legend

 SUBJECT LANDS



## Concept Plan





August 8, 2024

**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:** B15-2024  
**Related File Numbers:** A15-2024  
**Address:** 111-113 Pearl Street  
**Roll Number:** 2906020005211000000  
**Agent:** The Angrish Group  
**Owner/Applicant:** Kevin Walchuk and Donna Ferrier

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 and minor variance application have been received for the lands municipally known as 111 and 113 Pearl Street. 111 Pearl Street currently contains a single-detached dwelling and a large accessory structure on site, and 113 Pearl Street currently contains a single-detached dwelling on site. The applicant proposes a boundary adjustment that would add a parcel of land having an area of approximately 117.18m<sup>2</sup> that is currently part of 113 Pearl Street, to 111 Pearl Street to facilitate an addition to the noted accessory structure on 111 Pearl Street.

**Decision:** **Provisional Approval**

**Date:** **August 7, 2024**

THAT consent application B15-2024 requesting to transfer a parcel of land that is approximately 117.18 m<sup>2</sup> from the subject property at 113 Pearl Street to the subject property at 111 Pearl Street, BE APPROVED, subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcel;
2. Receipt of confirmation that all taxes are paid up to date;
3. 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);
4. Receipt of confirmation from the Applicant's solicitor that Section 50(3) or 50(5) of the *Planning Act* shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent. Therefore, the Solicitor acting in the transfer will provide a letter of undertaking confirming that the severed lands will be merged in title with the property municipally addressed as 111 Pearl Street; and,
5. Receipt of confirmation that a demolition permit has been obtained for the existing accessory building proposed to be removed to accommodate the addition;

6. Receipt of confirmation that the required 2.5 m daylight corner with 0.3 m reserves has been dedicated to the City, to the satisfaction of the General Manager of Public Works Commission;
7. Receipt of confirmation from the Manager of Development Planning or their designate, indicating that Easement Agreement relating to the Part Lot A, E/S Sydenham Street, Plan City of Brantford, as in A304350, has been amended to ensure that drainage associated with the proposed addition will be directed to the subject lands, that no eaves encroachment be permitted along the rear lot line of 111 Pearl Street, and that the location for accessing Schedule J be included in the Easement Agreement;
8. That the above conditions be fulfilled and the Certificate of Consent be issued on or before August 7, 2026, after which time the consent will lapse.

THAT the reason(s) for approval of B15-2024 are as follows: the proposed consent complies with the general intent and purpose of the Zoning By-law and Official Plan, and is compatible with the surrounding area and will not result in adverse impacts on surrounding properties; and,

THAT pursuant to Section 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. 2024-201".

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

**ABSENT - V. Kershaw, Member**

**Electronically signed by M. Bodnar,  
Member**

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

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

**Electronically signed by M. Simpson,  
Member**

**Electronically signed by A. Patel,  
Member**

### **Certification**

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



K. Pongracz, Secretary-Treasurer

## **Additional Information**

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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

## **Notice of Changes**

You will be entitled to be notified of 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 28, 2024**.

## **End of Decision**





August 8, 2024

**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:** A30-2024  
**Related File Numbers:** A05-2024  
**Address:** 372 Darling Street  
**Roll Number:** 2906040011080100000  
**Agent:** King Homes Inc. c/o Ken Bekendam  
**Owner/Applicant:** Georges El Masri

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:**

The City of Brantford has received a minor variance application for the lands known as 372 Darling Street to facilitate the conversion of two residential accessory spaces (a laundry room and a storage room) of an existing apartment building to residential units (total of 13 dwelling units). The application was previously approved for a minor variance (A05-2024), giving relief from minimum dwelling units size, permitting a minimum of 25 m<sup>2</sup>, whereas 40 m<sup>2</sup> was required. This application was approved by the Committee of Adjustment in February of 2024. Unfortunately, the application form and site plan submitted for A05-2024 had incorrect property sizes (3,753.9 m<sup>2</sup>, whereas the true size is 1,968.58 m<sup>2</sup>) which has triggered this application. The applicant requires a relief from Section 7.10.2.1.1.1 to permit a minimum lot area of 151 m<sup>2</sup>/unit whereas 167 m<sup>2</sup>/unit is otherwise required.

**Decision:** **Approved**

**Date:** **August 7, 2024**

THAT minor variance application A30-2024 seeking relief from Section 7.10.2.1.1.1 to permit a minimum lot area of 151 m<sup>2</sup>/unit whereas 167 m<sup>2</sup>/unit is otherwise required BE APPROVED;

THAT the reasons for approval of the minor variance are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and 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 2024-410.”



Electronically signed by G. Kempa,  
Chair/Member

ABSENT - V. Kershaw, Member

Electronically signed by M. Bodnar,  
Member

Electronically signed by T. Gaskin,  
Member

Electronically signed by T. Cupoli,  
Member

Electronically signed by M. Simpson,  
Member

Electronically signed by A. Patel,  
Member

## Certification

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



K. Pongracz, Secretary-Treasurer

## Additional Information

If you require additional information regarding the application, please contact Secretary-Treasurer, Committee of Adjustment, (519)759-4150 [CofA@brantford.ca](mailto:CofA@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 making of the decision is completed (under Section 45(12) of the *Planning Act*), 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 **\$705.00** administrative fee made payable to the Corporation of the City of Brantford.

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Brantford ON N3T 2J2

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## Notice of Changes

You will be entitled to be notified of 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.

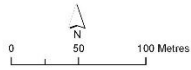
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **August 27, 2024.**

# LOCATION MAP

Application: A30-2024  
372 Darling Street



Legend  
Subject Land



# Concept Plan

