



October 3, 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: A47-2024
Related File Numbers: n/a
Address: 29 Rosehill Avenue
Roll Number: 2906010030139000000
Agent: Ellen Arsenault
Owner/Applicant: Ellen Arsenault

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 was received for the lands municipally addressed as 29 Rosehill Avenue. The purpose of the application is to facilitate the construction of a 1-storey attached garage. The applicant is seeking relief from the following section(s) of the City adopted County of Brant Zoning By-law 61-16:

- Section 9, Table 9.2 to permit an interior side yard of 0.63 m, whereas a minimum of 1.5 m is otherwise required.

Decision: **Approved**

Date: **October 2, 2024**

- A. THAT minor variance application A47-2024 seeking relief from Section 9.2 of the City adopted County of Brant Zoning By-law 61-16 to permit a garage with a minimum interior side yard of 0.63 m, whereas a minimum of 1.5 m is otherwise required, BE APPROVED subject to the garage being no closer than 0.3 m from the side lot line;
- B. THAT the reasons for the approval of the minor variance are 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,
- C. THAT pursuant to 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 5.2 of Report No. 2024-580”.

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by 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.

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 **October 22, 2024.**

End of Decision



October 3, 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: A48-2024
Related File Numbers: B34-2024
Address: 28 Grandview Street
Roll Number: 2906030010149000000
Agent: J.H. Cohoon Engineering Ltd.
Owner/Applicant: Mike Quattrociocchi

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 concurrent Consent and Minor Variance application was received for a vacant through lot municipally addressed as 28 Grandview Street. The applicant is proposing to construct a semi-detached dwelling on the property, which would be severed into individual parcels, each having a width of 5.51m and an area of 182.5m².

To facilitate the severance, the applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

- Section 7.8.2.1.1.2 to permit a lot area of 182.6 m² per unit (total 365.2 m²), whereas a minimum of 230 m² per unit (460 m²) is otherwise required for semi-detached dwellings.
- Section 7.8.2.1.2.2 to permit a lot width of 5.5 m per unit, whereas a minimum of 6 m per unit is otherwise required for semi-detached dwellings.

Decision: **Approved**

Date: **October 2, 2024**

- THAT minor variance application A48-2024 seeking relief from Section 7.8.2.1.1.2 of Zoning By-law 160-90 to permit a minimum lot area of 182.6 m² per unit, whereas 230 m² per unit is otherwise required, BE APPROVED; and,
- THAT minor variance application A48-2024 seeking relief from Section 7.8.2.1.2.2 of Zoning By-law 160-90 to permit a minimum lot width of 5.5 m per unit, whereas 6 m per unit is otherwise required, BE APPROVED; and,
- THAT the reasons for the approval of the minor variances are as follows: the proposed variances are 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,

D. THAT pursuant to 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 5.2 of Report No. 2024-578”.

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

**Electronically signed by 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

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

Appeals

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Brantford ON N3T 2J2

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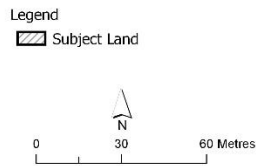
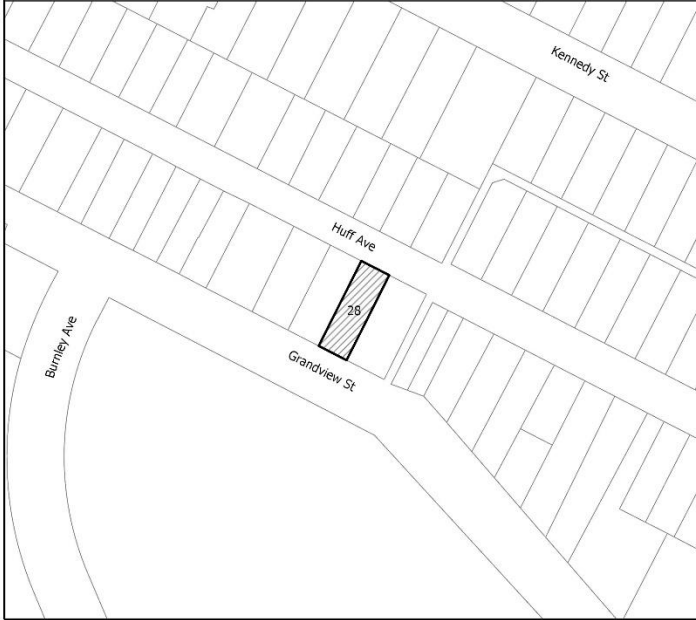
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **October 22, 2024.**

End of Decision

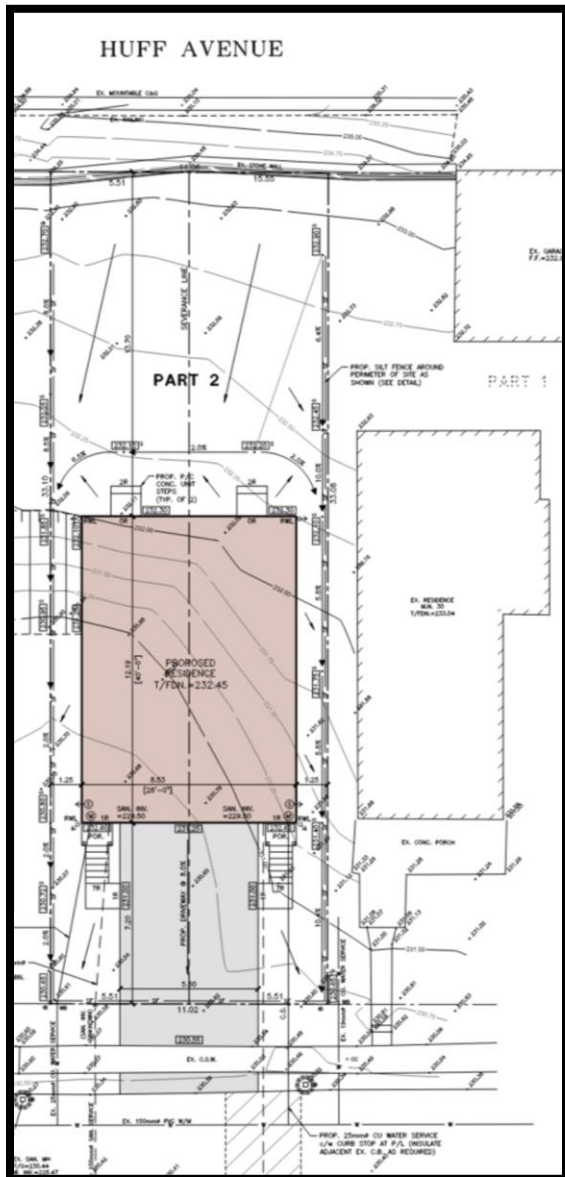
Location Map

LOCATION MAP

Application: B34-2024 & A48-2024
28 Grandview Street



Concept Plan





October 3, 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: A49-2024
Related File Numbers: n/a
Address: 325 Fairview Drive
Roll Number: 2906030017355500000
Agent: Andrew Evans
Owner/Applicant: Andrew Evans

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 was received for the lands municipally addressed as 325 Fairview Drive. The purpose of the application is to address existing site deficiencies and to permit personal service stores in the existing building. The applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

- Section 7.11.4.1.2.2 to permit a general office size of 93m², whereas 56m² is otherwise required.
- Section 7.11.2.6.1 to permit a personal service store in the existing building, whereas a personal service store shall otherwise be located within an apartment building.
- Section 7.11.4.1.1 to permit the existing enclosure of an upper-level deck converted into a 29m² storage area on the west end of the existing building, whereas regulations shown on Schedule B, Map RHD-1 do not allow for such an extension.

Decision: Provisional Approval

Date: October 2, 2024

- A. THAT minor variance application A49-2024 seeking relief from Section 7.11.2.6.1 of Zoning By-law 160-90 to permit a personal service store in the existing building, whereas a personal service store is otherwise only permitted to be located within an apartment building, BE APPROVED; and,
- B. THAT minor variance application A49-2024 seeking relief from Section 7.11.4.1.1 of Zoning By-law 160-90 to permit the existing enclosure of an upper-level deck converted into a 29m² storage area on the west end of the existing building, whereas regulations shown on Schedule B, Map RHD-1 do not allow for such an extension, BE APPROVED, conditional upon the applicant applying for a Building Permit; and,

- C. THAT minor variance application A49-2024 seeking relief from Section 7.11.4.1.2.2 of Zoning By-law 160-90 to permit a maximum general office size of 93.0 m², whereas a maximum of 56.0 m² is otherwise required, BE APPROVED; and,
- D. THAT the reasons for the approval of the minor variance(s) are as follows: the proposed variance(s) are 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,
- E. THAT pursuant to 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2024-579”.

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

**Electronically signed by 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.

Appeals

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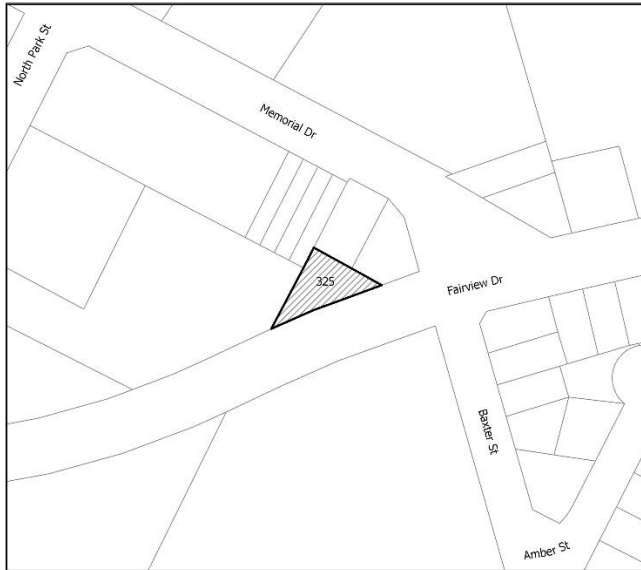
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End of Decision

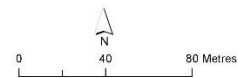
Location Map

LOCATION MAP

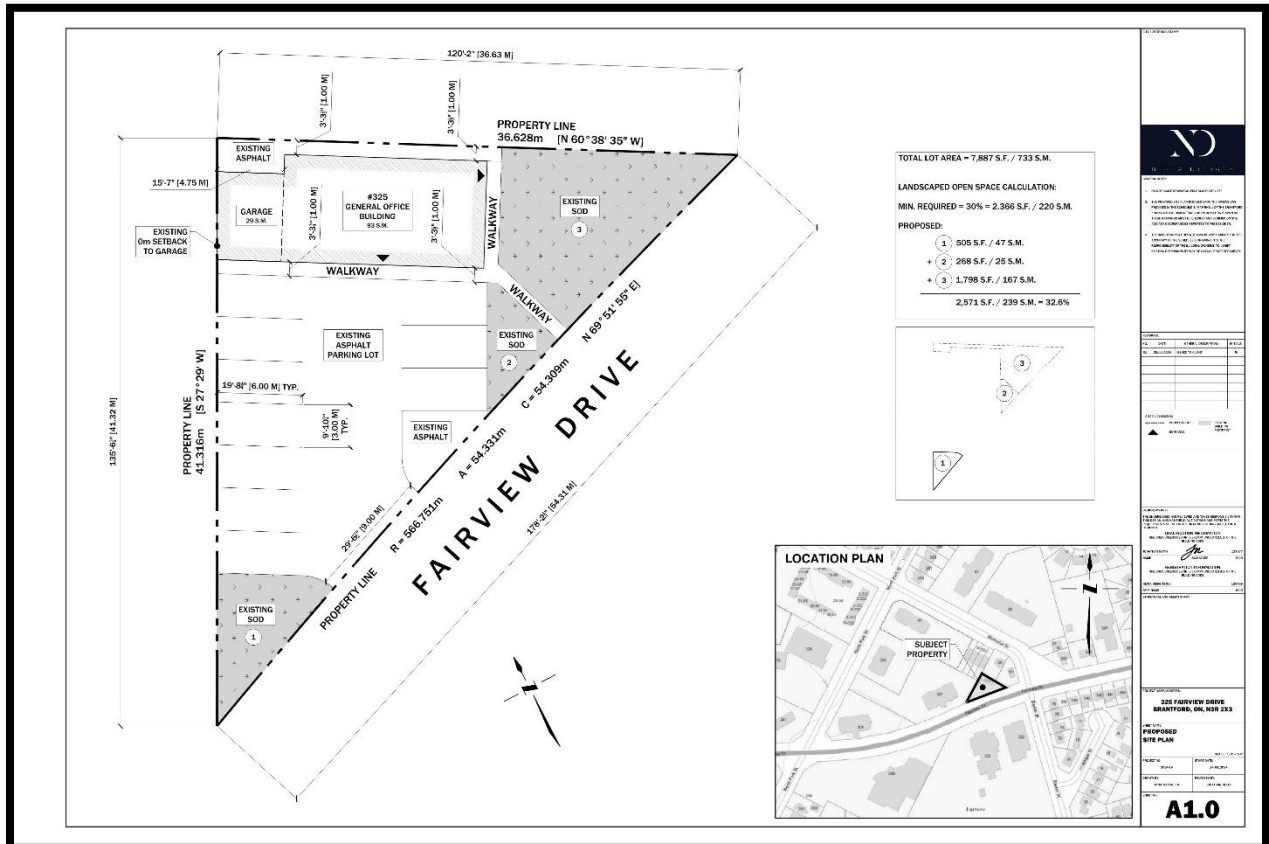
Application: A49-2024
325 Fairview Drive



Legend
 Subject Land



Concept Plan



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October 3, 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: B34-2024
Related File Numbers: A48-2024
Address: 28 Grandview Street
Roll Number: 2906030010149000000
Agent: J.H. Cohoon Engineering Ltd.
Owner/Applicant: Mike Quattrociocchi

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 concurrent Consent and Minor Variance application was received for a vacant through lot municipally addressed as 28 Grandview Street. The applicant is proposing to construct a semi-detached dwelling on the property, which would be severed into individual parcels, each having a width of 5.51m and an area of 182.5m².

Decision: **Provisional Approval**

Date: **October 2, 2024**

THAT consent application B34-2024 to sever 28 Grandview Street into 2 parcels, each having a lot area of 182.6 m² and a lot width of 5.5 m BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels and any applicable easements.
2. Receipt of confirmation that the decision to approve Application File No. A48-2024 is final and binding, 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 has submitted 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 a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.
7. Receipt of 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 include details of how the severed and

retained parcels 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 that these services are connected directly to City infrastructure.

8. Receipt of confirmation from the Manager of Development Engineering or his/her designate, that the Owner/Applicant has taken responsibility, financially and otherwise, for providing sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced.
9. Receipt of confirmation that a Right of Way Activity Permit administered by the City's Operational Services Department was obtained for all work proposed within the road.
10. Receipt of confirmation that a building permit is applied for to change the use to a semi-detached dwelling, to the satisfaction of the Chief Building Official.
11. Receipt of confirmation that the applicant has provided a report from a qualified professional addressing soil stability and methane gas to the satisfaction of the Chief Building Official or his/her designate.
12. Receipt of confirmation of an undertaking from a solicitor that the following Warning Clause below is inserted in all agreements of Purchase and Sale or Lease:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 1000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”
13. That the above conditions be fulfilled and the Certificate of Consent be issued on or before October 2, 2026, after which time the consent will lapse.

THAT the reasons for approval of B34-2024 are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act* and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law; 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 5.2 of Report No. 2024-578”.

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by 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 .

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 **October 23, 2024.**

End of Decision

