



December 17, 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: A58-2024
Related File Numbers: B38-2024
Address: 61-73 Murray Street
Roll Number: 2906040007151000000
Agent: Corbett Land Strategies c/o Nick Wood
Owner/Applicant: Multani Custom Homes c/o Rob Multani

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 was received for the lands municipally addressed as 61 – 73 Murray Street. The purpose of the application is to create an easement over 73 Murray Street that provides access to part of the drive aisle as well as access to 1 parking space for the proposed 2-storey fourplex on Murray Street.

A Minor Variance is also being requested to permit a minimum lot area for the fourplex property of 450m², whereas a minimum lot area of 453m² is required.

The subject lands are designated “Residential” in the Official Plan and zoned “Residential Medium Density Type A Zone – Exception 51 (R4A-51)” in Zoning By-law 160-90.

Decision: Approved

Date: December 16, 2024

THAT minor variance application A58-2024 seeking relief from Section 7.9.4.51.1 of Zoning By-law 160-90 to permit a minimum lot area of 450 m², whereas 453 m² is otherwise required, BE APPROVED;

THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is not 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 5.2 of Report No. 2024-694”.

Absent - G. Kempa, Chair/Member

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

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

**Electronically signed by V. Kershaw,
Member**

Absent - T. Gaskin, 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.

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2024 at 4:30 p.m.**

End of Decision

APPEAL INFORMATION – MINOR VARIANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 45(12) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 45(12) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body that has an interest in the matter” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 45(12) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 45(12) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 45(12) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

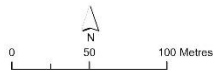
Location Map

LOCATION MAP

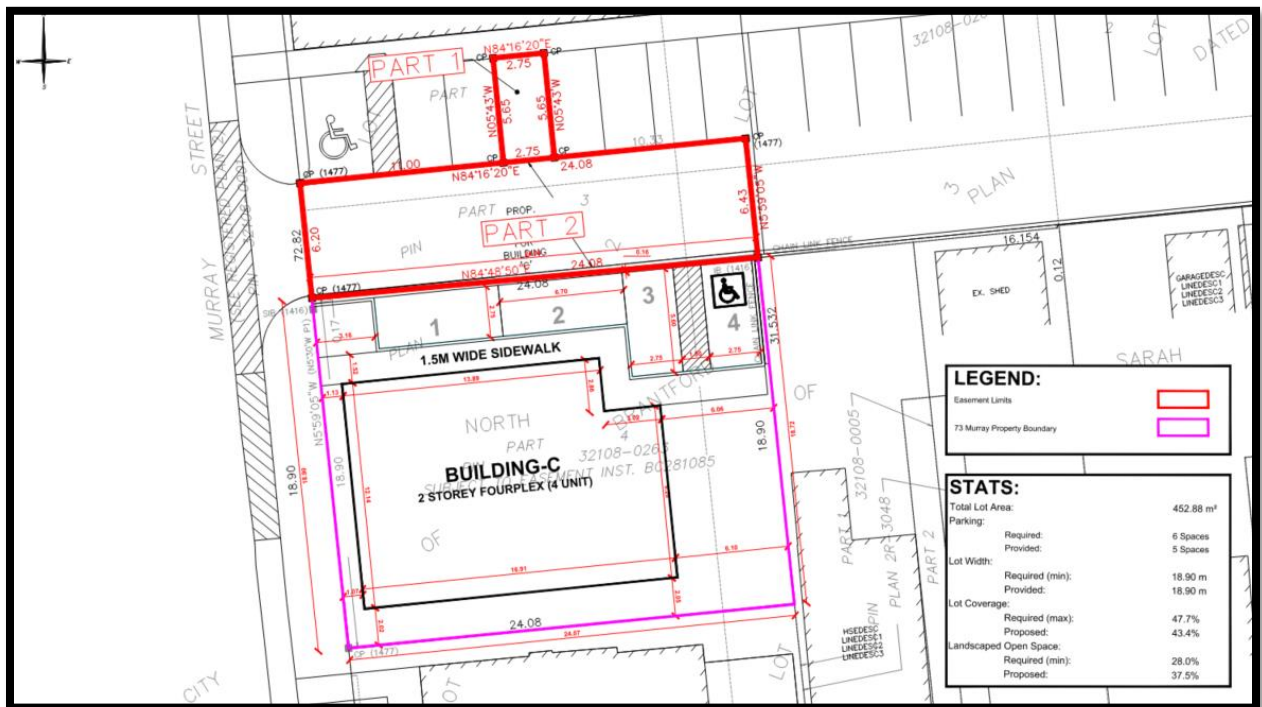
Application: B38-2024
61-73 Murray Street



Legend
 Subject Land



Concept Plan





December 17, 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: B38-2024
Related File Numbers: A58-2024
Address: 61-73 Murray Street
Roll Number: 2906040007151000000
Agent: Corbett Land Strategies c/o Nick Wood
Owner/Applicant: Multani Custom Homes c/o Rob Multani

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 was received for the lands municipally addressed as 61 – 73 Murray Street. The purpose of the application is to create an easement over 73 Murray Street that provides access to part of the drive aisle as well as access to 1 parking space for the proposed 2-storey fourplex on Murray Street.

A Minor Variance is also being requested to permit a minimum lot area for the fourplex property of 450m², whereas a minimum lot area of 453m² is required.

The applicant previously submitted applications for consent and minor variance in the summer of 2022 (file no. B18-2022 and A20-2022), however the consent application lapsed.

Decision: Provisional Approval

Date: December 16, 2024

THAT consent application B38-2024 to create an easement for access to a parking space over 61-73 Murray Street (Part 3 on Plan 2R-7864) in favour of Part 4 in Plan 2R-7864, BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the easement for access
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 an undertaking provided from the applicant's solicitor confirming that all applicable easements will be registered on title for the properties;

5. Receipt of updated Parking Agreement and Easement with signatories from the City of Brantford and property owners, to the satisfaction of Chief Planner and Director of Development Services and the City Solicitor.
6. The applicant shall provide to the Manager of Development Engineering or his/her designate, draft easement schedules for approval by the City.
7. The applicant shall, together with the final version of the easement schedules, provide to the City Solicitor an undertaking indicating that:
 - i. The easement schedules approved by the City are the final schedules to be submitted for registration, subject only to changes requested by the Land Registrar.
 - ii. The City will be notified of any required changes prior to registration; and
 - iii. Forthwith following registration of the easements, a copy of the instruments will be provided to the City.
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 0 Murray Street has been submitted.
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **December 16, 2026**, after which time the consent will lapse.

THAT the reasons for approval of the consent application 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;

THAT pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c. P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-694”.

Absent - G. Kempa, Chair/Member

Electronically signed by V. Kershaw, Member

Electronically signed by M. Bodnar, Member

Absent - 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

A handwritten signature in black ink, appearing to read 'K. Pongracz', written in a cursive style.

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 .

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2025 at 4:30 p.m.**

END OF DECISION

APPEAL INFORMATION – CONSENTS/SEVERANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 53(19) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 53(19) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 53(19) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the giving of Notice of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 53(19) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 53(19) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

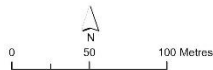
Location Map

LOCATION MAP

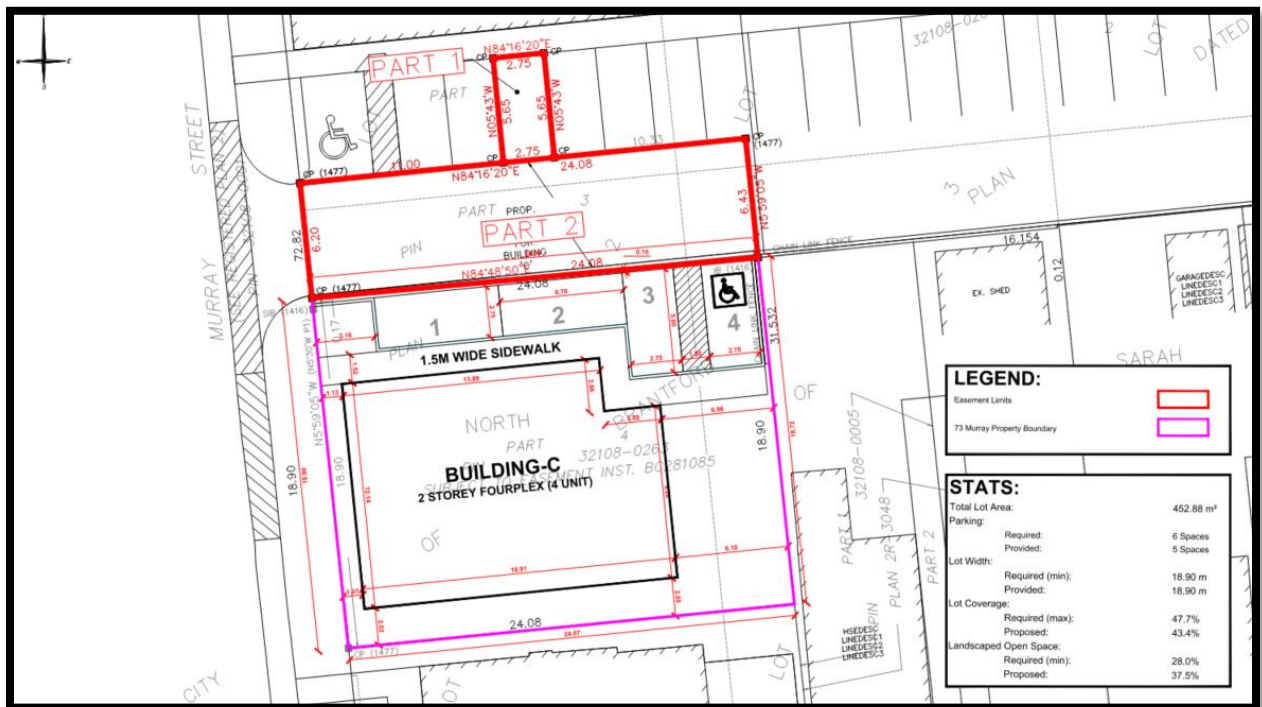
Application: B38-2024
61-73 Murray Street



Legend
 Subject Land



Concept Plan





December 17, 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: A56-2024
Related File Numbers: B39-2024 B40-2024
Address: 101B Usher Street
Roll Number: 2906020007009000000
Owner/Applicant: Anthony Ricci

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 was received for the lands municipally addressed as 101 A/B/C Usher Street. The purpose of the consent application is to sever the subject lands to create individual saleable units. Lot A will have a lot area of 386.63 m², Lot B will have a lot area of 353.97 m², and Lot C will have a lot area of 408.53 m². The applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

Lot A (101A Usher Street)

- Section 6.18.3.9 to permit a minimum of 33.47% landscaped front yard whereas 50% is otherwise required.

Lot B (101B Usher Street)

- Section 6.18.3.9 to permit a minimum of 40.09% landscaped front yard whereas 50% is otherwise required.
- Section 7.8.2.1.2.2 to permit a reduced lot width of 5.48 m, whereas 6.0 m is required.

Lot C (101C Usher Street)

- Section 6.18.3.9 to permit a minimum of 41.25% landscaped front yard whereas 50% is otherwise required.

Note: an access easement is also being proposed for rear yard access.

Decision: Approved

Date: December 16, 2024

- A. THAT minor variance application A56-2024 seeking relief from Section 6.18.3.9 of Zoning By-law 160-90 to permit a minimum landscaped front yard of 33.4% (101A Usher St.) for an existing street fronting townhouse, whereas 50% is otherwise required, BE APPROVED;
- B. THAT minor variance application A56-2024 seeking relief from Section 6.18.3.9 of Zoning By-law 160-90 to permit a minimum landscaped front yard of 40.0% (101B Usher St.) for an existing street fronting townhouse, whereas 50% is otherwise required, BE APPROVED;
- C. THAT minor variance application A56-2024 seeking relief from Section 6.18.3.9 of Zoning By-law 160-90 to permit a minimum landscaped front yard of 41.2% (101C Usher St.), whereas 50% is otherwise required, BE APPROVED;
- D. THAT minor variance application A56-2024 seeking relief from Section 7.8.2.1.2.2 of Zoning By-law 160-90 to permit a minimum lot width of 5.4 m (101B Usher St.) for an existing street fronting townhouse, whereas 6.0 m is otherwise required, BE APPROVED;

THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application 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 5.2 of report 2024-690.”

Absent - G. Kempa, Chair/Member

Electronically signed by M. Bodnar, Member

Electronically signed by T. Cupoli, Member

Electronically signed by V. Kershaw, Member

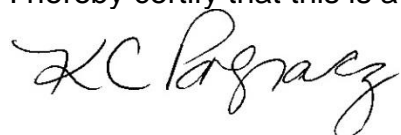
Absent - T. Gaskin, Member

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.

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2024 at 4:30 p.m.**

End of Decision

APPEAL INFORMATION – MINOR VARIANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 45(12) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 45(12) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body that has an interest in the matter” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 45(12) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 45(12) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 45(12) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

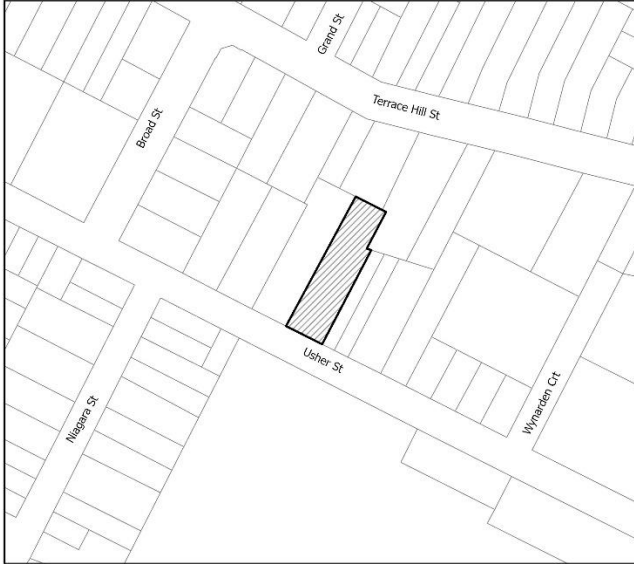
Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

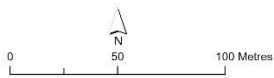
Location Map

LOCATION MAP

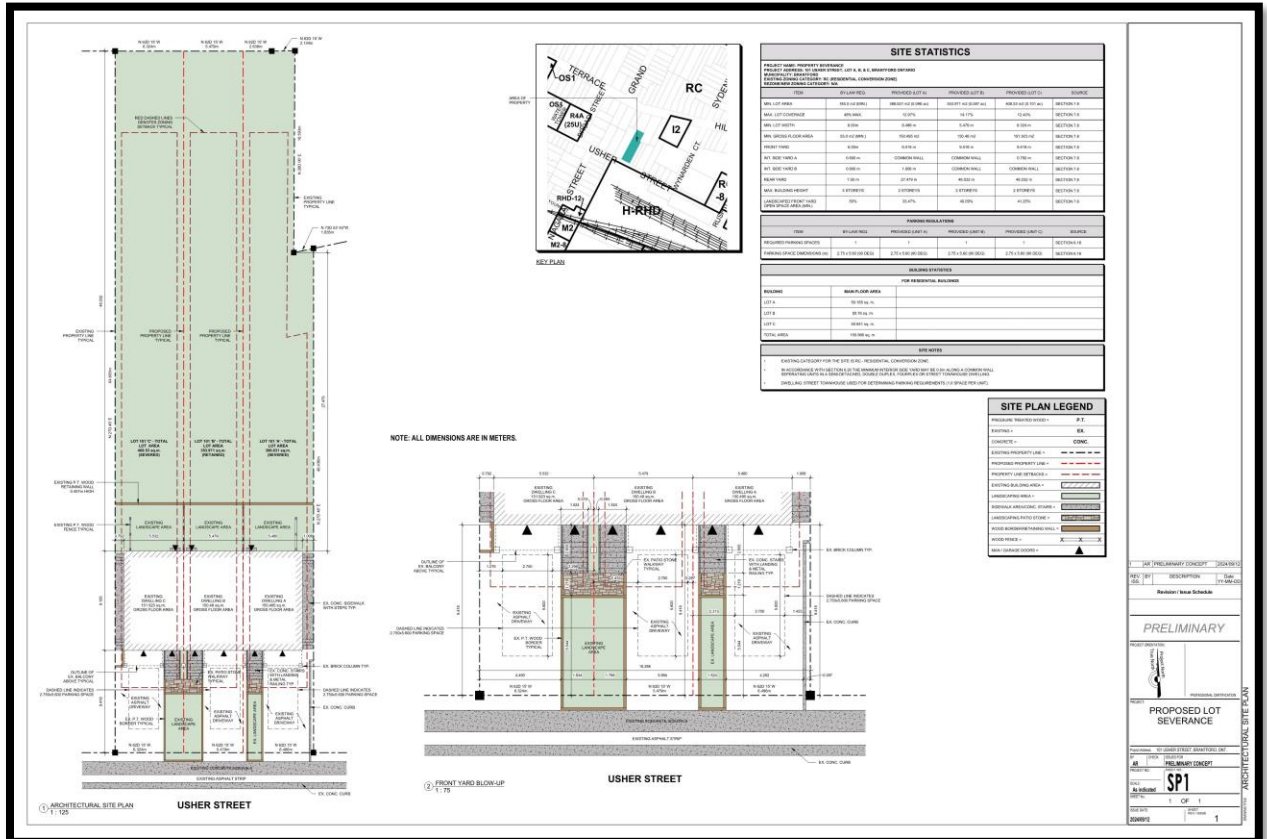
Application: B39-2024, B40-2024 & A56-2024
101 A/B/C Usher Street



Legend
[Hatched Box] Subject Land



Concept Plan





December 17, 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: B39-2024
Related File Numbers: B40-2024 & A56-2024
Address: 101A Usher Street
Roll Number: 2906020007009000000
Applicant/Owner: Anthony Ricci

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 was received for the lands municipally addressed as **101 A/B/C Usher Street**. The purpose of the consent application is to sever the subject lands to create individual saleable units. Lot A will have a lot area of 386.63 m², Lot B will have a lot area of 353.97 m², and Lot C will have a lot area of 408.53 m². The applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

Lot A (101A Usher Street)

- Section 6.18.3.9 to permit a minimum of 33.47% landscaped front yard whereas 50% is otherwise required.

Decision: **Provisional Approval**

Date: **December 16, 2024**

THAT consent application B39-2024 to sever a parcel of land from an existing street fronting townhouse at 101A Usher Street, having a frontage of 6.3 m and a lot area of 386.6 m², and to retain a parcel of land having a frontage of 5.4 m and a lot area of 353.9 m², BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels and an easement for access, to the satisfaction of the Manager of Development Planning or their designate.
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 confirmation from the Manager of Development Engineering or his/her designate, indicating that a Wastewater Allocation Request Form has been submitted and approved.
5. 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.
6. 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.
7. The Owner Applicant shall be responsible financially 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.
8. 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 Manger of Development Engineering or his/her designate.
9. 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;
10. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
11. The Owner will be required to obtain a Right-of-Way Activity Permit prior to commencing any work within the City's Road right-of-way.
12. Receipt of an undertaking provided from the applicant's Solicitor confirming that either a warning clause in favour of CN Rail is inserted on land title, in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 1000m of the railway right-of-way, or that an environmental easement in favour of CN Rail will be registered on title, to the satisfaction of the Manger of Development Planning or their designate.
13. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **December 17th, 2026**, after which time the consent will lapse.

THAT the reasons for approval of the consent application 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 Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c. P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-690.”

Absent - G. Kempa, Chair/Member

**Electronically signed by V. Kershaw,
Member**

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

Absent - 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 .

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2025 at 4:30 p.m.**

END OF DECISION

APPEAL INFORMATION – CONSENTS/SEVERANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 53(19) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 53(19) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 53(19) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the giving of Notice of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 53(19) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 53(19) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

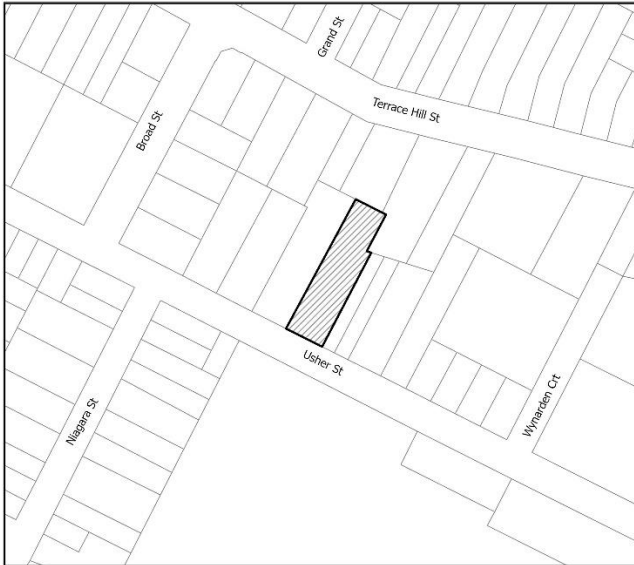
Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

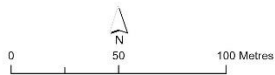
Location Map

LOCATION MAP

Application: B39-2024, B40-2024 & A56-2024
101 A/B/C Usher Street



Legend
 Subject Land



Concept Plan

USHER STREET

1:100

12

USHER STREET

SITE STATISTICS					
ITEM	EXISTING	PROPOSED LOT A	PROPOSED LOT B	PROPOSED LOT C	BLANK
LOT AREA	184.3 (10.0%)	184.3 (10.0%)	184.3 (10.0%)	184.3 (10.0%)	184.3 (10.0%)
LOT COVERAGE	40.0%	40.0%	40.0%	40.0%	40.0%
LOT FLOOR AREA	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
FLOOR FLOOR AREA	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
FLOOR FLOOR	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
LOT SIDE WALLS	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
LOT WALLS	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
LOT WALLING HEIGHT	1,843.0	1,843.0	1,843.0	1,843.0	1,843.0
LANDSCAPED (TOTAL) AREA	184.3	184.3	184.3	184.3	184.3
LANDSCAPED (TOTAL) AREA	184.3	184.3	184.3	184.3	184.3

CONSTRUCTION COSTS					
ITEM	ESTIMATE	PROPOSED LOT A	PROPOSED LOT B	PROPOSED LOT C	BLANK
PROPOSED CONSTRUCTION	0	0	0	0	0
CONSTRUCTION COSTS	0	0	0	0	0

FOR RESIDENTIAL BUILDING	
RESIDENTS	MARKET VALUE
LOT A	184.3
LOT B	184.3
LOT C	184.3
TOTAL AREA	184.3

NOTE: ALL DIMENSIONS ARE IN METRES.

USHER STREET

1:25

DATE: 2024-08-15

PROJECT: PRELIMINARY CONCEPT

DESIGNER: [Name]

REVISOR: [Name]

SCALE: 1:100

PROPOSED LOT SEVERANCE

SP1

1 OF 1

1



December 17, 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: B40-2024
Related File Numbers: B39-2024 & A56-2024
Address: 101C Usher Street
Roll Number: 2906020007009000000
Applicant/Owner: Anthony Ricci

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 was received for the lands municipally addressed as **101 A/B/C Usher Street**. The purpose of the consent application is to sever the subject lands to create individual saleable units. Lot A will have a lot area of 386.63 m², Lot B will have a lot area of 353.97 m², and Lot C will have a lot area of 408.53 m². The applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

Lot C (101C Usher Street)

- Section 6.18.3.9 to permit a minimum of 41.25% landscaped front yard whereas 50% is otherwise required.

Note: an access easement is being proposed between the lots for rear access.

Decision: Provisional Approval

Date: December 16, 2024

THAT consent application B40-2024 to sever a parcel of land from an existing street fronting townhouse at 101C Usher Street, having a frontage of 6.4 m and a lot area of 408.5 m², and to retain a parcel of land having a frontage of 5.4 m and a lot area of 353.9 m², BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels and an easement for access, to the satisfaction of the Manager of Development Planning or their designate.
2. Receipt of confirmation that all taxes are paid up to date, to the satisfaction of the Manager of Development Planning or their designate.
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 Manager of Development Engineering or his/her designate, indicating that a Wastewater Allocation Request Form has been submitted and approved.

5. 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.
6. 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.
7. The Owner Applicant shall be responsible financially 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.
8. 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 Manger of Development Engineering or his/her designate.
9. The Owner will be required to obtain a Water Service Connection Permit for each new service an 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;
10. Receipt of confirmation from the Environmental Services Department indicating that their requirements have been satisfied.
11. The Owner will be required to obtain a Right-of-Way Activity Permit prior to commencing any work within the City's Road right-of-way.
12. Receipt of an undertaking from the applicant's Solicitor confirming that either a warning clause in favour of CN Rail is inserted on land title, in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 1000m of the railway right-of-way, or that an environmental easement in favour of CN Rail will be registered on title, to the satisfaction of the Manager of Development Planning or their designate.
13. That the above conditions be fulfilled and the Certificate of Consent be issued on or before December 17th, 2026, after which time the consent will lapse.

THAT the reasons for approval of the consent application 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 Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c. P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-690.”

Absent - G. Kempa, Chair/Member

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

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

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

**Electronically signed by V. Kershaw,
Member**

Absent - T. Gaskin, Member

**Electronically signed by M. Simpson,
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 .

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2025 at 4:30 p.m.**

END OF DECISION

APPEAL INFORMATION – CONSENTS/SEVERANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 53(19) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 53(19) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 53(19) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the giving of Notice of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 53(19) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 53(19) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

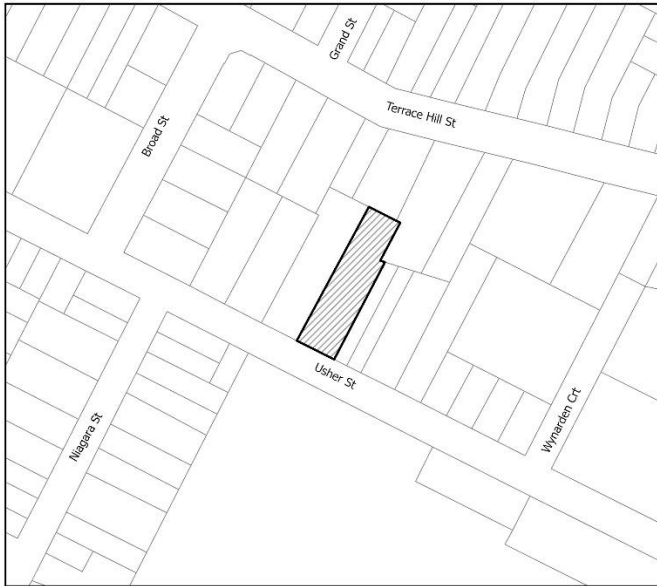
Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

Location Map

LOCATION MAP

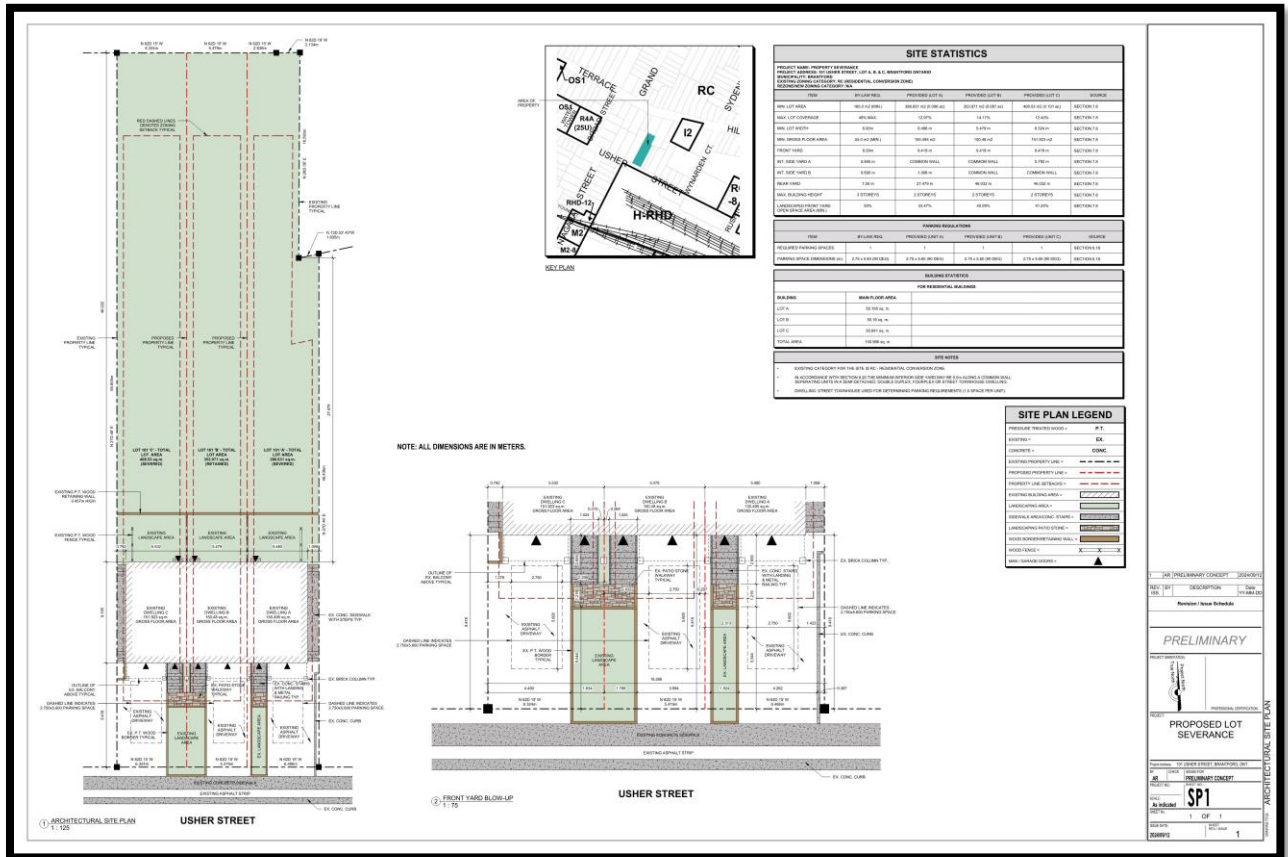
Application: B39-2024, B40-2024 & A56-2024
101 A/B/C Usher Street



Legend
 Subject Land



Concept Plan





December 17, 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: A57-2024
Related File Numbers: B41-2024
Address: 13 Burwell Street
Roll Number: 2906010004087000000
Agent: J.H. Cohoon Engineering Ltd.
Owner/Applicant: Andrew Ozga

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 was received for the lands municipally addressed as 13 Burwell Street. The purpose of the consent application is to create a lot fronting onto Slater Street with a lot width of 21.27 m and lot area of 721.0 m². The retained parcel fronting Burwell Street has a frontage of 17.3 m and a lot area of 640.0 m². To facilitate the severance, the applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

- Section 6.3.1.1 to permit a maximum lot coverage of 20.5% for an accessory building (garage) on the retained lands, whereas 10% is otherwise permitted.
- Section 7.3.2.1.3 to permit a maximum lot coverage for the retained lot of 40%, whereas 35% is otherwise permitted.
- Section 7.3.2.1.6 to permit a minimum rear yard of 1.25 m for the severed parcel, whereas 7.5 m is otherwise required

Decision: **Approved**

Date: **December 16, 2024**

THAT minor variance application A57-2024 seeking relief from Section 6.3.1.1 of Zoning By-law 160-90 to permit a maximum accessory building/structure lot coverage of 20.5%, whereas 10% is otherwise required, BE APPROVED;

THAT minor variance application A57-2024 seeking relief from Section 7.3.2.1.3 of Zoning By-law 160-90 to permit a maximum lot coverage of 39.6% for the retained parcel, whereas 35% is otherwise required, BE APPROVED;

THAT minor variance application A57-2024 seeking relief from section 7.3.2.1.6 to permit a minimum rear yard of 1.25 m for the severed parcel, whereas 7.5 m is otherwise required, BE APPROVED, conditional upon a minimum westerly interior side yard of 7.5 m being provided;

THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application 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 5.2 of report 2024-689.”

Absent - G. Kempa, Chair/Member

Electronically signed by V. Kershaw, Member

Electronically signed by M. Bodnar, Member

Absent - 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.

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2024 at 4:30 p.m.**

End of Decision

APPEAL INFORMATION – MINOR VARIANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 45(12) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 45(12) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body that has an interest in the matter” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 45(12) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 45(12) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 45(12) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

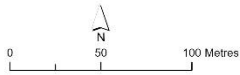
Location Map

LOCATION MAP

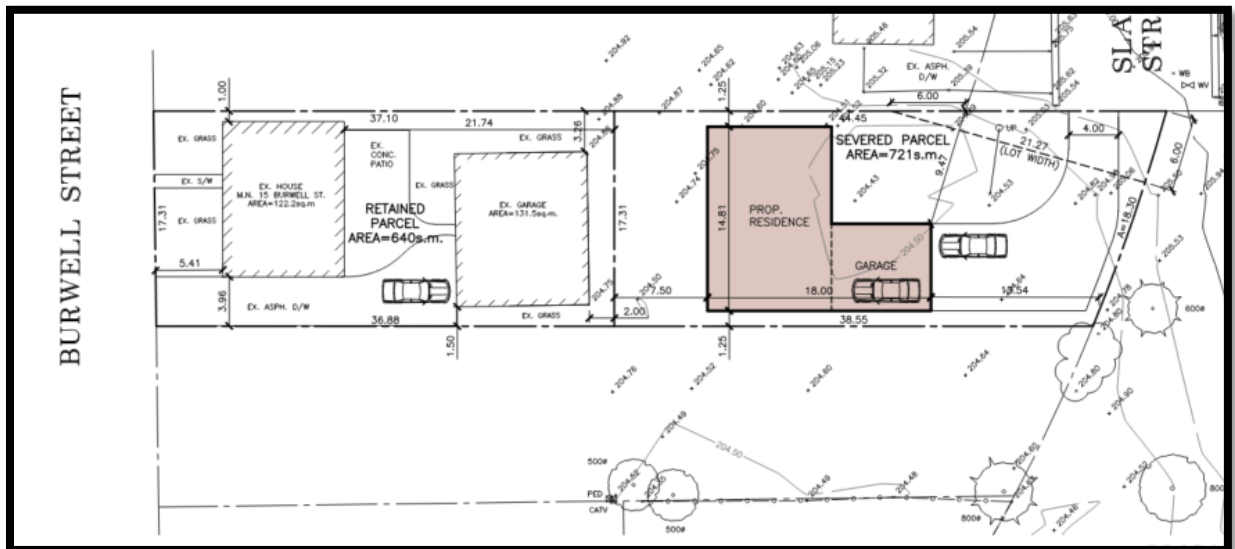
Application: B41-2024 & A57-2024
13 Burwell Street



Legend
Subject Land



Concept Plan





December 17, 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: B41-2024
Related File Numbers: A57-2024
Address: 13 Burwell Street
Roll Number: 2906010004087000000
Agent: J.H. Cohoon Engineering Ltd.
Owner: Andrew Ozga

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 was received for the lands municipally addressed as 13 Burwell Street. The purpose of the consent application is to create a lot fronting onto Slater Street with a lot width of 21.27 m and lot area of 721.0 m². The retained parcel fronting Burwell Street has a frontage of 17.3 m and a lot area of 640.0 m². To facilitate the severance, the applicant is requesting relief from the following section(s) of Zoning By-law 160-90:

- Section 6.3.1.1 to permit a maximum lot coverage of 20.5% for an accessory building (garage) on the retained lands, whereas 10% is otherwise permitted.
- Section 7.3.2.1.3 to permit a maximum lot coverage for the retained lot of 40%, whereas 35% is otherwise permitted.
- Section 7.3.2.1.6 to permit a minimum rear yard of 1.25 m for the severed parcel, whereas 7.5 m is otherwise required

Decision: **Provisional Approval**

Date: **December 16, 2024**

THAT consent application B41-2024 to sever a parcel of land from 13 Burwell Street, having a frontage of 21.2 m and a lot area of 721.0 m², and to retain a parcel of land having a frontage of 17.3 m and a lot area of 640.0 m², BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt of payment for cash-in-lieu of parkland (amount to be determined in accordance with City of Brantford By-law 139-2022).
3. Receipt of confirmation that all taxes are paid up to date.

4. 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).
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. 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.
7. 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.
8. 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.
9. The Owner Applicant shall be responsible financially 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.
10. 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 Manger of Development Engineering or his/her designate. The Owner/Applicant must also demonstrate that stormwater management can be implemented for the site without impacting adjacent neighbouring properties (i.e. stormwater connection, LID options implemented, surface runoff conveyed to Slater St., etc.).
11. If applicable, the Owner/Applicant agrees to the urbanization of Slater Street as required by the City including but not limited to the extensions of curbs, sidewalks, street signage, street lighting, catch basins, extension of services (storm, sanitary and water), etc., to the satisfaction of the City.
12. If applicable, the Owner/Applicant shall ensure a Blanket drainage easement & Letter of Undertaking is provided from the applicant's solicitor ensuring that a land conveyance for drainage purposes (above and/or below grade) will be registered on title for the retained and severed parcels, to the satisfaction of the Manager of Development Engineering or his/her designate.
13. The Owner/Applicant will be required to provide an Arborist Report, Tree Protection Plan, and Replacement Tree Plan prepared by a qualified arborist for trees located in the rear yards of 13 Burwell Street, 11 Burwell Street, and 90 St. Paul Avenue, to the satisfaction of the Manager of Development Engineering or his/her designate, if applicable.
14. The Owner/Applicant will be required to obtain a Water Service Connection Permit for each new service an 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.

- 15. The Owner/Applicant will be required to obtain a Right-of-Way Activity Permit prior to commencing any work within the City's Road right-of-way.
- 16. The Owner/Applicant shall prepare and submit a Stage 1 Archaeological Study in accordance with the Province of Ontario's Standards and Guidelines for Consultant Archaeologists.
- 17. That the above conditions be fulfilled and the Certificate of Consent be issued on or before December 17, 2026, after which time the consent will lapse.

THAT the reasons for approval of the consent application 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 Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-689”.

Absent - G. Kempa, Chair/Member

Electronically signed by V. Kershaw, Member

Electronically signed by M. Bodnar, Member

Absent - 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 .

Appeal Deadline

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **January 6, 2025 at 4:30 p.m.**

END OF DECISION

APPEAL INFORMATION – CONSENTS/SEVERANCES

1. Who may file an appeal of the Decision of the Committee of Adjustment or Consent Authority?

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 53(19) appeals. See [Bill 23, More Homes Built Faster Act, 2022](#) for more information.

Planning Act Section 53(19) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

2. When must an appeal be received to be considered?

Planning Act Section 53(19) appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision. The last date of appeal is 20 days from the date of the giving of Notice of the Decision. Please see Notice of Decision for exact date and time.

3. Where must the appeal be filed to be considered?

Planning Act Section 53(19) appeals must be received in one of the following formats:

Hardcopy: At City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Brantford City Hall, 58 Dalhousie Street, Brantford ON N3T 2J2. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of second-hand mailing will be time barred and of no effect.

Electronic copy: By email delivered to cofa@brantford.ca. Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly addressed emails will be time barred and of no effect. If the information submitted will include large file sizes not able to be sent in one email, please contact cofa@brantford.ca in advance to request a file sharing link.

E-file Portal: By filing an appeal through the OLT E-file Portal at <https://olt.gov.on.ca/e-file-service/> to **Brantford (City) – Secretary-Treasurer**” (select appropriate approval body as outlined on the Notice of Decision) (first-time users will need to register for a My Ontario Account). Appeals received by the office of the Committee of Adjustment after the last date of appeal because of incorrectly chosen approval authority will be time barred and of no effect.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of appeal, the appeal must be filed with one of the other two options. Appeals received after the date of appeal because of one of the methods being unavailable will be time barred and of no effect.

4. What information must be submitted for the appeal to be considered?

Planning Act Section 53(19) appeals must include:

- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted if there is not sufficient room in the form;
- Filing fee: The appeal fee of \$400.00 can be paid online through e-file or by certified cheque/money order payable to the Minister of Finance, Province of Ontario.
- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

Questions or Information:

Contact Committee of Adjustment Staff (cofa@brantford.ca)

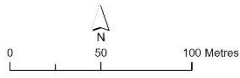
Location Map

LOCATION MAP

Application: B41-2024 & A57-2024
13 Burwell Street



Legend
 Subject Land



Concept Plan

