



November 7, 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: A52-2024
Related File Numbers: n/a
Address: 160 Parkside Drive
Roll Number: 2906010005433000000
Agent: Brian Wood
Owner/Applicant: Brian Wood

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 160 Parkside Drive. The purpose of the application is to facilitate the construction of a 49.05 m² second garage/shed in the rear yard. The garage/shed will be used for storage purposes and no driveway to access the garage is proposed. 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 12.5% for an accessory structure, whereas 10% is otherwise required.

Decision: **Approved**

Date: **November 6, 2024**

THAT minor variance application A52-2024 seeking relief from Section 6.3.1.1 of Zoning By-law 160-90 to permit a maximum lot coverage of 12.5%, whereas a maximum of 10% 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 No. 2024-632”.

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by T. Gaskin,
Member

Electronically signed by M. Bodnar,
Member

ABSENT - M. Simpson, Member

Electronically signed by V. Kershaw,
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 **November 26, 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?

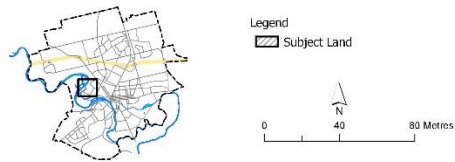
Planning Act Section 45(12) appeals must include:

- 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.

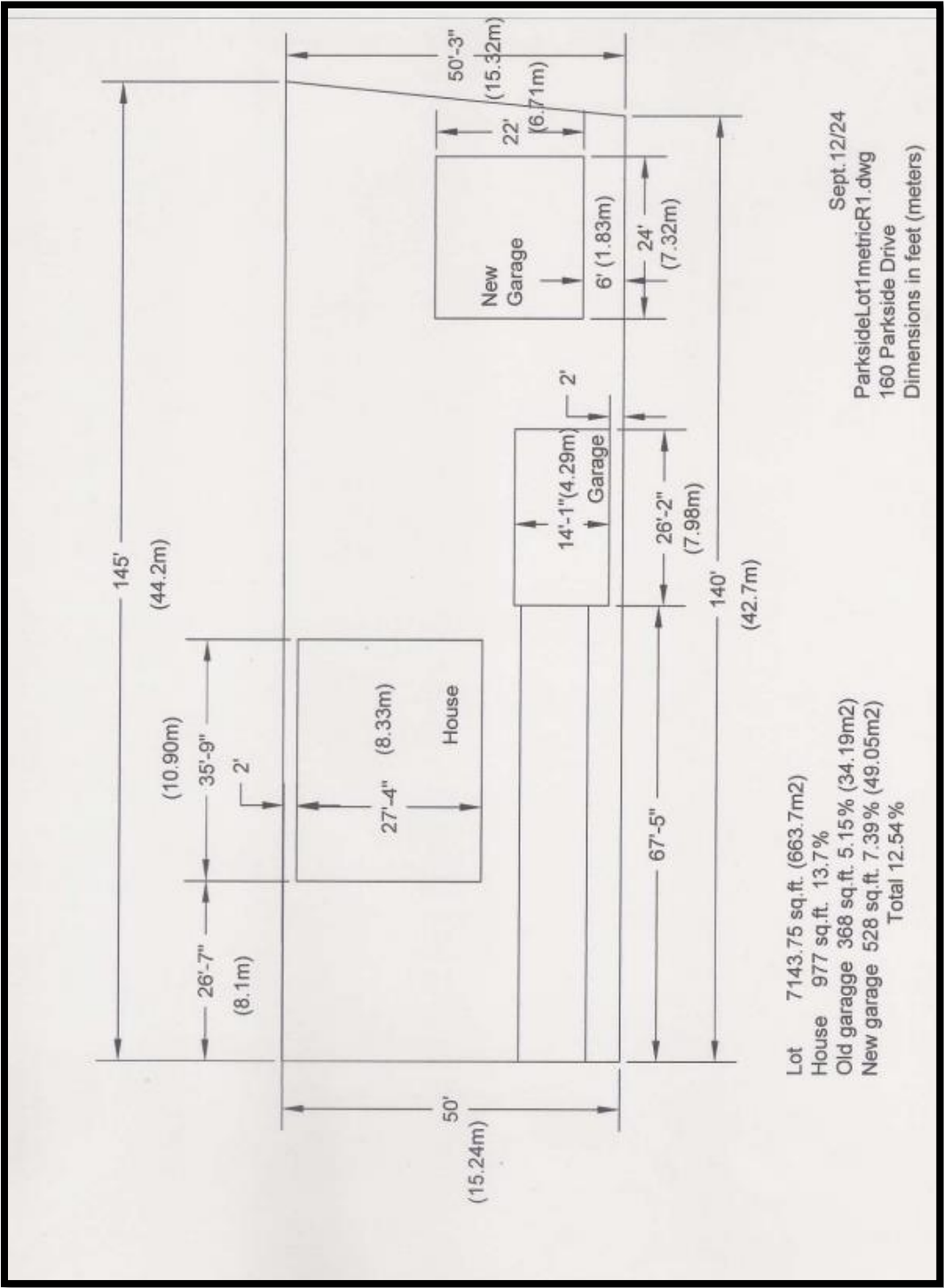
Questions or Information:

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

LOCATION MAP
Application: A52-2024
160 Parkside Drive



Concept Plan





November 7, 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: A53-2024
Related File Numbers: n/a
Address: 7 Kennedy Street
Roll Number: 2906030010200000000
Owner/Applicant: Darlene Lombardi

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 7 Kennedy Street. The purpose of the application is to facilitate the construction of a 175.98 m² addition on the existing accessory garage. The applicant is requesting relief from the following section(s) of Zoning By-law 160-90: Section 6.3.1.1 to permit a lot coverage of 17% whereas the maximum lot coverage of all accessory buildings and structures shall be 10%.

Decision: **Approved**

Date: **November 6, 2024**

THAT minor variance application A53-2024 seeking relief from Section 6.3.1.1 of Zoning By-law 160-90 to permit a maximum lot coverage of 17% for accessory buildings/structures, whereas a maximum of 10% 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 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. 2024-628”.

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

Absent - 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 **November 26, 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?

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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.

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

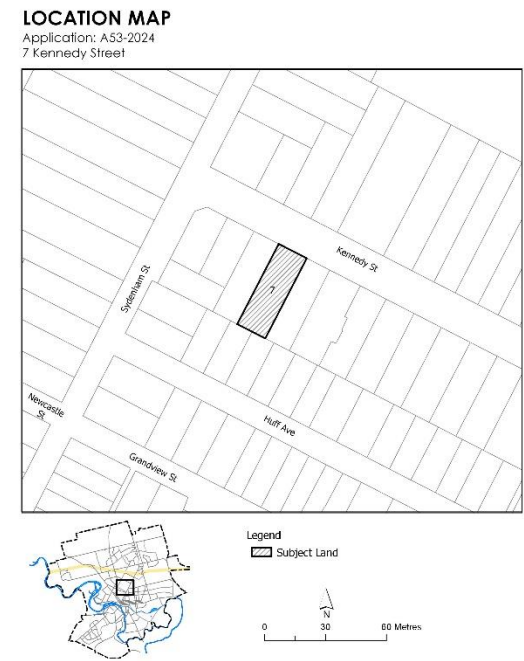
Planning Act Section 45(12) appeals must include:

- 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.

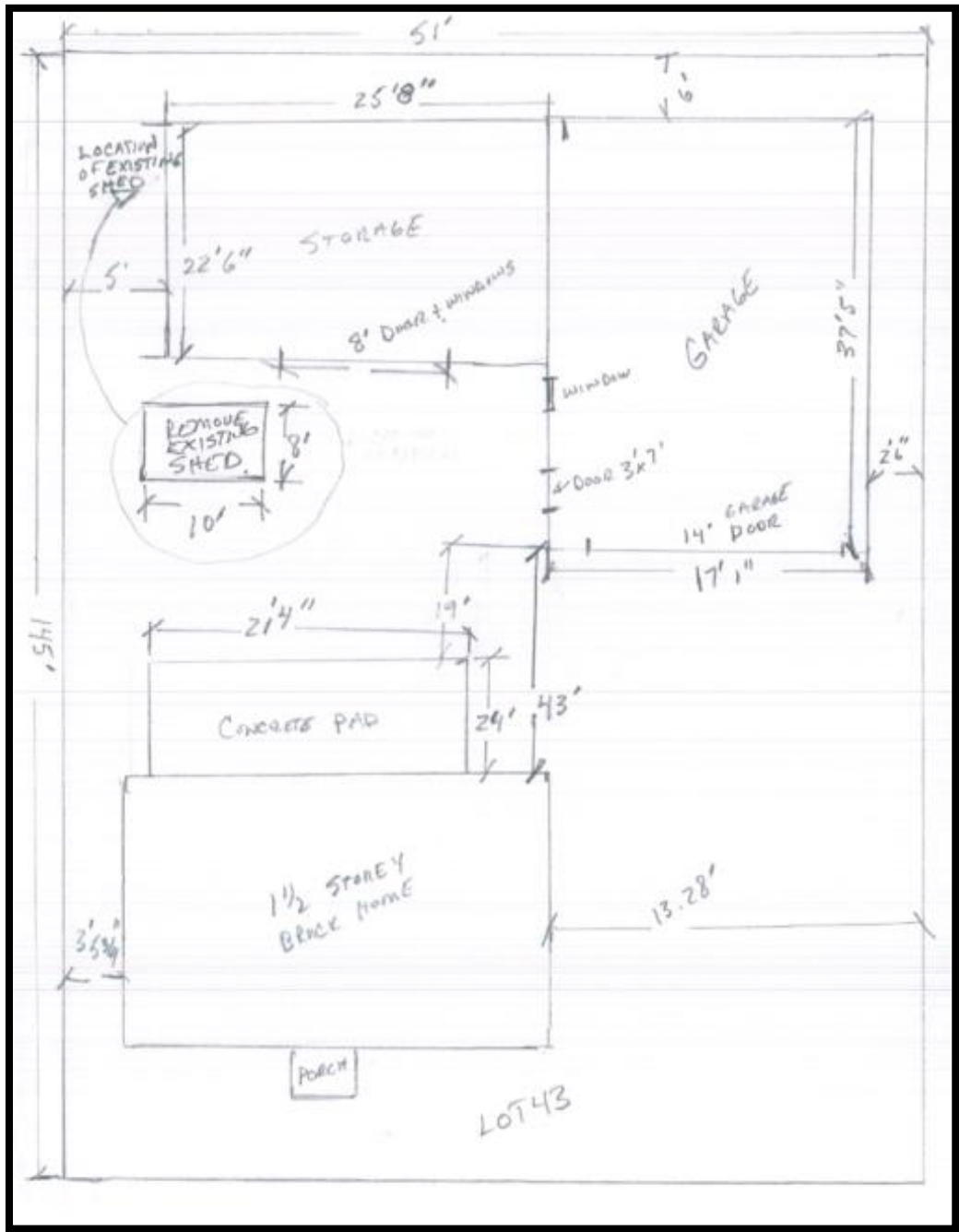
Questions or Information:

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

Location Map



Concept Plan





November 7, 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: A54-2024
Related File Numbers: n/a
Address: 97 Wellington Street / 81 George Street
Roll Number: 2906030002080000000
Agent: Maninderjeet Singh Toor
Owner/Applicant: GM Developers (Gurpreet Singh Grover)

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 81 George Street. The purpose of the application is to facilitate the conversion of an existing place of worship into 28 residential dwelling units. The applicant is seeking relief from the following section(s) of Zoning By-law 160-90:

- Section 6.18.2.2.1 – to permit 2 parking spaces, whereas 4 are required;
- Section 6.23.4.2 - to permit a loading space access aisle with a width of 4.5m, whereas 7.0m is required;
- Section 9.2.2.1.2 - to permit the existing lot width of 20.14m, whereas 30.0m is required;
- Section 9.2.2.1.3 - to permit the existing maximum lot coverage of 55%, whereas 50% is permitted for apartment dwellings;
- Section 9.2.2.1.6.2 - to permit the existing rear yard of 4.45m, whereas 7.5m is required;
- Section 9.2.2.1.7.1 - to permit the existing interior side yard of 0.0m, whereas 4.5m is required;
- Section 9.2.2.1.8.1. – to permit up to three dwelling units in the proposed apartment dwelling to have a minimum gross floor area of 20m², whereas 37m² per unit is required;
- Section 9.2.2.1.9 - to permit the existing landscaped open space of 15.6%, whereas 20% is required.

Decision: **Approved**

Date: **November 6, 2024**

- A. THAT minor variance application A54-2024 seeking relief from Section 6.18.2.2.1. of Zoning By-law 160-90 to provide a minimum of 3 existing parking spaces, whereas the 4 existing parking spaces are required to be provided BE APPROVED.

- B. THAT minor variance application A54-2024 seeking relief from Section 6.23.4.2. of Zoning By-law 160-90 to permit a driveway providing access to a loading space with a minimum width of 4.24 m for two-way traffic, whereas a minimum driveway width of 7.0 m is required for two-way traffic BE APPROVED.
- C. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.2. of Zoning By-law 160-90 to permit the existing lot width of 20.14 m, whereas 30.0 m is required for apartment dwellings BE APPROVED.
- D. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.3. of Zoning By-law 160-90 to permit the existing lot coverage of 55%, whereas the maximum lot coverage for an apartment dwelling is 50% BE APPROVED.
- E. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.6.2. of Zoning By-law 160-90 to permit the existing rear yard of 4.24 m, whereas 7.5 m is required for apartment dwellings BE APPROVED.
- F. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.7.1. of Zoning By-law 160-90 to permit the existing interior side yard of 0.0 m, whereas 4.5 m is required for a 3-storey apartment dwelling BE APPROVED.
- G. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.8.1. of Zoning By-law 160-90 to permit up to three dwelling units to have a minimum gross floor area of 20 m², whereas 37 m² is required BE APPROVED.
- H. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.9. of Zoning By-law 160-90 to permit the existing landscaped open space of 15.6%, whereas 20% is required for apartment dwellings BE APPROVED.

THAT the reasons for the approval of the minor variances area 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

THAT pursuant to subsections 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 submission received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report 2024-650”

**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**

Absent - 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 **November 26, 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?

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

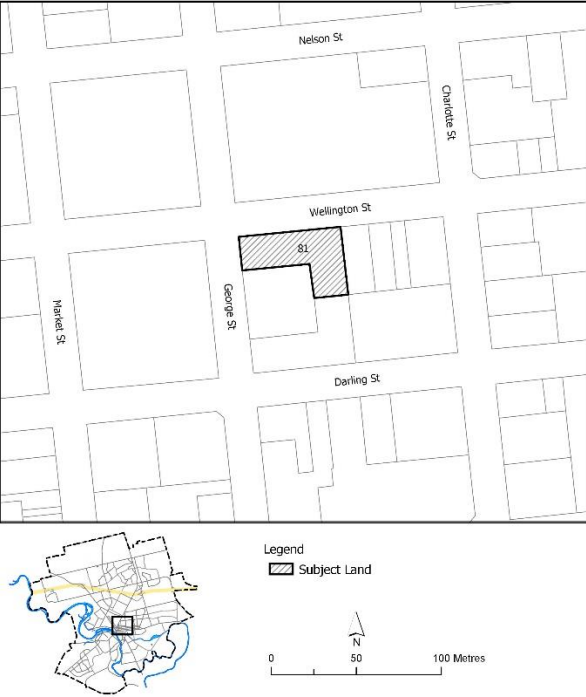
Planning Act Section 45(12) appeals must include:

- 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:

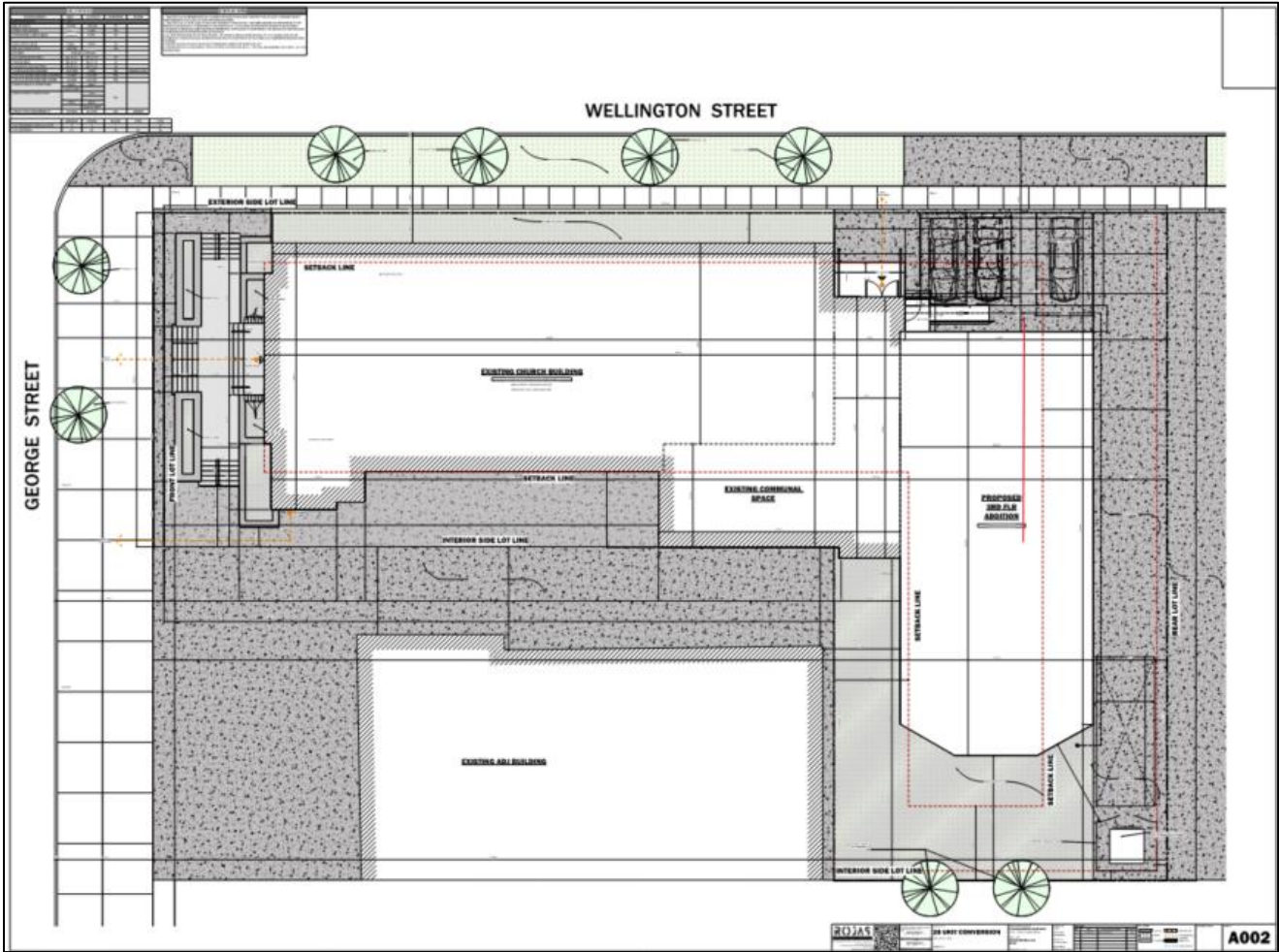
Contact Committee of Adjustment Staff (cofa@brantford.ca)

LOCATION MAP
Application: A54-2024
97 Wellington Street/81 George Street



Concept Plan

We





November 7, 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: B17-2024
Related File Numbers: B18-2024
Address: 555 Greenwich Street
Roll Number: 2906050002155000000 (565 Greenwich Street)
2906050002156000000 (555 Greenwich Street)
Agent: Cynthia Baycetch Planning
Owner/Applicant: Ingenia Polymers Corp. (565 Greenwich Street)
BSC Landco Inc (555 Greenwich Street)

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 a Consent application for a boundary adjustment from 555 Greenwich Street to 565 Greenwich Street. The parcel to be conveyed is an irregular shaped parcel having a lot width of 41.79 m fronting on Greenwich Street, and an area of 1.45 ha. The retained lands have a lot width of approximately 155.75 m, and an area of 1.21 ha.

Decision: **Approved**

Date: **November 6, 2024**

THAT consent application B17-2024 requesting to sever a parcel of land having a lot area of approximately 1.45 ha from 555 Greenwich Street, to be added to 565 Greenwich 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 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 an undertaking from the Solicitor acting in the transfer confirming that the severed parcel will be merged in title with the adjacent property and that a copy of the registered application to consolidate be provided to the City;
5. Receipt of acknowledgement 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, free and clear of any encumbrances, being the subject of this consent;
6. The applicant shall provide to the Manager of Development Engineering, or their designate, draft easement schedules in relation to application B17-2024, 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 the 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. The Owner/Applicant shall provide an Easement Plan prepared by a qualified person licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Easement Plan should distinctly illustrate all necessary easements to be conveyed to the severed and retained parcels.
9. The Owner/Applicant shall prepare and submit an updated archaeological assessment in accordance with the Province of Ontario's Standards and Guidelines for Consultant Archaeologists. The Owner agrees to provide the City with any associated letters from the Ministry of Citizenship and Multiculturalism stating that the study or studies have been entered into the Ontario Public Register of Archaeological Reports.
10. That the above conditions be fulfilled and the Certificate of Consent be issued on or before November 6, 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. 2024-643”.

**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**

Absent - 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 **November 27, 2024 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.

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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?

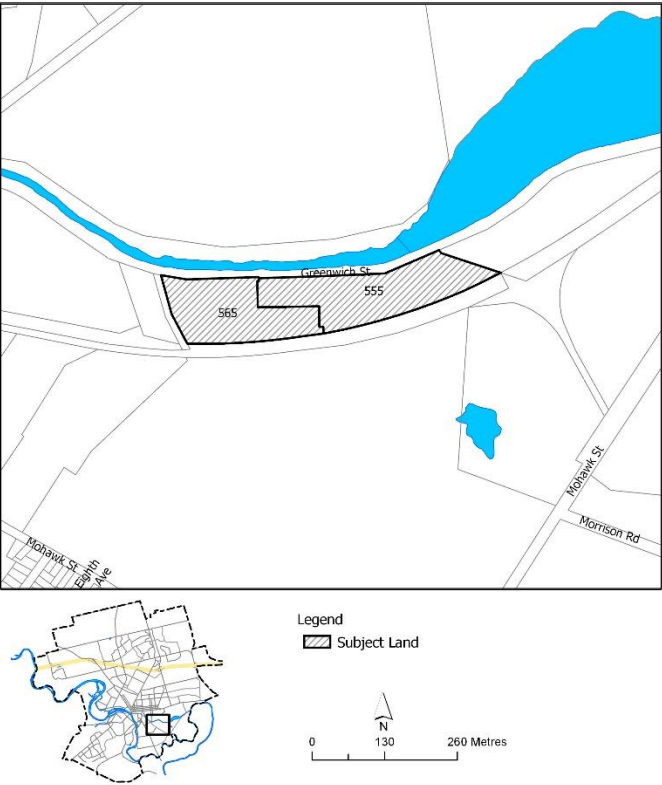
Planning Act Section 53(19) appeals must include:

- 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.

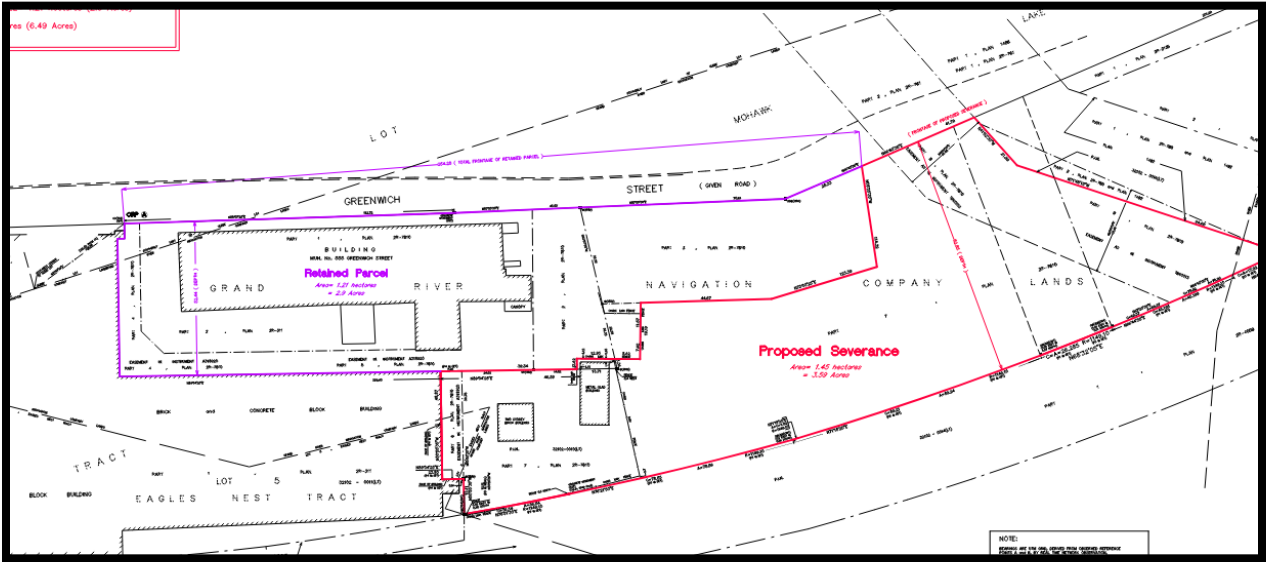
Questions or Information:

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

LOCATION MAP
Application: B17-2024 & B18-2024
555 & 565 Greenwich Street



Concept Plan





November 7, 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: A51-2024
Related File Numbers: B35-2024
Address: 225 Henry Street
Roll Number: 2906030007079000000
Agent: Michael Hayek
Owner/Applicant: Crestpoint c/o Kevin Leon

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 (Severance) Application and a Minor Variance application has been received for the lands municipally addressed as 225 Henry Street. These application are concurrent with two active Site Plan Applications (SPC-03-2023 & SPC-04-2023) to facilitate an industrial development. The applicant has requested the following relief from Zoning By-law 160-90:

- To permit a building height of 20m, whereas the Zoning By-law permits a maximum of 11m in the M1 zone.
- To permit a building height of 20m, whereas the Zoning By-law requires a maximum of 15m in the M2 zone.
- To permit an accessory building/structure height of 12m, whereas the Zoning By-law permits a maximum of 6m.

A Consent (Severance) Application has also been received to facilitate the relocation of a drainage easement and a lease in excess of twenty-one (21) years.

Decision: **Approved**

Date: **November 6, 2024**

- A. THAT minor variance application A51-2024 seeking relief from Section 10.1.2.1.4 of Zoning By-law 160-90 to permit a maximum building height of 20 m, whereas 11 m in the M1 Zone is otherwise required, BE APPROVED;
- B. THAT minor variance application A51-2024 seeking relief from Section 10.2.2.1.4 of Zoning By-law 160-90 to permit a maximum building height of 20 m, whereas 15 m in the H-M2-61 Zone is otherwise required, BE APPROVED;
- C. THAT minor variance application A51-2024 seeking relief from Section 6.3.1.2.4 of Zoning By-law 160-90 to permit a maximum accessory building/structure height of 12 m, whereas 6 m is otherwise required, BE APPROVED;

D. 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,

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 5.2 of Report No. 2024-666”.

**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**

Absent - 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 **November 26, 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:

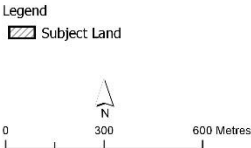
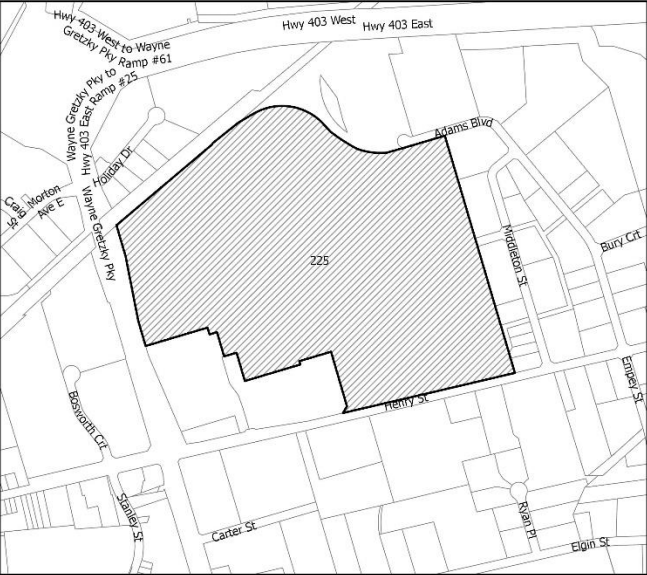
- Notice of appeal, the Ontario Land Tribunal (OLT) Appeal Form - this can be found by contacting Committee of Adjustment staff at Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2 or at the OLT website <https://olt.gov.on.ca/forms-submissions/>, a cover letter, etc. may also be submitted 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

Application: B35-2024 & A51-2024
225 Henry Street



Concept Plan





November 7, 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: B35-2024
Related File Numbers: A51-2024
Address: 225 Henry Street
Roll Number: 2906030007079000000
Agent: Michael Hayek
Owner/Applicant: Crestpoint c/o Kevin Leon

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 (Severance) Application has been received to facilitate the relocation of a drainage easement and a lease in excess of twenty-one (21) years.

These applications are concurrent with two active Site Plan Applications (SPC-03-2023 & SPC-04-2023) to facilitate an industrial development.

Decision: **Approved**

Date: **November 6, 2024**

THAT consent application B35-2024 to facilitate the relocation of a drainage easement and a lease in excess of twenty-one (21) years, BE APPROVED, subject to the following conditions:

1. Receipt of a registered Reference Plan showing the lands subject to the long-term lease and easement;
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 Lease or Notice of Lease for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*).
4. Receipt of written confirmation from all associated parties to the easement agreeing to the proposed relocation of the easement, to the satisfaction of the City.
5. That the above conditions be fulfilled and the Certificate of Consent be issued on or before November 6, 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 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. 2024-666”.

**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**

Absent - 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 **November 27, 2024 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.

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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.

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Planning Act Section 53(19) appeals must include:

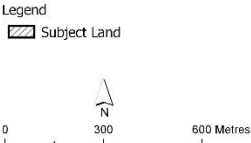
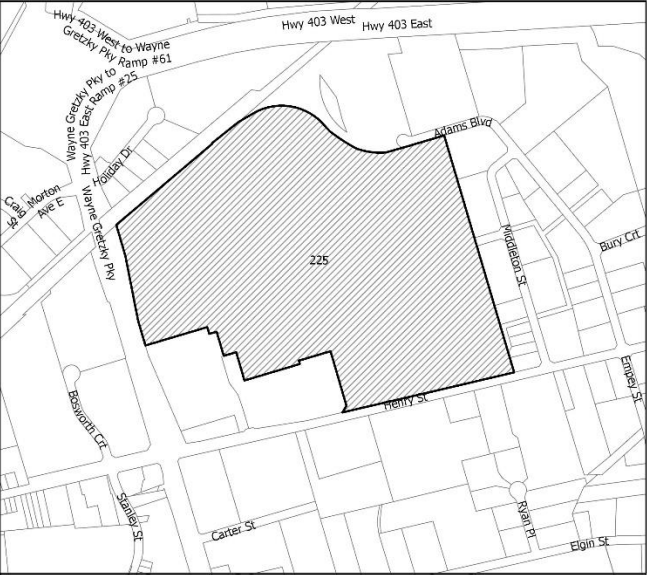
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- All other information as required by the Appeal Form.
- All notices of appeal shall be accompanied by a **\$705.00** administrative fee made payable to the Corporation of the City of Brantford, and forwarded to Brantford City Hall, 58 Dalhousie Street Brantford ON N3T 2J2.

Questions or Information:

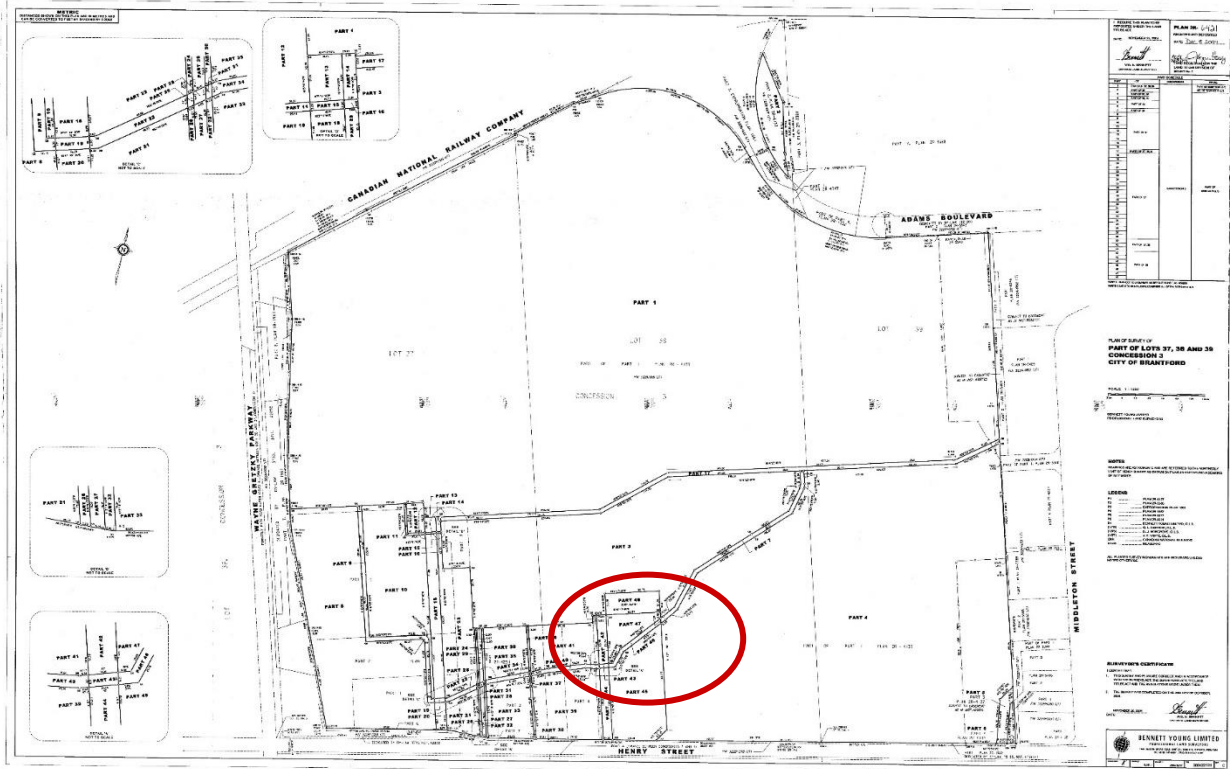
Contact Committee of Adjustment Staff (cofa@brantford.ca)

LOCATION MAP

Application: B35-2024 & A51-2024
225 Henry Street



Concept Plan





November 7, 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: B36-2024
Related File Numbers: n/a
Address: 340 and 344 Henry Street
Roll Number: 2906030007116200000 (340 & 344 Henry Street)
2906030007119620000 (vacant Henry Street property)
Agent: Antech Design and Engineering c/o Candice Micucci
Owner/Applicant: MCI Corporation

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 344 Henry Street. The purpose of the application is to facilitate easements over the common element of the new condo for the existing abutting Condo No. 86 and easement over the common element of Condo No. 86 for the proposed new condo. The purpose of the easements is to provide entrance/exit, to allow shared use of the existing and proposed water and fire services, to allow shared access for the shared sanitary service, and to allow for shared parking between the two properties.

Decision: **Approved**

Date: **November 6, 2024**

THAT consent application B36-2024 to establish blanket easements on Condominium No. 86 (340 Henry Street), and the future new Condominium (legally described as Brantford Con 4 Pt Lots 40 And 41 RP 2R6989 Parts 2 AND 3), BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels and any applicable easements required by the City.
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 easement documentation 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. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary/storm sewer connections to each parcel of land to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.

6. The Owner/Applicant shall be responsible, financial and otherwise, to provide water connections to each parcel of land to ensure each parcel has been independently serviced to the satisfaction of the City;
7. Receipt of a letter of confirmation from the Condominium Board stating they are aware of, and consent to the consent application for easements, to the satisfaction of the Chief Planner or his/her designate, if applicable.
8. Receipt of confirmation that a Parking Agreement has been executed with the Owners of 340 Henry Street and the property legally described as Brantford Con 4 Pt Lots 40 and 41 RP 2R6989 Parts 2 and 3 as parties, registered on title.
9. 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.
10. 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.
11. The applicant shall provide full legal access to the Corporation of the City of Brantford in order to service municipal drainage infrastructure located adjacent to Brantford Con 4 Pt Lots 40 and 41 RP 2R6989 Parts 2 and 3 (the "Parcel") from a Public Highway to the satisfaction of the Chief Planner. For clarity, this condition may be fulfilled through either the provision of easements in favour of the City over both 340 Henry Street and the Parcel, or through the construction of a legal driveway access point to the Parcel and the provision of an easement in favour of the City over the Parcel.
12. The applicant shall provide to the Manager of Development Engineering or his/her designate, draft easement schedules to all easements proposed in relation to Application B36-2024, for approval by the City.
13. 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.
14. That the above conditions be fulfilled, and the Certificate of Consent be issued on or before November 8, 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. 2024-629".

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

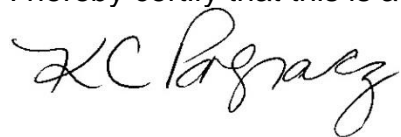
Electronically signed by T. Cupoli,
Member

Absent - 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 **November 27, 2024 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?

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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.

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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)

Application: B36-2024
344 Henry Street

