



April 24, 2025

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:** A05-2025  
**Related File Numbers:** N/A  
**Address:** 301 Fairview Drive  
**Roll Number:** 2906030017355000000  
**Agent:** Skydevco Inc. (Lorraine Roberts)  
**Owner/Applicant:** Matthew Organ

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 301 Fairview Drive. The purpose of the application is to address site deficiencies that have resulted from recent parking and building modifications. The applicant is requesting relief from the following section(s) of Zoning By-law 124-2024:

- Section 7.8.1. Table 45 - to permit a minimum landscaped open space of 23%, whereas a minimum of 25% is otherwise required;
- Section 7.8.3 RHD-6 - to permit a minimum planting strip of 0 m for areas abutting parking, whereas a minimum 1.0 m on Fairview Drive, and minimum of 3.0 m on any other street is otherwise required.

**Decision:** **Approved**

**Date:** **April 23, 2025**

THAT minor variance application A05-2025 seeking relief from Section 7.8.1 Table 7.8.1 of Zoning By-law 124-2024 to permit a minimum landscaped open space of 23%, whereas a minimum of 25% is otherwise required, BE APPROVED;

THAT minor variance application A05-2025 seeking relief from Section 7.8.3 RHD-6 of Zoning By-law 124-2024 to permit a minimum planting strip of 0 m for areas abutting existing parking lots only whereas a minimum 1.0 m on Fairview Drive, and minimum of 3.0 m on any other street 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. 2025-143”.*

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

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

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

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

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

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

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

### **Certification**

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



K. Pongracz, Secretary-Treasurer

### **Additional Information**

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

### **Appeal Deadline**

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **May 13, 2025 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](mailto: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](mailto: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?

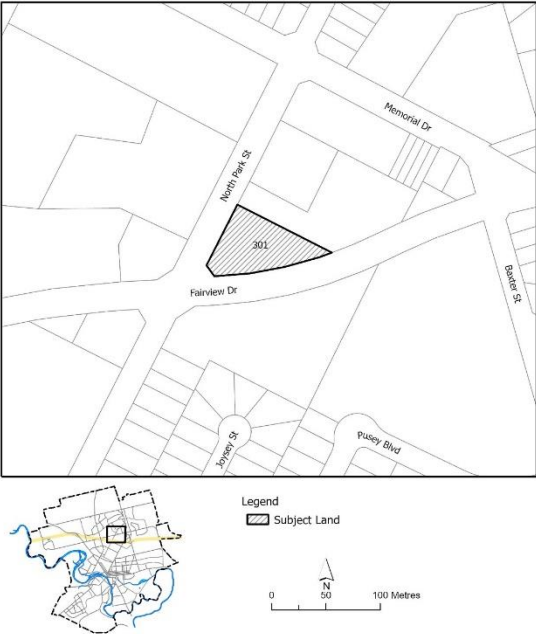
Planning Act Section 45(12) appeals must include:

- 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.

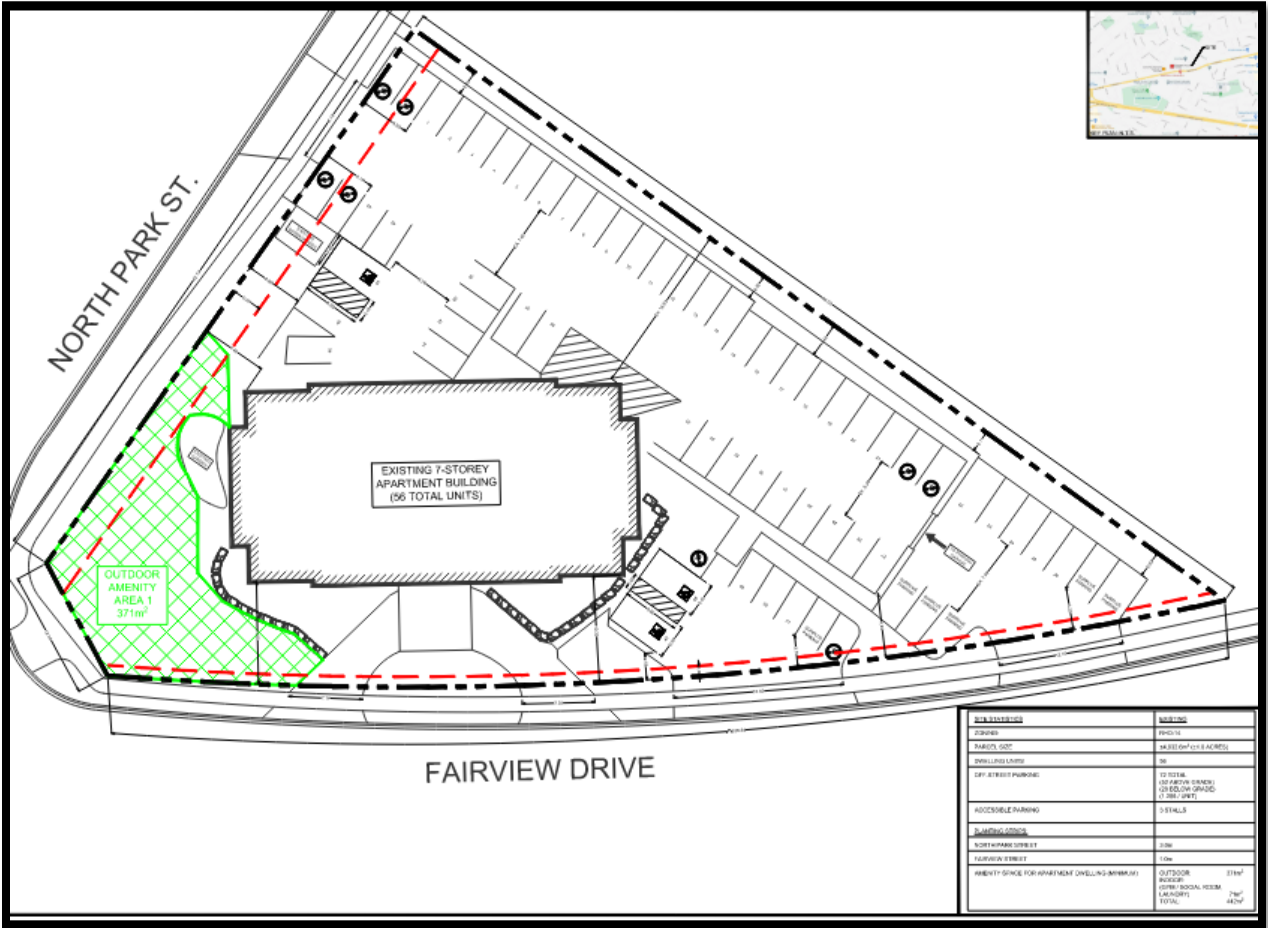
Questions or Information:

Contact Committee of Adjustment Staff ([cofa@brantford.ca](mailto:cofa@brantford.ca))

LOCATION MAP  
Application: A05-2025  
301 Fairview Drive



Concept Plan





April 24, 2025

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:** A04-2025  
**Related File Numbers:** B03-2025  
**Address:** 67 Rowanwood Avenue  
**Roll Number:** 2906040015370000000  
**Owner/Applicant:** Domenic Reale

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 67 Rowanwood Avenue. The purpose of the application is to sever the subject lands in half to facilitate the development of two, fourplex dwellings. Both the severed and retained lot are proposed to have a lot width of 21.5 m and lot area of 656 m<sup>2</sup>. The applicant is requesting relief from the following section(s) of Zoning Bylaw 124-2024:

- 7.7.1 Table 43, Provision 1, Minimum Height – to permit a minimum height of 9.03 m whereas 10.5 m is otherwise required.

Note: an access easement is also proposed for the shared driveway access.

**Decision:** **Approved**

**Date:** **April 23, 2025**

THAT minor variance application A04-2025 seeking relief from Section 7.7.1 Table 7.7.1 Provision 9 of Zoning By-law 124-2024 to permit a minimum height of 9.0 m, whereas 10.5 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 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. 2025-142*”.

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

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

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

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

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

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

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

## **Certification**

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



K. Pongracz, Secretary-Treasurer

## **Additional Information**

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

## **Appeal Deadline**

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **May 13, 2025 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](mailto: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](mailto: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?

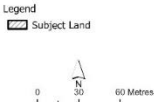
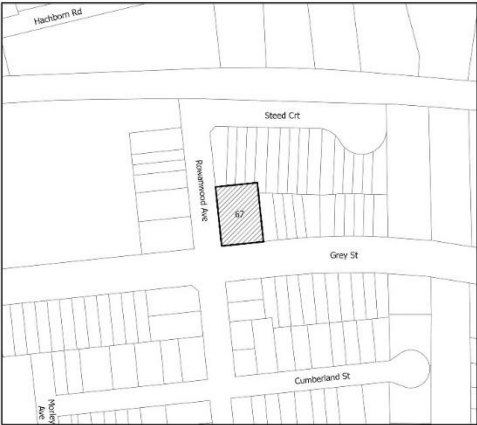
Planning Act Section 45(12) appeals must include:

- 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.

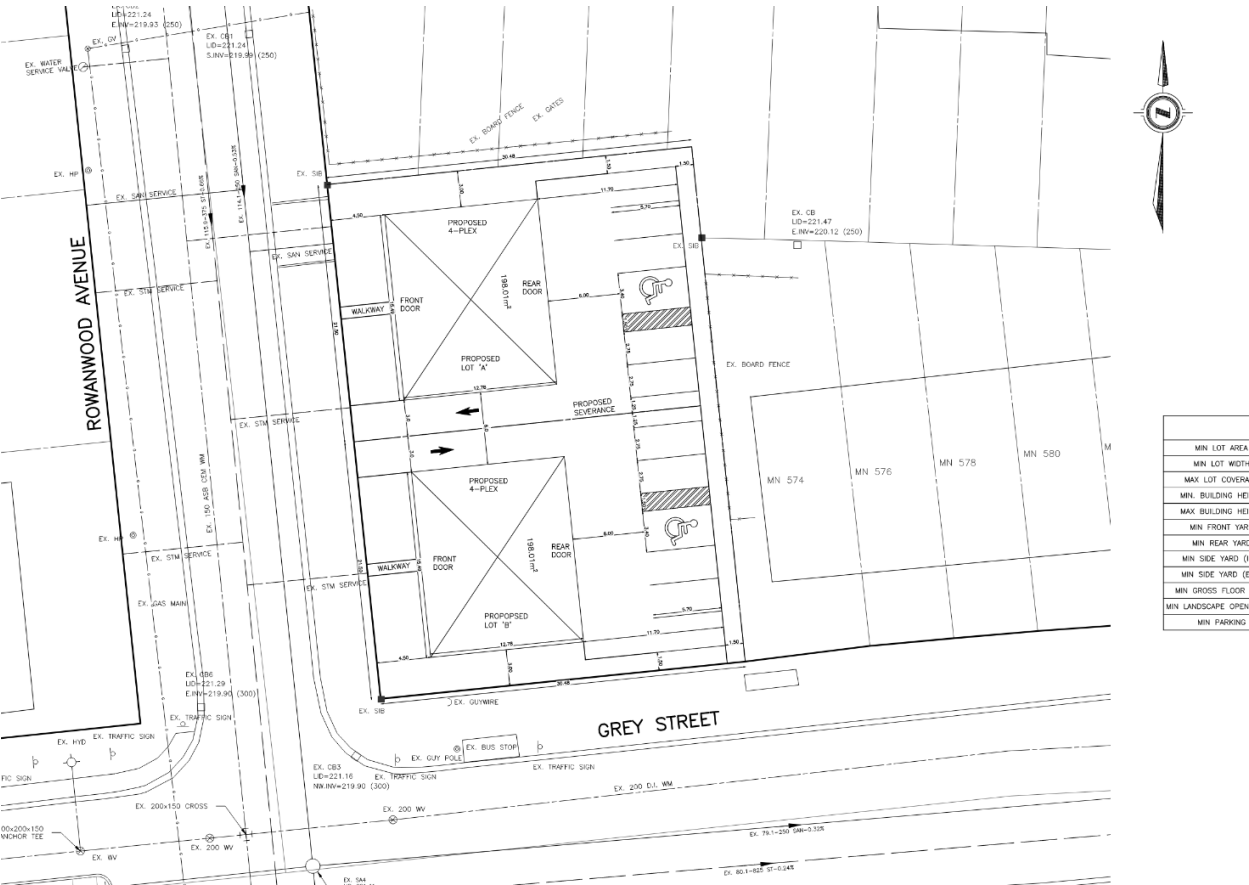
Questions or Information:

Contact Committee of Adjustment Staff ([cofa@brantford.ca](mailto:cofa@brantford.ca))

LOCATION MAP  
B02-2025 & A04-2025  
67 Rowanwood Avenue



Concept Plan





April 24, 2025

**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:** B02-2025  
**Related File Numbers:** A03-2025  
**Address:** 67 Rowanwood Avenue  
**Roll Number:** 2906040015370000000  
**Applicant/Owner:** Domenic Reale

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 67 Rowanwood Avenue. The purpose of the application is to sever the subject lands in half to facilitate the development of two fourplex dwellings. Both the severed and retained lot are proposed to have a lot width of 21.5 m and lot area of 656 m<sup>2</sup>. The applicant is requesting relief from the following section(s) of Zoning Bylaw 124-2024:

- 7.7.1 Table 43, Provision 1, Minimum Height – to permit a minimum height of 9.03 m whereas 10.5 m is otherwise required.

Note: an access easement is also proposed for the shared driveway access.

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

**Date:** **April 23, 2025**

THAT consent application B02-2025 to sever a parcel of land from 67 Rowanwood Avenue, having a frontage of 21.5 m and a lot area of 656 m<sup>2</sup>, and to retain a parcel of land having a frontage of 21.5 m and a lot area of 656 m<sup>2</sup>, BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels, and any applicable easements.
2. Receipt of 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 an External Works 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 External Works Plan shall indicate all required works within the municipal Right of Way required to independently service the severed and retained parcels to municipal standards (Sanitary and Storm Services, Driveways, Boulevard Trees and Sod, Sidewalks, etc.) inclusive of restoration of the municipal right of way back to municipal standards (Removal of excess driveways, replacement of boulevard sod and street trees, etc.) and all other works as may be required external to the proposed site.
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 be responsible financially and otherwise, to provide for the restoration of the municipal right of way and all other works as required externally to meet municipal standards (Sidewalk Extensions, Protection of trees, mitigating damage to trees, removal of excess driveways, replacement of sod, etc.) to the satisfaction of the Manager of Development Engineering or his/her designate.
11. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Owner/Applicant also must demonstrate that stormwater management can be implemented for the site without impacting adjacent neighboring properties. (i.e. Stormwater connection from the rear, LID options implemented, etc.)
12. The Owner/Applicant shall supply undertaking per registration of reciprocal access easements in favor of both the severed and retained parcels.
13. The Owner/Applicant shall provide an Arborist Report and Tree Protection Plan for any Municipally Owned Trees potentially impacted by the Severance, to the satisfaction of the Manager of Development Engineering or their designate.
14. Due to the presence of Municipal Right of Way Trees, the Owner shall satisfy all City Tree By-law (94-2024) requirements, to the satisfaction of the Manager of Development Engineering or their designate.
15. All work proposed within the road allowance or for the purpose of constructing, altering or extending a driveway approach, will require the contractor to obtain a Right of Way Activity Permit administered by the City's Operational Services Department.
16. Receipt of confirmation that any applicable daylight corners and reserves, as required by the Manager of Development Engineering or their designate, has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the applicant.

17. Receipt of confirmation that all existing buildings and structures located on the retained and severed parcels are demolished or otherwise removed to the satisfaction of the Chief Building Official.
18. 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.
19. The Owner/Applicant shall provide the City with copies of all archaeological assessment reports and associated materials, including Ministry Letters indicating that the relevant archaeological assessments have been entered into the Ontario Public Register of Archaeological Reports, that demonstrate that the subject area has no further cultural heritage value or interest in respect to archaeological resources, and that no further archaeological assessment is required.
20. Receipt of an undertaking provided from the applicant's Solicitor confirming that 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, confirming that an environmental easement in favour of CN Rail will be registered on title, and confirming that mitigation measures in the dwelling design and construction will be implemented, to the satisfaction of the Manager of Development Planning or their designate.
21. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **April 24, 2027**, 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. 2025-142”.*

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

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

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

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

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

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

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

## **Certification**

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

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](mailto:CofA@brantford.ca) .

## **Appeal Deadline**

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **May 14, 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.

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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.

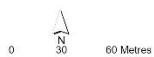
Questions or Information:

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

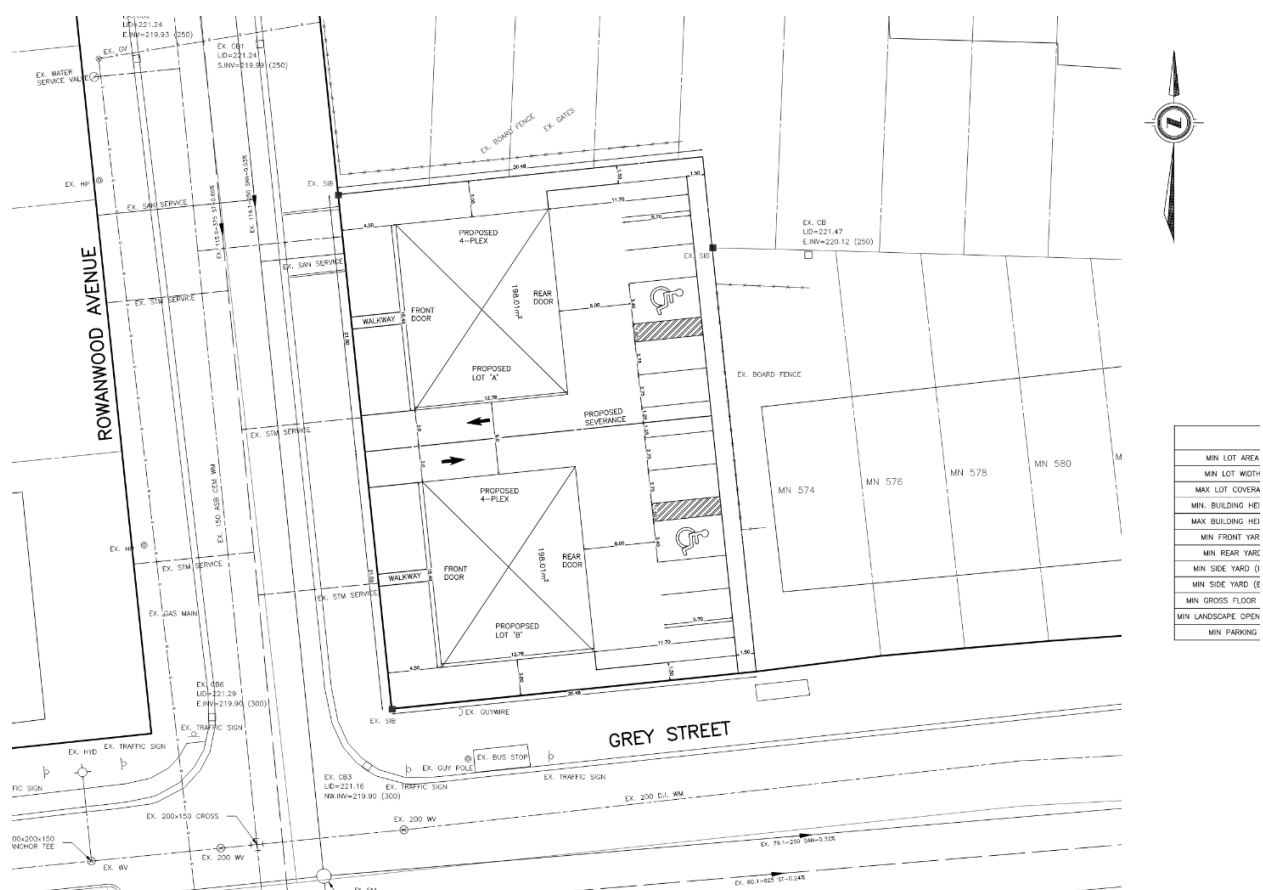
B02-2025 & A04-2025  
67 Rowanwood Avenue



Legend  
 Subject Land



## Concept Plan





April 24, 2025

**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:** B03-2025  
**Related File Numbers:** B04-2025  
**Address:** 105-109 Winniott Street  
**Roll Number:** 2906010007152500000  
**Applicant/Owner:** J.H. Cohoon Engineering Ltd.

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:**

Two consent applications have been received for the lands municipally addressed as 105-109 Winniott Street. The purpose of the consent applications is to sever the subject lands into three parcels to facilitate the individual sale of the 3 townhouse units that are currently under construction on the parcel.

Unit 1 (Retained Lands) will have a lot area of 287.8 m<sup>2</sup>, and a lot width of 7.12m;

Unit 2 (Severed Lot 1) will have a lot area of 240.2m<sup>2</sup>, and a lot width of 6.0m; and

Unit 3 (Severed Lot 2) will have a lot area of 280.6m<sup>2</sup>, and a lot width of 7.0m.

(Note: an access easement is being proposed over Unit 1 to provide rear yard access to Unit 2.)

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

**Date:** **April 23, 2025**

THAT consent application B03-2025 to sever a parcel of land from an under-construction street fronting townhouse at 109 Winniott Street (Unit 2), having a frontage of 6.0 m and a lot area of 280.6 m<sup>2</sup>, and to retain a parcel of land, Unit 1) having a frontage of 7.12 m and a lot area of 240m<sup>2</sup>, BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels, and any applicable easements.
2. Receipt of 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 an *External Works 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 External Works Plan shall indicate all required works within the municipal Right of Way required to independently service the severed and retained parcels to municipal standards (Sanitary and Storm Services, Driveways, Boulevard Trees and Sod, Sidewalks, etc.) inclusive of restoration of the municipal right of way back to municipal standards (Removal of excess driveways, replacement of boulevard sod and street trees, etc.) and all other works as may be required external to the proposed site.
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.
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11. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
12. The Owner will be required to obtain a Water Service Connection Permit for each new service and pay all applicable fees prior to commencing any work to connect the new water service; the City will complete the inspection of all connections to City watermain;
13. The Owner must provide a separate service line for each severed parcel. Only one (1) service will be permitted to each property at its frontage.
14. The Owner will be required to provide detailed servicing plans for review and comment to confirm the location of the existing water service resides within the parcel that it will serve and the location of the proposed services.
15. All internal plumbing must be contained to the unit that it serves.
16. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **April 24<sup>th</sup>, 2027**, after which time the consent will lapse.

THAT the reason(s) for approval of B03-2025 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 6.2 of Report No. 2025-172”.*

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

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

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

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

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

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

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

**Certification**

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



K. Pongracz, Secretary-Treasurer

**Additional Information**

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

**Appeal Deadline**

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is **May 14, 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?

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- 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:

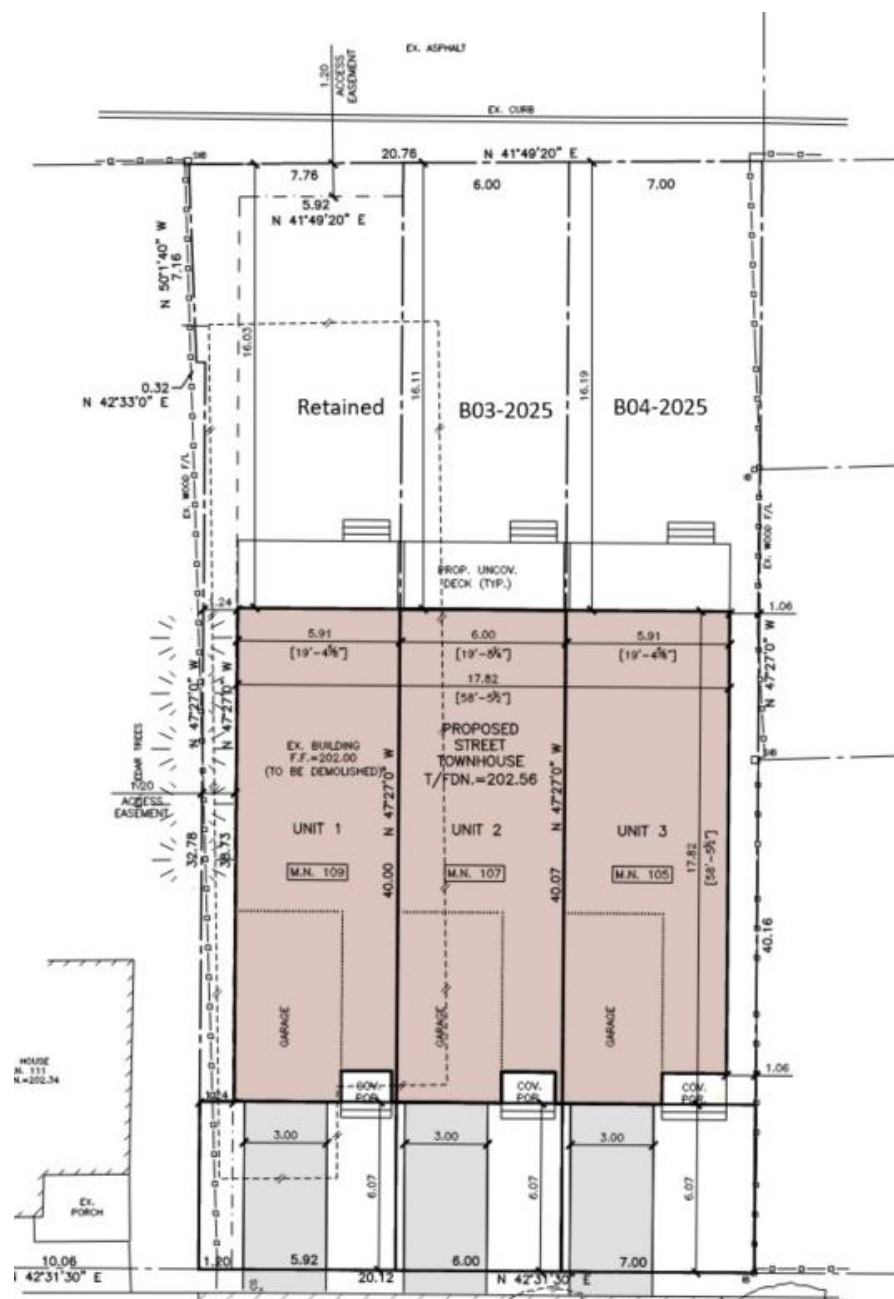
Contact Committee of Adjustment Staff (cofa@brantford.ca)



B03-2025 & B04-2025  
105-109 Winniett Street



## Concept Plan





April 24, 2025

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:** B04-2025  
**Related File Numbers:** B03-2025  
**Address:** 105-109 Winniott Street  
**Roll Number:** 2906010007152500000  
**Applicant/Owner:** J.H. Cohoon Engineering Ltd.

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:**

Two consent applications have been received for the lands municipally addressed as 105-109 Winniott Street. The purpose of the consent applications is to sever the subject lands into three parcels to facilitate the individual sale of the 3 townhouse units that are currently under construction on the parcel.

Unit 1 (Retained Lands) will have a lot area of 287.8 m<sup>2</sup>, and a lot width of 7.12m;

Unit 2 (Severed Lot 1) will have a lot area of 240.2m<sup>2</sup>, and a lot width of 6.0m; and

Unit 3 (Severed Lot 2) will have a lot area of 280.6m<sup>2</sup>, and a lot width of 7.0m.

(Note: an access easement is being proposed over Unit 1 to provide rear yard access to Unit 2.)

**Decision: Provisional Approval**

**Date: April 23, 2025**

THAT consent application B04-2025 to sever a parcel of land from an under-construction street fronting townhouse at 109 Winniott (Unit 3) having a frontage of 7.0 m and a lot area of 280.6 m<sup>2</sup>, and to retain a parcel of land (Unit 1) having a frontage of 7.12 m and a lot area of 240m<sup>2</sup>, BE APPROVED, subject to the following conditions;

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt 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. The owner shall provide verification that there are no encroachments in the garages such as stairs, door swings, etc., that render the garage unusable for the purpose of vehicle parking.
6. The Owner/Applicant shall provide an Arborist Report for any Municipally Owned Trees and a Tree Protection Plan for trees potentially impacted by the Severance which are to be retained.
7. The Owner/Applicant shall provide compensation in accordance with the City Tree By-law (94-2024) where in the opinion of the Manager of Development Engineering the tree will sustain injury as a result of development. Where compensation plantings under the bylaw cannot be accommodated within the boulevard fronting the property financial compensation will be required in accordance with the City of Brantford Fees and Charges bylaw (181-2024, as amended).
8. The Owner/Applicant shall execute full removal of any City Owned trees (inclusive of stumping)
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 Wastewater Allocation Request Form has been submitted and approved.
11. 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.
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- 20. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **April 24<sup>th</sup>, 2027**, after which time the consent will lapse.

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Member**

**Certification**

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



K. Pongracz, Secretary-Treasurer

**Additional Information**

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

**Appeal Deadline**

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Questions or Information:

Contact Committee of Adjustment Staff ([cofa@brantford.ca](mailto:cofa@brantford.ca))

The site plan shows a proposed development of three townhouse units (Unit 1, Unit 2, Unit 3) on a lot. The lot is bounded by an existing asphalt road to the north and an existing curb to the east. The plan includes various setbacks and dimensions for the proposed units and their associated parking spaces and driveways. The existing building is to be demolished, and the proposed development is a street townhouse with a finished floor elevation of 202.56. The plan also shows existing trees, easements, and a proposed driveway and parking area.

**Proposed Development Details:**

- Unit 1:** M.N. 109, 40.00' x 47.27' W, 5.91' (19'-4 1/8") wide, 17.82' (58'-5 1/2") deep. Includes a garage and a 6.07' x 3.00' parking space.
- Unit 2:** M.N. 107, 40.07' x 47.27' W, 6.00' (19'-8 1/4") wide, 17.82' (58'-5 1/2") deep. Includes a garage and a 6.07' x 3.00' parking space.
- Unit 3:** M.N. 105, 40.07' x 47.27' W, 5.91' (19'-4 1/8") wide, 17.82' (58'-5 1/2") deep. Includes a garage and a 6.07' x 3.00' parking space.

**Setbacks and Dimensions:**

- North Setback:** 7.76' (to existing asphalt), 5.92' (to existing curb), 16.03' (to existing building).
- East Setback:** 6.00' (to existing curb), 7.00' (to existing building).
- South Setback:** 10.06' (to existing building), 1.20' (to existing curb).
- West Setback:** 0.32' (to existing building), 16.03' (to existing building).

**Other Features:**

- Existing Building:** F.F. = 202.00 (to be demolished).
- Proposed Driveway:** 6.07' x 3.00'.
- Parking Spaces:** 6.07' x 3.00' for each unit.
- Easements:** 1.20' access easement, 1.06' access easement.
- Existing Trees:** 10.06' wide area.
- Proposed Street Townhouse:** T/F.D.N. = 202.56.