



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: B23/2022
Related File Numbers: B24/2022-B29/2022
Address: 50 & 54 Wright Street
Roll Number: 2906010012020800000 & 2906010012020810000
Applicant/Owner: Granite Property Nominee Inc. c/o Frank Tozzi
Agent: MHBC Planning (Dave Aston)

**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:

This application is one of seven (7) consent applications which have been received for the lands referred to as Blocks 1 – 8 on Plan 2M-1962, and municipally known as 2, 4, 6, 8 & 10 Bowery Road and 50, 54 & 58 Wright Street. This application pertains to the lands municipally addressed as 50 & 54 Wright Street (Block 7 & 8 on Plan 2M-1962). The subject lands are on the south side of Oak Park Road on the west side of Wright Street. The lands are proposed to be developed with an industrial building. To facilitate this development, the applicant is proposing to combine the 8 lots into 1 large block through consecutive boundary adjustments, as shown in the table below:

<i>Application No.</i>	<i>Purpose</i>
B23/2022	Merge Block 7 to Block 8 on Plan 2M-1962;
B24/2022	Merge Block 6 to Blocks 7 and 8 on Plan 2M-1962
B25/2022	Merge Block 5 to Blocks 6, 7 and 8 on Plan 2M-1962
B26/2022	Merge Block 4 to Blocks 5, 6, 7, and 8 on Plan 2M-1962;
B27/2022	Merge Block 3 to Blocks 4, 5, 6, 7, and 8 on Plan 2M-1962
B28/2022	Merge Block 2 to Blocks 3, 4, 5, 6, 7, and 8 on Plan 2M-1962
B29/2022	Merge Block 1 to Blocks 2, 3, 4, 5, 6, 7, and 8 on Plan 2M-1962.

DECISION: PROVISIONAL APPROVAL

DATE: July 6, 2022

THAT application B23/2022 for a lot addition (boundary adjustment) to merge Block 7 with Block 8 as shown on Registered Plan 2M-1962 BE APPROVED, subject to the following conditions:

1. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the consolidated parcels of land has been received.
2. 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.
3. 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 consolidated parcel has been submitted.
4. The properties (2, 4, 6, 8 & 10 Bowery Road & 50, 54 & 58 Wright Street) are located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (letter or email) of the Parcel Consolidation and proposed work to the property in question and provide a copy of the notification to the City's Development Engineering Department.
5. The Owner/Applicant shall provide proof to the satisfaction of the Manager of Development Engineering or his/her designate that and storm and sanitary services installed under the Telephone City Business Park West Subdivision which are not required to service the created consolidated parcel of land will be removed and/or abandoned in accordance with City Standards
6. Receipt of confirmation from the Engineering Department indicating that their requirements have been satisfied.
7. A letter of undertaking from the Solicitor acting in the transfer confirming that the transfers perfecting the consolidation consents granted pursuant to application nos. B23/2022, B24/2022, B25/2022, B26/2022, B27/2022, B28/2022 and B29/2022 will be registered concurrently.
8. Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of the separate parcels.
9. Receipt of confirmation that all taxes are paid up to date.
10. 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).
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before July 11, 2024, after which time the consent will lapse.

THAT the reason(s) for approval of application B23/2022 are as follows: having regard for the matters under Section 51(24) of the *Planning Act*, Staff is satisfied that the proposed consent applications are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90 and are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; 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 Notices 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. 2022-485.”

**Absent - D. Namisniak,
Chair/Member**

**Electronically signed by V. Kershaw,
Acting Chair/Member**

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

**Electronically signed by K. Brooks,
Member**

**Absent - T. Gaskin,
Member**

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

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: "**Minister of Finance**". In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

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

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

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

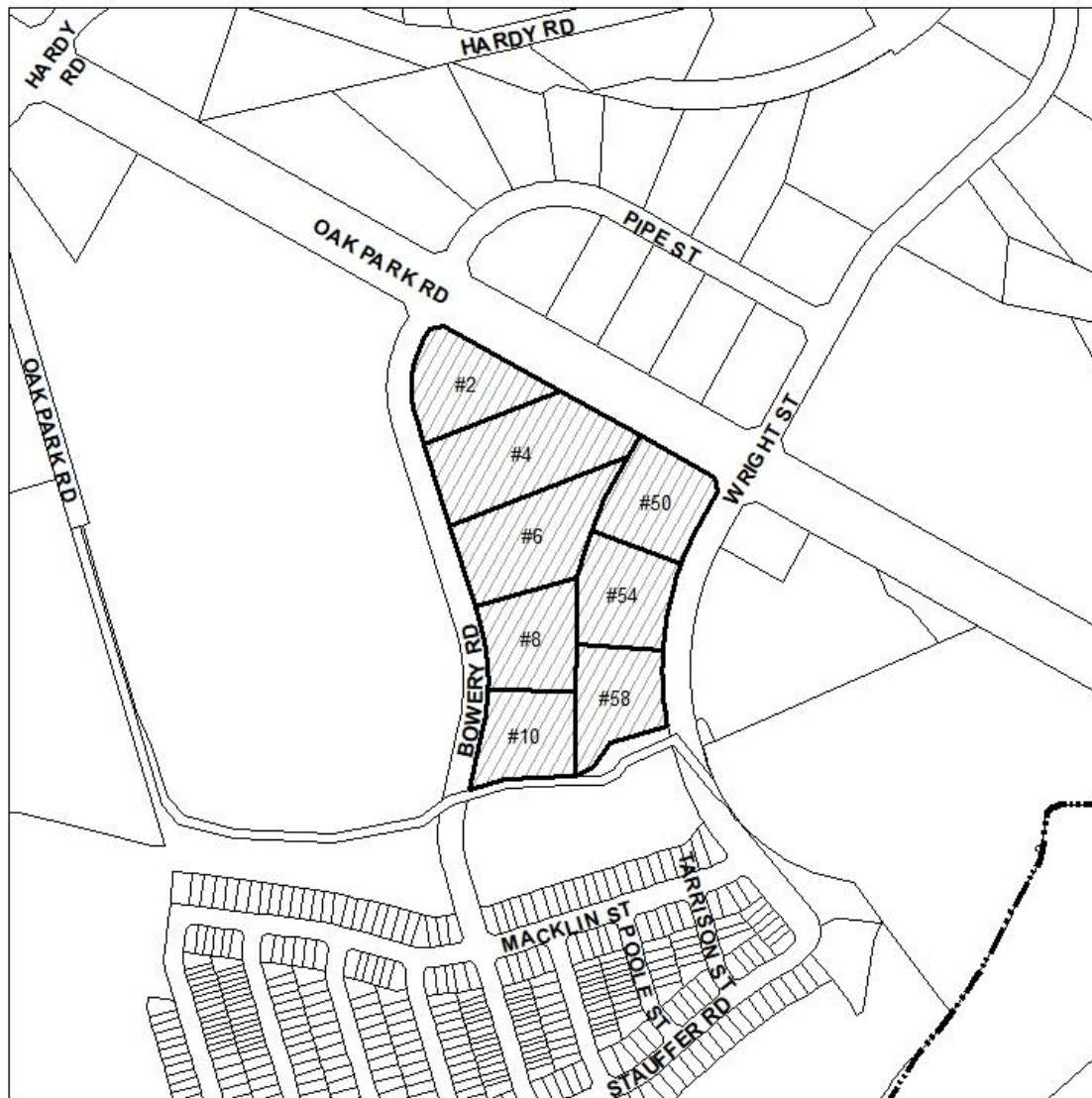
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is July 31, 2022


END OF DECISION

LOCATION MAP

Application: B23/2022, B24/2022, B25/2022, B26/2022, B27/2022, B28/2022, B29/2022
2, 4, 6, 8, 10 Bowery Road & 50, 54, 58 Wright Street



Legend

 SUBJECT LANDS





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: B24/2022
Related File Numbers: B23/2022-B29/2022
Address: 50, 54 & 58 Wright Street
Roll Number: 2906010012020790000, 2906010012020800000 &
2906010012020810000
Applicant/Owner: Granite Property Nominee Inc. c/o Frank Tozzi
Agent: MHBC Planning (Dave Aston)

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This application is one of seven (7) consent applications which have been received for the lands referred to as Blocks 1 – 8 on Plan 2M-1962, and municipally known as 2, 4, 6, 8 & 10 Bowery Road and 50, 54 & 58 Wright Street. This application pertains to the lands municipally addressed as 50, 54 & 58 Wright Street (Block 6, 7 & 8 on Plan 2M-1962). The subject lands are on the south side of Oak Park Road on the west side of Wright Street. The lands are proposed to be developed with an industrial building. To facilitate this development, the applicant is proposing to combine the 8 lots into 1 large block through consecutive boundary adjustments, as shown in the table below:

<i>Application No.</i>	<i>Purpose</i>
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B28/2022	Merge Block 2 to Blocks 3, 4, 5, 6, 7, and 8 on Plan 2M-1962
B29/2022	Merge Block 1 to Blocks 2, 3, 4, 5, 6, 7, and 8 on Plan 2M-1962.

DECISION: PROVISIONAL APPROVAL

DATE: July 6, 2022

- A. THAT application B24/2022 for a lot addition (boundary adjustment) to merge Block 6 with Blocks 7 and 8 as shown on the submitted Draft Reference Plan BE APPROVED, subject to the following conditions:
1. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the consolidate parcels of land has been received.
 2. 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.
 3. 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 consolidated parcel has been submitted.
 4. The properties (2, 4, 6, 8 & 10 Bowery Road & 50, 54 & 58 Wright Street) are located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (letter or email) of the Parcel Consolidation and proposed work to the property in question and provide a copy of the notification to the City's Development Engineering Department.
 5. The Owner/Applicant shall provide proof to the satisfaction of the Manager of Development Engineering or his/her designate that and storm and sanitary services installed under the Telephone City Business Park West Subdivision which are not required to service the created consolidated parcel of land will be removed and/or abandoned in accordance with City Standards.
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 8. Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of the separate parcels.
 9. Receipt of confirmation that all taxes are paid up to date.
 10. 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).
 11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before July 11, 2024, after which time the consent will lapse.

THAT the reason(s) for approval of application B24/2022, are as follows: having regard for the matters under Section 51(24) of the *Planning Act*, Staff is satisfied that the proposed consent applications are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90 and are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; 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 Notices of Decision:

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**Absent - D. Namisniak,
Chair/Member**

**Electronically signed by V. Kershaw,
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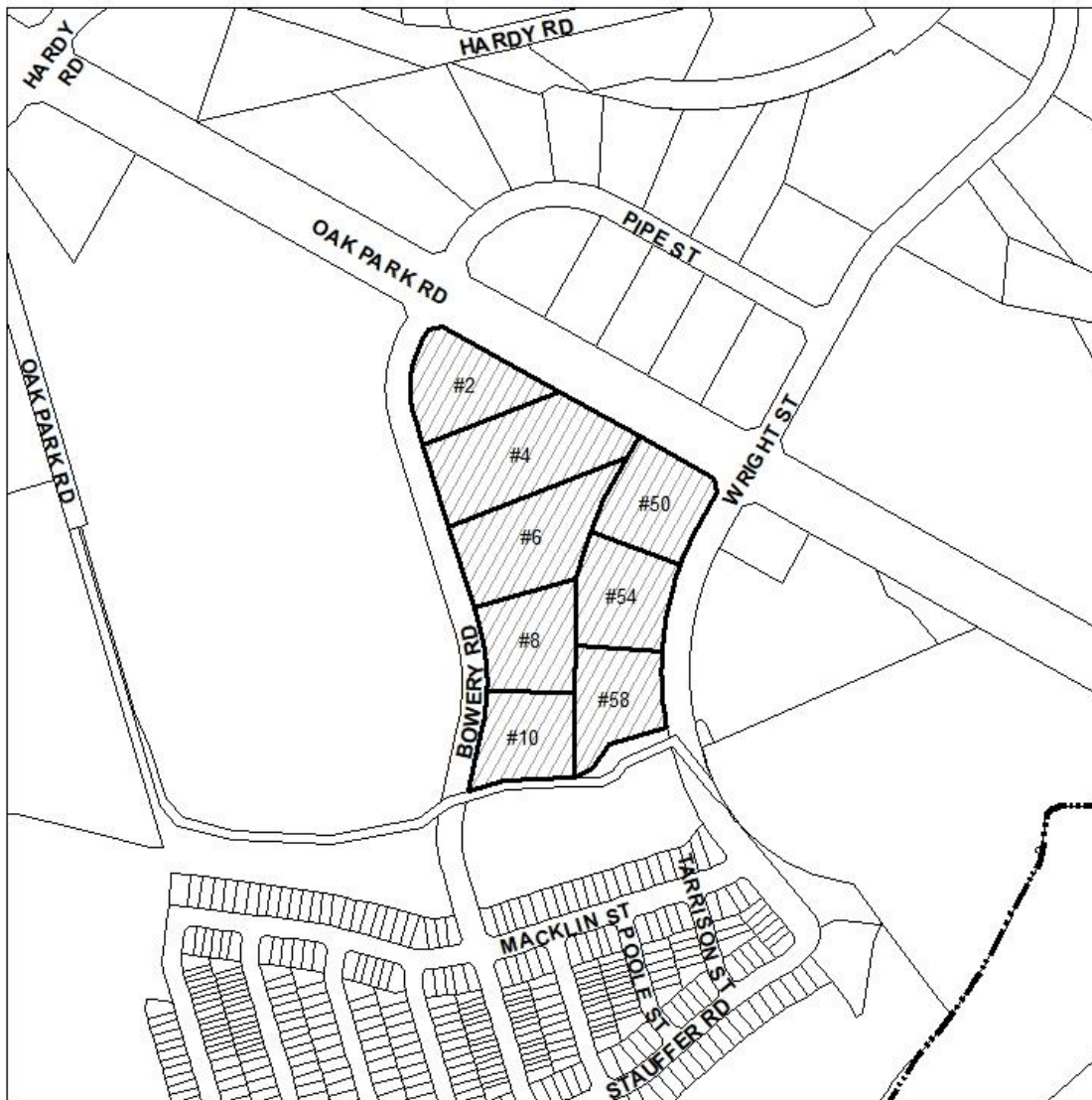
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END OF DECISION

LOCATION MAP

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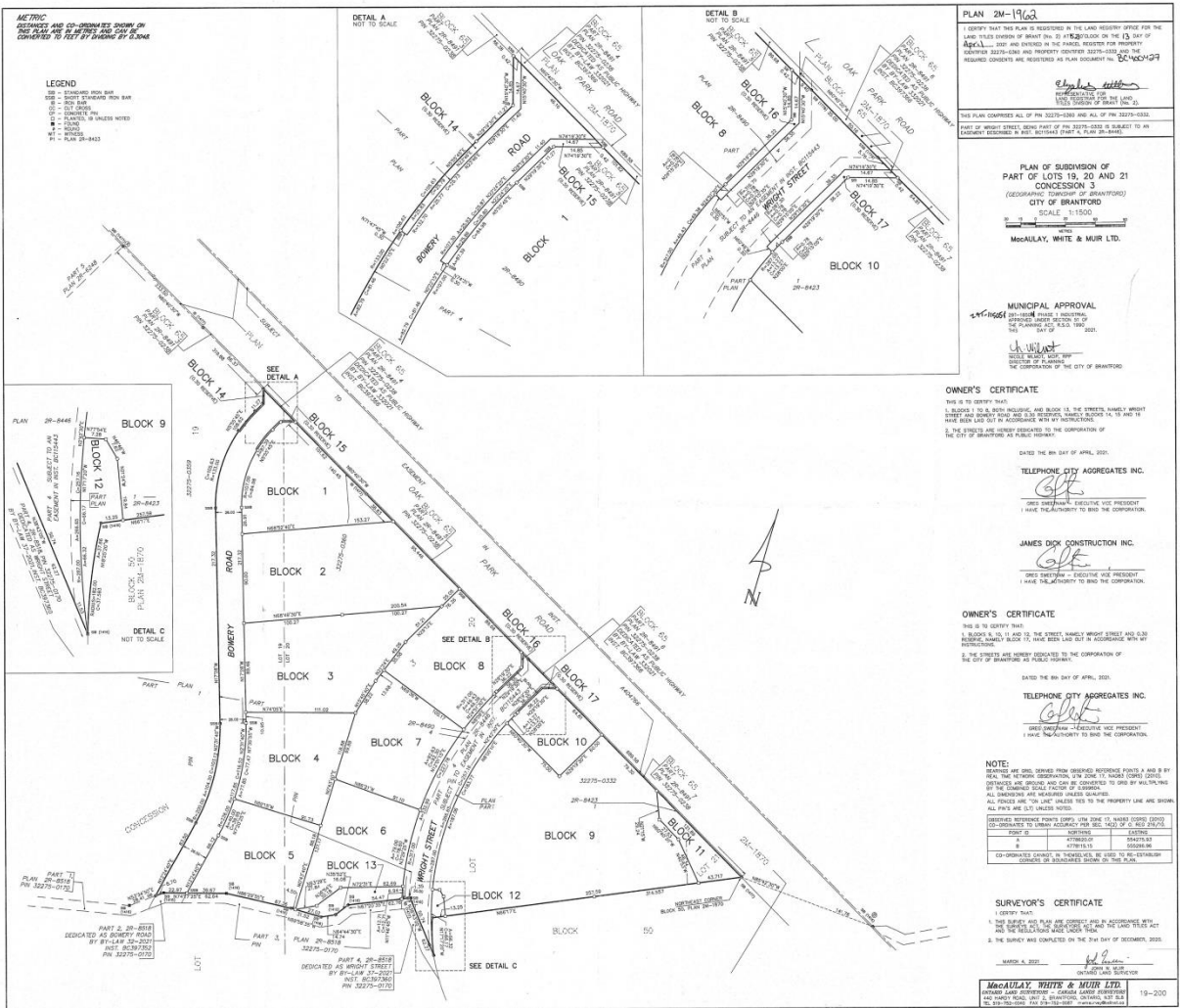


Legend

 SUBJECT LANDS



Registered Plan 2M-1962



Consent Sketch

