

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A19/2023 Related File Numbers: N/A Address: 40 Nautical Road Roll Number: 2906030022486000000 Applicant/Agent: Sandeep Malhorta Owner: Maulik Upala

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:

An application has been received for the lands municipally addressed as 40 Nautical Road. The applicant is looking to add an additional dwelling unit internal to the subject property and is required to provide an additional parking space to accommodate this.

To facilitate the development as proposed, the applicant is seeking the following relief from Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Parking - Location	Section 6.18.3.3	Only one parking space in the required front yard	Two parking spaces in the required front yard	One additional parking space

DECISION: APPROVED

DATE: June 7, 2023

THAT application A19/2023 seeking relief from Section 6.18.3.3.of Zoning By-law 160-90 to permit two parking spaces in the required front yard whereas a maximum of one parking space is permitted in the required front yard BE APPROVED;

THAT the reason(s) for approval of the minor variance is as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use 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 6.2 of Report 2023-370." Electronically signed by V. Kershaw, Chair/Member

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning* Act), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 45(12) for minor variances) of the *Planning* Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$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 last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is <u>June 27, 2023</u>

END OF DECISION

Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

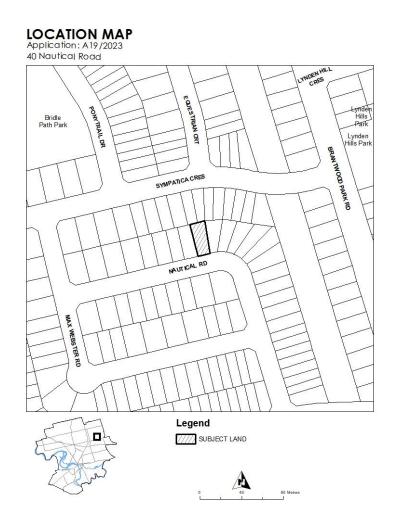
ADDITIONAL INFORMATION

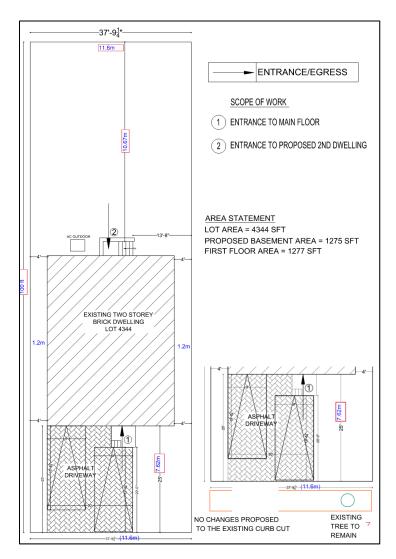
If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, <u>shague@brantford.ca</u> or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

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.







COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B18/2023 Related File Numbers: B19/2023 & B20/2023 Address: 144 Mary Street Roll Number: 2906040009004000000 Applicant/Owner: Mark Bennett Agent: J. H. Cohoon Engineering Limited

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:

Consent applications have been received for the lands municipally addressed as 144 Mary Street. The applicant is proposing to sever 3 new residential lots from the existing 2,798 m² lot. The existing commercial structure (bowling alley) is proposed to be demolished. The proposed severed lots are to be developed with one semi-detached dwelling unit, each containing two dwelling units.

The proposed lot dimensions are detailed below:

Lot Dimension	Severed Lot 1 (B18/ 2023)	Severed Lot 2 (B19/2023)	Severed Lot 3 (B20/2023)	Retained Lots
Lot Width	17.07 m	17.07 m	24.12 m	20.12 m
Lot Area	753.7 m2	754.2 m2	698.5 m2	591.5 m2

DECISION: DEFERRED

DATE: June 7, 2023

THAT Application B18/2023 to sever a parcel of land (identified as Lot 1) from the western portion of the lands municipally addressed as 144 Mary Street having a lot area of 753.7 m², and to retain a parcel of land having a lot area of approximately 2,044 m², BE DEFERRED for up to two cycles, and that Staff BE DIRECTED to prepare the appropriate list of conditions for provisional approval and report back to Committee.

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 6.2 of Report No. 2023-390." Electronically signed by V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning* Act), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) of the *Planning* Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

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Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

ADDITIONAL INFORMATION

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

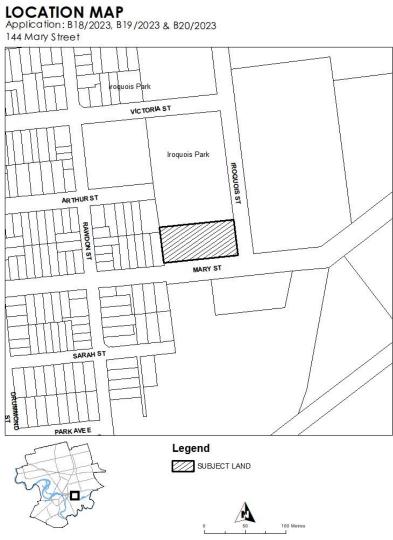
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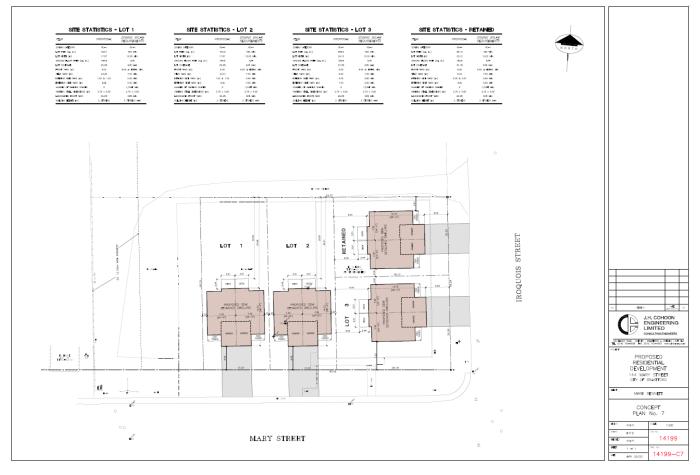
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END OF DECISION







COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B19/2023 Related File Numbers: B18/2023 & B20/2023 Address: 144 Mary Street Roll Number: 2906040009004000000 Applicant/Owner: Mark Bennett Agent: J. H. Cohoon Engineering Limited

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:

Consent applications have been received for the lands municipally addressed as 144 Mary Street. The applicant is proposing to sever 3 new residential lots from the existing 2,798 m² lot. The existing commercial structure (bowling alley) is proposed to be demolished. The proposed severed lots are to be developed with one semi-detached dwelling unit, each containing two dwelling units.

The proposed lot dimensions are detailed below:

Ĩ	Lot Dimension	Severed Lot 1 (B18/ 2023)	Severed Lot 2 (B19/2023)	Severed Lot 3 (B20/2023)	Retained Lots
	Lot Width	17.07 m	17.07 m	24.12 m	20.12 m
	Lot Area	753.7 m2	754.2 m2	698.5 m2	591.5 m2

DECISION: DEFERRED

DATE: June 7, 2023

THAT Application B19/2023 to sever a parcel of land (identified as Lot 2) from the western portion of the lands municipally addressed as 144 Mary Street having a lot area of 754.2 m², and to retain a parcel of land having a lot area of approximately 2,044 m², BE DEFERRED for up to two cycles, and that Staff BE DIRECTED to prepare the appropriate list of conditions for provisional approval and report back to Committee.

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 6.2 of Report No. 2023-390."

Electronically signed by V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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Sarah Mague

Secretary-Treasurer

APPEALS

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Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

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, https://www.shague.com, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, shague@brantford.ca or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, shague@brantford.ca

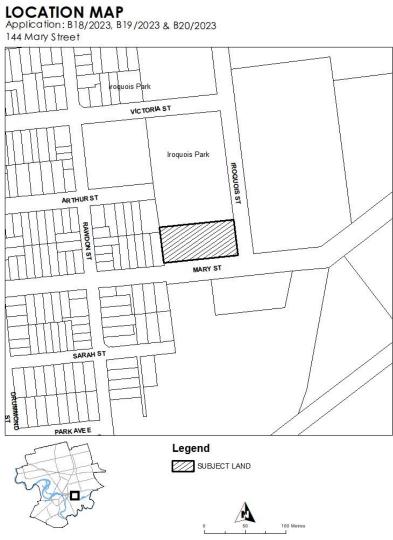
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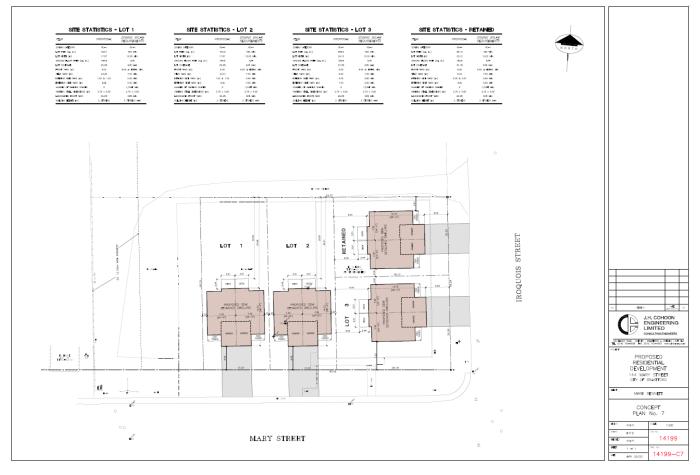
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END OF DECISION







COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B20/2023 Related File Numbers: B18/2023 & B19/2023 Address: 144 Mary Street Roll Number: 2906040009004000000 Applicant/Owner: Mark Bennett Agent: J. H. Cohoon Engineering Limited

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:

Consent applications have been received for the lands municipally addressed as 144 Mary Street. The applicant is proposing to sever 3 new residential lots from the existing 2,798 m² lot. The existing commercial structure (bowling alley) is proposed to be demolished. The proposed severed lots are to be developed with one semi-detached dwelling unit, each containing two dwelling units.

The proposed lot dimensions are detailed below:

Lot Dimension	Severed Lot 1 (B18/ 2023)	Severed Lot 2 (B19/2023)	Severed Lot 3 (B20/2023)	Retained Lots
Lot Width	17.07 m	17.07 m	24.12 m	20.12 m
Lot Area	753.7 m2	754.2 m2	698.5 m2	591.5 m2

DECISION: DEFERRED

DATE: June 7, 2023

THAT Application B20/2023 to sever a parcel of land (identified as Lot 3) from the southeastern portion of the lands municipally addressed as 144 Mary Street having a lot area of 698 m², and to retain a parcel of land having a lot area of approximately 2,100 m², BE DEFERRED for up to two cycles, and that Staff BE DIRECTED to prepare the appropriate list of conditions for provisional approval and report back to Committee.

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 6.2 of Report No. 2023-390." Electronically signed by V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

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Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

ADDITIONAL INFORMATION

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

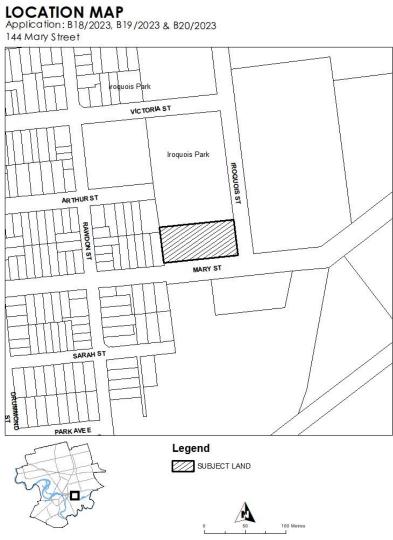
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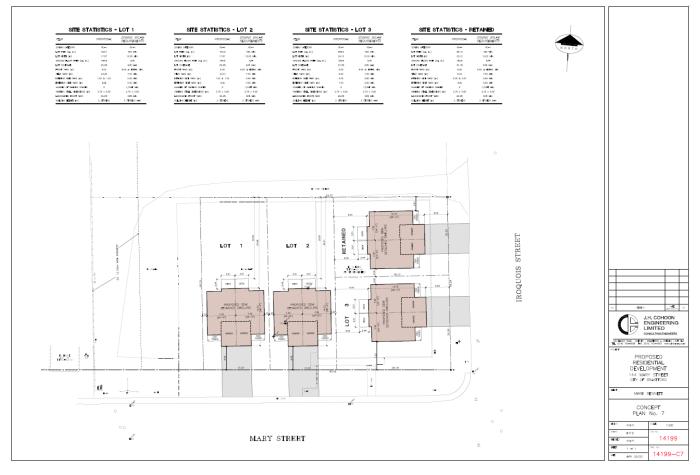
Secretary-Treasurer Committee of Adjustment 58 Dalhousie Street Brantford ON N3T 2J2

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END OF DECISION







COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A18/2023 Related File Numbers: B21/2023 Address: 150-154 Pearl Street Roll Numbers: 2906020004144000000 (150 Pearl) 2906020004143000000 (154 Pearl) Applicant: Matthew Joniec Owner: Brantford Polish Social Club

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:

Consent and minor variance applications have been received for 150-154 Pearl Street. The Brantford Polish Social Club and abutting residential residence have merged on title and have applied for consent to re-establish the original boundary lines. The retained portion of lands will continue to function as the Polish Hall and the severed lot containing the single detached dwelling will be listed for sale.

To facilitate the consent application, minor variances are required to provide relief from the following Sections of Zoning By-law 160-90 for the retained parcel at 154 Pearl Street:

Regulation	By-law Section	Required	Proposed	Relief Requested
Interior side yard	9.8.2.1.7.1.2	6.0 m	1.2 m	4.8 m
Landscaped open space	9.8.2.1.8	10%	0%	10%

DECISION: APPROVED

DATE: June 7, 2023

THAT Application A18/2023 requesting relief from Section 9.8.2.1.7.1.2 of Zoning Bylaw 160-90 to permit the existing interior side yard of 1.2 m for the retained parcel, whereas 6.0 m is required, and from section 9.8.2.1.8 to permit the existing landscaped open space of 0% for the retained parcel, whereas 10% is required, BE APPROVED;

THAT the reason(s) for approval are as follows: the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands; and,

THAT pursuant to Sections 53(17) - (18.2) and 45(8) - (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-377."

Opposed - V. Kershaw, Chair/Member

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

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Notice of Changes

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is June 27, 2023

END OF DECISION

Electronically signed by M. Bodnar Member

Absent - T. Gaskin Member

Electronically signed by J. Panag, Member

ADDITIONAL INFORMATION

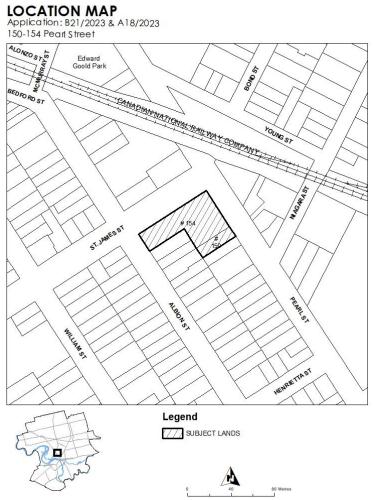
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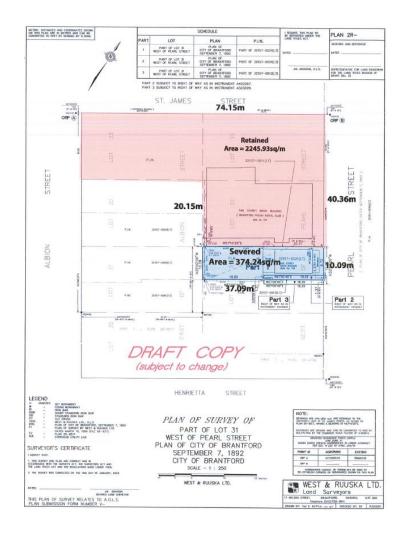
Secretary-Treasurer Committee of Adjustment 58 Dalhousie Street Brantford ON N3T 2J2

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

Location Map



Severance Sketch





COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A21/2023 Related File Numbers: N/A Address: 242 Mount Pleasant Road Roll Number: 2906010009378000000 Applicant/Owner: 2495494 Ontario Inc. Agent: Arcadis/IBI c/o Odete Gomes

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 has been received for the lands municipally addressed as 242 Mount Pleasant Street. These lands are being developed to accommodate 19 single detached dwellings.

To facilitate the development as proposed, the applicant is seeking the following relief from Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Exterior Side Yard	7.3.2.1.7.2	3.0 m	2.0 m	1.0 m

DECISION: APPROVED

DATE: June 7, 2023

THAT application A21/2023 seeking relief from Section 7.3.2.1.7.2 of Zoning By-law 160-90 to permit an exterior side yard of 2.0 m, whereas an exterior side yard of 3.0 m is required, BE APPROVED;

THAT the reason(s) for approval of the minor variances are as follows: the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use 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 6.2 of Report 2023-375." Electronically signed by V. Kershaw, Chair/Member

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is <u>June 27, 2023</u>

END OF DECISION

Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

ADDITIONAL INFORMATION

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

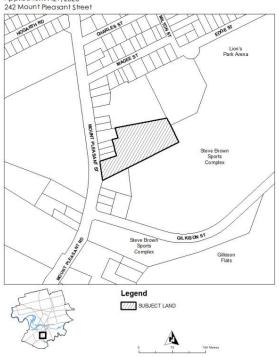
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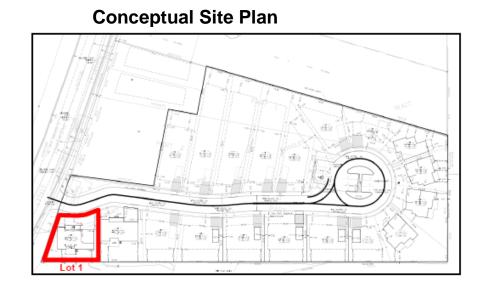
Secretary-Treasurer Committee of Adjustment 58 Dalhousie Street Brantford ON N3T 2J2

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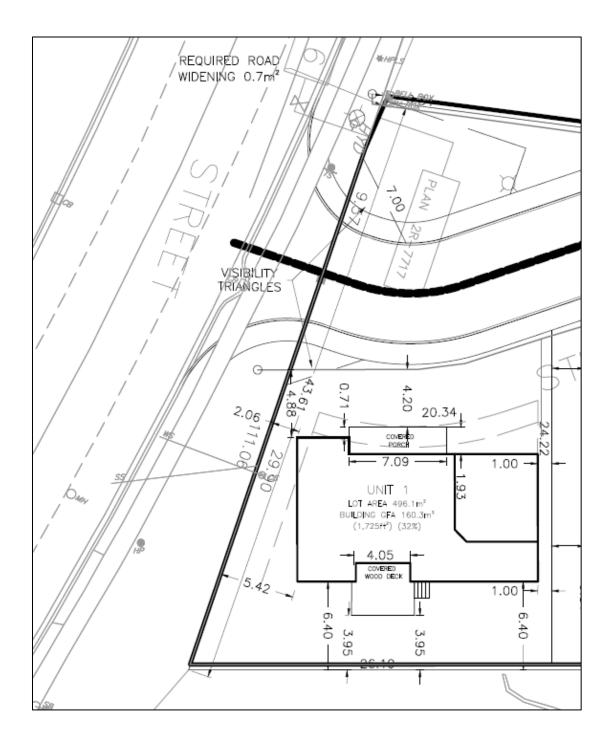
Location Map

LOCATION MAP Application: A21/2023





Zoomed in Conceptual Site Plan





COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B17/2023 Related File Numbers: N/A Address: 24 Balfour Street Roll Number: 2906010008077000000 Applicant/Agent: Ronald De Coteau c/o Property Pathways Inc. Owner: 2712007 Ontario Inc. c/o Chris Henderson

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 has been received for the lands municipally addressed as 24 Balfour Street for a severance to create separate ownership over each semi-detached dwelling unit.

The proposed lot dimensions are detailed below:

Lot Dimension	Lands to be Severed (Lot A)	Lands to be Retained (Lot B)	
Lot Width	9.41 m	9.43 m	
Lot Depth	40.23 m	40.16 m	
Lot Area	353.03 m ²	392.72 m ²	

DECISION:

PROVISIONAL APPROVAL

DATE:

June 7, 2023

THAT Application B17/2023 to sever a parcel of land from the northeastern portion of the lands municipally addressed as 24 Balfour Street, having a lot area of 353 m², and to retain a parcel of land having a lot area of 393 m², BE APPROVED, subject to the following conditions;

- 1. Receipt of a registered reference plan showing the severed, retained and receiving lands;
- 2. Receipt of confirmation that all taxes are paid up to date;
- 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. Confirmation from the Chief Building Official or his/her designate that Occupancy has been obtained for building permit 2021-6050.

- 5. 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.
- 6. The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate. The Servicing Plan shall indicate that the severed and retained parcels have been independently serviced with a sanitary and storm sewer connection and that these services do not cross the proposed severance line and are connected directly to City infrastructure.
- 7. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
- 8. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate.
- 9. Confirmation from Bell Canada that a 1.5 m wide easement be granted to Bell Canada over the existing rear-lot installation; that all costs associated with the transaction be the responsibility of the applicant; and that a letter shall be received from Bell Canada indicating that satisfactory arrangements have been made with respect to these matters.
- 10. That the above conditions be fulfilled and the Certificate of Consent be issued on or before June 20, 2025, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is 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 of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is 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 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. 2023-376."

Electronically signed by V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Hague

Secretary-Treasurer

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning* Act), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) of the *Planning* Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$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 last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is <u>July 10, 2023</u>

END OF DECISION

Electronically signed by M. Bodnar Member

Electronically signed by T. Gaskin Member

Electronically signed by J. Panag, Member

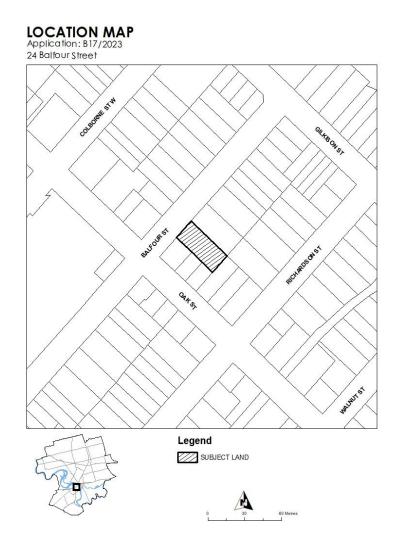
ADDITIONAL INFORMATION

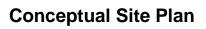
If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, <u>shague@brantford.ca</u> or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

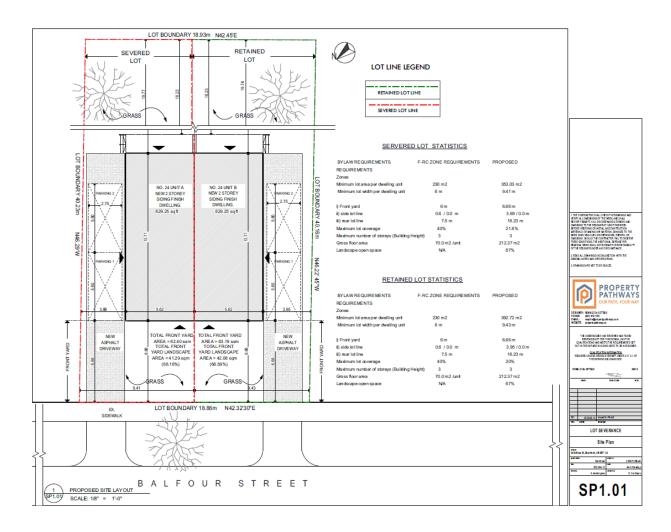
The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

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.









COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B21/2023 Related File Numbers: A18/2023 Address: 150-154 Pearl Street Roll Numbers: 2906020004144000000 (150 Pearl) 2906020004143000000 (154 Pearl) Applicant: Matthew Joniec Owner: Brantford Polish Social Club

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:

Consent and minor variance applications have been received for 150 -154 Pearl Street. The Brantford Polish Social Club and abutting residential residence have merged on title and have applied for consent to re-establish the original boundary lines. The retained portion of lands will continue to function as the Polish Hall and the severed lot containing the single detached dwelling will be listed for sale.

The proposed lot dimensions are detailed below:

Lot Dimension	Lands to be Severed (150 Pearl Street)	Lands to be Retained (154 Pearl Street)
Lot Width	10.09 m	18.9 m (on Albion St.) 40.36 m (on Pearl St.)
Lot Depth	37.09 m	74.15 m
Lot Area	374.24 m ²	2,245.93 m ²

DECISION: PROVISIONAL APPROVAL

DATE: June 7, 2023

THAT Application B21/2023 to sever a parcel of land, known as 150 Pearl Street from the southeastern portion of the lands municipally addressed as 154 Pearl Street, having a lot area of 374 m², and to retain a parcel of land having a lot area of 2,246 m², BE APPROVED, subject to the following conditions:

- 1) Receipt of a registered reference plan showing the severed and retained parcel.
- 2) Receipt and confirmation that Application A18/2023 receives final and binding approval and is in full force and effect.
- 3) Receipt of confirmation that 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) The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate and the Manager of Capital and Development, Environmental Services, or his/her designate. The Servicing Plan shall indicate that the severed and retained parcels have been independently serviced with a water service and sanitary and storm sewer connection and that these services do not cross the proposed severance line(s) and are connected directly to City infrastructure.
- 7) The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
- 8) Confirmation from Bell Canada that a 1.5 m wide easement be granted to Bell Canada over the existing rear-lot installation for the severed lot; that all costs associated with the transaction be the responsibility of the applicant; and that a letter shall be received from Bell Canada indicating that satisfactory arrangements have been made with respect to these matters.
- 9) Receipt of confirmation from the Manager of Environmental Services, or his/her designate, indicating that their requirements have been satisfied.
- 10) Receipt of confirmation from the Manager of Building, or his/her designate, indicating that their requirements have been satisfied.
- 11) Receipt of confirmation from the Manager of Development Engineering Department, or his/her designate, indicating that their requirements have been satisfied.
- 12)That the above conditions be fulfilled and the Certificate of Consent be issued on or before June 20, 2025, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is 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 of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; and

THAT pursuant to Sections 53(17) - (18.2) and 45(8) - (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

"Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-377".

Opposed - V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Sarah Mague

Secretary-Treasurer

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning* Act), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) of the *Planning* Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **"Minister of Finance"**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$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 last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is <u>July 10, 2023</u>

END OF DECISION

Electronically signed by M. Bodnar Member

Absent - T. Gaskin Member

Electronically signed by J. Panag, Member

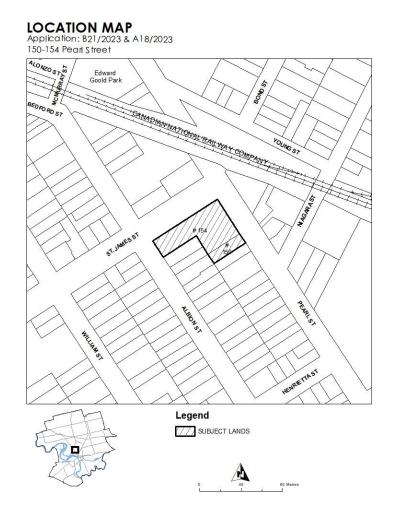
ADDITIONAL INFORMATION

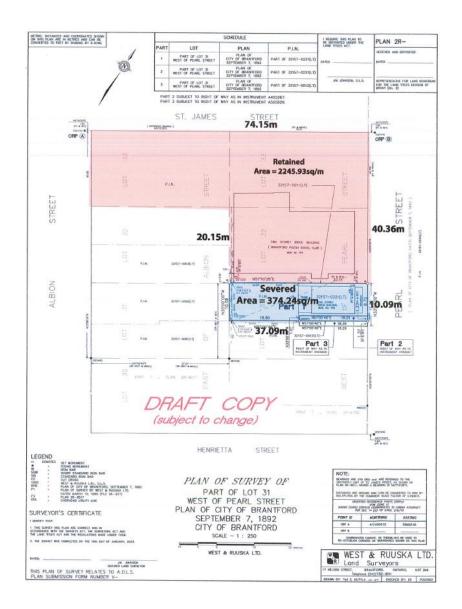
If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, <u>shague@brantford.ca</u> or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, hstemberger@brantford.ca

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.







COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B22/2023 Related File Numbers: N/A Address: 251& 287-293 Mount Pleasant Road Roll Numbers: 2906010020367000000 Applicant: 14067835 Canada Inc., c/o Faisal Javaid Agent: MHBC Planning, c/o Trevor Hawkins Owner: The Trustees of the Farrington Independent Church

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 has been received for the lands municipally addressed as 287-293 Mount Pleasant Road and 251 Mount Pleasant Road. The applicants are requesting to sever an unused portion of the church lands (2.285 hectares) for a boundary adjustment; these lands will be added to the adjacent lands (251 Mount Pleasant Road) to facilitate future residential development of the combined lands.

The proposed lot dimensions are detailed below:

Lot Dimension	Land to be Severed (Part 1)	Boundary Adjustment: Severed and Receiving Lands (Part 1 and Part 3)	Retained Lands (Part 2)
Lot Width	(no frontage)	77.33 m	258 m
Lot Area	2.285 ha	2.65 ha	10.13 ha

DECISION: PROVISIONAL APPROVAL

DATE: June 7, 2023

THAT Application B22/2023 to transfer a 2.285 ha parcel of land from the northeastern portion of the lands municipally addressed as 287-293 Mount Pleasant Road, to the lands municipally addressed as 251 Mount Pleasant Road, BE APPROVED, subject to the following conditions;

- 1. Receipt of confirmation that all taxes are paid up to date.
- 2. Receipt of a registered reference plan showing the severed, retained and receiving lands.
- 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 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 being the subject of this consent;
- 5. The Owner/Applicant shall provide confirmation that there are no existing cemetery plots located on the lands to be severed.
- Receipt of an Undertaking from the Solicitor acting in the transfer confirming that the 2.285 ha of severed lands from 287-293 Mount Pleasant Road will be merged in title with the property municipally addressed as 251 Mount Pleasant Road.
- 7. 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.
- 8. Receipt of confirmation from the Development Engineering Department indicating that their requirements have been satisfied.
- 9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before June 20, 2025 after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is 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 of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is 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 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. 2023-371."

Electronically signed by V. Kershaw, Chair

Electronically signed by T. Cupoli, Member

Electronically signed by G. Kempa, Member

Electronically signed by M. Simpson Member

CERTIFICATION

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

Saral Mague

Secretary-Treasurer

APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning* Act), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) of the *Planning* Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

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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 last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is <u>July 10, 2023</u>

END OF DECISION

Electronically signed by M. Bodnar Member

Absent - T. Gaskin Member

Electronically signed by J. Panag, Member

ADDITIONAL INFORMATION

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

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.

