



THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD - ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A26/2021
Related File Number: N/A
Address: 63 Wharfe Street
Roll Number: 290604000521000000
Applicant: Vicano Developments Limited
Owner: 2788845 Ontario Inc.

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 63 Wharfe Street. The applicant is proposing to construct a three (3) storey medical clinic with 106 above ground parking spaces and 40 underground parking spaces for a total of 146 parking spaces.

The City has concurrently received an application for Site Plan Control for the subject lands (SPC-11-21), which will address any outstanding design issues and ensure compliance with the Zoning By-law and the City's engineering standards, among other matters. To facilitate the proposed development, the applicant is seeking relief from Section 6.23.6.3 of Zoning By-law 160-90 to permit a minimum of one loading space for a medical clinic with a Gross Floor Area (GFA) of 4,100 m², whereas 3 loading spaces are required for non-residential uses with a GFA between 3,700 m² and 9,250 m². The actual proposed structure has a GFA of 4,037 m² which staff have rounded up to 4,100 m² for the purpose of this application to allow some flexibility in the design and overall size of the building, which could be altered during the Site Plan Control process, as well as to account for tolerances during the construction process. The applicant is aware of this change, and has no concerns.

DECISION: APPROVED

DATE: August 4, 2021

THAT Application A26/2021 requesting relief from Section 6.23.6.3 of Zoning By-law 160-90 to permit a minimum of one (1) loading space for a medical clinic with a Gross Floor Area (GFA) of 4,100 m², whereas a minimum of three (3) loading spaces are required for non-residential uses with a GFA between 3,700 m² and 9,250 m², BE APPROVED; and

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; 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 No. 2021-513."

Original signed by M. Bodnar,
Member

Original signed by T. Gaskin,
Member

Original signed by V. Kershaw,
Member

Original signed by K. Brooks,
Member

Original signed by G. Kempa,
Member

Original signed by L. Rynar,
Member

CERTIFICATION

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



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca

APPEALS

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) 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.

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

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

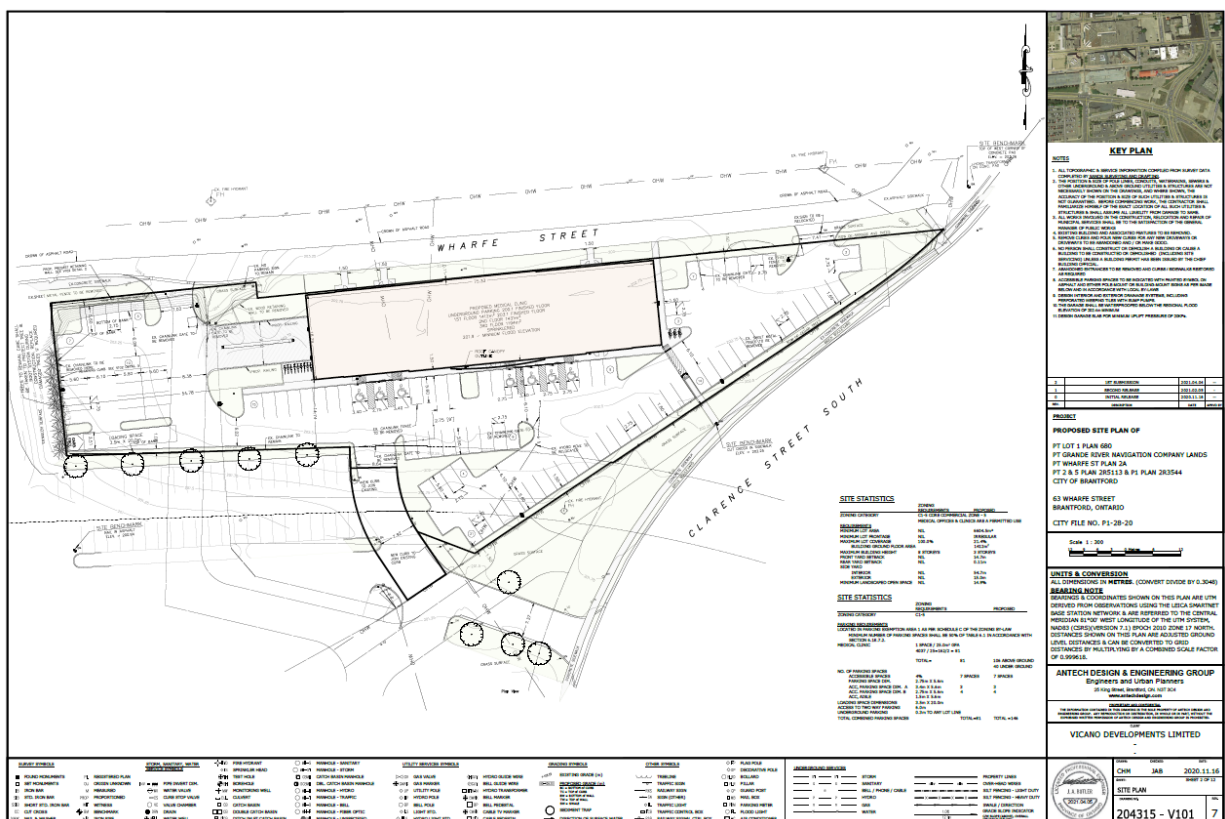
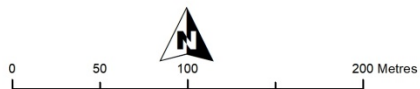
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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 August 24, 2021

END OF DECISION

Application: A26/2021
63 Wharfe Street

 SUBJECT LAND



THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A27/2021

Related File Number: A30/2021

Address: 501 Shellard Lane (Block 219)

Roll Number: Not assigned yet

Applicant: Losani Homes (Myles Smith)

Agent: MHBC Planning (Stephanie Mirtitsch)

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:

Two minor variance applications have been received for two blocks in a soon to be registered Plan of Subdivision municipally known as 501 Shellard Lane (being developed by Losani Homes – File No. 29T-16502). Application A27/2021 applies to Block 219, and Application A30/2021 applies to Block 222. The subject lands have currently not been assigned municipal addresses, as the Plan of Subdivision and corresponding Subdivision Agreement have not been registered for this phase and therefore the lots have not been created. The applicant is proposing to develop a combination of four-unit and six-unit street townhouse dwellings and in order to facilitate the development as proposed, the applicant is seeking relief from the following Section of Zoning By-law 160-90:

- Section 7.9.4.62.1.1 to permit a minimum lot area of 165 m², whereas a minimum lot area of 180 m² is required.

DECISION: APPROVED

DATE: August 4, 2021

THAT Application A27/2021 requesting relief from Section 7.9.4.62.1.1 of Zoning By-law 160-90 for Block 219 to permit a minimum lot area of 165 m², whereas a minimum lot area of 180 m² 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, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; 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 No. 2021-514.”

Original signed by M. Bodnar,
Member

Original signed by T. Gaskin,
Member

Original signed by V. Kershaw,
Member

Original signed by K. Brooks,
Member

Original signed by G. Kempa,
Member

Original signed by L. Rynar,
Member

CERTIFICATION

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



Deputy Secretary-Treasurer

ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sean House, Secretary-Treasurer, (519)759-4150 ext. 5761, shouse@brantford.ca or, Alexandra Mathers, Deputy Secretary-Treasurer, (519)759-4150 ext. 5440, amathers@brantford.ca

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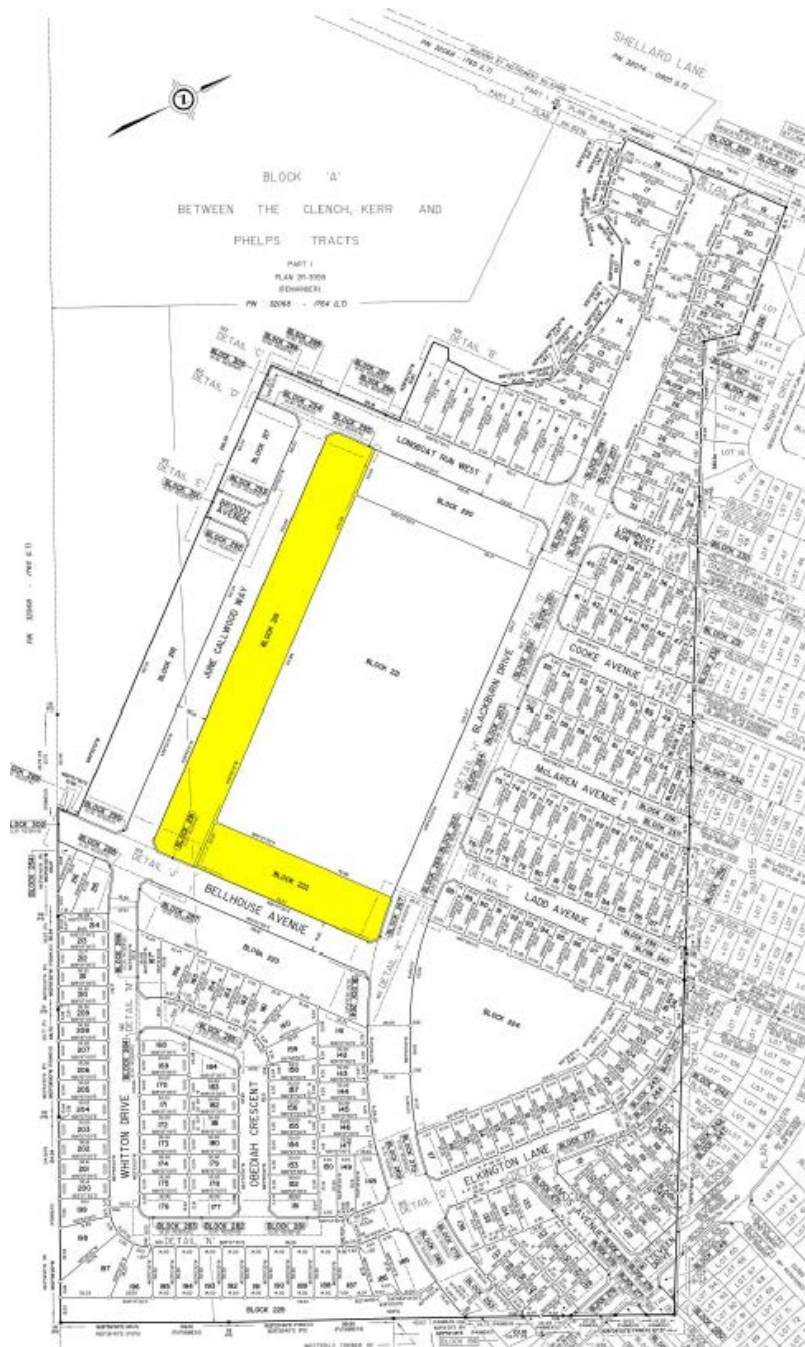
Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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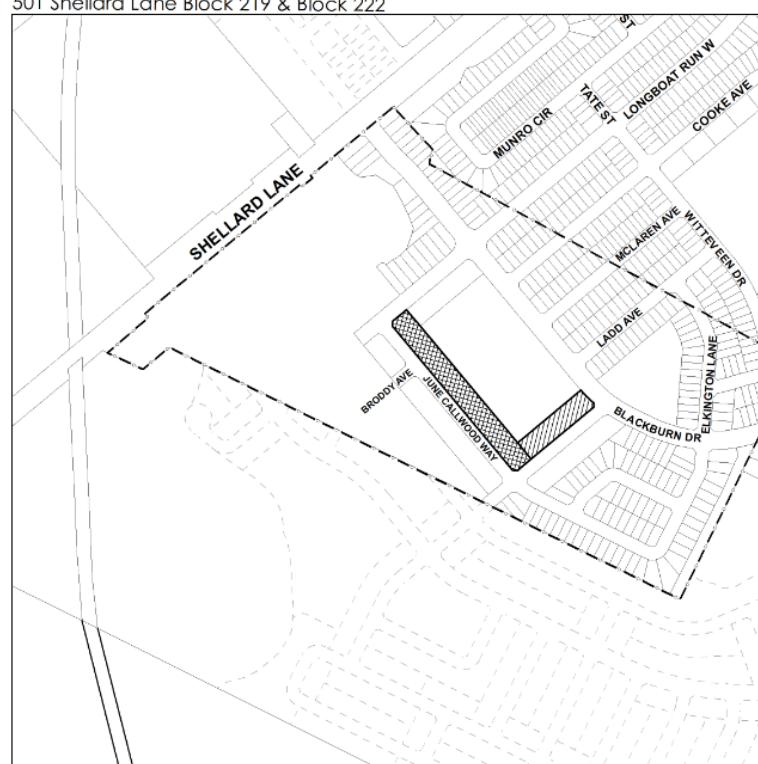
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is August 24, 2021

END OF DECISION



LOCATION MAP

Application: A27/2021 & A30/2021
501 Shellard Lane Block 219 & Block 222



Legend

501 Shellard Lane

Application A27/2021 & A30/2021 Subject land blocks

Block 219

Block 222





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A28/2021
Related File Number: N/A
Address: 371 St. Paul Avenue
Roll Number: 2906030008002000000
Applicant: Nav Virdi
Owner: Metro Ontario Real Estate Limited

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 371 St. Paul Avenue. The property is occupied by a supermarket known as Metro. The applicant is proposing to add an addition of approximately 56.6 m² to the eastern portion of the supermarket. The proposed addition will enclose an existing exterior concrete pad and loading area. To facilitate the development as proposed, the applicant is seeking relief from Section 9.8.3.63.5 of Zoning By-law 160-90 to permit a Gross Floor Area (G.F.A.) of 4,275 m², whereas a maximum GFA of 3,985 m² is required.

DECISION: APPROVED

DATE: August 4, 2021

THAT Application A28/2021 requesting relief from the City of Brantford Zoning By-law 160-90 to permit a Gross Floor Area (G.F.A.) of 4,275 m², whereas a maximum Gross Floor Area of 3,985 m² is permitted BE APPROVED;

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, 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 submission received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2021-510.”

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

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

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

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

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

**Original signed by L. Rynar,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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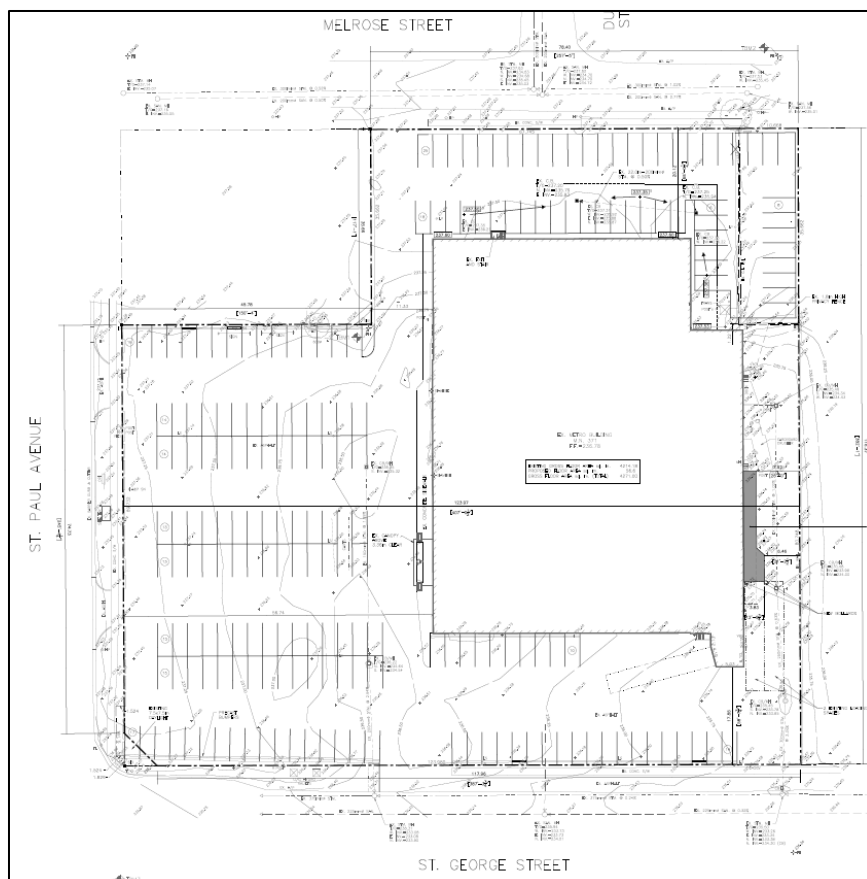
Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

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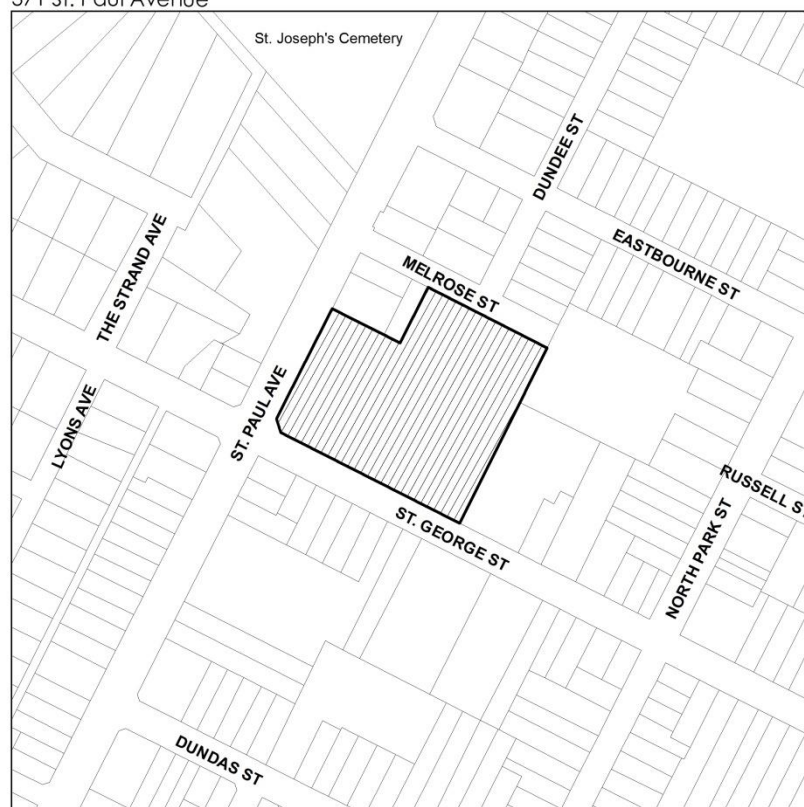
**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is August 24, 2021**

END OF DECISION



LOCATION MAP

Application: A28/2021
371 St. Paul Avenue



Legend

 SUBJECT LAND



THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A29/2021

Related File Number: B18/2021

Address: 11 Milton Street

Roll Number: 2906010009342000000

Applicants: Ken Benson, Lynn Benson, Ryan Benson & Danielle Benson

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 the lands municipally addressed as 11 Milton Street.

To facilitate the consent application, minor variances are required to provide relief from Zoning 160-90 for the following Sections:

- Section 7.3.2.1.1 to permit a lot area of 365 m² for the severed lot, and 416 m² for the retained lot, whereas 450 m² is required;
- Section 7.3.2.1.5 to permit a minimum front yard of 5.7 m for the severed lot, whereas 6.0 m or the Established Front Building Line, whichever is lesser is required; and,
- Section 7.3.2.1.6 to permit a rear yard of 3.0 m for the severed lot, and 6.5 m for the retained lot, whereas 7.5 m is required.

DECISION: DEFERRED

DATE: August 4, 2021

THAT Application A29/2021 seeking relief from the following Sections of Zoning By-law 160-90: Section 7.3.2.1.1 to permit a lot area of 365 m² (severed) and 416 m² (retained), whereas 450 m² is required; Section 7.3.2.1.5 to permit a minimum front yard of 5.7 m for the severed lot, whereas 6 m or the established front building line, whichever is lesser is required; and Section 7.3.2.1.6 to permit a rear yard of 6.5 m (retained) and 3.0 m (severed) provided that a minimum 6.5 m side yard is maintained for one of the side yards of the severed lot, whereas a rear yard of 7.5 m is required BE DEFERRED for two meeting cycles for the following reason;

- To allow staff to consult with the applicant to investigate a revised application limited to a single story dwelling with a similar footprint, placement of the mature trees and off-street parking:

THAT pursuant to Section 53(17) – (18.2) and 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 No. 2021-485.”

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

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

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

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

**Original signed by G. Kempa,
Member
Original signed by L. Rynar,
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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APPEALS

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Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
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N3T 2M3

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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is August 24, 2021**

END OF DECISION



August 5, 2021

THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: A30/2021

Related File Number: A27/2021

Address: 501 Shellard Lane (Block 222)

Roll Number: Not assigned yet

Applicant: Losani Homes (Myles Smith)

Agent: MHBC Planning (Stephanie Mirtitsch)

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:

Two minor variance applications have been received for two blocks in a soon to be registered Plan of Subdivision municipally known as 501 Shellard Lane (being developed by Losani Homes – File No. 29T-16502). Application A27/2021 applies to Block 219, and Application A30/2021 applies to Block 222. The subject lands have currently not been assigned municipal addresses, as the Plan of Subdivision and corresponding Subdivision Agreement have not been registered for this phase and therefore the lots have not been created. The applicant is proposing to develop a combination of four-unit and six-unit street townhouse dwellings and in order to facilitate the development as proposed, the applicant is seeking relief from the following Section of Zoning By-law 160-90:

- Section 7.9.4.62.1.1 to permit a minimum lot area of 165 m², whereas a minimum lot area of 180 m² is required.

DECISION: APPROVED

DATE: August 4, 2021

THAT Application A30/2021 requesting relief from Section 7.9.4.62.1.1 of Zoning By-law 160-90 for Block 222 to permit a minimum lot area of 165 m², whereas a minimum lot area of 180 m² 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, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the land; 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 No. 2021-514.”

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

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

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

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

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

**Original signed by L. Rynar,
Member**

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Deputy Secretary-Treasurer

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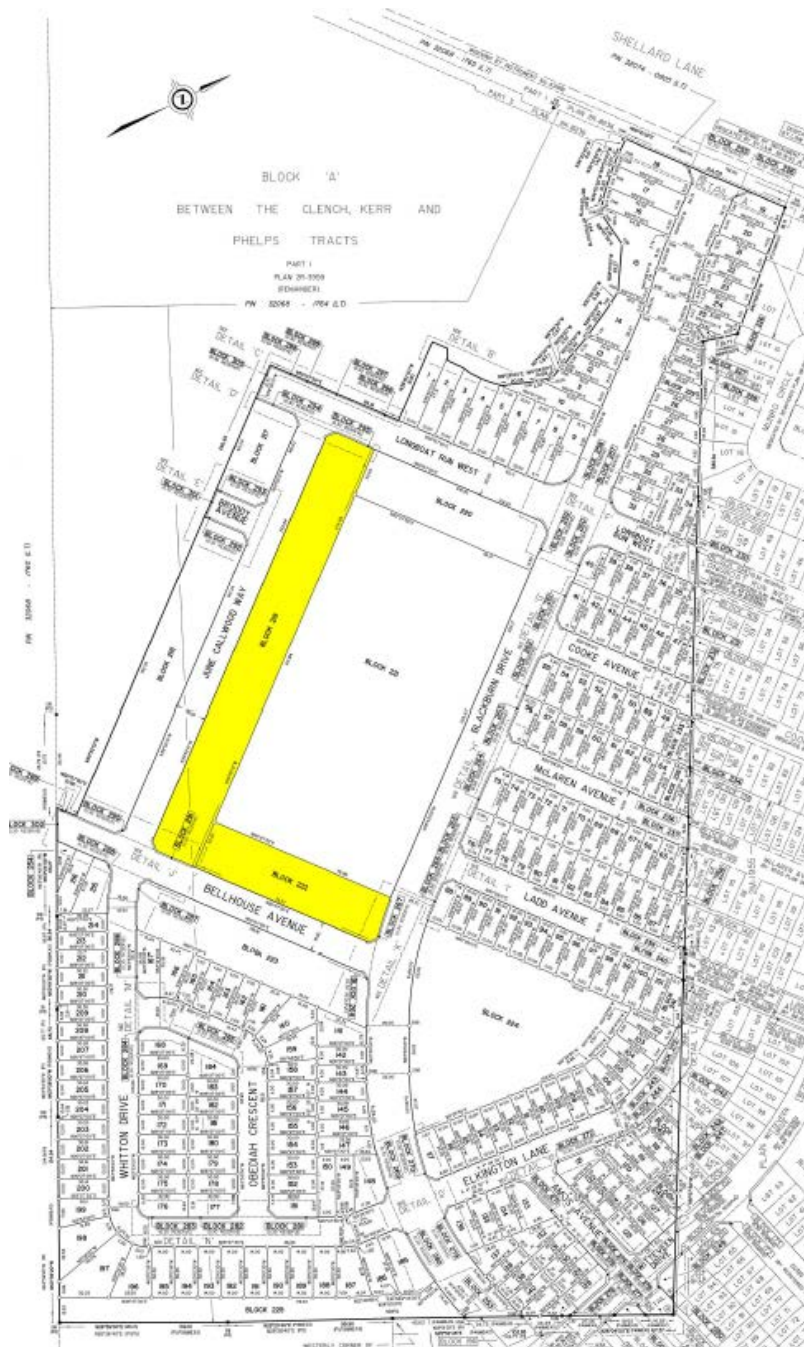
Secretary-Treasurer
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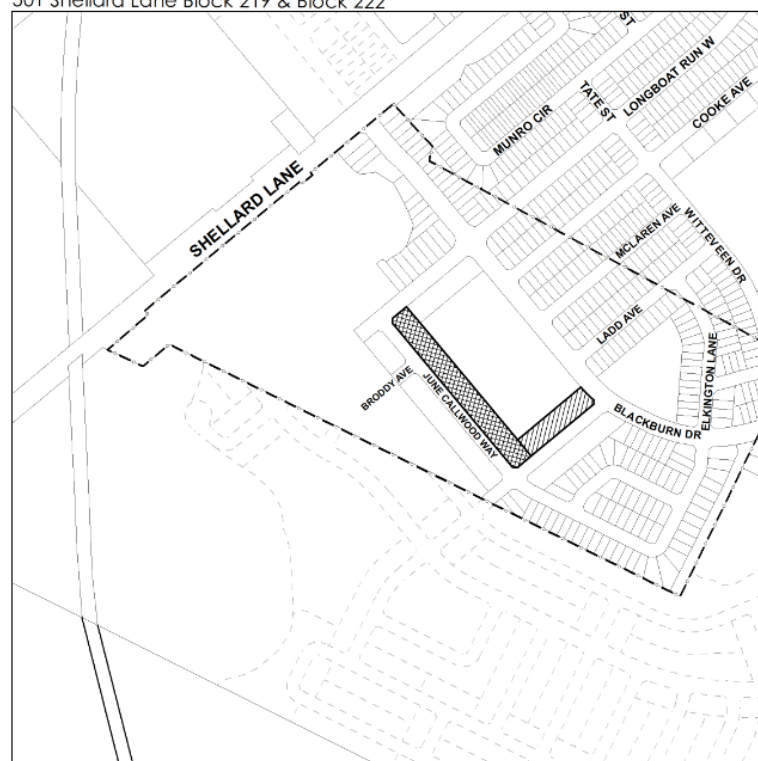
**The last date for filing a notice of appeal to the Ontario Land Tribunal of this
Decision is August 24, 2021**

END OF DECISION



LOCATION MAP

Application: A27/2021 & A30/2021
501 Shellard Lane Block 219 & Block 222



Legend

501 Shellard Lane

Application A27/2021 & A30/2021 Subject land blocks

Block 219

Block 222





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL - 100 WELLINGTON SQUARE - BRANTFORD – ON N3T 2M3
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

File Number: B18/2021

Related File Number: A29/2021

Address: 11 Milton Street

Roll Number: 2906010009342000000

Applicants: Ken Benson, Lynn Benson, Ryan Benson, Danielle Benson

**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 the lands municipally addressed as 11 Milton Street. The applicant is proposing to sever the existing property into two lots for the purposes of developing a single detached dwelling on the severed lands. The existing single detached dwelling on the retained lands will remain. The proposed lot dimensions are as follows:

	<i>Lands to be Severed</i>	<i>Lands to be Retained</i>
<i>Lot Width</i>	22.8 m	16 m
<i>Lot Depth</i>	16 m	25.9 m
<i>Lot Area</i>	365 m ²	416 m ²

DEFERRAL

DECISION:

DATE: August 4, 2021

THAT Application B18/2021 to sever a parcel of land from the east portion of the lands municipally addressed as 11 Milton Street, having a lot area of 365 m² and retain a parcel of land having a lot area of 416 m², BE DEFERRED for two meeting cycles for the following reason:

- To allow staff to consult with the applicant to investigate a revised application limited to a single story dwelling with a similar footprint, placement of the mature trees and off-street parking:

THAT pursuant to Section 53(17) – (18.2) and 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:

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Original signed by V. Kershaw,
Member

Original signed by M. Bodnar,
Member

Original signed by K. Brooks,
Member

Original signed by T. Gaskin,
Member

Original signed by G. Kempa,
Member

Original signed by L. Rynar,
Member

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Secretary-Treasurer

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

Secretary-Treasurer
Committee of Adjustment
100 Wellington Square
Brantford ON
N3T 2M3

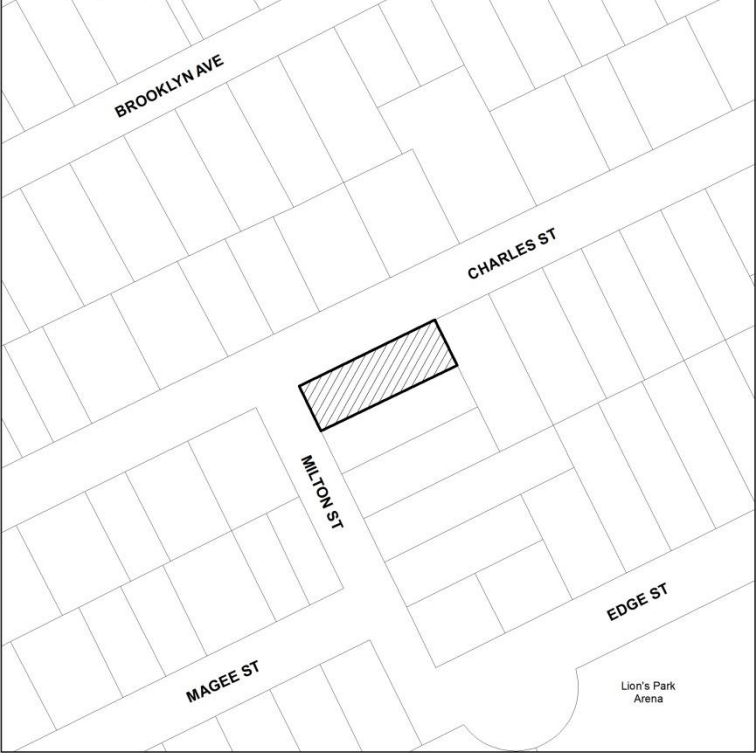
If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

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 August 25, 2021

END OF DECISION

LOCATION MAP
Application: B18/2021 & A29/2021
11 Milton Street



Legend
[Hatched Box] SUBJECT LAND

