



## COMMITTEE OF ADJUSTMENT AGENDA

Thursday, December 4, 2025

5:30 p.m.

Charlie Ward Room, Brantford City Hall

58 Dalhousie Street, Brantford

This meeting will be held in a hybrid format (virtual and in-person). A request to delegate can be completed by visiting the City's webpage [Speaking at a Council Meeting](#).

To join this hybrid meeting, please call 1-647-374-4685 and enter the Meeting ID 994 9903 5213 or join via [Zoom Meetings](#).

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Pages

1. **Roll Call**

2. **Declarations of Conflict of Interest**

3. **Statutory Public Meetings**

3.1 **Application B19-2025 – 131 Savannah Oaks Drive and 60 Zatonski Avenue, 2025-588**

5

**Agent – CB Planning c/o Cynthia Baycetch**

**Applicant/Owner – Skyline Commercial Real Estate Holdings Inc.**

- A. THAT consent application B19-2025 to sever a parcel of land from 131 Savannah Oaks Drive and 60 Zatonski Avenue, having a frontage of 156.8 m and a lot area of 18,107.63 m<sup>2</sup>, and to retain a parcel of land having a frontage of 107.7 m and a lot area of 13,534.36 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2025-588;
- B. 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,

- C. 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. 2025-588”.

### 3.2 Application B20-2025, B21-2025 - 6 Lyons Avenue, 2025-592

18

**Agent – J.H Cohoon Engineering c/o Robert Phillips**

**Applicant/Owner – 1361850 Ontario Ltd. c/ Jack Ciommo**

- A. THAT consent application B20-2025 to sever a parcel of land from the rear portion of 6 Lyons Avenue (Lot 81), having a width of 10.5 m and a lot area of 195.47 m<sup>2</sup>, to be merged with lands severed from 6 Lyons (lot 82) through consent application B21-2025 to create a new residential lot, and to retain a parcel of land having a frontage of 15.09 m and a lot area of 452.0 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2025-592;
- B. THAT consent application B21-2025 to sever a parcel of land from 6 Lyons Avenue (Lot 82), having a frontage on Lawrence Street of 10.5 m and a lot area of 133.66 m<sup>2</sup>, to be merged with lands severed from 6 Lyons Avenue (Lot 81) through consent application B20-2025 to create a new residential lot, and to retain a parcel of land having a frontage on Lyons Avenue of 12.7 m and a lot area of 381 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix B of Report No. 2025-592;
- C. 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,
- D. 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. 2025-592”.*

### **3.3 Application A33-2025 – 45 Golfdale Road, 2025-590**

36

**Agent – Tom Trignani**

**Applicant/Owner – Marisa Trignani**

- A. THAT minor variance application A33-2025 seeking relief from Section 3.1, Table 3.1.a.6.b of Zoning By-law 124-2024 to permit a maximum height of 6.75 m for an accessory structure containing an additional dwelling unit, whereas 4.5 m is otherwise the permitted maximum height BE APPROVED;
- B. 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,
- C. 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. 2025-590”.

### **3.4 Application A31-2025 – 28 Lawrence Street, 2025-580**

49

**Agent – Terry MacKinnon**

**Applicant/Owner – Terry MacKinnon**

- A. THAT application A31-2025-requesting permission under Section 45(2)(a)(ii) of the Planning Act to permit the enlargement or extension of a legal non-conforming use, a Single Detached Dwelling, to facilitate the construction of an Accessory Structure containing an Additional Dwelling Unit (ADU), BE APPROVED;
- B. THAT minor variance application A31-2025 seeking relief from Section 3.1 Table 3.1.a.6 of Zoning By-law 124-2024 to permit a maximum building height of 4.8 m for the proposed Accessory Structure, whereas a maximum of 4.5 m is otherwise required, BE APPROVED;
- C. THAT minor variance application A31-2025 seeking relief from

Section 3.1.a.7 of Zoning By-law 124-2024 to permit a lot coverage of 12.3% for all accessory structures, whereas a maximum of 10% is otherwise permitted, BE APPROVED;

- D. THAT the reasons for the approval of the minor variance application are as follows: the proposed enlargement of the legal non-conforming use is considered desirable for the appropriate development and use of land and will not create undue adverse impacts on surrounding properties; the proposed minor variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- E. THAT pursuant to 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: “Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-580”.

#### **4. Presentations/Delegations**

#### **5. Items for Consideration**

#### **6. Consent Items**

##### **6.1 Minutes**

##### **6.1.1 Committee of Adjustment - November 5, 2025**

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#### **7. Resolutions**

#### **8. Notices of Motion**

#### **9. Adjournment**



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**Date** December 4, 2025 **Report No.** 2025-588

**To** Chair and Members  
City of Brantford Committee of Adjustment

**From** Iris Tong  
Intermediate Development Planner

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### 1.0 Type of Report

Application(s) for Consent and/or Minor Variance  [X]  
Item for Consideration or Consent  [ ]

### 2.0 Topic **Application B19-2025 – 131 Savannah Oaks Drive and 60 Zatonski Avenue**

**Agent – CB Planning c/o Cynthia Baycetch**

**Applicant/Owner – Skyline Commercial Real Estate Holdings Inc.**

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### 3.0 Recommendation

- A. THAT consent application B19-2025 to sever a parcel of land from 131 Savannah Oaks Drive and 60 Zatonski Avenue, having a frontage of 156.8 m and a lot area of 18,107.63 m<sup>2</sup>, and to retain a parcel of land having a frontage of 107.7 m and a lot area of 13,534.36 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2025-588;
- B. 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,

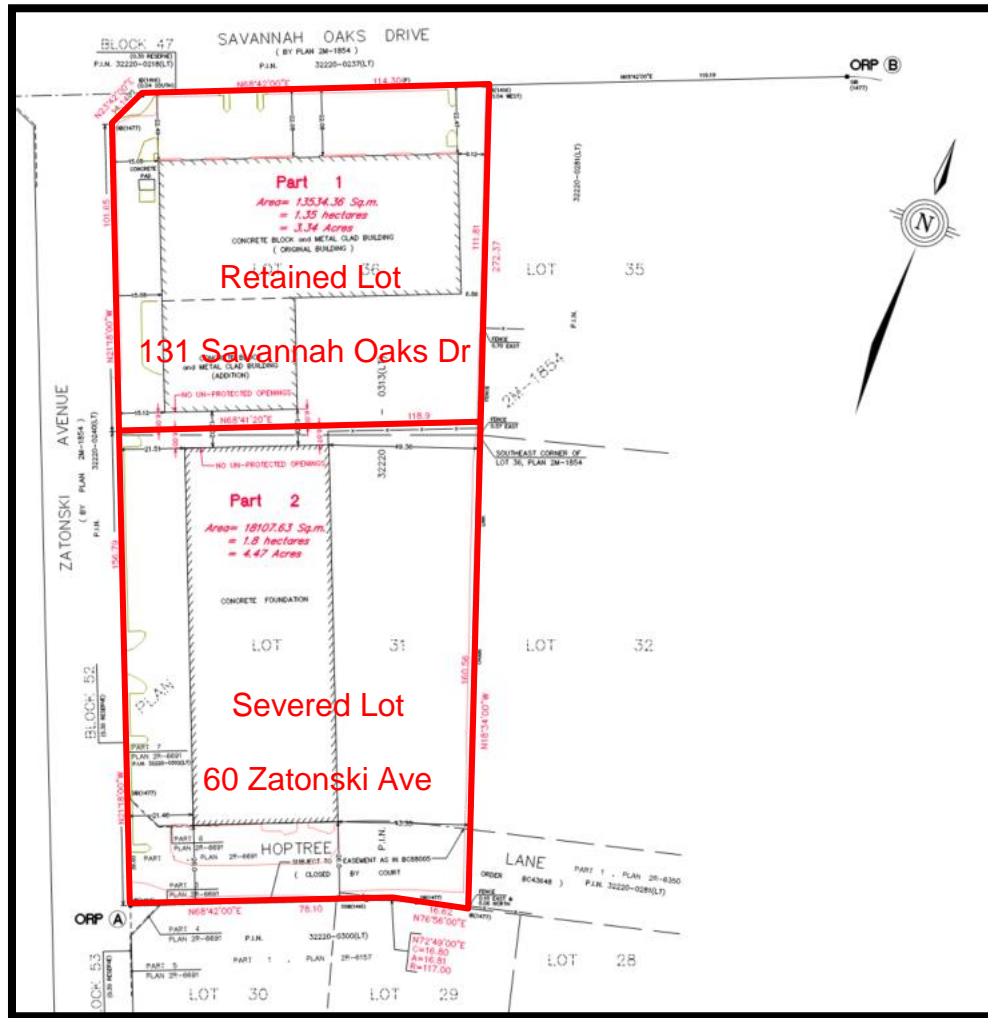
- C. THAT pursuant to Sections 53(17) – (18.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: “Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-588”.

#### 4.0 Purpose and Description of Application(s)

Table 1 - Description of Application(s)

Application Details	
Type of Application	Consent
Purpose of Application	To sever the subject lands into two (2) parcels to facilitate the recreation of the original lot line between two existing buildings municipally known as 131 Savannah Oaks Drive and 60 Zatonski Avenue, as shown in <b>Figure 1</b> .  The proposed lot dimensions for the Retained and Severed Parcel(s) are shown in <b>Table 2</b> .
Additional Relevant Information	
Previous Applications	SPC-32-05, SPC-01-10, SPC-23-19
Concurrent Planning Applications	N/A
Any other relevant information	These lots were originally created through Plan of Subdivision 2M-1854. In 2011, in order to merge the lots into one lot, By-law 27-2011 was passed deeming the lots to not be lots within the registered plan of subdivision. The applicant is now looking to have the lots severed into two lots similar to what was originally approved through the subdivision.

Figure 1 – Severance Sketch



(see Attachment for larger resolution)

Table 2 - Lot Dimensions for Severance

Regulation	By law Section	Required	Retained Lot	Severed Lot
Lot Area (minimum)	Section 10.3 Table 10.3.2	1,800 m <sup>2</sup>	13,534.36 m <sup>2</sup>	18,107.63 m <sup>2</sup>
Lot Width (minimum)	Section 10.3 Table 10.3.1	30 m	107.7 m	156.8 m

**Table 3 – Information on the Subject Lands**

Site Details									
Site Features	<p>The site features on the subject lands include:</p> <ul style="list-style-type: none"> <li>• Two (2) industrial buildings</li> </ul> <p>See <b>Figure 2</b> - Photo of Retained Lot, <b>Figure 3</b> – Photo of Severed Lot, and <b>Figure 4</b> – Aerial Photo of the Subject Lands</p>								
Surrounding Context	<p>The following are the surrounding features/uses of the subject lands:</p> <table style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;"><b>North</b></td> <td>Employment Uses / Savannah Oaks Drive</td> </tr> <tr> <td><b>South</b></td> <td>Employment Uses</td> </tr> <tr> <td><b>East</b></td> <td>Employment Uses</td> </tr> <tr> <td><b>West</b></td> <td>Employment Uses / Zatonski Avenue</td> </tr> </table>	<b>North</b>	Employment Uses / Savannah Oaks Drive	<b>South</b>	Employment Uses	<b>East</b>	Employment Uses	<b>West</b>	Employment Uses / Zatonski Avenue
<b>North</b>	Employment Uses / Savannah Oaks Drive								
<b>South</b>	Employment Uses								
<b>East</b>	Employment Uses								
<b>West</b>	Employment Uses / Zatonski Avenue								

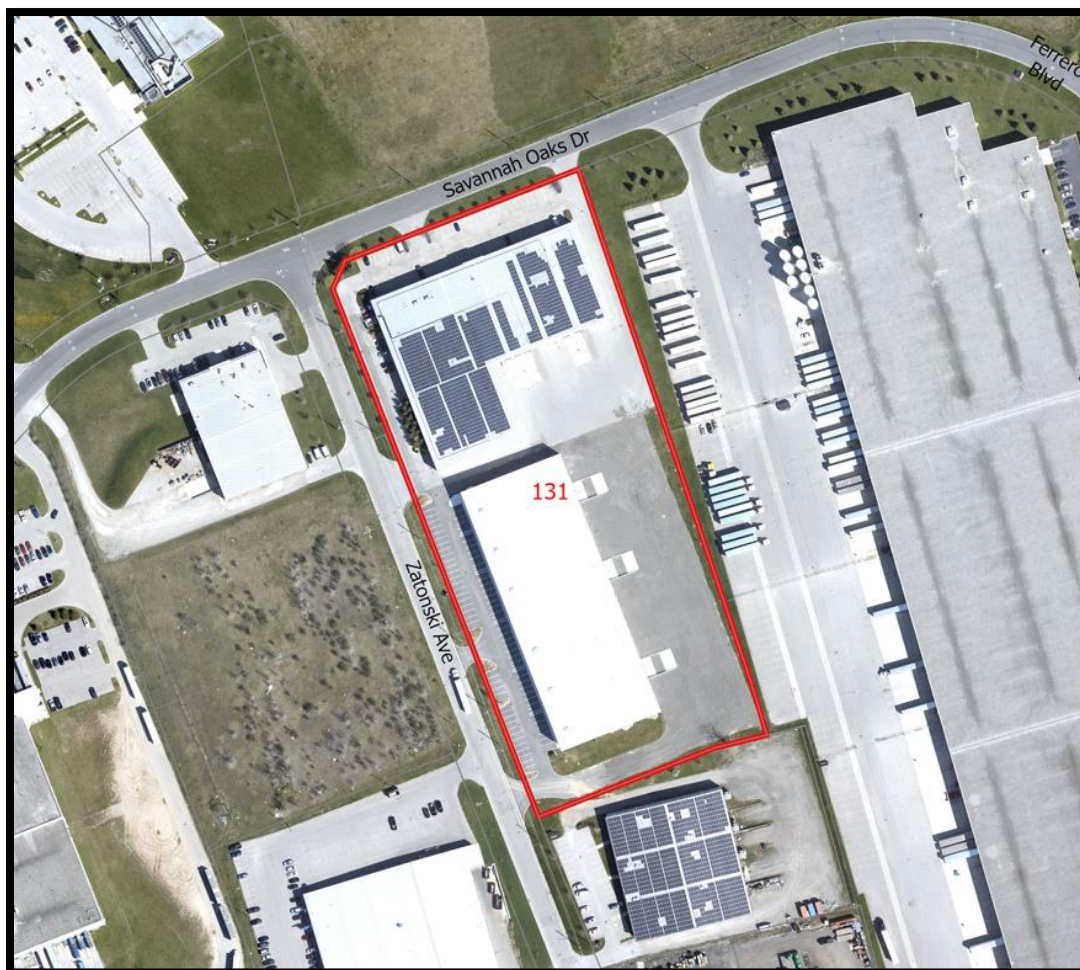
**Figure 2 – Photo of Retained Lot (131 Savannah Oaks Drive), View from Zatonski Avenue**



Figure 3 – Photo of Severed Lot (60 Zatonski Avenue), View from Zatonski Avenue



Figure 4 – Aerial Photo of the Subject Lands



## 5.0 Input from Other Sources

### 5.1 Technical Comments

The application was circulated to all applicable departments and agencies on October 17, 2025.

The notable comments are summarized below.

Table 4 - Technical Comments

Department/Agency	Comments
<b>MCFN</b>	No questions or comments at this time.
<b>Environmental Services</b>	Each parcel-property must be serviced with water independently. Planning Staff included this requirement as a condition of consent in <b>Appendix A</b> .
<b>Transportation</b>	An access easement, registered on title may be required for the driveway along Zatonski Avenue, closest to the Savannah Oaks Drive, if the intent is for this driveway to continue to be used by the severed parcel. Applicant confirmed and Planning Staff included this requirement as a condition of consent in <b>Appendix A</b> .
<b>Source Water Protection</b>	The property is located within the Intake Protection Zone (IPZ-2-v.9) however this consent application does not require the Restricted Land Use Declaration form to be completed. There are no Source Water Protection requirements for this application.
<b>Development Engineering</b>	Development Engineering is supportive of the proposed severance but has offered some advisory comments to the applicant. Development Engineering Staff recommended several conditions of approval. Planning Staff included these requirements as conditions of consent in <b>Appendix A</b> .

### 5.2 Public Comments

This application was circulated for public comment on November 14, 2025, to property owners within 60 m of the subject lands pursuant to the *Planning Act*.

At the time of writing this report, no public comments on this application have been received.

## 6.0 Planning Staff Comments and Conclusion

The Subject Lands are designated “General Employment” in the City’s Official Plan and zoned “General Employment Exception 20 (GE-20)” and “General Employment Exception 11 (GE-11)” in Zoning By-law 124-2024, as shown in **Appendix B** and **Appendix C** respectively.

### 6.1 Planning Analysis for Consent

The *Planning Act* sets the standard to which provincial and local interests, policies, and goals are implemented. Section 51(24) of the Planning Act lists the criteria that the Committee of Adjustment must have regard for when considering a consent application, as summarized in the table below.

Table 5 - Consent Criteria

Criteria for Considering a Consent Application	Discussion
1. That the plan conforms to the Official Plan	<p>Section 9.3 (g – i) of the Official Plan also outlines criteria for the subdivision of land and stipulates when consents are appropriate which includes:</p> <ul style="list-style-type: none"> <li>a) when a Plan of Subdivision is deemed unnecessary and where the application conforms to the policies of the Official Plan,</li> <li>b) no more than three new lots are being created; and</li> <li>c) all lots have frontage on a municipal road and do not require that municipal services be extended.</li> </ul> <p>This application meets all the above criteria with the creation of one new lot. The two existing industrial buildings are a permitted use within the “General Employment” designation where a full range of industrial and employment uses are provided to contribute to the City’s economy. The subject site is adjacent to two fully serviced municipal roads. Staff are therefore of the opinion that the proposed severance conforms to the Official Plan.</p>
2. The dimensions and shapes of the proposed lot	As shown in <b>Table 2</b> , both the Retained and Severed Lot comply with the required lot area and lot width in the Zoning By-law 124-2024.

Criteria for Considering a Consent Application	Discussion
3. The adequacy of utilities and municipal services	Both the proposed severed and retained parcels will have frontage onto a fully serviced public road and complete independent services (water, sanitary and storm) are conditions of approval as listed in <b>Appendix A</b> .

## 6.2 Conclusion

Staff recommends approval of the subject application(s) for the following reasons:

- The application(s) satisfies Section 51(24) of the *Planning Act*, as detailed above.
- The proposal will facilitate the recreation of the original lot line between two existing buildings. The two new lots are desirable in size and shape and in Staff's opinion meet the criteria for consent.
- A site inspection was completed on October 30, 2025 and no issues were found.




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Prepared by:  
Iris Tong  
Development Planning  
November 27, 2025




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Reviewed by:  
Sean House, MCIP, RPP, Senior Project  
Manager of Development Planning  
November 27, 2025

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**APPENDIX A – Conditions of Consent (B19-2025)**

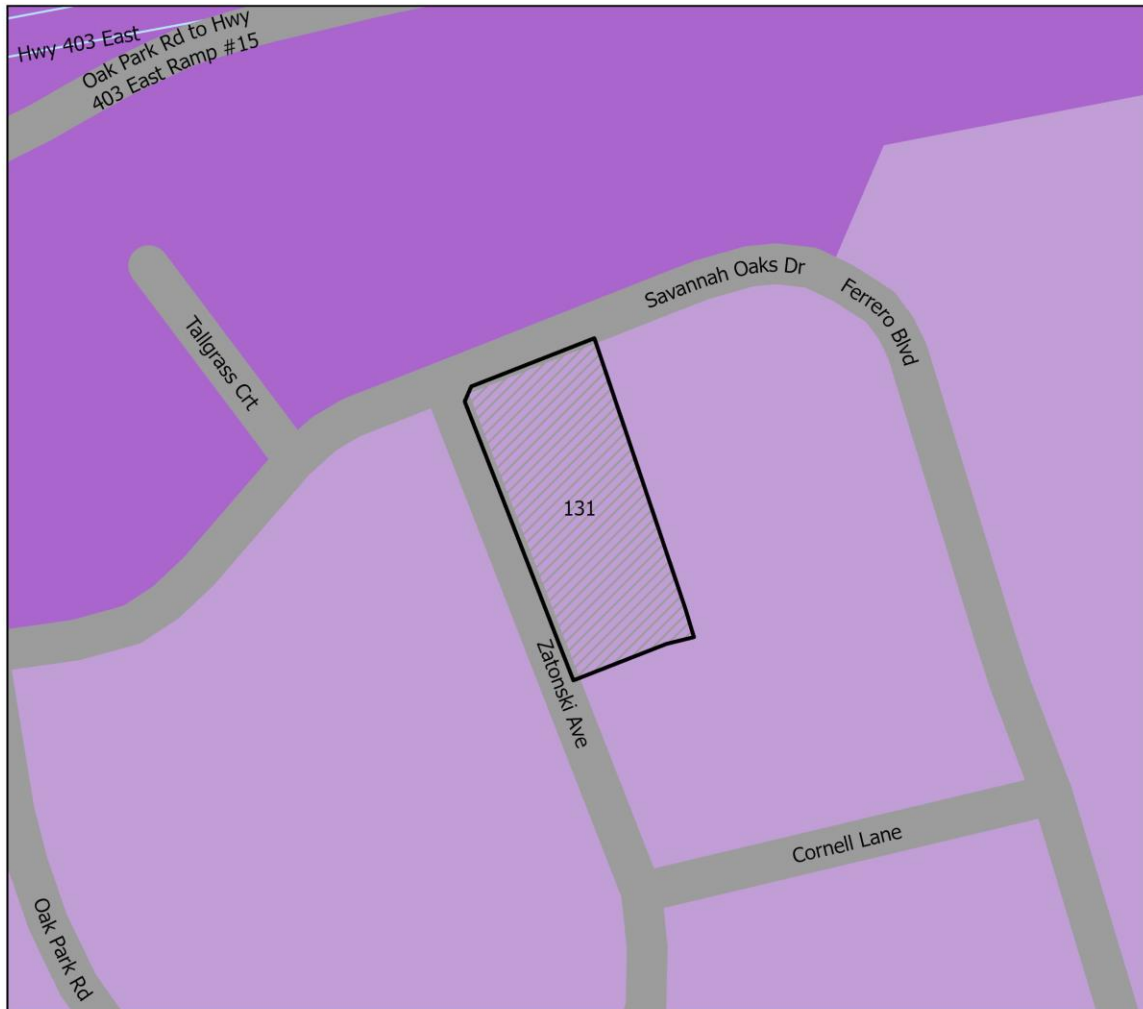
1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt of confirmation that all taxes are paid up to date.
3. Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*).
4. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a **Wastewater Allocation Request Form** has been submitted and approved.
5. 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.
6. 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.
7. 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 (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.
8. The Owner/Applicant shall submit a draft easement schedule for the severed and retained parcels of land to address matters of drainage to the satisfaction of the Manager of Development Engineering. The Owner/Applicant shall, together with the final version of the easement schedule, provide the City Solicitor an undertaking indicating that the easement schedules provided to the City are the final version to be registered and that upon registration of the easements on the severed and retained parcels, a copy shall be provided to the City.
9. The Owner/Applicant shall register reciprocal access easements in favour of both the severed and retained parcels. Such easements shall be illustrated and clearly identified on the registered Reference Plan to the satisfaction of the Manager of Development Engineering.

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10. The Owner/Applicant shall be responsible ***financially and otherwise, to provide water service*** 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. This includes obtaining a Water Service Connection Permit for each new service, obtaining a Right-of-Way Activity Permit prior to commencing any work within the City's road right-of-way and providing detailed servicing plans for review and comment to confirm that the location of the existing water service resides within the parcel that it will serve.
11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **December 5, 2027**, after which time the consent will lapse.

## APPENDIX B – Official Plan

### OFFICIAL PLAN EXCERPT MAP

Application: B19-2025  
131 Savaannah Oaks Drive/60 Zatonski Avenue



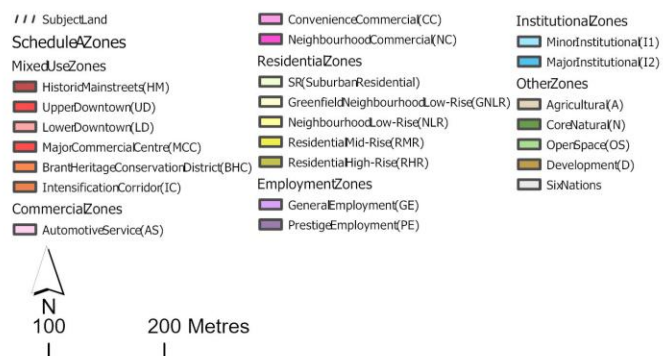
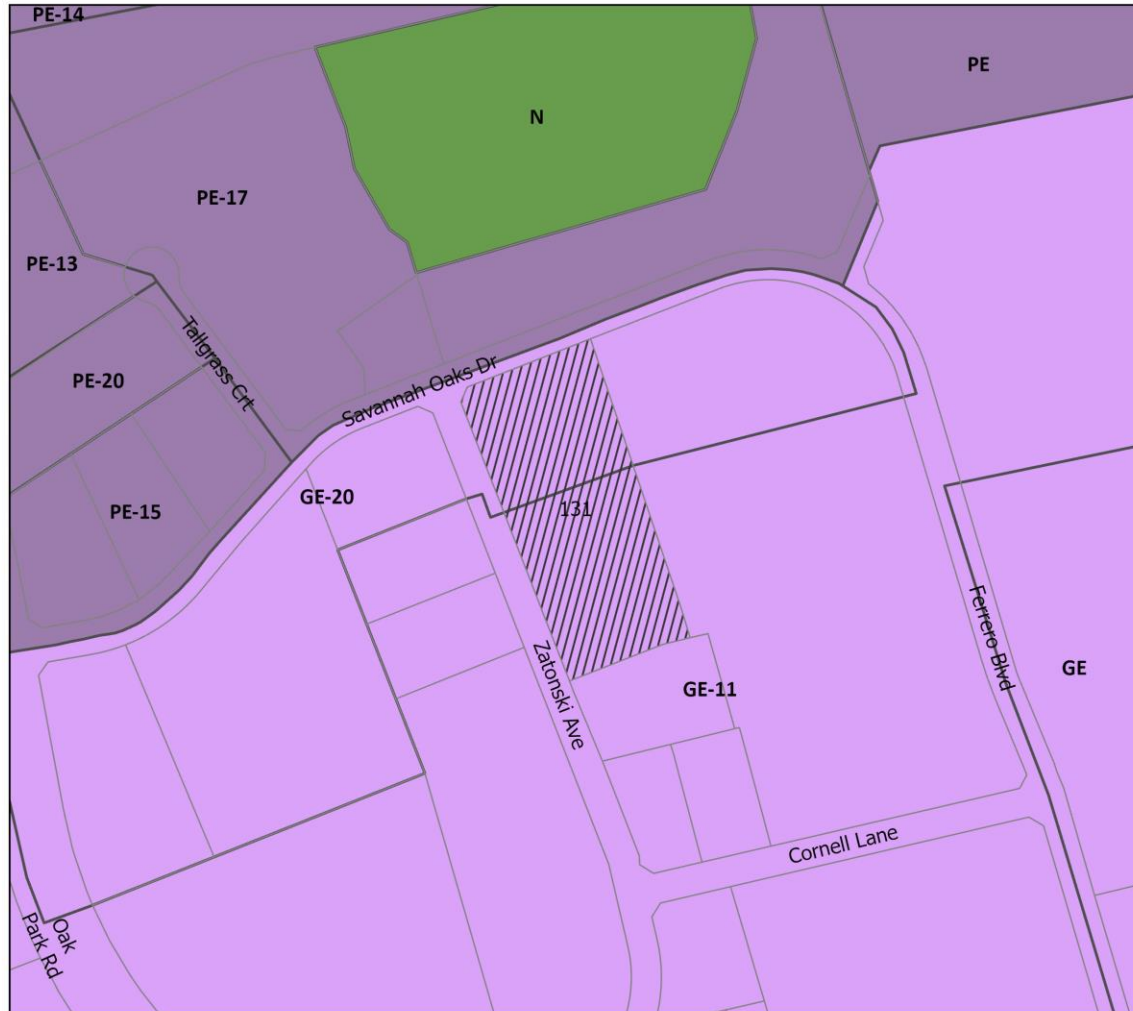
#### Legend

- |  |                                 |
|--|---------------------------------|
| Agricultural Designation                 | Prestige Employment Designation |
| Core Natural Areas Designation           | Commercial Mixed Use Corridor   |
| Residential Designation                  | General Employment Designation  |
| Major Institutional Designation          | Six Nations Territory           |
| Parks and Open Space Designation         | VIA Station                     |
| Downtown Urban Growth Centre Designation | Transit Terminal                |
| Major Commercial Centre Designation      | Subject Land                    |
| Intensification Corridor Designation     |                                 |

# APPENDIX C – Zoning By-law

## ZONING MAP (Bylaw 124-2024)

Application: B19-2025  
131 Savannah Oaks Drive/60 Zatonski Avenue



**METRIC**  
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

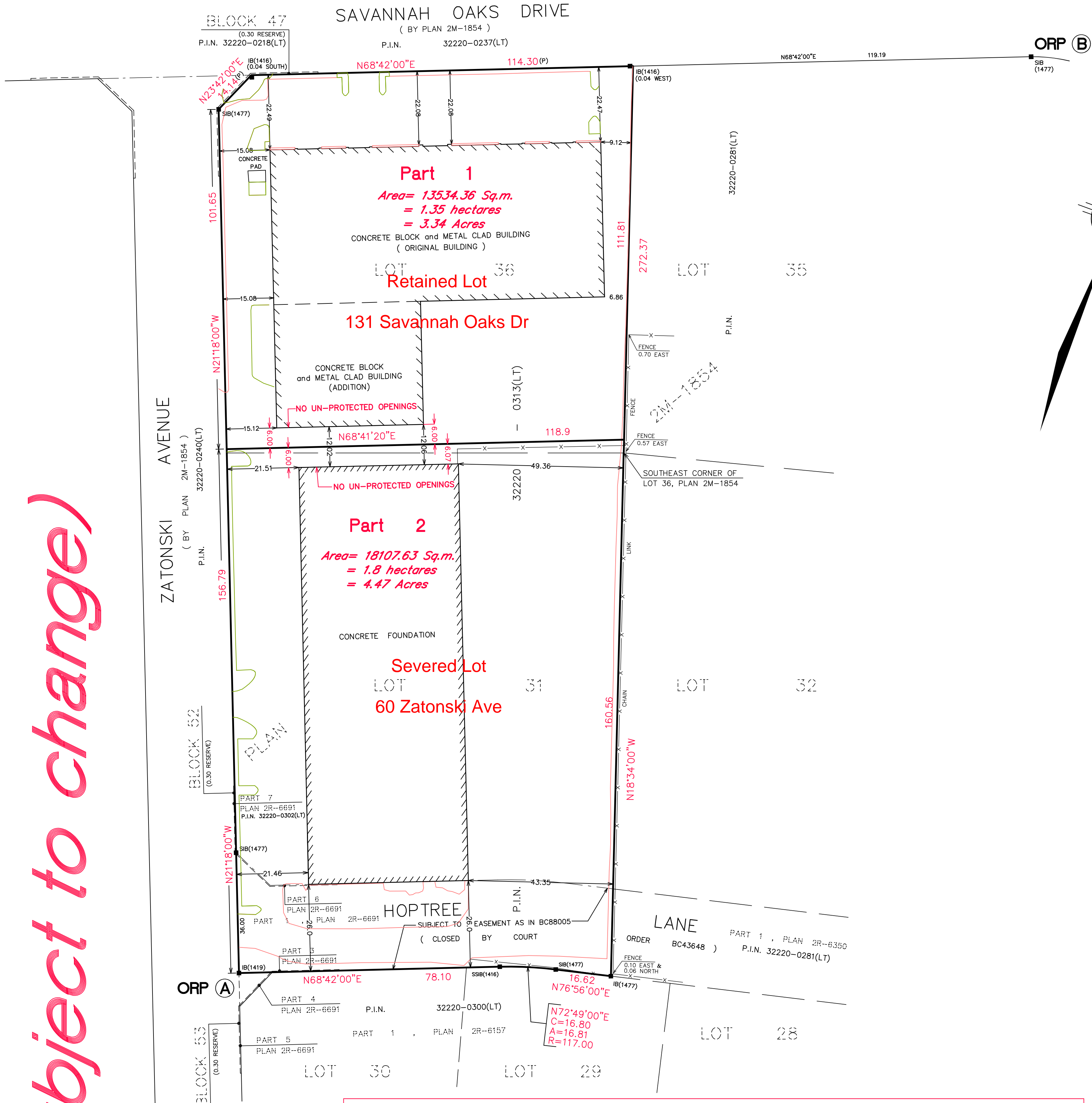
**PLAN OF SURVEY OF**  
**LOTS 31 and 36**  
**PARTS OF BLOCKS 52 and 53**  
**PART OF HOPTREE LANE**  
**(CLOSED BY COURT ORDER BC43648)**  
**PLAN 2M-1854**  
**CITY OF BRANTFORD**  
**SCALE - 1 : 750**



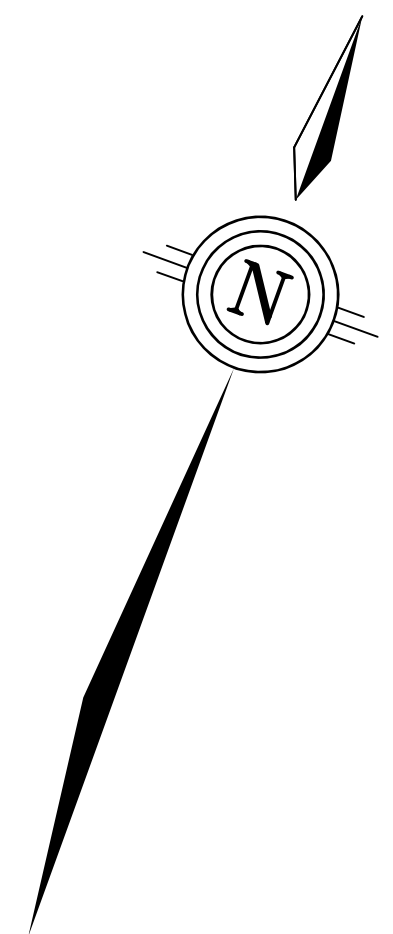
THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 941mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:750

MacAULAY, WHITE & MUIR LTD.

SCHEDULE			
PART	LOT	PLAN	P.I.N.



**DRAFT COPY**  
**(subject to change)**



SITE STATISTICS			
PROVISION	GENERAL EMPLOYMENT (GE) ZONE	Part 1 (Proposed)	Part 2 (Proposed)
1. MINIMUM LOT FRONTAGE	30m	107.7m	156.8m
2. MINIMUM LOT AREA	1800 Sq.m.	13534.36 Sq.m.	18107.63 Sq.m.
3. MINIMUM FRONT YARD SETBACK	6m	N/A	N/A
4. MINIMUM REAR YARD SETBACK ABUTTING ANOTHER GE or PE ZONE	3m	6.0m	N/A
5. MINIMUM REAR YARD SETBACK ABUTTING RESIDENTIAL ZONE	20m	N/A	N/A
6. MINIMUM REAR YARD SETBACK ABUTTING ANY OTHER ZONE	7.5m	N/A	N/A
7. MINIMUM INTERIOR SIDE YARD SETBACK ABUTTING A RESIDENTIAL ZONE	15m	N/A	N/A
8. MINIMUM INTERIOR SIDE YARD SETBACK ABUTTING ANY OTHER ZONE	3m	N/A	6.0m
9. MINIMUM EXTERIOR SIDE YARD SETBACK	6m	N/A	N/A
10. MAXIMUM BUILDING HEIGHT	20m	N/A	N/A
11. MINIMUM LANDSCAPE OPEN SPACE	10%	10%	10%
12. MINIMUM LANDSCAPE BUFFER ABUTTING A RESIDENTIAL ZONE	5m	N/A	N/A

**NOTE:**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999

ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED.

ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.

FOR BEARING COMPARISONS, A ROTATION OF 01°33'30" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON D2, D3, D5, D6 and P1.

ALL SET SSIB and PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

INTEGRATION DATA		
POINT ID	NORTHING	EASTING
ORP (A)	X	X
ORP (B)	X	X

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

THE RESULTANT TIE BETWEEN ORP (A) and ORP (B) IS N...°... 'E (GROUND)

**LEGEND**

□	DENOTES	SET MONUMENT
■	"	FOUND MONUMENT
IB	"	IRON BAR
SB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
IB#	"	ROUND IRON BAR
1416	"	S.M. RUUSKA, O.L.S.
1477	"	J.E. WHITE, O.L.S.
1419	"	H.L. HUPPERT, O.L.S.
P1	"	PLAN 2M-1864

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE DAY OF

DATED: \_\_\_\_\_ JIM JOHNSON  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM NUMBER V-\_\_\_\_\_

<p><b>MacAulay, White &amp; Muir Ltd.</b> ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS A Wholly Owned Subsidiary of J.D. Barnes Limited 1084 REST ACRES ROAD, UNIT #8, PARIS, ON N3L 0B5 Tel: (519) 752-0040 www.jdbarnes.com</p>	DRAWN: Ted S. Kutyla, CST, C.Tech  CHECKED: XXX, O.L.S.  Ref. No. 25-50-363-00
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**Date** December 4, 2025 **Report No.** 2025-592

**To** Chair and Members  
City of Brantford Committee of Adjustment

**From** Hailey Till  
Development Planner

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## 1.0 Type of Report

Application(s) for Consent and/or Minor Variance []  
Item for Consideration or Consent []

**2.0 Topic** **Application B20-2025, B21-2025 - 6 Lyons Avenue**

**Agent – J.H Cohoon Engineering c/o Robert Phillips**

**Applicant/Owner – 1361850 Ontario Ltd. c/ Jack Ciommo**

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## 3.0 Recommendation

- A. THAT consent application B20-2025 to sever a parcel of land from the rear portion of 6 Lyons Avenue (Lot 81), having a width of 10.5 m and a lot area of 195.47 m<sup>2</sup>, to be merged with lands severed from 6 Lyons (lot 82) through consent application B21-2025 to create a new residential lot, and to retain a parcel of land having a frontage of 15.09 m and a lot area of 452.0 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2025-592;
- B. THAT consent application B21-2025 to sever a parcel of land from 6 Lyons Avenue (Lot 82), having a frontage on Lawrence Street of 10.5 m and a lot area of 133.66 m<sup>2</sup>, to be merged with lands severed from 6 Lyons Avenue (Lot 81)

through consent application B20-2025 to create a new residential lot, and to retain a parcel of land having a frontage on Lyons Avenue of 12.7 m and a lot area of 381 m<sup>2</sup>, BE APPROVED, subject to the conditions listed in Appendix B of Report No. 2025-592;

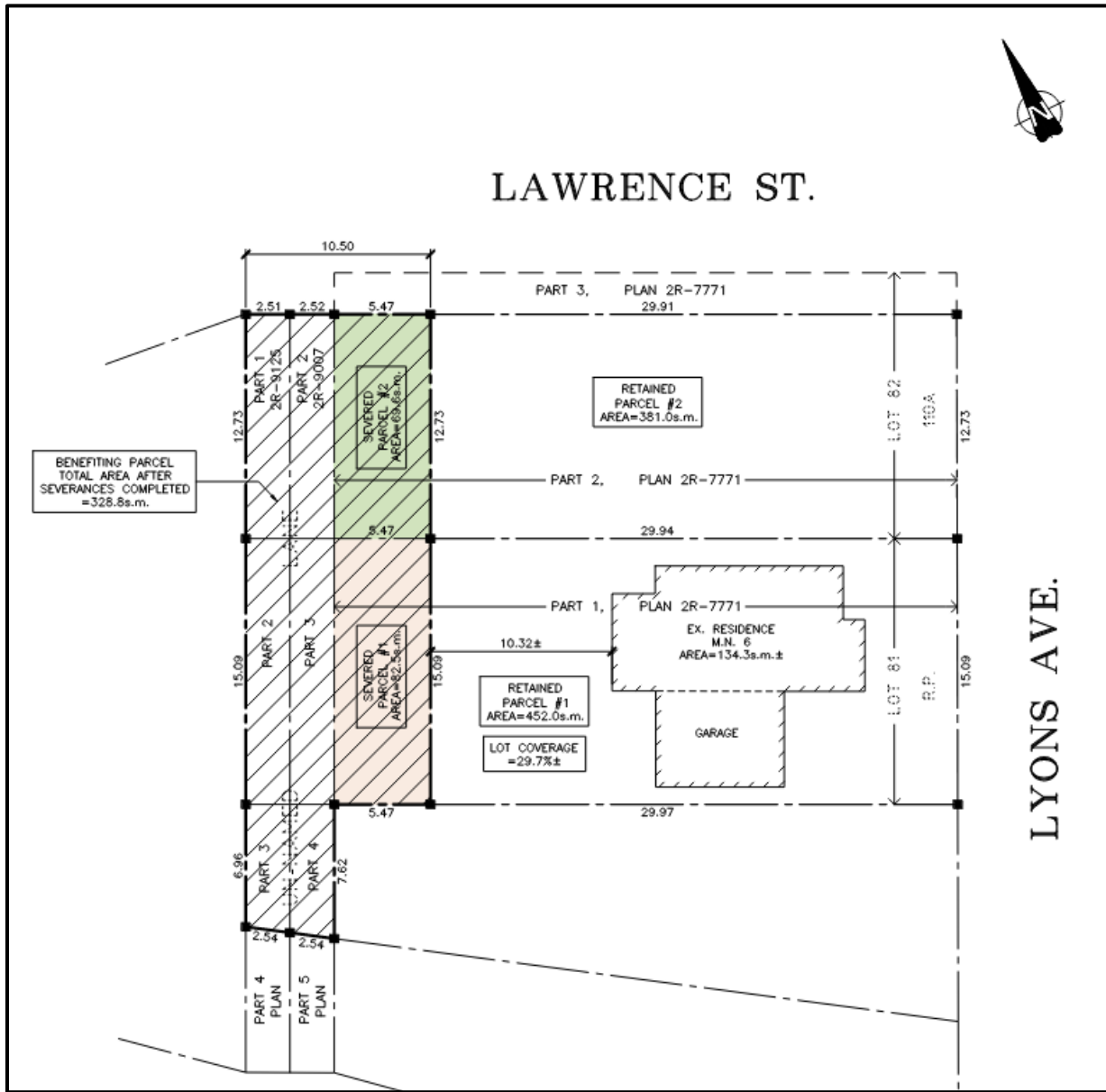
- C. THAT the reasons for approval of the consent application are as follows: the proposed consent has regard for the matters under Section 51(24) of the Planning Act and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law; and,
- D. 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. 2025-592”.*

#### 4.0 Purpose and Description of Application(s)

Table 1 - Description of Application(s)

Application Details	
Type of Application	Consent
Purpose of Application	To sever the rear of the two lots that make up 6 Lyons Avenue and form a third residential lot fronting onto Lawrence Street, as shown in Figure 1.
Additional Relevant Information	
Previous Applications	N/A
Concurrent Planning Applications	N/A
Any other relevant information	<ul style="list-style-type: none"> <li>The subject lands, 6 Lyons Avenue, is comprised of two lots in a registered plan of subdivision (Lots 81 &amp; 82, Plan 110A).</li> <li>The owner recently acquired land to the rear of these two lots and is seeking to merge the severed lands of application B20-2025 and B21-2025 to create a new residential lot</li> </ul>

Figure 1 –Severance Sketch



(see Attachment for larger resolution).

Table 2 - Lot Dimensions for Severance

Regulation	By law Section	Required	Retained Lot 1	Retained Lot 2	Severed Lot
<b>Lot Width</b> (minimum)	Section 7.4.1 Table 7.4.1.1	9 m	15.09 m	12.7 m	10.5 m
<b>Lot Area</b> (minimum)	Section 7.4.1 Table 7.4.1.2	270 m <sup>2</sup>	452 m <sup>2</sup>	381.0 m <sup>2</sup>	328 m <sup>2</sup>

Table 3 – Information on the Subject Lands

Site Details									
Site Features	<p>The site features on the subject lands include:</p> <ul style="list-style-type: none"> <li>• Single detached dwelling</li> <li>• Shed</li> <li>• Lot 81 Frontage 15.1 m, Area 646 m<sup>2</sup></li> <li>• Lot 82 Frontage 12.7 m, Area 585 m<sup>2</sup></li> <li>• Property line fronting Lawrence Street has significant vegetation coverage</li> <li>• The property slopes south towards Ridgewood Drive</li> </ul> <p>See <b>Figures 3,4, and 5</b> - Photo of the Subject Lands</p>								
Surrounding Context	<p>The following are the surrounding features/uses of the subject lands:</p> <table> <tbody> <tr> <td><b>North</b></td> <td>Single detached dwelling</td> </tr> <tr> <td><b>South</b></td> <td>Single detached dwelling/CN Railway</td> </tr> <tr> <td><b>East</b></td> <td>Single detached dwelling</td> </tr> <tr> <td><b>West</b></td> <td>Single detached dwelling</td> </tr> </tbody> </table>	<b>North</b>	Single detached dwelling	<b>South</b>	Single detached dwelling/CN Railway	<b>East</b>	Single detached dwelling	<b>West</b>	Single detached dwelling
<b>North</b>	Single detached dwelling								
<b>South</b>	Single detached dwelling/CN Railway								
<b>East</b>	Single detached dwelling								
<b>West</b>	Single detached dwelling								

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Figure 2: Aerial Photo



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Figure 3 – Photo of Retained Lot 1 (Lot 81), 6 Lyons



Figure 4 – Photo of Retained Lot 2 (Lot 82), 6 Lyons

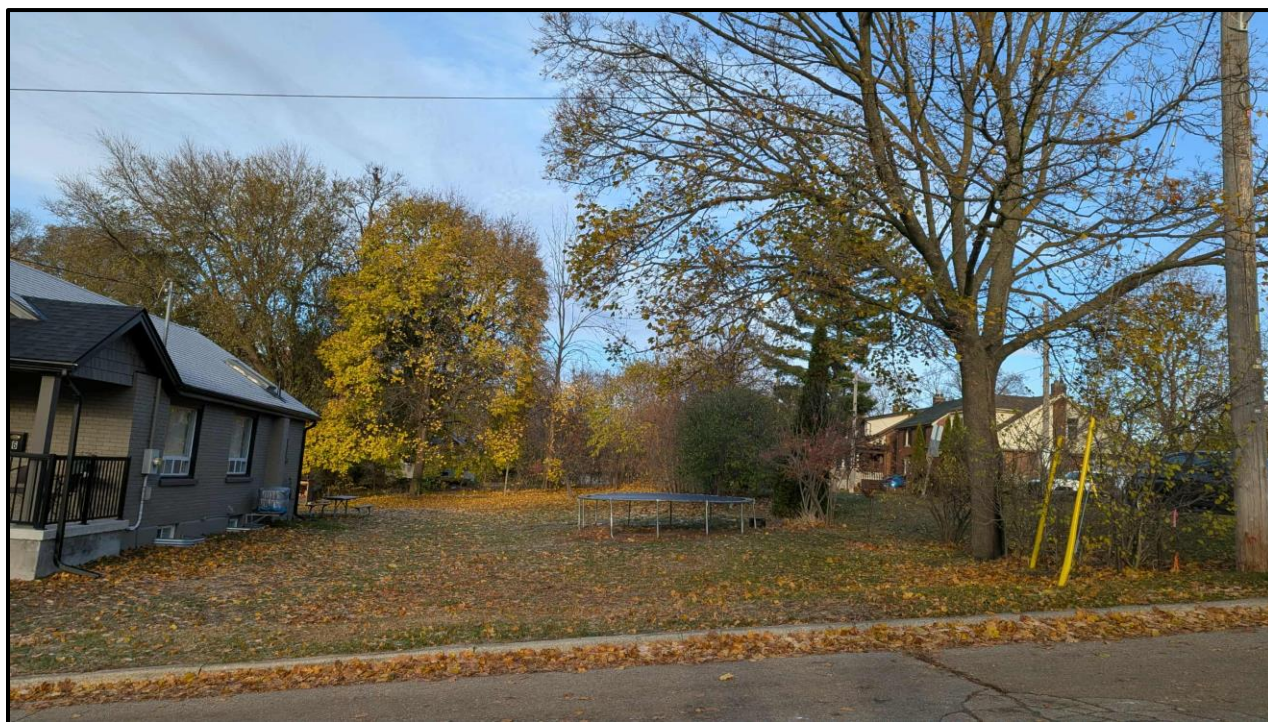
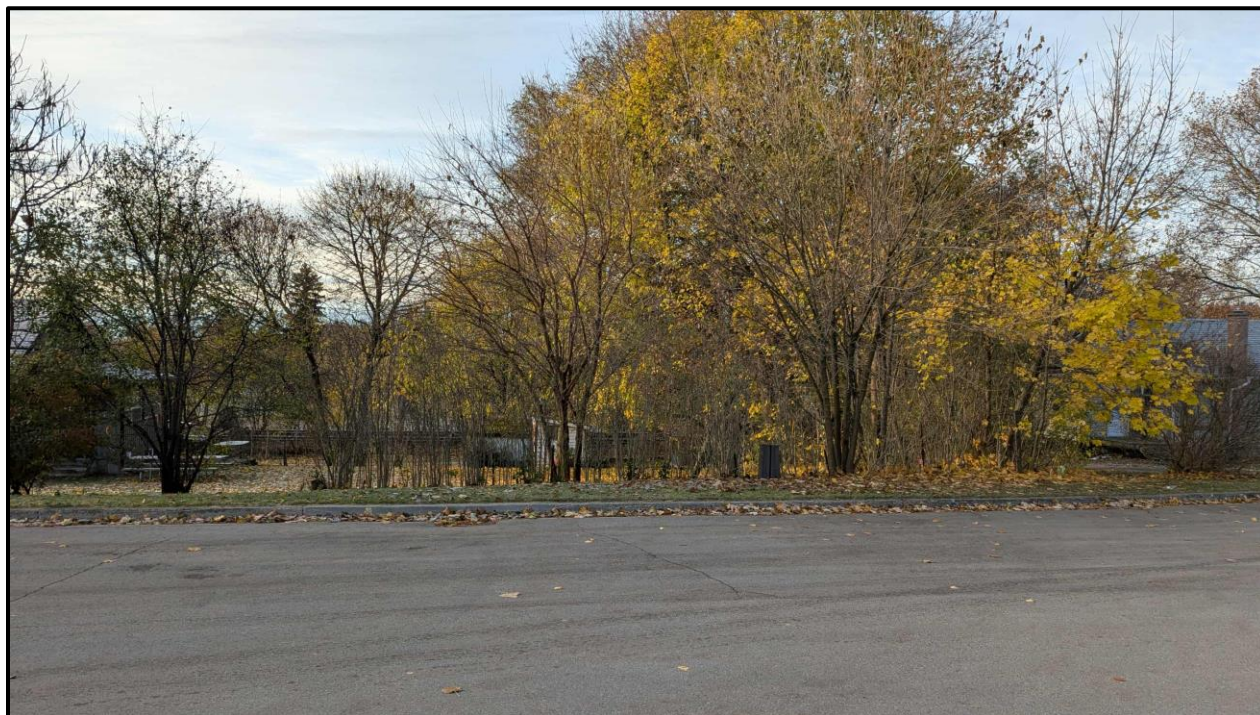


Figure 5 – Photo of Proposed Severed Lot, taken from Lawrence Street



## 5.0 Input from Other Sources

### 5.1 Technical Comments

The application was circulated to all applicable departments and agencies on October 17, 2025.

The notable comments are summarized below.

Table 4 - Technical Comments

Department/Agency	Comments
<b>Canada Post</b>	Contact our Customer Service line at 1-800-267-1177 to register for mail service when the house is built
<b>CN Rail</b>	<p>Noted that the development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN encourages the municipality to pursue the implementation of the following criteria as conditions of approval:</p> <ul style="list-style-type: none"> <li data-bbox="586 1808 1409 1883">• The Owner shall be required to grant an environmental easement for operational noise and vibration</li> </ul>

	<p>emissions, registered against the subject property in favor of CN; OR</p> <ul style="list-style-type: none"> <li>• That the following clause should be inserted on land title, in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:</li> </ul> <p><i>“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 1000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”</i></p> <p>Staff have included these requirements as a condition of consent in <b>Appendix A and B</b>.</p>
<b>Development Engineering</b>	<p>Development Engineering is supportive of the proposed severance but has offered some advisory comments to the applicant. Development Engineering Staff recommended several conditions of approval.</p> <p>Planning Staff included these requirements as conditions of consent in <b>Appendix A and Appendix B</b>.</p>
<b>Environmental Services</b>	<p>Only one service will be permitted to each property, each property shall be serviced independently through the frontage of the building, ensuring that their respective services do not cross property boundaries or enter other properties. The owner will be required to obtain a water service connection permit for each unit; the Owner is responsible for the management of all waste and recyclables materials during construction.</p> <p>Planning Staff note the above comments and have forwarded them to the applicant.</p>

## 5.2 Public Comments

This application was circulated for public comment on November 14, 2025, to property owners within 60 m of the subject lands pursuant to the *Planning Act*.

At the time of writing this report, no public comments on this application have been received.

## 6.0 Planning Staff Comments and Conclusion

The subject lands are designated “Residential” in the Official Plan and zoned “Neighbourhood Low Rise (NLR)” in Zoning By-law 124-2024, as shown in **Appendix C** and **Appendix D** respectively.

### 6.1 Planning Analysis for Consent

The *Planning Act* sets the standard to which provincial and local interests, policies, and goals are implemented. Section 51(24) of the Planning Act lists the criteria that the Committee of Adjustment must have regard for when considering a consent application, as summarized in the table below.

Table 7 - Consent Criteria

Criteria for Considering a Consent Application	Discussion
1. That the plan conforms to the Official Plan	<p>Section 9.3 (g – i) of the Official Plan also outlines criteria for the subdivision of land and stipulates when consents are appropriate which includes:</p> <ul style="list-style-type: none"> <li>g) when a Plan of Subdivision is deemed unnecessary and where the application conforms to the policies of the Official Plan,</li> <li>h) no more than three new lots are being created; and</li> <li>i) all lots have frontage on a municipal road and do not require that municipal services be extended.</li> </ul> <p>This application meets all the above criteria, and the proposed lots are sized to accommodate uses that are permitted within the Residential designation.</p>

Criteria for Considering a Consent Application	Discussion
2. The dimensions and shapes of the proposed lots	As shown in <b>Table 2</b> , the retained and severed lots comply with the required lot area and lot width in the Zoning By-law 124-2024. The proposed lots are similar in both size and shape to other single-detached dwelling lots in this area.
3. The adequacy of utilities and municipal services	Both the proposed severed and retained parcels will have frontage onto a fully serviced public road, and therefore, servicing is considered adequate. These severances result in three individual lots, each will be required to have separate servicing. A Condition of Consent for B20-2025 & B21-2025, as shown in <b>Appendix A</b> and <b>Appendix B</b> respectively, is a requirement that the 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. Planning Staff have no other concerns regarding the adequacy of servicing for the proposed severed parcels.

## 6.2 Conclusion

Staff recommends approval of the subject application(s) for the following reasons:

- The application(s) satisfies Section 51(24) of the *Planning Act*, as detailed above.
- The proposal facilitates the creation of one new residential lot within the city.
- A site inspection was completed on November 14, 2025 and no issues were found.

Report No. 2025-592  
11December 4, 2025



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Prepared by:  
Hailey Till,  
Development Planning  
November 27, 2025



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Reviewed by:  
Sean House, MCIP, RPP  
Senior Project Manager,  
Development Planning  
November 27, 2025

**APPENDIX A – Conditions of Consent (B20-2025)**

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt of confirmation from the Applicant's solicitor 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. Therefore, the Solicitor acting in the transfer will provide an undertaking confirming that the severed lands will be merged in title with the lands severed in B21-2025.
3. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
4. Receipt of confirmation that all taxes are paid up to date.
5. 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*).
6. 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.
7. Receipt of confirmation that all existing buildings and structures located on the severed parcel are demolished or otherwise removed to the satisfaction of the Manager of Development or their designate
8. Receipt of an undertaking provided from the applicant's Solicitor confirming that either 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 300 m of the railway right-of-way, or that an environmental easement in favour of CN Rail will be registered on title, to the satisfaction of the Manger of Development Planning or their designate.
9. 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.
10. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.
11. The 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

12. 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
13. 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 (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.
14. 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 for the severed and retained parcels. The Owner/ Applicant also must demonstrate that stormwater management can be implemented for the site without impacting adjacent neighboring properties.
15. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **December 5, 2027**, after which time the consent will lapse.

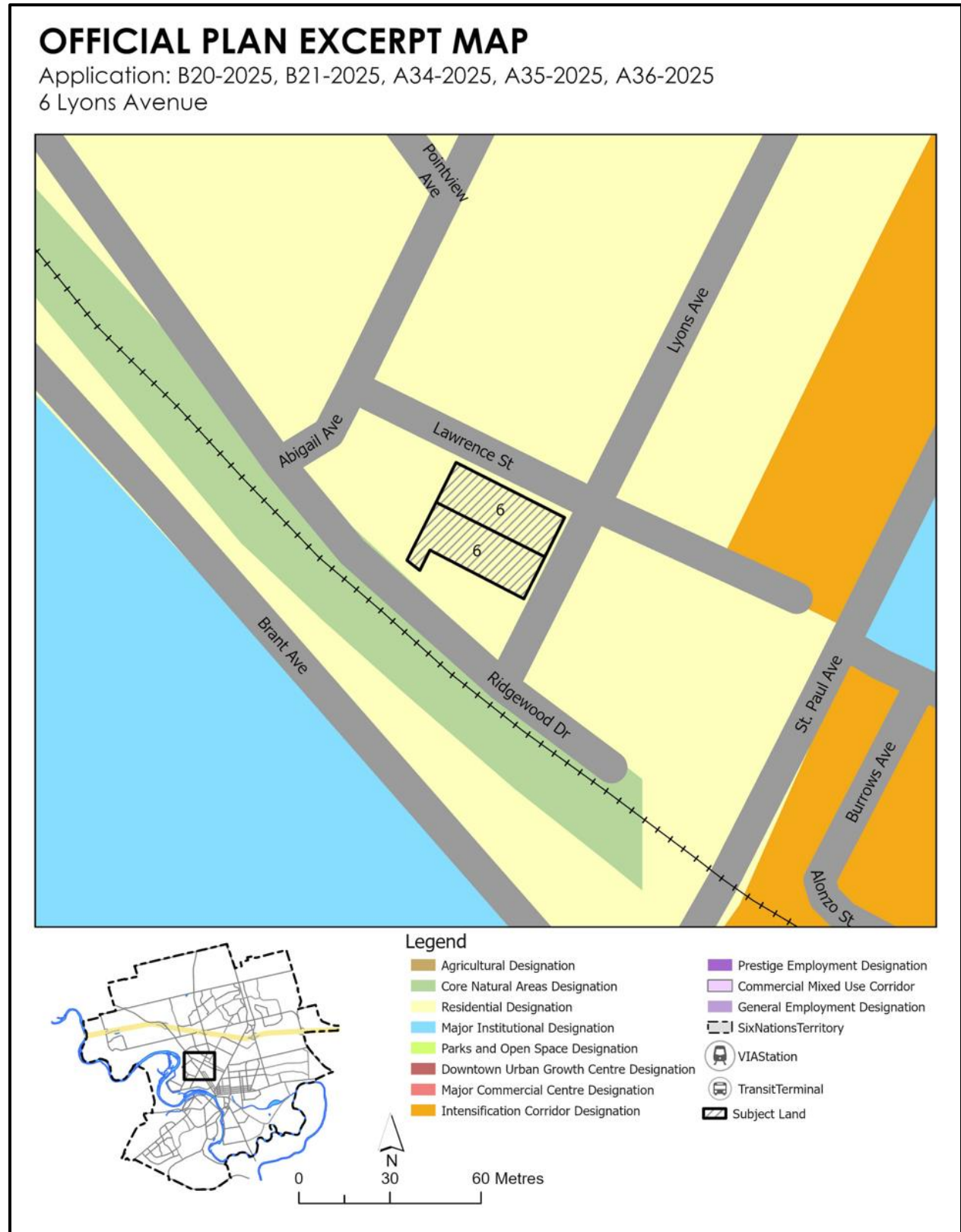
**APPENDIX B – Conditions of Consent (B21-2025)**

1. Receipt of a registered Reference Plan showing the severed and retained parcels.
2. Receipt of confirmation from the Applicant's solicitor 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. Therefore, the Solicitor acting in the transfer will provide an undertaking confirming that the severed lands will be merged in title with the parcel severed from B20-2025.
3. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
4. Receipt of confirmation that all taxes are paid up to date.
5. 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*).
6. Receipt of confirmation that all existing buildings and structures located on the severed parcel are demolished or otherwise removed to the satisfaction of the Chief Building Official
7. Receipt of an undertaking provided from the applicant's Solicitor confirming that either 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, or that an environmental easement in favour of CN Rail will be registered on title, to the satisfaction of the Manager of Development Planning or their designate.
8. 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.
9. 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.
10. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.
11. The 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

12. 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
13. 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 (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.
14. 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 for the severed and retained parcels. The Owner/ Applicant also must demonstrate that stormwater management can be implemented for the site without impacting adjacent neighboring properties.
15. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **December 5, 2027**, after which time the consent will lapse.

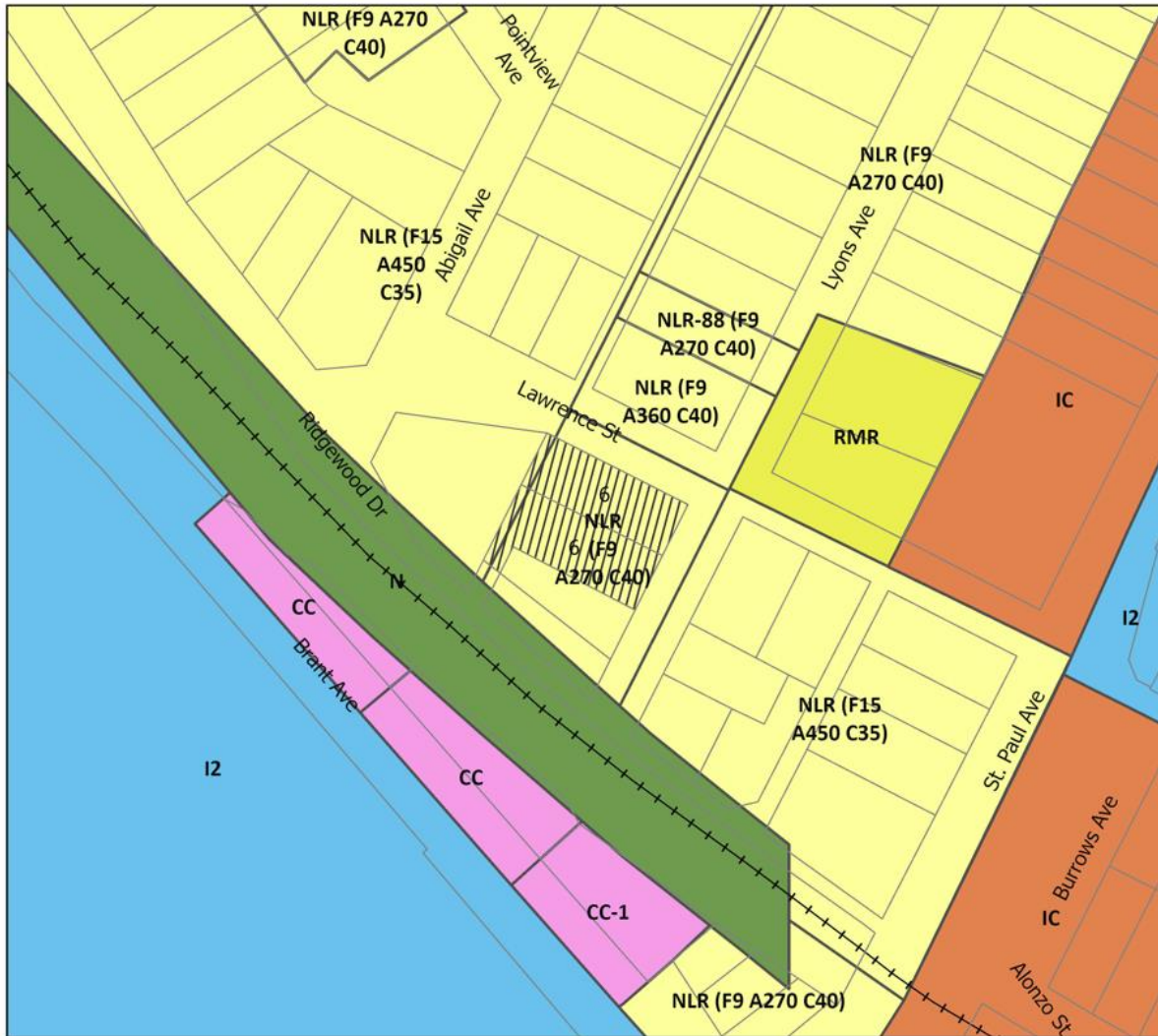
### APPENDIX C – Official Plan



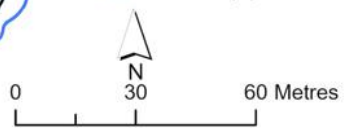
**APPENDIX D – Zoning By-law**

**ZONING MAP (Bylaw 124-2024)**

Application: B20-2025, B21-2025, A34-2025, A35-2025, A36-2025  
6 Lyons Avenue

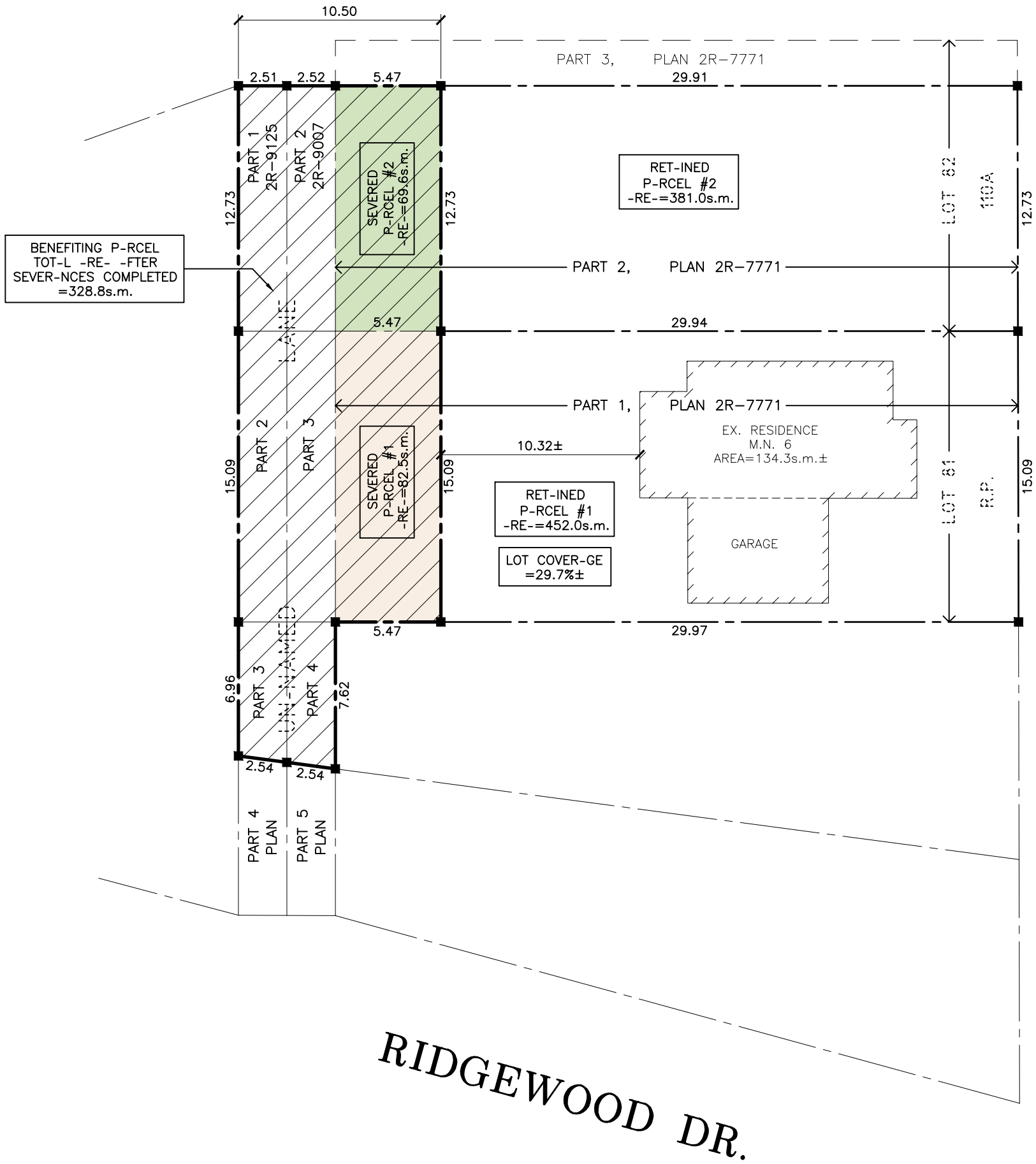


- Subject Land
- Schedule A Zones**
- Mixed Use Zones
  - Historic Mainstreets (HM)
  - Upper Downtown (UD)
  - Lower Downtown (LD)
  - Major Commercial Centre (MCC)
  - Brant Heritage Conservation District (BHC)
  - Intensification Corridor (IC)
- Commercial Zones
  - Automotive Service (AS)
- Convenience Commercial (CC)
- Neighbourhood Commercial (NC)
- Residential Zones**
  - SR (Suburban Residential)
  - Greenfield Neighbourhood Low-Rise (GNLR)
  - Neighbourhood Low-Rise (NLR)
  - Residential Mid-Rise (RMR)
  - Residential High-Rise (RHR)
- Employment Zones**
  - General Employment (GE)
  - Prestige Employment (PE)
- Institutional Zones**
  - Minor Institutional (I1)
  - Major Institutional (I2)
- Other Zones**
  - Agricultural (A)
  - Core Natural (N)
  - Open Space (OS)
  - Development (D)
  - Six Nations





# LAWRENCE ST.



LYONS AVE.

**PROPOSED SEVERANCE  
 LOT 81 & PART LOT 82  
 AND PART OF UN-NAMED LANE  
 REGISTERED PLAN 110A  
 CITY OF BRANTFORD**



CLIENT: J-CK CIOMMO  
 SC-LE: 1:250

D-TE: JULY 29/25  
 JOB: 17591



Alternative formats and communication supports available upon request. Please contact [accessibility@brantford.ca](mailto:accessibility@brantford.ca) or 519-759-4150 for assistance.

**Date** December 4, 2025 **Report No.** 2025-590

**To** Chair and Members  
City of Brantford Committee of Adjustment

**From** Hailey Till  
Development Planner

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## 1.0 Type of Report

Application(s) for Consent and/or Minor Variance []  
Item for Consideration or Consent []

## 2.0 Topic **Application A33-2025 – 45 Golfdale Road**

**Agent – Tom Trignani**

**Applicant/Owner – Marisa Trignani**

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## 3.0 Recommendation

- A. THAT minor variance application A33-2025 seeking relief from Section 3.1, Table 3.1.a.6.b of Zoning By-law 124-2024 to permit a maximum height of 6.75 m for an accessory structure containing an additional dwelling unit, whereas 4.5 m is otherwise the permitted maximum height BE APPROVED;
- B. 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,
- C. 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:

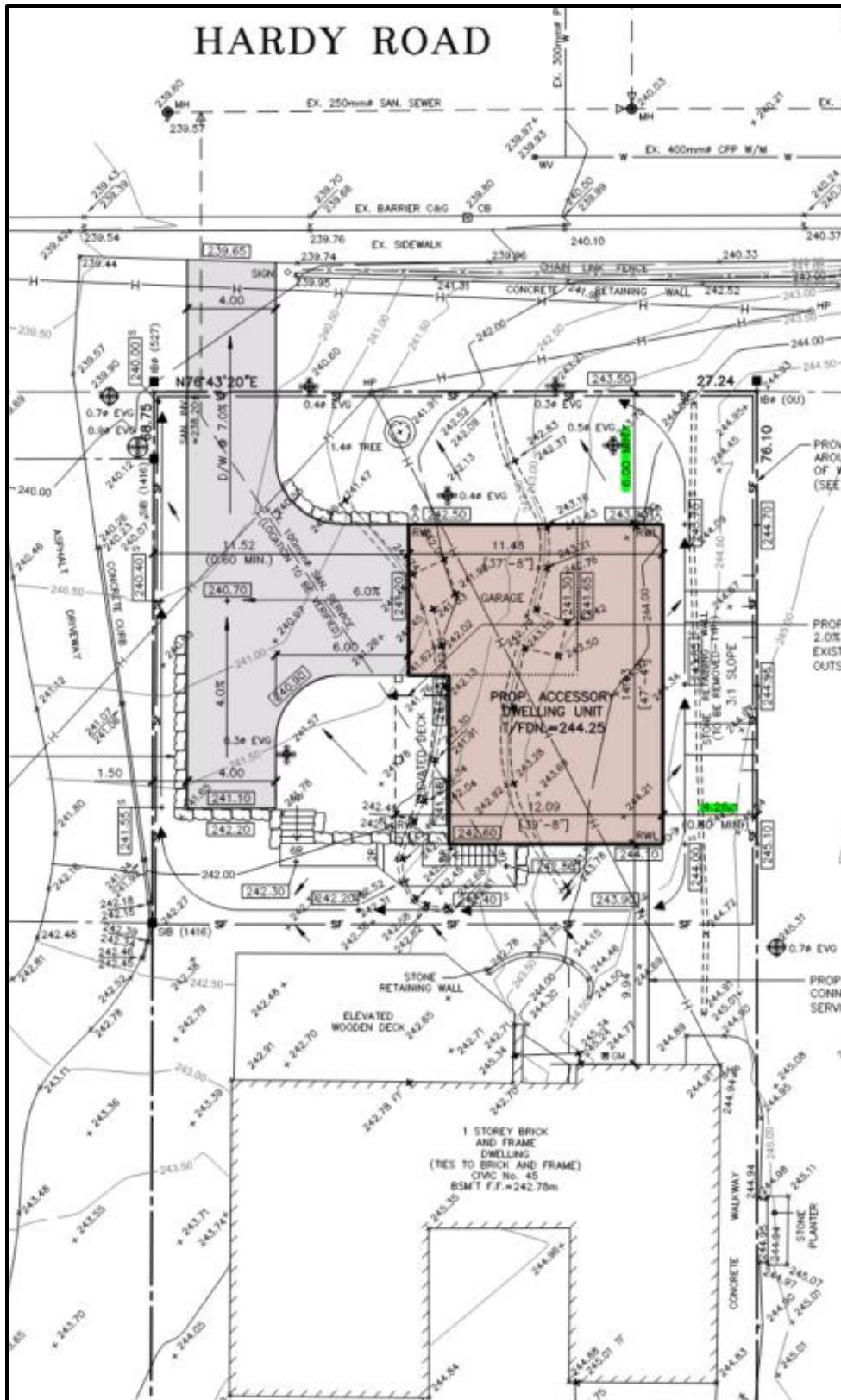
“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-590”.

#### 4.0 Purpose and Description of Application(s)

Table 1 - Description of Application(s)

Application Details	
Type of Application	Minor Variance
Purpose of Application	To facilitate the construction of a 6.75 m tall accessory structure containing an additional dwelling unit (ADU), as illustrated in Figure 1 – Site Plan.  The requested relief from Zoning By-law 124-2024 is shown in Table 2.
Additional Relevant Information	
Previous Applications	N/A
Concurrent Planning Applications	N/A
Any other relevant information	Zoning By-law 124-24 defines finished grade as the mean elevation of the finished surface of the ground abutting the external wall of a building nearest to a street. In this instance, Hardy Road is the nearest street and therefore the north wall of the proposed structure is where the finished grade would be measured from. For an Accessory Structure with this proposed type of roof, the Building Department measures the height from the finished grade at the base of the building to the ridge of the roof, as depicted in <b>Figure 2</b> .

Figure 1 – Site Plan



(see Attachment for larger resolution)

Figure 2 - Left Elevation

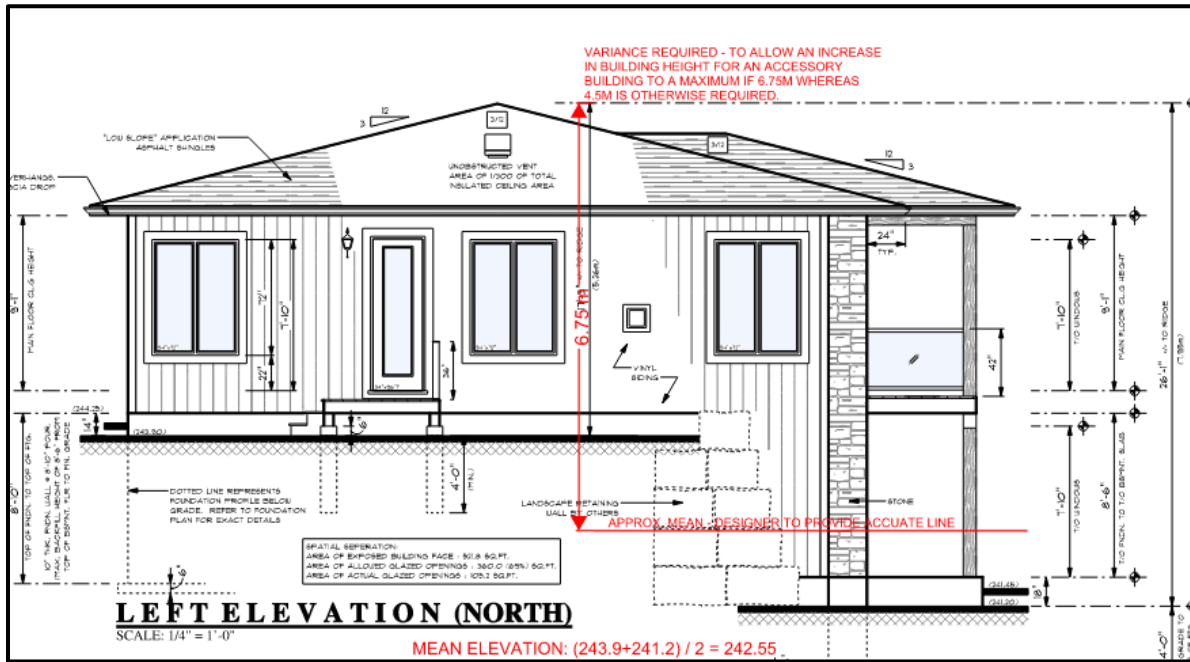


Figure 3: Aerial



Table 2 - Relief Requested for Minor Variance

Regulation	By law Section	Required	Proposed	Relief Requested
<b>Accessory Uses, Buildings, Structures – Pitched Roof Height (maximum)</b>	Section 3.1	4.5 m	6.75 m	2.25 m

Table 3 – Information on the Subject Lands

Site Details	
Site Features	<p>The site features on the subject lands include:</p> <ul style="list-style-type: none"> <li>Existing single detached dwelling</li> <li>Lot Area: 2,117 m<sup>2</sup></li> <li>Lot Width: 5.6 m</li> <li>There is a significant grade change on the site, sloping from East to West. The subject lands also slope gradually towards Hardy Road where a retaining wall is located to account for the grade change.</li> <li>The subject lands are considered a “through lot”, with dual frontage on both Hardy Road (27 m) and on Golfdale Road (5.6 m)</li> </ul> <p>See <b>Figure 4</b> and <b>Figure 5</b> - Photo of the Subject Lands</p>
Surrounding Context	<p>The following are the surrounding features/uses of the subject lands:</p> <p><b>North</b> Residential dwellings/ Brantford Golf and Country Club</p> <p><b>South</b> Single detached dwellings</p> <p><b>East</b> Single detached dwellings / CN Rail Corridor further east</p> <p><b>West</b> Vacant Land / Single detached dwellings</p>

Figure 4 – Photo of Subject Lands, taken from Hardy Road, looking South



Figure 5 – View from Rear Yard of Subject Lands, looking West



## 5.0 Input from Other Sources

### 5.1 Technical Comments

The application was circulated to all applicable departments and agencies on October 20, 2025.

The notable comments are summarized below.

Table 4 - Technical Comments

Department/Agency	Comments
<p><b>CN Rail</b></p>	<p>Noted that the development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN encourages the municipality to pursue the implementation of the following criteria as conditions of approval:</p> <ul style="list-style-type: none"> <li>• The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN</li> <li>• The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: <p style="margin-left: 40px;"><i>“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”</i></p> </li> </ul>

	Planning Staff note the rail line is approximately 260 m from the subject lands. Planning staff have forwarded this comment to the applicant and they have acknowledged the condition.
<b>Transportation</b>	Transportation staff advise caution when exiting the driveway due to the close proximity of the retaining wall and restricted visibility

## 5.2 Public Comments

This application was circulated for public comment on November 14, 2025, to property owners within 60 m of the subject lands pursuant to the *Planning Act*.

At the time of writing this report, no public comments on this application have been received.

## 6.0 Planning Staff Comments and Conclusion

The Subject Lands are designated “Residential” in the City’s Official Plan and zoned “Neighbourhood Low Rise (F24.5 A745 C35)” in Zoning By-law 124-2024, as shown in Appendix A and Appendix B respectively.

### 6.1 Planning Analysis for Minor Variance

When evaluating the merits of a minor variance application, the Committee of Adjustment must be satisfied that the four tests of Section 45(1) of the *Planning Act* have been met. To be approved, a minor variance must be minor in nature, desirable for the appropriate development or use of the land, building or structure and maintain the general intent and purpose of the Zoning By-law and Official Plan. These tests are discussed in the table below.

Table 5 - Four Tests of a Minor Variance

Four Tests	Discussion
1. That the requested variance is minor in nature	<p>“Minor” is determined by impact, not by the value of the variance being sought.</p> <p>Due to the site sloping from east to west, the applicant is proposing a retaining wall which will result in two finished surfaces abutting the exterior wall facing Hardy Road. The</p>

Four Tests	Discussion
	<p>base of the building height measurement is taken from the mean elevation between these two finished surfaces and exceeds the maximum height as required by Zoning By-law 124-24 (depicted previously in <b>Figure 2</b>). The applicant has sought to off-set the additional height by allowing for ample interior side yards on both the east and west sides of the property that exceed the requirements of Zoning By-law 124-24. Additionally, the applicant has proposed to locate the accessory structure where there is an existing tree line which will aid in preserving privacy as it will act as a landscaped buffer between the neighbouring property and the ADU. With this, the additional height of the ADU is not anticipated to have adverse impacts on the surrounding properties, and therefore staff are of the opinion that the relief sought is minor in nature.</p>
<p>2. That the intent and purpose of the <b>Zoning By-law</b> is maintained</p>	<p>The intent of the accessory structure height provision is to ensure the structure stays subordinate to the principal building on the property, to protect privacy, and to maintain the character of the neighbourhood. The structure meets all other ADU zoning provisions including the lot coverage provision, which ensures the dwelling remains subordinate to the principal residence. Given the elevation differences of the site, and the ADU being positioned further from the lot lines to offset the additional proposed height, planning staff are of the opinion that the application maintains the general intent and purpose of the Zoning By-law.</p>
<p>3. That the general intent and purpose of the <b>Official Plan</b> is maintained</p>	<p>The subject site is designated “Residential” in the Official Plan. The intent of this designation is to provide for a range of residential dwellings, including single detached dwellings and accessory structures such as ADUs. It is Staff’s opinion that the proposed variances maintain the general intent and purpose of the Official Plan.</p>
<p>4. That the variance is <b>desirable</b> for the appropriate development or use of the land, building or structure</p>	<p>The proposal utilizes the subject lands in a logical and efficient manner to facilitate the construction of an ADU, while contributing to the City’s housing stock. It is Staff’s opinion that the proposal is desirable for the appropriate development of the structure and use of the land.</p>

## 6.2 Conclusion

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Staff recommends approval of the subject application(s) for the following reasons

- The application(s) satisfies Section 45(1) of the *Planning Act*, as detailed above.
- The proposal will facilitate the construction of an additional dwelling unit, adding one unit to the city's housing stock.
- A site inspection was completed on November 14, 2025 and no issues were found.



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Prepared by:  
Hailey Till,  
Development Planning  
November 27, 2025



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Reviewed by:  
Sean House, MCIP, RPP,  
Senior Project Manager,  
Development Planning  
November 27, 2025

# OFFICIAL PLAN EXCERPT MAP

Application: A33-2025  
45 Golfdale Road



### Legend

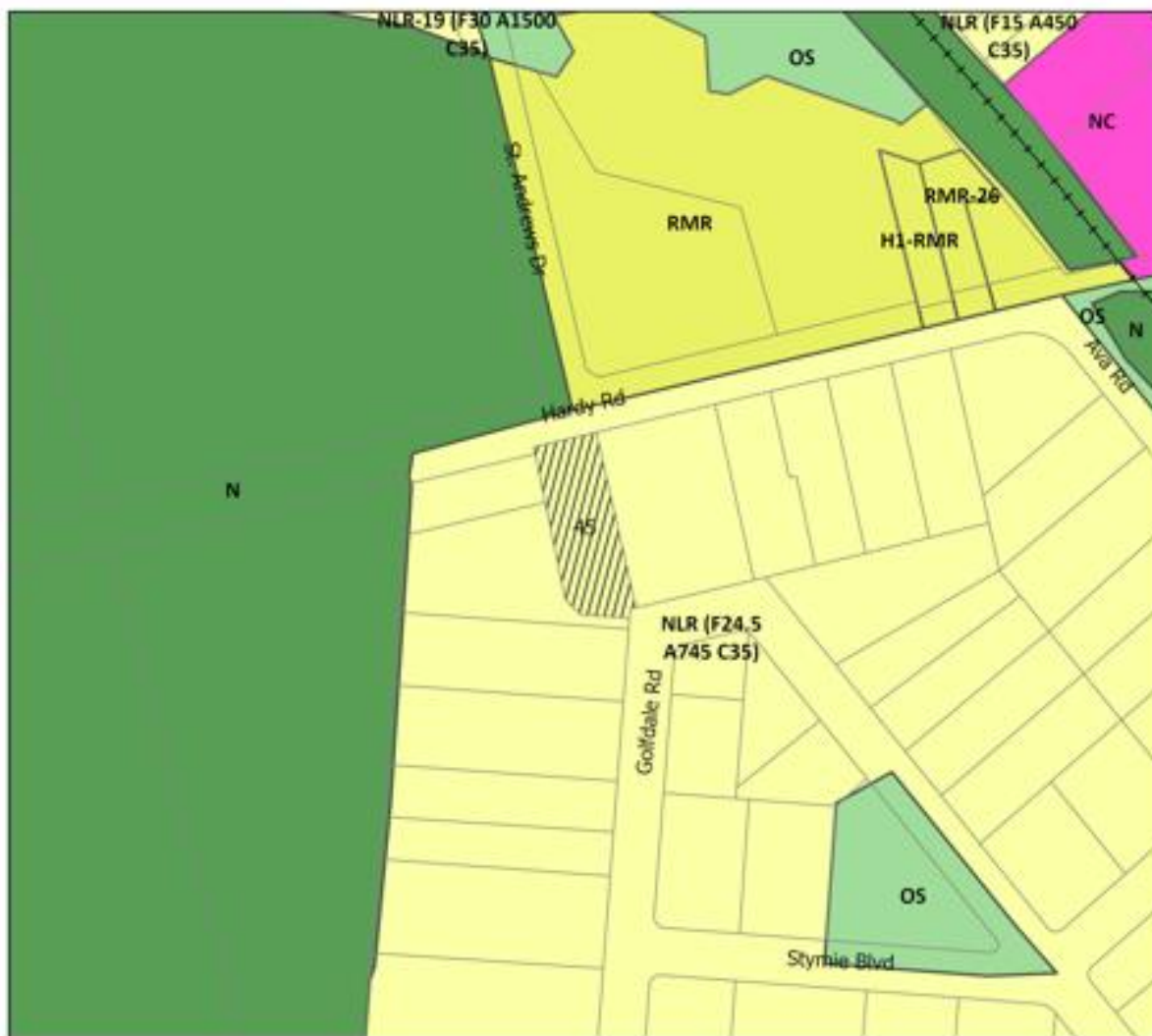
- Agricultural Designation
- Core Natural Areas Designation
- Residential Designation
- Major Institutional Designation
- Parks and Open Space Designation
- Downtown Urban Growth Centre Designation
- Major Commercial Centre Designation
- Intensification Corridor Designation
- Prestige Employment Designation
- Commercial Mixed Use Corridor
- General Employment Designation
- Stations/Territory
- VIA Station
- Transit Terminal
- Subject Land



## APPENDIX B – Zoning By-law

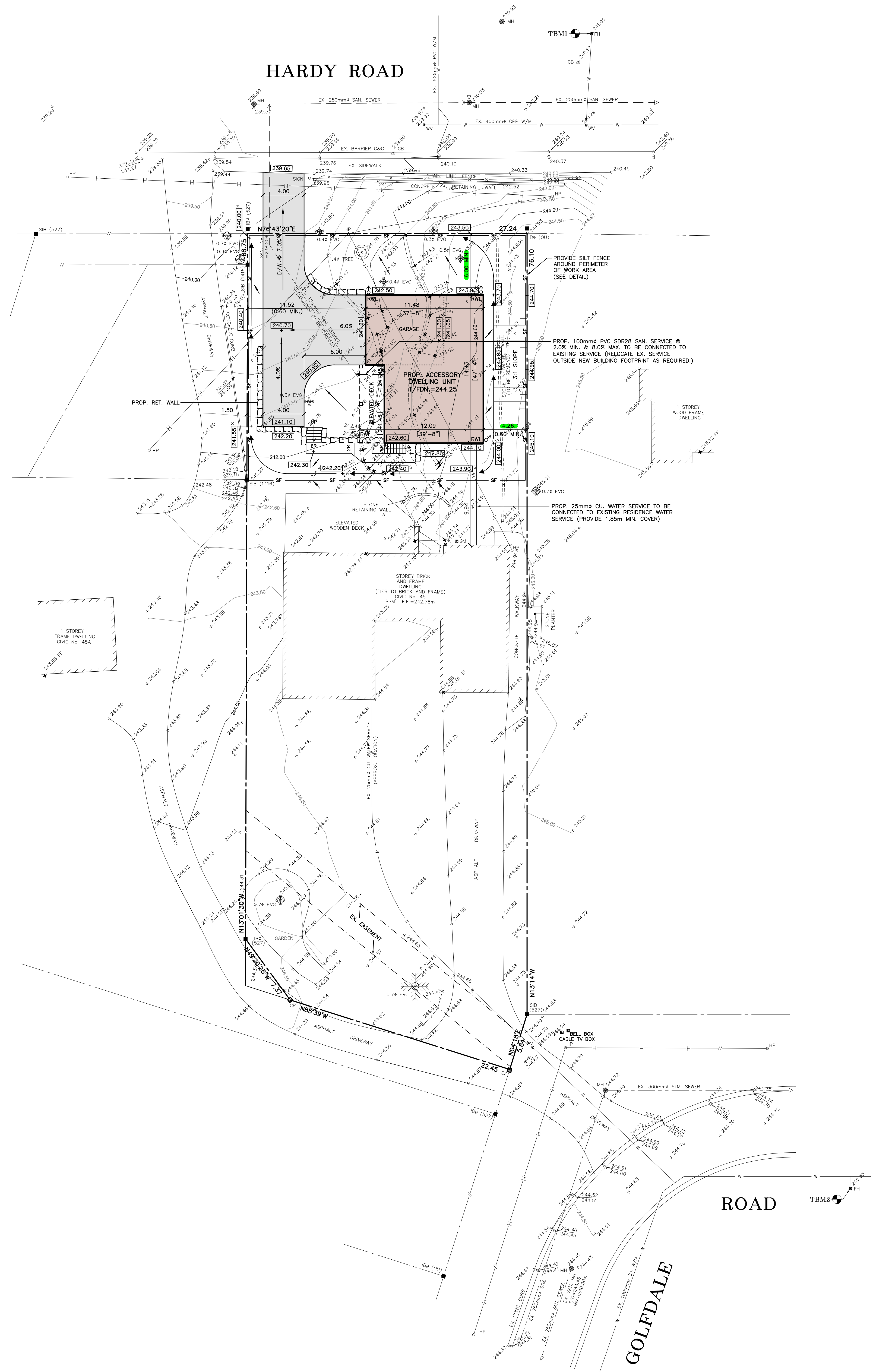
# ZONING MAP (Bylaw 124-2024)

Application: A33-2025  
45 Golfdale Road

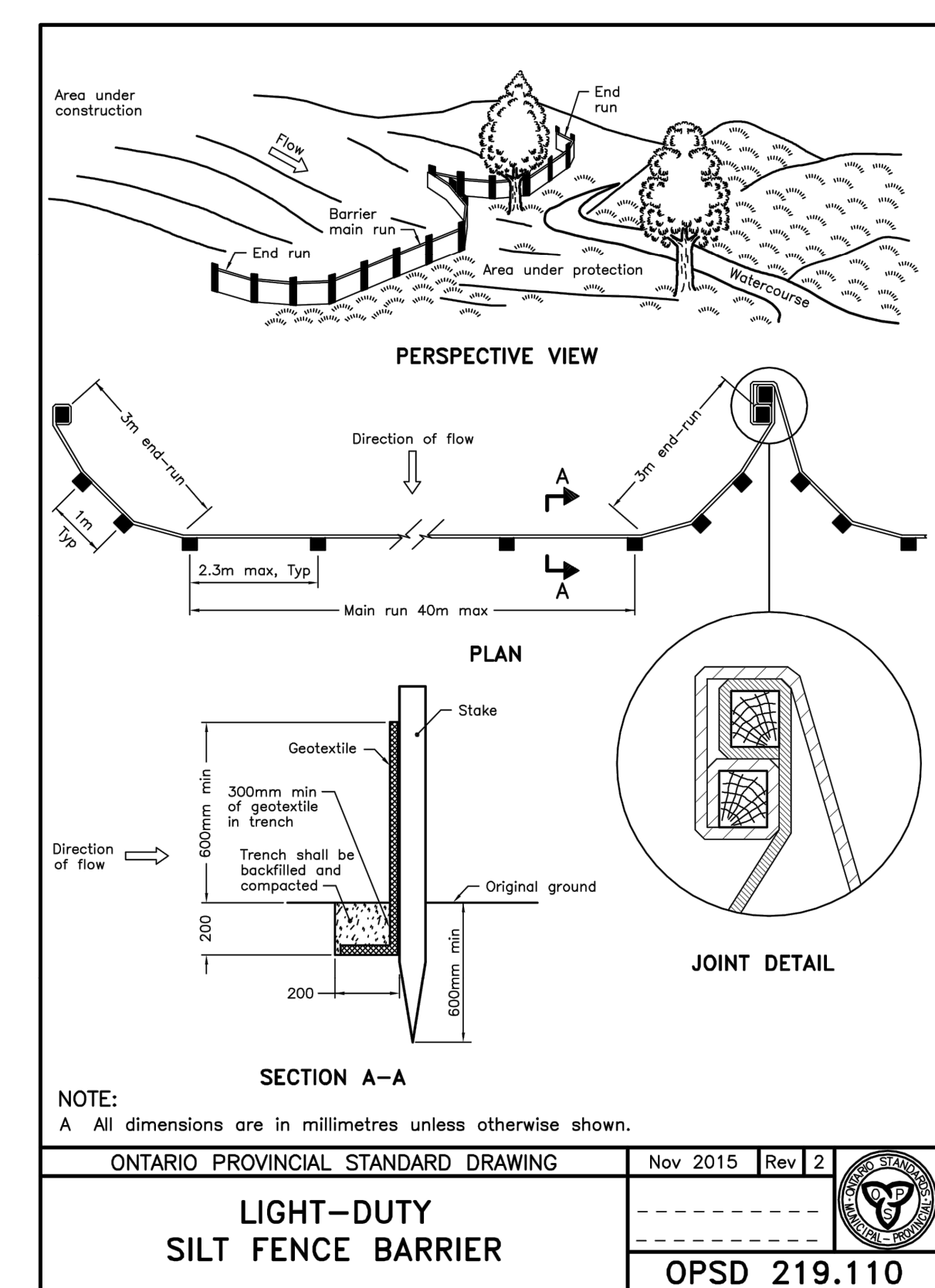


- |  |  |   |
|--|--|---|
| <p><b>Subject Land</b></p> <p><b>Schedule A Zones</b></p> <p><b>Mixed Use Zones</b></p> <ul style="list-style-type: none"> <li>Historic Main Street (HMS)</li> <li>Upper Downtown (UD)</li> <li>Lower Downtown (LD)</li> <li>Major Commercial Corridor (MCC)</li> <li>Strategic Heritage Conservation District (SHCD)</li> <li>Intensification Corridor (IC)</li> </ul> <p><b>Commercial Zones</b></p> <ul style="list-style-type: none"> <li>Automotive Service (AS)</li> </ul> | <ul style="list-style-type: none"> <li>Convenience Commercial (CC)</li> <li>Neighbourhood Commercial (NC)</li> </ul> <p><b>Residential Zones</b></p> <ul style="list-style-type: none"> <li>SR (Suburban Residential)</li> <li>Greenfield Neighbourhood Low-Rise (GNLR)</li> <li>Neighbourhood Low-Rise (NLR)</li> <li>Residential Mid-Rise (RMR)</li> <li>Residential High-Rise (RHR)</li> </ul> <p><b>Employment Zones</b></p> <ul style="list-style-type: none"> <li>General Employment (GE)</li> <li>Prestige Employment (PE)</li> </ul> | <p><b>Institutional Zones</b></p> <ul style="list-style-type: none"> <li>Minor Institutional (I1)</li> <li>Major Institutional (I2)</li> </ul> <p><b>Other Zones</b></p> <ul style="list-style-type: none"> <li>Agricultural (A)</li> <li>Conservation (C)</li> <li>Development (D)</li> <li>Suitability</li> </ul> |
|--|--|---|





PROP. TOP/FDN = 244.25m
BASED ON 0.15m EXPOSED AT S.E. CORNER
PROP. U/S FTG = 241.40m
BASED ON 2.69m [8'-10"] FDN WALL & 0.15m [6"] FTG (TYPICAL)
PROP. MAIN FIN. FLOOR = 244.55m±
PROP. BSM'T FLOOR = 241.65m



- LEGEND:**
- EXISTING ELEVATIONS
  - PROPOSED ELEVATIONS
  - PROPOSED SWALE ELEVATIONS
  - GENERAL DRAINAGE
  - PROPOSED RAIN WATER LEADER LOCATION
  - PROPOSED PRE-ASSEMBLED SILTATION CONTROL FENCING

- NOTES:**
1. ALL ELEVATIONS SHOWN ARE METRIC.
  2. BUILDER/OWNER TO VERIFY COMPLIANCE WITH ZONING BYLAWS (i.e. SIDEYARDS, SETBACKS, REARYARDS ETC.)
  3. TOPOGRAPHIC & BOUNDARY SURVEY PROVIDED BY MacAULAY, WHITE & MUIR LTD. REF. No. 24-50-175-00
  4. ELEVATIONS ARE GEODETIC TO COVD 2013 DATUM WHITE & MUIR LTD. REF. No. 24-50-175-00
  5. BUILDER TO VERIFY LOCATION OF ABOVE GROUND STRUCTURES (i.e. TRANSFORMERS, STREET LIGHTS, HYDRANTS, PEDESTALS ETC.) DOES NOT CONFLICT WITH DRIVEWAY ENTRANCE LOCATION. (1.5m MINIMUM CLEARANCE)
  6. SITE STATISTICS:  
LOT AREA=2,199.1sq.m. ADJ. AREA=151.7sq.m.  
BUILDING HEIGHT TO BE 4.5m MAX.
  7. WEEPING THE DRAINAGE AROUND HOUSE FOOTING TO BE DISCHARGED TO GRADE VIA A SUMP PUMP.
  8. STEP DOWN TOP OF FOUNDATION AND/OR FOOTINGS TO SUIT THE PROPOSED GRADES.
  9. THE BUILDER/CONTRACTOR IS TO ENSURE FOOTINGS ARE FOUNDED ON SOIL CAPABLE OF SUPPORTING THE ANTICIPATED LOADS.
  10. NO WINDOWS/UNPROTECTED OPENINGS PERMITTED WHERE BUILDING SETBACK LESS THAN 1.2m.
  11. THE SILTATION & EROSION CONTROL (SEC) MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT. SITE CONDITIONS MAY REQUIRE ADDITIONAL MEASURES WHICH WILL BE IDENTIFIED BY THE ENGINEER DURING CONSTRUCTION.
  12. ALL SEC MEASURES ARE TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
  13. OWNER/CONTRACTOR TO MAINTAIN EROSION CONTROL MEASURES THROUGHOUT SITE UNTIL A COMPLETE GRASS/VEGETATION COVER IS ACHIEVED.
  14. ONLY AT THE DIRECTION OF THE ENGINEER ARE THE SEC MEASURES TO BE REMOVED.
  15. SITE WORKS ARE TO BE STAGED IN SUCH A MANNER THAT EROSION WILL BE MINIMIZED, AND THE CONSULTANT MUST PROVIDE CONFIRMATION THAT ALL APPROVED SILTATION AND EROSION CONTROL FACILITIES HAVE BEEN INSTALLED PRIOR TO THE COMMENCEMENT OF ANY GRADING, EXCAVATION OR DEMOLITION.
  16. CLEARING AND GRUBBING OF THE SITE SHOULD BE KEPT TO A MINIMUM AND VEGETATION REMOVED ONLY IN ADVANCE OF IMMEDIATE CONSTRUCTION.
  17. STOCKPILES OF EARTH OR TOPSOIL ARE TO BE LOCATED AND PROTECTED TO MINIMIZE ENVIRONMENTAL INTERFERENCE. EROSION CONTROL FENCING IS TO BE INSTALLED AROUND THE BASE OF ALL STOCKPILES.
  18. THE OWNER IS RESPONSIBLE TO ENSURE THE MUNICIPAL ROADWAYS ARE CLEANED OF ALL SEDIMENTS FROM VEHICULAR TRACKING ETC. TO AND FROM THE SITE, AT THE END OF EACH WORKDAY.

T.B.M. No. 1 ELEV. = 241.05m (GEO)
TOP NUT OF FIRE HYDRANT ON THE NORTH SIDE OF HARDY ROAD AS SHOWN.
T.B.M. No. 2 ELEV. = 245.35m (GEO)
TOP NUT OF FIRE HYDRANT ON THE SOUTH SIDE OF GOLFDALE ROAD AS SHOWN.

**J.H. COHOON ENGINEERING LIMITED**

440 HARDY ROAD, UNIT #1, BRANTFORD - ONTARIO, N3T 5L8  
 TEL. (519) 753-2856 FAX. (519) 753-4263 www.cohooneg.com

**PROPOSED ACCESSORY DWELLING UNIT**  
 45 GOLFDALE ROAD  
 CITY OF BRANTFORD

CLIENT: TOM TRIGNANI

**SITE DEVELOPMENT PLAN**

DESIGN: D.E.B.	SCALE: 1:200
DRAWN: K.P.B.	JOB No:
CHECKED: R.W.P.	<b>17261</b>
SHEET: 1 of 1	DWG. No:
DATE: FEB. 5/25	<b>17261-1</b>





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**Date** December 4, 2025 **Report No.** 2025-580

**To** Chair and Members  
City of Brantford Committee of Adjustment

**From** Iris Tong  
Intermediate Development Planner

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## 1.0 Type of Report

Application(s) for Consent and/or Minor Variance  [X]  
Item for Consideration or Consent  [ ]

## 2.0 Topic **Application A31-2025 – 28 Lawrence Street**

**Agent – Terry MacKinnon**

**Applicant/Owner – Terry MacKinnon**

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## 3.0 Recommendation

- A. THAT application A31-2025-requesting permission under Section 45(2)(a)(ii) of the *Planning Act* to permit the enlargement or extension of a legal non-conforming use, a Single Detached Dwelling, to facilitate the construction of an Accessory Structure containing an Additional Dwelling Unit (ADU), BE APPROVED;
- B. THAT minor variance application A31-2025 seeking relief from Section 3.1 Table 3.1.a.6 of Zoning By-law 124-2024 to permit a maximum building height of 4.8 m for the proposed Accessory Structure, whereas a maximum of 4.5 m is otherwise required, BE APPROVED;
- C. THAT minor variance application A31-2025 seeking relief from Section 3.1.a.7 of Zoning By-law 124-2024 to permit a lot coverage of 12.3% for all

accessory structures, whereas a maximum of 10% is otherwise permitted,  
BE APPROVED;

- D. THAT the reasons for the approval of the minor variance application are as follows: the proposed enlargement of the legal non-conforming use is considered desirable for the appropriate development and use of land and will not create undue adverse impacts on surrounding properties; the proposed minor variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- E. THAT pursuant to 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:  
“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-580”.

#### 4.0 Purpose and Description of Application(s)

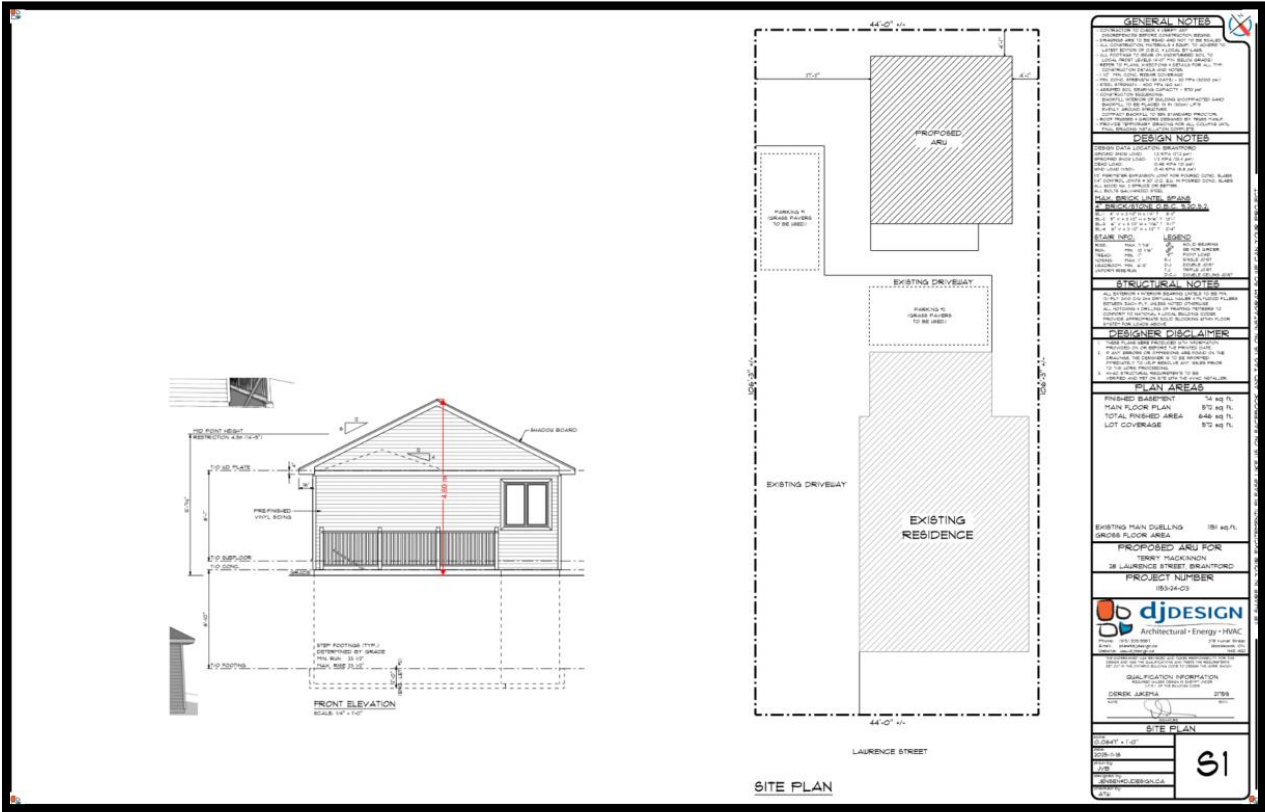
Table 1 - Description of Application(s)

Application Details	
Type of Applications	Minor Variance and Section 45(2)
Purpose of Application	To facilitate the construction of a detached Additional Dwelling Unit in the rear yard of the subject lands, as shown in <b>Figure 1</b> .  The requested relief from Zoning By-law 124-2024 is shown in <b>Table 2</b> .
Additional Relevant Information	
Previous Applications	N/A
Concurrent Planning Applications	BR-2025-0493 (Building Permit application)
Any other relevant information	The subject lands were zoned Residential Conversion (RC) under the Zoning By-law 160-90 and are currently zoned Intensification Corridor (IC) under the current Zoning By-law 124-2024. The existing single detached dwelling is not a permitted use in an IC zone, but was permitted in the RC Zone on the day Zoning By-law 124-24 was passed. Therefore, it is a legal non-

conforming use. As a result, the proposed ADU is considered an enlargement of the legal non-conforming residential use. Similarly, under the Zoning By-law 124-2024, surrounding single detached dwellings are zoned either Intensification Corridor (IC) to the south of Lawrence Street or Major Institutional (I2) to the north of Lawrence Street (west of Elizabeth Street) and are legal non-conforming uses as well.

The subject lands currently have no existing accessory structures (**Figure 3**).

Figure 1 – Site Plan



(see Attachment for larger resolution)

Table 2 - Relief Requested for Minor Variance

Regulation	By law Section	Required	Proposed	Relief Requested
Maximum Building	Section 3.1 Table 3.1.a.6	Pitched roof – 4.5 m	4.8 m	+ 0.3 m

Regulation	By law Section	Required	Proposed	Relief Requested
Height of Accessory Structures				
Maximum Lot Coverage of All Accessory Structures	Section 3.1 Table 3.1.a.7	10%	12.3%	+ 2.3%

Table 3 – Information on the Subject Lands

Site Details	
Site Features	<p>The site features on the subject lands include:</p> <ul style="list-style-type: none"> <li>• Single detached dwelling</li> <li>• Lot area: 445 m<sup>2</sup></li> <li>• Lot frontage: 13.11 m</li> </ul> <p>See <b>Figures 2 and 3</b> - Photo of the Subject Lands and <b>Figure 4</b> – Aerial Photo of Subject Lands</p>
Surrounding Context	<p>The following are the surrounding features/uses of the subject lands:</p> <p><b>North</b> Institutional Uses - Brantford General Hospital, a single detached dwelling / Lawrence Street</p> <p><b>South</b> Single detached dwellings / Alonzo Street &amp; CN Rail</p> <p><b>East</b> Single detached dwellings</p> <p><b>West</b> Single detached dwellings</p>

Figure 2 – Photo of Subject Lands



Figure 3 – Photo of Subject Lands



Figure 4 – Aerial Photo of Subject Lands



## 5.0 Input from Other Sources

### 5.1 Technical Comments

The application was circulated to all applicable departments and agencies on October 17, 2025.

The notable comments are summarized below.

Table 4 - Technical Comments

Department/Agency	Comments
<b>CN Rail</b>	<p>CN requests that the following criteria be implemented as a condition of a future application approval:</p> <p>The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of the proposed ADU:            “Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”</p> <p>Planning Staff informed the applicant and they have acknowledged the condition.</p>
<b>GrandBridge Energy Inc.</b>	<p>No objection to the proposed minor variance.            A service layout submission is required for the metering, including new installations, additional meters, or modifications to existing metering.            Minimum ESA clearance requirements must be maintained between any proposed structures (including buildings, lighting, signage, etc.) and existing electrical infrastructure during construction.</p>
<b>Canada Post</b>	<p>Canada Post does not have any comments on this application for an ADU on this property. There will need to be a unit # or new civic address assigned to this ADU if they require separate mail delivery so that we can differentiate the mail. The mailbox should be on the front of the house with the original unit and clearly identified on the mailbox.</p>
<b>Transportation</b>	<p>No comments.</p>
<b>Engineering</b>	<p>The Owner/Applicant shall provide a Stormwater Management Report prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the</p>

	<p>Manager of Development Engineering or his/her designate. The report shall demonstrate how stormwater management will be addressed to ensure that runoff from the proposed addition, which will increase the overall impervious area, is adequately controlled and does not adversely impact the adjacent neighbor's property.</p> <p>Planning Staff informed the applicant of this request. In response, the applicant revised the site plan and removed one parking space to reduce the amount of impermeable surface and mitigate drainage concerns. Zoning By-law 124-2024 only requires two parking spaces for the existing dwelling and proposed ADU. The applicant has also provided that the remaining parking spaces will utilize grass pavers to further mitigate drainage concerns.</p> <p>Engineering is satisfied with the mitigation measures.</p>
<p><b>Environmental Services</b></p>	<p>No objections. Only the existing service will be permitted to the property. The ADU must be serviced from the existing water service. A new curb stop shall be placed before the existing one to provide isolation for each dwelling. The water service for the ADU must pass around the existing dwelling and be metered in accordance with the Ontario Building Code and the City of Brantford's Design and Construction Manual for Linear Municipal Infrastructure.</p> <p>The Owner is responsible for the management of all waste and recyclables materials during construction.</p>

## 5.2 Public Comments

This application was circulated for public comment on November 14, 2025, to property owners within 60 m of the subject lands pursuant to the *Planning Act*.

Staff received one comment at the time of writing this report as summarized below.

Table 5 - Public Comments

Comments	Responses
<p>The abutting neighbour inquired about fence maintenance as a means to</p>	<p>Staff informed the owner of this concern. The owner confirmed that she will continue to maintain the fence.</p>

mitigate the potential visual impact of rear yard parking.	
--	--

## 6.0 Planning Staff Comments and Conclusion

The Subject Lands are designated “Intensification Corridor” in the City’s Official Plan and zoned “Intensification Corridor (IC)” in the Zoning By-law 124-2024, as shown in **Appendix A** and **Appendix B** respectively.

### 6.1 Planning Analysis for Expansion of Legal Non-Conforming Use

Section 45(2)(a)(ii) of the *Planning Act* provides the Committee of Adjustment with the authority to permit the use of land, buildings or structures containing a legal non-conforming use, provided that the proposed use is similar to the existing legal non-conforming use or more compatible with the uses permitted by the Zoning By-law in effect. Case law has established that applications under Section 45(2) of the *Planning Act* are evaluated based on the two tests below.

Is the application desirable for the appropriate development and use of land?

The proposed ADU is compatible with surrounding residential uses and will increase housing supply and help mitigate the ongoing housing shortage within the City. Staff are of the opinion that the enlargement is desirable for the appropriate development and use of land.

Will the application result in undue adverse impacts on surrounding properties?

As noted above, the subject lands are bounded by similar legal non-conforming single detached dwellings on the south, east and west sides. Brantford General Hospital is located across Lawrence Street to the north. The proposed ADU is small in scale and will meet parking requirements of the Zoning By-law. It is Staff’s opinion that the proposal will not create undue adverse impacts on surrounding residential uses or the hospital.

### 6.2 Planning Analysis for Minor Variance

When evaluating the merits of a minor variance application, the Committee of Adjustment must be satisfied that the four tests of Section 45(1) of the *Planning Act* have been met. To be approved, a minor variance must be minor in nature, desirable for the appropriate development and use of the land, and maintain the general intent and purpose of the Zoning By-law and Official Plan. These tests are discussed in the table below.

Table 6 - Four Tests of a Minor Variance

Four Tests	Discussion
1. That the requested variance is minor in nature	<p>“Minor” is determined by impact, not by the value of the variance being sought. The relief sought for an increased building height of accessory structures and increased lot coverage of all accessory structures results in a 0.3 m increase and a 2.3% increase respectively. The variances are minor and will not have adverse impacts on the site or surrounding properties. Staff are therefore of the opinion that the relief request is minor in nature.</p>
2. That the intent and purpose of the <b>Zoning By-law</b> is maintained	<p>The Intensification Corridor (IC) zone provides for a range of residential, commercial, institutional and mixed uses. As analyzed above, single detached dwelling is not a permitted use. The proposed ADU is an enlargement of the existing legal non-conforming residential use and meets the two tests set out by case law.</p> <p>The intent of the maximum building height of accessory structures provision is to ensure such structures are visually subordinate to principal structures. The proposed ADU is 4.8 m in height. The requested increase of 0.3 m will not change the building massing of the ADU. Its character as an accessory structure will be maintained.</p> <p>As per Section 3.1 Table 3.1.a.1, accessory structures are permitted in a rear yard or an interior side yard. The intent of the maximum lot coverage of all accessory structures provision is to ensure such structures are collectively subordinate to principal structures and do not occupy an unreasonable portion of a rear or interior side yard. This is to ensure that adequate access, landscaping, stormwater management can be provided within a subject site. The subject lands do not have existing accessory structures, and the proposed ADU in the rear yard occupies 12.3% of</p>


Four Tests	Discussion
	<p>the lot area, which is slightly over the 10% requirement. Despite the relief sought, it remains small in scale and is not anticipated to impede access to the rear yard, or compromise landscaping or stormwater management of the lands.</p> <p>Staff are therefore of the opinion that the general intent and purpose of the Zoning By-law is maintained.</p>
<p>3. That the general intent and purpose of the <b>Official Plan</b> is maintained</p>	<p>The intent of the Intensification Corridor Designation is to promote vibrant, pedestrian and transit-oriented development along major corridors. Single detached dwelling is not a permitted use in this designation. However, Policy 9.6.b of the Official Plan recognizes legal non-conforming use of lands, buildings and/or structures. Staff are therefore of the opinion that the general intent and purpose of the Official Plan is maintained.</p>
<p>4. That the variance is <b>desirable</b> for the appropriate development and use of the land, building or structure</p>	<p>The relief sought will facilitate the development of a detached ADU that will contribute to the City's housing supply. Staff are therefore of the opinion that the relief sought is desirable for the appropriate development and use of land.</p>

### 6.3 Conclusion

Staff recommends approval of the subject application(s) for the following reasons:

- The application(s) satisfies Section 45(2) and Section 45(1) of the *Planning Act*, as detailed above.
- The enlargement of the legal non-conforming use is considered desirable for the appropriate development and use of land and will not create undue adverse impacts on surrounding properties.
- The relief sought is considered minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and contributes to residential supply.

- 
- A site inspection was completed on October 30, 2025 and no issues were found.



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Prepared by:  
Iris Tong  
Development Planning  
November 27, 2025



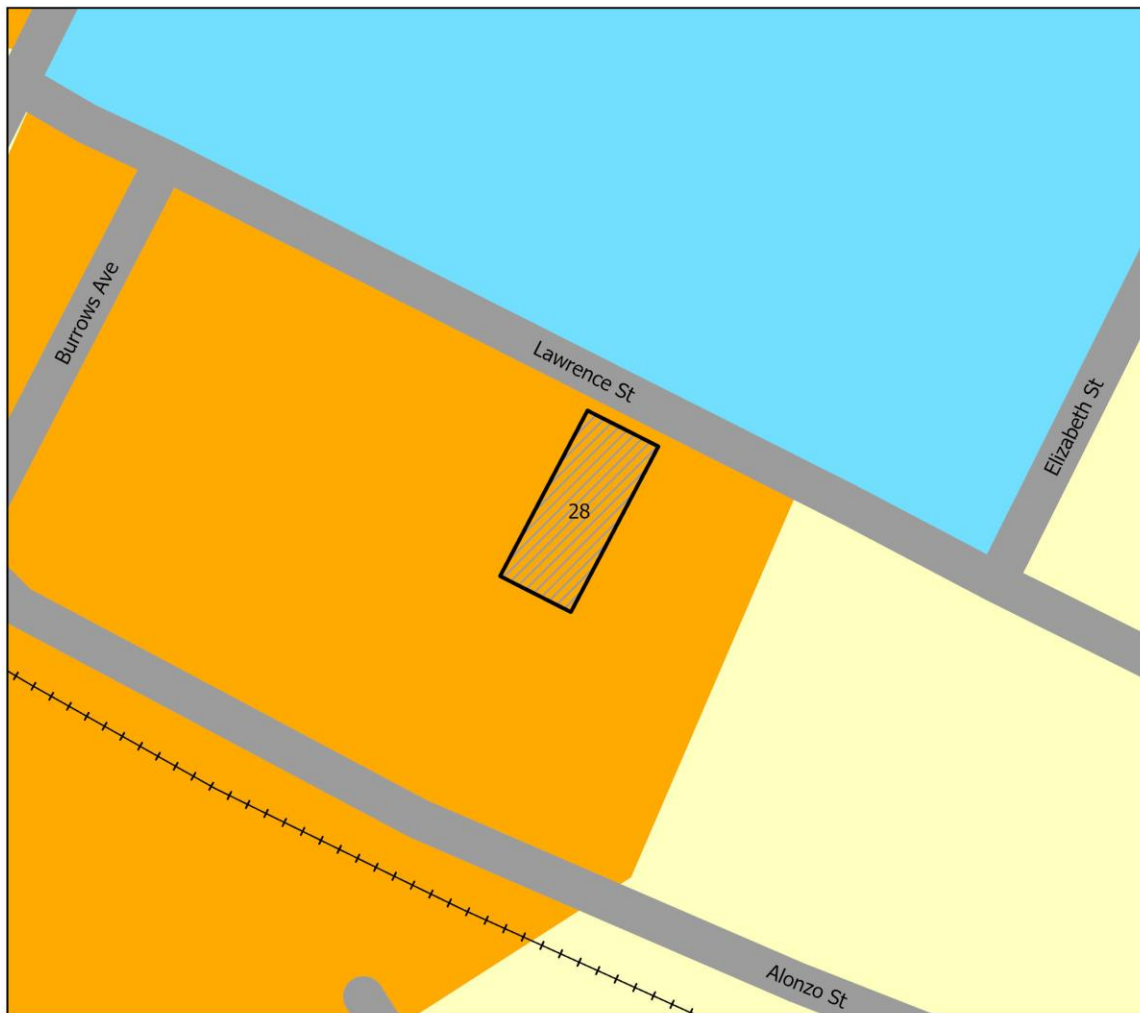
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Reviewed by:  
Sean House, MCIP, RPP, Senior Project  
Manager of Development Planning  
November 27, 2025

# APPENDIX A – Official Plan

## OFFICIAL PLAN EXCERPT MAP

Application: A31-2025  
28 Lawrence Street



### Legend

- Agricultural Designation
- Core Natural Areas Designation
- Residential Designation
- Major Institutional Designation
- Parks and Open Space Designation
- Downtown Urban Growth Centre Designation
- Major Commercial Centre Designation
- Intensification Corridor Designation
- Prestige Employment Designation
- Commercial Mixed Use Corridor
- General Employment Designation
- Six Nations Territory
- VIA Station
- Transit Terminal
- Subject Land

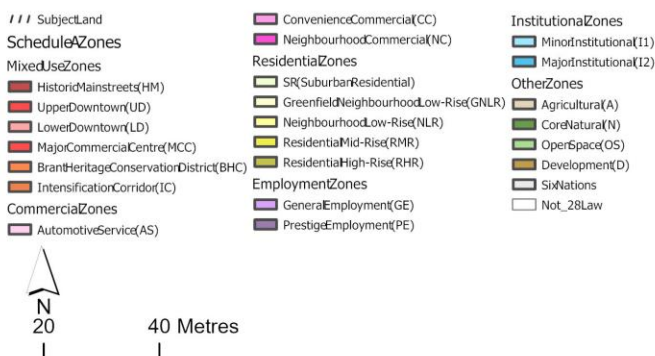
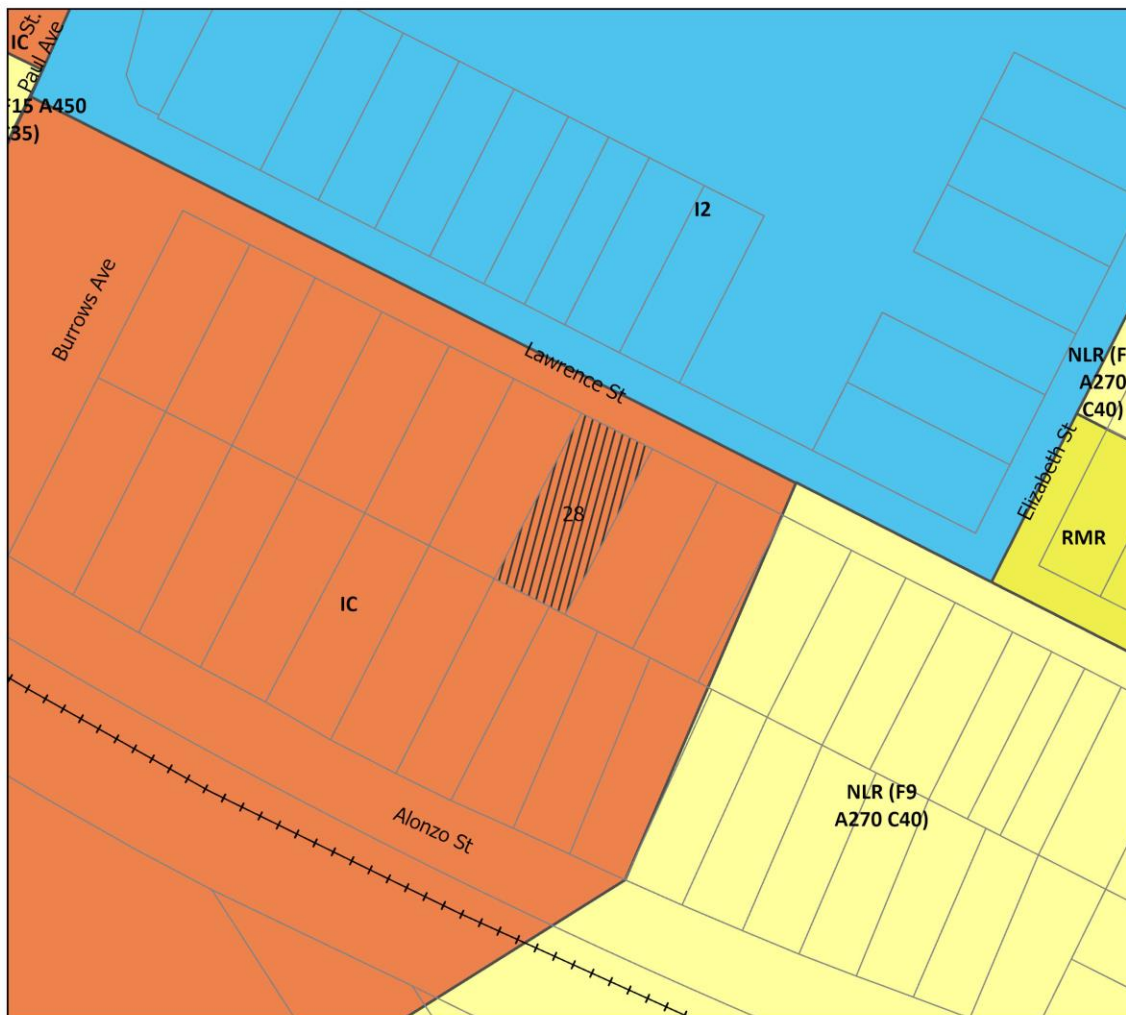


0 20 40 Metres

## APPENDIX B – Zoning By-law

### ZONING MAP (Bylaw 124-2024)

Application: A31-2025  
28 Lawrence Street







## COMMITTEE OF ADJUSTMENT MINUTES

November 5, 2025

5:30 p.m.

Council Chambers, Brantford City Hall  
58 Dalhousie Street, Brantford

### 1. Roll Call

Greg Kempa in the Chair.

Present: Greg Kempa, Tamara Cupoli, Mark Simpson, Mike Bodnar, Ashish Patel, Virginia Kershaw

### 2. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

### 3. Statutory Public Meetings

The Chair read the procedure to be followed during the Committee of Adjustment Hearings. As the meeting was held in a hybrid format, the procedures for the hybrid participation were also reviewed prior to commencing the hearings. Proper notification of all applications had been given.

#### 3.1 Application A27-2025 – 95 Dalhousie Street, 2025-530

**Agent – Arcadis Professional Services (Canada) Inc. c/o Odete Gomes**

**Applicant/Owner – Play Project c/o Trevor de Groot**

Agent for the applicant, Odete Gomes of Arcadis Professional Services (Canada) Inc., appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the construction of indoor rock climbing space with additional parkour features

on the first floor, and the second floor is proposed to be converted into three (3) new residential units, approximately 122 m<sup>2</sup> each.

The Committee did not request to see the presentation or have any questions of staff.

There were no members of the public in person or virtually to speak to the application.

The applicant did not have any clarifying statements.

Moved by Mark Simpson

Seconded by Virginia Kershaw

- A. THAT minor variance application A27-2025 seeking relief from Section 4.74 of Zoning By-law 124-2024 to permit an apartment dwelling containing 3 dwelling units, whereas 4 or more dwelling units are otherwise required, BE APPROVED;
- B. THAT minor variance application A27-2025 seeking relief from Section 6.3 Table 6.3.12 of Zoning By-law 124-2024 to permit 0 m<sup>2</sup> of common amenity space, whereas 15 m<sup>2</sup> are otherwise required, BE APPROVED;
- C. THAT minor variance application A27-2025 seeking relief from Section 5.3 Table 5.3.b.4 of Zoning By-law 124-2024 to permit 0 parking spaces for the proposed residential units, whereas 3 are otherwise required, BE APPROVED;
- D. THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- E. THAT pursuant to 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: “Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-530”.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.1:

Yes: Greg Kempa, Mark Simpson, Mike Bodnar, Ashish Patel,  
Tamara Cupoli, Virginia Kershaw - 6

No: None - 0

### **3.2 Application A28-2025 – 395 Park Road North, 2025-563**

**Agent – Bousfields Inc c/o Ashley Paton**

**Applicant – Coletera Development c/o Michael Krasic**

**Owner – 395 Park Holdings Inc. c/o Paul Kemper**

Agent for the applicant, Ashley Paton of Bousfields Inc., appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the construction of a 163-unit mixed use building, with 179 parking spaces.

Hailey Till, Development Planner appeared before the Committee and provided an overview of the staff report. A PowerPoint Presentation was made, and a copy placed in the meeting folder. Staff explained the history of development applications on the subject property and the new zoning provisions as they relate to the implementation of the new zoning by-law. Staff answered various questions from the Committee and recommended approval of the application.

Ann Pour of 20 Courtland Drive, Unit 26, Brantford, appeared before the Committee and expressed concerns regarding the ability of the public to access to the proposed commercial unit.

Gwen St John of 20 Courtland Drive, Unit 16, Brantford, appeared before the Committee and expressed concerns regarding the impact the proposed variance would have on parking and traffic in the area.

Susan Georgakopoulos of 385 Park Road North, Unit 30, Brantford, appeared before the Committee and expressed concerns regarding the impact the proposed variance would have on parking and traffic in the area. She further provided comments in support of a sound barrier to minimize noise impacts on properties to the south.

Brian Bathurst of 385 Park Road North, Unit 31 Brantford, appeared before the Committee and expressed concerns regarding the impact the proposed variance would have on parking and traffic in the area. He further provided comments in support of a sound barrier to minimize noise impacts on properties to the south, especially during construction.

The applicant reappeared before the Committee and provided clarifying statements regarding the parking and traffic on the site, and the use of a site plan for final design.

Moved by Tamara Cupoli

Seconded by Mike Bodnar

- A. THAT minor variance application A28-2025 seeking relief from Section 5.3, Table 5.3.b.3 of Zoning By-law 124-2024 to permit a minimum parking rate of 1 space per unit plus 0.1 space per unit for visitors for the purpose of the dwelling units within a mixed use building, whereas 1 space per unit plus 0.15 space per unit for visitors is otherwise required, BE APPROVED;
- B. THAT minor variance application A28-2025 seeking relief from Section 5.15, Table 5.15.5 and Table 5.15.6 to permit a shared parking rate of 62% of the required parking spaces (minimum of 16 spaces) for the purpose of residential visitors and retail, personal service for all time periods, whereas 100% of spaces (26 spaces) would otherwise be required, BE APPROVED;
- C. THAT minor variance application A28-2025 seeking relief from Section 6.8, Table 6.8.5 to permit a minimum ground floor height of 3.6 m, whereas 4.5 m is otherwise required, BE APPROVED;
- D. THAT minor variance application A28-2025 seeking relief from Section 6.8, Table 6.8.12 to permit a minimum landscaped open space of 28.8%, whereas 30% is otherwise required, BE APPROVED;
- E. 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,
- F. 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. 2025-563”.

**Carried**

Recorded vote on item 3.2:

Yes: Mark Simpson, Mike Bodnar, Ashish Patel, Tamara Cupoli,  
Virginia Kershaw - 5

No: Greg Kempa - 1

### **3.3 Application A29-2025 – 85-99 Colborne Street West, 2025-540**

**Agent – Urban in Mind c/o Dorothy Yeung**

**Applicant/Owner – Second Colborne Holdings Inc. c/o Angelo  
Abbruzzese**

Agent for the applicant, Dorothy Yeung of Urban in Mind, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the development of two (2) commercial buildings comprising a total of eight (8) units, including a drive-through restaurant and a potential mix of retail, service and office uses. Terrance Glover was also present to answer questions from the Committee.

The Committee did not request to see the presentation however, Iris Tong, Intermediate Development Planner, appeared before the Committee and answered various questions of the Committee.

There were no members of the public in person or virtually to speak to the application.

The applicant did not have any clarifying statements.

Moved by Virginia Kershaw

Seconded by Tamara Cupoli

- A. THAT minor variance application A29-2025 seeking relief from Section 6.8 Table 6.8.7 of Zoning By-law 124-2024 to permit a minimum rear yard of 4.4 m, whereas 7.5 m is otherwise required, BE APPROVED;
- B. THAT minor variance application A29-2025 seeking relief from Section 3.24 Table 3.24.8 of Zoning By-law 124-2024 to permit a canopy projection that is no less than 0.5 m to a lot line, whereas 3 m is otherwise required, BE APPROVED;
- C. THAT minor variance application A29-2025 seeking relief from Section 3.35 c), d) and f) of Zoning By-law 124-2024 to permit the

proposed waste and recyclable storage area without screening, enclosure, and protective bollards, whereas these features are otherwise required, BE APPROVED;

- D. THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- E. THAT pursuant to 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: “Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2025-540”.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.3:

Yes: Greg Kempa, Mark Simpson, Mike Bodnar, Ashish Patel, Tamara Cupoli, Virginia Kershaw - 6

No: None - 0

**3.4 Application A30-2025 - 205-211 Mount Pleasant Road, 2025-565**

**Agent/Applicant/Owner – Kennedy (Mount Pleasant) Inc. c/o Marcus Gagliardi**

Agent for the applicant, Marcus Gagliardi of Cachet Homes, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the construction of five (5) model homes. The agent answered various questions from the Committee.

The Committee did not request to see the presentation however, Iris Tong, Intermediate Development Planner, appeared before the Committee and answered various questions of the Committee.

Martin Sterenczak of 62 Beckett Ave, Brantford, appeared before the Committee and requested information regarding the required conditions for the draft plan of subdivision.

The applicant reappeared before the Committee and provided clarifying statements regarding the site servicing and meeting the conditions of the draft plan of subdivision.

Moved by Mark Simpson  
Seconded by Ashish Patel

- A. THAT minor variance application A30-2025 seeking relief from Section 3.21 to permit the construction of up to six (6) model homes on a single lot with a draft approved plan of subdivision, whereas a registered plan of subdivision would otherwise be required, BE APPROVED;
- B. 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,
- C. 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. 2025-565”.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.4:

Yes: Greg Kempa, Mark Simpson, Mike Bodnar, Ashish Patel,  
Tamara Cupoli, Virginia Kershaw - 6

No: None - 0

### **3.5 Application B18-2025 – 248 & 250 Colborne Street West, 2025-534**

**Agent – Greener Minds Property Corp. c/o Lee Hiscock**

**Applicant/Owner – Greener Minds Property Corp.**

Duff Thompson part owner of the subject lands appeared before the Committee and provided an overview of the application. The applicant is seeking approval to adjust the lot boundary between 250 Colborne Street West and 248 Colborne Street West in order to provide additional parking

spaces to the existing business. The applicant answered various questions from the Committee.

The Committee did not request to see the presentation or have any questions of staff.

There were no members of the public in person or virtually to speak to the application.

The applicant re-appeared before the Committee and confirmed that his business partner was satisfied with the conditions of consent.

Moved by Mike Bodnar

Seconded by Ashish Patel

- A. THAT consent application B18-2025 to sever a parcel of land having a lot area of 320.02 m<sup>2</sup> from 250 Colborne Street West and to convey it to 248 Colborne Street West, BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2025-534;
- B. 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,
- C. 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. 2025-534”.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.5:

Yes: Greg Kempa, Mark Simpson, Mike Bodnar, Ashish Patel, Tamara Cupoli, Virginia Kershaw - 6

No: None - 0

#### **4. Presentations/Delegations**

There were no presentations or delegations.

**5. Items for Consideration**

There were no items for consideration.

**6. Consent Items**

**6.1 Minutes**

**6.1.1 Committee of Adjustment - October 1, 2025**

Moved by Mark Simpson

Seconded by Tamara Cupoli

THAT the minutes of the October 1, 2025 meeting of the Committee of Adjustment BE APPROVED.

**Carried**

**7. Resolutions**

There were no resolutions.

**8. Notices of Motion**

There were no Notices of Motion.

**9. Adjournment**

The meeting adjourned at 7:00pm.

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G. Kempa, Chair

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L. Madden, Committee Coordinator