



THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

PROPOSAL:

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

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

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

DECISION: APPROVED

DATE: June 7, 2023

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

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

THAT pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-370.”

Electronically signed by V. Kershaw,
Chair/Member

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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

APPEALS

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

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

Notice of Changes

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

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

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

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

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

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

END OF DECISION

LOCATION MAP

Application: A19/2023
40 Nautical Road

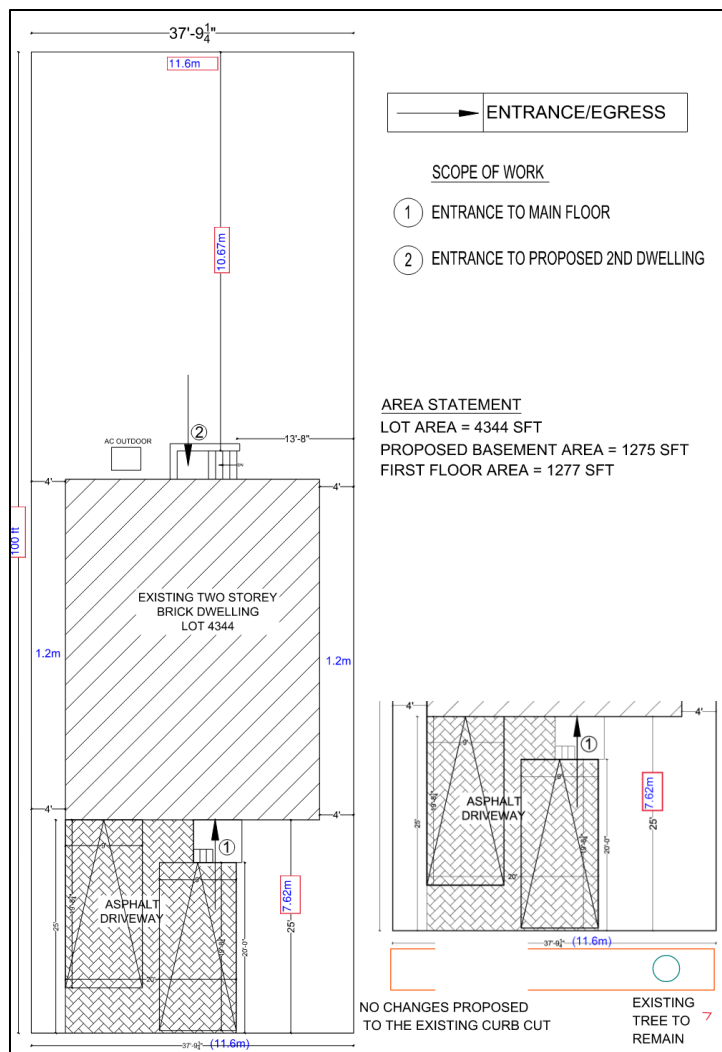


Legend

SUBJECT LAND



Conceptual Site Plan



Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
Member

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END OF DECISION

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
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END OF DECISION

LOCATION MAP

Application: B18/2023, B19/2023 & B20/2023
144 Mary Street

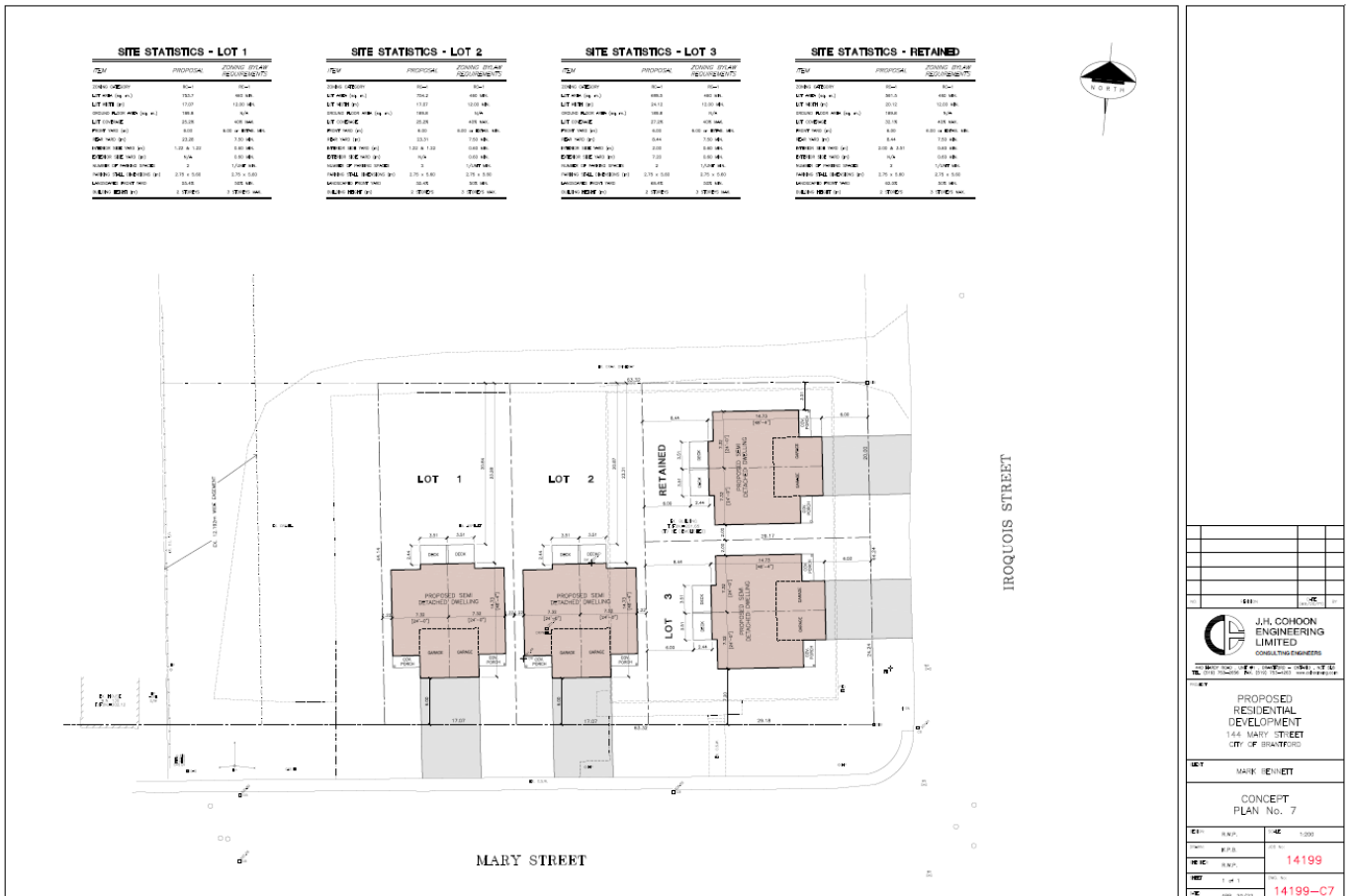


Legend

SUBJECT LAND



Conceptual Site Plan



NORTH

IROQUOIS STREET

MARY STREET

J.H. COHOON ENGINEERING LIMITED
CONSULTING ENGINEERS

PROPOSED RESIDENTIAL DEVELOPMENT
144 MARY STREET
CITY OF BRANTFORD

MARK BENNETT

CONCEPT PLAN No. 7

DATE	BY	NO.
14199	MARK BENNETT	1
14199-C7	MARK BENNETT	2

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member


Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
Member

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N3T 2J2

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END OF DECISION



THE CORPORATION OF THE CITY OF BRANTFORD
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
 TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

PROPOSAL:

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

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

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

DECISION: APPROVED

DATE: June 7, 2023

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

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

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

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

**Opposed - V. Kershaw,
Chair/Member**

**Electronically signed by M. Bodnar
Member**

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

**Absent - T. Gaskin
Member**

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

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
Member**

CERTIFICATION

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Secretary-Treasurer

ADDITIONAL INFORMATION

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Committee of Adjustment
58 Dalhousie Street
Brantford ON
N3T 2J2

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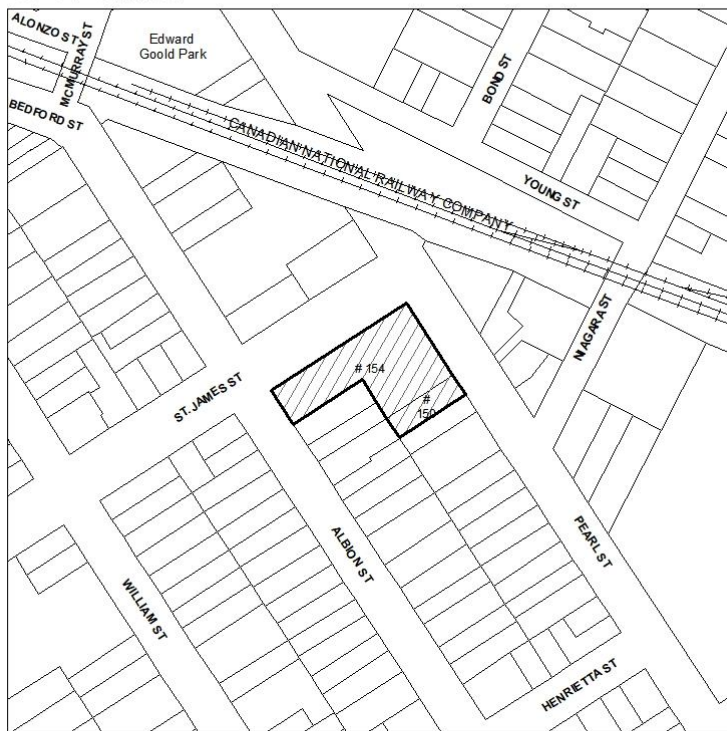
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is June 27, 2023

END OF DECISION

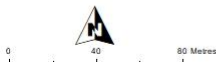
Location Map

LOCATION MAP

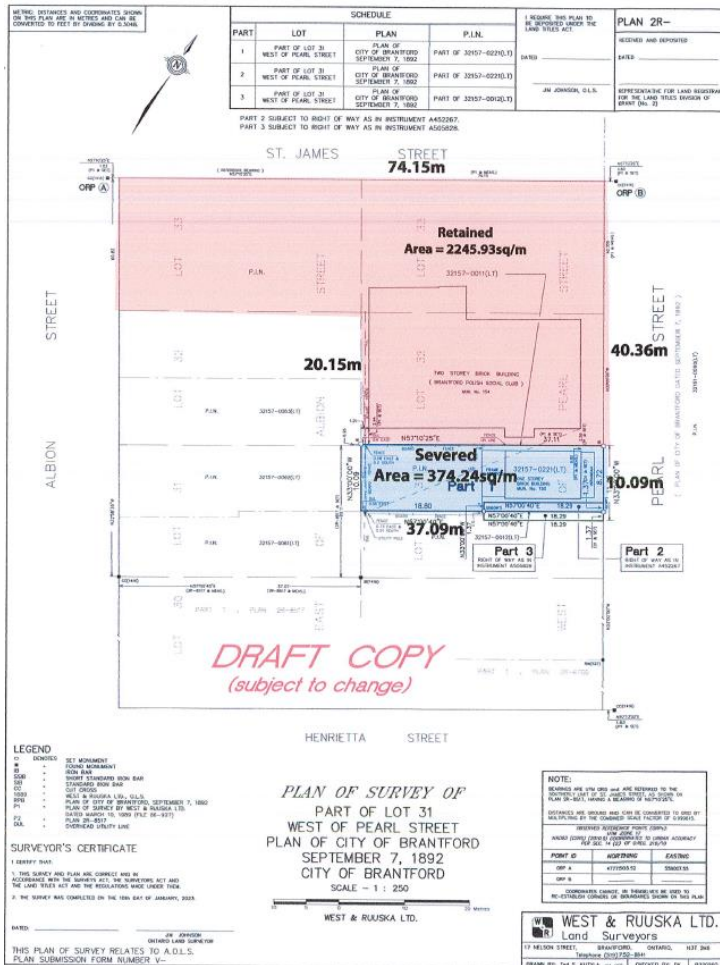
Application: B21/2023 & A18/2023
150-154 Pearl Street



Legend
 SUBJECT LANDS



Severance Sketch





THE CORPORATION OF THE CITY OF BRANTFORD
CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2
TELEPHONE 519-759-4150

COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION
45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

PROPOSAL:

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

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

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

DECISION: APPROVED

DATE: June 7, 2023

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

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

THAT pursuant to Section 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c. P. 13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-375.”

Electronically signed by V. Kershaw,
Chair/Member

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
Member

CERTIFICATION

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Secretary-Treasurer

ADDITIONAL INFORMATION

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

END OF DECISION

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

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; and

THAT pursuant to Section 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-376.”

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by T. Gaskin
Member

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

END OF DECISION

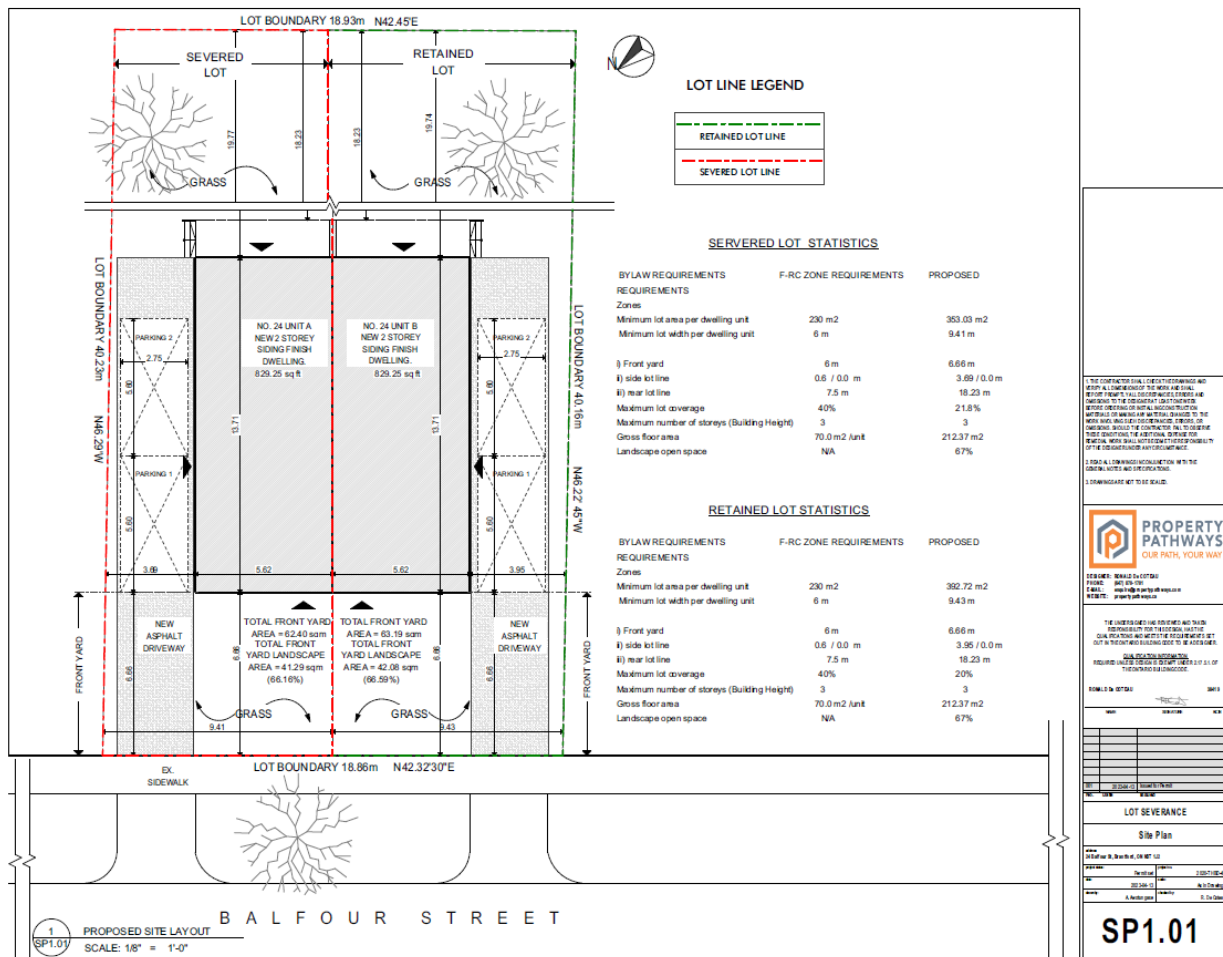
LOCATION MAP
Application: B17/2023
24 Balfour Street



Legend
SUBJECT LAND



Conceptual Site Plan



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

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; and

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

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

**Opposed - V. Kershaw,
Chair**

**Electronically signed by M. Bodnar
Member**

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

**Absent - T. Gaskin
Member**

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

**Electronically signed by J. Panag,
Member**

**Electronically signed by M. Simpson
Member**

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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

APPEALS

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

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

Notice of Changes

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

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

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

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

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

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

END OF DECISION

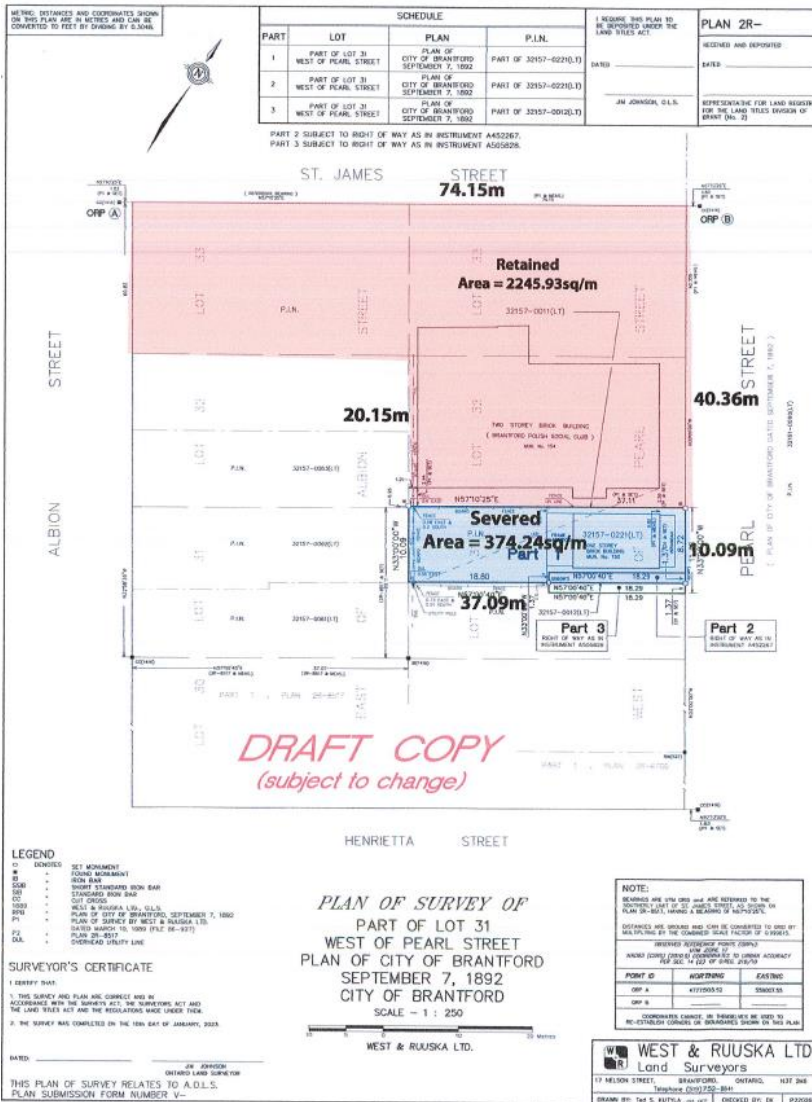
LOCATION MAP
 Application: B21/2023 & A18/2023
 150-154 Pearl Street



Legend
 SUBJECT LANDS



Conceptual Site Plan



4. Receipt of acknowledgement that Section 50(3) or 50(5) of the *Planning Act* shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent;
5. The Owner/Applicant shall provide confirmation that there are no existing cemetery plots located on the lands to be severed.
6. Receipt of an Undertaking from the Solicitor acting in the transfer confirming that the 2.285 ha of severed lands from 287-293 Mount Pleasant Road will be merged in title with the property municipally addressed as 251 Mount Pleasant Road.
7. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.
8. Receipt of confirmation from the Development Engineering Department indicating that their requirements have been satisfied.
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before June 20, 2025 after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement; and

THAT pursuant to Section 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-371.”

Electronically signed by V. Kershaw,
Chair

Electronically signed by M. Bodnar
Member

Electronically signed by T. Cupoli,
Member

Absent - T. Gaskin
Member

Electronically signed by G. Kempa,
Member

Electronically signed by J. Panag,
Member

Electronically signed by M. Simpson
Member

CERTIFICATION

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



Secretary-Treasurer

ADDITIONAL INFORMATION

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APPEALS

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

END OF DECISION

LOCATION MAP

Application: B22/2023
 287-293 Mount Pleasant Rd. & 251 Mount Pleasant Rd.



Legend

SUBJECT LANDS



Conceptual Site Plan



Severance Plan

LEGEND

- Subject Lands
- Lands to be Severed (±2,285ha)
- Lands to be Retained (±10,127ha)
- Benefiting Lands (±0,364ha)

DATE: March 2023

SCALE: 1: 3,000

FILE: 21508B

DRAWN: LC

