



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:** A09/2023  
**Related File Numbers:** N/A  
**Address:** 32 Elmwood Avenue  
**Roll Number:** 290603001312000000  
**Applicant/Owner:** Robert Scott

**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 32 Elmwood Avenue. The applicant is proposing to enclose the existing front porch.

The applicant is seeking relief to Section 7.4.2.1.5 of Zoning By-law 160-90 to permit the front porch to be setback 4.5 m from the front building line whereas the By-law requires a distance of 6.0 m or the established front building line, whichever is lesser.

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
<b>Enclosure of Porches, Verandahs, and Decks</b>	7.4.2.1.5	6.0 m or the established building line, whichever is lesser	4.5 m from front building line	A reduction of 1.5 m

**DECISION:           APPROVED**

**DATE:                   March 2, 2023**

THAT Application A09/2023 requesting relief from the City of Brantford Zoning Bylaw 160-90 to permit the front porch to be setback 4.5 m from the front building line whereas the By-law requires a distance of 6.0 m or the established front building line, whichever is lesser, as per Section 7.4.2.1.5, **BE APPROVED;**

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

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-159.”*

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](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto: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 March 22, 2023**

**END OF DECISION**

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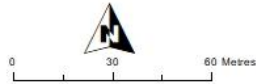
# LOCATION MAP

Application: A09/2023  
32 Elmwood Avenue

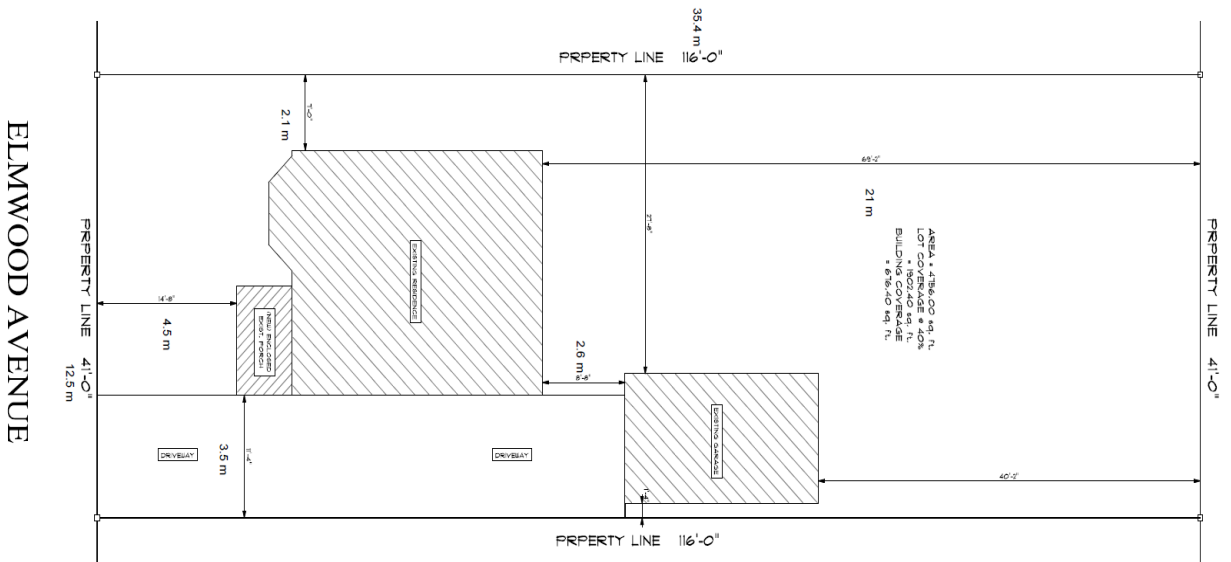


## Legend

 SUBJECT LAND



# Conceptual Site Plan





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:** B04/2023  
**Related File Numbers:** A10/2023  
**Address:** 73 Hill Avenue  
**Roll Number:** 2906030012275000000  
**Applicant:** Carolina Home Builders & Design  
**Agent:** Tony Castagna

**IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53  
OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

### PROPOSAL:

Minor variance and severance applications have been received for the lands municipally addressed as 73 Hill Avenue. The applicant is requesting a severance to create separate ownership over each of the recently constructed semi-detached dwelling unit and land.

**DECISION: PROVISIONAL APPROVAL**

**DATE: March 2, 2023**

THAT Application B04/2023 to sever a parcel of land from the northeastern portion of the lands municipally addressed as 73 Hill Avenue, having a lot area of 402 m<sup>2</sup>, and to retain a parcel of land having a lot area of 340 m<sup>2</sup>, **BE APPROVED**, subject to the following conditions:

1. **Receipt of confirmation that Application A10/2023 receives final and binding approval and is in full force and effect**
2. **Receipt of a registered reference plan showing the severed, retained and receiving lands;**
3. **Receipt of confirmation that all taxes are paid up to date;**
4. **Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (Upon registration a final copy of the Transfer deed shall be provided to the City);**
5. **Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Municipal Numbering Assignment Request Form to assign a municipal address number to the severed and/or retained parcel(s) has been submitted.**
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. **The Owner/Applicant shall provide a Servicing Plan to the satisfaction of the Manager of Development Engineering or his/her designate, indicating 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.**

- 8. 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.**
- 9. The Owner/Applicant shall provide a Grading and Drainage Plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Engineer licensed in the Province of Ontario.**
- 10. Provide drawing to the satisfaction of the Chief Building Official, showing location and continuity of proposed party wall along proposed property line. Drawing to be signed or stamped by qualified designer.**
- 11. Confirmation from Bell Canada that the necessary easement has been registered.**
- 12. That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 2, 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) 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. 2023-182”.*

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](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto: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

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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 March 23, 2023**

**END OF DECISION**

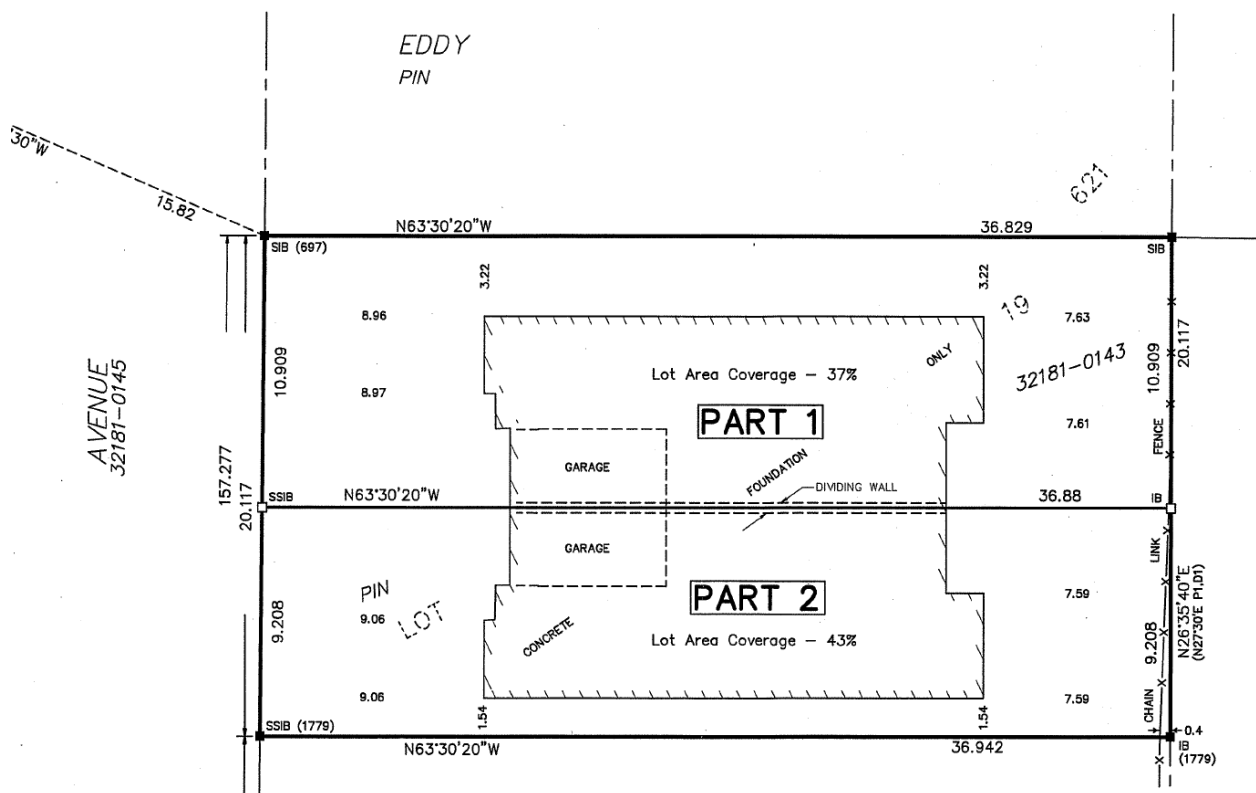
**LOCATION MAP**  
 Application: B04/2023 & A10/2023  
 73 Hill Avenue



**Legend**  
 SUBJECT LAND



**Conceptual Lot 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:** A10/2023  
**Related File Numbers:** B04/2023  
**Address:** 73 Hill Avenue  
**Roll Number:** 2906030012275000000  
**Applicant:** Carolina Home Builders & Design  
**Agent:** Tony Castagna

**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:**

Minor variance and severance applications have been received for the lands municipally addressed as 73 Hill Avenue.

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

Regulation	By-law Section	Required	Proposed	Relief Requested
<b>Lot coverage (semi-detached dwelling)</b>	7.8.2.1.3.3	40% maximum	Part 1: 37% Part 2: 43%	Part 1: 0% Part 2: 3%

**DECISION:           APPROVED**

**DATE:                 March 2, 2023**

THAT Application A10/2023 requesting relief from Section 7.6.2.1.3 of Zoning By-law 160-90 to permit a lot coverage of 43% for Part 2, whereas a maximum of 40% is permitted, **BE APPROVED;**

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

THAT pursuant to Sections 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. 2023-182”.*



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

#### CERTIFICATION

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Secretary-Treasurer

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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is March 22, 2023**

**END OF DECISION**

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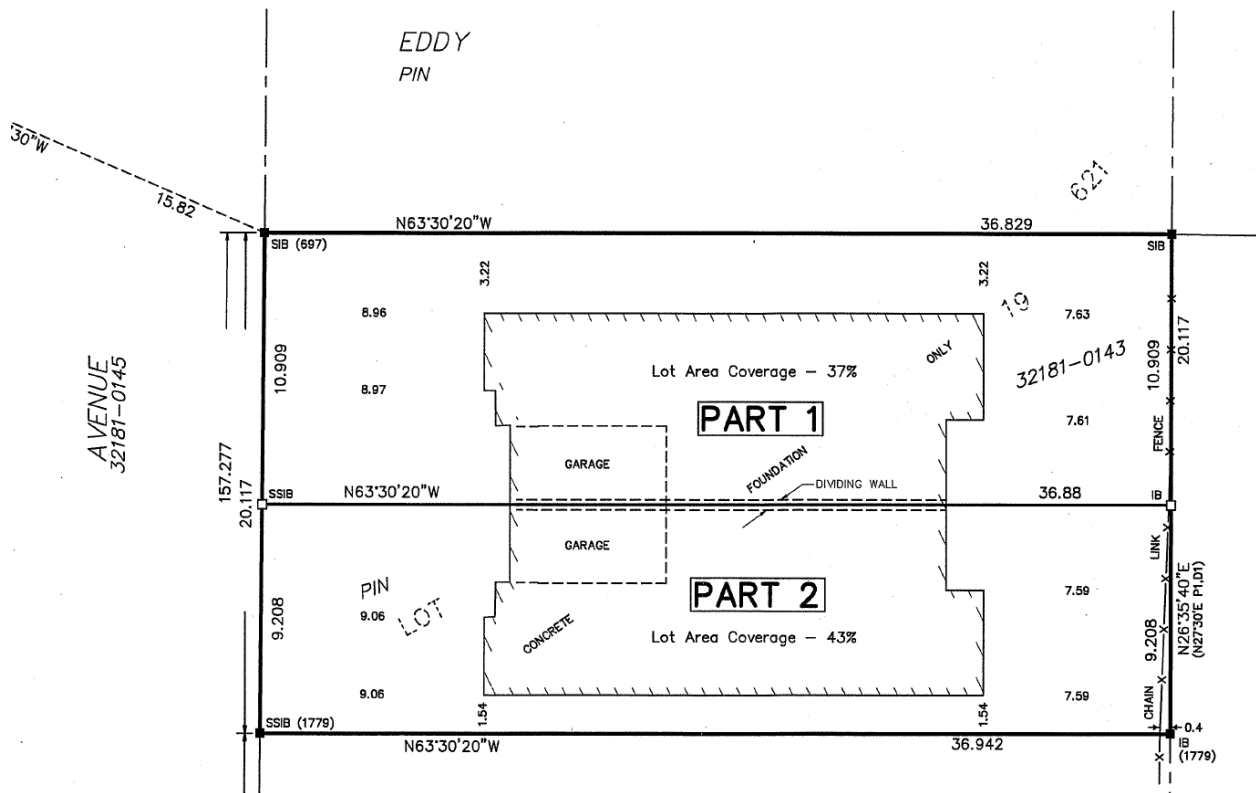
**LOCATION MAP**  
 Application: B04/2023 & A10/2023  
 73 Hill Avenue



**Legend**  
 SUBJECT LAND



**Conceptual Lot 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:** B03/2023  
**Related File Numbers:** N/A  
**Address:** 272-280 Grand Street  
**Roll Number:** 2906030012119000000 (272 Grand Street)  
2906030012117000000 (280 Grand Street)  
**Applicant/Owner:** Terry DaSilva  
**Agent:** W. Christopher Nunn

**IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53  
OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

### **PROPOSAL:**

An application for a lot boundary adjustment has been received to transfer a portion of lands (Part 2) from 280 Grand Street (Part 1) to 272 Grand Street (Part 3). Additionally, an application for consent to a partial discharge of the mortgage that is associated with the transferred parcel has also been received. The applicant from 272 Grand Street is seeking an increased lot size to allow for additional rear yard space and intends to build an accessory structure for personal use and storage in the future.

	<b>Lands to be Retained (Part 1 on Site Plan)</b>	<b>Lands to be combined through Lot Boundary Adjustment (Part 2 and 3 on Site Plan)</b>
<b>Lot Width</b>	22.25 m	22.93 m
<b>Lot Depth</b>	42.67 m	89.89 m
<b>Lot Area</b>	727.1 m <sup>2</sup>	2,976.5 m <sup>2</sup>

**DECISION:** **PROVISIONAL APPROVAL**

**DATE:** **March 2, 2023**

THAT Application B03/2023 to sever a 196 m<sup>2</sup> parcel of land from the rear of 280 Grand Street to be transferred to neighbouring property 272 Grand Street for the purposes of a lot boundary adjustment, and for the partial discharge of the mortgage of the transferred parcel **BE APPROVED**, subject to the following conditions:

- 1. Receipt of confirmation that all taxes are paid up to date;**
- 2. Receipt of a registered reference plan showing the severed, retained and receiving lands;**
- 3. Receipt of confirmation that the Applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (upon registration a final copy of the Transfer deed shall be provided to the City);**

4. **Receipt of acknowledgement that Section 50(3) or 50(5) of the *Planning Act* shall apply to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent;**
5. **Receipt of an Undertaking from the Solicitor acting in the transfer confirming that the 196 m<sup>2</sup> of severed lands from 280 Grand Street will be merged in title with the property municipally addressed as 272 Grand Street;**
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. **Provide spatial separation calculations from a qualified professional to newly created property line for 280 Grand Street;**
8. **Receipt of confirmation that the Building Department requirements have been met;**
9. **Receipt of confirmation from the Development Engineering Department indicating that their requirements have been satisfied;**
10. **That the above conditions be fulfilled and the Certificate of Consent be issued on or before March 3, 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) and Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-106.”*

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

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#### APPEALS

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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 March 23, 2023**

**END OF DECISION**


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# LOCATION MAP

Application: B03/2023  
272 & 280 Grand Street



## Legend

 SUBJECT LAND



## Conceptual Site Plan Survey of Subject Properties

