



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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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**File Number:** A17/2021  
**Related File Number:** N/A  
**Address:** 101 St. Paul Avenue  
**Roll Number:** 2906010004177000000  
**Agent:** John Sibenik  
**Applicant/Owner:** Joseph Palombo & David Francis Dunsmuir

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### 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 101 St. Paul Avenue. The applicant is seeking relief for an existing rear yard deficiency due to a construction error during the placement of the foundation wall, which created a deficient rear yard. To rectify the situation, the applicant is seeking relief from the following section of Zoning By-law 160-90:

- Section 7.4.2.1.6 to permit a rear yard 7.3 m, whereas 7.5 m is required.

#### **DECISION: APPROVED**

**DATE:** May 5, 2021

THAT Application A17/2021 requesting relief from Section 7.4.2.1.6 of Zoning By-law 160-90 to permit a rear yard of 7.3 m, whereas 7.5 m is required, BE APPROVED; and

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

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

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter as discussed in Section 6.2 of Report 2021-356.”*

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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

  
Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

#### APPEALS

*Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the Planning Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Local Planning Appeal Tribunal.*

*Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.*

*The fee for an appeal to the Local Planning Appeal 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 \$500.00 administrative fee made payable to the Corporation of the City of Brantford.*

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

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

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

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 25, 2021**

**END OF DECISION**

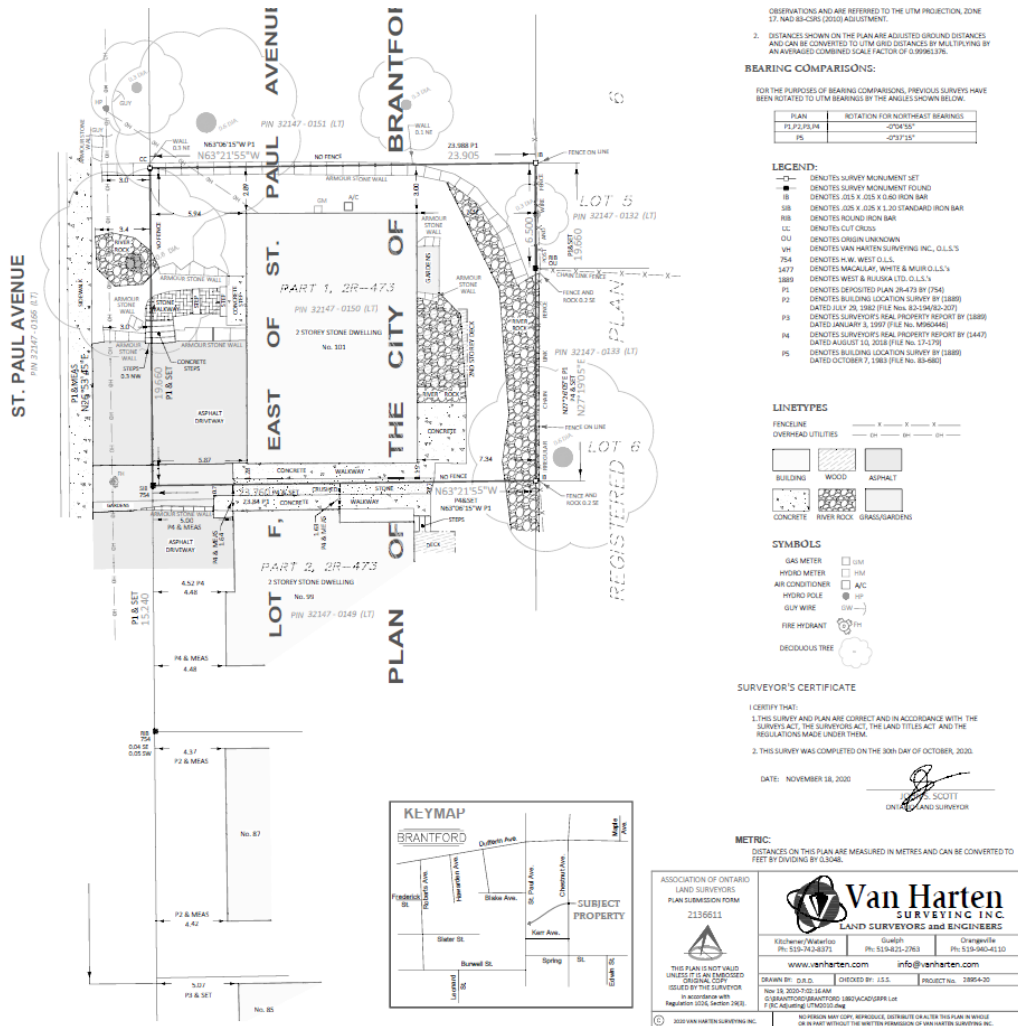
# LOCATION MAP

Application: A17/2021  
101 St. Paul Avenue



## Legend

SUBJECT LAND





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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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**File Number:** A18/2021  
**Related File Number:** N/A  
**Address:** 168 Tollgate Road  
**Roll Number:** 290602001335000000  
**Applicants:** Robert & Catherine Ballard

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### 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 168 Tollgate Road. The applicant has constructed a driveway that displaces the minimum amount of landscaped open space required for a front yard in a residential zone. The driveway was widened to 8.95 m wide in order to provide an area for safe turning movements on the subject lands so that the owner can avoid reversing onto Tollgate Road. To rectify the situation, the applicant is seeking relief from the following section of Zoning By-law 160-90:

- Section 6.18.3.9 to permit a minimum of 25% landscaped open space in the front yard of a residential zone.

#### **DECISION: APPROVED**

**DATE:** May 5, 2021

THAT Application A18/2021 requesting relief from Section 6.18.3.9 of Zoning By-law 160-90 to permit a minimum 25% landscaped open space in the front yard of a residential zone, whereas 50% is required, BE APPROVED; and

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

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

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter as discussed in Section 6.2 of Report 2021-358.”

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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

  
Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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#### APPEALS

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

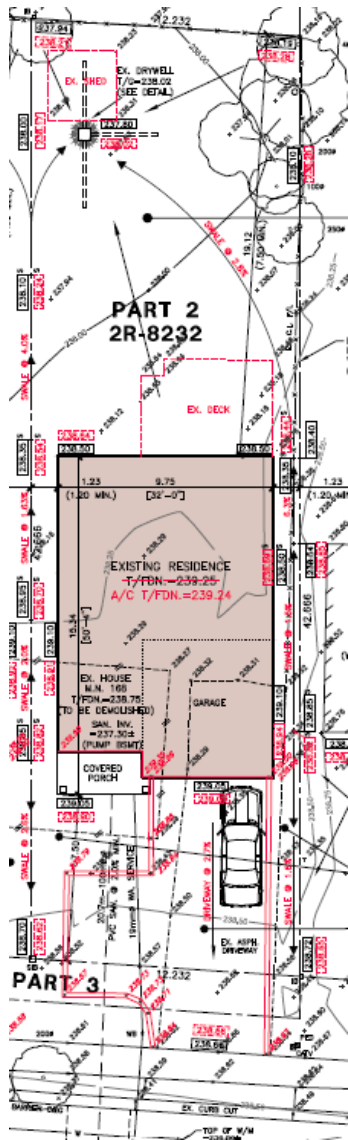
Secretary-Treasurer  
Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 25, 2021**

**END OF DECISION**



**LOCATION MAP**

Application: A18/2021  
168 Tollgate Road



**Legend**

 SUBJECT LAND





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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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**File Number:** A19/2021

**Related File Number:** N/A

**Address:** 501 Shellard Lane - Block 248 (Lot 219)  
& Block 241 (Lot 223) of the Draft M Plan of Subdivision File No. 29T-16502

**Roll Number:** Not assigned yet

**Applicant/Owner:** Losani Homes – Myles Smith

**Agent:** MHBC Planning Ltd., Stephanie Mirtitsch

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### 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 known as 501 Shellard Lane Block 248 (Lot 219) and Block 241 (Lot 223) of Draft Approved Plan of Subdivision File No. 29T-16502. The applicant is proposing to develop two single detached dwellings as part of the proposed lotting with lands to the east (which were developed by Empire Communities Registered Plan 2M-1955). To facilitate the developments as proposed, the applicant is seeking relief from the following Sections of Zoning By-law 160-90:

- Block 248 (Lot 219) - Section 7.4.3.21.1 of the Zoning By-law in order to permit a lot area of 294 square metres whereas a minimum lot area of 300 square metres is required;
- Block 248 (Lot 219) - Section 7.4.3.21.6 of Zoning By-law in order to permit a rear yard of 6.67 metres, whereas a rear yard of 7.0 metres is required; and,
- Block 241 (Lot 223) - Section 7.4.3.21.6 of Zoning By-law in order to permit a rear yard of 6.79 metres, whereas a rear yard of 7.0 metres is required.

#### DECISION: **APPROVED**

DATE: May 5, 2021

THAT Application A19/2021 seeking relief from Section 7.4.3.21.1 to permit a lot area of 294 m<sup>2</sup> whereas 300 m<sup>2</sup> is required and Section 7.4.3.21.6 to permit a rear yard of 6.67 m, whereas 7.0 m is required for Block 248; and Section 7.4.3.21.6 to permit a rear yard of 6.79 m, whereas 7.0 m is required for Block 241 of Draft Plan of Subdivision File No. 29T-16502, BE APPROVED; and

THAT the reason(s) for approval are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered

minor in nature and is desirable for the appropriate development and use of the land; and,

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

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2021-344.”*



Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member


Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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

  
Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

#### APPEALS

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

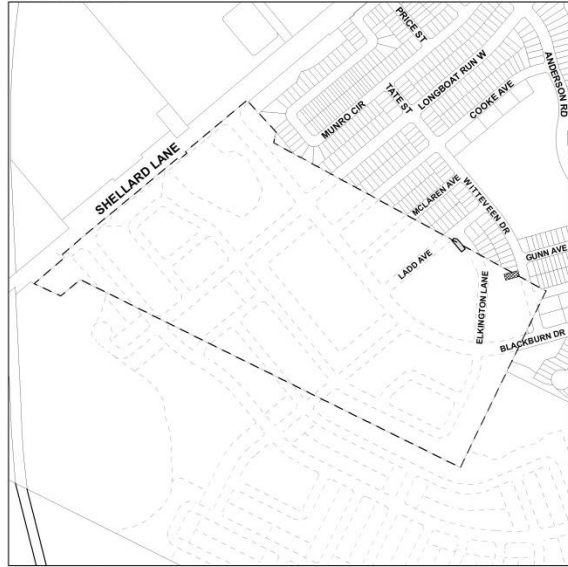
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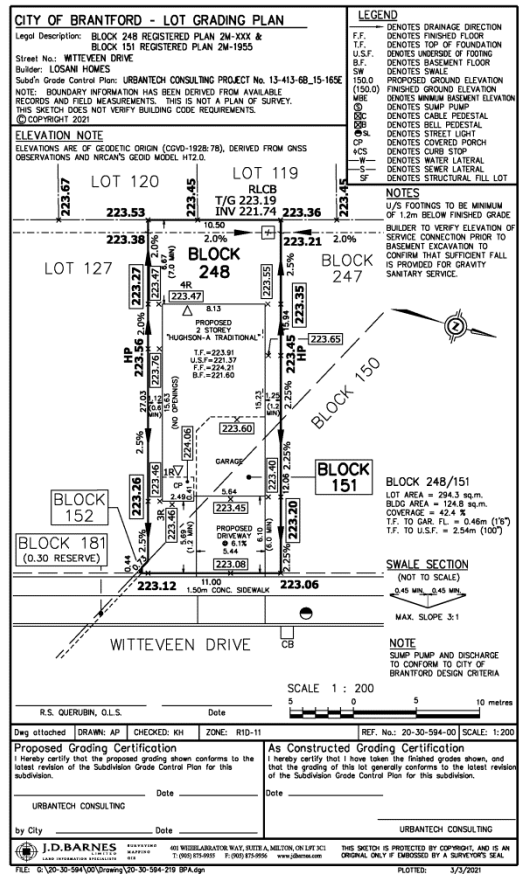
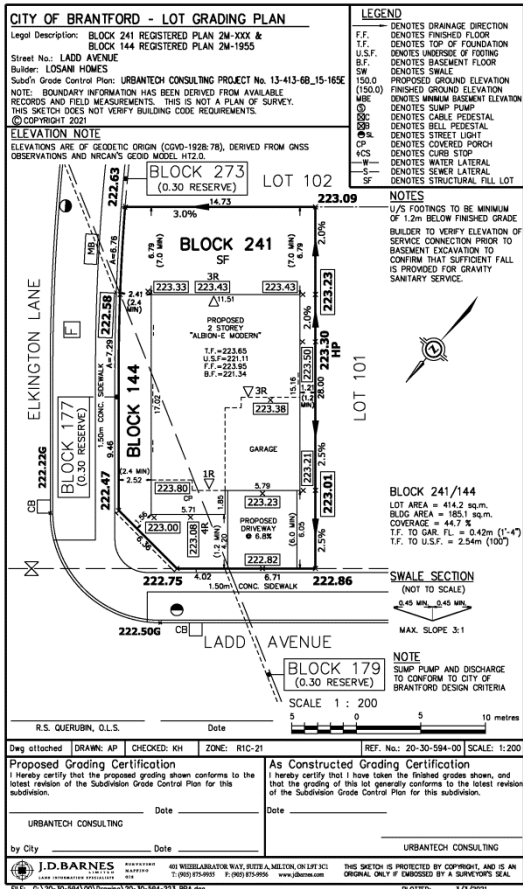
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 25, 2021**

**END OF DECISION**

**LOCATION MAP**  
Application: A19/2021  
501 Shellard Lane



- Legend**
- 501 Shellard Lane
  - Application A19/2021 Subject land areas
  - Builder Lot 219
  - Builder Lot 223





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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

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**File Number:** A20/2021  
**Related File Number:** B14/2021 & B15/2021  
**Address:** West of Cumberland Street  
**Roll Number:** 2906040013295000000  
**Applicant:** Domenic Zavarella  
**Agent:** J.H. Cohoon Engineering Limited  
**Owners:** Nathan Gallant, James Gallant & Michael Thompson

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

#### Proposal:

Two consent applications (one severance and lot adjustment) and a minor variance application have been received for the lands located west of the property municipally addressed as 17 Cumberland Street. The subject property has no associated municipal address at this time, but as a condition of this approval; civic addressing will be applied. To facilitate the construction of the single detached dwellings on each proposed lot, the applicant is seeking relief from the following Section of Zoning By-law 160-90 for all three lots:

- Section 7.3.2.1.3 to permit lot coverage of 40%, whereas 35% is required.

#### DECISION: APPROVED

DATE: May 5, 2021

THAT Application A20/2021 seeking relief from Section 7.3.2.1.3 to permit a maximum lot coverage of 40% for all lots created through Applications B14/2021 and B15/2021, whereas 35% maximum lot coverage is required, BE APPROVED; and

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

*“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 6.3 of Report No. 2021-368.”*

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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



---

Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

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Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 25, 2021**

**END OF DECISION**

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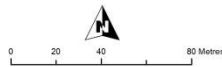
**LOCATION MAP**

Application: B14/2021, B15/2021, A18/2021 and A20/2021  
West of Cumberland

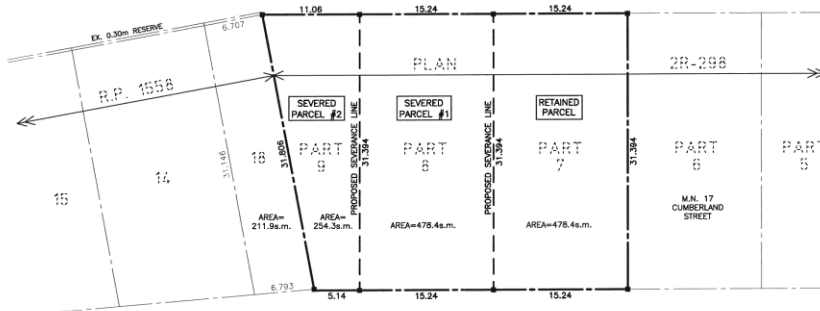


**Legend**

 SUBJECT LAND



**CUMBERLAND STREET**



**NOTE:**  
SEVERED PARCEL #2 (PART 9) IS TO BE MERGED  
WITH LOT 18 (R.P. 1558) TO CREATE ONE SINGLE  
DETACHED RESIDENTIAL LOT PROVIDING A LOT  
FRONTAGE OF 16.6m AND AN AREA OF 486.2 s.m.

**PROPOSED SEVERANCE PLAN**

CUMBERLAND STREET BRANTFORD

 **J.H. COHOON ENGINEERING LIMITED**  
CONSULTING ENGINEERS  
BRANTFORD

CLIENT: SKILANT  
SCALE: 1:300

JOB: 13832



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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

---

**File Number:** A21/2021  
**Related File Number:** N/A  
**Address:** 13 Edward Street  
**Roll Number:** 2906050002228000000  
**Applicant:** Richie Khanna, R & R Designs Inc.

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### 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 13 Edward Street. The applicant is proposing to install a new roof and columns above the existing porch. To facilitate the proposed addition, the applicant requires relief from Section 6.4.1.1 of Zoning By-law 160-90, which states that an un-enclosed porch, verandah or deck (with or without a roof) may encroach a maximum of 2.5 metres into a required yard (in this instance the front yard), provided the projection is no closer than 1.2 m to a lot line. The existing steps encroach 3.16 metres into the front yard, and are set back 1.73 metres from the lot line. The applicant is requesting an encroachment of 3.74 metres with a setback of 1.15 metres to the lot line for the new roof and columns.

#### **DECISION: APPROVED**

**DATE:** May 5, 2021

THAT Application A21/2021 seeking relief from Section 6.4.1.1 of Zoning By-law 160-90 to permit a front yard setback of 1.15 m and an encroachment of 3.74 m for an unenclosed porch BE APPROVED; and

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

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

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2021-352.”*

Original signed by D. Namisniak, Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

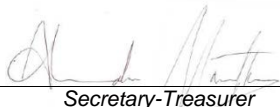
Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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



Secretary-Treasurer

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**END OF DECISION**

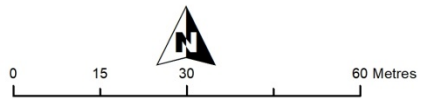
# LOCATION MAP

Application: A21/2021  
13 Edward Street



## Legend

 SUBJECT LAND









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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

---

**File Number:** A22/2021

**Related File Number:** N/A

**Address:** 501 Shellard Lane – Lot 88 of Draft Plan of Subdivision File No. 29T-16502

**Roll Number:** Not assigned yet

**Applicant/Owner:** Losani Homes – Myles Smith

**Agent:** MHBC Planning Ltd., Stephanie Mirtitsch

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### 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 known as 501 Shellard Lane (Lot 88), of Draft Approved Plan of Subdivision File No. 29T-16502. The subject lands have currently not been assigned municipal addresses, as the Plan of Subdivision and corresponding Subdivision Agreement have not been registered for this phase and therefore the lots have not been created. The applicant is proposing to develop a single detached dwelling and in order to facilitate the development as proposed, the applicant is seeking relief from the following Section of Zoning By-law 160-90:

- Section 7.5.3.10.6.2 of the Zoning By-law in order to permit an exterior side yard of 1.89 metres, whereas an exterior side yard setback of 2.4 metres is required.

#### DECISION: APPROVED

DATE: May 5, 2021

THAT Application A22/2021 requesting relief from Section 7.5.3.10.6.2 to permit an exterior side yard setback of 1.89 m, whereas an exterior side yard setback of 2.4 m is required, BE APPROVED; and

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

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

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2021-361.”*

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member


Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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



---

Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

#### APPEALS

*Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 45(12) of the Planning Act is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Local Planning Appeal Tribunal.*

*Only individuals, corporations and public bodies may appeal decisions in respect of applications for minor variance to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.*

*The fee for an appeal to the Local Planning Appeal 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 \$500.00 administrative fee made payable to the Corporation of the City of Brantford.*

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

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

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

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca/>.

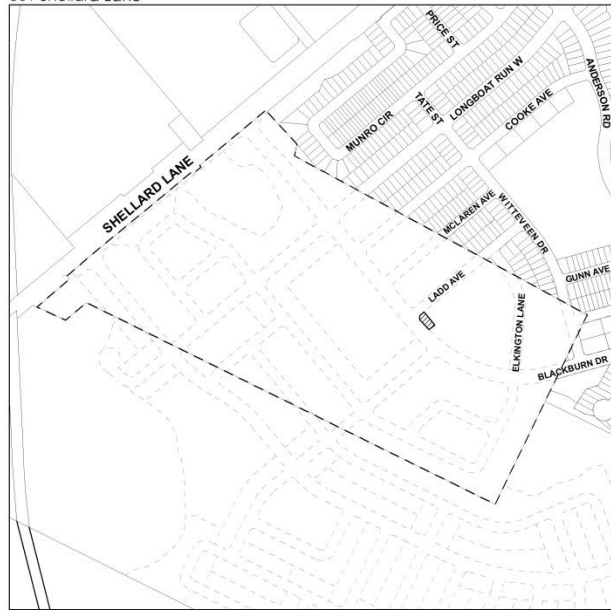
**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 25, 2021**

**END OF DECISION**

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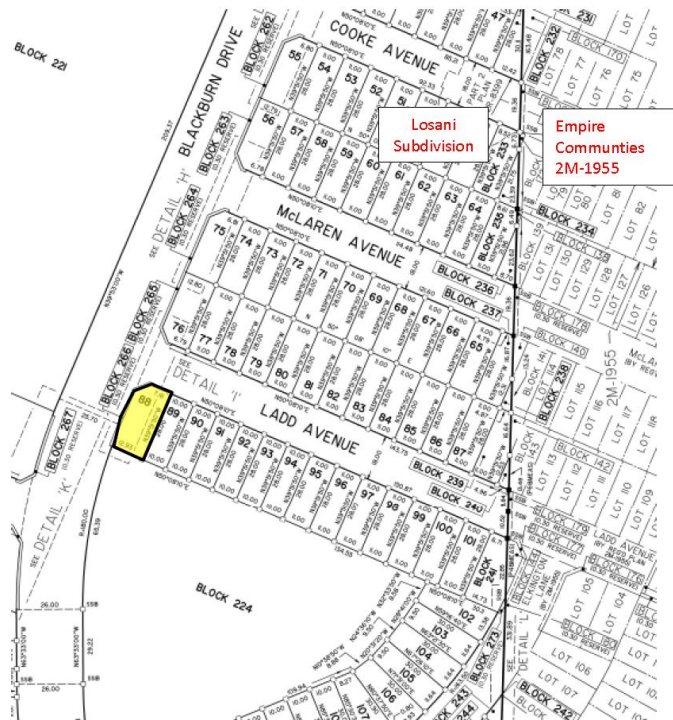
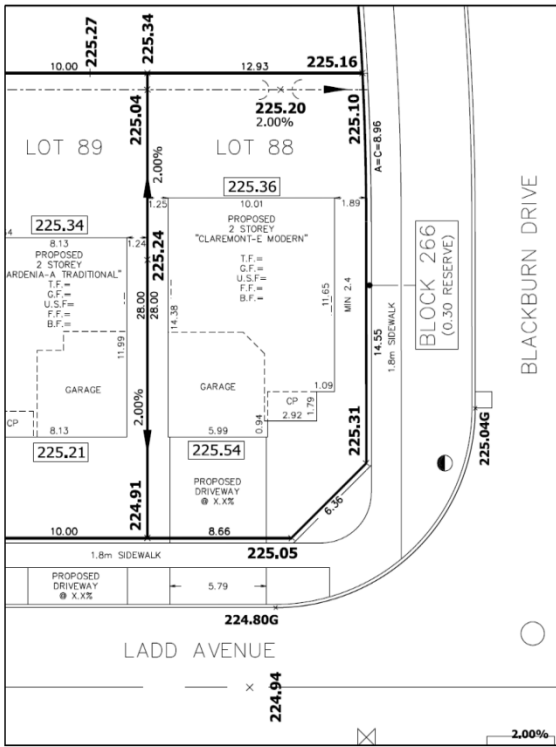
# LOCATION MAP

Application: A22/2021  
501 Shellard Lane



### Legend

- 501 Shellard Lane
- Application A22/2021 Subject land area





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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** B11/2021  
**Related File Number:** N/A  
**Address:** 9 Broad Street & 130 Terrace Hill Street  
**Roll Number:** 290602000701220000 (9 Broad Street)  
 2906020007087000000 (130 Terrace Hill Street)  
**Applicant/Owner:** Domenic Zavarella  
**Agent:** J.H. Cohoon Engineering Limited

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

**PROPOSAL:**

A consent application has been received for the lands municipally addressed as 9 Broad Street and 130 Terrace Hill Street. These lands were previously separate parcels, however they merged on title due to them being in the same ownership. The applicant is seeking permission to re-establish the previous lot fabric for a single detached dwelling.

The proposed lot dimensions will be as follows:

	<i>Land to be Severed</i>	<i>Lands to be Retained</i>
<i>Lot Frontage</i>	18.01 m	17.37 m
<i>Lot Area</i>	598.88 m <sup>2</sup>	595.95 m <sup>2</sup>

**DECISION: PROVISIONAL APPROVAL**

**DATE:** May 5, 2021

THAT Application B11/2021 to sever parcel of land from the south portion of the lands municipally addressed as 9 Broad Street and 130 Terrace Hill Street, having a lot area of 598.88 m<sup>2</sup> and retain a parcel of land having a lot area of 595.95 m<sup>2</sup>, BE APPROVED subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained lands.
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 payment for cash in lieu of parkland (Payment for cash-in-lieu of parkland is to be based on an opinion of value for the lands in accordance with City of Brantford By-law 50-2018).
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 and the appropriate fee has been paid.
6. Receipt of a Servicing Plan to the satisfaction of the Manager of Development Engineering or his/her designate, indicating that the severed and retained parcels can have their own independent sanitary sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner /applicant will be required to relocate or construct new services from the city sewers at his/her own costs.
7. Receipt of a Grading and Drainage Plan to the satisfaction of the Manager of Development Engineering or his/her designate, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist. The Grading and Drainage Plan shall delineate existing and proposed grades for both the severed and retained properties.
8. If the grading and drainage plan referenced in Condition 7 determines that the height of the new retaining wall exceeds one metre, receipt an engineering report, prepared by a qualified geotechnical engineer licensed in the province of Ontario, which indicates that the proposed retaining wall will have a minimum factor of safety of at least 1.5 against global instability to the satisfaction of the Manager of Development Engineering or his/her designate if the aforementioned grading and drainage plan, determines that the height of the new retaining wall exceeds one metre.
9. Receipt of confirmation that the daylight triangle, as required by the Engineering Department, has been conveyed to the City, at no cost to the municipality and free and clear of any encumbrances, with any costs regarding the transfer being borne by the Applicant(s).
10. That the Applicant has provided a signed site plan agreement for SPC-14-2021, and the necessary securities for the construction of a single detached dwelling, to the satisfaction of the City of Brantford;

11. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 6, 2022, 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 consent application is desirable and compatible with the surrounding area. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90, specifically Section 18.9 of the Official Plan respecting consent applications within the City of Brantford and 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. 2021-343.”*

**Original signed by D. Namisniak,  
Chair**

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

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

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

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

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

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

**CERTIFICATION**

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



**ADDITIONAL INFORMATION**

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

**APPEALS**

Any person or public body may, not later than 20 days after the giving of notice of a decision under Section 53(17) or (24) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Local Planning Appeal Tribunal.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The fee for an appeal to the Local Planning Appeal 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 \$500.00 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:

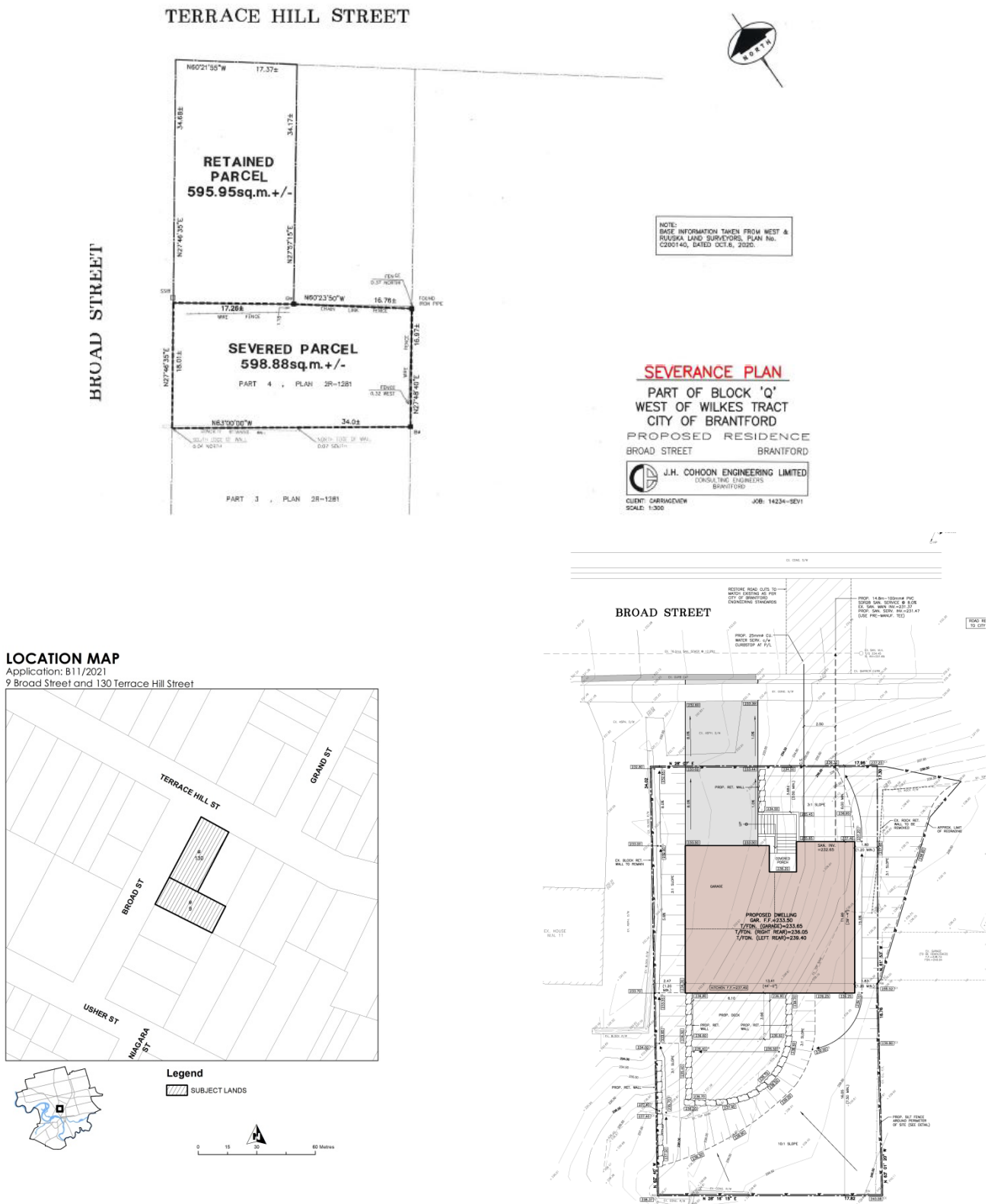
Secretary-Treasurer  
Committee of Adjustment  
100 Wellington Square  
Brantford ON  
N3T 2M3

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

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 26, 2021**

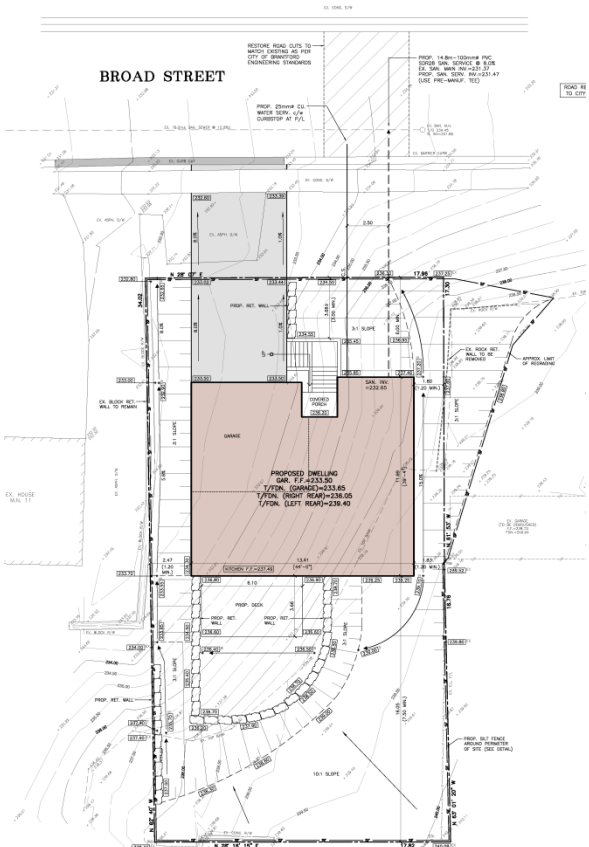
**END OF DECISION**



**SEVERANCE PLAN**  
PART OF BLOCK 'Q'  
WEST OF WILKES TRACT  
CITY OF BRANTFORD  
PROPOSED RESIDENCE  
BROAD STREET  
BRANTFORD

J.H. COHOON ENGINEERING LIMITED  
CONSULTING ENGINEERS  
BRANTFORD

CLIENT: CARRIDGEVIEW      JOB: 14234-SEV1  
SCALE: 1:200







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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** B14/2021  
**Related File Number:** B15/2021 & A20/2021  
**Address:** West of Cumberland Street  
**Roll Number:** 2906040013295000000  
**Applicant:** Domenic Zavarella  
**Agent:** J.H. Cohoon Engineering Limited  
**Owners:** Nathan Gallant, James Gallant & Michael Thompson

**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:**

Two consent applications (one severance and lot adjustment) and a minor variance application have been received for the lands located west of the property municipally addressed as 17 Cumberland Street. The subject property has no associated municipal address at this time, but as a condition of this approval; civic addressing will be applied. The applications intend to sever the subject lands into three residential parcels. The second severed parcel is intended to be merged with the undersized lot to the west of the subject lands, Lot 18 in Registered Plan 1558 (receiving lands), which is under separate ownership and owned by the applicant.

	<i>Retained</i>	<i>Severed Parcel 1 (B15/2021)</i>	<i>Severed Parcel 2 (to be merged with Lot 18 of Registered Plan 1558) (B14/2021)</i>
<b>Lot Frontage</b>	15.24 m	15.24 m	17.77 m
<b>Lot Area</b>	478 m <sup>2</sup>	478 m <sup>2</sup>	466.2 m <sup>2</sup>

**DECISION: PROVISIONAL APPROVAL**

**DATE:** May 5, 2021

THAT Application B14/2021 to sever a parcel of land from the western portion of the lot located west of the lands municipally addressed as 17 Cumberland Street, having a lot area of 254.3 m<sup>2</sup> and retain a parcel of land having an area of 956.8 m<sup>2</sup>, BE APPROVED subject to the following conditions:

1. Receipt of a registered reference plan showing the severed, retained and receiving lands;
2. Receipt of confirmation that all taxes are paid up to date;
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 Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
5. Receipt of confirmation that the lands to be severed and retained have been, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the Manager of Development Engineering;
6. Receipt of payment for cash in lieu of parkland (Payment for cash-in-lieu of parkland is to be based on an opinion of value for the lands in accordance with City of Brantford By-law 50-2018);
7. Receipt of confirmation that an application for Site Plan Control for severed Lot 2 have been received;
8. Receipt of confirmations from the Solicitor acting in the transfer that the severed parcel is merged in title with the adjacent property, and that Section 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of the separate parcels;
9. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 6, 2022, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for matters under Section 51(24) of the *Planning Act*, Staff is satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90; specifically Section 18.9 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 Decisions:

*“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 6.3 of Report No. 2021-368.”*

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

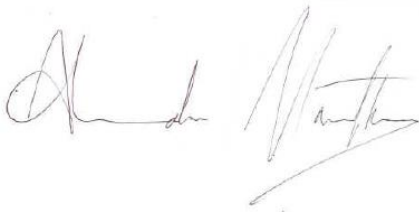
Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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



Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

#### APPEALS

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#### Notice of Changes

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

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

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

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

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 26, 2021**

**END OF DECISION**

# LOCATION MAP

Application: B14/2021, B15/2021, A18/2021 and A20/2021  
West of Cumberland

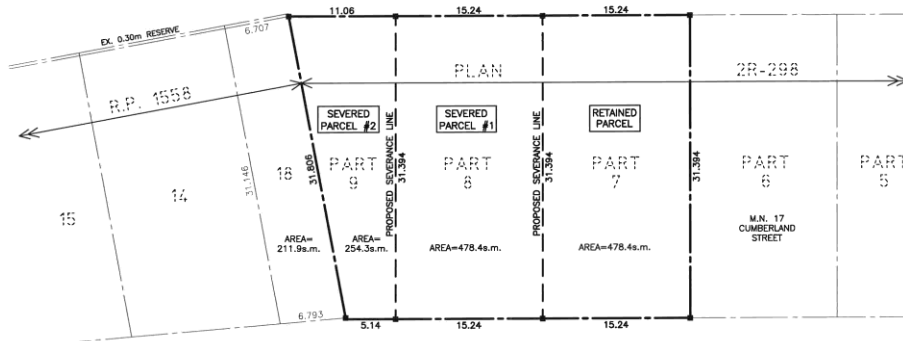


### Legend

 SUBJECT LAND



## CUMBERLAND STREET



**NOTE:**  
SEVERED PARCEL #2 (PART 9) IS TO BE MERGED WITH LOT 18 (R.P. 1558) TO CREATE ONE SINGLE DETACHED RESIDENTIAL LOT PROVIDING A LOT FRONTAGE OF 16.6m AND AN AREA OF 466.2 s.m.

### PROPOSED SEVERANCE PLAN CUMBERLAND STREET BRANTFORD

 J.H. COOHOON ENGINEERING LIMITED  
CONSULTING ENGINEERS  
BRANTFORD

CLIENT: GALLANT  
SCALE: 1:300  
JOB: 13832



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

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** B15/2021  
**Related File Number:** B14/2021 & A20/2021  
**Address:** West of Cumberland Street  
**Roll Number:** 2906040013295000000  
**Applicant:** Domenic Zavarella  
**Agent:** J.H. Cohoon Engineering Limited  
**Owners:** Nathan Gallant, James Gallant & Michael Thompson

**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:**

Two consent applications (one severance and lot adjustment) and a minor variance application have been received for the lands located west of the property municipally addressed as 17 Cumberland Street. The subject property has no associated municipal address at this time, but as a condition of this approval; civic addressing will be applied. The applications intend to sever the subject lands into three residential parcels. The second severed parcel is intended to be merged with the undersized lot to the west of the subject lands, Lot 18 in Registered Plan 1558 (receiving lands), which is under separate ownership and owned by the applicant.

	<i>Retained</i>	<i>Severed Parcel 1 (B15/2021)</i>	<i>Severed Parcel 2 (to be merged with Lot 18 of Registered Plan 1558) (B14/2021)</i>
<b>Lot Frontage</b>	15.24 m	15.24 m	17.77 m
<b>Lot Area</b>	478 m <sup>2</sup>	478 m <sup>2</sup>	466.2 m <sup>2</sup>

**DECISION: PROVISIONAL APPROVAL**

**DATE:** May 5, 2021

THAT Application B15/2021 to sever a parcel of land from the retained lands of Application B14/2021, from the lands located west of the lands municipally addressed as 17 Cumberland Street, having a lot area of 478.4 m<sup>2</sup> and retain a parcel of land having an area of 478.4 m<sup>2</sup>, BE APPROVED subject to the following conditions:

1. Receipt of a registered reference plan showing the severed,

- retained and receiving lands;
2. Receipt of confirmation that all taxes are paid up to date;
  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 Engineering Department indicating that civic addresses have been assigned to the severed and retained parcels;
  5. Receipt of confirmation that the lands to be severed and retained have been, independently serviced with water and sanitary sewer service by the owner, to the satisfaction of the Manager of Development Engineering;
  6. Receipt of payment for cash in lieu of parkland (Payment for cash-in-lieu of parkland is to be based on an opinion of value for the lands in accordance with City of Brantford By-law 50-2018);
  7. Receipt of confirmation that an application for Site Plan Control for the retained lands have been received;
  8. That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 6, 2022, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for matters under Section 51(24) of the *Planning Act*, Staff is satisfied that the proposed consent application is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The applications are 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 Decisions:

in conformity with the general intent of the policies of the Official Plan and Zoning By-law 160-90; specifically Section 18.9 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

*“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 6.3 of Report No.2021-368.”*

Original signed by D. Namisniak,  
Chair

Original signed by M. Bodnar,  
Member

Original signed by K. Brooks,  
Member

Original signed by T. Gaskin,  
Member

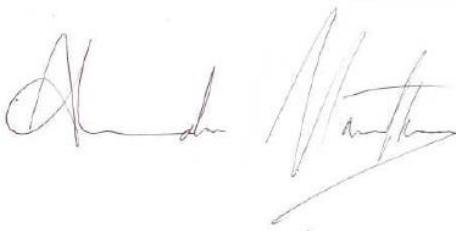
Original signed by G. Kempa,  
Member

Original signed by V. Kershaw,  
Member

Original signed by L. Rynar,  
Member

#### CERTIFICATION

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



Deputy Secretary-Treasurer

#### ADDITIONAL INFORMATION

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

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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  
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100 Wellington Square  
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N3T 2M3

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

For further information regarding the appeal process and the Local Planning Appeal Tribunal go to: <http://elto.gov.on.ca>.

**The last date for filing a notice of appeal to the Local Planning Appeal Tribunal of this Decision is May 26, 2021**

**END OF DECISION**

