



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: A04/2024
Related File Numbers: N/A
Address: 255 Nelson Street
Roll Number: 2906040003063000000
Agent: TWB Construction c/o Nicholas Christensen
Owner/Applicant: Paul Robertson

**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 **255 Nelson Street**. The purpose of the application is to facilitate a third dwelling unit within the existing single-detached house on site. To facilitate this development, the applicant is requesting relief from the following section of Zoning By-law 160-90:

- Section 6.18.3.10 to permit a third parking space in tandem on-site, whereas a maximum of 2 parking spaces in tandem are otherwise permitted,

The subject lands are designated "Residential" in the Official Plan and zoned "Residential Conversion" (RC) in Zoning By-law 160-90.

DECISION: APPROVED

DATE: February 7, 2024

- THAT application A04/2024 seeking relief from Section 6.18.3.10 of Zoning By-Law 190-60 to permit a third parking space in tandem on-site, whereas a maximum of 2 parking spaces in tandem are otherwise permitted, 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 2024-88."

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by M. Bodnar,
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by V. Kershaw,
Member

Electronically signed by T. Gaskin,
Member

Electronically signed by M. Simpson,
Member

**ABSENT - J. Panag,
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 Secretary-Treasurer, Committee of Adjustment, (519)759-4150 CofA@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 notified of changes 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 February 27, 2024

END OF DECISION

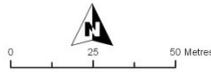
LOCATION MAP

Application: A04/2024
255 Nelson Street

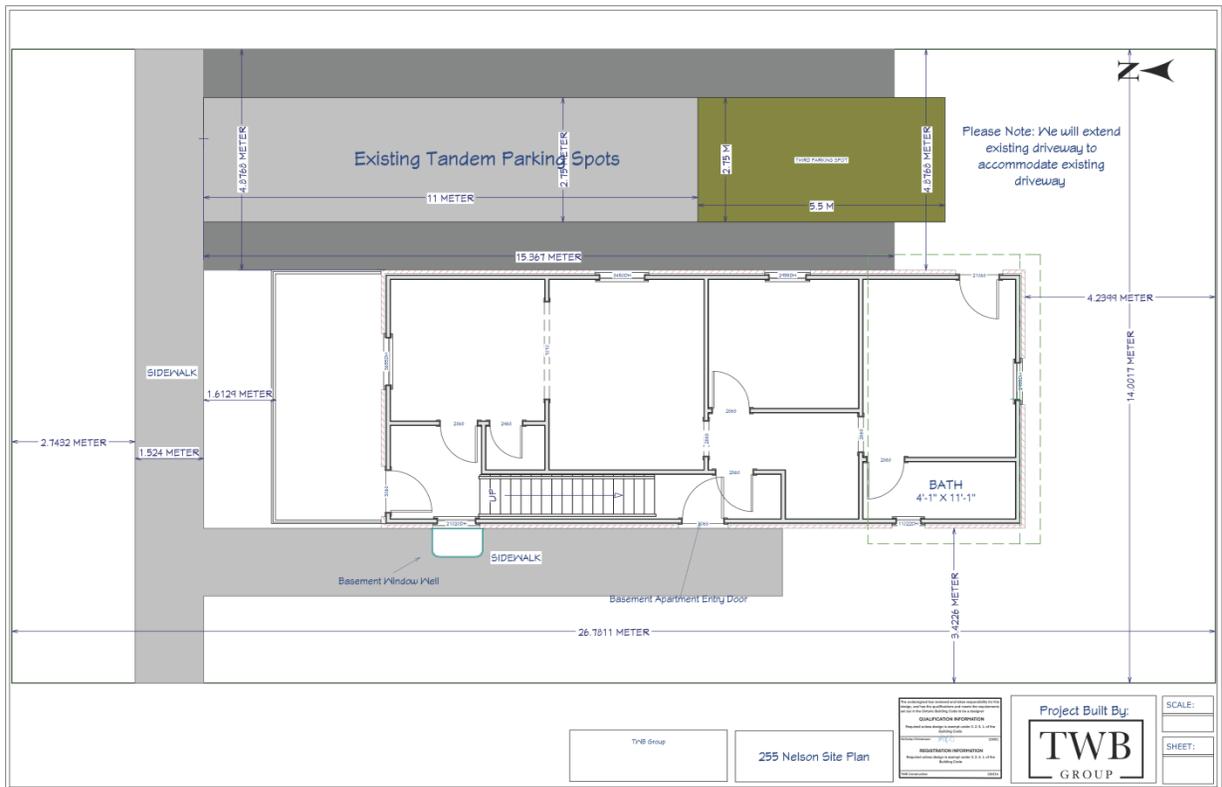


Legend

SUBJECT LAND



Variance 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: A05/2024
Related File Numbers: N/A
Address: 372 Darling Street
Roll Number: 2906040011080100000
Agent: Ken Bekendam
Owner/Applicant: 100059685 Ontario Inc.

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

PROPOSAL:

A Minor Variance application has been received for the lands municipally addressed as **372 Darling Street**. This property currently has a two-storey apartment building on site with eleven existing dwelling units. The applicant proposes to add two dwelling units to this apartment building, for a total of thirteen units. To facilitate this development, the applicant is requesting relief from the following section of Zoning By-law 160-90:

- Section 7.10.2.1.8.1 to permit a minimum gross floor area/unit of 25m² whereas 40m² is otherwise required.

DECISION: APPROVED

DATE: February 7, 2024

- A. THAT application A05/2024 seeking relief from Section 7.10.2.1.8.1 of Zoning By-law 160-90 to permit a unit that is 25 m², whereas a minimum of 40 m² is otherwise required, BE APPROVED;
- B. THAT the reasons for the approval of the minor variance are as follows: the proposed variance that would provide relief from Section 7.10.2.1.8.1 is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and desirable for the appropriate development and use of the subject lands;
- C. 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 2024-71.”

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by M. Bodnar,
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by V. Kershaw,
Member

Electronically signed by T. Gaskin,
Member

Electronically signed by M. Simpson,
Member

ABSENT - J. Panag,
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 Secretary-Treasurer, Committee of Adjustment, (519)759-4150 CofA@brantford.ca.

APPEALS

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Committee of Adjustment
58 Dalhousie Street
Brantford ON
N3T 2J2

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Notice of Changes

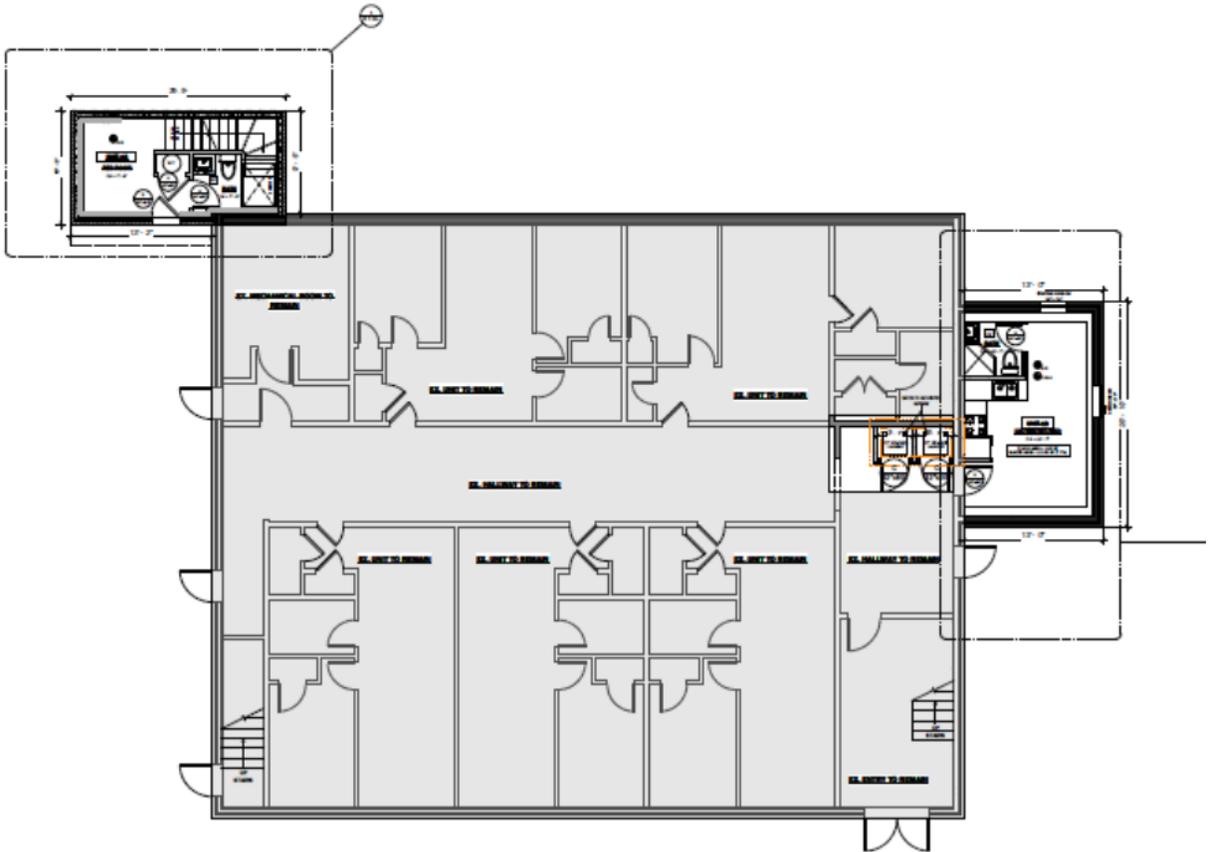
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The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 27, 2024

END OF DECISION



Variance 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: A06/2024
Related File Numbers: B03-2024 to B07-2024
Address: 161 Fifth Avenue
Roll Number: 2906050007508000000
Agent: J H Cohoon Engineering Ltd. c/o Bob Phillips
Owner/Applicant: 11325493 Canada Inc. c/o Usman Khan

**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 **161 Fifth Avenue**. The applicant proposes to sever five lots from the existing lot, for a total of six lots that would range in size from 155.2 m² to 228.5 m² and would range in lot width from 5.49 m to 7.9 m.

To facilitate this development, the applicant is requesting relief from the following section of Zoning By-law 160-90:

- **Section 7.9.4.84** to permit a minimum lot area of 155.2 m²/unit, whereas 1075 m² is otherwise required.

The subject lands are designated "Residential" in the Official Plan and zoned "Flood - Residential Medium Density Type 4A – Exception 84" (F-R4A-84) in Zoning By-law 160-90.

DECISION: APPROVED

DATE: February 7, 2024

THAT application A06/2024 seeking relief from Section 7.9.4.84.1.1 of Zoning By-law 160-90 to permit a minimum lot area of 155 m² per unit, BE APPROVED;

THAT the reasons for the approval of the minor variance are as follows: the proposed variance that would provide relief from Section 7.9.4.84.1.1 is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and desirable for the appropriate development and use of the subject lands;

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 2024-85.”

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by M. Bodnar,
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by V. Kershaw,
Member

Electronically signed by T. Gaskin,
Member

Electronically signed by M. Simpson,
Member

ABSENT - by J. Panag,
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 Secretary-Treasurer, Committee of Adjustment, (519)759-4150 CofA@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.**

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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
58 Dalhousie Street
Brantford ON
N3T 2J2

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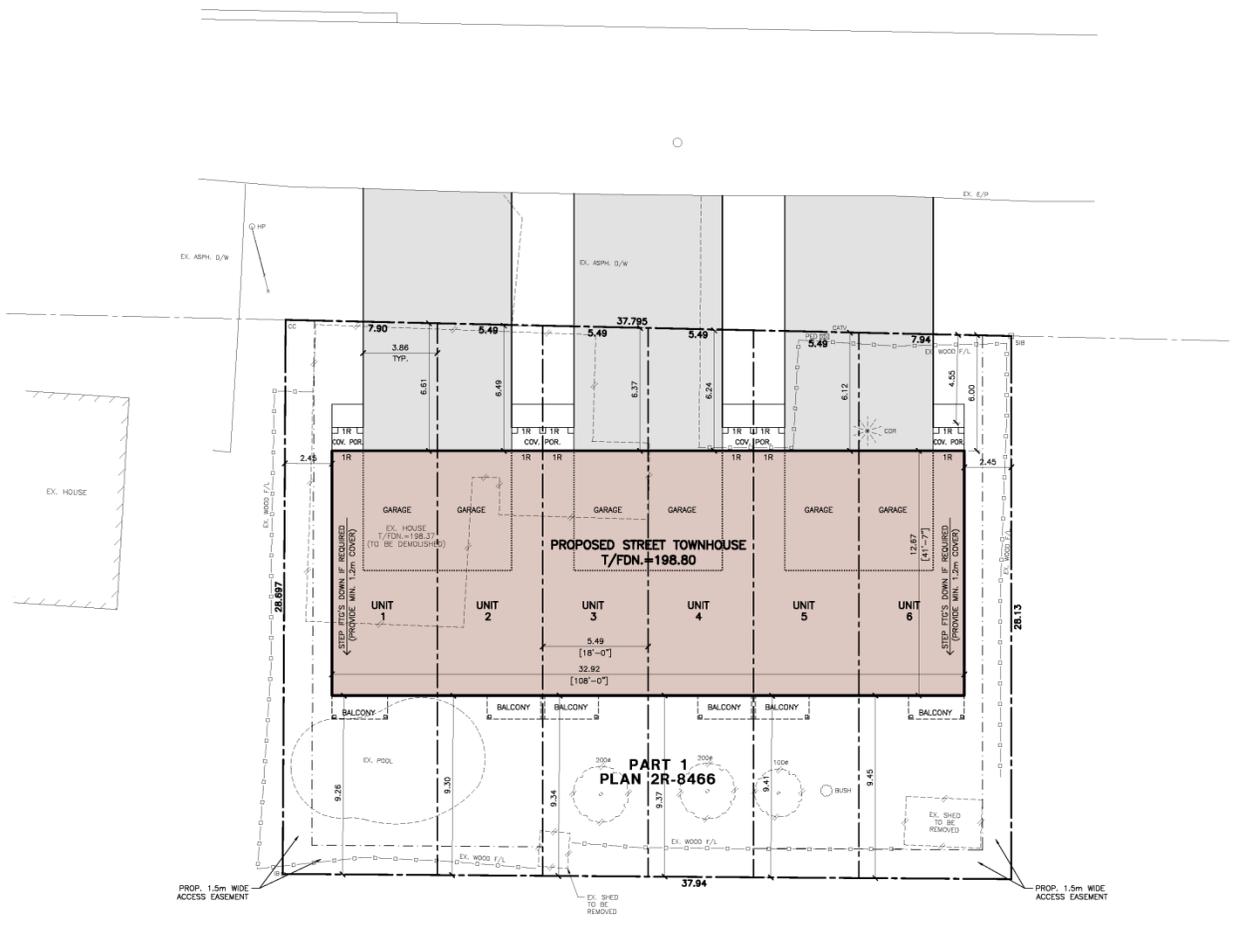
The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is February 27, 2024

END OF DECISION



Variance Sketch

FIFTH AVENUE





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: B03/2024 to B07/2024
Related File Numbers: A06/2024
Address: 161 Fifth Avenue
Roll Number: 2906050007508000000
Agent: J.H. Cohoon Engineering c/o Bob Phillips
Owner/Applicant: 11325493 Canada Inc. c/o Usman Khan

**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:

The City of Brantford has received five Consent applications and a Minor Variance Application for the property municipally described as **161 Fifth Avenue**. The applicant proposes to sever five lots from the existing lot, for a total of six lots that would range in size from 155.2 m² to 228.5 m² and would range in lot width from 5.49 m to 7.9 m.

The proposed lot dimensions are as follows:

	(Retained Lot)	Parcel 1 B03/2024	Parcel 2 B04/2024	Parcel 3 B05/2024	Parcel 4 B06/2024	Parcel 5 B07/2024
Lot Width	7.9m	5.49m	5.49m	5.49m	5.49m	7.94m
Lot Area	228.5m ²	156.6m ²	156.1m ²	155.7m ²	155.2m ²	223.8m ²

DECISION: APPROVED

DATE: February 7, 2024

THAT Consent applications B03-2024 to B07/2024 requesting to sever five parcels of land from the subject property addressed as 161 Fifth Avenue BE APPROVED; subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcels, and access easements.
2. Receipt and confirmation that Application A06/2024 receives final and binding approval and is in full force and effect.
3. Receipt of payment for cash-in-lieu of parkland (*amount to be determined in accordance with City of Brantford By-law 139-2022*).
4. Receipt of confirmation that all taxes are paid up to date;
5. Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*);

6. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.
7. Receipt of confirmation from the Manager of Development Engineering or his/her designate, indicating that a Wastewater Allocation Request Form has been submitted and approved.
8. 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 to the satisfaction of the Manager of Development Engineering.
9. 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(s) and are connected directly to City infrastructure to the satisfaction of the Manager of Development Engineering.
10. The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary 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.
11. The Owner/Applicant shall provide a Grading and Drainage Plan prepared by a qualified Engineer licensed in the Province of Ontario for each parcel, to the satisfaction of the Manager of Development Engineering or his/her designate. The Grading and Drainage Plans shall further demonstrate conformance with City of Brantford Official Plan – Section 6.1 Floodplain Areas (Top of Foundation Compliance, etc.) to the satisfaction of the Manager of Development Engineering.
12. The Owner/Applicant shall be responsible, financial and otherwise, to urbanize and restore the municipal right of way across the entire frontage of each parcel to City of Brantford Standards, as per the Linear Design Manual (Asphalt, Curbs, Boulevard Topsoil and Sod, Sidewalk, Street Trees, Driveways), to the satisfaction of the Manager of Development Engineering.
13. Receipt of confirmation that the Grand River Conservation Authority requirements have been met.
14. Receipt of confirmation that the Building Department requirements have been met.
15. Receipt of confirmation that the Development Engineering Department requirements have been met.
16. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **February 7, 2026**, after which time the consent will lapse.

THAT the reason(s) for approval of B03/2024 to B07/2024 are as follows: the proposed consents have regard for the matters under Section 51(24) of the *Planning Act*, Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

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 2024-85.”

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by M. Bodnar,
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by V. Kershaw,
Member

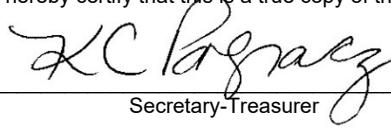
Electronically signed by T. Gaskin,
Member

Electronically signed by M. Simpson,
Member

ABSENT - J. Panag,
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 Secretary-Treasurer, Committee of Adjustment, (519)759-4150 CofA@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.**

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Notice of Changes

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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
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 February 28, 2024
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: B08/2024
Related File Numbers: n/a
Address: 33-43 Erie Avenue and 100 Market Street South
Roll Number: 290605000301000000
Agent: J.H. Cohoon Engineering c/o Bob Phillips
Owner/Applicant: 1821154 Ontario Ltd.

**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 33-43 Erie Avenue/100 Market Street. The plan for the entire subject lands is to develop two 18-storey, one 21-storey, and one 22-storey mixed-use buildings, for a total of 1000 residential units and ground floor commercial space. A three-storey parking garage will accommodate parking spaces for all buildings.

The applicant proposes to sever a lot having an irregular shape, with a lot width of approximately 67.82 m on Erie Avenue, and an area of approximately .561 ha. The retained lot would also have an irregular shape, with a lot width of approximately 145.26 m on Market Street South, and an area of approximately 1.012 ha.

The proposed lot dimensions are as follows:

Zoning Provision	Retained	Severed
Lot Frontage	145.2 m	67.82 m
Lot Area	10,120 m ²	5,610 m ²

DECISION: APPROVED

DATE: February 7, 2024

THAT Consent application B08/2024 requesting to sever a parcel of land from the subject property addressed as 33 Erie Avenue, 43 Erie Avenue, and 100 Market Street South, having a lot area of 10,120 m², and to retain a parcel of land having a lot area of 5,610 m², BE APPROVED; subject to the following conditions:

1. Receipt of a registered reference plan showing the severed and retained parcel and the proposed easements;
2. Receipt of confirmation that the lands to be severed and retained have easements registered on title allowing for access, servicing, drainage and any other shared facilities or infrastructure contemplated under site plan approval, to the satisfaction of the Manager of Development Engineering or their designate;
3. Receipt of confirmation from the Manager of Development Engineering or their designate that a road widening strip has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the applicant;

4. Receipt of a draft of the Transfer deed for review (*Upon registration a final copy of the Transfer deed shall be provided to the City*), to the satisfaction of the Manager of Development Planning;
5. Receipt of confirmation that all existing buildings and structures located on the severed lot are demolished or otherwise removed to the satisfaction of the Chief Building Official or their designate;
6. Receipt of confirmation from the Manager of Development Engineering or their designate, indicating that a Municipal Numbering Assignment Request has been processed;
7. Receipt of confirmation that all taxes are paid up to date, to the satisfaction of the Manager of Development Planning;
8. Receipt of confirmation from the Environmental Services Department or their designate indicating that their requirements have been met, to the satisfaction of the Manager of Development Planning;
9. Receipt of confirmation from the Building Department indicating that their requirements have been met, to the satisfaction of the Manager of Development Planning;
10. Receipt of confirmation from the Manager of Development Engineering Department or their designate, indicating that their requirements have been met;
11. That the Owner provide an undertaking agreeing to enter into a site plan and development agreement with the City, subject to all requirements of the City.
12. That the above conditions be fulfilled and the Certificate of Consent be issued on or before **February 7, 2026**, after which time the consent will lapse.

THAT the reason(s) for approval of B08/2024 are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act*, Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g-i) of the Official Plan respecting consent applications within the City of Brantford; 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. 2024-64.”

Electronically signed by G. Kempa,
Chair/Member

Electronically signed by M. Bodnar,
Member

Electronically signed by T. Cupoli,
Member

Electronically signed by V. Kershaw,
Member

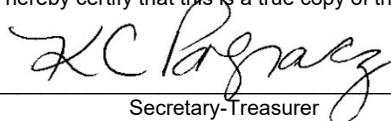
Electronically signed by T. Gaskin,
Member

Electronically signed by M. Simpson,
Member

**ABSENT - J. Panag,
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 Secretary-Treasurer, Committee of Adjustment, (519)759-4150 CofA@brantford.ca.

APPEALS

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Secretary-Treasurer
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 February 28, 2024
END OF DECISION**
