



## COMMITTEE OF ADJUSTMENT MINUTES

November 6, 2024

5:30 p.m.

Council Chambers, Brantford City Hall  
58 Dalhousie Street, Brantford

### 1. Roll Call

Greg Kempa in the Chair.

Present: Greg Kempa, Mike Bodnar, Tamara Cupoli, Virginia Kershaw, Ashish Patel, Tara Gaskin

Regrets: Mark Simpson

### 2. Declarations of Conflict of Interest

Tamara Cupoli declared a conflict of interest on item 3.1 application A52-2024 - 160 Parkside Drive, 2024-632 as she owns an adjacent property.

### 3. Statutory Public Meetings

#### 3.1 Application A52-2024 – 160 Parkside Drive, 2024-632

##### **Applicant/Owner – Brian Wood**

Owner and applicant Brian Wood, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the construction of a 49.05 m<sup>2</sup> accessory structure.

The Committee did not have any questions of staff.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.

Moved by Mike Bodnar  
 Seconded by Virginia Kershaw

- A. THAT minor variance application A52-2024 seeking relief from Section 6.3.1.1 of Zoning By-law 160-90 to permit a maximum lot coverage of 12.5%, whereas a maximum of 10% is otherwise required, BE APPROVED;
- B. THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- C. THAT pursuant to 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: *“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-632”*.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.1:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin – 5

No: None - 0

As Tamara Cupoli declared a conflict of interest in this item she did participate in the discussion or vote on the item.

### **3.2 Application A53-2024 – 7 Kennedy Street, 2024-628**

**Agent - Darlene Lombardi**

**Applicant/Owner - Darlene and Franco Lombardi**

Owner and applicant Darlene Lombardi, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the construction of a 175.98 m<sup>2</sup> addition on the existing detached accessory building (garage).

The Committee did not have any questions of staff.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.

Moved by Tamara Cupoli

Seconded by Ashish Patel

- A. THAT minor variance application A53-2024 seeking relief from Section 6.3.1.1 of Zoning By-law 160-90 to permit a maximum lot coverage of 17% for accessory buildings/structures, whereas a maximum of 10% is otherwise required, BE APPROVED;
- B. THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- C. THAT pursuant to 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: *“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-628”*.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.2:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin, Tamara Cupoli – 6

No: None - 0

**3.3 Application A54-2024 – 81 George Street & 97 Wellington Street, 2024-650**

**Agent – Maninderjeet Singh Toor**

**Applicant/Owner – GM Developers Inc.**

Agent for the applicant, Dan Kraszewski, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to facilitate the conversion of the existing place of worship building to an apartment dwelling containing 28 dwelling units. One storey will be added to the former church school and auditorium, increasing the

height to three storeys, which will match the nave portion of the church. The agent answered various questions from the Committee.

The Committee did not request to see the staff presentation however Patrick Vusir, Intermediate Planner answered various questions from the Committee.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.

Moved by Mike Bodnar

Seconded by Tamara Cupoli

- A. THAT minor variance application A54-2024 seeking relief from Section 6.18.2.2.1. of Zoning By-law 160-90 to provide a minimum of 3 existing parking spaces, whereas the 4 existing parking spaces are required to be provided BE APPROVED.
- B. THAT minor variance application A54-2024 seeking relief from Section 6.23.4.2. of Zoning By-law 160-90 to permit a driveway providing access to a loading space with a minimum width of 4.24 m for two-way traffic, whereas a minimum driveway width of 7.0 m is required for two-way traffic BE APPROVED.
- C. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.2. of Zoning By-law 160-90 to permit the existing lot width of 20.14 m, whereas 30.0 m is required for apartment dwellings BE APPROVED.
- D. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.3. of Zoning By-law 160-90 to permit the existing lot coverage of 55%, whereas the maximum lot coverage for an apartment dwelling is 50% BE APPROVED.
- E. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.6.2. of Zoning By-law 160-90 to permit the existing rear yard of 4.24 m, whereas 7.5 m is required for apartment dwellings BE APPROVED.
- F. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.7.1. of Zoning By-law 160-90 to permit the existing interior side yard of 0.0 m, whereas 4.5 m is required for a 3-storey apartment dwelling BE APPROVED.

- G. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.8.1. of Zoning By-law 160-90 to permit up to three dwelling units to have a minimum gross floor area of 20 m<sup>2</sup>, whereas 37 m<sup>2</sup> is required BE APPROVED.
- H. THAT minor variance application A54-2024 seeking relief from Section 9.2.2.1.9. of Zoning By-law 160-90 to permit the existing landscaped open space of 15.6%, whereas 20% is required for apartment dwellings BE APPROVED.
- I. THAT the reasons for the approval of the minor variances area as follows: the proposed variances are in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and
- J. THAT pursuant to subsections 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 submission received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report 2024-650.”

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.3:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin, Tamara Cupoli – 6

No: None - 0

**3.4 Application B17-2024 – 555 and 565 Greenwich Street, 2024-643**

**Agent - CB Planning C/o Cynthia Baycetch**

**Applicant/Owner - Ingenia Polymers c/o Gord Thompson, BSC  
Landco Inc. c/o John Paul De Boer**

Agent for the applicant, Cynthia Baycetch, agent for the applicant, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to transfer approximately 1.45 ha (3.59 acres) from 555 Greenwich Street to 565 Greenwich Street to facilitate a future expansion of Ingenia Polymers operations, located on 565 Greenwich Street. The applicant answered various questions from the committee.

The Committee did not have any questions of staff.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.

Moved by Tamara Cupoli

Seconded by Ashish Patel

- A. THAT consent application B17-2024 requesting to sever a parcel of land having a lot area of approximately 1.45 ha from 555 Greenwich Street, to be added to 565 Greenwich Street, BE APPROVED, subject to the conditions listed in Appendix A of **Memo 2024-670**;
- B. THAT the reasons for approval of the consent application are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act* and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law; and,
- C. THAT pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision: *“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-643”*.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.4:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin, Tamara Cupoli – 6

No: None - 0

### **3.5 Application B35-2024 and A51-2024 – 225 Henry St., 2024-666**

**Agent – Hopewell Development**

**Applicant – Crestpoint Real Estate Investments Ltd.**

**Owner – Brant Business Park Inc.**

Agent for the applicant, Michael Hayek of Hopewell Development, appeared before the Committee and provided an overview of the application. The applicant is seeking approval to permit a building height of 20 m, whereas the Zoning By-law requires a maximum of 11 m in the M1 zone, a building height of 20 m, whereas the Zoning By-law requires a maximum of 15 m in the H-M2-61 zone, an accessory building/structure height of 12 m, whereas the Zoning By-law requires a maximum of 6 m, as shown in Figure 1, and to facilitate the relocation of a drainage easement and a lease in excess of twenty-one (21) years.

The Committee did not have any questions of staff.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.

Moved by Virginia Kershaw

Seconded by Ashish Patel

- A. THAT minor variance application A51-2024 seeking relief from Section 10.1.2.1.4 of Zoning By-law 160-90 to permit a maximum building height of 20 m, whereas 11 m in the M1 Zone is otherwise required, BE APPROVED;
- B. THAT minor variance application A51-2024 seeking relief from Section 10.2.2.1.4 of Zoning By-law 160-90 to permit a maximum building height of 20 m, whereas 15 m in the H-M2-61 Zone is otherwise required, BE APPROVED;
- C. THAT minor variance application A51-2024 seeking relief from Section 6.3.1.2.4 of Zoning By-law 160-90 to permit a maximum accessory building/structure height of 12 m, whereas 6 m is otherwise required, BE APPROVED;
- D. THAT the reasons for the approval of the minor variance application are as follows: the proposed variance application is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, the relief requested is considered minor in nature, and desirable for the appropriate development of the subject lands; and,
- E. THAT consent application B35-2024 to facilitate the relocation of a drainage easement and a lease in excess of twenty-one (21) years, BE APPROVED, subject to the conditions listed in Appendix A of Memo 2024-681;

- F. THAT the reasons for approval of the consent application are as follows: the proposed consent has regard for the matters under Section 51(24) of the Planning Act and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law; and,
- G. THAT pursuant to 45(8) – (8.2) and Sections 53(17) – (18.2) of the Planning Act, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-666”.

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.5:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin, Tamara Cupoli – 6

No: None - 0

**3.6 Application B36-2024 – 344 Henry Street, 2024-629**

**Agent – Antech Design & Engineering Group c/o Candice Micucci**

**Applicant/Owner - MCI Corp. c/o Jang Panag**

Agent for the applicant, Candice Micucci, Antech Design Group appeared before the Committee and provided an overview of the application. The applicant is seeking approval to add a blanket easement in order to provide access (entrance/exit), to facilitate shared parking between the existing industrial condominiums at 340 Henry Street and the proposed industrial condominiums, and to provide full legal access for the City of Brantford over both parcels of land (existing condo and proposed).

The Committee did not request to see the staff presentation, however Ashley Timbs, Development Planner appeared before the Committee and answered various questions.

There were no persons virtually or in-person to speak to the application.

The applicant did not have any clarifying statements.



Moved by Virginia Kershaw  
Seconded by Tamara Cupoli

- A. THAT consent application B36-2024 to establish blanket easements on Condominium No. 86 (340 Henry Street), and the future new Condominium (legally described as BRANTFORD CON 4 PT LOTS 40 AND 41 RP 2R6989 PARTS 2 AND 3), BE APPROVED, subject to the conditions listed in Appendix A of Report No. 2024-629, except for condition #2;
- B. THAT the reasons for approval of the consent application are as follows: the proposed consent has regard for the matters under Section 51(24) of the *Planning Act* and Staff are satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent and policies of the Official Plan and Zoning By-law; and,
- C. THAT pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.2 of Report No. 2024-629”.*

**Carried Unanimously on a Recorded Vote**

Recorded vote on item 3.6:

Yes: Gregory Kempa, Mike Bodnar, Virginia Kershaw, Ashish Patel, Tara Gaskin, Tamara Cupoli – 6

No: None - 0

**4. Presentations/Delegations**

There were no presentations or delegations.

**5. Items for Consideration**

There were no items for consideration.

**6. Consent Items**

**6.1 Minutes****6.1.1 Committee of Adjustment - October 2, 2024**

Moved by Tamara Cupoli  
Seconded by Mike Bodnar

THAT the minutes of the October 2, 2024 meeting of the  
Committee of Adjustment BE APPROVED.

**Carried**

**6.2 2025 Meeting Schedule**

Moved by Tamara Cupoli  
Seconded by Ashish Patel

THAT the meeting schedule for 2025 BE RECEIVED.

**Carried**

**7. Resolutions**

There were no resolutions.

**8. Notices of Motion**

There were no Notices of Motion.

**9. Adjournment**

The meeting adjourned at 6:12pm

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Gregory Kempa, Chair

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L. Madden, Committee Coordinator