

Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both in-person and electronically).

**Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **May 30, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, May 25, 2023.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, May 25, 2023.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday, May 25, 2023.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- All Hearings will be livestreamed on the City of Brampton YouTube account at:
<https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or
<http://video.isilive.ca/brampton/live.html> .

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

A-2023-0125

Cover Letter

28 April, 2023

The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton

**Re: Application for Minor Variance - Fence Height
15 Peppermint Close, Brampton, ON, L6P 3C6
Plan M1791 Lot 155**

The purpose of this letter is to describe the details surrounding the wooden lattice screen installed at 15 Peppermint Close, Brampton ON, L6P 3C6.

Background:

In August 2020 a wooden lattice screen was installed on my backyard fence as shown in pictures attached (**Attachment 3**). This screen was installed with the consent of all 4 of my adjacent neighbours (side and rear).

In April 2021 an inspection of the fence by the City of Brampton's By-law Enforcement Department was performed. The fence was found to be non-compliant with the City's Zoning By-law for height exceedance.

Subsequent to this visit from the City, I contacted all my adjacent neighbours again and it was confirmed that they still have no issues with the wooden lattice work as installed.

In February 2023, a letter was issued by the Planning and Development Services Department instructing me to correct the fence height issue by April 28, 2023.

Rationale for installing wooden lattice work:

The existing grades of my backyard as constructed by the builder are such that there is an average 7% slope downward towards the rear fence. This results in an approximately 12 to 14 inches of drop in grade to the rear fence line.

As a result the original fence as installed is significantly lower than usual and privacy during use of the backyard and the internal rear first floor area in my home is significantly impacted.

Before the wooden lattice was installed my family was subject to unobstructed views into my home from my neighbours and we could have also seen directly into their homes. This condition was very uncomfortable for my family and prompted our investment in the wooden lattice screen for privacy reasons.

After its installation our level of comfort improved and overall mental stress caused by intrusive views from our neighbours was vastly reduced. My family felt like we had for the first time been able to enjoy the use of our backyard during the precious warmer weather months. The general feedback from all our neighbours as well was that they like the fence addition and the benefits it provides. There has been no report to me of negative impacts of the lattice work by my neighbours when I consulted with them before and after its installation:

The current height of the fence with the addition in place is on average 2.42m along the rear and 2.40m along the sides.

Request:

Given the conditions described above it is hereby requested that a minor variance be granted for the height of my back yard fence to exceed the by-law limit of 2 meters.

Thank you for your kind consideration of this matter.

Andy Brijmohan
Property Owner

Attachments:

- Attachment 1: Site Plan
- Attachment 2: Survey
- Attachment 3: Pictures and fence height measurements



For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2023-0125

The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION
Minor Variance or Special Permission
(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** Vivekanand Andy Brijmohan
Address 15 Peppermint Close, Brampton, ON, L6P 3C6

Phone # 647-519-5921 **Fax #** _____
Email andy.brijmohan2000@gmail.com

2. **Name of Agent** Not applicable
Address _____

Phone # _____ **Fax #** _____
Email _____

3. **Nature and extent of relief applied for (variances requested):**
Residential Property Fence height exceeding 2 meters from grade.

Current height of fence ranges from 2.30m to 2.60m

4. **Why is it not possible to comply with the provisions of the by-law?**
Wooden lattice work was installed on top of original fence for privacy reasons.
Refer to following cover letter and attachments for more rationale and additional details.
- Cover Letter
- Attachment 1: Site Plan
- Attachment 2: Survey

5. **Legal Description of the subject land:**
Lot Number 155
Plan Number/Concession Number M1791
Municipal Address 15 Peppermint Close, Brampton, Ontario, ON, L6P 3C6

6. **Dimension of subject land (in metric units)**
Frontage 11.6 m
Depth 27.4 m
Area 317.84 sq. m.

7. **Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

1.) House - primary dwelling 3 storeys (registered 2 unit dwelling); GFA Total = 271.79 sq. m.
2.) Shed = GFA = 7 sq. m.; Height = 2.4m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No new structures are proposed.

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback House - 6.06 m
Rear yard setback House - 7.5 m
Side yard setback House - 0.66 m (west side)
Side yard setback House - 1.23 m (east side)

PROPOSED

Front yard setback Not applicable
Rear yard setback Not applicable
Side yard setback Not applicable
Side yard setback Not applicable

10. Date of Acquisition of subject land: March 10, 2010

11. Existing uses of subject property: Primary residential dwelling

12. Proposed uses of subject property: Residential

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: March 10, 2010

15. Length of time the existing uses of the subject property have been continued: 13 years

16. (a) What water supply is existing/proposed?
Municipal Other (specify) _____
Well

(b) What sewage disposal is/will be provided?
Municipal Other (specify) _____
Septic

(c) What storm drainage system is existing/proposed?
Sewers Other (specify) _____
Ditches
Swales

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes No

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes No

19. Has the subject property ever been the subject of an application for minor variance?

Yes No Unknown

If answer is yes, provide details:

File # _____ Decision _____ Relief _____
File # _____ Decision _____ Relief _____
File # _____ Decision _____ Relief _____

N. Brijmohan
Signature of Applicant(s) or Authorized Agent

DATED AT THE City _____ OF Brampton _____
THIS 28 DAY OF April, 2023.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Vivekanand Brijmohan OF THE City OF Brampton
IN THE Region OF Peel SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE
City OF Brampton
IN THE Region OF _____
Peel THIS 1st DAY OF
May, 2023

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

N. Brijmohan
Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

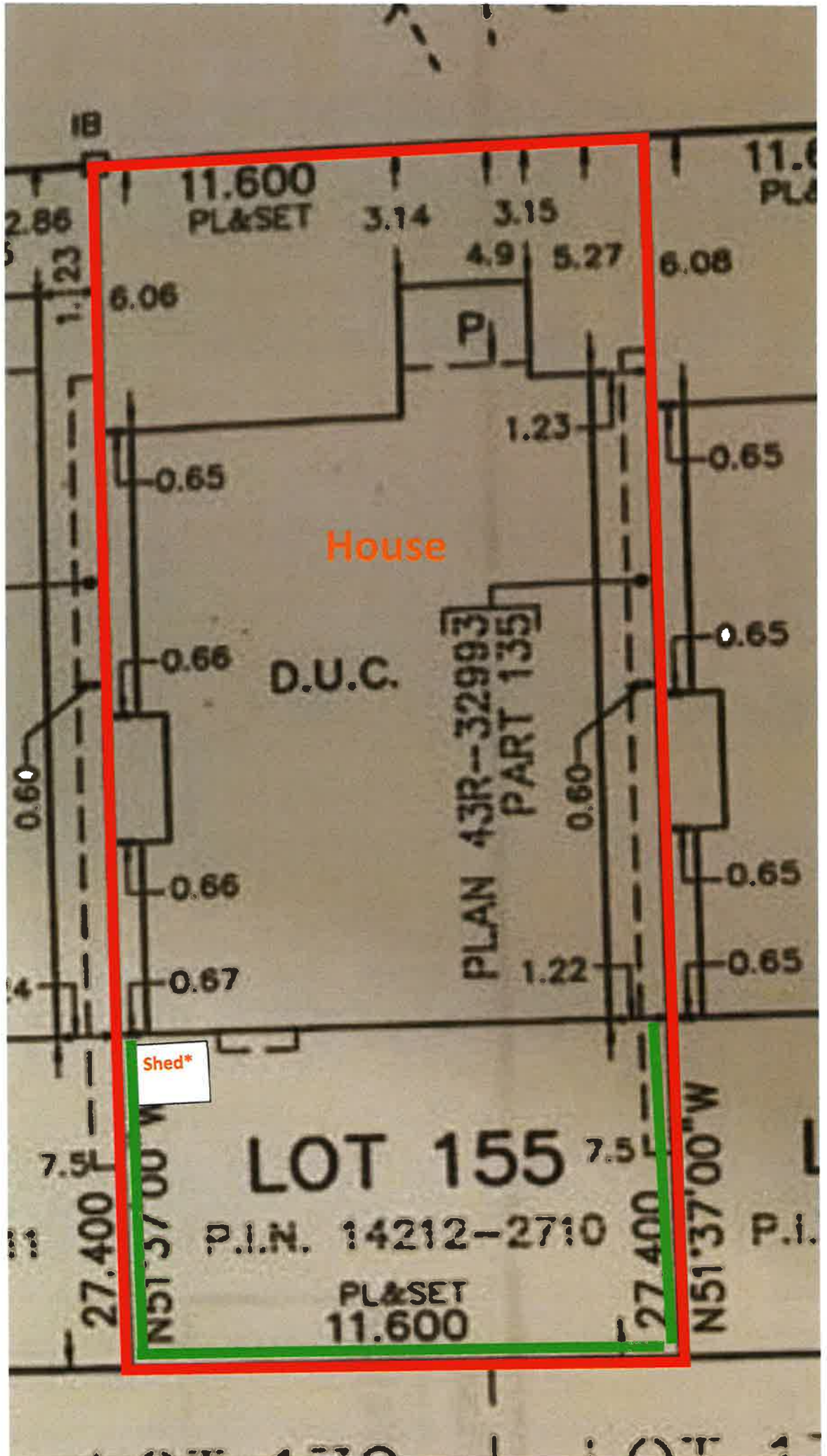
Zoning Officer

Date

DATE RECEIVED May 1, 2023

Date Application Deemed Complete by the Municipality _____

Attachment 1: Site Plan



Shed dimensions : 3.28m x 2.13m
Fence height ranges from 2.30m to 2.60m

15 PEPPERMINT CLOSE

Attachment 3: Pictures and fence height measurements

Picture 1: Rear fence - South



Picture 2: Side fence – West



Picture 3: Side fence – East



Picture 4: Slope of backyard grade towards rear fence (7% avg. slope approximately)



a

b

c

d

e

P3

P2

P4

