

Public Notice

Committee of Adjustment

APPLICATION # *A-2020-0125* WARD #3

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by LORNA AND ROBERT WILLIAM WATTERSON under Section 45 of the <u>Planning Act</u>, (R.S.O. 1990 c.P.13) for relief from By-law 270-2004;

AND WHEREAS the property involved in this application is described as Part of Lots 1 and 2, Plan BR-3 municipally known as **17 FREDERICK STREET**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

- 1. To permit an interior side yard setback of 0.65m (2.1 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.9 ft.);
- 2. To permit a rear yard setback of 4.64m (15.25 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
- 3. To permit a roof above a rear porch to encroach into the required rear yard setback of 2.94m (9.65 ft.) resulting in a setback of 4.56m (14.96 ft.) to the roof whereas the by-law permits a maximum roof encroachment of 2.0m (6.56 ft.) into the required rear yard setback resulting in a required setback of 5.5m (18.04 ft.) to a roofed porch.

OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:

The Committee of Adjustment has appointed **TUESDAY**, **December 1**, **2020 at 9:00 A.M. by electronic** meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

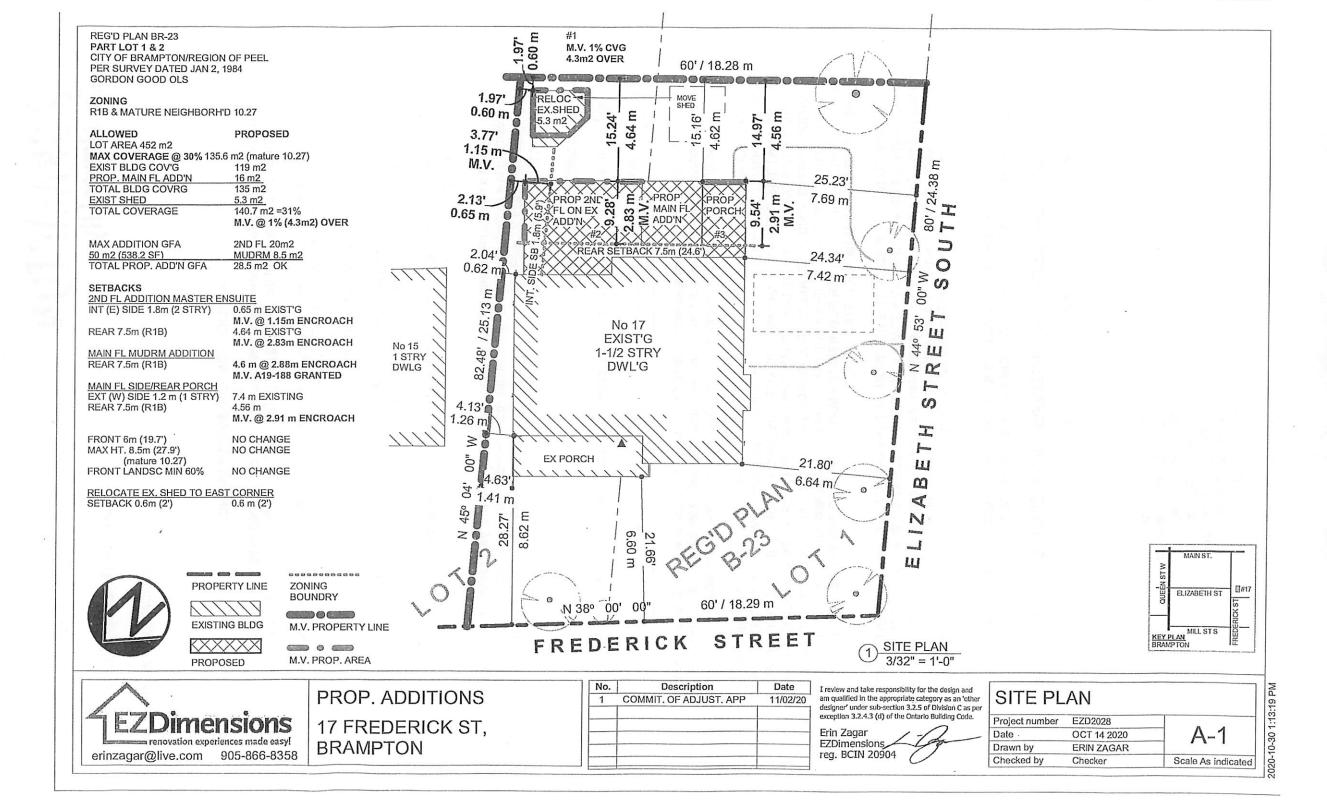
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 20th day of November, 2020.

Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West, Brampton, Ontario L6Y 4R2 Phone: (905)874-2117 Fax: (905)874-2119 jeanie.myers@brampton.ca





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 during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <u>cityclerksoffice@brampton.ca</u> or jeanie.myers@brampton.ca by 4:30 pm, Friday, November 27, 2020.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 4:30 pm, Friday, November 27, 2020. City staff will contact you and provide you with further details.
- 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 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 <u>cityclerksoffice@brampton.ca</u> 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.

November 18, 2020

Committee of Adjustment Amendment Attn: Jeanie Myers Legislative Coordinator Secretary-Treasurer Committee of Adjustment City of Brampton, City Clerk's Office

RE Minor Variance App Revision to A-2020-125 17 Frederick St. Brampton, On

Ms Myers, as per our conversation today please revise application A2020-125 as follows.

Please delete Item 1 - Relief from 30% coverage

New Item

1. To permit an interior yard setback of 0.65m (2.1') and relief by 1.15m (3.8') to a proposed second storey addition where the bylaw requires a minimum interior yard setback of 1.8m (5.9')

Adjust wording to

2. To permit rear yard setback of 4.64m (15.25') and relief by 2.83m (9.35) whereas the bylaw requires a minimum rear yard setback of 7.5m (25.6')

3. To permit a roof above a porch to encroach into the required rear yard setback by 0.94m (3') resulting in a 4.56m (14.8') setback. Where the bylaw requires a rear yard setback of 7.5m (24.6') less a 2m (6.6') allowed porch roof encroachment or an otherwise permitted 5.5m (18) setback.

If you have any question please feel free to contact me.

Thank you

Erin Zagar EZDimensions 905-866-8358

October 30, 2020

Committee of Adjustment Amendment Attn: Jeanie Myers Legislative Coordinator Secretary-Treasurer Committee of Adjustment City of Brampton, City Clerk's Office

RE Minor Variance Application for 17 Frederick St. Brampton, On

Please find enclose an application and drawings for minor variance at the above address. This application is in reference to an existing 1.5 story dwelling where the client wishes to add a 2nd storey over an existing rear addition and a main fl rear addition which now includes a porch.

4-2020-0125

Under a previous minor variance application A19-188 the client was granted approval for a reduced rear setback of 4.61m for a proposed mudroom addition. This application now reduced in mudroom size and adds a proposed rear/side porch following the footprint of the existing dwelling. This will result in a further encroachment 0.05m. This application asks for further relief on the rear setback to allow for the porch to 4.56m.

This proposed additional coverage for a side/rear porch will result in a 1% overage on the coverage limit of 30%. The overage of 4.7m2 equates to the approximate size of the existing shed, which was granted rear setback relief under Minor Variance A19-188. This application proposes moving the shed to the rear east corner of the lot and maintaining the legal setback of 0.06m asks for relief of the coverage by the 1% or 4.7m2.

The 2nd floor addition is proposed to align with the existing main floor addition at 0.65m inside yard and 4.64m rear yard. The proposed setbacks following the existing main floor non-conforming structure requires relief of 1.15m inside setback and 2.83m rear yard setback whereby the by-law inside yard setback requires 1.8m and rear yard requires 7.5m.

Please add our Minor Variance Application to the agenda for the next Committee of Adjustment meeting scheduled for December 1, 2020.

If you have any question please feel free to contact me.

Thank you

Erin Zagar EZDimensions 905-866-8358



FILE NUMBER: A-2020-0125

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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 <u>Planning Act</u> , 1990, for relief as described in this application from By-Law 270-2004 .						
1.	Name of Owner(s) William and Lorna Watterson						
	Address 17 Frederick St						
	Brampton, Ontario L6Y 1G3						
	Phone # 6472682405 Fax #						
	Email rwatt2551@rogers.com						
2.	Name of Agent Erin Zagar						
2.	Address 76 Mill St S						
	Brampton, Ont						
	L6Y 1S8						
	Phone # 9058668358 Fax # Email erinzagar@live.com Fax #						
3.	Nature and extent of relief applied for (variances requested):						
	1 Relief from required 30% coverage by 4.7m2 or 1% overage for existing shed. Existing and						
	proposed building with shed will be 31% or 140.3 m2 where the allowed is 135.6 at 30%.						
	2 Relief from required 1.8m inside yard setback by 1.15m. Proposed 2nd fl addition						
	tollowing existing dwelling inside yard setback at 0.65m.						
	Relief from required 7.5m rear setback by 2.83m into rear setback at existing 4.64m. Proposed 2nd storey addition rear setback to follow existing main floor at 4.64m.						
	3 Relief from required 7.5m rear yard setback by 2.91m. Proposed Porch rear setback follows						
	existing rear yd dwelling at 4.56m. Other main fl addition (mudroom) granted MV. A19-188						
4.	Why is it not possible to comply with the provisions of the by-law?						
	The existing storage shed will be relocated to the rear east corner to maintain						
	allowed setbacks. The shed is existing for garden and tool storage.						
	The proposed mudreem addition and side knew perch will follow the evicting new conforming						
	The proposed mudroom addition and side/rear porch will follow the existing non conforming walls at rear. The proposed 2nd floor addition follows the existing non conforming walls of the						
	main floor at the rear and inside lot lines. The existing dwelling does not conform with the						
	required setbacks.						
5.	Legal Description of the subject land:						
5.	Lot Number Part lot 1 & 2						
	Plan Number/Concession Number Reg plan BR -23						
	Municipal Address 17 Frederick St						
D:							
6.	Dimension of subject land (<u>in metric units</u>)						
	Frontage 18.29 m						
	Depth 24.38 m						
	Area 452 m2						
7.	Access to the subject land is by:						
	Provincial Highway						

Provincial Highway Municipal Road Maintained All Year Private Right-of-Way

Seasonal Road Other Public Road Water



- 8. Particulars of all buildings and structures on or proposed for the subject land: (specify <u>in metric units</u> ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)
 - EXISTING BUILDINGS/STRUCTURES on the subject land: EXISTING COVERAGE (1.5 ST) Dwelling 119 m2 (incl. garage & porch) EXISTING Shed 5.3 m2 (grnd fl coverage)

EXISTING BLDG 10.24m wide x 13.43m long EXISTING HT 6.7m EXISTING GFA Main fl 80m2 + 2nd fl 74.2m2 = TOTAL GFA = 153.2m2

PROPOSED BUILDINGS/STRUCTURES on the subject land: PROPOSED COVERAGE DWLG 140.3m2 (incl. Gar. porches, prop. addition & shed)

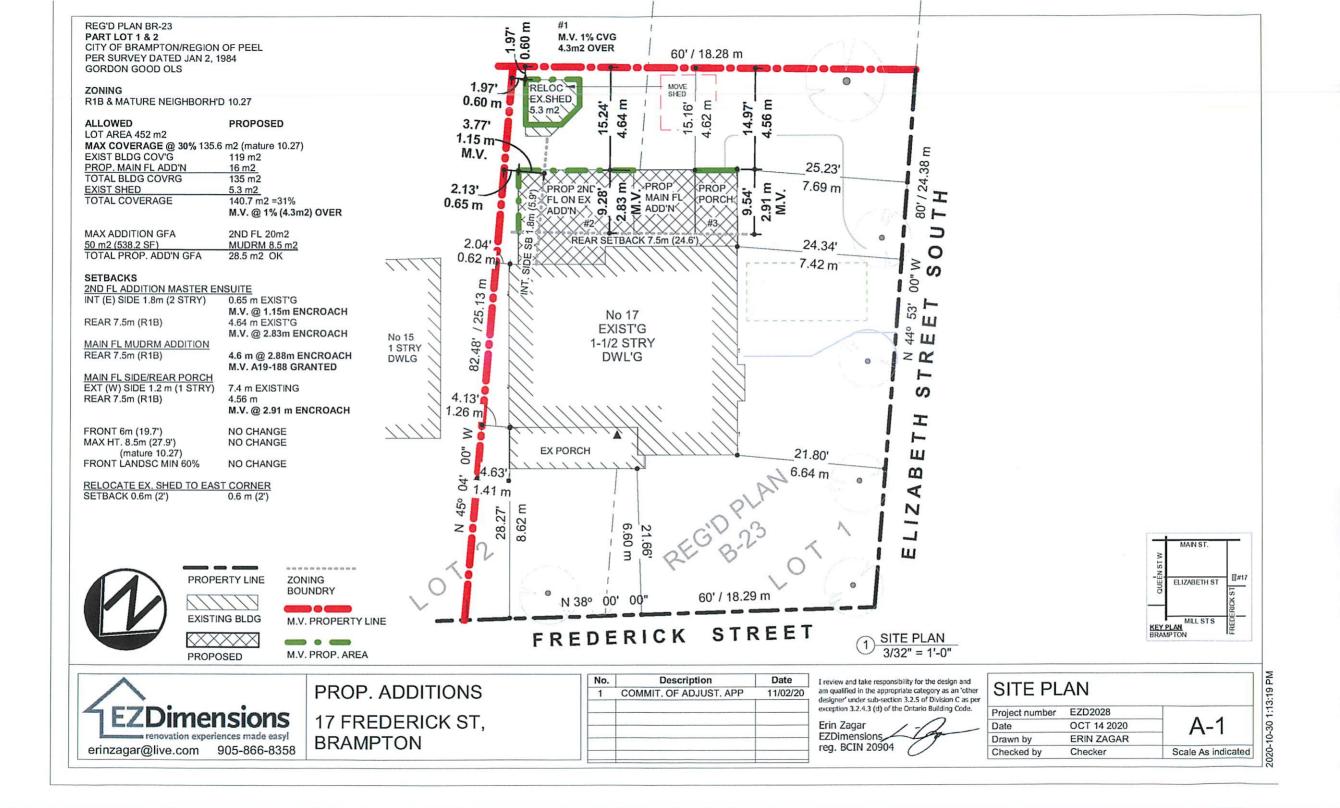
PROP BLDG 10.24m wide x 13.43m long PROP. HT 6.7m PROP GFA. Main fl 88.6 + 2nd fl 94.7m = TOTAL PROP. GFA = 183.3m2

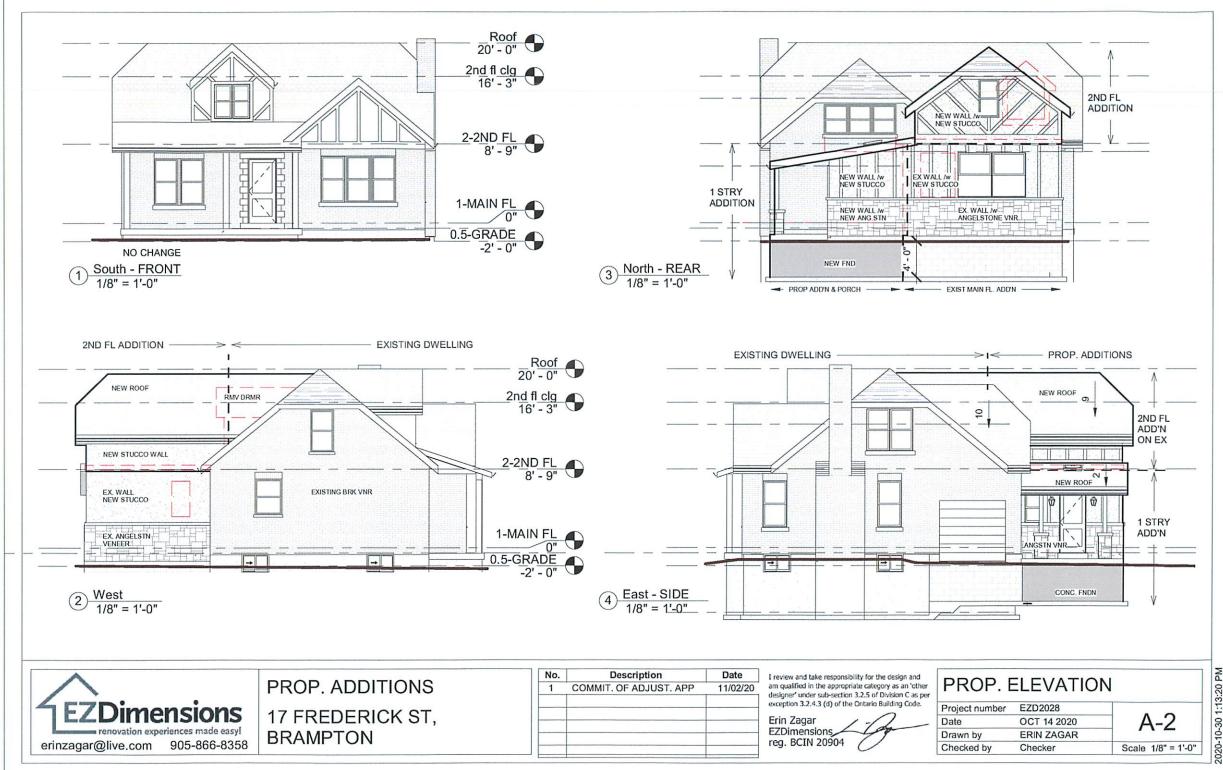
^{9.} Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in <u>metric units</u>)

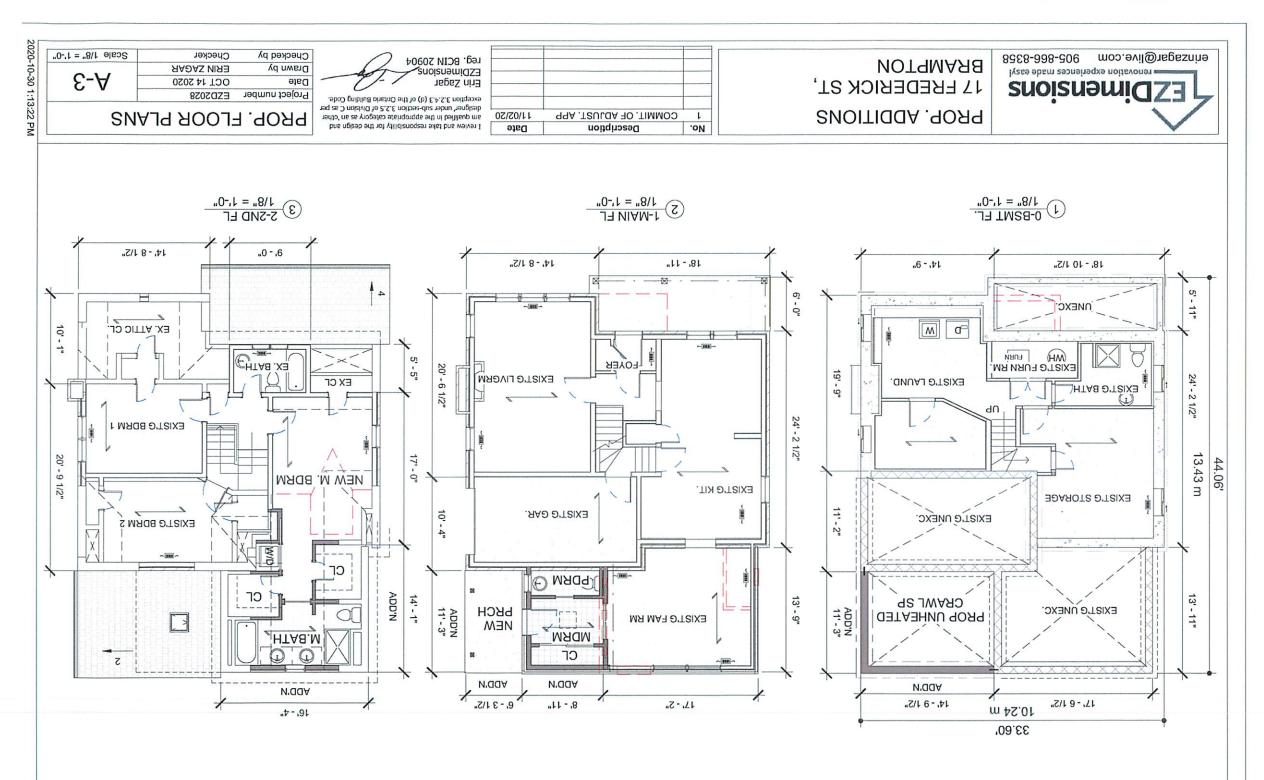
	EXISTING		
	Front yard setback	<u>6.6 m</u>	
	Rear yard setback	4.64 m	
	Side yard setback	6.64 m outside	
	Side yard setback	0.62 m inside	
	PROPOSED		
	Front yard setback	6.6 m	
	Rear yard setback	4.56 m	
	Side yard setback	6.64 m outside	
	Side yard setback	0.62 m inside	
	•		
10.	Date of Acquisition o	f subject land:	2004
11.	Existing uses of subj	ject property:	RESIDENTIAL
12.	Proposed uses of su	bject property:	RESIDENTIAL
13.	Existing uses of abut	tting properties:	RESIDENTIAL
14.	Date of construction	of all buildings & stru	ctures on subject land: <u>APROX 1920?</u>
15.	Length of time the ex	disting uses of the sub	ject property have been continued: <u>ALWAYS</u>
16. (a)	What water supply is Municipal X Weli	existing/proposed?	Other (specify)
(b)	What sewage dispos Municipal	al is/will be provided?	Other (specify)
(c)		system is existing/pr	oposed? Other (specify)

17.	Is the subj subdivision	ect proper	ty the	subject	t of an	applicatio	n under	the Pl	anning	Act, fo	r appro	oval of a	plan of
	Yes 🗖		No	X								e.	
	If answer is	s yes, prov	/ide de	tails:	File	#				Statu	5		
18. Has a pre-consultation application been filed?													
	Yes 🗌		No	X									
19.	Has the sul	bject prop	erty ev	er been	the su	bject of ar	applica	ation fo	or minor	r variar	ice?		
	Yes 🔀		No			Unknow							
	lf answer is	s yes, prov	ride de	tails:									
	File#	A19-188 A19-188 A19-188	Deci	sion <u>G</u> sion <u>G</u> sion <u>G</u>	RANT	ED		R	elief Fr	ront po	rch sid	etback le setback setback	ck 1.26m
DATE	ED AT THE _	CIT DAY OF	Y X	, OV	OF	-	Signatur A M		pplican)(s	5) or AL	thorize	d Agent	
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.													
	ERIN		AG	AR	-				7	OF	BR	AM	PTGN
IN THE OFSOLEMNLY 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.													
DECLARE	D BEFORE N	ME AT THE	E										
City	OF	Broumpt	m										
IN THE <u>Regim</u> OF Peul THIS 2 nd DAY OF													
Almae	mber .	20 20	DAT				Signatu	ITO OF A	pplicant		horizad	Agent	
A	sil I	Sioner etc.	en	<u>a</u>			oignati		sopileari	. 01 Aut	IIIIZEU	Agent	
FOR OFFICE USE ONLY Present Official Plan Designation:													
			122		on:			R	1B, M	IATU	RÉ		
Present Zoning By-law Classification: Iter D, WATORE This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.													
		Ho	thi	5				1	NOV.	05.2	2020		
		Zoning				-				Date			
DATE RECEIVED Nonesplan, 2, 2020 Revised 2017/01/15													

April Dela Cerna, a Commissioner, etc., Province of Ontario, for the Corporation of the City of Brampton. Expires May 8, 2021. -3-









Notice of Decision

Committee of Adjustment

FILE NUMBER A19-188

HEARING DATE NOVEMBER 12, 2019

APPLICATION MADE BY _____

WILLIAM AND LORNA WATTERSON

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; <u>ZONING BY-LAW 270-2004</u> AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

- 1. To permit a rear yard setback of 4.61m (15.12 ft.) to a proposed addition (mudroom);
- 2. To permit a side yard setback of 1.26m (4.13 ft.) to a proposed open roofed porch;
- 3. To permit an existing accessory structure (shed) having a rear yard setback of 0.33m (1.08 ft.).

(17 FREDERICK STREET, PT. OF LOTS 1, 2 PLAN BR-23)

THE REQUEST IS HEREBY <u>APPROVED</u> SUBJECT TO THE FOLLOWING CONDITIONS (APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:

This decision reflects that in the opinion of the Committee:

- 1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
- 2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

	MOVED BY: A. C. Marc	ues	_ SECONDED BY: _	R. Power
	SIGNATURE OF CHAIR OF MI		T	
	WE THE UNDERSIGNED HER	ΕΒΥ ἀΟΝ¢ψR ΙΝ ΤΗΕ	DECISION	
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(MEMBER			
/	DATED THIS_	<u> 12TH </u> D/	AY OF <u>NOVEMBER, 2</u>	<u>019</u>

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE <u>DECEMBER 2, 2019</u>

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

QJS. lane SECRETARY-TREASUREF **COMMIT** TEE OF ADJUSTMENT

Flower City



THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: A19-188

DATED: NOVEMBER 12, 2019

Conditions:

- 1. That the variances only be approved to the extent identified on the sketch attached to the Public Notice;
- 2. That drainage from the proposed addition (mudroom), open, roofed porch and the accessory structure (shed) shall flow onto the owner's property and drainage on adjacent properties shall not be adversely affected; and
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

QIE h earie Jeanie Myers Secretary-Treasurer Committee of Adjustment

