

Public Notice

Committee of Adjustment

APPLICATION # A-2020-0057 WARD #8

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MARIA FRANCESCA DE PINTO AND CHRISTOPHER EDWARD ROGACKI** 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 Lot 288, Plan 810 municipally known as **24 FLAVIAN CRESCENT,** Brampton;

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

- 1. To permit a rear yard setback of 7.8m (25.60 ft.) to a proposed second storey addition whereas the bylaw requires a minimum rear yard setback of 8.1m (26.57 ft.)
- To permit an existing accessory structure (shed) having a gross floor area of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
- 3. To permit 0.0m setback to an existing play structure (recreational facility) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the lot line;
- 4. To permit a 0.0m setback to the eaves on an existing accessory structure whereas the by-law requires a minimum setback of 0.1m (0.33 ft.) or a maximum encroachment of 0.5m (1.64 ft.);
- 5. To permit an existing fence in the rear yard having a maximum height of 3.05m (10 ft.) whereas the bylaw permits a fence in the rear yard to a maximum height of 2m (6.56 ft.).

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: <u>NO</u> Application for Consent: <u>NO</u>

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.

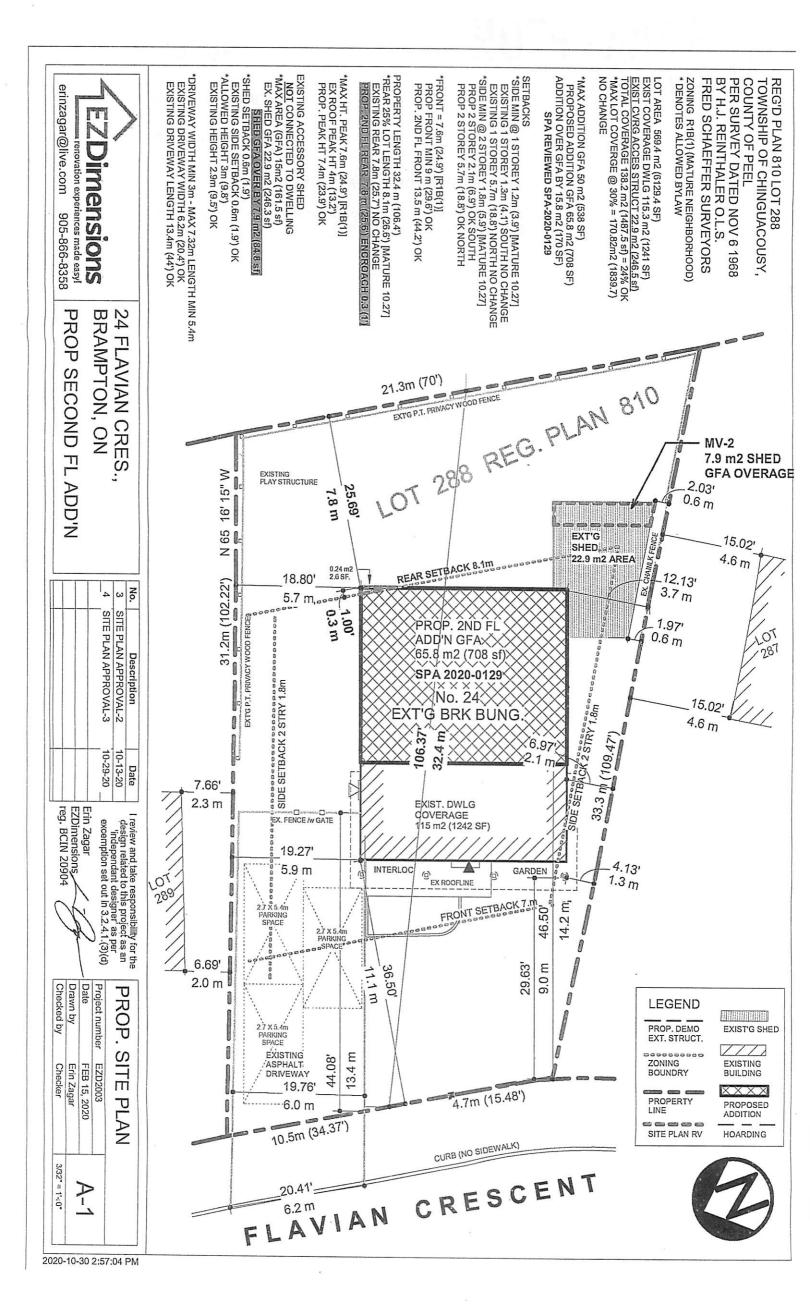
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 19th 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 17, 2020

-2020-0057

AMENDED (NOV. 17)

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

RE File: A202-00576 additional revision 24 Flavian Cres. Brampton, On

As per our application for Minor Variance please revise application A202-00576 as follows...

Additional variances required to be added to the application

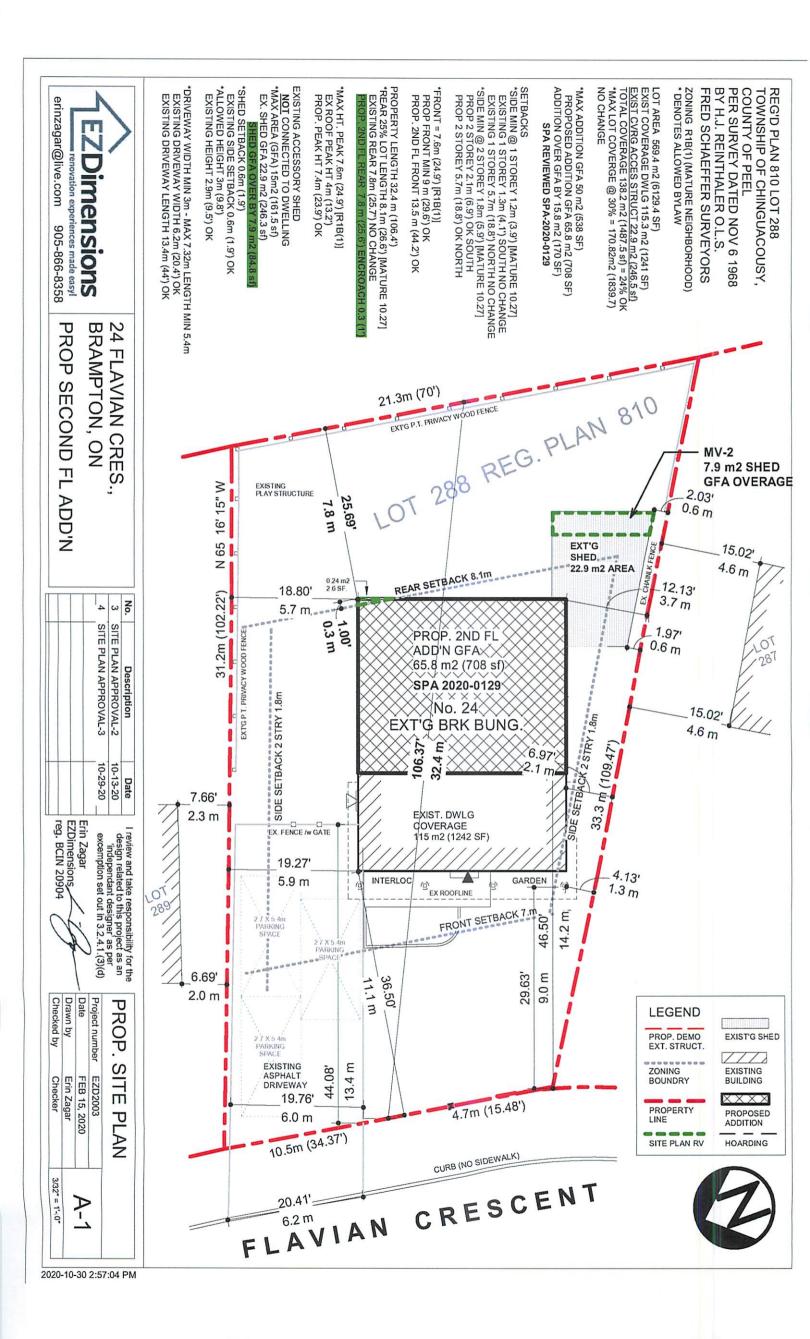
- 1. To allow for 0.0m setback to an existing play structure (recreation facility) where the bylaw requires a 1.2m setback to the lot line.
- 2. To allow for a 0.0m setback for eaves on an existing accessory structure where the bylaw requires a 0.1m setback or max.encroachment of 0.5m.
- 3. To permit a 3.05m high existing fence in the rear yard where the by-law permits a max of 2m. The height is necessary since the surrounding neighbouring grade is higher than the grade at 24 Flavian.

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

Thank you

Erin Zagar EZDimensions 905-866-8358

CC: Jennifer Chau, Plans examiner Zoning Services, Building Division



4-2020-0057

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 File: A202-00576 24 Flavian Cres. Brampton, On

As per our original application for Minor Variance find attached a revised site plan. With regards to the application A202-00576 please amend as follows...

#3. Nature and extend of relief applied for (variance requested) <u>Remove</u>

1. To allow for 22.8m2 overage on proposed 72.8m2 second storey addition (I've confirmed this does not require a variance since it has been reviewed by Site Planning.)

Amend #2

1. To allow for 7.9m2 overage on existing 22.9m storage shed whereas the By-law limits for accessory structures at 15m2.

Add to our application new #2

2. Relief of rear setback by 0.3m for proposed 2nd storey addition having a setback of 7.8m to the rear lot line. The proposed addition to be built on existing non-conforming main floor dwelling, whereas the By-law requires rear setback minimum of 8.1m.

#4 Why is it not possible to comply with the provisions of the by-law? <u>Amend</u>

1. Proposed second story will used the existing footprint with existing non-conforming setbacks.

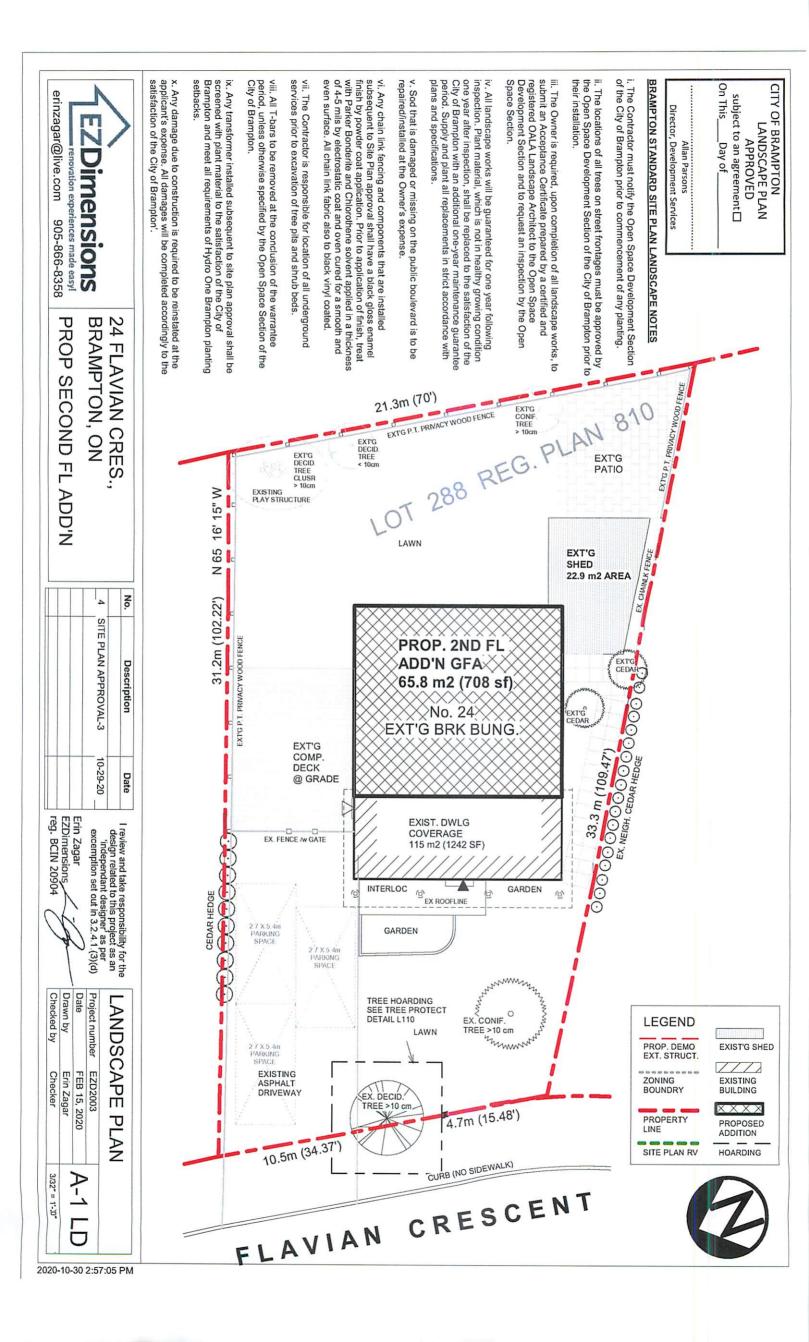
2. Existing shed @ 22.9m2 is located at the rear side of the property and coverage of dwelling and shed is at 24% whereas the allowed coverage is 30%.

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









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:									
	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) Maria Francesca DePinto & Christopher Edward Rogacki Address 24 Flavian Cres Brampton ON L6T 3P3								
	Phone # 416-821-7731 Fax # Email uknowme-fd85@hotmail.com								
2.	Name of Agent Erin Zagar Address 76 MILL ST S BRAMPTON, ON. L6Y 1S8								
	Phone # 905-866-8358 Fax # Email erinzagar@live.com								
3.	Nature and extent of relief applied for (variances requested):								
4.	Minor variance #1 - to allow for 22.8 m2 overage on proposed 72 m2 second storey addition. Minor variance #2 - to allow for 7.9 m2 overage on existing storage shed . Why is it not possible to comply with the provisions of the by-law? Allowed maximum addition is limited to 50m2. Proposed second storey Agfa will use the existing footprint to allow for 3 bedrooms & bath on second fl. and will require 81m2 GFA								
	Existing shed @ 22.8 m2 GFA does not comply with max shed gfa of 15m2.								
5.	Legal Description of the subject land: Lot Number Lot 288. Plan Number/Concession Number <u>Reg Plan 810</u> Municipal Address <u>24 Flavian Crescent</u>								
6.	Dimension of subject land (<u>in metric units</u>) Frontage 15.2 m Depth 31.2 m Area 569.4 m2								
7.	Access to the subject land is by: Seasonal Road Provincial Highway Seasonal Road Municipal Road Maintained All Year Other Public Road Private Right-of-Way 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: List all structures (dwelling, shed, gazebo, etc.) Existing dwelling coverage & GFA = 115.4 m2 1 storey bungalow 9.4m x 12.2m. height 4 m

Existing shed coverage & GFA = 22.8m2 1 storey Approx 6.1m x 4.6m height 3m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Second storey 0 coverage, GFA = 71m2. ADDITION 9.4 m x 8.5 m TOTAL PROPOSED HEIGHT 7.3m

TOTAL PROPOSED DWELLING GFA 186.4 TOTAL PROP. COVERAGE DWLG 115.4 m2 + EX. SHED 22.8 m2 = 138.2 m2 CVRG.

 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 Rear yard setback Side yard setback Side yard setback PROPOSED Front yard setback Rear yard setback Side yard setback	7.8m 1.4m SOUT 5.7m NORT 13.4 m 7.8m 2.1m SOUT	HN/a					
	Side yard setback	5.7m NOR1	Τ <u>Η</u>					
10.	Date of Acquisition o	f subject land:	Sept 30, 2011					
11.	Existing uses of subj	ect property:	RESIDENTIAL					
12.	Proposed uses of su	bject property:	RESIDENTIAL					
13.	Existing uses of abutting properties:							
14.	Date of construction of all buildings & structures on subject land:1968 approx							
15.	Length of time the existing uses of the subject property have been continued: ORIGINAL							
16. (a)	What water supply is Municipal	existing/proposed?	Other (specify)					
(b)	What sewage dispos Municipal X Septic	al is/will be provided?	Other (specify)					
(c)	What storm drainage Sewers X Ditches Swales X	system is existing/pr	oposed? Other (specify)					

-2-

17.	Is the subject property the subject subdivision or consent?	t of an a	pplication u	nder	the Planning	Act, for a	pproval of a plan of			
	Yes 🗌 No 🔘									
	If answer is yes, provide details:	File #	ŧ			Status_				
18.	Has a pre-consultation application	ı been fil	ed?							
	Yes 🗌 No 🔍									
19.	Has the subject property ever bee	n the sul	bject of an a	pplica	ation for mino	r variance	? ?			
	Yes No		Unknown	٢						
	lf answer is yes, provide details:									
	File # Decision				Relief					
	File # Decision File # Decision				Relief Relief					
				1						
			di	En la	flem					
	City	-		ynatur	e of Applicant(s) or Auth	orized Agent			
	ED AT THE City	OF								
	30th DAY OF July									
THE SUB THE APP	PPLICATION IS SIGNED BY AN AC JECT LANDS, WRITTEN AUTHORIZ LICANT IS A CORPORATION, THATION AND THE CORPORATION'S	ATION C	OF THE OWN	IER N HALL	UST ACCOM	PANY TH	E APPLICATION. IF			
	Liver Direct						Minninger			
I	Hung Pham		_, OF TH		city	OF _	Mississauga			
	region OF Peel				LARE THAT:					
	HE ABOVE STATEMENTS ARE TR G IT TO BE TRUE AND KNOWING									
DECLARE	D BEFORE ME AT THE									
Cily	OF Bramaton				Jeanie Ceo a Commiss	sioner, etc				
IN THE	Rissian OF				Province o for the Cor City of Bra	poration o	of the			
Pre	THIS 6th DAY OF			1	Expires Ap	oril 8, 2021	.J.m.			
Λ				37	han	Autho	rized Agent			
74	quot, 20 20		0	ngnau	ure of Applican	tor Autro	nzeo Agent			
	teamie My									
11	A Commissioner etc									
		FOR OF	FICE USE ON	NLY						
	Present Official Plan Designation:									
	Present Zoning By-law Classificat	ion:			R1B, MA1	URE NE	EIGH			
×	This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.									
	Hothi S				AUGUST	06 2020				
	Zoning Officer		_			Date				
	DATE RECEIVED	Δ	uorunt	6	, 202	0				
			J				Revised 2020/01/07			

