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

## 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: | NO | File Number: |
| :--- | :--- | :--- |
| Application for Consent:_nO | 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 entitied 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<br>\section*{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 cityclerksoffice@brampton.ca 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 $4: 30 \mathrm{pm}$, 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 $4: 30 \mathrm{pm}$ 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 Commitiee 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 SecretaryTreasurer 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.

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 0.0 m setback to an existing play structure (recreation facility) where the bylaw requires a 1.2 m setback to the lot line.
2. To allow for a 0.0 m setback for eaves on an existing accessory structure where the bylaw requires a 0.1 m setback or max.encroachment of 0.5 m .
3. To permit a 3.05 m high existing fence in the rear yard where the by-law permits a max of 2 m . 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

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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)

## Remove

1. To allow for 22.8 m 2 overage on proposed 72.8 m 2 second storey addition (I've confirmed this does not require a variance since it has been reviewed by Site Planning.)
Amend \#2
2. To allow for 7.9 m 2 overage on existing 22.9 m storage shed whereas the By-law limits for accessory structures at 15 m 2 .
Add to our application new \#2
3. Relief of rear setback by 0.3 m for proposed $2 n d$ storey addition having a setback of
7.8 m 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 8.1 m .

## \#4 Why is it not possible to comply with the provisions of the by-law?

## Amend

1. Proposed second story will used the existing footprint with existing non-conforming setbacks.
2. Existing shed @ 22.9 m 2 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


2020-10-30 2:57:05 PM
brampton.ca

## FILE NUMBER: $A-2020-0057$

We personal information collecied on this form is collected pursuant to section 45 of the Plannlng Act and will be used in the processlag of thls appllcation. Applicants are advised that the Commiltee of Adjustment is a publle process and the informatlon contalned In the Commithee of Adjustmant illes is consldered publlc information and is avallable to anyone upon request and will be published on the clty's wabsite. Questlons about the collectlon of personat Information should be directed to the Secretary-Treasurer, Commiltee of Adjustment, chty of Brampton.

## APPLICATION <br> Minor Variance or Speciall 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) Maria Erancesca DePinto \& Christopher Edward Rogacki

Addres

## $\frac{\text { 24. Flavian Cres }}{\text { Brampton ON L6T 3P3 }}$

Phone: $\%$ Fax: $\frac{416-821-7731}{\text { Uknowme-fd85(ohotmail_com }}$
2. Name of Agent Erin Zagar

Address $\frac{76 \text { MILL ST S }}{\text { BRAMPTON. ON. L6Y } 158}$
Phone :
Email $\qquad$
3. Nature and extent of relief applied for (variances requested)

Minor variance 椡 - to allow for 22.8 m 2 overage on proposed 72 m 2 second storey addition.
Min or variance 茾2-to allow for 7.9 m 2 overage on existing storage shed
$\qquad$
$\qquad$
4. Why is it not possible to comply with the provisions of the by-law?

Allowed maximum addifion is limited to 50m2. Proposed second storey Agra will use the existing footprint to allow for 3 bedrooms \& bath on second fl. and will require 81 m 2 GFA

Existing shed (a) 22.8 m 2 GFA does not comply with max shed gfa of 15 m 2.
5. Legal Description of the subject land:

Lot Number Lot 288.
Plan Number/Concession Number Rea Plan 810
Municipal Address 24 Flavian Crescent
6. Dimension of subject land (in metric uniss)

Frontage


Area $\qquad$
7. Access to the subject land is by: Provincial Highway Municipal Road Maintained All Year $\square$

Seasonal Road Municipal Road Main
Private Right-of-Way Other Public Road Water

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

FXISTING BUIDDINGSISTRUCTURES on the subject land: Llst all structures (dwellina, shed, aazobo, eic.) Existing dwelling coverage \& GFA $=115.4 \mathrm{~m} 2$
1 storey bungalow $9.4 \mathrm{~m} \times 12.2 \mathrm{~m}$. height 4 m
Existing shed coverage o GFA $=22.8 \mathrm{~m} 2$
1 storey Approx $6.1 \mathrm{~m} \times 4.6 \mathrm{~m}$ height 3 m

PROPOSED RUILDINGS/STRUCTURES on the subject land:

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

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

Yes $\square$ No $\square$
If answer is yes, provide details: File \# $\qquad$ Status $\qquad$
18. Has a pre-consultation application been filed?
Yes $\qquad$ No
0
19. Has the subject property ever been the subject of an application for minor variance?
Yes $\square$ No $\square$
Unknown 0

If answer is yes, provide details:
File \#
$\qquad$
Decision $\qquad$ Relief $\qquad$
Relief

| DATED AT THE | City | OF | Brampton |
| :--- | :--- | :--- | :--- |
| THIS 30 th |  |  |  |

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 GORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.


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.


Present Official Plan Designation:
Present Zoning By-law Classification:
R1B, MATURE NEIGH

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

$$
\frac{\text { AUGUST } 062020}{\text { Date }}
$$

REG'D PLAN 810 LOT 288
TOWNSHIP OF CHINGUACOUSY COUNTY OF PEEL
PER SURVEY DATED NOV 61968 BY H.J. REINTHALER O.L.S. FRED SCHAEFFER SURVEYORS

ZONING R1B(1) (MATURE NEIGHBORHOOD)
LOT AREA $569.4 \mathrm{m2}$ ( 6129.4 SF ) XIST COVERAGE $115.3 \mathrm{m2}$ ( 1241 SF ) $=20 \%$ MAXLOTCOVERGE @ 30\% = 170.82m2 (1839.7)

ADDITION GFA MAX 50 m 2 ( 538 SF ) PROPOSED ADDITION GFA 72 m 2 (772 SF) OVER BY 22 m 2 ( 236 SF )

## SETBACKS

SIDE MIN 1 STOREY 1.2 m (3.9') [MATURE 10.27 EXISTING 1 STOREY 1.4 m (4.6') SOUTH PROP 2 STOREY 1.8 m (5.9') OK
${ }^{*}{ }^{*} \mathrm{FRONT}^{2}=7.6 \mathrm{~m}\left(24.9^{\prime}\right)[\mathrm{R} 1 \mathrm{~B}(1)]$ EXISTING FRONTMIN 9.7 m (31.8) NO CHANGE

REAR 25\% LOT LENGTH 7.8m (25.6') [MATURE 10.27] EXISTING REAR 7.8m (25.6') NO CHANGE

MAX HT. PEAK 7.6m (24.9) [R1B(1) EXROOF PEAKHT 4m (13.2)

EXISTING SHED
*ACCESSORY BLDG MAX GFA AREA 15 m 2 ( 161.5 SF ) EX ACCESSORY BLD 22.9 m 2 ( 246 SF )
OVER BY $7.9 \mathrm{~m} 2(25.9 \mathrm{SF})$
ACCESSORY SETBACK 0.6 m (2) '
ACCESSORY HEIGHT MAX 3 m ( $10^{\prime}$ EXISTING HEIGHT 3 m ( 10 ')


| 24 FLAVIAN CRES., <br> BRAMPTON, ON <br> PROP SECOND FL ADD'N | ${ }^{\text {No. }}$ |  | $\frac{\text { Date }}{\text { 08-06-20 }}$ |
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| PROP. SITE PLAN |  |  |
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