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APR 12 2024

CITY CLERK'S OFFICE

April 11, 2024

City of Brampton
Committee of Adjustment

RE: Minor Variances for 2776 Embleton Rd
FILE: A-2024-0065

Dear Members of the Committee of Adjustment,

I am requesting three minor variances to:

1. Allow for the parking of Tree Service vehicles, which have been displaced from a nearby rural property that was sold.
2. Allow for the sale of used music / vinyl records by the Tenant of the home on site, which the Tenant has been doing for the past 10 years (without our knowledge).
3. To avoid requiring minor variances in the future, allow for other similar uses / small businesses to operate on a portion of the site, in keeping with the existing common practice of small businesses operating out of rural properties in this area.

The site:

Approx. 88% of the property is currently farmed/open space. It has a home on-site of approx 104 sq meters and a detached garage. There is also a shed on site of approx. 144 square meters and an existing parking lot. These buildings have existed for 20+ years. The home vintage is 1950. **Approx 12% of the property is used for the home, shed and parking lot and is the subject of the proposed variances.**

Variance #1 - Allow parking of Tree Service vehicles

I am requesting a minor variance to allow for the parking of Tree Service vehicles by a local company, in an existing parking area that is 20+ years old. The tenant operator was on a similar rural property nearby until that property was sold and they had to relocate. No new buildings or driveways are planned. The equipment includes pick-up trucks, dump trailers, medium size dump trucks, mulch equipment, bucket trucks, backhoe, skid steer, trailers and some other ancillary equipment and devices used in tree removal / pruning. Current agricultural zoning permits parking of vehicles for agricultural uses, which are very similar to the proposed Tree Service vehicles.

Variance #2 - Allow the sale of used music / vinyl records

I am requesting a minor variance to allow for the sale of used music / vinyl records by the Tenant of the home on the site. This is not a store front. The Tenant has been selling these records for some 10 years online and people pop in to pick up the orders. This use is in keeping with the existing common practice of small businesses operating out of rural properties in this area. We were not aware that the Tenant was doing this, and the Tenant has been made aware that this is not a permitted use. However, because we are already seeking another minor variance, we felt it would not hurt to request this variance as well, to help a small business.

Variance #3 – Allow other similar future uses as described in Variance #1 and #2 to operate out of the existing home, shed and parking lot.

To avoid requiring similar minor variances in the future, I am requesting a minor variance to allow the existing home, shed and parking lot to be used in a similar manner by other small businesses in the future (e.g. a small retail establishment, parking lot, storage, personal service shop, office, garden centre). There is an existing music/vinyl shop on site, the property had greenhouses until 2016 and was used in the past for selling firewood and nursery stock to the general public. This would be in keeping with the existing common practice of small businesses operating out of rural properties in this area. This would have no negative impact and would contribute to creating a vibrant rural community.

Conclusion:

In summary, the proposed variances would allow the continuation of uses / small businesses that are already established on site and in the surrounding area. For this reason, the proposed variances are minor, appropriate and desirable.

Your truly,

A handwritten signature in blue ink, appearing to read 'Sandy Acchione', with a long horizontal flourish extending to the right.

Sandy Acchione

Kafco Homes
Cc Ron Fisico

APR 12 2024

CITY CLERK'S OFFICE

Flower City



brampton.ca

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

FILE NUMBER: A-2024-0065

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)** Kafco Homes Ltd
Address 35 West Pearce Street Unit 32
Richmond Hill ON L4B3A9
Phone # 416-804-5958 **Fax #** _____
Email rfisico@rogers.com

2. **Name of Agent** Sandy Acchione
Address 37 Claridge Dr
Richmond Hill ON
L4C6G8
Phone # 416-804-5958 **Fax #** _____
Email sandyacchione@rogers.com

3. **Nature and extent of relief applied for (variances requested):**
Requesting three minor variances to:
1. Allow for the parking of Tree Service vehicles, which have been displaced from a nearby rural property that was sold.
2. Allow for the sale of used music / vinyl records by the Tenant of the home on site, which the Tenant has been doing for the past 10 years (without our knowledge).
3. Allow for similar future uses to operate on the site, in keeping with the existing common practice of small businesses operating out of rural properties in this area.

4. **Why is it not possible to comply with the provisions of the by-law?**
Property is not zoned for this use.

5. **Legal Description of the subject land:**
Lot Number Lot 6 WHS Pt lot 6
Plan Number/Concession Number _____
Municipal Address 2776 Embleton Road

6. **Dimension of subject land (in metric units)**
Frontage 182meters
Depth 218meters
Area 11.8acres

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

Single Family home 105 sq meters with detached garage
Storage shed approximately 144 sq meters.
Parking lot

PROPOSED BUILDINGS/STRUCTURES on the subject land:

n/a

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 25m and 35m
Rear yard setback 179m and 168m
Side yard setback 24m and 41m
Side yard setback 151m and 132m

PROPOSED

Front yard setback _____
Rear yard setback _____
Side yard setback _____
Side yard setback _____

10. Date of Acquisition of subject land: 2017
11. Existing uses of subject property: Farming, home rental
12. Proposed uses of subject property: Tree cutting equipment parking, vinyl record sales, other small business uses
13. Existing uses of abutting properties: farms and some residential
14. Date of construction of all buildings & structures on subject land: 1950/75
15. Length of time the existing uses of the subject property have been continued: 20+

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 _____

[Handwritten Signature]
Signature of Applicant(s) or Authorized Agent

DATED AT THE Town OF Ridgemoor Hill
THIS 11 DAY OF April, 2024.

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, Sony Accipione OF THE Town OF Ridgemoor Hill
IN THE Region OF York 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 _____ OF _____
IN THE _____ OF _____
THIS _____ DAY OF _____, 20____.

A Commissioner etc.

[Handwritten Signature]
Signature of Applicant or Authorized Agent

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 _____
Date Application Deemed Complete by the Municipality _____

APPOINTMENT AND AUTHORIZATION OF AGENT

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: 2776 Embleton Road

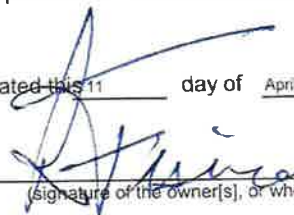
I/We, Ron Fisico
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject lands, hereby authorize

Sandy Acchione
please print/type the full name of the agent(s)

to make application to the **City of Brampton Committee of Adjustment** in the matter of an application for **minor variance** with respect to the subject land.

Dated this 11 day of April, 2024


(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Ron Fisico
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NOTE: Unit owners within a Peel Standard Condominium Corporation are to secure authorization from the Directors of the Condominium Corporation in a form satisfactory to the City of Brampton, prior to submission of an application. Signatures from all Members of the Board of Directors are required.

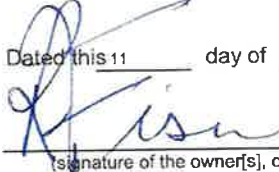
PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: 2776 Embleton Road

I/We, Kafco Homes Ltd please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 11 day of April, 2024.


(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Ron Fisico
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

APR 12 2024

CITY CLERK'S OFFICE

PART 2, PLAN 43R-31303
PIN 14091-0683

SURVEYOR'S REAL PROPERTY REPORT
PART 1) PLAN OF
LOT 6
CONCESSION 6
WEST OF HURONTARIO STREET
(GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1 : 500 aka 2776 Embleton Rd

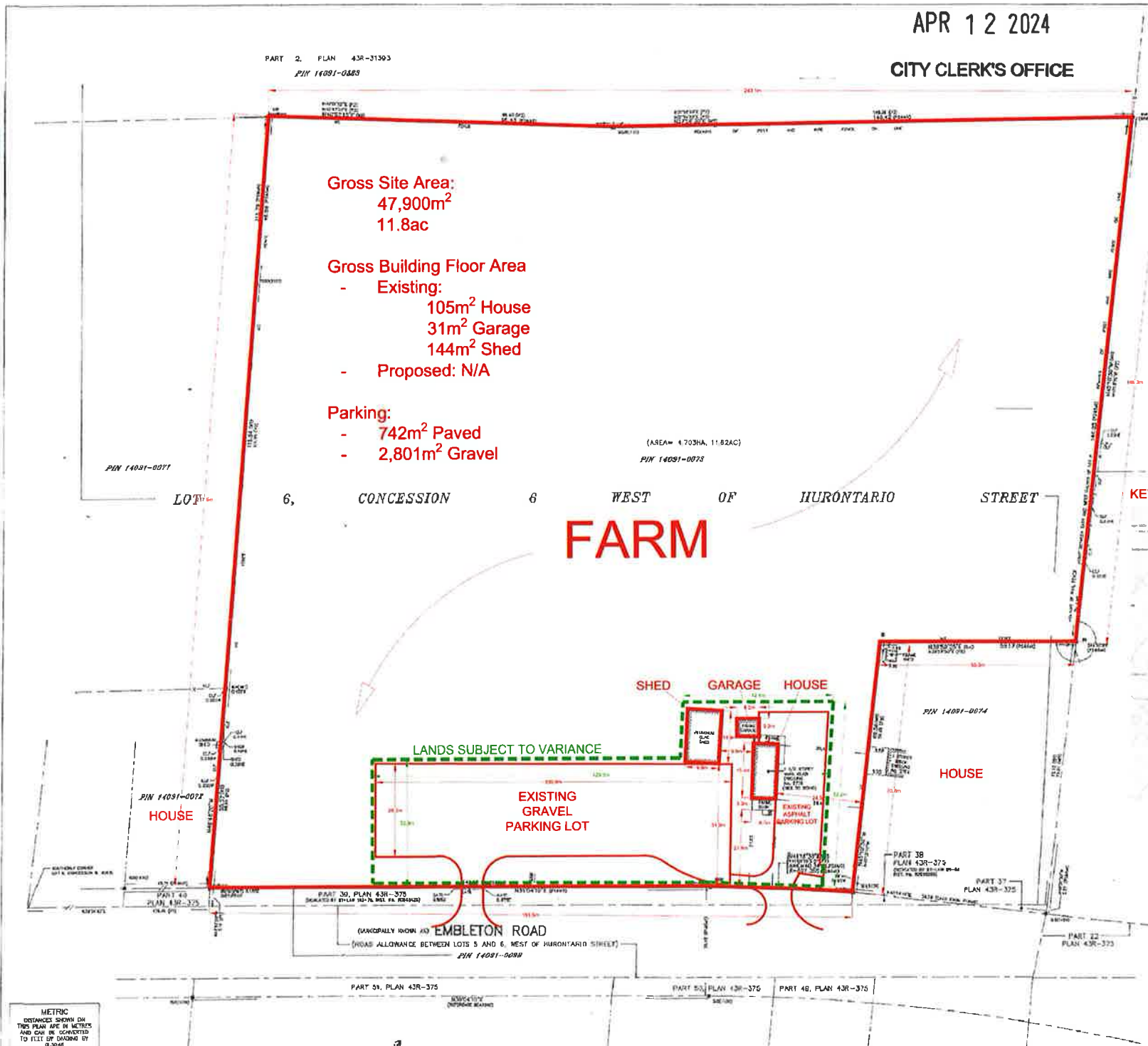
T. STAUSKAS, OLS

© COPYRIGHT - THIS PLAN PROTECTED BY COPYRIGHT

PART 2) SURVEY REPORT
- PLEASE NOTE THE POSITION OF THE PINNACLES AS NOTED ON THE FACE OF THE PLAN.
- PLEASE NOTE THE POSITION OF THE GATE ALONG THE STREETSIDE AS NOTED ON THE FACE OF THE PLAN.
- PLEASE NOTE THE POSITION OF THE ALUMINUM SHED ALONG THE WESTERLY PROPERTY LINE AS NOTED ON THE FACE OF THE PLAN.
- EASEMENTS AND/OR RIGHTS OF WAY - NO EASEMENTS OR RIGHTS OF WAY ARE APPEARING ON TITLE.
- MUNICIPAL ZONING REGULATIONS - NOT COVERED BY THIS REPORT.

THIS REPORT WAS PREPARED FOR THE CLIENT AND THE USER SHOULD ACCEPT AND BE RESPONSIBLE FOR USE BY OTHER PARTIES

BEARING NOTE
BEARINGS AND DISTANCES ARE REFERRED TO THE SOUTHWESTERLY CORNER OF PART 50 AND 51 AS SHOWN ON PLAN 43R-313, HAVING A BEARING OF N30°04'10"E



Gross Site Area:
47,900m²
11.8ac

Gross Building Floor Area
- Existing:
105m² House
31m² Garage
144m² Shed
- Proposed: N/A

Parking:
- 742m² Paved
- 2,801m² Gravel

(AREA= 4.703HA, 11.82AC)
PIN 14091-0072

FARM

LOT 2, REGISTERED PLAN 310
PART 1, PLAN 43R-3750

KEY MAP



METRIC
DISTANCES SHOWN ON
THIS PLAN ARE IN METRES
AND CAN BE CONVERTED
TO FEET BY DIVIDING BY
0.3048



SURVEYOR'S CERTIFICATE

I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 29th DAY OF AUGUST, 2018.

DATE: AUGUST 30, 2018
T. STAUSKAS
ONTARIO LAND SURVEYOR

TONY STAUSKAS SURVEYING INC.
ONTARIO LAND SURVEYOR
443 BRISTOL ROAD WEST, MISSISSAUGA, ONTARIO
L5L 2J6
TEL: (905) 810-6326 FAX: (905) 810-6326
CELL: (416) 899-8397
REG. NO. 19-35 SURV. # 11
ENRICHED TS

PART 2, PLAN 43R-31393
PIN 14081-0368



SURVEYOR'S REAL PROPERTY REPORT
PART 1) PLAN OF
LOT 6
CONCESSION 6
WEST OF HURONTARIO STREET
(GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1 : 500 aka 2776 Embleton Rd

T. STAUSKAS, OLS
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PART 2) SURVEY REPORT
- PLEASE NOTE THE POSITION OF THE FINES AS NOTED ON THE FACE OF THE PLAN
- PLEASE NOTE THE POSITION OF THE GATE ALONG THE STRUCTURE AS NOTED ON THE FACE OF THE PLAN
- PLEASE NOTE THE POSITION OF THIS ALUMINUM SHED ALONG THE WESTERLY PROPERTY LINE AS NOTED ON THE FACE OF THE PLAN
- EASEMENTS AND/OR RIGHT OF WAYS - NO EASEMENTS OR RIGHT OF WAYS ARE SHOWN ON THIS PLAN
- MUNICIPAL ZONING REGULATIONS - NOT SHOWN BY THIS REPORT

THIS REPORT WAS PREPARED FOR THE BELIEF THAT ALL THE UNDERSIGNED ACCEPTS HIS RESPONSIBILITY FOR USE BY OTHER PARTIES

BEARING NOTE
BEARINGS ARE ASTROPHICAL AND ARE REFERRED TO THE SCIENTIFIC LIMITS OF PART 50 AND 51 AS SHOWN ON PLAN 43R-313, HAVING A BEARING OF N30°0'0"E

Gross Site Area:
47,900m²
11.8ac

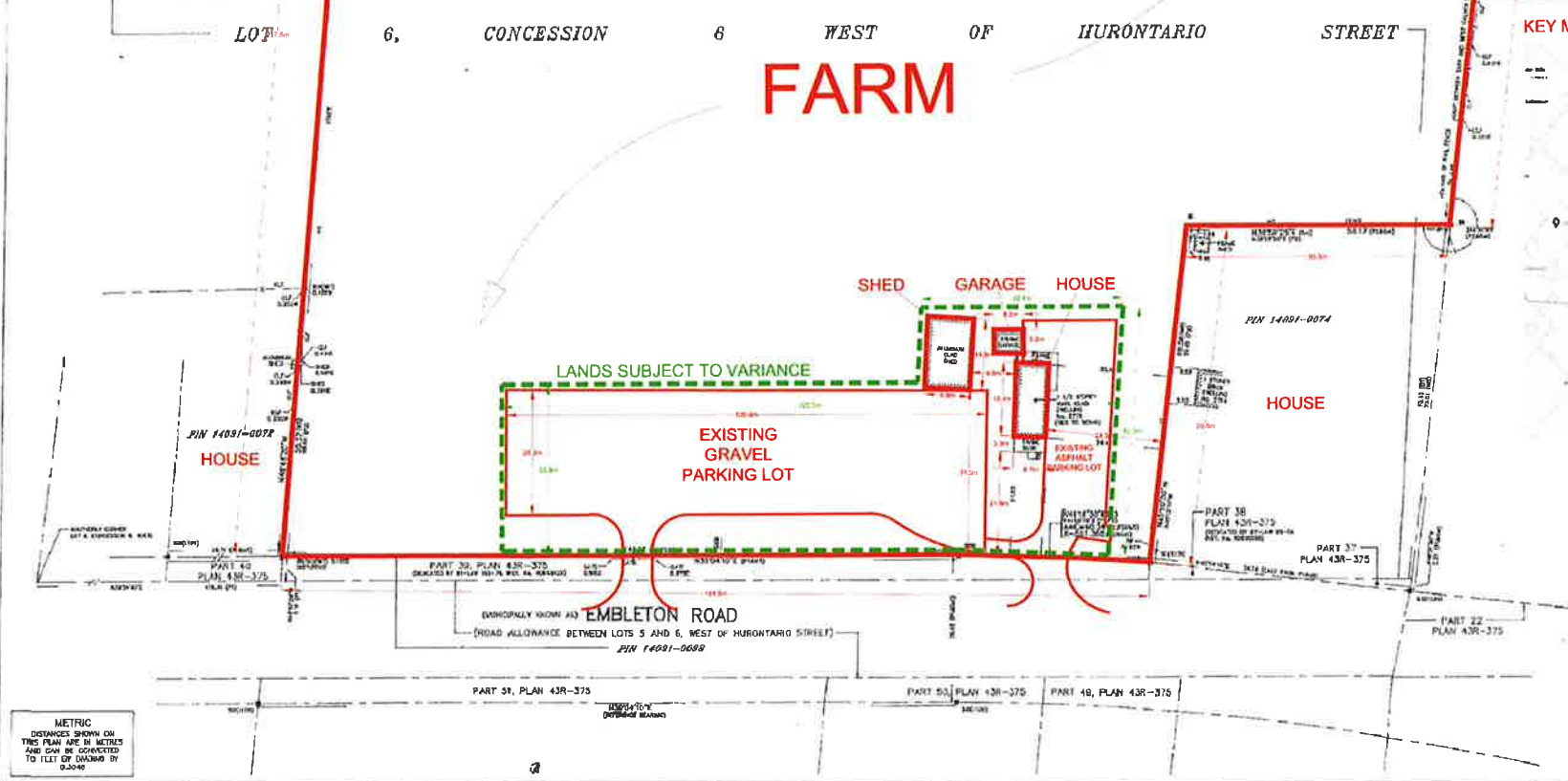
Gross Building Floor Area
- Existing:
105m² House
31m² Garage
144m² Shed
- Proposed: N/A

Parking:
- 742m² Paved
- 2,801m² Gravel

(AREA= 1.703HA, 11.82AC)
PIN 14081-0073

LOT 6, CONCESSION 6 WEST OF HURONTARIO STREET

FARM



KEY MAP



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 30th DAY OF AUGUST, 2018.

DATE - AUGUST 30, 2018

T. Stauskas
T. STAUSKAS
ONTARIO LAND SURVEYOR



TONY STAUSKAS SURVEYING INC.

ONTARIO LAND SURVEYOR
448 BASTIEN ROAD WEST, MISSISSAUGA, ONTARIO
L4W 5T6
BUS./TAX (905) 896-0221 CELL (416) 899-8387



PAGE No. 16-35 DRAWN BY: JS
CHECKED BY: JS

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

2776 Embleton

Write a description for your map.

Legend

-  2776 Embleton Rd
-  Parking Area



Google Earth



Image © 2024 Airbus

200 ft

2776 Embleton

Write a description for your map.

Legend

-  2776 Embleton Rd
-  Parking Area

Google Earth

Image © 2024 Airbus

200 ft





Zoning Non-compliance Checklist

File No. A-2024-

Applicant: Kafco Homes Ltd.
 Address: 2776 Embleton Road
 Zoning: Agricultural
 By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit the parking and storage of Tree Service vehicles and equipment on the property.	Whereas the by-law does not permit the storage of vehicles and equipment.	46.1.1
	To permit the retail sales of used vinyl records.	Whereas the by-law does not permit the retail sales of used vinyl records.	46.1.1
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT/ SIDE / REAR			
BUILDING SIZE			
SIDE DOOR			
COVERAGE			
PARKING			
DRIVEWAY			
ACCESSORY STRUCTURE			
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPE OPEN SPACE			
SCHEDULE 'C'			
FENCE HEIGHT			

Rose Bruno
 Reviewed by Zoning

May 13, 2024
 Date