



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **PHIL SEQUEIRA AND JOANNE SEQUEIRA** 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 494, Plan 43M-1192 municipally known as **83 WHITE TAIL CRESCENT**, Brampton;

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

1. To permit an existing accessory structure (shed) having a rear yard setback of 0.083m (0.27 ft.) and a side yard setback of 0.11m (0.36 ft.) whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line.

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
Application for Consent: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 5, 2021 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 10th day of December, 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

LOT 488
PH 14071 - 1861

LOT 400
PIN 14071 - 1869

D.U.C.

REAR Shed !
Set Back 0.08255/m.

WHITE TAIL CRESCENT

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 Committees 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, Friday, December 18, 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, December 18, 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 **Friday, December 18, 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 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.

COMMITTEE of ADJUSTMENT

The Secretary- Treasurer

16th November 2020.

City of Brampton

2 Wellington Street Wes

Brampton, Ontario

L6Y-4R2

(905) 874-2117

Fax: (905) 874-2119

A-2020-0140

To the Attention of Jeanie Myers:

I am presently the original owner of a dwelling located at 83 White Tail Cres Brampton, Ontario. My wife and I have been residing at this address for 22 years and have been part of the Brampton community for over 55 years.

In the early year 2000 upon consulting verbally with my neighbors behind me, 159 Drinkwater Road and adjacent to my property joining lot line 85 White Tail Cres, I informed them that I will be erecting an outdoor Royal Product maintenance shed in my backyard location southwest corner of my property. They were all in agreement as it did not impact their property.

The structure was to be built on a pressure treated wood re-enforced base pre-assembled as I was putting it in close proximity to the fence line (not touching the common property line) reason being I did not wish to deal with weeds or wildlife gathering behind the structure resulting in problems down the road.

The structure was also built according to the grading of the original land survey not to impede or tamper with the original builders grading as my backyard sloped downwards to the back fence lot line for drainage.

The shed was in total 7 feet high at the top peak and did not obstruct any view or interfere with any operational flow of water or fencing that was erected.

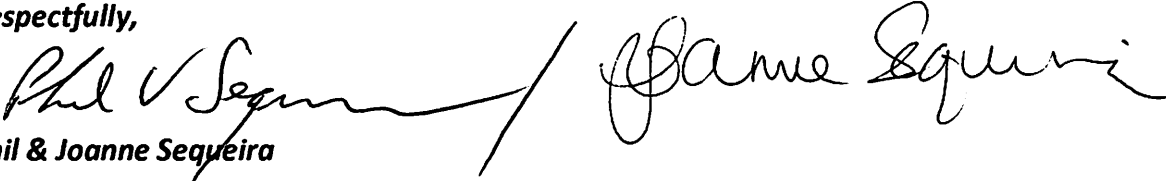
Over the years we have designed and constructed gardens and a concrete patio pad in our backyard in conjunction to the shed structure and around the shed in order to beautify our

backyard. There have never been any issues with this structure up until now as I received an order to comply by the City of Brampton to have the shed moved away from the fence line approximately 1 foot on all sides according to the by-law, as an unknown party had complained.

The shed structure is only in view of the neighbors indicated above and has no other bearing on any other resident in my surrounding neighborhood. Having the structure for over 20 years and now having to deal with this issue in my retirement stages and Covid-19 impacting our society globally, I strongly do believe that this complaint was made on a vindictive basis and vexatious and frivolous in nature.

I am requesting the Committee of adjustment to review my concerns and provide me with a non-compliance exemption for this structure outside of the existing amended city of Brampton by-law.

Respectfully,


Phil & Joanne Sequeira

83 White Tail Cres

Brampton, Ontario

L6Y-5C1



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) Phil and Joanne SEQUEIRA.
Address 83 White Tail Crescent.
BRAMPTON ONTARIO. L6Y-5C1.

Phone # _____ Fax # _____
Email _____

2. Name of Agent _____
Address _____

Phone # _____ Fax # _____
Email _____

3. Nature and extent of relief applied for (variances requested):
TO PERMIT AN EXISTING SHED HAVING A REAR YARD
SETBACK OF 0.08255 METRES AND A SIDE YARD
SETBACK OF 0.1143 METRES WHEREAS THE BYLAW
REQUIRES A MINIMUM SETBACK OF 0.6 METRES
TO ALL PROPERTY LINES.

4. Why is it not possible to comply with the provisions of the by-law?
STRUCTURE WAS BUILT APPROXIMATELY 20 YEARS AGO
SURROUNDING LANDSCAPE AND CONCRETE WILL BE TOO
COSTLY TO RELOCATE -

5. Legal Description of the subject land:
Lot Number A 494
Plan Number/Concession Number 43M-1192.
Municipal Address 83 WHITE TAIL CRESCENT BRAMPTON ONT.

6. Dimension of subject land (in metric units)
Frontage EST. F. 8.518
Depth D. 30.394
Area IRREGULAR LOT.

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.)
Residential Dwelling 2 STOREY Detached.
2250 Square Feet.
STEEL GAZEBO 10' X 10' = 3.048 m.
SHED 8' X 8' = 2.438 m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:
NIL.

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 1-26
Rear yard setback 1-24
Side yard setback 2-17
Side yard setback 4-26

PROPOSED
Front yard setback _____
Rear yard setback _____
Side yard setback NIL.
Side yard setback _____

10. Date of Acquisition of subject land: YEAR 2000

11. Existing uses of subject property: Residential USE

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: April 1998. Aug 2000

15. Length of time the existing uses of the subject property have been continued: 20 yrs plus.

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 _____

Phil V. Sequeira
Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton
THIS 23rd DAY OF November, 2020.

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, Phil SEQUEIRA, 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 23rd DAY OF
November, 2020.

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

Phil V. Sequeira
Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1D, MATURE

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

HOTHIS.
Zoning Officer

NOV.25.2020
Date

DATE RECEIVED November 23, 2020

PIN 14071 -- 1869

PH 14071 -- 1851

4071 - 1860

1859

PIN 14071 / 1868

PIN 14071 -- 1867

PIN 14071 - 1866

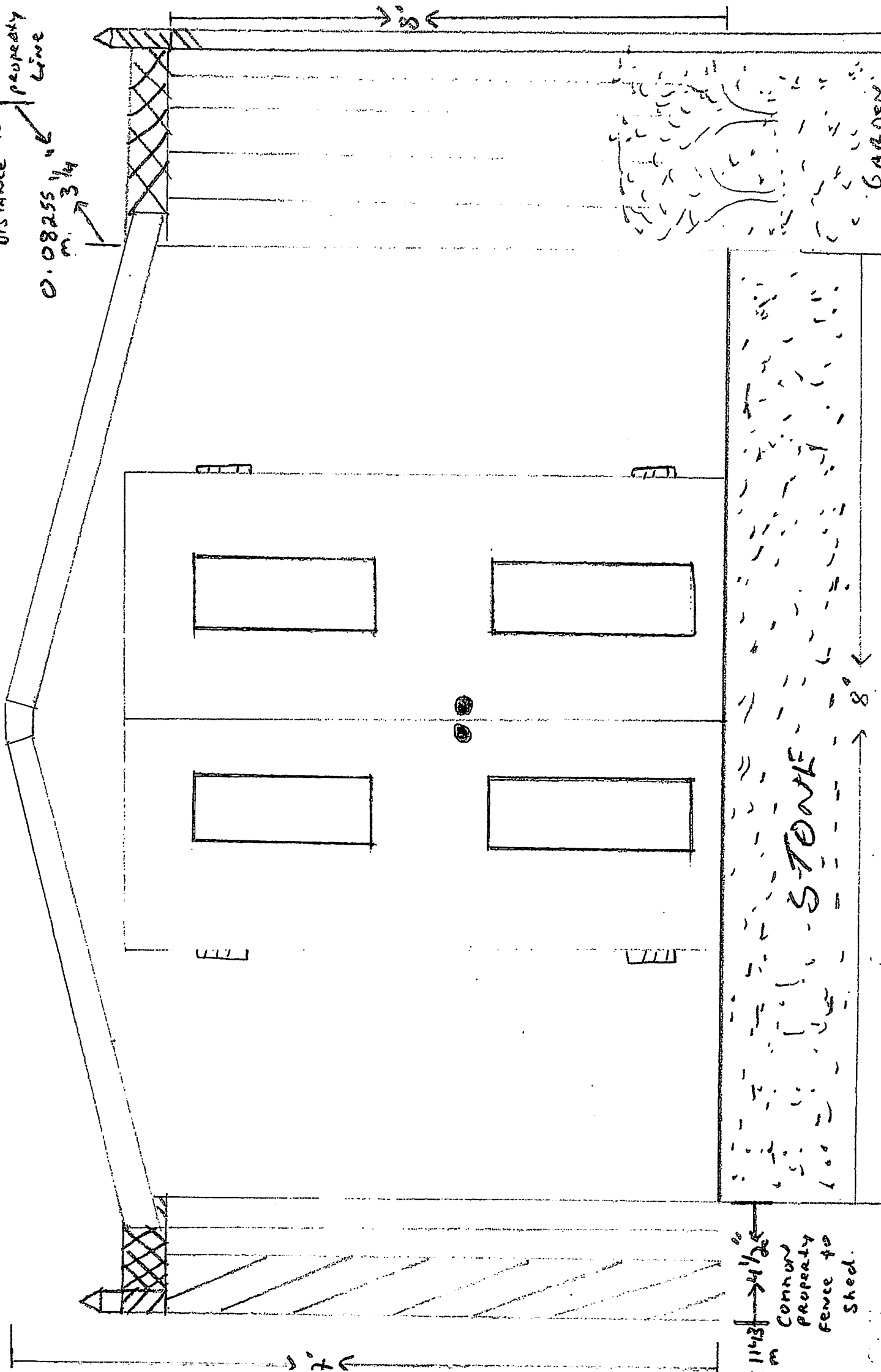
PIN 14071 - 1865

PIN 14071 - 1864

WHITE TAIL CRESCENT

Height
Top of Peak

Back of Shed
Distance to fence
property line
0.08255 m.
3/4



11' 4 1/2"
Common
Property
Fence to
Shed.

STONE

8'

GARDEN

