

APPLICATION # A-2021-0112
WARD 4

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **ALICE WIAFE** 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 Part of Block 135, Plan 43M-1854, Parts 77 and 78, Plan 43R-34447 municipally known as **119 OLIVIA MARIE ROAD**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required side yard;
2. To permit an interior side yard setback of 0.71m (2.33 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 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	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, June 22, 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.

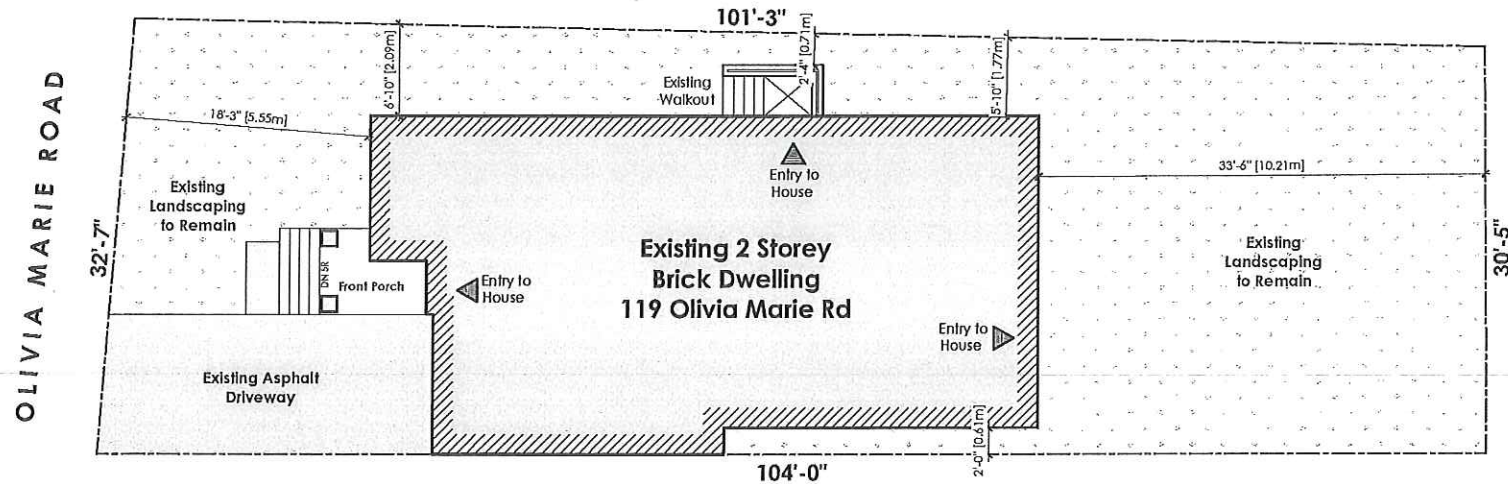
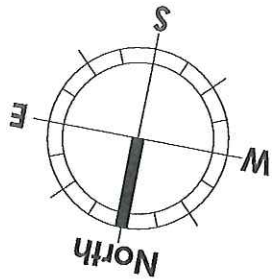
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 10th day of June, 2021.

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



Site Plan

Compliance Permit for Basement & Walkout

General notes

- All dimensions to be checked and verified on site prior to commencement of work. Any discrepancies shall be brought to the attention of permitguys prior to continuation of work.
- The contractor shall take all precautionary measures under the occupational health and safety act as required by the ministry of labour.
- All work shall be done in accordance with the minimum standards and specifications of the municipality's engineering department.
- All work in the municipal road allowance shall meet the minimum standards and specifications of the municipality's engineering department. The contractor is required to obtain & pay for permit to work in municipal r.O.W.
- Prior to the commencing any work on the installation of services & grading, an approved set of plans and specifications must be available on the job site and shall remain there while work is being done.
- The owners of the utilities must be informed at least two weeks prior to construction on any existing municipal road allowance. All existing underground utilities within the limits of construction shall be located and marked. Any utilities, damaged or disturbed during construction, shall be repaired or replaced to the satisfaction of the governing body at the contractors expense.
- Prior to commencing any construction, all sewer outlet information, benchmarks, elevations, dimensions and grades must be checked by the contractor and verified and any discrepancies reported to the engineer.
- The contractor is responsible for ensuring that there is no interruption of any surface or subsurface drainage flow that would adversely affect neighboring properties

Scope of Work

Compliance Permit for an existing finished basement for personal use & below grade entrance

Existing Dwelling

- More than 5 year old
- Less than 5 year old

Site Statistics All Units in Metric

Lot A		Gross Floor Area Calculation	
Lot Depth	31.70	Ground Floor GFA	86.72
Lot Area	300.17	Second Floor GFA	102.2
Zone	R3E	Total GFA	188.92
Lot Coverage		Finished Basement Area	62.85
Dwelling Area	107.21		
Ex. Front Porch & Stairs	5.6		
Ex. Concrete Walkout	2.67		
Total	115.48		
Total Coverage	38.47%		



permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

The undersigned has reviewed and takes responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.

Qualification Information
Aamou Kalla 113576
Name
Registration Info Permitguys.ca Inc. 110882

Title
Site Plan

Project Name
119 Olivia Marie Rd
Project No. 20-XX
Drawn By HA
Checked By MZ
Date 2021-04-27
Scale 3/32"=1'0"

Municipality
Brampton, ON
Filename
119 OLIVIA MARIE RD - COFA

Sheet No.
A1

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, Thursday, June 17, 2021.**
- 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, June 18, 2021.**
 - 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, June 18, 2021.** 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.

FILE NUMBER: A-2021-0112

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)

Alice Wiafe

Address

119 Olivia Marie Road, Brampton ON L6Y 0N1

Phone #

647-629-1151

Fax #

Email

awiafe75@yahoo.com

2.

Name of Agent

Daniel Ferraro

Address

80 Clementine Dr Brampton ON L6Y 5R5

Phone #

647-702-4180

Fax #

Email

dferraro@permitguys.ca

3.

Nature and extent of relief applied for (variances requested):

To permit a below grade entrance having a side yard set back of 0.71M whereas the by-law requires minimum 1.2M Side yard set back

4.

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

Brampton Zoning By-Laws do not accommodate existing below grade entrance

5.

Legal Description of the subject land:

Lot Number

Part 77 & 78

Plan Number/Concession Number

Plan 43R-34447

Municipal Address

119 Olivia Marie Rd

6.

Dimension of subject land (in metric units)

Frontage

9.92M

Depth

30.80M

Area

300.17 Sq.M.

7.

Access to the subject land is by:

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 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 SFD 2 Storeys. GFA: 188.92 Sq.M.
Width: 7.71M
Depth: 15.28M

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Below Grade Entrance.
Area: 2.67Sq.M.
Width: 1.17M
Length: 2.29M

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	Dwelling 5.55M
Rear yard setback	Dwelling 10.21M
Side yard setback	Dwelling 1.77M
Side yard setback	N/A

PROPOSED

Front yard setback	N/A
Rear yard setback	N/A
Side yard setback	Below Grade Entrance 0.71M
Side yard setback	N/A

10. Date of Acquisition of subject land: 2013
11. Existing uses of subject property: Residential SFD
12. Proposed uses of subject property: Residential SFD
13. Existing uses of abutting properties: Residential SFD
14. Date of construction of all buildings & structures on subject land: 2012
15. Length of time the existing uses of the subject property have been continued: Since Construction
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 _____

Signature of Applicant(s) or Authorized Agent

DATED AT THE City _____ OF Brampton _____

THIS 23 DAY OF April, 2021.

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, Daniel Ferraro, 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 12th DAY OF

May, 2021.

Jeanie Cecilia Myers
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 8, 2024.

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R3E - 2025

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

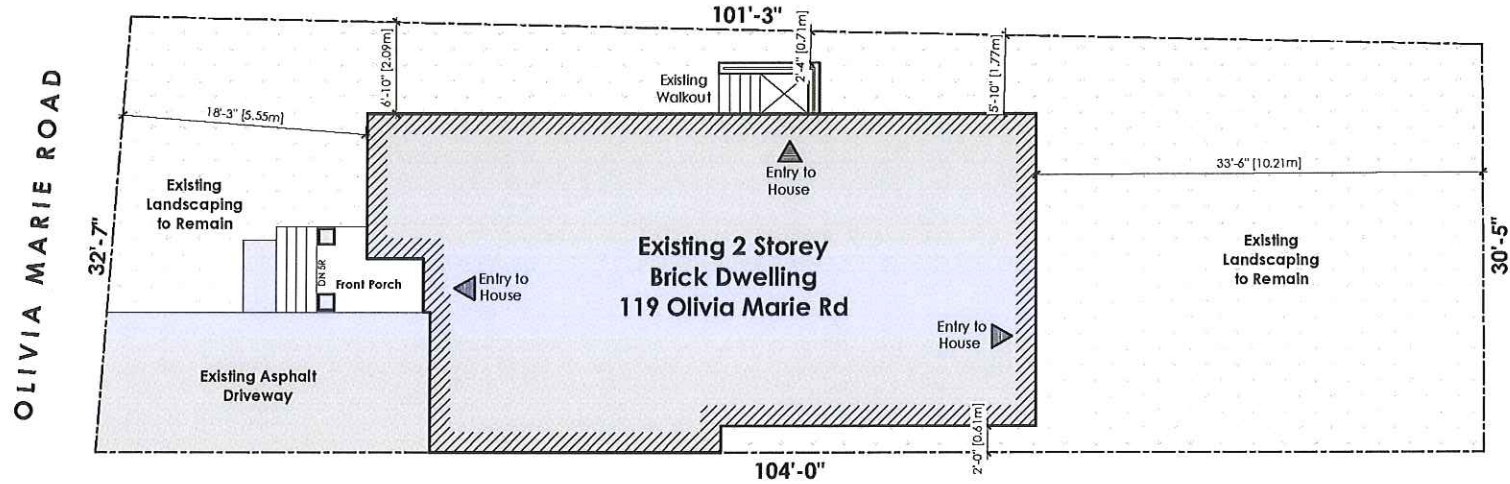
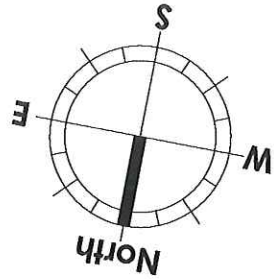
MAY 12 2021

Date

DATE RECEIVED

Date Application Deemed
Complete by the Municipality

Revised 2020/01/07



Site Plan

Compliance Permit for Basement & Walkout

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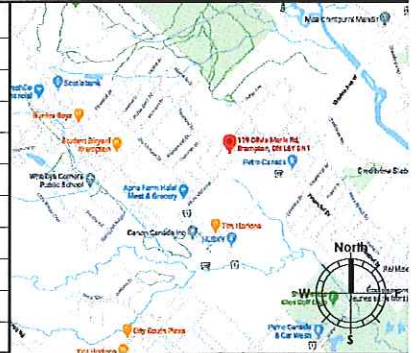
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permitguys

80 Cramerton Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

The undersigned has reviewed and takes responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.
Qualification Information
Aamou Rafiq 113576
Name
Registration Info. Permitguys.ca Inc. 110882

Title
Site Plan

Project Name
119 Olivia Marie Rd

Project No. 20-XX Drawn By HA Checked By MZ Date 2021-04-27 Scale 3/32"=1'-0"

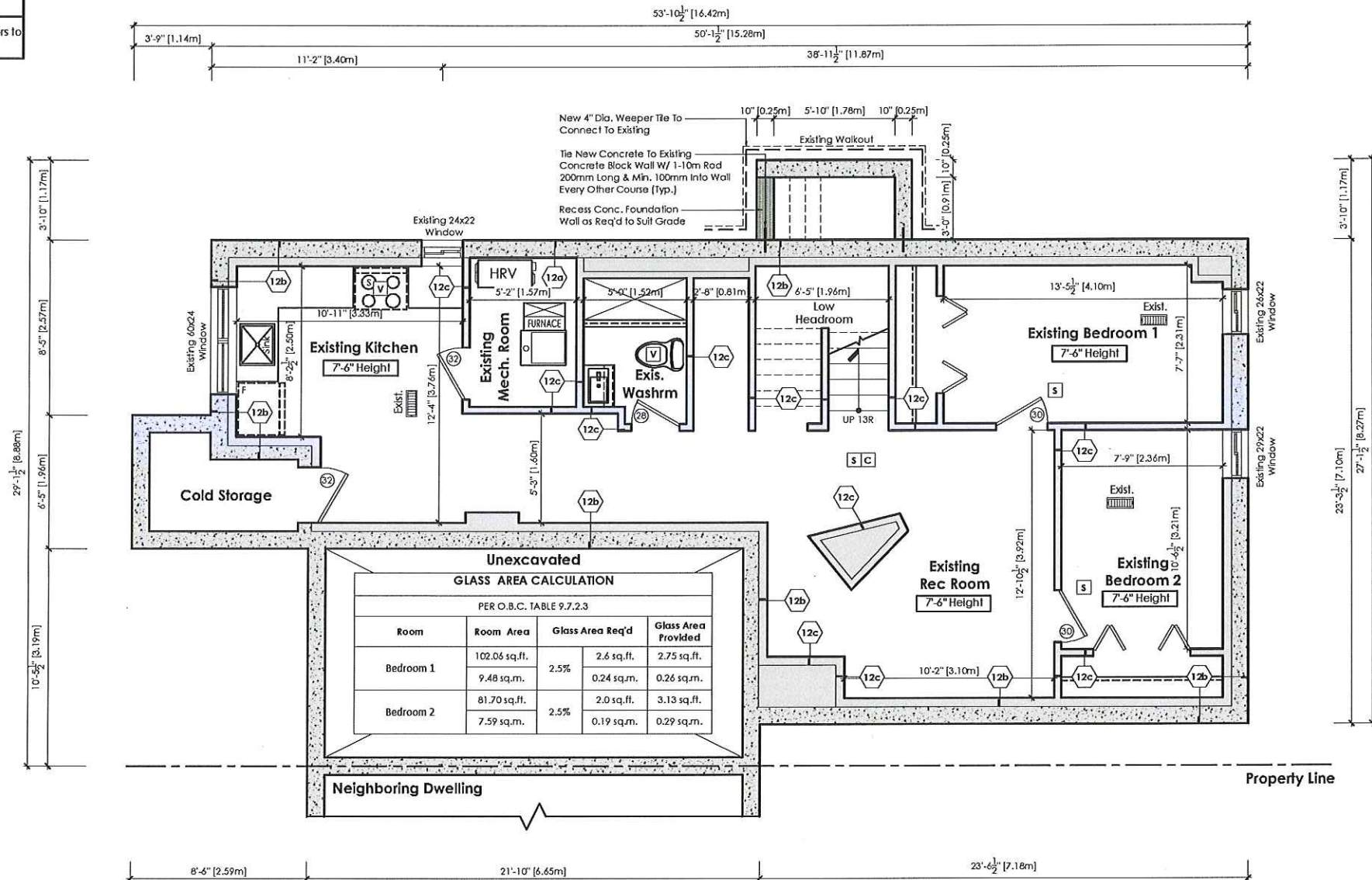
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Filename
119 OLIVIA MARIE RD - COFA

Sheet No.
A1

Wall Legend:

- Walls to remain
- Proposed foundation walls
- Proposed walls
- Walls to be removed
- Openings to be filled

All interior existing and proposed doors to be 6'8" high unless otherwise noted.



Existing Basement Floor Plan

permitguys
80 Clementine Dr. Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
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Title
Existing Basement Floor Plan
Project Name
119 Olivia Marie Rd
Project No. 20-XX
Drawn By HA
Checked By MZ
Date 2021-04-27
Scale 3/16"=1'-0"

Municipality
Brampton, ON
Filename
119 OLIVIA MARIE RD - COFA

Sheet No.
A2

26'-4 $\frac{1}{2}$ " [8.04m] 50'-1 $\frac{1}{2}$ " [15.28m] 23'-9" [7.24m]

3'-10" [1.17m] 7'-6" [2.29m] 3'-10" [1.17m]

Existing 42x60 Window Existing 22x38 Window Existing Walkout 9b 9c FD W2-2x6+L2

Existing Living Room 9'-0" Height Existing PWD Existing Dining Room 9'-0" Height

Existing Porch Existing Foyer Existing Garage Existing Kitchen 9'-0" Height Existing Breakfast Area 9'-0" Height

UP 2R DN 13R UP 16R S C

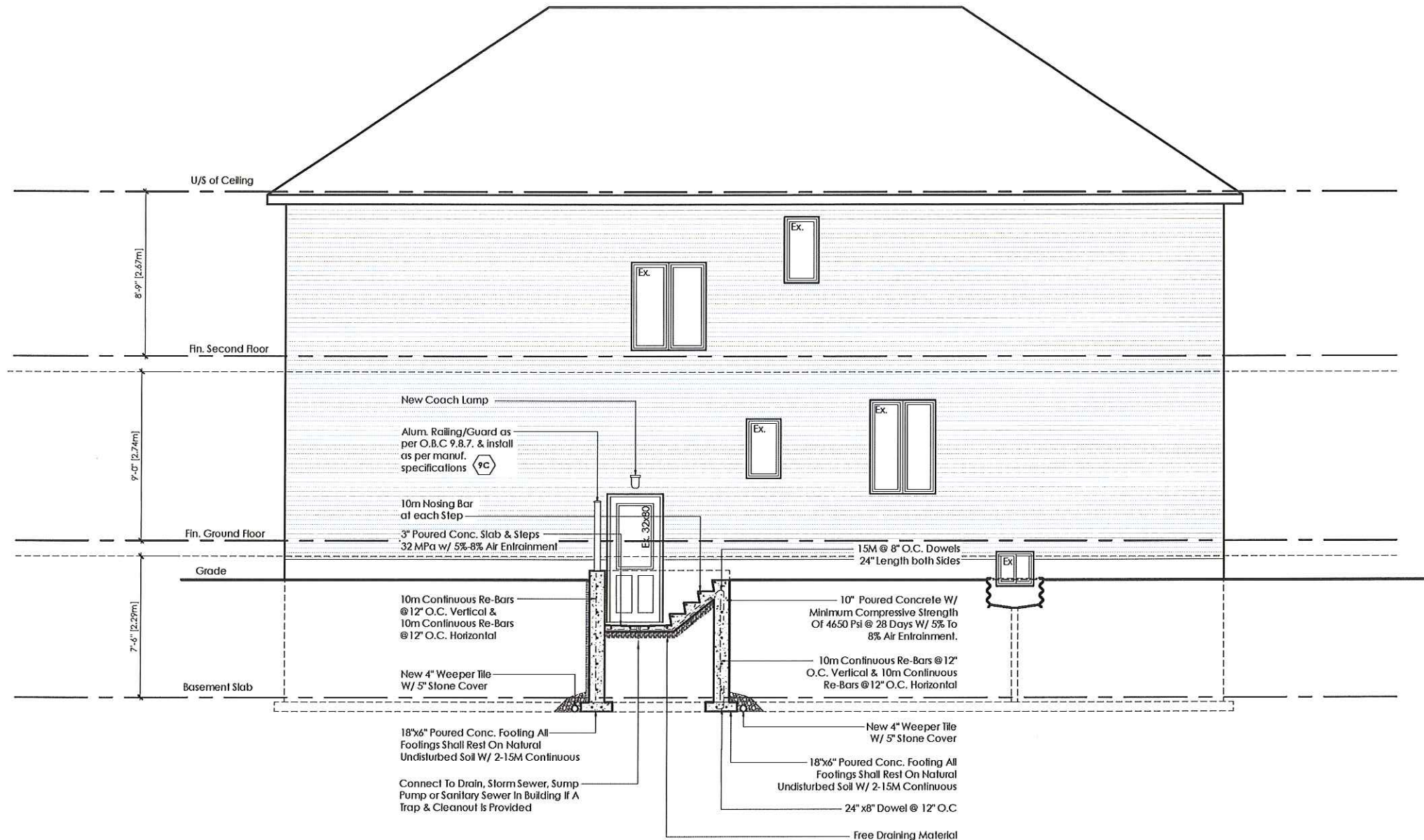
Existing Window Existing Sliders

Neighboring Dwelling Property Line

29'-1 $\frac{1}{2}$ " [8.88m] 10'-10" [3.30m] 14'-5 $\frac{1}{2}$ " [4.41m] 23'-0 $\frac{1}{2}$ " [7.10m] 27'-1 $\frac{1}{2}$ " [8.27m] 24'-0" [7.31m]

4'-3" [1.30m] 45'-10 $\frac{1}{2}$ " [13.98m] 50'-1 $\frac{1}{2}$ " [15.28m]

Fig K:\2021\21-XX-PG-119 OLIVA MARIE RD\119 OLIVA MARIE RD - COFA.DWG plotted on 2021-04-27 at 4:44:58 PM by PERITEGUIS



Proposed Left Elevation

permitguys

80 Clementine Dr. Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

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Qualification Information

Aamou Raifq 113576

Name

Registration Info. Permitguys.ca Inc.

110882

Title

Proposed Left Elevation

Project Name

119 Olivia Marie Rd

Project No.

20-XX

Drawn By

HA

Checked By

MZ

Date

2021-04-27

Scale

3/16"=1'0"

Municipality
Brampton, ON

Filename

119 OLIVIA MARIE RD - COFA

Sheet No.

A5

