

APPLICATION # A-2021-0115
WARD 10

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **IVANO CONTE AND PATTI GALIFI** 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 97, Plan 43M-1601 municipally known as **34 ODEON STREET**, Brampton;

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

1. To permit 4 existing accessory structures, whereas the by-law permits a maximum of 2 accessory structures on a residential lot;
2. To permit the Gross Floor Area (GFA) of the existing cabana to be 56m², whereas the by-law permits a maximum GFA of 15m² for an individual accessory structure;
3. To permit a building height of 3.3m for the existing cabana, whereas the by-law permits a maximum building height of 3.0m for an accessory structure;
4. To permit a setback of 0.28m to the existing cabana, whereas the by-law requires a minimum setback of 0.6m to an accessory structure;
5. To permit the Gross Floor Area (GFA) of an existing gazebo to be 16.1m², whereas the by-law permits a maximum GFA of 15m² for an individual accessory structure;
6. To permit a building height of 3.65m for the existing gazebo, whereas the by-law permits a maximum building height of 3.0m for an accessory structure;
7. To permit a 0.3m setback to the existing play structure, whereas the by-law requires a minimum setback of 1.2m to a recreational structure;
8. To permit a building height of 3.05m for the existing play structure, whereas the by-law permits a maximum building height of 3.0m for an accessory structure;
9. To permit the combined Gross Floor Area (GFA) of four accessory structures to be 80.1m², whereas the by-law permits a maximum combined GFA of 20m² for two accessory structures;
10. To permit a washroom to be included in the cabana creating a habitable space, whereas the by-law does not permit an accessory structure to be used for human habitation.

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, 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

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.

AMENDMENT LETTER

June 9, 2021

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
IVANO CONTE AND PATTI GALIFI
LOT 97, PLAN 43M-1601
A-2021-0115- 34 ODEON STREET**

Please **amend** application **A-2021-0115** to reflect the following:

1. To permit 4 existing accessory structures, whereas the by-law permits a maximum of 2 accessory structures on a residential lot;
2. To permit the Gross Floor Area (GFA) of the existing cabana to be 56m², whereas the by-law permits a maximum GFA of 15m² for an individual accessory structure;
3. To permit a building height of 3.3m for the existing cabana, whereas the by-law permits a maximum building height of 3.0m for an accessory structure;
4. To permit a setback of 0.28m to the existing cabana, whereas the by-law requires a minimum setback of 0.6m to an accessory structure;
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7. To permit a 0.3m setback to the existing play structure, whereas the by-law requires a minimum setback of 1.2m to a recreational structure;
8. To permit a building height of 3.05m for the existing play structure, whereas the by-law permits a maximum building height of 3.0m for an accessory structure;
9. To permit the combined Gross Floor Area (GFA) of four accessory structures to be 80.1m², whereas the by-law permits a maximum combined GFA of 20m² for two accessory structures;
10. to permit a washroom to be included in the cabana creating a habitable space, whereas the by-law does not permit an accessory structure to be used for human habitation.

Valdemar Oliveira



Applicant/Authorized Agent

FILE NUMBER: A-2021-0115

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) IVANO CONTE & PATTI GALIFI
Address 34 ODEON STREET, BRAMPTON, ONTARIO, L6P 1V3

Phone # 416-879-2560 Fax # _____
Email IVANOCONTE74@GMAIL.COM

2. Name of Agent VALDEMAR OLIVEIRA
Address 376 MARIA ANTONIA ROAD, VAUGHAN, ONTARIO, L4H 0X5

Phone # 644-929-4921 Fax # _____
Email VALOLIVEIRA1@ROGERS.COM

3. Nature and extent of relief applied for (variances requested):
1. to permit side yard setback of .28 m of accessory structure (cabana)
2. to permit the height of 3.3 m of portion of accessory structure (cabana)
3. to permit cover of 49 m2 of accessory structure (cabana)
4. to permit driveway width of 9.51m.
5. to permit 0.0m of permeable landscaping adjacent to the side lot line

4. Why is it not possible to comply with the provisions of the by-law?
1. accessory structure is partially build.
2.driveway width is not being used as driveway but as a side walk. Concrete was existing when current homeowner purchased home.

5. Legal Description of the subject land:
Lot Number 97
Plan Number/Concession Number PL 43M1601
Municipal Address 34 ODEON STREET, BRAMPTON, ONTARIO, L6P 1V3

6. Dimension of subject land (in metric units)
Frontage 12M
Depth (37.5M NOTH SIDE) (52.28 M SOUTH SIDE)
Area 1334 m2

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.)

2 storey - 11.58 m x 15.7 includes garage
167 m2 foot print including garage

PROPOSED BUILDINGS/STRUCTURES on the subject land:

1 storey pool cabana, 3.3 m height of back half / 3 m height front half
49 m2 foot print

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	6.21 m
Rear yard setback	16.97 m
Side yard setback	2.09 m front side / 5.49 side yard @ rear
Side yard setback	2.77 m front side / 8.26 . side yard @ rear

PROPOSED

Front yard setback	52.05 m
Rear yard setback	.075 m
Side yard setback	0.28 m (requested for variance)
Side yard setback	36.75 m

10. Date of Acquisition of subject land: 2016
11. Existing uses of subject property: residential
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: 2004
15. Length of time the existing uses of the subject property have been continued: 16 years
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 _____

Valdemar Oliveira

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF VAUGHAN

THIS 10TH DAY OF MAY, 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, VALDEMAR OLIVEIRA, OF THE CITY _____ OF VAUGHAN

IN THE PROVINCE _____ OF ONTARIO _____ 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 PROVINCE _____ OF

Peel THIS 10TH DAY OF

ONTARIO MAY, 2021.

A Commissioner etc.

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

Valdemar Oliveira

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1A-1773

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

L. Barbuto
Zoning Officer

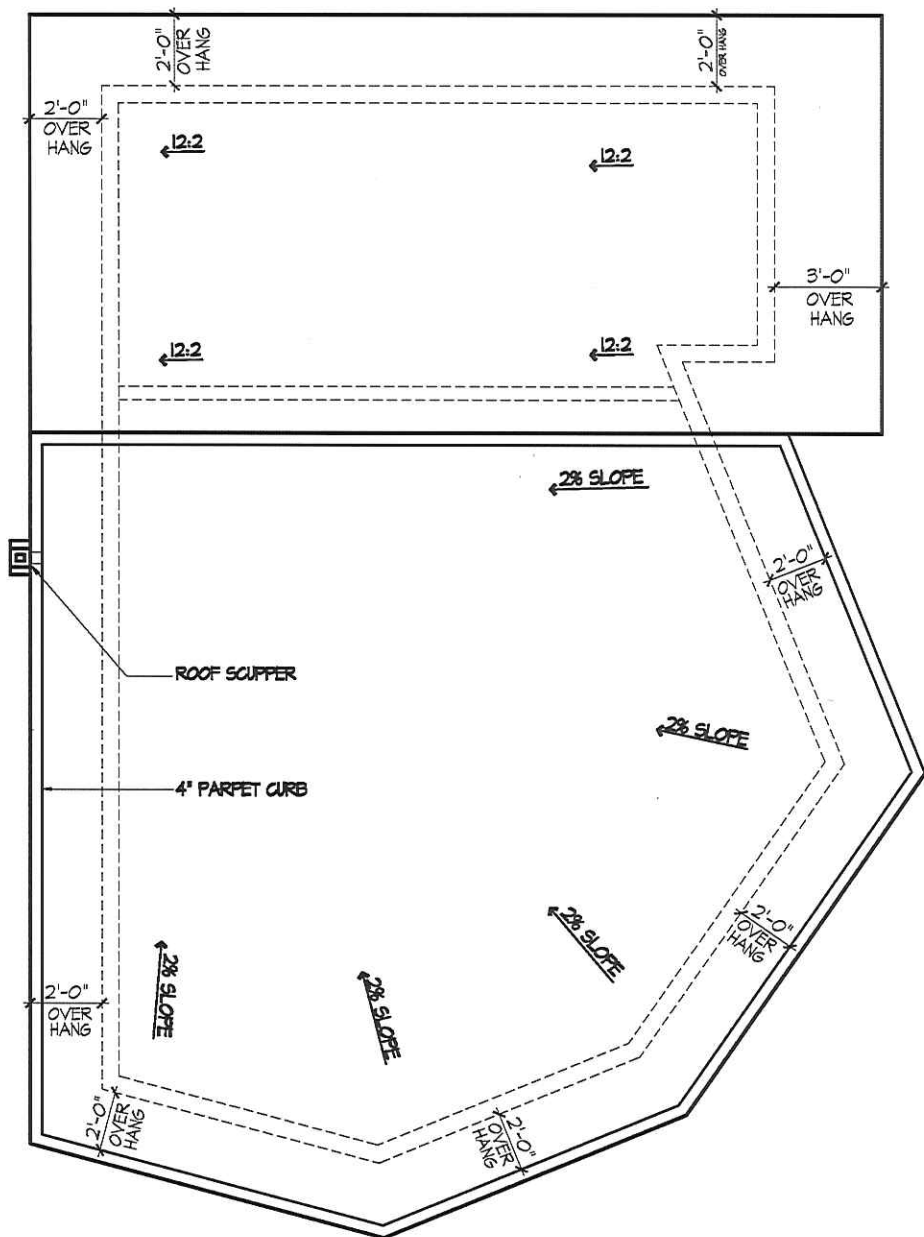
May 20, 2021
Date

DATE RECEIVED

MAY 17, 2021

Date Application Deemed
Complete by the Municipality

MAY 21, 2021



ROOF PLAN



376 MARIA ANTONIA ROAD - WOODBRIDGE, ON
647-929-4321
oliveiradesigndrafting@gmail.com

BCIN INFO

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DO SO.

QUALIFICATION INFORMATION:

NAME: SIGNATURE BCIN

PROJECT: 34 ODEON STREET, BRAMPTON ONTARIO

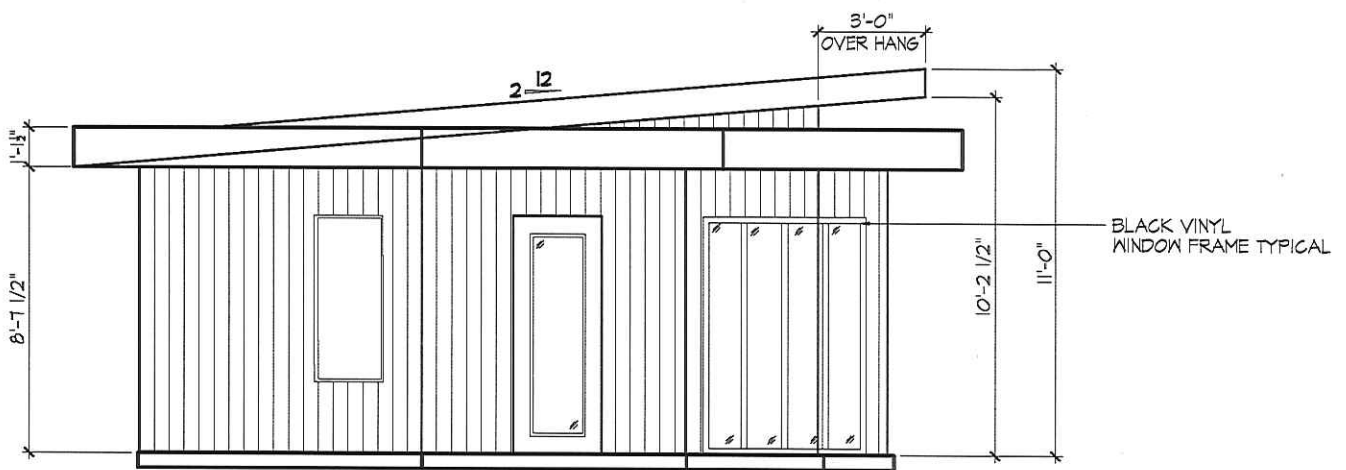
DRAWING: ROOF PLAN

DWN BY: VO

SCALE: 1/4"=1'-0"

DATE: MAY-2021

A2



ELEVATION A



376 MARIA ANTONIA ROAD - WOODBRIDGE, ON
647-929-4921
oliveiradesignandcrafting@gmail.com

BCIN INFO

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION:

NAME: SIGNATURE BCIN

PROJECT: 34 ODEON STREET, BRAMPTON ONTARIO

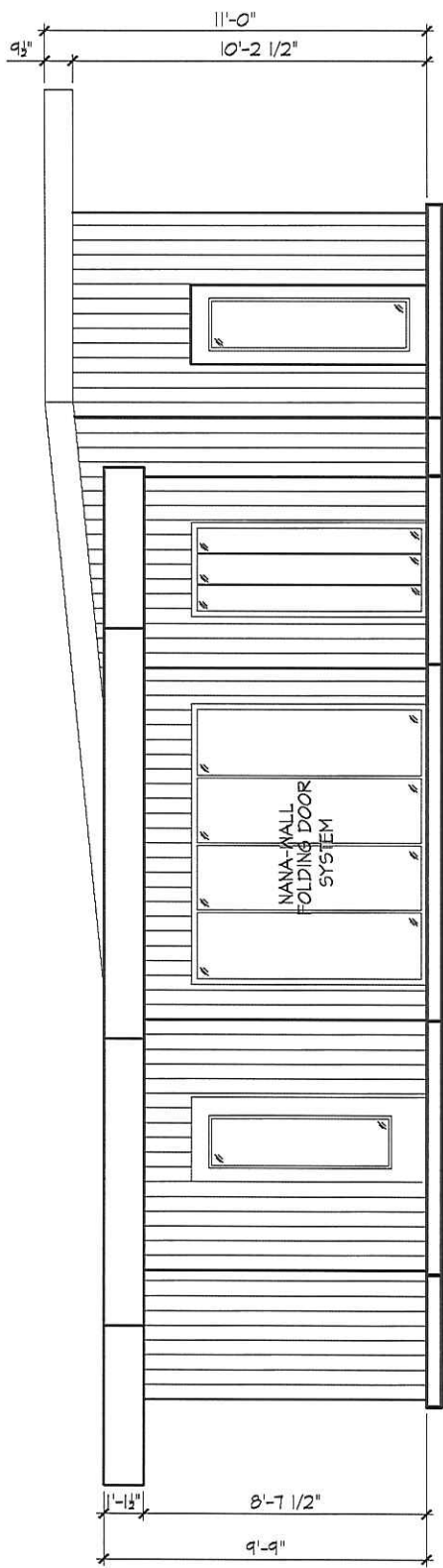
DRAWING: ELEVATION A

DWN BY: VO

SCALE: 1/4"=1'-0"

DATE: MAY-2021

A3



ELEVATION B



376 MARIA ANTONIA ROAD - WOODBRIDGE, ON
647-923-4821
oliveiradesigndrafting@gmail.com

BCIN INFO

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS ALL REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION:

NAME: SIGNATURE BCIN

PROJECT: 34 ODEON STREET, BRAMPTON ONTARIO

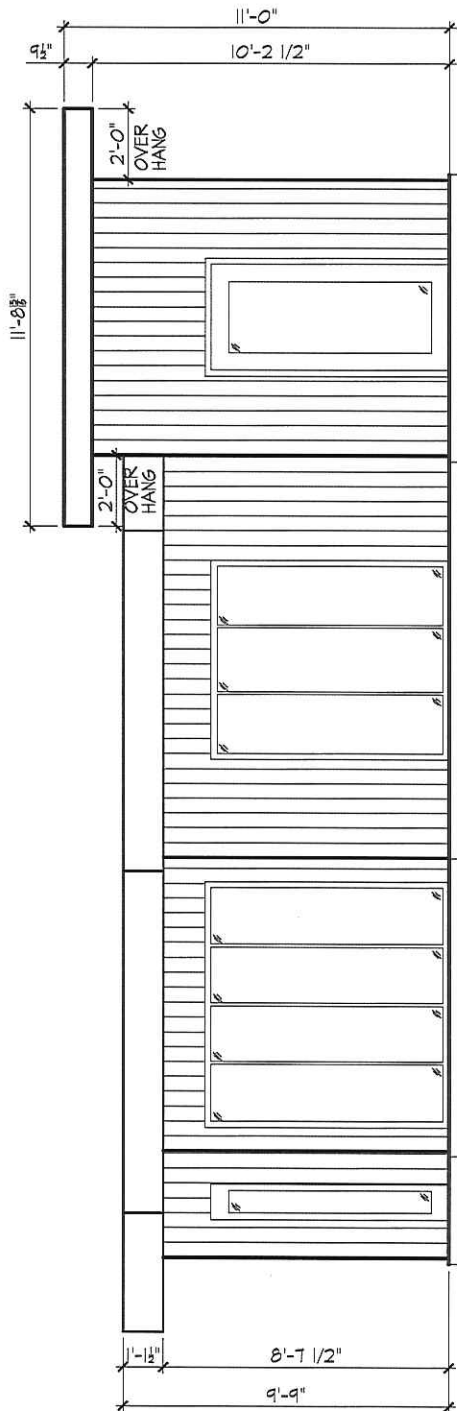
DRAWING: ELEVATION B

DWN BY: VO

SCALE: 1/4"=1'-0"

DATE: MAY-2021

A4



ELEVATION C



376 MARIA ANTONIA ROAD - WOODBRIDGE, ON
647-929-4921
oliveiradesigndrafting@gmail.com

BCIN INFO

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND EXPERIENCE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE BY A DESIGNER

QUALIFICATION INFORMATION:

NAME: SIGNATURE BCIN

PROJECT: 34 ODEON STREET, BRAMPTON ONTARIO

DRAWING: ELEVATION C

DWN BY: VO

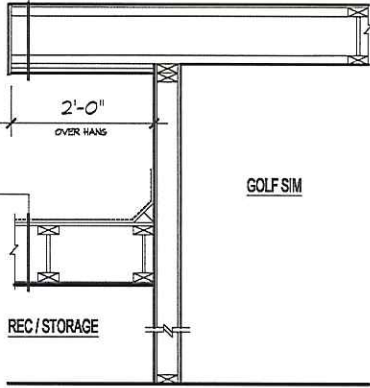
SCALE: 1/4"=1'-0"

DATE: MAY-2021

A5

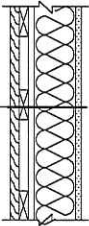
TYPICAL ROOF CONSTRUCTION
1/2" DRYWALL
9 1/2" TJI JOIST
1 1/2" SLOPED STRAPPING
1/2" PLYWOOD
2 PLY TORCH DOWN
ROOFING

TYPICAL ROOF CONSTRUCTION
1/2" DRYWALL
9 1/2" TJI JOIST
1 1/2" SLOPED STRAPPING
1/2" PLYWOOD
2 PLY TORCH DOWN
ROOFING



1 WALL SECTION
A6 SCALE: 1/2" = 1'-0"

TYPICAL EXT WALL CONST
VERTICAL CLEAR CEDAR SIDING
1/2" HORZ STRAPPING @ 24" o/c
TYVEK A/B
1/2" PLYWOOD
2"x4" STUDWALL
R20 BATT INSULATION
6 MIL POLY V/B
1/2" DRYWALL



TYPICAL EXTERIOR WALL CONSTRUCTION
SCALE: 1" = 1'-0"



376 MARIA ANTONIA ROAD - WOODBRIDGE, ON
647-923-4921
oliveiradesigndrafting@gmail.com

BCIN INFO

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND CREDENTIALS REQUIRED BY THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION:

NAME: SIGNATURE BCIN

PROJECT: 34 ODEON STREET, BRAMPTON ONTARIO

DRAWING: WALL SECTION & DETAILS

DWN BY: VO

SCALE: AS NOTED

DATE: MAY-2021

A6

A-2021-0115

