

APPLICATION # A-2021-0183
WARD 3

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **RUTH ELEANOR WEST** 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 Lot 10, Plan BR-27, Part 2, Plan 43R-2195 municipally known as **141 ELIZABETH STREET SOUTH**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s):

1. To permit an encroachment of 3.272m (10.73 ft.) into the required front yard for an open roofed structure above a porch, resulting in a front yard setback of 2.728m (8.95 ft.) whereas the by-law permits a maximum encroachment of 2m (6.56 ft.) for an open roofed structure above a porch resulting in a front yard setback of 4m (13.12 ft.);
2. To permit lot coverage of 37.57% whereas the by-law permits a maximum lot coverage of 30%.

Note: Approval was granted under Application A-2021-0147 for lot coverage of 34.46%.

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, September 14, 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.

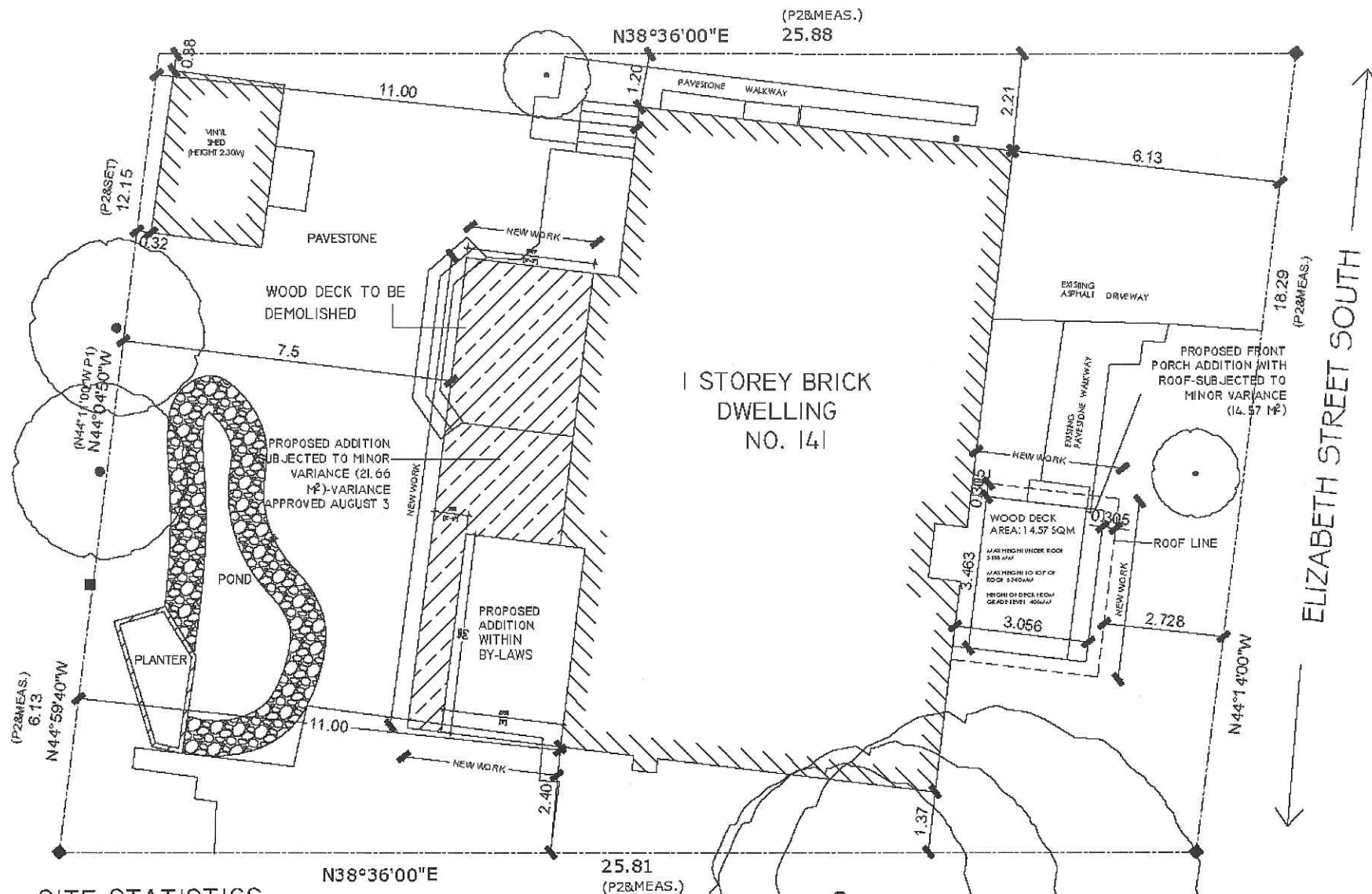
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 2nd day of September, 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 STATISTICS:

	EXISTING	ALLOWED	ADDITION PREVIOUSLY APPROVED VIA MV	PROPOSED ADDITION MINOR VARIANCE REQUIRED
LOT AREA	468.66 SQM	--	--	--
DWELLING AREA	128.18 SQM	140.6 SQM	161.50 SQM	176.07 SQM
MAXIMUM COVERAGE	27.35%	30.00%	34.46%	37.57%
MINIMUM REAR YARD SETBACK	7.5 M	7.5 M	7.5 M	7.5 M
MINIMUM SIDE YARD SETBACK	1.2 M	1.2 M	1.2 M	1.2 M
MINIMUM FRONT YARD SETBACK	6.13 M	6.0 M	6.0 M	2.728 M

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, September 9, 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, September 10, 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, September 10, 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

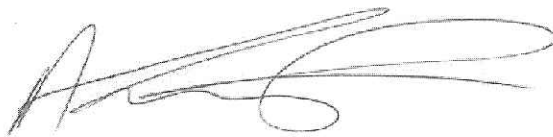
September 1, 2021

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE
RUTH ELEANOR WEST
A-2021-0183 – 141 ELIZABETH STREET SOUTH

Please **amend** application A-2021-0183 to reflect the following:

1. To permit an encroachment of 3.272m (10.73 ft.) into the required front yard for an open roofed structure above a porch, resulting in a front yard setback of 2.728m (8.95 ft.) whereas the by-law permits a maximum encroachment of 2m (6.56 ft.) for an open roofed structure above a porch resulting in a front yard setback of 4m (13.12 ft.);
2. To permit lot coverage of 37.57% whereas the by-law permits a maximum lot coverage of 30%.



Applicant/Authorized Agent



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)** RUTH ELEANOR WEST

Address 141 ELIZABETH ST SOUTH, BRAMPTON L6Y 1R8

Phone # 905-453-2384

Fax # _____

Email _____

2. **Name of Agent** AGYEI PEPRAH-ASIASE

Address 25 FREDRICK ST, BRAMPTON L6Y 1G5

Phone # 416-939-1550

Fax # _____

Email agyeipeprah@hotmail.com

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

TO PERMIT A LOT COVERAGE OF 37.38%. REDUCED SETBACK FROM 6 M TO 3.03M

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

MAXIMUM COVERAGE AREA IS 30%. THROUGH A PREVIOUS MINOR VARIANCE WE WERE ABLE TO INCREASE THE COVERAGE TO 34.46%. HOWEVER, WE STILL LACK 2.92%.

5. **Legal Description of the subject land:**

Lot Number Part of Lot 10, PLAN BR - 27

Plan Number/Concession Number _____

Municipal Address 141 ELIZABETH ST S

6. **Dimension of subject land (in metric units)**

Frontage 18.29 M

Depth 25.88 M

Area 468.66 SQM

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.)

EXISTING FAMILY DWELLING (1 STOREY) - 128.18 sqm
SHED - 9.41 sqm

PROPOSED BUILDINGS/STRUCTURES on the subject land:

COVERED FRONT PORCH ADDITION OF 13.69 SQM

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 6.13 M

Rear yard setback 7.5 M

Side yard setback 1.2 M

Side yard setback 1.37 M

PROPOSED

Front yard setback 3.03 M

Rear yard setback 7.5 M

Side yard setback 1.2 M

Side yard setback 1.37 M

10. Date of Acquisition of subject land: 1980

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: 1980

15. Length of time the existing uses of the subject property have been continued: 41 YEARS

16. (a) What water supply is existing/proposed?

Municipal ☒

Well ☐

Other (specify) _____

- (b) What sewage disposal is/will be provided?

Municipal ☒

Septic ☐

Other (specify) _____

- (c) What storm drainage system is existing/proposed?

Sewers ☒

Ditches ☐

Swales ☐

Other (specify) _____

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 appeal

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 # <u>2021-0147</u>	Decision <u>Approved</u>	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 5 DAY OF AUGUST, 20 21

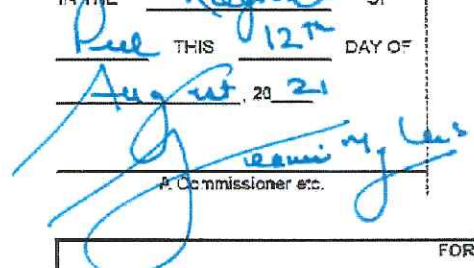
IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Amya Repnik-Asiase, OF THE _____ OF Brampton
IN THE Regal OF Feel 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 Regal OF _____
Paul THIS 12th DAY OF
August, 20 21


A Commissioner etc.

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


Signature of Applicant(s) or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1B (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.


Zoning Officer

Aug 13, 2021
Date

DATE RECEIVED August 13, 2021.

(Revised 2009, 2010)

141 ELIZABETH STREET SOUTH

PREVIOUS DECISION(S)



FILE NUMBER A-2021-0147

HEARING DATE AUGUST 3, 2021

APPLICATION MADE BY RUTH ELEANOR WEST

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW 270-2004 AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

1. To permit lot coverage of 34.46%;
2. To permit an existing accessory structure (shed) in the rear yard having a setback of 0.32m (1.05 ft.) to the rear lot line and 0.38m (1.25 ft.) to the interior side line.

(141 ELIZABETH STREET SOUTH, PART OF LOT 10, PLAN BR-27, PART 2, PLAN 43R-2195)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: D. Doerfler

SECONDED BY: D. Colp

CHAIR OF MEETING: RON CHATHA

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

AUTHORIZED BY VOTE HELD AT A MEETING ON AUGUST 3, 2021

RON CHATHA, MEMBER

DESIREE DOERFLER, MEMBER

ROD POWER, MEMBER

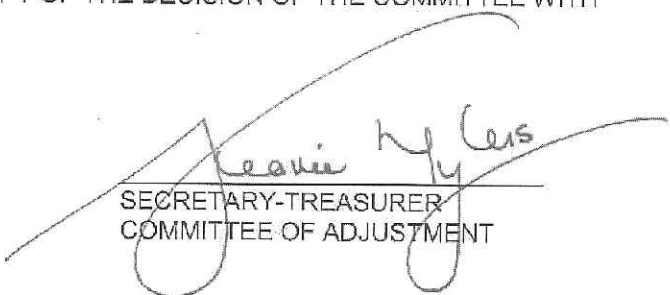
DAVID COLP, MEMBER

ANA CRISTINA MARQUES, MEMBER

DATED THIS 3RD DAY OF AUGUST, 2021

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE AUGUST 23, 2021

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

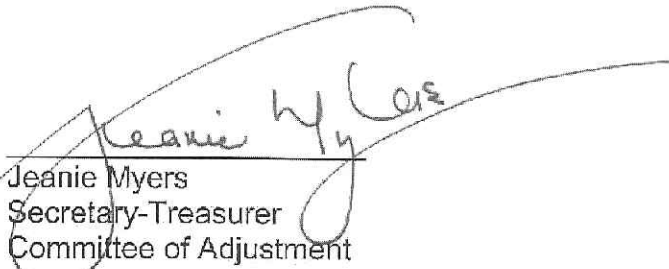
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

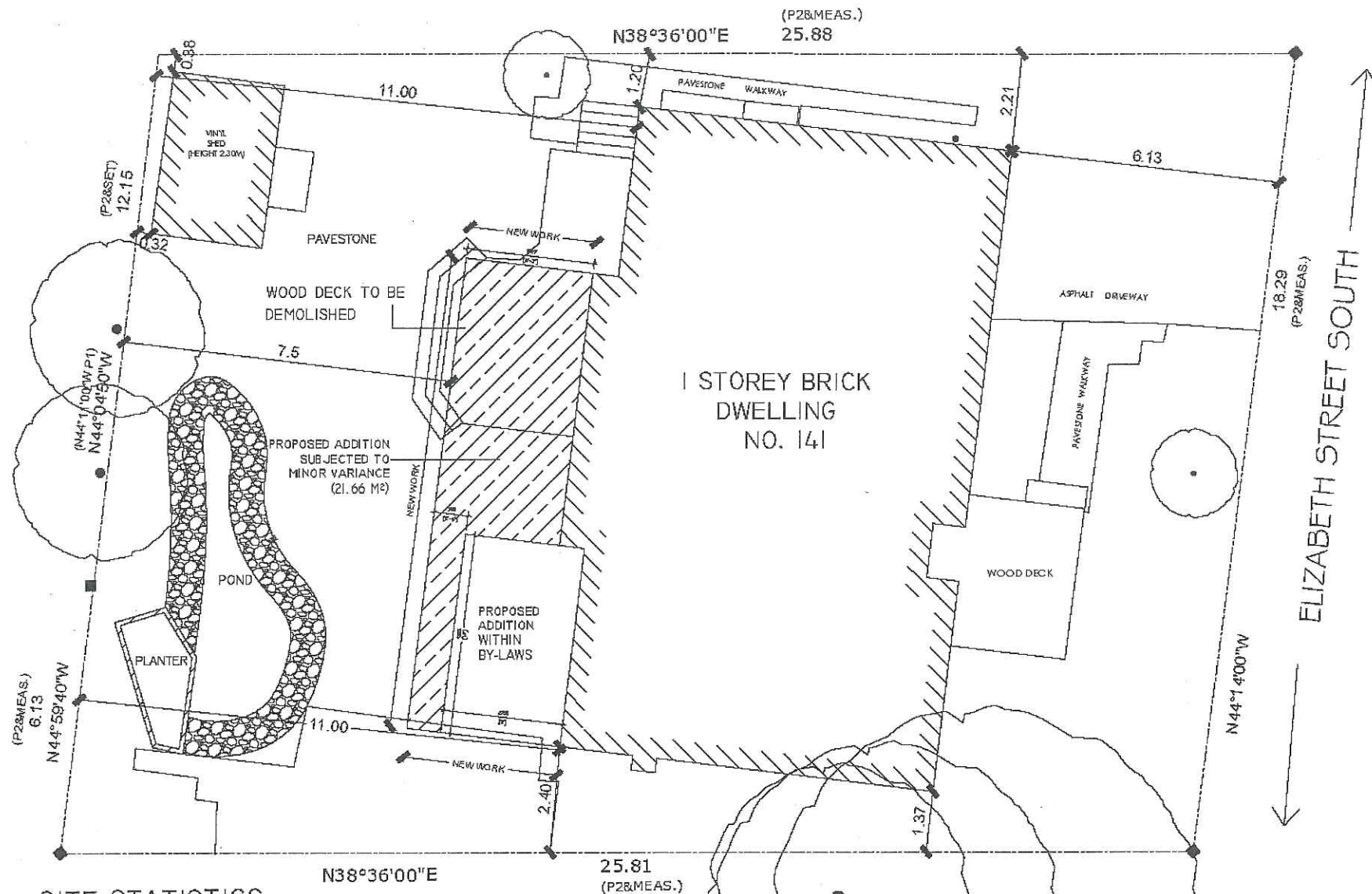
APPLICATION NO: A-2021-0147

DATED: August 3, 2021

Conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That drainage on adjacent properties shall not be adversely affected;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment



SITE STATISTICS:

	EXISTING	ALLOWED	PROPOSED ADDITION AS PER ZONING BY LAWS	PROPOSED ADDITION MINOR VARIANCE REQUIRED
LOT AREA	468.66 SQM	--	--	--
DWELLING AREA	128.18 SQM	140.6 SQM	139.84 SQM	161.50 SQM
MAXIMUM COVERAGE	27.35%	30.00%	29.84%	34.46%
MINIMUM REAR YARD SETBACK	7.5 M	7.5 M	8.76 M	7.5 M
MINIMUM SIDE YARD SETBACK	1.2 M	1.2 M	2.40 M	2.40 M

GENERAL NOTE:
The contractor shall check and verify all dimensions and report all errors and omissions to the consultant. All drawings, specifications and related documents are the copyright property of DESIGN FINE LTD. and may not be reproduced without their permission. Do not scale drawings. This drawing shall not be used for construction purposes unless issued for construction and signed by DESIGN FINE LTD.

DATE NO DESCRIPTION BY

REVISIONS:

PROJECT:

141 ELIZABETH ST.,

BARMPTON, ON

CLIENT:

deSign
Fine Ltd.

CONSULTING ENGINEERS

90 KENNEDY ROAD SOUTH
BARMPTON, ON L6W 5E7
PH: 905-432-6200 FAX: 905-432-6285
www.thedesignfine.com

DRAWING TITLE:

DETAIL - A

DESIGN:
BBB

DRAWN:
LBT

CHECKED:
BBB

SCALE:
AS NOTED

DATE:
JUNE 2021

PROJECT NO:
DFL-2021-067

DRAWING NO:

S1M

A-2021-0183

