



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MATTHEW AND JILL SAMATAS**, 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 51, Plan BR-35 municipally known as **86 WEST STREET**, Brampton;

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

1. To permit an existing fence (privacy screen on deck) having a maximum height of 2.74m (9.00 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.);
2. To permit an existing accessory structure (shed) having a side yard setback of 0.381m (1.25 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to all property lines;
3. To permit an existing accessory structure (shed) having a side yard setback of 0.381m (1.25 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to all property lines;
4. To permit four (4) existing accessory structures (2 sheds, a play structure and a converted garage) having a combined area of 36.37 sq. m (391.48 sq. ft.) whereas the by-law permits a maximum of two (2) accessory structures with a combined area of 20 sq. m (215.28 sq. ft.);
5. To permit an existing accessory structure (converted garage) having an area of 22.48 sq. m (241.98 sq. ft.) whereas the by-law permits a maximum area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure.

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 29, 2020 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.

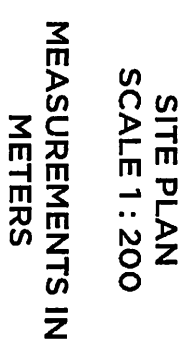
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 17th day of September, 2020.

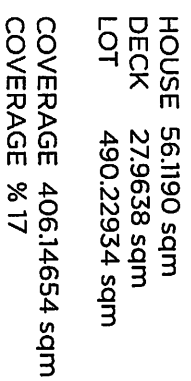
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

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



SITE PLAN
SCALE 1:200

MEASUREMENTS IN METERS



VIEW 1_SURVEY_SHOWING SITE PLAN

**86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomiccsolutions.ca
416. 697. 3209**

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 Committee 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 24, 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, September 25, 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, **September 25, 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.

AMENDMENT LETTER

September 16, 2020

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
MATTHEW AND JILL SAMANTAS
LOT 51, PLAN BR-35
A-2020-0081 – 86 WEST STREET
WARD 1**

Please **amend** application **A-2020-0081** to reflect the following variances:

1. To permit an existing fence (privacy screen on deck) having a maximum height of 2.74m (9.00 ft.) whereas the by-law permits a maximum fence height of 2.0m (6.56 ft.);
2. To permit an existing accessory structure (shed) having a side yard setback of 0.381m (1.25 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to all property lines;
3. To permit an existing accessory structure (shed) having a side yard setback of 0.381m (1.25 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure to all property lines;
4. To permit four (4) existing accessory structures (2 sheds, a play structure and a converted garage) having a combined area of 36.37 sq. m (391.48 sq. ft.) whereas the by-law permits a maximum of two (2) accessory structures with a combined area of 20 sq. m (215.28 sq. ft.);
5. To permit an existing accessory structure (converted garage) having an area of 22.48 sq. m (241.98 sq. ft.) whereas the by-law permits a maximum area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure.



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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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)** Matthew & Jill Samatas
Address 86 West Street
Brampton, ON. L6X 1W2

Phone # 416. 697. 3209 **Fax #** _____
Email matthew@atomicsolutions.ca

2. **Name of Agent** _____
Address _____

Phone # _____ **Fax #** _____
Email _____

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

We respectfully request a minor variance to demolish and rebuild a preexisting backyard deck with a new roofed deck with fence (security/pet/privacy fence(s)) that are over the 2 meter maximum from grade (as per zoning By-Law) for height of 2.7432 from grade to ensure our pets are kept inside safely inside our backyard and backyard access is limited and secure.

We respectfully request a minor variance for our 1 wood shed and 1 metal shed (preexisting) to be 0.381 from fence line (previously approved by adjoining neighbour).

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

Rebuilding original (demolished due to being unsafe) back deck and enhancing it to allow for safety of use by occupants, privacy and security for the backyard and occupants and to ensure our pets are contained to our lot.

Deck is 0.9144 above grade. The security / pet wall is 1.8288 in height on deck and this would be above the 2 meter from grade allowance (we own husky dogs and if the fences were to be 2 meters from grade the dogs could get out).

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

Lot Number 51
Plan Number/Concession Number BR-35
Municipal Address 86 West Street Brampton, ON. L6X 1W2

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

Frontage 12.9794
Depth 37.7698
Area 490.22934

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:

Existing 2 story brick home - 7.0104 x 8.001 / 56.119 square meters

Existing 1 story garage - 3.3528 x 6.7056 / 22.4825 square meters

Existing backyard deck - 3.6068 x 1.8288 + 4.6736 x 4.572 / 27.9638 square meters

Existing wooden shed - 2.4384 x 3.048 / 7.4323 square meters

Existing metal shed - 1.651 x 2.4384 / 4.0258 square meters

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed "L" shaped roofed deck - 3.6068 x 1.8288 + 4.6736 x 4.572 / 27.9638 square meters

There will be no detrimental impact to adjacent lands, all drainage will be contained to our property, all maintenance can be done from our property and we have approval from direct neighbours to our lot

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 4.572 from sidewalk

Rear yard setback 20.5232 from deck

Side yard setback 4.2672 from deck to property line (driveway side)

Side yard setback 2.6162 from fenceline

PROPOSED

Front yard setback 4.572 from sidewalk

Rear yard setback 20.5232 from deck

Side yard setback 4.2672 from deck to property line (driveway side)

Side yard setback 2.6162 from fenceline

10. **Date of Acquisition of subject land:** August 2007
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:** July 2020
15. **Length of time the existing uses of the subject property have been continued:** Deck existed when home was purchased

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 _____

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 _____

Samatas Matthew Samatas
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____

THIS 31st DAY OF _____ August _____, 20 20 _____

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, MATTHEW SAMATAS, 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 2nd DAY OF

September 20 20

Jeanie Myers
A Commissioner etc.

Matthew Samatas
Signature of Applicant or Authorized Agent

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

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R2B(1), 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.

Hothi S

Zoning Officer

SEPTEMBER 04 2020

Date

DATE RECEIVED

September 2, 2020



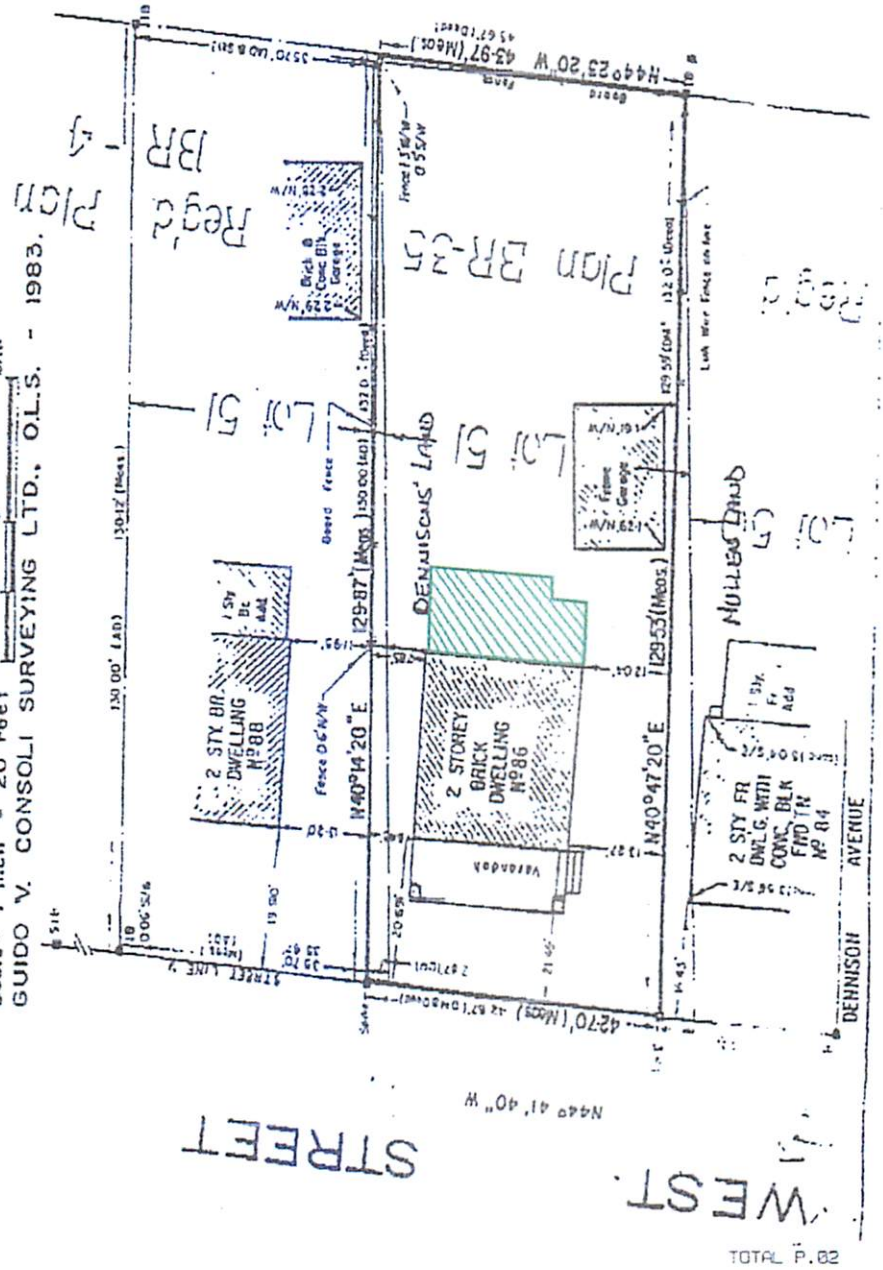
MEASUREMENTS IN METERS



86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicolutions.ca
416. 697. 3209

PLAN SHOWING LOCATION OF DWELLING ON
PART of LOT 51, REGISTERED PLAN BR-35 and
PART of LOT 51, REGISTERED PLAN BR-4

CITY of BRAMPTON
REGIONAL MUNICIPALITY of PEEL
Scale: 1 inch = 20 Feet
GUIDO V. CONSOLI SURVEYING LTD., O.L.S. - 1983.



NOTES & LEGEND
Bearings are astronomic and are referred to the North
Easterly limit of West Street as shown on a plan by
Donald P. McLean, O.L.S., dated July 3, 1981 having
a bearing of N44°41'40"W.

DENOTES
SAB FOUND
STANDARD IRON BAR
I.B. IRON BAR
B. ROUND
A. DEATH, O.L.S.
D.M. D.P. MCLEAN, O.L.S.

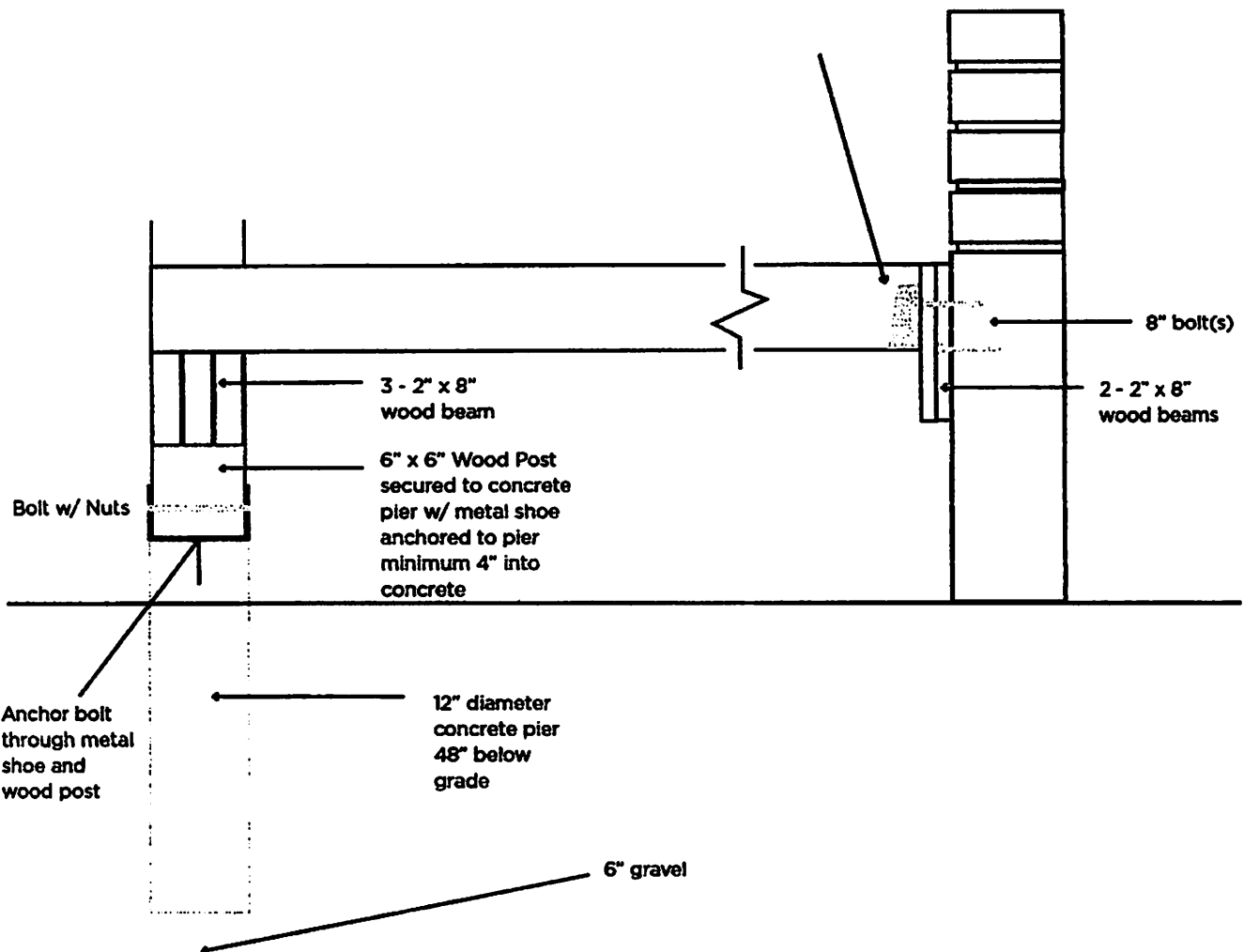
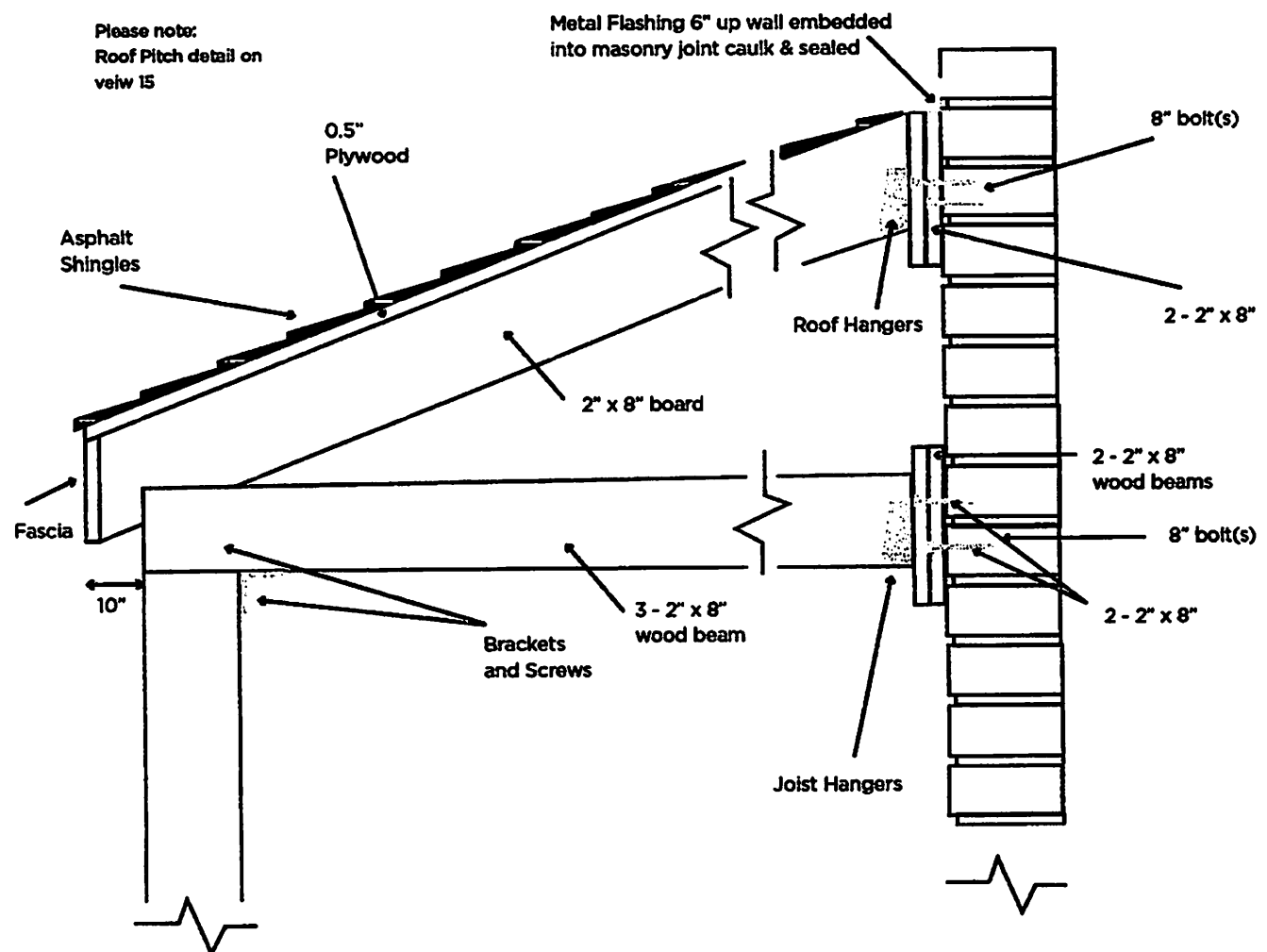
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
The field survey represented on this plan was
completed on the 8th day of March, 1983.
DATE: March 9, 1983.

Jon Czepanski
JON CZEPAŃSKI
Ontario Land Surveyor

GUIDO V. CONSOLI SURVEYING LTD.
Ontario Land Surveyors
276 CANADIAN AVENUE
FARGATE, ONTARIO M9H 3T8
Telephone 656-5899.

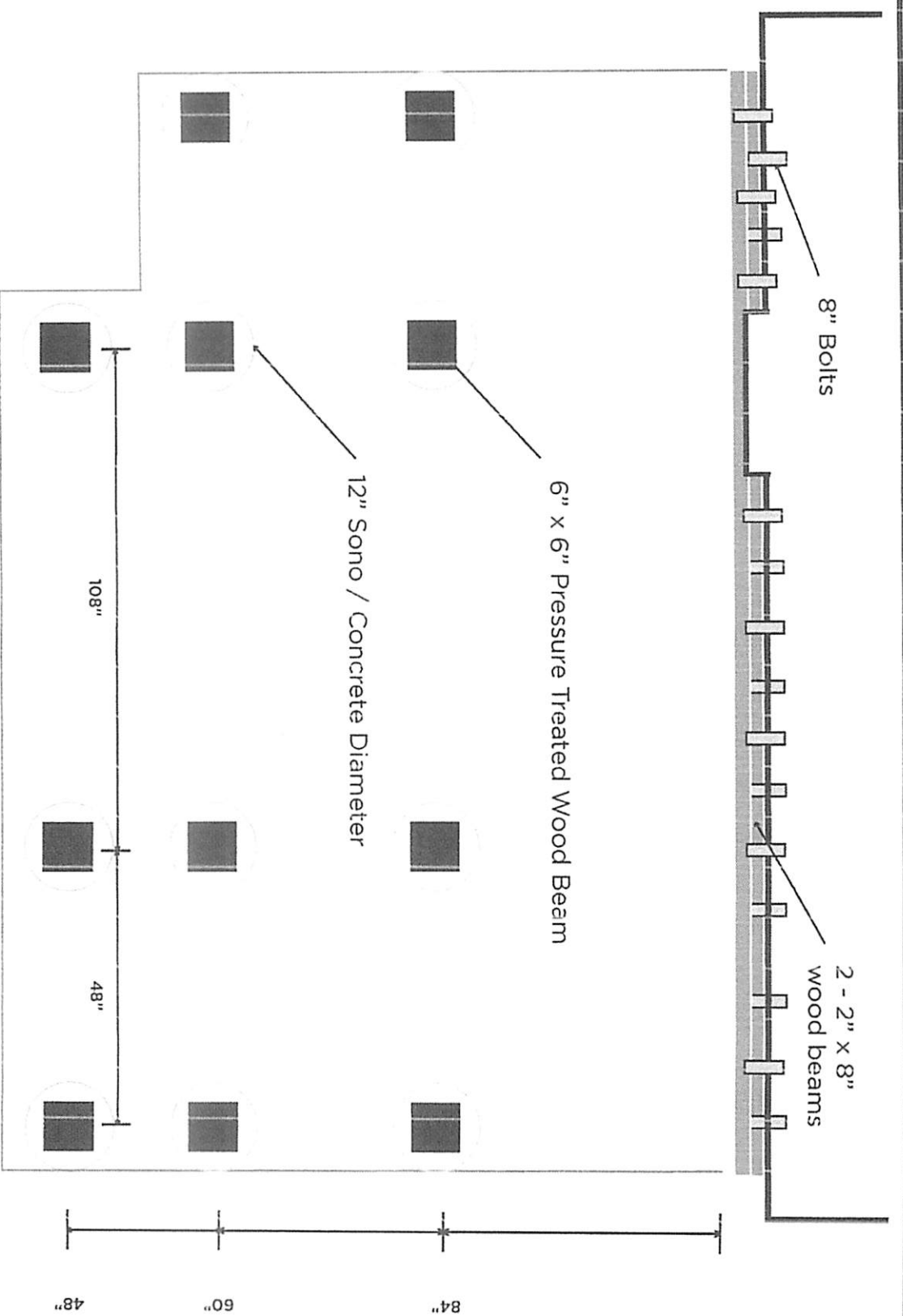
86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicolutions.ca
416. 697. 3209

VIEW 16__SURVEY_SHOWING SITE PLAN_B



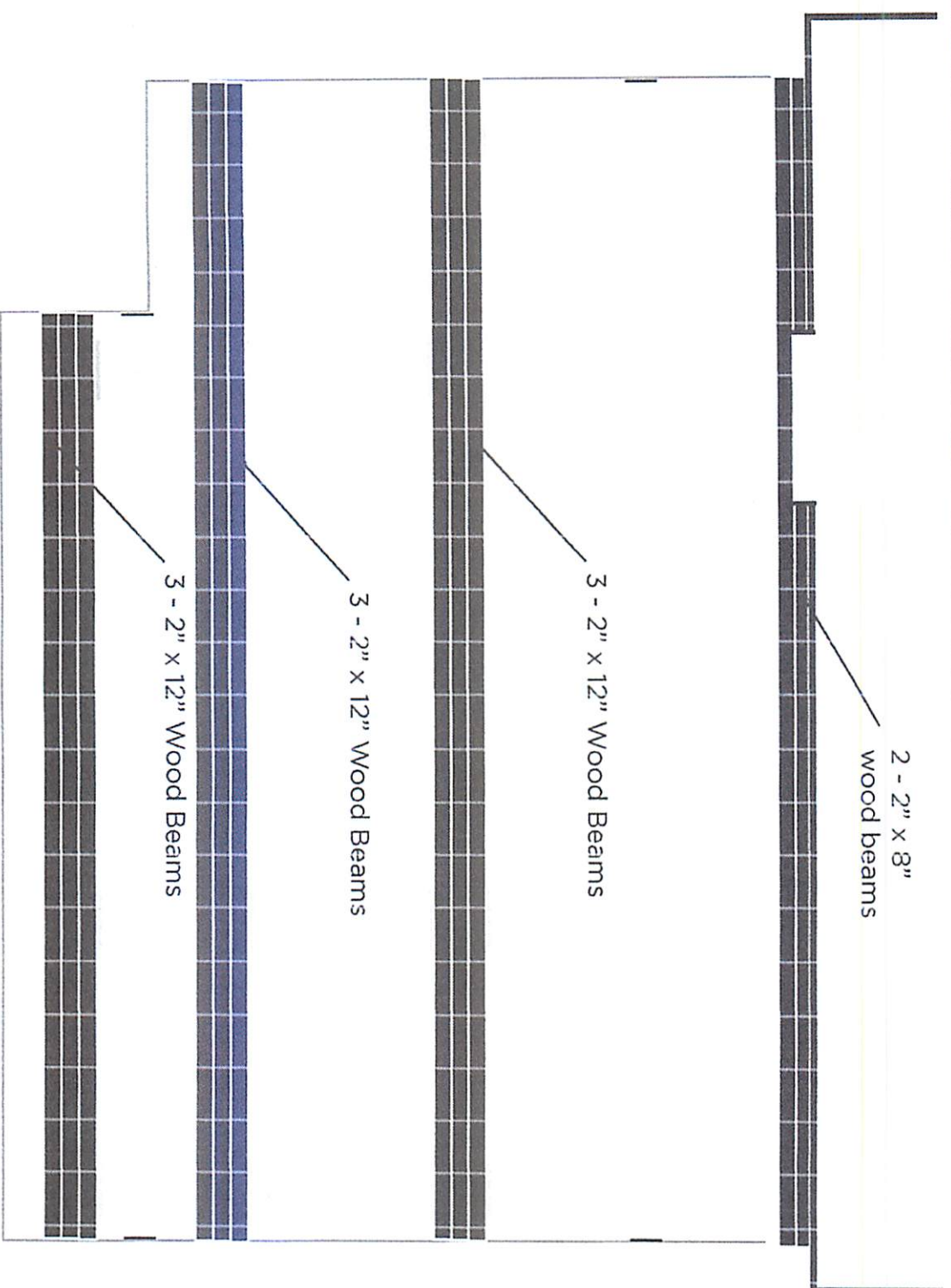
VIEW 2_SURVEY_REAR PORCH SIDE SECTION

86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicsolutions.ca
416. 697. 3209



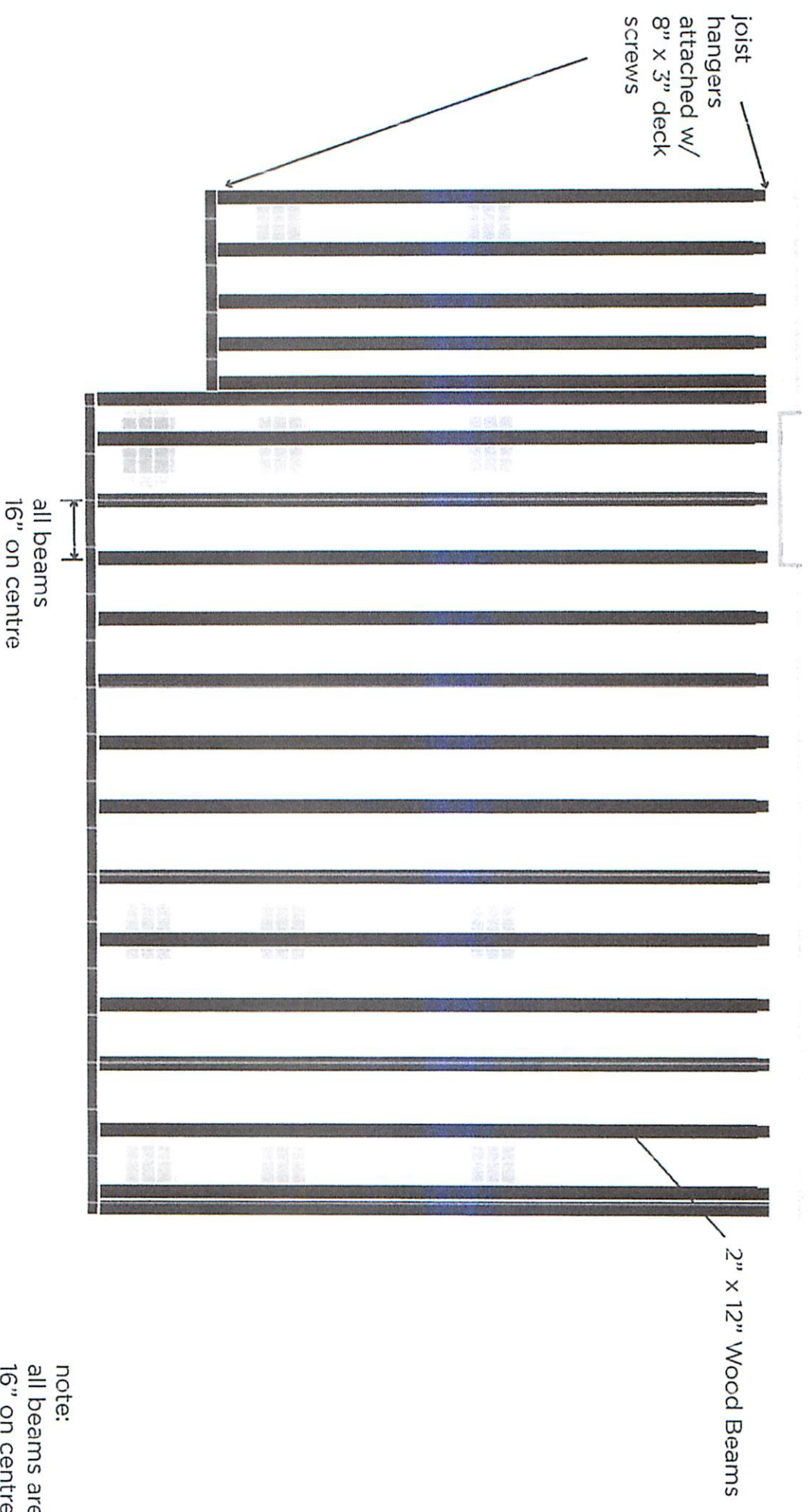
VIEW 3_SURVEY_SHOWING DECK FOOTINGS

86 West Street
Brampton, ON, L6X 1W2
c/o Matthew Samatas
matthew@atomicolutions.ca
416. 697. 3209



VIEW 4_SURVEY_SHOWING FOOTING CROSS BEAMS

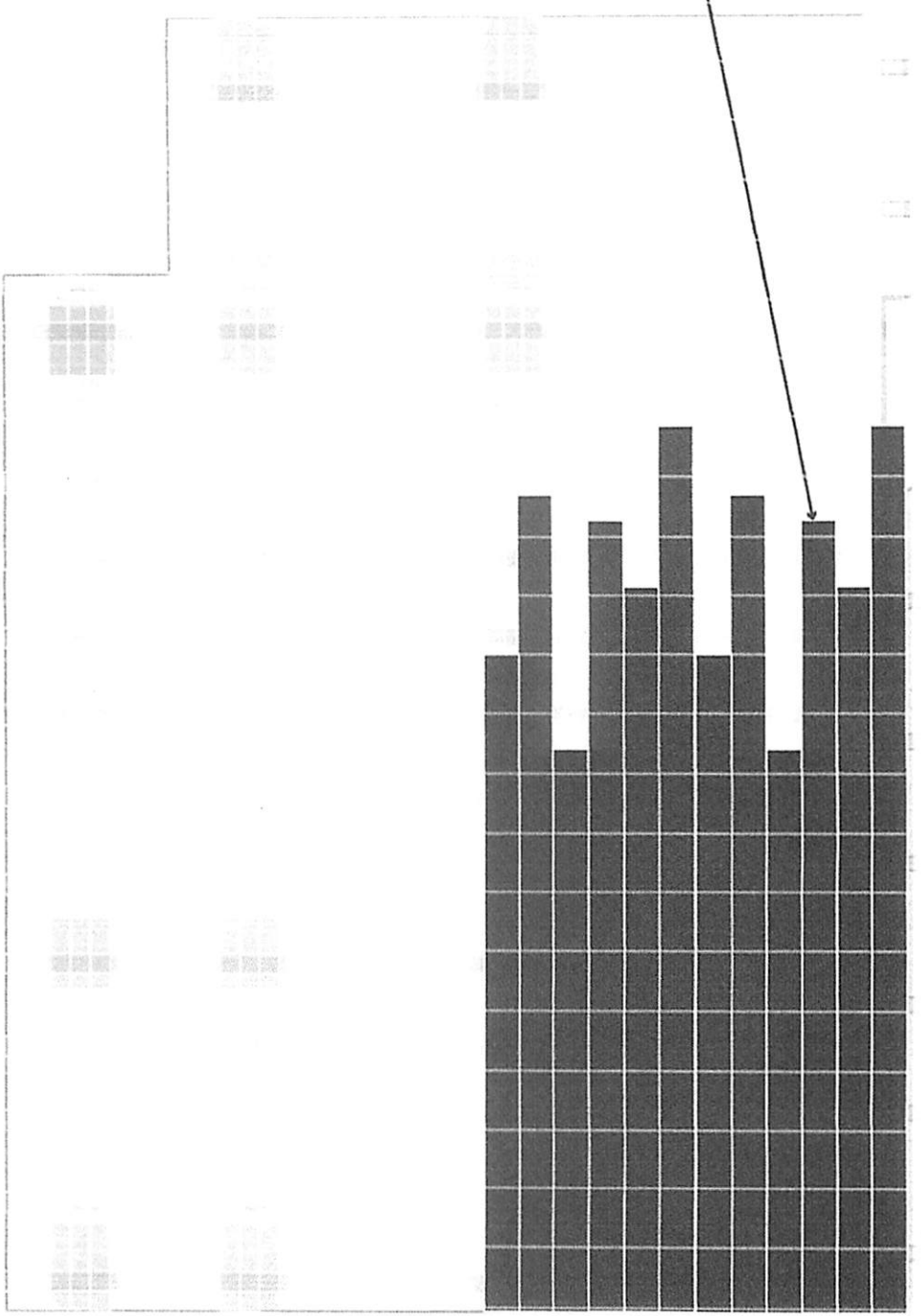
86 West Street
Brampton, ON, L6X 1W2
c/o Matthew Samatas
matthew@atomicsolutions.ca
416. 697. 3209



VIEW 5_SURVEY_SHOWING JOIST BEAMS

86 West Street
Brampton, ON. L6X 1W2
c/o Mathew Samatas
mathew@atomicolutions.ca
416. 697. 3209

1" x 6" Pressure
treated Deck
Boards
Anchored w/
8 x 3 deck screws
every 16"

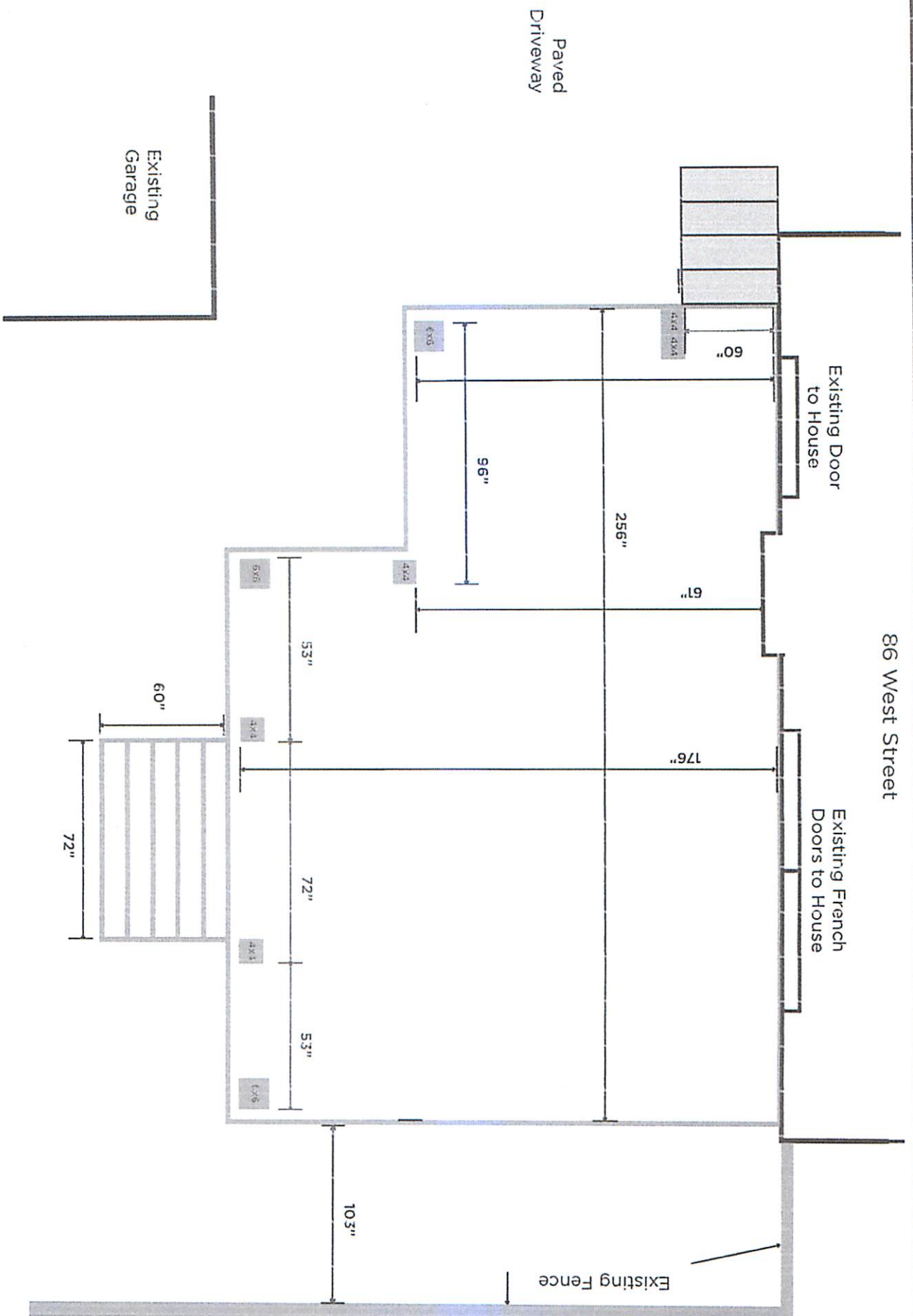


VIEW 6_SURVEY_SHOWING DECK BOARDS

86 West Street
Brampton, ON, L6X 1W2
c/o Matthew Samatas
matthew@atomicolutions.ca
416. 697. 3209

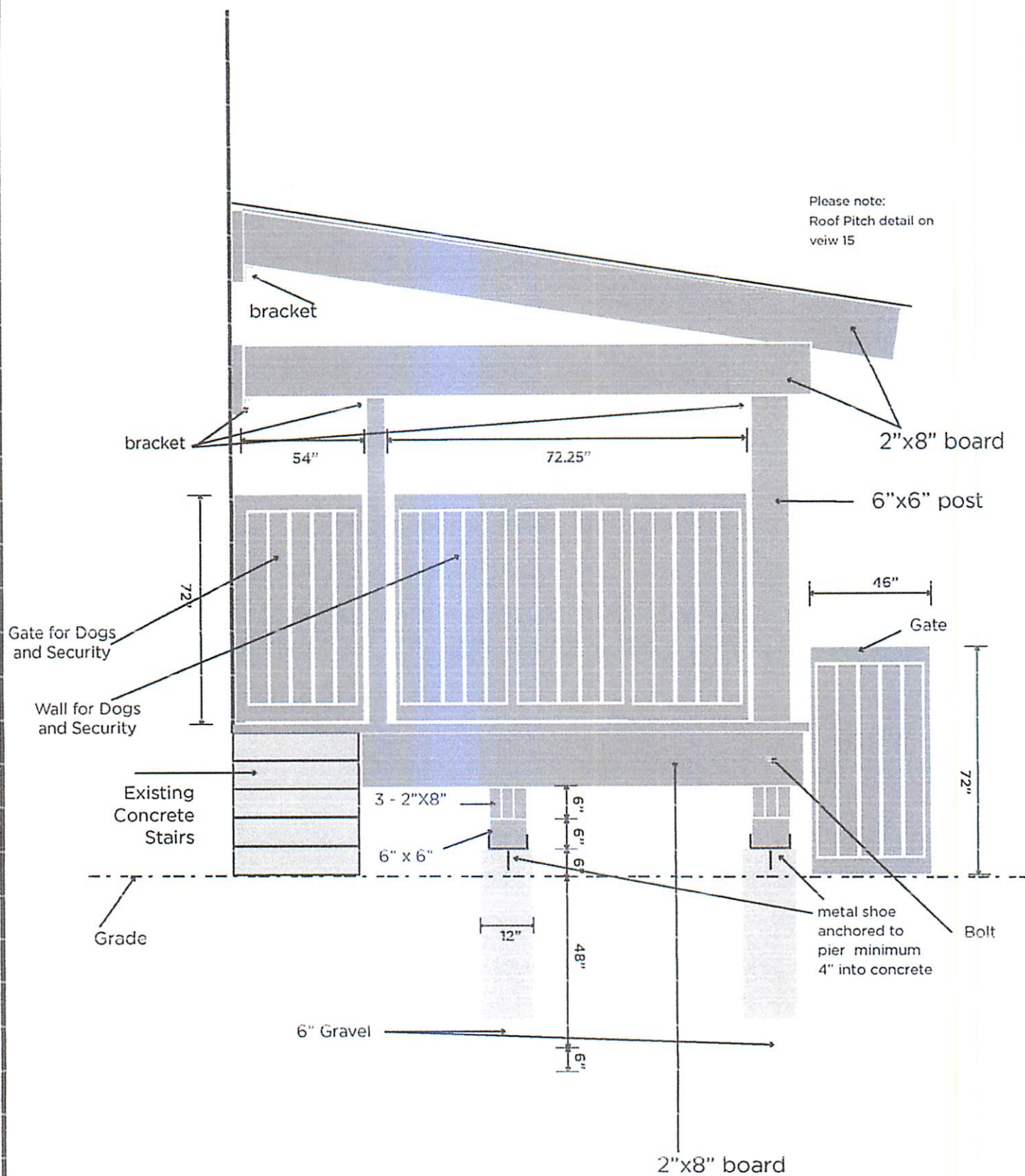


86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
mathew@atomicolutions.ca
416.697.3209



VIEW 8_SURVEY_SHOWING DECK MEASUREMENTS_B

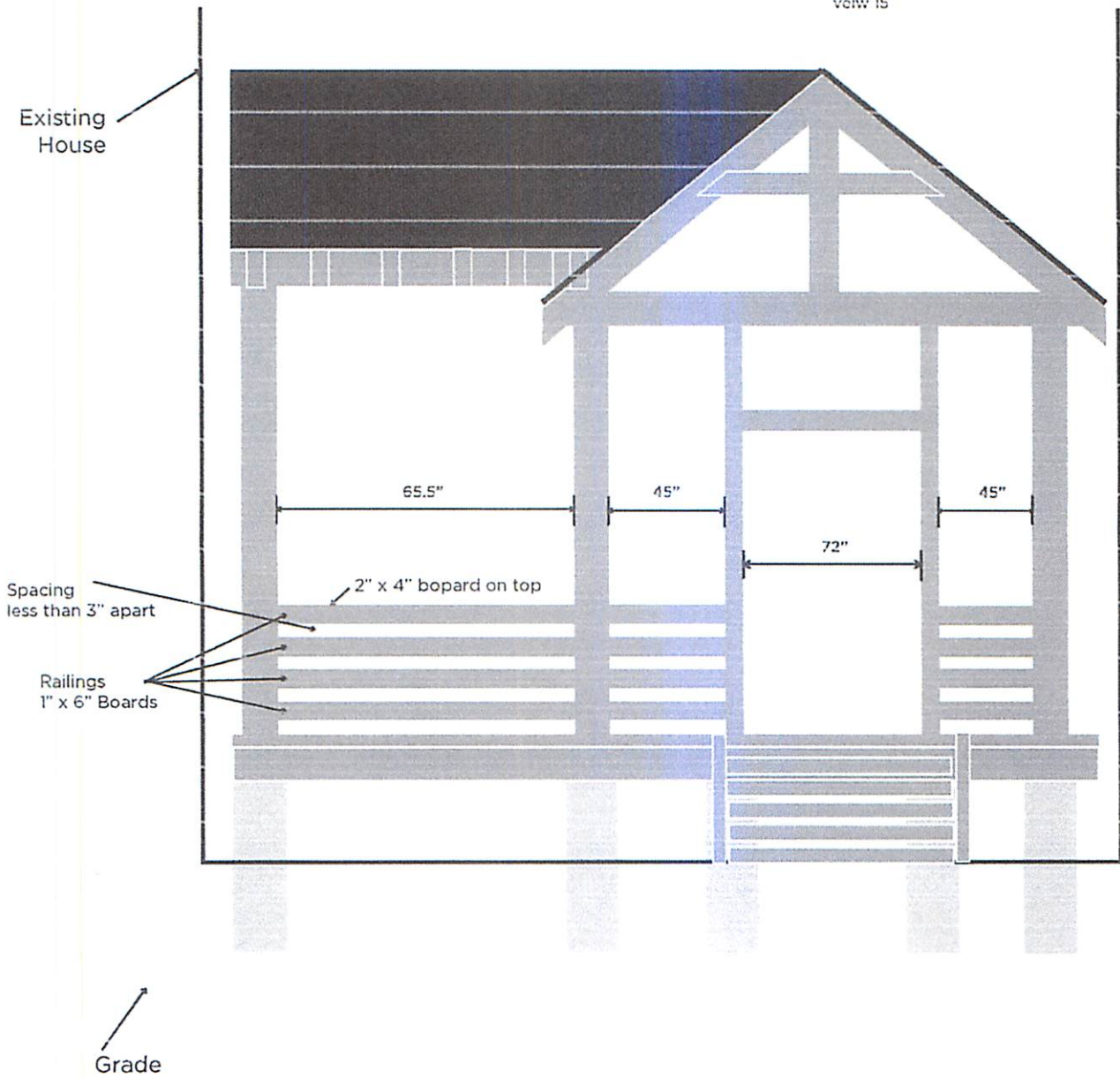
86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
mathew@atomicolutions.ca
416.697.3209



VIEW 9_SURVEY_REAR PORCH SIDE SECTION DRIVEWAY

86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicssolutions.ca
416. 697. 3209

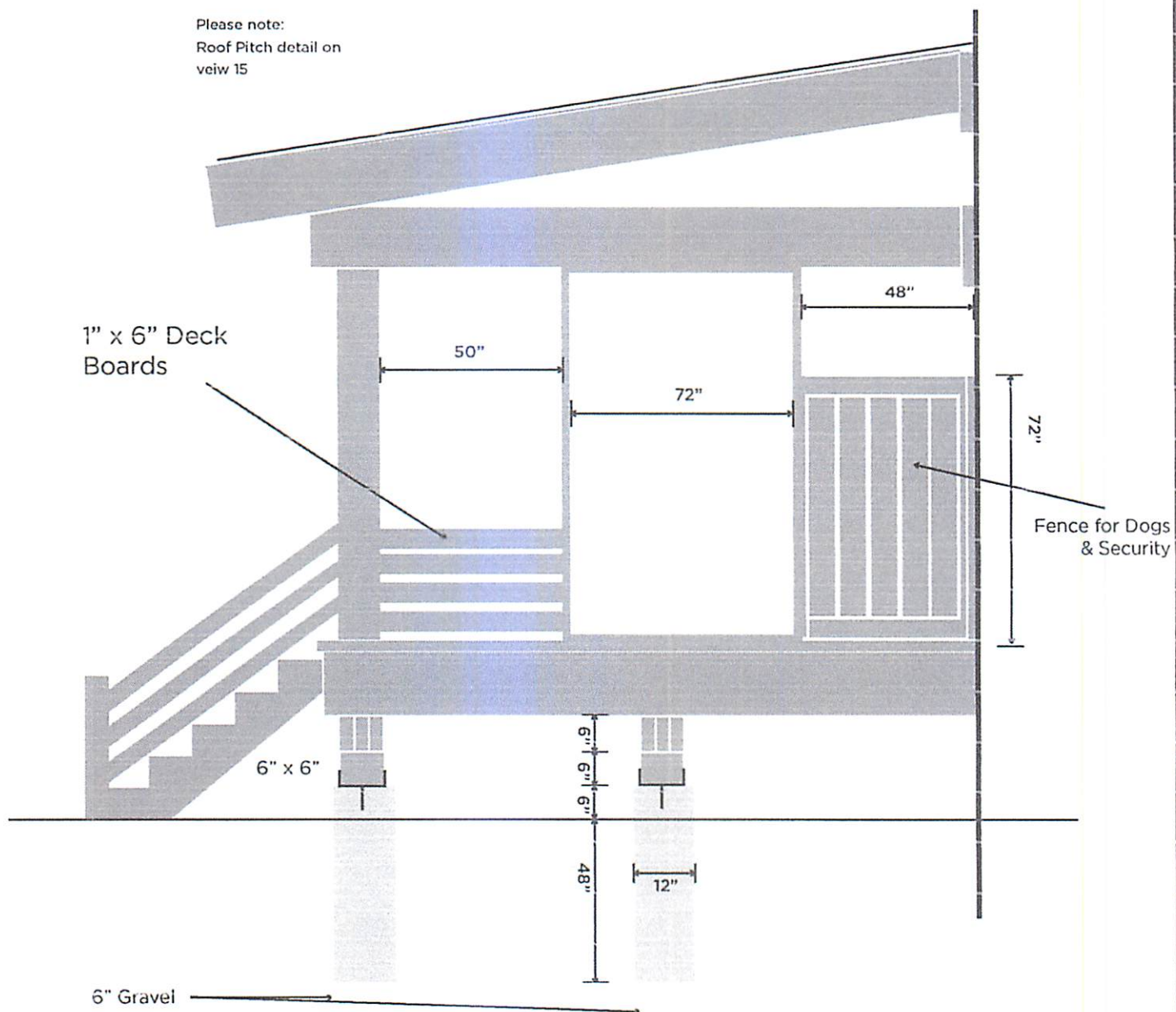
Please note:
Roof Pitch detail on
view 15



VIEW 10_SURVEY_REAR PORCH BACK SECTIONBACKYARD

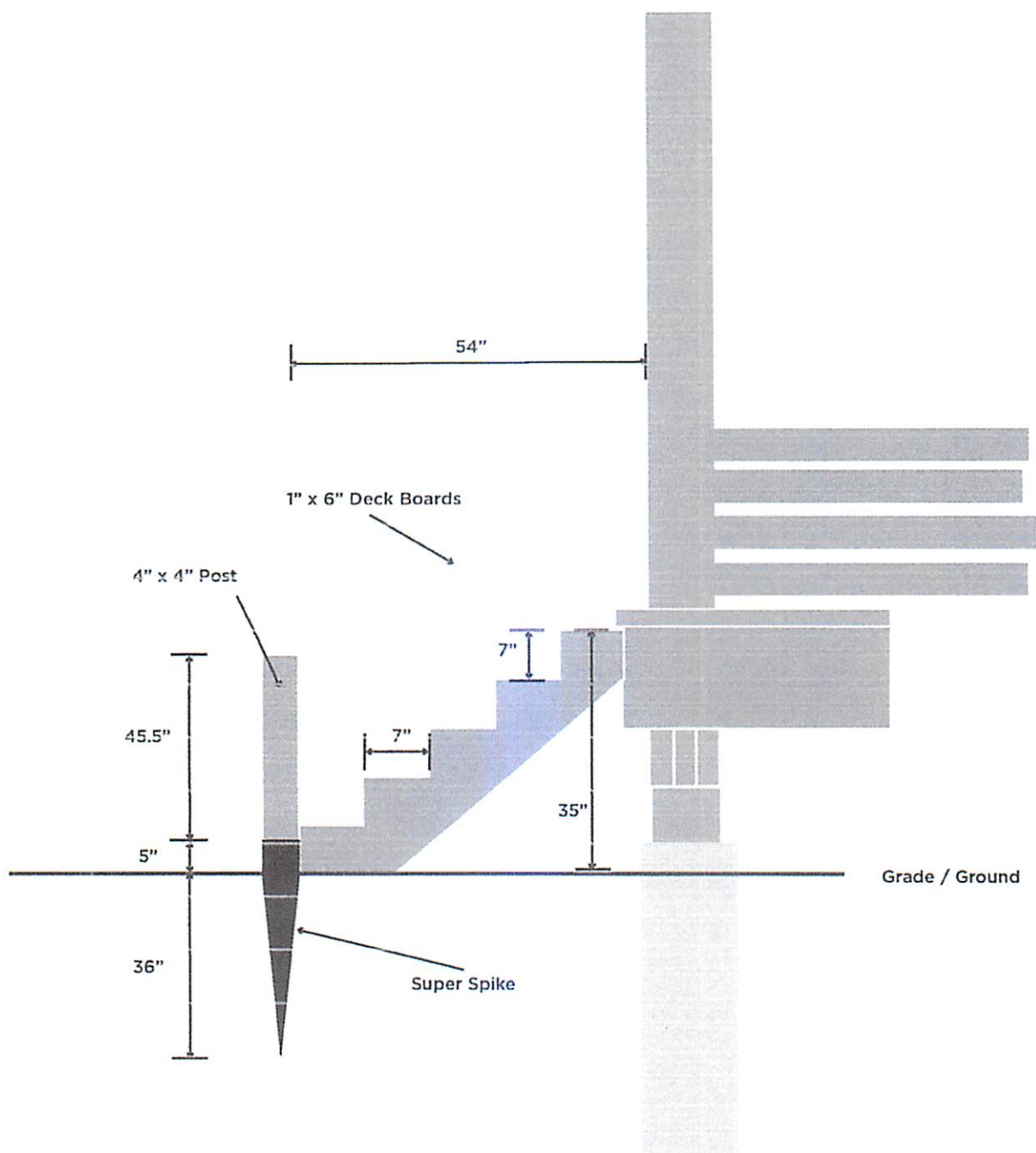
86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicsolutions.ca
416. 697. 3209

Please note:
Roof Pitch detail on
veiw 15



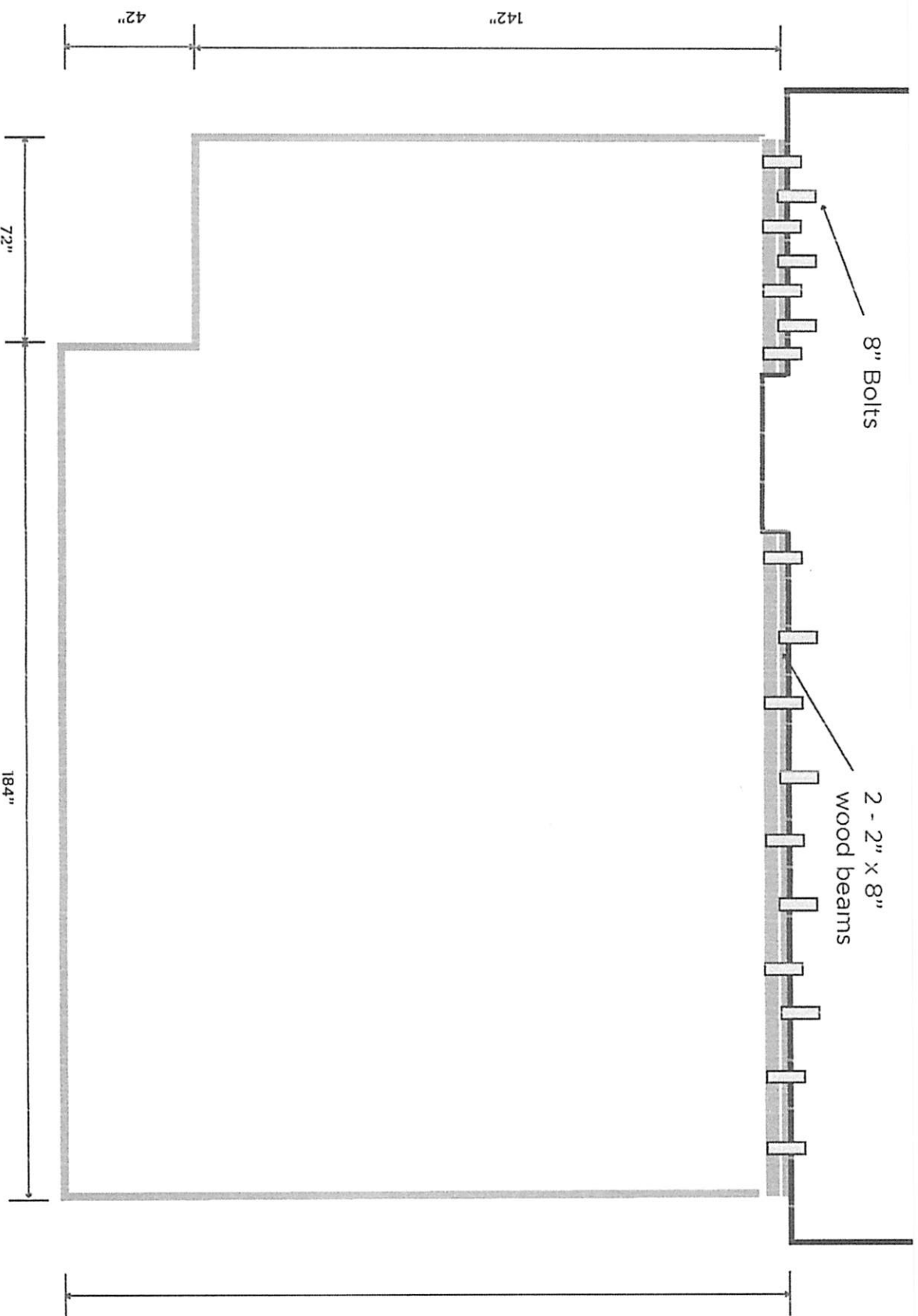
VIEW 11_SURVEY_REAR PORCH SIDE SECTION

86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samatas
matthew@atomicsolutions.ca
416. 697. 3209



VIEW 12_SURVEY_REAR PORCH SIDE SECTION STAIRS

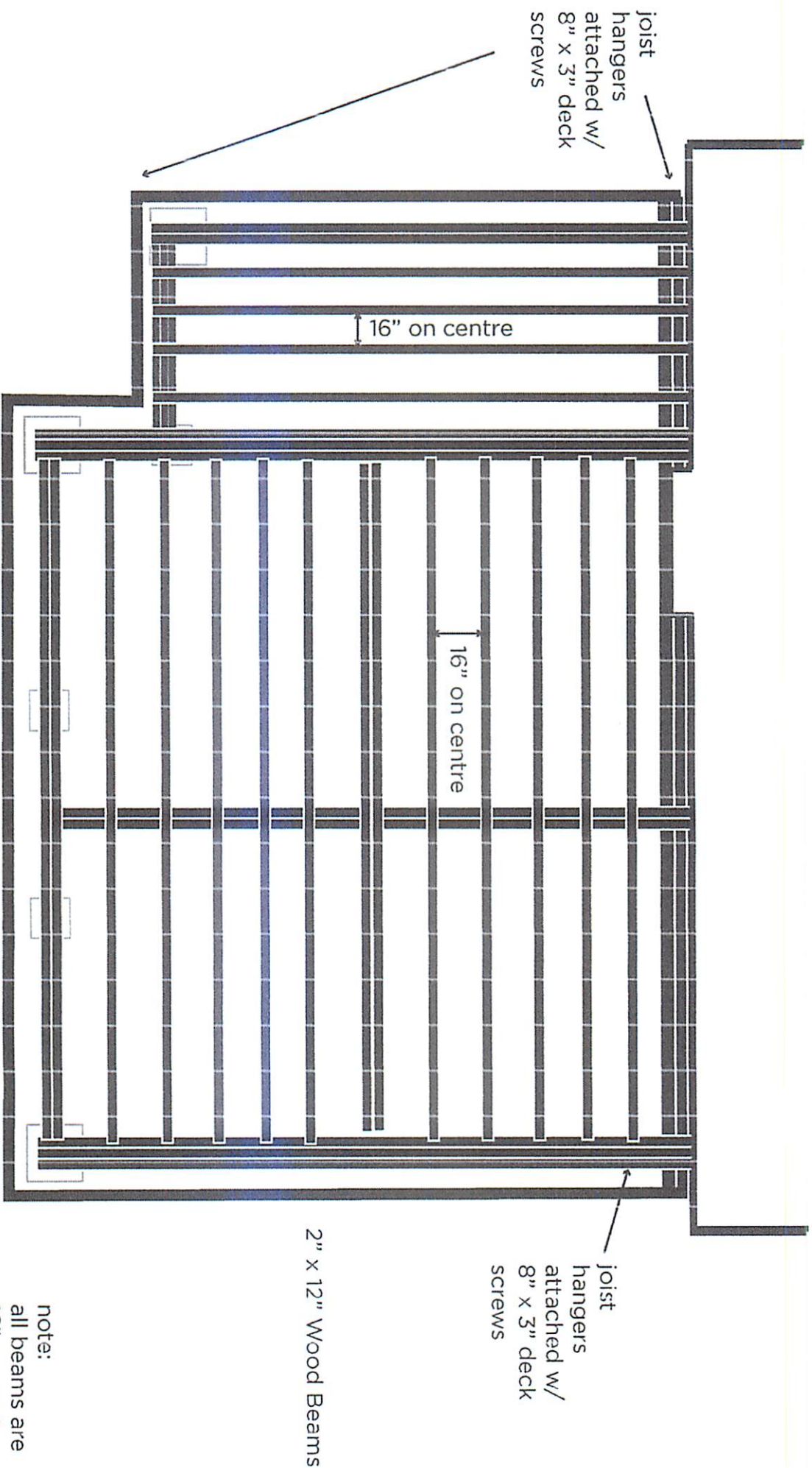
86 West Street
 Brampton, ON. L6X 1W2
 c/o Matthew Samatas
 matthew@atomicssolutions.ca
 416. 697. 3209



Please note:
Roof Pitch detail on
view 15

VIEW 13_SURVEY_SHOWING SITE PLAN ROOF

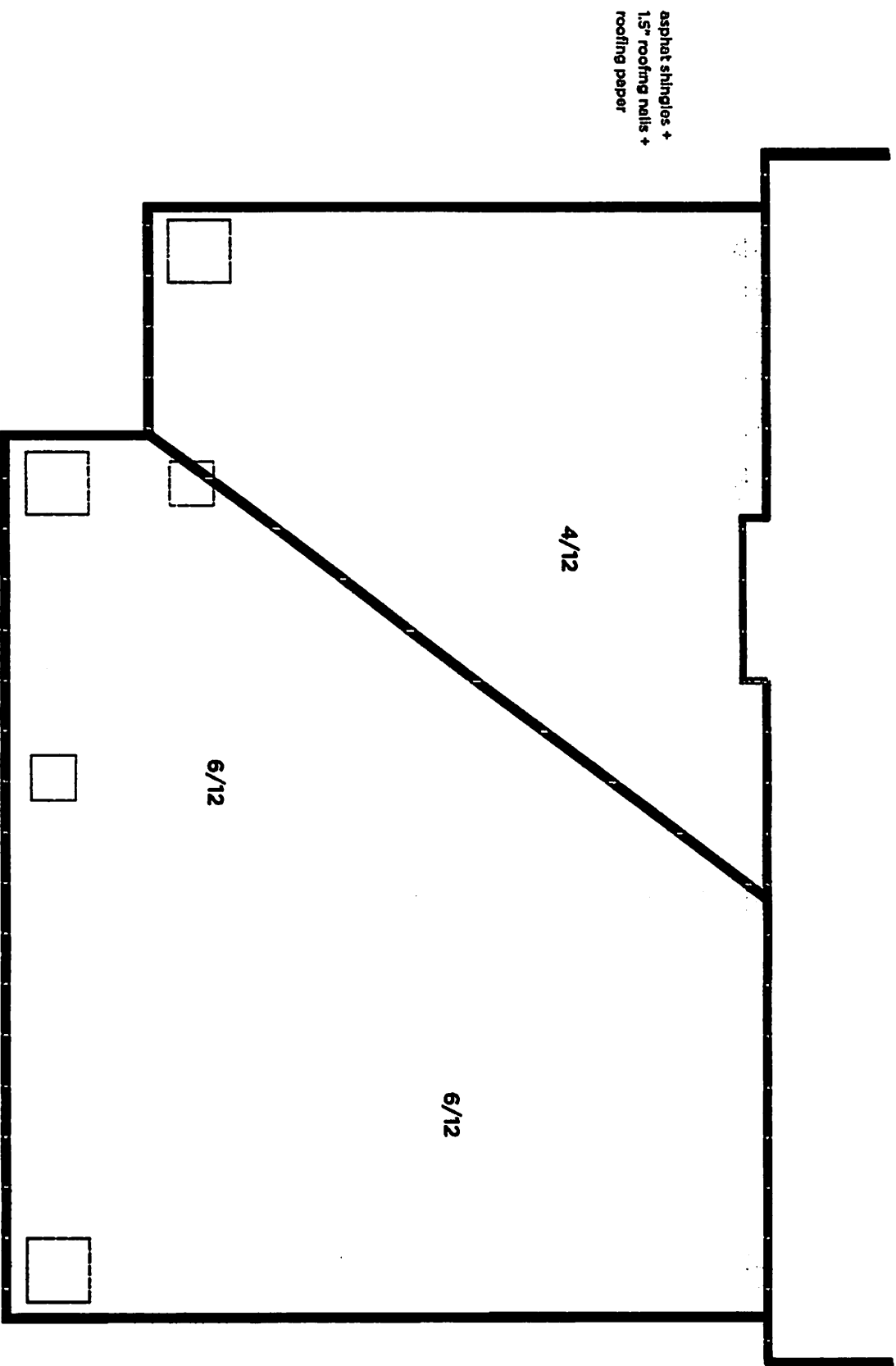
86 West Street
Brampton, ON. L6X 1W2
c/o Matthew Samaras
matthew@atomicolutions.ca
416. 697. 3209



Please note:
Roof Pitch detail on
velw 15

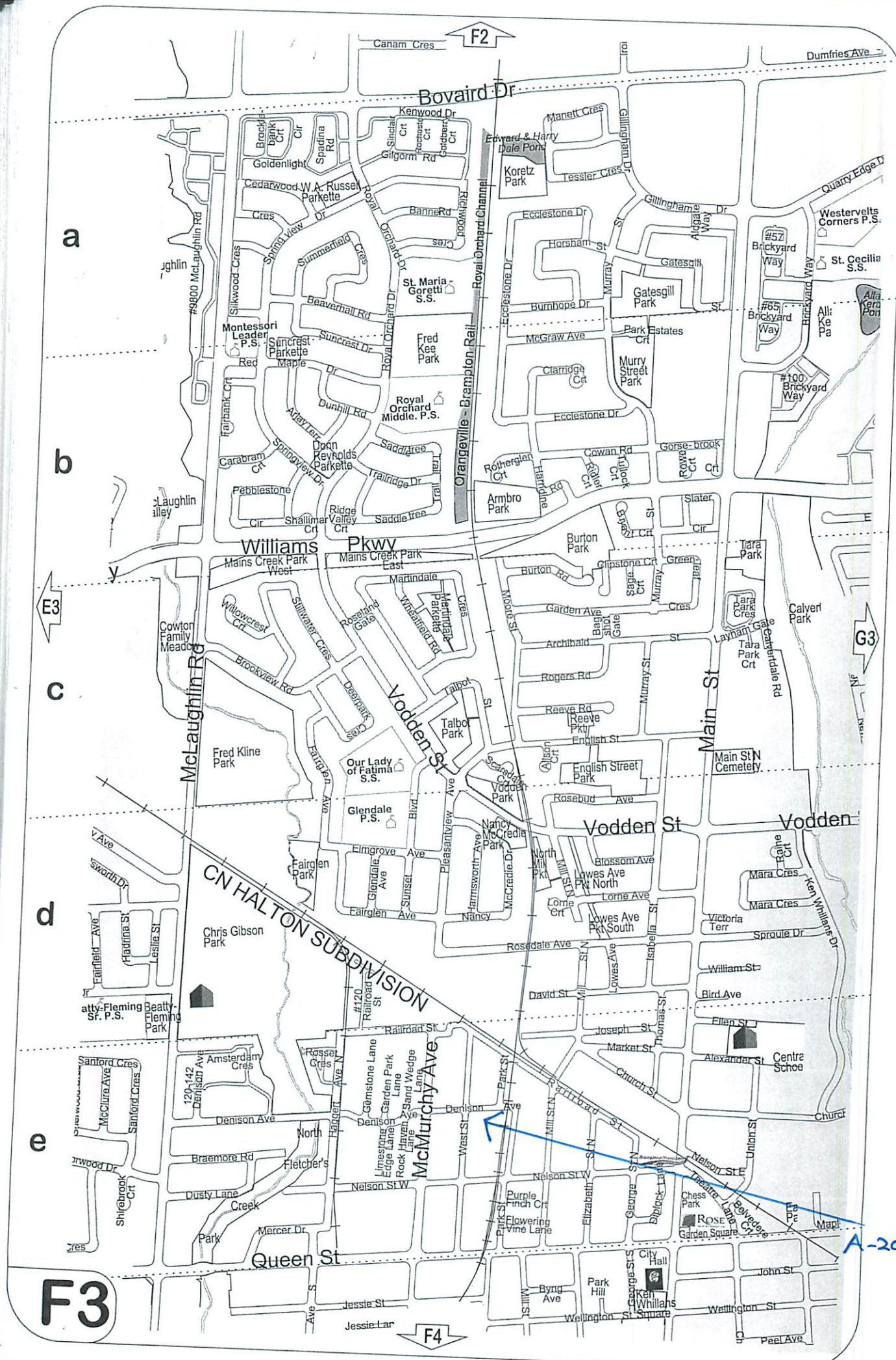
VIEW 14_SURVEY_SHOWING SITE PLAN ROOF BEAMS

86 West Street
Brampton, ON, L6X 1W2
c/o Matthew Samatas
mathew@atonicolutions.ca
416. 697. 3209



VIEW 15_SURVEY_SHOWING SITE PLAN ROOF PITCH

86 West Street
Brampton, ON, L6X 1W2
c/o Matthew Samatas
matthew@atomicsolutions.ca
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A-2020-0081