

DEFERRED APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **JACK SZYDLOWSKI AND JOHANNA SZYDLOWSKI** 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 Block A, Plan BR-24 municipally known as **6 BIRD AVENUE**, Brampton;

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

1. To permit a roof to encroach 6.04m (19.82 ft.) into the rear yard, resulting in a rear yard setback of 1.46m (4.80 ft.) whereas the by-law permits a roof to encroach a maximum of 2.0m (6.56 ft.), resulting in a rear yard setback of 5.5m (18.04 ft.).

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, October 4, 2022 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 an Ontario Land 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 Ontario Land 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.

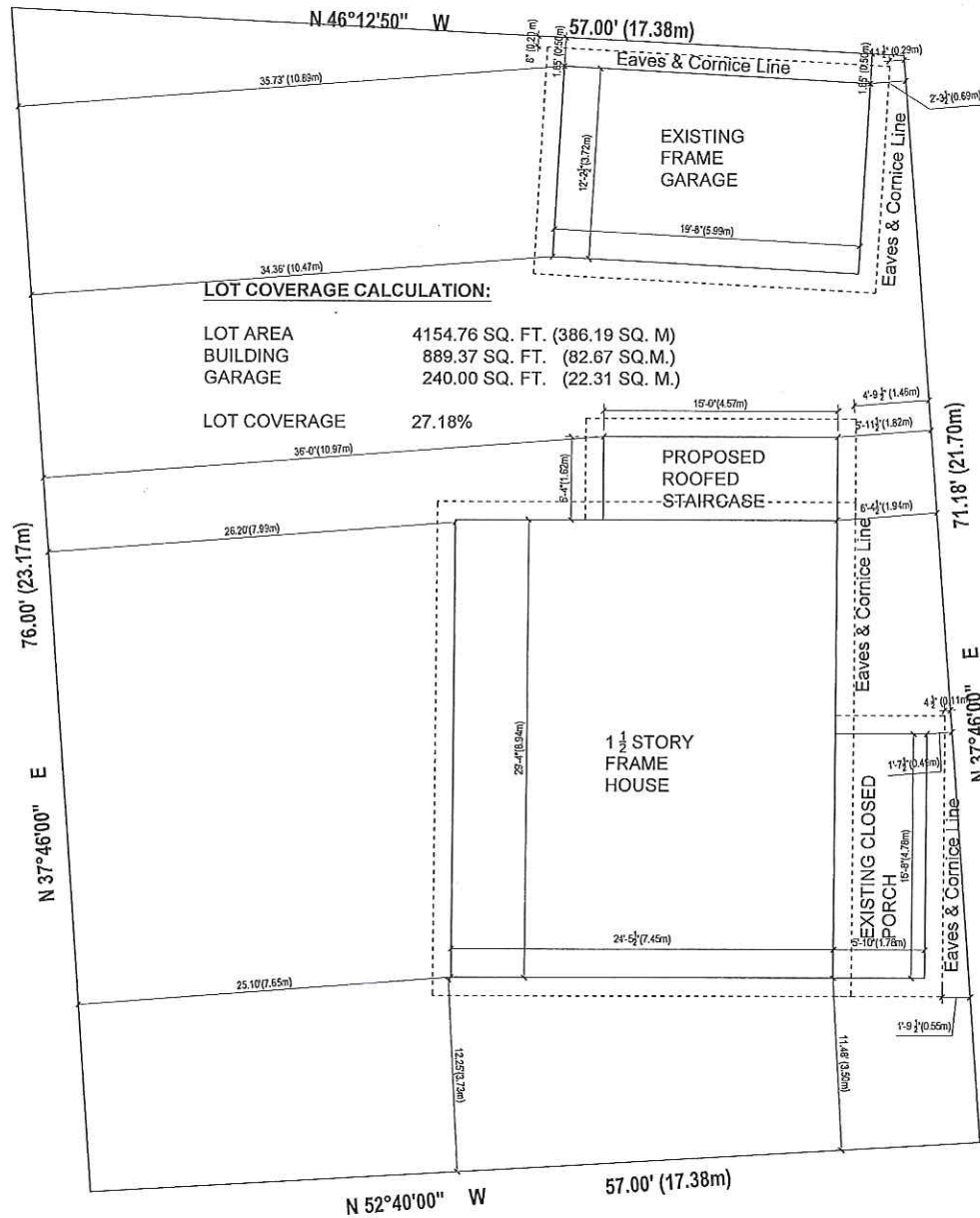
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 22nd Day of September, 2022

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

BIRD AVENUE



- GENERAL NOTES**
- ALL DIMENSIONS ARE IN IMPERIAL UNITS IN FEET & INCHES.
 - CONFIRM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE INCLUDING ALL STANDARDS REFERENCED THEREIN AND ANY APPLICABLE ACTS OF HAVING JURISDICTION (THE LATEST VERSION OF STANDARDS AND CODES SHALL APPLY).
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 - ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS-0, REG. 231/91 LOADING
 - THE DESIGN LOADS FOR THE BUILDING AND ITS COMPONENTS IS DETERMINED IN ACCORDANCE WITH THE 2012 OBC DIV. 6 PART 4 AND 2010 NBC
 - This drawings, as an instrument of service, is provided by and is the property of Public Works Team Inc (PWTEAM). The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify PWTEAM of any variations from the drawings. PWTEAM is not responsible for the accuracy of survey, structural, mechanical, electrical, etc. engineering information shown on this drawing. Refer to the appropriate engineering drawings before proceeding with work, the construction must conform to all applicable codes and requirements. This drawing is not to be scaled.



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 Phone: 905-456-7166
 design@pwteam.ca
 www.pwteam.ca

ENGINEER ZULHASH UDDIN	DESIGNED BY Mahab Amab
TITLE SITE PLAN	
PROJECT ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON	
SCALE AS SHOWN	DWG # A-1.0
DATE April, 2022	
ISSUED FOR - BUILDING PERMIT	

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 and/or as a hybrid meeting (both in-person and electronically).

**Electronic/Hybrid Hearing Procedures
How to get involved in the Hybrid Hearing**

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **October 4, 2022** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

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 29, 2022.**

- Advance registration for applicants, agents and other interested persons is required by one or two options:
 1. Participate remotely 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 Thursday, September 29, 2022.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, September 29, 2022.**
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or in-person. 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 **Thursday, September 29, 2022.** City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

- 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/hybrid 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.

The City of Brampton is reviewing its Committee of Adjustment process. As a participant in this process, if you have comments or input you would like to share about your experience with the Committee of Adjustment, please email cityclerksoffice@brampton.ca to indicate your interest and you will be contacted with more information.



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)** Jack Szydowski & Johanna Szydowski
Address 6 Bird Avenue, Brampton ON L6V 1K7

Phone # 905-466-6696 **Fax #** _____
Email poznanplazainc@gmail.com

2. **Name of Agent** Zulhash Uddin, P. Eng.
Address 96 Leadership Drive, Brampton ON L6Y 5T2

Phone # 905-456-7166 **Fax #** _____
Email design@pwteam.ca

3. **Nature and extent of relief applied for (variances requested):**
To permit a roof encroachment of 6.04m into the rear yard resulting in a rear yard setback of 1.46m whereas the by-law permits a maximum roof encroachment of 2m resulting in a rear yard setback of 5.5m.

4. **Why is it not possible to comply with the provisions of the by-law?**
Building was constructed with a rear lot setback 0.49m which might be complied zoning by-law at the time of construction in 1960. According to current zoning by-law a minimum of 5.5 m rear lot setback is required but provided 1.82m

5. **Legal Description of the subject land:**
Lot Number 7
Plan Number/Concession Number PLAN BR 24 PT BLK A
Municipal Address 6 Bird Avenue, Brampton ON L6V 1K7
 Roll Number: 10-01-0-004-03100-0000

6. **Dimension of subject land (in metric units)**
Frontage 23.17m
Depth 17.38m
Area 386.19 sq.m.

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.)

- 1. One 2 storey building including rear side closed porch gross floor area: 82.67 sq.m.
- 2. One detached garage, gross floor area: 22.28 sq. m.
- 3. Total Gross floor area: 104.95 sq. m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

- A. roofed below grade entrance of a dimension of 1.62mx4.57m

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	7.65m
Rear yard setback	0.49m
Side yard setback	3.50m right side
Side yard setback	0.50m left side

PROPOSED

Front yard setback	10.97m
Rear yard setback	1.82m
Side yard setback	
Side yard setback	

10. Date of Acquisition of subject land: 1960

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: 1960

15. Length of time the existing uses of the subject property have been continued: 62 year

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) Surface drainage
 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]

Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ OF _____

THIS 14th DAY OF April August, 2022.

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, Zulhash uddin, 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 4th DAY OF
August, 2022.

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

[Signature]

Signature of Applicant or Authorized Agent

A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1B, Mature

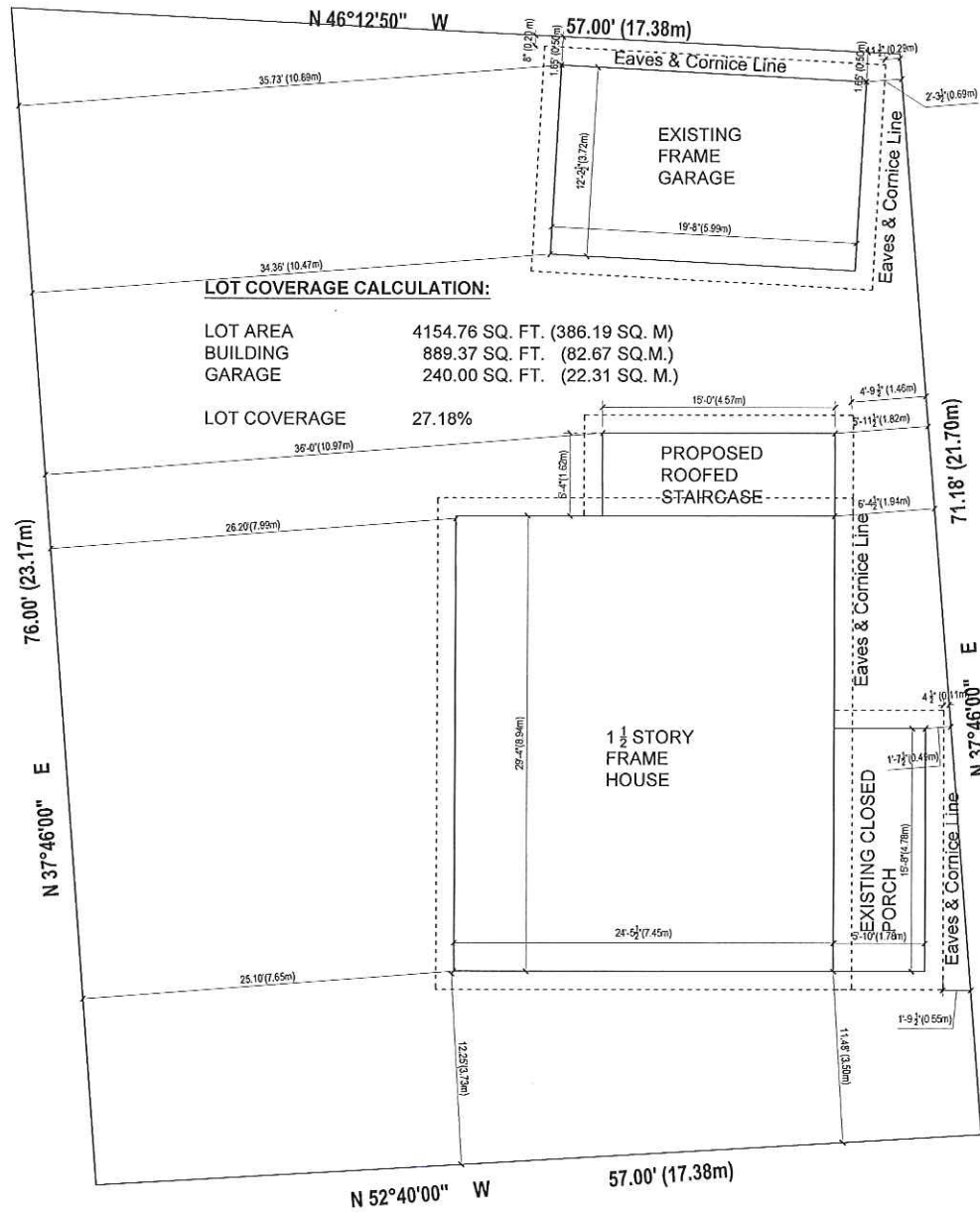
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

[Signature]
Zoning Officer

July 21, 2022
Date

DATE RECEIVED Aug. 4, 2022

BIRD AVENUE



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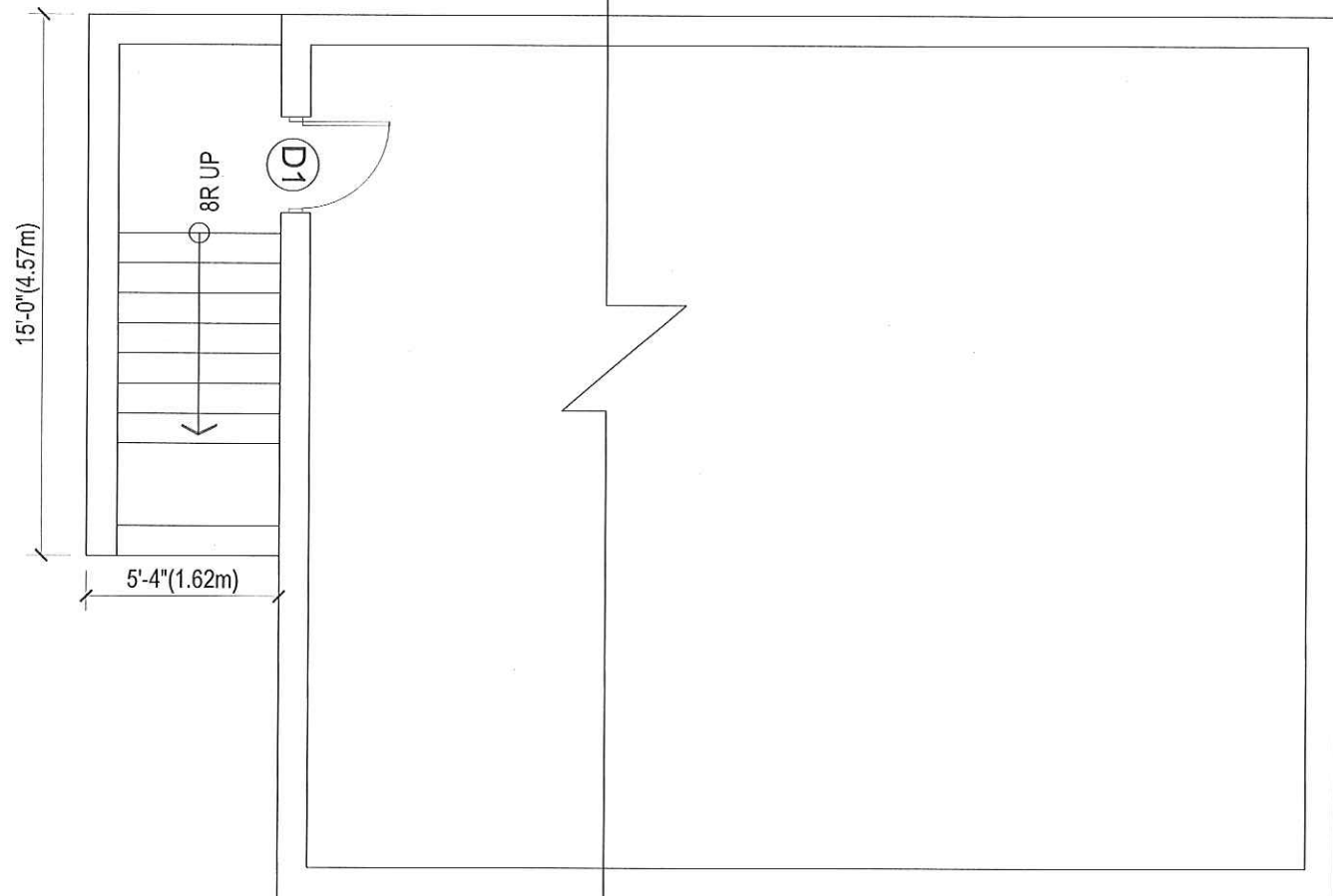
ENGINEER: ZULHASH UDDIN
 DESIGNED BY: Muhib Amab

TITLE: SITE PLAN

PROJECT: ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON

SCALE: AS SHOWN
 DATE: April, 2022
 ISSUED FOR: BUILDING PERMIT
 DWG #: A-1.0

**PROPOSED
ROOFED
STAIRCASE**



DOOR SCHEDULE	
D1	32'X80'
D2	32'X80'



EXISTING BASEMENT FLOOR PLAN
SCALE: 3/16" = 1' - 0"

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ENGINEER: ZULHASH UDDIN DESIGNED BY: Mahib Amab

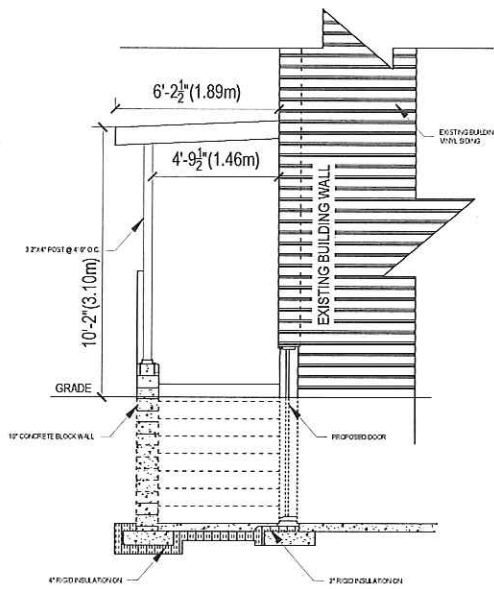
TITLE: **BELOW GRADE ENTRANCE PLAN**

PROJECT: **ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON**

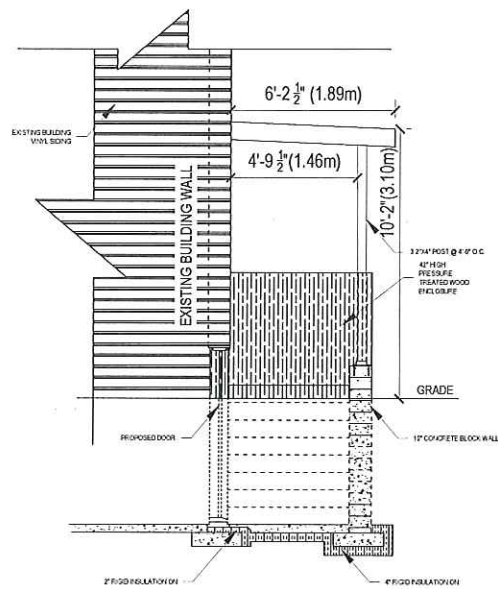
SCALE: AS SHOWN DWG #: **A-2.0**

DATE: April, 2022

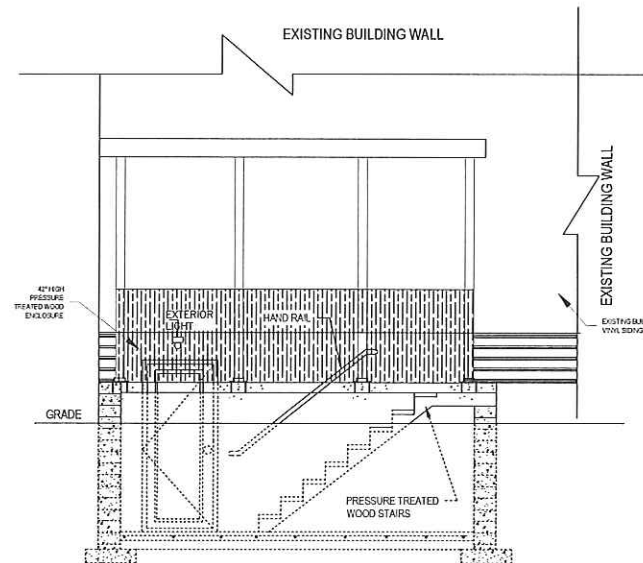
ISSUED FOR: BUILDING PERMIT



1 FRONT ELEVATION
A-3.0



2 REAR ELEVATION
A-3.0



3 SIDE ELEVATION
A-3.0

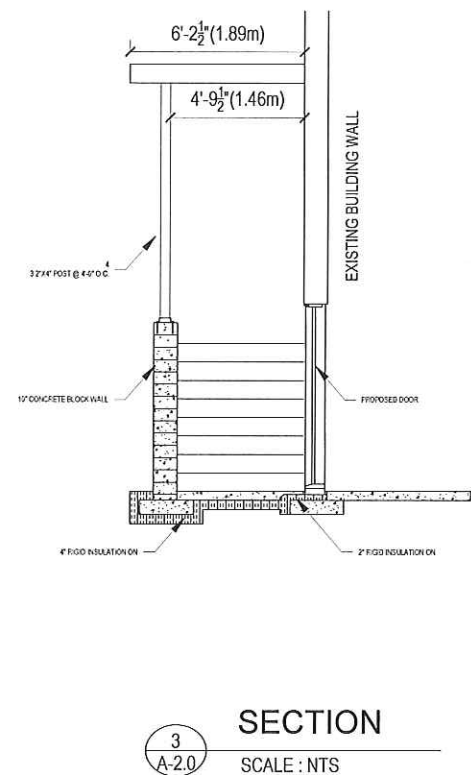
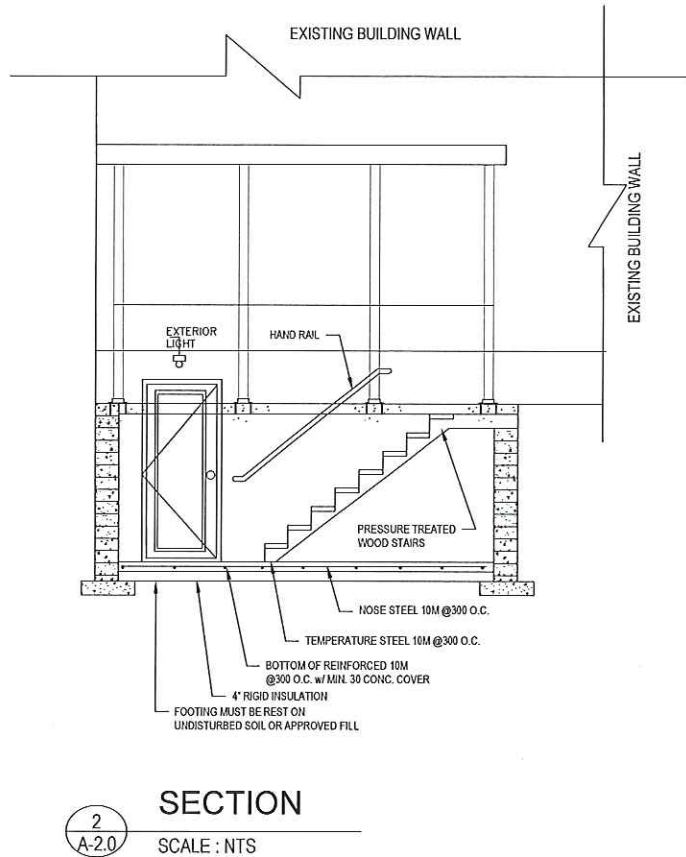
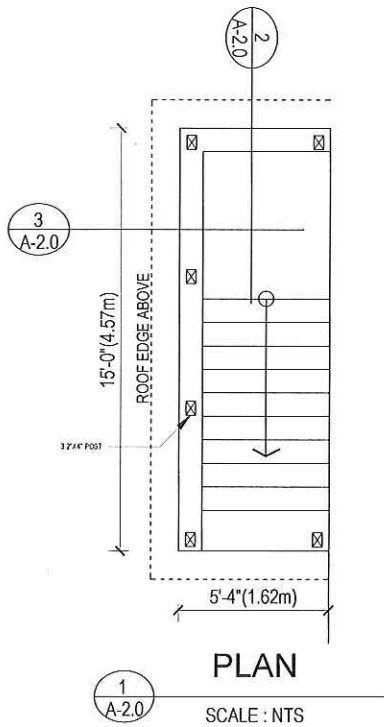
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ENGINEER	ZULHASH UDDIN	DESIGNED BY	Muhib Arshad
TITLE	BELOW GRADE ENTRANCE PLAN		
PROJECT	ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON		
SCALE	AS SHOWN	DWG #	A-3.0
DATE	April, 2022		
ISSUED FOR	BUILDING PERMIT		

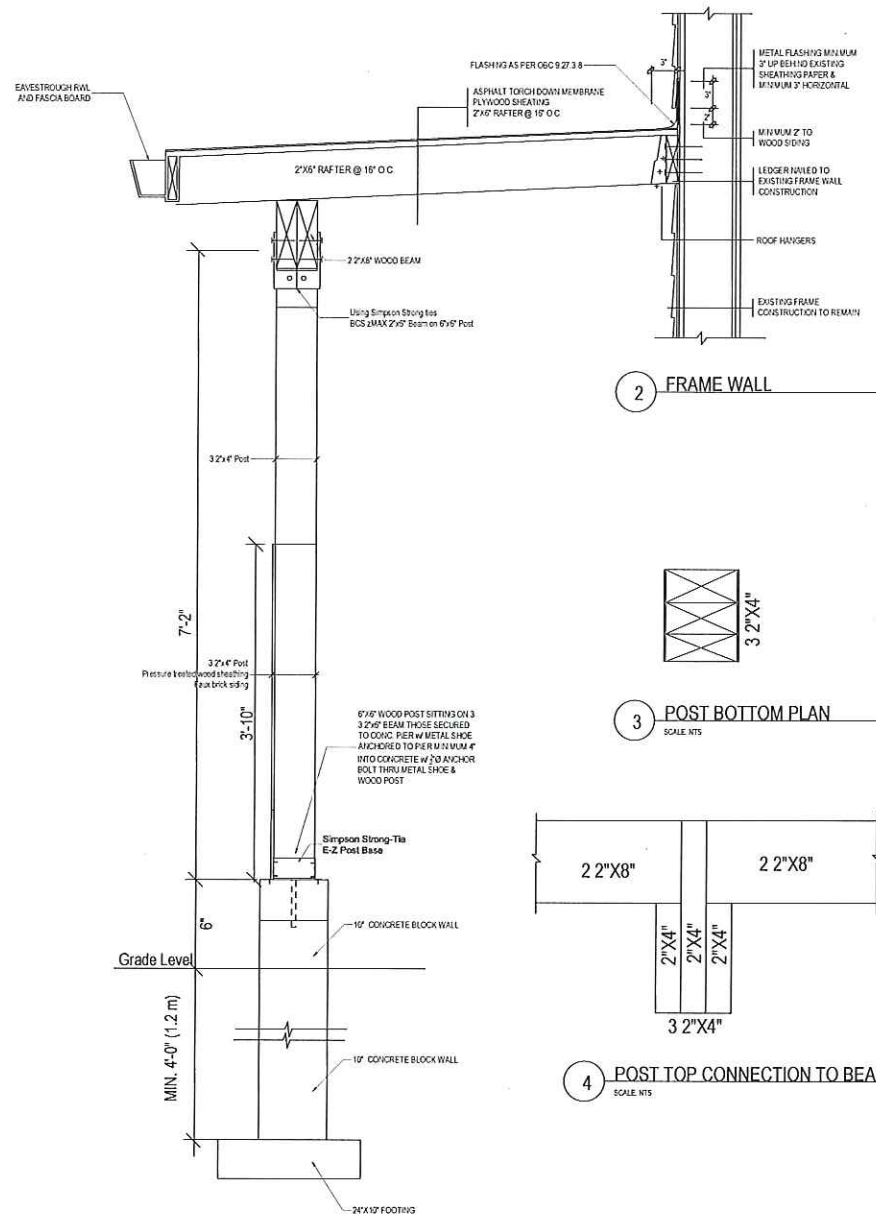


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ENGINEER ZULHASH UDDIN	DESIGNED BY Muhib Amab
TITLE BELOW GRADE ENTRANCE PLAN	
PROJECT ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON	
SCALE AS SHOWN	DWG # A-4.0
DATE April, 2022	
ISSUED FOR - BUILDING PERMIT	



1 ROOFED BELOW GRADE ENTRANCE SECTION

2 FRAME WALL

3 POST BOTTOM PLAN
SCALE: NTS

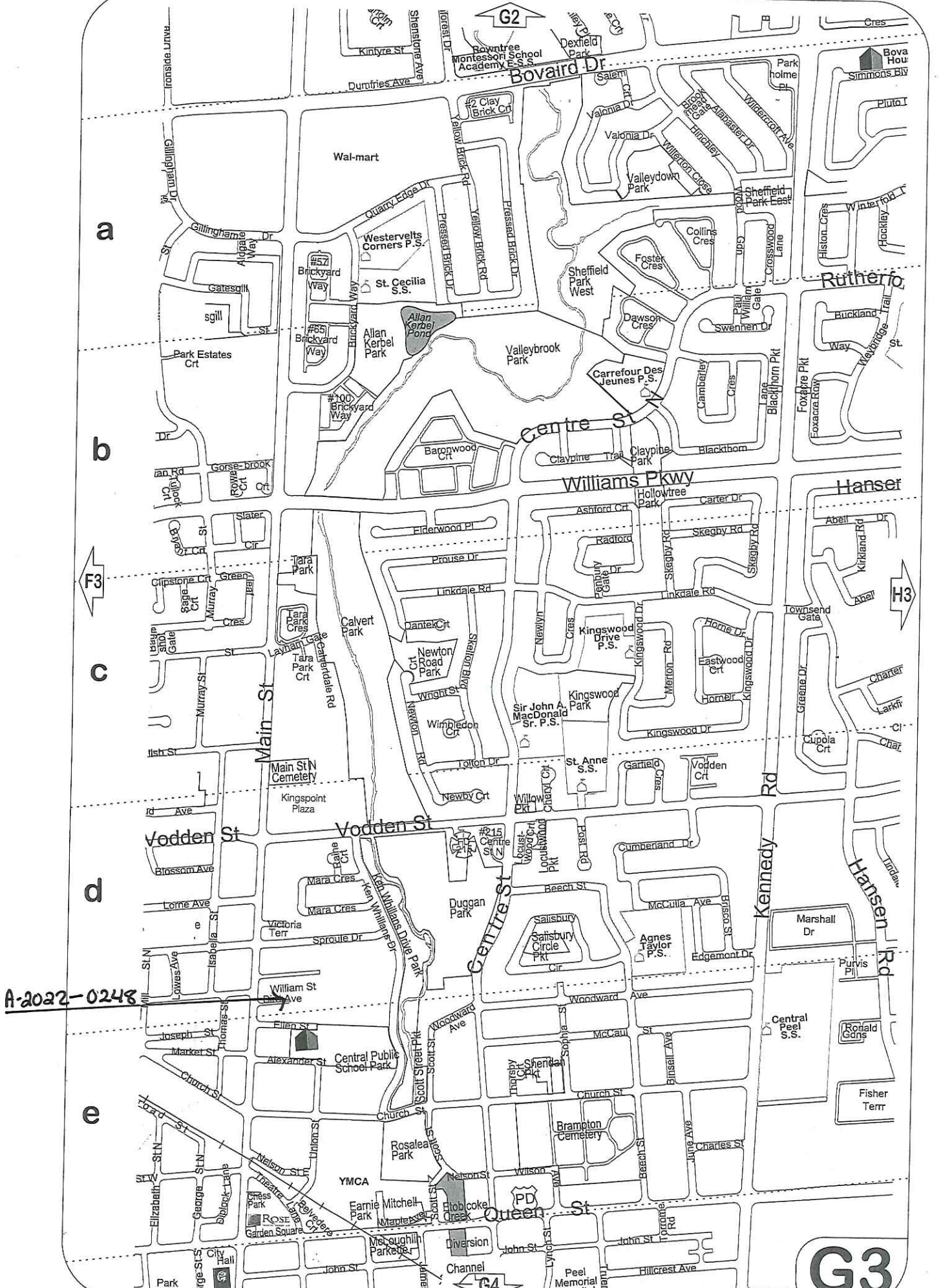
4 POST TOP CONNECTION TO BEAM
SCALE: NTS

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PROJECT	ROOFED BELOW GRADE ENTRANCE AT DETACHED HOME 6 BIRD AVENUE, BRAMPTON		
SCALE	AS SHOWN	DWG #	A-5.0
DATE	April, 2022		
ISSUED FOR	BUILDING PERMIT		



a

b

c

d

e

A-2022-0248

G2

G3

G4

F3

H3

