

# **Public Notice**

# **Committee of Adjustment**

APPLICATION # A-2022-0276 WARD 6

#### APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **GRAZYNA ZAJAC AND STANISLAW ZAJAC** under Section 45 of the <u>Planning Act</u>, (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 1, Plan 310 municipally known as **2670 EMBLETON ROAD**, Brampton;

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

- 1. To permit a side yard setback of 4.42m (14.50 ft.) to an existing one storey addition whereas the by-law requires a minimum side yard setback of 7.5m (24.60 ft.);
- 2. To permit a ground floor area of 138.5 square metres whereas the by-law requires a minimum ground floor area of 170 square metres for a one storey building;
- 3. To permit a side yard setback of 0.36m (1.18 ft.) to an existing accessory structure (pool cabana) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the nearest lot line;
- To permit an existing accessory structure (pool cabana) with a gross floor area of 30.6 sq. m (329.38 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
- 5. To permit an existing garage door height of 2.85m (9.35 ft.) whereas the by-law permits a maximum garage door height of 2.4m (7.87 ft.);
- 6. To permit an existing detached garage height of 5.57m (18.27 ft.) whereas the by-law permits a maximum building height of 4.5m (14.76 ft.);
- 7. To permit a gross floor area of 74.9 sq. m (806.22 sq. ft.) for an existing detached garage with a proposed attached accessory structure (gazebo) whereas the by-law permits a maximum gross floor area of 48 sq. m (516.67 sq. ft.);
- 8. To permit two (2) accessory structures (cabana and shed) with a combined gross floor area of 44.8 sq. m (482.22 sq. ft.) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.).

The land which is subject of	this application	on is the subject of an application under the Planning Act for:
Plan of Subdivision:	NO	File Number:
Application for Consent:	NO	File Number:
· · · · · · · · · · · · · · · · · · ·		0.5%

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

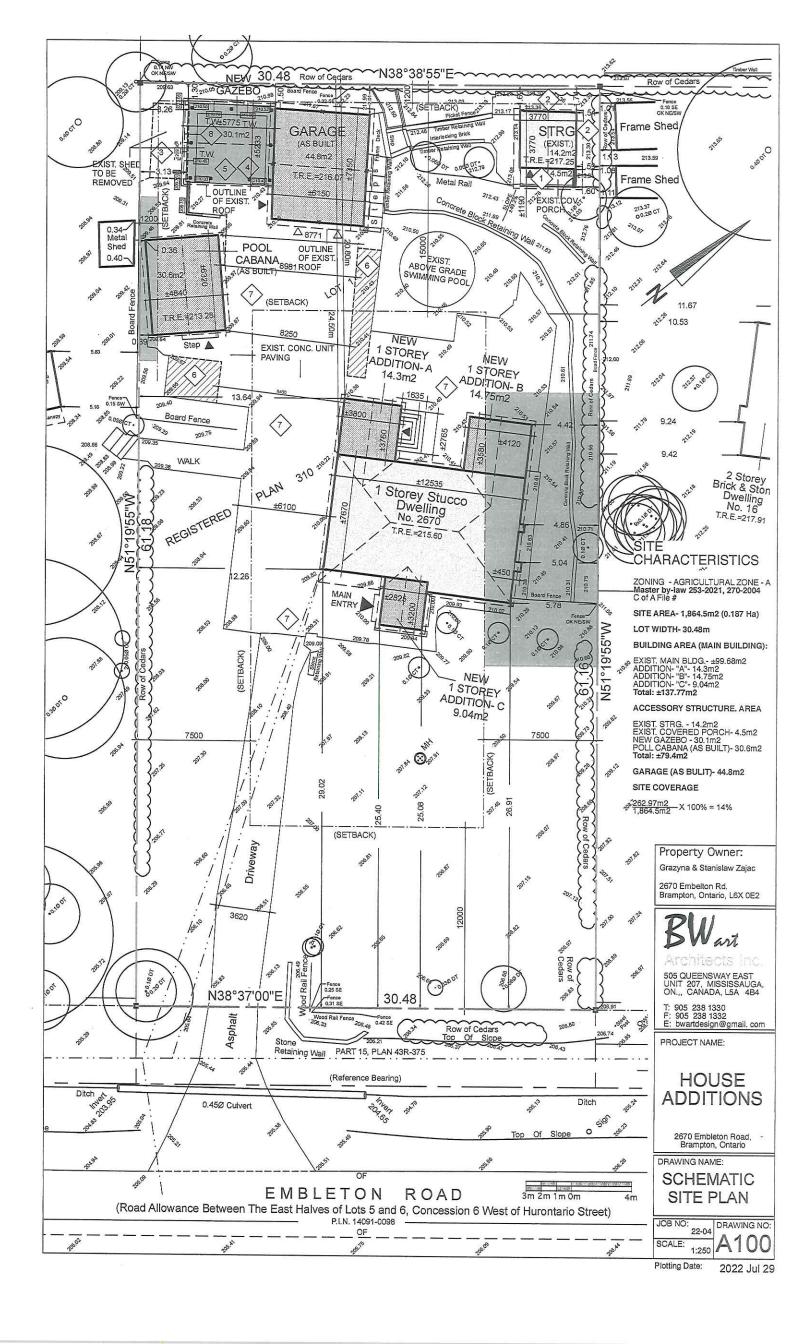
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

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 and/or as a hybrid meeting (both inperson 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, September 29, 2022.
- 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> 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 inperson. 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> to indicate your interest and you will be contacted with more information.

## **AMENDMENT LETTER**

September 20, 2022

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE GRAZYNA ZAJAC & STAINISLAW ZAJAC A-2022-0276 2670 EMBLETON ROAD

# Please amend application A-2022-0276 to reflect the following:

- To permit a side yard setback of 4.42m to an existing one storey addition, whereas the by-law requires a minimum side yard setback of 7.5m;
- To provide a ground floor area of 138.5m², whereas the by-law requires a minimum ground floor area of 170m² for a one storey building;
- To permit an existing accessory structure (pool cabana) with a setback of 0.36m to side lot line, whereas the by-law requires a minimum setback of 1.2m to the nearest lot line.
- To permit an existing individual accessory structure (pool cabana) with a gross floor area of 30.6m², whereas the by-law permits a maximum gross floor area for an individual accessory structure of 23m²;
- To permit an existing garage door heights of 2.85m, whereas the by-law permits a maximum garage door height of 2.4m
- To permit an existing detached garage height of 5.57m, whereas the by-law permits a maximum building height of 4.5m;
- To permit a gross floor area of an existing detached garage with a proposed attached accessory structure (gazebo) of 74.9m², whereas the by-law permits a maximum gross floor area of 48m²;
- To permit two accessory structures (cabana and shed) with a combined gross floor area of 44.8m², whereas the by-law permits a maximum combined gross floor area of 40m²

Applicant/Authorized Agent

acel



208 -1065 Canadian Place, Mississauga, Ontario

T: 905 238 1330 F: 905 238 1332

E: bwartdesign@gmail.com

August 19, 2022

Committee of Adjustment,

City of Brampton 2 Wellington Street West, Brampton, Ontario, L6Y 4R2

P: 905. 874 2117

Attn: Jeanie Myers

Re: New Gazebo Proposal.

2670 Embleton Rd., Brampton, Ontario, L6X 0E2

Dear Madam,

BW art Architects Inc. was requested by the property owners Grazyna & Stanislaw Zajac to design new BBQ. Gazebo.

Part of existing detached garage is to be removed. The lower garage roof and supporting columns are proposed to be preserved and reused for gazebo canopy. During our site investigation we were able to find that the existing property development is not fully in compliance with City of Brampton By-law.

According to the information provided by the owner the original one storey brick finished single family dwelling was constructed in 1968 and later renovated.

New roof finish and wall stucco finish was installed.

Existing Storage located at west-north corner of the property received new metal roof finish and the walls were finished with stucco.

The existing front and back house additions, detached garage and pool cabana were constructed in 2005 without a permit.

The Owner voluntary is trying to legalize these structures now.

He requested our office to review structure of all these buildings, advice on the alteration if any and assist him with the drawings preparation and building permit application.

COVER LETTER

A-2022-01276

The requested variances to the Zoning By-law are related to these existing structures.

The By-law variances required for the property includes:

- 1. To permit a side yard setback of 4.42m to a proposed one storey addition whereas the by-law requires a minimum side yard setback of 7.5m;
- 2. To permit a ground floor area of 138.5 sq. m whereas the by-law requires a minimum ground floor area of 170 sq. m for a one storey building;
- 3. To permit a 0.36m setback to an existing accessory structure (pool cabana) whereas the by-law requires a minimum setback of 1.2m;
- 4. To permit two accessory structures with individual sizes of 30.1 sq. m and 30.6 sq. m whereas the by-law limits an individual accessory structure to 23 sq. m;
- 5. To permit three accessory structures with a combined area of 74.39 sq. m whereas the by-law permits two accessory structures with a combined area of 40 sq. m;
- 6. To permit a garage door height of 2.85m whereas the by-law permits a maximum garage door height of 2.4m;
- 7. To permit a detached garage with a building height of 5.57m whereas the by-law permits a maximum building height of 4.5m.

In our opinion all these structures are well fitted to the neighborhood character and are in compliance with OBC in general. The approval for the variances is necessary to preserve this quality development.

Together with our submission we are attaching drawings identifying all the buildings and structures at the site.

- 1. Property Survey.
- 2. A100- Schematic Site Plan
- 3. A200- Mian Building Plns
- 4. A201- Main Bldg. Cross Section
- 5. A202- Main Building Elevations
- 6. A203- Exist. Storage Plans.
- 7. A204- Garage & Gazebo Fir Pins & Sect.
- 8. A205- Garage & Gazebo Roof Plan & Elev
- 9. A206- Pool Cabana Plans.

Yours truly,

Wojtek Holownia M.Arch., OAA. TCA

BW art Architects Inc.

# Flower City



For Office Use Only (to be inserted by the Secretary-Treasurer after application is deemed complete)

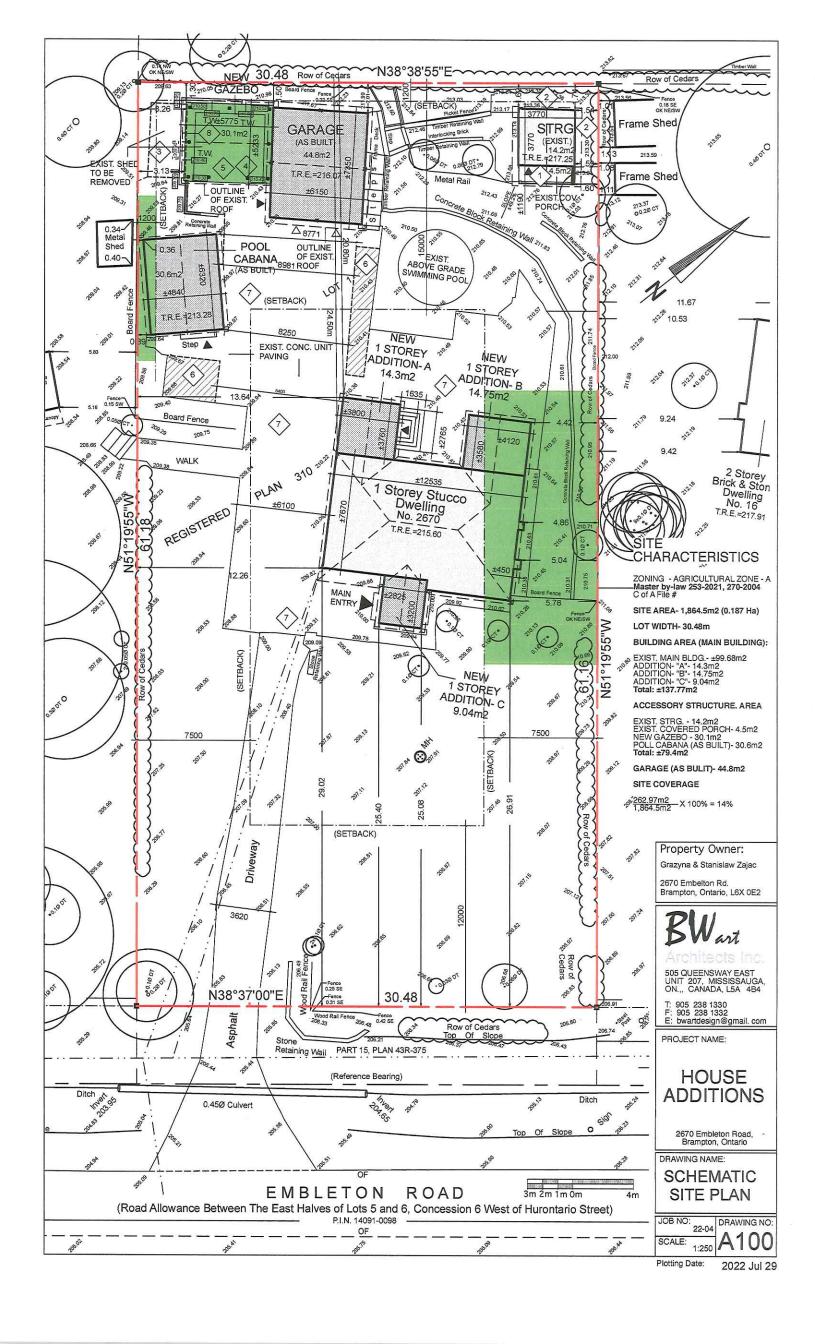
FILE NUMBER: A - 2022-02-16

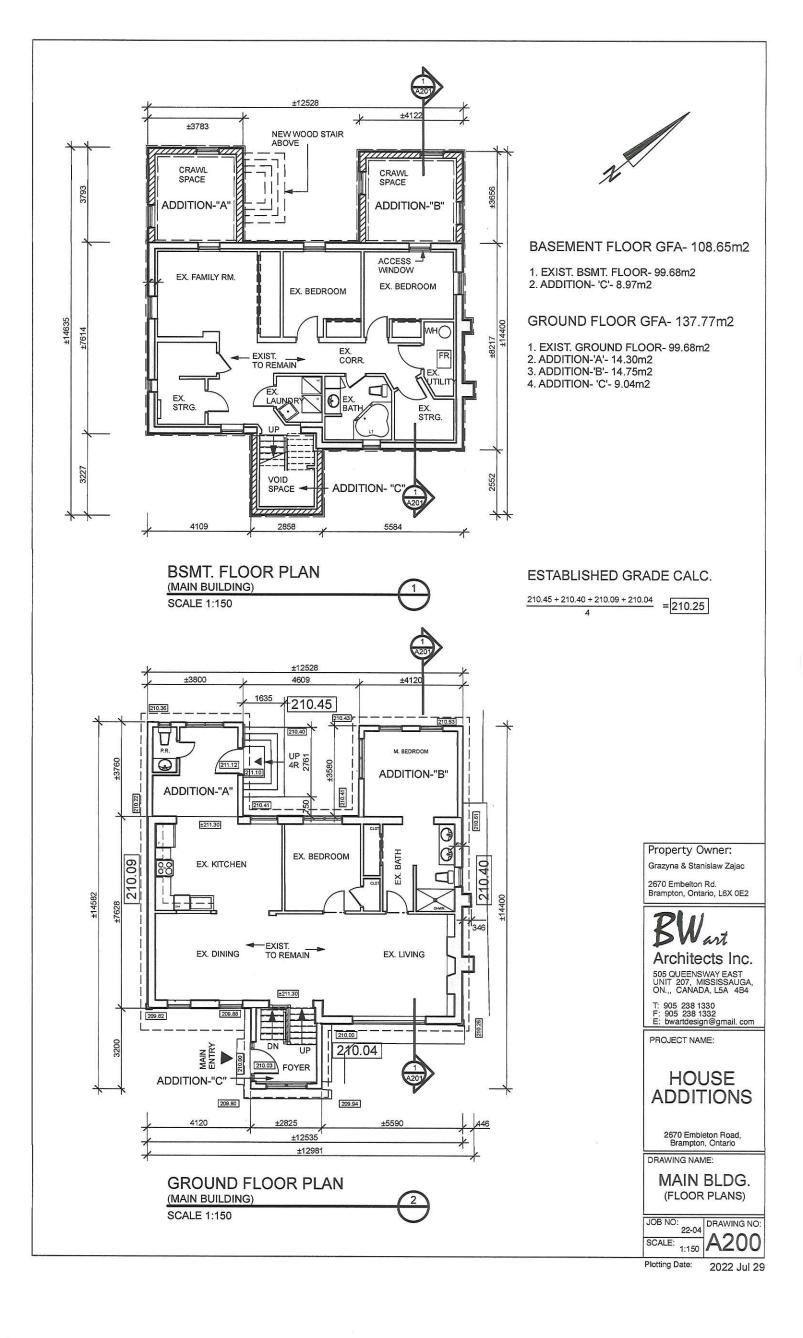
The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files 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.

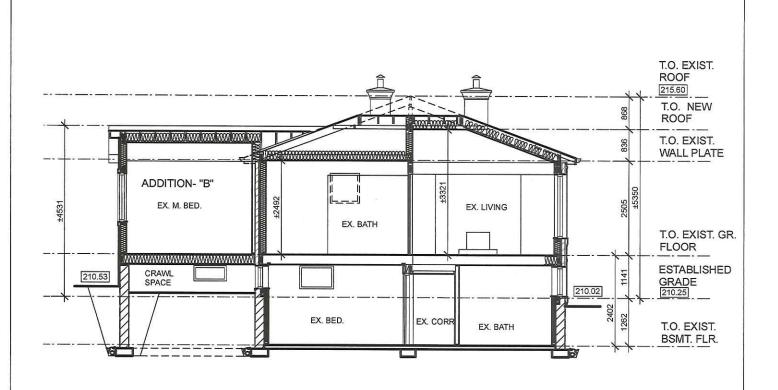
	APPLICATION					
	Minor Variance or Special	l Permission				
	(Please read Instruction	ens)				
IOTE:	It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.					
	The undersigned hereby applies to the Committee of Adjustn the <u>Planning Act</u> , 1990, for relief as described in this applicate	nent for the City of Brampton under section 45 of ition from By-Law 270-2004.				
1.	Name of Owner(s) Grazyna Zajac & Stanislaw Zajac Address 2670 Embelton Rd., Brampton, On., L6X 0E2					
	Phone # 416 884 8732 Email	Fax #				
2.	Name of Agent Wojtek Holownia (BW art Architects In Address 207-505 Queensway East, Mississauga, On., L5A					
	Phone # 905 238 1330 Email bwartdesign@gmail.com	Fax # 905 238 1332				
3.	Nature and extent of relief applied for (variances requested):  1. To permit a side yard setback of 4.42m to a proposed one storey addition; 2. To permit a ground floor area of 138.5 sq. m; 3. To permit a 0.36m setback to an existing accessory structure (pool cabana); 4. To permit two accessory structures with individual sizes of 30.1 sq. m and 30.6 sq. m; 5. To permit three accessory structures with a combined area of 74.39 sq. m; 6. To permit a garage door height of 2.85m; 7. To permit a detached garage with a building height of 5.57m.t					
4.	Why is it not possible to comply with the provisions of the by-law?  Main building (house) GFA, exist. accessory structure combined area, house addition side yard setback, pool cabana setback, accessory structure GFA, garage door height, detached garage a building height					
5.	Legal Description of the subject land:  Lot Number 1  Plan Number/Concession Number PLAN 310  Municipal Address 2670 Embelton Road, Brampton, On., L6X	0E2				
6.	Dimension of subject land ( <u>in metric units</u> )   Frontage   30.48   Depth   61.171   Area   1864.5 (0.19ha)					
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				

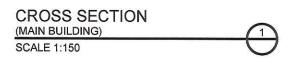
8.	Particulars of all buildings and structures on or proposed for the subjection land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)		
		ne Story Dwelling,	- 99.68 m2 - 14.2 m2 - 44.8 m2 - 30.6 m2
	Part of the exist     New Gazebo to     Exist. garage ro		oved.  location of the removed part of the existing garage. column to be preserved.
9.			ructures on or proposed for the subject lands: r and front lot lines in <u>metric units</u> )
	EXISTING Front yard setback Rear yard setback Side yard setback Side yard setback		
	PROPOSED Front yard setback Rear yard setback Side yard setback Side yard setback Side yard setback		
10.	Date of Acquisition	of subject land:	2005
11.	Existing uses of sub	eject property:	Agricultural
12.	Proposed uses of su	ubject property:	Agricultural
13.	Existing uses of abu	itting properties:	Agricultural
14.	Date of construction	of all buildings & str	uctures on subject land: 1968-Main Building & Storage. 2005- Front & Back Additions To
15.	Length of time the e	xisting uses of the su	Main Building, Garages & Pool Cabar bject property have been continued: 17
16. (a)	What water supply is Municipal Well	s existing/proposed? ] ]	Other (specify)
(b)	What sewage dispose Municipal Septic	sal is/will be provided ] ]	? Other (specify)
(c)	What storm drainage Sewers Ditches Swales	e system is existing/p ] ] ]	oroposed? Other (specify)

17.	Is the subject property the sub subdivision or consent?	eject of an application under the Planning Act, for approval of a plan of
	Yes No 🗸	1
	If answer is yes, provide details	s: File # Status
18.	Has a pre-consultation applica	tion been filed?
	Yes No 🗸	1
19.	Has the subject property ever I	peen the subject of an application for minor variance?
	Yes No 🗸	Unknown
	If answer is yes, provide details	s:
	File # Decisio	Deliaf
	File # Decisio	
		Wojtek Holownia.  Signature of Applicant(s) or Authorized Agent
ΠΔΤΙ	ED AT THE City	OF Brampton
	DAY OF July	
		AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF
THE SUB	JECT LANDS, WRITTEN AUTHO	RIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE
ï	, Wojtek Holownia	, OF THE CITY OF MISSISSAU 61
	*	TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY
BELIEVIN OATH.		IG THAT IT IS OF THE SAME FORCE AND LEARNING COmmissioner, etc., Province of Ontario for the Corporation of the City of Brampton Expires April 8, 2024.
IN THE	Region OF	(000
teel	THIS 24Th DAY OF	
Ae	19 ust , 20 22	Signature of Applicant or Authorized Agent
	Came My as	Submit by Email
	A Commissioner etc.	1
		FOR OFFICE USE ONLY
	Present Official Plan Designation	on:
	Present Zoning By-law Classifi	cation: Agricultural
		wed with respect to the variances required and the results of the ew are outlined on the attached checklist.
	Tall turne	Aug 16, 2022
	Zoning Officer	Date
	DATE RECEIVE	August 24, 2022
	Date Application Deemed	Revised 2022/02/17
	complete by the mullicipality	<i>f</i>









Property Owner: Grazyna & Stanislaw Zajac

2670 Embelton Rd. Brampton, Ontario, L6X 0E2

Architects Inc. 505 QUEENSWAY EAST UNIT 207, MISSISSAUGA, ON.,, CANADA, L5A 4B4

T: 905 238 1330 F: 905 238 1332 E: bwartdesign@gm

PROJECT NAME:

HOUSE **ADDITIONS** 

2670 Embleton Road, Brampton, Ontario

DRAWING NAME:

MAIN BLDG. (CROSS SECTION)

JOB NO: DRAWING NO:

SCALE: 1:150 A201

