

APPLICATION # A-2022-0299
WARD 7

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **IIAN LAMBERT** 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 140, Plan M-820 municipally known as **24 LEEWARD DRIVE**, Brampton:

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

1. To permit a balcony / deck encroachment of 1.35m (4.43 ft.) into the required rear yard resulting in a rear yard setback of 6.4m (21 ft.) whereas the by-law permits a maximum unenclosed porch encroachment of 45cm resulting in a rear yard setback of 7.3m (23.95 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 25, 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

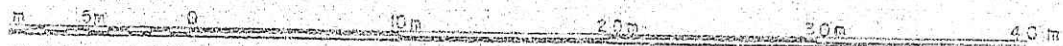
DATED at Brampton Ontario, this 13th Day of October, 2022

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

BUILDING LOCATION SURVEY OF LOTS 139, 140 AND 141, PLAN 43M-820 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

SCALE 1:400

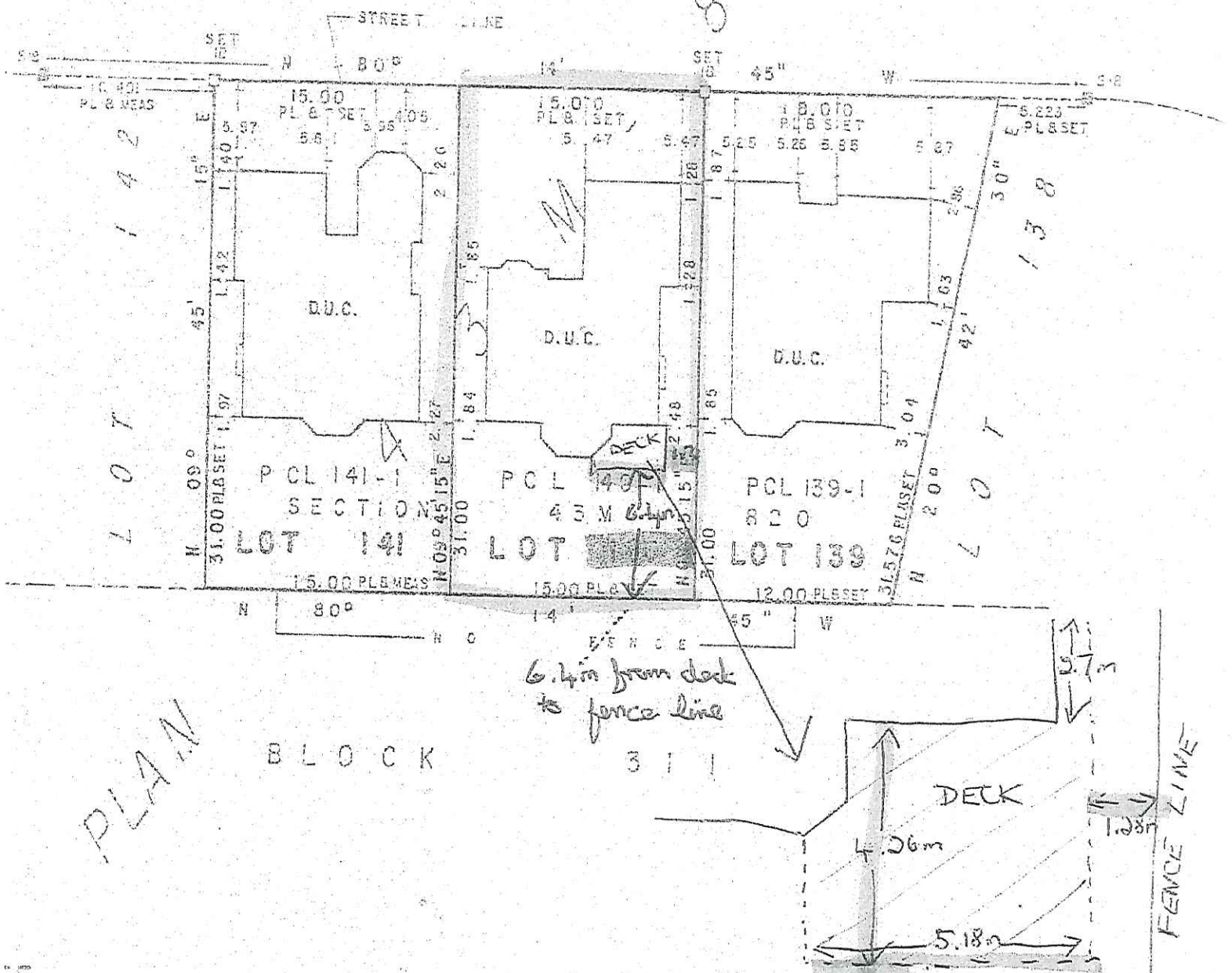


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METRIC

DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
 CONVERTED TO FEET BY DIVIDING BY 0.3048

LEEWARD DRIVE
 (BY PLAN 43M-820)



PLAN

BLOCK

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS

□ DENOTES DWELLING UNDER CONSTRUCTION
 □ DENOTES STANDARD IRON BAR

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 25, 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, October 20, 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, October 20, 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, October 20, 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, October 20, 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.

- Name of Owner(s)** IAIN LAMBERT
Address 24 LEeward DRIVE
BRAMPTON
L6S 5V7
Phone # 405 783 3784 **Fax #** _____
Email iam@lambert1957@gmail.com
- Name of Agent** ADAM RAZ
Address 5 SAND VALLEY ST
MAPLE, ONT
L6A 0R4
Phone # 416 895 7251 **Fax #** _____
Email info@royalinnovation.ca
- Nature and extent of relief applied for (variances requested):**
TO PERMIT A DECK ENCROACHMENT OF 1.35 metres
INTO THE REQUIRED REAR YARD RESULTING IN A
REAR YARD SETBACK OF 6.4 METRES.
- Why is it not possible to comply with the provisions of the by-law?**
THE BYLAW DOES NOT PERMIT ENCROACHMENTS
INTO THE REQUIRED REAR YARD OF 7.75 METRES.
- Legal Description of the subject land:**
Lot Number 140
Plan Number/Concession Number 43M - 820
Municipal Address 24 LEeward DRIVE, BRAMPTON, L6S 5V7
- Dimension of subject land (in metric units)**
Frontage 15 METRES
Depth 31 METRES
Area 15 x 31 = 465 sq METRES
- Access to the subject land is by:**

Provincial Highway	<input type="checkbox"/>	Seasonal Road	<input type="checkbox"/>
Municipal Road Maintained All Year	<input checked="" type="checkbox"/>	Other Public Road	<input type="checkbox"/>
Private Right-of-Way	<input type="checkbox"/>	Water	<input type="checkbox"/>

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 DETACHED DWELLING OF GROSS FLOOR AREA OF 278 SQ METRES
 * A 5.18M X 3.08M DECK; 2.43M HIGH AS WE HAVE A WALKOUT BASEMENT

PROPOSED BUILDINGS/STRUCTURES on the subject land:

* SAME 2 STOREY DWELLING - NO CHANGES
 * SAME SIZE OF DECK EXCEPT ADDING 1.21M TO DEPTH SO 5.18M X 4.29M AND STILL 2.43M HIGH

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	<u>DECK</u>	<u>-</u>	<u>20.34M</u>
Rear yard setback	"	<u>-</u>	<u>7.58M</u>
Side yard setback	"	<u>-</u>	<u>1.2M</u>
Side yard setback	"	<u>-</u>	<u>8.53M</u>

PROPOSED

Front yard setback	<u>DECK</u>	<u>-</u>	<u>20.34M</u>
Rear yard setback	"	<u>-</u>	<u>6.4M</u>
Side yard setback	"	<u>-</u>	<u>1.2M</u>
Side yard setback	"	<u>-</u>	<u>8.53M</u>

10. Date of Acquisition of subject land: MARCH 1989
11. Existing uses of subject property: RESIDENCE
12. Proposed uses of subject property: RESIDENCE
13. Existing uses of abutting properties: RESIDENCES
14. Date of construction of all buildings & structures on subject land: 1989
15. Length of time the existing uses of the subject property have been continued: 33 yrs

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 _____

CITY OF BRAMPTON

Iain Lambert
Signature of Applicant(s) or Authorized Agent

DATED AT THE 6th OF SEPTEMBER
THIS 6 DAY OF SEPT, 20 22

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, IAIN LAMBERT, 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 15th DAY OF

September, 20 22

Jeanie Myers
A Commissioner etc.

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

Iain Lambert
Iain Lambert
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1B(1)- 329, Mature N'hood

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

September 22, 2022
Date

DATE RECEIVED

Sept. 16, 2022

Date Application Deemed
Complete by the Municipality

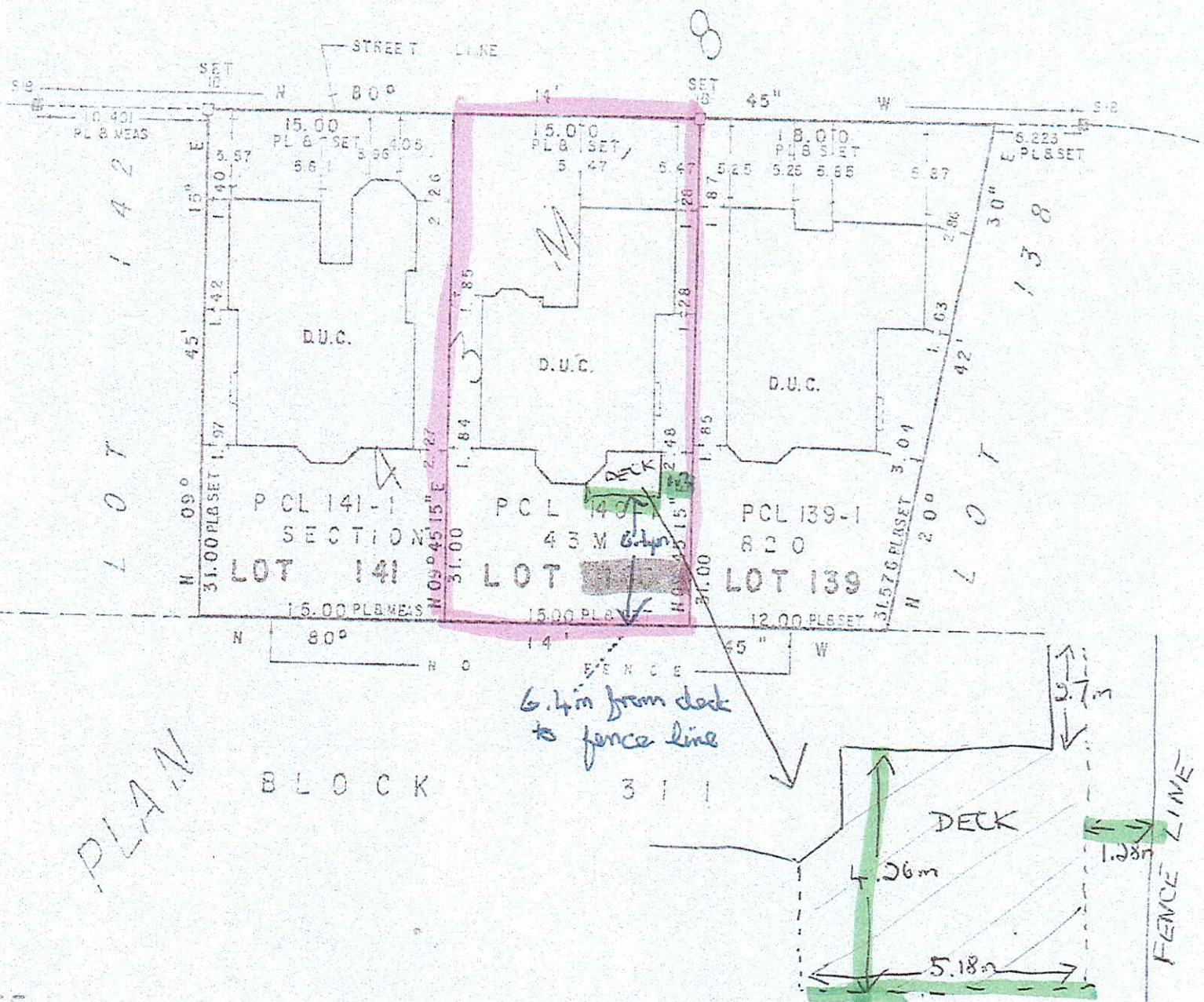
Revised 2022/02/17

BUILDING LOCATION SURVEY OF LOTS 139, 140 AND 141, PLAN 43M-820 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

SCALE 1:400
 JOSEPH RADY - PENTEK LTD., O.L.S. 1988

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LEEWARD DRIVE
 (BY PLAN 43M-820)



DENOTES DWELLING UNDER CONSTRUCTION
 DENOTES STANDARD IRON BAR

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 THE FIELD SMOKEY REPRESENTED ON THIS PLAN...



a

b

c

d

e

A-2022-0299