

APPLICATION # A-2023-0033
WARD #1

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **1000142489 ONTARIO INC.** 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 43, Plan 351 municipally known as **9 ROGERS ROAD**, Brampton;

AND WHEREAS the applicant is requesting the following variance(s) associated with the proposed "retained" lot under consent application B-2023-0001:

1. To permit a lot width of 8 metres whereas the by-law requires a minimum lot width of 15 metres;
2. To permit a lot area of 377 square metres whereas the by-law requires a minimum lot area of 450 square metres.

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:	<u>NO</u>	File Number:	<u></u>
Application for Consent:	<u>YES</u>	File Number:	<u>B-2023-0001</u>

The Committee of Adjustment has appointed **TUESDAY, March 7, 2023 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, the Minister, a specified person or a public body.

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 this 16th Day of February, 2023.

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

Minor Variances

	Required R1B Zone	Proposed
Minimum Lot Area	450m ²	±377.0m ²
Minimum Lot Width	15m	±8.0m

#5
1.5 Storey Dwelling

#7
1 Storey Dwelling

#9
1 Storey Dwelling
(to be demolished)

Proposed
Driveway

Accessory
Structures
(to be demolished)

Shed

#11
1 Storey Dwelling

#46
2 Storey Dwelling

#13
1 Storey Dwelling

#44
2 Storey Dwelling

Rogers Rd
±15.3m Public R.O.W.

Appendix B

Minor Variance
Sketch

9 Rogers Road,
City of Brampton

Legend



Lands Subject to Minor Variance
Lot Area: ±377.0m² (0.09ac)
Lot Width: ±8.0m



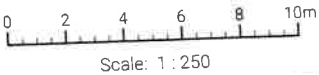
Other Lands Owned by Applicant
Lot Area: ±399.1m² (0.10ac)
Lot Width: ±8.0m



Proposed 2 Storey Building Envelopes



Existing Structures to be Demolished



Note: This drawing is for discussion purposes only.
Boundary and structures to be verified by an O.L.S.
Source: MyBrampton interactive map.

Drawn By: A.M.

Date: February 3, 2023

File No: 149-22



Powell Planning & Associates

Town of New Tecumseth
County of Simcoe, ON

Mobile: 647.828.2467
Email: aimee@powellplanning.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 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 **March 7, 2023** 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, March 2, 2023.**

- 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, March 2, 2023.**
 2. To participate in-person, please email the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm Thursday, March 2, 2023.**
- 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, March 2, 2023.** . 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 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) 1000142489 Ontario Inc

Address 13 Callalily Road

Brampton Ontario, L7A 0M4

Phone # 416-821-5765 Fax #

Email kempa@keangroup.ca

2. Name of Agent Aimee Powell c/o Powell Planning & Associates

Address 202 Eighth Avenue, New Tecumseth, ON, L9R 0H5

Phone # 647-828-2467 Fax #

Email aimee@powellplanning.ca

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

Relief of lot frontage for an interior yard - 15 m required, 8 m provided

Relief of minimum lot size - 450 sq.m required, 377 sq.m provided

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

Lot limitations in accordance with the requested severance

5. Legal Description of the subject land: Registered Plan 351

Lot Number 43

Plan Number/Concession Number

Municipal Address 9 Rogers Road

6. Dimension of subject land (in metric units)

Frontage 8

Depth 35.5

Area 377 sq.m

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 single detached dwelling - 1 storey, GFA +/- 78.2 m see Appendix D for further details

Existing detached Garage - 1 storey, GFA +/- 29.3 sq.m see Appendix D for further details

Existing accessory structure - 1 storey, GFA +/- 17.2 sq.m see Appendix D for further details

Existing accessory structure - 1 storey, GFA +/- 5.4 sq.m see Appendix D for further details

PROPOSED BUILDINGS/STRUCTURES on the subject land:

single detached dwelling

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 setback7.4 m

Rear yard setback1.2 m

Side yard setback.4 m

Side yard setback2.4 m

PROPOSED

Front yard setback6 m

Rear yard setback7.5 m

Side yard setback1.8 m

Side yard setback1.8 m

10. Date of Acquisition of subject land: 2022
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: 1952
15. Length of time the existing uses of the subject property have been continued: 71 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 # B-2023-0001 Status CONCURRENT pending

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 City OF Brampton
THIS 6th DAY OF February, 2023

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, Kemba Williams, OF THE city OF Toronto
IN THE Prov OF Ontario 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
Feb THIS 6th DAY OF
Feb, 2023

[Signature]
A Commissioner etc.

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

[Signature]
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1B, MATURE

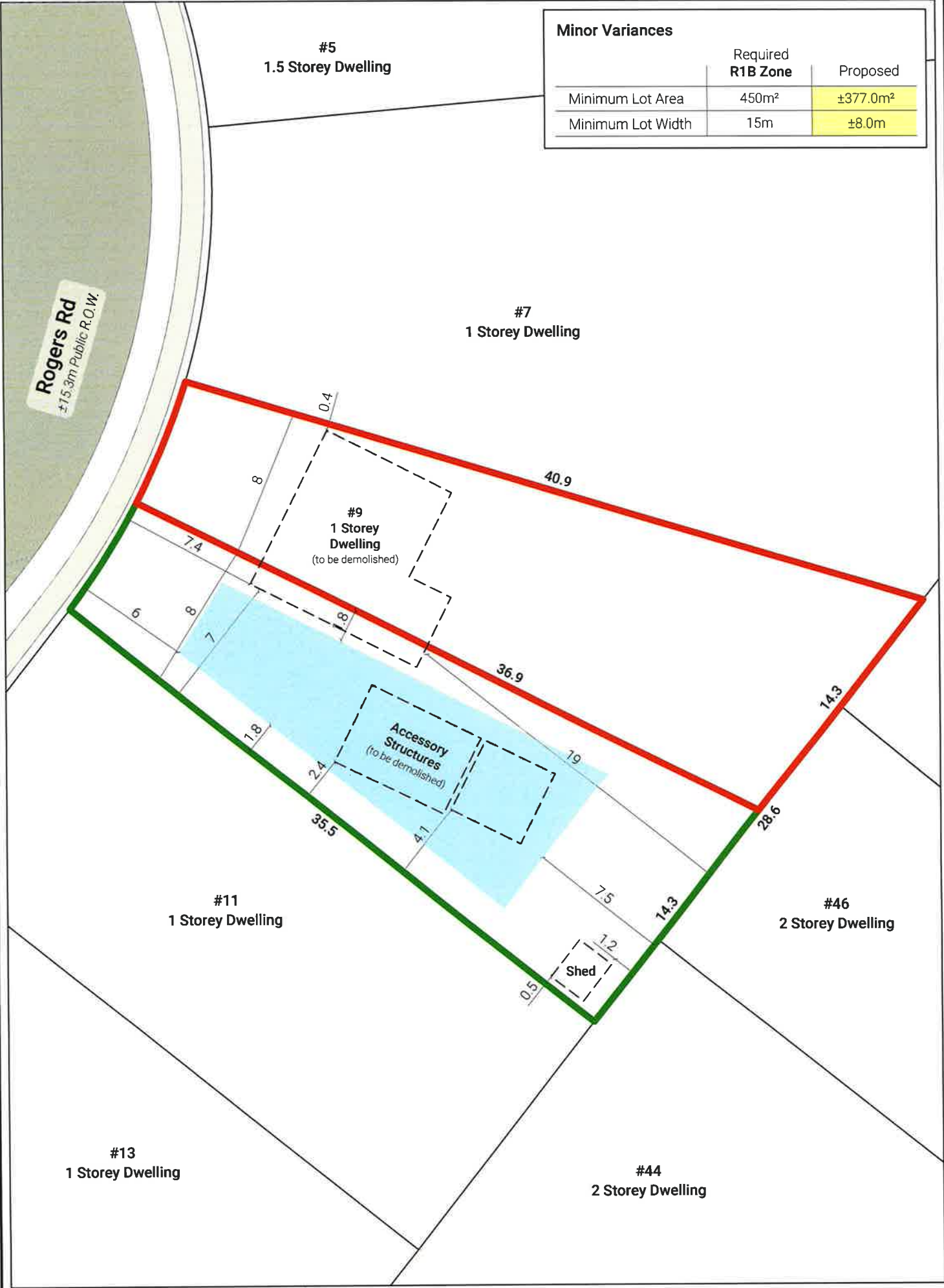
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

HOTHUS text here
Zoning Officer

FEB 06 2023
Date

DATE RECEIVED February 6, 2023

Date Application Deemed
Complete by the Municipality



Minor Variances		
	Required R1B Zone	Proposed
Minimum Lot Area	450m ²	±377.0m ²
Minimum Lot Width	15m	±8.0m

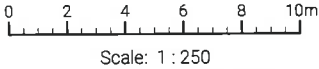
Appendix B

Minor Variance Sketch

9 Rogers Road,
City of Brampton

Legend

-  Lands Subject to Minor Variance
Lot Area: ±377.0m² (0.09ac)
Lot Width: ±8.0m
-  Other Lands Owned by Applicant
Lot Area: ±399.1m² (0.10ac)
Lot Width: ±8.0m
-  Proposed 2 Storey Building Envelopes
-  Existing Structures to be Demolished



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Boundary and structures to be verified by an O.L.S.
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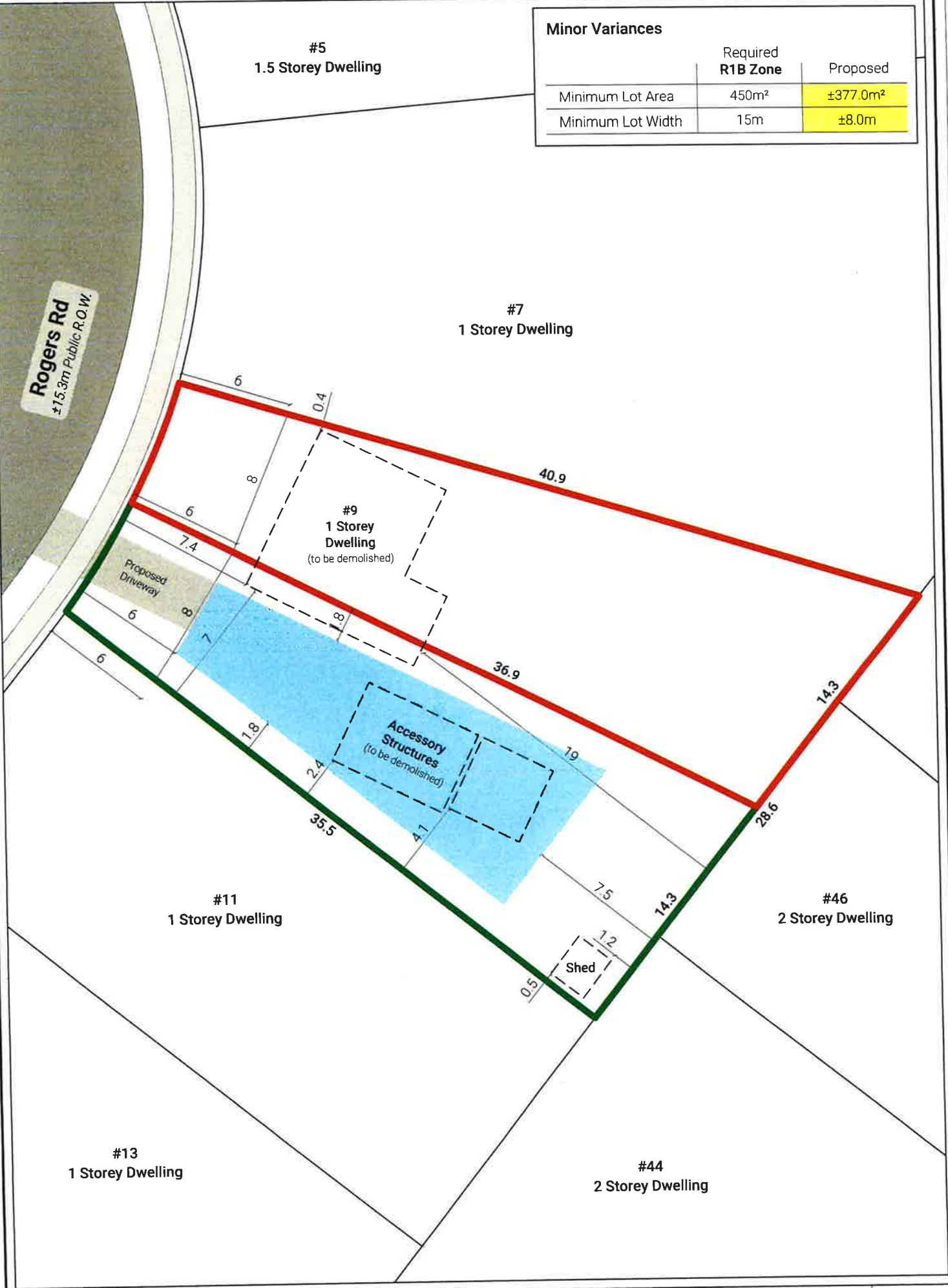
Drawn By: A.M. Date: January 19, 2023

File No: 149-22



Powell Planning & Associates

Town of New Tecumseth Mobile: 647 828 2467
County of Simcoe, ON Email: aimnee@powellplanning.ca



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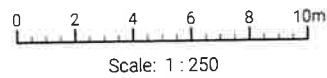
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Drawn By: A.M.

Date: February 3, 2023

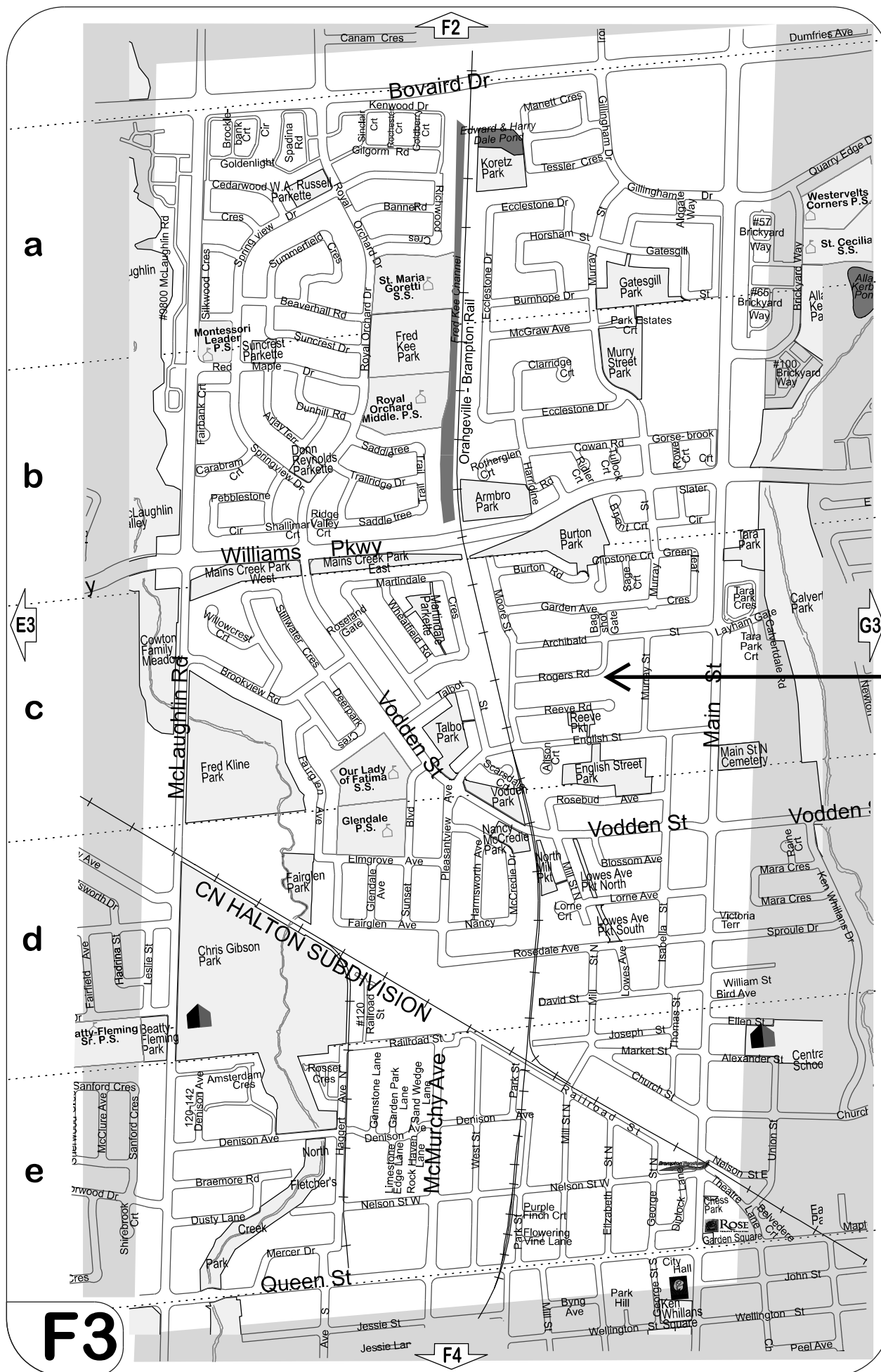
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