

# **Public Notice**

Committee of Adjustment
APPLICATION # A-2023-0032
WARD #8

#### **APPLICATION FOR MINOR VARIANCE**

WHEREAS an application for minor variance has been made by **LORENZO ACCETTOLA AND LAURA ACCETTOLA** 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 Lot 294, Plan 43M-1622 municipally known as **44 UPPER RIDGE CRESCENT**, Brampton;

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

1. To permit a swimming pool with a setback of 2.68m (8.80 ft.) to a lot line abutting an Open Space – Section 1807 zone whereas the by-law requires a minimum 10m (32.80 ft.) setback for any building, structure or swimming pool from any lot line abutting an Open Space –Section 1807 zone.

# OTHER PLANNING APPLICATIONS:

,	20489400	the subject of an application under the Planning Act for	•
Plan of Subdivision:	NO	File Number:	
Application for Consent:	NO	File Number:	
broadcast from the Counc	il Chambers, 4th	TUESDAY, March 7, 2023 at 9:00 A.M. by electronic i Floor, City Hall, 2 Wellington Street West, Bramptoi	
purpose of hearing all partie	s interested in sur	pporting 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.

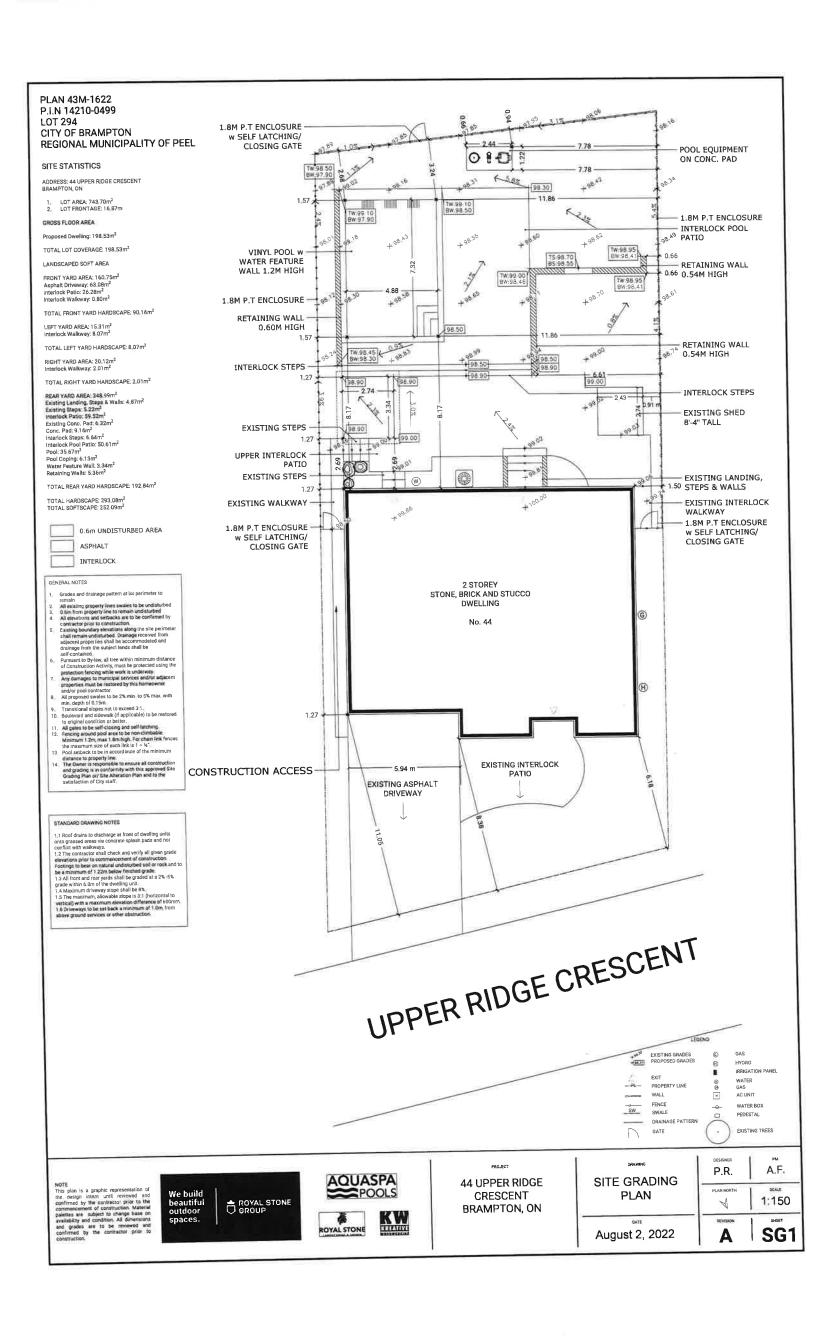
# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this this 23rd 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





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 **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 <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, March 2, 2023.
- 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, March 2, 2023.
- 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**, **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 <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.

### **Flower City**



Private Right-of-Way

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

FILE NUMBER: 🔼

Other Public Road

Water

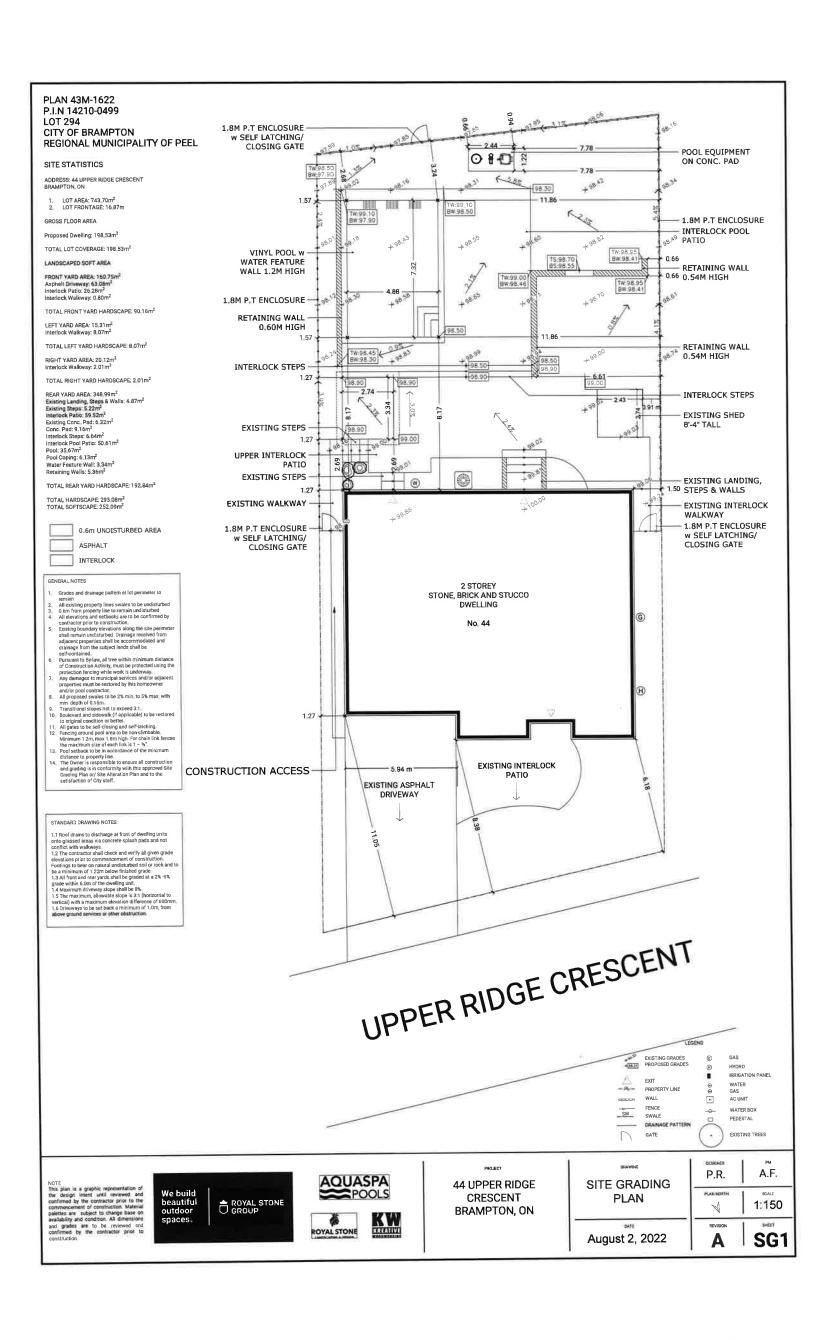
-2023-003Z

e Personal Information collected on this form is collected pursuant to section 45 of the Planning Act pplicants are advised that the Committee of Adjustment is a public process and the information contail blic information and is available to anyone upon request and will be published on the City's website. ould be directed to the Secretary-Tressurar, 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. Laura and Lorenzo Accettola Name of Owner(s) 1. Address 44 Upper Ridge Crescent, Brampton, ON L6P 2C7 Phone # 905-915-0501 Email Laura.Accettola.Home@qmall.com Fax# Anthony Bartolini 2. Name of Agent Address 1204 Hill Street, Innisfil, ON, L9S 1X8 Fax # Phone # **Email** 3. Nature and extent of relief applied for (variances requested): To permit a swimming pool with a setback of 2.68 meters to an Open Space (OS-Section 1807) zone whereas the by-law requires a minimum setback of 10 meters for any building, structure or swimming pool from any lot line abutting an OS-Section 1807 zone. Why is it not possible to comply with the provisions of the by-law? Can not comply with the setback for the in-ground pool, asking for 2.68m rear yard setback. Legal Description of the subject land: Lot Number 294 Plan Number/Concession Number 43m-1622 Municipal Address 44 Upper Ridge Crescent, Bra Dimension of subject land (In metric units) Frontage 18.777m Depth 41.456m Area 743.7m2 Access to the subject land is by: Seasonal Road Provincial Highway Municipal Road Maintained All Year

8.	Particulars of all buildings and structures on or proposed for the sub- land: (specify <u>in metric units</u> ground floor area, gross floor area, number storeys, width, length, height, etc., where possible)									
	EXISTING BUILDING	S/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)							
:	Existing 2 storey of House Footprint:	98.53m <sup>2</sup>								
3										
9										
-		NGS/STRUCTURES on	the subject land:							
5	Pool= 35.67m <sup>2</sup>									
3			<del></del>							
3										
9.	Location of all (specify distance	buildings and str ce from side, rear	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )							
	EXISTING Front yard setback	6.18m								
	Rear yard setback									
	Side yard setback Side vard setback	1.27m 1.50m								
	PROPOSED		,							
	Front yard setback Rear yard setback	N/A 2.68m								
	Side yard setback	1.57m								
	Side yard setback	11.86m								
10.	Date of Acquisition	of subject land:	March 2006							
11.	Existing uses of su	bject property:	Residential							
12.	Proposed uses of s	ubject property:	Residential							
13.	Existing uses of ab	utting properties:	Residential							
14.	Date of construction	n of all buildings & stru	actures on subject land: March 2006							
15.	Length of time the	existing uses of the sul	bject property have been continued: 16 years							
6. (a)	What water supply Municipal	is existing/proposed?	Other (specify)							
(b)	What sewage dispo Municipal Septic	osai is/wili be provided	? Other (specify)							
(c)	What storm draina Sewers Ditches	ge system is existing/p	roposed? Other (specify)							
	Swales	₹	(-p)/							

•••	subdivision or cons	ent?	i air applioacoir allac	and I lamining Part, for up	provar or a plan or			
	Yes	No 🔳						
	If answer is yes, pro	ovide details:	Flie #	Status _				
18.	Has a pre-consultat	tion application be	een filed?					
	Yes	No 🔳						
19.	Has the subject pro	perty ever been t	he subject of an appli	cation for minor variance	?			
	Yes 🗌	No 📟	Unknown	· ¬				
	If answer is yes, pr		_	_				
	File #	Decision		Relief				
	File #	Decision		Relief				
	File #	Decision						
				5-1	• 6			
			Signa	ture of Applicant(s) or Author	orized Agent			
DAT	TED AT THE C.9	ry	OF Swan	upton				
THI	s jad DAY O	Feb	. 20 23 .	/				
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	//20	ning Officer		Date		1		
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DATE RECEIVED 2, 2023  Revised 202001/07								





CFN 67768 August 26, 2022

Laura Accettola (laura.accettola.home@gmail.com) 44 Upper Ridge Crescent Brampton, Ontario L6P 2C7

Dear Laura Accettola:

Permission for Minor Works - Letter of Approval No. C-221044/LAURA ACCETTOLA Application for Letter of Approval under Ontario Regulation 166/06 by LAURA ACCETTOLA for permission to install a swimming pool, undertake minor landscaping involving the placement, removal or regrading of material of less than 30 cubic metres (equivalent to 3 truckloads) and construct a non-habitable accessory structure up to 50 sq. m (538 sq. ft) on Plan, Lot 9, Concession 8, 44 Upper Ridge Crescent, in the City of Brampton, Humber River Watershed.

On August 26, 2022 your application 1037/22/BRAM for a Letter of Approval was authorized. The purpose of this application is to undertake works within TRCA's regulated area of the Humber River watershed in order to facilitate installing a (35.67 sq.m) pool with a (3.34 sq.m.) water feature wall, and the development of (9.16sq.m.) paving for pool equipment to sit on, (50.61 sq.m.) interlock pool patio paving, and a non-structural retaining wall in the rear yard. The subject property is located at 44 Upper Ridge Crescent, in the City of Brampton. All works must comply with the following stamped approved plans and/or documents:

Drawing no. SG1, Site Grading Plan, dated August 2, 2022, prepared by P.R., received by TRCA on August 9, 2022.

### AND MUST COMPLY WITH THE FOLLOWING CONDITIONS: **Standard Permit Conditions**

- The Owner shall strictly adhere to the approved TRCA permit, plans, documents and conditions, including TRCA redline revisions, herein referred to as the "works", to the satisfaction of TRCA. The Owner further acknowledges that all proposed revisions to the design of this project that impact TRCA interests must be submitted for review and approval by TRCA prior to implementation of the redesigned works.
- 2. The Owner shall notify TRCA Enforcement staff 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein.
- 3. The Owner shall grant permission for TRCA staff, agents, representatives, or other persons as may be reasonably required by TRCA, in its opinion, to enter the premises without notice at reasonable times, for the purpose of inspecting compliance with the approved works, and the terms and conditions of this permit, and to conduct all required discussions with the Owner, their agents, consultants or representatives with respect to the works.
- 4. The Owner acknowledges that this permit is non-transferrable and is issued only to the current owner of the property. The Owner further acknowledges that upon transfer of the property into different ownership, this permit shall be terminated and a new permit must be obtained from TRCA by the new owner. In the case of municipal or utility projects, where works may extend beyond lands owned or easements held by the municipality or utility provider, Landowner Authorization is required to the satisfaction of TRCA.

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- 5. This permit is valid for a period of two years from the date of issue unless otherwise specified on the permit. The Owner acknowledges that it is the responsibility of the Owner to ensure a valid permit is in effect at the time works are occurring; and, if it is anticipated that works will not be completed within the allotted time, the Owner shall notify TRCA at least 60 days prior to the expiration date on the permit if an extension will be requested.
- 6. The Owner shall ensure all excess fill (soil or otherwise) generated from the works will not be stockpiled and/or disposed of within any area regulated by TRCA (on or off-site) pursuant to Ontario Regulation 166/06, as amended, without a permit from TRCA.
- 7. The Owner shall install effective erosion and sediment control measures prior to the commencement of the approved works and maintain such measures in good working order throughout all phases of the works to the satisfaction of TRCA.
- 8. The Owner acknowledges that the erosion and sediment control strategies outlined on the approved plans are not static and that the Owner shall upgrade and amend the erosion and sediment control strategies as site conditions change to prevent sediment releases to the natural environment to the satisfaction of TRCA.
- 9. The Owner shall repair any breaches of the erosion and sediment control measures within 48 hours of the breach to the satisfaction of TRCA.
- 10. The Owner shall make every reasonable effort to minimize the amount of land disturbed during the works and shall temporarily stabilize disturbed areas within 30 days of the date the areas become inactive to the satisfaction of TRCA.
- 11. The Owner shall permanently stabilize all disturbed areas immediately following the completion of the works and remove/dispose of sediment controls from the site to the satisfaction of TRCA.
- 12. The Owner shall arrange a final site inspection of the works with TRCA Enforcement staff prior to the expiration date on the permit to ensure compliance with the terms and conditions of the permit to the satisfaction of TRCA.
- 13. The Owner shall pay any additional fees required by TRCA in accordance with the TRCA Administrative Fee Schedule for Permitting Services, as may be amended, within 15 days of being advised of such in writing by TRCA for staff time allocated to the project regarding issues of non-compliance and/or additional technical review, consultation and site visits beyond TRCA's standard compliance inspections.

We have enclosed one copy of this Letter of Approval, which includes one set of the authorized plans/documents that were approved as part of this Permission for Minor Works. A copy of this letter and one set of plans have been submitted to the municipality. Please ensure that the plans approved by the municipality are consistent with the plans authorized by staff and ratified for approval by the Executive Committee. This Letter of Approval is valid until August 25, 2024

Please be advised that if revisions to the design of this project are required subsequent to the issuance of this approval, plans/documents reflecting these changes will need to be submitted to this office for further review and approval prior to construction of the redesigned works.

For information regarding revisions, technical or administrative related issues please contact Marina Janakovic, Planner I, at 437-880-2368.

Sincerely,

Colleen Bonner

Senior Planner, Development Planning and Permits

Development and Engineering Services

Encl.

cc: Cindy Hammond, Manager, Building Division, City of Brampton (Cindy.Hammond@brampton.ca) Livani Bala, AquaSpa Pools & Landscape Design Ltd. (livani@royalstone.ca)

### **STIPULATIONS**

All terms and conditions imposed upon this permit are legally binding.

Failure to comply with this permit can result in further action by Toronto and Region Conservation Authority (TRCA) in accordance with the Conservation Authorities Act.

This permit, or a copy thereof, must be posted on the site and available for inspection.

The owner is responsible for the accuracy of all information and technical details.

This permit does not preclude nor imply any approvals required by any other existing laws and regulations, including landowner consents.

All in-water and near water works must be conducted within the construction timing window as prescribed by Provincial and/or Federal Statutes.

#### **REVISIONS**

Any revisions or changes to the approved work(s) that impact TRCA interests require further TRCA approvals prior to being initiated.

# **RE-ISSUANCE (EXTENSION)**

On a one-time basis, applicants may apply for a permit extension provided such requests are made at least 60 days prior to the expiration of an Ontario Regulation 166/06 permit. In the Application for Permit Re-Issuance, applicants shall set out the reasons for which an extension is required. Such requests will be assessed in accordance with any new updated technical hazard information and the current policies in place. There is no guarantee of an automatic approval.

#### FREEDOM OF INFORMATION ACT

The information contained on this form and any accompanying plans and documents is collected under the authority of the Conservation Authorities Act and Regulations made thereunder for the purpose of processing permits and is deemed to be public information. Questions about the collection of information should be directed to the Information and Privacy Officer, Toronto and Region Conservation Authority, Tel: 416-661-6600.

### **NOTE**

TRCA shall not be responsible for any losses, costs, or damages arising out of the location, design, or construction of, or failure to construct, the works set out in the stamped approved documents.

