

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **SHAWN BELL AND ERIN BELL** 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 100, Plan 354 municipally known as **117 ELLIOTT STREET**, Brampton;

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

1. To permit a garden suite having a side yard setback of 0.91m (3.0 ft.) whereas the by-law requires a minimum side yard setback of 1.8m (5.91 ft.) for a garden suite;
2. To permit an existing accessory structure (pool shed) having a setback of 0.15m (0.50 ft.) to the nearest lot lines whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) to the rear lot line and 2.4m (7.87 ft.) to the side lot line for an accessory structure.

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: _____ NO _____
Application for Consent: _____ NO _____

File Number: _____
File Number: _____

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.

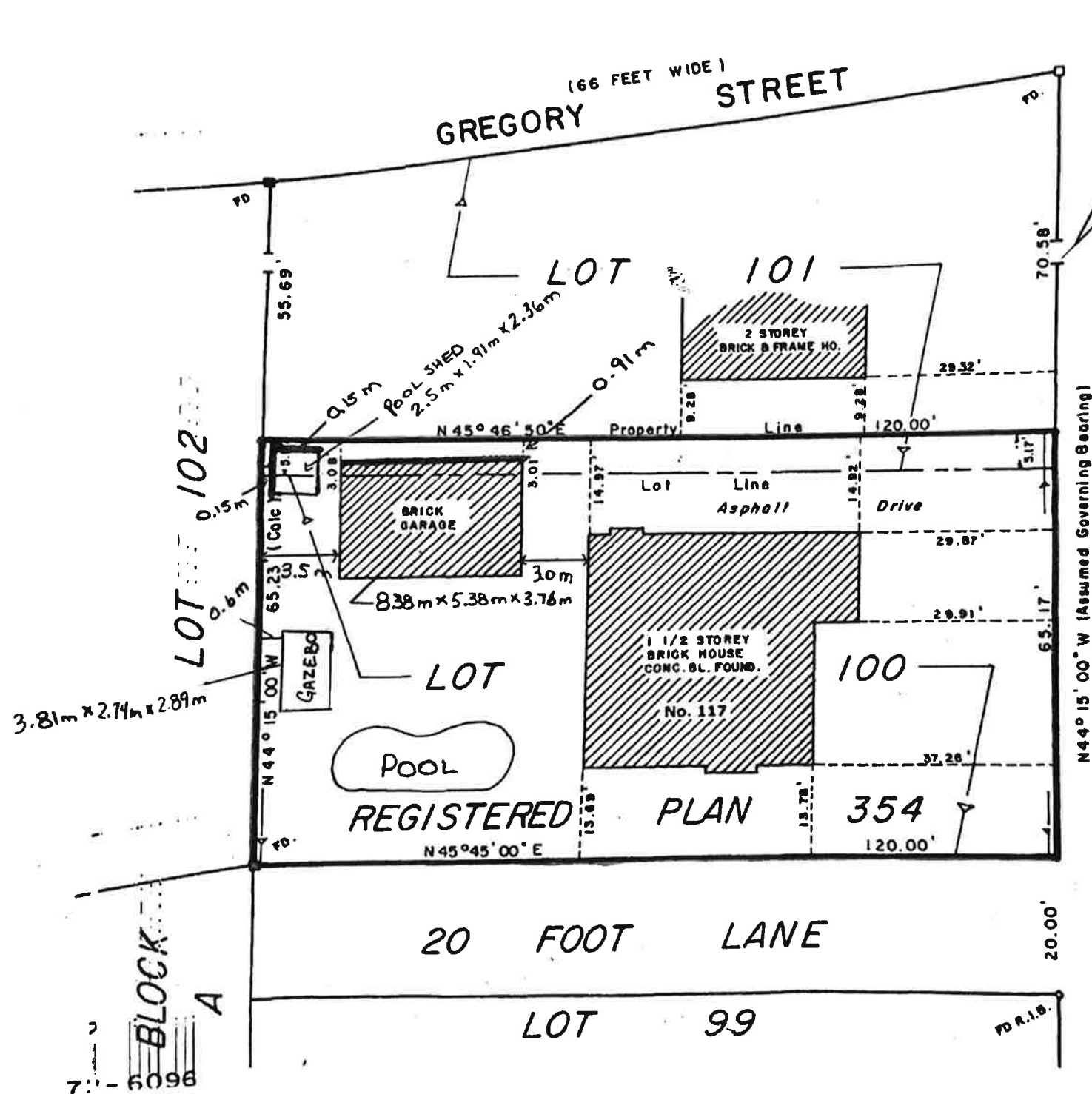
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this this 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 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) Shawn and Erin Bell

Address 117 Elliott Street

Brampton, ON

L6Y 1W5

Phone # 289-839-9999 Fax # _____

Email shawncbell@hotmail.com

2. Name of Agent _____

Address _____

Phone # _____ Fax # _____

Email _____

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

1. To permit a 0.91m interior side yard setback to a proposed garden suite whereas the by-law requires a minimum interior side yard setback of 1.8m.

2. To permit a 0.15m interior side and rear yard setback to existing pool shed.

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

1. The current detached garage has been on the property for over 50 years. It is a solid brick structure on a concrete pad. In order to comply with the provisions of the by-law for garden suites it would require either 1) Tear down existing structure and rebuild 2) Modify the garage to the extent that it would not look good/fit in with the neighborhood.

5. Legal Description of the subject land:

Lot Number 100

Plan Number/Concession Number _____ Registered Plan Number 354

Municipal Address 117 Elliott Street, Brampton, ON L6Y 1W5

6. Dimension of subject land (in metric units)

Frontage 19.86

Depth 36.58

Area 726.47

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.)

Main House - Main Floor 130 sq/m, Top Floor 100 sq/m, Total 230 sq/m, 1 1/2 Storeys
Width - 11.21 m Length - 12.67 m

Garage - Total 45.08 sq/m Width - 5.38 m Length - 8.38 m Height - 3.76 m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Main House - No changes. All measurements remain the same as above

Garage - Total 90.16 sq/m Width - 5.38 m (same as above) Length - 8.38 m (same as above) Height - 7.5 m

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	House - 9.10 m Garage - 26.99 m Pool Shed - 33.76 m
Rear yard setback	House - 12.55 m Garage - 2.97 m Pool Shed - 0.15 m
Side yard setback	House - 4.55 m Garage - 0.91 Pool Shed - 0.15 m
Side yard setback	House - 4.17 m Garage - 13.57 - Pool Shed - 16.65 m

PROPOSED

Front yard setback	House/Garage/Pool Shed - All same as above
Rear yard setback	House/Garage/Pool Shed - All same as above
Side yard setback	House/Garage/Pool Shed - All same as above
Side yard setback	House/Garage/Pool Shed - All same as above

10. Date of Acquisition of subject land: December 2016

11. Existing uses of subject property: Single Family Home

12. Proposed uses of subject property: Single Family Home with Garden Suite

13. Existing uses of abutting properties: Single Family Homes

14. Date of construction of all buildings & structures on subject land: 1949 (estimate)

15. Length of time the existing uses of the subject property have been continued: 1949 (estimate)

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 _____



Signature of Applicant(s) or Authorized Agent

DATED AT THE City _____ OF Brampton _____

THIS 27 DAY OF January, 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, Shawn Bell, OF THE City _____ OF Brampton _____

IN THE Province _____ 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 Province _____ OF

Ontario THIS 27 DAY OF

January, 2023.

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



Signature of Applicant or Authorized Agent

Submit by Email


A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1B-3057, 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.



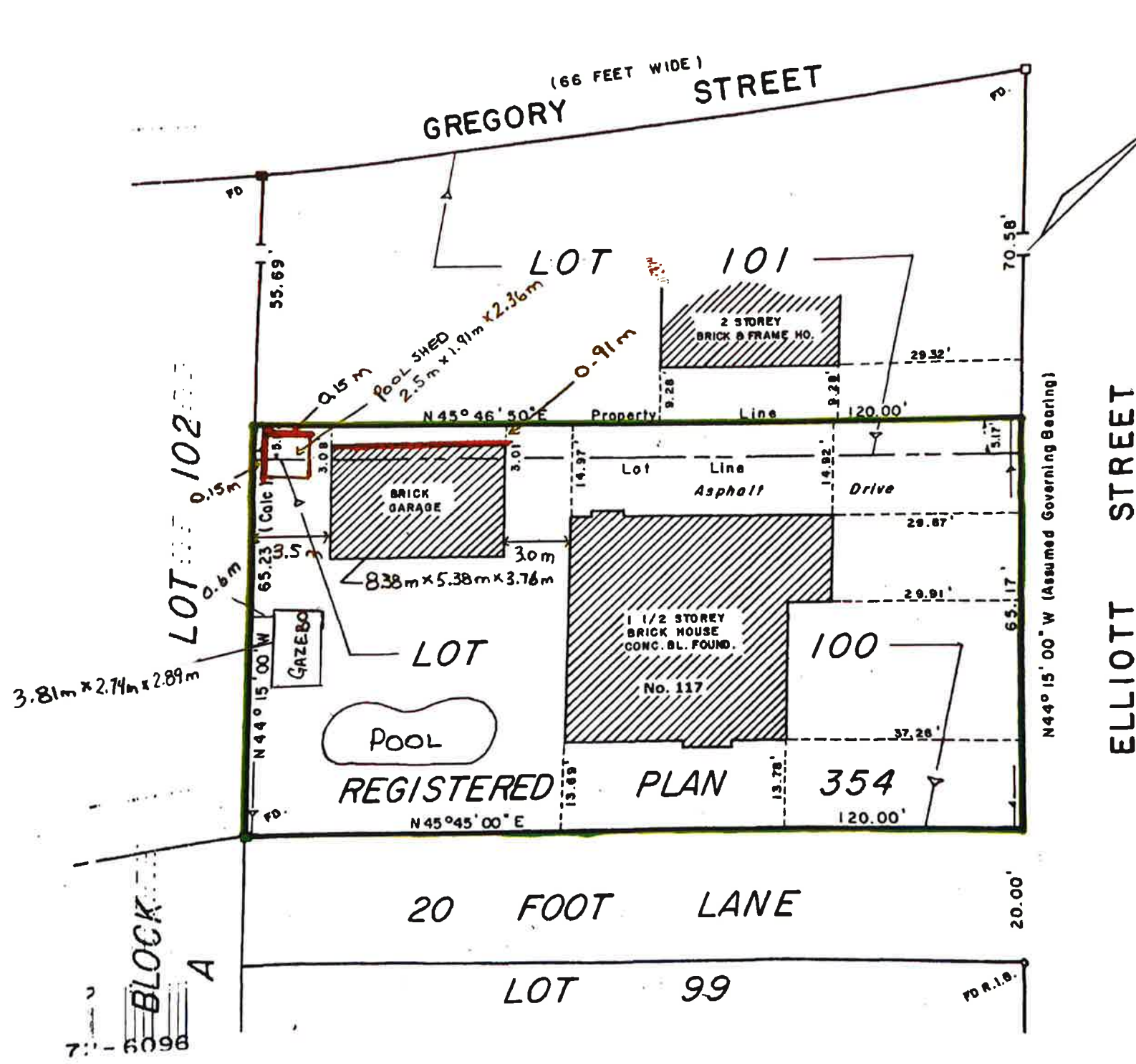
Zoning Officer

January 27, 2023

Date

DATE RECEIVED

January 27, 2023



SKETCH SHOWING
 BUILDINGS ON
 LOT 100 AND 1
 REGISTERED
 TOWN OF BF
 COUNTY OF
 SCALE 1"

NOTES
 —□— DENOTES STANDARD
 —■— DENOTES 5/8" SQUA

MADE FOR

McLEAN, McMURCH
 ONTARIO LAND SURVEYOR
 P.O. BOX 310
 BRAMPTON, ONTARIO
 PHONE 451-0460

Bruce I. McM
 BRUCE I. McMURCH
 ONTARIO LAND SURVEY

BRAMPTON, ONTARIO
 JULY 13, 1972.

A-2023-0027

