

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **VASILIOS PAPOUTSIS** 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 14, Plan D-25 municipally known as **61 RIVER ROAD**, Brampton;

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

1. To permit a side yard setback of 0.94m (3.08 ft) to an existing addition whereas the by-law requires a minimum side yard setback of 7.5m (24.60 ft).

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, May 9, 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.

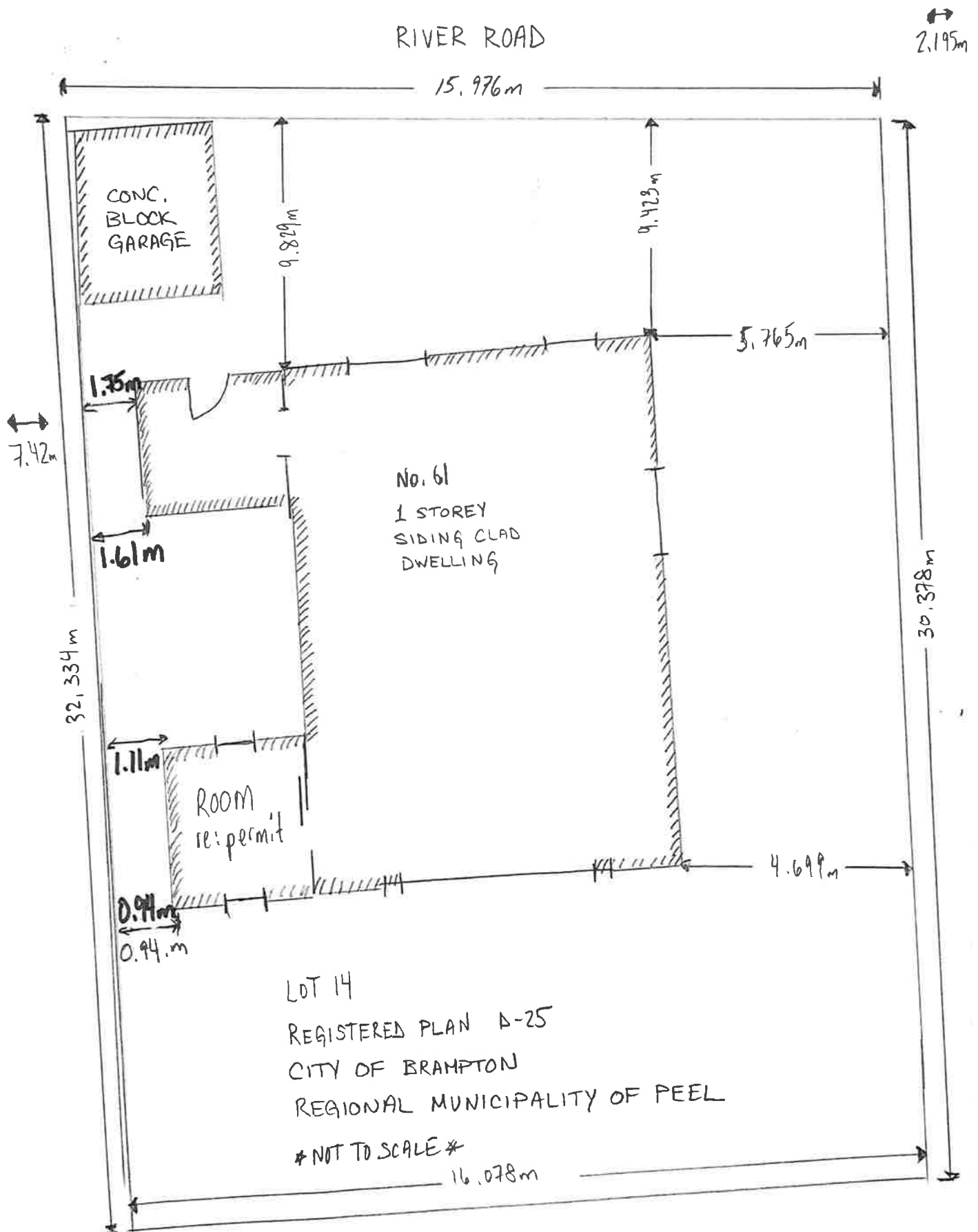
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 27th Day of April, 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 **May 9, 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, May 4, 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, May 4, 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, May 4, 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, May 4, 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.

AMENDMENT LETTER

April 25, 2023

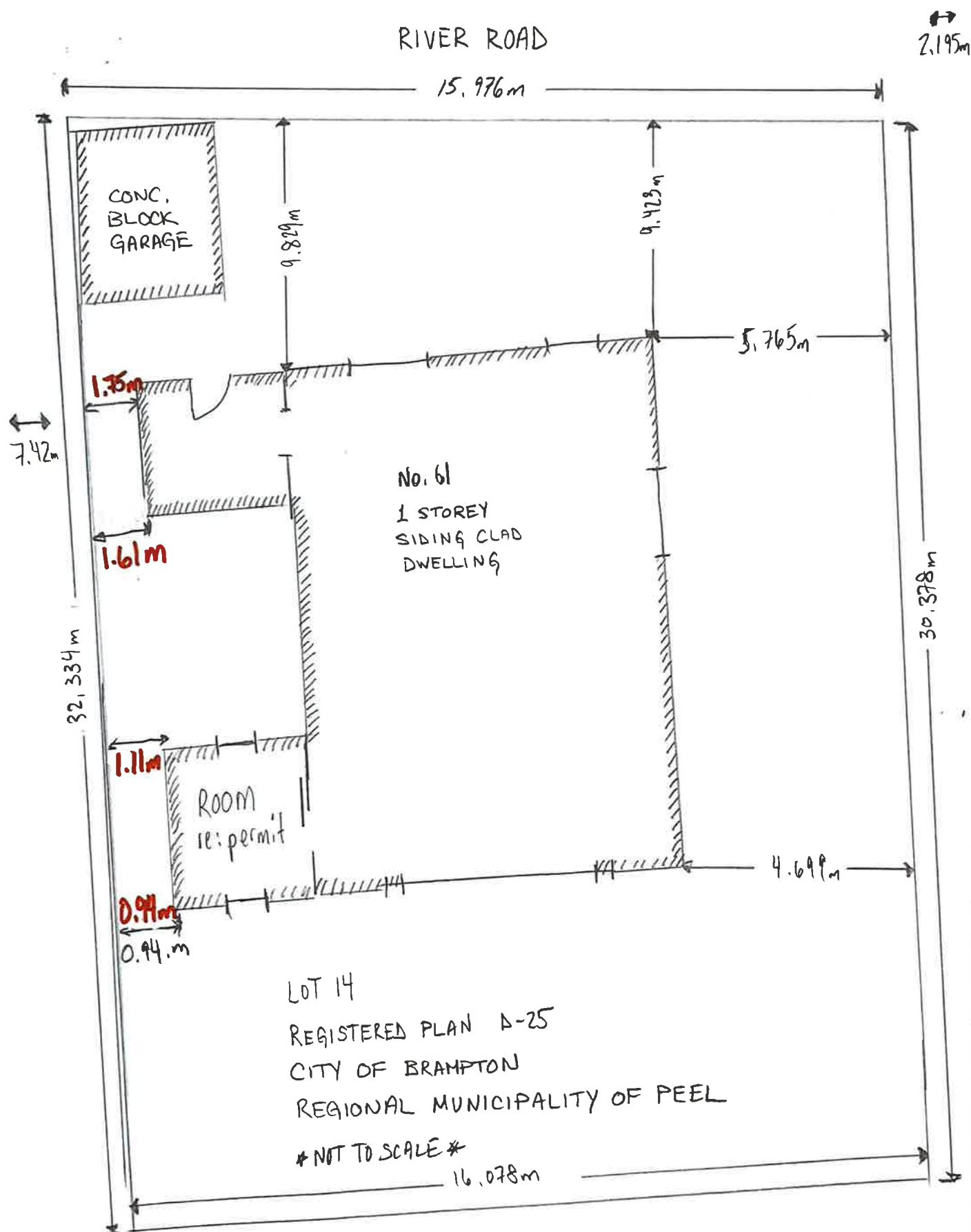
To: Committee of Adjustment
VASILIOS PAPOUTSIS
LOT 516, PLAN 695
A-2023-0105– 61 RIVER ROAD

Please **amend** application **A-2023-0105** to reflect the following:

1. To permit a side yard setback of 0.94m (3.08 ft) to an existing addition whereas the by-law requires a minimum side yard setback of 7.5m (24.60 ft).

Vasilios Bill Papoutsis

Applicant/Authorized Agent



April 11, 2023

A-2023-0105

Re: Committee of Adjustment Application for minor variance – 61 River Road, Brampton

Good day members of the Committee.

I am writing to you today to support my application for a minor variance to the by-law for my home at 61 River Road, Brampton. My home is a one-story bungalow built in the 1950's when River Road was a cottage community predating development in the area.

I purchased my home on July 2021 after the sale of my matrimonial home in Churchville on Martin's Blvd. as a result of a divorce necessitated by COVID-19 stresses. (Still not sure why.)

When I purchased the home, it was to provide a 'forever' home for myself and my 12 year old son who enjoyed the rural landscape of living in Churchville, a city on a street with a 'small town' feel. I knowingly assumed an Order to Comply as part of the purchase of 61 River Road because my plans in 2021,2022 included demolishing portions of the home to renovate for a new dwelling. At the time, the Order to Comply would have been addressed through the new permit process.

However, my financial situation started to change dramatically over 2022 into 2023 and in order to deal with the outstanding order, I applied for a demolition permit as it seemed to be the easiest way out without investing large sums of money on a renovation. Regrettably, earlier this year, due to the economic reality and financial pressures, I was forced to place the home up for sale and discovered the Order to Comply had been registered against title which has placed a tremendous amount of stress and additional financial pressure on me. This has impacted the value of my home in a market already being hit hard by rising interest rates.

The home sold late March (below asking) to a couple with 2 adult children who intend to demolish the entire home to build their dream home on the property. I am now in the unfortunate position of having to apply for a minor variance for a side yard setback for a structure measuring roughly 2.9m x 2.9m whereby the side yard setback variance for the RHM1 zoning is 7.5m despite plans by the new homeowners. I did not build this structure. It has been there for 30+ years and now brought to the attention of the city a few years ago. Not sure who and why, but it is so.

I do wish to note that the majority of homes on River Road are legal-non-conforming including mine on the side yard setbacks. My frontage is 15.976m therefore respecting the side yard requirement of 7.5m on both sides would take up 15m.

I am asking for the variance to be approved because the structure being questioned was added sometime 30-40 years ago and is not a concern of CVC or Heritage. The home at 61 River Road will be demolished and a new home rebuilt by the new owners which will address all planning, building, heritage and CVC requirements as part of their process. This whole permit endeavour

will cost me in excess of \$2,000 for a home that will be replaced. I am asking for either a delay in the Order to Comply pending a new construction application from the new owners of 61 River Road, a grandfathering of the setbacks and removal of the registration on title so I could successfully close on the sale without financially impacting me more negatively than currently am being.

Respectfully,
Vasilios (Bill) Papoutsis
61 River Road
Brampton, ON.
416-525-2455

A handwritten signature in black ink, appearing to read 'Vasilios' followed by a stylized surname, with a horizontal line drawn through the middle of the signature.



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) Vasilios Papoutsis

Address 61 River Road, Brampton Ontario L6X 0A8

Phone # 416-525-2455

Fax #

Email Bill.Papoutsis@iCloud.com

2. Name of Agent N/A

Address

Phone #

Fax #

Email

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

I am requesting a minor variance to the bylaw for my home at 61 River Road to recognize an as-built addition of a room measuring (a x b) which existed prior to my purchase of 61 River Road. The home overall is a legal non-conforming structure built in the 1950's and currently does not meet the RHm1 zoning as do the majority of homes on River Road which were cottages in the 50's, 60's onwards. The side yard setbacks are 7.5m. The addition has a 1.22m setback at its shortest point on the west side which was brought to my attention when I purchased the home in 2021. I now wish to sell it and the new owners have indicated they wish to demolish the home. There is an order to comply on title and I

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

The addition related to this application is an as-built structure in existence for many years and predates my purchase of the property. I am making this application to satisfy the City's planning and building requirements in order to remove the Order to Comply from title and ensure the sale of the property could be unhindered. The new owner(s) intend to demolish the home and seek a new construction permit.

5. Legal Description of the subject land:

Lot Number Lot 14

Plan Number/Concession Number Registered Plan D-25

Municipal Address 61 River Road, Brampton Ontario L6X 0A8

6. Dimension of subject land (in metric units)

Frontage 15.976 m (front) 16.078 m (rear)

Depth 32.334 m (west boundary) 30.378 m (east boundary)

Area Approximately 516.567 m2

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.)

There are the following structures on the land;
 - Existing home (61 River Road) 167.23 m² 1 storey w basement
 - Separate Garage - cinder block and wood (front) 22.3 m²
 - Wood Shed (rear) 9.3 m²
 - Wood Deck (rear)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No structures are proposed. The application for a minor variance is to recognize an existing as-built addition to 61 River Road likely built years, if not decades prior.

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 existing
 Rear yard setback existing
 Side yard setback existing
 Side yard setback existing

PROPOSED

Front yard setback existing
 Rear yard setback existing
 Side yard setback 1.22 m o 1.3m
 Side yard setback existing

10. Date of Acquisition of subject land: September 2021

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: Main Dwelling and Garage approximately 1950's

15. Length of time the existing uses of the subject property have been continued: Since 1950 73 yrs.

16. (a) What water supply is existing/proposed?

Municipal ☒ Other (specify) Municipal Water already services the dwelling
 Well ☐

- (b) What sewage disposal is/will be provided?

Municipal ☐ Other (specify) Septic already services the dwelling
 Septic ☒

- (c) What storm drainage system is existing/proposed?

Sewers ☐ Other (specify) Storm drains on street, runoff to valley from property
 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 11th DAY OF April, 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, Vasilios (Bill) Papoutsis, 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 11th DAY OF

April, 2023


A Commissioner etc.

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

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

Rhm1

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

April 12, 2023
Date

DATE RECEIVED

April 11, 2023

RIVER ROAD

2.195

15.776m

CONC.
BLOCK
GARAGE

9.829m

9.475m

5.765m

1.35

1.70

No. 61

1 STOREY
SIDING CLAD
DWELLING

Residential

11.913

ROOM
re: permit

1.3m

3m

Septic
holding
tank
underground

2.7m

4.699m

1.22

9.442m

LOT 14

REGISTERED PLAN A-75

CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

* NOT TO SCALE *

16.078m

32.334m

10.592m

30.378m

Prop. 1. 1. 0



A-2023-0105