



Agenda
Committee of Adjustment
The Corporation of the City of Brampton

Date: Tuesday, December 1, 2020
Time: 9:00 a.m.
Location: Council Chambers - 4th Floor, City Hall - Webex Electronic Meeting
Members: Ron Chatha (Chair)
Desiree Doerfler (Vice-Chair)
Ana Cristina Marques
David Colp
Rod Power

NOTICE: In consideration of the current COVID-19 public health orders prohibiting large public gatherings and requiring physical distancing, in-person attendance at Council and Committee meetings will be limited.

Some limited public attendance at meetings may be permitted by pre-registration only (subject to occupancy limits). It is strongly recommended that all persons continue to observe meetings online or participate remotely. To register to attend a meeting in-person, please visit https://www.brampton.ca/council_and_committees.

For inquiries about this agenda, or to make arrangements for accessibility accommodations (some advance notice may be required), please contact:
Jeanie Myers, Secretary-Treasurer, Telephone 905.874.2117, cityclerksoffice@brampton.ca

1. **Call to Order**

Application Location Map

2. **Adoption of Minutes**

3. **Region of Peel Comments**

4. **Declarations of Interest under the Municipal Conflict of Interest Act**

5. **Withdrawals/Deferrals**

5.1. **B-2020-0011**

ROSE GARDEN RESIDENCES INC.

PART OF LOTS 49, 50, 51, 52, 55, 56, 57, 58 AND 86 AND ALL OF LOTS 53 AND 54, PLAN BR-3 - 122-130 MAIN STREET NORTH, 7 AND 11 CHURCH STREET EAST, 6 AND 7 NELSON STREET EAST - WARD 1

Letter dated November 13, 2020 from Michael Vani of Weston Consulting, authorized agent, advising of withdrawal of consent application B-2020-0011 in the name of Rose Garden Residences Inc.

6. **NEW CONSENT APPLICATIONS**

6.1. **B-2020-0023**

FIRST GULF BUSINESS PARK INC.

PART OF BLOCK 2, PLAN M-947 - 70 BISCAYNE CRESCENT - WARD 3

The purpose of the application is to request the consent of the Committee for a lease in excess of 21 years of a portion of a parcel of land currently having a total area of approximately 41121.38 square metres (10.16 acres). The land to be leased has an area of approximately 537.38 square metres (0.13 acres) occupied by a commercial building (Wendy's and Tim Hortons Restaurant). The effect of the application is to facilitate a long term lease between the owner of the lands, First Gulf Business Park Inc. and the TDL Group Corp.

6.2. B-2020-0024

BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP INC.

PART OF LOT 17, CONCESSION 5 EHS. - 11613 BRAMALEA ROAD - WARD 9

The purpose of the application is to request the consent of the Committee to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres). The proposed severed parcel has a frontage of approximately 107 metres (351.05 feet), a depth of approximately 202 metres (662.73 feet) and an area of approximately 1.6 hectares (3.95 acres). The effect of the application is to create a new lot for future residential purposes.

6.3. B-2020-0025

TACC HOLBORN CORPORATION

PART OF LOT 4, CONCESSION 10 ND. - 100 ROCKSPUR COURT - WARD 8

The purpose of the application is to request the consent of the Committee to the grant of an easement having a width of approximately 11 metres (36.09 feet), a depth of approximately 105.69 metres (346.75 feet) and an area of approximately 1,133 square feet (105.26 square metres). The effect of the application is to create an access easement over Block 140 on Plan 43M-2092 in favour of Block 139 on Plan 43M-2092.

7. DEFERRED CONSENT APPLICATIONS

7.1. B-2020-0011

ROSE GARDEN RESIDENCES INC.

PART OF LOTS 49, 50, 51, 52, 55, 56, 57, 58 AND 86 AND ALL OF LOTS 53 AND 54, PLAN BR-3 - 122-130 MAIN STREET NORTH, 7 AND 11 CHURCH STREET EAST, 6 AND 7 NELSON STREET EAST - WARD 1

The purpose of the application is to request consent to sever approximately 1219.33 square metres (0.30 acres) from a parcel of land currently having a total area of approximately 8686.45 square metres (2.148 acres). The effect of the application is to create a new lot together with a permanent emergency access easement over the severed lands in favour of the retained lands. It is proposed that the subject lands be developed in phases.

7.2. B-2020-0019

CANON CANADA INC.

PART OF LOT 1, CONCESSION 5 WHS - 8000 MISSISSAUGA ROAD - WARD 6

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 74203.8 square metres (7.42 hectares). The effect of the application is to create a new lot having frontage of approximately 244.18 metres (800.85 feet), a depth of approximately 127.20 metres (417.32 feet) and an area of approximately 30,220.4 square metres (3.02 hectares); together with a mutual access easement for the proposed severed and retained parcels. The proposed severed lands are excess to Canon's needs. No new development is proposed as part of this consent application.

8. NEW MINOR VARIANCE APPLICATIONS

8.1. A-2020-0057

MARIA FRANCESCA DE PINTO AND CHRISTOPHER EDWARD ROGACKI

LOT 288, PLAN 810 - 24 FLAVIAN CRESCENT - WARD 8

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 7.8m (25.60 ft.) to a proposed second storey addition whereas the by-law requires a minimum rear yard setback of 8.1m (26.57 ft.);
2. To permit an existing accessory structure (shed) having a gross floor area of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
3. To permit 0.0m setback to an existing play structure (recreational facility) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the lot line;
4. To permit a 0.0m setback to the eaves on an existing accessory structure whereas the by-law requires a minimum setback of 0.1m (0.33 ft.) or a maximum encroachment of 0.5m (1.64 ft.);
5. To permit an existing fence in the rear yard having a maximum height of 3.05m (10 ft.) whereas the by-law permits a fence in the rear yard to a maximum height of 2m (6.56 ft.).

8.2. A-2020-0119

CHRISTINE MERRIFIELD

PART OF LOTS 27 AND 28, PLAN BR-2 - 13 SCOTT STREET - WARD 1

The applicant is requesting the following:

1. To permit the expansion of an existing legal non-conforming use (duplex) by adding one (1) additional unit in the basement of the existing dwelling resulting in a total of three (3) dwelling units whereas the by-law does not permit the proposed additional unit.

8.3. A-2020-0120

HARKANWAR SINGH AND HARKIRAN GULATI

LOT 218, PLAN 742 - 693 BALMORAL DRIVE - WARD 7

The applicants are requesting the following variance(s):

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 2.06m (6.76 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.).

8.4. A-2020-0123

SHERIDAN COLLEGE INSTITUTE OF TECHNOLOGY AND ADVANCED LEARNING

PART OF LOT 15, CONCESSION 1 WHS - 7899 MCLAUGHLIN ROAD - WARD 4

The applicant is requesting the following variance(s):

1. To permit outdoor festivals and special events that are not accessory to the permitted college use whereas the by-law permits a college and accessory uses only.

8.5. A-2020-0124

VIDOLL REGISFORD

PART OF LOT 34, PLAN BR-2 - 56 JOHN STREET - WARD 3

The applicant is requesting the following variance(s):

1. To permit a portion of the rear yard to be paved for the purpose of parking (as existing) whereas the by-law does not permit the rear yard to be paved for the purpose of parking except on a driveway leading to a garage.

8.6. A-2020-0125

WILLIAM AND LORNA WATTERSON

PART OF LOTS 1 AND 2, PLAN BR-3 - 17 FREDERICK STREET - WARD 3

The applicants are requesting the following variance(s):

1. To permit an interior side yard setback of 0.65m (2.1 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.9 ft.);
2. To permit a rear yard setback of 4.64m (15.25 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
3. To permit a roof above a rear porch to encroach into the required rear yard setback of 2.94m (9.65 ft.) resulting in a setback of 4.56m (14.96 ft.) to the roof whereas the by-law permits a maximum roof encroachment of 2.0m (6.56 ft.) into the required rear yard setback resulting in a required setback of 5.5m (18.04 ft.) to a roofed porch.

8.7. A-2020-0126

GERARD HARRICHARAN

LOT 379, PLAN 625 - 24 ALLENDALE ROAD - WARD 3

The applicant is requesting the following variance(s):

1. To permit lot coverage of 37.47% whereas the by-law permits a maximum lot coverage of 30%:
2. To permit an existing accessory structure (shed) having a setback of 0.30m (0.98 ft.) to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.60m (1.97 ft.) to the nearest lot line.

8.8. A-2020-0127

ANUM RAUF

LOT 131, PLAN M-1896 - 1 ELMCREST DRIVE - WARD 4

The applicant is requesting the following variance(s):

1. To permit an exterior side yard setback of 3.35m (11 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

8.9. A-2020-0128

2581558 ONTARIO INC.

PART OF BLOCK C, PLAN 518 - 72 ORENDA ROAD - WARD 3

The applicant is requesting the following variance(s):

1. To permit a Motor Vehicle Sales Establishment in conjunction with the existing Motor Vehicle Repair Shop whereas the By-law does not permit the proposed use;
2. To permit an existing accessory structure having a gross floor area of 246 sq. m (2647.92 sq. ft.) whereas the by-law permits a maximum gross floor area of 100 sq. m (1076.39 sq. ft.) for an accessory structure used for purposes other than an office;
3. To permit an interior side yard setback of 2.9m (9.51 ft.) to an existing accessory structure whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.) for an accessory structure to any lot line.

8.10. A-2020-0129

RAGHBIR UBHI

LOT 11, PLAN M-90 - 8 TORTOISE COURT - WARD 10

The applicant is requesting the following variance(s):

1. To permit an accessory structure (shed) having a gross floor area of 48.25 sq. m (519.36 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
2. To permit an accessory structure (cabana) having a gross floor area of 123.55 sq. m (1329.88 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
3. To permit a combined gross floor area of 171.8 sq. m (1849.24 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.);
4. To permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.).

8.11. A-2020-0130

YATIN PRAJAPATI AND JAVNIKA PRAJAPATI

PART OF LOT 25, PLAN 43M-1303, PART 28, PLAN 43R-23396 -

148 MOUNTAINBERRY ROAD - WARD 10

The applicants are requesting the following variance(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line.

9. DEFERRED MINOR VARIANCE APPLICATION

9.1. A-2020-0082

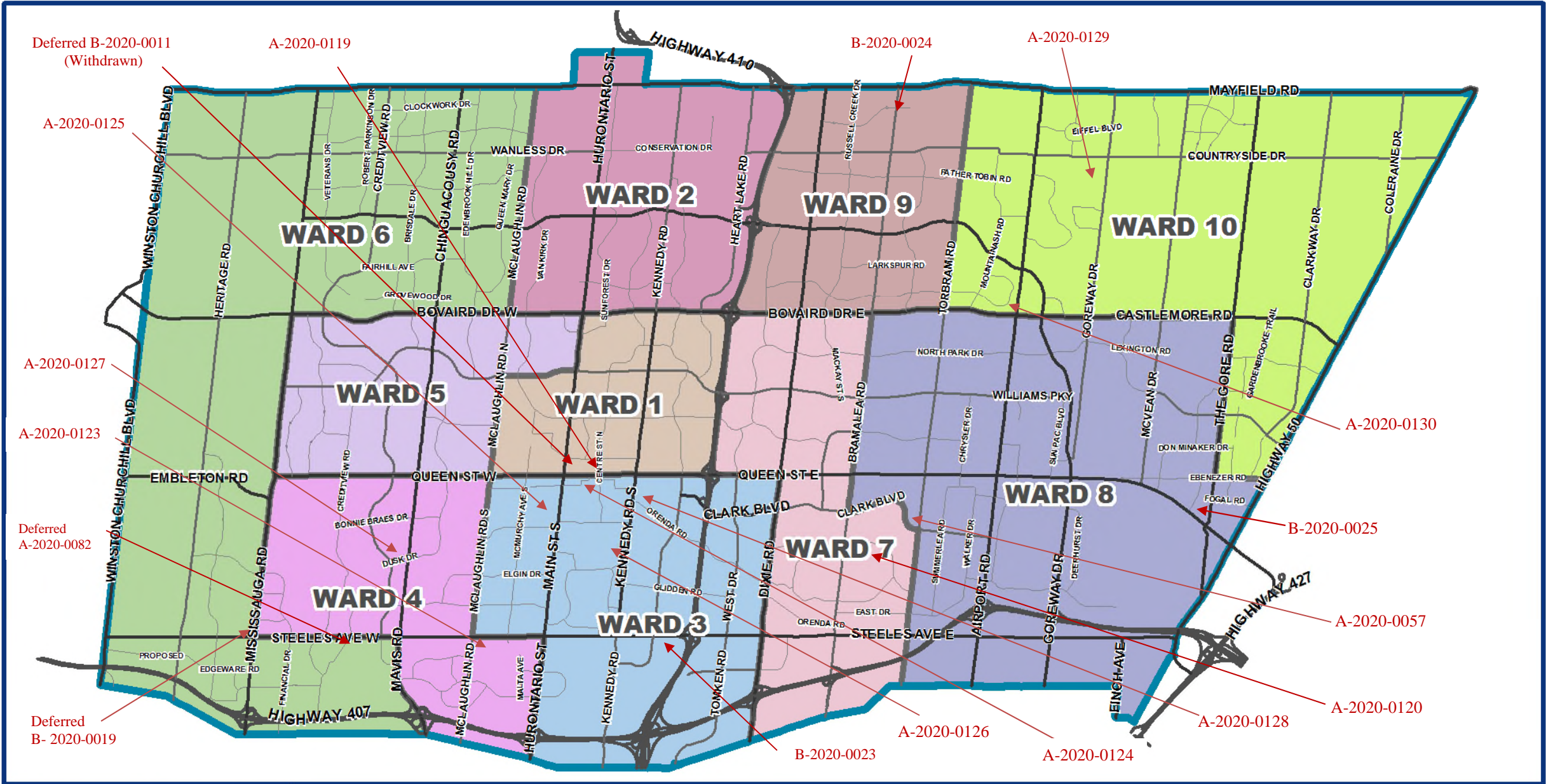
AGNIESZKA SZPALA


PART OF LOT 15, CONCESSION 3 WHS - 0 CHURCHVILLE ROAD - WARD 6

The applicant is proposing construction of a new detached dwelling and is requesting the following variance(s):


1. To permit an interior side yard setback of 1.2m (3.94 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft.).

10. Adjournment

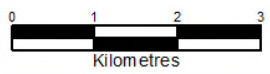




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NOVEMBER 10, 2020
9:00 A.M.
COUNCIL CHAMBERS
4TH FLOOR - CITY HALL

MEMBERS:

Ron Chatha, Chair
Desiree Doerfler, Vice Chair
Ana Cristina Marques
David Colp
Rod Power

STAFF:

Shelby Swinfield, Development Planner
Steve Ganesh, Manager, Development Services,
Elizabeth Corazzola, Manager, Zoning and Sign By-Law Services
Jeanie Myers, Secretary-Treasurer

ADOPTION OF MINUTES:

Moved by: A. C. Marques

Seconded by: R. Power

THAT the minutes of the Committee of Adjustment hearing held October 20, 2020 be approved, as printed and circulated.

CARRIED

DECLARATIONS OF INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT:

Member Desiree Doerfler declared a conflict of interest on Application A-2020-0118 stating a previous business relation with Umbria Developers.

WITHDRAWALS/DEFERRALS:

A-2020-0022

**KERRY'S PLACE RESIDENTIAL
SERVICES**

LOT 90, PLAN 43M-702
58 NEWBURY CRESCENT
WARD 7

Mr. Marc Kemerer, Devry Smith Frank LLP, authorized agent for the applicant, addressed Committee requesting that the application be deferred sine die noting that his client is currently going through the licensing process now that the Interim Control By-law has been lifted. Mr. Kemerer commented that it is unclear if Council will return to the topic or not and out of an

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abundance of caution requests that the application be deferred sine die to see how the other process goes.

Committee was advised that staff support of the applicant's request to defer the application for whatever length of time the Committee deems appropriate. Committee inquired if there was any suggestion of timelines.

Mirella Palermo, policy planner, addressed Committee advising that the Interim Control By-law expired on August 24, 2020 noting that there is no report coming forward regarding the Interim Control By-law because it has lapsed. Staff explained that on December 7, 2020 they will be bringing forward an information report to Planning Committee for a public meeting to move forward with recommending the proposed amendments that have been proposed through the study. Staff advised that the study's recommendation will be coming forward and in the new year they will move forward with the adoption of the policies noting that any changes will be acknowledged at the December 7, 2020 meeting.

Committee posed a question inquiring what an appropriate timeline would be for the deferral. Mr. Kemerer responded that it is not clear how long his client's licensing application will take commenting that there is also the aspect of an open house. He expressed that it is unclear when Council will be moving forward with the recommendations. It was his submission that a meeting in January or February would be premature advising that his client has been subject to two deferrals from the Committee and that a deferral sine die would be appropriate because of these timing uncertainties.

Staff informed Committee that they have been trying to move away from indefinite deferrals adding however that if the applicant is comfortable a deferral could be considered for a period no later than the last meeting of August, 2021. Mr. Kemerer acknowledged his acceptance of staff's recommendation.

Committee acknowledged the following correspondence:

E-mail correspondence dated November 4, 2020 from Tarjeet Punia, 26 Newbury Crescent in opposition to the application;

Letter dated November 9, 2020 from Amric Singh Ahluwalia, 54 Newbury Crescent in opposition to the proposal.

E-mail correspondence dated November 4, 2020 from Kim Johnston, 19 Newbury Crescent detailing concerns with the application;

E-mail correspondence dated November 4, 2020 from Irene Bardakjian, 58 Newbury Crescent in opposition to the application.

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Mr. Amric Singh Ahluwalia, 54 Newbury Crescent, addressed Committee advising that his concerns have been detailed in his written submission.

Committee commented that they do strongly take into consideration the comments of the neighbours and the perspective of the members of the public on things; providing ample opportunity for everyone to voice their opinions and present themselves. Committee reached the following decision:

Moved by: A. C. Marques

Seconded by: D. Colp

THAT application A-2020-0022 be deferred to a hearing date no later than August 24, 2021.

CARRIED

NEW MINOR VARIANCE APPLICATIONS

(1)

A18-057

ANDRZEJ BEBNOWSKI

LOT 20, PLAN BR-4
20 WEST STREET
WARD 1

The applicant is requesting the following variances associated with a double duplex dwelling:

1. To permit a double duplex dwelling (4 units) on a lot having a width of 19.31m (63.35 ft.) whereas the by-law requires a minimum lot width of 20.0m (65.62 ft.) for a double duplex dwelling;
2. To permit eight (8) parking spaces in the rear yard whereas the by-law does not permit the rear yard to be paved for the purpose of parking, except on a driveway leading to a garage;
3. To permit a drive aisle width of 3.1m (10.17 ft.) for two-way traffic leading to the proposed parking area in the rear yard whereas the by-law requires a minimum drive aisle width of 6.0m (19.68 ft.) for two-way traffic.

Mr. David Igelman, Design Plan Services Inc., authorized agent for the applicant, presented application A18-057 briefly outlining the variances requested for construction of a new double duplex dwelling on the subject property.

Mr. Igelman explained that approval of the variance for lot width reduction will not negatively impact the ability to facilitate the double duplex dwelling type on the subject lot adding that it will have no negative impact on the adjacent and surrounding properties. Mr. Igelman expressed that it will be virtually unnoticed from the street.

In terms of parking in the rear yard, Mr. Igelman explained that amenity space is provided within the building for the residents of the building and the paved area is designed to preserve some of

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the mature trees on the property. He added that further review of the parking will occur through the site plan process noting that during the preliminary review of the site plan which proposed parking in the front yard it was suggested by staff that parking be moved to the rear yard as it is a more appropriate location for the parking. He informed Committee that the site plan was revised as a result to relocate the parking to the rear as shown on the site plan attached to the application.

Mr. Igelman explained that the intent of the by-law in requiring a drive aisle width of 6 metres for two way traffic is to ensure that traffic can flow freely on a property where there are a large number of vehicles in motion. He added that the site is not intended to facilitate a mass amount of vehicles noting that it is more consistent with the character of a residential property. Mr. Igelman commented that clearance of the proposed driveway design has been provided by Transportation Planning Staff.

Committee acknowledged the following correspondence:

E-mail correspondence dated November 9, 2020 from Kevin Troake detailing concerns with the proposal.

E-mail correspondence dated November 4, 2020 from Bill Robbins, 73 Nelson Street West detailing concerns with the proposal.

E-mail correspondence dated November 4, 2020 from Natacha Sleiman detailing concerns with the proposal.

Mr. Bill Robbins, 73 Nelson Street West addressed Committee noting his concerns with the proposed location of the garbage bin against his back fence. He expressed concerns with rodent activity, odours, the presence of a large parking lot along the back and impact on property values.

Mr. Kevin Gobatto addressed Committee stating that he is not opposed to the application and that his only concern is with the parking lot at the back. He requested consideration for an acoustic fence between the subject property and his property.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff explained that the proposal is proceeding through a site plan where the use is permitted noting that this would have been the first public notification provided to the residents since it is not a requirement of the site plan process.

Zoning Staff confirmed that the zone is one of the few in the City that permits various multiple residential unit dwellings, to a maximum of four. Staff explained that the double duplex dwelling is permitted subject to a number of performance standards advising that the limitation of the variances requested in this application are related to performance standards and not for the use.

Staff noted that in terms of the concerns regarding the garbage bin and parking lot the application is going through site plan approval advising that the City is willing to work with the residents and contact can be made with the planner who is working on the site plan. In response to a question raised by Committee staff explained that the site plan process is not a public process noting that

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the residents can reach out to staff with their concerns. Mr. Robbins inquired how he could contact the planner and address the process in the proper manner. Staff shared the contact information of the planner who is assigned to the site plan file.

Following discussion, Mr. Igleman indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Doerfler

THAT application A18-057 to permit a double duplex dwelling (4 units) on a lot having a width of 19.31m (63.35 ft.); to permit eight (8) parking spaces in the rear yard and to permit a drive aisle width of 3.1m (10.17 ft.) for two-way traffic leading to the proposed parking area in the rear yard be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the owner finalize site plan approval under City File SP18-041.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(2)

A-2020-0106

BALWINDER SRAN AND
AMARJIT SRAN

LOT 53, PLAN 43M-587
25 HIGGINS CRES
WARD 3

The applicants are requesting the following variances(s):

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below grade in the required interior side yard;

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2. To permit an interior side yard setback of 0.79m (2.60 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.);
3. To permit an existing driveway width of 7.34m (24.08 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Mr. Balwinder Sran, applicant and owner of the property, presented application A-2020-0106 briefly outlining the variances requested. He advised that on the opposite side yard there is 1.23 metres available for access to the rear yard and that with respect to the driveway width there is a stamped concrete walkway adjacent to the driveway which adds to the visual aspect.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Sran indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: D. Colp

THAT application A-2020-0106 to permit an exterior stairway leading to a below grade entrance in the required interior side yard, to permit an interior side yard setback of 0.79m (2.60 ft.) to an exterior stairway leading to a below grade entrance and to permit an existing driveway width of 7.34m (24.08 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. The extended portion of the driveway shall not be parked or driven upon at any time by the whole or a part of a motor vehicle; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

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(3)

A-2020-0107

PEEL HOLDING INC.

PT. OF BLK. B, PLAN M-269
PART 1, PLAN 43R-13500
222 ADVANCE BLVD. UNIT 2
WARD 3

The applicant is requesting a variance to permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale whereas the by-law does not permit the proposed use.

Mr. Tanvir Rai, Noble Prime Solutions Ltd., authorized agent for the applicant, presented application A-2020-0107 briefly outlining the variance requested.

Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions.

Mr. Sandhu indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020-0107 to permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale be approved for the following reasons and subject to the following conditions:

1. That Motor Vehicle Sales Establishment use be limited to Unit 2 and the associated outdoor display be limited to one (1) vehicle.
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(4)

A-2020-0108

ANNA CICIONE

PT. OF LOT 39, PLAN BR 7
6 MILL STREET SOUTH
WARD 3

The applicant is proposing a one storey rear addition and is requesting the following variances(s):

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1. To permit a rear yard setback of 4.71m (15.45 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a lot coverage of 35.08% whereas the by-law permits a maximum lot coverage of 30%;
3. To permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.6m (1.97 ft.) to the nearest lot line.

Mr. Albert Yerushalmi, Eden Engineering & Design Inc, authorized agent for the applicant, presented application A-2020-0108 briefly outlining the variances requested for a proposed addition which will include a washroom and family room to enhance the dwelling unit.

Committee was informed that City of Brampton planning staff was in support of this application with conditions

Mr. Yerushalmi indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0108 to permit a rear yard setback of 4.71m (15.45 ft.); to permit a lot coverage of 35.08% and to permit an existing accessory structure (shed) having a setback of 0.0 metres to the rear and side lot lines be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the applicant submit elevations of the proposed addition and that those elevations shall be approved to the satisfaction of the Director of Development Services prior to construction commencing;
3. The drainage on adjacent properties shall not be impacted;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and

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2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(5)

A-2020-0109

**SHIBA BASNET AND SEEMA
BASNET**

**LOT 90, PLAN M-829
8 PREAKNESS COURT
WARD 4**

The applicants are requesting the following variances(s):

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 0.95m (3.12 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.).

Mr. Devendra Yeole, Innovation Trigger Consulting, authorized agent for the applicant, presented application A-2020-0109 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Yeole indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: D. Doerfler

THAT application A-2020-0109 to permit an exterior stairway leading to a below grade entrance in the required interior side yard and to permit an interior side yard setback of 0.95m (3.12 ft.) to an exterior stairway leading to a below grade entrance be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. The applicant obtain a building permit for the below grade entrance within sixty (60) days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;

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4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(6)

A-2020-0110

AAMIR FIDA AND QURAT UL AIN

LOT 65, PLAN M-441
26 NEWPORT STREET
WARD 7

The applicants are requesting the following variances(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;
2. To permit a below grade entrance stair having an exterior side yard setback of 1.83m (6.00 ft.) whereas the by-law requires an exterior side yard setback of 3.0m (9.84 ft.);
3. To permit an existing driveway width of 8.9m. (29.19 ft.) whereas the by-law permits a maximum driveway width of 7.32m (24.00 ft.);
4. To permit an encroachment of the eave on the canopy above the below grade entrance of 0.7m (2.30 ft.) whereas the by-law permits a maximum encroachment of an eave of 0.5m (1.64 ft.).

Mr. Devendra Yeole, Innovation Trigger Consulting, presented application A-2020-0110 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Yeole indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: D. Doerfler

THAT application A-2020-0110 to permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line'; to permit a below grade entrance stair having an

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exterior side yard setback of 1.83m (6.00 ft.); to permit an existing driveway width of 8.9m. (29.19 ft.) and to permit an encroachment of the eave on the canopy above the below grade entrance of 0.7m (2.30 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the fence remain constructed in its current location and height and shall not be removed or lowered;
4. That the applicant obtain a building permit for the below grade entrance within sixty (60) days of the final date of the Committee's decision, or within an extended period of the time at the discretion of the Chief Building Official;
5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(7)

A-2020-0111

MANJIT KAUR GREWAL

LOT 27, PLAN M-804
87 WOOLISTON CRES
WARD 4

The applicant is requesting the following variances(s):

1. To permit an exterior side yard setback of 2.526m (8.29 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 3.0m (9.84 ft.);
2. To permit an existing driveway width of 8.32m (27.30 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.);
3. To permit a 0.0m permeable landscape strip abutting a property line whereas the by-law requires a minimum 0.60m (1.97 ft.) permeable landscape strip.

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Mr. Patrick Cheeseman, authorized agent for the applicant, presented application A-2020-0111 briefly outlining the variances requested advising that he has read the staff recommendation report noting that the owner will comply.

Committee was informed that City of Brampton planning staff was in support of this application, in part, with conditions.

Mr. Cheeseman indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020- 0111 to permit an exterior side yard setback of 2.526m (8.29 ft.) to an enclosed below grade entrance; to permit an existing driveway width of 8.32m (27.30 ft.) and to permit a 0.0m permeable landscape strip abutting a property line be approved, in part, for the following reasons and subject to the following conditions:

1. That Variance 2 be approved to a maximum width of 7.02 metres (23.03 feet) and that the extended portion of the driveway shall be removed within ninety (90) days and said removal shall be demonstrated to the satisfaction of the Director of Development Services within ninety (90) days, or within an extended period of time as approved by the Director of Development Services;
2. That Variance 3 be **refused** and the 0.6m permeable landscape strip shall be reinstated and said reinstatement shall be demonstrated to the satisfaction of the Director of Development Services within ninety (90) days, or within an extended period of time as approved by the Director of Development Services;
3. That the extent of Variance 1 be limited to the extent shown on the sketch attached to the Public Notice;
4. That the fence remain constructed in its current location and height and shall not be removed or lowered;
5. That the below grade entrance shall not be used to access an unregistered second unit;
6. The extended portion of the driveway shall not be parked or driven upon at any time by the whole or a part of a motor vehicle;
7. That the applicant obtain a building permit for the below grade entrance and enclosure within sixty (60) days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; and

Committee of Adjustment Minutes

8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(8)

A-2020-0112

DIPEN PAREKH AND SONAL SHAH

LOT 29, PLAN 43M-1962
393 ROYAL WEST DRIVE
WARD 5

The applicants are requesting the following variances(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;
2. To permit an exterior side yard setback of 3.156m (10.35 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

Ms. Sonal Shah, applicant and owner of the property, presented application A-2020-0112 briefly outlining the variances requested. She commented that she would like to finish the basement and is happy to extend the fence over for privacy (condition number 3).

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Ms. Shah indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: A. C. Marques

THAT application A-2020-0112 to permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line and to permit an exterior side yard setback of 3.156m (10.35 ft.) to an exterior stairway leading to a below grade entrance be approved for the following reasons and subject to the following conditions:

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1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services; and
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(9)

A-2020-0113

**RAJANMOL DHINDSA AND
PREET BOPARAI DHINDSA**

**LOT 118, PLAN M-1898
24 TEMPLAR STREET
WARD 4**

The applicants are requesting the following variances(s):

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between a main wall of a dwelling and the flankage lot line;
2. To permit an existing accessory structure (shed) to be located in the exterior side yard whereas the by-law does not permit an accessory structure to be located in the exterior side yard.

Mr. Ismatullah Amiri, Nesta Design, authorized agent for the applicant, presented application A-2020-0113 briefly outlining the variances requested explaining that a building permit will be applied for later for the second unit in the basement.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Amiri indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

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Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0113 to permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line and to permit an existing accessory structure (shed) to be located in the exterior side yard be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the below grade entrance shall not be used to access an unregistered second unit;
3. That roof drainage from the accessory structure shall flow onto the applicant's property;
4. That drainage on adjacent properties shall not be adversely affected;
5. That the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services; and
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(10)

A-2020-0114

SHOKIN SINGH AND MANJIT KAUR
KULAR

PT. LOT 14, CONC. 9 EHS
10796 THE GORE ROAD
WARD 10

The applicants are requesting the following variances(s):

1. To permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 23 sq. m (247.57 sq. ft.);
2. To permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.);

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3. To permit 58.71% of the front yard to be landscaped open space (as existing) whereas the by-law requires a minimum 70% of the front yard to be landscaped open space.

Mr. Harjinder Singh, MEM Engineering, authorized agent for the applicant, presented application A-2020-0114 briefly outlining the variances requested.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff noted that proposed condition number 5 is recommended explaining that if the structure was determined to be a detached garage as defined by the Zoning By-law a site plan application would be required. Staff advised that the applicant has confirmed that the structure will be used as an accessory structure and therefore a site plan is not required.

Mr. Singh indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: R. Power

Seconded by: D. Colp

THAT application A-2020-0114 to permit an accessory structure (shed) on a lot within the Rural Estate Zone having a gross floor area of 128.58 sq. m (1384.02 sq. ft.); to permit an existing fence in the front yard having a maximum height of 1.8m (5.90 ft.) and to permit 58.71% of the front yard to be landscaped open space (as existing) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That roof drainage from the accessory structure shall flow onto the applicant's property;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the accessory building shall not be used as a separate dwelling unit;
5. That the accessory building shall not be used as a garage as defined within the Zoning By-law;
6. That the existing accessory structures be removed upon completion of the construction of the proposed accessory shed;
7. That the existing open style fencing shall not be replaced by a solid or opaque form of fencing;
8. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(11)

A-2020-0115

**DANIELS CHOICE MOUNT PLEASANT
CORPORATION**

**BLOCK 4, PLAN 43M-1927
10-40 LAGERFELD DRIVE
WARD 6**

The applicants are requesting the following variances(s):

1. To permit a building height of 26 storeys whereas the by-law permits a maximum building height of 25 storeys;
2. To permit 100% of the required bicycle parking to be vertical spaces whereas the by-law permits a maximum of 50% of the required bicycle parking to be vertical spaces and the rest must be horizontal spaces.

Ms. Arleigh Hack, Glen Schnarr & Associates, authorized agent for the applicant, presented application A-2020-0115 briefly outlining the variances requested advising that the applicant is advancing a site plan application. Ms. Hack spoke to the comments received from the Region of Peel which requested confirmation on the need for a potential secondary fire line as a result of the increased building height. Ms. Hack advised that the applicant has confirmed with the Region of Peel that the site will not require the secondary fire line as per the Ontario Building Code.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Ms. Hack indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application A-2020-0115 to permit a building height of 26 storeys and to permit 100% of the required bicycle parking to be vertical spaces be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;

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2. That the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(12)

A-2020-0117

**MOHAMMAD ASEFI AND LAYMA
AKBARI**

**LOT 431, PLAN 889
82 SUTHERLAND AVENUE
WARD 1**

The applicants are requesting the following variances(s):

1. To permit an existing accessory structure (gazebo) having a gross floor area of 19.32 sq. m (207.96 sq. ft.) whereas the by-law permits an individual accessory structure to a maximum size of 15 sq. m (161.46 sq. ft.).

Mr. Ismatullah Amiri, Nesta Design, authorized agent for the applicant, presented application A-2020-0117 briefly outlining the variances requested. Mr. Amiri advised that the applicants would like to keep a partition wall between the shed and the rear property line if possible for privacy.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff explained that in regard to a partition wall there is nothing in the conditions that would prevent the partition wall from remaining.

Zoning Staff requested additional wording be included in proposed condition number 4 to ensure clarity when Zoning Staff have to review compliance of something that could result in potentially two walls being added.

Mr. Amiri indicated that the proposed conditions, as amended, were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Doerfler

Seconded by: D. Colp

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THAT application A-2020-0117 to permit an existing accessory structure (gazebo) having a gross floor area of 19.32 sq. m (207.96 sq. ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That roof drainage from the accessory structure shall flow onto the applicant's property;
3. That drainage on adjacent properties shall not be adversely affected;
4. That the gazebo remain primarily of an open style construction and shall not be enclosed on more than two (2) sides;
5. That the applicant obtain a building permit for the gazebo within sixty (60) days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

MEMBER D. DOERFLER DECLARED A CONFLICT OF INTEREST ON APPLICATION A-2020-0118 AND DID NOT PARTICIPATE IN DISCUSSION

(13)

A-2020-0118 **UMBRIA DEVELOPERS INC.**

BLOCK 34, PLAN 43M-2086
39-41 ALLEGRO DRIVE AND
60-62 HASHMI PLACE
WARD 4

The applicant is requesting the following variance associated with construction of back-to-back semi-detached dwellings:

1. To permit a building height of 11.9m (38.04 ft.) whereas the by-law permits a maximum building height of 11.5m (37.73 ft.).

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Mr. Jason Afonso, Glen Schnarr & Associates, authorized agent for the applicant, presented application A-2020-0118 briefly outlining the variance requested explaining that the lot is currently vacant while the property is under construction for municipal services. He explained that the variance is requested due to the grading of the lot.

Committee was informed that City of Brampton planning staff was in support of this application with conditions.

Mr. Afonso indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed draft conditions and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: A. C. Marques

THAT application A-2020-0118 to permit a building height of 11.9m (38.04 ft.) be approved for the following reasons and subject to the following conditions:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That a clause be included within the Agreement of Purchase and Sale for the subject lot advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variance; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

DEFERRED MINOR VARIANCE APPLICATIONS

(14)

A-2020-0052

SONEIL KIPLING INC.

PT. OF LOT 5, CONC. 2 EHS
263 QUEEN STREET EAST
WARD 3

2020 11 10

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The applicant is requesting a variance to permit the temporary outside storage/parking of oversized motor vehicles (dump trucks) for a period of five (5) years whereas the by-law does not permit the use.

Mr. Colin Chung, Glen Schnar & Associates, authorized agent for the applicant, presented application A-2020-0052 advising that they had previously requested a deferral of the application for the purpose of meeting with staff to discuss the merits and contextual nature of the oversized vehicle/dump truck parking.

Mr. Chung explained that the current owner acquired the property recently advising that this is an existing retail plaza for which the City of Brampton has a vision for development along Queen Street. He commented that the current owner is supportive of that vision explaining that in the interim the owner is trying to generate income by utilizing the back of the retail plaza, separate from the retail clients parking area, for leasing space for the parking of dump trucks.

Mr. Chung informed Committee that the dump trucks and parking is under an order to comply advising that the owner was not aware when he signed a lease agreement with the tenant that the parking of dump trucks was in conflict with the Zoning By-law. Mr. Chung advised that the owner is looking for a temporary variance for a period of five years advising that staff is not supportive having a concern with the conflict with the ultimate vision and development of this site along Queen Street.

Mr. Sandy Dhaliwal of Comfort Inn, 5 Rutherford Road South, addressed Committee expressing concern with truck parking which operates 24 hours a day. He stated that there is no security and no cameras and finds it dangerous when the trucks come in at high speeds. He noted that trucks are idling overnight, there is washing of trucks, loud music and oil changes and made reference to a shooting that occurred in the truck compound that led to a death. Mr. Dhaliwal expressed concerns with safety.

Committee was informed that City of Brampton planning staff was not in support of this application advising that it is not supportable against the four tests of the Planning Act.

Mr. Chung responded to the concerns raised by Mr. Dhaliwal advising that these are operational issues that can be mended through communication and discussion with the current tenant and something that can be addressed by clear enforcement by the owner.

Mr. Chung made reference to the application sketch noting that the area has its' own dedicated driveway separate from the driveway to the retail parking area. Mr. Chung stated that it does not create conflict with the existing retail function and operation noting that it is temporary in nature and is an area utilized for the parking of dump trucks. In terms of some of the issues raised Mr. Chung advised that the Committee can limit the number of dump trucks as well as the timeframe for which this variance can be permitted. He advised that they had asked for five years to coincide with the City's vision coming to fruition however the Committee could consider a shorter timeframe for which this variance can be permitted to ensure the temporary nature of the operation can continue without the safety issues raised by the neighbouring property owner.

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Committee posed a question pertaining to the size of the area shown in green on the application sketch. Mr. Chung responded that the area is less than an acre in size noting that only a portion of that area is being used today for parking of oversized vehicles. He added that they are not asking to expand the area but only that the existing area be permitted.

Committee noted that this is a heavy truck area where businesses are similar in nature along Queen Street and Rutherford Road. Committee expressed that this is mainly a retail plaza noting that at the rear of the property trucks are entering this plaza for deliveries. With respect to a Day Care on site Committee expressed that there are a number of entrances and that the children would likely be dropped off at the front as opposed to the rear of the property.

Committee expressed concerns with activities such as oil changes noting that they often see through their site inspections signage posted advising that this is not permitted. Committee noted that dump trucks will make more noise and looked to see what could be implemented to mitigate the concerns that were raised.

Zoning Staff responded that the area was recently rezoned as a transition area in anticipation of some future development proposals to a more intensified mixed use development. Staff noted that Rutherford Road is used extensively for truck parking and vehicular movement particularly associated with the industrial lands to the south. Staff pointed out that the industrial property immediately south has also been rezoned and no longer would permit as-of-right the parking and outside storage of oversized motor vehicles. Staff advised that the future development zone will be more restrictive and will permit no change of use other than what existed at the time of the passing of the by-law. Staff expressed that no further intensification of industrial development will be permitted.

Staff advised that in terms of the permitted use vehicular parking is not a permitted use and that a motor vehicle leasing or rental establishment is also not a permitted use in this area. Staff explained that there are strict prohibitions in the Zoning By-law to prohibit any kind of vehicle repair or body shop or vehicle servicing including changing tires, general maintenance, washing, repairing or oil changes.

Mr. Chung clarified that there is a dedicated loading laneway on the south side of the existing retail plaza that is a laneway that accesses Rutherford Road South noting that it is the only access to the dump truck parking area. He added that it is the most convenient and most accessible driveway to Rutherford Road. Mr. Chung commented that south of the site and the hotel there is a lot of truck movement and vehicle movement in an existing industrial precinct. He expressed that this is an underutilized area behind the plaza explaining that the COVID pandemic has put additional hardship on all of the retailers and they are simply trying to generate additional income for the owner without creating adverse negative impact to the operation of the plaza or for the adjacent land such as the hotel.

Committee noted that the area is highly utilized for truck purposes with various locations south of Queen Street that are used for truck parking and shipping coming in and out. Committee expressed that the use is compressed into one area and mitigates any safety risk to the public

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being out of a residential area and in a location that is zoned for industrial use. Committee also observed that the truck parking area is out of site.

Committee expressed concern with a maintenance issue noting that in the past they have come across this where trucks are being parked in conjunction with maintenance on vehicles occurring all hours that run into the evening. Committee referenced the adjacent hotel where people are paying good morning to stay the night and visit the City and shouldn't be disrupted by this type of activity.

Committee commented that the COVID-19 pandemic has affected everyone and if the area could be utilized to generate income and build jobs throughout the community then the Committee could take that into consideration. Committee expressed that the owner should be responsible for no maintenance and ensure that the area is used strictly for parking. Committee added that Queen Street is a high traffic area and if they could narrow down traffic coming in strictly from Rutherford Road then it would be advantageous. Committee added that a shorter duration for a temporary approval may be considered.

Mr. Chung acknowledged that the reduced timeframe for the permission is acceptable in order for the owner and the tenant to prove that they can maintain the dump truck parking without any adverse negative impact. Mr. Chung supported the suggestion from Committee to dedicate Rutherford Road as the sole driveway for the parking of dump trucks coming off Rutherford Road. He expressed that the intent was never to use the site for repair and the washing of vehicles.

In terms of the drive through access to the property to the west, Committee inquired if there is an easement or right-of-way agreement expressing concern that there is a child care unit that is occupied. Committee observed during site visit a number of people lingering in the area as well. Committee inquired what the legal aspects were in driving across the neighbouring property.

Staff responded that if there is no access easement granted in favour of these lands over the property to the west then there should not be any persons accessing that property via this property and would be considered trespassing.

Committee remarked that there is no barrier to prevent one from driving from one property to the next and unless there is an agreement with the adjacent property then something should be done between the two properties. Committee expressed that if trucks are coming off of Queen Street and accessing the back of the building they would be coming across the day care. Committee expressed that a condition should be to have access only from Rutherford Road.

Mr. Chung confirmed that there is no legal right or easement that enables the neighbor to the west of the plaza to access the laneway in front of the area currently proposed for dump truck parking. He suggested that he would accept a requirement to place bollards for blocking access so that there is no through traffic of dump trucks coming off Queen Street.

Staff proposed and read aloud a number of conditions based on the discussion for Committee's consideration. Committee inquired if a condition could be included for solid fencing between the

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shared properties. Staff responded that they would like to see wood board screening however in discussions with the applicant and given the temporary nature of the use it was indicated that they were not inclined to install permanent fencing of that nature. Committee decided not to impose a condition in reference to the fencing.

Mr. Chung advised that he would be pleased to talk to staff about visual screening to the existing hotel explaining that there is an existing wood fence along the common property line as well as chain link fence around the parking area. He advised that there is already temporary fencing and he would be happy to work with staff through the condition on site plan.

Committee clarified that in terms of maintenance they are generally speaking of tire repairs such as changing tires and oil changes noting that they don't have an issue with such minor things as replacing a light bulb or wiper blades that could be safety issues and necessary to get the truckers on the road. Committee remarked that they would never challenge these minor things.

Staff requested a minor change to the proposed condition number 2 in light of the discussion to include "with the exception of minor maintenance required to ensure vehicle safety".

Committee inquired if a condition could be added about signage. Staff expressed reluctance to include a condition without knowing the sign by-law and suggested that it should be made abundantly clear to the tenant. Committee requested that a condition be included that there would be no congregating in the storage area to address the concerns of the representative of the adjacent hotel. Staff proposed additional wording for a condition that there shall be no loitering or congregating of truck drivers or other individuals in the area used for dump truck parking/storage.

Committee posed a question inquiring if there should be a limit on the hours of operation and if security cameras should be installed, as well as the number of vehicles that could be addressed through the limited site plan. Through discussion it was determined that no condition regarding these items would be imposed.

Following discussion, Mr. Chung indicated that the proposed conditions were acceptable.

The Committee, having considered the comments and recommendations of the commenting agencies, the proposed conditions formulated at the meeting and the evidence heard at the meeting, reached the following decision:

Moved by: D. Colp

Seconded by: R. Power

THAT application A-2020-0052 to permit the temporary outside storage/parking of oversized motor vehicles (dump trucks) for a period of five (5) years be approved for the following reasons and subject to the following conditions:

1. That the Variance shall be limited to the area identified on the sketch attached to the public notice;
2. That the Variance shall be restricted to the parking and storage of oversized motor vehicles (dump trucks) only. Accessory uses, including vehicle repair, cleaning, servicing, (with the

Committee of Adjustment Minutes

exception of minor maintenance required to ensure vehicle safety) etc. shall not be permitted;

3. There shall be no loitering or congregating of truck drivers or other individuals in the area used for dump truck parking/storage;
4. That a limited site plan shall be submitted demonstrating the proposed layout and limitations of the parking area;
5. That vehicles shall not be idled while parked in the lot;
6. The parking area for Oversized Motor Vehicles shall only be accessed by the drive aisle leading from Rutherford Road South;
7. That a concrete barrier be installed preventing access to the property via the property to the west, provided it does not impede upon a designated fire route to the satisfaction of the Director of Development Services prior to the use being established;
8. That the variance shall be Authorized for a maximum period of three (3) years from the final date of the Committee decision; and
9. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Reasons: The decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

ADJOURNMENT:

Moved by: D. Colp

Seconded by: A.C. Marques

That the Committee of Adjustment hearing be adjourned at 11:41a.m.to meet again on Tuesday, December 1, 2020.

COMMITTEE CHAIR

SECRETARY-TREASURER

November 26, 2020

Jeanie Myers, Secretary-Treasurer
Committee of Adjustment,
City of Brampton
2 Wellington Street West
Brampton, ON, L6Y 4R2

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Re: **Peel Region Consolidated Comments**
City of Brampton Committee of Adjustment Hearing December 1st, 2020

Dear Ms. Myers,

Regional Planning staff have reviewed the minor variance and consent applications listed on the December 1st, 2020 Committee of Adjustment Agenda. We have no objections or comments on the following applications: A-20-120B, A-20-121B, A-20-124B, A-20-125B, A-20-126B, A-20-127B, A-20-130B, A-20-057B, B-20-023B, B-20-025B. We have no objections or comments on the following deferred application: DEF-A-082B, DEF-A-20-116B

The Region of Peel offers our comments and/or conditions on the following applications:
Regarding Minor Variance Applications A-20-119B, 13 Scott Street
Planning – Abiral Homagain (905) 791-7800, extension 8730

Comment:

- The subject land is located in the regulated area of the Toronto and Region Conservation Authority (TRCA). We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the TRCA and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Toronto and Region Conservation Authority (TRCA).
- The subject land is located within the Toronto and Region Conservation Authority Flood Plain. The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.4.5.2. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of Toronto and Region Conservation Authority for the review of development applications located within or adjacent to the natural hazards in Peel and their potential impacts on the natural environment. We therefore request that City of Brampton Committee of Adjustment and staff consider their conditions of approval appropriately.

Regarding Minor Variance Application A-20-122B, 42 Cachet Court
Planning – Abiral Homagain (905) 791-7800, extension 8730
Comment:

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.
- The subject land is located within a Core Woodland area designated under Policy 2.3.2.2 of the Regional Official Plan (ROP). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.

Regarding Minor Variance Application A-20-123B, 7899 McLaughlin Road
Planning – Abiral Homagain (905) 791-7800, extension 8730

Comment:

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.
- The subject land is located within a Core Woodland area designated under Policy 2.3.2.2 of the Regional Official Plan (ROP). We rely on the environmental expertise of the Credit Valley Conservation Authority for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Credit Valley Conservation Authority.

Servicing – Camila Marczuk (905) 791-7800, extension 8589

Comment:

As per the Region of Peel Public Works Stormwater Design Criteria and Procedural Manual, the Region of Peel shall require the use of Low Impact Development (LID) approaches where no site-specific soil, groundwater, infrastructure or policy constraints exist.

- Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0)
- Post development flows must be equal to pre-development flows (4.3)

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800
peelregion.ca

- The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3)
- Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1)
- No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1)
- There is a Regional easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Regarding Minor Variance Application A-20-128B, 72 Orenda Road **Planning – Abiral Homagain (905) 791-7800, extension 8730**

Comment:

- The region offers no objection to the proposed minor variance subject to the motor vehicle sales establishment operating as an ancillary use to the existing motor vehicle repair shop.

Regarding Minor Variance Applications A-20-129B, 8 Tortoise Court **Planning – Abiral Homagain (905) 791-7800, extension 8730**

Comment:

- The subject land is located in the regulated area of the Toronto and Region Conservation Authority (TRCA). We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment. We therefore request that the City of Brampton Committee of Adjustment and staff consider comments from the TRCA and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the Toronto and Region Conservation Authority (TRCA).

Regarding Consent Application B-20-124B, 11613 Bramalea Road **Servicing – Bernadette Sniatenchuk (905) 791-7800, extension 8589**

Comments:

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.

Condition:

Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Public Works

10 Peel Centre Dr.
Suite B
Brampton, ON
L6T 4B9
tel: 905-791-7800
peelregion.ca

**Regarding Deferred Consent Application B-20-019B, 8000 Mississauga Road
Servicing – Camila Marczuk (905) 791-7800, extension 8230**

Comment:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The application may require the creation of private water / sanitary sewer servicing easements

Condition:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Traffic Development – Ayesha Khan (905) 791-7800, extension 7909

Comment:

- Aside from the existing access at the intersection of Mississauga Road at Olivia Marie Road, the Region will support one right-in/right-out access to Mississauga Road for the severed lands. No additional access will be permitted. Details with regards to access location and geometrics shall be dealt with at a later time through a satisfactory Traffic Impact Study once the severed property comes in for development.

Best,



Abiral Homagain
Junior Planner, Development Services



**WESTON
CONSULTING**

planning + urban design

Committee of Adjustment
City of Brampton, City Clerk's Office
2 Wellington Street West
Brampton, ON, L6Y 4R2

November 13, 2020
File 3456-3

Attn: Ms. Jeanie Myers, Secretary Treasurer

RE: Letter of Withdrawal – B2020-011
122-130 Main Street N, 6 & 7 Nelson Street E, 7 & 11 Church Street E
City of Brampton

Weston Consulting is the Authorized Agent for Rose Garden Residences Inc. ('Owner'), the registered owner of the lands municipally known as 122-130 Main Street North, 6 & 7 Nelson Street East and 7 & 11 Church Street East ('subject lands') in Downtown Brampton. An Application for Consent was submitted to the City of Brampton on August 10, 2020 seeking the severance of the properties municipally known as 7 Church Street East and 11 Church Street East from the current land configuration in order to establish a new lot and create an emergency access easement to the benefit of the retained parcel.

The application was initially heard by the Committee of Adjustment at its September 8, 2020 hearing date, to which a decision was made that the application be deferred to no later than the last hearing date of 2020 in order to allow for further discussion and study with City staff.

Based on the status of the application, we request that the City accept this letter as a formal Letter of Withdrawal respecting Consent Application B2020-011 on behalf of the owner. As such, we request that this application no longer be considered by the Committee of Adjustment at this time.

We thank the Committee and City staff for their efforts in reviewing and processing this application, and request confirmation that this application has been withdrawn. Our client reserves the right to submit another Consent Application for consideration in the future. Should you require anything further, please contact the undersigned at extension 252.

Yours truly,
Weston Consulting

Michael A. Vani, BURPI, MCIP, RPP
Senior Planner

c. Rose Garden Residences Inc.
Shelby Swinfield, City of Brampton
Carmen Caruso, City of Brampton



NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **FIRST GULF BUSINESS PARK INC.**

Purpose and Effect

The purpose of the application is to request the consent of the Committee for a lease in excess of 21 years of a portion of a parcel of land currently having a total area of approximately 41121.38 square metres (10.16 acres). The land to be leased has an area of approximately 537.38 square metres (0.13 acres) occupied by a commercial building (Wendy's and Tim Hortons Restaurant). The effect of the application is to facilitate a long term lease between the owner of the lands, First Gulf Business Park Inc. and the TDL Group Corp.

Location of Land:

Municipal Address: 70 Biscayne Crescent

Former Township: Town of Mississauga

Legal Description: Part of Block 2, Plan 43M-947

Meeting

The Committee of Adjustment has appointed **TUESDAY, December 1, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the application.

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **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 a possible Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.

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

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LAST DAY FOR RECEIVING COMMENTS: NOVEMBER 26, 2020

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NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

Decision and Appeal

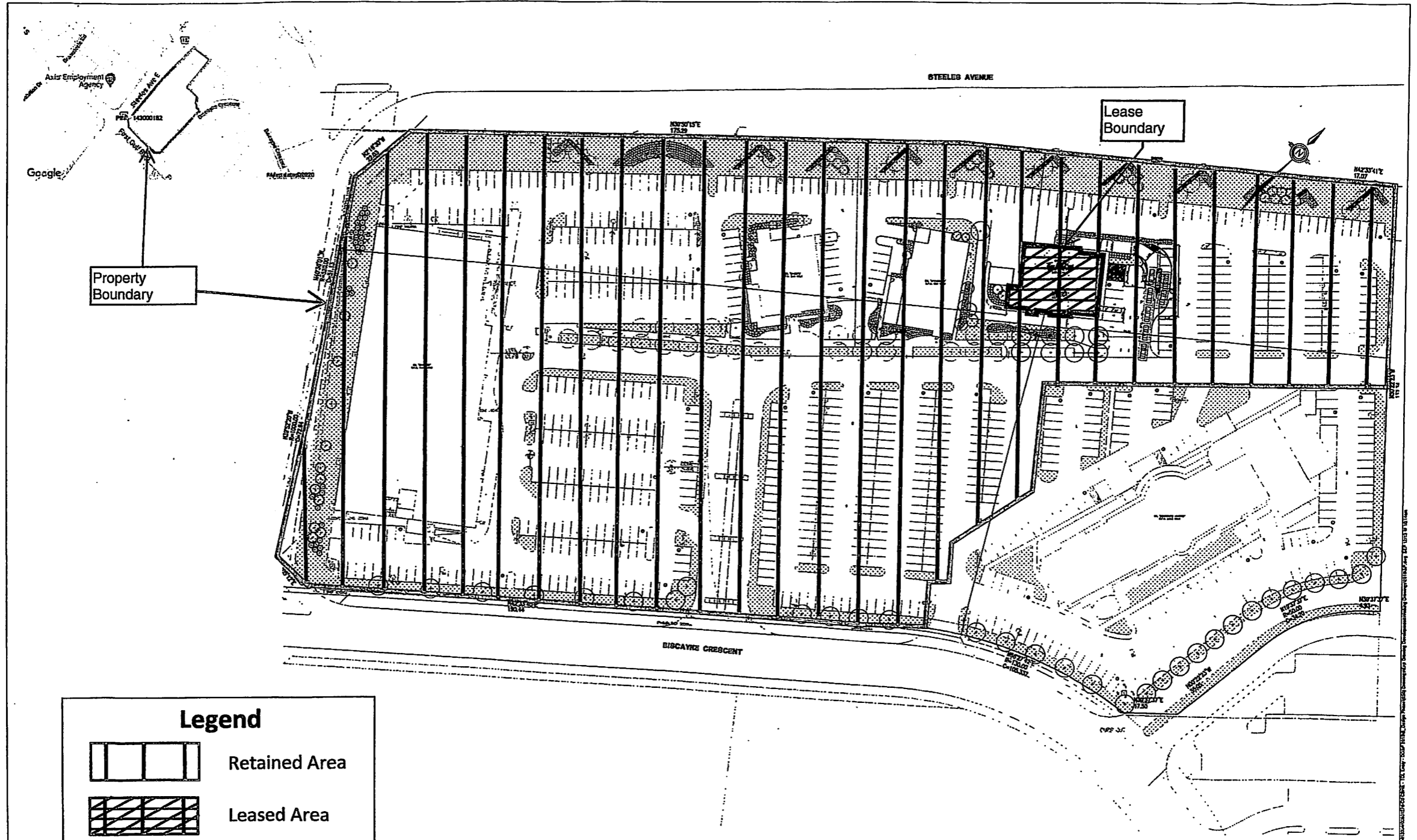
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS 12th Day of November, 2020

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton 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



Legend

Retained Area

Leased Area

THE TDL GROUP CORPORATION

HEAD OFFICE
500 DUNDAS STREET WEST
TORONTO, ONT. M5G 1C5
TEL: 416-593-8811
FAX: 416-593-7400

QUEBEC OFFICE
1000 COTE DE LA PRAIRIE
LACOMBE, QC J4M 1A4
TEL: 514-354-2223
FAX: 514-354-2223

ATLANTA OFFICE
1000 BUCKLE ROAD
DUBLIN, GA 30128
TEL: 404-471-4100
FAX: 404-471-4100

US OFFICE
1000 BUCKLE ROAD
DUBLIN, GA 30128
TEL: 404-471-4100
FAX: 404-471-4100

NOT FOR CONSTRUCTION. NO SITE WORKS PROPOSED.
FOR ILLUSTRATION PURPOSES ONLY REGARDING AN
APPLICATION FOR CONSENT

1. DESIGN BOARD	JULY 2013	8
2. REVISED AS PER TOLY COMMENTS	JULY 2013	8
3. PARKING STATISTICS REVISED	SEP 2013	10
4.		11
5.		12
6.		13

PROJECT
BRAMPTON, ON
70 BISCAYNE CRESCENT

DRAWING TITLE
SITE PLAN
DRAWN BY: **GD**
SCALE: **1:500**

DRAWING NO.
SP-1A

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 during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020.**
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020.** City staff will contact you and provide you with further details.
- 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 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.

B - 2020-0023

October 21, 2020

Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Jeanie Myers, Secretary-Treasurer to the Committee of Adjustment

Re: *Application for Consent for a Lease Greater than 21 Years*

TIMWEN Store # 6657/102016 - 70 Biscayne Crescent, Brampton, ON

Dillon Consulting Limited (Dillon) is pleased to provide the enclosed submission for the Application for the noted Consent for a long term lease application. Dillon has been retained by First Gulf Business Park Inc. (the Landlord) to facilitate the Consent process under the *Planning Act* to permit the lease agreement registered on title between the Landlord and TIMWEN Partnerships (the Tenant) to be extended for a period of 21 years or greater at 70 Biscayne Crescent, Brampton, Ontario (subject lands).

As required by the *Planning Act*, any conveyance of land or the creation of any interest or entitlement in land if it exceeds a period of 21 years or more pursuant to s. 50(3) unless relief is granted under the specific exception of s. 50(3)(f):

A consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of land or with the land

We understand the intent of this application is to seek relief from the *Planning Act* in order for the TIMWEN Partnerships to remain in their current location for a period greater than 21 years, thus allowing the existing lease agreement to be extended. The purpose of giving Consent therefore is largely an administrative exercise. We confirm there are no other approvals under the *Planning Act* required or being applied for to create this interest in the property at this time.

Alignment with Provincial Policy

Under subsection 3(5) of the *Planning Act*, all decisions rendered by the Committee of Adjustment must be consistent with the *Provincial Policy Statement, 2020* and must conform with all provincial plans that may apply to the subject lands.

Conformity with Provincial Plans

At the time of this application, neither the dominant nor servient parcels fall within the regulated area of any provincial plan currently in effect.

...cont'd



235 Yorkland Blvd.
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
416.229.4646
Fax
416.229.4692

Dillon Consulting
Limited

October 21, 2020

Application for Consent

This letter and associated submission materials constitute an application for Consent in support of the existing Tenant to continue operations. We request that this application be heard by the next available Committee of Adjustment hearing.

Required Material	Copies	Dated
Application Form	1	October 13, 2020
Site Plan	1	September 12, 2013 (Marked Up October 10, 2020)

Enclosed with this application is a cheque in the amount of \$3,883.00 for the consent application fee for the Consent Application for TIMWEN Store# 6657/102016 - 70 Biscayne Crescent, Brampton, ON.

Closing

On behalf of the Landlord, we trust that this submission is to the satisfaction of the City of Brampton. Should you have any questions or wish to discuss this application, please contact Raphael Romeral by phone (647-309-0215) or by email (rromeral@dillon.ca).

Yours sincerely,

DILLON CONSULTING LIMITED

Raphael Romeral,

Planner

RMR:ctj

Enclosure(s) or Attachment(s)

Our file: 19-1821

...cont'd



The personal information collected on this form is collected pursuant to subsection 53(2) 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

Consent

(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) Name of Owner/Applicant First Gulf Business Park Inc.
(print given and family names in full)

Address 351 King Street East, 13th floor, Toronto, ON M5A 0L6

Attention: Justin Hawkins

Phone # (416) 773-7140

Fax # _____

Email Jhawkins@firstgulf.com

(b) Name of Authorized Agent Dillon Consulting Limited (Raphael Romeral)

Address 235 Yorkland Boulevard, Suite 800, Toronto, Ontario, M2J 4Y8

Phone # 647-309-0215

Fax # 416-229-4692

Email rromeral@dillon.ca

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify: Lease over 21 Years

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

THE TDL GROUP CORP., a corporation. incorporated under the laws of the Province of British Columbia, and WENDY'S RESTAURANTS OF CANADA INC., a corporation incorporated under the laws of Canada, carrying on business in partnership under the firm name and style of "TIMWEN PARTNERSHIP"

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street Biscayne Cres Number 70

- b) PT BLK 2 PL 43M-947 DES PTS 1, 2, 3, 4, 7, 8, 9, 12, 14 PL 43R-29144; BRAMPTON; T/W PT LT 15 CON 2 EHS DES PT 4 PL 43R-17225 AS IN RO552895; T/W PT BLK 2 PL 43M-947 DES PT 3 PL 43R-20315 AS IN LT1477425; S/T EASEMENT IN FAVOUR OF HYDRO ONE BRAMPTON NETWORK INC., OVER PT BLK 2 PL 43M-947 DES PTS 3, 8, 12, 14 PL 43R-29144 AS IN PR640018; S/T EASEMENT IN FAVOUR OF COSTCO WHOLESALE CORPORATION OVER PT BLK 2 PL 43M-947 DES PTS 2, 3, 4 PL 43R-29144, AS IN PR640175; S/T ROW OVER PT BLK 2 PL 4 3,-947 DES PTS 2, 3, 4 PL 43R-29144 IN FAVOUR OF PT BLK 2 PL 43M-947 DES PTS 5, 6, 10, 11, 13 PL 43R-29144, AS IN PR640735; T/W ROW OVER PT BLK 2 PL 43M-947 DES PT 13 PL 43R-29144, AS IN PR640735.

e) Assessment Roll No. 10-14-0-118-00250-0000

Geographic or Former Township Brampton

5. Are there any easements or restrictive covenants affecting the subject land?

Yes ☒ No ☐

Specify: Easement in favour of Hydro One and Costco Wholsale Corporation

6. Description of LEASED land: (in metric units)

a) Frontage ~25 M Depth ~22 M Area 537.38 S . M

b) Existing Use Restaurant with Drive Through Proposed Use No Change

c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:
 (existing) 1 Storey Wendy's & Tim Horton's Restaurant with Drive Through
 (proposed) No Change

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?
N/A

f) Water supply will be by:

	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): N/A

g) Sewage disposal will be by:

	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): N/A

7. Description of retained land: (in metric units)

a) Frontage ~119 M Depth ~221 M Area 40,584 Sq. M

b) Existing Use Commercial Plaza Proposed Use No Change

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:
 (existing) 3 Commercial Restaurant; 1 Commercial Entertainment Facility
 (proposed) No Change

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

N/A

f) Water supply will be by:

	Existing	Proposed
Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	N/A	

g) Sewage disposal will be by:

	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	N/A	

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be <u>LEASED</u>	Land to be Retained
Zoning By-Law	<u>Industrial (M4-2701)</u>	<u>Industrial (M4-2701)</u>
Official Plans		
City of Brampton	<u>Business Corridor</u>	<u>Business Corridor</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☐

No ☒

File #

Status/Decision

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐

No ☒

Date of Transfer

Land Use

Urban System

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment		
Minister's Zoning Order		
Minor Variance	A14-078	Approved
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision		

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes ☒ No ☐

13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☐ No ☒

14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☐ No ☐

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the _____ City _____ of _____ Toronto _____
this 14 day of October, 2020.



Signature of Applicant, or Authorized Agent, see note on next page

Check box if applicable:

☐ I have the authority to bind the Corporation

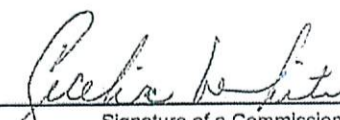
DECLARATION

I, Raphael Romeral of the City of Toronto
in the County/District/Regional Municipality of York solemnly declare that all the statements contained in t
application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Toronto
in the County of York
this 21st day of October, 2020.



Signature of applicant/solicitor/authorized agent, etc.



Signature of a Commissioner, etc.

CECELIA MARIE WHITE
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited
Expires August 5, 2023

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

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

Hothi S

Zoning Officer

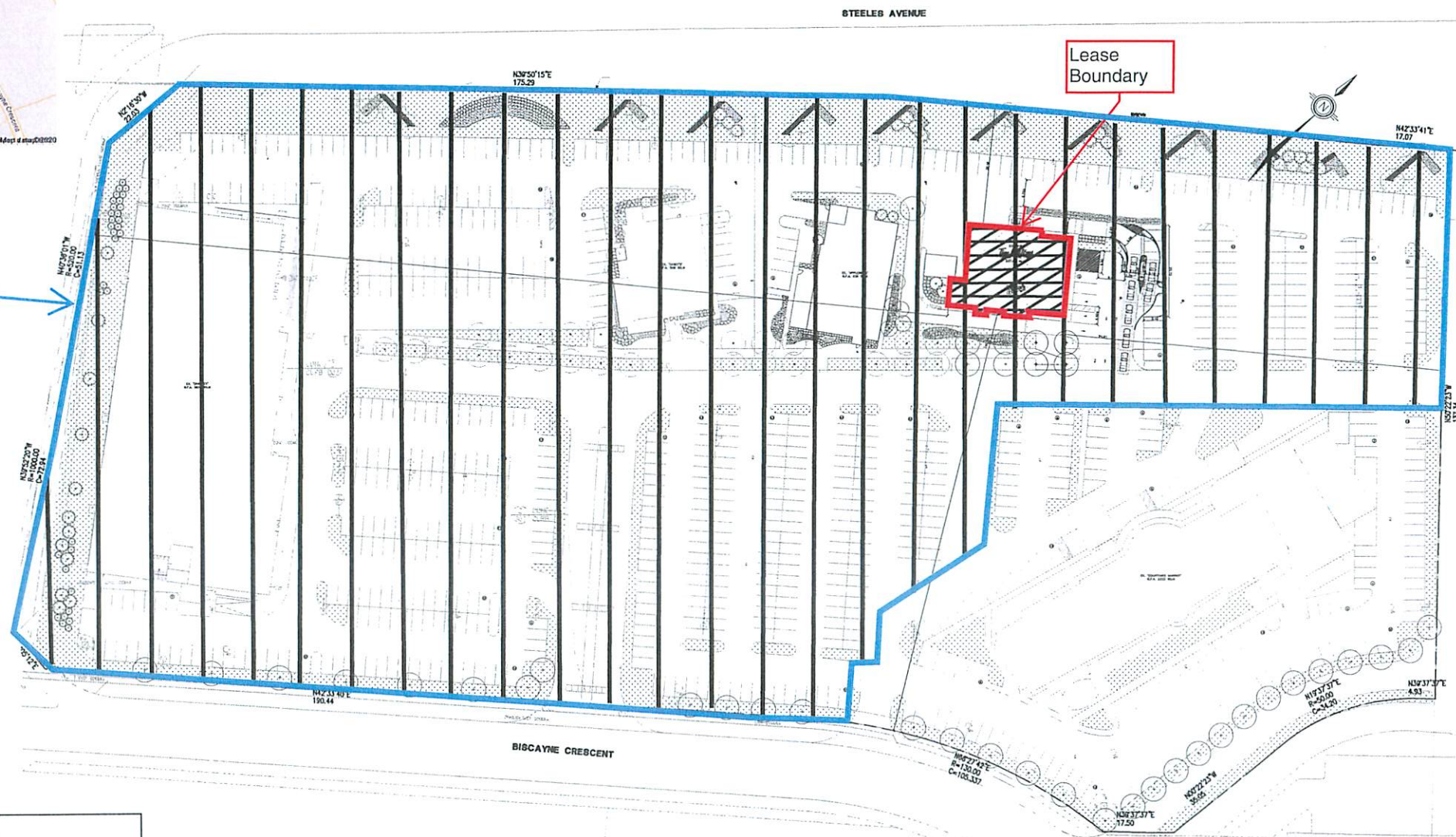
OCT. 27. 2020

Date

DATE RECEIVED October 27, 2020



Property Boundary



Legend

Retained Area

Leased Area



THE TDL GROUP CORPORATION

HEAD OFFICE 8700 SHEPPARD AVENUE EAST UNIT 101 SCARBOROUGH, ONTARIO M1S 1T6 Ph: (416) 291-1111 Fax: (416) 291-1112	WESTERN OFFICE 1400 14TH AVENUE CALGARY, ALBERTA T2C 1S4 Ph: (403) 253-7400 Fax: (403) 253-7400	QUEBEC OFFICE 1000 RUE DE LA SÉCURITÉ LACHAPELLE, QUEBEC H1R 1A4 Ph: (514) 636-2222 Fax: (514) 636-2223	ATLANTIC OFFICE 4100 SHEPPARD AVENUE EAST SUITE 101 SCARBOROUGH, ONTARIO M1S 1T6 Ph: (416) 791-4200 Fax: (416) 791-4201	US OFFICE 4100 SHEPPARD AVENUE EAST SUITE 101 SCARBOROUGH, ONTARIO M1S 1T6 Ph: (416) 791-4200 Fax: (416) 791-4201
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NOT FOR CONSTRUCTION. NO SITE WORKS PROPOSED.
FOR ILLUSTRATION PURPOSES ONLY REGARDING AN
APPLICATION FOR CONSENT

1	CDP MENU BOARD	MAY 2013	8
2	REVISED AS PER TOL V COMMENTS	JUN 2013	8
3	PARKING STATISTICS REVISED	SEP 2013	10
4			
5			
6			
7			

PROJECT
BRAMPTON, ON
70 BISCAYNE CRESCENT
RESTAURANT No 2016

DRAWING TITLE
SITE PLAN
DRAWN BY: EDO
SCALE: 1:500

DRAWING NO
SP-1A

Flower City



brampton.ca

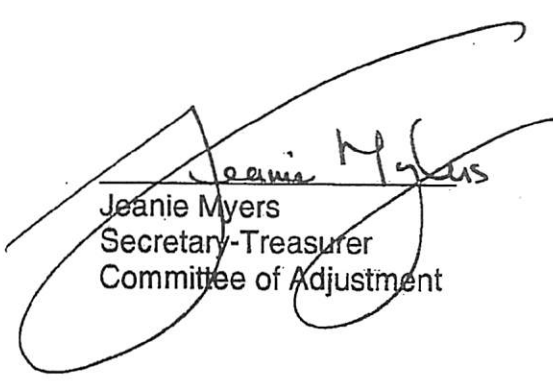
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

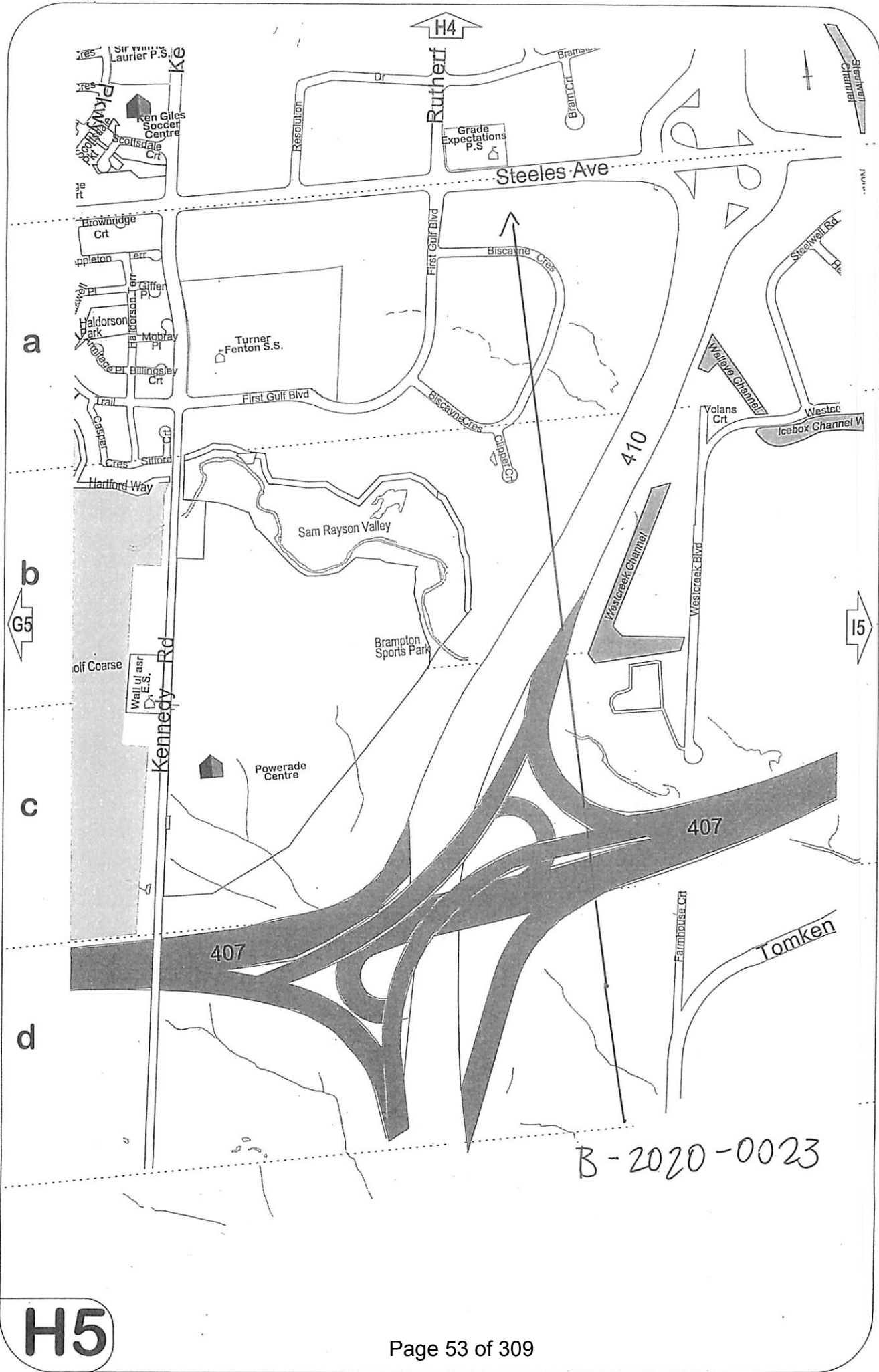
APPLICATION NO: A14-078

DATED: JUNE 3, 2014

Conditions:

1. That the owner shall enter into an agreement with the City to permit the temporary structure for a period of five (5) weeks from the date the building permit is issued;
2. That a \$15,000 security shall be provided to the City prior to the issuance of a building permit for the temporary trailer;
3. That the temporary structure shall be located generally in accordance with the Public Notice;
4. That the precise location of the trailer and any associated directional signage shall be confirmed and form part of the temporary structure agreement. Any signage for the temporary trailer shall comply with the Sign By-law;
5. That a building permit shall be obtained prior to the erection of, anchorage of, or access to the temporary structure.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment



H5

Filing Date: October 27, 2020
Hearing Date: December 1, 2020

File: B-2020-0023

**Owner/
Applicant:** FIRST GULF BUSINESS PARK INC.

Address: 70 Biscayne Crescent

Ward: 3

Contact: Shelby Swinfield, , Planner I, Development

Proposal:

The purpose of the application is to request the consent of the Committee for a lease in excess of 21 years of a portion of a parcel of land currently having a total area of approximately 41121.38 square metres (10.16 acres). The land to be leased has an area of approximately 537.38 square metres (0.13 acres) occupied by a commercial building (Wendy's and Tim Hortons Restaurant).

The effect of the application is to facilitate a long term lease between the owner of the lands, First Gulf Business Park Inc. and the TDL Group Corp.

Recommendations:

That application B-2020-0023 is supportable subject to the following condition(s) being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
 - a. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
 - b. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received;
2. That Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to the long term lease agreement.

Background:

- **Official Plan:** The subject property is designated 'Business Corridor' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'General Industrial' in the Steeles Industrial Secondary Plan (Area 25); and
- **Zoning By-law:** The subject property is zoned "Industrial Four (M4) – Section 2701" according to By-Law 270-2004, as amended.

Current Situation:

The Ontario *Planning Act* establishes regulations and procedures for the subdivision of land in the province. Under the Act, long term leases of 21 years or greater for a part of a property are considered to be a form of subdivision. A consent application and approval of the Committee of Adjustment are required for a property owner to enter into such a lease.

The proposed consent application would facilitate a long-term lease for an existing take out restaurant (Time Horton's/Wendy's) located at 70 Biscayne Crescent.

A standard condition is recommended that the applicant make satisfactory arrangements with the Region of Peel, Public Works Department with respect to the long term lease agreement. This condition provides the Region of Peel with the opportunity to review the proposed servicing for the lands subject to the lease and ensure arrangements are made within the long term lease agreement in relation to servicing, as required.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

SCHEDULE "A"

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE
PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed lease has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed long-term lease is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed lease does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed long-term lease would facilitate a long term lease for an existing cinema. The land is suitable for this purpose.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed long-term lease does not present any concern with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	No new lots are proposed. The shape and dimension of the proposed lease area is appropriate for the intended use.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lease area. No new buildings are proposed.
h) <i>The conservation of natural resources and flood control;</i>	The proposed lease presents no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j) <i>The adequacy of school sites;</i>	The proposed lease presents no concerns with regard to the adequacy of school sites.



k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed lease has no impact on matters of energy conservation.
m)	<i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no new building proposed in regard to this lease and as such the lease presents no concerns relating to the development of the land.

APPLICATION # B-2020-0024
Ward # 9

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP CHURCH INC.**

Purpose and Effect

The purpose of the application is to request the consent of the Committee to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres). The proposed severed parcel has a frontage of approximately 107 metres (351.05 feet), a depth of approximately 202 metres (662.73 feet) and an area of approximately 1.6 hectares (3.95 acres). The effect of the application is to create a new lot for future residential purposes.

Location of Land:

Municipal Address: **11613 Bramalea Road**

Former Township: Chinguacousy

Legal Description: Part of Lot 17, Concession 5 EHS

Meeting

The Committee of Adjustment has appointed **TUESDAY, December 1, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.**

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **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 a possible Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.**

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

=====

LAST DAY FOR RECEIVING COMMENTS: NOVEMBER 26, 2020

=====

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	YES	File Number: C05E17.006
Minor Variance:	NO	File Number:

Decision and Appeal

Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

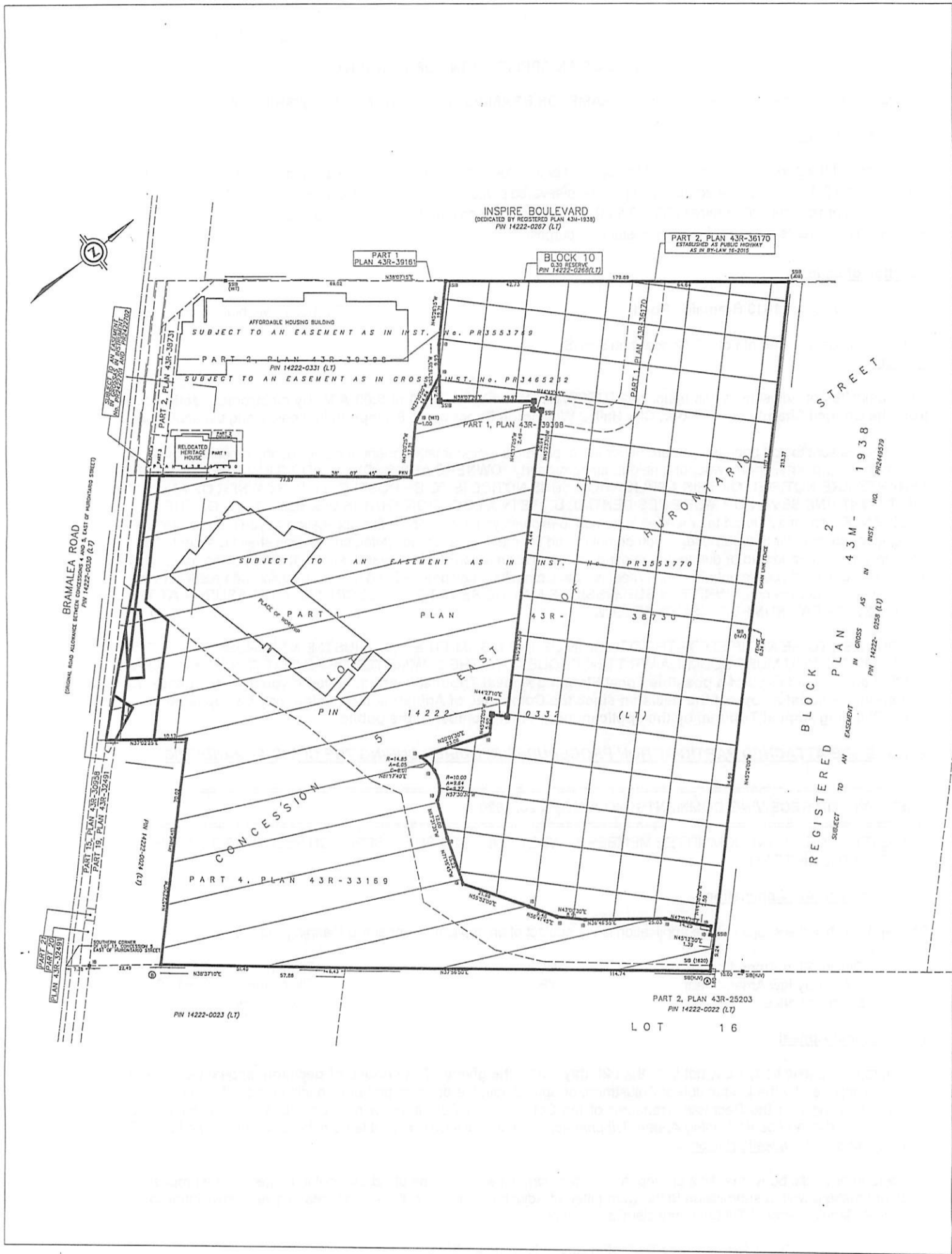
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.


DATED AT THE CITY OF BRAMPTON THIS 12th Day of November, 2020


Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton 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

Consent Sketch



**Severed Land**

**Retained Land**

**KLM**
PLANNING PARTNERS INC.
Planning • Design • Development

PROJECT No. P-3170
(3170Sketch_Oct302020)
OCT 30, 2020
DWG. No. - 20:1
64 JARDIN DRIVE - UNIT 1B, CONCORD ONTARIO L4K 3P3
TEL: (905) 669-4055 FAX: (905) 669-0097 design@klmplaning.com

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 during the COVID-19 Emergency

Electronic Hearing Procedures
How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.

P – 3170

October 29, 2020

Clerks Department
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

B-2020-0024

**Attention: Ms. Jeanie Myers
Secretary – Treasurer**

**Re: Application for Consent
Brampton Bramalea Christian Fellowship Church
11613 Bramalea Road
City of Brampton
Region of Peel**

Dear Ms. Myers,

On behalf of our client, Brampton Bramalea Christian Fellowship Church, we are pleased to submit the enclosed consent application for lands located at 11613 Bramalea Road in Brampton, and legally described as Part of Lot 17, Concession 5 E.H.S.

The subject lands are located south of the intersection of Bramalea Road and Mayfield Road, more specifically, the southeast corner of Bramalea Road and Inspire Boulevard. The lands have an approximate frontage of approximately 107 metres along Inspire Blvd., a depth of approximately 202 metres 3.4 hectares (8.4 acres). The proposed lands to be severed recently received zoning approval for residential uses.

The subject lands are designated “Residential” and “Open Space” on Schedule A – General Land Use Designations in the City of Brampton Official Plan. Further, the subject lands are located within the Countryside Villages Secondary Plan Area 48 and are designated “Place of Worship” on Schedule 48(a). The “Place of Worship” designation permits both institutional and residential uses.

The proposed severed lands have been recently rezoned to the R3A(H)-3002 and R4A(H)-3001 by by-law 147-2020. A future site plan application will be filed in accordance with the recently approved Zoning By-law.

The subject lands form part of the adjacent southern lot containing the Bramalea Christian Fellowship Church. Previous consent applications were approved in order to create a block for the affordable rental building which is now under construction (2018) along with a consent application for a lot addition, which took excess lands from the affordable housing block and added them back into the Brampton Christian Fellowship Church lands. This proposed consent application seeks to create the residential development parcel, which has been rezoned to residential uses, so the lands can be conveyed to LIV Communities whom will ultimately develop this block for residential purposes, in accordance with the approved Zoning By-law.

Given the above, please find the following materials enclosed, in accordance with the requirements for the submission of an application for Consent:

1. One (1) original application form for Consent, fully executed;
2. One (1) cheque (000075) in the amount of \$3,883.00 and made payable to the City of Brampton and representing the fee for an application for Consent;
3. One (1) copy of the Consent Sketch, prepared by KLM Planning Partners Inc.

Trusting that the above and enclosed are in order, please do not hesitate to contact the undersigned should you have any comments or concerns.

Yours very truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read 'K MacKinnon', written over a horizontal line.

Keith MacKinnon, BA, MCIP, RPP
Partner

cc. Pastor Randy Neilson
cc. Sylvain Rivet



The personal information collected on this form is collected pursuant to subsection 53(2) 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

Consent

(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) Name of Owner/Applicant Brampton Bramalea Christian Fellowship Inc. (c/o LIV (Bramalea) Ltd.)
(print given and family names in full)

Address 11613 Bramalea Road Brampton Ontario L6R 0C2

Phone # 289.245.1300

Fax # _____

Email srivet@livhere.ca

(b) Name of Authorized Agent KLM Planning Partners Inc.

Address 64 Jardin Drive, Unit 1B, Concord ON L4K 3P3

Phone # (905) 669-4055

Fax # _____

Email kmackinnon@klmplanning.com

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify: creation of a new lot

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

Unknown

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street Bramalea

Number 11613

b) Concession No. 5 E.H.S

Lot(s) 17

c) Registered Plan No. 43m-1938

Lot(s) _____

d) Reference Plan No. 43R-39398

Lot(s) _____

e) Assessment Roll No. 21100700080800000000

Geographic or Former Township _____

5. Are there any easements or restrictive covenants affecting the subject land?

Yes



No



Specify:

access and servicing easements

6. Description of severed land: (in metric units)

- a) Frontage 107m Depth 202m approx. Area 1.6 HA approx.
- b) Existing Use Place of worship Proposed Use Residential
- c) Number and use of buildings and structures (both existing and proposed) on the land to be severed:
 (existing) NO STRUCTURES
 (proposed) currently unknown as site plan approval is required
- d) Access will be by:
- | | Existing | Proposed |
|--------------------------------------|-------------------------------------|-------------------------------------|
| Provincial Highway | <input type="checkbox"/> | <input type="checkbox"/> |
| Municipal Road - Maintained all year | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other Public Road | <input type="checkbox"/> | <input type="checkbox"/> |
| Regional Road | <input type="checkbox"/> | <input type="checkbox"/> |
| Seasonal Road | <input type="checkbox"/> | <input type="checkbox"/> |
| Private Right of Way | <input type="checkbox"/> | <input type="checkbox"/> |
- e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?
N/A
- f) Water supply will be by:
- | | Existing | Proposed |
|--|-------------------------------------|-------------------------------------|
| Publicly owned and operated water system | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Lake or other body of water | <input type="checkbox"/> | <input type="checkbox"/> |
| Privately owned and operated individual or communal well | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (specify): | | |
- g) Sewage disposal will be by:
- | | Existing | Proposed |
|---|-------------------------------------|-------------------------------------|
| Publicly owned and operated sanitary sewer system | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Privy | <input type="checkbox"/> | <input type="checkbox"/> |
| Privately owned and operated individual or communal septic system | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (specify): | | |

7. Description of retained land: (in metric units)

- a) Frontage 56 m approx Depth 171 m approx. Area 1.8 HA approx.
- b) Existing Use Place of Worship Proposed Use Place of Worship
- c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:
 (existing) One - place of worship
 (proposed) No change proposed

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<hr/>	

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<hr/>	

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	<u>R3A(H)-3002 & R4A(H)-3001</u>	<u>I1</u>
Official Plans		
City of Brampton	<u>Residential</u>	<u>Residential</u>
Region of Peel	<u>Urban System</u>	<u>Urban System</u>

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☒ No ☐

File # B19-027 Status/Decision Approved

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☒ No ☐


Date of Transfer April 26, 2018 Land Use Residential

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment	C05E17.006	Approved
Minister's Zoning Order		
Minor Variance	A19-085	Approved
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision		

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes ☒ No ☐
13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☒ No ☐
14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☒ No ☐
15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City of Brampton
this 29 day of October, 2020


Signature of Applicant or Authorized Agent, see note on next page


Check box if applicable:

☐ I have the authority to bind the Corporation


DECLARATION

I, Keith MacKinnon of the Town of Innisfil
in the County/District/Regional Municipality of Simcoe solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act"

Declared before me at the City of Vaughan
in the Region of York
this 29 day of October, 2020


Signature of applicant/solicitor/authorized agent, etc.

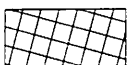
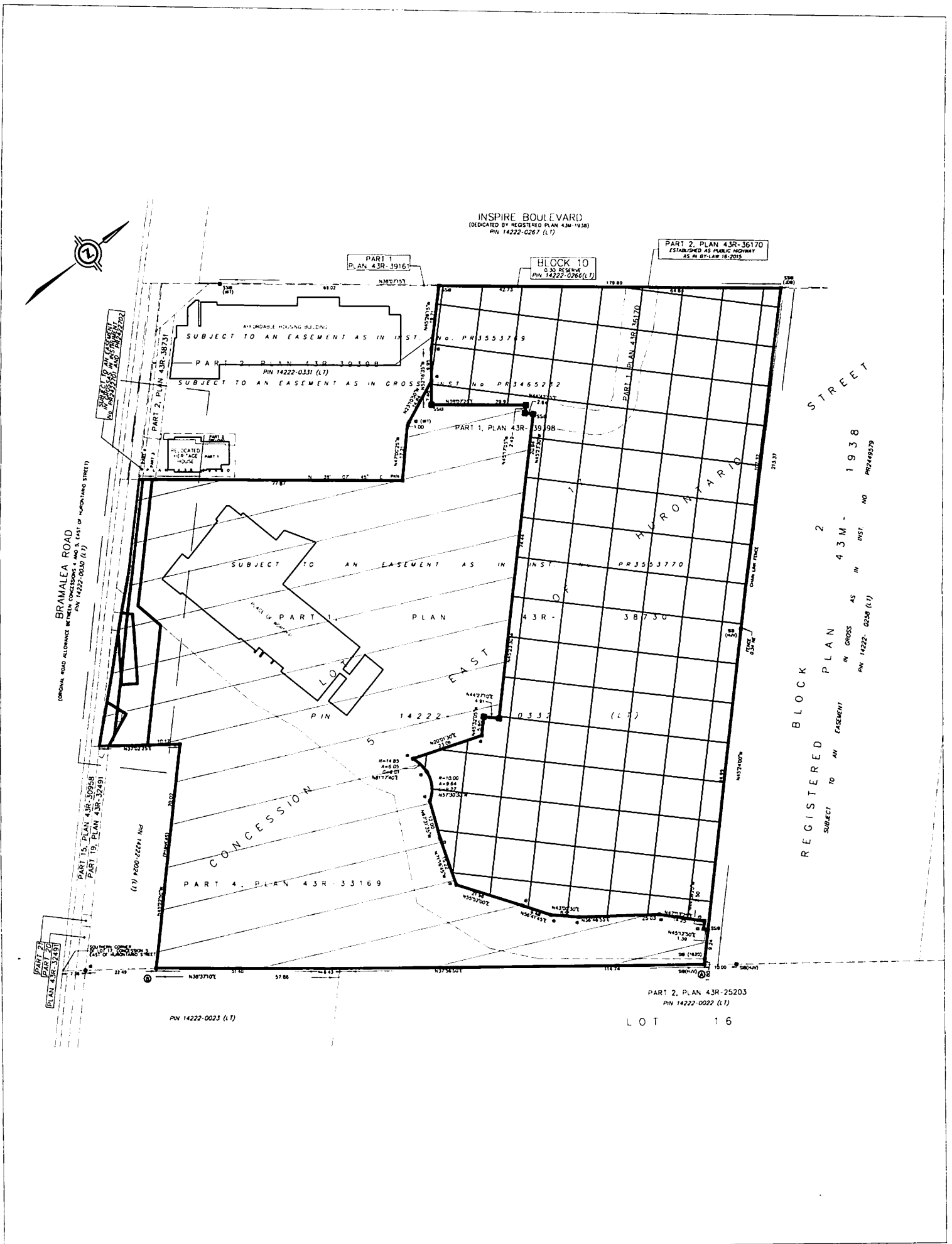

Mirela Lamb,
a Commissioner, etc., Province of Ontario
for KLM Planning Partners Inc.
Expires July 31, 2023
Signature of a Commissioner, etc.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division	
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.	
 Zoning Officer	<u>November 3, 2020</u> Date

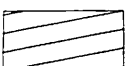
DATE RECEIVED

November 2, 2020

Consent Sketch



Severed Land



Retained Land



PLANNING PARTNERS INC.
Planning • Design • Development

PROJECT No. P-3170

(3170Sketch_Oct302020)

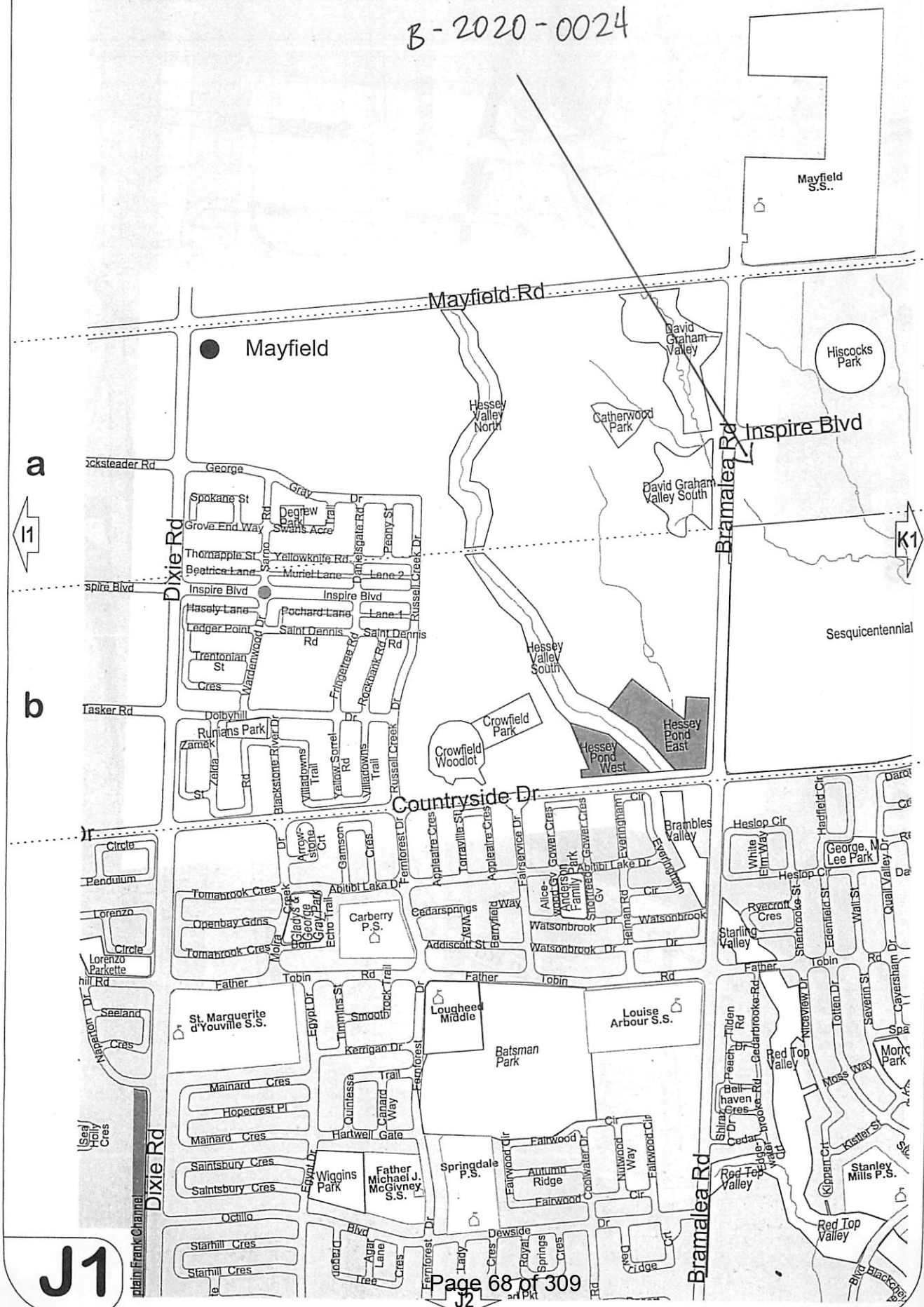
OCT 30, 2020

DWG. No. - 20:1

64 JARDIN DRIVE - UNIT 1B, CONCORD ONTARIO L4K 3P3

TEL: (905) 669-4055 FAX: (905) 669-0097 design@klmplanning.com

B-2020-0024



Filing Date: November 3, 2020

Hearing Date: December 1, 2020

File: B-2020-0024

Owner/

Applicant: BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP INC.

Address: 11613 Bramalea Road

Ward: 9

Contact: Shelby Swinfield, Planner I, Development

Proposal:

The purpose of the application is to request the consent of the Committee to sever a parcel of land currently having a total area of approximately 3.4 hectares (8.4 acres). The proposed severed parcel has a frontage of approximately 107 metres (351.05 feet), a depth of approximately 202 metres (662.73 feet) and an area of approximately 1.6 hectares (3.95 acres).

The effect of the application is to create a new lot for future residential purposes.

Recommendations:

That application B-2020-0024 be deferred no later than the last Committee hearing of March 2021.

Current Situation:

Staff has reviewed the proposal for severance and consider it to be premature at this time, as a need for an access easement has been identified.

The purpose of the consent application is to sever a portion of the lands for residential development purposes. It has been noted by staff that an access easement will be required over the retained lands in favour of the severed lands to ensure that emergency access can be achieved to Bramalea Road. This easement is proposed by the applicant as part of their forthcoming development application for the severed lands.

Staff request a short deferral of the application to allow time for the property owner to amend the application to include the necessary access easement.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **TACC HOLBURN CORPORATION**

Purpose and Effect

The purpose of the application is to request the consent of the Committee to the grant of an easement having a width of approximately 11 metres (36.09 feet), a depth of approximately 105.69 metres (346.75 feet) and an area of approximately 1,133 square feet (105.26 square metres). The effect of the application is to create an access easement over Block 140 on Plan 43M-2092 in favour of Block 139 on Plan 43M-2092.

Location of Land:

Municipal Address: **100 Rockspur Court**

Former Township: Toronto Gore

Legal Description: Part of lot 4, Concession 10 N.D.

Meeting

The Committee of Adjustment has appointed **TUESDAY, December 1, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the application.

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **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 a possible Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.

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

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LAST DAY FOR RECEIVING COMMENTS: NOVEMBER 26, 2020

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NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

Decision and Appeal

Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS 12th Day of November, 2020

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton 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 during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020.**
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020.** City staff will contact you and provide you with further details.
- 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 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.

November 3, 2020

MGP File: 19-2845

Jeanie Myers, Secretary Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street W
Brampton, ON L6Y 4R2

B-2020-0025

Via email: jeanie.myers@brampton.ca

Dear Ms. Myers:

**RE: Consent Application (Easement)
8863 The Gore Road (Employment Block)
TACC Holborn Corporation**

We are the land use planners to TACC Holborn Corporation ("TACC Holborn"), owners of 44 acres of land located at the northwest corner of Queen Street East and The Gore Road, municipally known as 8863 The Gore Road (the "TACC Holborn Lands").

The lands are subject to a Draft Plan of Subdivision application (21T-13004B) which was granted draft approval on May 21, 2020. Among other things, the Draft Plan created a 3.0-hectare employment block (Block 140) at the corner of Queen Street and the Gore Road. A site plan application is in progress for the employment block (City File Nos: SPA-2020-0013) to permit a three-storey office building. In addition, the Draft Plan also created a 0.74-hectare medium/high density block (Block 139) north of the employment block.

As part of the Draft Plan of Subdivision and employment block Site Plan application, it was determined that a right-of-way access easement would be required over the employment block (Block 140) in favour of the adjacent medium/high density block (Block 139). The purpose of this consent application is to establish this required easement and provide access for the medium/high density block to the public road, being Rockspur Court. For clarity, the application does not facilitate the severance of the lands.

A Preliminary Easement Reference Plan, prepared by David B. Searles Surveying Ltd, is submitted as part of the application and identifies 3 parts of land. Parts 2 and 3 are subject to the proposed access easement over Block 140 in favour of Block 139. A copy of the Block 140 Site Plan with Easement, prepared by Turner Fleischer Architects Inc., is also included as part of the application to provide greater context as to how the access easement will function. As shown on the Block 140 Site Plan, the full width of the easement will be 11m, which includes 8m for the access/right-of-way, and 3m of landscape buffer. Note that Parts 1 to 3 will be subject to a future sanitary easement.

Submission Materials

In support of the consent application, the following material will be submitted:

- Signed Consent Application Form;
- Cheque in the amount of \$3,883.00 for the Consent Application Fee;
- Preliminary Easement Reference Plan, prepared by David B. Searles Surveying Ltd, dated August 5, 2020.
- Easement Reference Sketch, prepared by Malone Given Parsons, dated November 2, 2020; and,
- Block 140 Site Plan with Easement, prepared by Turner Fleischer Architects Inc., Drawing No. SPA003, Revision date August 25, 2020.

Should you have any questions or concerns, please do not hesitate to contact me at 905-513-0170 ext. 112

Yours very truly,
Malone Given Parsons Ltd.



Lauren Capilongo, MCIP, RPP
Principal

cc: Mr. David Stewart, TACC Developments
Mr. James Stevenson, HBNG Holborn Group



The personal information collected on this form is collected pursuant to subsection 53(2) 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**Consent**

(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) **Name of Owner/Applicant** TACC Holborn Corporation
(print given and family names in full)

Address 600 Applewood Crescent
Vaughan, Ontario

Phone # 905-760-7300 **Fax #** 905-669-9600

Email dstewart@tacc.com

(b) **Name of Authorized Agent** TACC Developments Inc.

Address 600 Applewood Crescent

Phone # 905-760-7300 **Fax #** 905-669-9600

Email dstewart@tacc.com

2. **The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.**

Specify: Creation of an access easement over Block 140 in favour of Block 139 on Plan 43M-

3. **If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.**

4. **Description of the subject land ("subject land" means the land to be severed and retained):**

a) **Name of Street** Rockspur Court **Number** 100

b) **Concession No.** Concession 10 **Lot(s)** Part Lot 4

c) **Registered Plan No.** 21T-13004B **Lot(s)** Block 140

d) **Reference Plan No.** **Lot(s)**

e) **Assessment Roll No.** 10-12-0-001-11100-0000 **Geographic or Former Township** Toronto Gore

5. **Are there any easements or restrictive covenants affecting the subject land?**

Yes ☒ **No** ☐
Specify: Sanitary easement as in Instrument No.

6. Description of easement land: (in metric units) N/A

a) Frontage 11 m Depth 105.69 m Area ~1,133 sq. m.

b) Existing Use Vacant Proposed Use Private Right of Way

c) Number and use of buildings and structures (both existing and proposed) on the easement land:

(existing) N/A

(proposed) N/A

d) Access will be by: Existing Proposed

Provincial Highway ☐ ☐

Municipal Road - Maintained all year ☒ ☐

Other Public Road ☐ ☐

Regional Road ☐ ☐

Seasonal Road ☐ ☐

Private Right of Way ☐ ☐

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f) Water supply will be by: Existing Proposed

Publicly owned and operated water system ☐ ☐

Lake or other body of water ☐ ☐

Privately owned and operated individual or communal well ☐ ☐

Other (specify): _____

g) Sewage disposal will be by: Existing Proposed

Publicly owned and operated sanitary sewer system ☐ ☐

Privy ☐ ☐

Privately owned and operated individual or communal septic system ☐ ☐

Other (specify): _____

7. Description of retained land: (in metric units) N/A

a) Frontage 160.47 m Depth 164.67 m Area 1.04 ha

b) Existing Use Vacant Proposed Use Office

c) Number and use of buildings and structures (both existing and proposed) on the land to be retained:

(existing) N/A

(proposed) 3

d)	Access will be by:	Existing	Proposed
	Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
	Municipal Road - Maintained all year	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
	Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
	Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
	Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

f)	Water supply will be by:	Existing	Proposed
	Publicly owned and operated water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	Commercial Zone (O Reg 171/20)	Commercial Zone (O Reg 171/20)
Official Plans	Office and Special Land Use Policy Area 19 (OP2006-130)	Office and Special Land Use Policy Area 19 (OP2006-130)
City of Brampton		
Region of Peel	Urban System	Urban System

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☒ No ☐

File # 21T-13004B Status/Decision Registered 43M-

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☒


Date of Transfer _____ Land Use _____

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	C10E04.005	LPAT Approved
Zoning By-law Amendment	C10E04.005	Application Open
Minister's Zoning Order	O. Reg 171/20	Approved
Minor Variance		
Validation of the Title		
Approval of Power and Sale		
Plan of Subdivision	21T-13004B	Approved

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act*?
Yes ☒ No ☐
13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☒ No ☐
14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☒ No ☐
15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the _____ City _____ of _____ Vaughan _____
this 1st day of _____ November _____, 20 20.



Signature of Applicant, or Authorized Agent, see note on next page
Silvio De Gasperi, President

Check box if applicable:

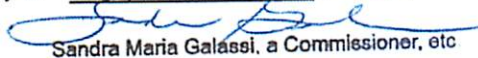
☒ I have the authority to bind the Corporation

DECLARATION


I, David Stewart of the _____ City _____ of _____ Mississauga _____
in the County/District/Regional Municipality of _____ Peel _____ solemnly declare that all the statements contained in this application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the _____ City _____ of _____ Vaughan _____
Regional _____
in the Municipality _____ of _____ York _____

this 3 day of _____ November _____, 20 20.



Sandra Maria Galassi, a Commissioner, etc.
Province of Ontario, for TACC Developments
Inc. and its associated companies.



Signature of applicant/solicitor/authorized agent, etc.

Signature of a Commissioner, etc.
Expires August 8, 2022.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

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



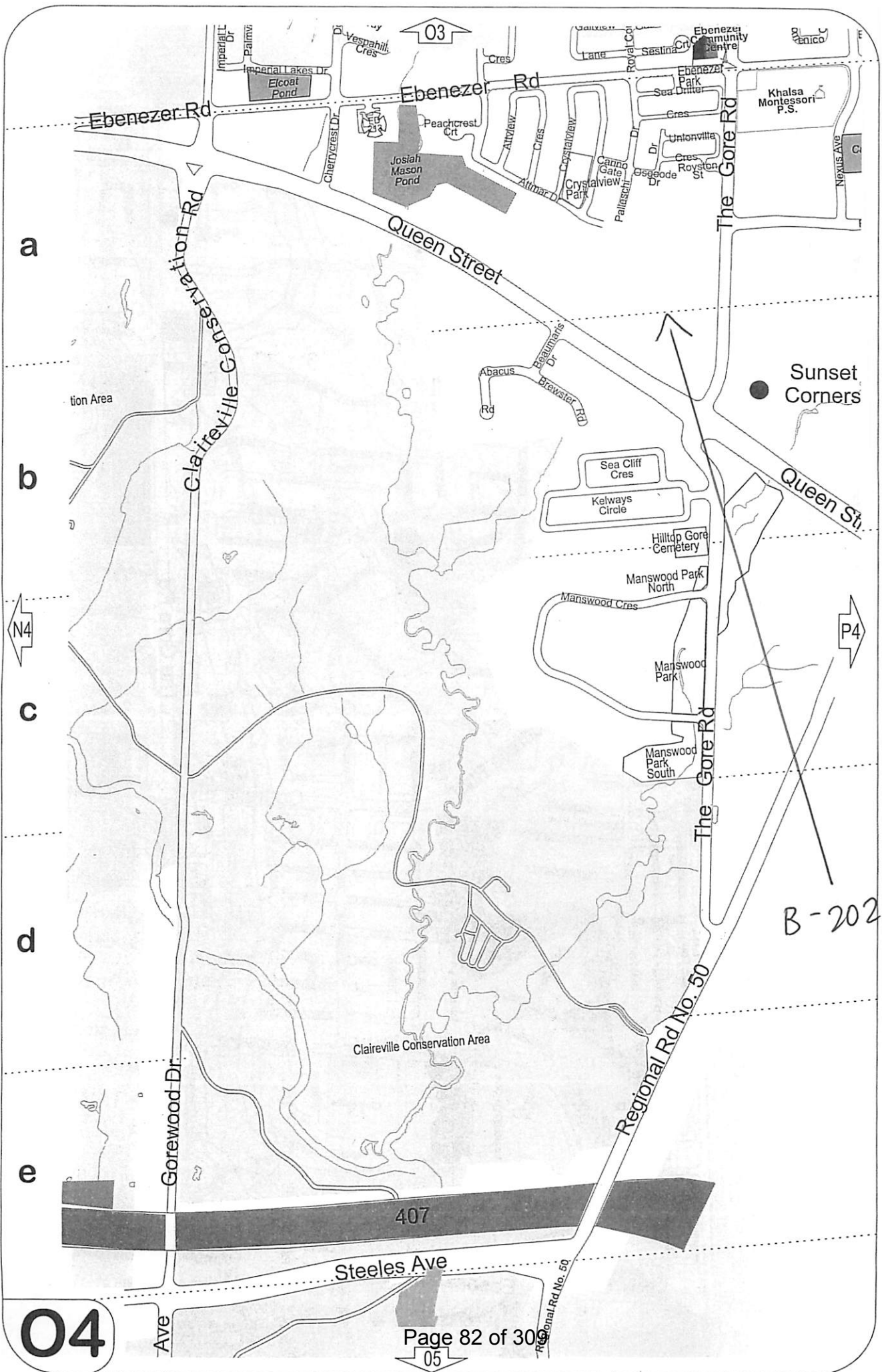
Zoning Officer

NOV. 04. 2020

Date

DATE RECEIVED

November 4, 2020



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04

B-2020-0025

Filing Date: November 4, 2020
Hearing Date: December 1, 2020

File: B-2020-0025

**Owner/
Applicant:** TACC HOLBORN CORPORATION

Address: 100 ROCKSPUR CRT, BRAMPTON, ON

Ward: 8

Contact: Shelby Swinfield, Planner I, Development

Proposal:

The purpose of the application is to request the consent of the Committee to the grant of an easement having a width of approximately 11 metres (36.09 feet), a depth of approximately 105.69 metres (346.75 feet) and an area of approximately 1,133 square feet (105.26 square metres).

The effect of the application is to create an access easement over Block 140 on Plan 43M-2092 in favour of Block 139 on Plan 43M-2092.

Recommendations:

That application B-2020-0025 is supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
 - a. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
 - b. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received;

Background:

- **Official Plan:** The subject property is designated 'Office' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Special Policy Area 8' in the Bram East Secondary Plan (Area 41); and
- **Zoning By-law:** The subject property is zoned "Minister Zoning Order 171/20 (MZO 171/20)" as per Ontario Regulation 171/20

Current Situation:

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

SCHEDULE "A"
CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed consent has no significant effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed consent is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed consent does not present any concern with regard to the Official Plan or adjacent plans of subdivision and will facilitate the creation of an access easement in relation to a Registered Plan of Subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The lands are suitable for the purposes of the easement.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed consent does not present any concern with regard to the adequacy of the roadway network. The access easement will facilitate movement between two properties within a Registered Plan of Subdivision.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed parcels appropriate for the intended use present no concerns.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lease area. No new buildings are proposed at this time.
h) <i>The conservation of natural resources and flood control;</i>	The proposed consent presents no concerns with regard to flood control and the conservation of natural resources.

i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j) <i>The adequacy of school sites;</i>	The proposed consent presents no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed consent has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no new buildings proposed with relation to this application, as such the consent presents no concerns relating to the development of the land.



APPLICATION # B-2020-0011

Ward # 1

DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **ROSE GARDEN RESIDENCES INC.**

Purpose and Effect

The purpose of the application is to request consent to sever approximately 1219.33 square metres (0.30 acres) from a parcel of land currently having a total area of approximately 8686.45 square metres (2.148 acres). The effect of the application is to create a new lot together with a permanent emergency access easement over the severed lands in favour of the retained lands. It is proposed that the subject lands be developed in phases.

Location of Land:

Municipal Address: **122-130 Main Street North, 6 and 7 Nelson Street East and 7 and 11 Church Street East**

Legal Description: Part of Lots 49, 50, 51, 52, 55, 56, 57, 58 and 86 and All of Lots 53 and 54, Plan BR-2.

Meeting

The Committee of Adjustment has appointed **TUESDAY, December 1, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.**

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **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 a possible Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.**

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

LAST DAY FOR RECEIVING COMMENTS: NOVEMBER 26, 2020

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

Decision and Appeal

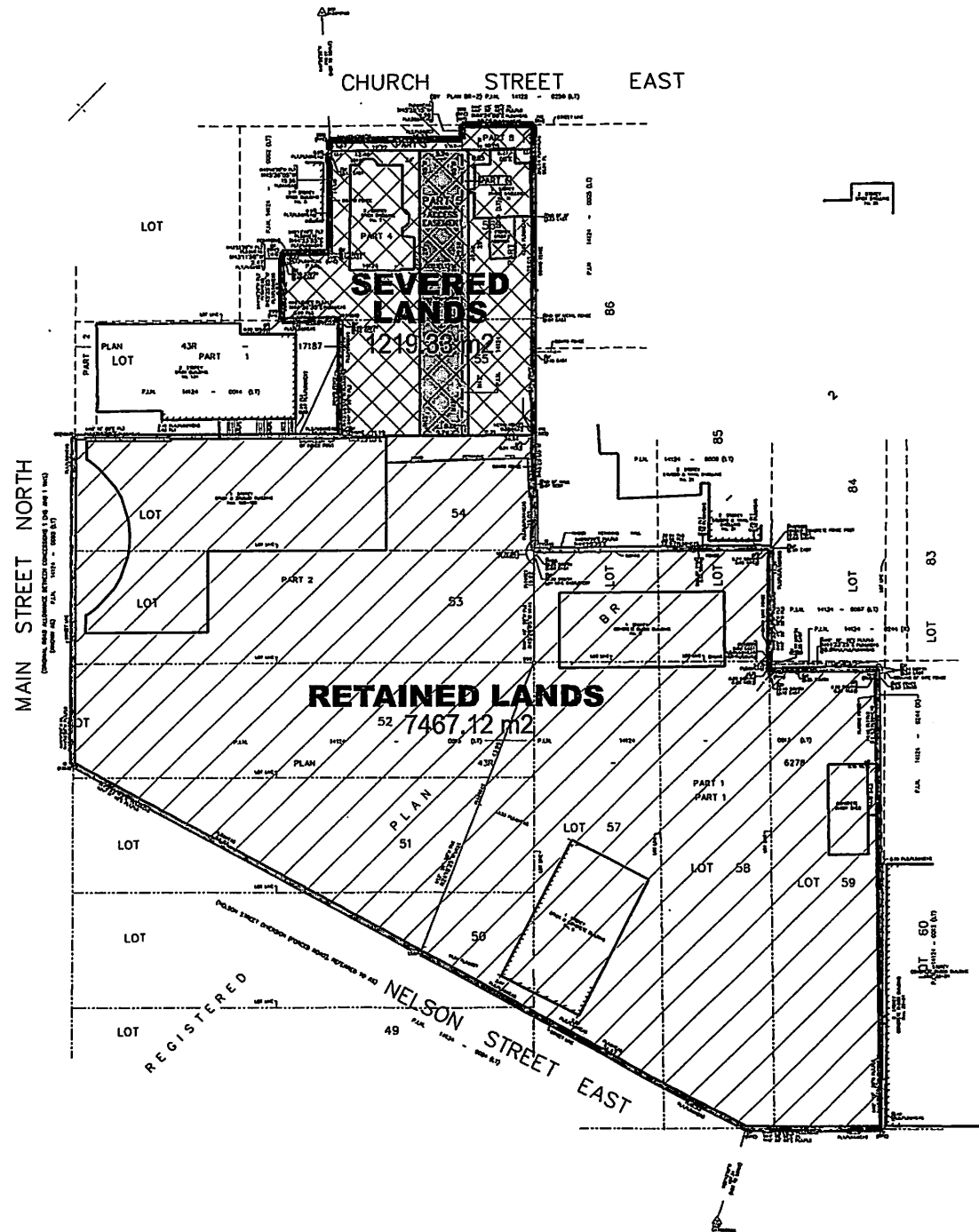
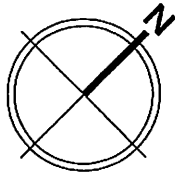
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*. The appeal form is available from the Environment and Land Tribunals Ontario website at www.elfto.gov.on.ca

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

DATED AT THE CITY OF BRAMPTON THIS 13th Day of November, 2020

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer
City of Brampton 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



KEY PLAN

Not to scale



PLAN OF SEVERANCE

PLAN OF SURVEY OF
PART OF LOTS 49, 50, 51, 52, 55,
56, 57, 58, 59, 85 AND 86 AND
ALL OF LOTS 53 AND 54
REGISTERED PLAN BR-2
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
SCALE 1:250

LEGEND

	TOTAL HOLDINGS:	8686.45 m2
	AREA TO BE SEVERED:	1219.33 m2
	EASEMENT (WITHIN AREA TO BE SEVERED)	(261.20 m2)
	AREA TO BE RETAINED:	7467.12 m2

Survey by:

R-PE R-PE SURVEYING LTD.
ONTARIO LAND SURVEYORS
543 Christie Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel: (416) 635-5000 Fax: (416) 635-5001
Tel: (905) 264-0881 Fax: (905) 264-2099
Website: www.r-pe.ca

File Number: 3456-3
Date: 2020-08-06
Scale: SEE SCALE BAR

WESTON
CONSULTING
planning + urban design

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 during the COVID-19 Emergency

Electronic Hearing Procedures
How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
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If holding an electronic 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.

APPLICATION # B-2020-0019
Ward # 6

DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An amended application for consent has been made by **CANON CANADA INC.**

Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 74203.8 square metres (7.42 hectares). The effect of the application is to create a new lot having frontage of approximately 244.18 metres (800.85 feet), a depth of approximately 127.20 metres (417.32 feet) and an area of approximately 30,220.4 square metres (3.02 hectares); together with a mutual access easement for the proposed severed and retained parcels. The proposed severed lands are excess to Canon's needs. No new development is proposed as part of this consent application.

Location of Land:

Municipal Address: 8000 Mississauga Road

Former Township: Chinguacousy

Legal Description: Part of Lot 1, Concession 5 WHS

Meeting

The Committee of Adjustment has appointed **TUESDAY, December 1, 2020 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for considering the application.

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.** You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

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LAST DAY FOR RECEIVING COMMENTS: NOVEMBER 26, 2020

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Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the *Planning Act* for:

Official Plan Amendment:	NO	File Number:
Zoning By-law Amendment:	NO	File Number:
Minor Variance:	NO	File Number:

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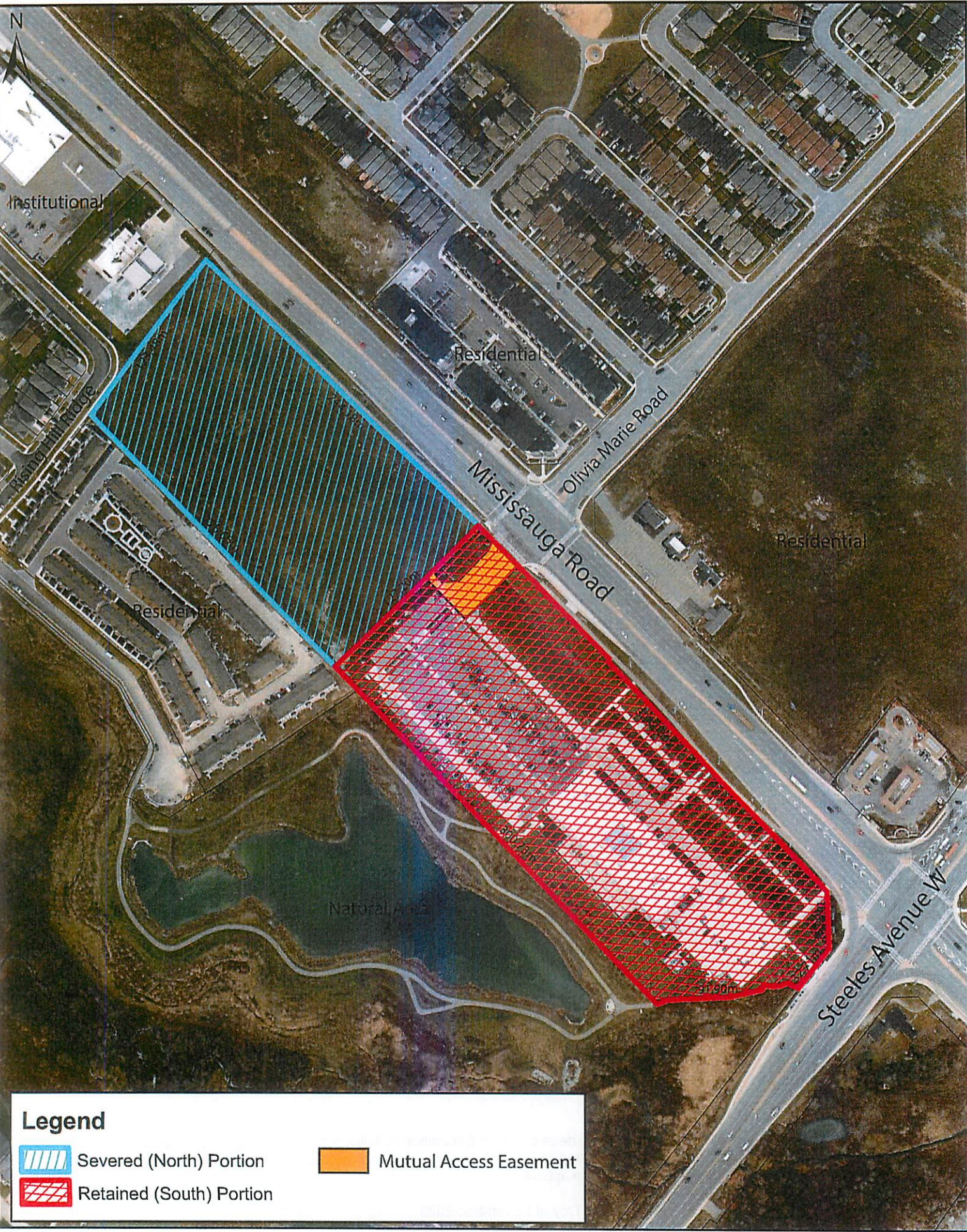
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Jeannie Myers, Secretary-Treasurer
City of Brampton Committee of Adjustment
City Clerk's Office, Brampton City Hall
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117 Fax: (905)874-2119

8000 Mississauga Road - Consent Application - Property Sketch



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Filing Date: September 25, 2020

Hearing Date: December 1, 2020

File: B-2020-0019

**Owner/
Applicant:** CANON CANADA INC.

Address: 8000 Mississauga Road

Ward: 6

Contact: Shelby Swinfield, Planner I, Development

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 74203.8 square metres (7.42 hectares).

The effect of the application is to create a new lot having frontage of approximately 244.18 metres (800.85 feet), a depth of approximately 127.20 metres (417.32 feet) and an area of approximately 30,220.4 square metres (3.02 hectares); together with a mutual access easement for the proposed severed and retained parcels.

The proposed severed lands are excess to Canon's needs. No new development is proposed as part of this consent application.

Recommendations:

That application B-2020-0019 is supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
 - a. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
 - b. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of

the resultant deposited reference plan(s) shall be received;

2. That Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Background:

The subject application has been revised to include an access easement that Transportation Planning staff consider to be appropriate to facilitate the severance.

- **Official Plan:** The subject property is designated 'Office' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Office Centre' in the Bram Wes Secondary Plan (Area 40d); and
- **Zoning By-law:** The subject property is zoned "Office Commercial (OC) – Section 2405" according to By-Law 270-2004, as amended.

Current Situation:

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

SCHEDULE "A"
CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed consent has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed consent is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed consent does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed consent will facilitate the sale of surplus lands. The land is suitable for this purpose.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed consent does not present any concern with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed parcels appropriate for the intended use.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lease area. No new buildings are proposed at this time.
h) <i>The conservation of natural resources and flood control;</i>	The proposed consent presents no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j) <i>The adequacy of school sites;</i>	The proposed consent presents no concerns with regard to the adequacy

		of school sites.
k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed consent has no impact on matters of energy conservation.
m)	<i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no new building proposed at this time and as such the consent presents no concerns relating to the development of the land.



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MARIA FRANCESCA DE PINTO AND CHRISTOPHER EDWARD ROGACKI** 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 288, Plan 810 municipally known as **24 FLAVIAN CRESCENT**, Brampton;

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

1. To permit a rear yard setback of 7.8m (25.60 ft.) to a proposed second storey addition whereas the by-law requires a minimum rear yard setback of 8.1m (26.57 ft.)
2. To permit an existing accessory structure (shed) having a gross floor area of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
3. To permit 0.0m setback to an existing play structure (recreational facility) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the lot line;
4. To permit a 0.0m setback to the eaves on an existing accessory structure whereas the by-law requires a minimum setback of 0.1m (0.33 ft.) or a maximum encroachment of 0.5m (1.64 ft.);
5. To permit an existing fence in the rear yard having a maximum height of 3.05m (10 ft.) whereas the by-law permits a fence in the rear yard to a maximum height of 2m (6.56 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, December 1, 2020 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.**

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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 19th day of November, 2020.

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

REG'D PLAN 810 LOT 288
TOWNSHIP OF CHINGUACOUSY,
COUNTY OF PEEL
PER SURVEY DATED NOV 6 1968
BY H.J. REINTHALER O.L.S.
FRED SCHAEFFER SURVEYORS
ZONING R1B(1) (MATURE NEIGHBORHOOD)
* DENOTES ALLOWED BYLAW

LOT AREA 569.4 m² (6129.4 SF)
EXIST COVERAGE DWLG 115.3 m² (1241 SF)
EXIST CVRG ACCES STRUCT 22.9 m² (246.5 SF)
TOTAL COVERAGE 138.2 m² (1487.5 SF) = 24% OK
* MAX LOT COVERAGE @ 30% = 170.82 m² (1839.7)
NO CHANGE

* MAX ADDITION GFA 50 m² (538 SF)
PROPOSED ADDITION GFA 65.8 m² (708 SF)
ADDITION OVER GFA BY 15.8 m² (170 SF)
SPA REVIEWED SPA-2020-0129

SETBACKS
* SIDE MIN @ 1 STOREY 1.2m (3.9') [MATURE 10.27]
EXISTING 1 STOREY 1.3m (4.1') SOUTH NO CHANGE
EXISTING 1 STOREY 5.7m (18.8') NORTH NO CHANGE
* SIDE MIN @ 2 STOREY 1.8m (5.9') [MATURE 10.27]
PROP 2 STOREY 2.1m (6.9') OK SOUTH
PROP 2 STOREY 5.7m (18.8') OK NORTH

* FRONT = 7.6m (24.9') R1B(1)
PROP FRONT MIN 9 m (29.5') OK
PROP. 2ND FL FRONT 13.5 m (44.2') OK

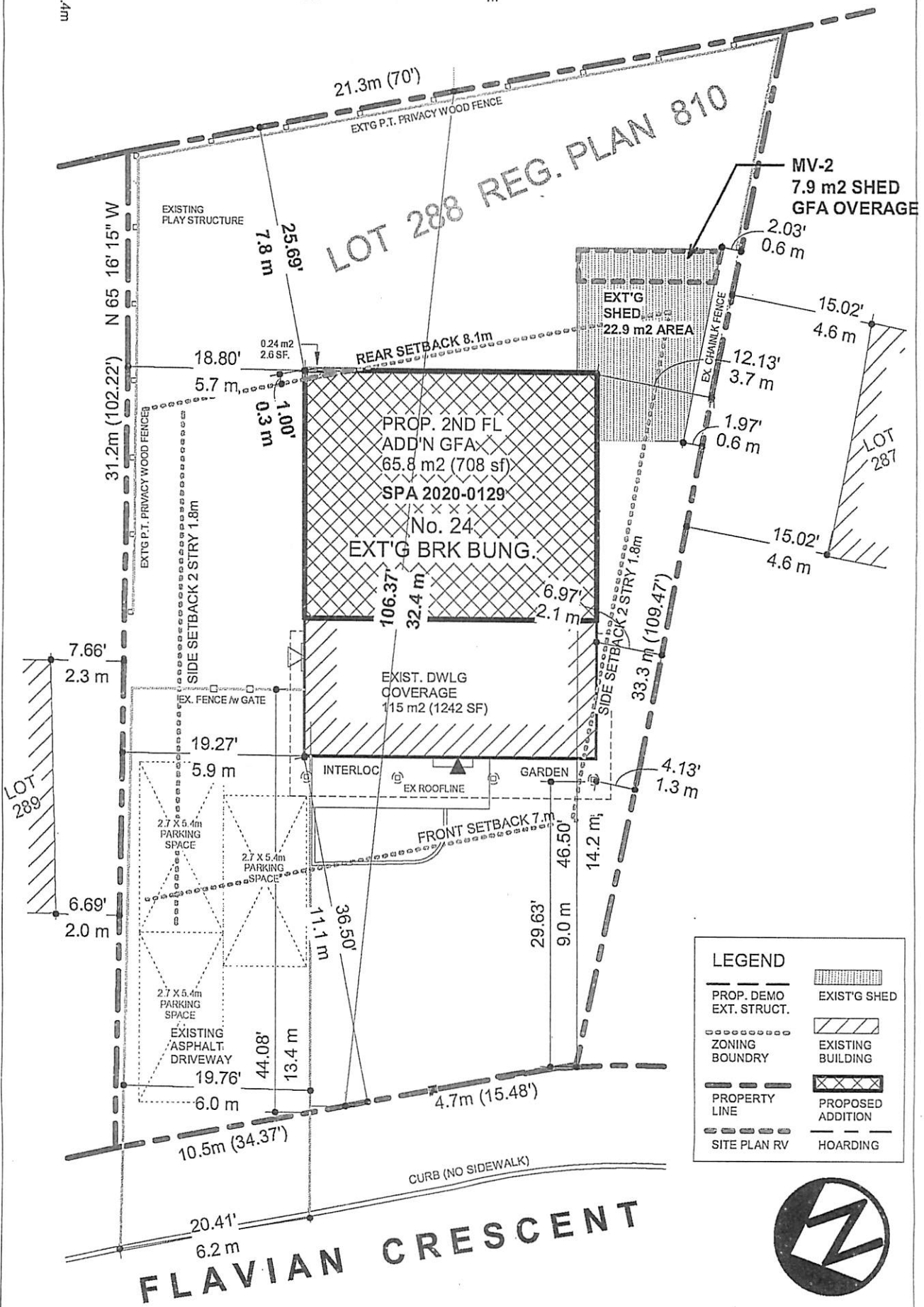
PROPERTY LENGTH 32.4 m (106.4')
* REAR 25% LOT LENGTH 8.1m (26.6') [MATURE 10.27]
EXISTING REAR 7.8m (25.7') NO CHANGE
PROP. 2ND FL REAR 7.8m (25.6') ENCR OACH 0.3 (1)

* MAX HT. PEAK 7.6m (24.9') R1B(1)
EX ROOF PEAK HT 4m (13.2')
PROP. PEAK HT 7.4m (23.9') OK

EXISTING ACCESSORY SHED
NOT CONNECTED TO DWELLING
* MAX AREA (GFA) 15m² (161.5 sf)
EX. SHED GFA 22.9 m² (246.3 sf)
SHED GFA OVER BY 7.9 m² (84.8 sf)

* SHED SETBACK 0.6m (1.9')
* EXISTING SIDE SETBACK 0.6m (1.9') OK
* ALLOWED HEIGHT 3m (9.8')
EXISTING HEIGHT 2.9m (9.5') OK

* DRIVEWAY WIDTH MIN 3m - MAX 7.32m LENGTH MIN 5.4m
EXISTING DRIVEWAY WIDTH 6.2m (20.4') OK
EXISTING DRIVEWAY LENGTH 13.4m (44') OK



LEGEND	
PROP. DEMO	EXIST'G SHED
EXT. STRUCT.	EXISTING BUILDING
ZONING BOUNDARY	PROPOSED ADDITION
PROPERTY LINE	HOARDING
SITE PLAN RV	



EZDimensions
renovation experiences made easy!
erinzaggar@live.com 905-866-8358

24 FLAVIAN CRES.,
BRAMPTON, ON
PROP SECOND FL ADD'N

No.	Description	Date
3	SITE PLAN APPROVAL-2	10-13-20
4	SITE PLAN APPROVAL-3	10-29-20

I review and take responsibility for the design related to this project as an independent designer as per exemption set out in 3.2.4.1.(3)(d)
Erin Zagar
EZDimensions
reg. BCIN 20904

PROP. SITE PLAN	
Project number	E2D2003
Date	FEB 15, 2020
Drawn by	Erin Zagar
Checked by	Erin Zagar
3/32" = 1'-0"	

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- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, November 26, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020.**
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020.** City staff will contact you and provide you with further details.
- 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 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.

November 17, 2020

A-2020-0057

AMENDED (Nov. 17)

Committee of Adjustment Amendment
Attn: Jeanie Myers
Legislative Coordinator
Secretary-Treasurer
Committee of Adjustment
City of Brampton, City Clerk's Office

RE File: A202-00576 additional revision
24 Flavian Cres. Brampton, On

As per our application for Minor Variance please **revise** application A202-00576 as follows...

Additional variances required to be added to the application

1. To allow for 0.0m setback to an existing play structure (recreation facility) where the bylaw requires a 1.2m setback to the lot line.
2. To allow for a 0.0m setback for eaves on an existing accessory structure where the bylaw requires a 0.1m setback or max. encroachment of 0.5m.
3. To permit a 3.05m high existing fence in the rear yard where the by-law permits a max of 2m. The height is necessary since the surrounding neighbouring grade is higher than the grade at 24 Flavian.

If you have any question please feel free to contact me.

Thank you



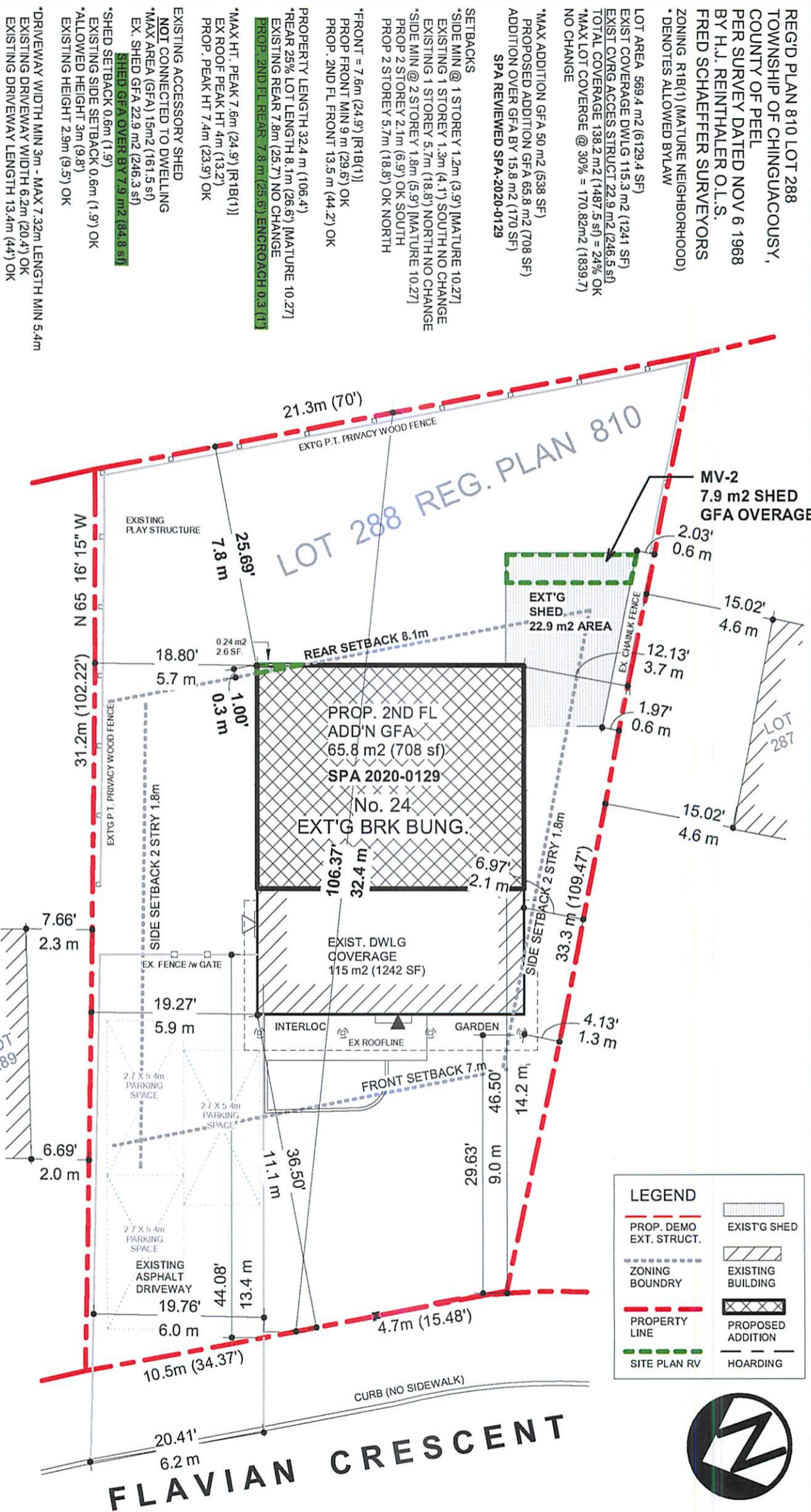
Erin Zagar
EZDimensions
905-866-8358

CC: Jennifer Chau, Plans examiner
Zoning Services, Building Division

No.	Description	Date
3	SITE PLAN APPROVAL-2	10-13-20
4	SITE PLAN APPROVAL-3	10-29-20

I review and take responsibility for the design related to this project as an independent designer as per exemption set out in 3.2.4.1.(3)(d)
Erin Zagar
EZDimensions
reg. BCIN 20904

PROP. SITE PLAN	
Project number	EZD2003
Date	FEB 15, 2020
Drawn by	Erin Zagar
Checked by	Checker
A-1	



A-2020-0057

AMENDED

October 30, 2020

Committee of Adjustment Amendment
Attn: Jeanie Myers
Legislative Coordinator
Secretary-Treasurer
Committee of Adjustment
City of Brampton, City Clerk's Office

RE File: A202-00576
24 Flavian Cres. Brampton, On

As per our original application for Minor Variance find attached a revised site plan. With regards to the application A202-00576 please **amend** as follows...

#3. Nature and extend of relief applied for (variance requested)

Remove

1. To allow for 22.8m² overage on proposed 72.8m² second storey addition (I've confirmed this does not require a variance since it has been reviewed by Site Planning.)

Amend #2

1. To allow for 7.9m² overage on existing 22.9m storage shed whereas the By-law limits for accessory structures at 15m².

Add to our application new #2

2. Relief of rear setback by 0.3m for proposed 2nd storey addition having a setback of 7.8m to the rear lot line. The proposed addition to be built on existing non-conforming main floor dwelling, whereas the By-law requires rear setback minimum of 8.1m.

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

Amend

1. Proposed second story will used the existing footprint with existing non-conforming setbacks.
2. Existing shed @ 22.9m² is located at the rear side of the property and coverage of dwelling and shed is at 24% whereas the allowed coverage is 30%.

Please add our Minor Variance Application to the agenda for the next Committee of Adjustment meeting scheduled for December 1, 2020.

If you have any question please feel free to contact me.

Thank you



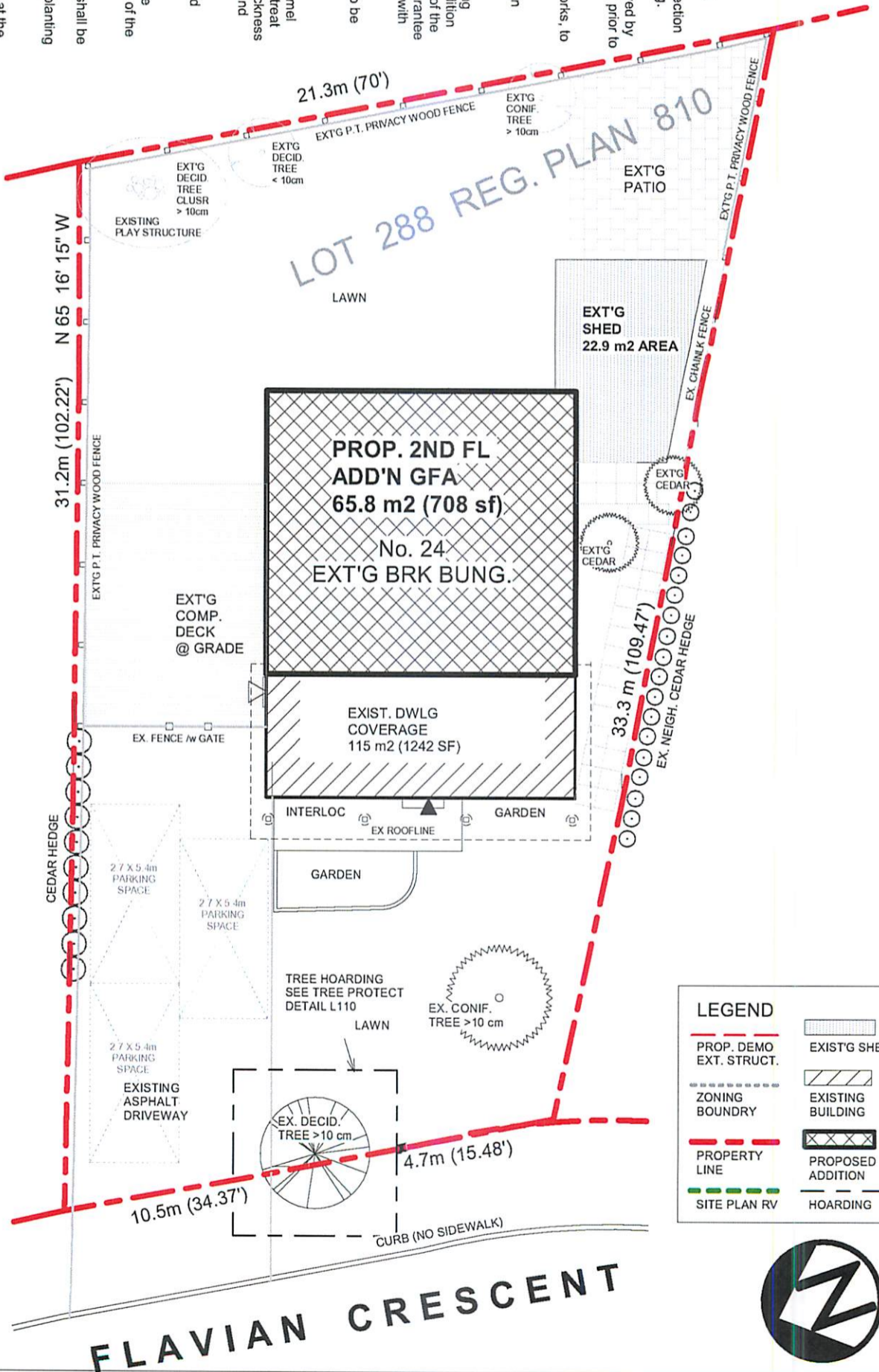
Erin Zagar
EZDimensions
905-866-8358

CITY OF BRAMPTON
LANDSCAPE PLAN
APPROVED
subject to an agreement ☐
On This ____ Day of ____

.....
Allan Parsons
Director, Development Services

BRAMPTON STANDARD SITE PLAN LANDSCAPE NOTES

- The Contractor must notify the Open Space Development Section of the City of Brampton prior to commencement of any planting.
- The locations of all trees on street frontages must be approved by the Open Space Development Section of the City of Brampton prior to their installation.
- The Owner is required, upon completion of all landscape works, to submit an Acceptance Certificate prepared by a certified and registered OALA Landscape Architect to the Open Space Development Section and to request an inspection by the Open Space Section.
- All landscape works will be guaranteed for one year following inspection. Plant material, which is not in healthy growing condition one year after inspection, shall be replaced to the satisfaction of the City of Brampton with an additional one-year maintenance guarantee period. Supply and plant all replacements in strict accordance with plans and specifications.
- Sod that is damaged or missing on the public boulevard is to be repaired/installed at the Owner's expense.
- Any chain link fencing and components that are installed subsequent to Site Plan approval shall have a black gloss enamel finish by powder coat application. Prior to application of finish, treat with Parker Bonderite and Chlorothene solvent applied in a thickness of 4-5 mils by electrostatic coat and oven cured for a smooth and even surface. All chain link fabric also to black vinyl coated.
- The Contractor is responsible for location of all underground services prior to excavation of tree pits and shrub beds.
- All T-bars to be removed at the conclusion of the warranty period, unless otherwise specified by the Open Space Section of the City of Brampton.
- Any transformer installed subsequent to site plan approval shall be screened with plant material to the satisfaction of the City of Brampton and meet all requirements of Hydro One Brampton planting setbacks.
- Any damage due to construction is required to be reinstated at the applicant's expense. All damages will be completed accordingly to the satisfaction of the City of Brampton.



EZDimensions
renovation experiences made easy!
erinzaggar@live.com 905-866-8358

24 FLAVIAN CRES.,
BRAMPTON, ON
PROP SECOND FL ADD'N

No.	Description	Date
4	SITE PLAN APPROVAL-3	10-29-20

I review and take responsibility for the design related to this project as an independent designer as per exemption set out in 3.2.4.1 (3)(d)

Erin Zaggar
EZDimensions
reg. BCIN 20504

LANDSCAPE PLAN	
Project number	EZD2003
Date	FEB 15, 2020
Drawn by	Erin Zaggar
Checked by	Checker
A-1 LD	



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) Maria Francesca DePinto & Christopher Edward Rogacki
 Address 24 Flavian Cres
Brampton ON L6T 3P3
 Phone # 416-821-7731 Fax # _____
 Email uknowme-fd85@hotmail.com
2. Name of Agent Erin Zagar
 Address 76 MILL ST S
BRAMPTON, ON. L6Y 1S8
 Phone # 905-866-8358 Fax # _____
 Email erinzagar@live.com
3. Nature and extent of relief applied for (variances requested):
Minor variance #1 - to allow for 22.8 m2 overage on proposed 72 m2 second storey
addition.
Minor variance #2 - to allow for 7.9 m2 overage on existing storage shed

4. Why is it not possible to comply with the provisions of the by-law?
Allowed maximum addition is limited to 50m2. Proposed second storey Agra will use the
existing footprint to allow for 3 bedrooms & bath on second fl. and will require 81m2 GFA

Existing shed @ 22.8 m2 GFA does not comply with max shed gfa of 15m2.

5. Legal Description of the subject land:
 Lot Number Lot 288.
 Plan Number/Concession Number Reg Plan 810
 Municipal Address 24 Flavian Crescent
6. Dimension of subject land (in metric units)
 Frontage 15.2 m
 Depth 31.2 m
 Area 569.4 m2
7. Access to the subject land is by:
 Provincial Highway ☐ Seasonal Road ☐
 Municipal Road Maintained All Year ☒ Other Public Road ☐
 Private Right-of-Way ☐ 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 dwelling coverage & GFA = 115.4 m²

1 storey bungalow 9.4m x 12.2m. height 4 m

Existing shed coverage & GFA = 22.8m²

1 storey Approx 6.1m x 4.6m height 3m

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Second storey 0 coverage, GFA = 71m².

ADDITION 9.4 m x 8.5 m TOTAL PROPOSED HEIGHT 7.3m

TOTAL PROPOSED DWELLING GFA 186.4

TOTAL PROP COVERAGE DWLG 115.4 m² + EX. SHED 22.8 m² = 138.2 m² CVRG.

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)

	Dwelling	Shed
<u>EXISTING</u>		
Front yard setback	9.7m	N/a
Rear yard setback	7.8m	N/a
Side yard setback	1.4m SOUTH	0.6m SOUTH
Side yard setback	5.7m NORTH	N/a
<u>PROPOSED</u>		
Front yard setback	13.4 m	
Rear yard setback	7.8m	
Side yard setback	2.1m SOUTH	
Side yard setback	5.7m NORTH	

10. Date of Acquisition of subject land: Sept 30, 2011

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: 1968 approx

15. Length of time the existing uses of the subject property have been continued: 1968 ORIGINAL

16. (a) What water supply is existing/proposed?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Well | <input type="checkbox"/> | |
- (b) What sewage disposal is/will be provided?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Septic | <input type="checkbox"/> | |
- (c) What storm drainage system is existing/proposed?
- | | | |
|---------|-------------------------------------|-----------------------|
| Sewers | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Ditches | <input type="checkbox"/> | |
| Swales | <input type="checkbox"/> | |

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]
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____

THIS 30th DAY OF July, 2020.

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, Hung Pham, OF THE city OF Mississauga

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 6th DAY OF

August, 20 20

[Signature]
A Commissioner etc.

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

[Signature]
Signature of Applicant or Authorized Agent

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1B, MATURE NEIGH

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

[Signature]
Zoning Officer

AUGUST 06 2020
Date

DATE RECEIVED August 6, 2020

Revised 2020/01/07

REG'D PLAN 810 LOT 288
TOWNSHIP OF CHINGUACOUSY,
COUNTY OF PEEL
PER SURVEY DATED NOV 6 1968
BY H.J. REINTHALER O.L.S.
FRED SCHAEFFER SURVEYORS

ZONING R1B(1) (MATURE NEIGHBORHOOD)

LOT AREA 569.4 m² (6129.4 SF)
EXIST COVERAGE 115.3 m² (1241 SF) = 20%
*MAX LOT COVERAGE @ 30% = 170.82m² (1839.7)
NO CHANGE

ADDITION GFA MAX 50 m² (538 SF)
PROPOSED ADDITION GFA 72 m² (772 SF)
OVER BY 22 m² (236 SF)

SETBACKS
SIDE MIN 1 STOREY 1.2m (3.9') [MATURE 10.27]
EXISTING 1 STOREY 1.4m (4.6') SOUTH
*SIDE MIN 2 STOREY 1.8m (5.9')
PROP 2 STOREY 1.8m (5.9') OK

*FRONT = 7.6m (24.9') [R1B(1)]
EXISTING FRONT MIN 9.7m (31.8') NO CHANGE

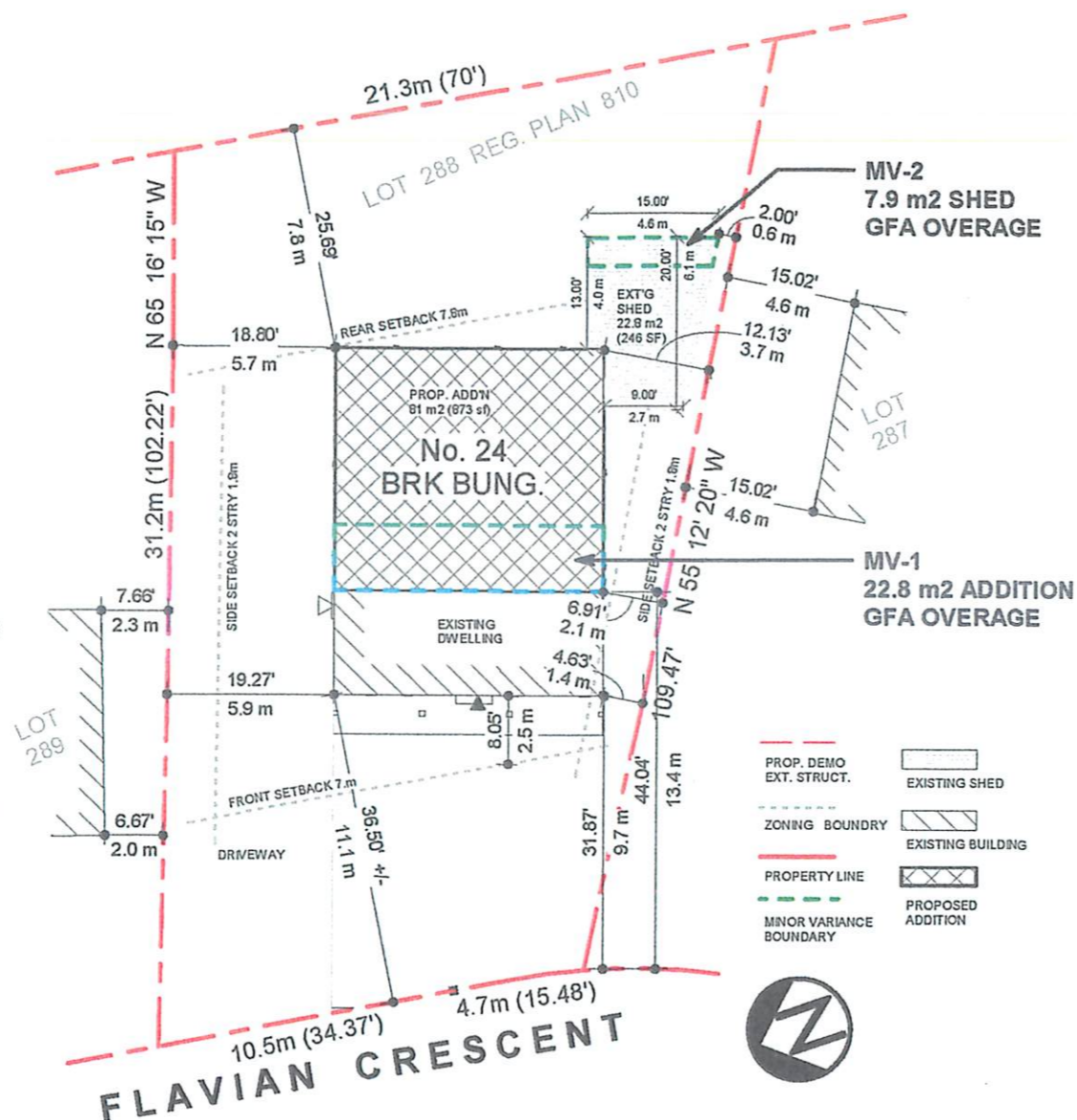
*REAR 25% LOT LENGTH 7.8m (25.6') [MATURE 10.27]
EXISTING REAR 7.8m (25.6') NO CHANGE
PROP. 2ND FL REAR 7.8 m (25.6') OK

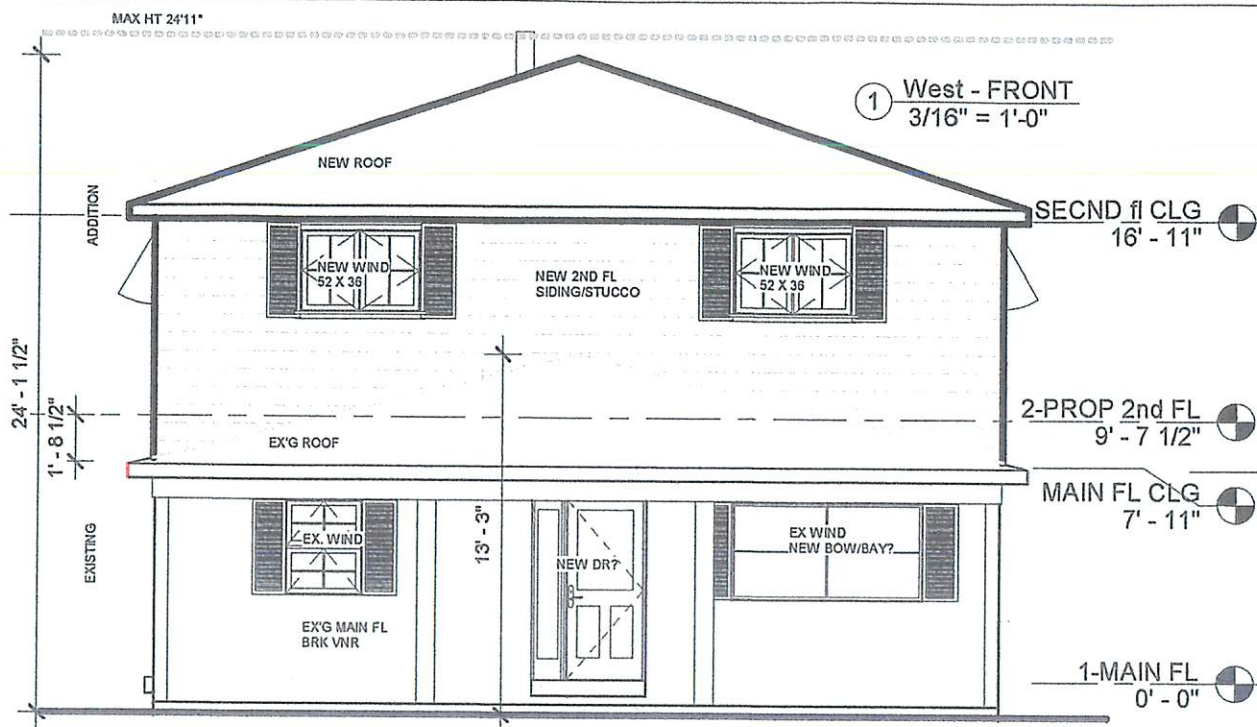
*MAX HT. PEAK 7.6m (24.9') [R1B(1)]
EX ROOF PEAK HT 4m (13.2')
PROP. PEAK HT 7.3m (23.9') OK

EXISTING SHED
*ACCESSORY BLDG MAX GFA AREA 15m² (161.5 SF)
EX ACCESSORY BLD 22.9 m² (246 SF)
OVER BY 7.9 m² (25.9 SF)

ACCESSORY SETBACK 0.6m (2')
EXISTING SIDE 0.6 m² (2') ALLOWED OK

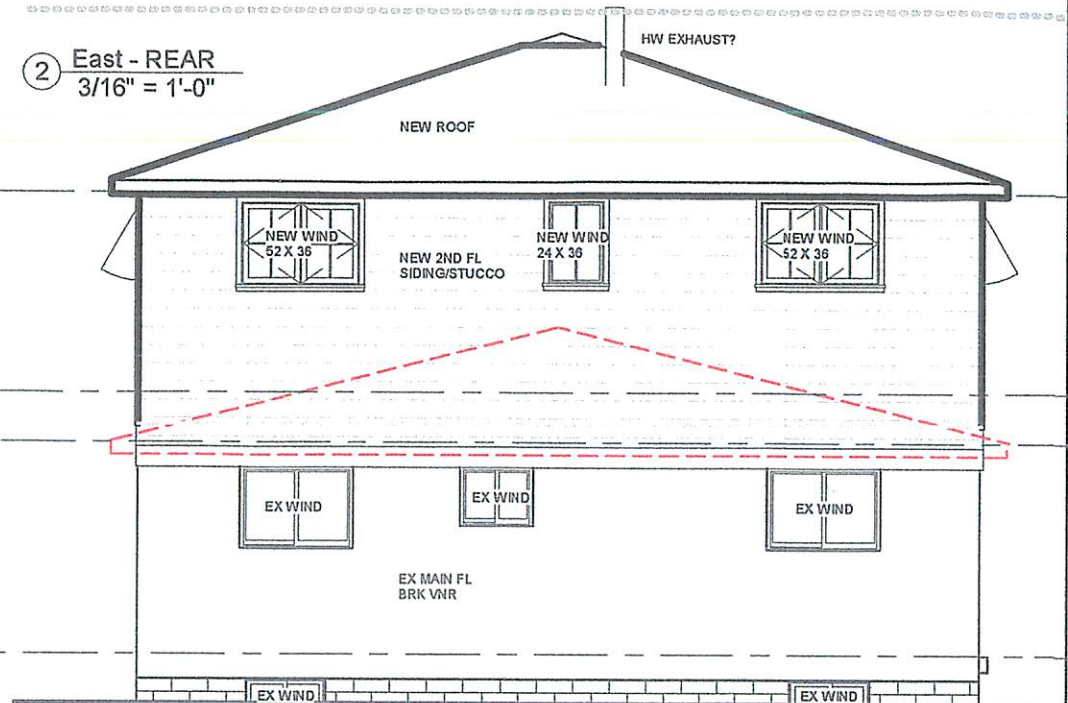
ACCESSORY HEIGHT MAX 3m (10')
EXISTING HEIGHT 3m (10')



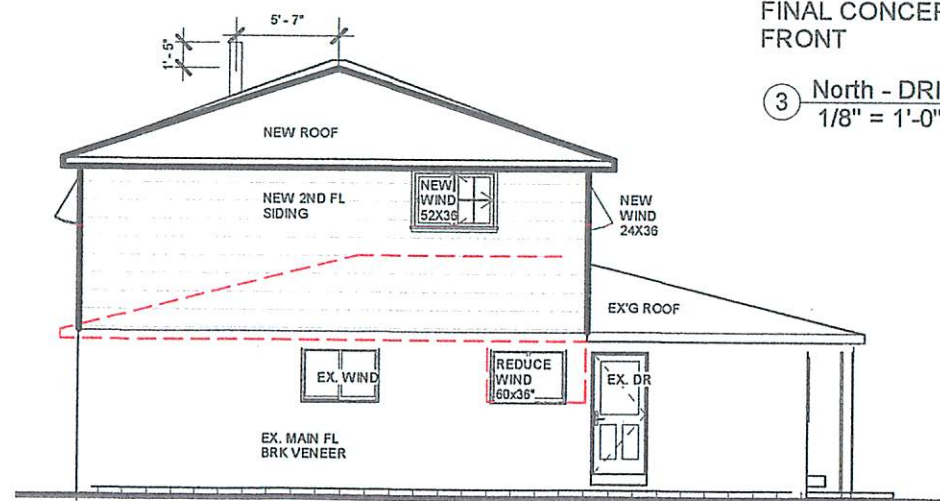


① West - FRONT
3/16" = 1'-0"

② East - REAR
3/16" = 1'-0"



FINAL CONCEPT REAR

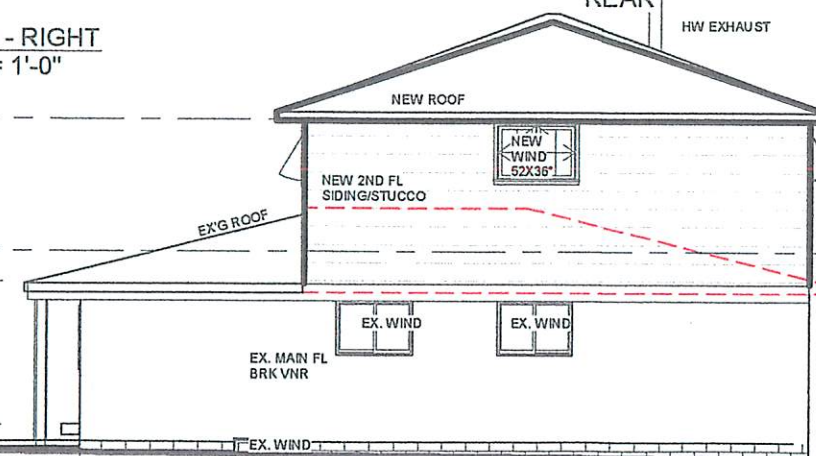


FINAL CONCEPT DRIVE SIDE

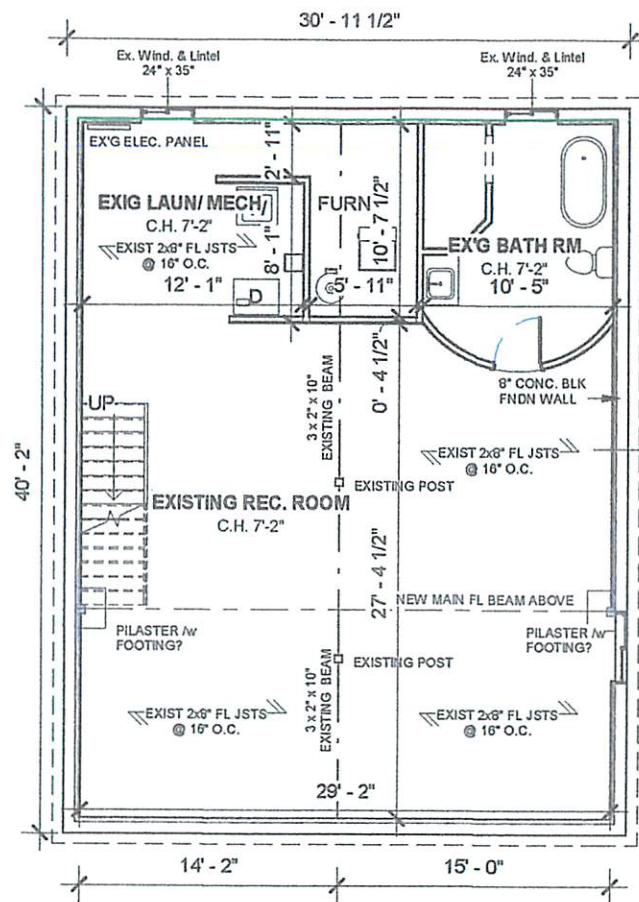
③ North - DRIVE SIDE
1/8" = 1'-0"

④ South - RIGHT
1/8" = 1'-0"

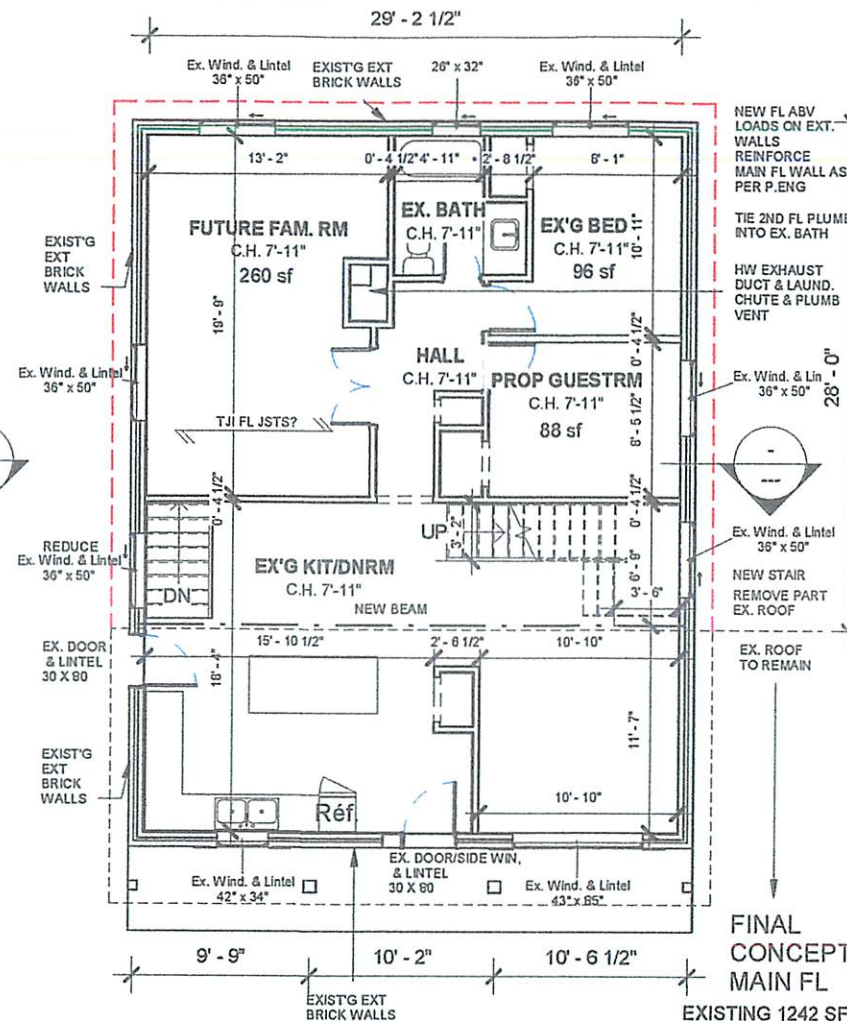
- SECND fl CLG 16' - 11"
- 2-PROP 2nd FL 9' - 7 1/2"
- MAIN FL CLG 7' - 11"
- 1-MAIN FL 0' - 0"
- GRADE -1' - 10 1/2"



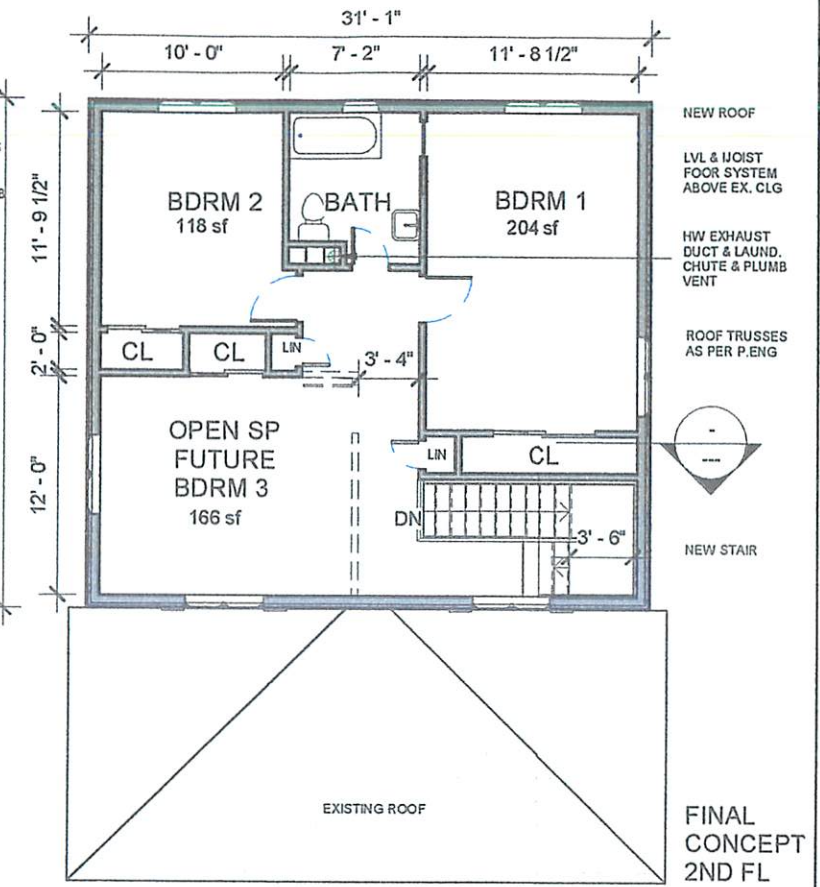
FINAL CONCEPT SIDE



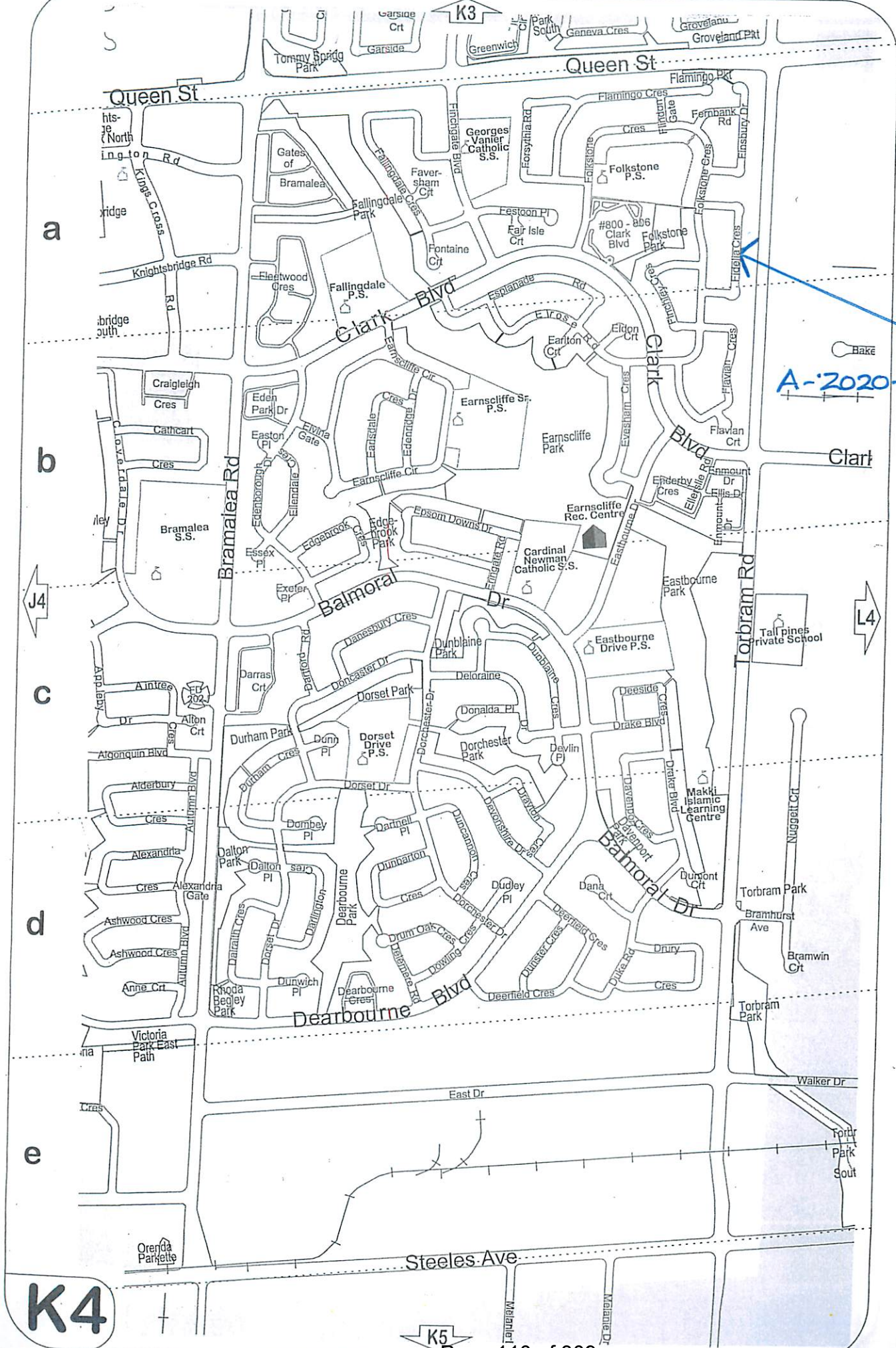
① 0-Bsmt Fl.
1/8" = 1'-0"



② 1-Main Fl.
1/8" = 1'-0"



③ 2-Prop 2nd Fl.
1/8" = 1'-0"



A-2020-0057

Filing Date: August 6, 2020
Hearing Date: December 1, 2020

File: A-2020-0057

**Owner/
Applicant:** MARIA FRANCESCA DE PINTO AND CHRISTOPHER EDWARD
ROGACKI

Address: 24 Flavian Crescent

Ward: 8

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0057 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That roof drainage from the accessory structure shall flow onto the applicant's property;
 3. That the applicant obtain a building permit for the accessory structure within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
 4. That drainage on adjacent properties shall not be adversely affected;
 5. That the accessory structure (shed) shall not be used as habitable space;
 6. That the owner finalize site plan approval under City File SPA-2020-0129, and if required, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
 7. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:**Existing Zoning:**

The property is zoned "Residential Single Detached (R1B)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a rear yard setback of 7.8m (25.60 ft.) to a proposed second storey addition whereas the by-law requires a minimum rear yard setback of 8.1m (26.57 ft.);
2. To permit an existing accessory structure (shed) having a gross floor area of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure;
3. To permit 0.0m setback to an existing play structure (recreational facility) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the lot line;
4. To permit a 0.0m setback to the eaves on an existing accessory structure whereas the by-law requires a minimum setback of 0.1m (0.33 ft.) or a maximum encroachment of 0.5m (1.64 ft.);
5. To permit an existing fence in the rear yard having a maximum height of 3.05m (10 ft.) whereas the by-law permits a fence in the rear yard to a maximum height of 2m (6.56 ft.).

Current Situation:**1. Conforms to the Intent of the Official Plan**

The property is designated "Residential" within the Official Plan and "Low Density 1 Residential" within the Bramalea Secondary Plan (Area 3). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Single Detached (R1B)" according to By-law 270-2004, as amended. The requested variances are intended to facilitate a proposed addition to the existing residential dwelling, and to permit existing accessory structures including a shed and play structure in the rear yard.

Variance 1 is to permit a rear yard setback of 7.8m (25.60 ft.) to a proposed second storey addition whereas the by-law requires a minimum rear yard setback of 8.1m (26.57 ft.). The intent of the by-law in requiring a minimum rear yard setback to a second storey addition is to ensure that the massing of the second storey does not negatively impact properties to the rear or negatively impact the provision of outdoor

amenity space for the property. The proposed setback for the second storey is consistent with the setback of the existing first floor of the dwelling and the reduction in rear yard setback is not anticipated to have negative impacts on provision of outdoor amenity space, or create a negative massing situation for the proposed addition. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variances 2 and 4 relate to an existing accessory structure (shed) in the rear yard.

Variance 2 is to permit an existing accessory structure (shed) having a gross floor area of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.) for an individual accessory structure. The intent of the by-law in regulating maximum floor area for accessory structures is to ensure that the structure does not dominate the rear yard amenity space and remains ancillary to the primary residential function of the dwelling. The existing oversized accessory structure does not negatively impact the provision of outdoor amenity space and is used for storage accessory to the dwelling. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 4 is to permit a 0.0m setback to the eaves on an existing accessory structure whereas the by-law requires a minimum setback of 0.1m (0.33 ft.) or a maximum encroachment of 0.5m (1.64 ft.). The intent of the by-law in regulating a minimum setback for the eaves of an accessory structure is to ensure drainage from the structure flows onto the subject property and does not impact adjacent properties. In the case of the accessory shed on the subject property, it is outfitted with eaves and drains that direct the drainage onto the applicant's property. Conditions of approval are recommended that drainage flow onto the applicant's property and drainage on adjacent properties shall not be negatively impacted to ensure the situation is continued. Subject to the recommended conditions of approval, Variance 4 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is in relation to an existing play structure in the rear yard. The variance is required to permit a 0.0m setback to an existing play structure (recreational facility) whereas the by-law requires a minimum setback of 1.2m (3.94 ft.) to the lot line. The intent of the by-law in requiring a minimum setback to a recreational facility is to ensure that sufficient room is provided for drainage. Given the elevated nature of the structure, it is not anticipated that the structure will negatively impact drainage. Subject to the recommended conditions of approval, Variance is considered to maintain the general intent of the Zoning By-law.

Variance 5 is to permit an existing fence in the rear yard having a maximum height of 3.05m (10 ft.) whereas the by-law permits a fence in the rear yard to a maximum height of 2m (6.56 ft.). The intent of the by-law in regulating maximum fence height is to ensure that fencing does not create a "fortress-like" enclosure. This variance relates to a small portion of the fence located behind the play structure which provides additional screening for the raised structure. This additional height in this limited area does not

contribute to “fortress-like” massing for the fence and is intended to provide screening. A condition of approval is recommended that the variances be approved only to the extent shown on the sketch attached to the public notice to ensure the fence height is not extended any further past the purpose of screening the structure. Subject to the recommended conditions of approval, Variance 5 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a reduced rear yard setback to a proposed second storey addition. The requested setback is reflective of the setback to the main floor of the dwelling and is not anticipated to create negative impacts on the rear yard space. Further, the addition is subject to a Site Plan Application through which the design will be reviewed to ensure any potential massing impacts are mitigated. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2020-0129, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 4 relate to an existing shed in the rear yard situated close to, but not attached to, the dwelling.

Variance 2 is requested to permit an increased floor area for the shed of 22.9 sq. m (246.50 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m (161.46 sq. ft.). The location and size of the shed do not detract from the rear yard amenity space and is intended to be used as extra storage for the dwelling. A condition of approval is recommended that a building permit be obtained for the accessory structure to ensure that the structure has been constructed in accordance with the Ontario Building Code (OBC). Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 4 is to permit a 0m setback between the eaves of the shed and the property line. This particular shed is constructed with eaves and a downspout that direct all the drainage from the roof of the structure onto the subject property so that it does not impact drainage on the adjacent property. Subject to the recommended conditions of approval, Variance 4 is considered to be desirable for the appropriate development of the land.

Variances 3 is related to an existing play structure situated in the rear corner tree of the property. Given the elevated nature of the structure, it presents no concerns with regard to drainage impacts and is considered to be complementary to the outdoor amenity space. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

Variance 5 is to permit a fence height of 3.05m (10 ft.) for a portion of the fence in the

rear yard located behind the play structure. In this case, the extra height is used to screen the play structure from adjacent properties and is not considered to be overbearing in regard to massing or sightlines. Subject to the recommended conditions of approval, Variance 5 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is intended to facilitate a second storey addition that will have a setback consistent with the first storey of the dwelling and represents a reduction in setback of only 0.3m (1 ft.). Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an existing oversized accessory structure. The structure is intended to act as accessory storage for the primary residence. A condition of approval is recommended that the structure not be used as habitable space to ensure that its primary function is accessory to the main dwelling. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 is to permit a 0m setback to an existing play structure in the rear yard. The structure is located in a tree near the property line and its elevated nature does not present any concerns with regard to drainage. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Variance 4 is to permit a 0m setback to the eaves of an accessory structure. In the case of this accessory structure, it is outfitted with eaves and a downspout that directs the drainage onto the subject property so it is not adversely impacting the adjacent property. Subject to the recommended conditions of approval, Variance 4 is considered to be minor in nature.

Variance 5 is to permit a portion of fence in the rear yard having a maximum height of 3.05m (10 ft.). This higher portion of the fence is a small portion of the fence around the play structure and is intended to screen the elevated structure. Subject to the recommended conditions of approval, Variance 5 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **CHRISTINE MERRIFIELD** 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 Part of Lots 27 and 28, Plan BR-2 municipally known as **13 SCOTT STREET**, Brampton;

AND WHEREAS the applicant is requesting the following:

1. To permit the expansion of an existing legal non-conforming use (duplex) by adding one (1) additional unit in the basement of the existing dwelling resulting in a total of three (3) dwelling units whereas the by-law does not permit the proposed additional unit.

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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal 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 19th day of November, 2020.

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

NELSON STREET EAST (NOT OPEN)

LOT 30

AREA=0.238 AC.

LOT 29

LOT 31

AREA=0.246

LOT 28

2 STY BRICK HOUSE

LOT 32

AREA=0.242 AC

LOT 27

REGISTERED PLAN NO BR - 2

LOT 22

LOT 23

LOT 24

LOT 25

LOT 26

QUEEN STREET EAST

CHRISTINE MERRIFIELD - 13 Scott St.

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.



FILE NUMBER: A-2020-0119

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, City of Brampton, 905-874-2118.

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 the By-Law _____.

1. Name of Owner(s) CHRISTINE MERRIFIELD
Address 13 SCOTT STREET
BRAMPTON ONTARIO L6V 1R9
Phone # 905-451-0095 Fax # _____
Email christie1321@yahoo.com

2. Name of Agent _____
Address _____

Phone # _____ Fax # _____
Email _____

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

Legal Non Conforming 3 PLEX
is requested.

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

Currently the dwelling is zoned as
a non-conforming Duplex - 2 family home

5. Legal Description of the subject land:

Lot Number PT LOTS 27, 28
Plan Number/Concession Number PLAN BR2
Municipal Address CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL
13 SCOTT ST.

6. Dimension of subject land:

Frontage 50'
Depth 211'
Area 0.242 AC LOT 27 / LOT 28 0.246

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 ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land:

- 1) $6\frac{1}{2}$ ft x $9\frac{1}{2}$ ft Portable Utility Shed - BACK South/West
CORNER
2) $4\frac{1}{2}$ x 6 ft Portable Utility Shed }
3) $9\frac{1}{2}$ x $6\frac{1}{2}$ Portable Utility Shed } - BACK NORTH SIDE
4) 2 1/2 story BRICK dwelling - 3600 sq feet -

PROPOSED BUILDINGS/STRUCTURES on the subject land:

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines)

EXISTING

Front yard setback

Rear yard setback

Side yard setback

Side yard setback

2 feet - NORTH South-West CORNER
2 feet - NORTH SIDE
4 feet - West Side
NORTH

PROPOSED

Front yard setback

Rear yard setback

Side yard setback

Side yard setback

10. Date of Acquisition of subject land: JUNE 1984
11. Existing uses of subject property: LEGAL non-Conforming Duplex.
12. Proposed uses of subject property: Triplex
13. Existing uses of abutting properties: Residential
14. Date of construction of all buildings & structures on subject land: 1964
15. Length of time the existing uses of the subject property have been continued: _____

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 # _____

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 _____
File # _____ Decision _____
File # _____ Decision _____

Relief _____
Relief _____
Relief _____

Christine Merrifield
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON,
THIS 26 DAY OF OCTOBER, 2020.

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, CHRISTINE MERRIFIELD 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 26TH DAY OF

October, 2020

Heanie Myers
A Commissioner etc.

Christine Merrifield
Signature of Applicant or Authorized Agent
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1B, MATURE NEIGH

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

Hothi S
Zoning Officer

OCT. 27. 2020
Date

DATE RECEIVED October 26, 2020

NELSON STREET EAST (NOT OPEN)

LOT 30

AREA=0.238 AC.

LOT 29

52.80'

FD CAR AXLE 0.36' W

LOT 31

AREA=0.246

LOT 28

2 STY BRICK HOUSE

LOT 32

AREA=0.242 AC

LOT 27

211.45'

FD IT 0.47' W
SET 8/8" 301.8.

N 45° 27' 30" E

N 38° 50' E

128.48'

N 38° 50' E
20.00'

LINE 2' CLEAR OF EAVES

N 43° 34' E
63.19'

WIRE FENCE

FD IT 131.72'

N 37° 33' E

179.74'

211.45'

0.08 (OVER)

48.54'

0.06 (OVER)

13.31'

PORTABLE SHEDS
22' x 95' ft

N 37° 40' 30" E

211.45'

1.00' (CLEAR)

1.25' (CLEAR)

POST & WIRE FENCE

DEL: 4

CEDAR HEDGE

SWC

REGISTERED PLAN N° BR - 2

N →

LOT 22

LOT 23

LOT 24

LOT 25

LOT 26

LOT 22

LOT 23

LOT 24

LOT 25

LOT 26

QUEEN STREET EAST

FD 34' R.B.

CHRISTINE MERRIFIELD - 13 Scott St



The Corporation Of The City Of Brampton

Public Works and Building Department

June 29, 1984

RECEIVED JUL - 5 1984

Callahan & Leschied
Suite 201
60 Queen Street East
Brampton, Ontario
L6V 1A9

re: Merrifield p/f Zadavec
13 Scott Street

Dear Sir:

Please be advised that the above mentioned property is zoned Residential R1B and subject to the provisions of By-law 200-82.

Prior to the passage of By-law 200-82 the property was zoned to permit a duplex with a maximum of two dwelling units.

(18-27 did allow duplex.)

There is a deed restriction registered on the property restricting its use to two families.

As we are not in receipt of a copy of legal survey showing a building located thereon, we are unable to confirm compliance with the set back requirements.

Yours truly,

A handwritten signature in cursive script that reads "F. Wingrove".

F. Wingrove,
Supervisor of Zoning Standards.

FW/ka
(Dennis Warren)

X 201

Canada
PROVINCE OF ONTARIO

In the Matter of the title to 13 Scott St.,
Brampton, Ontario.

AND IN THE MATTER OF THE SALE THEREOF FROM
FRANK ZADRAVEC & MARIE ZADRAVEC TO CHRISTINE
MERRIFIELD.

To Wit:

I, WE, FRANK ZADRAVEC & MARIE ZADRAVEC,
of the City of Brampton,
Regional Municipality of Peel,

in the

Do Solemnly Declare, that

1. All work in connection with the establishment of the one basement apartment at 13 Scott Street, Brampton, was carried out in accordance with all municipal and governmental requirements in effect at the relevant time.
2. All of the aforesaid work and the establishment of such one basement apartment was installed and completed in or about 1966.
3. The said one basement apartment has been occupied by a tenant or tenants continuously and in an uninterrupted manner since its establishment and accordingly constitutes a lawful non-conforming use.
4. The declarants herein warrant the hereinbefore stated facts as true and acknowledge that such warranty shall not merge on closing but remain in full force and effect as a continuing warranty notwithstanding closing.

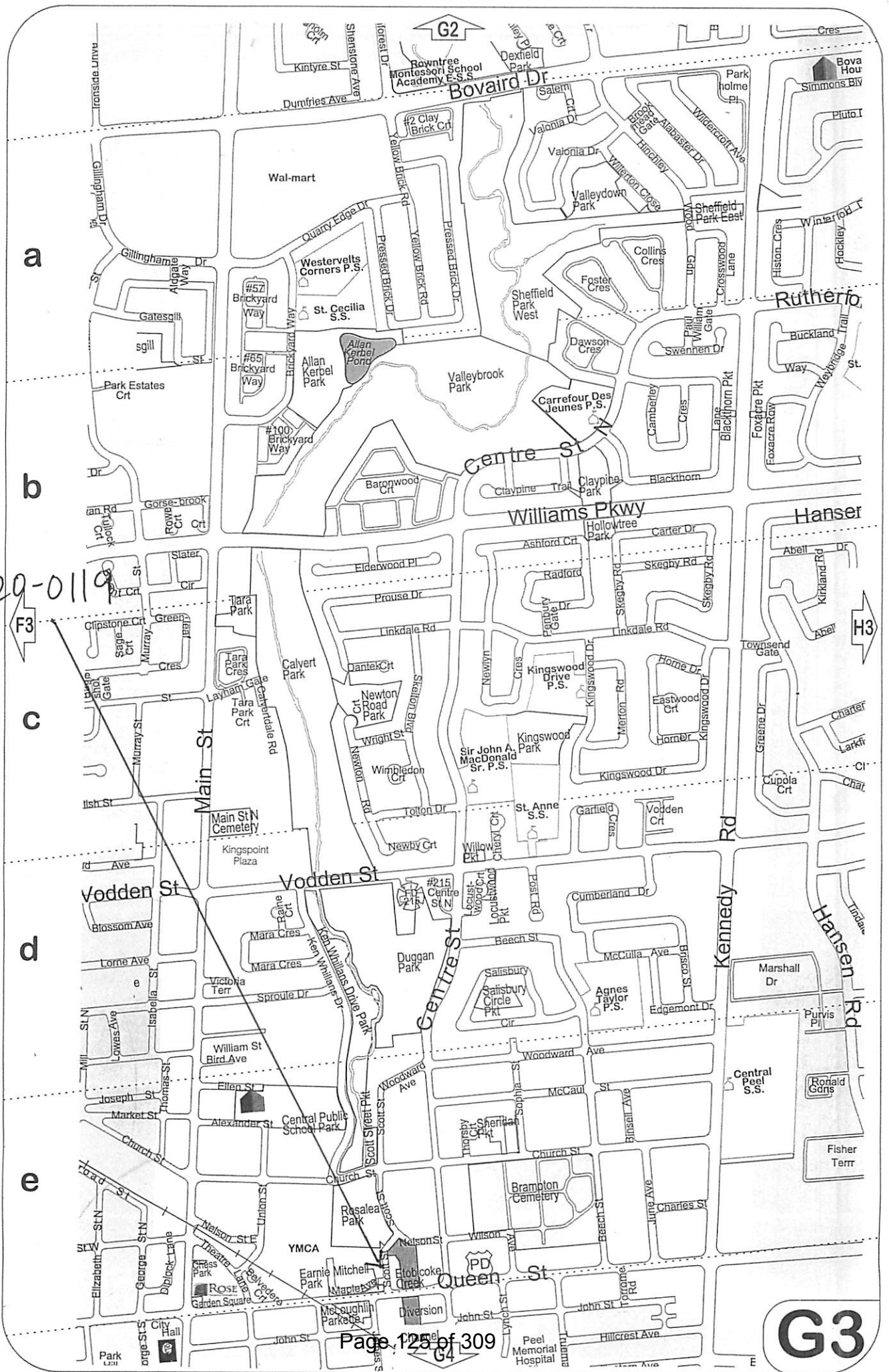
AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City
of Welland,
in the Regional Municipality
of Niagara,

this 27th day of June 19 84

Frank Zadavec
Marie Zadavec

[Signature]



A-2020-0119

Filing Date: October 27, 2020
Hearing Date: December 1, 2020

File: A-2020-0119

**Owner/
Applicant:** CHRISTINE MERRIFIELD

Address: 13 Scott Street

Ward: 1

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0119 is supportable, subject to the following conditions being imposed:

1. The owner shall arrange for a fire safety inspection to be completed by Brampton Fire and Emergency Services within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official and obtain any required permits, to the satisfaction of the Chief Building Official.

Background:**Requested Permission(s):**

The applicant is requesting the following:

To permit the expansion of an existing legal non-conforming use (duplex) by adding one (1) additional unit in the basement of the existing dwelling resulting in a total of three (3) dwelling units whereas the by-law does not permit the proposed additional unit.

Current Situation:**Official Plan**

The property is designated 'Residential' on Schedule "A" in the Official Plan and 'Medium/High Density Residential' in the Downtown Secondary Plan (Area 7).

Existing Zoning:

The property is zoned 'Residential Single Detached B (R1B)' on Schedule A of Zoning By-law 270-2004, as amended. This zone permits a single detached dwelling, a group home type 1, an auxiliary group home, a place of worship and purposes accessory to the other permitted purposes.

Legal Non-Conforming Duplex

A determination has been made that a duplex is a Legal Non-Conforming use on the property.

Discussion and Evaluation:

Request to Permit a Similar Use

The Committee of Adjustment's authority in making a determination on a similar use is set out in the Other Powers or Special Permission section for the Committee of Adjustment in the *Planning Act* (Section 45 (2)(a)(ii)). When a use of land is determined to be legal non-conforming (in this case, the duplex), the Committee has the authority to permit an expansion of that use.

Within the City's Official Plan, the goal of Section 5.18 provides policies under which an expansion to a legal non-conforming use must be evaluated.

Section 5.18.2 provides that applications for the extension or enlargement of a non-conforming use in specific situations to avoid undue hardship will be considered by the Committee of Adjustment and Section 5.18.4 provides criteria to be considered for an expansion of a legal non-conforming use, outlined in the table in Schedule A.

Conclusion

Staff have reviewed the proposal in accordance with the criteria set out in Section 5.18.4 of the Official Plan and determine to be appropriate from a land use perspective,

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

SCHEDULE "A"

CRITERIA TO BE CONSIDERED UNDER SECTION 5.18.4 of the Official Plan

CRITERIA TO BE CONSIDERED	ANALYSIS
a) The proposed extension or enlargement will not unduly aggravate the situation created by the existence of the use;	The proposed expansion to a triplex from a duplex will not unduly aggravate the existing situation.
b) The proposed extension or enlargement represents a reasonable increase in the size of the non-conforming use;	The proposed expansion of the use will not require any physical enlargement to the structure.
c) The characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to impacts from noise, vibration, fumes, smoke, dust, odour, lighting, and traffic generation;	The characteristics of the proposed triplex present no concerns.
d) The host neighbourhood and adjacent uses will be afforded reasonable protection by the provision of landscaping, buffering or screening; appropriate setbacks for buildings and structures; and devices and measures for reducing nuisances;	The proposed triplex use is not anticipated to have any increased impacts on adjacent uses or the host neighbourhood.
e) Adequate provisions will be made for off-street parking and loading facilities;	Sufficient area is provided for parking at the rear of the property.
f) All municipal services such as water, sewage and roads are and will continue to be adequate, and,	Sufficient services continue to be provided for the proposed use and no changes are required.
g) The application is referred to municipal departments and other appropriate agencies which may be concerned or affected for information reports on relevant considerations before making a decision.	The application has been reviewed by all relevant departments and agencies through the course of this review.

November 26, 2020

CFN 62563.08

BY EMAIL: jeanie.myers@brampton.ca

Ms. Jeanie Myers
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Myers:

Re: Minor Variance Application – A 2020-0119
13 Scott Street
Part Lots 27 & 28, Plan BR2
City of Brampton
Christine Merrifield

This letter will acknowledge receipt of the above noted application, received on November 24, 2020. Toronto and Region Conservation Authority (TRCA) staff have reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020 (PPS)*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memorandum of Understanding (MOU) with the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

The purpose of Minor Variance Application A 2020-0119 is to request a variance to permit the expansion of an existing legal non-conforming use (duplex) by adding one (1) additional unit in the basement of the existing dwelling resulting in a total of three (3) dwelling units whereas the by-law does not permit the proposed additional unit.

It is our understanding that the purpose of the above variance is to legalize a third dwelling unit located in the basement of the existing house at the subject property.

Recommendation

On the basis of the comments noted below, TRCA staff supports **conditional approval** to Minor Variance Application A 2020-0119, subject to the following condition:

1. The applicant submits \$580 review fee to this office.

Applicable Policies and Regulations

Ontario Regulation 166/06:

A portion of the subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed, as it is located adjacent to the Regulatory Flood Plain associated with a tributary of the Etobicoke Creek. In accordance with Ontario Regulation 166/06, as amended (Development,

Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the requested variance is required to legalize a third dwelling unit located in the basement of the existing house. Based on our review, the existing house is located outside of TRCA's Regulated Area. As such, TRCA staff has no concerns with the proposed works, as submitted, and a TRCA permit will not be required at this time.

Fees

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

1. By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$580 (Variance – Residential – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
Planner I
Planning and Development
Tel: (416) 661-6600, Ext.5657
Lina.alhabash@trca.ca
LA/as



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **HARKANWAR SINGH AND HARKIRAN GULATI** 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 218, Plan 742 municipally known as **693 BALMORAL DRIVE**, Brampton;

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

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard;
2. To permit an interior side yard setback of 2.06m (6.76 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal 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 19th day of November, 2020.

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 during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

How to Participate in the Hearing:

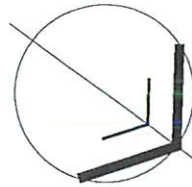
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AS-BUILT BELOW GRADE ENTRANCE @ INTERIOR SIDE LOT

693 BALMORAL DR, BRAMPTON



No.	Description	Date

**PROPOSED
BELOW GRADE
ENTRANCE @
EXTERIOR SIDE
LOT**

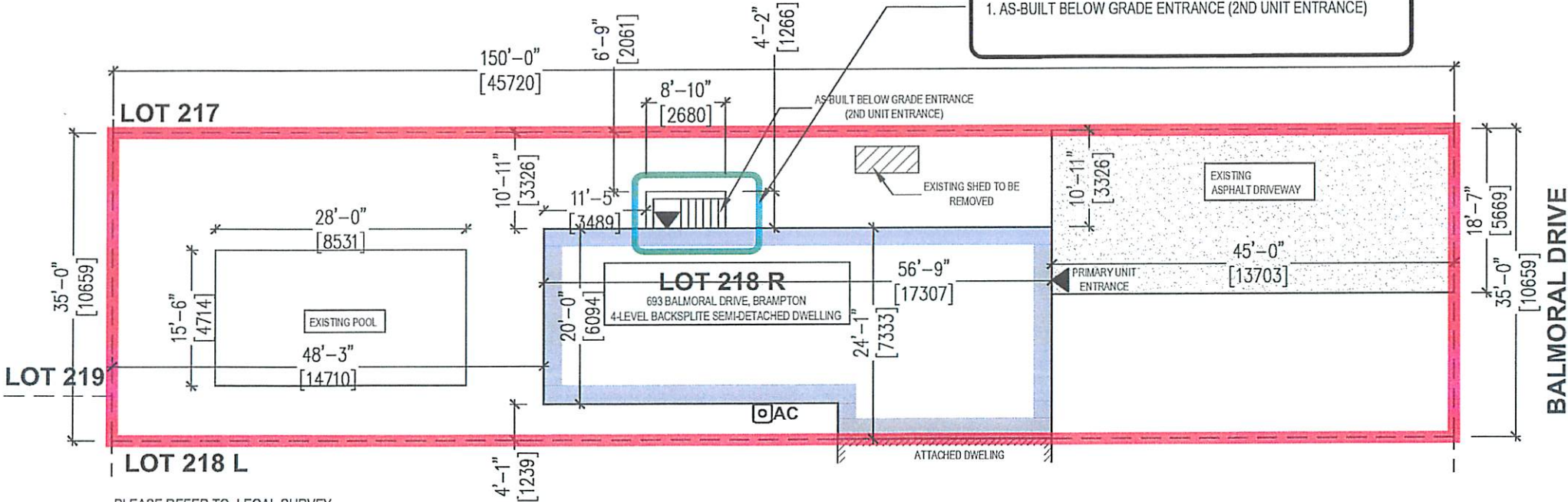
Drawing by:
NESTA DESIGN CO.
48 COVEBANK CRESCENT
BRAMPTON, ON, L6P 2Y1
PHONE: 647-741-4552
EMAIL: amiri@nestadesign.ca

Checked by:

Drawn by	
Date	14/11/2020
DRAWING NAME	SITE PLAN
SHEET NUMBER	A1

**SCOPE OF COMMITTEE OF ADJUSTMENT
APPLICATION:**

1. AS-BUILT BELOW GRADE ENTRANCE (2ND UNIT ENTRANCE)



PLEASE REFER TO LEGAL SURVEY
ATTACHED TO THIS APPLICATION FOR MORE
INFORMATION ON THE SUBJECT NLOT

EXCERPT FROM BYLAW:

The lands designated R2A(1) – SECTION 100 on Schedule A to this by-law:

100.2 shall be subject to the following requirements and restrictions for a semidetached dwelling:

(b) Minimum Interior Side Yard Width: 3.0 metres
VARIANCE REQUESTED: INTERIOR SIDE YARD WIDTH OF 2.06M (FROM SIDE OF
AS-BUILT BELOW GRADE ENTRANCE TO PROPERTY LINE)



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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)** HARKANWAR SINGH & HARKIRAN GULATI
Address 693 BALMORAL DR BRAMPTON, ON, L6T1W9

Phone # 289-952-7327 **Fax #** _____
Email HARKANWAR1313@gmail.com

2. **Name of Agent** ISMATULLAH AMIRI (NESTA DESIGN CO)
Address 48 COVEBANK CRES, BRAMPTON - L6P 2Y1

Phone # 647-741-4552 **Fax #** _____
Email amiri@nestadesign.ca

3. **Nature and extent of relief applied for (variances requested):**
RELIEF FROM ZONING BYLAW TO ALLOW A BELOW GRADE ENTRANCE W/ SETBACK OF 2.06M FROM INTERIOR SIDE LOT
THE AS-BUILT BELOW GRADE ENTRANCE WILL BE USED AS SEPARATE ENTRANCE TO A 2ND UNIT. SECOND UNIT
BUILDING PERMIT APPLICATION TO BE FILED.

4. **Why is it not possible to comply with the provisions of the by-law?**
THE ZONING BY LAW REQUIRES SETBACK OF 3.0M

5. **Legal Description of the subject land:**
Lot Number LOT 218
Plan Number/Concession Number PLAN 742 LOT 218
Municipal Address 693 BALMORAL DR, BRAMPTON

6. **Dimension of subject land (in metric units)**
Frontage 10.66
Depth 45.72 M
Area 48,691.8 M2

7. **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.)

SINGLE FAMILY DWELLING 17.3 M X 7.33 M 4- LEVEL BACKSPLITE (SEMI-DETACHED) - GROSS FLR AREA =114.5 M2
POOL 8.53 M X 4.71 M AREA=40.2 M2

AS-BUILT BELOW GRADE ENTRANCE 2.68M X 1.266M

PROPOSED BUILDINGS/STRUCTURES on the subject land:

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	13.7 M
Rear yard setback	14.7 M
Side yard setback	(RIGHT INTERIOR) 3.326 M
Side yard setback	(LEFT INTERIOR) 0 m

PROPOSED

Front yard setback	N/A
Rear yard setback	N/A
Side yard setback	(RIGHT INTERIOR) 1.266 M
Side yard setback	(LEFT INTERIOR) N/A

10. Date of Acquisition of subject land: 2012
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: 1996
15. Length of time the existing uses of the subject property have been continued: RESIDENTIAL SINCE CONSTRUCTION

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

Municipal	<input checked="" type="checkbox"/>	Other (specify) _____
Well	<input type="checkbox"/>	

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

Municipal	<input checked="" type="checkbox"/>	Other (specify) _____
Septic	<input type="checkbox"/>	

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

Sewers	<input checked="" type="checkbox"/>	Other (specify) _____
Ditches	<input type="checkbox"/>	
Swales	<input type="checkbox"/>	

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 OCT, 2020.

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.

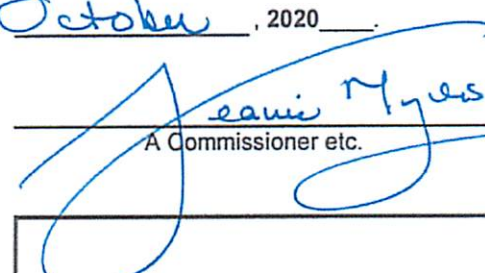
I, ISMATULLAH AMIRI, OF THE _____ CITY _____ OF _____ BRAMPTON


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 27th DAY OF
October, 2020.


A Commissioner etc.


Signature of Applicant or Authorized Agent

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R2A(1) - 100, 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.

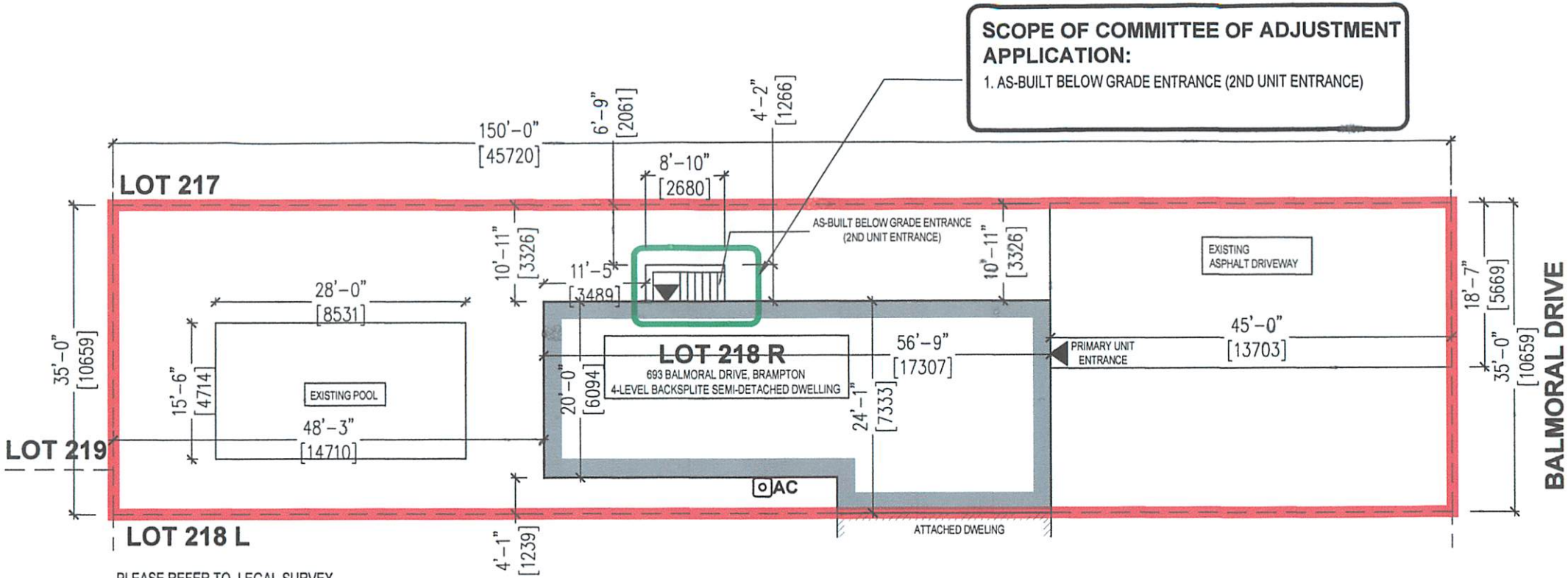
Hothi S
Zoning Officer

OCT. 28. 2020
Date

DATE RECEIVED October 27, 2020

AS-BUILT BELOW GRADE ENTRANCE @ INTERIOR SIDE LOT

693 BALMORAL DR, BRAMPTON



PLEASE REFER TO LEGAL SURVEY
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EXCERPT FROM BYLAW:

The lands designated R2A(1) – SECTION 100 on Schedule A to this by-law:

100.2 shall be subject to the following requirements and restrictions for a semidetached dwelling:

(b) Minimum Interior Side Yard Width: 3.0 metres
VARIANCE REQUESTED: INTERIOR SIDE YARD WIDTH OF 2.06M (FROM SIDE OF
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No.	Description	Date

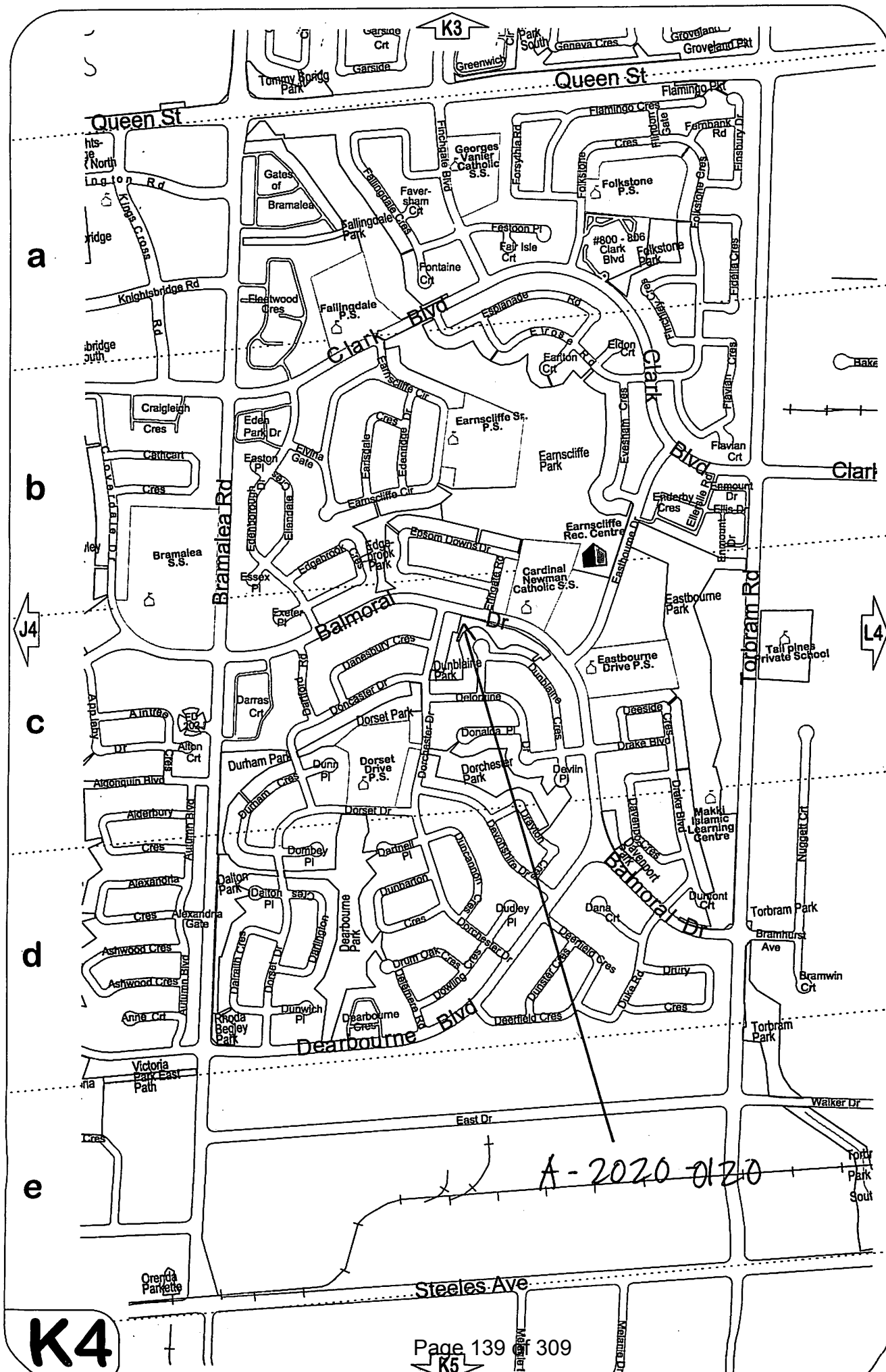
PROPOSED
BELOW GRADE
ENTRANCE @
EXTERIOR SIDE
LOT

57 BLACK DIAMOND
CRES., BRAMPTON

Drawn by:
NESTA DESIGN CO.
48 COVEBANK CRESCENT
BRAMPTON, ON, L6P 2Y1
PHONE: 647-741-4552
EMAIL: amir@nestadesign.ca

Checked by:

Drawn by:
Date: 25/10/2020
DRAWING NAME:
SHEET NUMBER:
SITE PLAN
A1



Filing Date: November 2, 2020

Hearing Date: December 1, 2020

File: A-2020-0120

**Owner/
Applicant:** HARKANWAR SINGH AND HARKIRAN GULATI

Address: 693 Balmoral Drive

Ward: 7

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0120 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That the below grade entrance shall not be used to access an unregistered second unit;
 3. That the accessory structure identified as "existing shed" be removed and said removal be demonstrated within 60 days of the final date of the Committee's decision, or within an extended period of time as extended by the Director of Development Services;
 4. That drainage on adjacent properties shall not be adversely affected; and
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned "Residential Semi-Detached – Special Section 100 (R2A(1)-100)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an exterior stairway leading to a below grade entrance in the required interior side yard whereas the by-law does not permit exterior stairways constructed below established grade in the required interior side yard; and
2. To permit an interior side yard setback of 2.06m (6.76 ft.) to an exterior stairway leading to a below grade entrance whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Bramalea Secondary Plan (Area 3). The requested variances are not considered to have significant implications within the context of the Official Plan policies.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Semi-Detached – Special Section 100 (R2A(1)-100)" according to By-law 270-2004, as amended. The requested variances are in relation to a proposed below grade entrance in the interior side yard.

The intent of the by-law in prohibiting below grade entrances in the required interior side yard setback and requiring a minimum setback for interior side yards is to ensure that sufficient area is maintained for access to the rear yard and for drainage. The proposed setback of 2.06m (6.76 ft.) will provide a sufficient level of drainage and access to the rear yard.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning-Bylaw.

3. Desirable for the Appropriate Development of the Land

The requested variances are required in order to permit a below grade entrance in the interior side yard of the dwelling and a reduced setback between the property line and the stairs leading to the below grade entrance. The location of the below grade entrance does not inhibit access to the rear yard and the proposed reduced setback provides sufficient space for drainage in the side yard. A condition of approval is recommended that drainage on adjacent properties shall not be adversely affected.

The below grade entrance is proposed to be used as the primary entrance to a registered second unit. A condition of approval is recommended that the below grade entrance not be used to access an unregistered second unit to ensure that the second unit is constructed in accordance with Ontario Building Code (OBC) standards.

Subject to the recommended conditions of approval, the requested variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are intended to facilitate a below grade entrance in the interior side yard. The reduced interior side yard setback of 2.06m (6.76 ft.) is not anticipated to negatively impact access to the rear yard and will provide sufficient space for drainage in the side yard of the property. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **SHERIDAN COLLEGE INSTITUTE OF TECHNOLOGY AND ADVANCED LEARNING** 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 Part of Lot 15, Concession 1 WHS municipally known as **7899 MCLAUGHLIN ROAD SOUTH**, Brampton;

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

1. To permit outdoor festivals and special events that are not accessory to the permitted college use whereas the by-law permits a college and accessory uses only.

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, December 1, 2020 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.**

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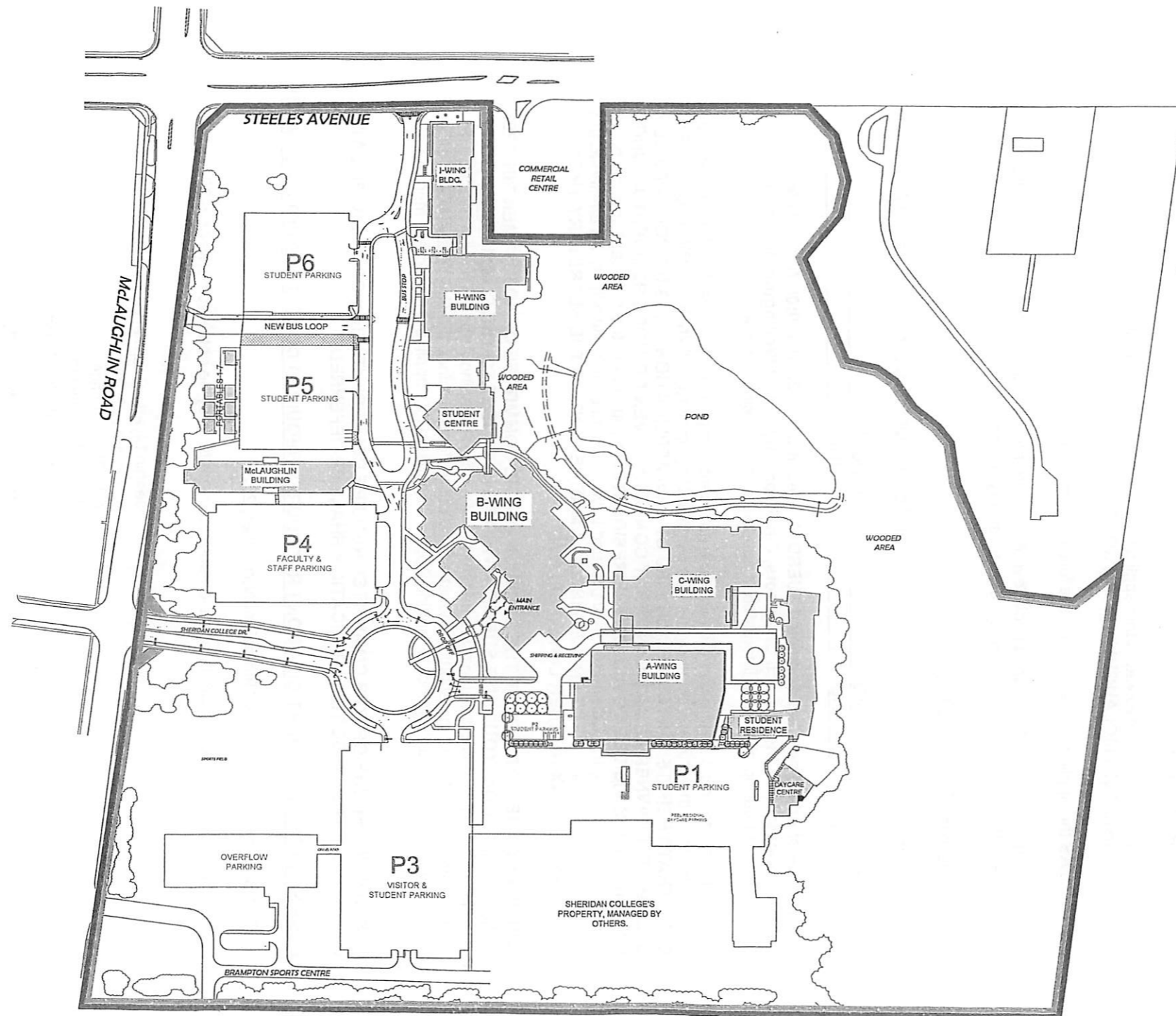
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Committee of Adjustment
City Clerk's Office,
Brampton City Hall
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Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca



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How to get involved in the Virtual Hearing**

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Sheridan

A-2020-0123

October 13, 2020

Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2
Phone (905) 874-2117
Fax (905) 874-2119

Dear Ms. Corazzola & Committee of Adjustment,

Please accept the attached Minor Variance Application submitted on behalf of Sheridan Institute of Technology & Advanced Learning.

Sheridan is a pillar in the Brampton community, and its grounds have served as a location for several community and cultural events throughout the years. Having built relationships and rapport with community stakeholders including the City of Brampton, Sheridan is an in-demand location for hosting seasonal outdoor events by external parties.

In 2019, it was brought to the Institution's attention that the property was inadequately zoned to use its outdoor grounds for accessory use. With this application, the Institution seeks consideration from the Committee of Adjustment to grant a three-year minor variance to zoning that will allow for a maximum of twelve outdoor external events per annum on Sheridan Davis Campus property. Sheridan's outdoor event season typically runs April thru October with a limitation of two events per month.

Regarding outdoor events, the City of Brampton is the primary lead generator for Sheridan. Often these events receive varying degrees of sponsorship from the City, and in some cases, Sheridan grounds are used in conjunction with City grounds and/or facilities to support events. This variance will enable the City to resume offering Sheridan as a large-scale event venue, enhancing its ability to attract and retain event-related business.

Sheridan is revitalizing its outdoor event guidelines with aim to minimize impact on surrounding properties and residents, while simultaneously providing a flexible space for non-Sheridan events to be held. The document clearly states that Sheridan policies and City bylaws are to be enforced, surrounding areas notified of outdoor events, emergency action plans put into place, frequency of events to be limited, and more. It is important to Sheridan that the perceived benefits of events held on property outweigh the risks for both the Institution and the community.

No construction of any kind is being requested in this minor variance application. Rather, approval is being sought to leverage all outdoor property for accessory use, notably, parking lots and green spaces.

The date of construction of all existing buildings and structures on the subject land are noted below, as requested in the application.

[Brampton](#) | [Mississauga](#) | [Oakville](#)

The Sheridan College Institute of
Technology and Advanced Learning
7899 McLaughlin Road
Brampton, Ontario L6Y 5H9

T 905 845 9430
sheridancollege.ca

Sheridan

Davis - A Wing	2017
Davis - B Wing	1977
Davis - C Wing Addition	2012
Davis - C Wing	1977
Davis - H Wing	2007
Davis - J Wing	2009
Davis - M Building	1982
Davis - Residence	2001
Davis - Daycare	2005
Davis - Grounds Facility	1977
Davis - Student Union	2000
Davis - Portables	2007

If additional information or clarification is needed, please do not hesitate to contact me.

Thank you for your consideration,

Katie Kelly (Agent)
Conference Services Manager
Sheridan College
905-815-4214
905-301-0866
katie.kelly@sheridancollege.ca

Brampton | Mississauga | Oakville

The Sheridan College Institute of
Technology and Advanced Learning
7899 McLaughlin Road
Brampton, Ontario L6Y 5H9

T 905 845 9430
sheridancollege.ca



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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)** Sheridan Institute of Technology & Advanced Learning
Address c/o Wayne Steffler, Vice President Finance and Administration, Sheridan
7899 McLaughlin Road, Brampton ON L6Y 5H9

Phone # 905-845-9430 x4141 **Fax #** _____
Email wayne.steffler@sheridancollege.ca

2. **Name of Agent** Katie Kelly, Conference Services Manager, Sheridan
Address 7899 McLaughlin Road, Brampton ON L6Y 5H9

Phone # 905-845-9430 x4214 **Fax #** _____
Email katie.kelly@sheridancollege.ca

3. **Nature and extent of relief applied for (variances requested):**
Sheridan would like to apply for a variance that allows the institution to utilize campus parking lots
for accessory use. Currently Sheridan is zoned only for institutional land, without the capability of hosting
seasonal outdoor festivals and special events for the community.
Sheridan has one of the largest outdoor areas available in Brampton for festivals, and it is important for
the community to have this option for any events that may draw a larger crowd. Outdoor client events would be limited
to April thru October and a maximum of 6 per annum for a 3-year period.
Current Zoning: Institution Zone 1
Proposed Zoning: Institution Zone 2
Site Plan Number: SP17-121.000

4. **Why is it not possible to comply with the provisions of the by-law?**
Sheridan would like to continue to host outdoor events and festivals for the community in Brampton, with
some few being in partnership with the City, and others independently. Sheridan is very appreciative of
the support from the City in sharing festival requests when they cannot be accommodated on City
property.
At present the specific zone does not permit the proposed use.

5. **Legal Description of the subject land:**
Lot Number PT. Lot 15
Plan Number/Concession Number Site Plan Number: SP17-121.000 / Concession Number: CON. 1 W.H.S.
Municipal Address 7899 McLaughlin Road, Brampton ON L6Y 5H9

6. **Dimension of subject land (in metric units)**
Frontage 400 meters approx
Depth 600 meters approx
Area 350,000 sq meters approx

7. **Access to the subject land is by:** Provincial Highway ☐ Seasonal Road ☐
Municipal Road Maintained All Year ☒ Other Public Road ☐
Private Right-of-Way ☐ 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.)
multiple multi-storey buildings erected in accordance with site plan number SP15-014.000 and SP86-030

PROPOSED BUILDINGS/STRUCTURES on the subject land:

No buildings or structures are being proposed on the subject land.

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 9 meters

Rear yard setback 50 meters

Side yard setback 15 meters

Side yard setback 191 meters

PROPOSED

Front yard setback 9 meters

Rear yard setback 50 meters

Side yard setback 15 meters

Side yard setback 191 meters

10. Date of Acquisition of subject land: 1970
11. Existing uses of subject property: College
12. Proposed uses of subject property: College with occasional seasonal events
13. Existing uses of abutting properties: Extendicare Brampton (parcel within property line), South Fletcher's Recreation complex (adjacent); shopping plaza on Steeles Ave W south of Sheridan College Dr (adjacent)
14. Date of construction of all buildings & structures on subject land: 1977 - 2017
15. Length of time the existing uses of the subject property have been continued: Since constructed
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 #	<u>A041-00</u>	Decision	<u>Approved</u>	Relief	_____
File #	<u>A09-006</u>	Decision	<u>Approved</u>	Relief	_____
File #	_____	Decision	_____	Relief	_____

K Kelly
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____

THIS 30th DAY OF July October, 20 20.

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, Katie Kelly, 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 30th DAY OF
October, 20 20.

April Dela Cerna
A Commissioner etc.

K Kelly
Signature of Applicant or Authorized Agent

April Dela Cerna, ad.
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021

FOR OFFICE USE ONLY

Present Official Plan Designation:

I2 - 2557

Present Zoning By-law Classification:

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

Hothi S
Zoning Officer

NOV. 02. 2020
Date

DATE RECEIVED November 2, 2020

Notice of Decision

Committee of Adjustment

FILE NUMBER A09-006

HEARING DATE JANUARY 6, 2009

APPLICATION MADE BY SHERIDAN COLLEGE INSTITUTE OF TECHNOLOGY
& ADVANCED LEARNING

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; **ZONING BY-LAW 270-2004** AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR A PAD MOUNTED HYDRO TRANSFORMER TO BE LOCATED 2.85M FROM THE EAST PROPERTY LINE;

(7899 MCLAUGHLIN ROAD SOUTH – PART OF LOT 15, CONC. 1 WHS)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

1. That adequate screening will be provided for the hydro transformer through the approval of the site plan application.

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

MOVED BY: J. MASSEY-SINGH

SECONDED BY: K. BOKOR

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION


MEMBER


MEMBER


MEMBER

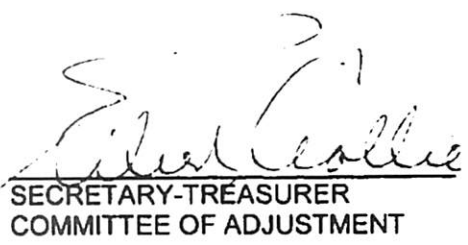

MEMBER


MEMBER

DATED THIS 6th DAY OF JANUARY, 2009

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE JANUARY 26, 2009.

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



COMMITTEE OF ADJUSTMENT

Notice of Decision

The City of Brampton

FILE NUMBER A041/00

HEARING DATE MARCH 7, 2000

APPLICATION MADE BY SHERIDAN COLLEGE OF APPLIED ARTS & TECHNOLOGY

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 139-84 AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO INCREASE THE PERMITTED MAXIMUM BUILDING HEIGHT FROM THREE (3) STOREYS TO FIVE (5) STOREYS FOR PROPOSED STUDENT RESIDENCES.

(7899 MCLAUGHLIN ROAD SOUTH)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED)

1. Roof top mechanical equipment shall be screened from view.

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

MOVED BY: D. Sutter

SECONDED BY: B. Reed

SIGNATURE OF CHAIR OF MEETING: E. Humeau

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

DATED THIS 7th DAY OF MARCH, 2000

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MARCH 27TH, 2000.

I, EILEEN COLLIE, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION

[Signature]
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



MINUTES

Committee of Adjustment

existing 2400 sq.ft. building only, to store all goods and materials associated with the cable installation operation and to park employee vehicles on the site during operating hours.

Committee concurred that from the evidence presented, the cable installation operation would have minimal, if any, impact on surrounding lands. However committee suggested that the applicant may wish to meet with their neighbour, Mr. Von Bloedau to discuss some of the areas of concern which he has raised.

The committee, having considered the comments and recommendations of the commenting agencies and the evidence heard at the meeting, reached the following decision:

Moved by D. Sutter
Seconded by M. Piane

THAT application B40/00 to permit the property to be used by a Cable Installation Company for a temporary period of three years, be approved for the following reasons and subject to the following conditions:

Conditions:

- (1) That all goods and materials associated with the cable installation operation be stored within the existing 2400 square foot building.
- (2) That approval be granted for a maximum two (2) year time period from the date of the Committee's decision.
- (3) That a change in use permit be obtained for the existing 2400 square foot storage building.

Reasons: The decision reflects that in the opinion of the Committee:

- (1) The variance authorized is desirable for the appropriate development of the land, building or structure referred to in the application, and
- (2) The general intent and purpose of the zoning By-law and the City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

NOTE: J. PAPPAIN DECLARED A CONFLICT OF INTEREST ON APPLICATION A41/00 AND LEFT THE ROOM PRIOR TO DISCUSSION OF AND VOTING ON THE APPLICATION.

(9)

A041/00

**SHERIDAN COLLEGE OF APPLIED ARTS
& TECHNOLOGY**

**PT W/H LOT 15, CONC 1 WHS
7899 MCLAUGHLIN RD S**

The applicant is seeking permission to increase the permitted maximum building height from three (3) storeys to five (5) storeys for proposed student residences.

2000 03 07

Page 10 of 21



MINUTES

Committee of Adjustment

Mr. Gregory J. Bewick, authorized agent for the applicant appeared before committee requesting approval of the application.

Committee was in receipt of a letter dated March 2, 2000 from Credit Valley Conservation indicating they had no objection to this application.

Committee was informed that the City of Brampton was in support of this application, subject to a condition which had been requested by the Urban Design and Zoning Division.

The applicant's agent indicated that the proposed condition was acceptable.

The committee, having considered the comments and recommendations of the commenting agencies and the evidence heard at the meeting, reached the following decision:

Moved by D. Sutter
Seconded by B. Reed

THAT application B41/00 to increase the permitted maximum building height from three (3) storeys to five (5) storeys for proposed student residences, be approved for the following reasons and subject to the following condition:

Condition:

- (1) Roof top mechanical equipment shall be screened from view.

Reasons: The decision reflects that in the opinion of the Committee:

- (1) The variance authorized is desirable for the appropriate development of the land, building or structure referred to in the application, and
- (2) The general intent and purpose of the zoning By-law and the City of Brampton Official Plan are maintained and the variance is minor.

CARRIED

(10)

A042/00

PIERRE LAMONTAGNE

LOT 15, PLAN 459
70 MCCAIL STREET

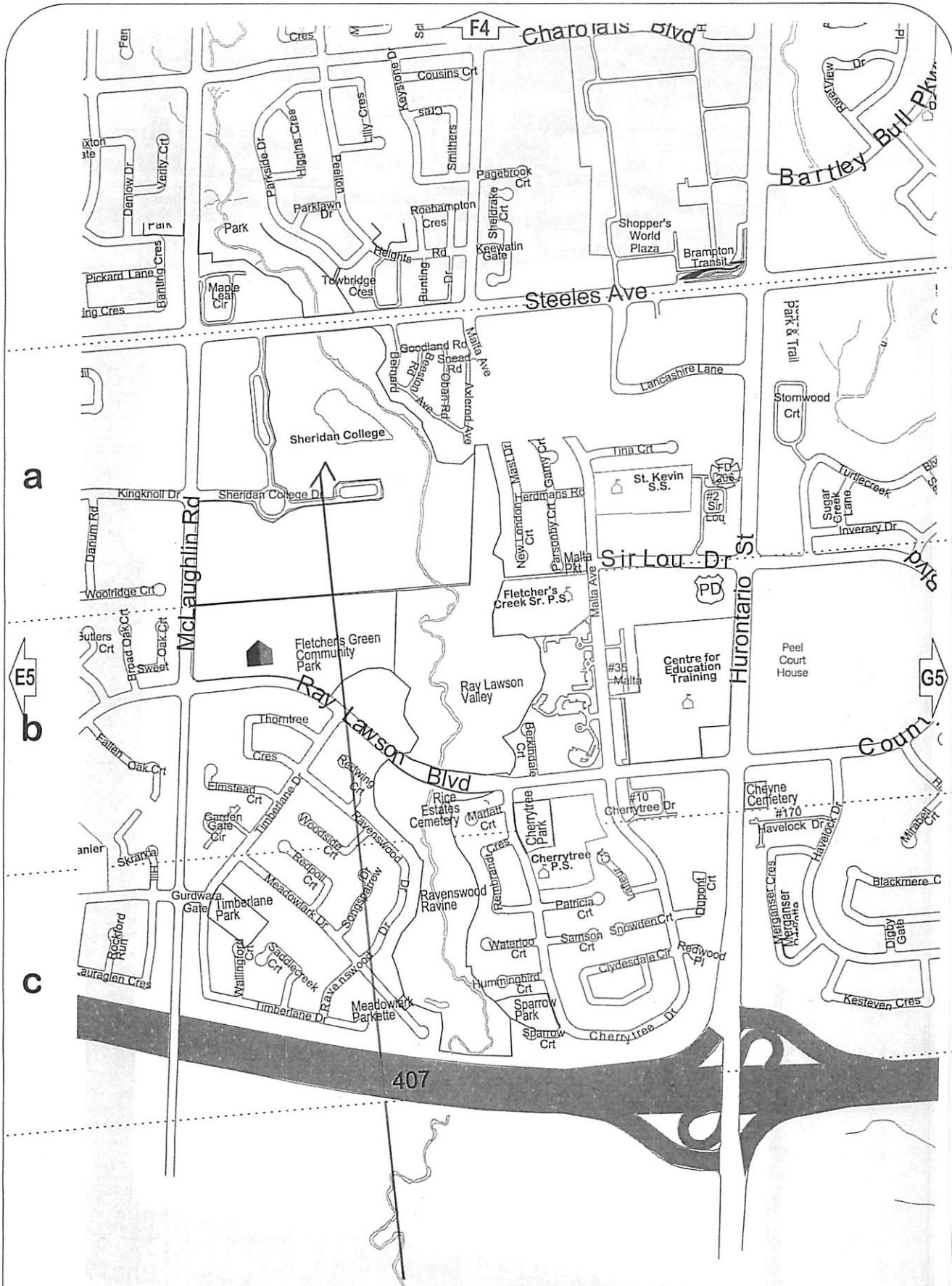
The applicant is seeking permission to construct a detached garage having a floor area of 87 sq.m. (936 sq.ft.) and whereas the by-law allows a detached garage having a maximum floor area of 24 sq.m. (258 sq.ft.).

Mr. Lamontagne appeared before committee requesting approval of the application. The applicant advised that the existing garage has damage to the floor and he wishes to remove it and construct a larger garage at the rear of the property. The applicant discussed the need for higher garage doors to accommodate his 7 ft. high van, however, committee advised that unless he was requesting an amendment and deferral, to include a further variance, committee could only consider what was before them. Mr. Lamontagne agreed to proceed with the application as submitted.

2000 03 07

Page 11 of 21

File #	Applicant	Location	Conforms with Intent of OP	Conforms with Intent of ZB	Desirable for Appropriate Development of Lands	Minor in Nature	Supportable	Conditions/Comments
			<i>Implementation 5.10 Temporary Use By-laws; 5.15 Committee of Adjustment and 5.18 Legal Non- Conforming Uses of the Official Plan are pertinent to the review of this application.</i>					<i>purposes staff do not recommend the proposed use be permitted on a permanent basis. The requested use has been operating from the subject lands for at least the past 8 months without municipal approvals. An approval for a maximum of two additional years will provide the applicants with sufficient time to secure an alternative location. Conditions: 1. That all goods and materials associated with the cable installation operation be stored within the existing 2400 square foot building. 2. That approval be granted for a maximum two year time period from the date of the Committee's decision. 3. That a change in use permit be obtained for the existing 2400 square foot storage building.</i>
A41/00	Sheridan College of Applied Arts & Technology	7899 McLaughlin Road	Yes OP: Community Services SPA 24 – Fletchers Creek South - Institutional	Yes Institutional Two Zone – I2- SECTION 557 By-law 139-84	Yes	Yes	Yes	<i>Comments: None Conditions: 1. Roof top mechanical equipment shall be screened from view</i>
A42/00	Pierre Lamontagne	70 McCaul Street	See expanded report	See expanded report	See expanded report	See expanded report	See expanded report	See expanded report
A44/00	Dr. Joseph Fava in Trust (by virtue of agreement of purchase of sale)	8550 Torbram Road, Unit 5A	Yes OP: Industrial SPA 21: Southgate Secondary Plan - Special Industrial	Yes M1-SECTION 183, By-law 151-88	Yes	Yes	Yes – provided application is made for an official plan and zoning by- law amendment in order to redesignate	<i>Comments: Staff note that there have been eleven (11) previous minor variance applications on the subject lands. Temporary approval for three years affords the owners sufficient time to submit the recommended official plan and zoning by-law amendment applications. A parking study/analysis will be required.</i>



A-2020-0123

Filing Date: November 2, 2020

Hearing Date: December 1, 2020

File: A-2020-0123

**Owner/
Applicant:** SHERIDAN COLLEGE INSTITUTE OF TECHNOLOGY AND
ADVANCED LEARNING

Address: 7899 McLaughlin Road South

Ward: 4

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0123 is supportable.

Background:

Existing Zoning:

The property is zoned "Institutional One – Special Section 262 (I1-262)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit outdoor festivals and special events that are not accessory to the permitted college use whereas the by-law permits a college and accessory uses only.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Major Institutional" in the Official Plan and "Institutional" in the Fletcher's Creek South Secondary Plan (Area 24). The requested variance is consistent with the goals of the Official Plan for the Institutional designation in that the proposed variance will facilitate the use of the property as a community space for community events. The requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Institutional One – Special Section 262 (I1-262)" according to By-law 270-2004, as amended. The site specific zone category limits the uses of the property to a community college, a day nursery in conjunction with a community college, a public or private school, and purposes accessory to other permitted purposes that are intended to serve the community. The requested variance will facilitate the use of the existing community facility for a wider range of community based uses such as music and film festivals. The requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance will facilitate use of the existing campus outdoor areas for outdoor community events that are intended to serve the Brampton community at large. The proposed use will operate in a complementary way to the existing institutional uses on the property. The requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is intended to allow the use of the existing outdoor areas for community based events. Given the size, location, and function of the property, this use is considered to be complementary to the existing permitted uses and is not anticipated to have a negative impact on the functions of the campus as a whole. The requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



**Credit Valley
Conservation**
inspired by nature

November 26, 2020

City of Brampton, Committee of Adjustment
City Clerk's Office
Brampton City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Jeanie Myers, Secretary-Treasurer

Dear Ms. Myers:

Re: CVC File No. A 20/123
Municipality File No. A 2020-0123
Sheridan Institute of Technology & Advanced Learning
7899 McLaughlin Road
Part of Lot 15, Concession 1 WHS
City of Brampton

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities - providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. Regulatory Responsibilities - providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency - providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

Ontario Regulation 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

November 26, 2020
Re: CVC File No. A 20/123
Municipality File No. A 2020-0123
Sheridan Institute of Technology & Advanced Learning
7899 McLaughlin Road
Part of Lot 15, Concession 1 WHS
City of Brampton

Site Characteristics:

Based on our existing mapping, the property is traversed by Fletcher's Creek and tributaries, as well as the associated floodplain and valley slope. The property also appears to contain wetland. As such, a portion of the property is regulated by CVC under Ontario Regulation 160/06. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

Additionally, the property is partially located within the Peel Core Greenlands. It is the policy of the Region of Peel to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands. We suggest you contact the Region of Peel if you have questions on this matter.

Proposal:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow the institution to utilize existing campus parking lots for accessory use (i.e. outdoor events).

Comments:

Based on the current minor variance proposal, we understand that no new structures, additions, or any other development is being proposed at this time. We understand that the minor variance will apply to the existing Institutional zoning on the property.

As such, CVC staff have no concerns and **no objection** to its approval by the Committee at this time.

The applicant should note that the subject property is partially within the CVC Regulated Area and a permit from CVC may be required for any future development, including grading, in the CVC Regulated Area.

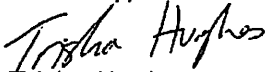
Please note that CVC has not received payment of the \$310 review fee for this application. Please forward this directly to CVC at your earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 325) should you have any further questions or concerns. Please circulate CVC on any future correspondence or applications regarding this site.

November 26, 2020

Re: CVC File No. A 20/123
Municipality File No. A 2020-0123
Sheridan Institute of Technology & Advanced Learning
7899 McLaughlin Road
Part of Lot 15, Concession 1 WHS
City of Brampton

Sincerely,



Trisha Hughes
Planner

cc: Wayne Steffler, Sheridan Institute of Technology & Advanced Learning
Katie Kelly, Sheridan
Alex Martino, Peel Region



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **VIDOLL REGISFORD** 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 Part of Lot 34, Plan BR-2 municipally known as **56 JOHN STREET**, Brampton;

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

1. To permit a portion of the rear yard to be paved for the purpose of parking (as existing) whereas the by-law does not permit the rear yard to be paved for the purpose of parking except on a driveway leading to a garage.

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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.

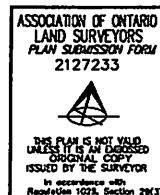
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.


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

DATED at Brampton Ontario, this 19th day of November, 2020.

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



DATE <u>JUNE 22ND, 2020</u>		 ONTARIO LAND SURVEYOR	
DRAWN: MC		CHECKED: C.W.	
CAD FILE: 20-018 (SRPR)		PROJECT NO. 20-018	
571 DAVOS ROAD WOODBRIDGE ON L4H0K4		Tel.416.737.2909 www.wahbasurveying.com	

WAHBA

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020.**
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020.** City staff will contact you and provide you with further details.
- 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 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)** Dr. Vidoll Regisford
Address 56 John Street, Brampton, ON L6W 1Z3
Phone # 416-676-6891 **Fax #** _____
Email dr.knowledgesolutions6@gmail.com
2. **Name of Agent** Shane Edwards / Kurtis Van Keulen (Huis Design Studio)
Address 1A Conestoga Drive (Unit 301), Brampton, ON L6Z 4N5
Phone # 647-283-2859 **Fax #** _____
Email shane@huisdesigns.ca
3. **Nature and extent of relief applied for (variances requested):**
As per The City of Brampton Zoning By-law section 10.9.1.D
"For a lot less than 0.2 hectares, the rear yard for the purpose of parking motor vehicles shall not be paved other than a driveway leading to a garage permitted by this By-law and provided such a driveway in the rear yard is not wider than 3 metres or the width of the garage, whichever is greater."
We are currently in Site Plan Approval process for a proposed detached garage in the rear yard, however, the Zoning review has cited that the current paved parking spaces in the rear lot contravene Section 10.9.1.D
4. **Why is it not possible to comply with the provisions of the by-law?**
The rear yard has been used for parking since before the current owner (Vidoll Regisford) owned the property. John Street is a one way street, and the driveway accessing the property is a shared right of way with the neighbouring dwelling (62 John Street). There are no possible parking spaces on the property of 56 John Street other than the existing paved area in the rear yard.
5. **Legal Description of the subject land:**
Lot Number Part of Lot 34
Plan Number/Concession Number Registered Plan BR-2 / CON. 1 E.H.S.
Municipal Address 56 John Street, Brampton, ON L6W 1Z3
6. **Dimension of subject land (in metric units)**
Frontage 13.71 M
Depth 40.41 M
Area 552.51 SQ.M
7. **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.)
Existing two storey brick dwelling with an enclosed verandah and one storey vinyl siding addition.
2 Storey / Ground Floor Area = 100.82 sq.m / GFA (Approx.) = 185.08 sq.m / Width = 8.53 m / Length = 16.39 m
Height = Existing
Existing aluminum storage shed.
1 Storey / Ground Floor Area = 4.03 sq.m / Gross Floor Area = 4.03 sq.m / Width = 2.42 m / Length = 1.67 m
Height = Existing

PROPOSED BUILDINGS/STRUCTURES on the subject land:
Proposed siding detached single-car garage.
1 Storey / Ground Floor Area = 36.09 sq.m / Gross Floor Area = 36.09 sq.m / Width = 4.67 m / Length = 7.72 m
Height = 3.73 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 Dwelling = 2.79 M / Aluminum Shed = 37.51 M
Rear yard setback Dwelling = 21.14 M / Aluminum Shed = 1.19 M
Side yard setback Dwelling = 2.93 M / Aluminum Shed = 10.48 M
Side yard setback Dwelling = 2.44 M / Aluminum Shed = 0.76 M

PROPOSED
Front yard setback Detached Garage = 27.81 M
Rear yard setback Detached Garage = 4.80 M
Side yard setback Detached Garage = 3.15 M
Side yard setback Detached Garage = 5.87 M

10. Date of Acquisition of subject land: September 2012.
11. Existing uses of subject property: Residential Single Family Dwelling.
12. Proposed uses of subject property: Residential Single Family Dwelling.
13. Existing uses of abutting properties: Residential Single Family Dwelling (North). Public Library (South & West)
14. Date of construction of all buildings & structures on subject land: Dwelling: 1910 / Shed: 2012
15. Length of time the existing uses of the subject property have been continued: Always same use.
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 # SPA-2020-0119

Status In progress.

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 29th DAY OF October, 2020.

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, Shane Edwards (Huis Design Studio), 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 2nd DAY OF
November, 2020.

April Dela Cerna
A Commissioner etc.



Signature of Applicant or Authorized Agent
April Dela Cerna,
a Commissioner, etc.
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation:

R1B, MATURE NEIGH

Present Zoning By-law Classification:

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

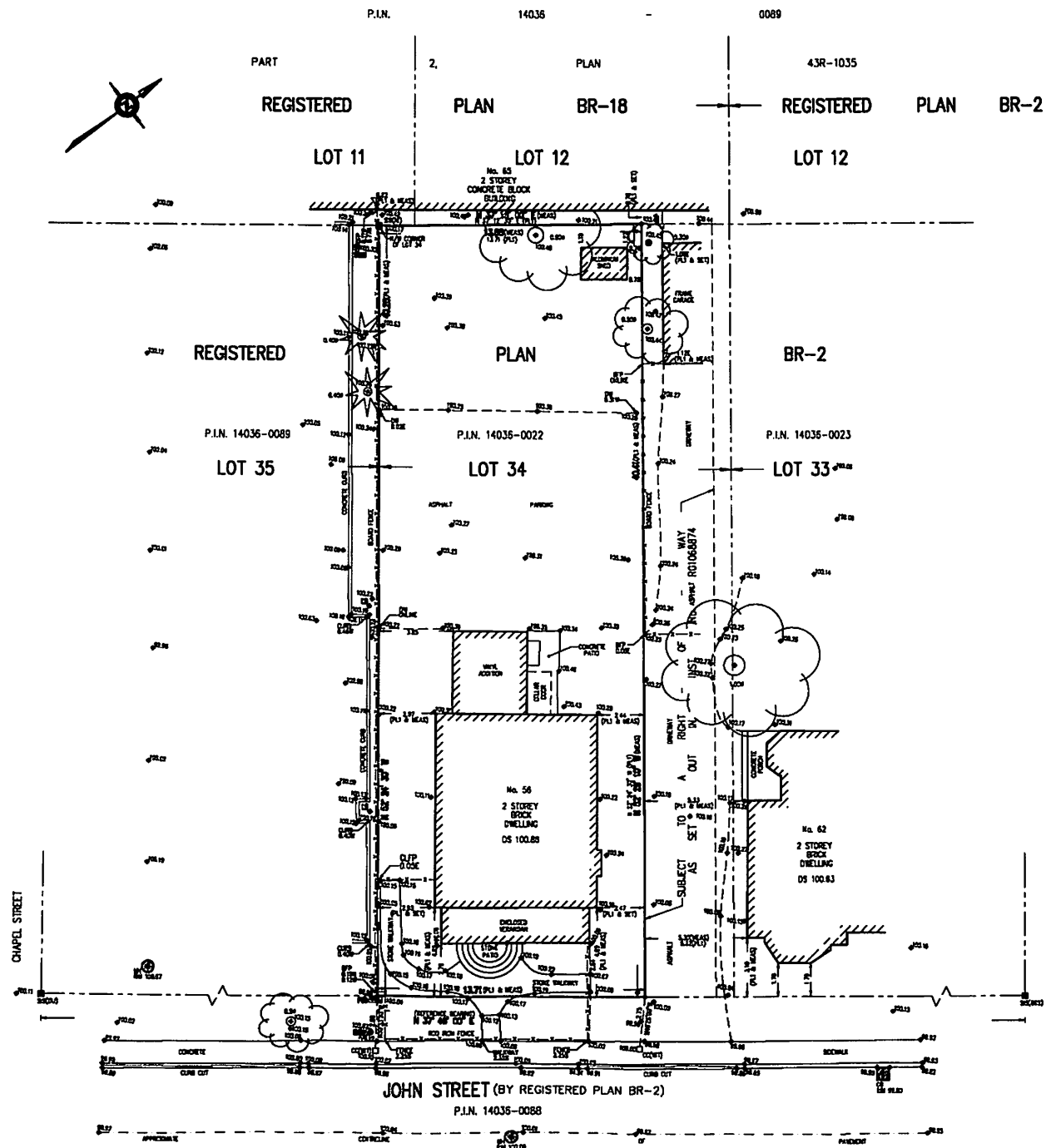
Hothi S

Zoning Officer

NOV. 02. 2020

Date

DATE RECEIVED November 2, 2020



**SURVEYOR'S REAL PROPERTY REPORT
AND TOPOGRAPHY OF
PART 1
PART OF LOT 34
REGISTERED PLAN BR-2
CITY OF BRAMPTON**

SCALE 1:150



C. WAHBA SURVEYING LTD.

METRIC

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

THIS PLAN WAS PREPARED FOR VOGL RECORD
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

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EXPRESS PERMISSION OF C. WAHBA SURVEYING LTD. IS STRICTLY PROHIBITED.

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS TOGETHER WITH A 3.66 METRE RIGHT-OF-WAY OVER PART OF LOT 34
(WESTERLY LIMIT OF P.I.N. 14035-0023)

ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE ASPHALT DRIVEWAY ALONG THE EAST AND WEST LIMITS, THE
CONCRETE CURBS ALONG THE WEST LIMIT, THE BOARD FENCES ALONG THE EAST AND WEST LIMITS, THE RAIL IRON
FENCE AND CONCRETE WALKWAY ALONG THE SOUTH LIMIT.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

NOTES

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- ✕ DENOTES CUT CROSS
- DENOTES STANDARD IRON BAR
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- PLI DENOTES BUILDING LOCATION SURVEY BY W. M. FENTON LIMITED, SURVEYORS, O.L.S.
- DATE: SEPTEMBER 17, 1994
- INT DENOTES INSTRUMENT
- MEAS DENOTES MEASURED
- (CU) DENOTES CROWN UNKNOWN
- (W) DENOTES WITNESS
- (BS) DENOTES D.P. INCLIN, O.L.S
- POT DENOTES UTILITY POTENTIAL
- BFP DENOTES BOARD FENCE POST
- CLFP DENOTES CHAIN LINK FENCE POST
- O.A.W. DENOTES OVERHEAD WIRES
- UP DENOTES UTILITY POLE
- DN DENOTES DRIVEWAY
- N.S.W. DENOTES NORTH, SOUTH, WEST, EAST
- ⊙ DENOTES DECIDUOUS TREE
- ⊙ DENOTES CONIFEROUS TREE
- ⊙ DENOTES DIAMETER OF TREE

ALL TIES SHOWN ARE TAKEN TO FOUNDATION
WALLS UNLESS NOTED OTHERWISE.

ELEVATION NOTE

ELEVATIONS REFERRED TO HEREIN ARE LOCAL TEMPORARY BENCHMARK (TBM OF MANHOLE)
LOCATED ALONG THE CENTRELINE OF JOHN STREET ADJACENT TO THE SUBJECT PROPERTY.
HAVING AN ASSUMED ELEVATION OF 100.00 METRES.

BEARING NOTE

BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF JOHN STREET
AS SHOWN ON REGISTERED PLAN BR-2 HAVING A BEARING OF N37°45'00"E.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND
THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 16TH DAY OF JUNE, 2020

DATE JUNE 22ND, 2020

C. Wahba
C. WAHBA
ONTARIO LAND SURVEYOR

DRAWN: MC

CHECKED: C.W.

CAD FILE: 20-018 (SRPR)

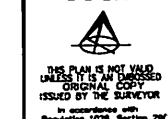
PROJECT NO. 20-018

571 Daves Road Woodbridge ON L4H0X4

Tel. 416.737.2909

www.wahbasurveying.com

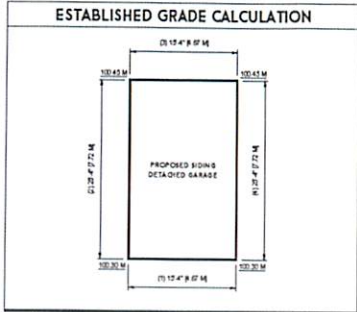
ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2127233



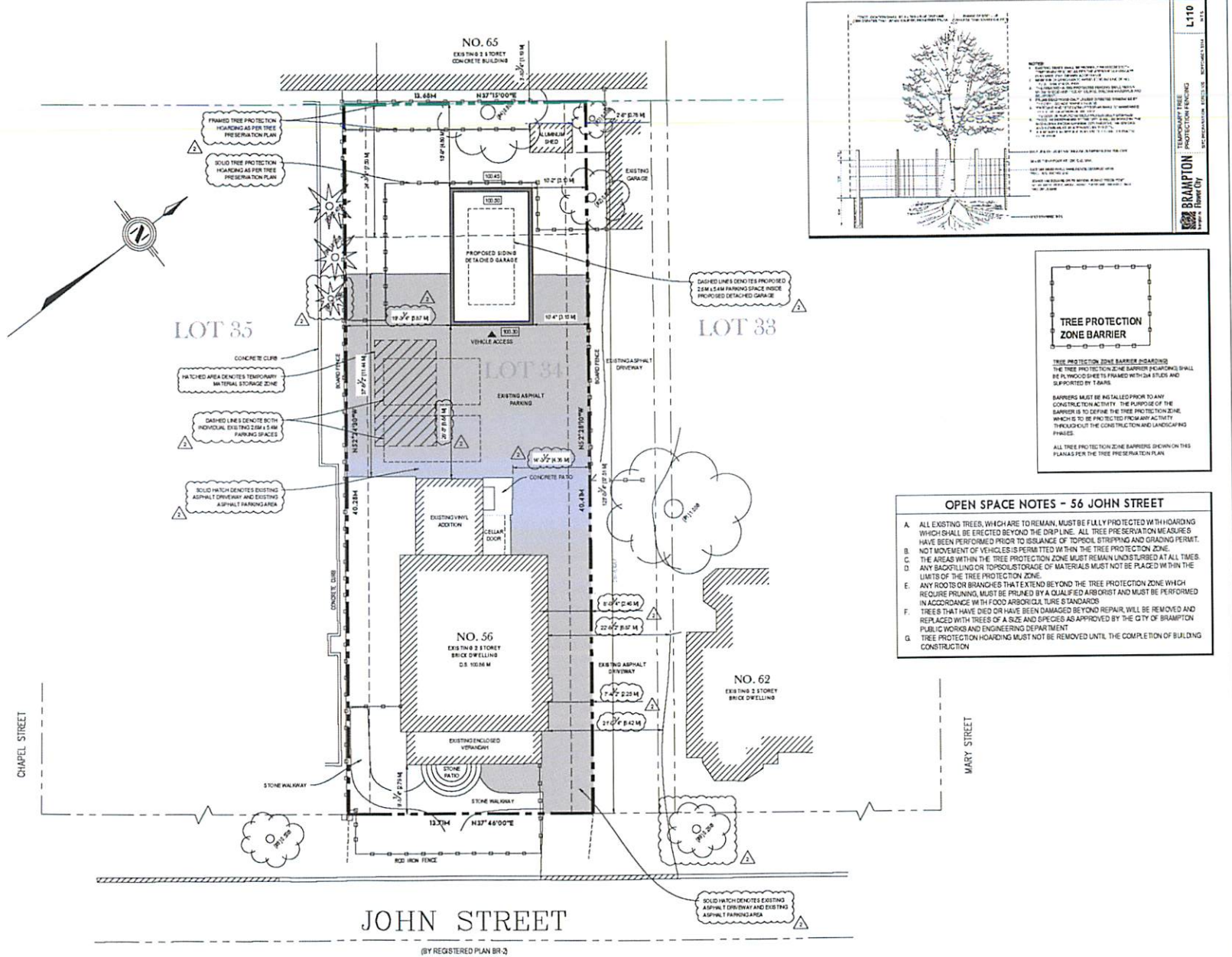
THIS PLAN IS NOT VALID
UNLESS IT IS AN UNDOUBTED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1228, Section 29(1)

WAHBA

SITE STATISTICS - 56 JOHN STREET	
LOT: 34	
REGISTERED PLAN: BR-2	
ZONE CODE: R3B (RESIDENTIAL)	
LOT AREA	55,251 SQ. M
LOT FRONTAGE	13.71 M
DETACHED GARAGE HEIGHT	3.73 M
LOT COVERAGE	PROPOSED
EXISTING DWELLING	54.35 SQ. M
EXISTING ENCLOSED VERANDAH	14.04 SQ. M
EXISTING VINYL ADDITION	10.67 SQ. M
EXISTING ALUMINUM RHED	4.03 SQ. M
PROPOSED DETACHED GARAGE	35.09 SQ. M
COVERAGE TOTAL	154.08 SQ. M
PERCENTAGE OF LOT COVERAGE	28.05%



ESTABLISHED GRADE CALCULATION				
LENGTH NO.	BEGIN. ELEV.	END. ELEV.	LENGTH (M)	ELEV.
1	100.30	100.32	4.67	468.45
2	100.30	100.45	6.50	652.44
3	100.45	100.45	4.67	469.10
4	100.45	100.32	6.50	652.50
Total:			22.34	2242.49
EG:				100.38



- OPEN SPACE NOTES - 56 JOHN STREET**
- ALL EXISTING TREES, WHICH ARE TO REMAIN, MUST BE FULLY PROTECTED WITH HOARDING WHICH SHALL BE ERECTED BEYOND THE DRIPLINE. ALL TREE PRESERVATION MEASURES HAVE BEEN PERFORMED PRIOR TO ISSUANCE OF TOPSOIL STRIPPING AND GRADING PERMIT.
 - NOT MOVEMENT OF VEHICLES IS PERMITTED WITHIN THE TREE PROTECTION ZONE.
 - THE AREAS WITHIN THE TREE PROTECTION ZONE MUST REMAIN UNDISTURBED AT ALL TIMES.
 - ANY BACKFILLING OR TOPSOIL STORAGE OF MATERIALS MUST NOT BE PLACED WITHIN THE LIMITS OF THE TREE PROTECTION ZONE.
 - ANY ROOTS OR BRANCHES THAT EXTEND BEYOND THE TREE PROTECTION ZONE WHICH REQUIRE PRUNING, MUST BE PRUNED BY A QUALIFIED ARBORIST AND MUST BE PERFORMED IN ACCORDANCE WITH FOOD ARBORICULTURE STANDARDS.
 - TREES THAT HAVE DIED OR HAVE BEEN DAMAGED BEYOND REPAIR, WILL BE REMOVED AND REPLACED WITH TREES OF A SIZE AND SPECIES AS APPROVED BY THE CITY OF BRAMPTON PUBLIC WORKS AND ENGINEERING DEPARTMENT.
 - TREE PROTECTION HOARDINGS MUST NOT BE REMOVED UNTIL THE COMPLETION OF BUILDING CONSTRUCTION.

SITE PLAN

CITY OF BRAMPTON
LANDSCAPE PLAN
APPROVED
subject to an agreement
On This _____ Day of _____

..... Allan Parsons
Director, Development Services

56 JOHN STREET, BRAMPTON, ON L6W 1Z3
FILE: SPA-2020-0119

HUIS
DESIGN STUDIO

HUIS DESIGN STUDIO
CUSTOM HOME DESIGN AND RENOVATIONS
14 CHEROKEE DRIVE, SUITE 101 (BRAMPTON) ON L6W 1Z3
TEL: 905.874.1111 | INFO@HUISDESIGNSTUDIO.CA
HUISDESIGNSTUDIO.CA

GENERAL NOTE

DRAWINGS ARE TO BE READ NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER OR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY CONCERNING ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF HUIS DESIGN STUDIO. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.

QUALIFICATION INFORMATION

THE LICENSED PROFESSIONAL ENGINEER HAS TAKEN RESPONSIBILITY FOR THE DESIGN AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MINDED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: _____ B.S.E.

REGISTRATION INFORMATION
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE.

FIRM NAME: _____ B.S.E.

REVISION LIST

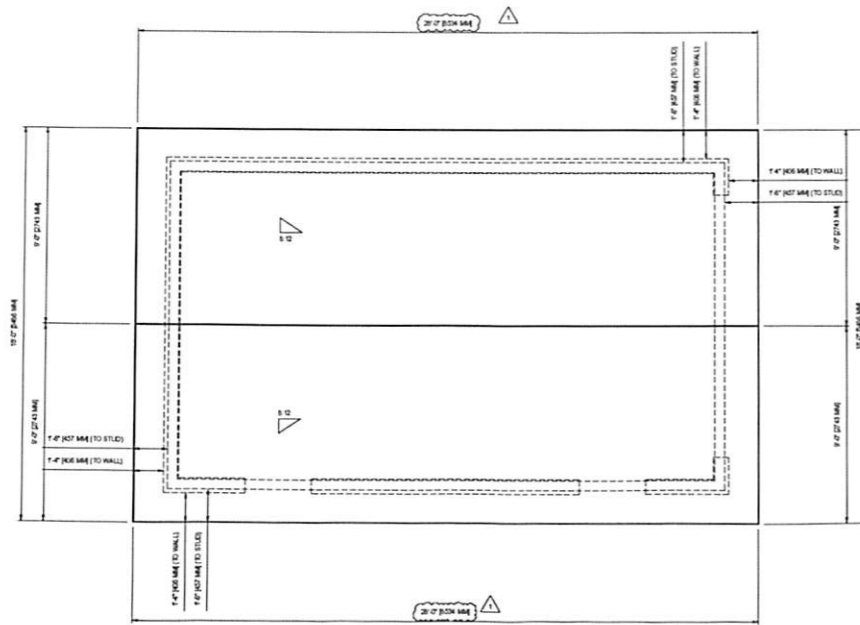
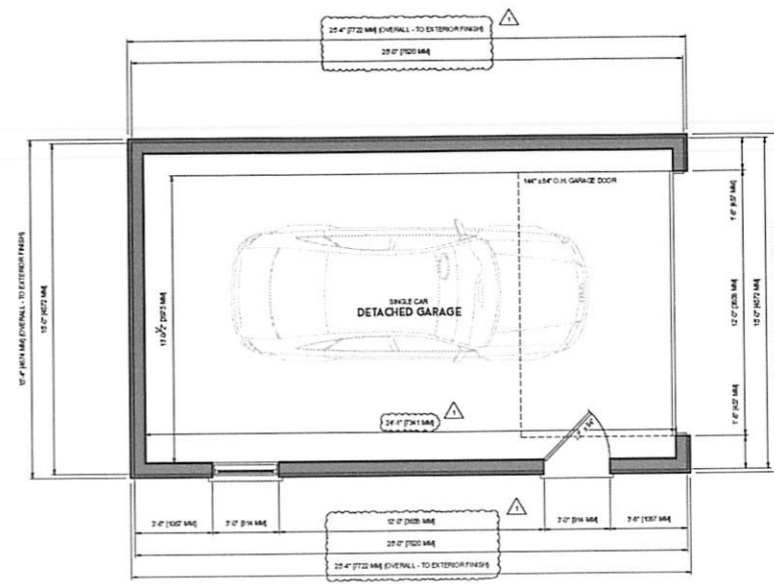
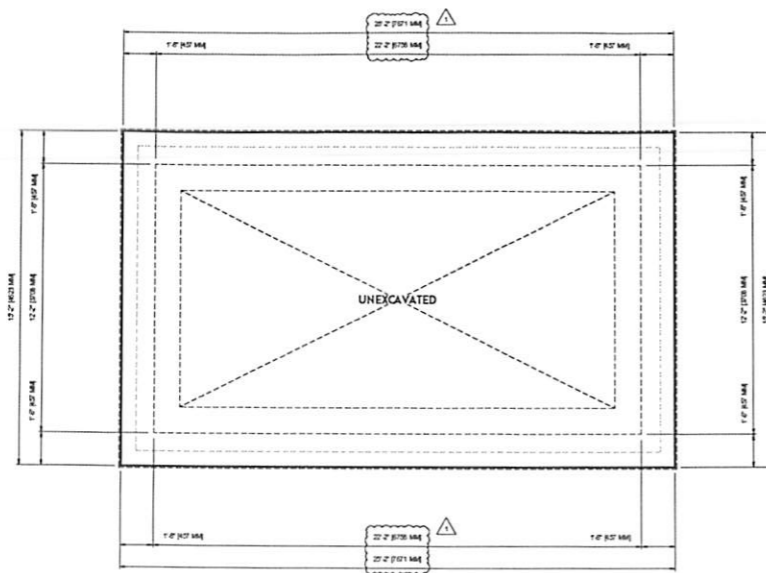
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2	REVISED AS PER SPA COMMENTS	09/21/2020
3	-	MM/DD/YYYY
4	-	MM/DD/YYYY
5	-	MM/DD/YYYY

ISSUE LIST

NO.	ISSUE	DATE
1	ISSUED FOR CLIENT REVIEW	07/09/2020
2	ISSUED FOR SITE PLAN APPROVAL	08/11/2020
3	ISSUED FOR MINOR VARIANCE	10/20/2020
4	-	MM/DD/YYYY
5	-	MM/DD/YYYY

PROJECT NORTH **TRUE NORTH**

DRAWING TITLE: S.E. CHECKED BY: J.D.
ADDRESS: 56 JOHN STREET, BRAMPTON
PLOT NO.: 2020-0119
SHEET NO.: 1 OF 1
SCALE: 1:100
SP



CITY OF BRAMPTON
LANDSCAPE PLAN
APPROVED
subject to an agreement ☐
On This _____ Day of _____

Allan Parsons
Director, Development Services

56 JOHN STREET, BRAMPTON, ON L6W 1Z3
FILE: SPA-2020-0119

I·UIS

DESIGN STUDIO

HJBS DESIGN STUDIO
CUSTOM HOME DESIGN AND RENOVATIONS
1A CONES TOGA DRIVE #001 | BRAMPTON, ON | L6Z 4N1
T: 905.236.1655 | E: INFO@HJBSDESIGNS.CA
HJBSDESIGNS.CA



GENERAL NOTES

DRAWINGS ARE TO BE READ NOT SCALED OR NOT
BEGINNING WITH THE DESIGNER OR PROJECT
MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF
ANY STAGE OF CONSTRUCTION, THE DESIGNER OR
PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE
PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION
DOCUMENTATION ARE FINAL UNLESS REVISED BY THE
DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED
HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED. THE
DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN
ARE THE EXCLUSIVE PROPERTY OF HUSB DESIGN
STUDIO. REPRODUCTION OF THE DOCUMENTS
PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF
HUSB DESIGN.

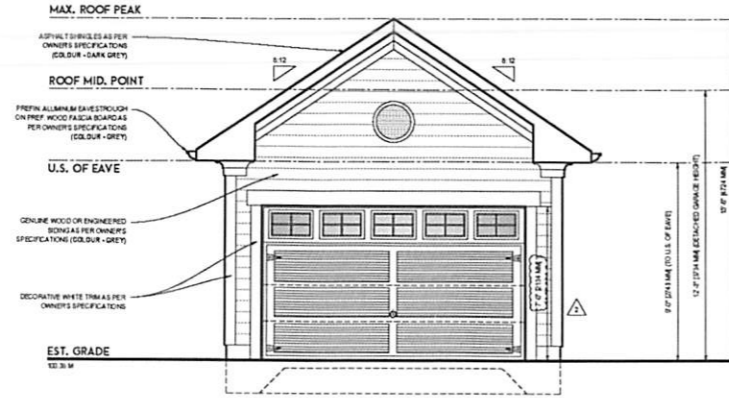
QUALIFICATION INFORMATION THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER	
NAME	S.C.
REGISTRATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER C-3.2.4 OF THE ONTARIO BUILDING CODE	
PRO NAME	S.C.

REVISION LIST		
1	REVISED AS PER CHAIR	09/08/21
2	REVISED AS PER SPA COMMENTS	09/21/21
3	-	MM/00/YY
4	-	MM/00/YY
5	-	MM/00/YY

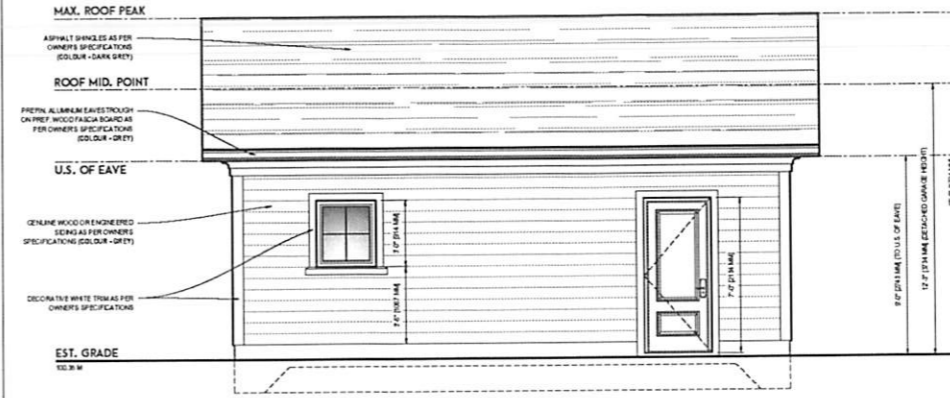
ISSUE LIST		
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2	ISSUED FOR SITE PLAN APPROVAL	08/11/21
3	ISSUED FOR MINOR VARIANCE	10/29/21
4	-	MM/00/YY
5	-	MM/00/YY

PROJECT NORTH:  TRUE NORTH: 

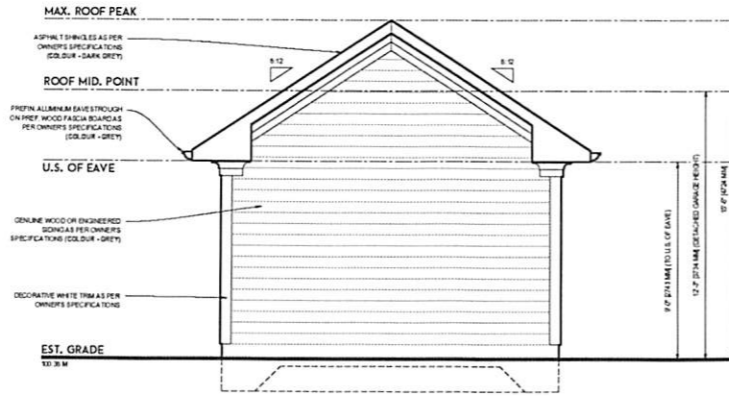
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DRAWN BY: S.E. CHECKED BY:
ADDRESS: 56 JOHN STREET, BRAMPTON
PROJECT NO. 2000-009 SCALE: 1/4" = 1'-0"
SHEET NO. **A10**



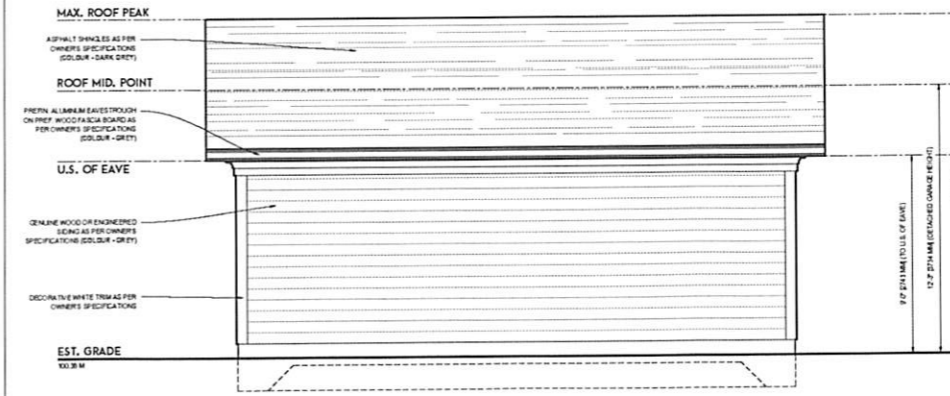
1/4" = 1' 0"
FRONT ELEVATION



1/4" = 1' 0"
LEFT ELEVATION



1/4" = 1' 0"
REAR ELEVATION



1/4" = 1' 0"
RIGHT ELEVATION

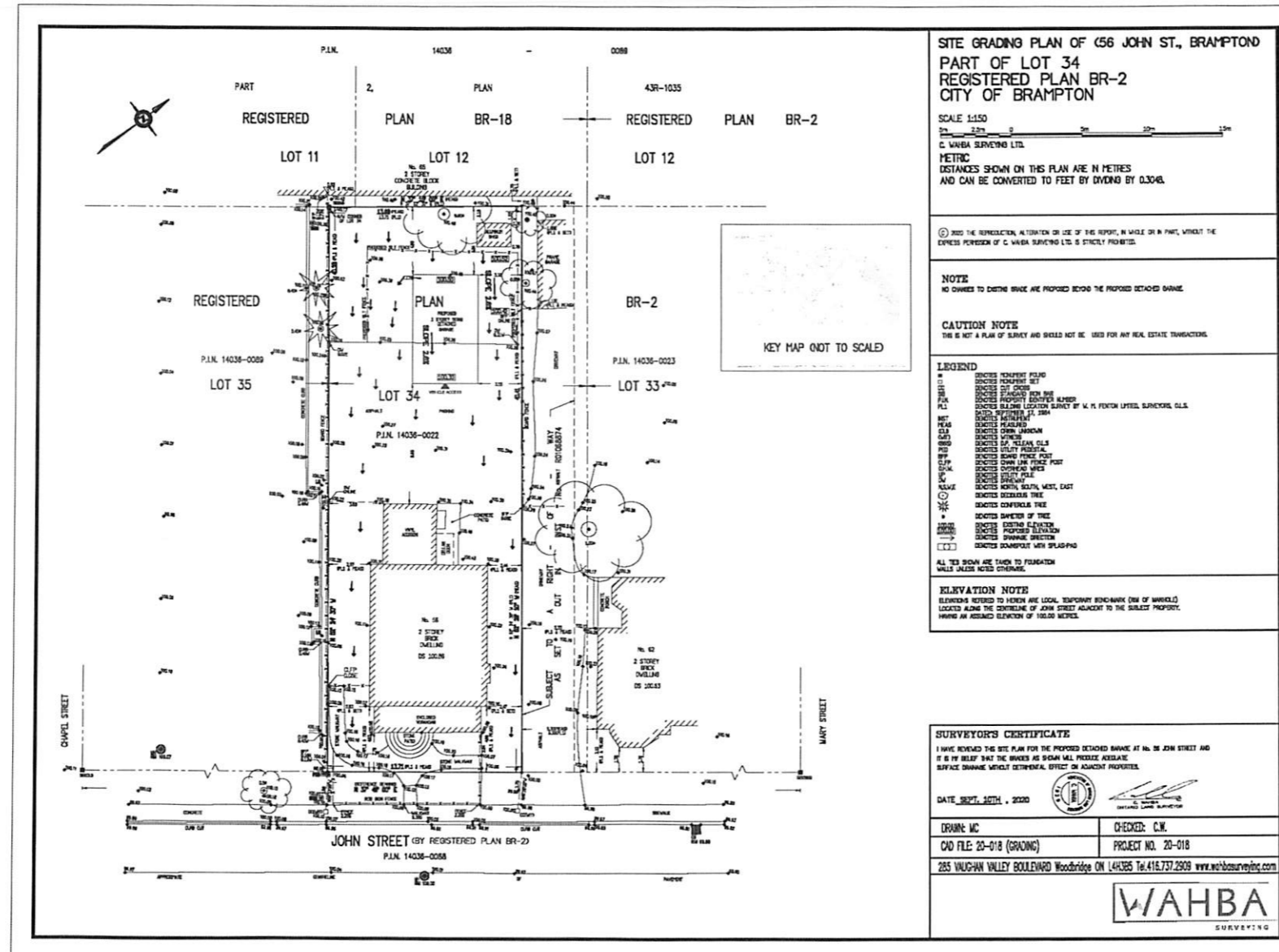
CITY OF BRAMPTON
LANDSCAPE PLAN
APPROVED
subject to an agreement ☐
On This ____ Day of _____
Allan Parsons
Director, Development Services

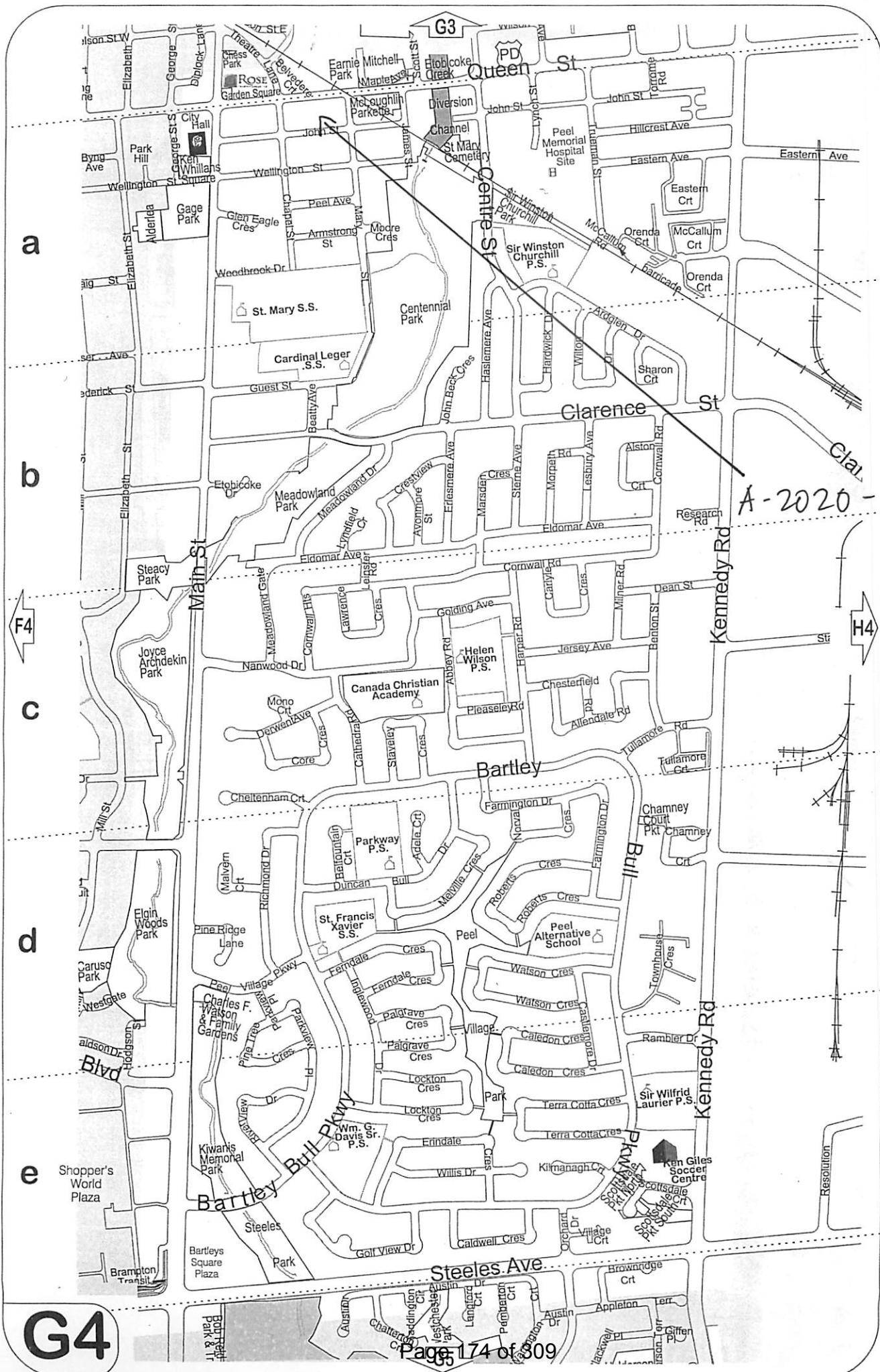
56 JOHN STREET, BRAMPTON, ON L6W 1Z3
FILE: SPA-2020-0119

HUIS
DESIGN STUDIO
HUIS DESIGN STUDIO
CUSTOMER SERVICE (BRAMPTON) ON 416-291-1111
1400 DUNDAS STREET WEST, SUITE 100, BRAMPTON, ON L6W 1Z3
HUISDESIGNSTUDIO.COM

GENERAL NOTES		QUALIFICATION INFORMATION		REVISION LIST		ISSUE LIST		DRAWING TITLE	
DRAWINGS ARE TO BE READ NOT SCALED. DO NOT BEHOLDING INTELLECTUAL PROPERTY OR PROJECT MANAGER HAS BEEN NOTIFIED. PROJECT COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER FOR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN THE DESIGNER SHALL BE NOTIFIED. THE DRAWING AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF HUIS DESIGN STUDIO. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.		THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AS WELL AS THE QUALIFICATION AND REQUIREMENTS MINDED BY THE CHANGING BUILDING CODE TO BE A DESIGNER.		1. REVISED AS PER OWNER 2. REVISED AS PER SPA COMMENTS 3. - 4. - 5. -		1. ISSUED FOR CLIENT REVIEW 2. ISSUED FOR SITE PLAN APPROVAL 3. ISSUED FOR ARCHITECTURAL VARIANCE 4. - 5. -		09/08/2020 08/21/2020 MM/DD/YYYY MM/DD/YYYY MM/DD/YYYY	
NAME		REGISTRATION INFORMATION		NAME		NAME		DRAWN BY	
NAME		REGISTRATION INFORMATION		NAME		NAME		CHECKED BY	
NAME		REGISTRATION INFORMATION		NAME		NAME		J.D.	
NAME		REGISTRATION INFORMATION		NAME		NAME		56 JOHN STREET, BRAMPTON	
NAME		REGISTRATION INFORMATION		NAME		NAME		PROJECT NO.	
NAME		REGISTRATION INFORMATION		NAME		NAME		2020-001	
NAME		REGISTRATION INFORMATION		NAME		NAME		SHEET NO.	
NAME		REGISTRATION INFORMATION		NAME		NAME		MM/DD/YYYY	
NAME		REGISTRATION INFORMATION		NAME		NAME		MM/DD/YYYY	

A201





A-2020-0124

Filing Date: November 2, 2020

Hearing Date: December 1, 2020

File: A-2020-0124

**Owner/
Applicant:** VIDOLL REGISFORD

Address: 56 John Street

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0124 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the owner finalize site plan approval under City File SPA-2020-0119, and if required, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Existing Zoning:

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a portion of the rear yard to be paved for the purpose of parking (as existing) whereas the by-law does not permit the rear yard to be paved for the

purpose of parking except on a driveway leading to a garage.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Central Area" in the Official Plan and "Medium Density Residential" within the Downtown Brampton Secondary Plan (Area 7). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

The requested variance is to permit a portion of the rear yard to be paved for the purpose of parking (as existing) whereas the by-law does not permit the rear yard to be paved for the purpose of parking except on a driveway leading to a garage.

The intent of the by-law in prohibiting the rear yard to be paved for the purposes of parking is to ensure that amenity space is provided for the residential property, and that some landscaped area is maintained for the property. In the case of the subject property, the paved portion of the rear yard is existing and still allows for landscaped area and amenity space. Subject to the recommended conditions of approval, the requested variance is considered to maintain the intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to permit an existing paved area in the rear yard to be used for the purpose of parking two vehicles. Currently, the applicant is pursuing a site plan application to construct a detached garage in the rear yard that will also utilize the existing paved area for access to the garage. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2020-0119, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services to ensure that the garage is constructed in a way that will not impact the drainage patterns for the subject property.

Given that the paved area has been existing for a significant period of time, it is not anticipated that the paving being used for parking will have negative impacts on adjacent properties. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance, to permit the existing paved surface in the rear yard to be used for the purposes of parking will utilize an existing situation on the property. The paved area does not significantly the provision of amenity area or landscaped area for the property. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **LORNA AND ROBERT WILLIAM WATTERSON** 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 Part of Lots 1 and 2, Plan BR-3 municipally known as **17 FREDERICK STREET**, Brampton;

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

1. To permit an interior side yard setback of 0.65m (2.1 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.9 ft.);
2. To permit a rear yard setback of 4.64m (15.25 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
3. To permit a roof above a rear porch to encroach into the required rear yard setback of 2.94m (9.65 ft.) resulting in a setback of 4.56m (14.96 ft.) to the roof whereas the by-law permits a maximum roof encroachment of 2.0m (6.56 ft.) into the required rear yard setback resulting in a required setback of 5.5m (18.04 ft.) to a roofed porch.

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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal 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 20th day of November, 2020.

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

REG'D PLAN BR-23
PART LOT 1 & 2
CITY OF BRAMPTON/REGION OF PEEL
PER SURVEY DATED JAN 2, 1984
GORDON GOOD OLS

ZONING
R1B & MATURE NEIGHBORH'D 10.27

ALLOWED	PROPOSED
LOT AREA 452 m ²	
MAX COVERAGE @ 30% 135.6 m ² (mature 10.27)	
EXIST BLDG COV'G 119 m ²	
PROP. MAIN FL ADD'N 16 m ²	
TOTAL BLDG COVRG 135 m ²	
EXIST SHED 5.3 m ²	
TOTAL COVERAGE 140.7 m ² = 31%	
	M.V. @ 1% (4.3m ²) OVER

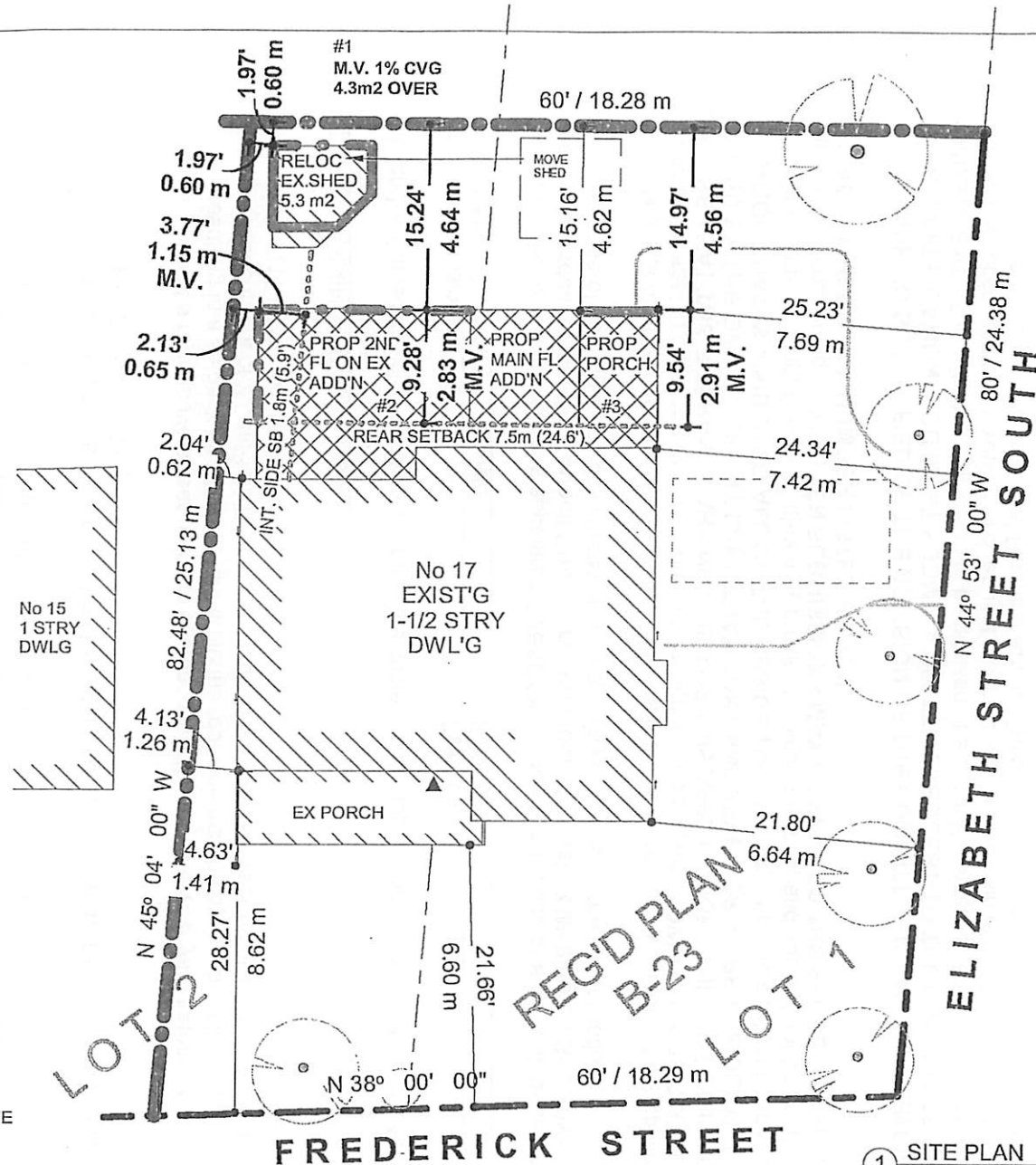
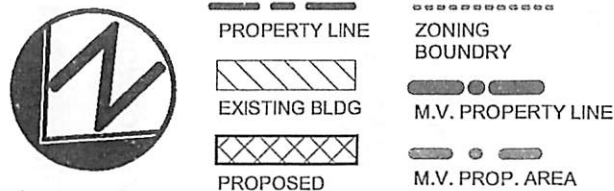
MAX ADDITION GFA 50 m ² (538.2 SF)	2ND FL 20m ²
TOTAL PROP. ADD'N GFA	MUDRM 8.5 m ²
	28.5 m ² OK

SETBACKS
2ND FL ADDITION MASTER ENSUITE

INT (E) SIDE 1.8m (2 STRY)	0.65 m EXIST'G
	M.V. @ 1.15m ENCROACH
REAR 7.5m (R1B)	4.64 m EXIST'G
	M.V. @ 2.83m ENCROACH
MAIN FL MUDRM ADDITION	
REAR 7.5m (R1B)	4.6 m @ 2.88m ENCROACH
	M.V. A19-188 GRANTED
MAIN FL SIDE/REAR PORCH	
EXT (W) SIDE 1.2 m (1 STRY)	7.4 m EXISTING
REAR 7.5m (R1B)	4.56 m
	M.V. @ 2.91 m ENCROACH

FRONT 6m (19.7')	NO CHANGE
MAX HT. 8.5m (27.9')	NO CHANGE
(mature 10.27)	
FRONT LANDSC MIN 60%	NO CHANGE

RELOCATE EX. SHED TO EAST CORNER
SETBACK 0.6m (2')



1 SITE PLAN
3/32" = 1'-0"



EZDimensions
renovation experiences made easy!
erinzagar@live.com 905-866-8358

PROP. ADDITIONS
17 FREDERICK ST,
BRAMPTON

No.	Description	Date
1	COMMIT. OF ADJUST. APP	11/02/20

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5 of Division C as per exception 3.2.4.3 (d) of the Ontario Building Code.

Erin Zagar
EZDimensions
reg. BCIN 20904

SITE PLAN

Project number	EZD2028	A-1
Date	OCT 14 2020	
Drawn by	ERIN ZAGAR	
Checked by	Checker	
		Scale As indicated

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.

November 18, 2020

Committee of Adjustment Amendment
Attn: Jeanie Myers
Legislative Coordinator
Secretary-Treasurer
Committee of Adjustment
City of Brampton, City Clerk's Office

RE Minor Variance App Revision to A-2020-125
17 Frederick St. Brampton, On

Ms Myers, as per our conversation today please revise application A2020-125 as follows.

Please delete Item 1 - Relief from 30% coverage

New Item

1. To permit an interior yard setback of 0.65m (2.1') and relief by 1.15m (3.8') to a proposed second storey addition where the bylaw requires a minimum interior yard setback of 1.8m (5.9')

Adjust wording to

2. To permit rear yard setback of 4.64m (15.25') and relief by 2.83m (9.35) whereas the bylaw requires a minimum rear yard setback of 7.5m (25.6')

3. To permit a roof above a porch to encroach into the required rear yard setback by 0.94m (3') resulting in a 4.56m (14.8') setback. Where the bylaw requires a rear yard setback of 7.5m (24.6') less a 2m (6.6') allowed porch roof encroachment or an otherwise permitted 5.5m (18) setback.

If you have any question please feel free to contact me.

Thank you



Erin Zagar
EZDimensions
905-866-8358

A-2020-0125

October 30, 2020

Committee of Adjustment Amendment
Attn: Jeanie Myers
Legislative Coordinator
Secretary-Treasurer
Committee of Adjustment
City of Brampton, City Clerk's Office

RE Minor Variance Application for
17 Frederick St. Brampton, On

Please find enclosed an application and drawings for minor variance at the above address. This application is in reference to an existing 1.5 story dwelling where the client wishes to add a 2nd storey over an existing rear addition and a main fl rear addition which now includes a porch.

Under a previous minor variance application A19-188 the client was granted approval for a reduced rear setback of 4.61m for a proposed mudroom addition. This application now reduced in mudroom size and adds a proposed rear/side porch following the footprint of the existing dwelling. This will result in a further encroachment 0.05m. This application asks for further relief on the rear setback to allow for the porch to 4.56m.

This proposed additional coverage for a side/rear porch will result in a 1% overage on the coverage limit of 30%. The overage of 4.7m² equates to the approximate size of the existing shed, which was granted rear setback relief under Minor Variance A19-188. This application proposes moving the shed to the rear east corner of the lot and maintaining the legal setback of 0.06m asks for relief of the coverage by the 1% or 4.7m².

The 2nd floor addition is proposed to align with the existing main floor addition at 0.65m inside yard and 4.64m rear yard. The proposed setbacks following the existing main floor non-conforming structure requires relief of 1.15m inside setback and 2.83m rear yard setback whereby the by-law inside yard setback requires 1.8m and rear yard requires 7.5m.

Please add our Minor Variance Application to the agenda for the next Committee of Adjustment meeting scheduled for December 1, 2020.

If you have any question please feel free to contact me.

Thank you



Erin Zagar
EZDimensions
905-866-8358



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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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)** William and Lorna Watterson
Address 17 Frederick St
Brampton, Ontario
L6Y 1G3
Phone # 6472682405 **Fax #** _____
Email rwatt2551@rogers.com

2. **Name of Agent** Erin Zagar
Address 76 Mill St S
Brampton, Ont
L6Y 1S8
Phone # 9058668358 **Fax #** _____
Email erinzagar@live.com

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

1 Relief from required 30% coverage by 4.7m2 or 1% overage for existing shed. Existing and proposed building with shed will be 31% or 140.3 m2 where the allowed is 135.6 at 30%.

2 Relief from required 1.8m inside yard setback by 1.15m. Proposed 2nd fl addition following existing dwelling inside yard setback at 0.65m.
Relief from required 7.5m rear setback by 2.83m into rear setback at existing 4.64m.
Proposed 2nd storey addition rear setback to follow existing main floor at 4.64m.

3 Relief from required 7.5m rear yard setback by 2.91m. Proposed Porch rear setback follows existing rear yd dwelling at 4.56m. Other main fl addition (mudroom) granted MV. A19-188

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

The existing storage shed will be relocated to the rear east corner to maintain allowed setbacks. The shed is existing for garden and tool storage.

The proposed mudroom addition and side/rear porch will follow the existing non conforming walls at rear. The proposed 2nd floor addition follows the existing non conforming walls of the main floor at the rear and inside lot lines. The existing dwelling does not conform with the required setbacks.

5. **Legal Description of the subject land:**

Lot Number Part lot 1 & 2
Plan Number/Concession Number Reg plan BR -23
Municipal Address 17 Frederick St

6. **Dimension of subject land (in metric units)**

Frontage 18.29 m
Depth 24.38 m
Area 452 m2

7. **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:

EXISTING COVERAGE (1.5 ST) Dwelling 119 m2 (incl. garage & porch)
EXISTING Shed 5.3 m2 (grnd fl coverage)

EXISTING BLDG 10.24m wide x 13.43m long EXISTING HT 6.7m
EXISTING GFA Main fl 80m2 + 2nd fl 74.2m2 = TOTAL GFA = 153.2m2

PROPOSED BUILDINGS/STRUCTURES on the subject land:

PROPOSED COVERAGE DWLG 140.3m2 (incl. Gar. porches, prop. addition & shed)

PROP BLDG 10.24m wide x 13.43m long PROP. HT 6.7m
PROP GFA. Main fl 88.6 + 2nd fl 94.7m = TOTAL PROP. GFA = 183.3m2

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 6.6 m
Rear yard setback 4.64 m
Side yard setback 6.64 m outside
Side yard setback 0.62 m inside

PROPOSED

Front yard setback 6.6 m
Rear yard setback 4.56 m
Side yard setback 6.64 m outside
Side yard setback 0.62 m inside

10. Date of Acquisition of subject land: 2004
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: APROX 1920?
15. Length of time the existing uses of the subject property have been continued: ALWAYS
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 # <u>A19-188</u>	Decision <u>GRANTED</u>	Relief <u>Rear addition setback 4.61m</u>
File # <u>A19-188</u>	Decision <u>GRANTED</u>	Relief <u>Front porch side setback 1.26m</u>
File # <u>A19-188</u>	Decision <u>GRANTED</u>	Relief <u>Ex. Shed rear setback 0.33m</u>

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 2 DAY OF Nov, 2020.

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, ERIN ZAGAR, OF THE CITY OF BRAMPTON
IN THE _____ OF _____ 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 2nd DAY OF
November, 2020.

April Dela Cerna
A Commissioner etc.

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.

Hothi S
Zoning Officer

NOV. 05. 2020
Date

DATE RECEIVED November 2, 2020

Revised 2017/01/15

April Dela Cerna,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

REG'D PLAN BR-23
PART LOT 1 & 2
CITY OF BRAMPTON/REGION OF PEEL
PER SURVEY DATED JAN 2, 1984
GORDON GOOD OLS

ZONING

R1B & MATURE NEIGHBORH'D 10.27

ALLOWED

LOT AREA 452 m²

MAX COVERAGE @ 30% 135.6 m² (mature 10.27)

EXIST BLDG COV'G 119 m²

PROP. MAIN FL ADD'N 16 m²

TOTAL BLDG COVRG 135 m²

EXIST SHED 5.3 m²

TOTAL COVERAGE 140.7 m² = 31%

M.V. @ 1% (4.3m²) OVER

MAX ADDITION GFA

2ND FL 20m²

50 m² (538.2 SF)

MUDRM 8.5 m²

TOTAL PROP. ADD'N GFA 28.5 m² OK

SETBACKS

2ND FL ADDITION MASTER ENSUITE

INT (E) SIDE 1.8m (2 STRY) 0.65 m EXIST'G

M.V. @ 1.15m ENCROACH

REAR 7.5m (R1B)

4.64 m EXIST'G

M.V. @ 2.83m ENCROACH

MAIN FL MUDRM ADDITION

REAR 7.5m (R1B)

4.6 m @ 2.88m ENCROACH

M.V. A19-188 GRANTED

MAIN FL SIDE/REAR PORCH

EXT (W) SIDE 1.2 m (1 STRY) 7.4 m EXISTING

REAR 7.5m (R1B) 4.56 m

M.V. @ 2.91 m ENCROACH

FRONT 6m (19.7')

MAX HT. 8.5m (27.9')

(mature 10.27)

FRONT LANDSC MIN 60% NO CHANGE

RELOCATE EX. SHED TO EAST CORNER

SETBACK 0.6m (2') 0.6 m (2')



PROPERTY LINE

EXISTING BLDG

PROPOSED

ZONING

BOUNDARY

M.V. PROPERTY LINE

M.V. PROP. AREA

PROP. ADDITIONS
17 FREDERICK ST,
BRAMPTON

No.	Description	Date
1	COMMIT. OF ADJUST. APP	11/02/20

I review and take responsibility for the design and am qualified in the appropriate category as an 'other designer' under sub-section 3.2.5 of Division C as per exception 3.2.4.3 (d) of the Ontario Building Code.

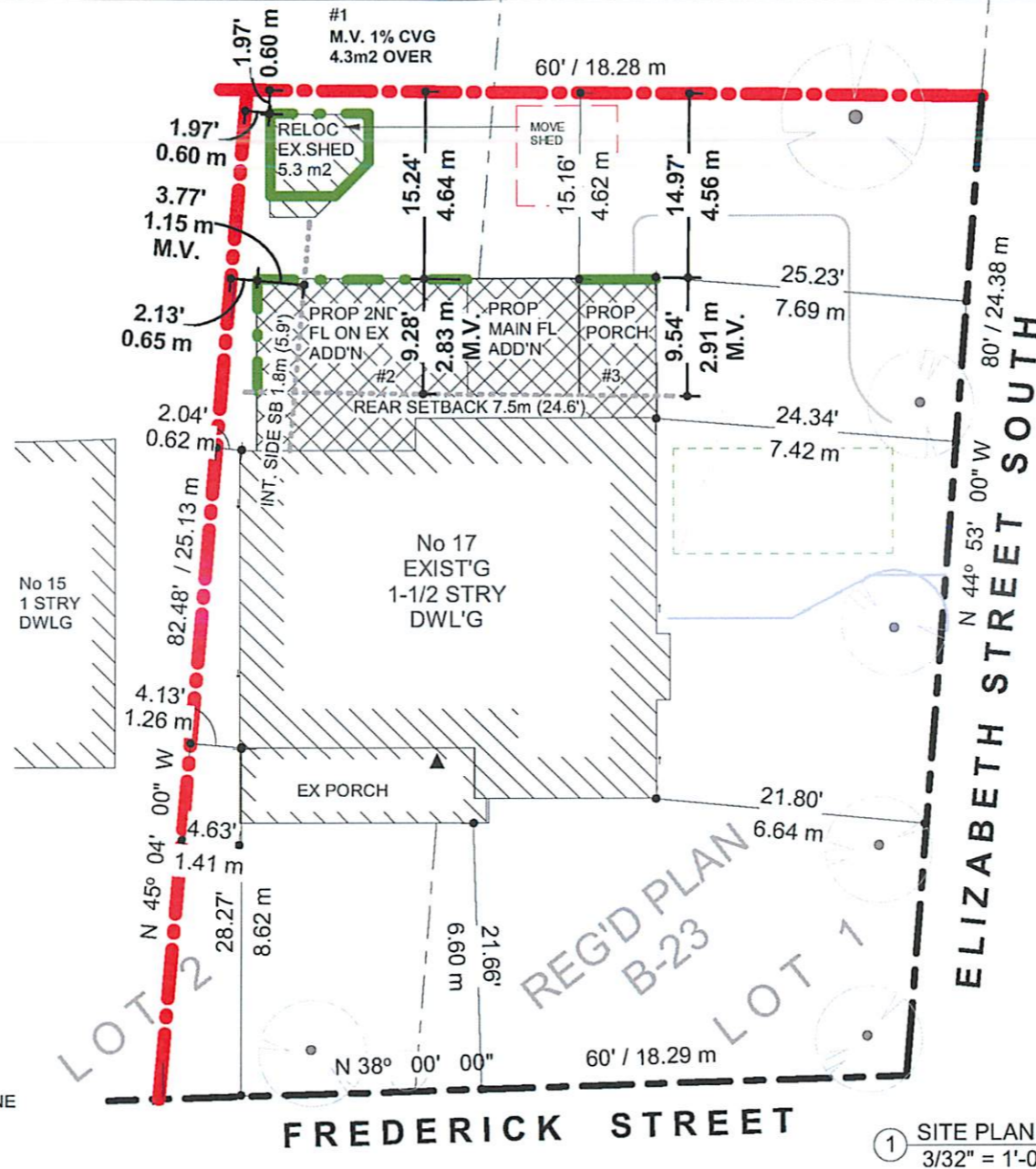
Erin Zagar
EZDimensions
reg. BCIN 20904

SITE PLAN

Project number EZD2028
Date OCT 14 2020
Drawn by ERIN ZAGAR
Checked by Checker

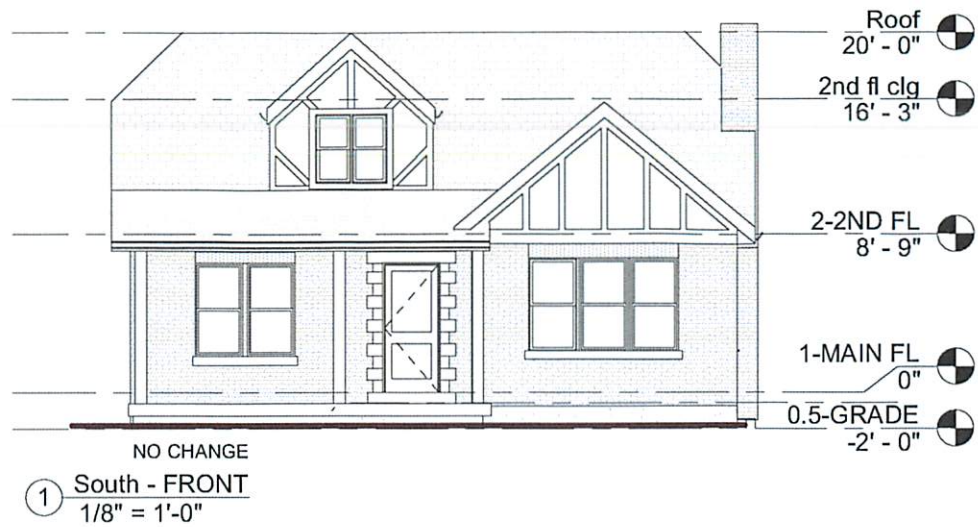
A-1

Scale As indicated

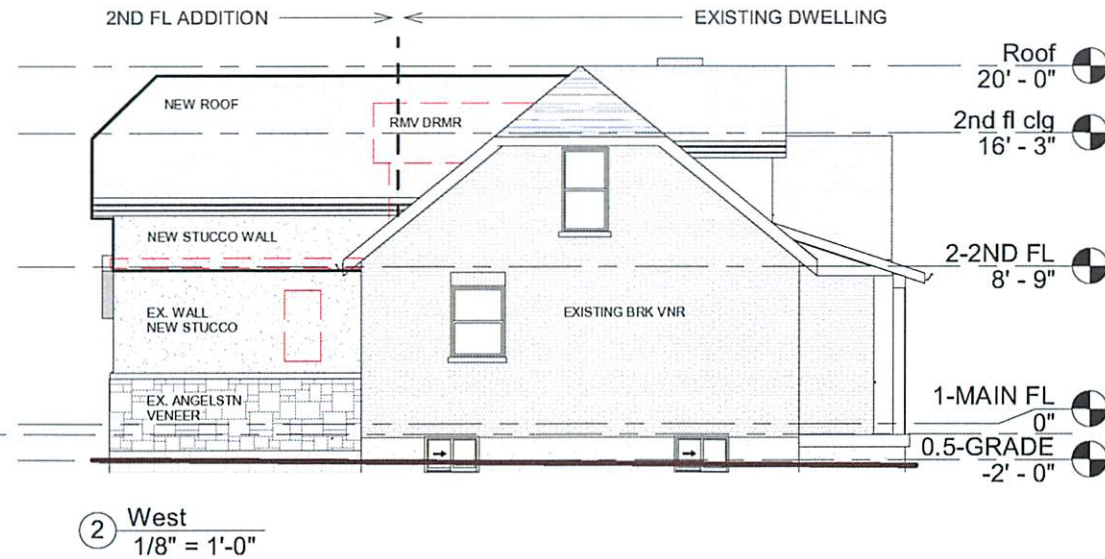
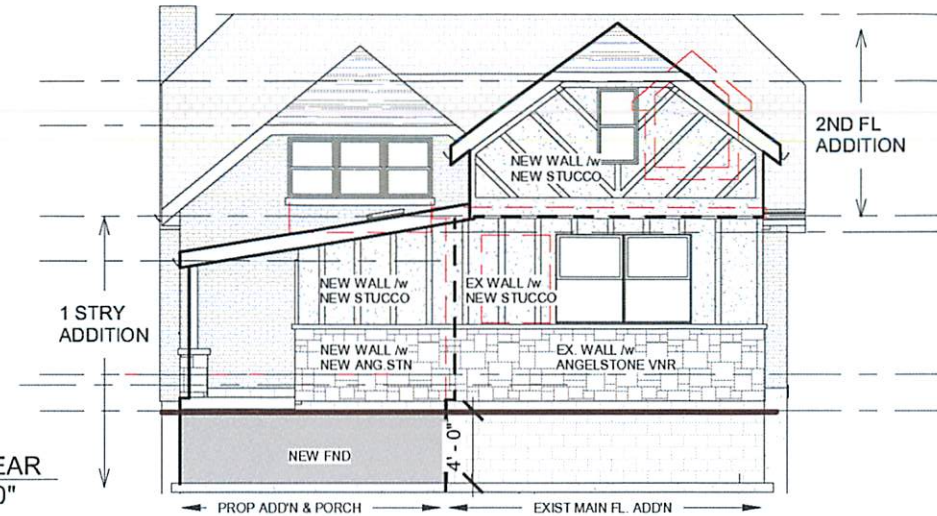


1 SITE PLAN
3/32" = 1'-0"

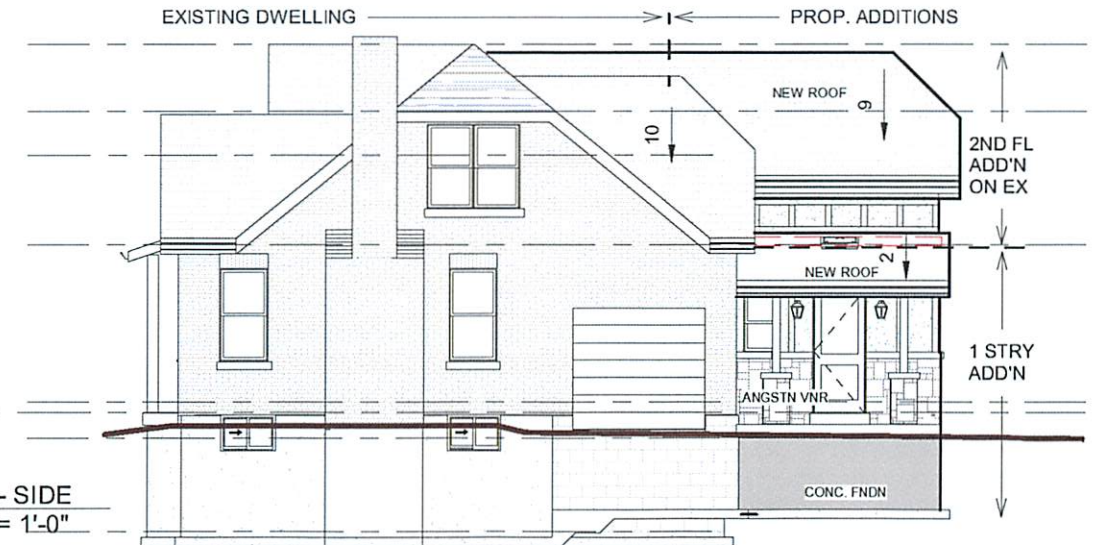




③ North - REAR
1/8" = 1'-0"



④ East - SIDE
1/8" = 1'-0"



No.	Description	Date
1	COMMIT. OF ADJUST. APP	11/02/20

PROP. ELEVATION

Project number	EZD2028
Date	OCT 14 2020
Drawn by	ERIN ZAGAR
Checked by	Checker

A-2

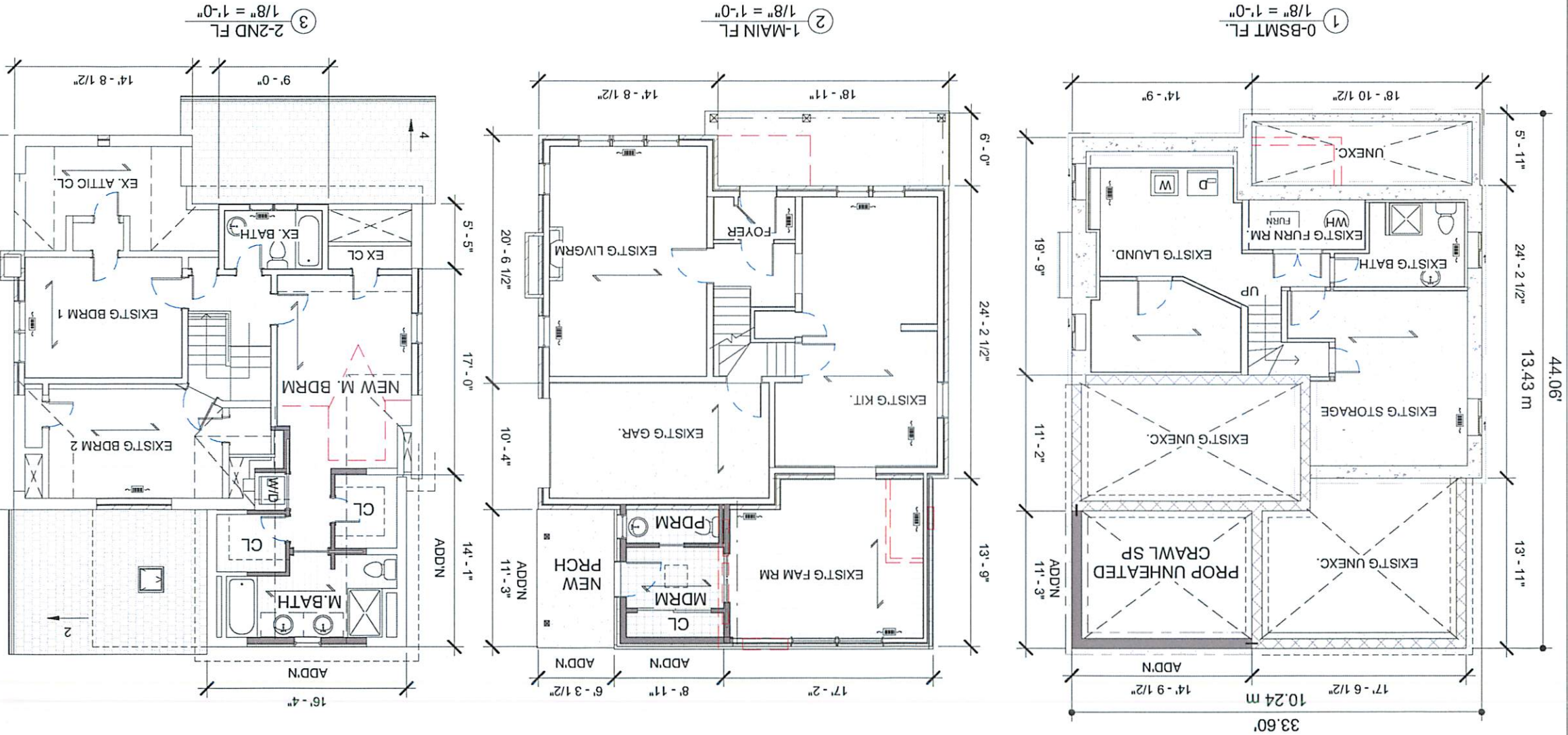
Scale 1/8" = 1'-0"

PROP. ADDITIONS
17 FREDERICK ST,
BRAMPTON

No.	Description	Date
1	COMMIT. OF ADJUST. APP	11/02/20

I review and take responsibility for the design and
designer under sub-section 3.2.5 of Division C as per
exception 3.2.4.3 (d) of the Ontario Building Code.
Erin Zagar
EZDimensions
reg. BCIN 20904

Project number	Date	Drawn by	Checked by
EZD2028	OCT 14 2020	ERIN ZAGAR	Checker
Scale 1/8" = 1'-0"			





FILE NUMBER A19-188

HEARING DATE NOVEMBER 12, 2019

APPLICATION MADE BY WILLIAM AND LORNA WATTERSON

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; **ZONING BY-LAW 270-2004** AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION FOR THE FOLLOWING VARIANCE(S):

1. To permit a rear yard setback of 4.61m (15.12 ft.) to a proposed addition (mudroom);
2. To permit a side yard setback of 1.26m (4.13 ft.) to a proposed open roofed porch;
3. To permit an existing accessory structure (shed) having a rear yard setback of 0.33m (1.08 ft.).

(17 FREDERICK STREET, PT. OF LOTS 1, 2 PLAN BR-23)

THE REQUEST IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS
(APPROVAL IS GRANTED SUBJECT TO A BUILDING PERMIT BEING ISSUED BY THE CITY OF BRAMPTON WHERE REQUIRED AND DEVELOPMENT CHARGES MAY BE APPLICABLE)

SEE SCHEDULE "A" ATTACHED

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance authorized is desirable for the appropriate development or use of the land, building, or structure referred to in the application, and
2. The general intent and purpose of the zoning by-law and the City of Brampton Official Plan are maintained and the variance is minor.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at the Committee of Adjustment meeting, held under the *Planning Act*, have been, on balance, taken into consideration by the Committee as part of its deliberations and final decision on this matter.

MOVED BY: A. C. Marques

SECONDED BY: R. Power

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

DATED THIS 12TH DAY OF NOVEMBER, 2019

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE DECEMBER 2, 2019

I, JEANIE MYERS, SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF THE DECISION OF THE COMMITTEE WITH RESPECT TO THE ABOVE APPLICATION.

[Signature]
SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

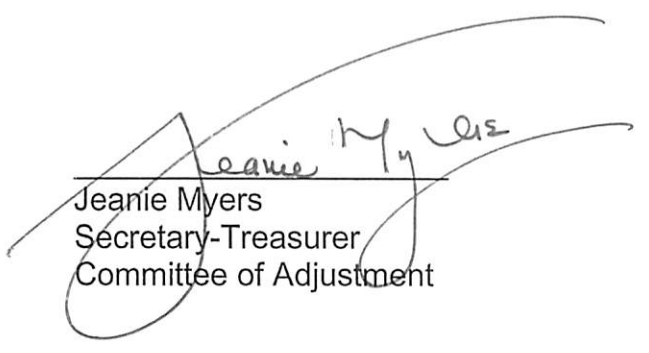
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: **A19-188**

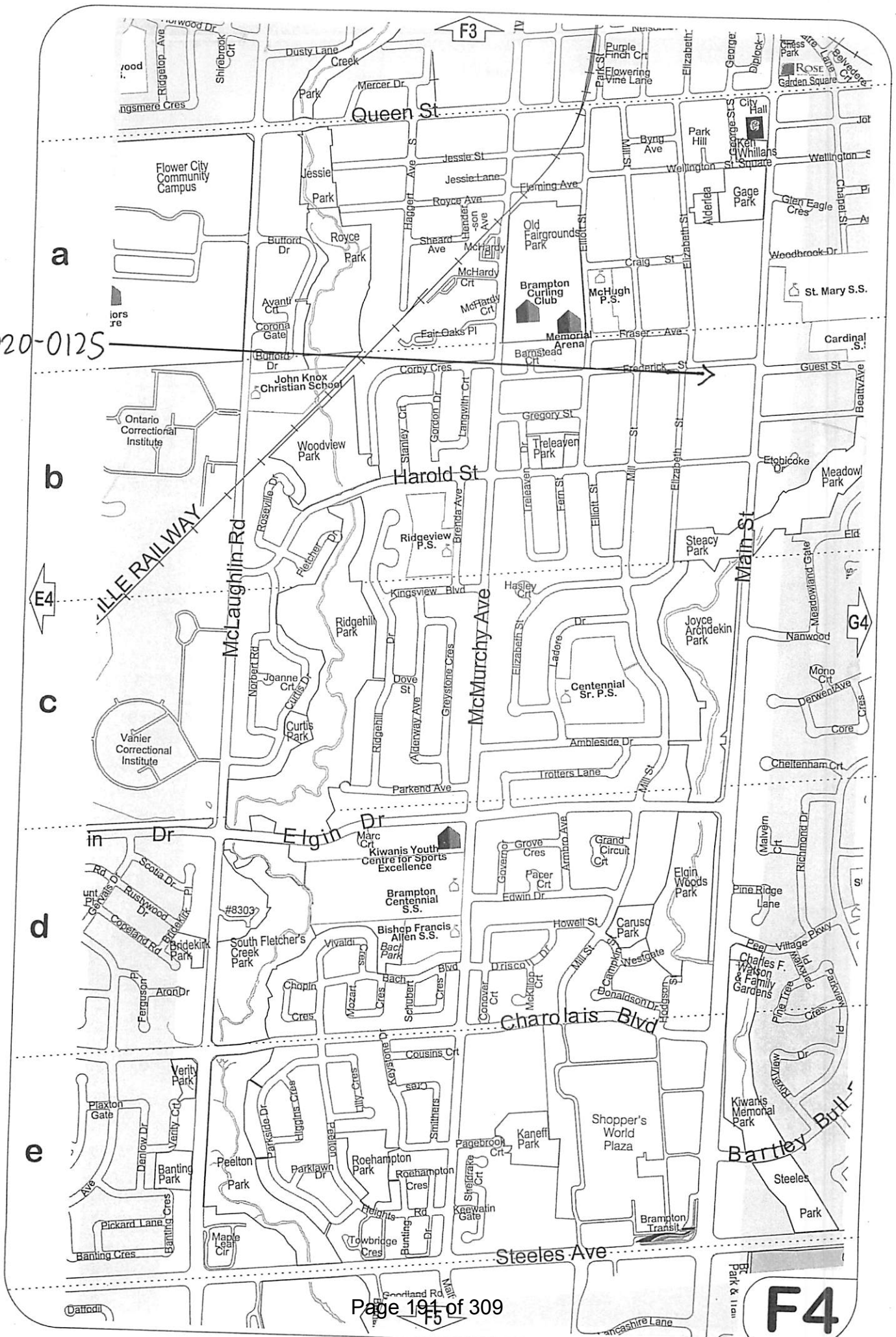
DATED: **NOVEMBER 12, 2019**

Conditions:

1. That the variances only be approved to the extent identified on the sketch attached to the Public Notice;
2. That drainage from the proposed addition (mudroom), open, roofed porch and the accessory structure (shed) shall flow onto the owner's property and drainage on adjacent properties shall not be adversely affected; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment

A-2020-0125



Filing Date: November 2, 2020

Hearing Date: December 1, 2020

File: A-2020-0125

**Owner/
Applicant:** WILLIAM AND LORNA WATTERSON

Address: 17 Frederick Street

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0125 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Existing Zoning:

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an interior side yard setback of 0.65m (2.1 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.9 ft.);
2. To permit a rear yard setback of 4.64m (15.25 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);

3. To permit a roof above a rear porch to encroach into the required rear yard setback of 2.94m (9.65 ft.) resulting in a setback of 4.56m (14.96 ft.) to the roof whereas the by-law permits a maximum roof encroachment of 2.0m (6.56 ft.) into the required rear yard setback resulting in a required setback of 5.5m (18.04 ft.) to a roofed porch.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated "Central Area" in the Official Plan and "Low Density Residential" in the Downtown Brampton Secondary Plan (Area 7). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

Variance 1 is to permit an interior side yard setback of 0.65m (2.1 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.9 ft.). The intent of the by-law in requiring a minimum interior side yard setback to a second storey addition is to ensure that the massing of the second storey does not negatively impact adjacent properties and that sufficient space is provided for roof drainage. In the case of the subject property, the proposed second storey addition will be of a consistent setback with the existing first storey. Further, the proposed second storey will be further away from the adjacent property than the existing second (half) storey on the front part of the dwelling and the reduced setback presents no concerns with regard to roof drainage. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit a rear yard setback of 4.64m (15.25 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.). This variance relates to the proposed second storey addition and a proposed improved porch for the dwelling. The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient rear yard amenity area is provided for the residential dwelling. The subject property is a corner lot which creates a unique orientation of outdoor amenity space for the dwelling. In the case of this property, outdoor amenity space is provided at the front of the dwelling and it is not anticipated that this reduced rear yard setback will negatively impact the provision of outdoor amenity space. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a roof above a rear porch to encroach into the required rear yard

setback of 2.94m (9.65 ft.) resulting in a setback of 4.56m (14.96 ft.) to the roof whereas the by-law permits a maximum roof encroachment of 2.0m (6.56 ft.) into the required rear yard setback resulting in a required setback of 5.5m (18.04 ft.) to a roofed porch, relating to the proposed improved porch on the dwelling. The intent of the by-law in regulating the maximum porch encroachment in the rear yard is to ensure that the porch does not dominate the rear yard amenity space. As noted, the subject property is a corner property that has a unique orientation of amenity space and access. The proposed increased roof encroachment is not anticipated to dominate the rear yard or detract from amenity space. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a reduced interior side yard setback to a proposed second storey addition. The requested setback is reflective of the existing setback of the main floor of the dwelling and the design of the second storey is not anticipated to have negative massing impacts on the adjacent properties. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 3 relate to proposed improvements at the rear of the dwelling and their impacts on the rear yard.

Variance 2 is requested to permit a reduced rear yard setback that will be consistent with the existing setback for main floor of the dwelling and the existing porch. Given the property's orientation as a corner lot, the amenity area is provided not in the rear yard but in the front and side yards for this dwelling, so it is not anticipated that the reduction in setback will negatively impact the provision of outdoor amenity space. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the land.

Variance 3 is requested to permit an expansion and improvement to the existing porch for the dwelling, including a new roof and updated design. Given that this entrance functions as the effective front door for the property and not a rear yard door it is considered to be appropriate for the roof to have an increased encroachment from a functional and aesthetic point of view. Subject to the recommended conditions of approval, Variance 3 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is requested to permit a reduced interior side yard setback to a second storey addition. The proposed reduced setback is not anticipated to negatively impact the ability of the property to contain its own roof drainage, and the design of the proposed second storey does not present concerns with regard to privacy for adjacent properties. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is requested to permit a reduced rear yard setback to the second storey addition and the expanded/improved porch. The orientation of the lot as a corner property allows outdoor amenity space to be provided in other areas than the rear yard, and so the reduced rear yard setback is not anticipated to negatively impact outdoor amenity area for the property. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 relates to the expanded/improved porch that effectively functions as the main entrance for the dwelling. Given its function and orientation on the corner lot, it is considered to be appropriate for an increased encroachment of this nature. The increased encroachment presents no concerns with regard to drainage. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **GERALD HARRICHARAN** 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 379, Plan 625 municipally known as **24 ALLENDALE ROAD**, Brampton;

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

1. To permit lot coverage of 37.47% whereas the by-law permits a maximum lot coverage of 30%:
2. To permit an existing accessory structure (shed) having a setback of 0.30m (0.98 ft.) to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.60m (1.97 ft.) to the nearest lot line.

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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal 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 19th day of November, 2020.

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

No	Date	Revision/Issued
00	2020.11.07	Schematic Design
01	2020.08.21	MF Application

2960 Drew Rd, Mississauga,
ON L4T 0A7
c: 647.898.9785
e: mvinder@nemdesigns.ca

conserve architecture limited
51 manett cres, brampton,
ON L6X 4X5
c: 647.741.5817
e: info@o-erchi.com

503

CARPORT ADDITION

24 ALLENDALE DR,
BRAMPTON

SITE PLAN

scale: $\frac{3}{16}''=1'-0''$
date: 2020.07.11
project: 20-130
drawing number:

A-01

Revision: 00



ENTRANCE & EGRESS

1567.18 SFT / 145.64 SM
393.33 SFT / 36.54 SM
1960.51 SFT / 182.20 SM

486.26 SM
37.47 %
30 % - LOT COVERAGE ALLOWED PER ZONING

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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)** Gerard Harricharan
Address 24 Allendale Rd, Brampton ON L6W 2Y8
Phone # 647-404-6606 **Fax #** _____
Email gerardharricharan1@gmail.com

2. **Name of Agent** Ravinder Singh
Address 2 Ness Rd, Brampton, On L6Y 5N6
Phone # 647.896.9785 **Fax #** _____
Email ravinder@aemdesigns.ca

3. **Nature and extent of relief applied for (variances requested):**
Lot coverage of 30% doesn't allow for any carport structure.
Addition of carport will bring the lot coverage to 37.47%.
To permit a shed having a setback of 0.30 meters

4. **Why is it not possible to comply with the provisions of the by-law?**
Absence of any shade, covered porch or carport creates an unsafe condition during winter and rainy season.
Proposed carport will not only create a safe entry to the home, and also will provide a shelter for car.
By-law requires a minimum setback of 0.60 meters.

5. **Legal Description of the subject land:**
Lot Number 379
Plan Number/Concession Number P625 LOT 379
Municipal Address 24 Allendale Rd, Brampton ON L6W 2Y8

6. **Dimension of subject land (in metric units)**
Frontage 30.48 M
Depth 30.48 M
Area 486.26 SM

7. **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.)

1 Storey Two-Unit Dwelling

Existing Roof Area : 145.64 SM

Existing removable shed = 7.8 SM ls.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

- Proposed Carport : 36.54 SM

- Total Roof Area : 182.20 SM

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 6.19 M

Rear yard setback 8.16 (12.40) M

Side yard setback 1.24 M (left side)

Side yard setback 1.27 M M (right side)

PROPOSED

Front yard setback No Change

Rear yard setback No Change

Side yard setback No Change

Side yard setback No Change

10. Date of Acquisition of subject land: 2004
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: 1960
15. Length of time the existing uses of the subject property have been continued: 60 years
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 _____

fu

Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____
THIS 02 DAY OF Nov 15 September, 2020

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, Ravinder Singh, 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 24th DAY OF

November September, 2020

fu

fu

Signature of Applicant or Authorized Agent

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

Jeanie Myers
A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R1B, MATURE NEIGH

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

Hothi S

Zoning Officer

NOV. 03. 2020

Date

DATE RECEIVED November 2, 2020

released for building permit

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES IF ANY TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANT AND MUST BE RETURNED AT THE COMPLETION OF WORK.

THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS APPROVED BY THE ARCHITECT'S SIGNATURE.

IF THIS SHEET IS NOT 11" X 17" IT IS A REDUCED / ENLARGED PRINT. REUSE DRAWING ACCORDINGLY.

No.	Date	Revision/Issued
00	2020 11 07	Revised/Design
01	2020 08 21	MV Application

AEM DESIGNS

2980 Drew Rd, Mississauga,
ON L4T 0A7
c: 647.898.9785
e: rsvrnder@aemdesigns.ca

ca architecture

conserve architecture limited
51 manett cres, brampton,
ON L6X 4X5
c: 647.741.5017
e: info@co-archi.com

9001

CARPORT ADDITION

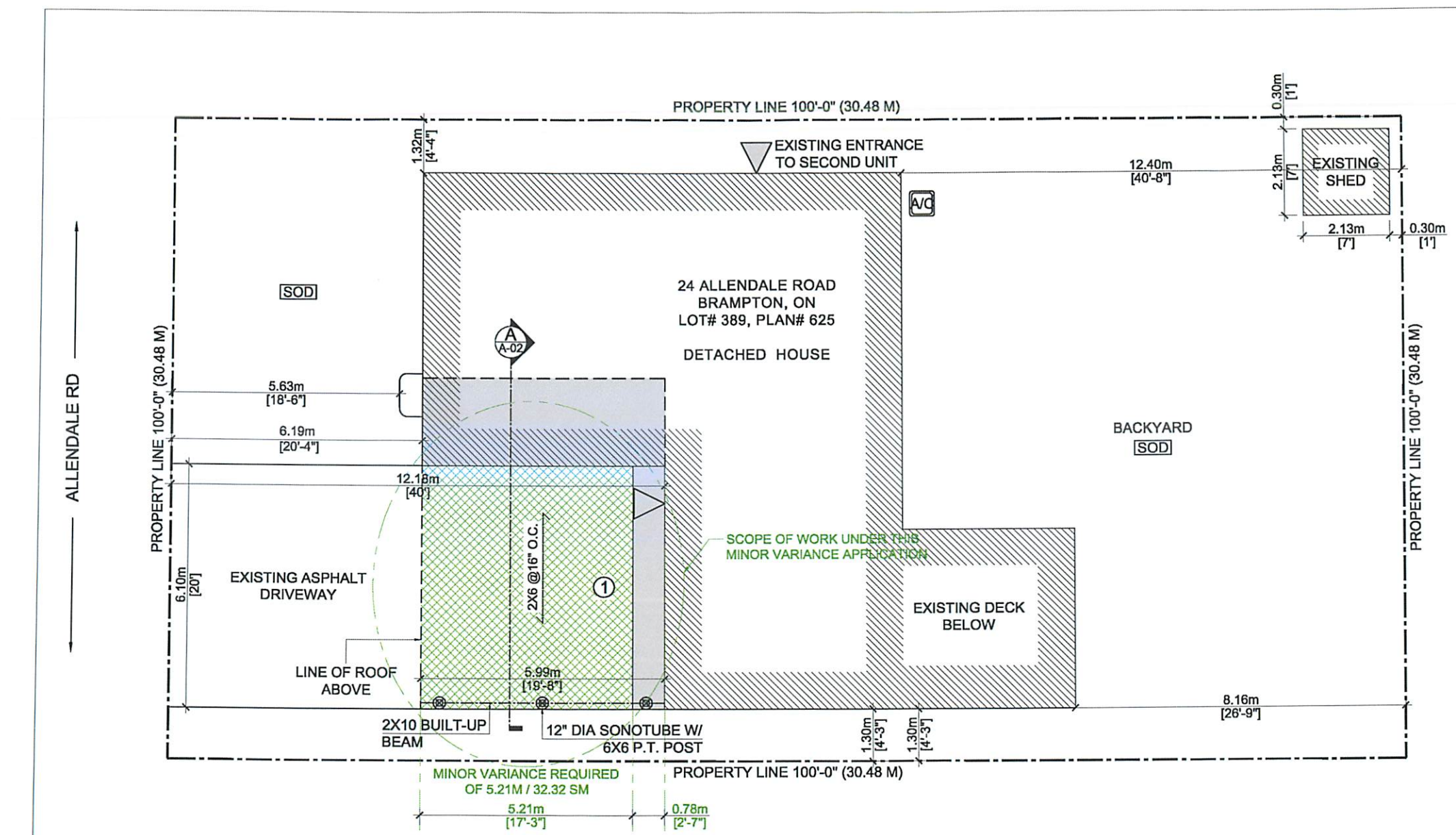
24 ALLENDALE DR,
BRAMPTON

SITE PLAN

scale: $\frac{3}{16}"=1'-0"$
date: 2020.07.11
project: 20-130
drawing number:

A-01

Revision: 00



SCOPE OF WORK

- ① PROPOSED CARPORT



MINOR VARIANCE FOR PROPOSED CARPORT:
5.21M / 32.32 SM (341.87 SFT)



AREA STATISTICS

EXISTING ROOF AREA: 1567.18 SFT / 145.64 SM
PROPOSED CARPORT: 393.33 SFT / 36.54 SM
TOTAL ROOF AREA: 1960.51 SFT / 182.20 SM

LOT AREA: 486.26 SM
LOT COVERAGE: 37.47 %
30 % - LOT COVERAGE ALLOWED PER ZONING

released for building permit

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES IF ANY TO THE CONSULTANT BEFORE COMMENCEMENT.

ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANT AND MUST BE RETURNED AT THE COMPLETION OF WORK. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT/ENGINEER.

IF THIS SHEET IS NOT 11" x 17" IT IS A REDUCED / ENLARGED PRINT. READ DRAWING ACCORDINGLY.

No.	Date	Revision/Issued
00	2020.11.07	Schematic Design
01	2020.08.21	IAV Application

AEM DESIGNS

2980 Drew Rd, Mississauga,
ON L4T 0A7
c: 647.896.9785
e: ravinder@aemdesigns.ca

ca architecture

conserve architecture limited
51 manett cres, brampton,
ON L6X 4X5
c: 647.741.5917
e: info@ca-archi.com



**CARPORT
ADDITION**

24 ALLENDALE DR,
BRAMPTON

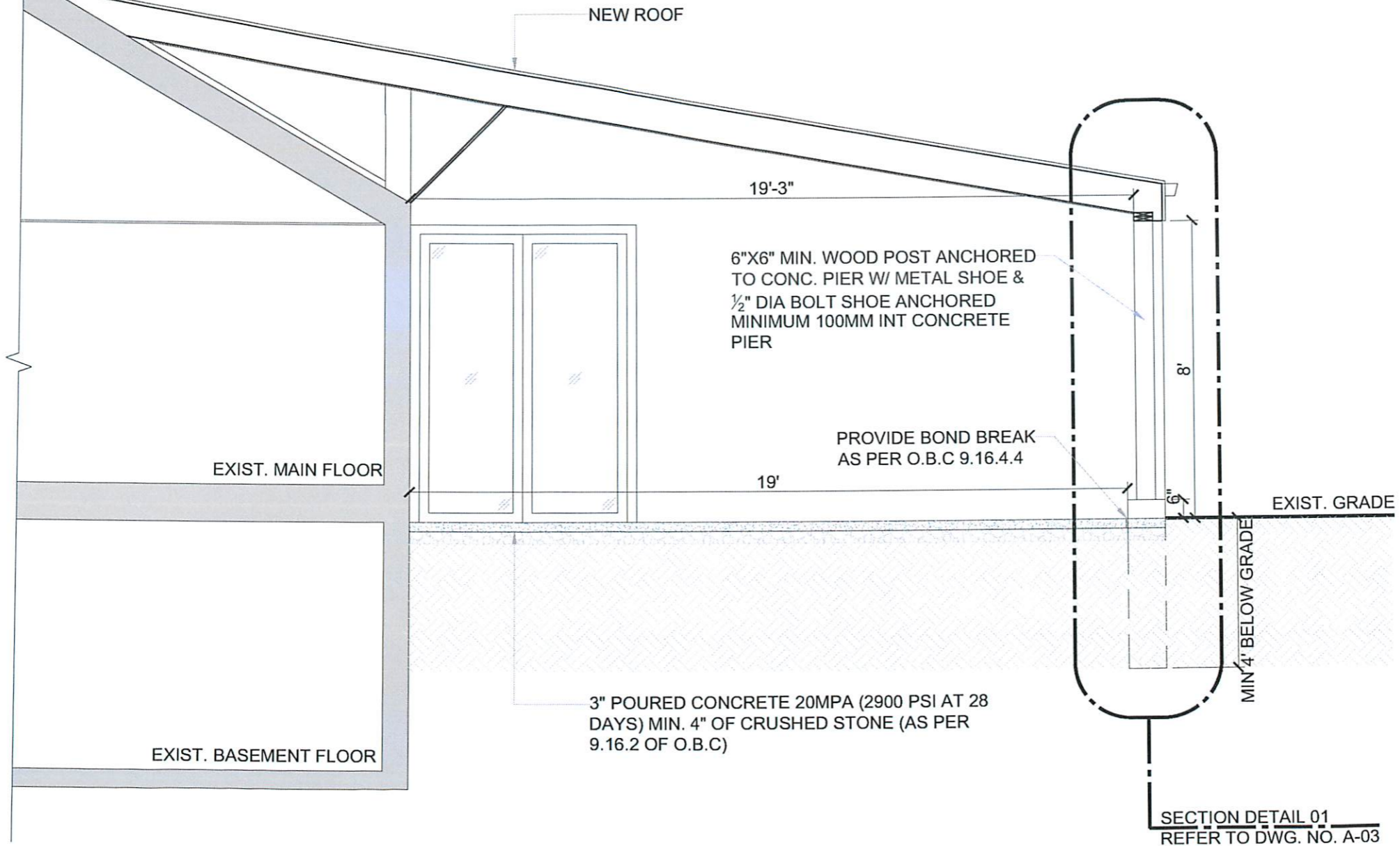
SECTION AA

scale: $\frac{3}{8}" = 1'-0"$
date: 2020.07.11
project: 20-130
drawing number:

A-02

Revision: 00

11x17



released for building permit

CONTRACTOR SHALL SITE VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES IF ANY TO THE CONSULTANT BEFORE CONSTRUCTION.

ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANT AND MUST BE RETURNED AT THE COMPLETION OF WORK.

THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT'S FIRM.

IF THIS SHEET IS NOT 11" X 17" IT IS A REDUCED / ENLARGED PRINT. READ DRAWING ACCORDINGLY.

No.	Date	Revision/Issued
00	2020.11.01	Schematic Design
01	2020.08.21	MF Application

AEM DESIGNS

2980 Drew Rd, Mississauga,
ON L4T 0A7
c: 647.896.9785
e: ravinder@aemdesigns.ca

CArchitecture

conserve architecture limited
51 manett cres, brampton,
ON L6X 4X5
c: 647.741.5917
e: info@c-archi.com



CARPORT ADDITION

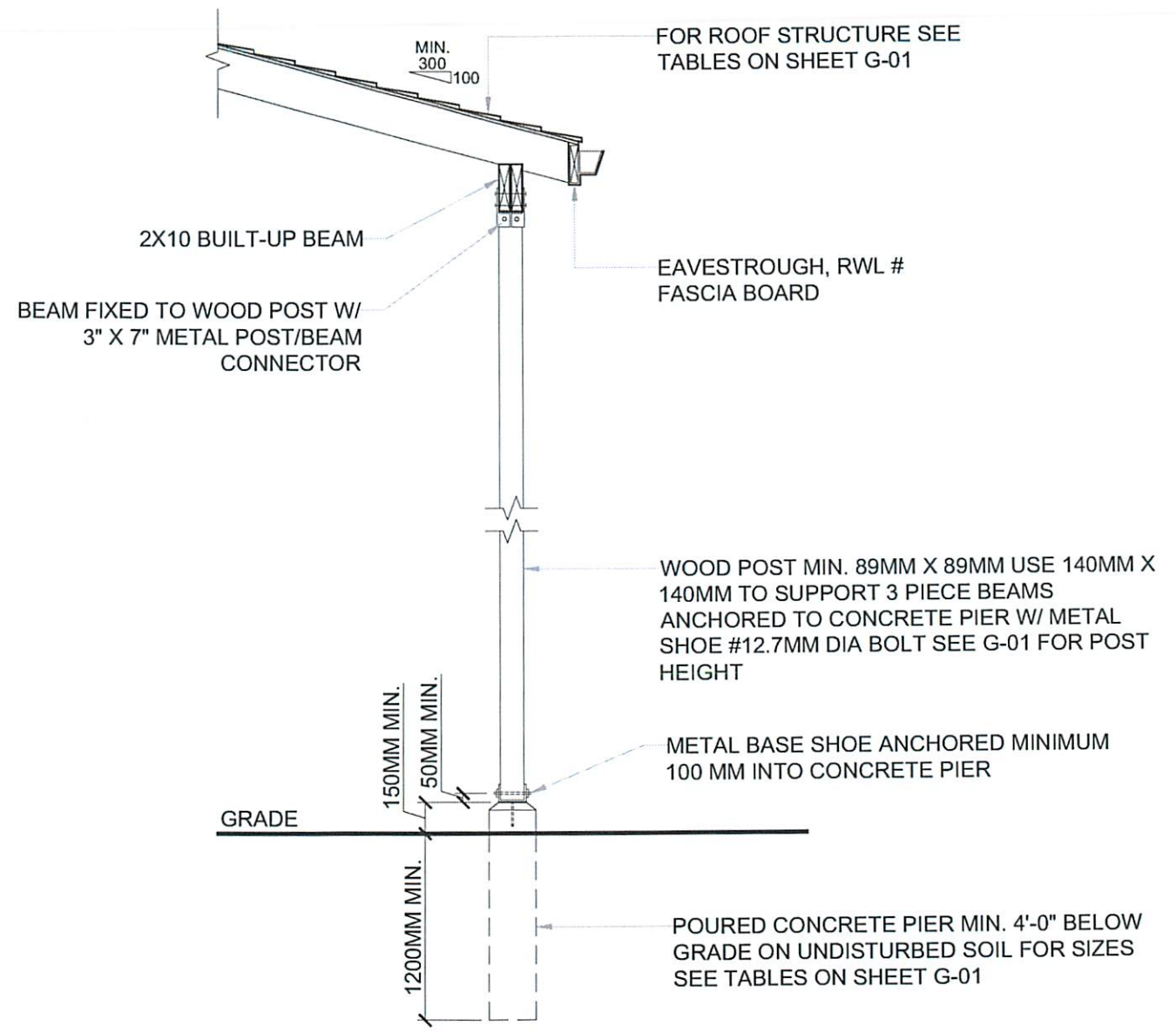
24 ALLENDALE DR,
BRAMPTON

**SECTION
DETAIL 01**

scale: 3/8"=1'-0"
date: 2020.07.11
project: 20-130
drawing number:

A-03

Revision: 00



SUPPORT DETAIL

11x17

ROOF RAFTERS (WHERE NO CEILING IS INSTALLED)

RAFTER SIZE	MAXIMUM CLEAR SPAN (M)					
	ROOF SNOW LOAD 1.0kPa			ROOF SNOW LOAD 1.5kPa		
	RAFTER SPACING (MM) O.C.			RAFTER SPACING (MM) O.C.		
	300	400	600	300	400	600
38X89	3.11	2.83	2.47	2.72	2.47	2.16
38X140	4.90	4.45	3.89	4.28	3.89	3.40
38X184	6.44	5.85	5.11	5.62	5.11	4.41
38X235	8.22	7.47	6.38	7.18	6.52	5.39

PIERS

PIER SIZE (MM)	SUPPORTED ROOF AREA (SM)					
	ROOF SNOW LOAD 1.0kPa			ROOF SNOW LOAD 1.5kPa		
	ALLOWABLE BEARING CAPACITY OF SOIL			ALLOWABLE BEARING CAPACITY OF SOIL		
	75kPa	120kPa	190kPa	75kPa	120kPa	190kPa
200 DIA.	1.95	3.25	5.48	1.39	2.32	3.62
250 DIA.	3.07	5.11	8.08	2.14	5.62	5.76
300 DIA.	4.37	7.34	11.71	3.16	5.20	8.36
350 DIA.	5.95	9.94	15.87	4.27	7.06	11.33
400 DIA.	7.6200	13.01	20.72	5.48	9.29	14.77

ROOFING

ROOF FRAMING (MM) O.C.	ROOF SHEATHING
RAFTERS @ 300	7.5MM PLYWOOD W/ H-CLIPS OR 17MM LUMBER
RAFTERS @ 400	
RAFTERS @ 600	9.5MM PLYWOOD W/ H-CLIPS OR 19MM LUMBER

BEAMS

MAXIMUM CLEAR SPAN (M)		MINIMUM BEAM SIZE
ROOF SNOW LOAD		
1.0kPa	1.5kPa	
2.35	2.02	2 - 38X184
2.88	2.47	2 - 38X235
3.34	2.87	2 - 38X286

ROOF JOISTS (WHERE NO CEILING IS INSTALLED)

JOIST SIZE	MAXIMUM CLEAR SPAN (M)					
	ROOF SNOW LOAD 1.0kPa			ROOF SNOW LOAD 1.5kPa		
	JOIST SPACING (MM) O.C.			JOIST SPACING (MM) O.C.		
	300	400	600	300	400	600
38X89	2.47	2.24	1.96	2.16	1.96	1.71
38X140	3.89	3.53	3.08	3.40	3.08	2.69
38X184	5.11	4.64	4.05	4.46	4.05	3.54
38X235	6.52	5.95	5.18	5.70	5.18	4.52

POSTS

POST SIZE (MM) (SEE NOTES)	MAX. HEIGHT (M)	SUPPORTED ROOF AREA (SM)				
		ROOF SNOW LOAD (kPa)				
		1.0	1.5	2.0	2.5	3.0
89X89	1.0	17.19	12.98	10.43	8.71	7.48
	1.5	9.39	7.09	5.69	4.76	4.09
	2.0	4.98	3.76	3.02	2.53	2.17
140X140	2.0	21.65	16.35	13.13	10.98	9.43
	2.5	14.77	11.15	8.96	7.48	6.43
	3.0	10.06	7.6000	6.10	5.10	4.38
	3.5	6.98	5.27	4.23	3.54	3.04

GENERAL NOTES

1. ALL LUMBER TO BE NO. 1&2 SPF OR BETTER
2. ALL PLYWOOD SHALL BE STAMPED EXTERIOR GRADE
3. WHERE SUPPORTED ROOF AREAS EXCEED THOSE LISTED IN THIS TABLE, THE POSTS SHALL BE BRACED AS SHOWN IN A-03.
4. WOOD POSTS TO BE MINIMUM 89MM X 89MM
5. BEARING CAPACITY OF SOIL SHALL BE CONFIRMED PRIOR TO CONSTRUCTION.

released for building permit
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL
DRAWINGS AND REPORTS TO BE PREPARED BY
AND TO THE CONTRACTOR BEFORE
CONSTRUCTION.
ALL DRAWINGS AND SPECIFICATIONS ARE THE
PROPERTY OF CONSULTANTS AND MUST BE
RETURNED AT THE COMPLETION OF WORK.
THIS DRAWING IS NOT TO BE USED FOR
CONSTRUCTION UNLESS SIGNED BY THE
ARCHITECT/ENGINEER.
IF THE SHEET IS NOT 11" X 17" IT IS A REPRODUCED
/ ENLARGED PRINT. SCALE DRAWING
APPROPRIATE.

No.	Date	Revision/Issued
00	2020.11.07	Schematic Design
01	2020.08.21	MA Application

AEM DESIGNS
2980 Drew Rd, Mississauga,
ON L4T 0A7
c: 647.896.9785
e: ravinder@aemdesigns.ca

ca architecture
conserve architecture limited
51 manett cres, brampton,
ON L6X 4X5
c: 647.741.5917
e: info@ca-archi.com



CARPORT ADDITION

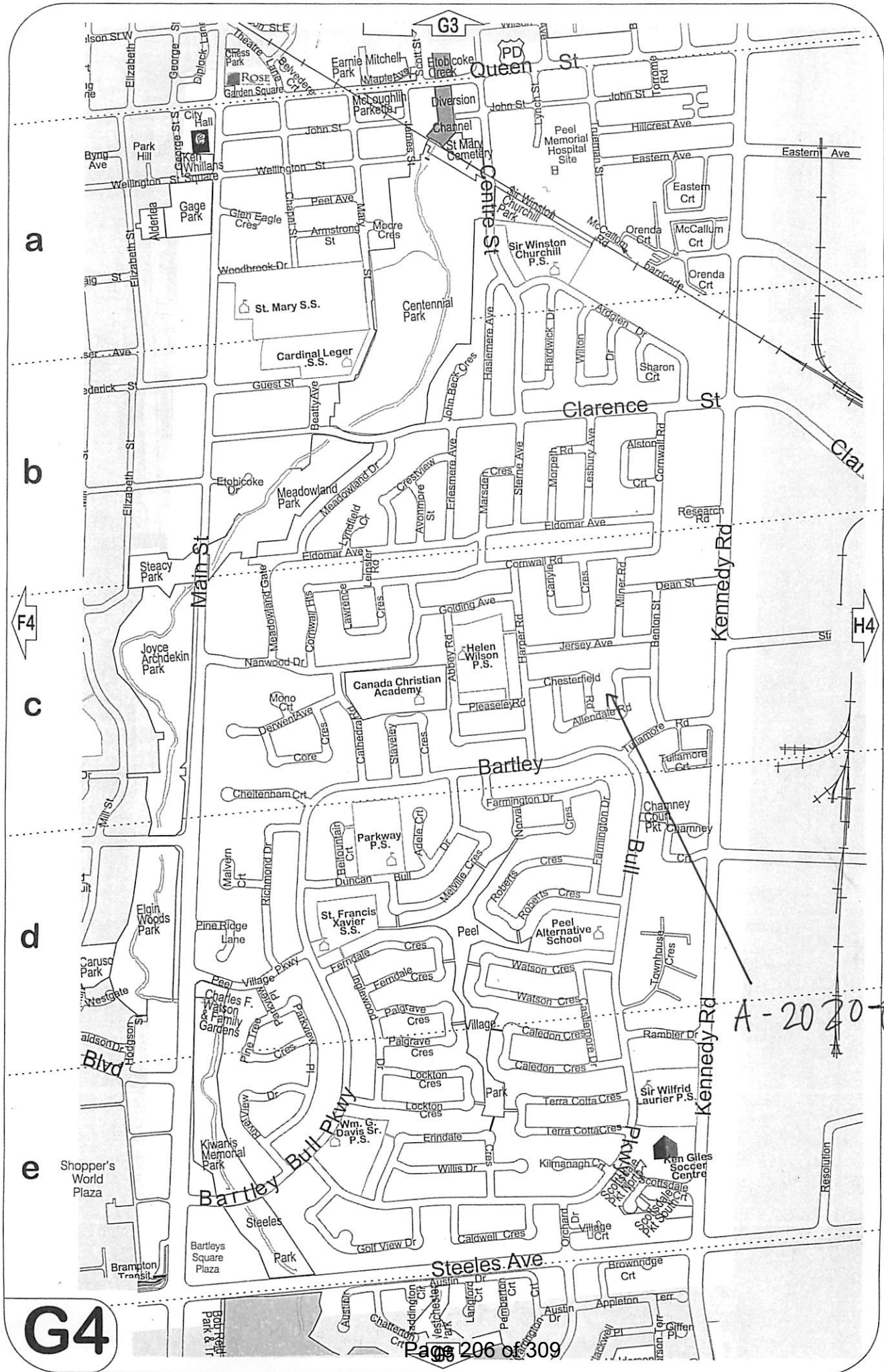
24 ALLENDALE DR,
BRAMPTON

GENERAL NOTES

scale: N.T.S
date: 2020.07.11
project: 20-130
drawing number:

G-01

Revision: 00



Filing Date: November 3, 2020
Hearing Date: December 1, 2020
File: A-2020-0126
**Owner/
Applicant:** GERARD HARRICHARAN
Address: 24 Allendale Road
Ward: WARD 3
Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0126 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That drainage on adjacent properties shall not be adversely affected;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:Existing Zoning:

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit lot coverage of 37.47% whereas the by-law permits a maximum lot coverage of 30%;
2. To permit an existing accessory structure (shed) having a setback of 0.30m (0.98 ft.) to the rear and side lot lines whereas the by-law requires an accessory

structure to be located no closer than 0.60m (1.97 ft.) to the nearest lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated "Residential" in the Official Plan and "Low Density Residential" in the Brampton Flowertown Secondary Plan (Area 6). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Single Detached B (R1B)" according to By-law 270-2004, as amended.

Variance 1 is requested to permit lot coverage of 37.47% whereas the by-law permits a maximum lot coverage of 30%. The intent of the by-law in regulating maximum lot coverage is to ensure that the size and scale of the dwelling is appropriate for the lot. The proposed increase in coverage is related to a proposed carport which is not proposed to be an enclosed portion of the dwelling but rather a covering structure for the driveway and front door. The increase in lot coverage for this purpose is not considered to make the dwelling of an inappropriate scale or size for the lot. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is to permit an existing accessory structure (shed) having a setback of 0.30m (0.98 ft.) to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.60m (1.97 ft.) to the nearest lot line. The intent of the by-law in requiring a minimum setback to all lot lines is to ensure that sufficient area is provided for drainage from the structure. The existing reduced setbacks are anticipated to provide sufficient room for drainage, and a condition of approval is recommended that drainage on adjacent properties not be adversely impacted. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit an increase in lot coverage related to a proposed car port to be added on the front of the dwelling. This increase in coverage will not impact the provision of outdoor amenity space and will complement the function of the dwelling. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit an existing accessory structure to remain in its current location. The location of the structure does not appear to be impacting drainage and it is not anticipated to do so if it remains. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of

the land.

4. Minor in Nature

Variance 1, to permit lot coverage of 37.47% whereas the by-law permits a maximum lot coverage of 30% is not anticipated to negatively impact the massing or scale of the dwelling as it relates to the size of the property. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an existing shed having a setback of 0.30m (0.98 ft.) to the rear and side lot lines whereas the by-law requires an accessory structure to be located no closer than 0.60m (1.97 ft.) to the nearest lot line. The location of the structure does not appear to be negatively impacting drainage and a condition of approval is recommended that drainage on adjacent properties not be adversely impacted to ensure this situation is continued. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

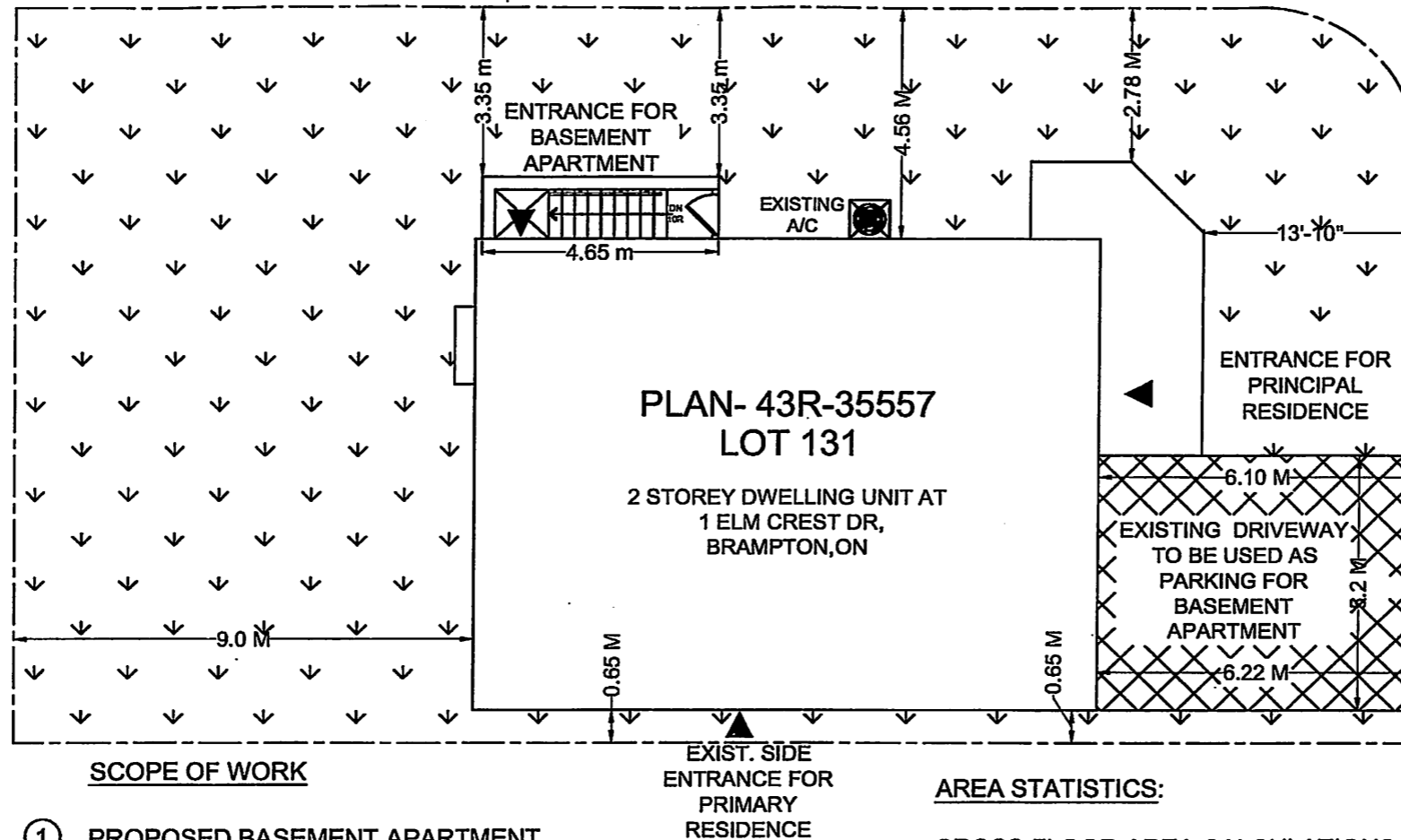
Shelby Swinfield, Planner I, Development



Committee of Adjustment

APPLICATION FOR MINOR VARIANCE

Page 210 of 309



- ① PROPOSED BASEMENT APARTMENT
- ② CLOSING OF ONE WINDOW
- ③ PROPOSED ONE NEW WINDOW
- ④ PROPOSED BELOW GRADE ENTRANCE FROM REAR SIDE

AREA STATISTICS:

GROSS FLOOR AREA CALCULATIONS

- A. PRINCIPAL RESIDENCE
 EXISTING GROUND FLOOR GFA = 109.09m²
 EXISTING SECOND FLOOR GFA = 108.78 m²
 TOTAL GFA = 217.87 m²
- B. BASEMENT
 BASEMENT APARTMENT GFA = 80.03 m²

▲ ENTRANCE / EGRESS



0	REVISION - 1	NOV / 18 / 2020
0	FOR BUILDING PERMIT	DEC / 11 / 2019
NO.	DESCRIPTION	DATE

ENGINEER:
Mechways Inc.
 2751 THAMESGATE DR.
 MISSISSAUGA, ON
 TEL: 905-678-7778
 mechways@gmail.com

PROJECT:
 BASEMENT APARTMENT
 1 ELM CREST DR.
 BRAMPTON, ON

TITLE:
SITE PLAN

CHECKED: MSS
 DRAWN: MSA
 SCALE: 1 : 100
 DATE: DEC / 11 / 2019

DRAWING:
A0.1

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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


November 18, 2020

To: Committee of Adjustment

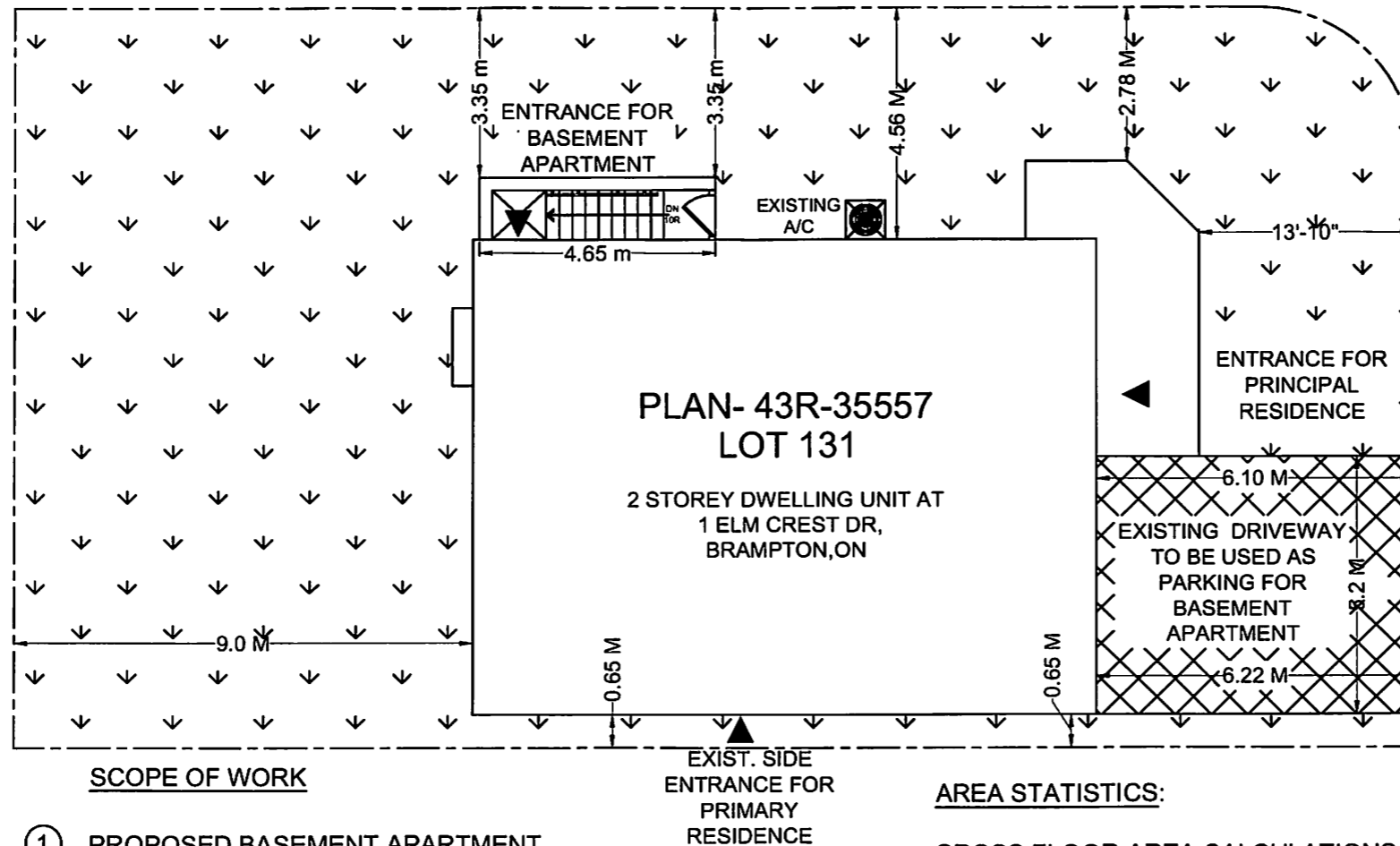
RE: APPLICATION FOR MINOR VARIANCE
ANUM RAUF
LOT 131, PLAN M-1896
A-2020-0127 – 1 ELMCREST DRIVE
WARD 4

Please **amend** application **A-2020-0127** to reflect the following:

1. To permit an exterior side yard setback of 3.35m (11 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).



Applicant/Authorized Agent

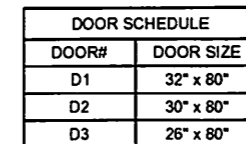


0	REVISION - 1	NOV / 18 / 2020
0	FOR BUILDING PERMIT	DEC / 11 / 2019
NO.	DESCRIPTION	DATE

ENGINEER:
Mechways Inc.
2751 THAMESGATE DR. MISSISSAUGA, ON TEL: 905-678-7778 mechways@gmail.com

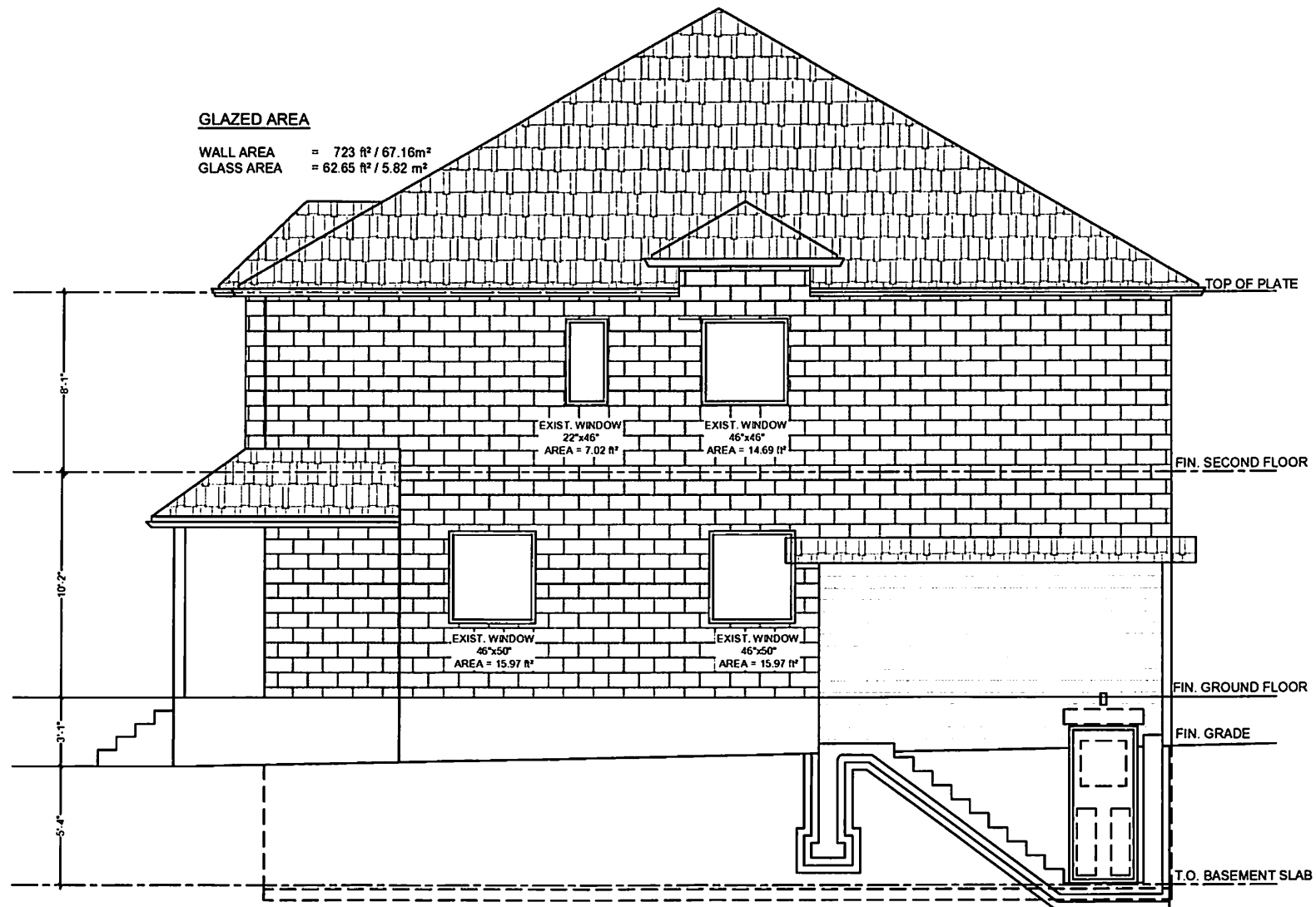
PROJECT:
BASEMENT APARTMENT 1 ELM CREST DR. BRAMPTON, ON

TITLE:
SITE PLAN
CHECKED: MSS
DRAWN: MSA
SCALE: 1: 100
DATE: DEC / 11 / 2019
DRAWING:
A0.1



PROVIDE 30 MINUTE F R R (2 x 1/2" THICK TYPE 'X' BOARD) UNDER THE STAIR SOFFIT/CEILING AND ON THE WALLS ENCLOSING STAIRWAYS CONNECTING BASEMENT TO MAIN FLOOR

CALCULATION OF GLASS AREA AS PER COMPLIANCE ALTERNATIVE C107 PART 11 OF OBC 2012			
ROOM TYPE	ROOM AREA (SFT)	GLASS AREA REQUIRED (SFT)	EXIST. / PROP. GLASS AREA (SFT)
LIVING & DINING	314	@ 5% = 15.70	8 + 8 = 16
BEDROOM	125	@ 2.5% = 3.12	3.50



NO	DESCRIPTION	DATE
0	REVISION - 1	NOV / 18 / 2020
0	FOR BUILDING PERMIT	DEC / 11 / 2019

ENGINEER:

Mechways Inc.

2751 THAMESGATE DR.
 MISSISSAUGA, ON
 TEL: 905-678-7778
 mechways@gmail.com

PROJECT:

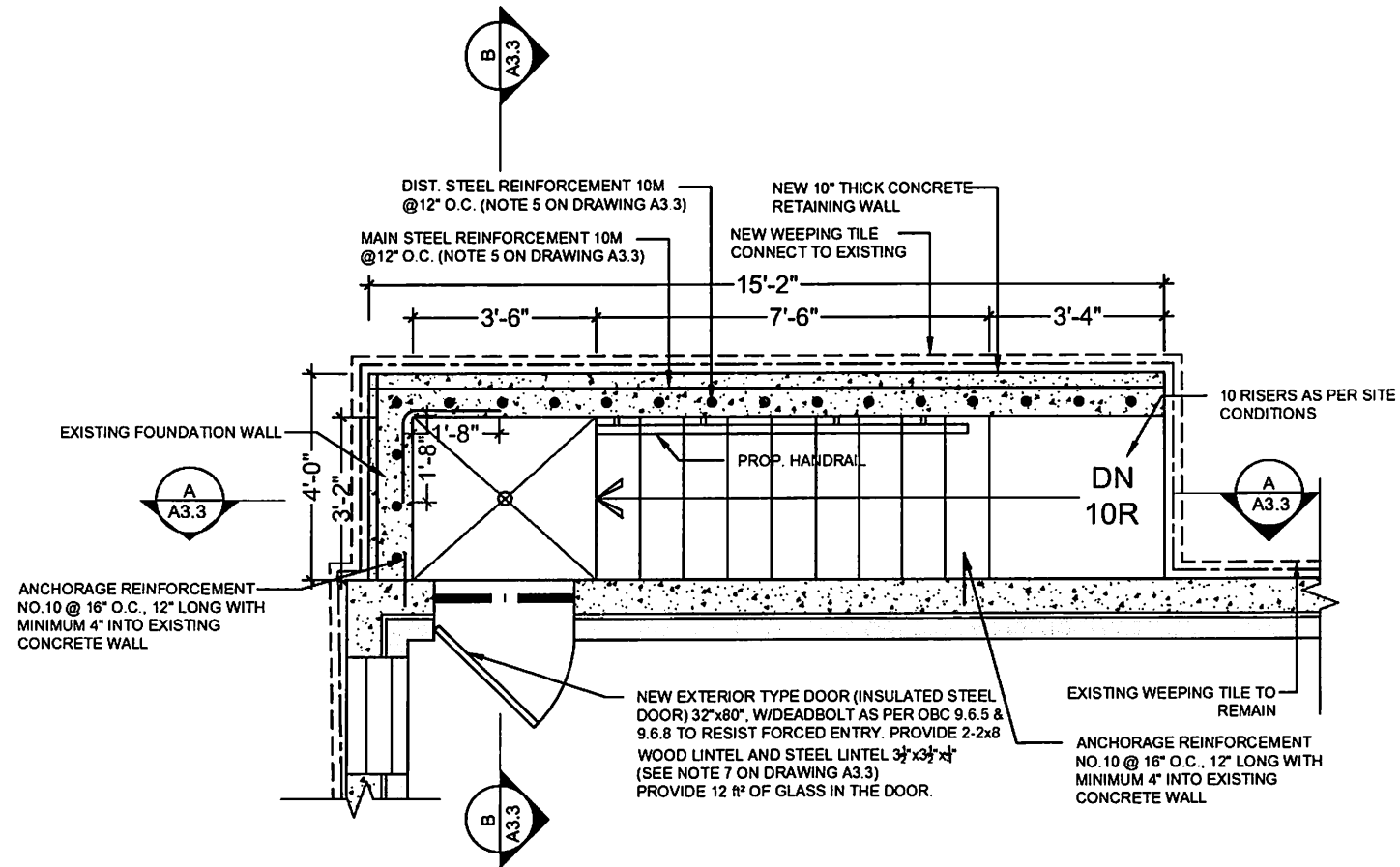
**BASEMENT APARTMENT
 1 ELM CREST DR.
 BRAMPTON, ON**

TITLE:

**RIGHT SIDE
 ELEVATION**

CHECKED: MSS
 DRAWN: MSA
 SCALE: 1/4" = 1'-0"
 DATE: DEC / 11 / 2019

DRAWING:
A2.1



0	REVISION - 1	NOV / 18 / 2020
0	FOR BUILDING PERMIT	DEC / 11 / 2019
NO.	DESCRIPTION	DATE

ENGINEER:

Mechways Inc.

2751 THAMESGATE DR.
MISSISSAUGA, ON
TEL 905-678-7778
mechways@gmail.com

PROJECT:

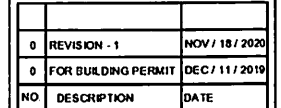
**BASEMENT APARTMENT
1 ELM CREST DR.
BRAMPTON, ON**

TITLE:

WALKOUT PLAN

CHECKED: MSS	DRAWING:
DRAWN: MSA	A3.1
SCALE: 1/4" = 1'-0"	
DATE: DEC / 11 / 2019	

-
7. PARGE CEMENT BOARD OR APPLY ACRYLIC FINISH
- 15'-2"
- 3'-4"
- 7'-6"
- 3'-6"
- NEW GUARD RAIL
- NEW LIGHT
- NEW STEEL ANGLE LINTEL 1-3½" x 3½" x ¼"
- EXIST. GRADE
- NEW EXTERIOR TYPE DOOR (INSULATED STEEL DOOR) 32"x80". W/DEADBOLT AS PER OBC 9.6.5 & 9.6.8 TO RESIST FORCED ENTRY. PROVIDE 2-2x8 WOOD LINTEL AND STEEL LINTEL 3½"x3½"x¼" (SEE NOTE 7 ON DRAWING A3.3) PROVIDE 12" OF GLASS IN THE DOOR.
- NEW FOUNDATION WALL
- SLOPE TO DRAIN
- 6" GRAVEL AROUND NEW WEEPING TILE CONNECT TO THE EXISTING
- FLOOR DRAIN CONNECT TO THE SUMP PUMP INSIDE OR TO THE STORM DRAIN - NOT TO SEWERAGE
- EXTERIOR SLAB 4" POURED CONCRETE 32MPa W/5%-8% AIR ENTRAINMENT
- 4" COMPACTED GRANULAR FILL
- TEMP. STEEL 10M @ 12" O.C.
- POURED CONCRETE STEPS 32MPa W/5%-8% AIR ENTRAINMENT
- STEEL REINFORCEMENT 10 M @ 12" O.C. BOTH WAYS
- STEEL REINFORCEMENT 2 - 15 M
- NOSING REINFORCEMENT - 10M BAR
- 6" THICK STAIR SLAB
- O.FOAM UNDER STAIR LANDING AND OUTSIDE FINISHING WALLS
- MIN. 4"
- 1'-5"
- 1'-6"
- 1'-8"



PROJECT:
BASEMENT APARTMENT
1 ELM CREST DR.
BRAMPTON, ON

CHECKED: MSS	DRAWING: A3.2
DRAWN: MSA	
SCALE: $\frac{1}{4} = 1'-0"$	
DATE: DEC / 11 / 2019	

GENERAL NOTES

- ALL WORK ACCORDING TO ONTARIO BUILDING CODE 2012 AND CITY OF BRAMPTON BY-LAWS
 - ALL WORKING ACCORDING TO GOOD CONSTRUCTION PRACTICES
 - ALL FOOTINGS SHALL REST ON NATURAL UNDISTURBED SOIL OR COMPACTED GRANULAR FILL WITH A MINIMUM BEARING CAPACITY OF 75 KPA
 - WHERE THE FOUNDATIONS OF A BUILDING ARE TO BE CONSTRUCTED BELOW THE LEVEL OF THE FOOTINGS OF AN ADJACENT BUILDING AND WITHIN THE ANGLE OF REPOSE OF THE SOIL, OR THE UNDERPINNING EXCEEDS 1200mm OF Laterally unsupported height or the soil is clay or silt, the underpinning & related CONSECUTION SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER.
 - EXCAVATION SHALL BE UNDERTAKEN IN A MANNER SO AS TO PREVENT MOVEMENT WHICH WOULD CAUSE DAMAGE TO ADJACENT PROPERTIES, STRUCTURES, UTILITIES, ROADS & SIDEWALKS. CONTACT YOUR LOCAL UTILITIES PRIOR TO COMMENCING EXCAVATION.
 - SHORE & BRACE WHERE NECESSARY TO ENSURE THE SAFETY & STABILITY OF THE EXISTING STRUCTURE DURING UNDERPINNING.
- CONCRETE
 - MINIMUM COMPRESSIVE STRENGTH OF CONCRETE 32MPa @ 28 DAYS W/5% TO 8% AIR ENTRAINMENT.
 - MINIMUM YIELD STRENGTH OF STEEL 60 KSI.

3. EXTERIOR STAIRS

RISE 7 7/8" MAXIMUM 4 7/8" MINIMUM
RUN 8 1/2" MINIMUM 14" MAXIMUM
TREAD 9 1/4" MINIMUM 14" MAXIMUM
ADJUST STEP SIZE TO SUIT SITE

4. INSULATION

- 4a. MIN. RSI 2.11 (R12) INSULATION & VAPOR BARRIER ON THE INSIDE FACE OF THE EXPOSED FOUNDATION WALL.
- 4B PROVIDE 4" THICK RIGID STYROFOAM INSULATION UNDER THE STAIR SLAB AND LOWER LANDING AND OUTWARD FACE OF RETAINING WALLS.

5. RETAINING WALL

10" POURED CONCRETE WALL W/NO REINFORCING REQUIRED FOR WALL HEIGHTS TO A MAX. OF 1200mm, UNLESS MENTIONED OTHERWISE.

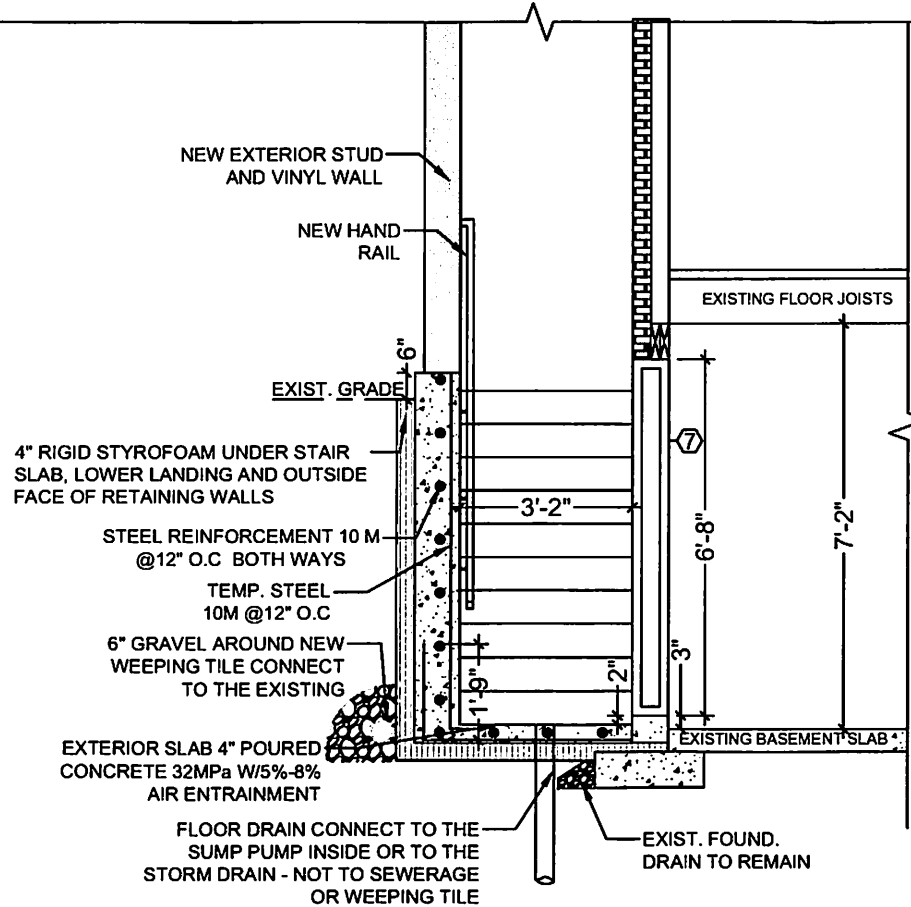
PROVIDE 15M VERTICAL STEEL REINFORCEMENT @ 12" O.C. AND 10M DISTRIBUTION REINFORCEMENT @12" O.C. PROVIDE MINIMUM 3" CONCRETE COVER FOR MAIN REINFORCEMENT PLACED TOWARD EARTH SIDE

6. GUARDS -

42" HIGH WHERE DISTANCE FROM GRADE TO BOTTOM OF WALKOUT EXCEEDS 5'-11" 36" FOR LESSER HEIGHTS. MAXIMUM 4" BETWEEN VERTICAL PICKETS

7. EXTERIOR DOOR

EXTERIOR TYPE DOOR (42MM INSULATED STEEL DOOR) SIZE 2'-8"x6'-8", W/ DEADBOLT AS PER OBC 9.6.5 & 9.6.8 TO RESIST FORCED ENTRY. PROVIDE LINTEL AS FOLLOWS:
WOOD LINTEL: 2-2x8 SPF NO.1 OR NO.2
STEEL LINTEL: 1L 3 1/2"x3 1/2"x1/4" THICK
ANGLE STEEL LINTELS WITH MINIMUM BEARING OF 150MM



NO.	REVISION	DATE
0	REVISION - 1	NOV / 18 / 2020
0	FOR BUILDING PERMIT	DEC / 11 / 2019
NO.	DESCRIPTION	DATE

ENGINEER
Mechways Inc.
2751 THAMESGATE DR.
MISSISSAUGA, ON
TEL. 905-678-7778
mechways@gmail.com

PROJECT:
BASEMENT APARTMENT
1 ELM CREST DR.
BRAMPTON, ON

TITLE: SECTION-B	DRAWING: A3.3
CHECKED: MSS DRAWN: MSA SCALE: 1/4" = 1'-0" DATE: DEC / 11 / 2019	

Flower City



brampton.ca

FILE NUMBER: A-2020-0127

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) ANUM RAUF
Address 1 ELMCREST DR, BRAMPTON ON, L6Y 0H7.
Phone # 647-864-0710 Fax # _____
Email anumrauf05@gmail.com
2. Name of Agent VALI UDDIN MOHAMMED
Address 2751 THAMESGATE DR MISSISSAUGA ON, L4T 1G5
Phone # 647-786-5940 Fax # _____
Email INFO@MECHWAYS.COM
3. Nature and extent of relief applied for (variances requested):
PROPOSED TO OPEN A ENCLOSED BELOW GROUND
ENTRANCE TO THE BASEMENT ON RIGHT SIDE OF
THE HOUSE. IT IS A CORNER PLOT AND THE
PROPOSED BELOW GRADE IS FACING DUSK DRIVE.
RELIEF IS ASKED TO OPEN THE ABOVE ENCLOSED
BELOW GRADE ENTRANCE. THE DRAWINGS ARE
EE ENCLOSED FOR REFERENCE.
4. Why is it not possible to comply with the provisions of the by-law?
SIDE ENTRY IS NOT ALLOWED BY CITY TO CORNER
PLOT AND ROAD ON THE RIGHT SIDE. BUT ENOUGH
SET BACK 3.4M IS AVAILABLE WITH THE PROPOSED
BELOW GRADE ENTRANCE AND ALSO ENTRANCE IS TOTALLY
ENCLOSED. THE DRAWINGS ARE ENCLOSED FOR REFERENCE.
∴ HENCE REQUEST TO APPROVE THE MINOR VARIANCE.
5. Legal Description of the subject land:
Lot Number LOT 131
Plan Number/Concession Number PLAN M 1896
Municipal Address 1 ELMCREST DR, BRAMPTON.
6. Dimension of subject land (in metric units)
Frontage 13.49 M
Depth 27.46 M
Area 370.4 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 ☐

-2-

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, garage, etc.)

EXISTING GROUND FLOOR GFA = 109.09 m²

EXISTING SECOND FLOOR GFA = 108.78 m²

PROPOSED BUILDINGS/STRUCTURES on the subject land:

PROPOSED BASEMENT APARTMENT
PROPOSED BELOW GRADE ENTRANCE FROM RIGHT SIDE
PROPOSED ONE NEW WINDOW
BASEMENT APARTMENT GFA = 80.03 m²

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 6.22 M.
Rear yard setback 9.10 M.
Side yard setback 4.56 M.
Side yard setback 6.65 M.

PROPOSED
Front yard setback 6.22 M. ✓
Rear yard setback 9.10 M. ✓
Side yard setback 3.40 AFTER PROPOSED STAIRS ✓
Side yard setback 6.65 M. ✓

10. Date of Acquisition of subject land: 2014

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: 2014

15. Length of time the existing uses of the subject property have been continued: 6 years

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 MISSISSAUGA
THIS 16th DAY OF OCTOBER, 2020.

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.

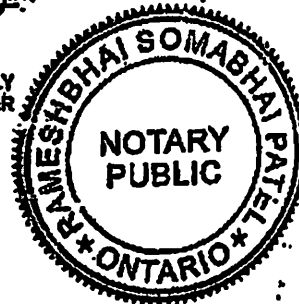
I, Valiuddin Mohammed, OF THE City OF Mississauga,
IN THE Province OF Ontario, SOLEMNLY DECLARE THAT:

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 Toronto
IN THE Province OF
Ontario THIS 12th DAY OF
October, 2020

Signature of Applicant or Authorized Agent



RAMESHBHAI S. PATEL
Barrister, Solicitor & Notary Public
127 Westmore Dr, Unit #101
Toronto, ON M6V 8Y6
Ph: (416) 742-2889

FOR OFFICE USE ONLY

Present Official Plan Designation:

R1F - 2135

Present Zoning By-law Classification:

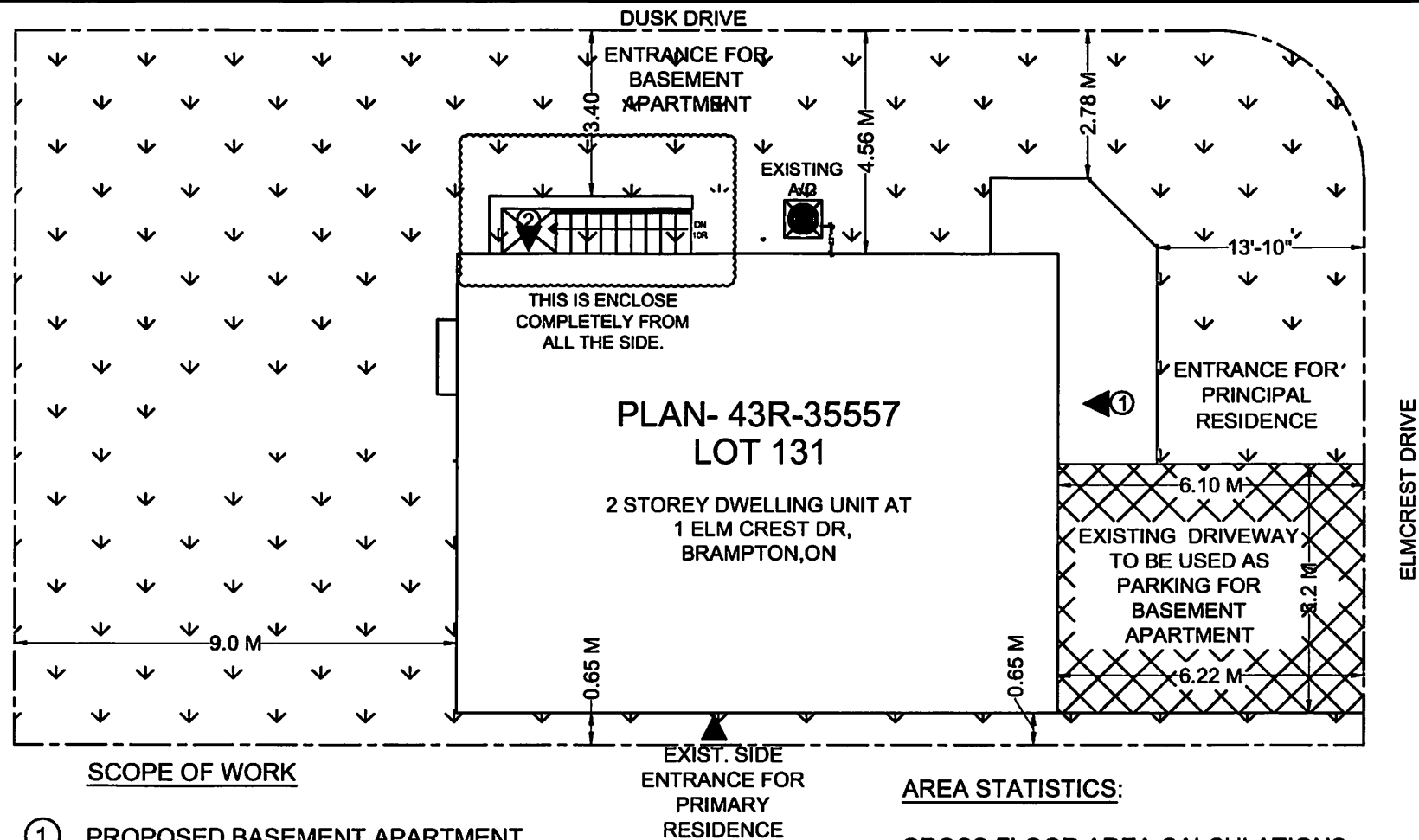
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Hothi S
Zoning Officer

NOV. 03. 2020
Date

DATE RECEIVED NOVEMBER 2, 2020

Notary Signature



0	FOR BUILDING PERMIT	DEC / 11 / 2010
NO.	DESCRIPTION	DATE

ENGINEER:

Mechways Inc.
 2751 THAMESGATE DR
 MISSISSAUGA, ON
 TEL: 905-678-7778
 mechways@gmail.com

PROJECT:

BASEMENT APARTMENT
 1 ELM CREST DR.
 BRAMPTON, ON

TITLE:

SITE PLAN

CHECKED: MSS	DRAWING:
DRAWN: MSA	A0.1
SCALE: 1" = 1'-0"	
DATE: DEC / 11 / 2010	

A-2020-0127

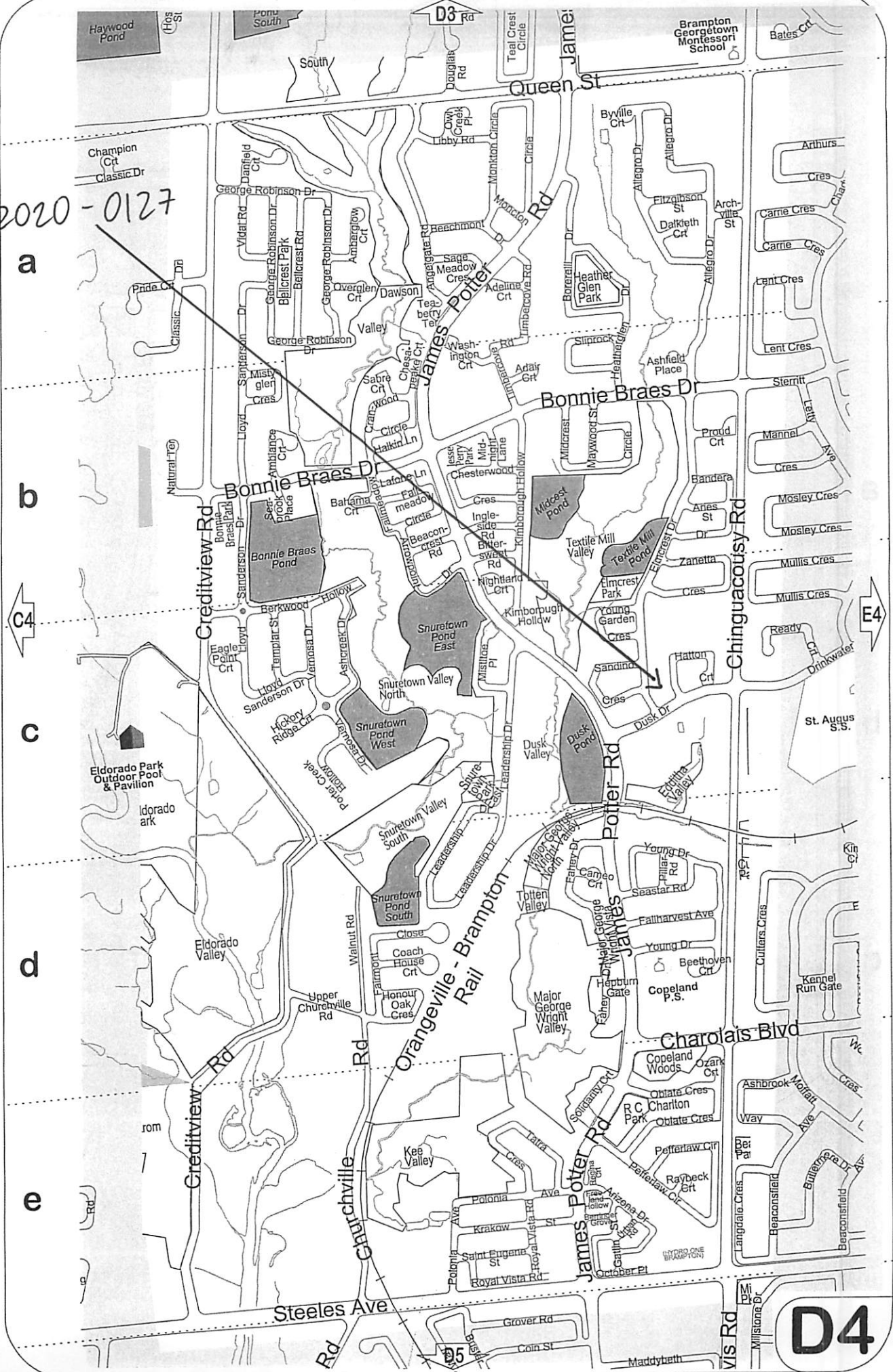
a

b

c

d

e



Filing Date: November 3, 2020

Hearing Date: December 1, 2020

File: A-2020-0127

**Owner/
Applicant:** ANUM RAUF

Address: 1 Elmcrest Drive

Ward: 4

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0127 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That the applicant shall extend fencing having a maximum height of 2m along the exterior side lot line to screen the below grade entrance from view from Dusk Drive in a manner satisfactory to the Director of Development Services;
 3. That the below grade entrance shall not be used to access an unregistered second unit;
 4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned "Residential Single Detached F-11.6 – Special Section 2135 (R1F-11.6-2135) according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

5. To permit an exterior side yard setback of 3.35m (11 ft.) to an enclosed below

grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Residential" in the Official Plan and "Medium Density" in the Credit Valley Secondary Plan (Area 45). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested Variance is considered to maintain the intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The requested variance is to permit an exterior side yard setback of 3.35m (11 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.).

The intent of the by-law in requiring a minimum exterior side yard setback to an enclosure is to ensure that there are no negative massing or visual impacts on the streetscape. A condition of approval is recommended that the applicant shall extend the existing fence to screen the below grade entrance in a manner satisfactory to the Director of Development Services to provide screening between the entrance and the street, thereby mitigating its impacts on the streetscape. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is related to a proposed enclosed below grade entrance in the exterior side yard of the corner property. It is intended that this entrance will facilitate the creation of a second unit within the dwelling. A condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that any second unit is established in accordance with the Ontario Building Code (OBC). Further, a condition is recommended that the fence be extended to provide screening between the proposed entrance and the street, while allowing the rear yard amenity space to remain separate from the entrance enclosure. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is to permit an exterior side yard setback of 3.35m (11 ft.) to an enclosed below grade entrance whereas the by-law requires a minimum exterior side yard setback of 4.5m (14.76 ft.). This reduction is intended to facilitate the construction of a below grade entrance for a second unit. The proposed reduction will have minimal impacts upon the massing of the building and is not anticipated to impact the streetscape when subject to Condition 2. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **2581558 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 Part of Block C, Plan 518 municipally known as **72 ORENDA ROAD**, Brampton;

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

1. To permit a Motor Vehicle Sales Establishment in conjunction with the existing Motor Vehicle Repair Shop whereas the By-law does not permit the proposed use;
2. To permit an existing accessory structure having a gross floor area of 246 sq. m (2647.92 sq. ft.) whereas the by-law permits a maximum gross floor area of 100 sq. m (1076.39 sq. ft.) for an accessory structure used for purposes other than an office;
3. To permit an interior side yard setback of 2.9m (9.51 ft.) to an existing accessory structure whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.) for an accessory structure to any lot line.

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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal Tribunal by the applicant or another member of the public.

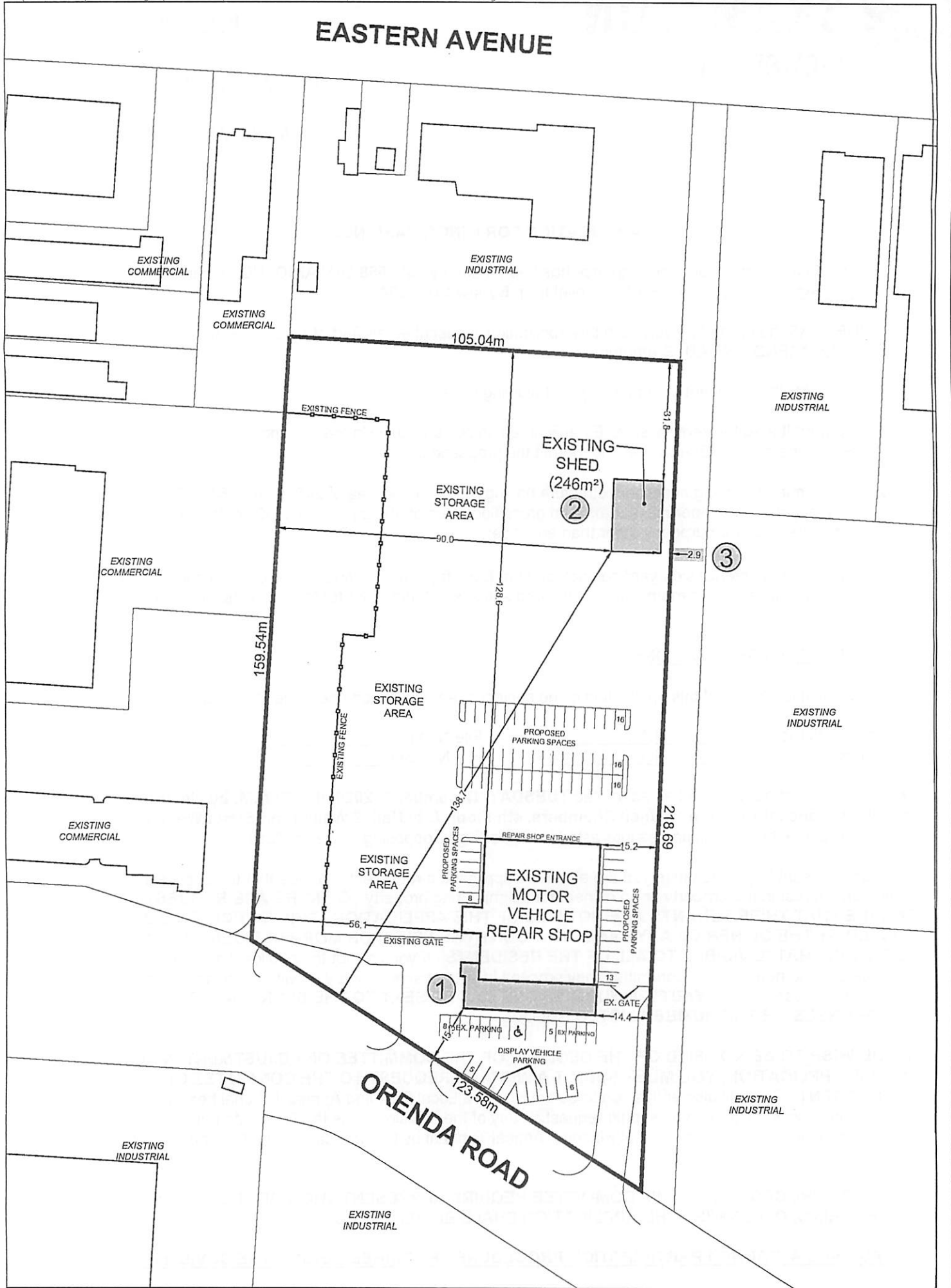
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 20th day of November, 2020.

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 VARIANCE SKETCH 2581558 Ontario Inc.

72 OREND A ROAD
PART BLOCK C
PL 518
CITY OF BRAMPTON
REGION OF PEEL

— Subject Lands: ±2.01ha (4.97ac)

Required Variances:

1. Relief from the City of Brampton Zoning By-law to permit a Motor Vehicle Sales Establishment in conjunction with the current Motor Vehicle Repair Shop use whereas the Motor Vehicle Sales Establishment use is currently not a permitted use; and

2. Relief from the City of Brampton Zoning By-Law 270-2004 to permit a maximum gross floor area for an accessory building of 246m² whereas the Zoning By-law permits a maximum gross floor area for an accessory building of 100 m²; and

3. Relief from the City of Brampton Zoning By-Law 270-2004 to permit an interior side yard setback to an accessory building of 2.9 metres whereas the Zoning By-Law requires a minimum 3.0 metre setback from an accessory building to any lot line.



Scale 1:1250



GSAI

November 18, 2020 Glen Schnarr & Associates Inc.

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.



November 18, 2020.

Our File: 676-003

City of Brampton
Committee of Adjustment
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

A-2020-0128
AMENDED (Nov 18)

Attention: Ms. Jeanie Myers,
Secretary-Treasurer of the Committee of Adjustment

Re: Minor Variance Amendment (Revision #2 to Original Application)
City File: A-2020-0128
2581558 Ontario Inc.
72 Orenda Road
City of Brampton

Glen Schnarr and Associates Inc. is pleased to submit this second Minor Variance Amendment Letter on behalf of our client 2581558 Ontario Inc., owner of the property legally described as Lot 5, Part Block C, Plan 518, located on the north side of Orenda Road, east of Kennedy Street.

The subject property has a lot area of approximately 2.01 hectares (4.98 acres), with a lot frontage of 123.7 meters (405 feet) along Orenda Road and a lot depth of approximately 218.53 meters (717 feet). The property is designated 'Central Area' in the City of Brampton Official Plan (Schedule A – General Land Use Designations) and is designated 'Industrial' in the City of Brampton Secondary Plan (SP36 Queen Street Corridor) which permits industrial uses along with various low density office uses. Furthermore, the subject property is zoned 'Industrial 2 (M2)' in the City of Brampton Zoning By-Law which permits various industrial and non-industrial uses.

The property currently contains a 1-storey building and a shed. A Minor Variance Application (A-2020-0128) was submitted on November 3, 2020 to request a Motor Vehicle Sales Establishment use be permitted in a portion of the 1-storey building (as identified on the Minor Variance Sketch provided in support of the application). The Motor Vehicle Sales Establishment would operate in conjunction with the existing Motor Vehicle Repair Shop (which occupies the balance of the building that is not proposed to be occupied by the Motor Vehicle Sales Establishment). We understand the Industrial 2 (M2) zone does not permit for a Motor Vehicle Sales Establishment.

A Minor Variance Amendment Letter was previously submitted with variances for the existing shed. The letter before staff (Revision #2 to Original Application) is provided as an additional amendment to Minor Variance Application A-2020-0128, which was submitted on November 3, 2020. As a part of the request, GSAI undertook a review of the requisite parking ratios for each use in order to determine if the requisite parking could be provided on site. The parking ratio used in the application for the Motor Vehicle Repair Shop use was identified as incorrect by City Zoning Staff as of November 17, 2020. Staff have confirmed that the parking ratio for a Motor Vehicle

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L5R 3K6
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Repair Shop is 1 parking spot per 18 square meters of gross floor area rather than the 1 parking spot per 60 gross square meters that was previously noted in the original application (further discussed below). Notwithstanding the fact that the corrected parking rate for the Motor Vehicle Repair Shop is higher than that previously noted, we confirm that there is sufficient parking on site to accommodate the commercial parking rate for the Motor Vehicle Repair Shop and therefore, no minor variance is required for parking. The new rate(s) are shown below in Table 1 - Parking Provided Vs Parking Required.

As mentioned, the parking requirement for the Motor Vehicle Repair Shop been updated from the original Minor Variance Application A-2020-0128 (as per the City of Brampton Zoning By-Law 270-2004) and has been calculated at the following rate:

Motor Vehicle Repair Shop: *1 parking space for each 18 square metres of gross floor area or portion thereof but 50 percent of the required parking spaces may be tandem parking spaces*

The revised amount of parking required, as per the City of Brampton Zoning By-Law 270-2004, for the Motor Vehicle Repair Shop use is 67 parking spaces taken at the above noted rate.

We note that the parking ratio for the proposed Motor Vehicle Sales Establishment of 1 parking spot per 23 square meters of gross commercial floor area is correct and therefore, the parking for this use has not changed since the original request. This rate is defined below:

Motor Vehicle Sales Establishment: *1 parking space for each 23 square metres of gross commercial floor area or portion thereof*

In accordance with the above noted parking ratios, the amount of parking required for the site (as per the Gross Floor Area definition as outlined in the City of Brampton Zoning By-Law 270-2004) is now as follows:

Table 1 – Parking Provided Vs Parking Required

USE	GFA	PARKING REQUIRED	PARKING PROVIDED
Repair Shop	1,194 m ²	67	69
Sales Establishment	302 m ²	14	24
		81	93

The total number of parking spaces required on the subject property has increased from 34 parking spaces to 81 parking spaces, resultant of the revised parking rate for the Motor Vehicle Repair Shop. To reiterate, the number of parking spaces required for the Motor Vehicle Sales Establishment use remains unchanged from the original request. As previously mentioned and indicated in the chart above, a surplus of parking spaces has been provided on the subject property to accommodate the proposed uses. The location of these parking spaces has been indicated on the attached Minor Variance Sketch prepared by GSAI dated November 18, 2020.



Based on the above, we confirm that the requested variance to the City of Brampton Zoning By-Law 270-2004 has not changed and is remains as follows:

To permit for a Motor Vehicle Sales Establishment use which will operate in conjunction with the existing Motor Vehicle Repair Shop whereas the Industrial 2 (M2) zone does not permit for a Motor Vehicle Sales Establishment.

We have reviewed relevant Official Plan policies and Zoning By-law provisions in the context of the prescribed criteria to authorize a minor variance under Section 45(1) of the Planning Act and we are of the opinion that the variance, in this case, is minor in nature, is desirable for the development of the property and maintains the general intent of both the relevant Official Plan and Zoning By-law.

In support of the Amendment Letter, we enclose the following:

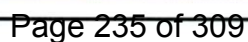
- One (1) legal size copy of an amended Minor Variance sketch as prepared by Glen Schnarr & Associates Inc. dated November 18, 2020.

We trust this Amendment Letter, when reviewed in conjunction with the previously submitted Minor Variance Application A-2020-0128 and the amendment letter submitted for the shed, adequately explains the variances requested. Please do not hesitate to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Taranjeet Grewal
Planner





November 6, 2020.

Our File: 676-003

City of Brampton
Committee of Adjustment
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

A-2020-0128
AMENDED

Attention: Ms. Jeanie Myers,
Secretary-Treasurer of the Committee of Adjustment

Re: Minor Variance Amendment Letter
City File: A-2020-0128
2581558 Ontario Inc.
72 Orenda Road
City of Brampton

Glen Schnarr and Associates Inc. is pleased to submit this Minor Variance Amendment Letter on behalf of our client 2581558 Ontario Inc., owner of the property legally described as Lot 5, Part Block C, Plan 518, located on the north side of Orenda Road, east of Kennedy Street.

The subject property has a lot area of approximately 2.01 hectares (4.98 acres), with a lot frontage of 123.7 meters (405 feet) along Orenda Road and a lot depth of approximately 218.53 meters (717 feet). The property is designated 'Central Area' in the City of Brampton Official Plan (Schedule A – General Land Use Designations) and is designated 'Industrial' in the City of Brampton Secondary Plan (SP36 Queen Street Corridor) which permits industrial uses along with various low density office uses. Furthermore, the subject property is zoned 'Industrial 2 (M2)' in the City of Brampton Zoning By-Law which permits various industrial and non-industrial uses.

The property currently contains a 1-storey building and a shed. A Minor Variance Application (A-2020-0128) was submitted on November 3, 2020 to request a Motor Vehicle Sales Establishment use be permitted in a portion of the 1-storey building (as identified on the Minor Variance Sketch provided in support of the application). The Motor Vehicle Sales Establishment would operate in conjunction with the existing Motor Vehicle Repair Shop (which occupies the balance of the building that is not proposed to be occupied by the Motor Vehicle Sales Establishment). We understand that the Industrial 2 (M2) zone does not permit for a Motor Vehicle Sales Establishment.

This letter is provided as an amendment to Minor Variance Application A-2020-0128, which was submitted on November 3, 2020. In addition to the variance requesting a Motor Vehicle Sales Establishment use be permitted in conjunction with the existing Motor Vehicle Repair Shop, we understand that variances for the existing shed will be required in order to address zoning deficiencies related to size and location of the shed. As outlined in the Industrial 2 (M2) zone of City of Brampton Zoning By-Law 270-2004, if an accessory building is not used as an office, the maximum Gross

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Floor Area (GFA) permitted is 100 m² and, further the structure must be 3 meters from the interior lot line. The existing shed has a GFA of 246 m² and is 2.9 meters from the interior side lot line.

Accordingly, the following variances to the City of Brampton Zoning By-Law 270-2004 are also requested in addition to the original request made under Minor Variance Application A-2020-0128:

- 1) Relief from the City of Brampton Zoning By-Law 270-2004 to permit a maximum gross floor area for an accessory building of 246 m² whereas the Zoning By-law permits a maximum gross floor area for an accessory building of 100 m²; and
- 2) Relief from the City of Brampton Zoning By-Law 270-2004 to permit an interior side yard set back to an accessory building of 2.9 meters whereas the Zoning By-Law requires a minimum 3.0 meter setback from an accessory building to any lot line.

The intent of regulating the maximum permissible floor area of the accessory building is to control the size to ensure it is not larger than the main building or used in a way that overshadows the use of the main building. As the main building is 1,496 m² and is proposed to contain offices while the accessory building will be used for storage purposes, the variance should be permitted.

The intent of regulating the distance of the accessory building from any lot line is to ensure an adequate degree of separation exists between the neighboring buildings to ensure privacy of the neighboring properties. The shed is located adjacent to a railway track which provides an added buffer to the neighboring property, thereby ensuring privacy.

We have reviewed relevant Official Plan policies and Zoning By-law provisions in the context of the prescribed criteria to authorize a minor variance under Section 45(1) of the Planning Act and we are of the opinion that the variance, in this case, is minor in nature, is desirable for the development of the property and maintains the general intent of both the relevant Official Plan and Zoning By-law.

In support of the Amendment Letter, we enclose the following:

- One (1) legal size copy of an amended Minor Variance sketch as prepared by Glen Schnarr & Associates Inc. dated November 5, 2020.

We trust this Amendment Letter, when reviewed in conjunction with the previously submitted Minor Variance Application A-2020-0128, adequately explains the variances requested. Please do not hesitate to contact us if you have any questions or require more information.

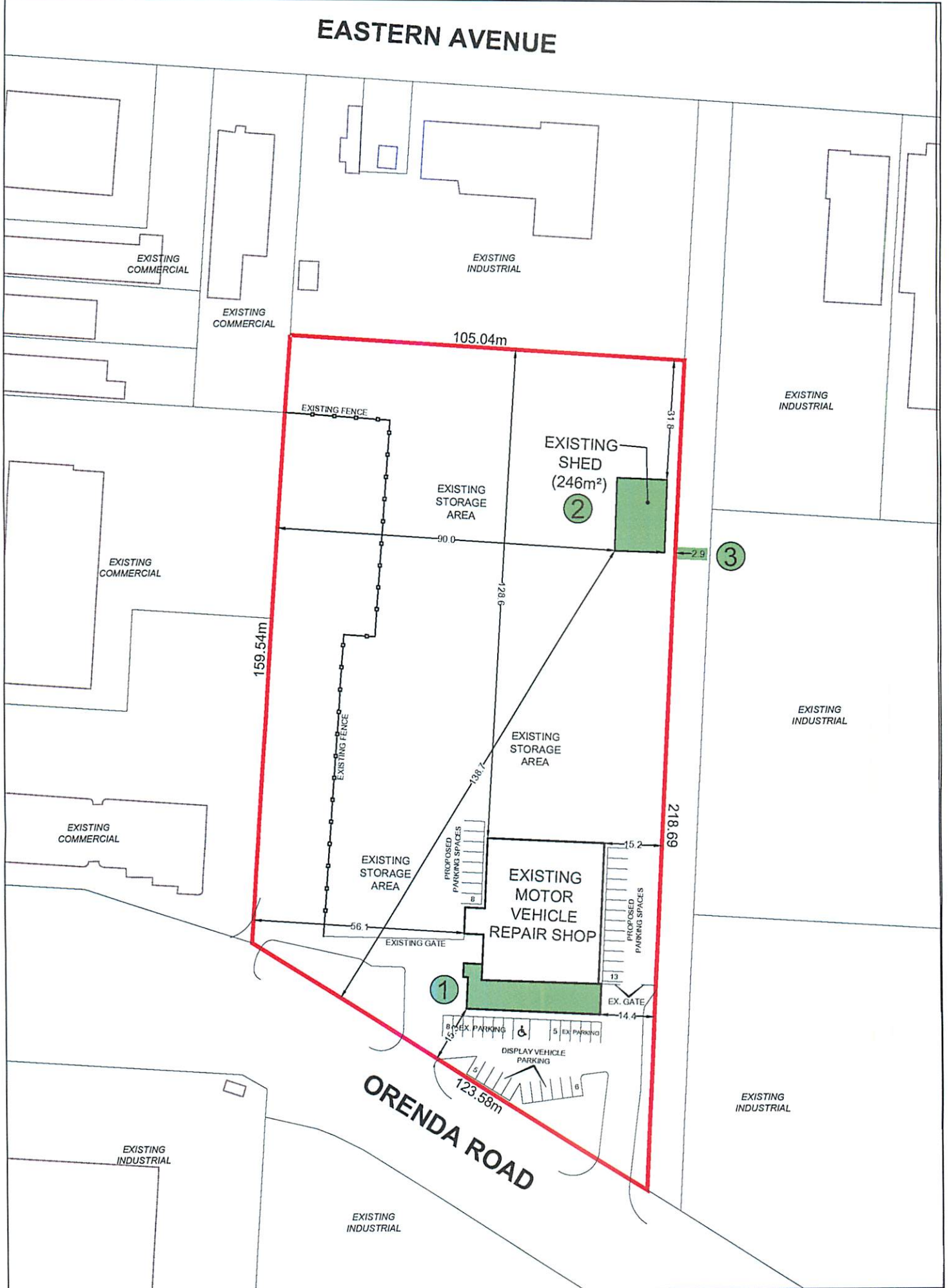


GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Colin Chung, MCIP, RPP
Partner



MINOR VARIANCE SKETCH 2581558 Ontario Inc.

72 OREND A ROAD
PART BLOCK C
PL 518
CITY OF BRAMPTON
REGION OF PEEL

Subject Lands: ±2.01ha (4.97ac)

Required Variances:

1. Relief from the City of Brampton Zoning By-law to permit a Motor Vehicle Sales Establishment in conjunction with the current Motor Vehicle Repair Shop use whereas the Motor Vehicle Sales Establishment use is currently not a permitted use; and

2. Relief from the City of Brampton Zoning By-Law 270-2004 to permit a maximum gross floor area for an accessory building of 246m² whereas the Zoning By-law permits a maximum gross floor area for an accessory building of 100 m²; and

3. Relief from the City of Brampton Zoning By-Law 270-2004 to permit an interior side yard setback to an accessory building of 2.9 metres whereas the Zoning By-Law requires a minimum 3.0 metre setback from an accessory building to any lot line.



GSAI

Scale 1:1250
November 5, 2020 Glen Schnarr & Associates Inc.



PARTNERS:

GLEN SCHNARR, MCIP, RPP

GLEN BROLL, MCIP, RPP

COLIN CHUNG, MCIP, RPP

JIM LEVAC, MCIP, RPP

November 2, 2020.

Our File: 676-003

City of Brampton
Committee of Adjustment
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

A-2020-0128

Attention: Ms. Jeanie Myers,
Secretary-Treasurer of the Committee of Adjustment

**Re: Minor Variance Application
2581558 Ontario Inc.
72 Orenda Road
City of Brampton**

Glen Schnarr and Associates Inc. is pleased to submit this application for a Minor Variance on behalf of our client 2581558 Ontario Inc., owner of the property legally described as Lot 5, Part Block C, Plan 518, located on the north side of Orenda Road, east of Kennedy Street.

The subject property has a lot area of approximately 2.01 hectares (4.98 acres), with a lot frontage of 123.7 meters (405 feet) along Orenda Road and a lot depth of approximately 218.53 meters (717 feet). The property is designated 'Central Area' in the City of Brampton Official Plan (Schedule A – General Land Use Designations) and is designated 'Industrial' in the City of Brampton Secondary Plan (SP36 Queen Street Corridor) which permits industrial uses along with various low density office uses. Furthermore, the subject property is zoned 'Industrial 2 (M2)' in the City of Brampton Zoning By-Law which permits various industrial and non-industrial uses.

The property contains an existing shed and 1-storey building which is currently occupied by Spyder Auto Car and Commonwealth Brick & Building Supplies Ltd. Spyder Auto Car (identified as the 'Existing Motor Vehicle Repair Shop' on the Minor Variance Sketch provided herein, as prepared by Glen Schnarr & Associates Inc.) is located within the rear portion of the building and is a permitted use as of right under the Industrial 2 (M2) zone. The Commonwealth Brick & Building Supplies Ltd. offices and showroom is located in the front portion of the building facing Orenda Road. This portion of the building, being The Commonwealth Brick & Building Supplies Ltd., which is shown in green on the attached Minor Variance Sketch, is the subject of this Minor Variance Application. Our client is proposing to remove The Commonwealth Brick & Building Supplies Ltd. offices and showroom currently located in the existing building. This use is proposed to be replaced by a Motor Vehicle Sales Establishment which will operate in conjunction with the existing Motor Vehicle Repair Shop (permitted under the Industrial 2 (M2) zone). We understand the display of vehicles on site (to support the Motor Vehicle Sales Establishment) is not regulated and therefore has not been considered as a part of this application with regards to required parking rates.

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As per the above, the requested variance to the City of Brampton Zoning By-Law 270-2004, is as follows:

To permit for a Motor Vehicle Sales Establishment use which will operate in conjunction with the existing Motor Vehicle Repair Shop whereas the Industrial 2 (M2) zone does not permit for a Motor Vehicle Sales Establishment.

We confirm for staff that, since the request for the variance is for a use that is not permitted in the M2 zone and further, that this request is for permission for that non-permitted use to be in conjunction with an existing, permitted use that, should the permitted Motor Vehicle Repair Shop cease to exist, the Motor Vehicle Sales Establishment will no longer be a permitted use and subsequently, cease to exist.

As part of this application, and for staff information, GSAI has conducted a review of the parking requirements for the existing Motor Vehicle Repair Shop and the proposed Motor Vehicle Sales Establishment. The parking requirement for the Motor Vehicle Repair Shop is calculated under the *Industrial – Manufacturing, Cleaning, Packaging, Processing, **Repairing**, Assembling or Printing* requirement of 1 per 50 square metres (further discussed below). The proposed Motor Vehicle Sales Establishment (which will operate in conjunction with the repair shop) is considered a commercial use in the Zoning By-Law, therefore the parking rate applied as per the Zoning By-Law is *All Other Commercial Uses not specifically mentioned* requirement of 1 per 23 square meters of commercial gross floor area (further discussed below).

Per the City of Brampton Zoning By-law 270-2004, the required parking ratios are as follows:

Motor Vehicle Repair Shop:	<i>a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area: Up to 5,000 square metres: 1 parking space per 60 square metres gross floor area or portion thereof</i>
Motor Vehicle Sales Establishment:	<i>1 parking space for each 23 square metres of gross commercial floor area or portion thereof</i>

Based on the Gross Floor Area definition as outlined under the City of Brampton Zoning By-Law 270-2004, the Gross Floor Area for each use is as follows:

USE	GFA	PARKING REQUIRED	PARKING PROVIDED
Repair Shop	1,194 m ²	20	22
Sales Establishment	302 m ²	14	15
		34	37

Based on the above, the subject property provides sufficient parking in order to accommodate for both uses, per the requirements of City of Brampton Zoning by-law 270-2004.



We propose the parking for the two uses be shared between the 13 parking spaces located at the front of the building and the 21 parking spaces located to the east and west of the building. We note the parking spaces located at the east of the building are situated beyond an existing gate. We anticipate these spaces will be used for building employees and the owner. Therefore, visitor parking access to parking spaces beyond the gate will only be used to accommodate for spillover of visitor parking as the gate will be open during the hours of business operation.

The remaining 11 parking spaces at the property line is proposed to be used for the display of vehicles to be sold.

We have reviewed relevant Official Plan policies and Zoning By-law provisions in the context of the prescribed criteria to authorize a minor variance under Section 45(1) of the Planning Act and we are of the opinion that the variance, in this case, is minor in nature, is desirable for the development of the property and maintains the general intent of both the relevant Official Plan and Zoning By-law.

In support of the Minor Variance Application, we enclose the following:

- One (1) cheque in the amount of \$2,510 payable to the 'City of Brampton' in payment of the Minor Variance Applications fee;
- One (1) completed Application for Minor Variance form including Appointment and Authorization of Agent and Permission to Enter forms; and
- One (1) legal size copy of the Minor Variance Sketch Plan as prepared by Glen Schnarr & Associates Inc. dated November 2, 2020.

We trust this completes the Application for Minor Variance and we look forward to being considered for the December 1st hearing date. Please feel free to contact us if you have any questions or require more information.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Colin Chung, MCIP, RPP
Partner

FILE NUMBER: A-2020-0128

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) 2581558 ONTARIO INC. c/o Paul (Inderpal) Athwal
 Address 22 Marlatt Court
Brampton, ON
L6Y 3M9
 Phone # 416-458-5858 Fax # _____
 Email paulathwal@yahoo.com
2. Name of Agent Glen Schnarr & Associates Inc. c/o Colin Chung
 Address 10 Kingsbridge Garden Circle, Suite 700
Mississauga, ON
L5R 3K6
 Phone # 905-568-8888 x224 Fax # 905-568-8894
 Email colinc@gsai.ca
3. Nature and extent of relief applied for (variances requested):
To permit for a Motor Vehicle Sales Establishment use which will operate in conjunction with the existing
Motor Vehicle Repair Shop.

4. Why is it not possible to comply with the provisions of the by-law?
The Zoning By-Law does not permit for a Motor Vehicle Sales Establishment on the subject property.

5. Legal Description of the subject land:
 Lot Number 5 PT. OF BLOCK C
 Plan Number/Concession Number Plan 518, Concession 2 E.H.S.
 Municipal Address 72 Orenda Road
6. Dimension of subject land (in metric units)
 Frontage 123.7 meters
 Depth 218.53 meters
 Area 20,134 meters squared (2.01 hectares)
7. Access to the subject land is by:
 Provincial Highway ☐ Seasonal Road ☐
 Municipal Road Maintained All Year ☒ Other Public Road ☐
 Private Right-of-Way ☐ 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.)

One story building with a GFA of approximately 1,496 square meters

Shed with a GFA of approximately 246 square meters

PROPOSED BUILDINGS/STRUCTURES on the subject land:

N/A

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

		Shed
Front yard setback	<u>15.3 meters</u>	<u>138.7 meters</u>
Rear yard setback	<u>128.6 meters</u>	<u>31.8 meters</u>
Side yard setback	<u>56.1 meters</u>	<u>2.9 meters</u>
Side yard setback	<u>14.4 meters</u>	<u>90 meters</u>

PROPOSED

Front yard setback	<u>N/A</u>
Rear yard setback	<u>N/A</u>
Side yard setback	<u>N/A</u>
Side yard setback	<u>N/A</u>

10. Date of Acquisition of subject land: June 30, 2017
11. Existing uses of subject property: Industrial use
12. Proposed uses of subject property: Motor Vehicle Sales Establishment in conjunction with the current Motor Vehicle Repair Shop
13. Existing uses of abutting properties: Industrial to the east and Commercial uses to the west
14. Date of construction of all buildings & structures on subject land: 1973 Shed
2012
15. Length of time the existing uses of the subject property have been continued: Approx 1973
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 _____ Mississauga _____

THIS 30 DAY OF October, 2020.

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, Taranjet Grewal, OF THE City OF Mississauga
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 3rd DAY OF
November, 2020.

April Dela Cerna
A Commissioner etc.

Signature of Applicant or Authorized Agent

April Dela Cerna, ad.
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

Industrial Two - M2

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

J. Chau
Zoning Officer

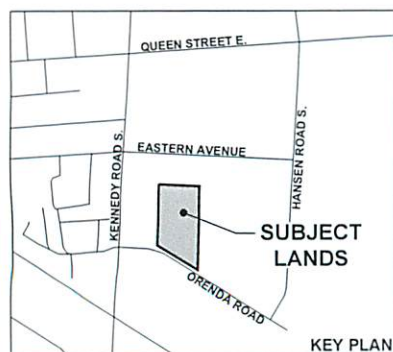
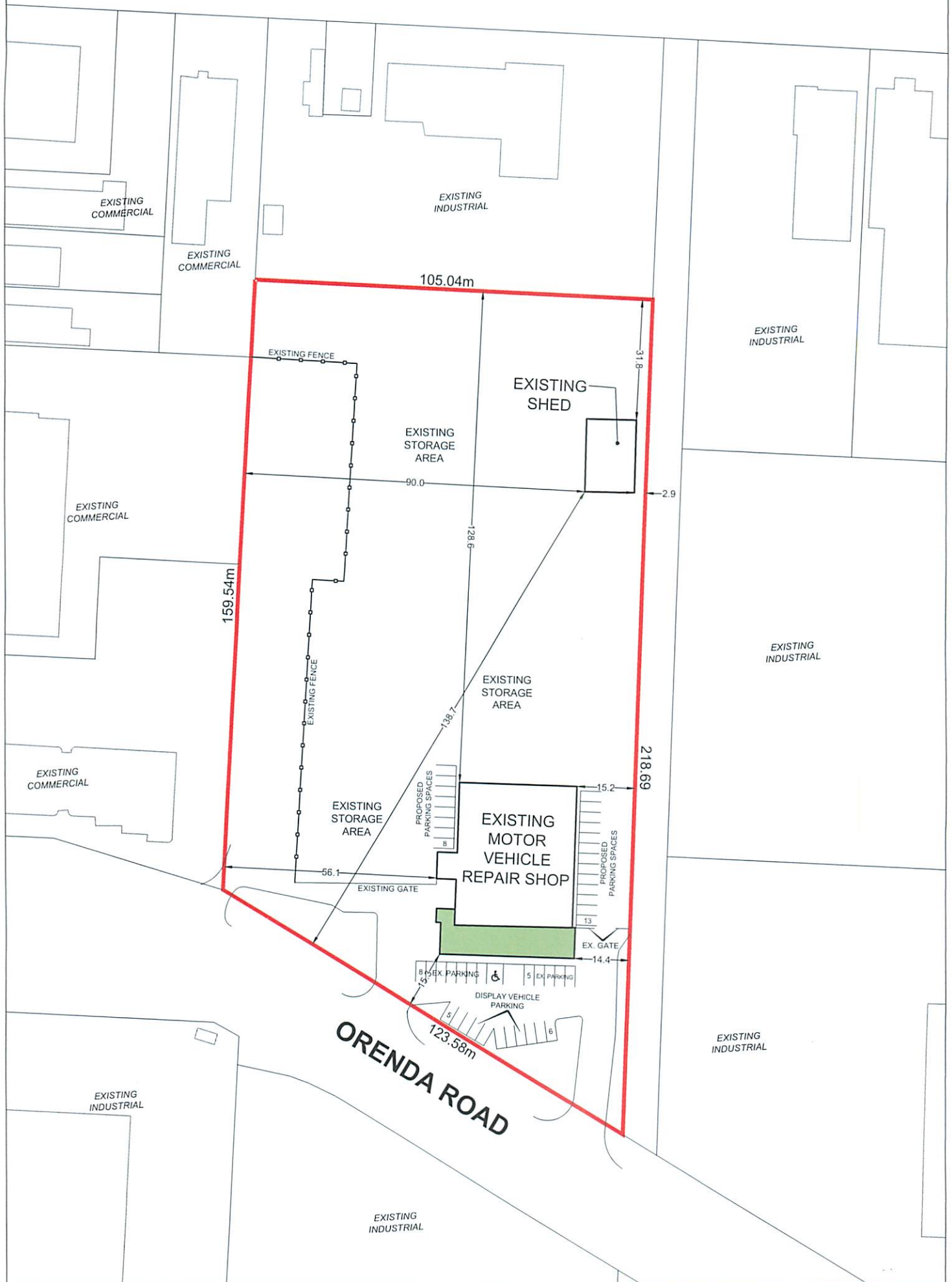
November 6, 2020

Date

DATE RECEIVED

November 3, 2020

EASTERN AVENUE



MINOR VARIANCE SKETCH 2581558 Ontario Inc.

72 OREND A ROAD
PART BLOCK C
PL 518
CITY OF BRAMPTON
REGION OF PEEL

— Subject Lands: ±2.01ha (4.97ac)

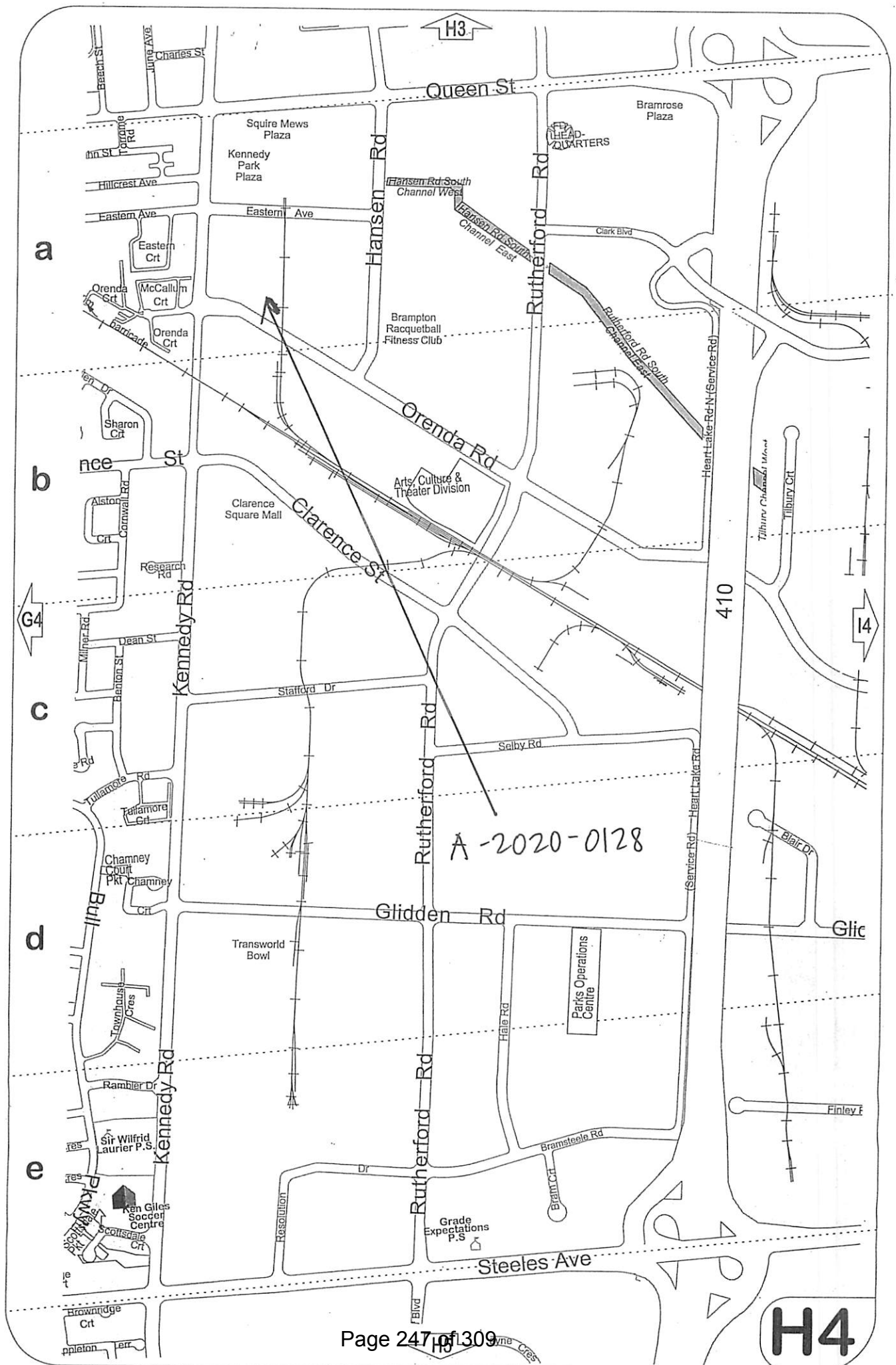
Required Variance:

1. Relief from the City of Brampton Zoning By-law to permit a Motor Vehicle Sales Establishment in conjunction with the current Motor Vehicle Repair Shop use whereas the Motor Vehicle Sales Establishment use is currently not a permitted use.



Scale 1:1250
November 2, 2020 Glen Schnarr & Associates Inc.

GSAI



Filing Date: November 3, 2020

Hearing Date: December 1, 2020

File: A-2020-0128

**Owner/
Applicant:** 2581558 ONTARIO INC.

Address: 72 Orenda Road

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0128 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice, and the number of vehicles for sale shall not exceed five (5);
 2. That the motor vehicle sales use shall only be permitted in conjunction with a licensed motor vehicle repair shop;
 3. That the applicant obtain a building permit for the accessory structure within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
 4. That all outdoor storage related to a business not operating from a building on the property shall be removed prior to the establishment of the motor vehicle sales use and that any outdoor storage of materials shall only be permitted in conjunction with a business operating within a building on the same lot;
 5. That no outdoor storage is permitted in the front yard with the exception of five (5) display vehicles;
 6. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:**Existing Zoning:**

The property is zoned "Industrial 2 (M2)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a Motor Vehicle Sales Establishment in conjunction with the existing Motor Vehicle Repair Shop whereas the By-law does not permit the proposed use;
2. To permit an existing accessory structure having a gross floor area of 246 sq. m (2647.92 sq. ft.) whereas the by-law permits a maximum gross floor area of 100 sq. m (1076.39 sq. ft.) for an accessory structure used for purposes other than an office;
3. To permit an interior side yard setback of 2.9m (9.51 ft.) to an existing accessory structure whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.) for an accessory structure to any lot line.

Current Situation:**1. Conforms to the Intent of the Official Plan**

The property is designated "Central Area" in the Official Plan and "Industrial" in the Queen Street Corridor Secondary Plan (Area 36). Section 5.2.1 of the Secondary Plan directs that minor concentrations of directly related businesses support services are permitted within the Industrial designation. The proposed motor vehicle sales use is intended to support the permitted motor vehicle repair use on the property. Further, Section 5.2.6 directs that commercial uses in the Industrial designation shall accommodate a limited range and amount of retail, service, and office uses. A condition of approval is recommended that the motor vehicle sales use only be permitted in conjunction with a permitted motor vehicle repair use to ensure that the sales use is operating on a limited scale and accessory to the permitted repair use. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Official Plan.

Variances 2 and 3 are not considered to have significant impacts within the context of the Official Plan. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Industrial 2 (M2)" according to By-law 270-2004, as amended.

Variance 1 is to permit a Motor Vehicle Sales Establishment in conjunction with the existing Motor Vehicle Repair Shop whereas the By-law does not permit the proposed use. The intent of the by-law in regulating permitted uses is to ensure a certain

character of the property is maintained, and that uses existing on the property are compatible from a functional perspective. The proposed motor vehicle sales use is intended to be ancillary to the permitted motor vehicle repair use operating on site. These uses are considered to be compatible, and a condition of approval is recommended that the motor vehicle sales use shall only be permitted in conjunction with a licensed motor vehicle repair shop to ensure the uses operate together and the property is not used exclusively for sales. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 and 3 are to permit an existing accessory structure having a gross floor area of 246 sq. m (2647.92 sq. ft.) whereas the by-law permits a maximum gross floor area of 100 sq. m (1076.39 sq. ft.) for an accessory structure and having an interior side yard setback of 2.9m (9.51 ft.) to an existing accessory structure whereas the by-law requires a minimum interior side yard setback of 3.0m (9.84 ft.) for an accessory structure to any lot line.

The intent of the by-law in regulating the maximum size of an accessory structure is to ensure that the structure remains accessory and in support of the primary building and function of the property. In the case of the subject property, the accessory structure is used for storage of materials in relation to the business operating on site. A condition of approval is recommended that all outdoor storage related to a business not operating from a building on the property shall be removed prior to the establishment of the motor vehicle sales use and that any outdoor storage of materials shall only be permitted in conjunction with a business operating within a building on the same lot to ensure that the structure is dedicated to existing businesses on the property. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

The intent of the by-law in regulating the minimum required setback for an accessory structure is to ensure that sufficient space is provided for drainage. In the case of this variance, the proposed reduction is nominal in nature and is not anticipated to negatively impact drainage. Subject to the recommended conditions of approval, Variance 3 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1, to permit a Motor Vehicle Sales Establishment in conjunction with the existing Motor Vehicle Repair Shop whereas the By-law does not permit the proposed use is intended to facilitate the establishment of an ancillary vehicle sales use with the permitted motor vehicle repair use operating on the property. Conditions of approval are recommended relating to limiting the scale of the use to a maximum 5 vehicles for sale or display in the front yard to ensure that the use remains ancillary to the permitted use. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variances 2 and 3 relate to the size and location of an existing accessory structure on the site. The location of the structure does not present any concerns with regard to

drainage, and the size of the structure is proportionate to the size of the property and its industrial zoning. It was noted by staff that a large amount of outdoor storage exists on site for a business that is intending to relocate.

A condition of approval is recommended that all outdoor storage related to a business not operating from a building on the property shall be removed prior to the establishment of the motor vehicle sales use and that any outdoor storage of materials shall only be permitted in conjunction with a business operating within a building on the same lot. This condition is intended to ensure that the existing outdoor storage is removed from the property when the business is no longer operating. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is to permit the establishment of a motor vehicle sales use in conjunction with a permitted motor vehicle repair use. A condition of approval is recommended that the motor vehicle sales use shall only be permitted in conjunction with a licensed motor vehicle repair shop to ensure that the primary function of the property remains a permitted, industrial use and the new use remains ancillary in nature. Further conditions are recommended limiting the scale of the sales use. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 is to permit an oversized accessory structure on the property. Given the size and scale of the property, the size of the accessory structure is considered to be proportionate and complimentary to the overall operation of the site. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Variance 3 proposes a nominal reduction in side yard setback that is not anticipated to impact drainage. Subject to the recommended conditions of approval, Variance 3 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **RAGHBIR UBHI** 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 11, Plan M-90 municipally known as **8 TORTOISE COURT**, Brampton;

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

1. To permit an accessory structure (shed) having a gross floor area of 48.25 sq. m (519.36 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
2. To permit an accessory structure (cabana) having a gross floor area of 123.55 sq. m (1329.88 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
3. To permit a combined gross floor area of 171.8 sq. m (1849.24 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.);
4. To permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 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, December 1, 2020 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 a Local Planning Appeal 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 Local Planning Appeal 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 19th day of November, 2020.

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 during the COVID-19 Emergency

**Electronic Hearing Procedures
How to get involved in the Virtual Hearing**

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020.**
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020.**
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020.** City staff will contact you and provide you with further details.
- 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 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

November 18, 2020

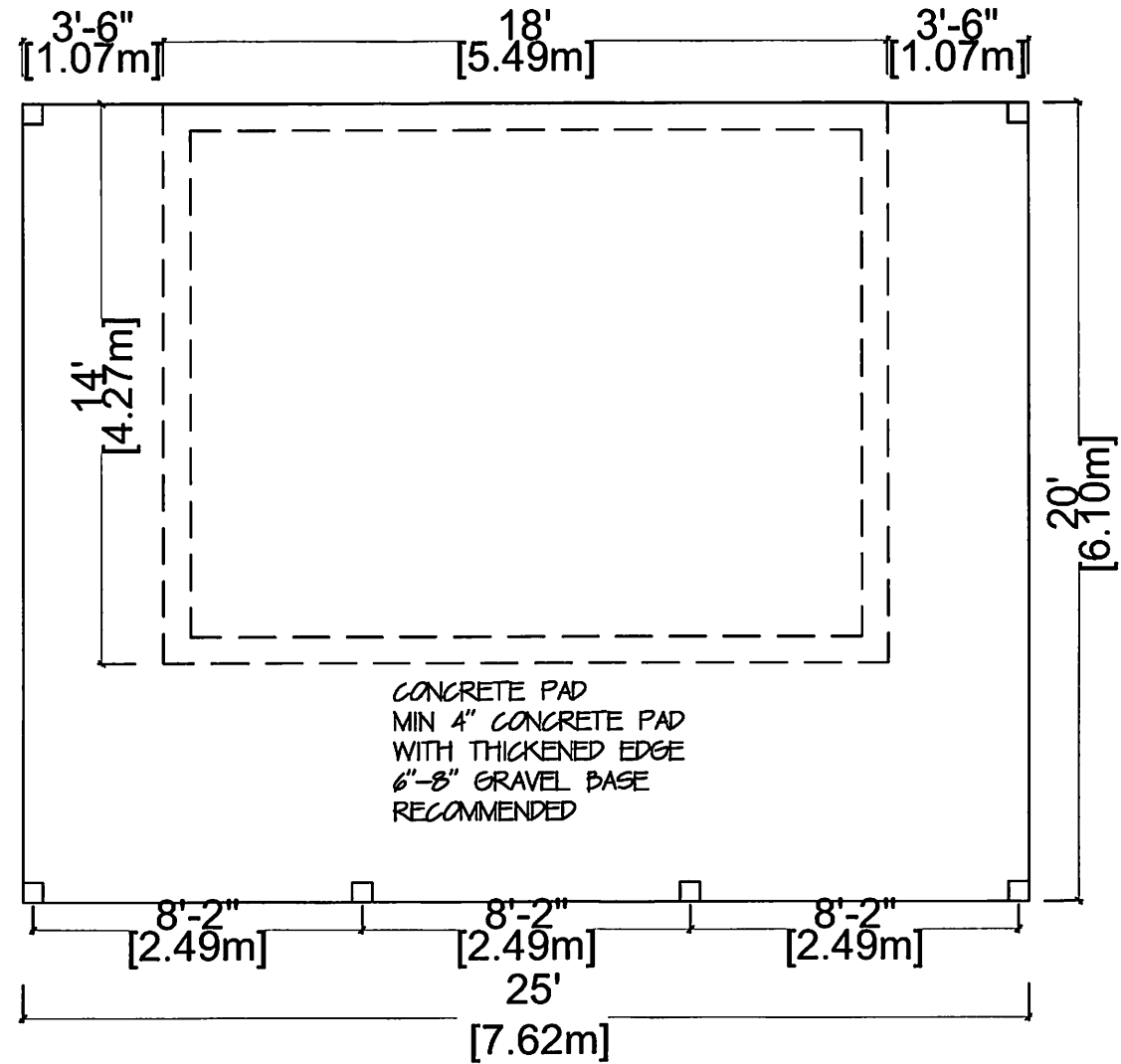
To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
RAGHBIR UBHI
LOT 11, PLAN M-90
A-2020-0129 – 8 TORTOISE COURT
WARD 10**

Please **amend** application **A-2020-0129** to reflect the following:


1. To permit an accessory structure (shed) having a gross floor area of 48.25 sq. m (519.36 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
2. To permit an accessory structure (cabana) having a gross floor area of 123.55 sq. m (1329.88 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
3. To permit a combined gross floor area of 171.8 sq. m (1849.24 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.);
4. To permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.).

A handwritten signature in black ink, appearing to be 'E. U. B.', followed by a long horizontal line extending to the right.



The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code 2012 to be a designer.

Qualification information
Required unless design is exempt under 3.2.4.1 of the building code.

Ramona Abumehalla  34339
Name: Signature Designer BCIN#

All Code references refer to Division B of O.B.C 2012 Antara BCIN#: 39389

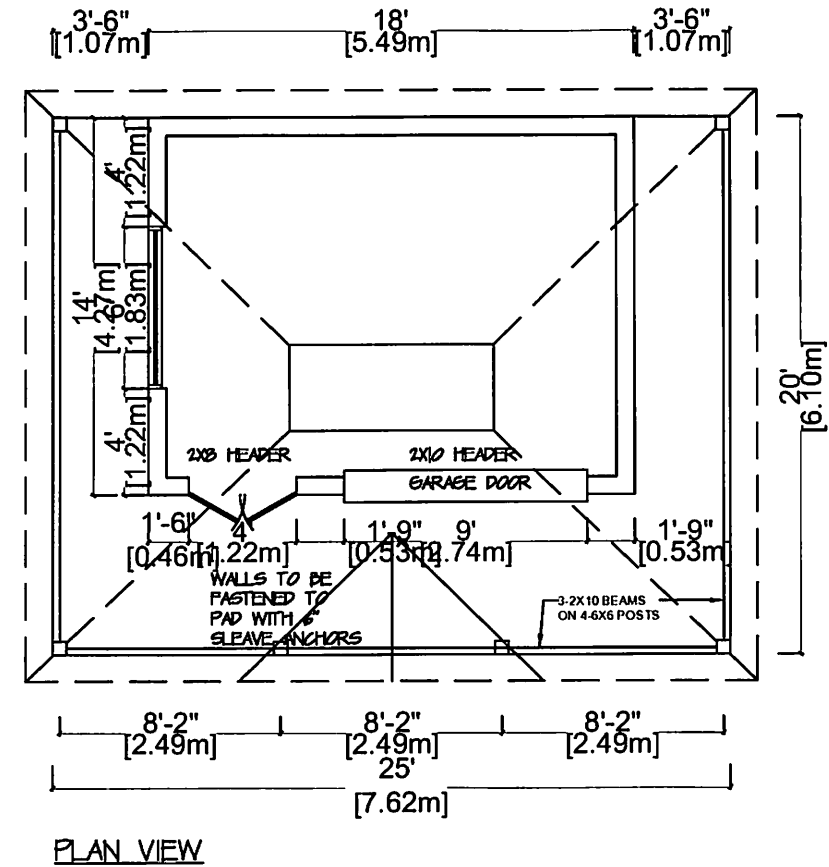
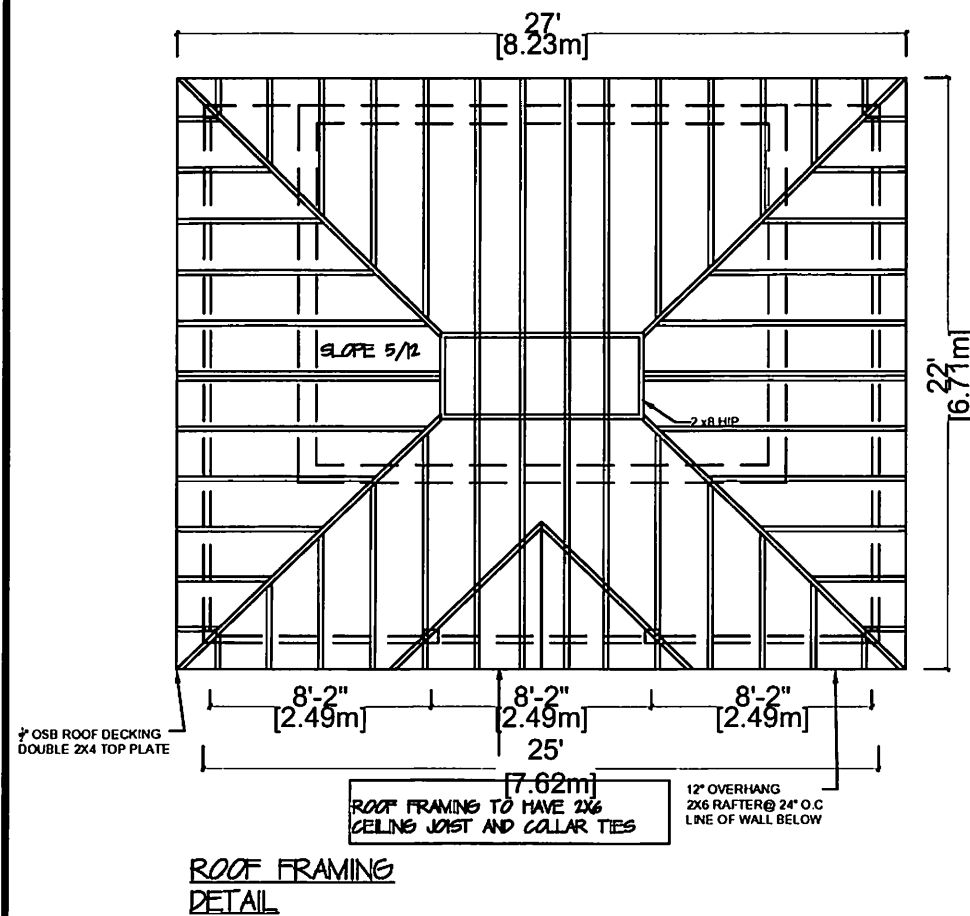


1282 Dexter Crs Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

Drawings Title:
PLANS
A01
Scale: 1/32"
Date: October 25, 2020

Project:
Prop. SHED
Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: 11

1	OCT 17 2020	Building Permit	
No.	Date	Revision/Comment	



The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code 2012 to be a designer.

Qualification information
Required unless design is exempt under 3.2.4.1 of the building code.

Ramess Abumahlh 34339

Name: Signature Designer BCIN#

All Code references refer to Division B of O.B.C. 2012 Antara BCIN#: 39389

1282 Dexter Crs Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

Drawings Title:

PLANS
A02

Scale: 1/32"

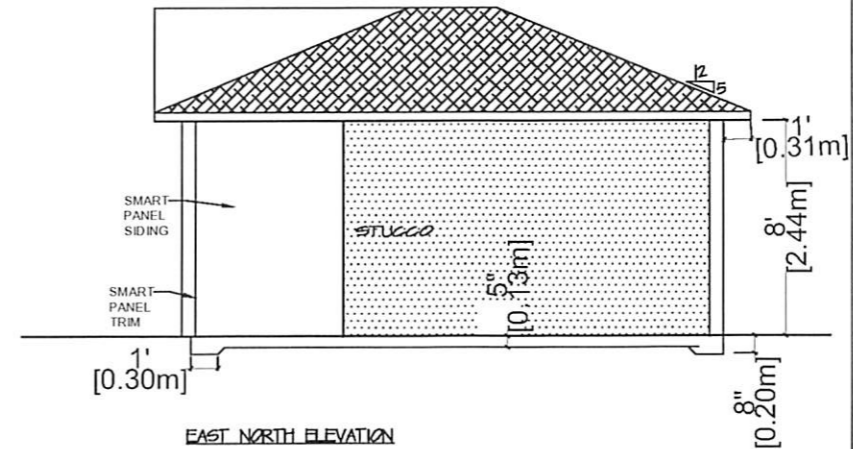
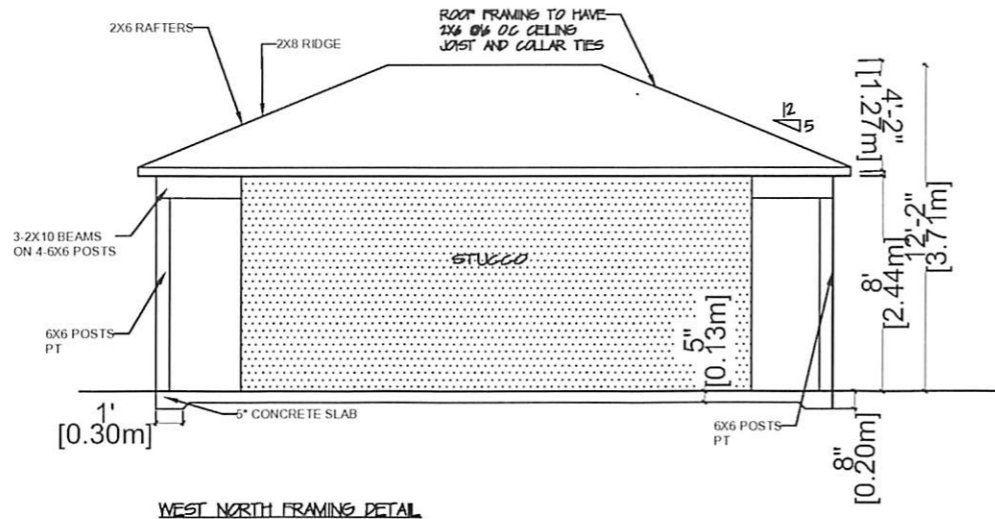
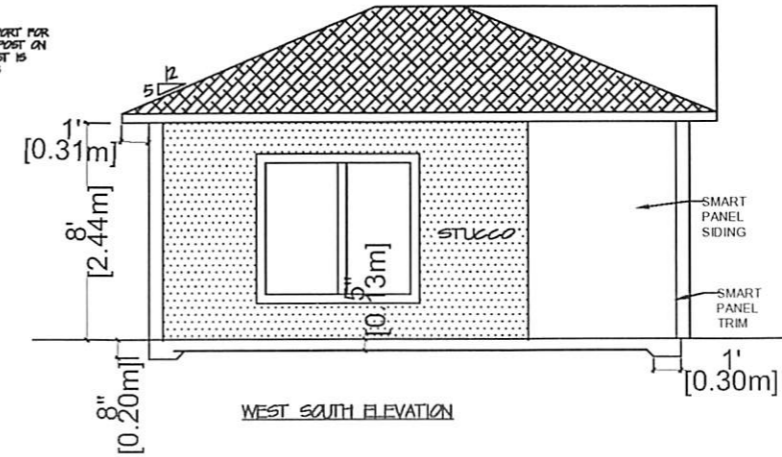
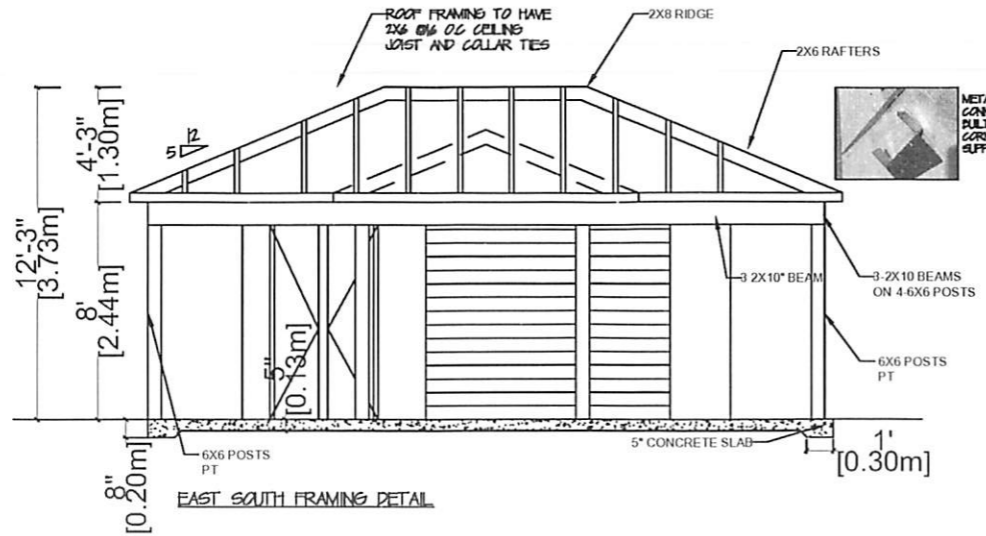
Date: October 25, 2020

Project:

Prop. SHED

Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: 11

1	OCT 17 2020	Building Permit
No.	Date	Revision/Comment



The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code 2012 to be a designer.

Qualification information
Required unless design is exempt under 3.2.4.1 of the building code.

Name: Ramez Alurashla
Signature: [Signature]
Designer BCIN#: 34339
All Code references refer to Division B of O.B.C. 2012
Antara BCIN#: 393989

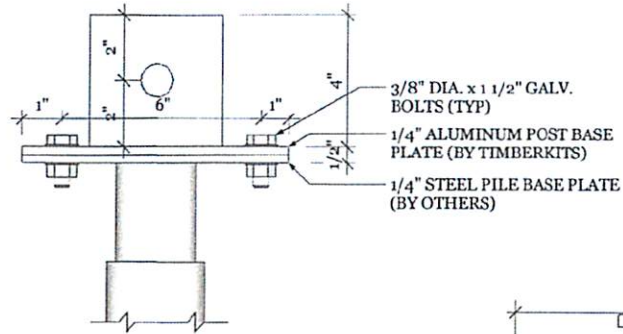
1282 Dexter Crs Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

Drawings Title:
PLANS
A03
Scale: 1/32"
Date: October 25, 2020

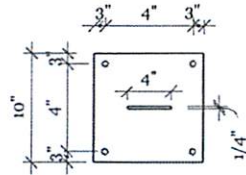
Project:
Prop. SHED
Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: 11

No.	Date	Revision/Comment
1	OCT 17 2020	Building Permit

ALL LUMBER IS #1
DOUGLAS FIR UNLESS
NOTED OTHERWISE



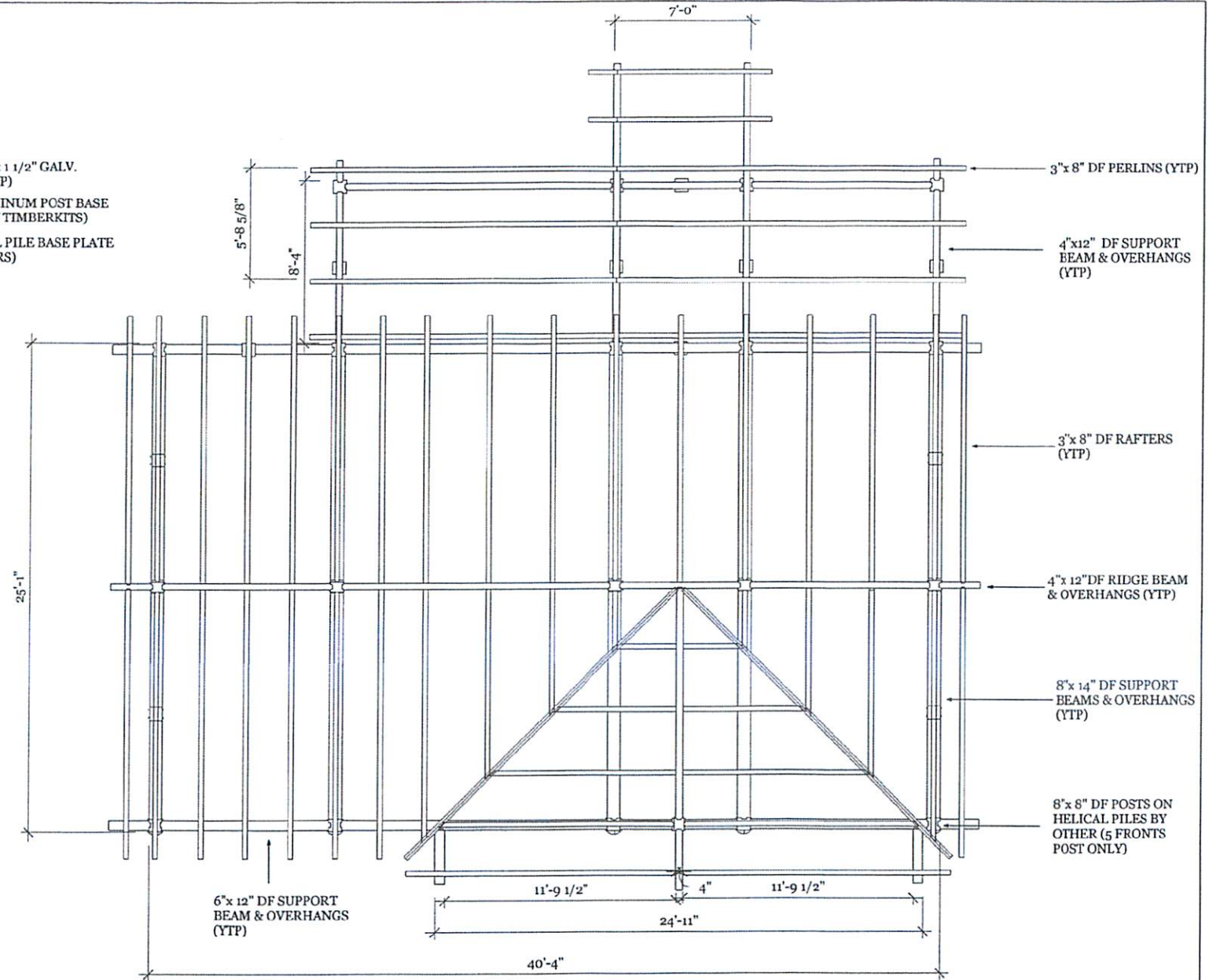
HELICAL PILE / POST CONNECTION DETAIL
N.T.S



ANCHOR PLATE PLAN DETAIL
N.T.S



ROOF PLAN
1/4"=1'-0"



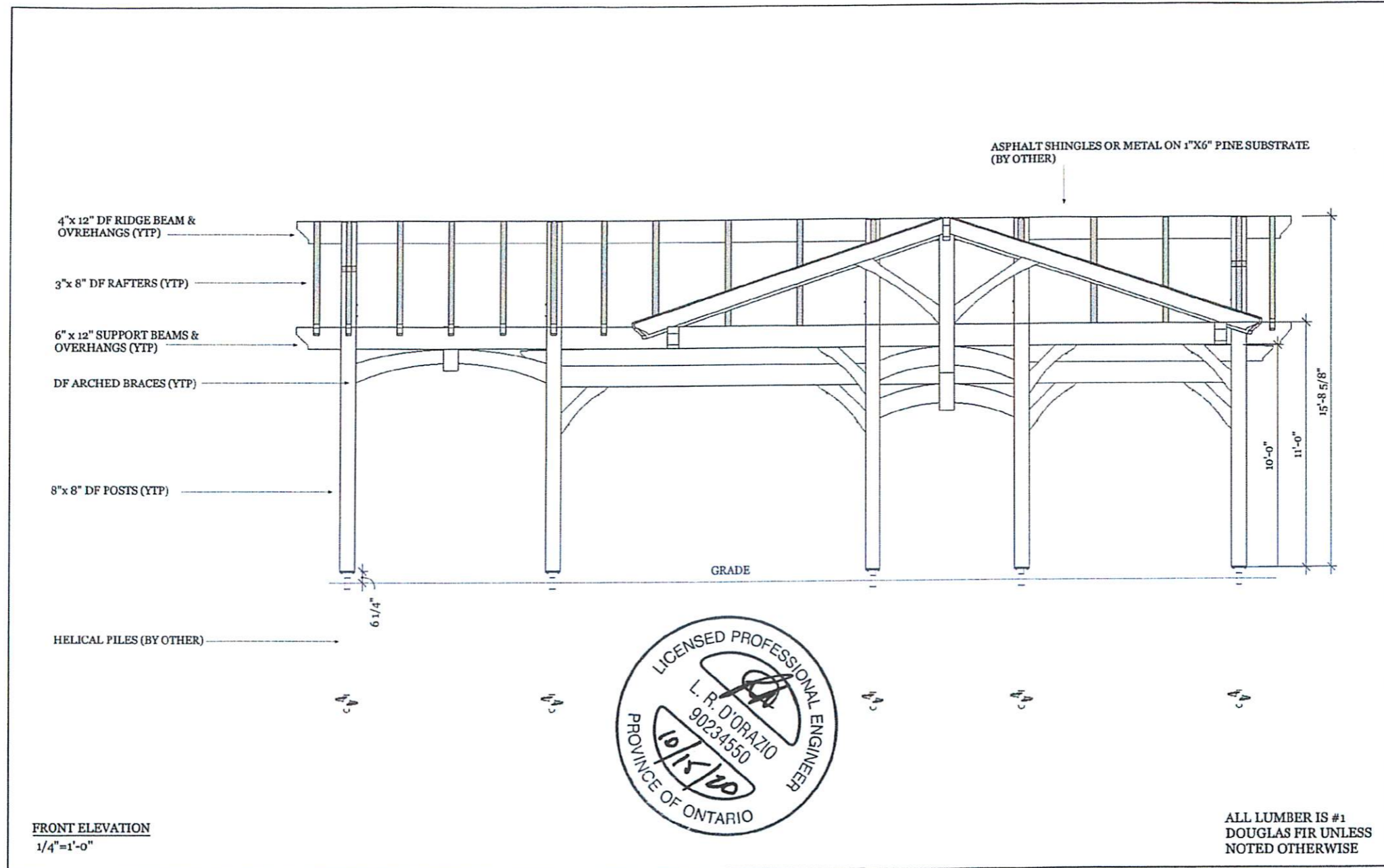
The ELITE
ENGINEERING GROUP INC.
58 ROSSITER ROAD
INGERSOLL, ONTARIO - N5C 4E1
519.280.5384
www.eliteengineeringgroup.com

REV NO.	BY:	REVISION:	DATE:
1	S.B	ENGINEER REVIEW	05/10/2020

TIMBERKITS™
by Country Log Homes

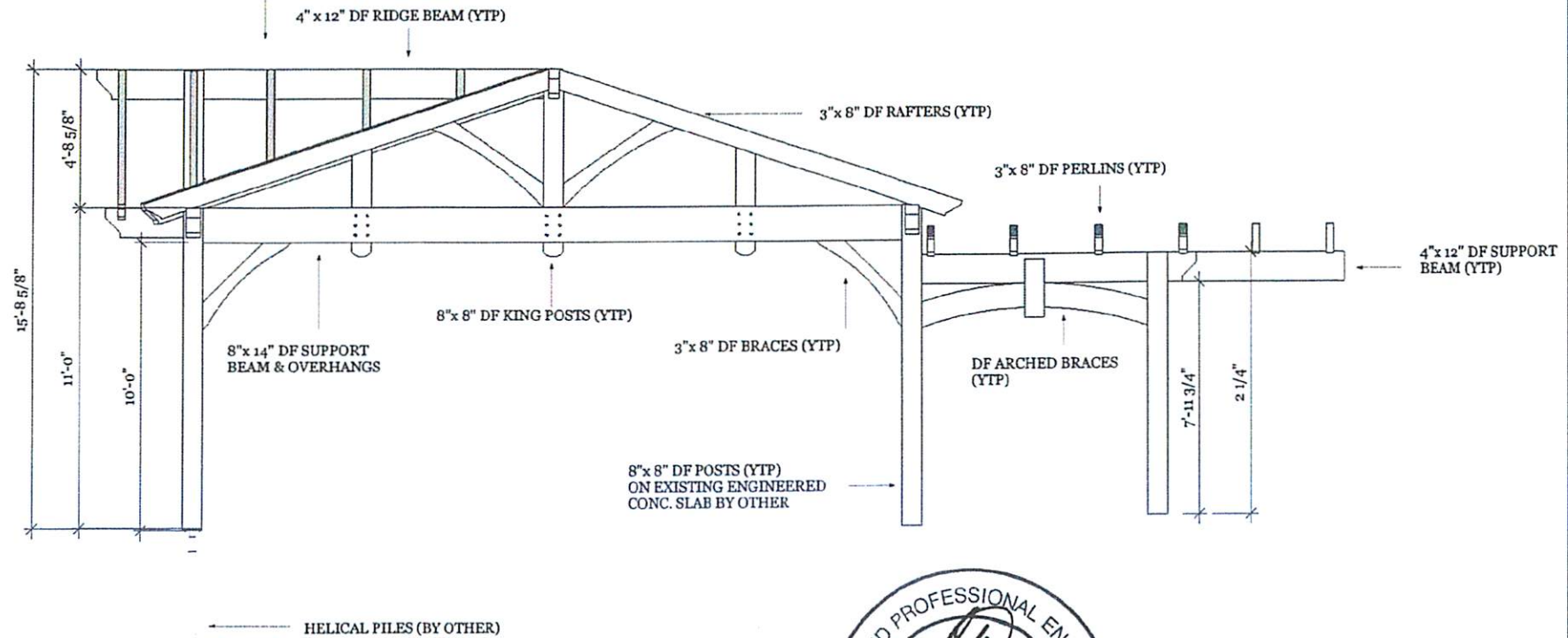
Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Roof Plan Details			
DRAWN BY: S.B	CHECKED BY: S.K	SCALE: As Shown	DATE: 05/10/2020

A 01



The ELITE ENGINEERING GROUP Inc. 55 ROSSITER ROAD INGERSOLL, ONTARIO - N5C 4E1 519.268.5344 www.eliteengineeringgroup.com	REV NO.	BY:	REVISION:	DATE:	TIMBERKITS™ by Country Log Homes	Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
	1	S.B.	STRUCTURE INFORMATION	10/05/2020		DRAWING NAME: Elevations			
						DRAWN BY: S.B.	CHECKED BY: S.K.	SCALE: As Shown	DATE: 10/05/2020

ASPHALT SHINGLES OR METAL ON 1"X6" PINE SUBSTRATE
(BY OTHER)



SIDE ELEVATION
1/4"=1'-0"

ALL LUMBER IS #1
DOUGLAS FIR UNLESS
NOTED OTHERWISE

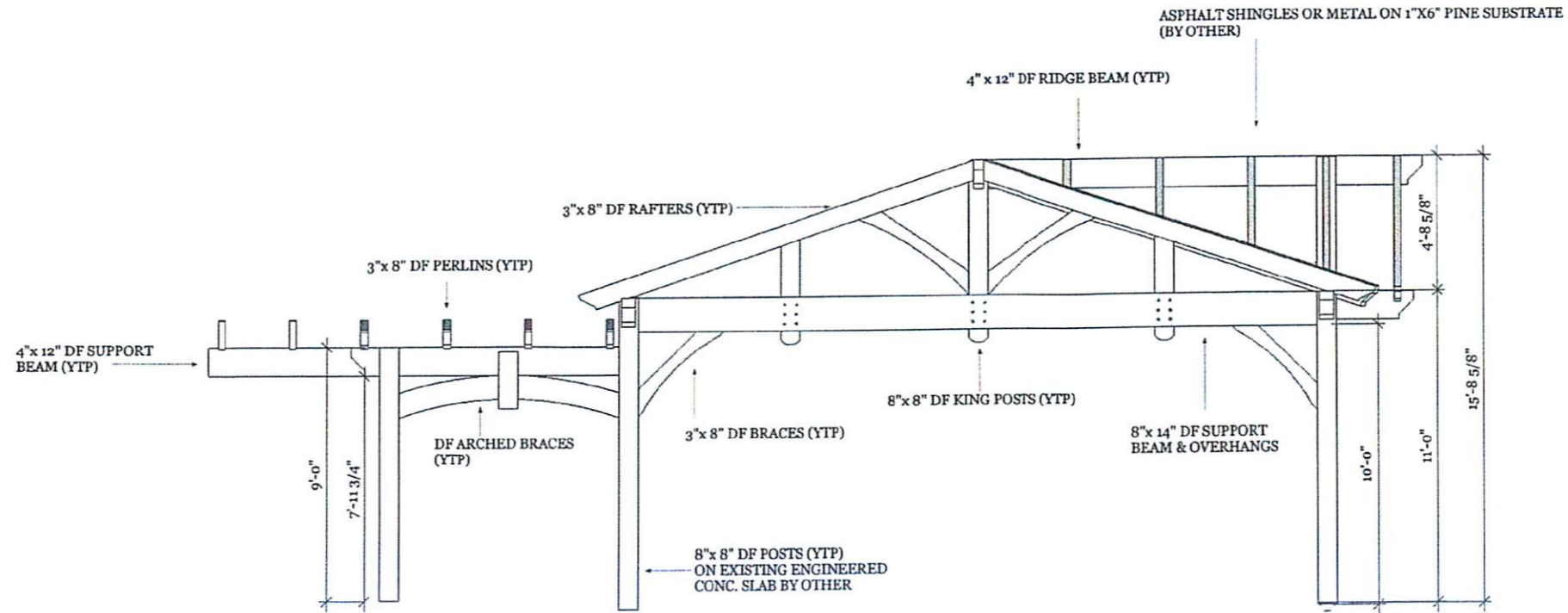
The ELITE
ENGINEERING GROUP INC.
55 ROSSITER ROAD
INGERSOLL, ONTARIO - N5C 4E1
519 280-5384
www.eliteengineeringgroup.com

REV NO.	BY:	REVISION:	DATE:
1	S.B.	STRUCTURE INFORMATION	05/10/2020

TIMBERKITS™
by Country Log Homes

Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
Elevations			
DRAWN BY:	CHECKED BY:	SCALE:	DATE:
J.P.	S.K.	As Shown	10/05/2020

A 05



SIDE ELEVATION
1/4"=1'-0"

ALL LUMBER IS #1
DOUGLAS FIR UNLESS
NOTED OTHERWISE

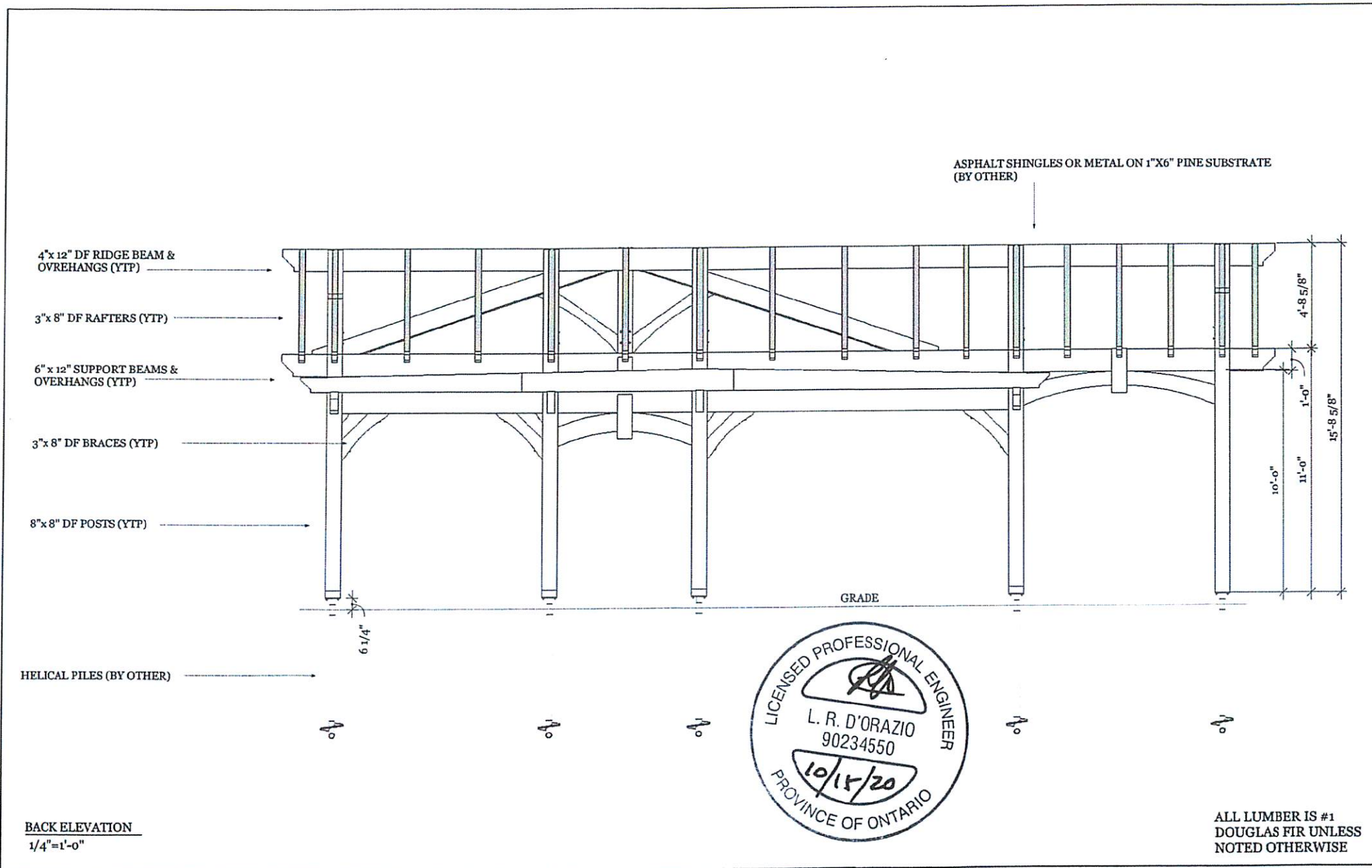
The ELITE
ENGINEERING GROUP INC.
68 ROSSITER ROAD
INGERSOLL, ONTARIO - N5C 4E1
519.280.5384
www.eliteengineeringgroup.com

REV NO.	BY:	REVISION:	DATE:
1	S.B.	STRUCTURE INFORMATION	05/10/2020

TIMBERKITS™
by Country Log Homes

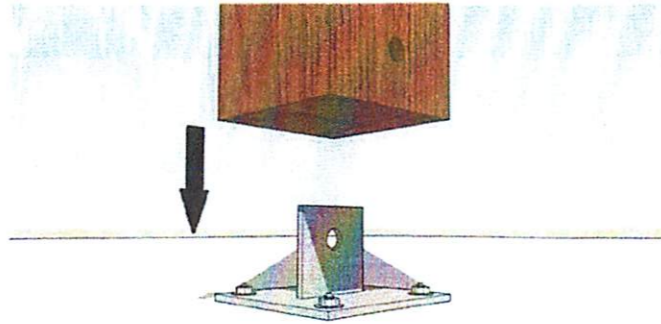
Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Elevations			
DRAWN BY: J.P.	CHECKED BY: S.K.	SCALE: As Shown	DATE: 10/05/2020

A 04

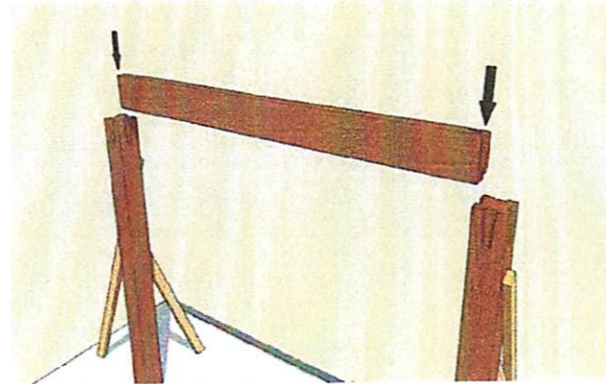


REV NO.	BY:	REVISION:	DATE:
1	S.B	STRUCTURE INFORMATION	05/10/2020

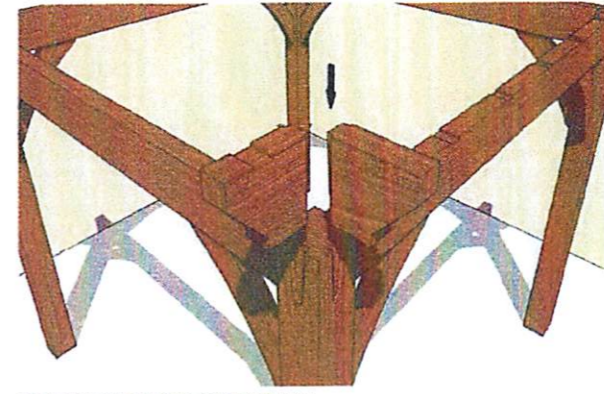
Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Elevations			
DRAWN BY: S.B	CHECKED BY: S.K	SCALE: As Shown	DATE: 10/05/2020



POST/ANCHOR PLATE CONNECTION
N.T.S.



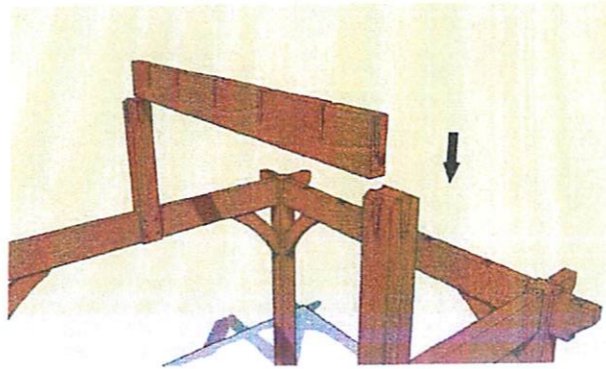
POST/SUPPORT BEAM CONNECTION
N.T.S.



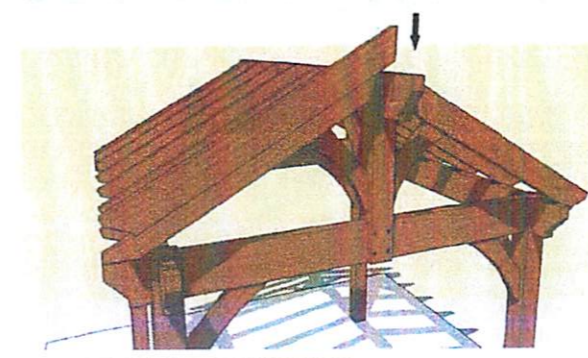
POST/OVERHANG CONNECTION
N.T.S.



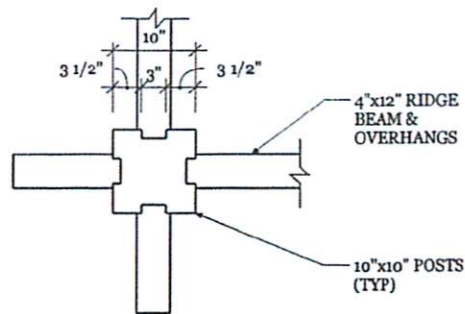
KING POST/SUPPORT BEAM CONNECTION
N.T.S.



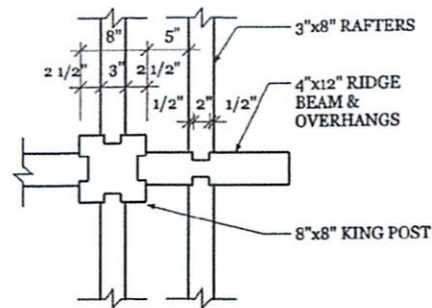
KING POST/RIDGE BEAM CONNECTION
N.T.S.



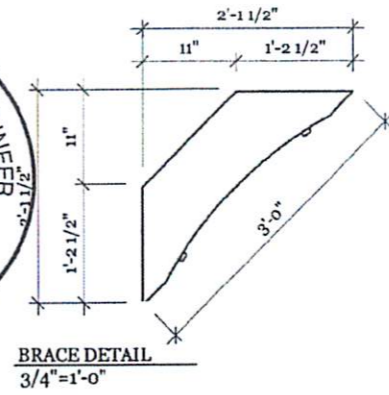
RIDGE BEAM/RAFTER CONNECTION
N.T.S.



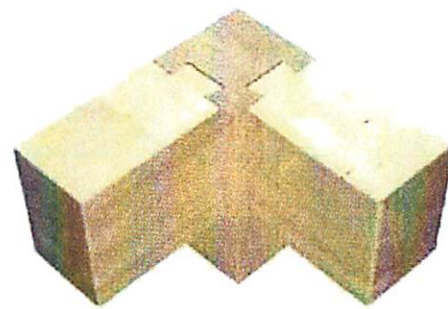
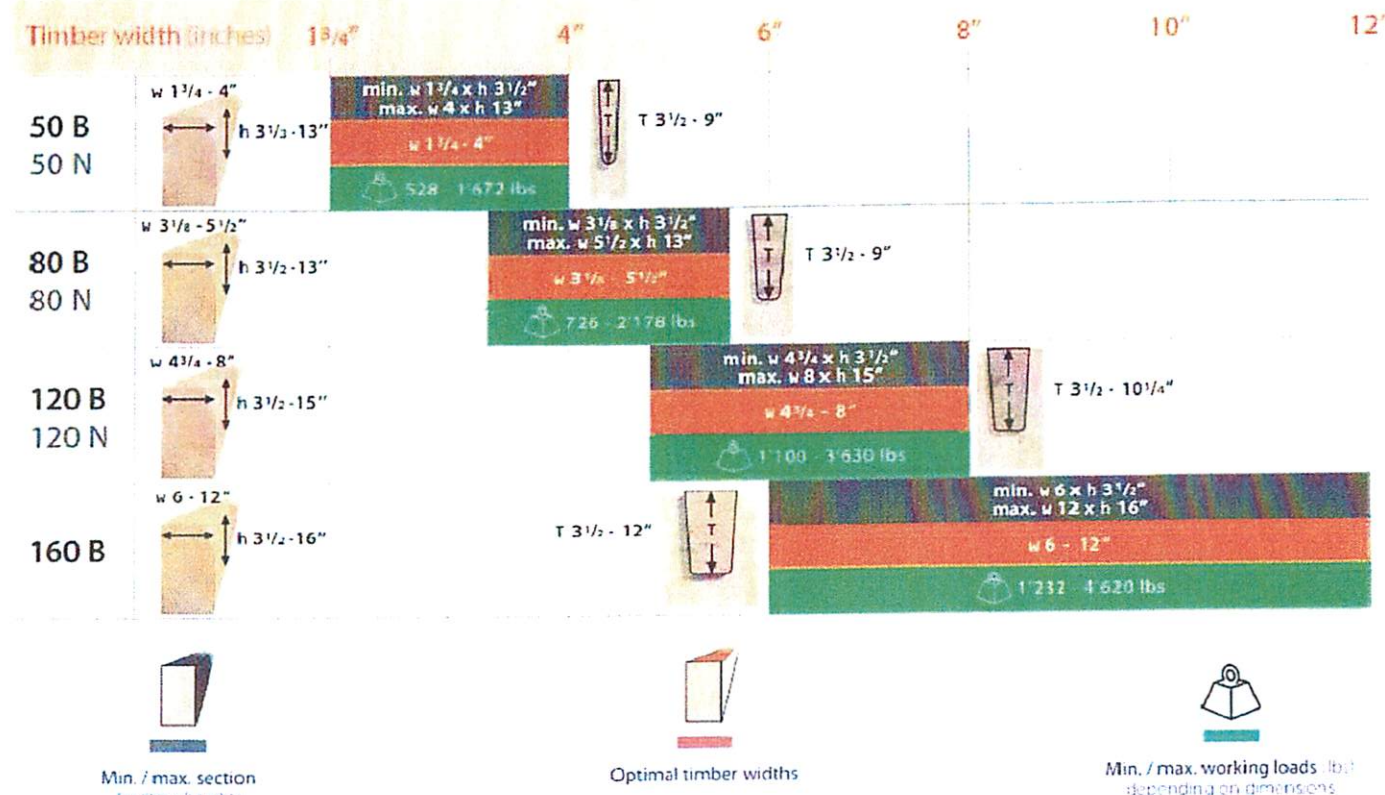
POST/SUPPORT BEAM CONNECTION
3/4"=1'-0"



KING POST/RIDGE BEAM CONNECTION
3/4"=1'-0"



BRACE DETAIL
3/4"=1'-0"





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) RAGHBIR UBHI
Address 8 TRTOISE CRT BRAMPTON L6P0A1

Phone # 4164569667 Fax # _____
Email vespa@on.aibn.com

2. Name of Agent ELEN ABUNAHILA
Address 1282 DEXTER CRS MISSISSAUGA ON L5G4R6

Phone # 4166029367 Fax # _____
Email elen@antaradesign.ca

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

BY ZONING BY LAW :- PERMITTED 2 ACCESSORY STRUCTURES THE FIRST IS 23 SQ.MAND THE OTHER IS 17 SQ.M

OUR PROPOSAL FOR THE SHED IS 6M X 7.62M

CABANA IS 7.62M X12.2M

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

THE REASON IS TO HAVE OUTDOOR SPACE AND STORAGE (ESPECIALLY PROPERTY IS LARGE

5. Legal Description of the subject land:

Lot Number LOT 11
Plan Number/Concession Number REGISTERED PLAN M-90
Municipal Address 8 TORTOISE COURT

6. Dimension of subject land (in metric units)

Frontage 106.68m
Depth 82.61m from left & 77.45m from the right
Area 8300 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 ☐

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)

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CABANA IS 7.62M X12.2M

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Frontage 106.68m
Depth 82.61m from left &77.45m from the right
Area 8300 m2

7. Access to the subject land is by:
Provincial Highway ☐ Seasonal Road ☐
Municipal Road Maintained All Year ☒ Other Public Road ☐
Private Right-of-Way ☐ 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:

G.F.A 972.28 two existing Dwelling Floor

PROPOSED BUILDINGS/STRUCTURES on the subject land:

PROPOSED SHED 6M X 7.62M
PROPOSED CABANA 7.62M X12.2M

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	/ 23.25m
Rear yard setback	/ 26.63
Side yard setback	/ 46.68
Side yard setback	/ 21.90m

PROPOSED

Front yard setback	SHED 65.68M CABANA /pergola and 47.29M
Rear yard setback	SHED 2.42M CABANA/ pergola13.33M
Side yard setback	SHED 24.71M CABANA /pergola 49.69M
Side yard setback	SHED 74.04M CABANA /pergola 43.28M

10. Date of Acquisition of subject land: 2011
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: 2011
15. Length of time the existing uses of the subject property have been continued: 9 YEARS

16. (a) What water supply is existing/proposed?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Well | <input type="checkbox"/> | |
- (b) What sewage disposal is/will be provided?
- | | | |
|-----------|-------------------------------------|-----------------------|
| Municipal | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Septic | <input type="checkbox"/> | |
- (c) What storm drainage system is existing/proposed?
- | | | |
|---------|-------------------------------------|-----------------------|
| Sewers | <input checked="" type="checkbox"/> | Other (specify) _____ |
| Ditches | <input type="checkbox"/> | |
| Swales | <input type="checkbox"/> | |

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 _____

Elen
Signature of Applicant(s) or Authorized Agent

DATED AT THE City Mississauga OF Brampton.
THIS 28th DAY OF Nov, 2020.

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, Elen Abunahla, OF THE City OF Mississauga.

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 28th DAY OF Nov, 2020

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.

Elen
Signature of Applicant or Authorized Agent

Jeanie Myers
A Commissioner etc

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

RE2

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

J. Chau
Zoning Officer

November 6, 2020
Date

DATE RECEIVED November 3, 2020

PART 1, PLAN 43R-3847

CONCESSION 7

PART 4, PLAN 43R - 3847

—REGISTERED

PART 8 , PLAN 43R - 3847

LOT 10
PLAN 14220 - 0017
PLAN 43R - 3847

1 Story Brick
Dwelling
No. 10
P.E.-218.30

PART 7 , PLAN 43R - 3847

LOT 8

PLN 14220 - 0018

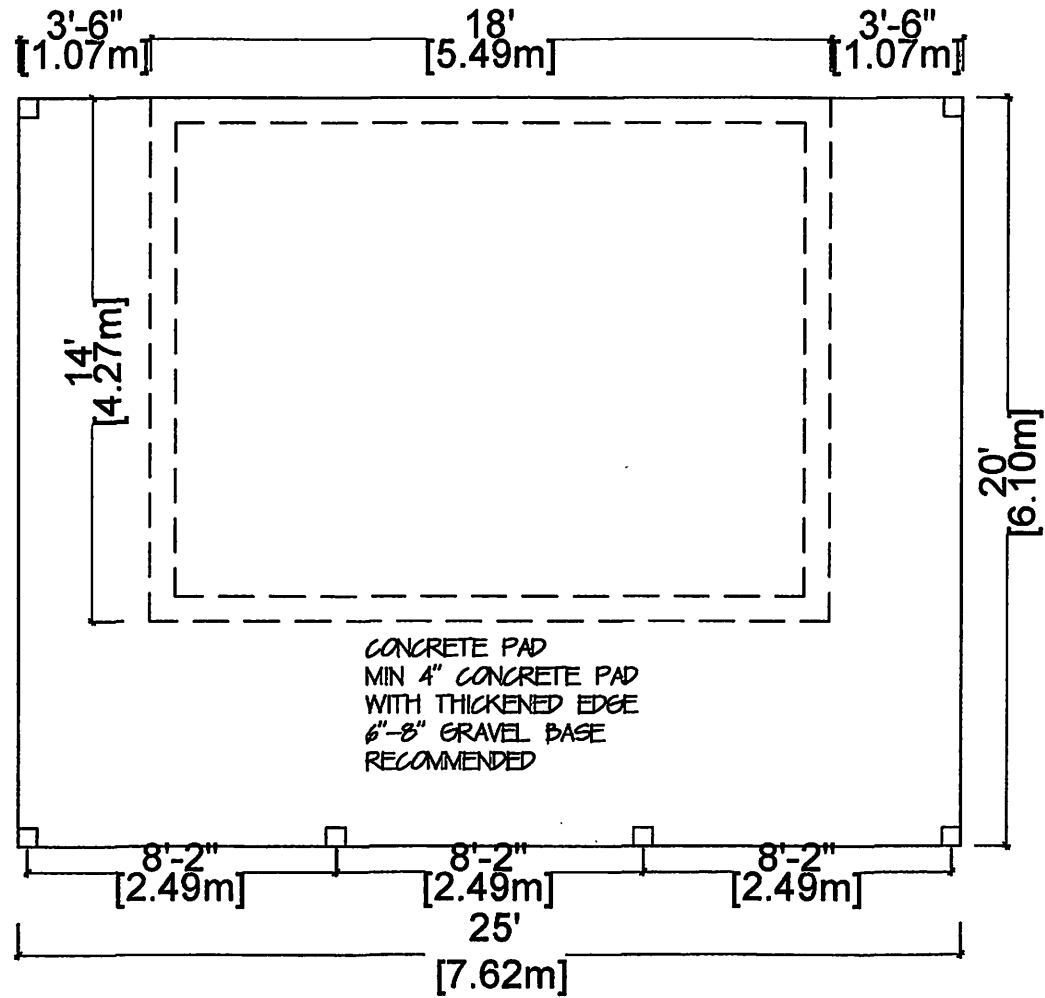
PART 9, PLAN ASR - 3847

PART 16 . PLAN 45R - 4077

T O R T Page 571 E of 309 C O U R T


(By Registered Plan M-00)

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The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code as to be a designer.

Qualification Information
Required unless design is exempt under 3.4.1 of the building code.

Ramona Alvarado  34330
Name: Signature Designer BCR#s

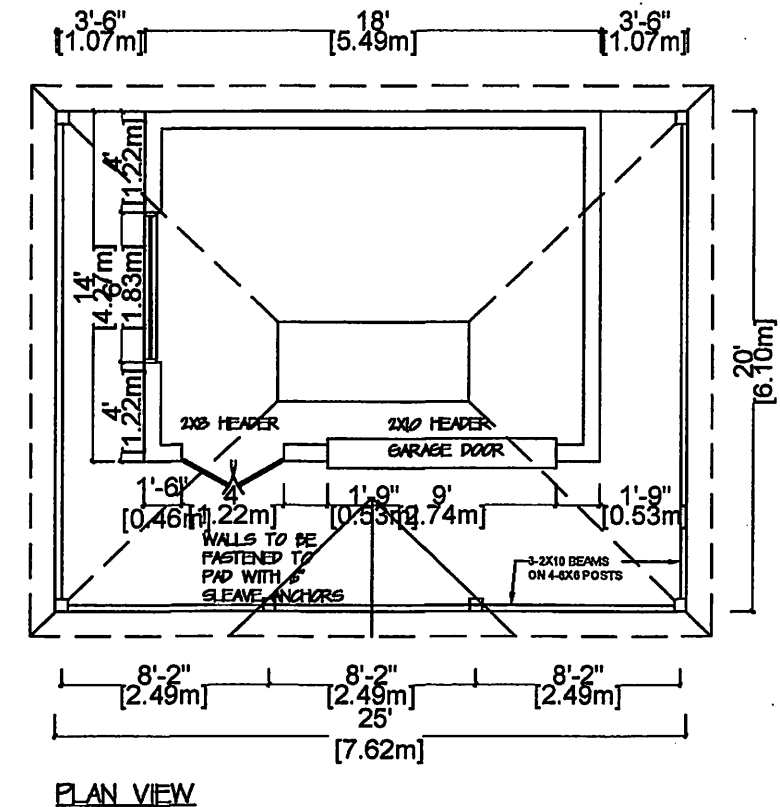
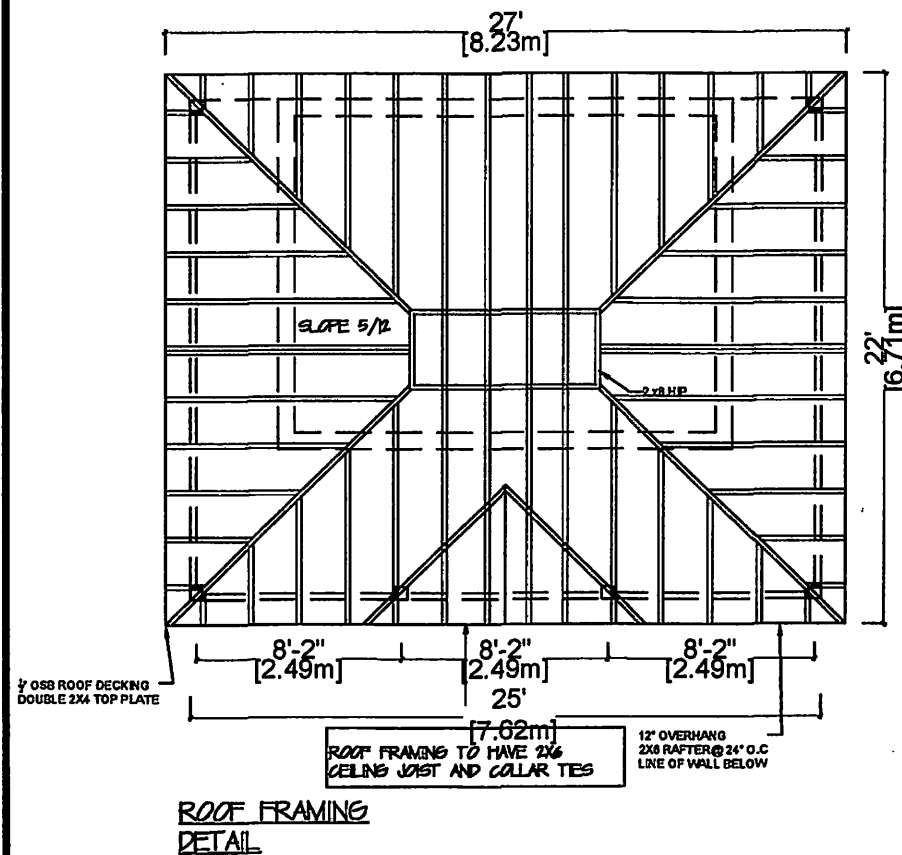
All Code references refer to Division B of O.B.C. 1995 Antara BCIN# 39389

1282 Dexter Crs Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

Drawings Title:
PLANS
A01
Scale: 1/32"
Date: October 25, 2020

Project:
Prop. SHED
Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: 11

1	OCT 17 2020	Building Permit
No.	Date	Revision/Comment



The undersigned has reviewed and takes responsibility for the design and has the qualifications and meets the requirements set out in the Ontario building code acts to be a designer.

Qualification information
Required unless design is exempt under 3.4.1 of the building code.

Names: Aburubla [Signature] 34330
Name: [Signature] Designer BCIN#

All Code references refer to Division B of O.B.C. 2018

Antara BCIN# 393989

1282 Dexter Cys Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

Drawings Title:
PLANS
Ao2

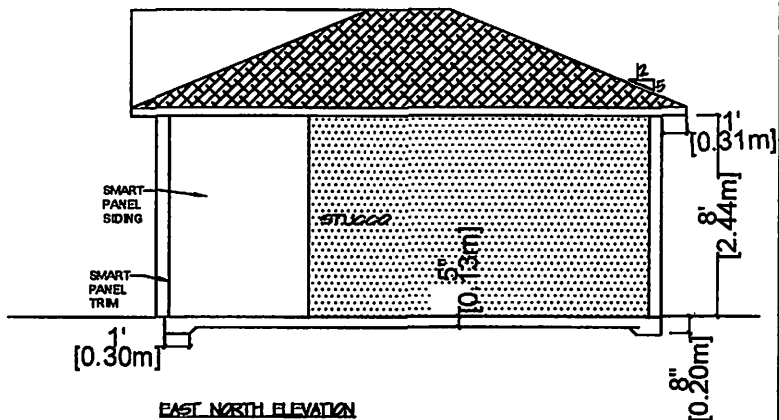
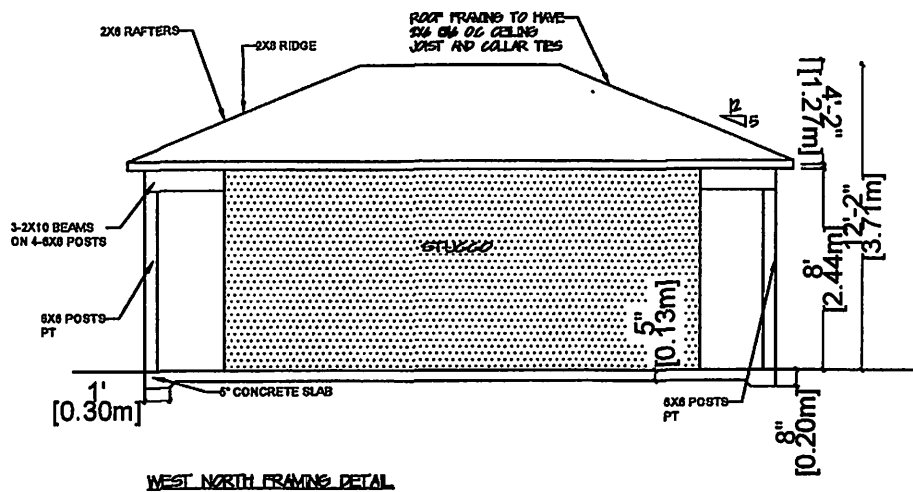
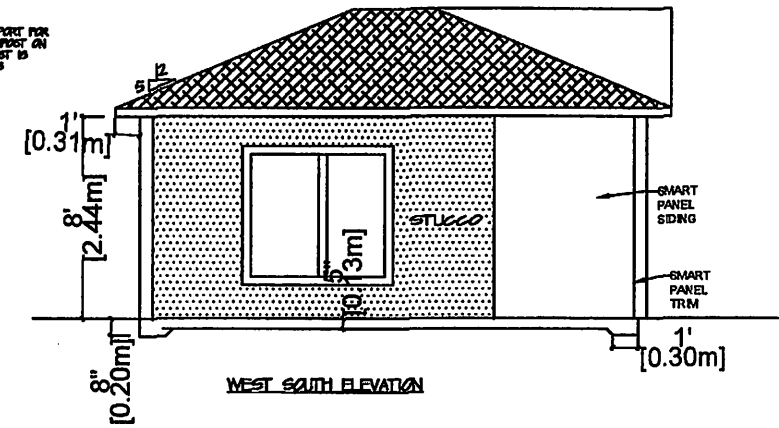
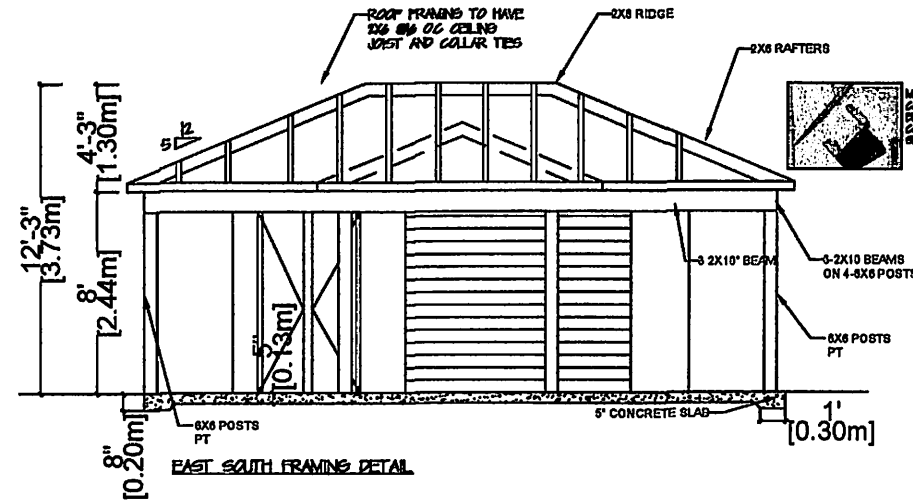
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Date: October 25, 2020

Project:
Prop. SHED

Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: 11

No.	Date	Revision/Comment
1	OCT 17 2020	Building Permit



The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code Act to be a designer.

Qualification Information
Required unless design is exempt under 3.2.4.1 of the building code.

Ramona Aburubla [Signature] 34339
Name: Signature Designer BCIN#

All Code references refer to Division B of O.B.C. 2018
Antara BCIN# 33939

1282 Dexter Cys Mississauga
Tel: 416-602-9367
antaradesignbuild@gmail.com
www.antaradesignbuild.com

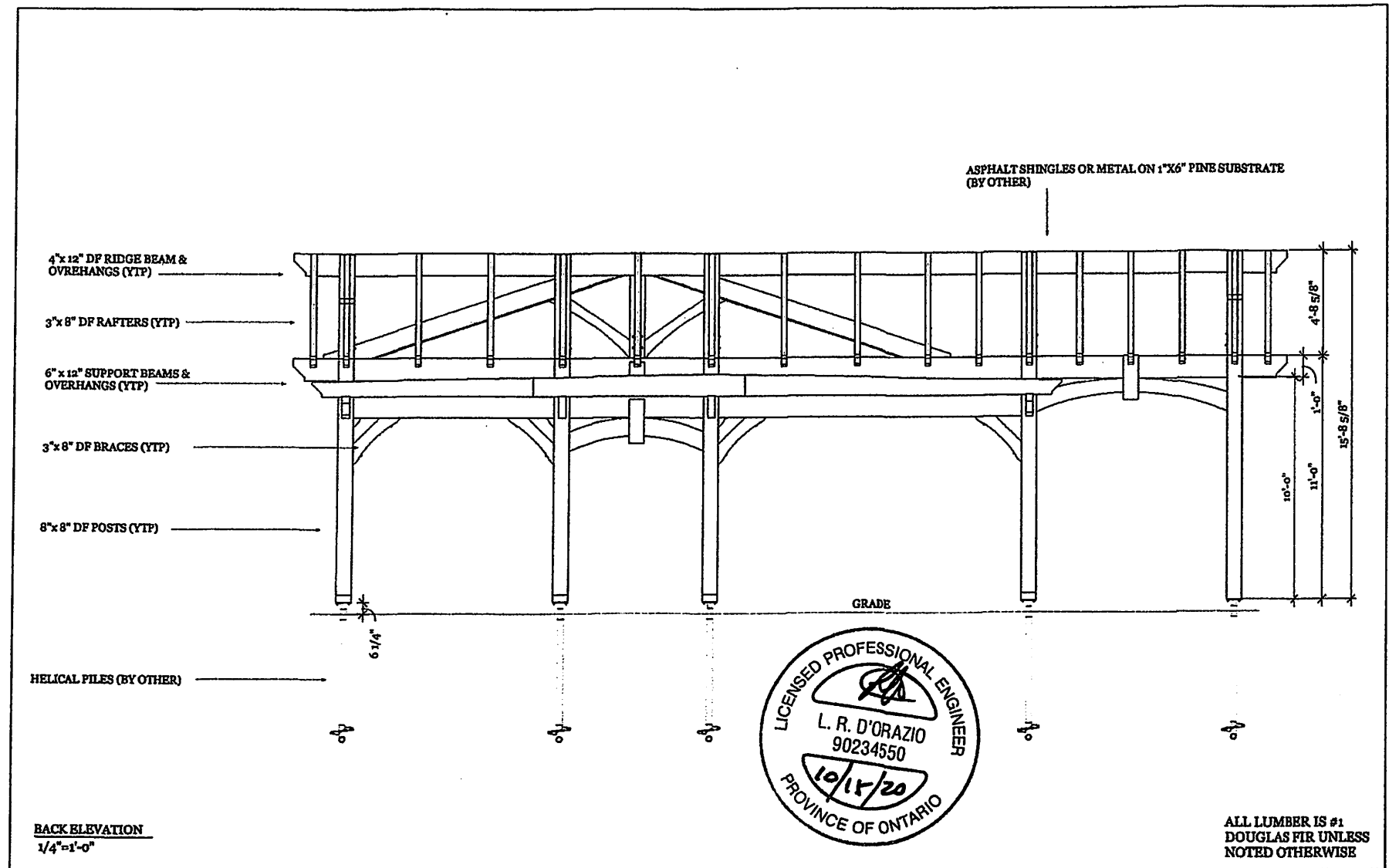
Drawings Title:
PLANS
A03

Scale: 1/32"
Date: October 25, 2020

Project:
Prop. SHED

Address: 8 TORTOISE CRT
Plan Registered: M-90
Lot: n

1	OCT 17 2020	Building Permit
No.	Date	Revision/Comment



The ELITE
 ENGINEERING GROUP INC.
 66 ROSSITER ROAD
 INDERSOIL, ONTARIO - N5C 4E1
 510.220.5264
 www.eliteengineeringgroup.com

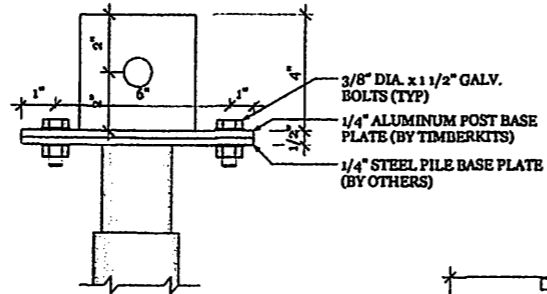
REV NO.	BY:	REVISIONS	DATE
1	S.B.	STRUCTURE INFORMATION	05/10/2020

TIMBERKITS™
by Country Log Homes

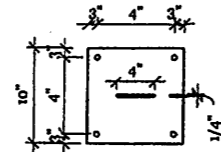
Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Elevations			
DRAWN BY: S.B.	CHECKED BY: S.K.	SCALE: As Shown	DATE: 10/05/2020

A 03

ALL LUMBER IS #1
DOUGLAS FIR UNLESS
NOTED OTHERWISE



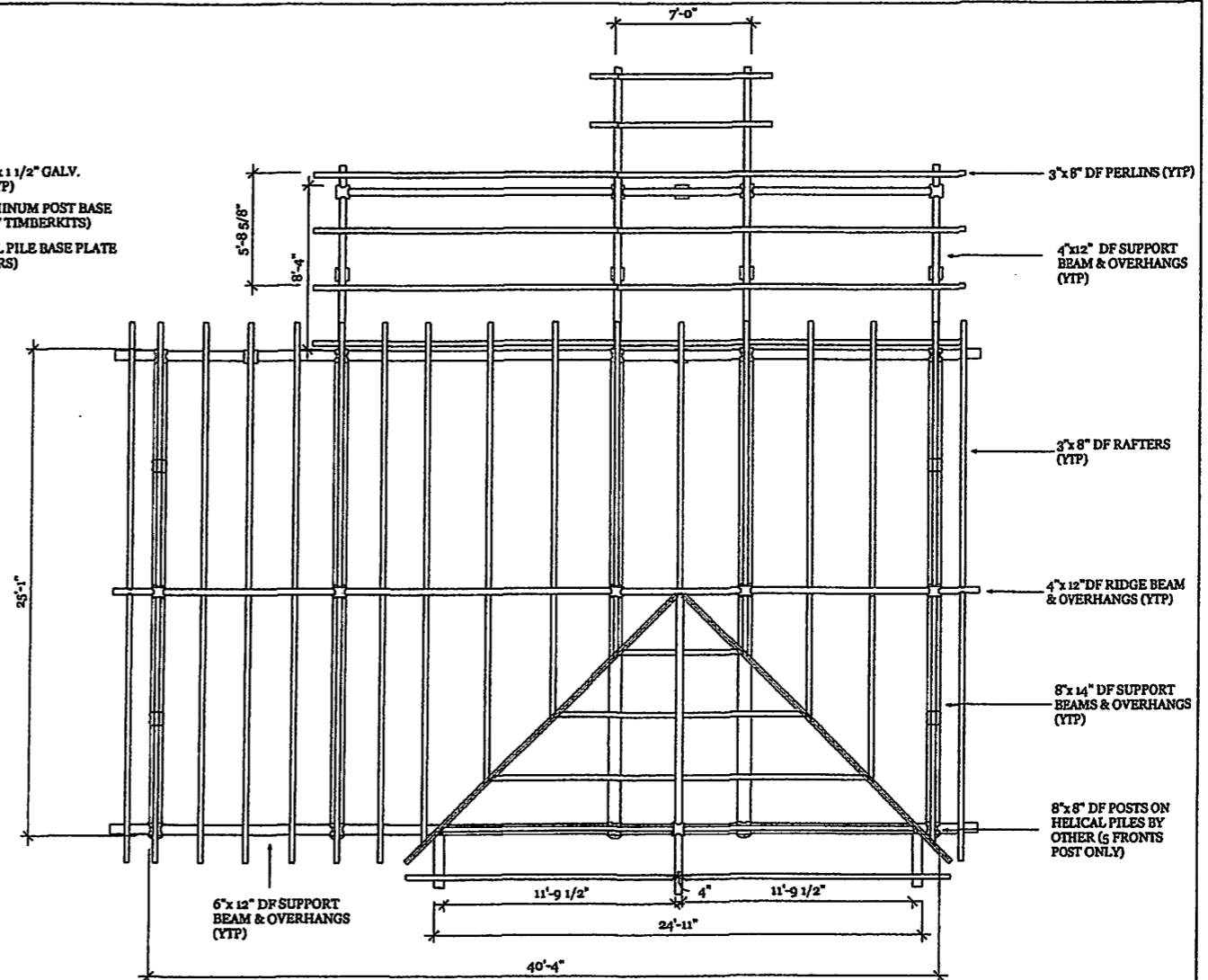
HELICAL PILE / POST CONNECTION DETAIL
N.T.S



ANCHOR PLATE PLAN DETAIL
N.T.S



ROOF PLAN
1/4"=1'-0"



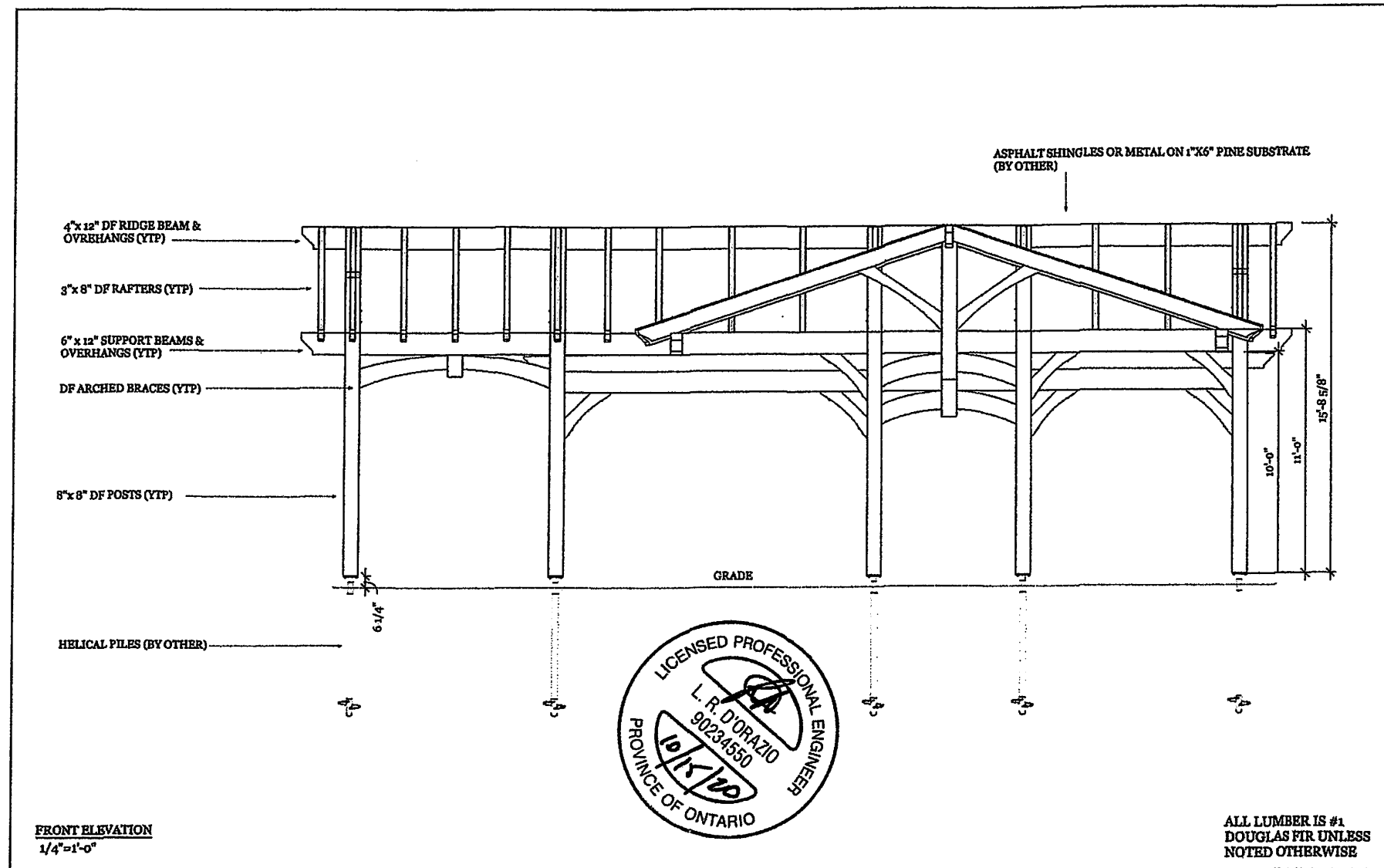
The ELITE
ENGINEERING GROUP INC.
85 ROSSITER ROAD
INGERSOLL, ONTARIO - N5C 4B1
519.225.5284
www.eliteengrpgroup.com

REV NO.	BY	REVISION	DATE
1	S.B	ENGINEER REVIEW	05/10/2020

TIMBERKITS™
by Country Log Homes

Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Roof Plan Details			
DRAWN BY: S.B	CHECKED BY: S.K	SCALE: As Shown	DATE: 05/10/2020

A 01



The ELITE
ENGINEERING GROUP INC.
28 ROSSITER ROAD
INGERSOLL, ONTARIO - N4C 4E1
519.261.5354
www.eliteengr.com

REV. NO.	BY:	REVISION:	DATE:
1	S.B.	STRUCTURE INFORMATION	10/05/2020

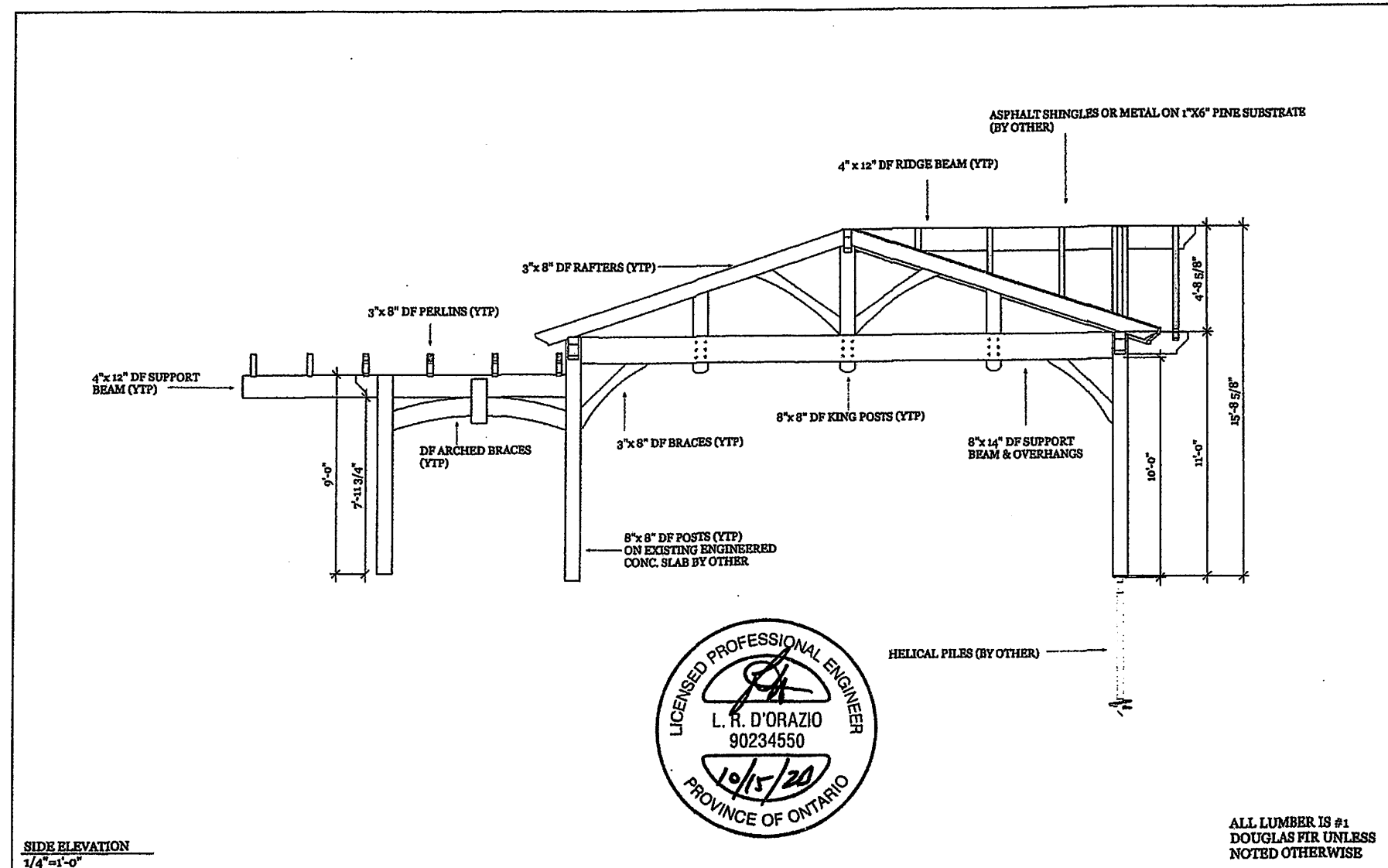
TIMBERKITS™
by Country Log Homes

Rob Ubhi - 40'4" x 25'1" Timber Frame Structure
10 Automatic Rd. Brampton, ON

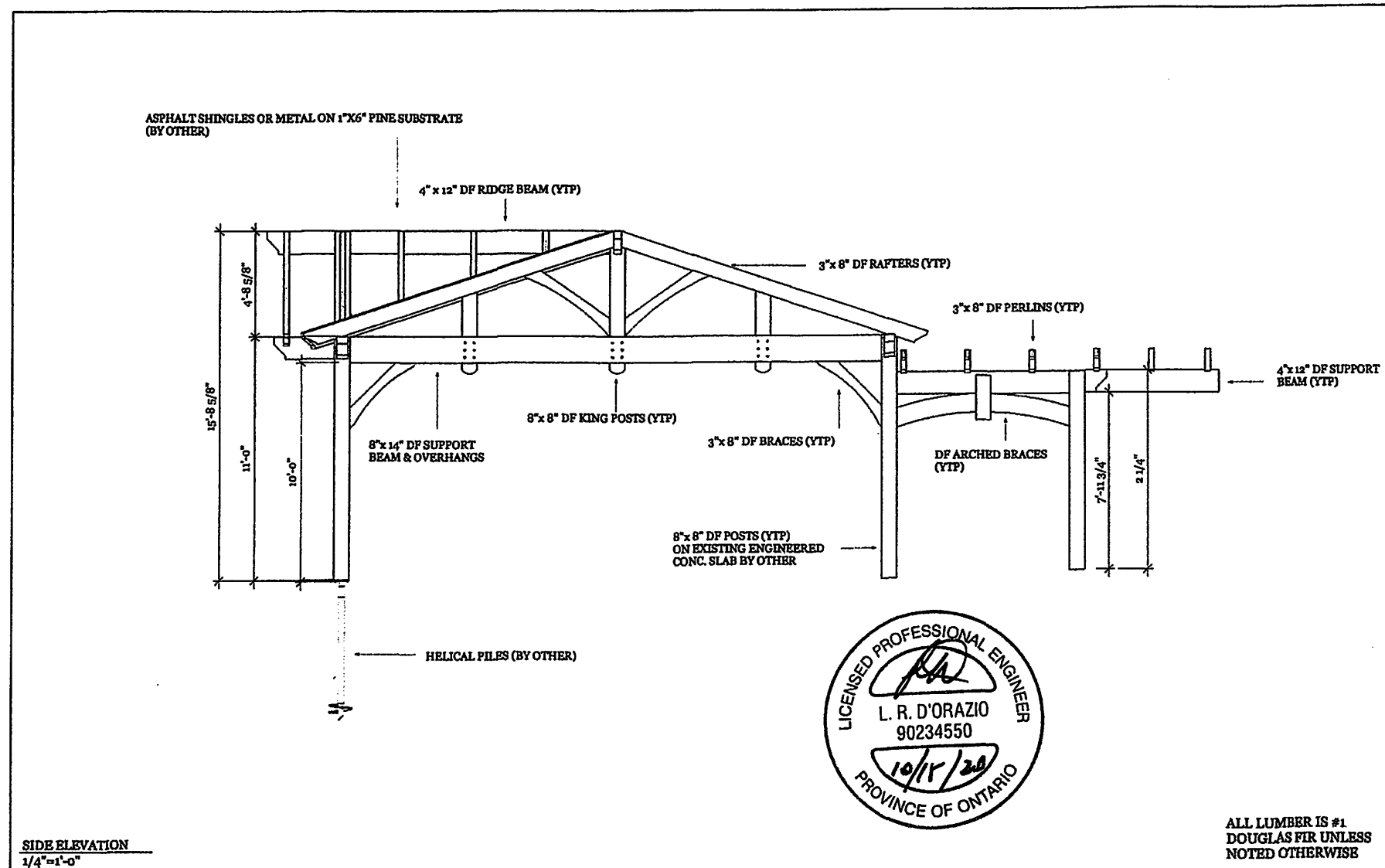
DRAWING NAME: Elevations

DRAWN BY:	CHECKED BY:	SCALE:	DATE:
S.B.	S.K.	As Shown	10/05/2020

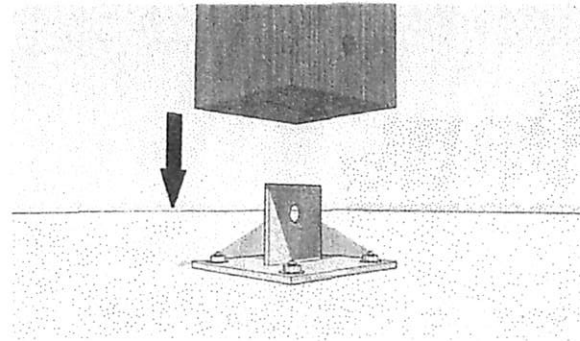
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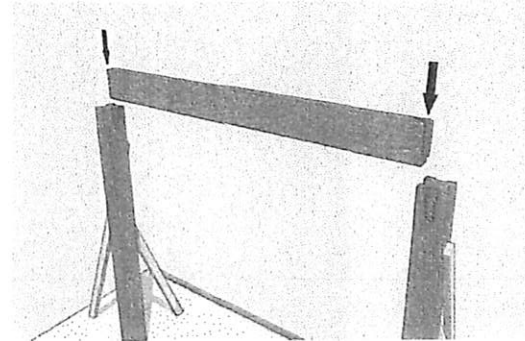
The ELITE ENGINEERING GROUP INC. 66 ROSSITER ROAD INDERSOIL, ONTARIO - N5C 4E1 519.322.5384 www.eliteengineeringgroup.com	REV NO.	BY	REVISION	DATE	TIMBERKITS ™ <i>by Country Log Homes</i>	Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON				A 04
	1	S.B.	STRUCTURE INFORMATION	05/10/2020		Elevations				
					DRAWN BY: J.P.		CHECKED BY: S.K.	SCALE: As Shown	DATE: 10/05/2020	



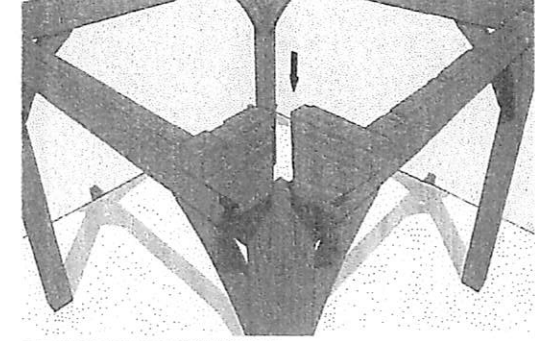
The ELITE ENGINEERING GROUP INC. 68 ROSSITER ROAD INDERSOLL, ONTARIO - N5C 1E1 519.290.5384 www.eliteeng24hr.com	REV NO.	BY	REVISION	DATE	TIMBERKITS ™ <i>By Country Log Homes</i>	Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON				A 05
	1	S.B.	STRUCTURAL INFORMATION	05/10/2020		DRAWING NAME: Elevations DRAWN BY: J.P. CHECKED BY: S.K. SCALE: As Shown DATE: 10/05/2020				



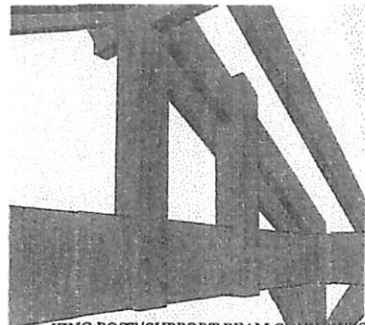
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N.T.S.



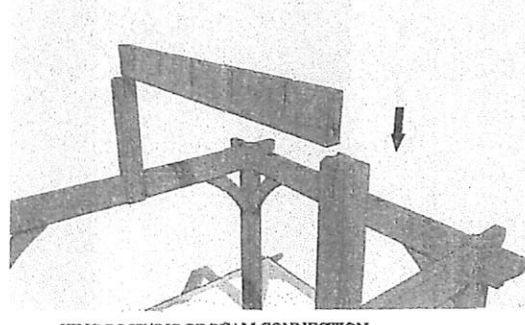
POST/SUPPORT BEAM CONNECTION
N.T.S.



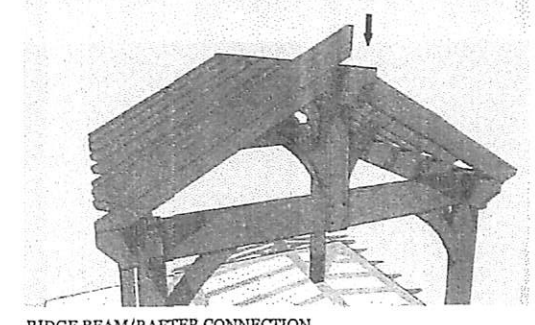
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N.T.S.



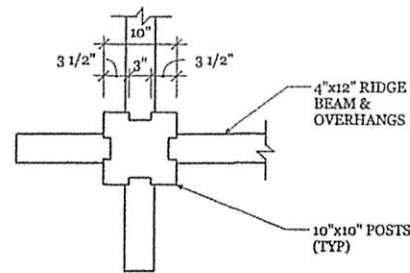
KING POST/SUPPORT BEAM CONNECTION
N.T.S.



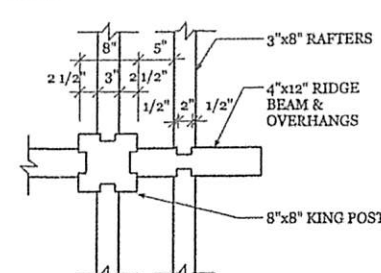
KING POST/RIDGE BEAM CONNECTION
N.T.S.



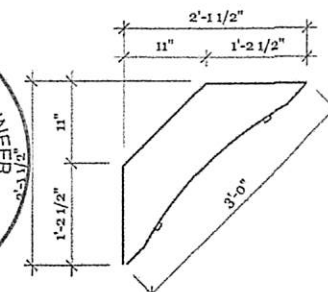
RIDGE BEAM/RAFTER CONNECTION
N.T.S.



POST/SUPPORT BEAM CONNECTION
3/4"=1'-0"



KING POST/RIDGE BEAM CONNECTION
3/4"=1'-0"



BRACE DETAIL
3/4"=1'-0"

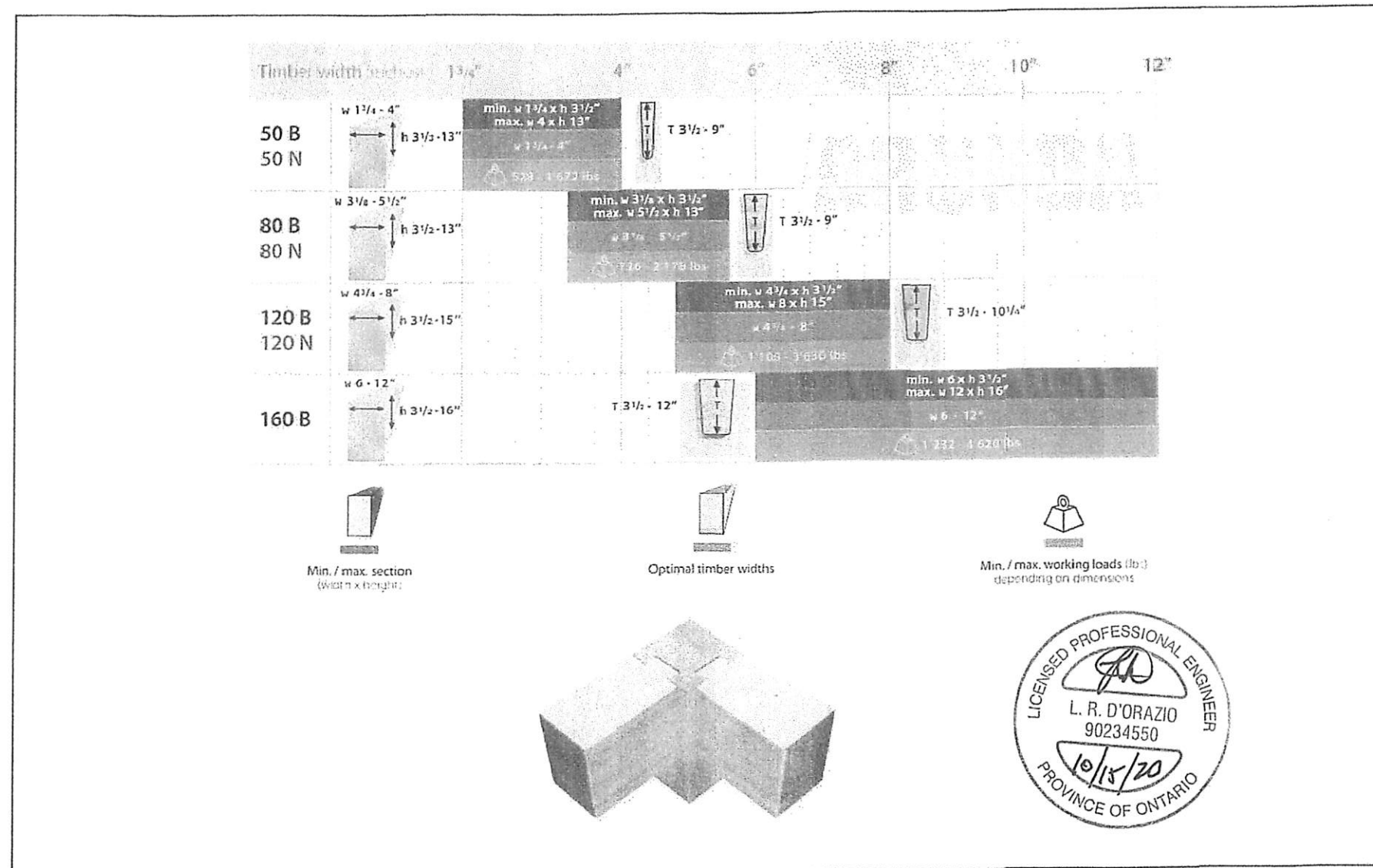
The ELITE
ENGINEERING GROUP INC.
55 ROSSITER ROAD
INGERSOLL, ONTARIO - N5C 4E1
519.293.5384
www.eliteengineeringgroup.com

REV. NO.	BY:	REVISION:	DATE:
1	S.B.	STRUCTURE INFORMATION	05/10/2020

TIMBERKITS™
by Country Log Homes

Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON				
DRAWING NAME: General Connection Details				
DRAWN BY: S.B.	CHECKED BY: S.K.	SCALE: As Shown	DATE: 06/29/2020	PROJECT NO.: 20-016

A 06



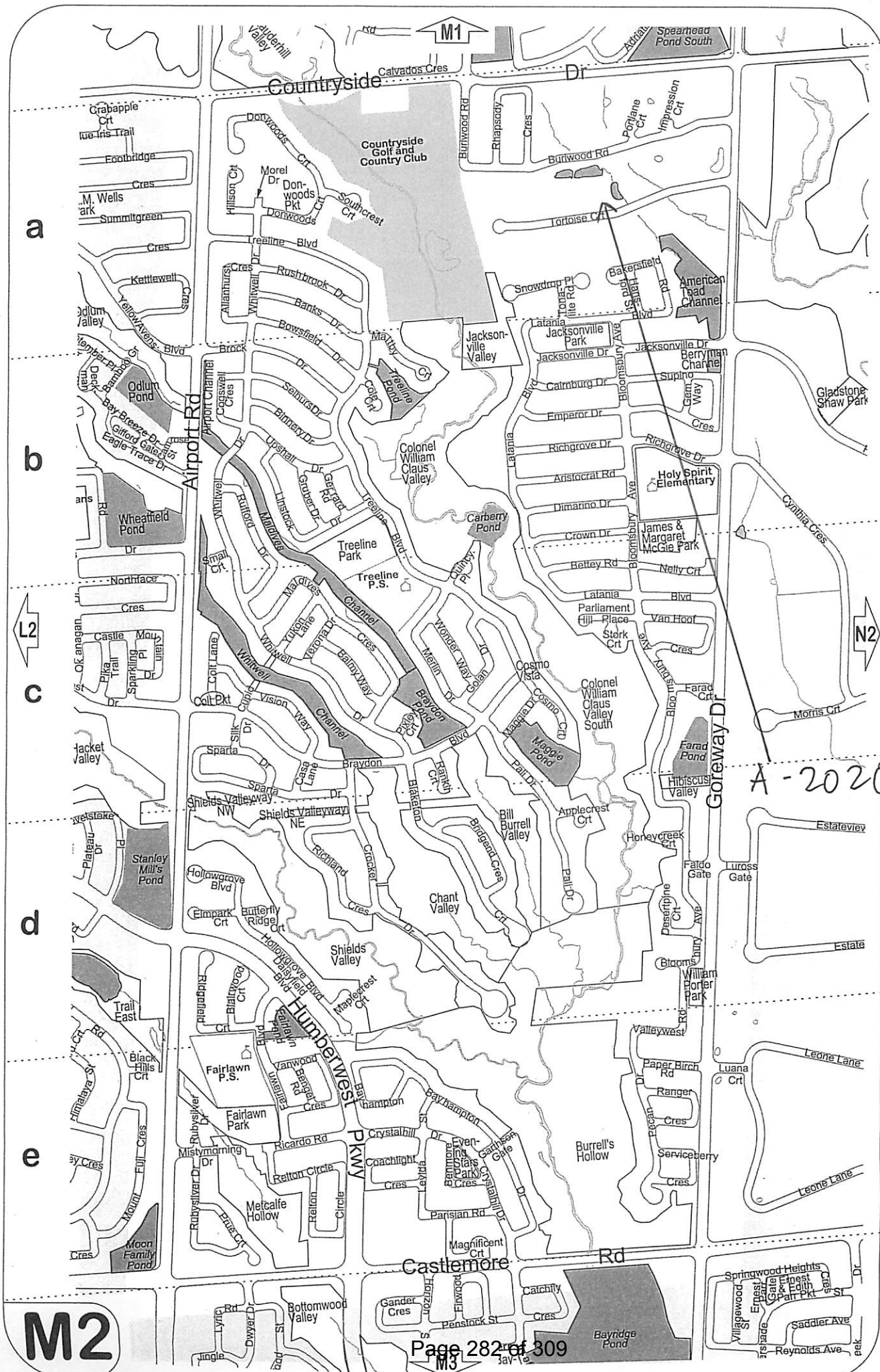
The ELITE
ENGINEERING GROUP INC.
55 ROGISTER ROAD
INGERSOLL, ONTARIO N5G 4E1
519.260.5354
www.eliteengineeringgroup.com

REV. NO.	BY:	REVISION:	DATE:
1	S.B.	STRUCTURE INFORMATION	05/10/2020

TIMBERKITS™
by Country Log Homes

Rob Ubhi - 40'4" x 25'1" Timber Frame Structure 10 Automatic Rd. Brampton, ON			
DRAWING NAME: Dovetail Details			
DRAWN BY: S.B.	CHECKED BY: S.K.	SCALE: As Shown	DATE: 10/05/2020

A 07



A-2020-0129

Filing Date: November 3, 2020

Hearing Date: December 1, 2020

File: A-2020-0129

**Owner/
Applicant:** UBHI RAGHBIR SINGH – Contact Info: Elen Abunahla

Address: 8 Tortoise Court

Ward: 10

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0129 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That the proposed cabana be of an open style construction;
 3. That the drainage from the open, roofed structure and all accessory structures be directed onto the subject property and drainage on adjacent properties not be adversely impacted;
 4. That the existing open style fencing shall not be replaced by a solid or opaque form of fencing; and
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned Residential (RE2), according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an accessory structure (shed) having a gross floor area of 45.72 sq. m (492.13 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
2. To permit an accessory structure (cabana) having a gross floor area of 118.23 sq. m (1272.62 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure;
3. To permit a combined gross floor area of 163.95 sq. m (1764.74 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.);
4. To permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated 'Estate Residential' in the Official Plan and the Vales of Castlemore Secondary Plan (Area 42). The property is located in the "Upscale Executive Housing Special Policy Area". The requested variances are not considered to have significant impacts within the context of the Official Plan policies.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned Residential (RE2), according to By-law 270-2004, as amended.

Variances 1, 2 and 3 are being requested in regard to the size and number of the existing accessory buildings on the property.

Variance 1 is required to permit an accessory structure (shed) having a gross floor area of 45.72 sq. m (492.13 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure. Variance 2 is required to permit an accessory structure (cabana) having a gross floor area of 118.23 sq. m (1272.62 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure. Variance 3 is required to permit a combined gross floor area of 163.95 sq. m (1764.74 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross

floor area of 40 sq. m (430.56 sq. ft.).

The intent of the by-law in regulating the size and number of accessory buildings is to ensure that the property is not dominated by structures and adequate outdoor space is provided for the residential dwelling. Based on the large size of the property, the increase in accessory structure area does not negatively impact availability of outdoor amenity space. Subject to the recommended conditions of approval, Variances 1, 2 and 3 are considered to maintain the general intent of the Zoning By-law.

Variance 4 is required to permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.). The intent of the by-law in regulating the maximum height of fencing permitted in the front yard is to reduce the negative aesthetic impact and avoid the property appearing enclosed. The existing front yard fence is of an open style which allows for visibility into the property and as such does not result in a visual appearance of enclosure. A condition of approval is recommended that the fence remain in its current design. Subject to the recommended conditions of approval, Variance 4 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is required to permit an accessory structure (shed) having a gross floor area of 45.72 sq. m (492.13 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure. Variance 2 is required to permit an accessory structure (cabana) having a gross floor area of 118.23 sq. m (1272.62 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.60 sq. ft.) for an individual accessory structure. Variance 3 is required to permit a combined gross floor area of 163.95 sq. m (1764.74 sq. ft.) for two (2) accessory structures (shed and cabana) whereas the by-law permits a maximum combined gross floor area of 40 sq. m (430.56 sq. ft.).

The proposed shed and cabana are intended to provide outdoor storage and space for residents of the property. Due to the large size of the property, the addition of these accessory structures will not negatively impact availability of outdoor amenity space and is proportioned appropriately. Conditions of approval are recommended that drainage from the roof of the accessory structures shall flow onto the applicant's property and that drainage on adjacent properties shall not be impacted. These conditions are intended to ensure that the size of the structure does not negatively impact surrounding properties. Subject to the recommended conditions of approval, Variances 1, 2 and 3 are considered to be desirable for the appropriate development of the land.

Variance 4 is required to permit a fence in the front yard having a maximum height of 2.69m (8.83 ft.) whereas the by-law permits a fence in the front yard to a maximum height of 1.0m (3.28 ft.). The existing fence is of a decorative style that is "see-through" and provides visual access to the property. This style ensures that aesthetic concerns

regarding massing of a fence of this height are addressed. A condition of approval is recommended that the fence remain of its existing style and construction so that the aesthetic quality of the property is maintained. Subject to the recommended conditions of approval, Variance 4 is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The subject property is located within an estate residential area of the city. Considering the size of the property, the proposed accessory structures (shed and cabana) will not detract from access to outdoor amenities. The proposed fence height in its existing decorative style will not result in negative aesthetic impacts. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted,

Shelby Swinfield

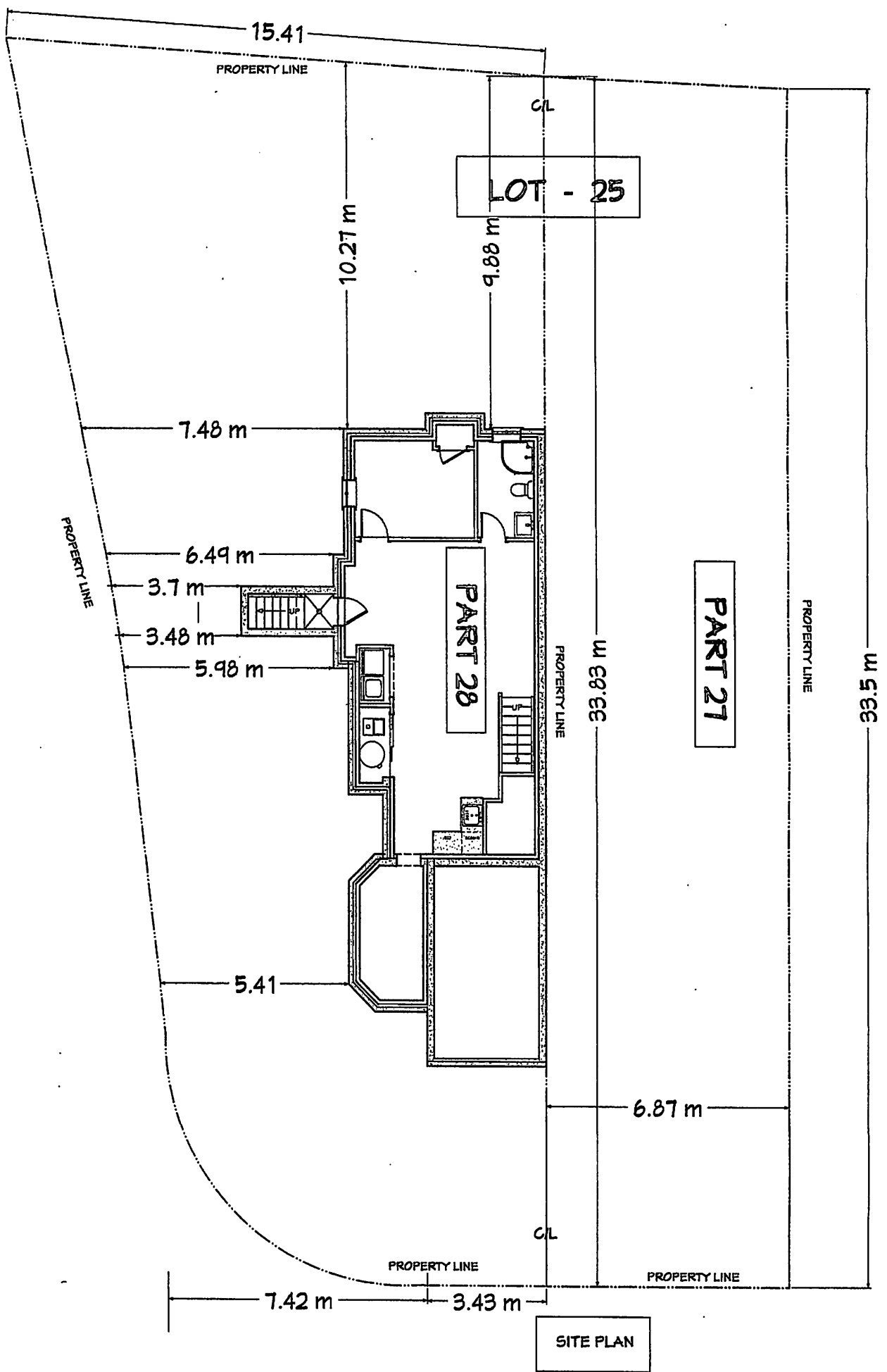
Shelby Swinfield, Planner I, Development



Committee of Adjustment

APPLICATION FOR MINOR VARIANCE

Page 287 of 309



<p>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS. QUALIFICATION INFORMATION</p> <p><i>[Signature]</i></p> <p>NAME: SAUMIL BHATT SIGNATURE: <i>[Signature]</i> BCIN: 101763</p>	<p>PROJECT</p> <p>148 MOUNTAINBERRY ROAD</p> <p>BRAMPTON</p>	<p>Sa-Ga Designs</p> <p>DESIGN-PLAN-PERMIT-BUILD</p> <p>SITE PLAN</p>	<p>FOR REVIEW</p> <p>DRAWN BY: SB SCALE:</p> <p>PROJECT NO:</p> <p>October 29, 2020</p> <p>A-1</p>
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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 during the COVID-19 Emergency

Electronic Hearing Procedures How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.

Committee of Adjustment

City of Brampton
2 Wellington Street West, Brampton

A-2020-0130

Reference: 148 MOUNTAINBERRY ROAD, BRAMPTON, ON, L6R 2L2

Date: Oct-28, 2020

Dear Sir/Madam

Hello, My name is Saumil and I am an authorized agent (Designer) for this proposed project.

The above-addressed property has an issue of getting permits from The City of Brampton, particularly zoning-by law. The homeowner wants to convert their as-built basement into a second dwelling unit by making a few changes as per the O.B.C 2012.

The property is a two storey semi-detached dwelling unit with a single car garage in it as per the site plan and building drawings attached. There is a below-grade concrete stair (as built by the previous owner) located in the side yard-flankage lot line. This stair would be the main entrance for the secondary unit in the basement.

As per the by-law, below-grade stairs are not permitted in the side yard (flankage side). By-law would allow if it enclosed creating an addition.

Here, in this case, we cannot frame a wall surrounding the stair to enclose it, as there is a big window right above the stair opening.

However, the stair is protected by guards and built as per the normal norms. The side yard where the stair is located and the backyard is already wooden fenced with a wide wooden gate. I am attaching a few pictures for reference.

I request the committee to look into it and grant us permission to move forward to get legal access through the stair which is in question.

Please let me know if you need any additional information.

Thanks

Regards



Saumil Bhatt C.E.T.
Cell: 416 671 1352

BCIN 101763

Flower City



brampton.ca

FILE NUMBER: A-2028-0130

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) Yatin Prajapati & Javrika Prajapati
Address 348 Mountainberry Rd, Brampton, ON
L6R 2L2

Phone # 647 780 4142 Fax # -

Email prajapatiyatin3@gmail.com

2. Name of Agent Saumil Bhatt
Address 38, Baddow Road, Brampton, L6P 3Z6

Phone # 416 671 1352 Fax # -

Email saumil_bhatt@yahoo.com

3. Nature and extent of relief applied for (variances requested):
Variance requested for a below grade
concrete stair which is located on the side yard.
(flankage lot line)

4. Why is it not possible to comply with the provisions of the by-law?
Zoning by-law do not permit below grade
entrance located in side yard (flankage lot line)
stair enclosure not possible, as there is one
window above it.

5. Legal Description of the subject land:
Lot Number Lot-25 [Part-28]
Plan Number/Concession Number 43M-1303
Municipal Address 348 Mountainberry Road, Brampton
L6R 2L2

6. Dimension of subject land (in metric units)
Frontage 10.85 m
Depth 33.83 m
Area 417.95 m²

7. Access to the subject land is by:
Provincial Highway ☐ Seasonal Road ☐
Municipal Road Maintained All Year ☒ Other Public Road ☐
Private Right-of-Way ☐ 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.)

TWO storey semi detached single family home.
gross floor Area @ 170 m²

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed second dwelling unit basement

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 6.13 m
Rear yard setback 10.27 m
Side yard setback 3.48 m
Side yard setback 6.49 m

PROPOSED

Front yard setback 6.13 m
Rear yard setback 10.27 m
Side yard setback 3.48 m
Side yard setback 6.49 m

10. Date of Acquisition of subject land: 31-Oct-2016
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: 1999-2000
15. Length of time the existing uses of the subject property have been continued: 4 years

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]

Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton
THIS 27th DAY OF October, 2020

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, Squini Bhatt 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 3rd DAY OF
November, 2020

April Dela Cerna
A Commissioner etc.

[Signature]

Signature of Applicant or Authorized Agent

April Dela Cerna, Ad.
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires May 8, 2021.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

R21-837

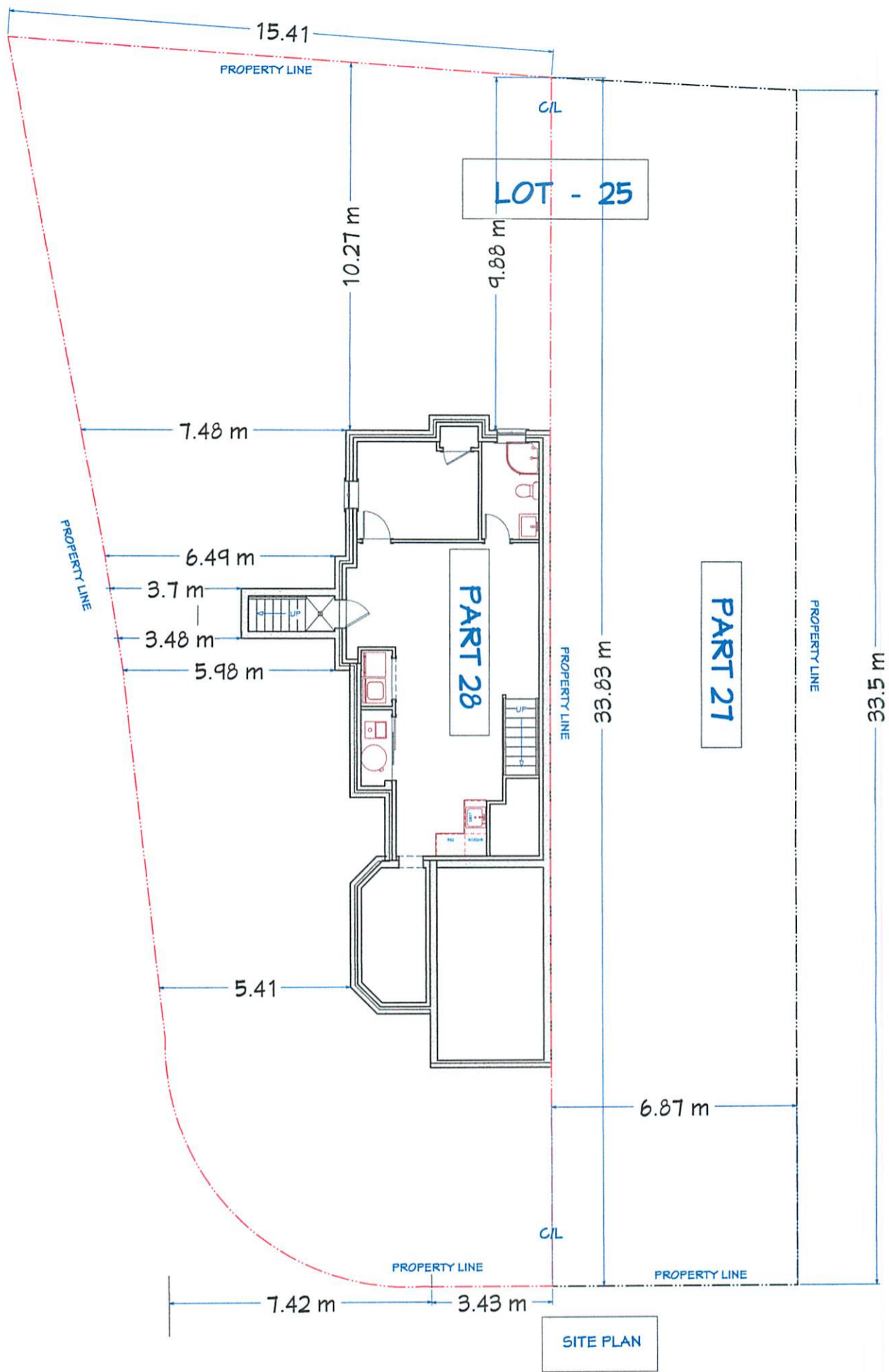
This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

Hothi S
Zoning Officer

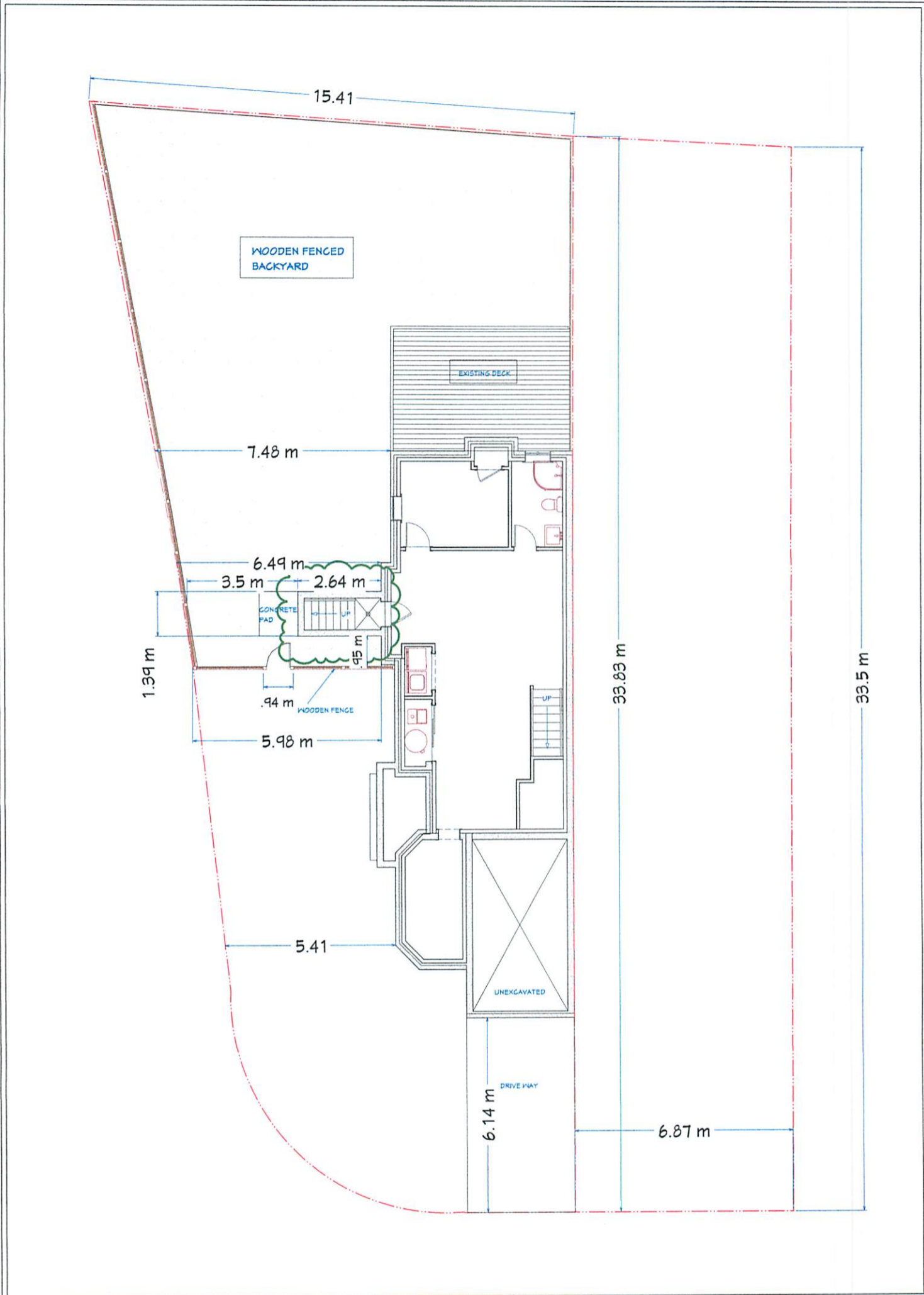
NOV. 04. 2020
Date


DATE RECEIVED November 3, 2020

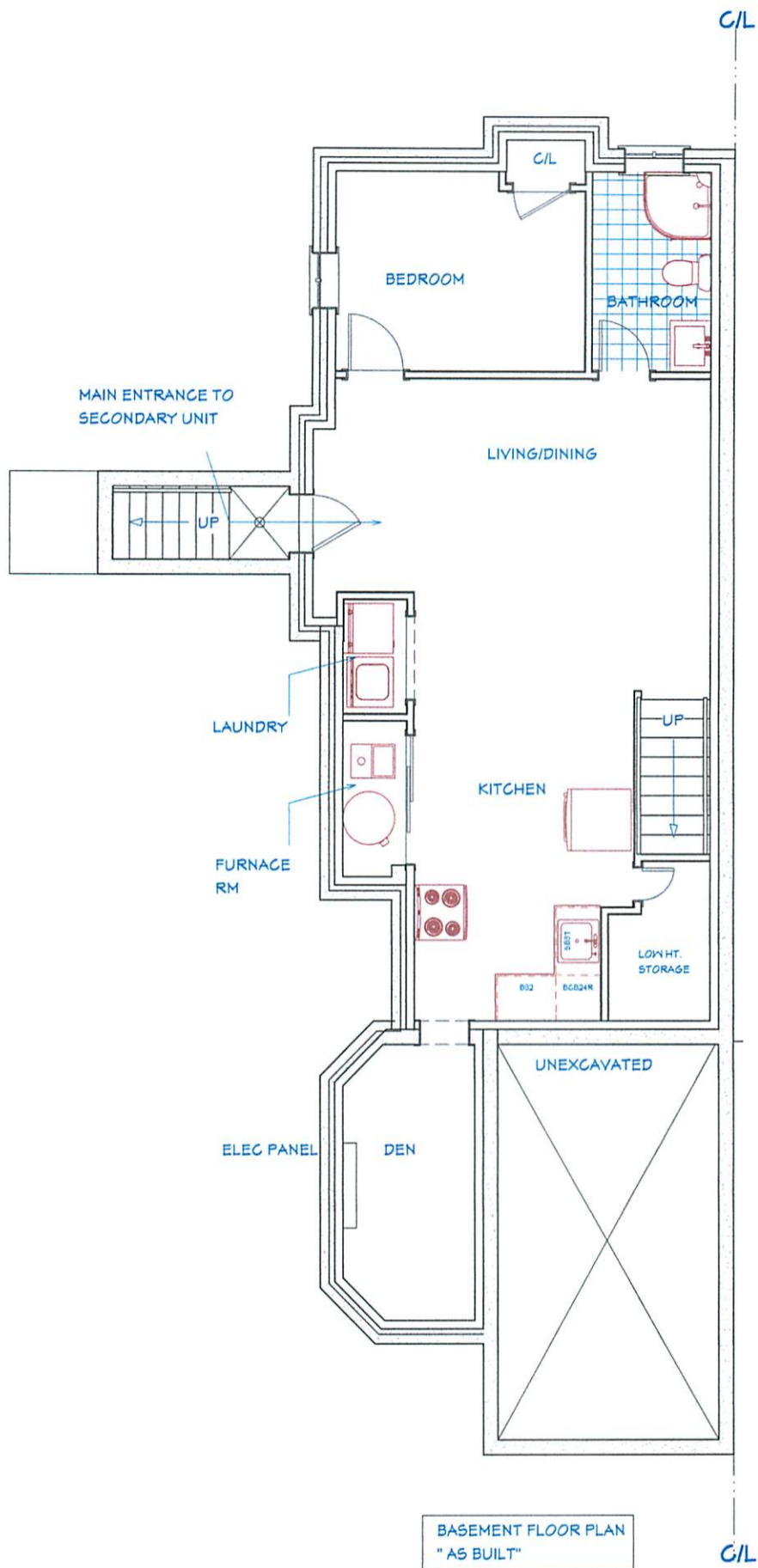
Revised 2020/1/27



<p>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS. QUALIFICATION INFORMATION</p> <p><i>[Signature]</i></p> <p>NAME: SAUMIL BHATT SIGNATURE: BCIN: 101763</p>	<p>PROJECT</p> <p>148 MOUNTAINBERRY ROAD</p> <p>BRAMPTON</p>	<p>Sa-Ga Designs</p> <p>DESIGN-PLAN-PERMIT-BUILD</p>	<p>FOR REVIEW</p> <p>DRAWN BY: SB SCALE:</p>	
		<p>SITE PLAN</p>	<p>PROJECT NO:</p> <p>October 29, 2020</p>	<p>A-1</p>



<div>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS. QUALIFICATION INFORMATION</div> <div></div> <div>NAME SAUMIL BHATT</div> <div>SIGNATURE</div> <div>BCIN 101763</div>	<div>PROJECT</div> <div>148 MOUNTAINBERRY ROAD</div> <div>BRAMPTON</div>	<div>Sa-Ga Designs</div> <div>DESIGN-PLAN-PERMIT-BUILD</div>	<div>FOR REVIEW</div> <div>DRAWN BY: SB SCALE:</div>	
		<div>SITE PLAN BELOW GRADE ENTRANCE "AS BUILT"</div>	<div>PROJECT NO:</div> <div>October 29, 2020</div>	<div>A-2</div>



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS. QUALIFICATION INFORMATION

[Signature]

NAME: SAUMIL BHATT
SIGNATURE
BCIN: 101763

PROJECT
148 MOUNTAINBERRY ROAD
BRAMPTON

Sa-Ga Designs

DESIGN-PLAN-PERMIT-BUILD

BASEMENT PLAN

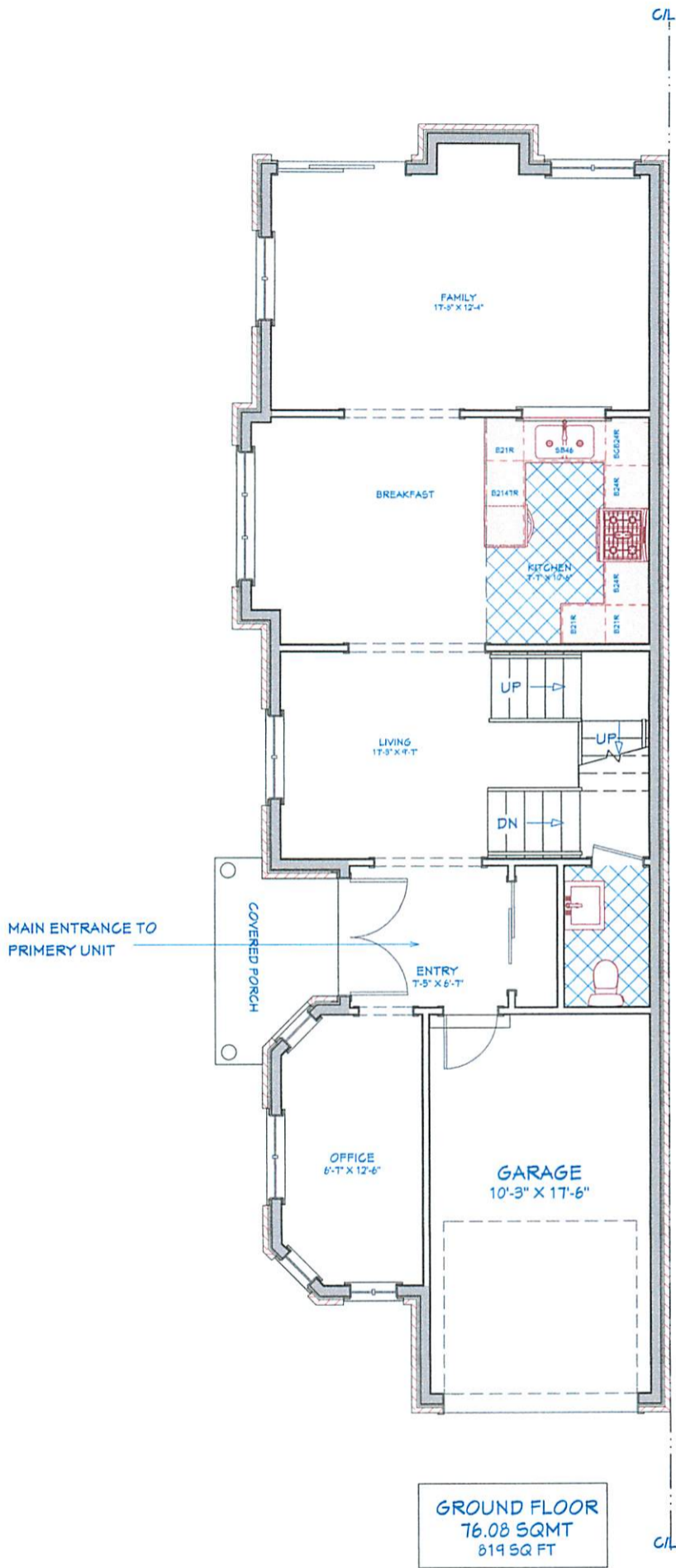
FOR REVIEW

DRAWN BY: SB SCALE:

PROJECT NO:

October 28, 2020

A-3



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS. QUALIFICATION INFORMATION

[Signature]

NAME
SAUMIL BHATT

SIGNATURE

BCIN
101763

PROJECT

148 MOUNTAINBERRY
ROAD

BRAMPTON

Sa-Ga Designs

DESIGN-PLAN-PERMIT-BUILD

GROUND FLOOR PLAN

FOR REVIEW

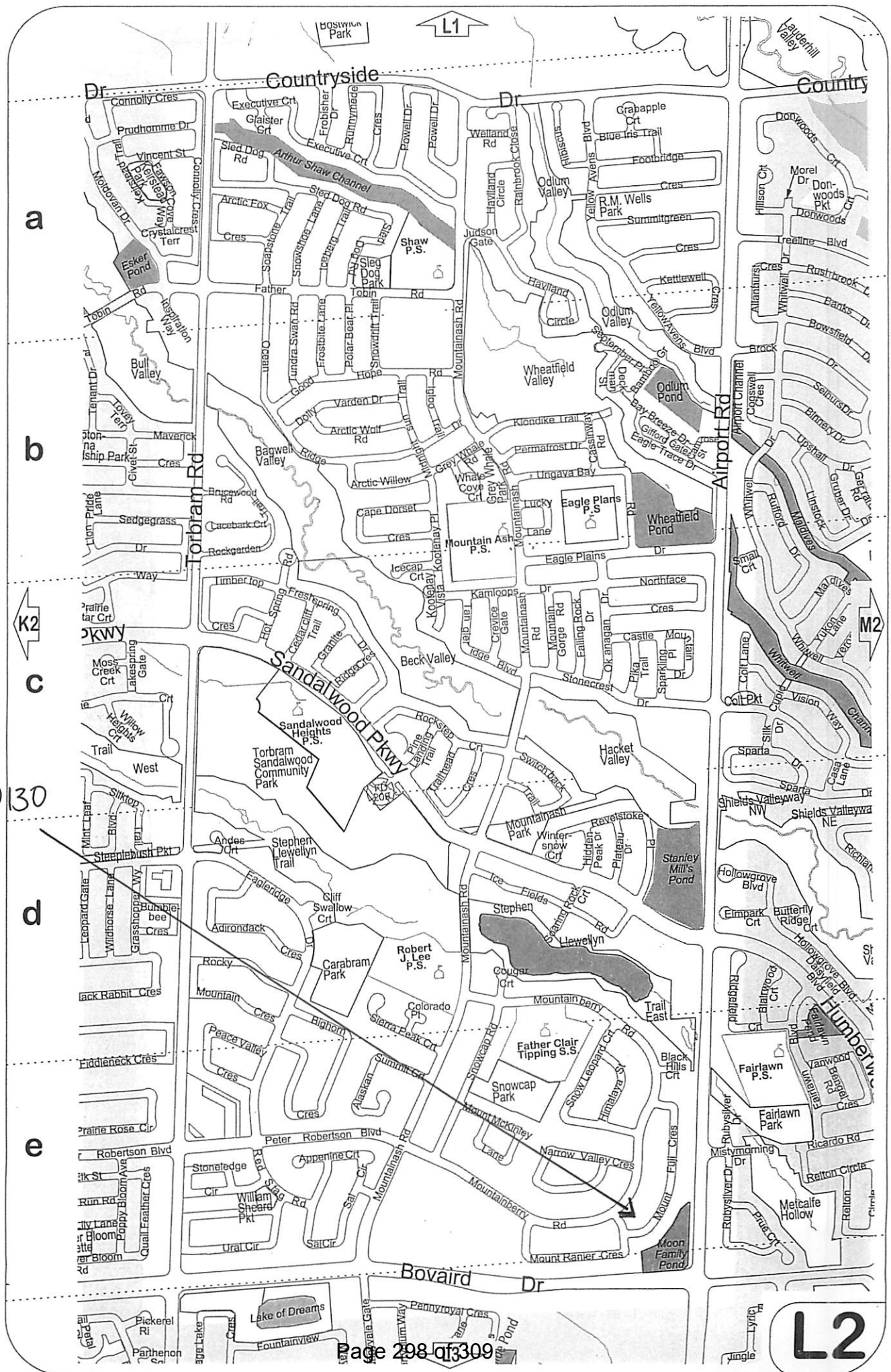
DRAWN BY: SB SCALE:

PROJECT NO:

October 28, 2020

A-4

A-2020-0130



Filing Date: November 4, 2020

Hearing Date: December 1, 2020

File: A-2020-0130

**Owner/
Applicant:** YATIN PRAJAPATI AND JAVNIKA PRAJAPATI

Address: 148 Mountainberry Road

Ward: 10

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0130 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That the below grade entrance shall not be used to access an unregistered second unit;
 3. That the fence remain constructed in its current location and height and shall not be removed or lowered;
 4. That the applicant obtain a building permit, if required, for the below grade entrance within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official;
 5. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned "Residential Semi-Detached A – Special Section 837 (R2A-837)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated "Residential" in the Official Plan and "Medium Density Residential" in the Springdale Secondary Plan (Area 2). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Semi-Detached A – Special Section 837 (R2A-837)" according to By-law 270-2004, as amended.

The requested variance is to permit an existing below grade entrance to be located between the main wall of a dwelling and the flankage lot line whereas the by-law does not permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line.

The intent of the by-law in prohibiting below grade entrances in the exterior side yard is to prevent negative visual impacts to the overall streetscape. A condition of approval is recommended that the fence remain constructed in its current location and height and shall not be removed or lowered. This will allow the entrance to remain screened from the street. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to facilitate the use of the below grade entrance for the creation of a registered secondary unit. The entrance is located behind the existing fence and cannot be seen from the street, which allows the streetscape to remain unimpacted by the location of the entrance.

A condition of approval is recommended that the applicant obtain a building permit for the existing below grade entrance within 60 days of the final date of the Committee's decision in order to ensure that it has been constructed in accordance with the OBC. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land. Further, a condition of approval is recommended that the below grade entrance not be used to access an unregistered unit to ensure that any second unit is in compliance with the Ontario Building Code. Subject to the recommended conditions of approval, the

requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a below grade entrance to be located between the main wall of a dwelling and the flankage lot line is to permit an entrance to a second unit that will not be visible from the public realm. Conditions of approval are recommended related to registration of the proposed second unit to ensure safety and compliance with OBC. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

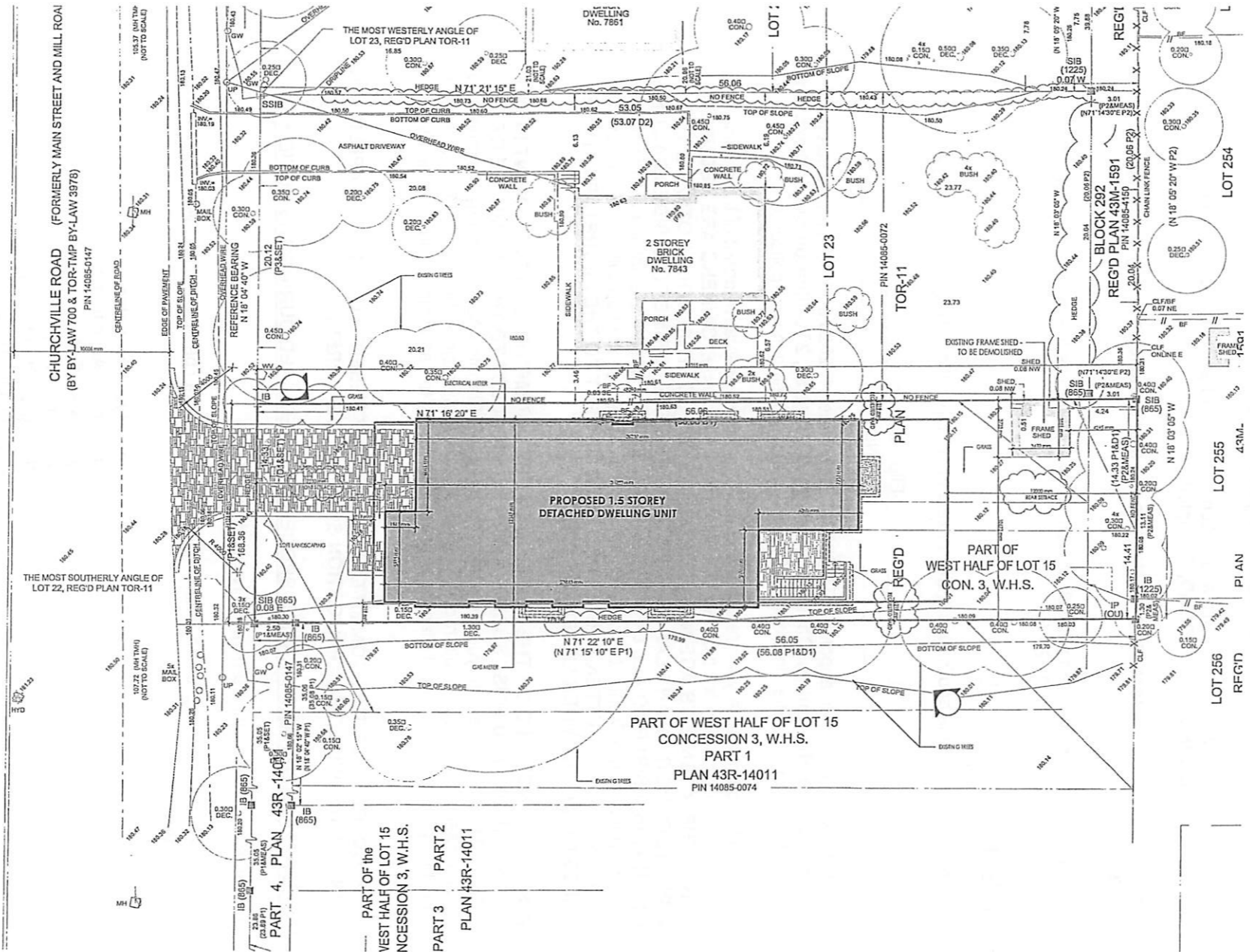


Committee of Adjustment

DEFERRED APPLICATION FOR MINOR VARIANCE

Page 302 of 309

PRELIMINARY



REVISION	NAME	DATE	REMARK
014		2020/09/04	ISSUED FOR REVIEW
015		2020/09/05	ISSUED FOR REVIEW
016		2020/09/25	ISSUED FOR REVIEW
017		2020/09/25	ISSUED FOR REVIEW
018		2020/09/25	ISSUED FOR REVIEW
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100		2020/09/25	ISSUED FOR REVIEW

PROJECT	KANIA'S RESIDENCE
LOT 22 - 0 CHURCHVILLE RD	
DRAWING	SITE PLAN & KEYPLAN
DRAWN	AA
SCALE	1:125
DATE	2020/09/04
CHECKED	AT
PROJECT	#20-1362
DRAWING	

A1.3

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 during the COVID-19 Emergency

Electronic Hearing Procedures
How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committee are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

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, November 26, 2020**.
- Advance registration for applicants, agents and other interested persons is required to participate 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, Friday, November 27, 2020**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. 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 **4:30 pm, Friday, November 27, 2020**. City staff will contact you and provide you with further details.
- 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 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.

Filing Date: September 10, 2020

Hearing Date: December 1, 2020

File: A-2020-0082

**Owner/
Applicant:** SZPALA AGNIESZKA – ASHRAF ALOGAILI

Address: 0 Churchville Road

Ward: 6

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0082 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That any works on the property shall be completed in accordance with the recommendations set out within the Tree Inventory and Protection Plan prepared by The Urban Arborist, dated November 10, 2020;
3. That the removal of any trees on a shared property line or adjacent property shall require written consent of the adjacent property owner, to the satisfaction of the Director of Development Services;
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

The subject property is located within the Churchville Heritage Conservation District, and as such the development of a new dwelling on the property is subject to receiving a Heritage Permit. For this property, the Heritage Permit was approved by City Council on September 16, 2020.

The application was previously deferred by Committee at the hearing of October 20, 2020 to allow the applicant time to prepare a Tree Assessment and clarify their sketch. The applicant has since provided a Tree Assessment to staff and have resolved previous issues with the sketch.

Existing Zoning:

The property is zoned "Residential Hamlet Two (RHM2)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an interior side yard setback of 1.2m (3.94 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Village Residential" in the Official Plan and "Churchville Heritage Conservation District" in the Bram West Secondary Plan (Area 40c). The proposed dwelling has been reviewed and approved through the Heritage Permit process. Outside of this approval, the requested variance is not considered to have significant impacts within the context of the Official Plan. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Hamlet Two (RHM2)" according to By-law 270-2004, as amended. The requested variance is to permit an interior side yard setback of 1.2m (3.94 ft.) whereas the by-law requires a minimum interior side yard setback of 7.5m (24.60 ft.). The intent of the by-law in regulating minimum side yard setback is to ensure that sufficient access is maintained to the rear yard and adequate room is provided for drainage from the dwelling. The proposed reduced side yard setback is not anticipated to negatively impact drainage for the property and is considered to provide sufficient space to access the rear yard. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit a reduced interior side yard setback in conjunction with a proposed dwelling on the currently vacant parcel. As a result of this reduced setback, some mature trees on the property will be impacted and are required to be removed. A condition of approval is recommended that any works on the property shall be completed in accordance with the recommendations set out within the Tree Inventory and Protection Plan prepared by The Urban Arborist, dated November 10, 2020 to ensure that the protection measures outlined within the report are adhered to and the trees can be protected as much as possible.

Further, it has been identified that some of the trees that are required to be removed

may be on shared lot lines or adjacent properties. In this regard, the applicant has obtained written consent from the neighbouring property owner to the north consenting to the removal of the trees. As the owner was not able to obtain written consent as of the time of writing, they have revised their proposal to no longer include the removal of those trees for which they did not obtain consent.

A condition of approval is recommended that the removal of any trees on a shared property line or adjacent property shall require written consent of the adjacent property owner, to the satisfaction of the Director of Development Services to ensure that any removals are consented to. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested reduced rear yard setback represents a practical side yard setback given the size of the property. The setback will allow for sufficient room for drainage and access to the rear yard. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development

Sent via email: jeanie.myers@brampton.ca

November 25, 2020

Attn: Jeanie Myers, Secretary-Treasurer
Committee of Adjustment
City Clerk's Office
Brampton City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Re: Application # **A-2020-0082** WARD #6

Dear Committee Members,

I am the owner of the adjacent vacant lot to the south-side of the applicant's property. I was only made aware of this proposed home on October 29th after receiving an email requesting approval to remove (3) 50+ year old mature spruce trees that are on my property.

In reference to the above noted application, a 1.2m (3.94ft) setback does not provide for much room to manage run off surface, sump pump and eavestrough/downpipe water. Based on the survey, water from these sources would run from "top of slope" shown to be adjacent to the proposed home towards the "bottom of slope" which is clearly shown 1m to 2m inside my lot.

Within the 1.2m setback, there is the possibility to install a French drain, however, the space needed to install an effective French drain becomes non-existent once multiple basement window wells are installed and future fence posts are cemented in place. Although French drains are more effective to remove standing water than running surface water, French drains are most likely to be filled in or covered up as home owners begin to make yard and feature changes in the future (i.e. patio stones, pool, fencing, downpipe direction, etc.) thus rendering a French drain - and this method of surface water management - useless.

The most effective method of water management is through the use of swales which are used throughout Churchville. Through the use of shared and visible swales, the lots on the east side of Churchville road have some water naturally running towards the municipal roadside ditch while the balance of water runoff is gently sloped eastwards towards the rear of the lots which is the natural slope of the area lands.

Although I am confused as to the type of dwelling being proposed (the drawing on this notice of application indicates a 1.5 storey dwelling while I am in receipt of a survey dated November 16th showing a 2 storey dwelling), I am not opposing this application as long as an effective surface water management system is planned for that is visible and manageable by both property owners and one that can be enforced by the City of Brampton for a long time to come.

Your careful consideration regarding my concern is appreciated.

Thank you.

A handwritten signature in black ink, appearing to read 'Jim Natterer', with a stylized flourish extending from the end.

Jim Natterer
JN Investments
2176 Torquay Mews
Mississauga, ON L5N 2M6