



Agenda
Committee of Adjustment
The Corporation of the City of Brampton

Date: Tuesday, January 26, 2021
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

6. NEW CONSENT APPLICATIONS

6.1. **B-2020-0026**

BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR BHARWALIA

PART OF LOT 15, CONCESSION 9 ND., PART 1, PLAN 43R-2168 - 10829
MCVEAN DRIVE - WARD 10

The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes. Concurrent Consent Application B-2020-0027.

Related Minor Variance Application A-2020-0158

6.2. **B-2020-0027**

BALBIR SINGH BHARWALIA

PART OF LOT 15, CONCESSION 9 ND., PART 1, PLAN 43R-2168 - 0 MCVEAN
DRIVE - WARD 10

The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained. Concurrent Consent Application B-2020-0026.

7. DEFERRED CONSENT APPLICATIONS

7.1. 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); together with an easement over the severed lands in favour of the retained lands for emergency access. 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.

8. NEW MINOR VARIANCE APPLICATIONS

8.1. A-2020-0145

TIWANA PROPERTIES INC.

PART OF LOT 4, CONCESSION 2 EHS - 107 ORENDA ROAD, UNIT 10 - WARD 3

The applicant is requesting the following variance(s):

1. To permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop whereas the by-law does not permit a Motor Vehicle Sales Establishment.

8.2. A-2020-0146

DEEPAK KUMAR

LOT 569, PLAN 652 - 14 APPLEBY DRIVE - WARD 7

The applicant is requesting the following variance(s):

1. To permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.).

8.3. A-2020-0147

RAJDEEP BRAR

LOT 332, PLAN 43M-1714 - 18 LONETREE COURT - WARD 8

The applicant is requesting the following variance(s):

1. To permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 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;
2. To permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
3. To permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.

8.4. A-2020-0148

HARISH CHANDRU AND AKSHATHA GUNASHEKAR

LOT 52, PLAN 43M-1812 - 16 DULVERTON DRIVE - WARD 6

The applicants are requesting the following variance(s):

1. To permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling, whereas the by-law only permits a below grade exterior stair in the required interior side yard where a minimum 0.3m (0.98 ft.) setback to the side lot line is maintained and where a minimum 1.2m (3.94 ft.) continuous side yard width is provided on the opposite side of the dwelling.

8.5. A-2020-0149

BALVINDER AND JAGDISH KAHLON

LOT 50, PLAN M-820 - 18 LONE OAK AVENUE - WARD 7

The applicants are requesting the following variance(s):

1. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure in an exterior side yard;
2. To permit an existing accessory structure (shed) having a gross floor area of 16.6 sq. m (178.68 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 a combined gross floor area of 26.6 sq. m (286.32 sq. ft.) for two accessory structures (existing shed and pre-fabricated gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
4. 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;
5. To permit a setback of 0.28m (0.92 ft.) to a stair and landing serving an above grade entrance in the interior side yard whereas the by-law requires a minimum setback of 0.9m (2.95 ft.) to any stairs or landing to an above grade door in the interior side yard.

8.6. A-2020-0150

REETIKA SAINI AND SANMEET SINGH SIDHU

LOT 168, PLAN 43M-1713 - 13 DUNEGRASS WAY - WARD 8

The applicants are requesting the following variance(s):

1. To permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line and requires a minimum exterior side yard setback of 3.0m (9.84 ft.).

8.7. A-2020-0151

SANDEEP SINGH AND MANDEEP KAUR

LOT 73, PLAN 970 - 88 LINKDALE ROAD - WARD 1

The applicants are requesting the following variance(s):

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

8.8. A-2020-0152

BHARAT KUMAR CHAVDA AND SUPRIYA CHAVDA

LOT 70, PLAN 43M-1944 - 3 ALLEGRO DRIVE - WARD 4

The applicants are requesting the following variance(s):

1. To permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard whereas the by-law requires a minimum setback of 4.5m (14.76 ft.) to the front lot line.

8.9. A-2020-0154

10179469 CANADA INC.

PART OF BLOCK 2, PLAN-863, PARTS 1, 2, PLAN 43R-16301 - 73 SUN PAC BOULEVARD - WARD 8

The applicant is requesting the following variance(s):

1. To permit outdoor storage of trucks and truck trailers for a temporary period of three (3) years whereas the by-law does not permit outdoor storage.

8.10. A-2020-0156

SHALISH PATEL AND PRANALIKA PATEL

LOT 26, PLAN 43M-1899 - 123 LEADERSHIP DRIVE - WARD 4

The applicants are requesting the following variance(s):

1. To permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

8.11. A-2020-0157

GIAN SINGH NAGRA, JASWINDER NAGRA, CHAVNEER NAGRA AND PRINCE NAGRA

LOT 97, PLAN 43-2014 - 28 MARKEY COURT - WARD 10

The applicants are requesting the following variance(s):

1. To permit a driveway width of 13.54m (44.42 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

8.12. A-2020-0158

BALBIR SINGH BHARWALIA AND NIRMALJIT BHARWALIA

PART OF LOT 15, CONCESSION 9 ND, PART 1, PLAN 43R-2168 - 10829
MCVEAN DRIVE - WARD 10

The applicants are requesting the following variances associated with the proposed newly reconfigured parcel of land under Consent Application B-2020-0026:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;
3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

Related Consent Application B-2020-0026

8.13. A-2020-0159

TAKOL CMCC RUTHERFORD GP INC.

PART LOTS 1 AND 2, CONCESSION 2 EHS, PARTS 9 TO 16, PLAN 43R-795 - 286
RUTHERFORD ROAD SOUTH - WARD 3

The applicants are requesting the following variance(s):

1. To provide 183 parking spaces on site whereas the by-law requires a minimum of 334 parking spaces.

8.14. A-2020-0160

GURJEET KOUR

PART OF BLOCK C, PLAN M-41, PARTS 135, 135A, PLAN 43R-2916 - 38
HINDQUARTER COURT - WARD 7

The applicant is requesting the following variance(s):

1. To permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law whereas the by-law does not permit an exterior stairway constructed below the established grade between the main wall of the dwelling and a flankage lot line or within the required exterior side yard.

8.15. A-2020-0161

MOUNT PLEASANT ISLAMIC CENTRE

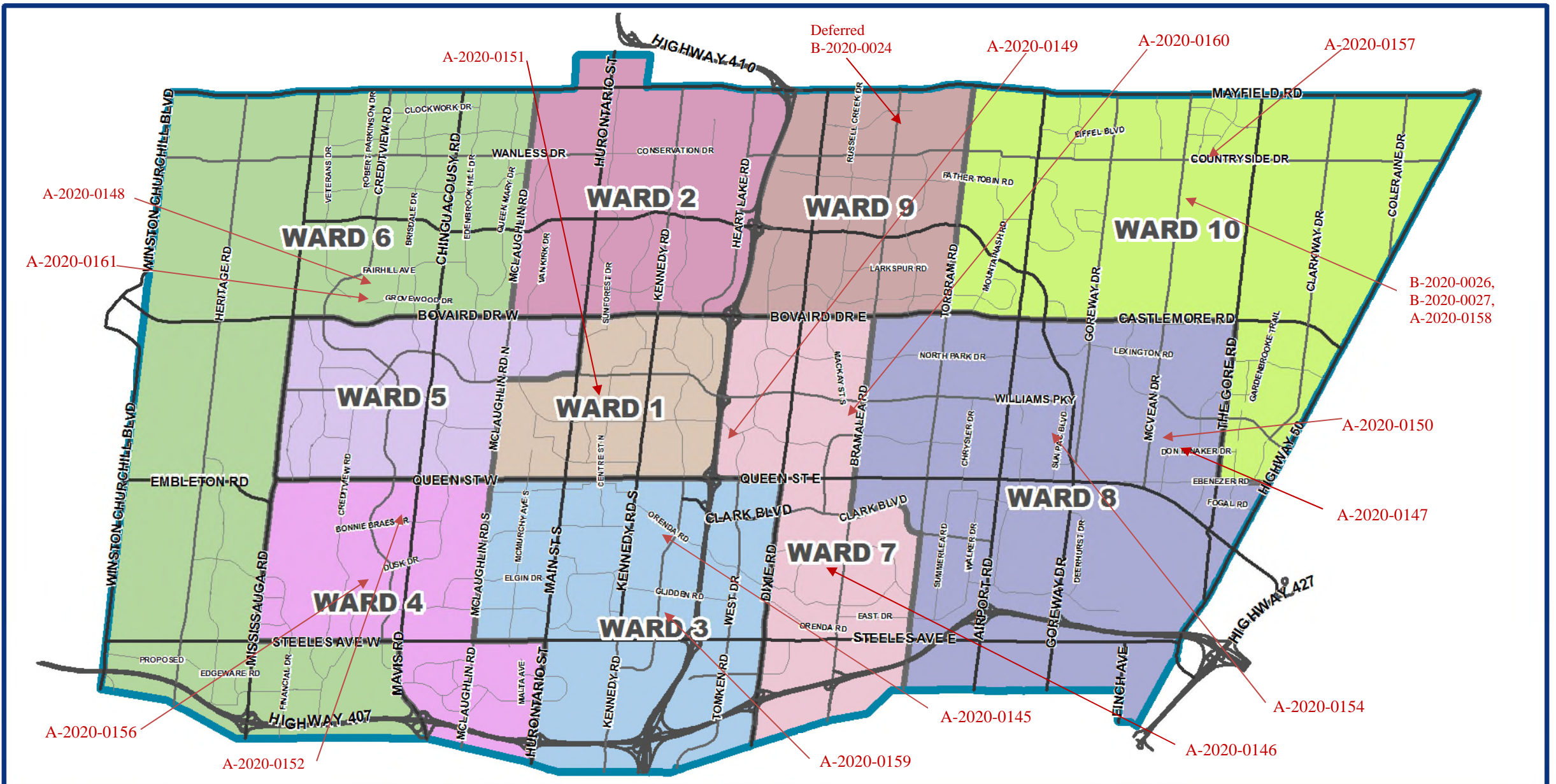
BLOCK 33, PLAN 43M-1912 - 160 SALVATION ROAD - WARD 6

The applicants are requesting the following variances associated with a building addition:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

9. DEFERRED MINOR VARIANCE APPLICATIONS

10. Adjournment



Date: January 05, 2021
Time: 9:00 a.m.
Location: Council Chambers, 4th Floor - City Hall – Webex Electronic Meeting

Members: Ron Chatha (Chair)
Ana Cristina Marques
David Colp
Rod Power

Members Absent: Desiree Doerfler (with regrets)

Staff: Shelby Swinfield, Development Planner
David Vanderberg, Manager, Development Services,
Elizabeth Corazzola, Manager, Zoning and Sign By-Law Services
Jeanie Myers, Secretary-Treasurer

1. **Call to Order**

The meeting was called to order at 9:05 a.m. and adjourned at 11:43 a.m.

2. **Adoption of Minutes**

Moved by: A. C. Marques

Seconded by: D. Colp

THAT the minutes of the Committee of Adjustment hearing held December 1, 2020 be approved, as printed and circulated.

CARRIED

3. **Region of Peel Comments**

Letter dated December 14, 2020.

4. **Declarations of Interest Under the Municipal Conflict of Interest Act:**

None

5. **Withdrawals/Deferrals**

None

6. **NEW CONSENT APPLICATIONS**

None

7. **DEFERRED CONSENT APPLICATIONS**

None

8. **NEW MINOR VARIANCE APPLICATIONS**

8.1 **A-2020-0132**

KARLA ISABEL MELO

PART OF LOT 65, PLAN M-1114, PART 13, PLAN 43R-20429 - 42 CLOVER BLOOM ROAD - WARD 9

The applicant is requesting the following variance(s):

1. To permit an existing accessory structure (gazebo) located in the yard of a property occupied by a quattroplex whereas the by-law does not permit accessory structures in this zone (R2B-697);
2. To permit an existing accessory structure (gazebo) having a gross floor area of 24.12 sq. m (259.63 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.

Mr. Alex Burgos, authorized agent for the applicant, presented application A-2020-0132 briefly outlining the variances requested. Mr. Burgos explained that the existing accessory structure was built without a building permit informing Committee that the owner of the property was unaware of the by-laws related to accessory structures noting that the owner requests that the structure be permitted to remain.

Mr. Adel Ferid, 9 Bison Run Road addressed Committee indicating support to maintain the existing gazebo commenting that the structure poses no safety risk.

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

Mr. Burgos sought clarification on proposed condition number 2 and the recommendation that the gazebo be of an open style construction and not be enclosed advising that a portion of the existing gazebo is currently enclosed to accommodate storage of a barbecue and other seasonal items.

Zoning Staff advised that if any portion of the structure is enclosed it would be considered an enclosure and would not comply with the condition as currently worded. Planning Staff added that the intent of the condition was for the gazebo to remain as is.

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In response to a question posed by Zoning Staff the applicant confirmed the square footage of the enclosed area is 12 feet by 6 feet. Staff calculated that the area is approximately 7 square metres and proposed revised wording for an amended condition that would address the enclosed portion of the gazebo for storage purposes.

Following discussion, Mr. Borgos 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: R. Power

Seconded by: D. Colp

THAT application A-2020-0132 to permit an existing accessory structure (gazebo) located in the yard of a property occupied by a quattroplex and to permit an existing accessory structure (gazebo) having a gross floor area of 24.12 sq. m (259.63 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 the gazebo remain primarily of an open style construction, except for a maximum area of 7 square metres, which may be enclosed for storage purposes;
3. 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; 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

8.2 A-2020-0133

GARTH MANSINGH AND HELENE MANSINGH

LOT 7, PLAN 478 - 1 MOORE CRESCENT - WARD 3

The applicants are requesting the following variance(s):

1. To permit a proposed accessory structure (shed) having a gross floor area of 26.28 sq. m (282.88 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;
2. To permit a combined gross floor area of 28.8 sq. m (310 sq. ft.) for two accessory structures (proposed shed and existing shed) whereas the by-law permits a maximum combined gross floor area of 23 sq. m (247.58 sq. ft.);
3. To permit an existing fence having a maximum height of 2.33m (7.64 ft.) whereas the by-law permits a fence to a maximum height of 2.0m (6.6 ft.).

Mr. Alex Burgos, authorized agent for the applicant, presented application A-2020-0133 briefly outlining the variances requested. Mr. Burgos advised that the property owner recently purchased a riding lawn mower to maintain the large lot noting that there is no place to store the equipment.

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

The Chair noted that there were no comments from the conservation authority acknowledging that there is a condition included by staff that satisfies committee.

Staff advised that it would be a requirement through the building permit process that the shed be reviewed for building code compliance in addition to obtaining a permit from the conservation authority as applicable law.

Mr. Burgos indicated that the proposed conditions were acceptable advising that they have obtained a permit from Toronto and Region Conservation Authority.

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: A. C. Marques

Seconded by: D. Colp

THAT application A-2020-0133 to permit a proposed accessory structure (shed) having a gross floor area of 26.28 sq. m (282.88 sq. ft.); to permit a combined gross floor area of 28.8 sq. m (310 sq. ft.) for two accessory structures (proposed shed and existing shed) and to

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permit an existing fence having a maximum height of 2.33m (7.64 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 accessory structure shall not be used as a garage as defined by the Zoning By-law;
3. That the applicant shall obtain all required permits and approvals from the Toronto and Region and Conservation Authority, to the satisfaction of said authority;
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

8.3 A-2020-0134

SANDEEP SINGH SANGHA

PT. OF LOT 5, CONC. 4 WHS - 8951 MISSISSAUGA ROAD - WARD 4

The applicant is proposing a 2 storey addition and is requesting the following variance(s):

1. To permit a front yard setback of 9.2m (30.18 ft.) whereas the by-law requires a minimum front yard setback of 12m (39.37 ft.);
2. To permit a rear yard setback of 7.5m (24.60 ft.) whereas the by-law requires a minimum rear yard setback of 15m (49.21 ft.).

Mr. Peter Vorsikas, Empire Design Company, authorized agent for the applicant, was present for application A-2020-0134 however experienced technical difficulties during the presentation. The Chair advised that the Committee has the application and all the information in front of them to proceed with the application.

Committee acknowledged receipt of a letter dated December 17, 2020 from Credit Valley Conservation indicating no objection to the application.

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Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff noted that proposed condition number 2 requiring any permits from Credit Valley Conservation was incorporated into the staff recommendation report prior to receiving the commenting letter from CVC. The Chair suggested that the condition remain, as proposed.

Mr. Vorsika 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-2020-0134 to permit a front yard setback of 9.2m (30.18 ft.) and to permit a rear yard setback of 7.5m (24.60 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 applicant obtain all permits and pay all fees associated with the review of this application by the Credit Valley Conservation Authority, if required;
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

8.4 **A-2020-0135**

SANDEEP SINGH HUNDAL AND MANDEEP SINGH HUNDAL

LOT 56, PLAN M-1298 - 9 CORALREEF CRESCENT - WARD 9

The applicants are requesting the following variance(s):

1. To permit a lot coverage of 37.88% whereas the by-law permits a maximum lot coverage of 30%;

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2. To permit an interior side yard setback of 0.30m (0.98 ft.) to an open roofed porch (as built) whereas the by-law requires a minimum interior side yard setback of 1.2m (3.94 ft.) on one side and 0.9m (2.95 ft.) on the other side;
3. To permit an existing accessory structure (shed) having a rear yard setback of 0.2m (0.66 ft.) and a side yard setback of 0.13m (0.43 ft.) 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. Ravinder Singh, AEM Designs, authorized agent for the applicant, presented application A-2020-0135 briefly outlining the variances requested for an open roofed porch contributing to an increase in lot coverage as well as for reduced setbacks to an existing accessory structure.

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

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: D. Colp

Seconded by: R. Power

THAT application A-2020-0135 to permit a lot coverage of 37.88%; to permit an interior side yard setback of 0.30m (0.98 ft.) to an open roofed porch (as built) and to permit an existing accessory structure (shed) having a rear yard setback of 0.2m (0.66 ft.) and a side yard setback of 0.13m (0.43 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 applicant obtain a building permit 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;
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

8.5 A-2020-0137

MANISH AND NAMRATA KAPOOR

LOT 113, PLAN 43M-1523 - 2 JANUARY COURT - WARD 6

The applicants are requesting the following variance(s):

1. To permit a driveway having a width of 10.66m (34.97 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.);
2. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure within an exterior side yard;
3. To permit an existing accessory structure (shed) having a side yard setback of 0.47m (1.54 ft.) and a side yard setback of 0.55m (1.80 ft.) whereas the by-law requires a minimum setback of 0.6m (1.97 ft.) for an accessory structure from all nearest property lines;
4. To permit an existing accessory structure (gazebo) having a gross floor area of 18.4 sq. m (198.06 sq. ft.) whereas the by-law permits a maximum gross floor area of 15 sq. m. (161.5 sq. ft.) for an individual accessory structure;
5. To permit two (2) existing accessory structures (shed and gazebo) having a combined gross floor area of 26.9 sq. m (289.55 sq. ft.) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.).

Mr. John Sibenik, authorized agent for the applicant, presented application A-2020-0137 briefly outlining the variances requested advising that the owners purchased the property in June of 2017 and more recently in July of 2020 a zoning notice for non-compliance was issued for the driveway width. He explained that he received approval to proceed with a minor variance application to seek relief for the driveway width noting that following a preliminary review of the application a few other variances were identified pertaining to the accessory structures. He advised that it was further identified that the driveway width was greater than what was shown on the original submitted application.

Mr. Sibenik explained that the patterned concrete between the walkway and the driveway provides a desirable and interconnected streetscape and compliments the landscaping for the property. He added that the shed in the exterior side yard is screened by the landscaping and fencing and added that drainage is not impacted. Mr. Siebenik expressed that the gazebo is an open concept structure that compliments a large rear yard and provides shelter form the rain and the sun explaining that the combined size of the structures does not affect the amenity

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space. A petition of support signed by five area residents on January Court indicating support of the variances was submitted and acknowledged as received.

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

Mr. Sibenik posed a question inquiring if the recommendation for a building permit pertained to the enclosed shed or the gazebo. Staff responded that the permit is for the gazebo which is exceeding the permitted size. Mr. Sibenik advised that the gazebo is considered a temporary prefabricated structure and questioned if a permit is required for such a structure.

Zoning Staff advised that the Building Code would likely apply because of the size of the structure and the fact that it has a roof. Staff clarified that the comment to obtain a building permit was received from staff within the building division.

Mr. Sibenik advised that his client may be modifying his rear yard later this summer and the gazebo structure may be removed somewhere between May and August. Staff inquired if the owner was intending to relocate the structure. Mr. Sibenik advised that the owner intends to remove the gazebo later and inquired if the option could be to remove the gazebo in lieu of obtaining a building permit. Staff responded that the structure is currently non-compliant and staff would recommend that the structure be removed within 30 days.

Mr. Sibenik commented that it is difficult to remove at this time of the year and asked if there would be any consideration for a later timeframe noting that it is not the intent to create more structures.

Committee noted that the condition contains wording that would allow for an extension of the timelines in which to obtain a building permit at the discretion of the Chief Building Official.

Zoning Staff clarified that the intent of the condition is that a building permit be obtained within 60 days, not applied for within 60 days. Staff added that the expectation is that the building permit application be submitted within the next couple of weeks and reviewed for technical compliance to the building code. Staff recommended that the condition be reworded to provide more flexibility given that the applicant may wish to remove the gazebo or reduce the size. Staff proposed revised wording for condition number 3 for the consideration of Committee and Mr. Sibenik which included timelines of an additional 30 days if the applicant proposes to reduce the structure therefore providing that a building permit be obtained within 90 days and should the applicant choose to remove the structure from the property staff suggested 60 days.

Mr. Sibenik 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:

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Moved by: R. Power

Seconded by: A. C. Marques

THAT application A-2020-0137 to permit a driveway having a width of 10.66m (34.97 ft.); to permit an existing accessory structure (shed) to be located in an exterior side yard; to permit an existing accessory structure (shed) having a side yard setback of 0.47m (1.54 ft.) and a side yard setback of 0.55m (1.80 ft.); to permit an existing accessory structure (gazebo) having a gross floor area of 18.4 sq. m (198.06 sq. ft.) and to permit two (2) existing accessory structures (shed and gazebo) having a combined gross floor area of 26.9 sq. m (289.55 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 the applicant obtain a building permit for the existing accessory structure (gazebo) within ninety (90) 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. Alternatively, the applicant may reduce the size of the gazebo to less than 10 square metres or remove the structure from the property within sixty (60) days of the final date of the Committee's decision;
3. That the existing gazebo remain of an open style construction and shall not be enclosed;
4. 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;
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

8.6 A-2020-0138

CSPAC INDUSTRIAL ACE DR. GP INC.

BLOCK 4, PLAN 43M-1907 - 100 ACE DRIVE - WARD 9

The applicant is requesting a variance to permit outside storage of trucks and truck trailers in the interior side yard whereas the by-law only permits outside storage in the rear yard screened from view from the street.

Mr. Philip Stewart, Pound & Stewart Associates Limited, authorized agent for the applicant, presented application A-2020-0138 briefly outlining the variance requested. Mr. Stewart

Committee of Adjustment Minutes

advised that through the zoning review of the associated site plan application the variance was identified. He commented that there are positive staff comments and noted that the professional planning opinion that they provided appears to be endorsed by city staff.

Committee noted that there is no mention in the staff report of a condition from Toronto and Region Conservation Authority. Staff advised that the property is also subject to a site plan application whereby the TRCA would be involved in that review and that their review would be encompassed under finalizing the site plan noting that any permitting requirements would be included. Staff suggested that a standard condition requiring the applicant to obtain any approval and pay any required fees to the satisfaction of TRCA, if required, be included.

Mr. Stewart advised that the block of land is part of a registered plan of subdivision noting that TRCA's involvement has been well established in creating this block. He advised that he recognizes that the condition is a standard requirement and would accept it in order to move forward stating that if the conservation authority has not commented than it may be that they have no comment.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff included proposed wording for a standard condition respecting TRCA for Committee's consideration.

The Chair noted that the Committee is not intending to delay the application from moving forward. Zoning Staff noted that the variance is strictly to allow outside storage of trucks and trailers on the property advising that this aspect is not subject to a building permit. It was staff's opinion that it might be appropriate to role the conservation authority approval into condition number 3 which is the finalization of a site plan. Staff advised that the conservation authority is regularly given the full opportunity to comment on the site plan and any site plan agreement. Staff proposed revised wording for condition number 3 for Committee's consideration.

Mr. Stewart was receptive to the revised wording of condition number 3 and 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. Colp

Seconded by: R. Power

THAT application A-2020-0138 to permit outside storage of trucks and truck trailers in the interior 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;

Committee of Adjustment Minutes

2. That the applicant shall install screening between the storage area and the street, to the satisfaction of the Director of Development Services;
3. That the owner finalize site plan approval under City File SPA-2020-0078 (including confirmation of support from the Toronto and Region Conservation Authority), execute a site plan agreement, and post any required financial securities and insurance 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.

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

8.7 A-2020-0139

1347987 ONTARIO LIMITED

PART OF BLOCK 5, PLAN 43M-618, PART 1, PLAN 43R-13924 - 4 EDVAC DRIVE - WARD 8

The applicant is requesting a variance to permit 40% of the gross floor area of the building to be used as a food processing facility whereas the by-law does not permit the proposed use.

Mr. Brad Zhang, Toppits Foods Limited, authorized agent for the applicant, presented application A-2020-0137 briefly outlining the variance requested, advising that they are currently operating in Vaughan and has put an offer in to purchase the property. Mr. Zhang advised that they have been in the food business for forty-five years in Ontario and that leveraging this property will allow them to grow their business and create employment in the City of Brampton.

Committee acknowledged receipt of e-mail correspondence dated December 16, 2020 from Tim Harnett, owner of Units 1 and 2, 3A Edvac Drive, detailing concerns with the application.

E-mail correspondence dated December 18, 2020 in opposition to the application was also acknowledged as received from Gary Hall, Unit 12, 3A Edvac Drive.

It was acknowledged that Ernie De Angelis had requested to participate but was not in attendance.

Committee of Adjustment Minutes

Mr. Jim Wilson, current owner of the property, addressed Committee advising that food processing will greatly benefit the City of Brampton in many ways noting that food processing is an essential business and will provide employment opportunities for the City which are greatly needed during these COVID times. He expressed that it will add support through the various infrastructures and help support the payment of property taxes.

Mr. Wilson advised that Toppitts Foods are a very good corporate citizen in the City of Vaughan looking to expand into the City of Brampton. He noted that there are at least three other food processing companies in this area, one being Ocean Jewels, a frozen food processing company located directly across the street from 4 Edvac Drive.

In response to a question posed by Committee, Mr. Wilson advised that his current tenant is in the meeting convention business noting that the industry has been decimated by COVID. He expressed that the building requires a thriving business to sustain itself.

Mr. Zhang provided an additional comment noting that they are in the food industry and environment protection is their top priority. He explained that of the 40% dedicated to food processing, most of the space will be used for processing or packaging equipment such as a weigher that weighs the product or a bagger that packages the product. He noted that some of the production will not involve equipment including bacon wrapped scallops or sea food skewers which is manual work. It was his submission that this processing facility will have minimal impact on the environment.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff commented that they understand the letters of concern received noting that there were concerns with a previous food processing use mainly with smell and air quality. Staff advised that this use is much less impactful.

Zoning Staff advised that there was a previous variance approved to permit food processing at 3 Edvac Drive involving spice grinding and packaging which did result in some environment considerations through the HVAC system. Staff explained that there were some complaints of impacts on health noting that there were a number of concerns resulting from that approval in 2007.

Staff noted that as the applicant has suggested, there are a number of food processing facilities in this area explaining that the adjacent property would permit uses such as bakeries and dairy. Staff advised that there are other more intense uses farther along Edvac Drive pointing out that the building is not a multi-tenant building like the previous one. Following discussion, Mr. Zhang 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

Committee of Adjustment Minutes

THAT application A-2020-0139 to permit 40% of the gross floor area of the building to be used as a food processing facility 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 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

8.8 A-2020-0140

PHIL AND JOANNE SEQUEIRA

LOT 494, PLAN 43M-1192 - 83 WHITE TAIL CRESCENT - WARD 4

The applicants are requesting a variance to permit an existing accessory structure (shed) having a rear yard setback of 0.083m (0.27 ft.) and a side yard setback of 0.11m (0.36 ft.) 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. Phil Sequeira, applicant and owner of the property, presented application A-2020-0140 briefly outlining the variance requested for an existing shed that he constructed in 2000. It was his request that the shed be permitted to remain in accordance with the recommended conditions.

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

Mr. Sequeira 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: A. C. Marques

Seconded by: D. Colp

Committee of Adjustment Minutes

THAT application A-2020-0140 to permit an existing accessory structure (shed) having a rear yard setback of 0.083m (0.27 ft.) and a side yard setback of 0.11m (0.36 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 mezzanine shall be used for storage purposes only;
3. That the requirement for parking for any combination of uses permitted in the "M4-1548" zone, or permitted by way of Minor Variance be calculated at the applicable parking rate in accordance with the Zoning By-law and shall not exceed 98 parking spaces; 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.

8.9 A-2020-0142

2389112 ONTARIO INC.

PEEL CONDOMINIUM PLAN 1046, LEVEL 1, UNITS 25 AND 26, 15 SUN PAC BLVD, UNITS 12 & 13 - WARD 8

The applicants are requesting a variance to permit the construction of a 123.3 square metre mezzanine in Units 12 & 13 and to allow 30% of the unit to be used for accessory retail use while providing 81 parking spaces on site, whereas the by-law requires a minimum of 98 parking spaces.

Mr. Chris Marchese, Design Plan Services Inc., authorized agent for the applicant, presented application A-2020-0142 briefly outlining the variances requested. Mr. Marchese advised that a traffic study was submitted in support of the application.

Committee posed a question inquiring what type of business will be operating from this location. Mr. Marchese advised that the owner runs an Indian Culture goods place from this location noting that they bring in a lot of products from overseas for distribution to large distributing warehouses. He commented that this is not a store where people come in and out regularly but is more of a high bulk distribution.

Committee of Adjustment Minutes

For the record, the Secretary-Treasurer acknowledged receipt of e-mail correspondence during the hearing from Sakeena Kelly, Property Manager indicating concern with the increase in the retail use above the permitted 15%. Included in the e-mail was a copy of the condominium declaration comprised of 25 pages.

Committee noted that similar requests have been made in the past for parking and noted that if parking is not a concern now it may be in the future.

Committee was informed that City of Brampton planning staff was in support of this application with conditions. Staff acknowledged awareness that there have been a number of applications that have come forward for parking reductions advising for the benefit of Committee, the property owner and the condominium board that while staff are recommending conditional approval of this application, moving forward the Planning Department would like to see a more overall comprehensive approach to any further parking reduction on this site. It was staff's submission that any parking reductions not be on a unit by unit basis but rather based on an application including the entire property and addressing the parking requirement as a whole. Staff advised that this was something they will keep in mind should they see a parking variance come forward.

Committee was not opposed to moving forward with the application however commented that the plaza is not fully occupied and that parking will become less available. Committee noted that there is a condition that limits the mezzanine to storage purposes but expressed concern that if the unit is sold and a new tenant has a different type of business nature, the condition for storage only may not be observed. Staff explained that the condition limiting the mezzanine to storage purposes only will remain with the unit in perpetuity and that if new owners come in they would also be required to use the mezzanine for storage purposes only in order to be in compliance. Staff advised that otherwise, the variance will become null and void.

Mr. Marchese responded that they were hired for this application only and expressed that he agrees with staff that moving forward one comprehensive planning would be a good approach. Following discussion, Mr. Marchese indicated that the proposed conditions were acceptable.

Zoning Staff added for the consideration of Committee and for the benefit of the applicant that on December 9, 2020 City Council passed a Zoning By-law Amendment that reduced the parking rate for several uses throughout the City. Staff explained that going forward after the appeal period expires there may be a reduced parking requirement for this site specifically related to office uses where the parking rate has been reduced. Staff explained that while there is a site specific rate that applies to this property for the permitted uses, any accessory office or office uses as principal use will be calculated at a lower rate. Staff added that overall, if there are no appeals against the Zoning by-law Amendment the parking requirement on this site will be reduced.

Committee of Adjustment Minutes

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: A. C. Marques

Seconded by: R. Power

THAT application A-2020-0142 to permit the construction of a 123.3 square metre mezzanine in Units 12 & 13 and to allow 30% of the unit to be used for accessory retail use while providing 81 parking spaces on site be approved for the following reasons and subject to the following conditions:

1. That the extent of the variance be limited to that shown on the sketch attached to the Public Notice;
2. That the mezzanine shall be used for storage purposes only;
3. That the requirement for parking for any combination of uses permitted in the "M4-1548" zone, or permitted by way of Minor Variance be calculated at the applicable parking rate in accordance with the Zoning By-law and shall not exceed 98 parking spaces; 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

8.10 **A-2020-0143**

ANDREW WATTS AND KAMILA GOLEC

LOT 84, PLAN M-261 - 42 MAJESTIC CRESCENT - WARD 8

The applicants are requesting the following variance(s):

1. To permit a side yard setback of 1.57m (5.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum side yard setback of 1.8m (5.90 ft.) to the second storey;
2. To permit a side yard setback of 0.6m (1.97 ft.) to a proposed porch on the first floor whereas the by-law requires a minimum side yard setback of 1.2m (3.94 ft.);

Committee of Adjustment Minutes

3. To permit a lot coverage of 35.7% whereas the by-law permits an existing legal non-complying lot coverage of 33%.

Mr. Raffi Tashdjian, Tashdjian Design, authorized agent for the applicant, presented application A-2020-0143 briefly outlining the variances requested. Mr. Tashdjia noted that although the maximum lot coverage permitted is 30%, the lot coverage is currently 33%.

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

Mr. Tashdjian 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-2020-0143 to permit a side yard setback of 1.57m (5.15 ft.) to a proposed second storey addition; to permit a side yard setback of 0.6m (1.97 ft.) to a proposed porch on the first floor and to permit a lot coverage of 35.7% 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 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 10:43 a.m. to meet again on Tuesday, January 26, 2021.

CARRIED

Public Works

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

peelregion.ca

January 19, 2020

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

**Re: Peel Region Consolidated Comments
City of Brampton Committee of Adjustment Hearing January 26th, 2021**

Dear Ms. Myers,

Regional Planning staff have reviewed the minor variance and consent applications listed on the January 26th, 2021 Committee of Adjustment Agenda. We have no objections or comments on the following applications: A-20-145B, A-20-146B, A-20-147B, A-20-148B, A-20-149B, A-20-150B, A-20-151B, A-20-152B, A-20-154B, A-20-157B, A-20-158B, A-20-159B, A-20-160, A-20-161B

The Region of Peel offers our comments and/or conditions on the following applications:

Regarding Minor Variance Application A-20-156B, 123 Leadership Drive

Servicing – Bernadette Sniatenchuk (905) 791-7800, extension 8589

Comment:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact our Site Servicing Technicians by email at siteplanservicing@peelregion.ca

Regarding Consent Application B-20-026 and B-020-027B, 10829 and 00 McVean Drive

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.

The severed portion under application B-2020-027B will have no frontage onto municipal sanitary sewer. For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServicerequests@peelregion.ca.

Public Works

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

peelregion.ca

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.

Regarding Deferred Consent Application DEF-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.

Best,



Abiral Homagain
Junior Planner, Development Services



NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR BHARWALIA**

Purpose and Effect

The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes. Concurrent Consent Application B-2020-0027.

Location of Land:

Municipal Address: **10829 McVean Drive**

Former Township: Toronto Gore

Legal Description: Part of Lot 15, Concession 9 ND

Meeting

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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: JANUARY 21, 2021

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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:	YES	File Number: A-2020-0158

Decision and Appeal

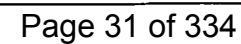
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer 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 7th Day of January, 2021

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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-2020-0026~~ ~~B-2020-0027~~
A-2020-0158

1601-21 MARKBROOK LANE, TORONTO, ON, M9V 5E4 T: 1-647 967 7937 E: archlaxmanpatel@gmail.com, laxman@kalparchitect.com

Date: December 08, 2020

The City of Brampton,
2 Wellington Street West, Brampton, ON, L6Y 4R2
Brampton On L6Y 5T1

Kind Attention: Jeanie Myers

Reg: 10829 McVean Dr & 00 McVean Dr – Consent application – Cover letter

Hi,

My client/s is/are the owner/s of the property located above mentioned address. Currently there is a house constructed on 10829 McVean Dr lot and adjacent lot on the north side, i.e. 00 Mcvean Dr, is currently vacant. Lot 10829 has an access from the McVean Dr.

The intent of the application is to reconfigure these lots such that both the lots after severance get access from Bowman Ave.

Since these properties are under TRCA jurisdiction, an application was made to TRCA for supporting the proposed severance application. During review the process, TRCA requested EIS (Environmental Impact Study) and HDF (Headwater Drainage Feature) studies, which were prepared by a specialist and submitted to TRCA. After review, TRCA has issued a letter, attached herewith, supporting the proposed severance application.

Accordingly, please find herewith

- 1 Application form duly completed,
- 2 sketch drawing
- 3 Fees – by cheques for \$ 3883.00

On behalf of my client/s, I request the Committee to approve the Consent application.
Looking forward to hearing from you soon.

Thank you,
Sincerely,

Laxman Patel - For Laxman Patel Architect

Copy : Balbir Singh Bharwalia & Nirmaljit Kaur Bharwalia - bittuwalia71@yahoo.com

October 19, 2020

CFN 60752.01

BY E-MAIL: archlaxmanpatel@gmail.com

Mr. Laxman Patel
Laxman Patel Architect
1601-21 Markbrook Lane
Toronto, ON M9V 5E4

Dear Mr. Laxman:

**Re: TRCA Concept Development Application
10829 McVean Drive
Part Lot 15, Concession 9
City of Brampton
Owner: Balbir Bharwalia**

Further to our correspondence dated July 11, 2019 and November 29, 2019, this letter acknowledges receipt of additional materials associated with the above noted Concept Development Application in the City of Brampton. Toronto and Region Conservation Authority (TRCA) staff reviewed a revised submission received September 9, 2020 and October 7, 2020. We offer the following comments based on this review:

Purpose of the Application

It is our understanding that the purpose of this application is to determine the feasibility of a lot line adjustment in order to create two new lots that front onto Bowman Avenue.

Application Specific Comments

TRCA staff is supportive of repositioning the HDF to be located within one lot thus ensuring the HDF feature is not bisected through the severance and/or future development. TRCA staff recommends shrub whips at start/end of the HDF, as well as, a delineation of a no mow zone along the HD, if possible.

Please be advised that TRCA staff has an interest regarding any future works on the subject properties as they may be subject to TRCA permit pursuant to Ontario Regulation 166/06.

Recommendation

Based on the materials submitted to date, TRCA staff are supportive of the proposed lot line adjustment and would have no objection to the general proposal proceeding as submitted.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. I trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

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

Lina Alhabash
Planner I
Planning and Development
Extension 5657

LA/as



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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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 BALBIR SINGH BHARWALIA & NIRMALJIT KAUR BHARWALIA
(print given and family names in full)

Address 10829 McVEAN DR, BRAMPTON, ON, L6P 0K2

Phone # 416 457 8571 Fax # _____

Email bittuwalia71@yahoo.com

(b) Name of Authorized Agent LAXMAN PATEL

Address 1601-21 MARKBROOK LANE, TORONTO, ON, M9V 5E4

Phone # 647 967 7937 Fax # _____

Email archlaxmanpatel@gmail.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: Severance of existing lot by reduction of 3815.1680 Sq. m. to adjoining lot '0 McVean dr; and addition of 2451.1484 Sq. m. from adjoining lot '0 McVean dr'. The severed lot to have access from Bowman Ave.

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

N/A

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

a) Name of Street McVean Dr Number 10829

b) Concession No. Con 9 ND PT LOT 15 Lot(s) -

c) Registered Plan No. - Lot(s) -

d) Reference Plan No. RP 43R2168 PART 1 & RP 43R1880 PART 1 Lot(s) -

e) Assessment Roll No. 10-12-0-002-03116-0000 Geographic or Former Township Toronto Gore - CITY OF BRAMPTON

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

Yes ☒ No ☐
Specify: Fee required for ROW by City of Brampton & Temporary grading easement

6. Description of severed land: (in metric ur

a) Frontage 63.40 m Depth 128.72 m Area 8107.7675 m2

b) Existing Use Residential Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severe
(existing) One 2 Storey Dwelling Unit and 2 Frame Shed
(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 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):	<u></u>	

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

7. Description of retained land: (in metric un (Lot Area after Fees Deduction)

a) Frontage 48.83 m Depth 63.40 m Area 3672.7444 m2

b) Existing Use Residential Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be retain
(existing) One - residential
(proposed) -

7 a Description of addition of land: (in metric unit)
Area: 2451,1484 m2

- | 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 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 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): _____ | | |

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	RE-2	RE-2
Official Plans City of Brampton	RESIDENTIAL	RESIDENTIAL
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 #	Status/Decision
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
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100	100

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:

N/A	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment		
Minister's Zoning Order		
Minor Variance	<u>A - 2020-0158</u>	<u>CONCURRENT</u>
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 08 day of December, 2020.

[Signature]
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, LAXMAN PATEL of the 1601 of 21 MARKBROOK LANE
in the County/District/Regional Municipality of TORONTO solemnly declare that all the statements contained in 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 Brampton
in the Region of Peel
this 8th day of December, 2020.

[Signature]
Signature of applicant/solicitor/authorized agent, etc.
Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario
for the Corporation of the
City of Brampton
Expires April 6, 2021

[Signature]
Signature of a Commissioner, etc.

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

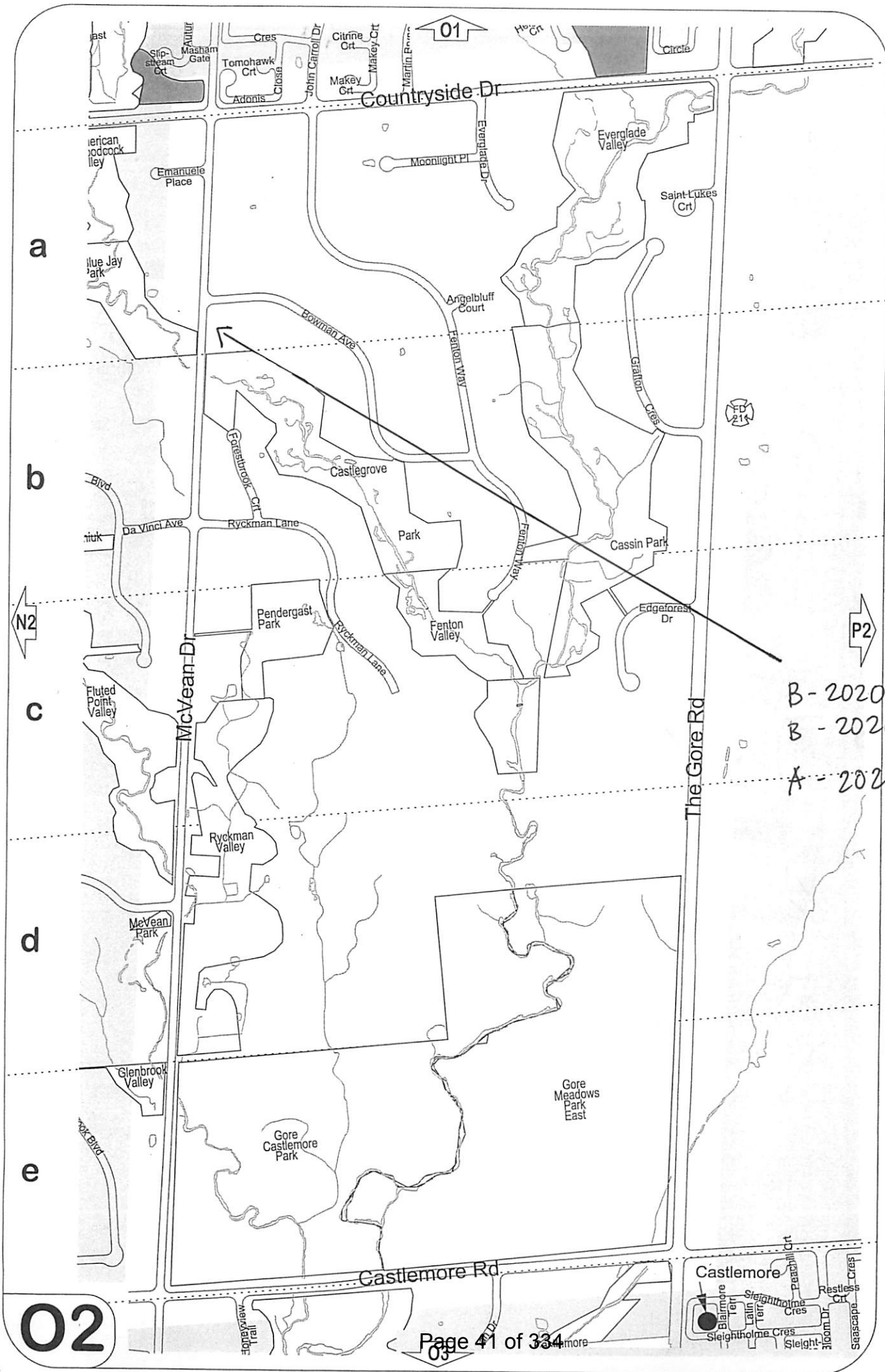
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.

[Signature]
Zoning Officer

December 14, 2020
Date

DATE RECEIVED December 8, 2020





B - 2020 - 0026
B - 2020 - 0027
A - 2020 - 0158

Filing Date: December 16, 2020

Hearing Date: January 26, 2021

File: B-2020-0026, B-2020-0027, and A-2020-00158

**Owner/
Applicant:** **BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR
BHARWALIA**

Address: **10829 McVean Drive**

Ward: 10

Contact: Shelby Swinfield, Planner I

Recommendations:

That the applications be formally approved in the following order: B-2020-0026, B-2020-0027, and A-2020-0158.

That application A-2020-0158 is supportable, subject to the following conditions being imposed:

1. That related consent applications B-2020-0026 and B-2020-0027 be approved;
2. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

AND That applications B-2020-0026 and B-2020-0027 are supportable, subject to the following conditions being imposed upon both applications:

1. 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;
2. 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;
3. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land

that is the subject of this consent.

4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Part of Lot 15, Concession 9 ND, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)
6. 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.
7. That the applicant obtain all required permits pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development and pay any outstanding fees to the satisfaction of the Toronto and Region Conservation Authority;
8. The applicant will be required to convey lands to the city for day-lighting at the intersection of McVean Drive and Bowman Avenue. Day-lighting is governed by the major road. In this case McVean Drive is classified as an arterial Road. As a result, a 15 metre daylight triangle shall be provided to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
9. The applicant shall gratuitously convey to the City of Brampton a 5.0 metre road allowance widening along the entire McVean Drive frontage, towards the ultimate right of way designation of 30 metres or 15 metres from the centerline of the right-of-way. The applicant shall prepare a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
10. The Owner shall make necessary arrangements to lift the 0.3 metre reserve at the approved access locations at Bowman Avenue, to the satisfaction of the City's Legal Services Division and the Transportation Division.

Background:

- **Official Plan:** The subject property is designated "Estate Residential" in the Official

Plan;

- **Secondary Plan:** The subject property is designated 'Estate Residential' in the Toronto Gore Rural Estate Secondary Plan (Area 26); and
- **Zoning By-law:** The subject properties are zoned "Estate Residential 2 – Special Section 1500 (RE2-1500)" according to By-law 270-2004, as amended.

Requested Severances:

The applicant is requesting the following severances:

1. (B-2020-0026) The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes.
2. (B-2020-0027) The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained.

A-2020-0158 Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;
3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

Minor Variance Application:

1. Conforms to the Intent of the Official Plan

The property is designated "Estate Residential" in the Official Plan and "Estate Residential" within the Toronto Gore Estate Secondary Plan (Area 26). The requested variances, in association with the concurrent severance applications, are intended to facilitate a realignment of two existing residentially zoned properties. This realignment will move the two existing residential accesses off of McVean Drive by orienting the lots northward to Bowman Drive.

Within the Estate Residential policies of the Official Plan, Section 4.2.3.3 prescribes minimum permitted lot sizes for residential properties. Within the Toronto Gore Estate Area, the minimum permitted lot size is 0.8ha (2 acres).

The intent of the Official Plan in prescribing these minimum lot areas is to maintain the estate character of the residential area. In the case of the subject property, the proposed reduction in lot area and width are required due to the gratuitous dedication of lands to the City for road widening and daylighting purposes associated with the concurrent severance applications presented within this report. Without the dedications, the lot would comply with applicable area and lot width requirements. This reduction in area due to land dedications is not anticipated to alter the estate character of the property. The requested variance related to front yard setback is 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 of the Official Plan.

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

The subject properties are zoned “Estate Residential 2 – Special Section 1500 (RE2-1500)” according to By-law 270-2004, as amended.

Variance 1 is to permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres. The intent of the by-law in requiring a minimum lot width is to ensure that a certain character is maintained for the property.

Variance 2 is to permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property.

In the case of the subject property, the reduction in proposed lot width and area are directly related to the dedication of a daylighting triangle from the subject lands to the City. Without this dedication, no variances relating to width or area would be required. The reduction in lot width is not considered to alter the estate character of the property. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area.

In the case of the subject property, given the orientation of the dwelling, the front yard setback is the effective side yard setback for the dwelling, with parking being provided on the existing driveway in front of the dwelling. Given the size of the lot, the requested

reduction in setback does not present concerns with regard to provision of landscaped area. 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

The requested variances are intended to allow the existing residential lot to be reoriented northward, and to accommodate deficiencies on site created by required land dedications to the City.

Variances 1 and 2 are to permit reduced lot width and area related to gratuitous dedication of land to the City. The reductions in lot area and width are not anticipated to alter the estate residential character of the property and will allow a residential access to be moved off of an arterial road. Subject to the recommended conditions of approval, requested variances are considered to be desirable for the appropriate development of the land.

Variance 3 is to permit the existing dwelling to remain in its current location after the residential lot is reoriented as part of the concurrent severance applications. The variance is representative of the existing dwelling location and is not anticipated to have any impact on the property from an aesthetic or functional perspective. 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

The requested variances are not anticipated to have significant impacts on the function or character of the estate residential property. The reductions in lot area and width are related to land dedication for road widening and daylighting. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Consent Applications:

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 applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

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 severances have no significant effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severances are 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 severances does not present any concern with regard to the Official Plan and will facilitate the realignment of two existing lots to remove residential frontage from an arterial roadway.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There are no concerns about the suitability of the land for the purposes of the severances.
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 severances do 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 proposed lots to be created are appropriate in size and shape for their purpose. An associated minor variance application is also submitted for the Committee’s consideration relating to permitting a reduced lot width, area, and front yard depth, all of which deficiencies arise from the conveyance of lands to the City.
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 lands to be subdivided.
h) <i>The conservation of natural resources</i>	The proposed severances present no

<i>and flood control;</i>	concerns with regard to flood control and the conservation of natural resources. The applicant has worked with and will continue to work with the Toronto and Region Conservation Authority to ensure proper management of the natural features on site.
<i>i) The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
<i>j) The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
<i>k) 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. Conditions of approval are recommended relating to conveyance of right of way and a daylighting triangle for McVean Drive.
<i>l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severances have no impact on matters of energy conservation.
<i>m) 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>	The dwelling proposed to be constructed on the severed parcel will be subject to a Site Plan Application under the City's Mature Neighbourhood By-law. There are no concerns noted with this process.

January 18, 2021

CFN 64138.01

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 2020-0158
Consent Applications – B 2020-0026 and B 2020-0027
10829 McVean Drive
Part Lot 15, Concession 9
City of Brampton
Balbir Bharwalia and Nirmaljit Kaur Bharwalia**

This letter will acknowledge receipt of the above noted applications, received on January 7, 2020. Toronto and Region Conservation Authority (TRCA) staff have reviewed the above noted applications, 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 Applications

The purpose of Minor Variance Application A 2020-0158 is to request the following variances:

1. To permit a lot width of 48.8 m. whereas the by-law requires a minimum lot width of 60 m.;
2. To permit a lot area of 6,124 sq.m. (0.61 ha.) whereas the by-law requires a minimum lot area of 0.8 ha.;
3. To permit a front yard depth of 10.3 m. whereas the by-law requires a minimum front yard depth of 12.0 m.

The purpose of Consent Application B 2020-0026 is to request consent to sever approximately 8,107.77 sq.m. (0.81 ha.) from a parcel of land currently having a total area of approximately 11.78 ha. (29.11 ac.). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes.

The purpose of Consent Application B 2020-0027 is to request the consent to sever approximately 8,107.01 sq.m. (0.81 ha.) from a parcel of land currently having total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained.

It is our understanding that the purpose of the above variance and consents is to allow a lot adjustment to create two new lots fronting Bowman Avenue. It is also our understanding that the property at 00 McVean Drive will be an L-shape lot and will include the Headwater Drainage Feature and the valley corridor located to the back of the properties.

Recommendation

On the basis of the comments noted below, TRCA staff supports **conditional approval** to the above noted applications, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development on 00 McVean Drive;
2. The applicant submits \$1,400 review fee to this office.

Applicable Policies and Regulations

Ontario Regulation 166/06:

A portion of the subject properties is located within TRCA's Regulated Area of the Humber River Watershed, as they are traversed by a Headwater Drainage Feature and are located adjacent to a valley corridor associated with the Humber River. 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 variances are to allow for a lot adjustment to create two new lots fronting Bowman Avenue. It is also our understanding that the property at 00 McVean Drive will be an L-shape lot and will include the Headwater Drainage Feature (HDF) and the valley corridor located to the back of the properties.

Based on our review, it appears that the proposed new lot line dissects a Headwater Drainage feature, located to the east of the existing house. TRCA staff reviewed a Concept Development Application for the proposed lot adjustment (CFN 60752.01) and determined that the proposed repositioning of the HDF onto 00 McVean Drive is acceptable. It is our expectation that the applicant will acquire a TRCA permit for the repositioning of the HDF and will complete the works prior to the registration of the new lots and prior to any future transfer to ownership. As such, TRCA staff have no concerns with the proposed lot adjustment, as submitted based on this condition.

Permitting:

As previously noted, a portion of the subject properties is located within TRCA's Regulated Area of the Humber River Watershed. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required for the alignment of the HDF and any future development on 00 McVean Drive.

1. Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee.

Fees

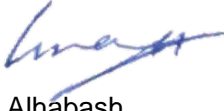
In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

2. 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 \$1,400 (Consent - 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 # B-2020-0027
Ward # 10

NOTICE OF AN APPLICATION FOR CONSENT

An application for consent has been made by **BALBIR SINGH BHARWALIA**

Purpose and Effect

The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained. Concurrent Consent Application B-2020-0026.

Location of Land:

Municipal Address: **0 McVean Drive**

Former Township: Toronto Gore

Legal Description: Part of Lot 15, Concession 9 ND

Meeting

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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: JANUARY 21, 2021

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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

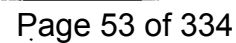
Any person or public body may, not later than **20 days after the giving of the notice of decision**, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer 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 7th Day of January, 2021

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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-2020-0026~~ B-2020-0027
A-2020-0158

1601-21 MARKBROOK LANE, TORONTO, ON, M9V 5E4 T: 1-647 967 7937 E: archlaxmanpatel@gmail.com, laxman@kalparchitect.com

Date: December 08, 2020

The City of Brampton,
2 Wellington Street West, Brampton, ON, L6Y 4R2
Brampton On L6Y 5T1

Kind Attention: Jeanie Myers

Reg: 10829 McVean Dr & 00 McVean Dr – Consent application – Cover letter

Hi,

My client/s is/are the owner/s of the property located above mentioned address. Currently there is a house constructed on 10829 McVean Dr lot and adjacent lot on the north side, i.e. 00 Mcvean Dr, is currently vacant. Lot 10829 has an access from the McVean Dr.

The intent of the application is to reconfigure these lots such that both the lots after severance get access from Bowman Ave.

Since these properties are under TRCA jurisdiction, an application was made to TRCA for supporting the proposed severance application. During review the process, TRCA requested EIS (Environmental Impact Study) and HDF (Headwater Drainage Feature) studies, which were prepared by a specialist and submitted to TRCA. After review, TRCA has issued a letter, attached herewith, supporting the proposed severance application.

Accordingly, please find herewith

- 1 Application form duly completed,
- 2 sketch drawing
- 3 Fees – by cheques for \$ 3883.00

On behalf of my client/s, I request the Committee to approve the Consent application.
Looking forward to hearing from you soon.

Thank you,
Sincerely,

Laxman Patel - For Laxman Patel Architect

Copy : Balbir Singh Bharwalia & Nirmaljit Kaur Bharwalia - bittuwalia71@yahoo.com

October 19, 2020

CFN 60752.01

BY E-MAIL: archlaxmanpatel@gmail.com

Mr. Laxman Patel
Laxman Patel Architect
1601-21 Markbrook Lane
Toronto, ON M9V 5E4

Dear Mr. Laxman:

**Re: TRCA Concept Development Application
10829 McVean Drive
Part Lot 15, Concession 9
City of Brampton
Owner: Balbir Bharwalia**

Further to our correspondence dated July 11, 2019 and November 29, 2019, this letter acknowledges receipt of additional materials associated with the above noted Concept Development Application in the City of Brampton. Toronto and Region Conservation Authority (TRCA) staff reviewed a revised submission received September 9, 2020 and October 7, 2020. We offer the following comments based on this review:

Purpose of the Application

It is our understanding that the purpose of this application is to determine the feasibility of a lot line adjustment in order to create two new lots that front onto Bowman Avenue.

Application Specific Comments

TRCA staff is supportive of repositioning the HDF to be located within one lot thus ensuring the HDF feature is not bisected through the severance and/or future development. TRCA staff recommends shrub whips at start/end of the HDF, as well as, a delineation of a no mow zone along the HD, if possible.

Please be advised that TRCA staff has an interest regarding any future works on the subject properties as they may be subject to TRCA permit pursuant to Ontario Regulation 166/06.

Recommendation

Based on the materials submitted to date, TRCA staff are supportive of the proposed lot line adjustment and would have no objection to the general proposal proceeding as submitted.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. I trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Lina Alhabash
Planner I
Planning and Development
Extension 5657

LA/as



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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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 BALBIR SINGH BHARWALIA
(print given and family names in full)

Address 10829 McVEAN DR, BRAMPTON, ON, L6P 0K2

Phone # 416 457 8571

Fax # _____

Email bittuwalia71@yahoo.com

(b) Name of Authorized Agent LAXMAN PATEL

Address 1601-21 MARKBROOK LANE, TORONTO, ON, M9V 5E4

Phone # 647 967 7937

Fax # _____

Email archlaxmanpatel@gmail.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: Severance of existing lot by reduction of 2451.1484 Sq. m. area to adjoining lot '10829 McVean dr; and addition of 3815.1680 Sq. m. area from adjoining lot '10829 McVean dr'. The severed lot to have access from Bowman Ave.

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

N/A

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

a) Name of Street McVean Dr Number 0

b) Concession No. Con 9 ND PT LOT 15 Lot(s) -

c) Registered Plan No. - Lot(s) -

d) Reference Plan No. RP 43R2168 PART 1 & RP 43R1880 PART1 Lot(s) -

e) Assessment Roll No. 10-12-0-002-03115-0000 Geographic or Former Township Toronto Gore - CITY OF BRAMPTON

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

Yes ☒ No ☐

Specify: Fee required for ROW by City of Brampton & Temporary grading easement

6. Description of severed land: (in metric ur

a) Frontage 63.40 m Depth 128.63 m Area 8107.0095 m2

b) Existing Use Vacant Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be severe
 (existing) Vacant
 (proposed) One 2 Storey Single family Dwelling Unit

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (specify):		

7. Description of retained land: (in metric un

a) Frontage 60.56 m Depth 63.40 m Area 5151.54 m2

b) Existing Use Residential (Vacant) Proposed Use Residential

c) Number and use of buildings and structures (both existing and proposed) on the land to be retain
 (existing) None (Vacant lot)
 (proposed) One - Residential

7 a Description of addition of land: (in metric unit)
 Area: 3815.1680 m2

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 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 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):		

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>RE-2</u>	<u>RE-2</u>
Official Plans City of Brampton	<u>RESIDENTIAL</u>	<u>RESIDENTIAL</u>
Region of Peel	<u>URBAN SYSTEM</u>	<u>URBAN DIMENSION</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 _____

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

N/A	File Number	Status
Official Plan Amendment		
Zoning By-law Amendment		
Minister's Zoning Order		
Minor Variance		
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 0208th day of December, 2020.


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

Check box if applicable:

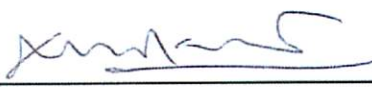
☐ I have the authority to bind the Corporation

DECLARATION

I, LAXMAN PATEL of the 1601 of 21 MARKBROOK LANE,

in the County/District/Regional Municipality of TORONTO solemnly declare that all the statements contained in 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 Brampton
in the Region of Peel
this 8th day of December, 2020.



Signature of applicant/solicitor/authorized agent, etc.


Signature of a Commissioner, etc.

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

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

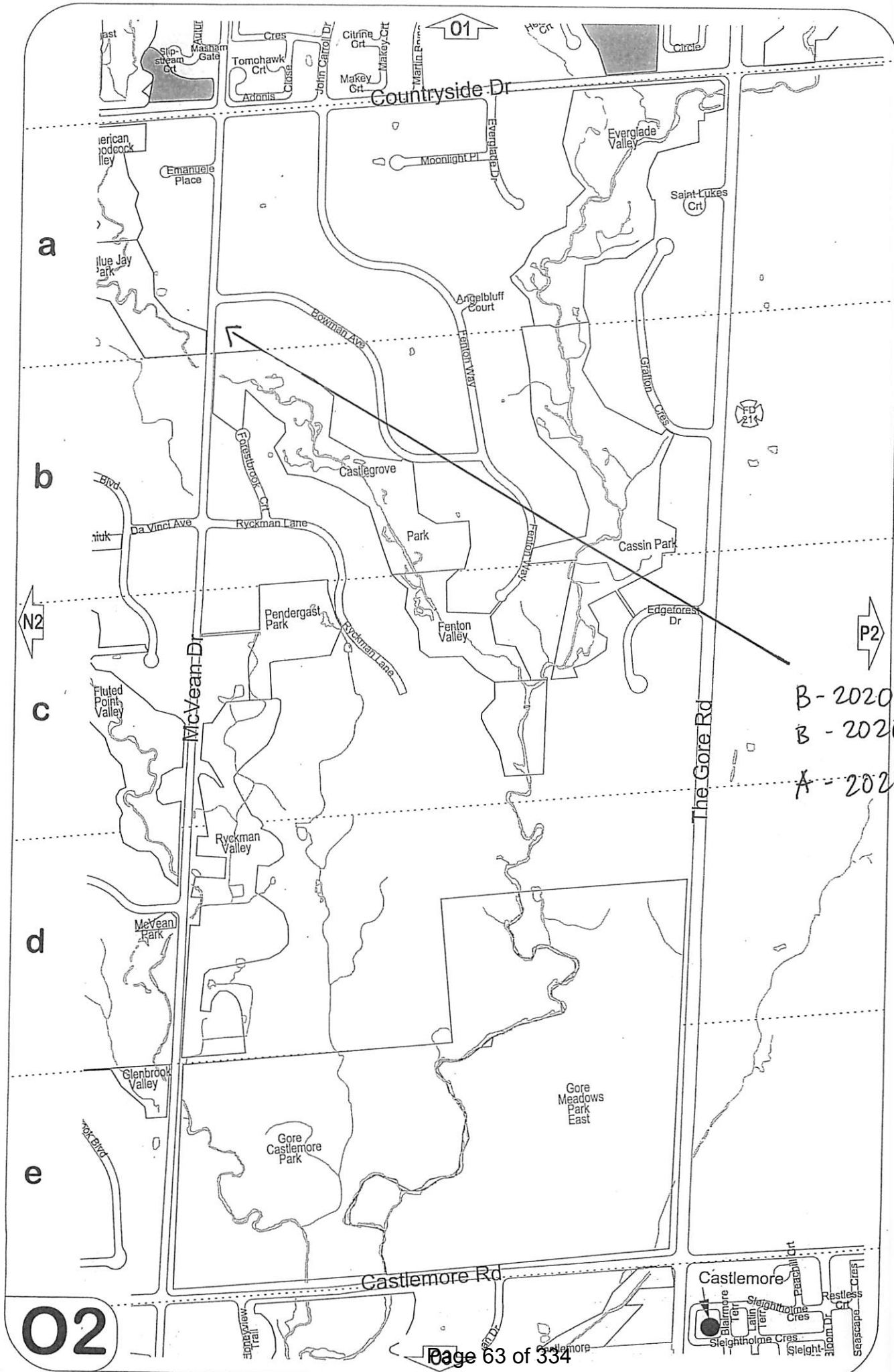
This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.


Zoning Officer

December 14, 2020
Date

DATE RECEIVED December 8, 2020





B-2020-0026
B-2020-0027
A-2020-0158

Filing Date: December 16, 2020

Hearing Date: January 26, 2021

File: B-2020-0026, B-2020-0027, and A-2020-00158

**Owner/
Applicant:** **BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR
BHARWALIA**

Address: **10829 McVean Drive**

Ward: 10

Contact: Shelby Swinfield, Planner I

Recommendations:

That the applications be formally approved in the following order: B-2020-0026, B-2020-0027, and A-2020-0158.

That application A-2020-0158 is supportable, subject to the following conditions being imposed:

1. That related consent applications B-2020-0026 and B-2020-0027 be approved;
2. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

AND That applications B-2020-0026 and B-2020-0027 are supportable, subject to the following conditions being imposed upon both applications:

1. 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;
2. 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;
3. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land

that is the subject of this consent.

4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Part of Lot 15, Concession 9 ND, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)
6. 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.
7. That the applicant obtain all required permits pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development and pay any outstanding fees to the satisfaction of the Toronto and Region Conservation Authority;
8. The applicant will be required to convey lands to the city for day-lighting at the intersection of McVean Drive and Bowman Avenue. Day-lighting is governed by the major road. In this case McVean Drive is classified as an arterial Road. As a result, a 15 metre daylight triangle shall be provided to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
9. The applicant shall gratuitously convey to the City of Brampton a 5.0 metre road allowance widening along the entire McVean Drive frontage, towards the ultimate right of way designation of 30 metres or 15 metres from the centerline of the right-of-way. The applicant shall prepare a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
10. The Owner shall make necessary arrangements to lift the 0.3 metre reserve at the approved access locations at Bowman Avenue, to the satisfaction of the City's Legal Services Division and the Transportation Division.

Background:

- **Official Plan:** The subject property is designated "Estate Residential" in the Official

Plan;

- **Secondary Plan:** The subject property is designated 'Estate Residential' in the Toronto Gore Rural Estate Secondary Plan (Area 26); and
- **Zoning By-law:** The subject properties are zoned "Estate Residential 2 – Special Section 1500 (RE2-1500)" according to By-law 270-2004, as amended.

Requested Severances:

The applicant is requesting the following severances:

1. (B-2020-0026) The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes.
2. (B-2020-0027) The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained.

A-2020-0158 Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;
3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

Minor Variance Application:

1. Conforms to the Intent of the Official Plan

The property is designated "Estate Residential" in the Official Plan and "Estate Residential" within the Toronto Gore Estate Secondary Plan (Area 26). The requested variances, in association with the concurrent severance applications, are intended to facilitate a realignment of two existing residentially zoned properties. This realignment will move the two existing residential accesses off of McVean Drive by orienting the lots northward to Bowman Drive.

Within the Estate Residential policies of the Official Plan, Section 4.2.3.3 prescribes minimum permitted lot sizes for residential properties. Within the Toronto Gore Estate Area, the minimum permitted lot size is 0.8ha (2 acres).

The intent of the Official Plan in prescribing these minimum lot areas is to maintain the estate character of the residential area. In the case of the subject property, the proposed reduction in lot area and width are required due to the gratuitous dedication of lands to the City for road widening and daylighting purposes associated with the concurrent severance applications presented within this report. Without the dedications, the lot would comply with applicable area and lot width requirements. This reduction in area due to land dedications is not anticipated to alter the estate character of the property. The requested variance related to front yard setback is 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 of the Official Plan.

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

The subject properties are zoned “Estate Residential 2 – Special Section 1500 (RE2-1500)” according to By-law 270-2004, as amended.

Variance 1 is to permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres. The intent of the by-law in requiring a minimum lot width is to ensure that a certain character is maintained for the property.

Variance 2 is to permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property.

In the case of the subject property, the reduction in proposed lot width and area are directly related to the dedication of a daylighting triangle from the subject lands to the City. Without this dedication, no variances relating to width or area would be required. The reduction in lot width is not considered to alter the estate character of the property. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area.

In the case of the subject property, given the orientation of the dwelling, the front yard setback is the effective side yard setback for the dwelling, with parking being provided on the existing driveway in front of the dwelling. Given the size of the lot, the requested

reduction in setback does not present concerns with regard to provision of landscaped area. 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

The requested variances are intended to allow the existing residential lot to be reoriented northward, and to accommodate deficiencies on site created by required land dedications to the City.

Variances 1 and 2 are to permit reduced lot width and area related to gratuitous dedication of land to the City. The reductions in lot area and width are not anticipated to alter the estate residential character of the property and will allow a residential access to be moved off of an arterial road. Subject to the recommended conditions of approval, requested variances are considered to be desirable for the appropriate development of the land.

Variance 3 is to permit the existing dwelling to remain in its current location after the residential lot is reoriented as part of the concurrent severance applications. The variance is representative of the existing dwelling location and is not anticipated to have any impact on the property from an aesthetic or functional perspective. 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

The requested variances are not anticipated to have significant impacts on the function or character of the estate residential property. The reductions in lot area and width are related to land dedication for road widening and daylighting. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Consent Applications:

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 applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

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 severances have no significant effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severances are 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 severances does not present any concern with regard to the Official Plan and will facilitate the realignment of two existing lots to remove residential frontage from an arterial roadway.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There are no concerns about the suitability of the land for the purposes of the severances.
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 severances do 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 proposed lots to be created are appropriate in size and shape for their purpose. An associated minor variance application is also submitted for the Committee’s consideration relating to permitting a reduced lot width, area, and front yard depth, all of which deficiencies arise from the conveyance of lands to the City.
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 lands to be subdivided.
h) <i>The conservation of natural resources</i>	The proposed severances present no

<i>and flood control;</i>	concerns with regard to flood control and the conservation of natural resources. The applicant has worked with and will continue to work with the Toronto and Region Conservation Authority to ensure proper management of the natural features on site.
<i>i) The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
<i>j) The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
<i>k) 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. Conditions of approval are recommended relating to conveyance of right of way and a daylighting triangle for McVean Drive.
<i>l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severances have no impact on matters of energy conservation.
<i>m) 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>	The dwelling proposed to be constructed on the severed parcel will be subject to a Site Plan Application under the City's Mature Neighbourhood By-law. There are no concerns noted with this process.



DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An amended application for consent has been made by **BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP 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); together with an easement over the severed lands in favour of the retained lands for emergency access. 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, January 26, 2021 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: JANUARY 21, 2021

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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:	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

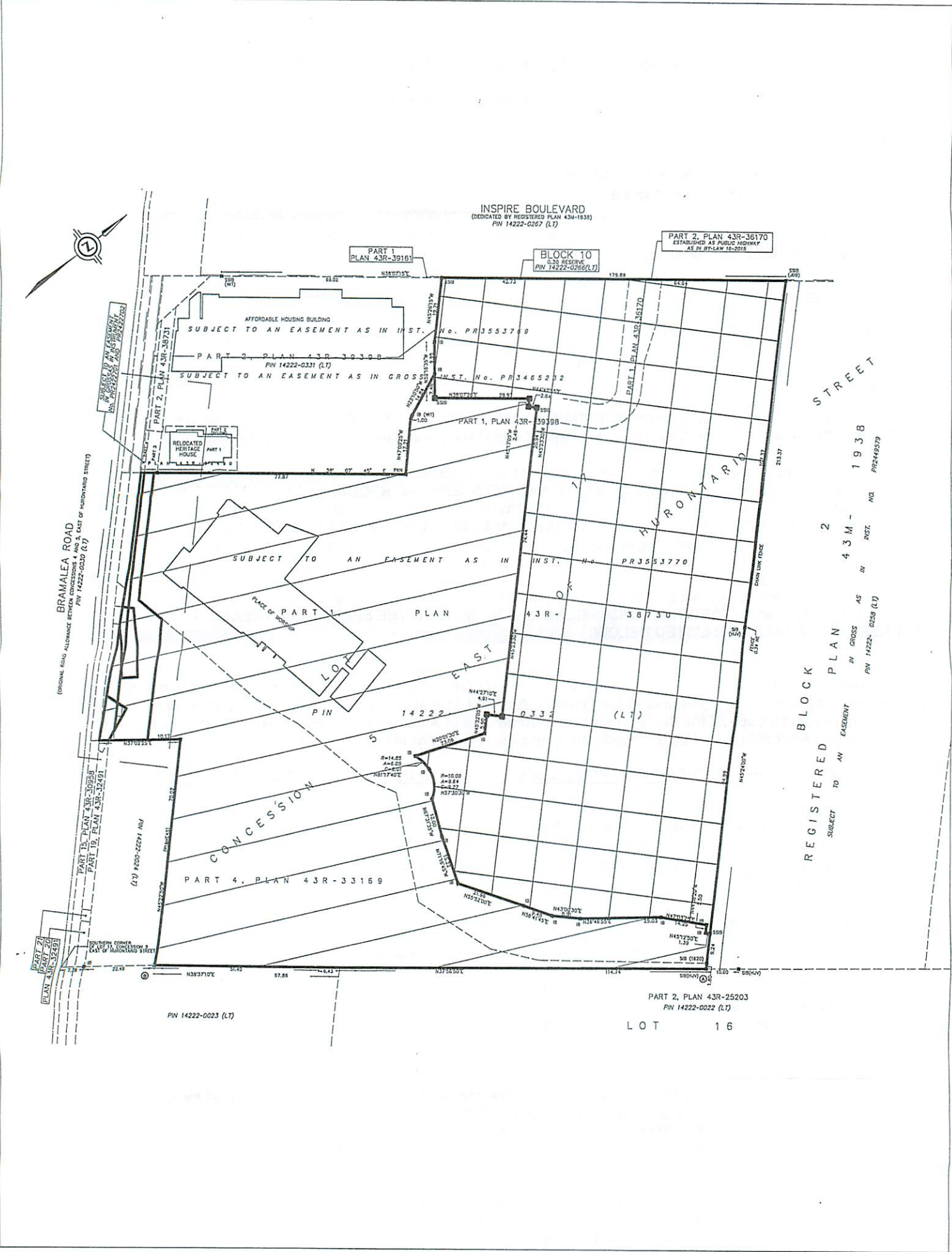
If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss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

DATED AT THE CITY OF BRAMPTON THIS 7th Day of January, 2021

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@klmplanning.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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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.



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

SENT VIA EMAIL

P – 3170

December 8, 2020

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

Attention: Ms. Jeanie Myers
Secretary – Treasurer

Re: Application for Consent **B-2020-0024**
Brampton Bramalea Christian Fellowship Inc.
11613 Bramalea Road
City of Brampton
Region of Peel

Dear Ms. Myers,

On behalf of our client, Brampton Bramalea Christian Fellowship Inc., we are pleased to submit an amended application and cover letter with respect to the lands located at 11613 Bramalea Road in Brampton, and legally described as Part of Lot 17, Concession 5 E.H.S.

Further to our original submission which requested the creation of a new lot and which was subsequently deferred at the request of staff at the December 1, 2020 Committee of Adjustment meeting in order to **amend** the application to include an easement over the retained lands in favour of the severed lands for emergency access only. With the amended application to add the easement, this matter is now scheduled to be heard by the Committee of Adjustment on January 26, 2021.

We trust the amended application and cover letter related to the access easement are satisfactory. However, should you require anything further, do not hesitate to contact the undersigned.

Yours very truly,

KLM PLANNING PARTNERS INC.



Keith MacKinnon, BA, MCIP, RPP
Partner

cc. Pastor Randy Neilson
cc. Sylvain Rivet
cc. Andrew Mulder

Filing Date: November 3, 2020

Hearing Date: January 26, 2021

File: B-2020-0024

Owner/

Applicant: BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP INC.

Address: 11613 Bramalea Road

Ward: 9

Contact: Shelby Swinfield, Planner I

Proposal:

The purpose of the application is to request the consent of the Committee of Adjustment. 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); together with an easement over the severed lands in favour of the retained lands for emergency access. 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 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. Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building Official. Should services serving one lot cross the other, the appropriate

easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the Secretary Treasurer;

3. That the Owner provide proof that the required access easements have been registered on title in perpetuity and that the access easements will be to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering;
4. That 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.

Background:

- **Official Plan:** The subject property is designated 'Designation' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Place of Worship' and "Medium High Density Residential" in the Countryside Villages Secondary Plan (Area 48b); and
- **Zoning By-law:** The subject property is zoned "Institutional 1 (I1)" and "Residential Townhouse A – Special Section 3002 (R3A(H)-3002)" 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

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 severance and easement are not considered to have significant impacts on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance and easement are 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 severance and easement are do not present any concern with regard to the Official Plan or adjacent plans of subdivision. The severed lands to be developed for residential purposes will be subject to review through a Site Plan Application upon their development.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There is no concerns about the suitability of the land for the purposes of the severance and 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 severance and easement do 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 proposed lots are appropriate in size and shape for their purpose.
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 lands to de subdivided.
h) <i>The conservation of natural resources</i>	The proposed severance and

<i>and flood control;</i>	easement present 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 severance will facilitate future residential uses. Through the development of the severed lands for residential purposes the local school boards will have the opportunity to evaluate the proposal.
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 severance and easement have 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 concerns related to the design of the proposal and matters of Site Plan Control as the property will be subject to Site Plan Control upon its development.



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **TIWANA PROPERTIES 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 Lot 4, Concession 2 EHS municipally known as **107 ORENDA ROAD, UNIT 10**, Brampton;

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

1. To permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop whereas the by-law does not permit a Motor Vehicle Sales Establishment.

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	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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.

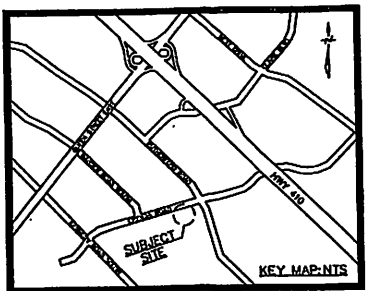
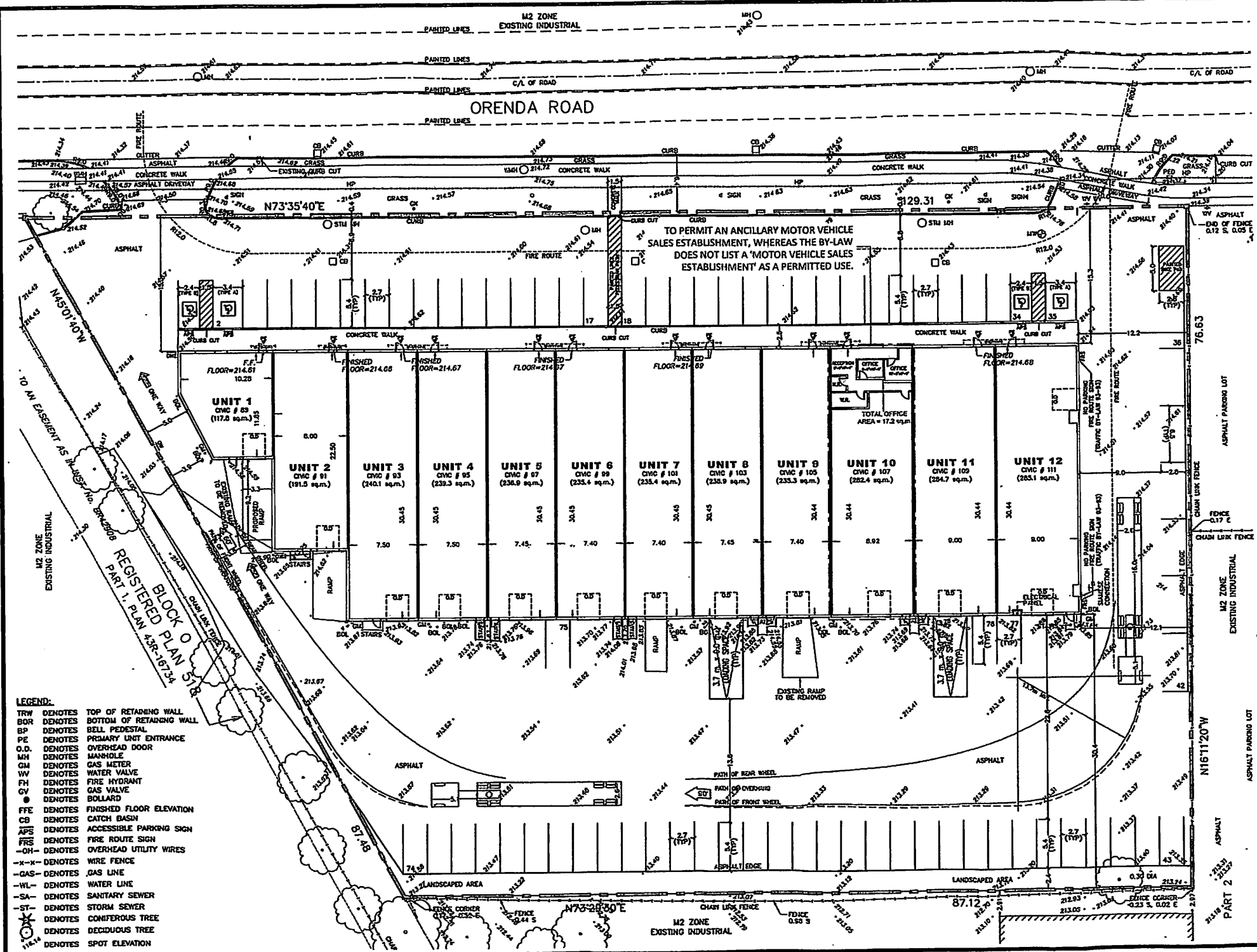
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 14th day of January, 2021.

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



SITE STATISTICS

TOTAL SITE AREA	= 8,302.7 sq.m. (100.0%)
TOTAL BUILDING ENVELOPE	= 2,823.6 sq.m. (34.0%)
TOTAL LANDSCAPED AREA	= 220.3 sq.m. (2.7%)
TOTAL ASPHALT AREA	= 5,258.8 sq.m. (63.3%)
TOTAL BUILDING G.E.A.	= 2,823.6 sq.m.
UNIT 10 G.E.A.	= 282.4 sq.m.
BUILDING HEIGHT	= ±5.0 m
GARAGE	= STORED INDOORS
REQUIRED PARKING	= 77 TOTAL (INC. 4 ACCESSIBLE SP.)
PROVIDED PARKING	= 77 TOTAL (INC. 4 ACCESSIBLE SP.)
REQUIRED LOADING SPACE	= 2
PROVIDED LOADING SPACE	= 2
EXISTING ZONING	= INDUSTRIAL TWO - M2
PROPOSED ZONING	= INDUSTRIAL TWO - M2
EXISTING USE OF UNIT 10	= MOTOR VEHICLE REPAIR
PROPOSED USE OF UNIT 10	= MOTOR VEHICLE REPAIR AND ANCILLARY MOTOR VEHICLE SALES
ADJACENT USE OF LAND	= SEE PLAN

LEGAL DESCRIPTION

PART OF LOT 4, CONCESSION 2
EAST OF HURONTARIO STREET
GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEELE

NOTE:
ALL SURVEY INFORMATION PROVIDED BY SUNIL PERERA
O.L.S. J.D.BARNES LIMITED 401 WHEELABRATOR WAY SUITE
A, MILTON ON, L7T5C1

planning services inc.

PH (905) 893-0046 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE			
APPLICATION FOR MINOR VARIANCE			
PROJECT			
107 ORENDA ROAD, BRAMPTON			
DEVELOPER/OWNER			
PHANTOM AUTOMOTIVE SERVICE INC.			
DRAWN	CHECKED	SCALE	DWG. NO.
K.A.R.		1 = 400	MV-1
DATE	ISSUED	CITY FILE No.	
NOV-20		PRE18.030	

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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 26, 2020

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

Attention: Jeanie Myers, Secretary-Treasurer

Re: Minor Variance Application. 107 Orenda Road.

Dear Ms. Myers,

Mainline Planning Services Inc. is retained by Phantom Automotive Services Inc. ('owner', 'Phantom Automotive') to act as their agent for the above referenced matter. Kindly accept this letter containing our planning opinion which is offered in support of the above referenced minor variance application.

As required in the application checklist, the following plans and documents are submitted to support this variance:

- One (1) duly executed copy of the original Minor Variance Application Form;
- One (1) copy of the owner's Authorization Letter;
- One (1) copy of the Permission to Enter;
- One (1) copy of our Planning Justification Report;
- One (1) copy of the Resolution of the Board of Directors of the Condominium Corporation
- One (1) copy of the Transfer of Ownership
- Two (2) copies of the Site Plan showing the requested variances, including one (1) reduction suitable for photocopying
- A cheque in the amount of \$2,510 payable to the City of Brampton for the full payment of the minor variance application (industrial property)

Planning Justification Report

Application:

The purpose of this minor variance application is to add motor vehicle sales to an existing auto repair business otherwise known as Phantom Automotive (i.e. within unit 10, 107 Orenda Road) whereas the use is not permitted by the Bylaw.

The Subject Property

The subject property is legally described as Part of Lot 4 Concession 2 E.H.S and is known municipally as 89-111 Orenda Road. The subject property contains a one-storey multi-tenanted industrial building that was recently converted to condominiums. It is important to note that variances were granted to permit motor vehicle sales within two (2) other units in the condominium (see file A110/01).

The Four Tests:

Section 45(1) of the *Planning Act* ("Act") allows the Committee of Adjustment to authorize variances to a zoning by-law where the variance is minor; is desirable for the appropriate development or use of land, building or structure; maintains the general intent and purpose of the official plan; and maintains the general intent and purpose of the zoning by-law. The Committee must be satisfied that all four tests are met to authorize the requested variance.

The Variance Requested:

We are requesting a variance to Section 32.1.1 of BY-LAW 270-2004. The purpose of the variance is to

enhance an existing business by permitting motor vehicle sales as an ancillary use.

For greater clarity, the primary business will continue to be an auto repair shop that from time to time will sell cars on consignment. The car sales portion of the business is conducted within the existing accessory office. No cars will be stored on site and therefore there is no potential for an adverse impact on other tenants within this property or neighbouring properties.

It is our professional Planning opinion that the Committee's approval of the subject variance is justified and represents good planning for the following reasons:

The Four Tests:

1. The Variance is Minor:

- The variance requested is minor because **there is no adverse impact** on the subject property or neighbouring properties caused by this proposal.
- The variance requested is minor because the car dealership is an internet sales component of the existing business that requires no outside storage of cars.

2. The Proposal is Desirable for the Appropriate Development of Land, Building and Structure

- The addition of a car dealership is compatible with the existing automotive repair shop and is **desirable to the owner** because it will enhance his business and allow him to maintain jobs.
- The proposed variance is **desirable to the City** as healthy businesses produce a healthy tax base so that funding is available for community services in addition to providing long term employment.
- The proposed variance is **desirable to this industrial community** as thriving businesses bring interest to the area and potential customers.

3. The Proposal maintains the General Intent and Purpose of the Official Plan

- The subject property is designated 'Central Area' in the City's Official Plan ('OP').
- The subject property is designated 'Industrial' within the Queen Street Corridor Secondary Plan SP36.
- Pursuant to OP policies 4.3.5.7 and 4.4.6.1, the general intent and purpose of the OP is to encourage the location of vehicle sales facilities together with automotive repair facilities in industrial areas while specifically discouraging their location on lands designated 'Local Retail' and 'Within the South Fletcher Courthouse Area Office Center'.
- This variance will enhance Phantom Automotive by expanding its service to include vehicle sales.
- The proposal is supported by Sections 4.4 of the Official Plan and 5.2.1 of the Queen Street Corridor Secondary Plan as noted in the following policies intended to encourage business growth for a healthy economy which benefits all Bramptonians:
 - ✓ *"a) Retain and enhance business, industry, and employment opportunities within Brampton; [and],*
 - ✓ *e) Increase the proportion of the City's non-residential assessment base by facilitating and promoting increases in the current level of business and industrial activity".*
- The addition of auto sales to this existing auto repair business is justified and supported by OP Section 4.4.2 which specifically states that the intent of the policy is to allow ancillary uses such as auto sales provided there is no adverse impact on the viability of employment lands.
 - ✓ *Section 4.4.2: "It is recognized that employment areas accommodate a certain range of ancillary uses without negatively impacting the viability of employment lands or employment operations."*
- The addition of auto sales to Phantom Auto in this case conforms to the OP and Secondary Plan as it is ancillary to the primary business and is permitted by policy 5.2.6 of the Queen Street Corridor Secondary Plan.

4. The Proposal maintains the General Intent and Purpose of the Zoning Bylaw

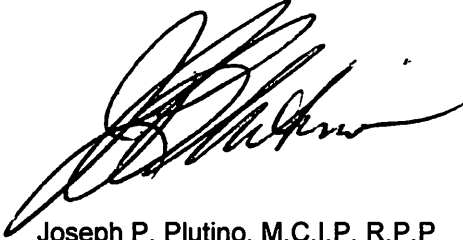
- **The subject property is zoned Industrial Two – M2.**

- Consistent with the Official Plan, the proposed variance will add an ancillary use that is compatible with the services provided by Phantom Automotive.

The requested variance will add an auto sales component to this existing auto repair business. It is our considered and professional planning opinion that a decision to permit the variance is justified because it meets the four tests in section 45(1) of the Planning Act.

We trust that our planning opinion is supported by staff and results in a recommendation for Committee approval. If you require anything further, please don't hesitate to contact Jennifer Ormiston or the undersigned at 905-893-0046.

Sincerely,
mainline planning services inc.



Joseph P. Plutino, M.C.I.P., R.P.P

cc. client

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)** Tiwana Properties Inc.
Address 107 Orenda Road - Unit 10 Brampton, Ontario L6W 1V7

Phone # See Agent Fax #
Email See Agent

2. **Name of Agent** Jennifer Ormiston (Mainline Planning Services)
Address PO BOX 319, Kleinburg, Ontario L0J 1C0

Phone # (905) 893 - 0046 Fax # _____
 Email jormiston@mainlineplanning.com _____

3. **Nature and extent of relief applied for (variances requested):**
To allow motor vehicle sales as a permitted use.

Please see attached Planning Justification

4. **Why is it not possible to comply with the provisions of the by-law?**
Motor vehicle sales is not a listed permitted use within the M2 Designation

5. Legal Description of the subject land:
 Lot Number Part of Lot 4
 Plan Number/Concession Number Concession 2/ EHS
 Municipal Address 107 Orenda Road - Unit 10 Brampton, Ontario L6W 1V7

6. Dimension of subject land (in metric units)
- | | |
|----------|---------------|
| Frontage | 129.31m |
| Depth | 76.63m |
| Area | 8,302.7 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.)
A single storey 12-unit industrial condominium building with an envelope of 2,823.6 square metres. The subject unit has an area of 282.4 square metres.

PROPOSED BUILDINGS/STRUCTURES on the subject land:
N/A - This is an existing site with no development being proposed

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	15.3m
Rear yard setback	30.4m
Side yard setback	5.0m
Side yard setback	12.2m

PROPOSED

Front yard setback	N/A - No changes proposed
Rear yard setback	N/A - No changes proposed
Side yard setback	N/A - No changes proposed
Side yard setback	N/A - No changes proposed

10. Date of Acquisition of subject land: September 2020
11. Existing uses of subject property: Industrial Related Uses
12. Proposed uses of subject property: Industrial Related Uses
13. Existing uses of abutting properties: Industrial Related Uses
14. Date of construction of all buildings & structures on subject land: 1964, 1978
15. Length of time the existing uses of the subject property have been continued: Circa 1970

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 # C02E04.018 Status Approved

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>A110/01</u>	Decision <u>Approved with Conditions</u>	Relief <u>To allow a motor vehicle sales establishment</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

[Signature]
Signature of Applicant(s) or Authorized Agent

DATED AT THE Town OF Haltom Hills
THIS 18th DAY OF November, 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, Jennifer Ormiston, OF THE Town OF Haltom Hills
IN THE Region OF Haltom 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 Mississauga
Regional Municipality
IN THE _____ OF _____
Peel THIS 18th DAY OF
November, 20 20.

[Signature]
Signature of Applicant or Authorized Agent

Jacqueline M. Knowles
A Commissioner etc.
Barclay + Solicitor

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

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.

HOTHIS.

Zoning Officer

NOV. 30. 2020

Date

DATE RECEIVED November 27, 2020

Revised 2020/01/07



NOTICE OF DECISION

Committee of Adjustment

FILE NUMBER A110/01

HEARING DATE MAY 22, 2001

APPLICATION MADE BY SELENEX CORPORATION LTD

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT; ZONING BY-LAW NUMBER 200-82
AS AMENDED AND AN APPLICATION FOR MINOR VARIANCE OR SPECIAL PERMISSION TO
ALLOW FOR A MOTOR VEHICLE SALES ESTABLISHMENT.

(101-103 ORENDA ROAD - PT LT 4 CONC 2 EHS)

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 there shall be no outside display of vehicles for sale.

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. PAPPAIN

SECONDED BY: K. MALHOTRA

SIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

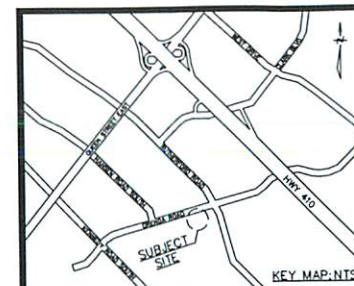
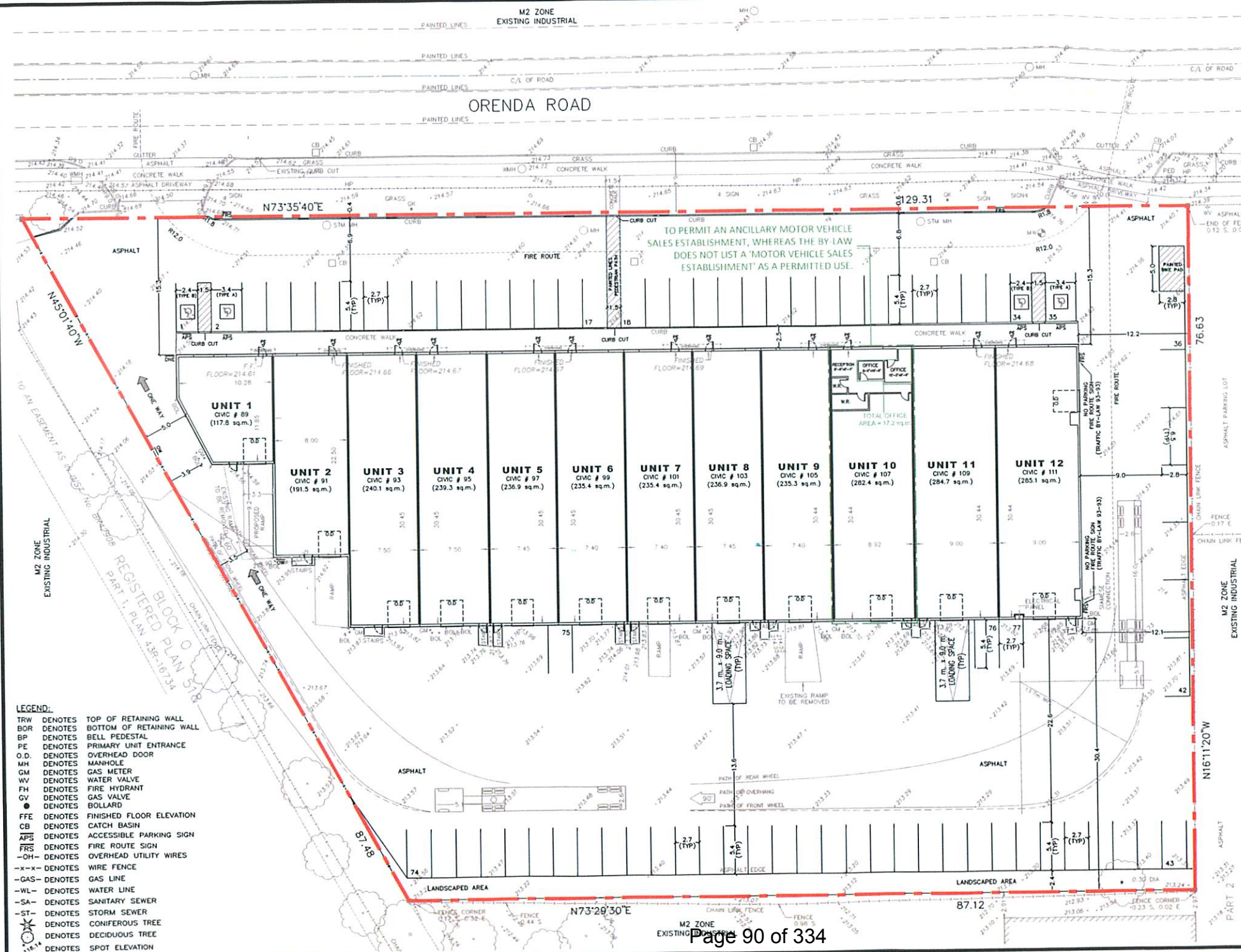
[Signature]
MEMBER

DATED THIS 22ND DAY OF MAY, 2001

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION
TO THE ONTARIO MUNICIPAL BOARD WILL BE JUNE 11TH, 2001.

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



SITE STATISTICS

TOTAL SITE AREA	= 8,302.7 sq.m. (100.0%)
TOTAL BUILDING ENVELOPE	= 2,823.6 sq.m. (34.0%)
TOTAL LANDSCAPED AREA	= 220.3 sq.m. (2.7%)
TOTAL ASPHALT AREA	= 5,258.8 sq.m. (63.3%)
TOTAL BUILDING G.F.A.	= 2,823.6 sq.m.
UNIT 10 G.F.A.	= 282.4 sq.m.
BUILDING HEIGHT	= ±5.0 m
GARBAGE	= STORED INDOORS
REQUIRED PARKING	= 77 TOTAL (INC. 4 ACCESSIBLE SP.)
PROVIDED PARKING	= 77 TOTAL (INC. 4 ACCESSIBLE SP.)
REQUIRED LOADING SPACE	= 2
PROVIDED LOADING SPACE	= 2
EXISTING ZONING	= INDUSTRIAL TWO - M2
PROPOSED ZONING	= INDUSTRIAL TWO - M2
EXISTING USE OF UNIT 10	= MOTOR VEHICLE REPAIR
PROPOSED USE OF UNIT 10	= MOTOR VEHICLE REPAIR AND ANCILLARY MOTOR VEHICLE SALES
ADJACENT USE OF LAND	= SEE PLAN

LEGAL DESCRIPTION

PART OF LOT 4, CONCESSION 2
EAST OF HURONTARIO STREET
GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEELE

NOTE:
ALL SURVEY INFORMATION PROVIDED BY SUNIL PERERA
O.L.S. J.D. BARNES LIMITED 401 WHEELABRATOR WAY SUITE
A, MILTON ON. L9T5G1

mainline
planning services inc.

PH (905) 893-0046 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE

APPLICATION FOR MINOR VARIANCE

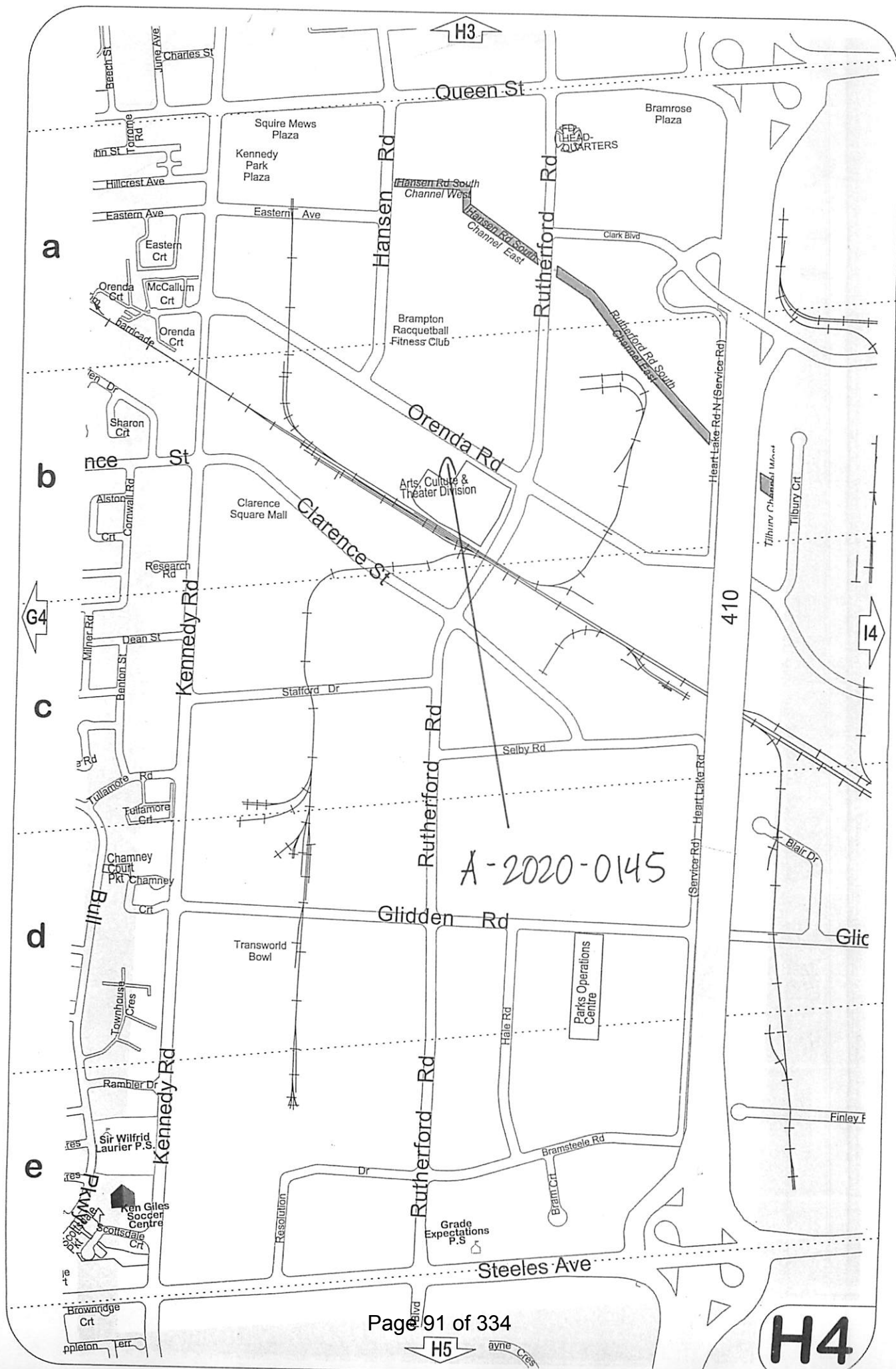
PROJECT

107 ORENDA ROAD, BRAMPTON

DEVELOPER/OWNER

PHANTOM AUTOMOTIVE SERVICE INC.

DRAWN	CHECKED	SCALE	DWG. NO.
K.A.R.		1 = 400	MV-1
DATE	ISSUED	CITY FILE No.	
NOV-20		PRE18.030	



Filing Date: November 30, 2020

Hearing Date: January 26, 2021

File: A-2020-0145

**Owner/
Applicant:** **TIWANA PROPERTIES INC.**

Address: **107 Orenda Road**

Ward: 3

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0145 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 no outdoor display or storage of vehicles shall be permitted on site;
3. That the Motor Vehicle Sales use shall only be permitted in conjunction with a permitted Motor Vehicle Repair use; and
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 "Industrial Two (M2)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a Motor Vehicle Sales Establishment in conjunction with a permitted Motor Vehicle Repair Shop whereas the by-law does not permit a Motor Vehicle Sales Establishment.

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). The Industrial designation permits limited retail uses that are complimentary to permitted industrial uses, including motor vehicle repair. The requested variance is to permit a small portion of the existing office within a Motor Vehicle Repair Establishment to be used for sales. The proposed use is considered to be complimentary to the permitted Motor Vehicle Repair use. 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 “Industrial Two (M2)” according to By-law 270-2004, as amended. The intent of the by-law in permitting a certain class of uses on a property is to ensure that the uses can function effectively together, and that the uses can be appropriately regulated by the standards within the zone category. The requested variance proposes to use a small portion of an existing the existing unit for motor vehicle sales use, with the primary function of the unit remaining as motor vehicle repair. No outdoor storage or display of vehicles is proposed as part of this application, and a condition of approval is recommended that no outdoor storage or display be permitted to ensure the nature of the sales aspect does not expand beyond what is understood within this variance application. 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 to permit motor vehicle sales in conjunction with a permitted motor vehicle repair use is intended to allow the existing repair business to intermittently sell cars on consignment, while maintaining the principle business within the unit as a motor vehicle repair shop. The additional use is not anticipated to have a significant impact on the overall function of the property given its proposed scale. A condition of approval is recommended that the sales use only be permitted in conjunction with a permitted repair use to ensure that the use is ancillary in nature. 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 proposes to use a limited floor area within an existing industrial unit for motor vehicle sales, whereas the function of the unit will remain primarily for automobile repair, which is a permitted use. The requested variance is not anticipated to

have any negative impacts on the function of permitted uses within the property and, subject to the recommended conditions of approval, will only operate in conjunction with a permitted use. 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **DEEPAK KUMAR** 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 569, Plan 652 municipally known as **14 APPLEBY DRIVE**, Brampton;

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

1. To permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 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, January 26, 2021 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 14th day of January, 2021.

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

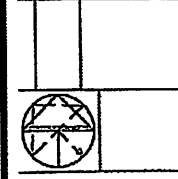
RELEASED FOR BUILDING PERMIT

ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF C.A. ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF C.A. ARCHITECTURE.

CONSENT REQUIRED

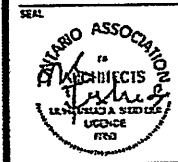
NO. DATE REVISION/ISSUED

01	2020.11.05	ISSUED FOR PERMIT
02	2020.11.05	REVISION



CA architecture

C.A. ARCHITECTURE
51 MAHETT CRES.
BRAMPTON, ON L6X 4X5
c: 647.741.5917
e: info@ca-arch.com



WASHROOM ADDITION

14 APPLEBY DR,
BRAMPTON

SITE PLAN

SCALE: 1/8"=1'-0"

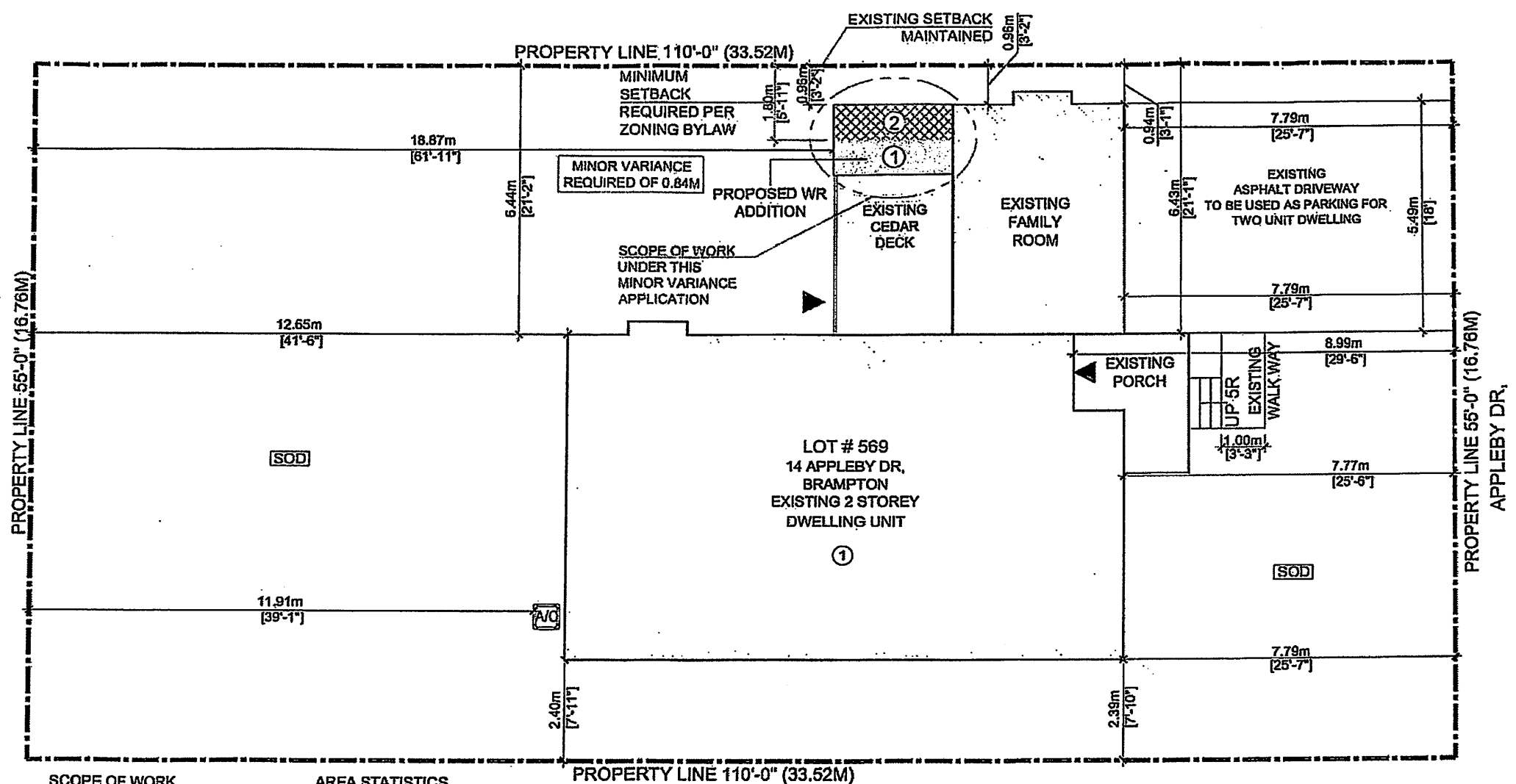
DATE: 2020.11.05

PROJECT: 20-239

DRAWING NO:

A-01

REVISION: 00



SCOPE OF WORK		AREA STATISTICS	
①	PROPOSED WASHROOM ADDITION	EXISTING ROOF AREA:	1340.15 SFT / 124.54 SM
②	MINOR VARIANCE FOR PROPOSED WASHROOM ADDITION:	PROPOSED WR ADDITION:	51.18 SFT / 4.75 SM
		TOTAL ROOF AREA:	1391.33 SFT / 129.30 SM
		LOT AREA:	6047.47 SFT / 562.03 SM
		TOTAL LOT COVERAGE:	23.00%
		30% - LOT COVERAGE ALLOWED PER ZONING	
	1.80 M SETBACK REQUIRED PER ZONING BYLAW	▲ ENTRANCE & EGRESS	
	0.96 M EXISTING SETBACK MAINTAINED		

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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.

APPLICATION
Minor Variance or Special Permission
 (Please read Instructions)

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.)

2 Storey Single Dwelling unit with attached garage

Existing Roof Area: 124.54 SM

PROPOSED BUILDINGS/STRUCTURES on the subject land:

2 Storey Single Dwelling Unit with attached garage

WR Addition : 4.75 SM

Total Roof Area: 129.30 SM

Lot Area: 562.03 SM

Total Lot Coverage: 23.00 % (30 % Lot COverage allowed per Zoning)

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 7.77 M

Rear yard setback 12.65 M

Side yard setback 7.86 M (left side)

Side yard setback 0.96 M (right side)

PROPOSED

Front yard setback No Change

Rear yard setback No Change

Side yard setback No Change

Side yard setback Maintain existing side yard setback of 0.96 M

10. Date of Acquisition of subject land: 1961
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: 1962
15. Length of time the existing uses of the subject property have been continued: 58 years

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

Municipal

☒

Well

☐

Other (specify)

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

Municipal

☒

Septic

☐

Other (specify)

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

Sewers

☒

Ditches

☐

Swales

☐

Other (specify)

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ 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 _____

M. Arshad Siddiqui
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____

THIS 3 DAY OF _____ December _____, 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, M. Arshad Siddiqui, 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 _____

December _____, 2020.

April Dela Cerna
A Commissioner etc.

M. Arshad Siddiqui
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:

R2A(1)-100, MATURE

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.

HOTHIS.

Zoning Officer

DEC. 03. 2020

Date

DATE RECEIVED December 3, 2020

Revised 2019/01/06

RELEASED FOR BUILDING PERMIT
 CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES IF ANY TO THE CONSULTANTS BEFORE CONSTRUCTION.
 ALL DIMENSIONS 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 ENLARGED FIRST READ DRAWING ACCORDINGLY.

COPYRIGHT RESERVED

THE COPYRIGHTS TO ALL DESIGNS AND DRAWINGS AND THE PROPERTY OF ARCHITECT REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY ARCHITECT IS FORBIDDEN

NO	DATE	REVISION / ISSUED
01	2020.11.05	SCHEMATIC DESIGN
02	2020.06.02	PERMIT APPLICATION



caarchitecture
 C ARCHITECTURE
 51 MANETT CRES.
 BRAMPTON, ON L6X 4X5
 c: 647.741.5917
 e: info@ca-archi.com



WASHROOM
 ADDITION

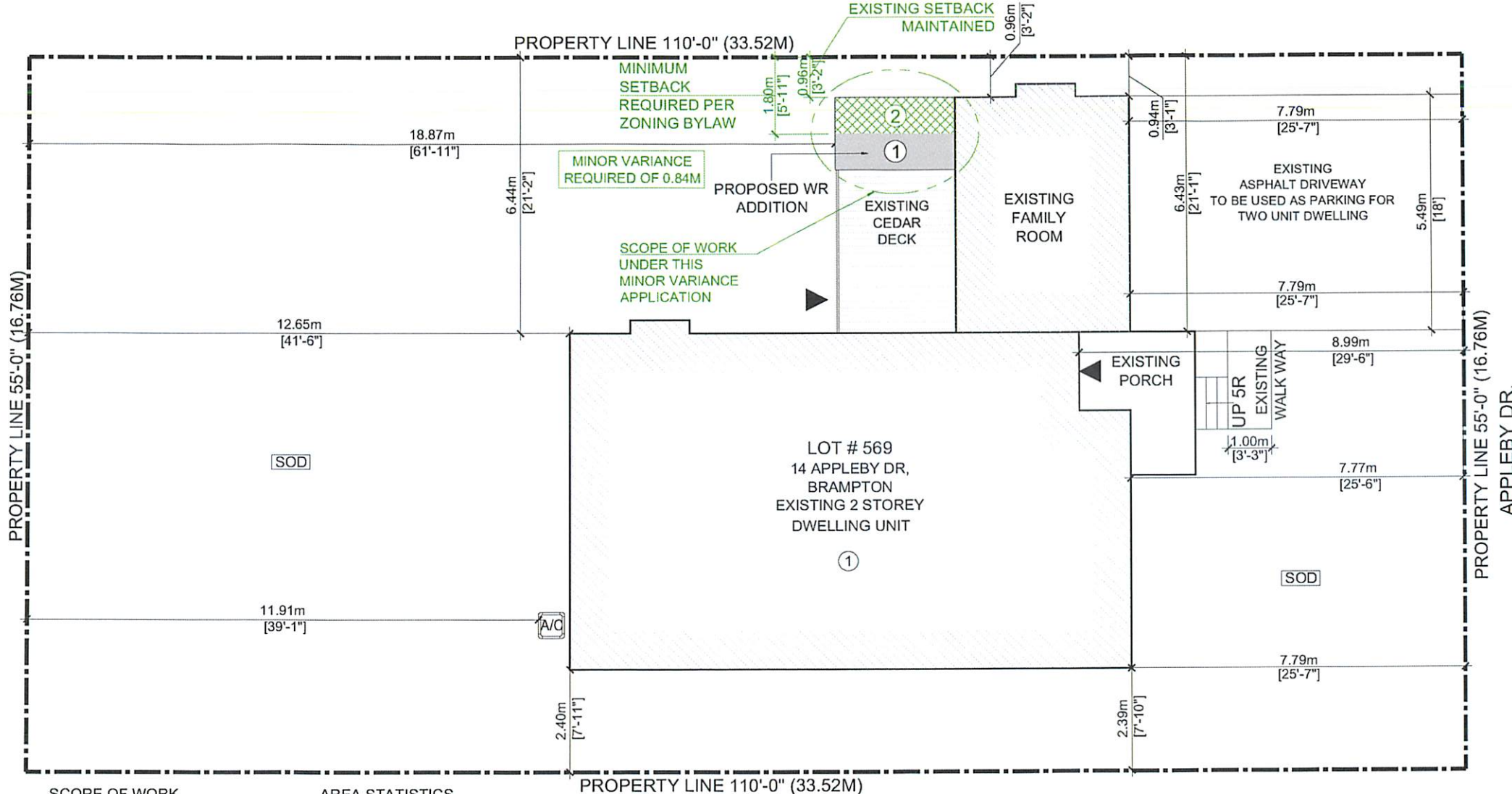
14 APPLEBY DR,
 BRAMPTON

SITE PLAN

SCALE: 1/8"=1'-0"
 DATE: 2020.11.05
 PROJECT: 20-239
 DRAWING NO:

A-01

REVISION: 00



SCOPE OF WORK

AREA STATISTICS

- ① PROPOSED WASHROOM ADDITION
- ② MINOR VARIANCE FOR PROPOSED WASHROOM ADDITION :

1.80 M SETBACK REQUIRED PER ZONING BYLAW
 0.96 M EXISTING SETBACK MAINTAINED

EXISTING ROOF AREA: 1340.15 SFT / 124.54 SM
 PROPOSED WR ADDITION: 51.18 SFT / 4.75 SM
 TOTAL ROOF AREA: 1391.33 SFT / 129.30 SM
 LOT AREA: 6047.47 SFT / 562.03 SM
 TOTAL LOT COVERAGE: 23.00%
 30% - LOT COVERAGE ALLOWED PER ZONING

▲ ENTRANCE & EGRESS

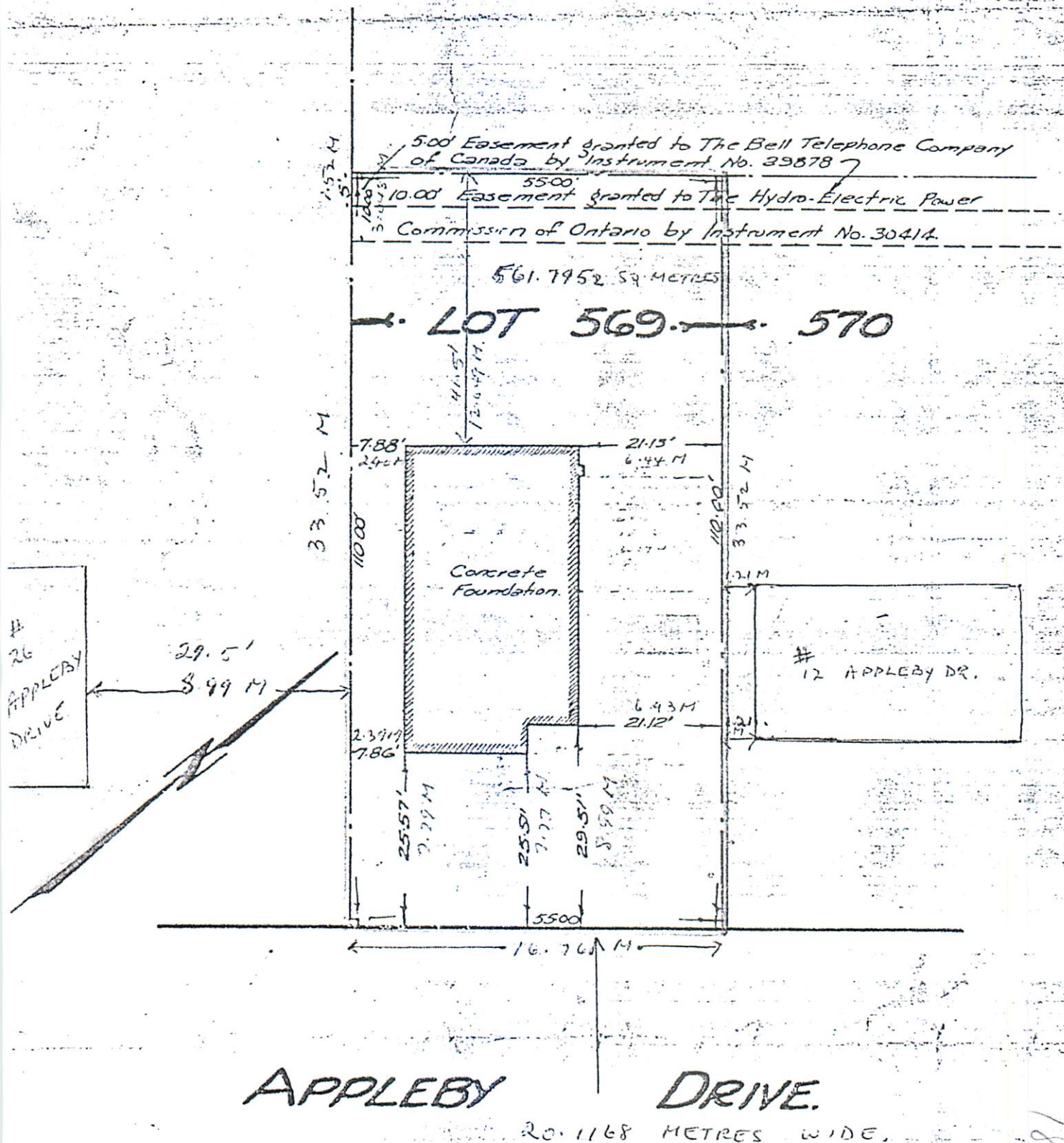
PLAN OF SURVEY OF LOT 569 PLAN 652 PEEL TOWNSHIP OF CHINGUACOUSY

SCALE: 1" = 20ft

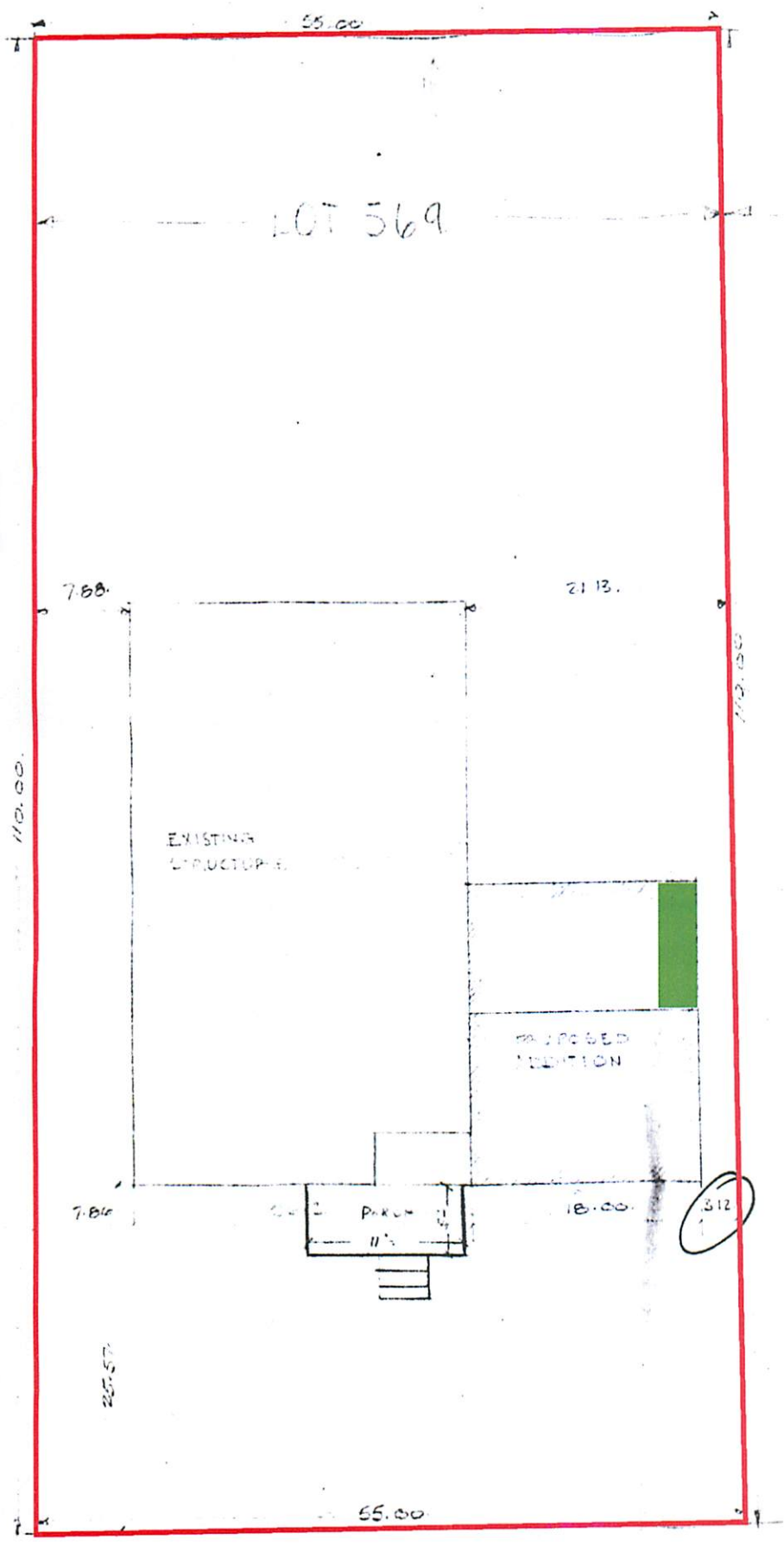
Bramalea Construction (Peel) Ltd.,
% Westbury Homes (1961) Mgrs.,
70 Bramalea Road,
Bramalea, Ontario.

DOCUMENTS RELEASED PURSUANT TO A REQUEST
UNDER THE
MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT R.S.O. 1990c. M56

COPYRIGHT ACT R.S., 1985, c. C-42 APPLIES TO THE
USE AND REPRODUCTION OF THESE DOCUMENTS



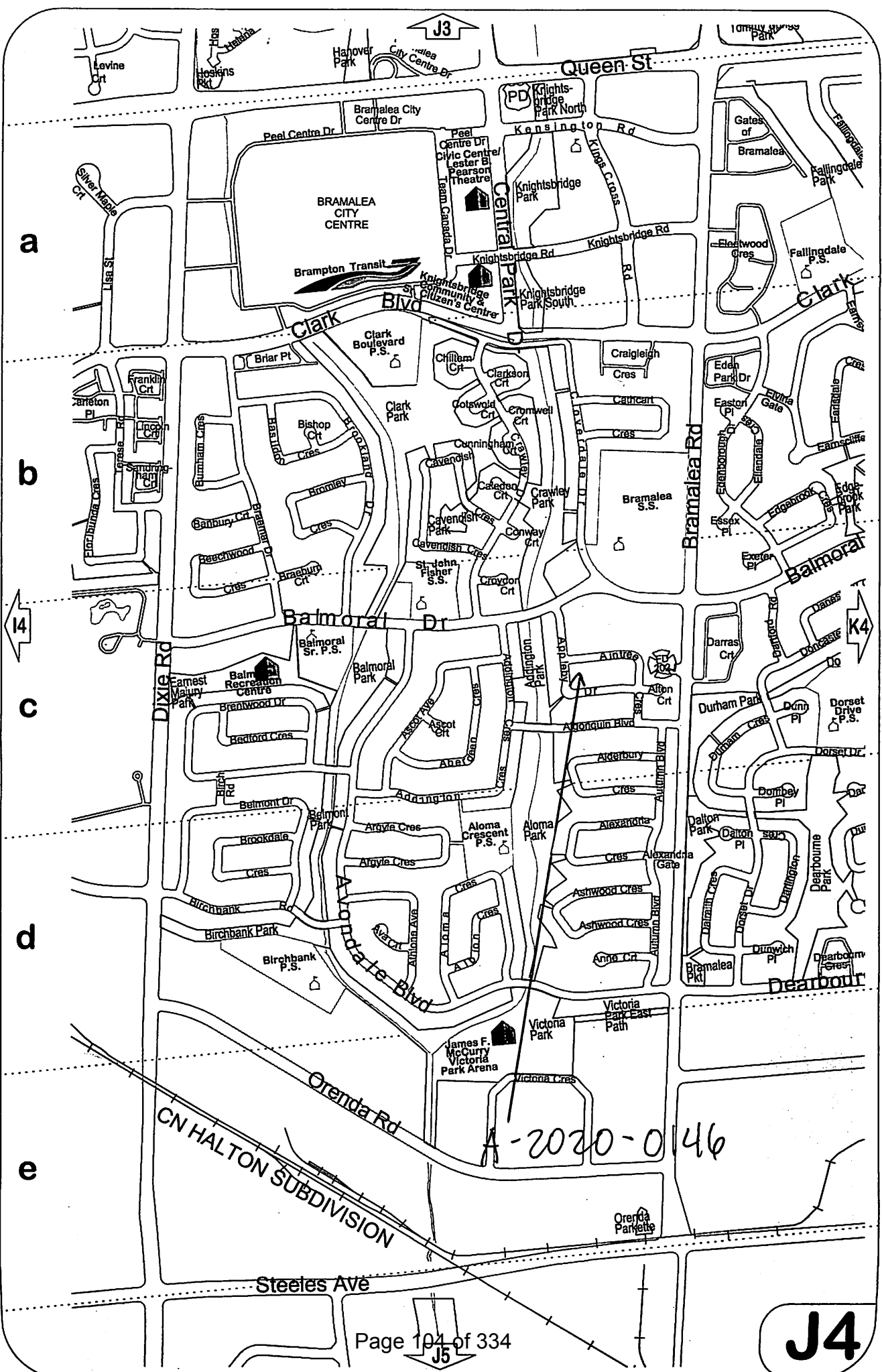
John McKeimmon
December 14, 1962 Ontario Land Surveyor
1703 Victoria Park Avenue PL-7-5454
Toronto, Ontario.



APPLEBY DRIVE

PLAN OF SURVEY OF
LOT 569, PLAN 652 P.S. 1
TOWNSHIP OF CHIN, A.C.S.Y.
Scale 1/4" = 10'

6' REQ'D MIN
C.O.A. APPROVED
A 89/79



Filing Date: December 3, 2020
Hearing Date: January 26, 2021

File: A-2020-0146

**Owner/
Applicant:** **DEEPAK KUMAR**

Address: **14 Appleby Drive**

Ward: 7

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0146 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 Semi-Detached A(1) (R2A(1))" 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 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Residential" in the Official Plan and "Low Density

Residential 1” in the Bramalea Secondary Plan (Area 3). 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(1) (R2A(1))” according to By-law 270-2004, as amended. The requested variance is to permit an interior side yard setback of 0.96m (3.15 ft.) to a proposed second storey addition whereas the by-law requires a minimum interior side yard setback of 1.8m (5.91 ft.). The intent of the by-law in regulating the required interior side yard setback to a second storey addition is to ensure that sufficient distance is maintained between dwellings, and that the massing of the second storey does not impose upon the adjacent property. The proposed addition is intended to be located at the rear of the dwelling and the requested setback is consistent with the existing second storey of the dwelling. Given this, the proposed addition is not anticipated to negatively impact adjacent properties from a massing perspective. 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 intended to facilitate the addition of a washroom on the second storey of the existing dwelling. The proposed setback is consistent with the existing setback of the second floor of the dwelling and given the limited scale of the addition, it is not anticipated to negatively impact adjacent properties. A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the public notice to ensure the scale of the addition remains consistent with what is presented within the variance application. 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 intended to facilitate a small scale addition on the existing residential dwelling, to allow construction of an additional washroom for the family. The massing and location of the addition are not anticipated to have any negative impacts on the subject property or those around it. 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

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **RAJDEEP BRAR** 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 332, Plan 43M-1714 municipally known as **18 LONETREE COURT**, Brampton;

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

1. To permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 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;
2. To permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
3. To permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.

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 _____ File Number: _____
Application for Consent: _____ NO _____ File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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.

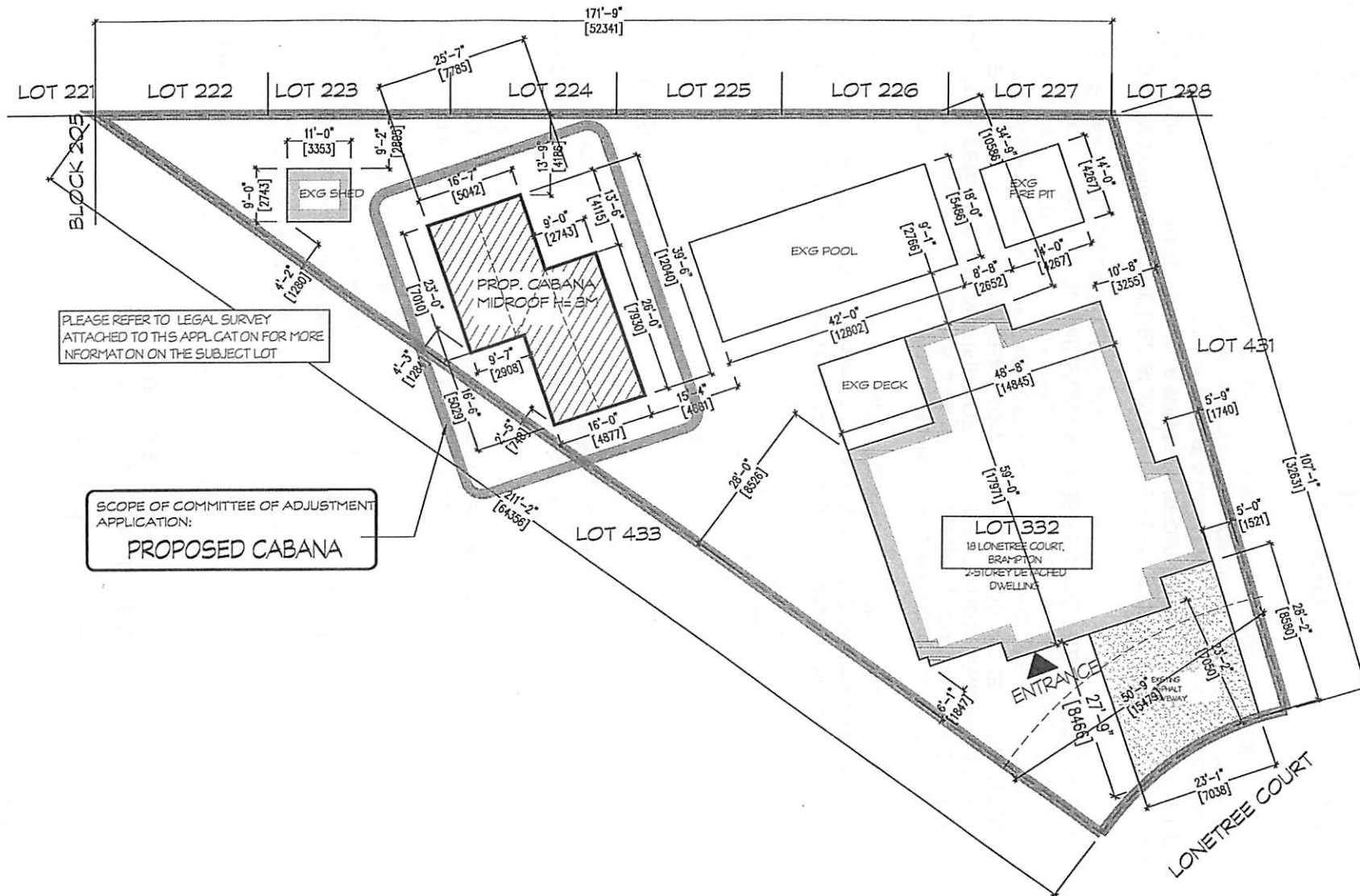
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 14th day of January, 2021.

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

18 LONETREE COURT, BRAMPTON



SCOPE OF COMMITTEE OF ADJUSTMENT
APPLICATION:
PROPOSED CABANA

1 SITE PLAN
5/128" = 1'-0"



No.	Description	Date

18 LONETREE
COURT, BRAMPTON

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

Checked by:

Drawn by	
Date	14/01/2021
DRAWING NAME	SITE PLAN
SHEET NUMBER	

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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

January 13, 2021

To: Committee of Adjustment

RE: **APPLICATION FOR MINOR VARIANCE**
RAJDEEP BRAR
LOT 332, PLAN 43M-1714
A-2020-0147 – 18 LONETREE COURT
WARD 8

Please **amend** application **A-2020-0147** to reflect the following:

1. To permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 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;
2. To permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
3. To permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.



ISMATULLAH AMIRI
Applicant/Authorized Agent

18 LONETREE COURT, BRAMPTON



Checked by:

Drawn by	
Date	14/01/2021
DRAWING NAME	
SITE PLAN	
SHEET NUMBER	
	A0



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)** Rajdeep Brar
Address 18 LONETREE COURT, BRAMPTON, ON L6P 2V9
Phone # 416 804 0641 **Fax #** _____
Email TONY@LETSWORKLABOURFORCE.COM

2. **Name of Agent** NESTA DESIGN CO (ISMATULLAH AMIRI)
Address 48 COVEBANK CRES, BRAMPTON ON, L6P 2Y1
Phone # 647-741-4552 **Fax #** _____
Email amiri@nestadesign.ca

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

- 3.1. To permit an individual accessory structure that is 67.8 square metres in size
 3.2. To permit combined total of the two accessory structures total area=77.0 M2
 3.3. To permit an accessory structure (proposed cabana) to be used as none-habitable space

4. **Why is it not possible to comply with the provisions of the by-law?**
THE ZONING BY LAW DOES NOT PERMIT COMBINED ACCESSORY STRUCTURES TO BE MORE THAN 20 M2.

5. **Legal Description of the subject land:**
Lot Number LOT 332
Plan Number/Concession Number PLAN M1714 LOT 332
Municipal Address 18 LONETREE COURT, BRAMPTON, ON L6P 2V9

6. **Dimension of subject land (in metric units)**
Frontage 15.48 M
Depth 64.34 M
Area 1159.4 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: <small>List all structures (dwelling, shed, gazebo, etc.)</small>	
SINGLE FAMILY DWELLING 17.97 M X 14.84 M	2 STOREY (DETACHED) - GROSS FLR AREA =414.92 M2
SHED 2.74 M X 3.35 M	AREA=9.2 M2
POOL 12.8 M X 5.49 M	AREA=70.23 M2
FIRE PIT 4.27 M X 4.27 M	AREA=18.23 M2

PROPOSED BUILDINGS/STRUCTURES on the subject land:	
CABANA = 7.79 M X 12.04 M	AREA= 67.8 M2 (IRREGULAR SHAPE. REFER TO SITE PLAN)

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	7.05 M
Rear yard setback	10.59 M
Side yard setback	RS (INTERIOR) 1.52 M
Side yard setback	LS (INTERIOR) 1.85 M

PROPOSED	
Front yard setback	N/A
Rear yard setback	N/A
Side yard setback	RS (INTERIOR) N/A
Side yard setback	LS (INTERIOR) 0.75 M - PLEASE REFER TO SITE PLAN

10. Date of Acquisition of subject land: 2007

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: 2007

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

☒

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 _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ CITY _____ OF _____ BRAMPTON _____

THIS 3th DAY OF December, 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 30th DAY OF

December, 2020.


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: _____

R1B – SECTION 1882

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

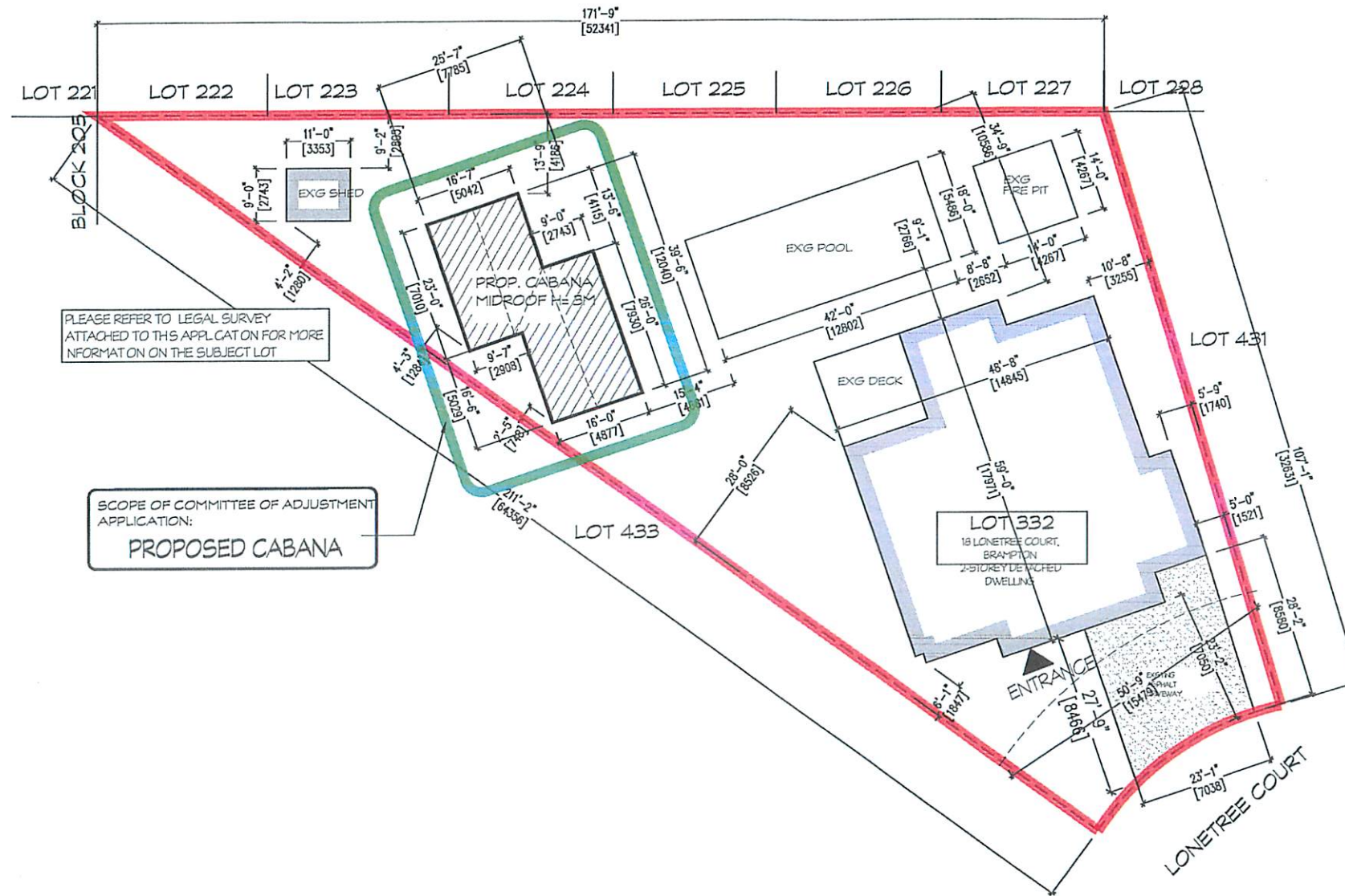

Zoning Officer

December 4, 2020
Date

DATE RECEIVED DECEMBER 3, 2020

Revised 2019/01/08

18 LONETREE COURT, BRAMPTON



No.	Description	Date

PROPOSED
CABANA w/
WASHROOM &
WETBAR

18 LONETREE
COURT, BRAMPTON

Drawing by:

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

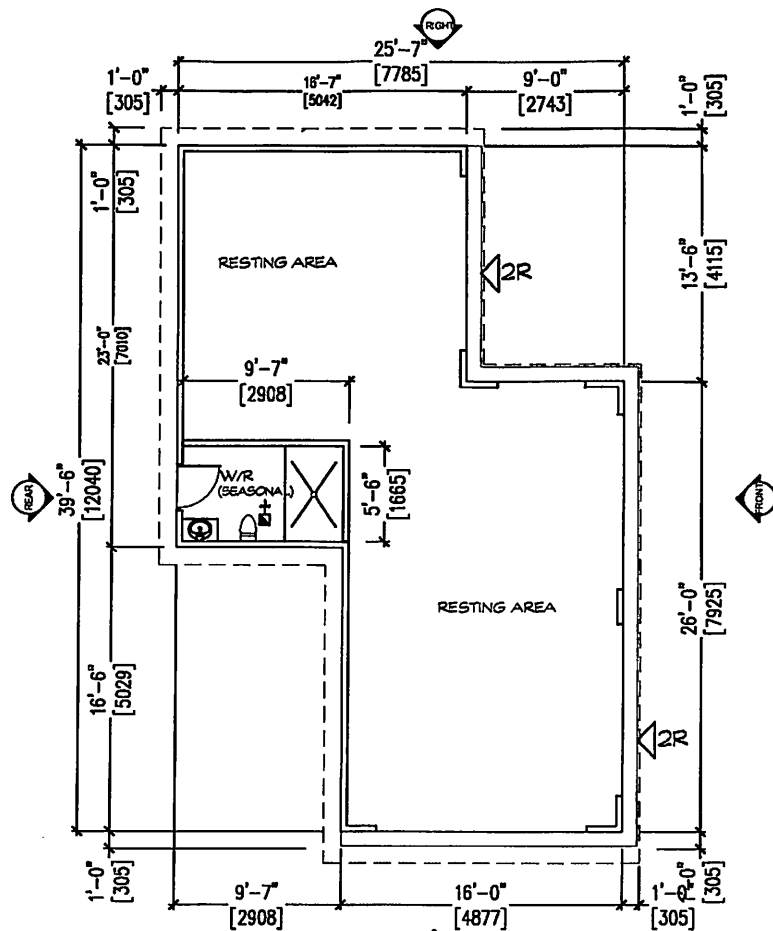
Checked by:

Drawn by	
Date	11/12/2020
DRAWING NAME	

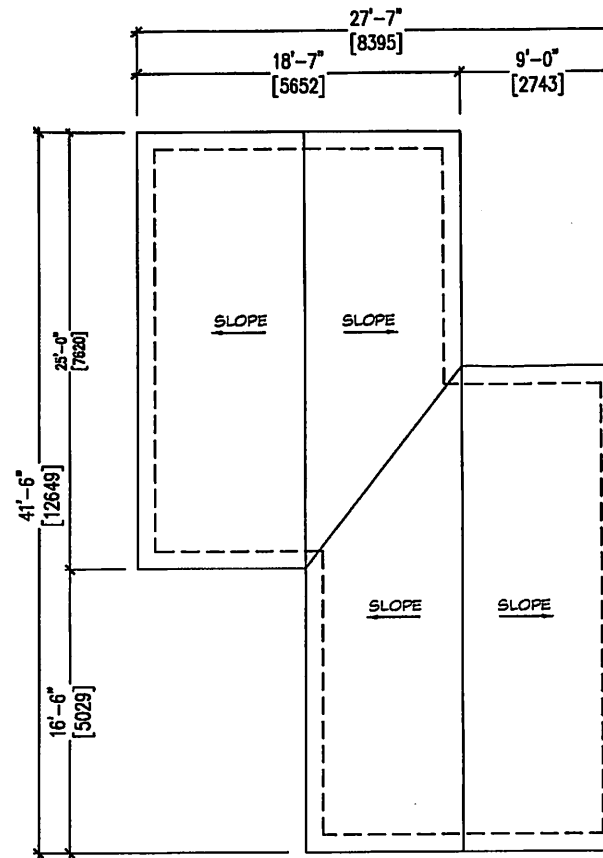
SITE PLAN

SHEET NUMBER

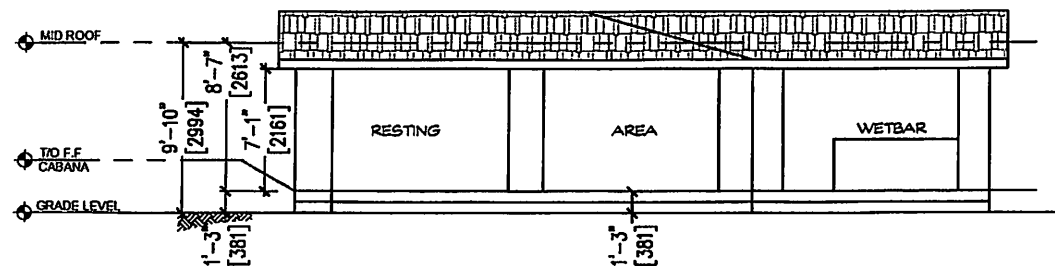
COA



1 CABANA FLOOR PLAN
332" = 1'-0"



2 ROOF PLAN
3/32" = 1'-0"



3 FRONT ELEVATION
3/32" = 1'-0"

[illegible]

**AS-BUILT
GAZEBO AT
REAR YARD**

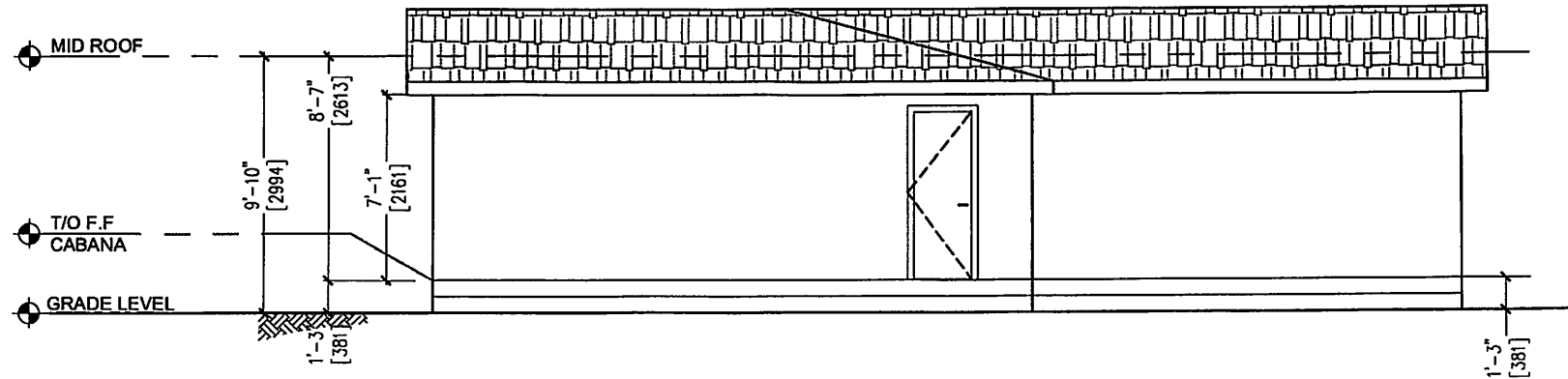
82
SUTHERLAND
AVE.

BRAMPTON
Drawing by:

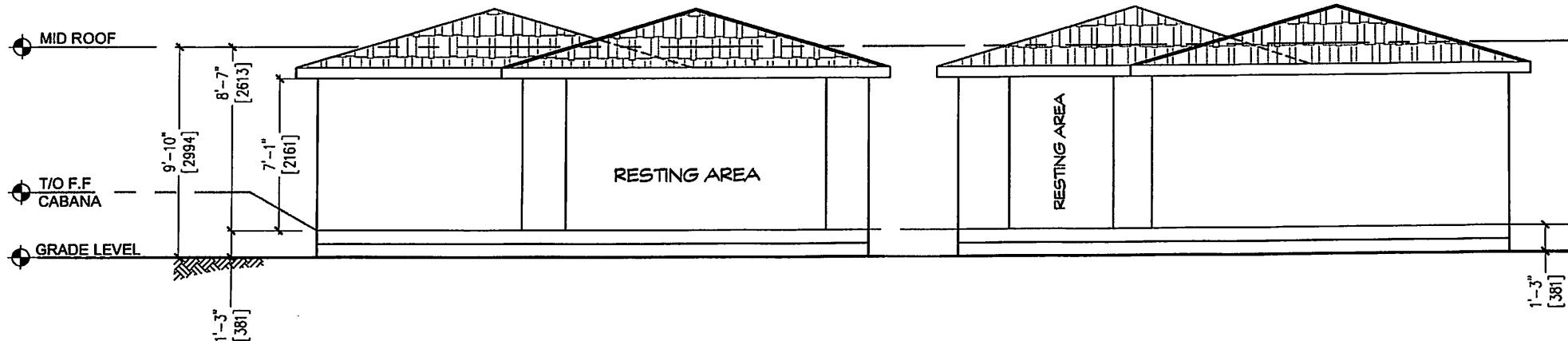
NESTA DESIGN CO.
48 COVEBANK CRESCENT
BRAMPTON, ON, L6P 2Y1
PHONE: 647-741-4552
EMAIL: arnin@nestadesign.ca

Checked by:

Drawn by	
Date	11/12/2020
DRAWING NAME	PLANS & ELEVATIONS
SHEET NUMBER	A1



1 REAR ELEVATION
3/16" = 1'-0"



2 LEFT SIDE ELEVATION
3/16" = 1'-0"

4 RIGHT SIDE ELEVATION
3/16" = 1'-0"

No.	Description	Date

**PROPOSED
CABANA w/
WASHROOM &
WETBAR**

18 LONETREE
COURT, BRAMPTON

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

Checked by:

Drawn by	11/12/2020
Date	
DRAWING NAME	ELEVATIONS
SHEET NUMBER	A2

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF LOTS 331 AND 332
PLAN 43M-1714
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

SCALE 1:500
 RADY-PENTEX & EDWARD SURVEYING LTD., O.L.S.

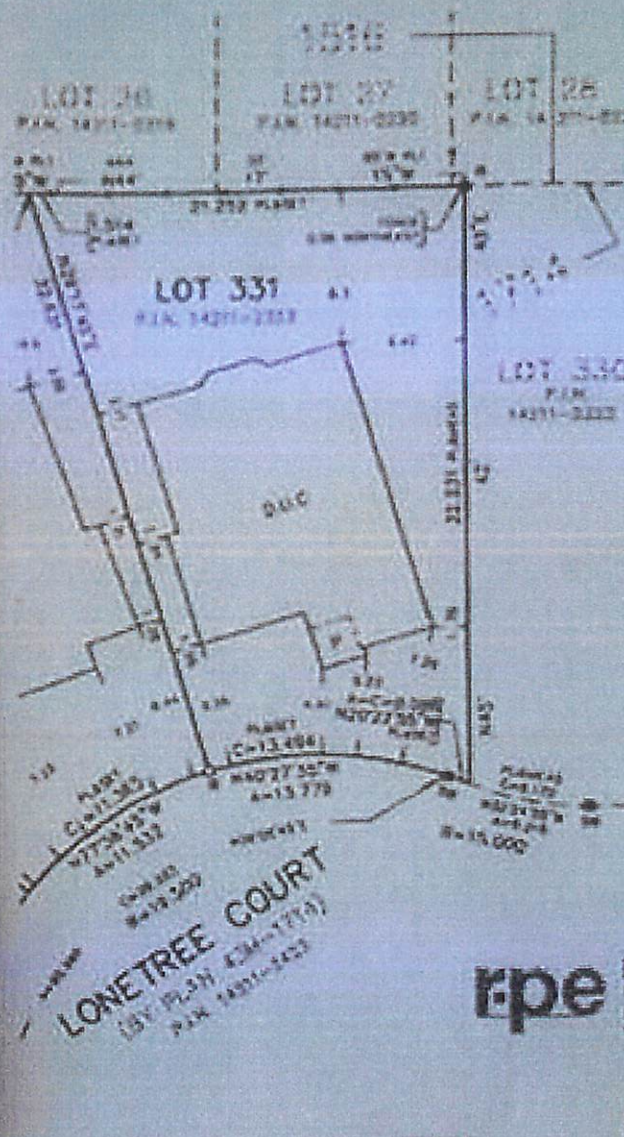
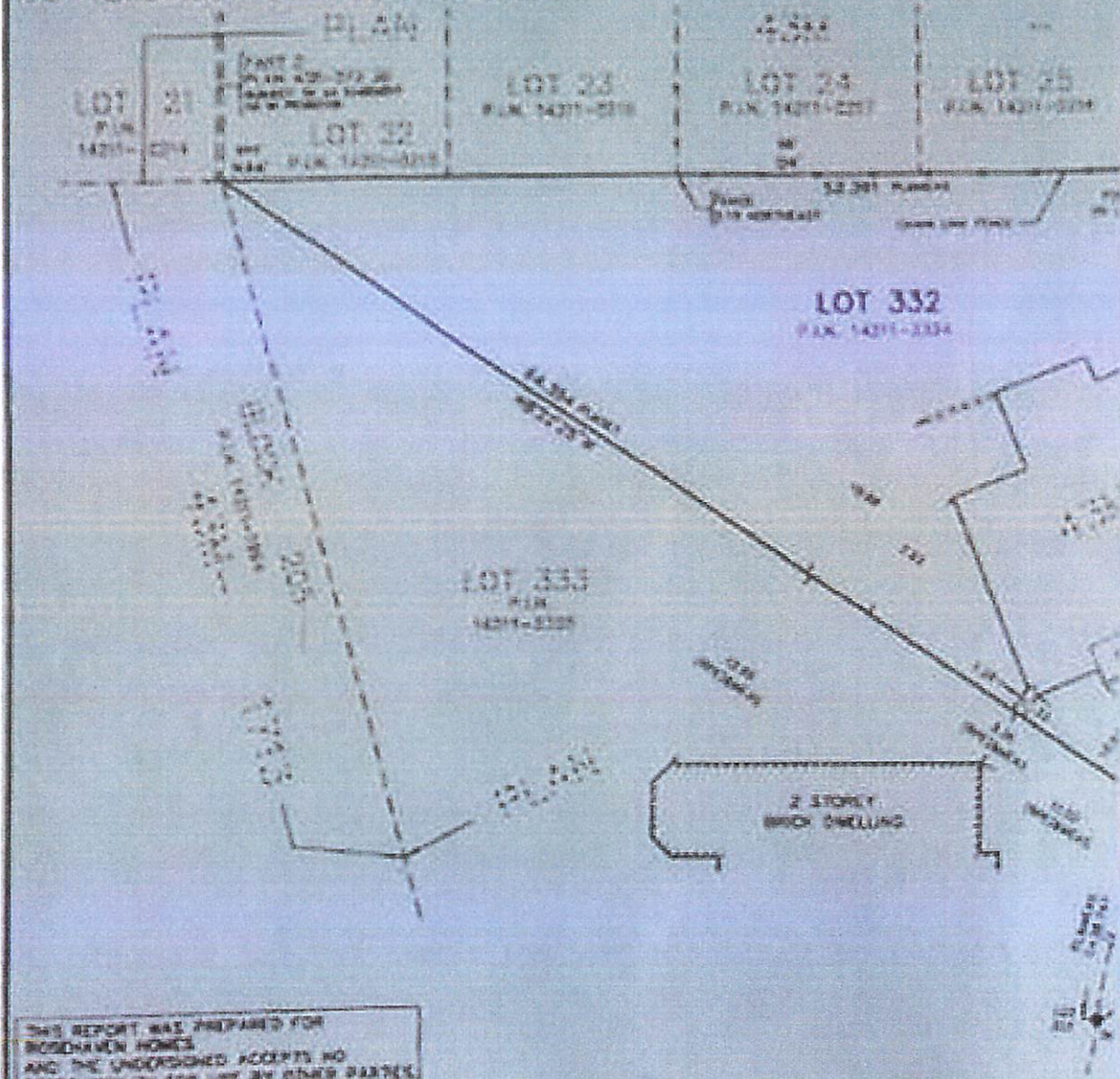
SURVEY
 1. CERTIFY
 2. THE SURVEY
 3. THE SURVEY

IR'S CERTIFICATE

AND PLAN ARE CORRECT AND IN ACCORDANCE
 WITH THE SURVEYORS ACT AND THE LAND
 IS THE REGULATIVE MADE UNDER THE
 AND COMPLETED ON THE 24 DAY OF 2007
 4 2007
 2.51
 ONTARIO LAND SURVEYOR

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY ARE
 THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAW
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



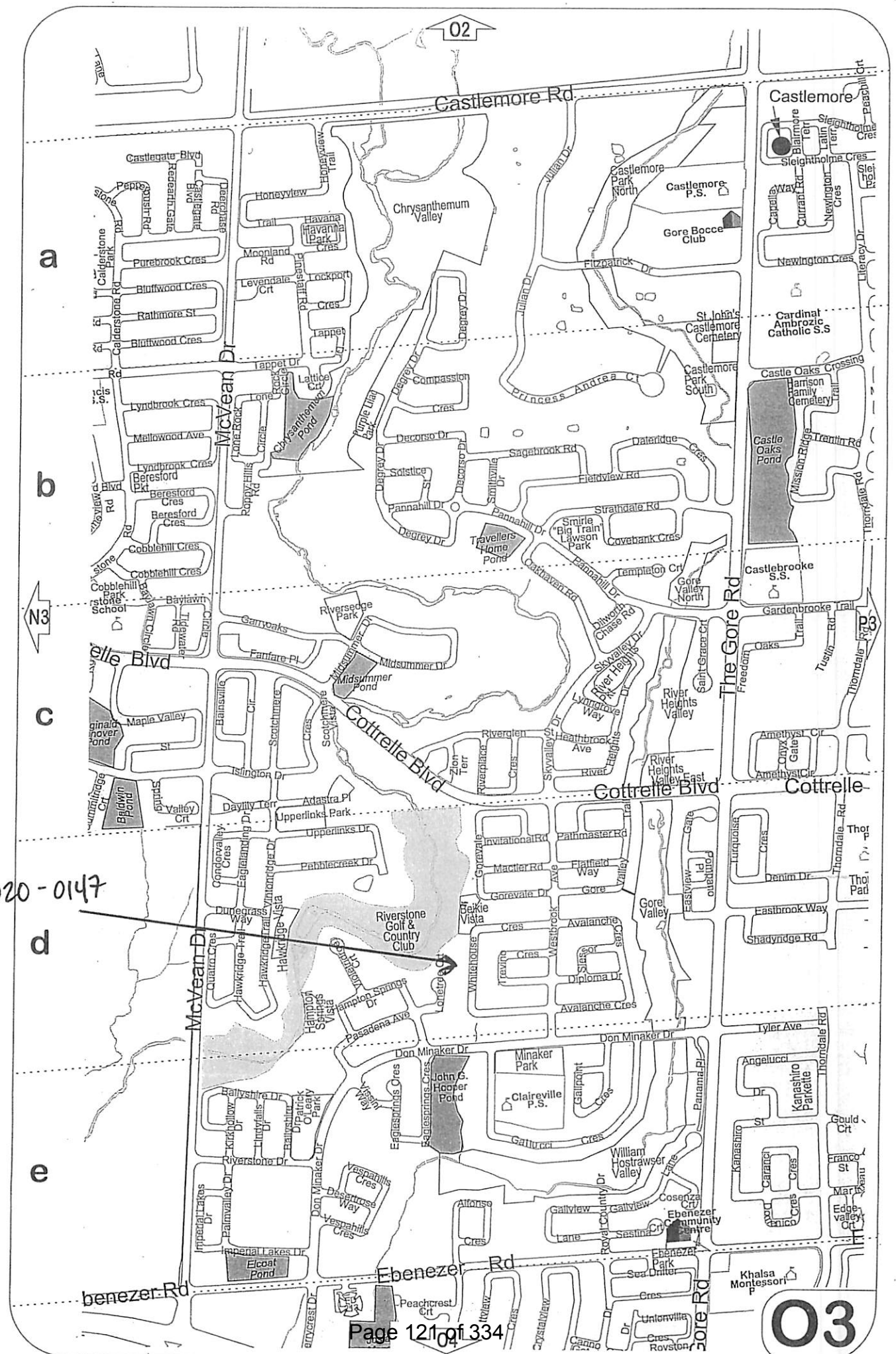
NOTES

- 1. DENOTES MONUMENT SET
 - 2. DENOTES MONUMENT FOUND
 - 3. DENOTES STANDARD IRON BAR
 - 4. DENOTES IRON BAR
 - 5. DENOTES CHILLING GREEN CONSTRUCTION
 - 6. DENOTES PROPERTY IDENTIFICATION NUMBER
 - 7. DENOTES PLAN 43M-1714
 - 8. DENOTES PLAN 43M-1516
 - 9. DENOTES FENCE
 - 10. DENOTES RADY-PENTEX & EDWARD SURVEYING LTD., O.L.S.
- ALL FOUND MONUMENTS BY SCHAEFFER & SZALADY LIMITED, O.L.S.
- ALL YES TO CONCRETE FOUNDATION
- BEARINGS ARE ASTROCHOMIC AND ARE REFERRED TO THE NORTHEAST CORNER OF LONETREE COURT AS SHOWN ON PLAN 43M-1714 HAVING A CHORD BEARING OF N20°55'45"E

LONETREE COURT
 (BY PLAN 43M-1714)
 PLAN 1877507

rpe RADY-PENTEX & EDWARD SURVEYING LTD.
 ONTARIO LAND SURVEYORS
 843 Christie Road, Suite 7
 Woodbridge, Ontario L4L 8A3
 Tel (416)635-5000 Fax (416)635-5001
 Tel (905)284-0881 Fax (905)284-2099
 Website: www.r-pe.ca
 DRANNE, C.Y. CHECKED: T.S.
 JOB No. 05-271 CAD FILE No. 1714-331

THIS REPORT WAS PREPARED FOR
 ROSENTHAL HOMES
 AND THE UNDERSIGNED ACCEPTS NO
 RESPONSIBILITY FOR USE BY OTHER PARTIES.
 RADY-PENTEX & EDWARD SURVEYING LTD. JUL 2 2007



Filing Date: December 4, 2020
Hearing Date: January 26, 2021

File: A-2020-0147

**Owner/
Applicant:** **RAJDEEP BRAR**

Address: **18 Lonetree Court**

Ward: 8

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0147 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 obtain a building permit prior to commencing construction;
 3. That the accessory building shall not be used as a separate dwelling unit and that the permission for habitable space in the accessory building shall be limited to the provision of one washroom and one bar sink;
 4. That the proposed cabana be of a primarily open style construction and shall not be fully enclosed;
 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 Single Detached B – Special Section 1882 (R1B-1882)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 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;
2. To permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
3. To permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated “Residential” in the Official Plan and “Low/Medium Density Residential” in the Bram East Secondary Plan (Area 41). 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 B – Special Section 1882 (R1B-1882)” according to By-law 270-2004, as amended. The requested variances are intended to facilitate the construction of a cabana in the rear yard of the property.

Variance 1 is to permit an accessory structure (proposed cabana) having a gross floor area of 67.8 sq. m (729.80 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. Variance 2 is to permit a combined gross floor area of 77 sq. m. (828.82 sq. ft.) for two accessory structures (proposed cabana and existing shed) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);

The intent of the by-law in regulating the maximum permitted floor area and number of accessory structures is to ensure that the structures does not negatively impact the provision of outdoor amenity space for the property. Given the size of the rear yard for the property, the proposed oversized cabana, combined with the existing shed do not negatively impact the provision of outdoor amenity space for the property, and the nature of the proposed cabana will complement the use of the outdoor space. Subject to the recommended conditions of approval, Variances 1 and 2 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is intended to permit an accessory structure (proposed cabana) to be used for habitable purposes (installation of washroom) whereas the by-law does not permit accessory structures to be used for human habitation. The intention of this variance is to permit the construction of a washroom and bar sink within the cabana. The intent of the

by-law in prohibiting habitable space within accessory structures is to ensure that the structures are not used for human habitation and remain accessory to the primary residential dwelling. In the case of the proposed cabana, the limit of the habitable space will include a washroom and bar sink. A condition of approval is recommended that the accessory building shall not be used as a separate dwelling unit and that the permission for habitable space in the accessory building shall be limited to the provision of one washroom and one bar sink to ensure that the function of the cabana as an accessory structure is maintained. 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

The requested variances are intended to permit the construction of a cabana with a washroom and bar sink within the rear yard of the subject property where there is an existing garden shed. The cabana is intended to complement the use of the pool in the rear yard by having open sides that face the pool area. The rear yard of the property is large in size and the oversized nature of the proposed cabana is not considered to negatively impact the outdoor space for the property, but rather complement the use. The extent of the habitable space to be permitted within the structure, as well as the design of the structure, does not facilitate the use of the structure as a dwelling unit. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances, to permit an oversized accessory structure containing habitable space, are intended to enhance the use of the rear yard amenity space. The scale of the habitable space within the structure does not facilitate the use of the structure as a dwelling unit, and the floor area and number of the accessory structures in the yard do not negatively impact the provision of outdoor amenity space. 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **HARISH CHANDRU AND AKSHATHA GUNASHEKAR** 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 52, Plan 43M-1812 municipally known as **16 DULVERTON DRIVE**, Brampton;

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

1. To permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling, whereas the by-law only permits a below grade exterior stair in the required interior side yard where a minimum 0.3m (0.98 ft.) setback to the side lot line is maintained and where a minimum 1.2m (3.94 ft.) continuous side yard width is provided on the opposite side of the dwelling.

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 File Number: _____
Application for Consent: NO File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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 14th day of January, 2021.

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



**16 Dulverton Dr,
Brampton**

SITE PLAN

scale: $\frac{1}{8}"=1'-0"$
date: 2020.10.01
project: 20-180
drawing number:

A-01

Revision: 00

GROSS FLOOR AREA CALCULATIONS

A - EXISTING PRINCIPAL RESIDENCE

EXISTING MAIN FLOOR AREA	=	669.81 SFT / 62.25 M ²
EXISTING SECOND FLOOR AREA	=	815.15 SFT / 75.75 M ²
TOTAL GFA	=	1484.96 SFT / 138.00 M ²

B - BASEMENT

NEW BASEMENT APARTMENT GFA = 447.14 SFT / 41.54 M²
 PRINCIPAL RESIDENCE AREA GFA = 0.0 SFT / 0.0 M²
 UTILITY AND FURNACE AREA = 82.60.74 SFT / 7.67 M²
 TOTAL GFA = 529.74 SFT / 49.21 M²
 BASEMENT APARTMENT GFA IS 35.67% OF PRINCIPAL RESIDENCE GFA

SCOPE OF WORK

- ① BASEMENT APARTMENT
- ② NEW BELOW GRADE SIDE YARD ENTRANCE, PRIMARY MEANS OF ENTRANCE AND EGRESS FOR SECOND UNIT AREA UNDER THIS MINOR VARIANCE APPLICATION

ENTRANCE & EGRESS

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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) Harish Chandru & Akshatha Gunashekar
Address 16 Dulverton Dr, Brampton ON L7A 0P3

Phone # 416.418.1777 Fax # _____
Email harish.chandru@gmail.com
2. Name of Agent Salman Ellahi
Address 801 Ferguson Dr, Milton, ON L9T 6L5

Phone # 647 471 7441 Fax # _____
Email shaf.e@icloud.com
3. Nature and extent of relief applied for (variances requested):
To create a below grade entrance in left side yard of the property.
To get relief from side yard set back from 1.2 to 0.06m.

4. Why is it not possible to comply with the provisions of the by-law?
In current zoning by laws below grade entrance from side yard is not allowed.
minimum distance of below grade stairs from side yard to property line should be 1.2m.

5. Legal Description of the subject land:
Lot Number 52
Plan Number/Concession Number 43M - 1812
Municipal Address 16 Dulverton Dr, Brampton ON L7A 0P3
6. Dimension of subject land (in metric units)
Frontage 8.8M
Depth 27.48 M
Area 262.63 SM
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.)

2 Storey Single Dwelling unit with attached garage

Basement Area: 49.21SM

Main Floor Area: 62.25SM

Second Floor Area: 75.75 SM

Total for Floors Above Grade: 138.0 SM

PROPOSED BUILDINGS/STRUCTURES on the subject land:

- Two-Unit Dwelling Unit with attached garage

- Below grade entrance in side yard , primary means of entrance and exit for second unit

-

-

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 8.88 M

Rear yard setback 7.8 M

Side yard setback 1.59 M - 1.27 M (left side)

Side yard setback 0.93 M - 0.65 M (right side)

PROPOSED

Front yard setback No Change in setback. ~~creation of below-grade in existing front porch.~~ Sc

Rear yard setback No Change

Side yard setback 0.06m (left side)

Side yard setback No Change

10. Date of Acquisition of subject land: year 2010
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: 2010
15. Length of time the existing uses of the subject property have been continued: 10 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 _____ Brampton _____
THIS 14 DAY OF December, 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, Salman Ellahi, 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 14 DAY OF
December, 2020.

April Dela Cerna
A Commissioner etc.

Salman Ellahi
Signature of Applicant or Authorized Agent

April Dela Cerna,
a Commissioner, etc. ad.
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: _____

R1D - 2014

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

DEC. 14. 2020

Date

DATE RECEIVED December 14, 2020

RELEASED FOR BUILDING PERMIT		
CONFIRMATION: SHALL BE REVIEWED BY THE ENGINEER AND ARCHITECT BEFORE ANY TO THE CONSULTANT'S BEFORE CONSTRUCTION. ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF SHAFER INC. AND MUST BE REPRODUCED AS THE COMPLETION OF WORK. THE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT/ENGINEER. IF THIS SET IS NOT A SET, IT IS A REPRODUCTION OF THE ORIGINAL. PRINT, READ, DRAWING ACCORDINGLY.		
No	Date	Revision/Issued
00	2020.07.21	Schematic Design
01	2020.10.06	Permit Application

Consultants
SHAFER
 BUILDING FOR FUTURE
 Design | Construction |
 Project Management |
 Developments
 801 Ferguson Dr
 Milton, ON L9T 6L5
 m: 647.74.7441
 eshafe@icloud.com
 www.shafinc.com

Seal

BASEMENT APARTMENT

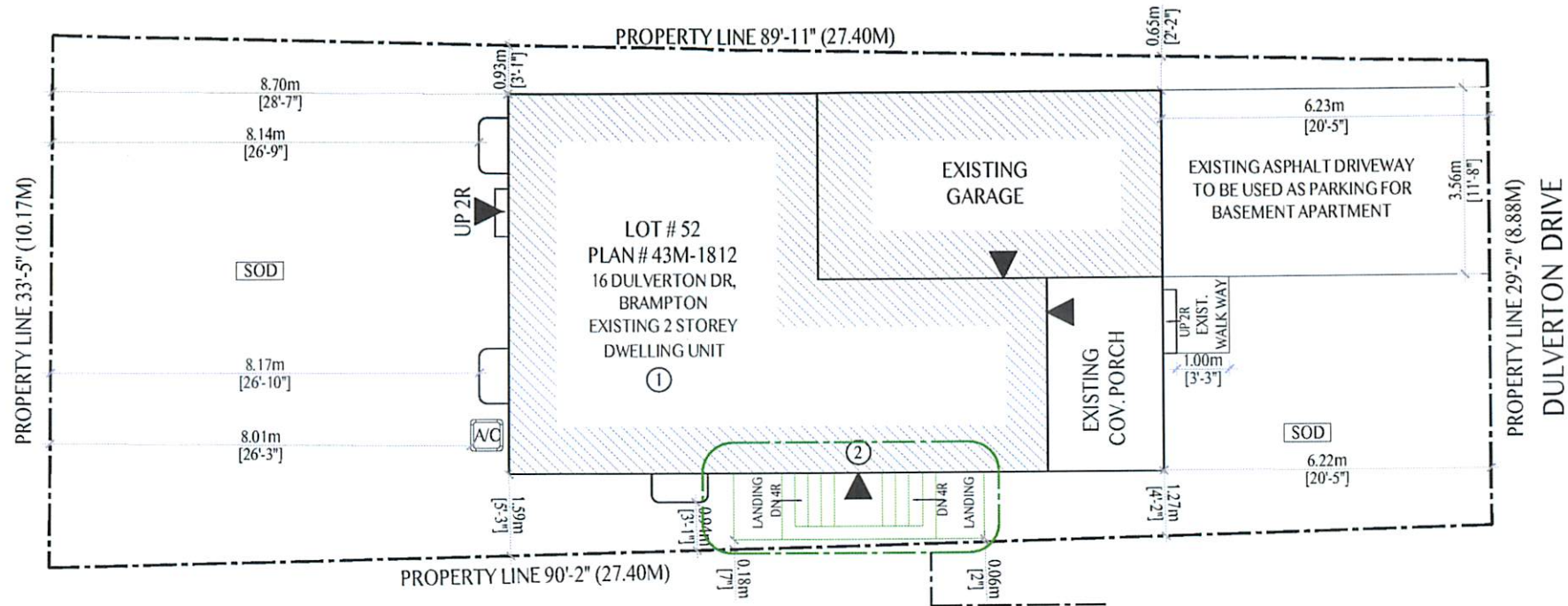
16 Dulverton Dr,
 Brampton

SITE PLAN

scale: $\frac{1}{8}" = 1'-0"$
 date: 2020.10.01
 project: 20-180
 drawing number:

A-01

Revision: 00



NEW BELOW GRADE SIDE YARD ENTRANCE. PRIMARY MEANS OF ENTRANCE AND EGRESS FOR SECOND UNIT. AREA UNDER MINOR VARIANCE APPLICATION

AREA STATISTICS

GROSS FLOOR AREA CALCULATIONS

A - EXISTING PRINCIPAL RESIDENCE

EXISTING MAIN FLOOR AREA	= 669.81 SFT / 62.25 M ²
EXISTING SECOND FLOOR AREA	= 815.15 SFT / 75.75 M ²
TOTAL GFA	= 1484.96 SFT / 138.00 M ²

B - BASEMENT

NEW BASEMENT APARTMENT GFA	= 447.14 SFT / 41.54 M ²
PRINCIPAL RESIDENCE AREA GFA	= 0.0 SFT / 0.0 M ²
UTILITY AND FURNACE AREA	= 82.60.74 SFT / 7.67 M ²
TOTAL GFA	= 529.74 SFT / 49.21 M ²
BASEMENT APARTMENT GFA IS 35.67 % OF PRINCIPAL RESIDENCE GFA	

SCOPE OF WORK

- ① BASEMENT APARTMENT
- ② NEW BELOW GRADE SIDE YARD ENTRANCE, PRIMARY MEANS OF ENTRANCE AND EGRESS FOR SECOND UNIT. AREA UNDER THIS MINOR VARIANCE APPLICATION

▲ ENTRANCE & EGRESS

No	Date	Revision/Issued
00	2020.07.25	Schematic Design
01	2020.10.01	Permit Application

Consultants
SHAFIE
 BUILDING FOR FUTURE
 Design | Construction |
 Project Management |
 Developments
 801 Ferguson Dr
 Milton, ON L9T 6L5
 m: 647.74.7441
 eshafie@icloud.com
 www.shafieinc.com

Scale

BASEMENT APARTMENT

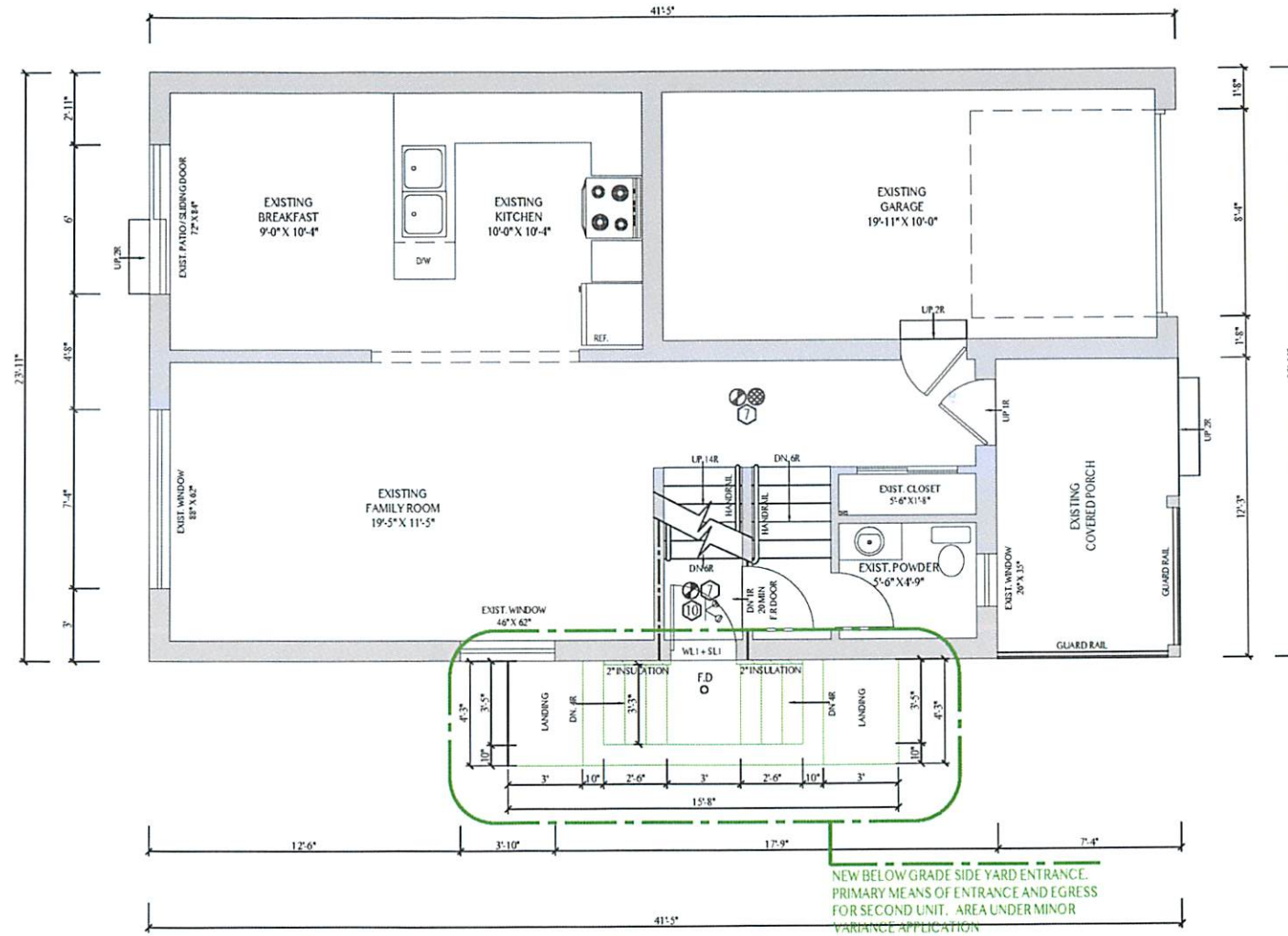
16 Dulverton Dr,
 Brampton

MAIN FLOOR PLAN

scale: $\frac{3}{16}" = 1'-0"$
 date: 2020.10.01
 project: 20-180
 drawing number:

A-02

Revision: 00



No	Date	Revision/Issued
00	2020.07.23	Schematic Design
01	2020.10.06	Permit Application

Consultants
SHAFÉ
 BUILDING FOR FUTURE
 Design | Construction |
 Project Management |
 Developments
 801 Ferguson Dr
 Milton, ON L9T 6L5
 m: 647.74.7441
 eshafa@icloud.com
 www.shafeinc.com

Seal

BASEMENT APARTMENT

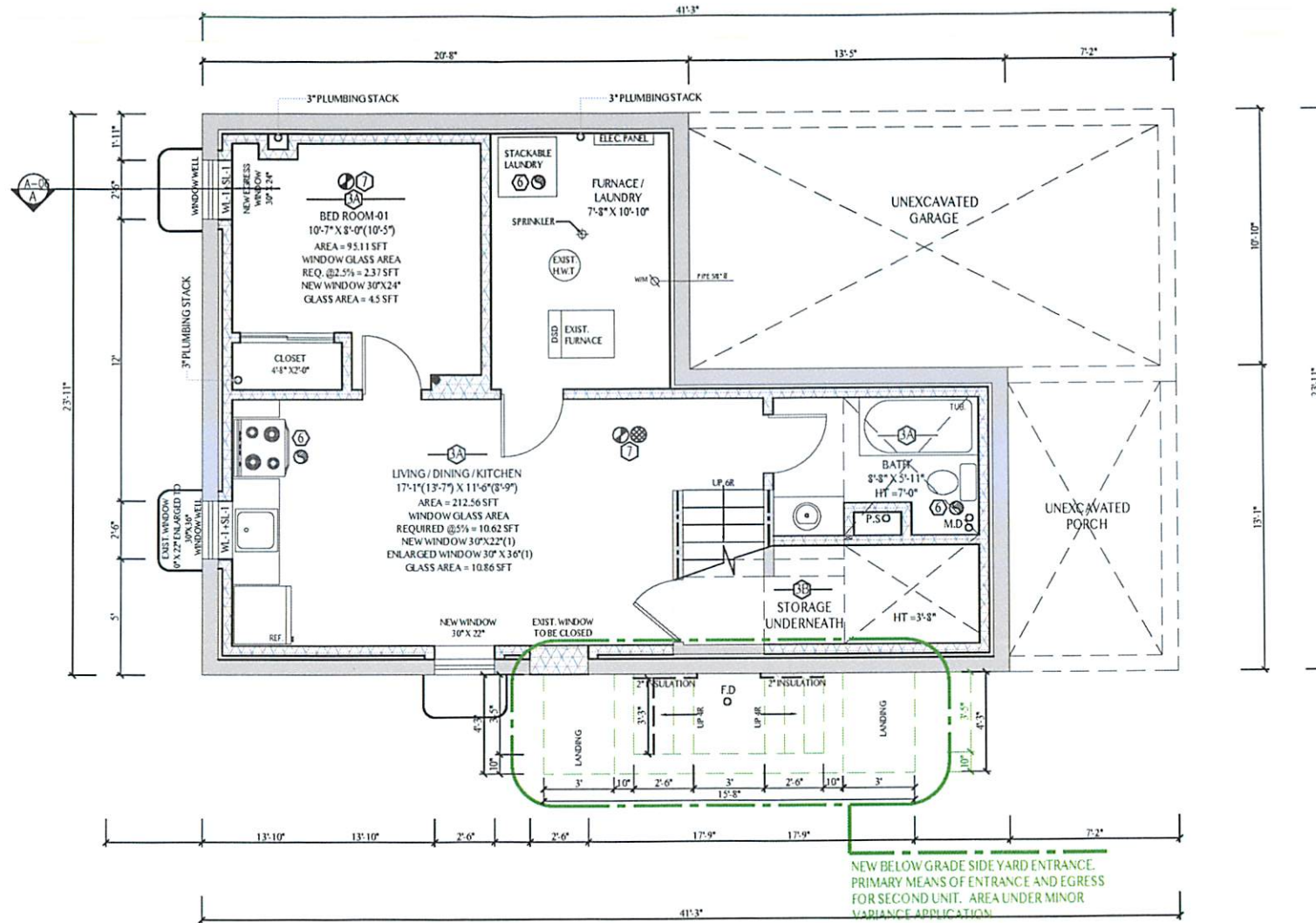
16 Dulverton Dr,
 Brampton

BASEMENT - PLAN

scale: $\frac{3}{16}" = 1'-0"$
 date: 2020.10.01
 project: 20-180
 drawing number:

A-03

Revision: 00



LEGEND:

- EXISTING WALLS
- NEW WALLS
- FIRE RATED WALL REFER TO G-01 FOR DETAILS
- EXISTING TO BE REMOVED
- EXISTING COLUMNS

BASEMENT PLAN

GROSS FLOOR AREA CALCULATIONS

A - BASEMENT AREA PART OF PRINCIPAL RESIDENCE GFA = 0.0 SFT / 0.0 M²
 B - NEW BASEMENT APARTMENT GFA = 447.14 SFT / 41.54 M²
 C - UTILITY / FURNACE AREA = 82.60 SFT / 7.67 M²
 TOTAL BASEMENT GFA = 529.74 SFT / 49.21 M²
 CEILING HEIGHT = 7'-7"

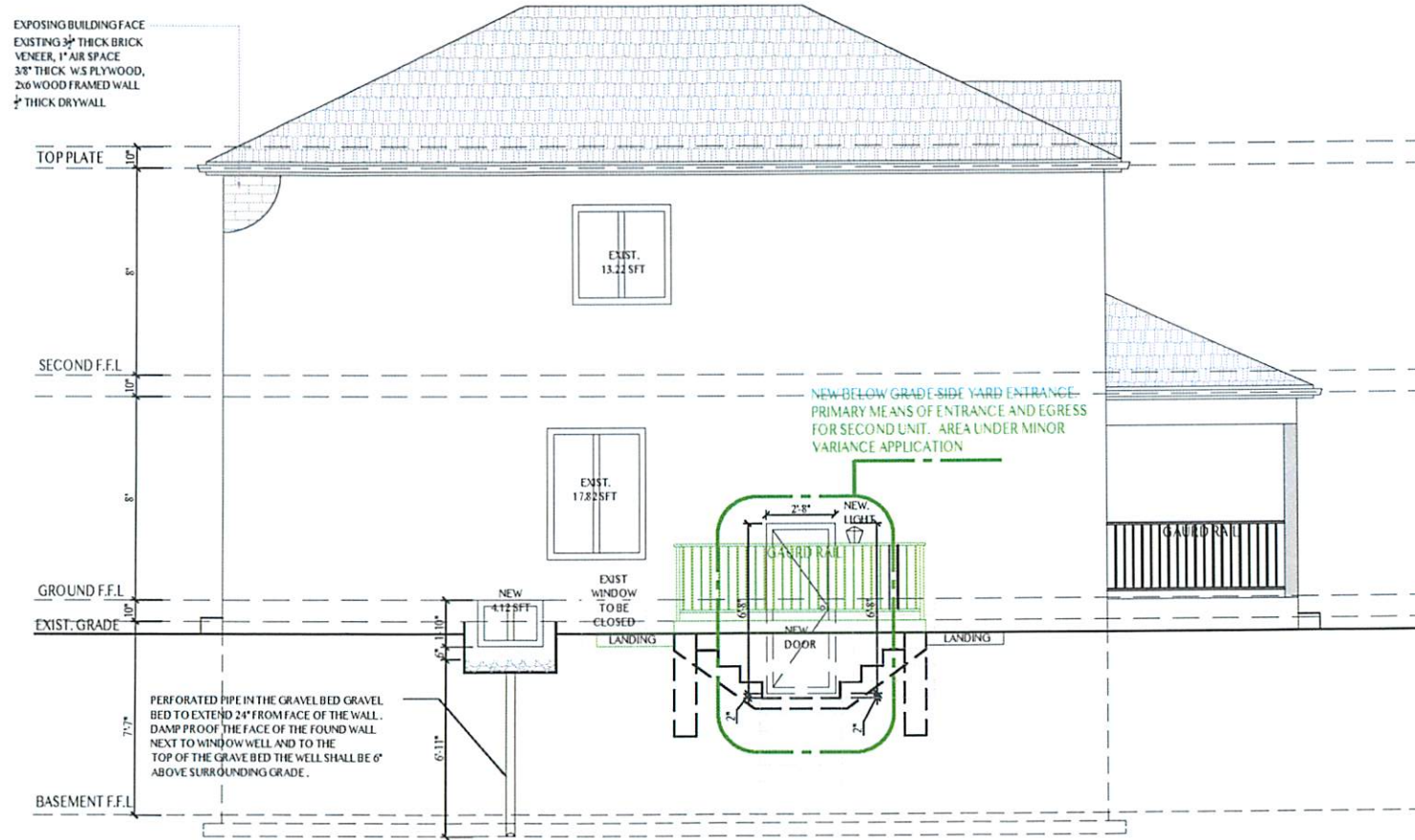
SL1: STEEL LINTEL 31/2" X 3 1/2" X 3/8"
 WL1: WOOD LINTEL 2-2 X 8 SPF NO.1 OR 2

7 INTERCONNECTED AND WIRED SMOKE ALARMS AT EACH FLOOR AND EACH UNIT INCLUDING FINISHED BASEMENT AND LEGAL BASEMENT - AS PER OBC 9.10.19.

PLEASE SEE DRAWING NO. G-01 FOR GENERAL NOTES AND SCHEDULES

GLAZED OPENINGS:

WALL AREA: = 611.17 SFT / 56.80 M²
 LIMITING DISTANCE: 1.27 M
 WINDOW AREA PROVIDED: 35.16 SFT / 5.74 M² (5.13%)
 WINDOW AREA ALLOWED: 7%



SOUTH ELEVATION

RELEASED FOR BUILDING PERMIT

- CONTRACTOR SHALL SITE VERIFY ALL DIMENSIONS AND BEFORE DIMENSIONS UP TO THE CONSULTANTS BEFORE
- ALL DIMENSIONS SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RETURNED BY THE CONSULTANTS
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS ISSUED BY THE ARCHITECT OF RECORD
- IF THIS SET IS NOT UP TO A 1/4\"/>

No	Date	Revision/Issued
00	2020.07.25	Schematic Design
01	2020.10.06	Permit Application

Consultants
S|H|A|F|E
 BUILDING FOR FUTURE
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 Project Management |
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 eshafef@icloud.com
 www.shafefine.com

Seal

BASEMENT APARTMENT

16 Dulverton Dr,
 Brampton

SOUTH ELEVATION

scale: 3/16" = 1'-0"
 date: 2020.10.01
 project: 20-180
 drawing number:

A-05

Revision: 00

SURVEYOR'S REAL PROPERTY REPORT

PART 1

PLAN OF LOTS 33, 34, 35, 36, 37, 38, 39, 50, 51, 52, 53, 54 AND 55

PLAN 43M-1812

CITY OF BRAMPTON

REGIONAL MUNICIPALITY OF PEEL

SCALE 1:300

10m 5m 0 10m 20metres

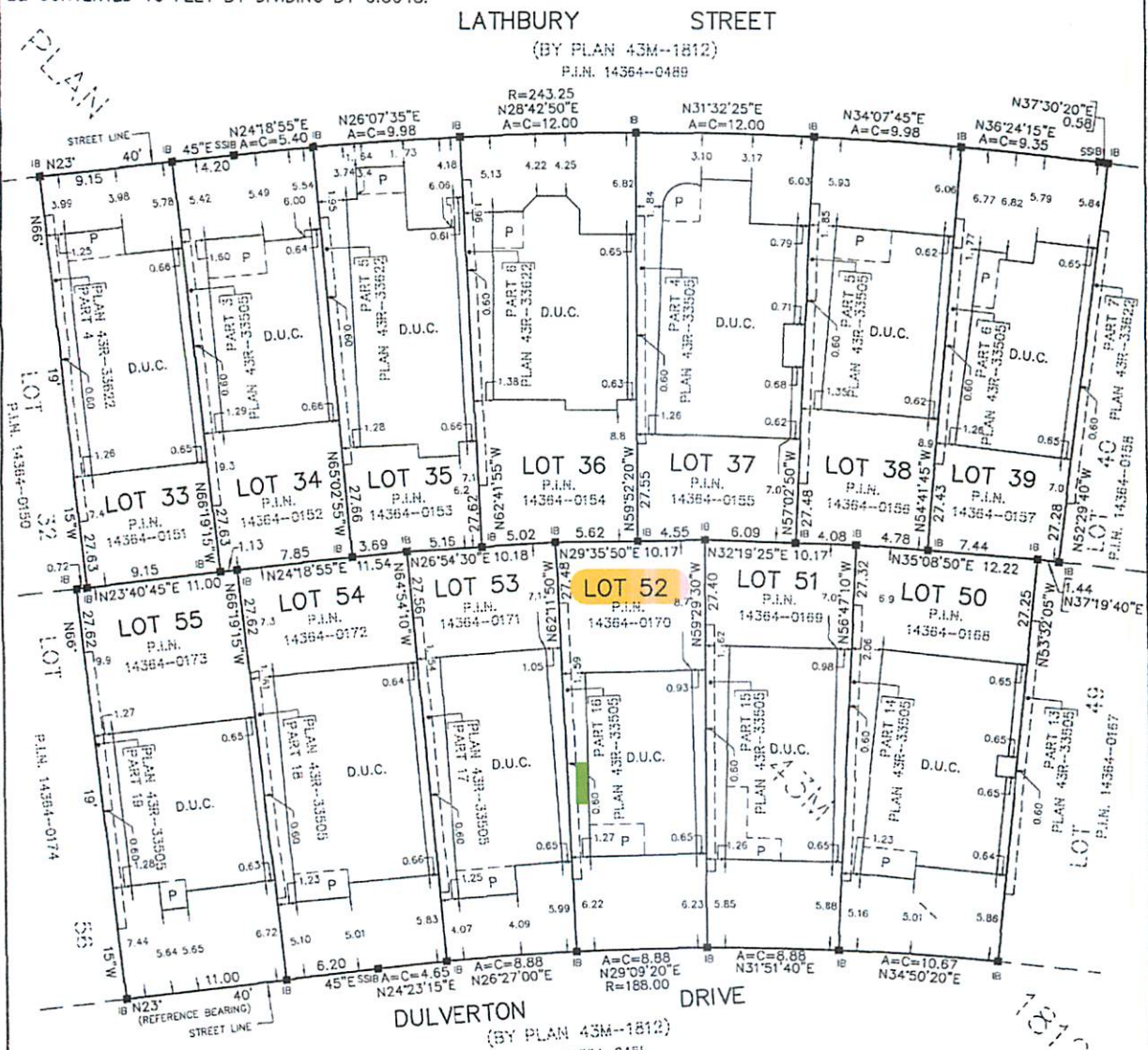
RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS. NONE
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS



NOTES

- DENOTES MONUMENT FOUND
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- P DENOTES PORCH

ALL FOUND MONUMENTS BY RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.

ALL TIES TO CONCRETE FOUNDATIONS.

BEARINGS ARE GRID AND ARE REFERRED TO THE NORTHWEST LIMIT OF DULVERTON DRIVE AS SHOWN ON PLAN 43M-1812 HAVING A BEARING OF N23°40'45"E

THIS REPORT WAS PREPARED FOR
MATTAMY HOMES
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

©RADY-PENTEK & EDWARD SURVEYING LTD. O.L.S. 2010

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 15th DAY OF NOVEMBER, 2010

DATE Nov 29, 2010

R. Denbroeder

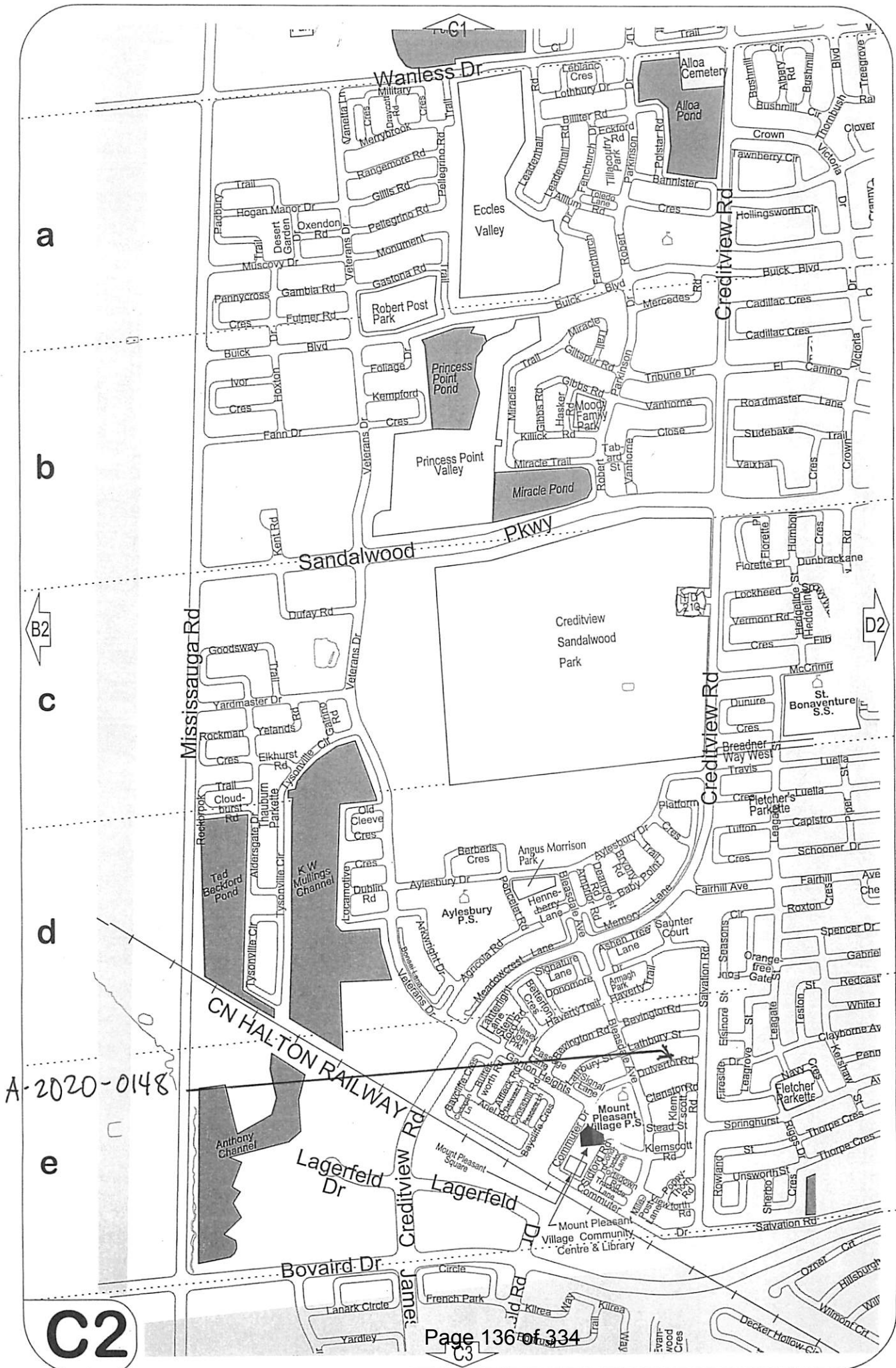
R. DENBROEDER
ONTARIO LAND SURVEYOR



RADY-PENTEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Chrislea 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

DRAWN: V.K.
CAD FILE No. 1812-33

CHECKED: R.D.
JOB No. 10-076



Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0148

**Owner/
Applicant:** **HARISH CHANDRU AND AKSHATHA GUNASHEKAR**

Address: **16 Dulverton Drive**

Ward: 6

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0148 is not supportable.

Background:

Existing Zoning:

The property is zoned “Residential Single Detached “D” – Special Section 2014 (R1D-2014)” according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling, whereas the by-law only permits a below grade exterior stair in the required interior side yard where a minimum 0.3m (0.98 ft.) setback to the side lot line is maintained and where a minimum 1.2m (3.94 ft.) continuous side yard width is provided on the opposite side of the dwelling.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Medium Density Residential” in the Fletcher’s Meadow Secondary Plan (Area 44). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. 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 Single Detached “D” – Special Section 2014 (R1D-2014)” according to By-law 270-2004, as amended. The requested variance is to permit a below grade exterior stairway in the required side yard having a setback of 0.06m (0.20 ft.) to the side lot line and where a side yard width of 0.65m (2.14 ft.) is provided on the opposite side of the dwelling, whereas the by-law only permits a below grade exterior stair in the required interior side yard where a minimum 0.3m (0.98 ft.) setback to the side lot line is maintained and where a minimum 1.2m (3.94 ft.) continuous side yard width is provided on the opposite side of the dwelling.

The variance is requested to facilitate a below grade entrance in the interior side yard of the single detached dwelling. The intent of the by-law in prohibiting below grade entrances in the interior side yard where the opposite side yard setback is less than 1.2m (3.94 ft) and where the setback to the stairs is less than 0.3m (0.98 ft) is to ensure that sufficient space is maintained to access the rear yard of the property and drainage between the stairs and the property line.

In the case of the subject property, the opposite side of the dwelling from where the below grade entrance and stairs are proposed to be located has a setback of 0.93m (3.05 ft) at its widest point and 0.65m (2.14 ft) at its narrowest point due to the way the lot lines converge on the property. This setback does not provide sufficient space to access the rear of the dwelling. The requested variance is not 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 below grade entrance in the interior side yard of the property. The setback between the stairs leading to the entrance and the side lot line is not considered to be a sufficient distance to not inhibit drainage for the property. Further, on the opposite side of the dwelling, the setback is not considered to be large enough to provide sufficient access to the rear yard of the property. If the below grade entrance is constructed in the proposed location, access to the rear yard will be inhibited. The requested variance is not considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance is to permit a below grade entrance in the interior side yard where the opposite side yard is not at least 1.2m (3.94 ft) and the setback to the stairs leading to the entrance is not at least 0.3m (0.98 ft). The setbacks requested by the variance are not considered to provide sufficient distance to ensure clear access to the rear yard, and that drainage will not be impacted by the location of the stairs. The requested variance is not considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

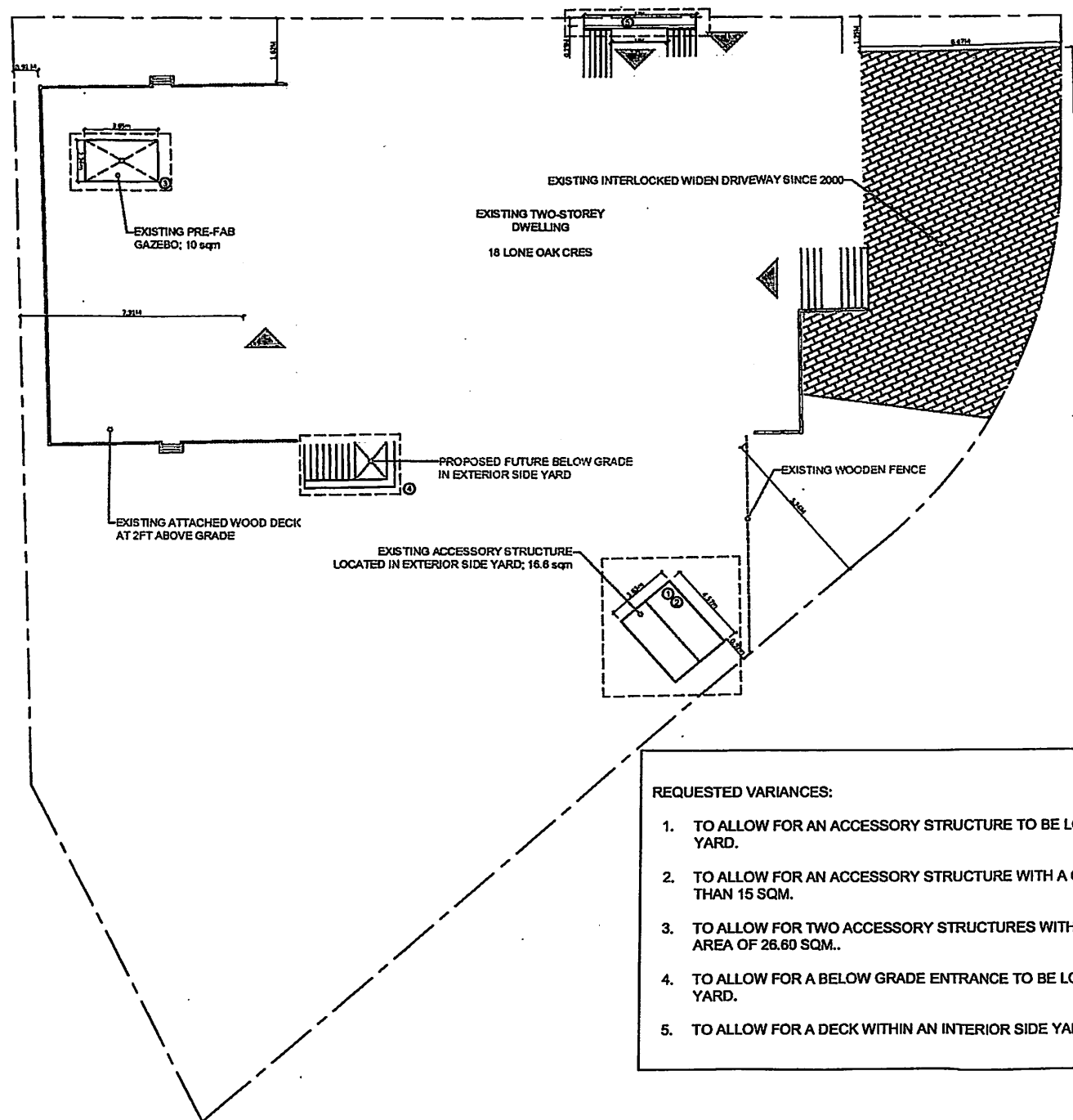


Committee of Adjustment



APPLICATION FOR MINOR VARIANCE

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

- Page 140 Fax: (905) 874-2119



- REQUESTED VARIANCES:**
1. TO ALLOW FOR AN ACCESSORY STRUCTURE TO BE LOCATED IN AN EXTERIOR SIDE YARD.
 2. TO ALLOW FOR AN ACCESSORY STRUCTURE WITH A GROSS FLOOR AREA GREATER THAN 15 SQM.
 3. TO ALLOW FOR TWO ACCESSORY STRUCTURES WITH A COMBINED GROSS FLOOR AREA OF 26.60 SQM..
 4. TO ALLOW FOR A BELOW GRADE ENTRANCE TO BE LOCATED IN AN EXTERIOR SIDE YARD.
 5. TO ALLOW FOR A DECK WITHIN AN INTERIOR SIDE YARD WITH A SETBACK OF 0.28M

 	
PROJECT NAME:	
18 LONE OAK CRES MINOR VARIANCE	
CHECKED BY:	DATE CHECKED:
DRAWN BY:	DATE DRAWN:
SHEET TOTAL:	
SITE PLAN	
SCALE:	SHEET NUMBER:
1 : 150	A1

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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

January 14, 2021

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
BALVINDER KAHLON AND JAGDISH KAHLON
LOT 50, PLAN M-820
A-2020-0149 – 18 LONE OAK COURT
WARD 7**

Please **amend** application **A-2020-0149** to reflect the following:

1. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure in an exterior side yard;
2. To permit an existing accessory structure (shed) having a gross floor area of 16.6 sq. m (178.68 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 a combined gross floor area of 26.6 sq. m (286.32 sq. ft.) for two accessory structures (existing shed and pre-fabricated gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
4. 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;
5. To permit a setback of 0.28m (0.92 ft.) to a stair and landing serving an above grade entrance in the interior side yard whereas the by-law requires a minimum setback of 0.9m (2.95 ft.) to any stairs or landing to an above grade door in the interior side.



Applicant/Authorized Agent



SCALE: 1 : 150	SHEET NUMBER: A1
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For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

FILE NUMBER: A-2020-0149

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) BALVINDER & JAGDISH KAHLON
Address 18 LONE OAK AVE, BRAMPTON, ON L6S 5V4

Phone # 647-570-0009 Fax # _____
Email bubbykahlon@gmail.com

2. Name of Agent N/A
Address _____

Phone # _____ Fax # _____
Email _____

3. Nature and extent of relief applied for (variances requested):
1. To allow for an as-built accessory structure to be located in an exterior side yard
2. To allow for an accessory structure with a gross floor area of 16.6 sqm
3. To allow for two accessory structures with a combined gross floor area of 26.6 sqm
4. To allow for a reduced rear yard setback of 0.914m to an existing deck
5. To allow for a below grade entrance to be located in an exterior side yard

4. Why is it not possible to comply with the provisions of the by-law?
1. Accessory structure not permitted to be located in an exterior side yard
2. Max. gross floor area of 15 sqm permitted for any individual accessory structure
3. Max. combined gross floor area of 20 sqm permitted for accessory structures
4. As built deck with a setback of 0.914m from rear fence
5. Below grade not permitted between a main wall and flankage lot line

5. Legal Description of the subject land:
Lot Number LOT 50
Plan Number/Concession Number PLAN M820
Municipal Address 18 LONE OAK AVE

6. Dimension of subject land (in metric units)
Frontage 4.54 METRES
Depth 34 METRES
Area ~ 833.2 SQM

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 201 sqm Two-Storey Dwelling
- As built deck
- As built accessory structures; 16.6 sqm + 10 sqm respectively

PROPOSED BUILDINGS/STRUCTURES on the subject land:

- Proposed below grade entrance

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 6.47m

Rear yard setback 7.31m

Side yard setback 1.24m

Side yard setback 5.34m

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: JUNE 2002

11. Existing uses of subject property: SINGLE FAMILY

12. Proposed uses of subject property: SINGLE FAMILY

13. Existing uses of abutting properties: RESIDENTIAL

14. Date of construction of all buildings & structures on subject land: APPROX. 18 YEARS

15. Length of time the existing uses of the subject property have been continued: APPROX 18 YEARS

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

Municipal ☒
Well ☐

Other (specify) _____

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

Municipal ☒
Septic ☐

Other (specify) _____

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

Sewers ☒
Ditches ☐
Swales ☐

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ 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 _____

x B.V. / Jagdish Kahlon
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON _____

THIS -8 DAY OF DECEMBER, 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, BALVINDER & JAGDISH KAHLOH, OF THE CITY _____ OF BRAMPTON _____

IN THE PROVINCE OF ONTARIO SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton
IN THE Region OF
Peel THIS 14th DAY OF
December, 2020.

April Dela Cerna
A Commissioner etc.

x B.V. / Jagdish Kahlon
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.

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R1B(1) - SECTION 328, 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.

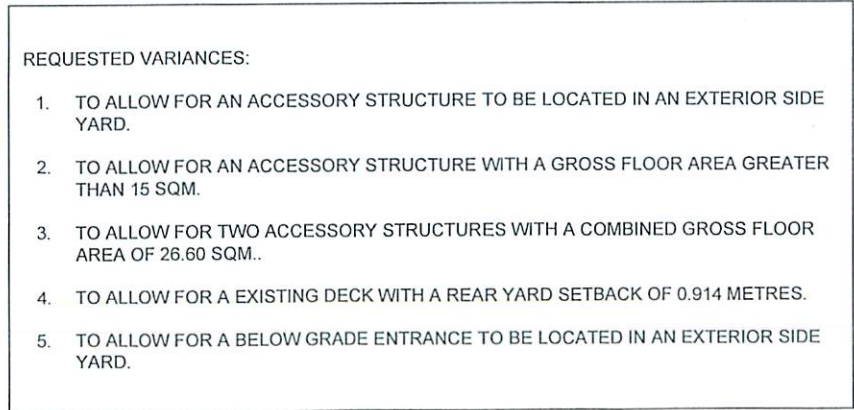
J. Chau
Zoning Officer

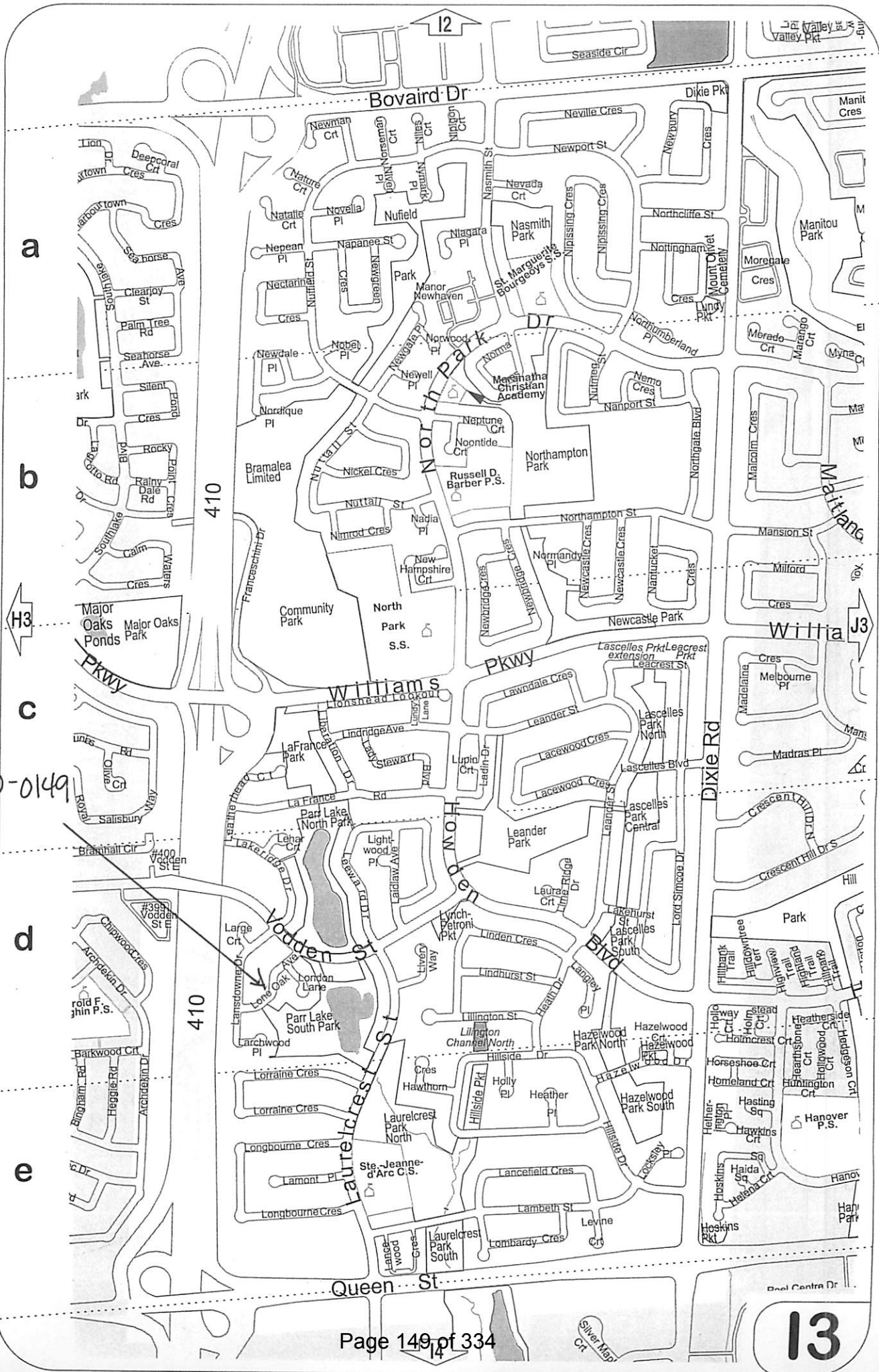
December 14, 2020
Date

DATE RECEIVED December 14, 2020

Date Application Deemed Complete by the Municipality DECEMBER 14, 2020

Revised 2020/01/07





a

b

c

d

e

A-2020-0149

Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0149

**Owner/
Applicant:** **BALVINDER AND JAGDISH KAHLON**

Address: **18 Lone Oak Avenue**

Ward: 7

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0149 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 obtain a building permit for the accessory structure(s) and landing (if required) 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;
 3. That the fence remain constructed in its current location and height and shall not be removed or lowered;
 4. That the below grade entrance shall not be used to access an unregistered second unit;
 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 Single Detached B(1) – Special Section 328 (R1B(1)-328)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure in an exterior side yard;
2. To permit an existing accessory structure (shed) having a gross floor area of 16.6 sq. m (178.68 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 a combined gross floor area of 26.6 sq. m (286.32 sq. ft.) for two accessory structures (existing shed and pre-fabricated gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.);
4. 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;
5. To permit a setback of 0.28m (0.92 ft.) to a stair and landing serving an above grade entrance in the interior side yard whereas the by-law requires a minimum setback of 0.9m (2.95 ft.) to any stairs or landing to an above grade door in the interior side yard.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject 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 context within the policies 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 B(1) – Special Section 328 (R1B(1)-328)” according to By-law 270-2004, as amended. The requested variances are intended to facilitate the construction of a below grade entrance in the exterior side yard of the property, and to allow the existing accessory structures and a landing for an above grade entrance to remain.

Variances 1, 2, and 3 relate to existing accessory structures on the property: a shed and a frame gazebo on the deck.

Variance 1 is to permit an existing accessory structure (shed) to be located in an exterior side yard whereas the by-law does not permit an accessory structure in an

exterior side yard. The intent of the by-law in prohibiting accessory structures in the exterior side yard is to ensure that the appearance of the structure does not negatively impact the overall streetscape. In the case of the subject property, it is a corner lot which creates a situation in which a large portion of the exterior side yard is the functional amenity area of the property and has been fenced in. The fence completely screens the accessory structure from view of the street. A condition of approval is recommended that the fence remain constructed in its current location and height and shall not be removed or lowered to ensure the screening remains in place. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variances 2 and 3 are to permit an existing accessory structure (shed) having a gross floor area of 16.6 sq. m (178.68 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 and to permit a combined gross floor area of 26.6 sq. m (286.32 sq. ft.) for two accessory structures (existing shed and pre-fabricated gazebo) whereas the by-law permits a maximum combined gross floor area of 20 sq. m (215.28 sq. ft.).

The intent of the by-law in regulating the maximum permitted floor area of a single accessory structure and the total floor area for all accessory structures is to ensure that the size of the structures do not negatively impact the provision of outdoor amenity space for the property. Given the size of the outdoor amenity area for the property, the size of the structures do not present a concern with regard to impacting the provision of amenity space. Subject to the recommended conditions approval, Variances 2 and 3 are considered to maintain the general intent of the Official Plan.

Variance 4 is 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. The intent of the by-law in prohibiting below grade entrances between a main wall of the dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape. The proposed below grade entrance will be located behind the existing fence and does not present a concern with regard to impacts on the 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 to ensure the screening remains in place. Subject to the recommended conditions of approval, Variance 4 is considered to maintain the general intent of the Zoning By-law.

Variance 5 is to permit a setback of 0.28m (0.92 ft.) to a stair and landing serving an above grade entrance in the interior side yard whereas the by-law requires a minimum setback of 0.9m (2.95 ft.) to any stairs or landing to an above grade door in the interior side yard. The intent of the by-law in requiring a minimum setback to any stairs or landing serving an above grade entrance in the interior side yard is to ensure that access to the rear yard can be maintained. Given the significant setback on the opposite side of the dwelling, and the access that can be gained through the exterior

side yard, the location of the landing does not present concerns with regard to access to the rear yard. 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

Variances 1, 2, and 3 relate to existing accessory structures on the property: a shed and a frame gazebo on the deck. The structures subject to the variance are currently existing on the property and contribute positively to the use of the outdoor amenity space, while serving the primary residential function of the property. A condition of approval is recommended that a building permit be obtained for the accessory structures within 60 days of the final date of the Committee's decision to ensure that the structures are in compliance with the Ontario Building Code. 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 relates to a proposed below grade entrance between the dwelling and the flankage lot line. The entrance will be screened from view by the existing fence, and a condition of approval is recommended that the fence not be changed as to retain that screening. Further, a condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that any second unit that is constructed is done in accordance with the Ontario Building Code. Subject to the recommended conditions of approval, Variance 4 is considered to be desirable for the appropriate development of the land.

Variance 5 relates to a landing at the above grade door within the interior side yard, on the opposite side of the dwelling from the proposed below grade entrance. This door is not intended to serve a second unit but the primary dwelling unit. Given the access to the rear yard that is provided on the opposite side of the dwelling, the location of the landing does not present concerns with regard to access to the rear yard. A condition of approval is recommended that a building permit be obtained for the landing if required, to ensure that it is constructed in accordance with the Ontario Building Code. 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

Variances 1, 2 and 3 relate to existing accessory structures on the property. The structures do not present any apparent negative impacts with regard to drainage or aesthetic quality of the property, or the provision of outdoor amenity area. Subject to the recommended conditions of approval, Variances 1, 2, and 3 are considered to be minor in nature.

Variance 4 is to permit a below grade entrance between the main wall of the dwelling and the flankage lot line. The location of the entrance will not be visible on the street and is not anticipated to have a major functional impact on the amenity space for the property. Subject to the recommended conditions of approval, Variance 4 is considered

to be minor in nature.

Variance 5 is related to stairs and a landing serving an above grade door on the interior side of the dwelling. Given the generous setback on the flankage side of the dwelling, access to the rear yard is not inhibited by the location of the stairs and landing. Subject to the recommended conditions of approval, Variance 5 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

Myers, Jeanie

From: Catherine Camilleri
Sent: 2021/01/25 12:26 PM
To: Myers, Jeanie
Subject: [EXTERNAL]Application#A-2020-0149. Ward #7

Dear Jeanie Myers,

I just received this Public Notice last Friday January 22, 2021. I am Catherine Camilleri, and live at 36 Lansdowne Drive, Brampton, Ontario, L6S5V3, which is a neighbouring house of 18 Lone Oak Cres. Application # A-2020-0149 Ward #7. I am an originally owner. When these houses were built, they were built as single family homes with up to 6-8 people in mind in the home. If the owner of this home on Lone Oak is putting in a side entrance to basement for his own use that's all well and dandy, but if he's putting it in to rent his basement that will create a lot of other problems. He has already extended the width of his driveway and has many vehicles park there already. If he rents where will the extra cars go, on the road? What about sewage the pipes as I said were put in for single families not multiple generation families, if sewage backs up in my home who's paying for it the city, and what about taxes. There are already homes in the area that have apartment units in basements, some with more then one kitchen. Some of those side doors I'm sure were not put in with a permit. Well that's my say. Hope you include this in the hearing.

Thank you

Sent from my iPad



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **REETIKA SAINI AND SANMEET SINGH SIDHU** 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 168, Plan 43M-1713 municipally known as **13 DUNEGRASS WAY**, Brampton;

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

1. To permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line and requires a minimum exterior 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, January 26, 2021 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.

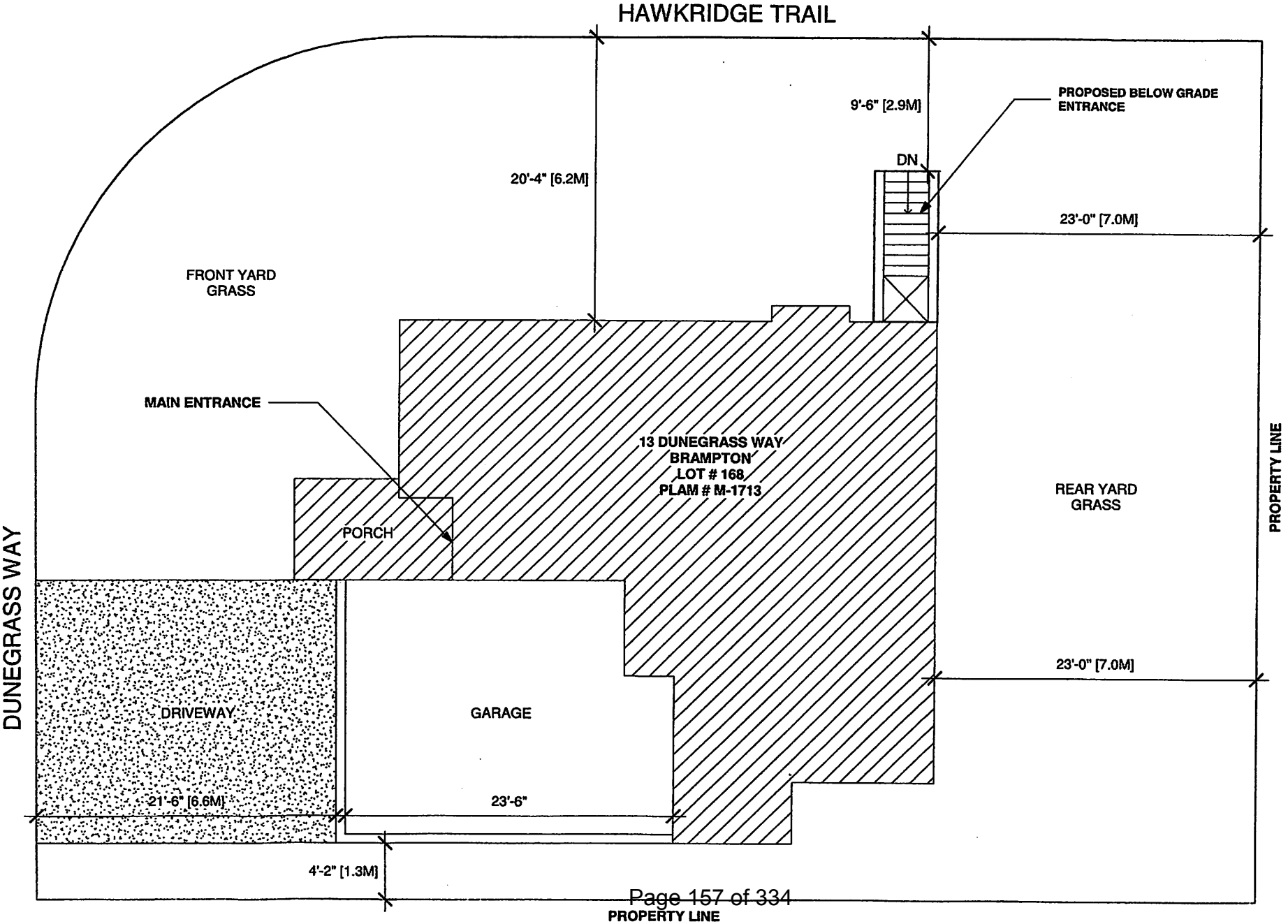
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 14th day of January, 2021.

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
TO PERMIT BELOW GRADE ENTRANCE IN SIDE YARD



SITE PLAN

01 ISSUED FOR PERMIT DEC 2/19

ADDRESS:
13 DUNEGRASS WAY
BRAMPTON, ON

DRAWN BY: NK CHECKED BY: TR
PROJECT NUMBER: 20R-22058

**NOBLE ELITE
SOLUTIONS LTD**
249-2130 NORTHPARK DR
BRAMPTON, ON
L6S 0C9
(437) 888 1800
(905) 782 5261

DATE: DEC 02/20 DWG. NO:

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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)** REETIKA SAINI AND SANMEET SINGH SIDHU
Address 13 DUNEGRASS WAY BRAMPTON, ON, L6P2T6

Phone # 647-244-4390 **Fax #** _____
Email _____
2. **Name of Agent** NOBLE PRIME SOLUTIONS LTD
Address UNIT 19, 2131 WILLIAMS PARKWAY, BRAMPTON L6S 5Z4

Phone # 437-888-1800 **Fax #** _____
Email INFO@NOBLELTD.CA
3. **Nature and extent of relief applied for (variances requested):**
TO PERMIT A BELOW GRADE ENTRANCE IS IN THE EXTERIOR SIDE YARD OF A CORNER LOT

4. **Why is it not possible to comply with the provisions of the by-law?**
A BELOW GRADE ENTRANCE IN THE EXTERIOR SIDE YARD OF A CORNER LOT IS NOT PERMITTED.

5. **Legal Description of the subject land:**
Lot Number 168
Plan Number/Concession Number M1713
Municipal Address 13 DUNEGRASS WAY BRAMPTON, ON, L6P2T6
6. **Dimension of subject land (in metric units)**
Frontage 19.1 M
Depth 26.6 M
Area 492.7 SQM
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.)
2 STOREY DETACHED HOUSE AREA: 185.80 SQM

PROPOSED BUILDINGS/STRUCTURES on the subject land:
BELOW GRADE ENTRANCE IN THE EXTERIOR SIDE YARD.

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	7.0 M
Side yard setback	1.3 M
Side yard setback	6.2 M

PROPOSED

Front yard setback	NO CHANGE
Rear yard setback	NO CHANGE
Side yard setback	NO CHANGE
Side yard setback	2.9 M

10. Date of Acquisition of subject land: APRIL 2020
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: 2008
15. Length of time the existing uses of the subject property have been continued: 12 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 _____

Ravkirat Sandhu
Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 14 DAY OF DEC, 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, RAVKIRAT SANDHU, 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 14th DAY OF
December, 20 20.

April Dela Cerna
A Commissioner etc.

Ravkirat Sandhu
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:

R1C - 1884

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

HOTHU S.

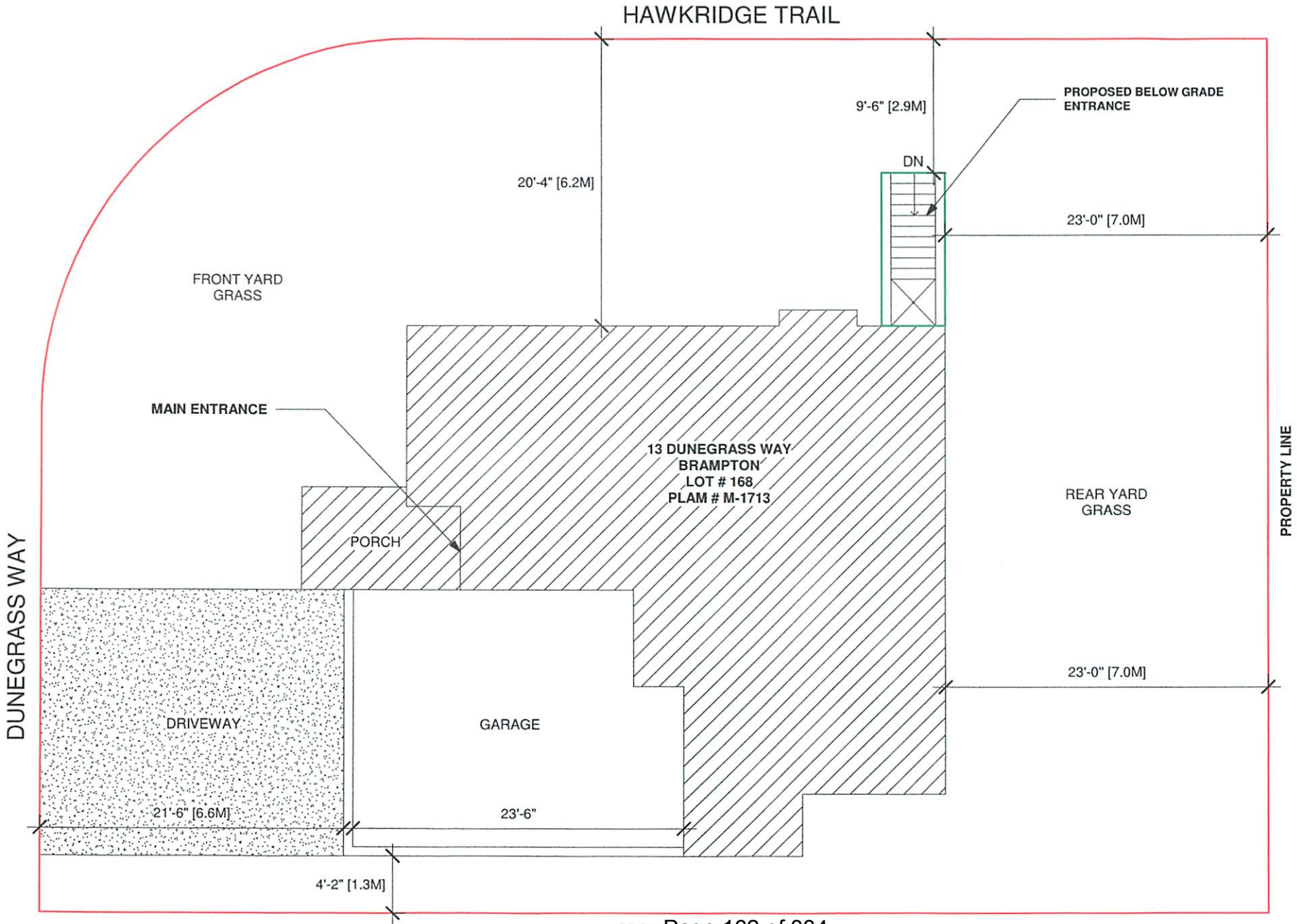
Zoning Officer

DEC. 14. 2020

Date

DATE RECEIVED December 14, 2020

MINOR VARIANCE
TO PERMIT BELOW GRADE ENTRANCE IN SIDE YARD



SITE PLAN

01	ISSUED FOR PERMIT	DEC 2/19
ADDRESS:		
13 DUNEGRASS WAY BRAMPTON, ON		
DRAWN BY:	NK	CHECKED BY: TR
PROJECT NUMBER:		20R-22058
NOBLE ELITE SOLUTIONS LTD		
249-2130 NORTHPARK DR BRAMPTON, ON L6S 0C9 (437) 888 1800 (905) 782 5261		
DATE:	DEC 02/20	DWG. No.
SCALE:		A-1

A-2020-0150

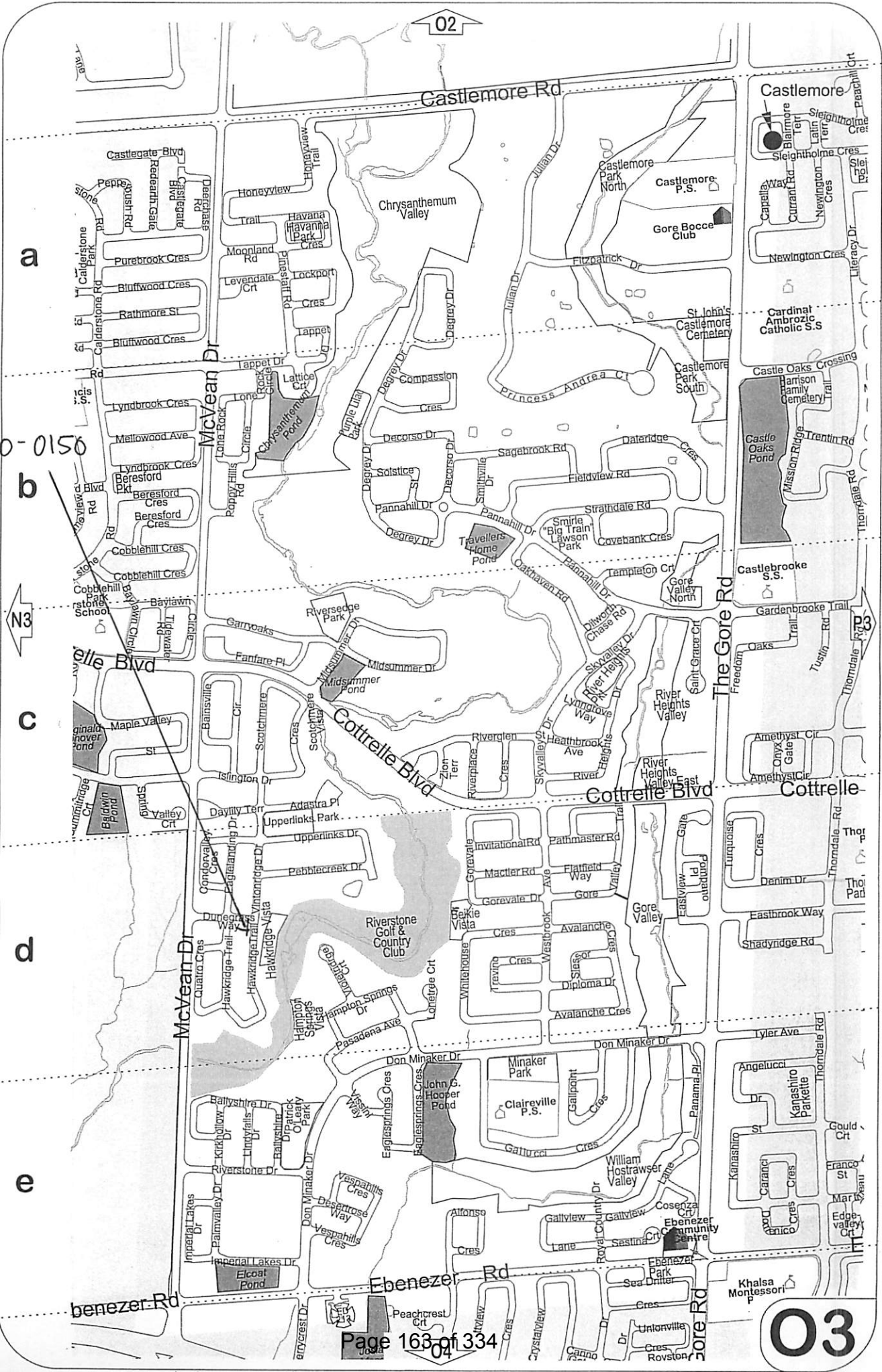
a

b

c

d

e



Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0150

**Owner/
Applicant:** REETIKA SAINI AND SANMEET SINGH SIDHU

Address: 13 Dunegrass Way

Ward: 8

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0150 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; and
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 C – Special Section 1884 (R1C-1884)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below

grade entrance between the main wall of the dwelling and a flankage lot line and requires a minimum exterior side yard setback of 3.0m (9.84 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated “Residential” in the Official Plan and “Low Medium/Density Residential” in the Bram East Secondary Plan (Area 41). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions, 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 Single Detached C – Special Section 1884 (R1C-1884)” according to By-law 270-2004, as amended.

Variance 1, to permit a proposed below grade entrance in the required exterior side yard having a setback of 2.9m (9.51 ft.) and located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line and requires a minimum exterior side yard setback of 3.0m (9.84 ft.).

The intent of the by-law in prohibiting below grade entrances between a main wall of the dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape. The intent of the by-law in requiring a minimum exterior side yard setback is to ensure that sufficient space is maintained for drainage and access to the rear yard.

In the case of the subject property, the proposed below grade entrance will be located behind the existing fence, screened from the view of the street. A condition of approval is recommended that the fence remain constructed in its current location and height and shall not be removed or lowered to ensure that the below grade entrance remains screened. The proposed reduced setback to the stairs is not anticipated to impact drainage for the property. 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 intended to facilitate a below grade entrance in the fenced area of the property, within the effective amenity space for the property. The location of the entrance will be screened from view by the existing fence. 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 related to a proposed below grade entrance. The entrance will not be visible from the public realm and is not anticipated to impact the function of the outdoor amenity space 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

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **SANDEEP SINGH AND MANDEEP KAUR** 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 73, Plan 970 municipally known as **88 LINKDALE ROAD**, Brampton;

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

1. To permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage 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, January 26, 2021 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.

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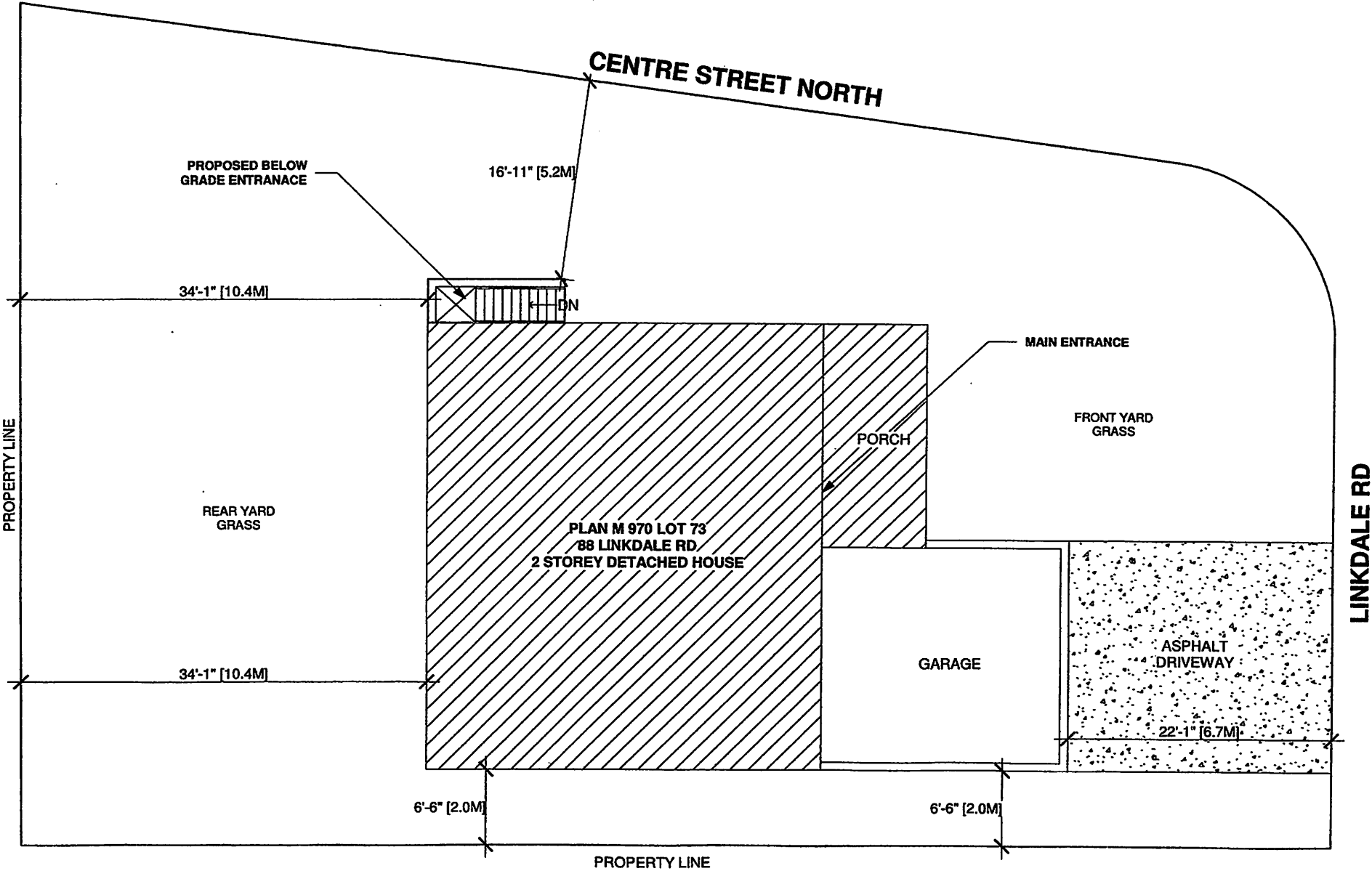
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DATED at Brampton Ontario, this 14th day of January, 2021.

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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
TO PERMIT BELOW GRADE ENTRANCE IN SIDE YARD



SITE PLAN

01	ISSUED FOR PERMIT
	DEC 03/20

ADDRESS:
88 LINKDALE RD,
BRAMPTON, ON.

DRAWN BY:	NK	CHECKED BY:	TR
PROJECT NUMBER:	20R-22103		

**NOBLE PRIME
SOLUTIONS LTD**
2131 WILLIAMS PARKWAY
BRAMPTON ON
UNIT 19
(437) 888 1800

DATE:	DEC 03/20	DWG No:	
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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

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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)** SANDEEP SINGH MANDEEP KAUR
Address 88 LINKDALE RD, BRAMPTON L6V3A2
Phone # 647-783-9952 **Fax #** _____
Email MCA_SANDEEP@HOTMAIL.COM

2. **Name of Agent** NOBLE PRIME SOLUTIONS LTD
Address UNIT 19, 2131 WILLIAMS PARKWAY, BRAMPTON L6S 5Z4
Phone # 437-888-1800 **Fax #** _____
Email INFO@NOBLELTD.CA

3. **Nature and extent of relief applied for (variances requested):**
TO PERMIT A BELOW GRADE ENTRANCE IS IN THE EXTERIOR SIDE YARD OF A CORNER LOT.

4. **Why is it not possible to comply with the provisions of the by-law?**
A BELOW GRADE ENTRANCE IN THE EXTERIOR SIDE YARD OF A CORNER LOT IS NOT PERMITTED.

5. **Legal Description of the subject land:**
Lot Number 73
Plan Number/Concession Number 970
Municipal Address 88 LINKDALE RD, BRAMPTON L6V3A2

6. **Dimension of subject land (in metric units)**
Frontage 13.5 M
Depth 33.5 M
Area 652.7 SQM

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.)
2 STOREY DETACHED HOUSE AREA 188.96

PROPOSED BUILDINGS/STRUCTURES on the subject land:
BELOW GRADE ENTRANCE IN THE EXTERIOR SIDE YARD.

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	6.7 M
Rear yard setback	10.4 M
Side yard setback	2.0 M
Side yard setback	6.8 M

PROPOSED

Front yard setback	NO CHANGE
Rear yard setback	NO CHANGE
Side yard setback	NO CHANGE
Side yard setback	5.2 M

10. Date of Acquisition of subject land: SEPT 2020
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: 1975
15. Length of time the existing uses of the subject property have been continued: 45 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 _____

Ravkirat Sandhu

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 14 DAY OF DEC, 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, RAVKIRAT SANDHU, 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 14th DAY OF
December, 20 20

April Dela Cerna
A Commissioner etc.

Ravkirat Sandhu

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: _____

R1B, Mature Neighbourhood

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

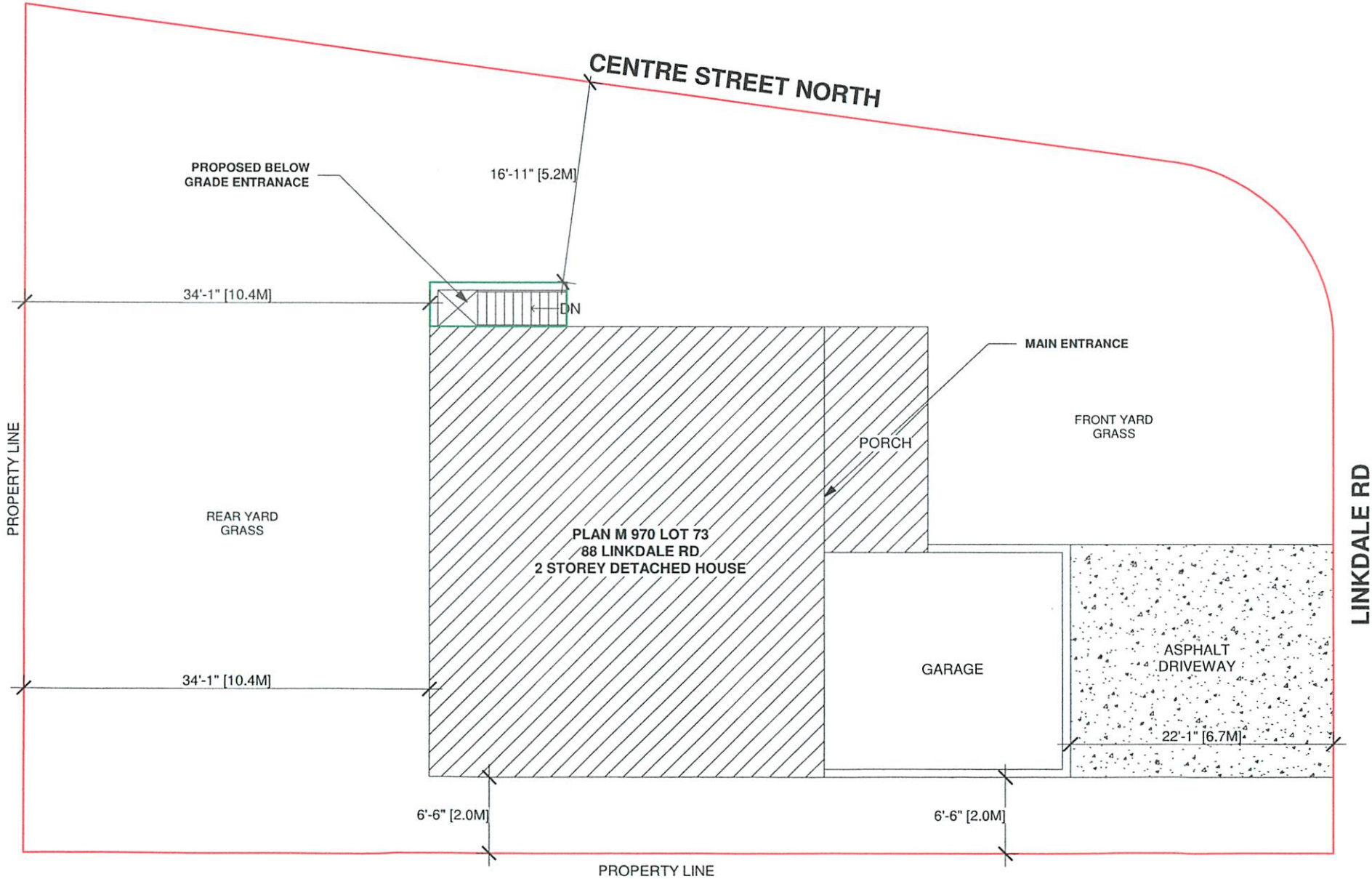
J. Chau
Zoning Officer

December 14, 2020
Date

DATE RECEIVED December 14, 2020

MINOR VARIANCE
TO PERMIT BELOW GRADE ENTRANCE IN SIDE YARD

SITE PLAN



01 ISSUED FOR PERMIT	DEC 03/20
ADDRESS: 88 LINKDALE RD, BRAMPTON, ON.	
DRAWN BY: NK	CHECKED BY: TR
PROJECT NUMBER: 20R-22103	
NOBLE PRIME SOLUTIONS LTD 2131 WILLIAMS PARKWAY BRAMPTON ON UNIT 19 (437) 888 1800	
DATE: DEC 03/20	DWG. No: A-1
SCALE:	

A-2020-0151

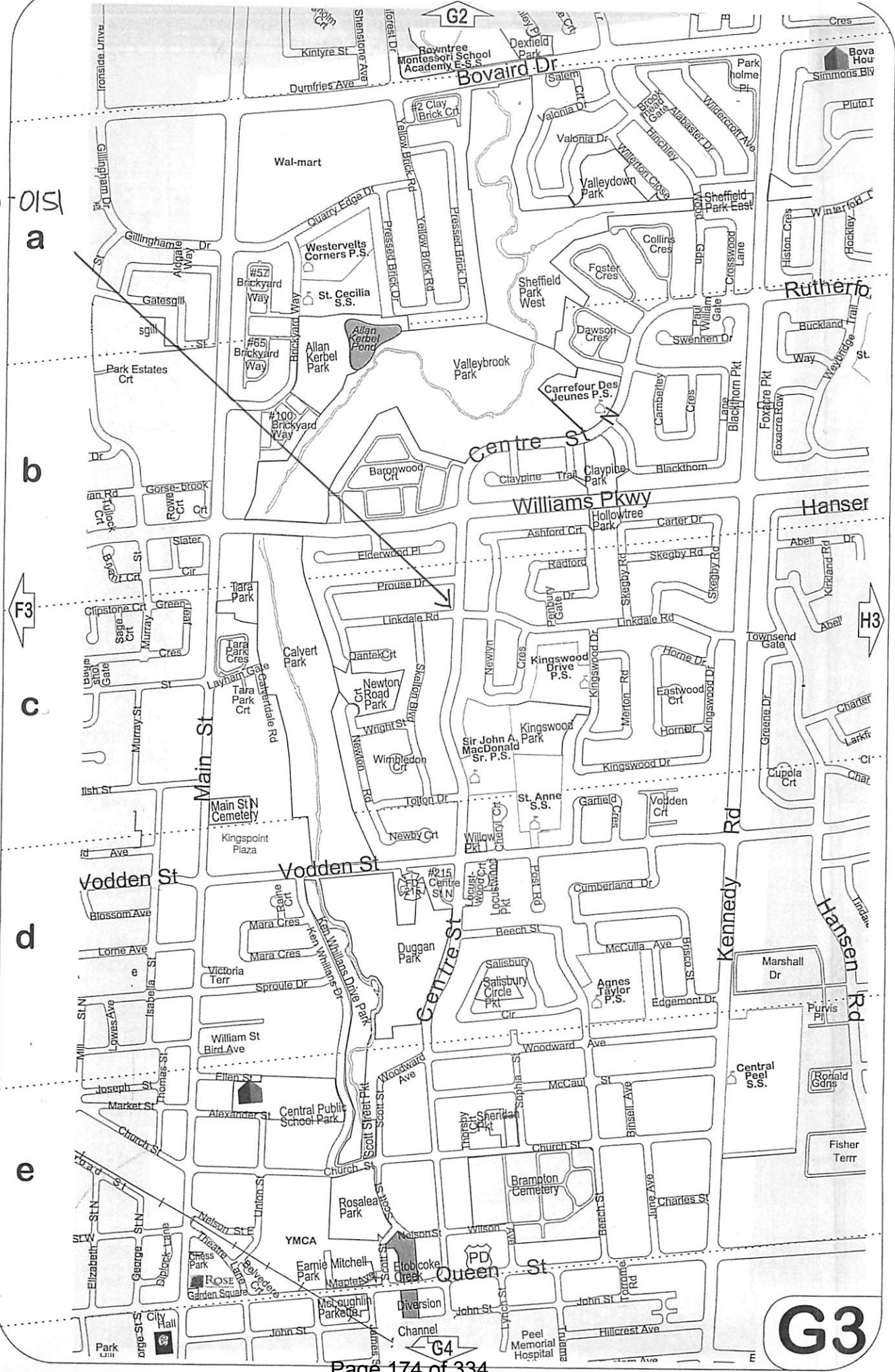
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b

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d

e



Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0151

**Owner/
Applicant:** **SANDEEP SINGH AND MANDEEP KAUR**

Address: **88 Linkdale Road**

Ward: 1

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0151 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 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 proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below

grade entrance between the main wall of the dwelling and a flankage lot line.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Low Density Residential” in the Brampton Flower Town Secondary Plan (Area 6). 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 Single Detached B (R1B)” according to By-law 270-2004, as amended. Variance 1 is to permit a proposed below grade entrance to be located between the main wall of a dwelling and a flankage lot line whereas the by-law does not permit a below grade entrance between the main wall of the dwelling and a flankage lot line.

The intent of the by-law in prohibiting below grade entrances between a main wall of the dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape.

In the case of the subject property, the proposed below grade entrance will be located behind the existing fence, screened from the view of the street. A condition of approval is recommended that the fence remain constructed in its current location and height and shall not be removed or lowered to ensure that the below grade entrance remains screened. 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 intended to facilitate a below grade entrance in the fenced area of the property, within the effective amenity space for the property. The location of the entrance will be screened from view by the existing fence. 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 related to a proposed below grade entrance. The entrance will not be visible from the public realm and is not anticipated to impact the function of the outdoor amenity space 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BHARAT KUMAR CHAVDA AND SUPRIYA CHAVDA** 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 70, Plan M-1944 municipally known as **3 ALLEGRO DRIVE**, Brampton;

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

1. To permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard whereas the by-law requires a minimum setback of 4.5m (14.76 ft.) to the front 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	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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.

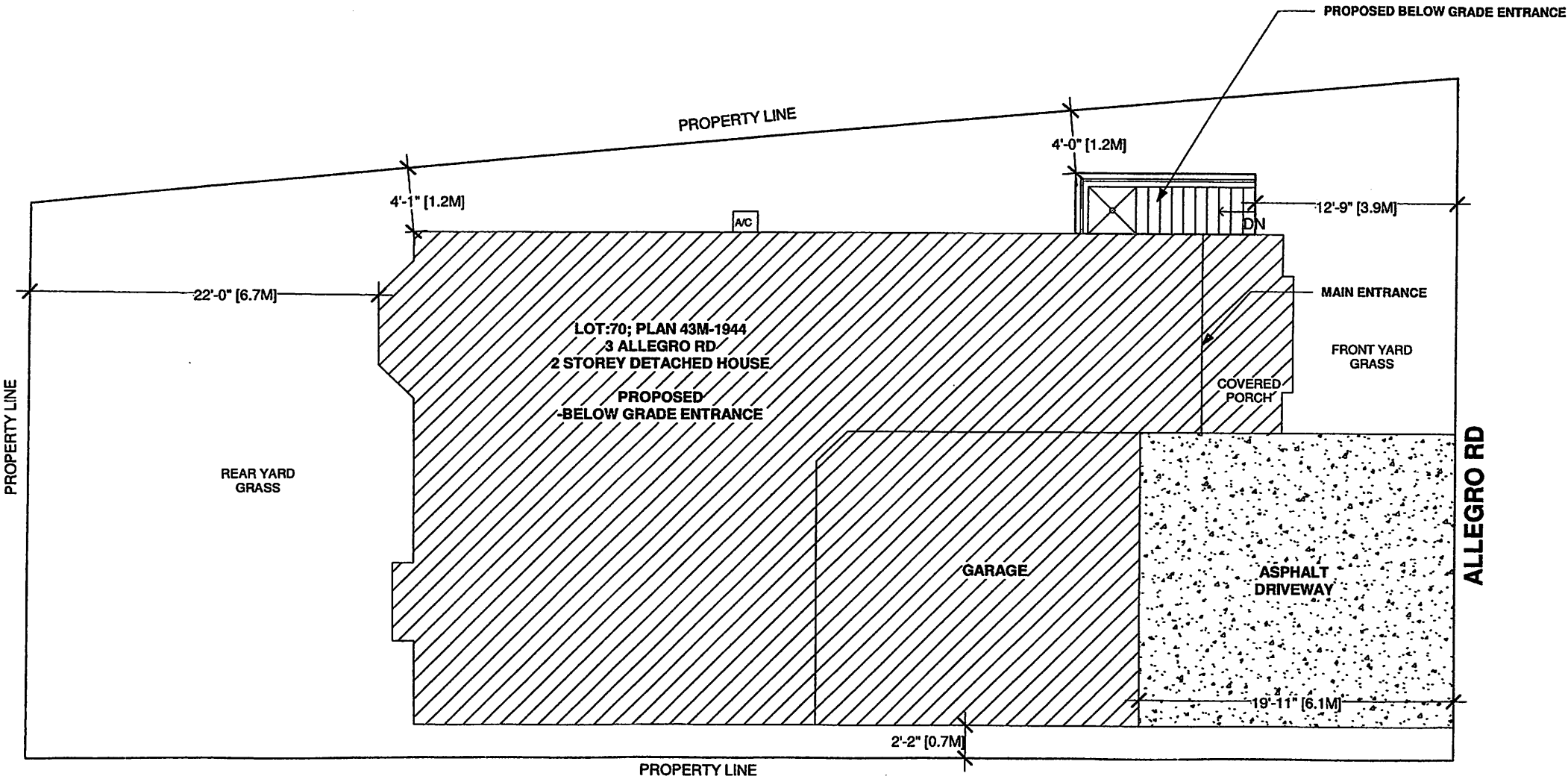
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 14th day of January, 2021.

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
TO PERMIT MINIMUM FRONT YARD
SETBACK FOR THE BELOW GRADE
ENTRANCE TO BE 3.9M INSTEAD OF 4.5M



SITE PLAN

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER/ENGINEER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

STAMP

01 ISSUED FOR PERMIT DEC 03/20

ADDRESS:
3 ALLEGRO RD,
BRAMPTON, ON.

DRAWN BY: NK CHECKED BY: TR
PROJECT NUMBER: 20R-21995

**NOBLE PRIME
SOLUTIONS LTD**
2131 WILLIAMS PKWY
UNIT 19,
BRAMPTON, ON
info@nobleltd.ca
(437) 888 1800
(647) 207 5470

DATE: DEC 03/20

DRAWN BY: A 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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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-2020-0152

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)** BHARAT KUMAR CHAVDA SUPRIYA CHAVDA
Address 3 ALLEGRO DR, BRAMPTON, L6Y5Y7
Phone # 416-919-4236 **Fax #** _____
Email BHARAT@BHARATCHAVDA.COM

2. **Name of Agent** NOBLE PRIME SOLUTIONS LTD
Address UNIT 19, 2131 WILLIAMS PARKWAY, BRAMPTON L6S 5Z4
Phone # 437-888-1800 **Fax #** _____
Email INFO@NOBLELTD.CA

3. **Nature and extent of relief applied for (variances requested):**
TO PERMIT THE MINIMUM FRONT YARD SETBACK FOR THE BELOW GRADE ENTRANCE TO BE 3.9 M INSTEAD OF 4.5 M

4. **Why is it not possible to comply with the provisions of the by-law?**
THE MINIMUM SETBACK ALLOWED FOR THE BELOW GRADE ENTRANCE IS 4.5 M

5. **Legal Description of the subject land:**
Lot Number 70
Plan Number/Concession Number M1944
Municipal Address 3 ALLEGRO DR, BRAMPTON L6Y5Y7

6. **Dimension of subject land (in metric units)**
Frontage 13.3 M
Depth 27.5 M
Area 332.3 SQM

7. **Access to the subject land is by:**
Provincial Highway ☐
Municipal Road Maintained All Year ☒
Private Right-of-Way ☐
Seasonal Road ☐
Other Public Road ☐
Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)
2 STOREY DETACHED HOUSE WITH AREA OF 254 SQUARE METERS

PROPOSED BUILDINGS/STRUCTURES on the subject land:
BELOW GRADE ENTRANCE IN THE SIDE YARD

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 6.1 M
Rear yard setback 6.7 M
Side yard setback 0.7 M
Side yard setback 2.6 M

PROPOSED
Front yard setback NO CHANGE
Rear yard setback NO CHANGE
Side yard setback NO CHANGE
Side yard setback 1.2 M

10. Date of Acquisition of subject land: JULY 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: JULY 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 _____

Ravkirat Sandhu

Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON
THIS 14 DAY OF DEC, 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, RAVKIRAT SANDHU 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 14th DAY OF
December, 20 20

April Dela Cerna
A Commissioner etc.

Ravkirat Sandhu

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: _____

Present Zoning By-law Classification: _____

R1F - 2102

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

HOTHIS.

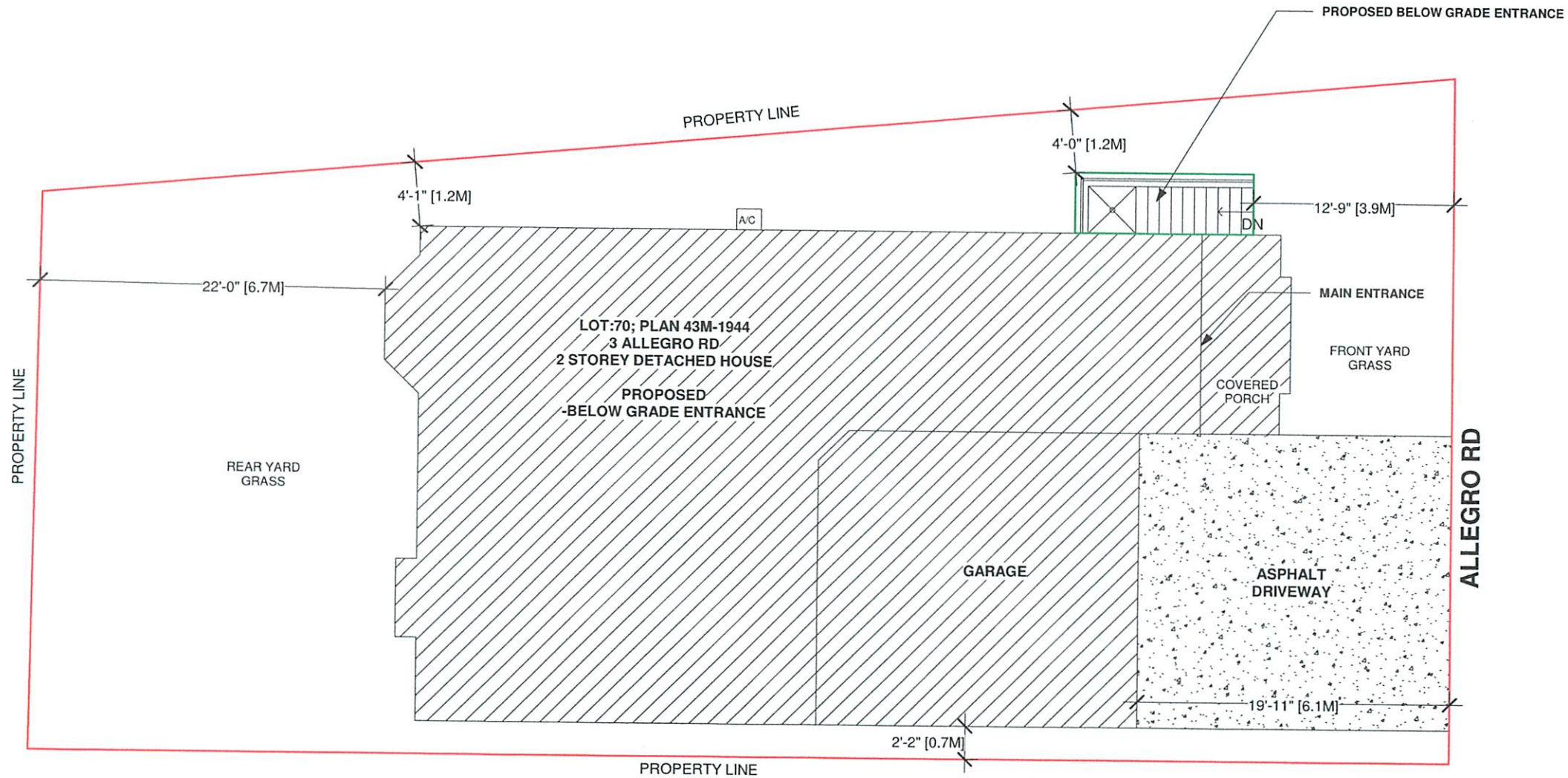
Zoning Officer

DEC 14 2020

Date

DATE RECEIVED December 14, 2020

**MINOR VARIANCE
TO PERMIT MINIMUM FRONT YARD
SETBACK FOR THE BELOW GRADE
ENTRANCE TO BE 3.9M INSTEAD OF 4.5M**



THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER/ENGINEER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

STAMP

SITE PLAN

01 ISSUED FOR PERMIT DEC 03/20

ADDRESS:
3 ALLEGRO RD,
BRAMPTON, ON.

DRAWN BY: NK CHECKED BY: TR
PROJECT NUMBER: 20R-21995

**NOBLE PRIME
SOLUTIONS LTD**
2131 WILLIAMS PKWY
UNIT 19,
BRAMPTON, ON
info@nobleltd.ca
(437) 888 1800
(647) 207 5470

DATE: DEC 03/20 DRAWN BY: A-1

A-2020-0152

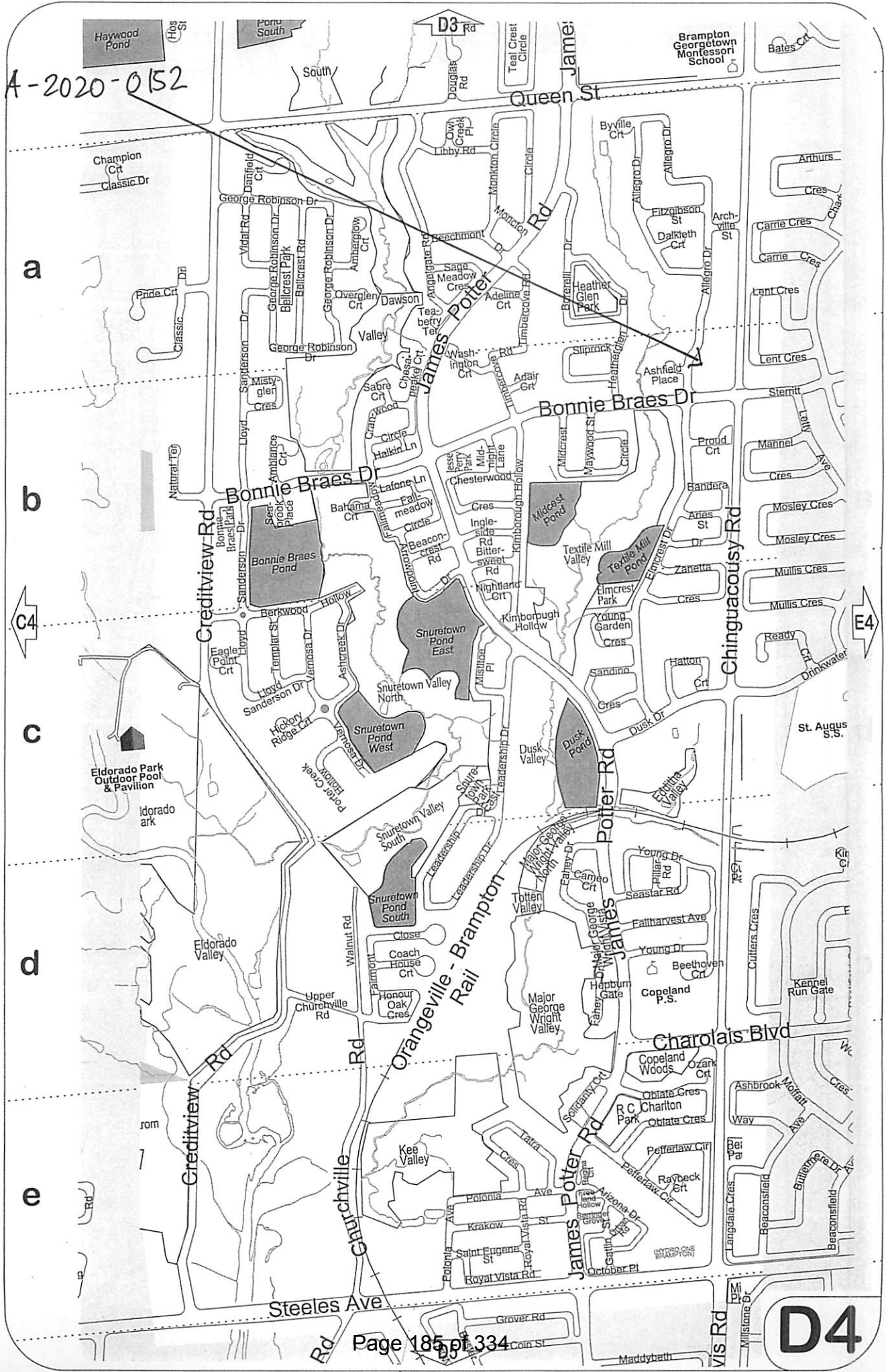
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Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0152

**Owner/
Applicant:** **BHARAT KUMAR CHAVDA AND SUPRIYA CHAVDA**

Address: **3 Allegro Drive**

Ward: 4

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0152 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 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 – Special section 2102 (R1F-2102)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard whereas the by-law requires a minimum setback of 4.5m (14.76 ft.) to the front 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 2 Residential” in the Credit Valley Secondary Plan (Area 45). The requested variance is not considered to have significant implications 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 Single Detached F – Special section 2102 (R1F-2102)” according to By-law 270-2004, as amended.

Variance 1 is to permit a 3.9m (12.8 ft.) setback to a proposed below grade stairway in the required front yard whereas the by-law requires a minimum setback of 4.5m (14.76 ft.) to the front lot line. The intent of the by-law in requiring a minimum setback between a below grade entrance in the front yard and the front lot line is to ensure that the location of the entrance does not negatively impact the aesthetic of the overall streetscape.

In the case of the subject property, the proposed below grade entrance is not anticipated to negatively impact the appearance of the streetscape as it will be set back further than the existing porch, and partially screened by existing landscaping. 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 setback to a below grade entrance in the front yard. In the case of the subject property the proposed below grade entrance will be set back further within the property than the existing porch, which will allow it to have a low profile appearance and minimal impact in regard to the overall aesthetic of the property. A condition of approval is recommended that the entrance not be used to access an unregistered second unit to ensure that any second unit within the dwelling is constructed in accordance 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 reduced setback from 4.5m (14.76 ft.) to 3.9m (12.8 ft.) between a proposed below grade entrance and the front lot line is not anticipated to have significant impacts on either the function of the stairway or the appearance of the front 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **10179469 CANADA 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 2, Plan M-863, Parts 1 and 2, Plan 43R-16301 municipally known as **73 SUN PAC BOULEVARD**; Brampton;

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

1. To permit outdoor storage of trucks and truck trailers for a temporary period of three (3) years whereas the by-law does not permit outdoor storage.

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, January 26, 2021 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.

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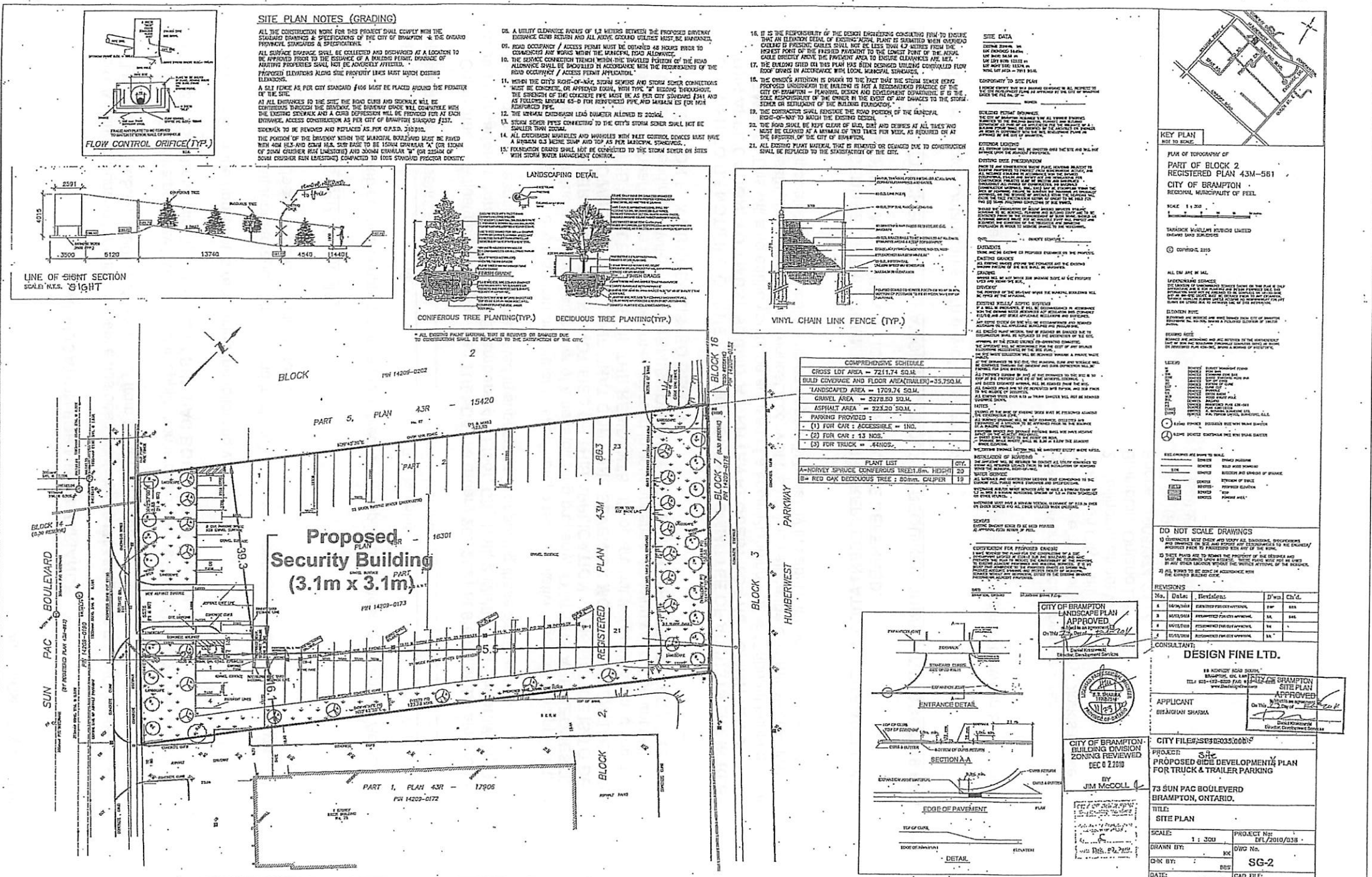
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 14th day of January, 2021.

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



SITE PLAN NOTES (GRADING)

ALL THE CONSTRUCTION WORK FOR THIS PROJECT SHALL COMPLY WITH THE STANDARD SPECIFICATIONS & SPECIFICATIONS OF THE CITY OF BRAMPTON - THE ONTARIO PROVINCIAL STANDARDS & SPECIFICATIONS.

ALL SURFACE DRAINAGE SHALL BE COLLECTED AND DISCHARGED AT A LOCATION TO BE APPROVED FROM THE SURFACE OF A DRAINAGE SYSTEM. DRAINAGE OF ADJACENT PROPERTIES SHALL NOT BE ADVERSELY AFFECTED.

PROPOSED ELEVATIONS ALONG SITE PROPERTY LINES MUST MATCH EXISTING ELEVATIONS.

A 6" V-FENCE AS PER CITY STANDARD #106 MUST BE PLACED AROUND THE PERIMETER OF THE SITE.

AT ALL ENTRANCES TO THE SITE, THE ROAD CURBS AND SIDEWALKS WILL BE CONSTRUCTED THROUGH THE BUILDING. THE BUILDING CURVE WILL COMPLY WITH THE EXISTING SIDEWALK AND A CURB DEPRESSION WILL BE PROVIDED FOR AT EACH ENTRANCE. ACCESS CONSTRUCTION AS PER CITY OF BRAMPTON STANDARD #137.

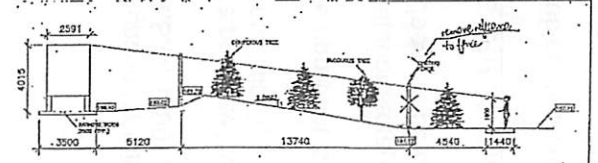
SIDEWALK TO BE REMOVED AND REPLACED AS PER CPASD, 2010/10.

THE PORTION OF THE BUILDING WITHIN THE MANICURE BUILDING MUST BE PLACED WITHIN 10M HSB AND 10M HSB. THIS BASE TO BE 100MM CONCRETE "A" (OR 200MM OF 20MM CRUSHER RUN LIMESTONE) AND 300MM CONCRETE "B" (OR 200MM OF 20MM CRUSHER RUN LIMESTONE) COMPACTED TO 100% STANDARD PROCTOR DENSITY.

10. A UTILITY CLEARANCE SPACING OF 1.2 METERS BETWEEN THE PROPOSED DRIVEWAY ENTRANCE CLOSURE AND ALL ADJACENT UTILITIES MUST BE MAINTAINED.
11. ROAD OCCUPANCY / ACCESS PERMIT MUST BE OBTAINED AS REQUIRED PRIOR TO COMMENCING ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE.
12. THE EXISTING CONNECTION TRENCH WITHIN THE TRAVELLED PORTION OF THE ROAD ALLOWANCE SHALL BE BROUGHT UP TO ACCORDANCE WITH THE REQUIREMENTS OF THE ROAD OCCUPANCY / ACCESS PERMIT APPLICATION.
13. WHEN THE CITY'S RIGHT-OF-WAY, STORM SEWERS AND STORM SEWER CONNECTIONS MUST BE CONSTRUCTED, OR APPROVED EXISTING, WITHIN THE "B" BUILDING THROUGHOUT, THE RESPONSIBILITY OF THE OWNER IN THE EVENT OF ANY DAMAGES TO THE STORM SEWER OR SETTLEMENT OF THE BUILDING FOUNDATION.
14. THE CONTRACTOR SHALL REGRADE THE ROAD PORTION OF THE MANICURE BUILDING TO MATCH THE EXISTING DEGREE.
15. THE ROAD SHALL BE KEPT CLEAR OF BULDS, DIRT AND DEBRIS AT ALL TIMES AND MUST BE GRADED AT A MINIMUM OF TWO TIMES PER WEEK, AS REQUIRED ON AT THE DISCRETION OF THE CITY OF BRAMPTON.
16. ALL EXISTING PLANT MATERIAL THAT IS REMOVED OR DAMAGED DUE TO CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF THE CITY.

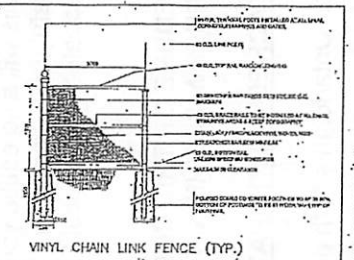
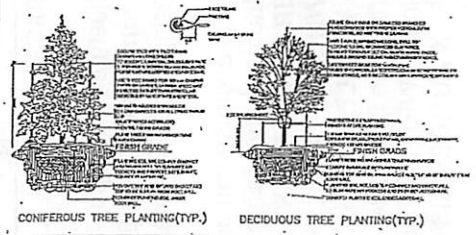
17. IT IS THE RESPONSIBILITY OF THE DESIGN ENGINEERING CONSULTANT FIRM TO ENSURE THAT AN ELEVATION DETAIL OF EXISTING ACTUAL PLANT IS SUBMITTED WHEN CONSTRUCTING EXISTING PLANT. PLANT SHALL NOT BE LESS THAN 4.7 METERS FROM THE HIGHEST POINT OF THE EXISTING PAVEMENT TO THE LOWEST POINT OF THE ACTUAL PLANT. PLANT SHALL BE MAINTAINED AND NOT BE REMOVED OR DAMAGED.
18. THE BUILDING SHED ON THIS PLAN HAS BEEN DESIGNED USING CONTROLLED FLOW ROOF DRAINAGE IN ACCORDANCE WITH LOCAL MUNICIPAL STANDARDS.
19. THE OWNER'S ATTENTION IS DRAWN TO THE FACT THAT THE STORM SEWER BEING PROPOSED UNDERNEATH THE BUILDING IS NOT A REMEDIATED PRACTICE OF THE CITY OF BRAMPTON - PLANNING, DESIGN AND DEVELOPMENT DEPARTMENT. IT IS THE RESPONSIBILITY OF THE OWNER IN THE EVENT OF ANY DAMAGES TO THE STORM SEWER OR SETTLEMENT OF THE BUILDING FOUNDATION.
20. THE CONTRACTOR SHALL REGRADE THE ROAD PORTION OF THE MANICURE BUILDING TO MATCH THE EXISTING DEGREE.
21. THE ROAD SHALL BE KEPT CLEAR OF BULDS, DIRT AND DEBRIS AT ALL TIMES AND MUST BE GRADED AT A MINIMUM OF TWO TIMES PER WEEK, AS REQUIRED ON AT THE DISCRETION OF THE CITY OF BRAMPTON.
22. ALL EXISTING PLANT MATERIAL THAT IS REMOVED OR DAMAGED DUE TO CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF THE CITY.

FLOW CONTROL ORIFICE(TYP.)



LINE OF SIGHT SECTION
SCALE: H.T.S. 8' HIGH

LANDSCAPING DETAIL



VINYL CHAIN LINK FENCE (TYP.)

COMPREHENSIVE SCHEDULE	
CROSS LOT AREA =	7211.74 SQ.M.
BUILD COVERAGE AND FLOOR AREA(TOTAL)=	35,750.0M.
LANDSCAPED AREA =	1709.74 SQ.M.
GRAVEL AREA =	5278.50 SQ.M.
ASPHALT AREA =	223.20 SQ.M.
PARKING PROVIDED :	
(1) FOR CAR : ACCESSIBLE =	1NO.
(2) FOR CAR : 13 NOS.	
(3) FOR TRUCK : 4 NOS.	

PLANT LIST	
A-NORWAY SPRUCE CONIFEROUS TREE 1.8m. HEIGHT	20
B-RED OAK DECIDUOUS TREE : 50mm. CALIPER	19

SITE DATA

OWNER: [Name]
 PROJECT: [Name]
 ADDRESS: [Address]
 CITY: [City]
 PROVINCE: [Province]
 COUNTRY: [Country]

EXISTING SITE INFORMATION

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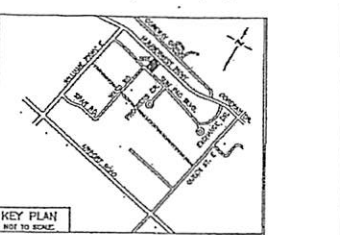
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PLAN OF TOPOGRAPHY OF PART OF BLOCK 2 REGISTERED PLAN 43M-561 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

SCALE: 1:200

TAKESHI WATANABE CONSULTING ENGINEERS INC.

DATE: 2020

ALL DIMENSIONS IN METERS

UNLESS OTHERWISE SPECIFIED

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DO NOT SCALE DRAWINGS

1) DIMENSIONS MUST BE CHECKED AND VERIFIED AS SHOWN. DIMENSIONS MUST BE CHECKED AND VERIFIED AS SHOWN. DIMENSIONS MUST BE CHECKED AND VERIFIED AS SHOWN.

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REVISIONS

No.	Date	Description	By	Chk'd.
1	2020/10/10	ISSUED FOR PERMIT	J.M.	J.M.
2	2020/10/10	ISSUED FOR PERMIT	J.M.	J.M.
3	2020/10/10	ISSUED FOR PERMIT	J.M.	J.M.
4	2020/10/10	ISSUED FOR PERMIT	J.M.	J.M.
5	2020/10/10	ISSUED FOR PERMIT	J.M.	J.M.

DESIGN FINE LTD.

18 ADELAIDE ROAD SOUTH
 BRAMPTON, ONT. L6Y 4R4
 TEL: 905-874-1111 FAX: 905-874-1112
 WWW.DESIGNFINE.COM

APPLICANT

BRAMPTON SHAWA

DATE: 2020/10/10

CITY OF BRAMPTON

PLANNING DIVISION

DEC 02 2020

CITY FILE#

SP5920350000

PROJECT: 3.1m x 3.1m PROPOSED SIDE DEVELOPMENT PLAN FOR TRUCK & TRAILER PARKING

TITLE

SITE PLAN

SCALE: 1:300

PROJECT No.

01/2010/038

DWG No.

SG-2

DATE:

2020/10/10

CAD FILE:

2020/10/10

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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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.



December 14, 2020.

Our File: 685-003

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

A-2020-0154

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

Re: Minor Variance Application
10179469 Canada Inc.
73 Sun Pac Boulevard
City of Brampton

Glen Schnarr and Associates Inc. is pleased to submit this application for a minor variance at 73 Sun Pac Boulevard (herein referred to as the 'subject property') on behalf of 10179469 Canada Inc. The subject property is located on the east side of Sun Pac Boulevard near the intersection of Ward Road and Sun Pac Boulevard. The property has a frontage along Sun Pac Boulevard of 58.73 meters, a depth of 123.85 meters and an area of 0.73 hectares (1.79 acres).

Currently, the subject property contains a security building in the southwest corner of the property, and the lands are used for the purpose of outdoor storage of trucks and truck trailers. The property is designated 'Industrial' in the City of Brampton Official Plan (Schedule A – General Land Use Designations) and is designated 'Industrial' in the City of Brampton Secondary Plan (SP14 – Gore Industrial North Secondary Plan). Furthermore, the subject property is zoned 'Industrial (M4) – Exception 1560' under the City of Brampton Zoning By-Law 270-2004.

The owner of the subject property is seeking a temporary 3-year minor variance to permit the outdoor storage of trucks and truck trailers. Additionally, site plan improvements as per the redlined approved Site Plan SP10-053.000 (redlined on December 10, 2020 by Glen Schnarr and Associates Inc.) are proposed to be implemented before Summer 2021 pending the approval of this application. The only change to the approved Site Plan is the implementation of a smaller security building on the subject lands. This building will be located in approximately the same location as the previously proposed temporary security trailer in approved Site Plan SP10-053.000. The elevation drawing of the proposed security building (as prepared by Glen Schnarr and Associates Inc. dated December 10, 2020) depicts the façade of the building which will include vinyl skirting to make the building visually appealing. Due to the winter season, the landscaping and other site plan improvements cannot be completed at this time but will be implemented as soon reasonably possible.

10 KINGSBRIDGE GARDEN CIRCLE
SUITE 700
MISSISSAUGA, ONTARIO
L5R 3K6
TEL (905) 568-8888
FAX (905) 568-8894
www.gsai.ca



In order to facilitate the proposal, the following variance is requested:

- 1. Request to permit a 3-year temporary minor variance to allow the outdoor storage use of truck and truck trailers on the subject property whereas the City of Brampton Zoning By-Law 270-2004 does not permit outdoor storage uses on the subject property.*

History of Applications

The subject property has undergone three minor variance applications, the first two which were filed under previous ownership. In March 2010, the previous owner applied for a 5-year temporary variance to allow the outdoor storage of truck and truck trailers on site. The minor variance application (A10-060) was approved for a temporary period of 3 years, subject to conditions which included completing and implementing a site plan application. It was noted when the approval of the variance lapsed in 2013 that the site improvements required to be implemented as per Site Plan Application SP10-053.000 had not been completed.

In March 2017, another application for a minor variance (A17-055) was submitted by the previous owner to permit truck parking and trailer storage with an associated office trailer on the property for a temporary 5-year period. This application was approved for a temporary period of 3 years, subject to a number of conditions, one of which included the approved site plan improvements be implemented.

In August of 2017, the subject property was acquired by the current owners, 10179469 Canada Inc., and in January 2020 a minor variance application (A-2020-0010) was submitted requesting outdoor storage of truck and truck trailers be permitted in association with an office trailer on the property. This application was refused as it was determined site plan improvements (as per approved Site Plan SP10-053.000) had not been fully implemented on the subject property. The owners are aware of the improvements that are required to be implemented as per approved Site Plan SP10-053.000 and are requesting to have them implemented after the winter season has passed.

Analysis

In our opinion, the proposed variance meets the prescribed criteria to authorize a Minor Variance under section 45 of the Planning Act:

- 1. Meets the general intent and purpose of the Official Plan*

The property is designated 'Industrial' in the City of Brampton Official Plan and the Gore Industrial North Secondary Plan (SP14). The Official Plan allows for the outdoor storage and truck trailer parking as identified in the relevant Secondary Plan. Furthermore, the Gore Industrial North Secondary Plan allows for various uses including the storage of goods on industrial lands. As per the redlined approved Site Plan SP10-053.000 submitted with this application, the landscaping buffer and security building will add screening to the site which will aide in conforming to the character of the industrial area. Thus, the site maintains the general intent of the Official Plan and Secondary Plan therefore the outdoor storage use of truck and truck trailers should be allowed.



2. *Meets the general intent and purpose of the Zoning By-law*

The property is zoned 'Industrial 4 (M4-1560)' as per the City of Brampton Zoning By-Law 270-2004. The 'Industrial Four' parent zone allows for various uses including a warehouse, the manufacturing of goods, and a parking lot among other uses. While Section 1560.10 specifies outdoor storage uses are not permitted, the intent of the Zoning By-Law in prohibiting outdoor storage uses is to ensure the use does not dominate the streetscape within this industrial area and that a certain aesthetic quality is maintained. The approved Site Plan submitted with this application proposes 12 to 12.5 m of landscaping along the frontage of the property which allows the outdoor storage use to be screened from view and does not disturb the streetscape of the industrial area. Thus, the general intent of the Zoning By-Law is maintained therefore the outdoor storage use should be allowed.

3. *Desirable for the appropriate development of the land*

The proposed outdoor storage use does not adversely impact the subject property or adjacent properties as the use will be screened from view through landscaping treatments and the security building. The trucks and truck trailers which are to be stored on the subject property contribute to the distribution of goods and services and are therefore a vital part of the area. Thus, the proposed 3-year temporary variance is a desirable use of the land.

4. *Is minor in nature*

The proposed variance is minor in nature as the outdoor storage use will not generate adverse impacts on the property or on adjacent properties. The fully implemented changes as per the proposed redlined Site Plan application SP10-053.000 will assist in providing screening to mitigate adverse impacts. Thus, the proposed 3-year temporary variance is minor in nature.

In support of the Minor Variance Application, we enclose the following:

- One (1) cheque in the amount of \$2510.00 payable to the City of Brampton in payment of the Minor Variance Application fee;
- A Minor Variance Application form including Appointment and Authorization of Agent and Permission to Enter forms;
- One (1) copy of redlined approved Site Plan SP10-053.000 as prepared by Glen Schnarr & Associates Inc. dated December 10, 2020; and
- One (1) copy of the Security Building Elevation drawings as prepared by Glen Schnarr & Associates Inc. dated December 10, 2020.



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

We trust this completes the application for a Minor Variance and we look forward to being considered for the earliest 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-2020-0154

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)** 10179469 Canada Inc. c/o Navneet Randhawa
Address 23 Enford Crescent
Brampton ON
L7A 4C8
Phone # 647-625-0454 **Fax #** _____
Email karamberrandhawa@gmail.com

2. **Name of Agent** Glen Schnarr and Associates Inc. c/o Colin Chung
Address 700 - 10 Kingsbridge Garden Circle
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):**
Request for a 3 year temporary minor variance to allow the outdoor storage use of truck and truck trailers on the subject property.

4. **Why is it not possible to comply with the provisions of the by-law?**
The Zoning By-Law does not permit outdoor storage uses on the subject property.

5. **Legal Description of the subject land:**
Lot Number PT. BLOCK 2
Plan Number/Concession Number PLAN M-863, PTS. 1 & 2, PLAN 43R-16301
Municipal Address 73 Sun Pac Boulevard

6. **Dimension of subject land (in metric units)**
Frontage 58.73 m
Depth 123.85 m
Area 0.73 hectare (1.79 acre)

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.)

The 1 story building on the site has a GFA of 25.95 square meters, and is approximately 3.1m x 3.1m x 2.7m.
This structure is proposed to be demolished.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

A 1 story building with an approximate GFA of 25.95 square meters, and dimensions of approximately 3.1m x 3.1m x 2.7m.

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	<u>1.7 m</u>
Rear yard setback	<u>106 m</u>
Side yard setback	<u>49 m</u>
Side yard setback	<u>4.1 m</u>

PROPOSED

Front yard setback	<u>24.4 m</u>
Rear yard setback	<u>95.5 m</u>
Side yard setback	<u>39.3 m</u>
Side yard setback	<u>16.1 m</u>

10. Date of Acquisition of subject land: April 2017
11. Existing uses of subject property: Outdoor truck parking and truck storage with associated security trailer
12. Proposed uses of subject property: Outdoor storage of truck and truck trailers with associated security building
13. Existing uses of abutting properties: Industrial
14. Date of construction of all buildings & structures on subject land: Approximately 2012
15. Length of time the existing uses of the subject property have been continued: 10 years
16. (a) What water supply is existing/proposed?
Municipal ☐ Other (specify) N/A
Well ☐
- (b) What sewage disposal is/will be provided?
Municipal ☐ Other (specify) N/A
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>A10-060</u>	Decision <u>Approved</u>	Relief <u>Outside storage</u>
File # <u>A17-055</u>	Decision <u>Approved</u>	Relief <u>Outside storage</u>
File # <u>A-2020-0010</u>	Decision <u>Refused</u>	Relief <u>Outside storage</u>



Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Mississauga
THIS 10th DAY OF December, 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, Tarunjeet 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 14th DAY OF
December, 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:

M4 - 1560

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

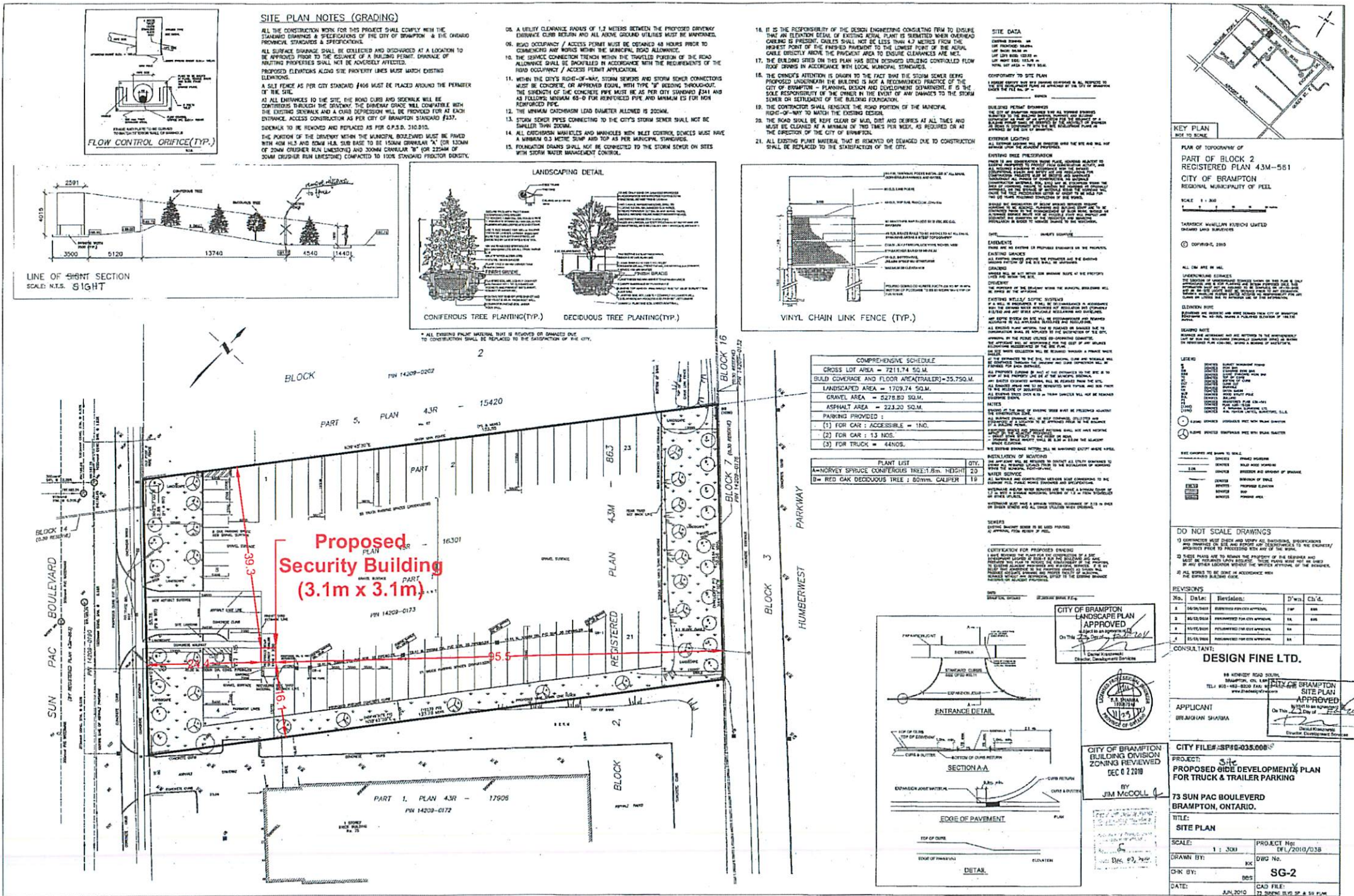
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Zoning Officer

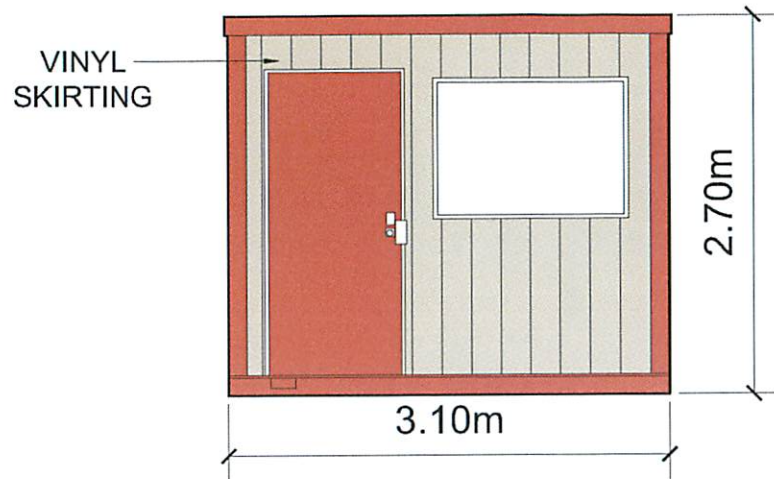
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Date

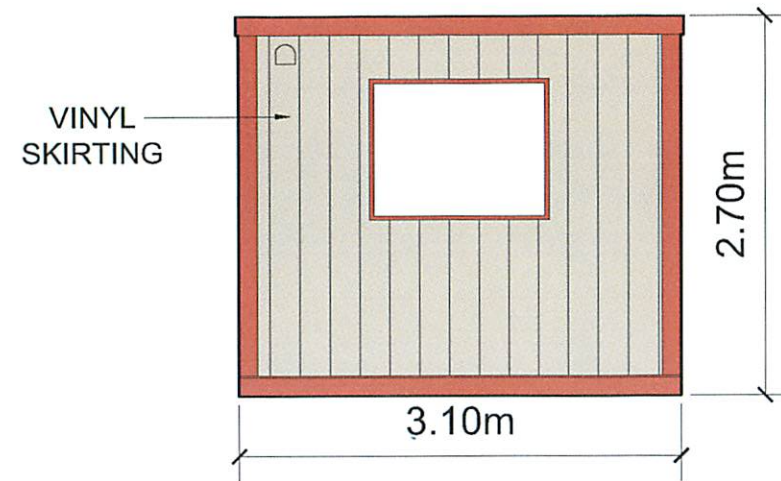
DATE RECEIVED December 14, 2020



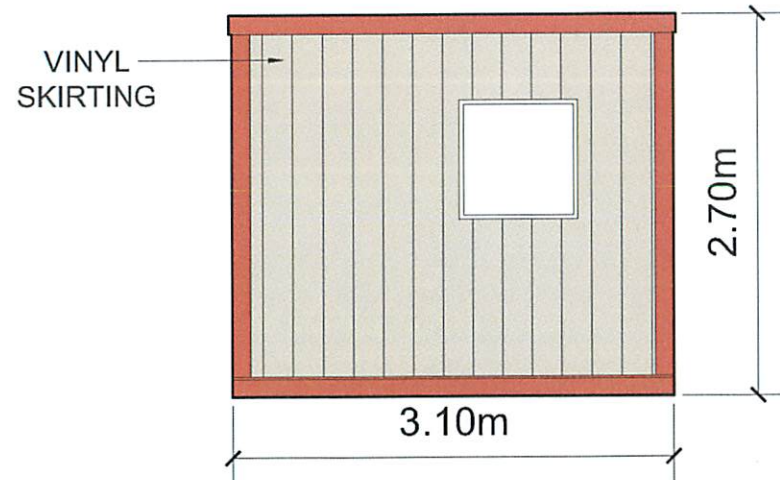
Front Elevation



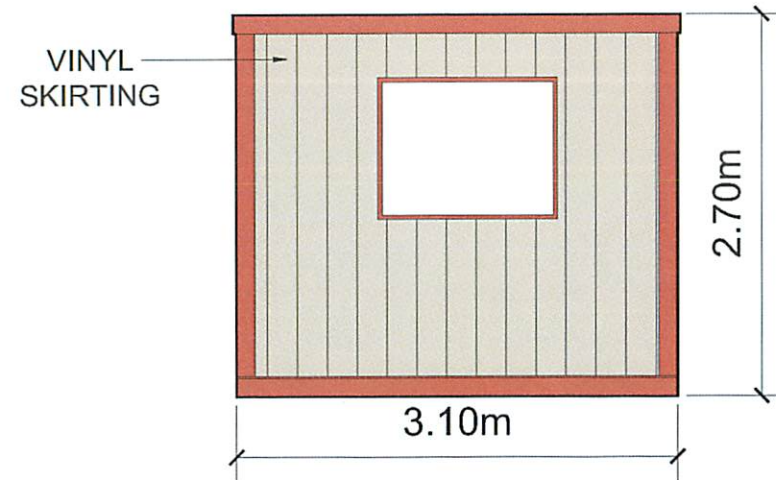
Side Elevation



Rear Elevation



Side Elevation



73 Sun Pac Boulevard
SECURITY BUILDING ELEVATION

Scale 1:40
December 10, 2020





FILE NUMBER A-2020-0010

HEARING DATE JULY 28, 2020

APPLICATION MADE BY 10179469 CANADA INC.

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 outside storage (truck and trailer parking/ storage) in association with an office trailer on the property.

(73 SUN PAC BOULEVARD, PT. OF BLOCK 2, PLAN M-863, PTS. 1 & 2, PLAN 43R-16301)

THE REQUEST IS HEREBY REFUSED

REASONS:

This decision reflects that in the opinion of the Committee:

1. The variance is not 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 not maintained and the variance is not 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: D. Colp

SECONDED BY: R. Power

CHAIR OF MEETING: RON CHATHA

WE THE COMMITTEE MEMBERS NOTED BELOW HEREBY CONCUR IN THE DECISION

AUTHORIZED BY VOTE HELD AT A MEETING ON JULY 28, 2020

RON CHATHA, MEMBER

DESIREE DOERFLER, MEMBER

ROD POWER, MEMBER

DAVID COLP, MEMBER

ANA CRISTINA MARQUES, MEMBER

DATED THIS 28TH DAY OF JULY, 2020

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL WILL BE AUGUST 17, 2020

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.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



FILE NUMBER A17-055

HEARING DATE MARCH 28, 2017

APPLICATION MADE BY 1317675 ONTARIO INC.

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:

1. To permit outside storage (truck and trailer parking/ storage) in association with an office trailer on the property for a temporary period of five (5) years.

(73 SUN PAC BOULEVARD – PT. OF BLK. 2, PLAN M-863, PARTS 1 & 2, PLAN 43R-16301)

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: R. Nurse

SECONDED BY: R. Crouch

SIGNATURE OF CHAIR OF MEETING: 

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION


MEMBER


MEMBER


MEMBER


MEMBER


MEMBER

DATED THIS 28TH DAY OF MARCH, 2017

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE APRIL 17, 2017

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.


SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT

Flower City



brampton.ca

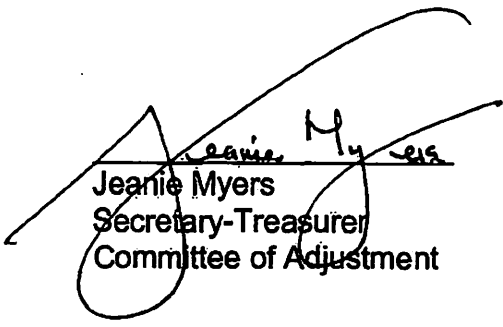
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

APPLICATION NO: A17-055

DATED: MARCH 28, 2017

Conditions:

1. That the outside storage (truck and trailer parking/ storage) use be removed from the property within fifteen (15) days from the final date of the Committee's decision;
2. That the site improvements in accordance with the approved site plan drawings dated February 23, 2011 (File: SP10-053.000) be completed, and that the truck parking and trailer storage use shall not exist on the property until such time as the site improvements are completed to the satisfaction of the Director of Development Services;
3. That the owner post the required financial securities and insurance in accordance with the Site Plan Agreement registered on title (File: SP10-053.000);
4. That there be no motor vehicle repair on the property at any time;
5. That there be no outside storage on the property except for truck and trailers;
6. That all advertising signage be removed from the property within thirty (30) days from the date of the Committee's decision;
7. That a building permit shall be obtained within sixty (60) days for the office trailer and that the office trailer shall not be occupied until such time as an occupancy permit is issued;
8. That the variance be approved for a temporary period of three (3) years from the final date of the Committee's decision; and,
9. That failure to comply with and maintain the conditions of the Committee will render the temporary approval null and void.


Jeanie Myers
Secretary-Treasurer
Committee of Adjustment



Notice of Decision

Committee of Adjustment

FILE NUMBER A10-060HEARING DATE APRIL 20, 2010APPLICATION MADE BY 1317675 ONTARIO INC.

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 TRUCK PARKING AND TRAILER STORAGE WITH ASSOCIATED OFFICE TRAILER ON THE PROPERTY FOR A TEMPORARY PERIOD OF FIVE (5) YEARS;

(73 SUN PAC BOULEVARD – PT. BLOCK 2, PLAN M-863, PTS. 1 & 2, PLAN 43R-16301)

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.

MOVED BY: J. Massey-SinghSECONDED BY: F. TurnerSIGNATURE OF CHAIR OF MEETING: [Signature]

WE THE UNDERSIGNED HEREBY CONCUR IN THE DECISION

[Signature]
MEMBER

[Signature]
MEMBER

[Signature]
MEMBER

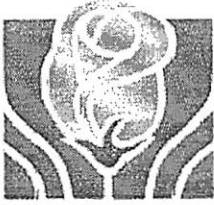
H. Murse
MEMBER

[Signature]
MEMBER
DATED THIS 20TH DAY OF APRIL, 2010

NOTICE IS HEREBY GIVEN THAT THE LAST DAY FOR APPEALING THIS DECISION TO THE ONTARIO MUNICIPAL BOARD WILL BE MAY 10, 2010

I, JEANIE MYERS, ACTING 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]
ACTING SECRETARY-TREASURER
COMMITTEE OF ADJUSTMENT



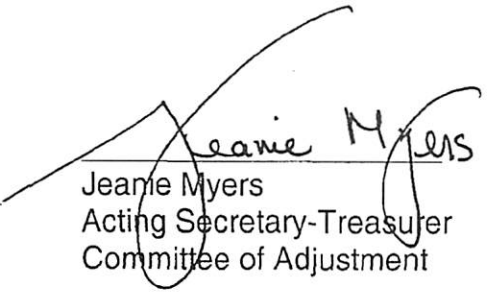
THIS IS SCHEDULE "A" REFERRED TO ON THE NOTICE OF DECISION

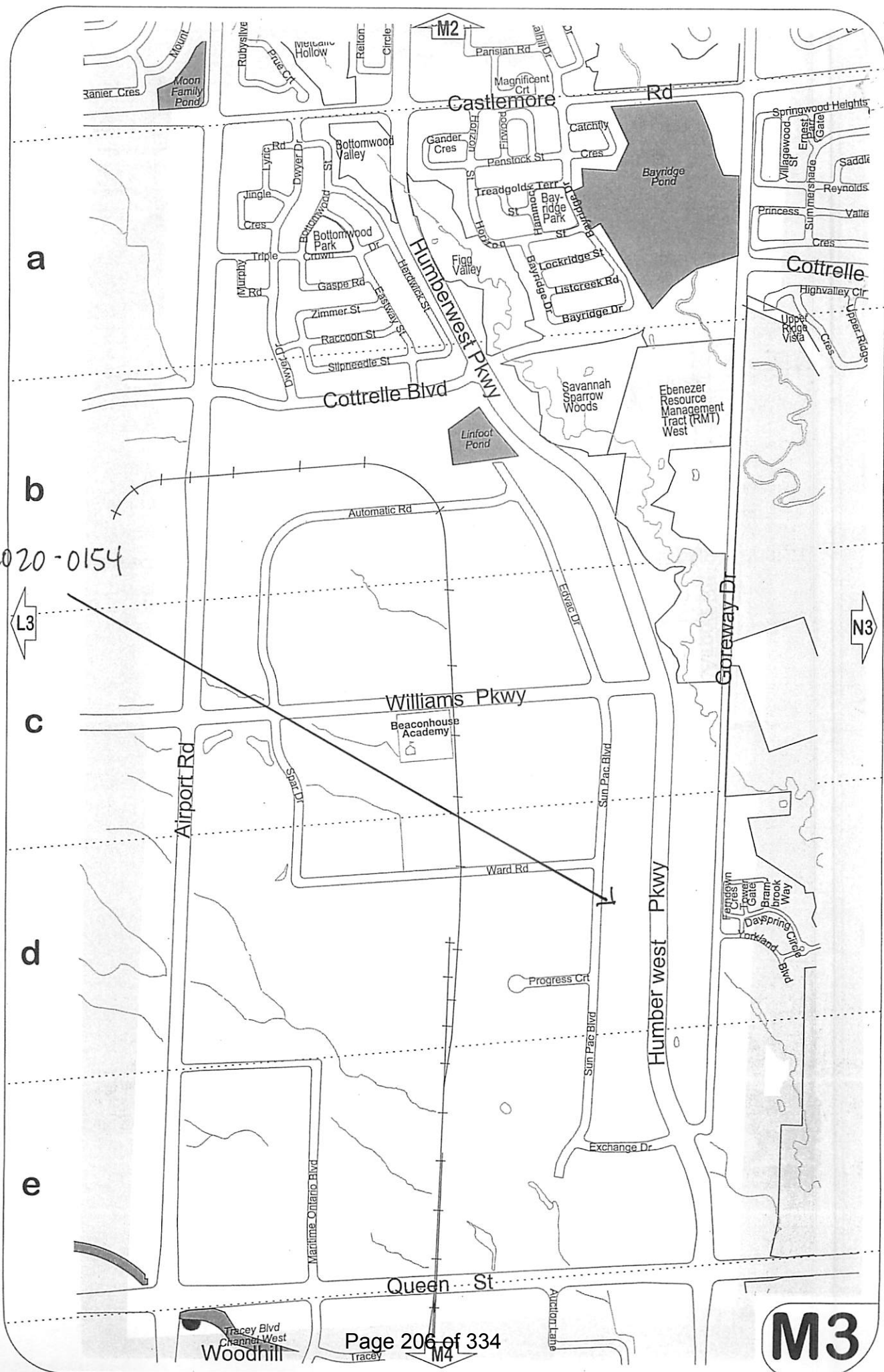
APPLICATION NO: **A10-060**

DATED **APRIL 20, 2010**

Conditions:

1. Site plan approval shall be obtained within one hundred and twenty (120) days of the final date of Committee's decision on this application or within an extended timeline at the discretion of the Commissioner of Planning, Design and Development, and as a result of site plan approval the site shall be developed to include, as a minimum, the following:
 - Appropriate landscaping along Humberwest Parkway and Sun Pac Boulevard (and the minimum landscaped open space area abutting Humberwest Parkway required by the Zoning By-law shall be maintained);
 - Peripheral chain link security fence;
 - A paved and curbed and appropriately configured access driveway;
 - A surface material appropriate to convey surface run-off so that it does not adversely impact abutting properties or the City's roadways;
 - A parking layout to have the trucks arranged and maintained in an orderly fashion and have the view of the trailer storage minimized from Humberwest Parkway;
 - The requirement for the use of an appropriate façade on the office trailer so that it maintains an acceptable appearance for the site and area; and
 - Securities posted for any of the required site improvements and for the removal of the office trailer should it be abandoned by the owner.
2. The variance shall be null and void should truck parking and trailer storage exist on the site without securities posted and the full site improvements in place required by site plan approval;
3. That a building permit shall be obtained for the office trailer and the office trailer shall not be occupied until such time as an occupancy permit is issued;
4. That there be no outside storage on-site except for trailers;
5. That approval be granted for a temporary period of three (3) years from the final date of Committee's decision.


Jeanie Myers
Acting Secretary-Treasurer
Committee of Adjustment



A-2020-0154

L3

N3

Filing Date: December 14, 2020

Hearing Date: January 26, 2021

File: A-2020-0154

**Owner/
Applicant:** 10179469 CANADA INC

Address: 73 SUN PAC BLVD, BRAMPTON, ON L6S5P6

Ward: 8

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0154 is supportable, subject to the following conditions being imposed:

1. That the variance be approved for a maximum temporary period of three (3) years from the final date of the Committee's decision;
 2. That the applicant shall submit a limited/amending site plan, and have that site plan approved prior to the establishment of the use;
 3. That the property shall be maintained in accordance with the approved site plan, including but not limited to the truck/trailer vehicle parking configuration, for the duration of the temporary approval period, with the exception of landscape works which are to be completed no later than July 1, 2021, to the satisfaction of the Director of Development Services;
 4. That any signage not associated with a business operating from the property shall not be permitted;
 5. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 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" according to By-law 270-2004, as amended.

Previous Applications:A10-060

In March of 2010, the applicant requested a minor variance to permit truck parking and trailer storage with an associated office trailer on the property for a temporary period of five (5) years. The application was approved for a temporary period of three (3) years, subject to a number of conditions including completing and implementing a site plan application. The approval of this variance lapsed in 2013 and at that time the site improvements required to be implemented as per Site Plan Application SP10-053.000 had not been completed. It was noted at the time, within the staff report, that the temporary nature of the variance was a factor in determining that the request was minor in nature.

A17-055

In March of 2017, the applicant requested a minor variance to permit truck parking and trailer storage with an associated office trailer on the property for a temporary period of five (5) years. The application was approved for a temporary period of three (3) years, subject to a number of conditions, including that the site improvements be implemented. It was again noted by staff at the time, within the staff report, that the temporary nature of the variance was a factor in determining that the request was minor in nature.

A-2020-0020

In July of 2020 the applicant requested a minor variance to permit outside storage (truck and trailer parking/ storage) in association with an office trailer on the property whereas the by-law does not permit the use. This use was not requested for a temporary period of time but in perpetuity. It was noted by staff within the staff report that the majority of site improvements required through previously granted approvals had not been maintained. Staff recommended refusal of the application to permit the use on a permanent basis and Committee ultimately refused the application.

Discussion With Staff

Staff met with the applicant prior to submission of this temporary variance request to discuss the issues surrounding the previous iteration of the variance request. Through this discussion, staff were advised that it is the intention of the owner to redevelop the property in conjunction with some adjacent lands in the near future and the applicant proposed seeking a final temporary variance application to facilitate financial maintenance of the property while working toward the ultimate redevelopment.

Requested Variance:

The applicant is requesting the following variance:

1. To permit outdoor storage of trucks and truck trailers for a temporary period of

three (3) years whereas the by-law does not permit outdoor storage.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Industrial” by the Official Plan, and “Industrial” by the Gore Industrial North Secondary Plan (Area 14).

Section 3.2.8 of Secondary Plan 14 states that “outside storage areas may be permitted...subject to detailed design considerations”. Currently, the requirements of approved Site Plan Application SP10-053.000 are not being maintained on the property. In order to facilitate the temporary use of the property for outside storage, a condition of approval is recommended that the applicant update the approved site plan to accurately reflect the condition of the site and any proposed improvements. A further condition is recommended that the improvements required by that updated site plan shall be maintained for the duration of the use, to the satisfaction of the Director of Development Services to ensure that if the works are not completed/maintained the approval will be considered null and void.

With appropriate screening and site works, the impacts of the outside storage on the streetscape of the industrial area can be effectively mitigated. Additionally, the temporary nature of the variance will facilitate the ultimate development of the property for permitted industrial purposes within 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 “Industrial Four – Special Section 1560 (M4-1560)” according to By-law 270-2004, as amended. The requested variance is to permit outdoor storage of trucks and truck trailers for a temporary period of three (3) years whereas the by-law does not permit outdoor storage.

The intent of the By-law in prohibiting outdoor storage in this zone category and special section is to ensure that outdoor storage is not dominating the streetscape within this industrial area and that a certain aesthetic quality is maintained. A condition of approval is recommended that the applicant implement and maintain onsite works including landscaping and an organized truck/trailer storage configuration so to minimize the visual impacts of the storage on the streetscape. Further, the temporary nature of the variance will facilitate the ultimate redevelopment of the property which is intended to align with the permitted uses and site regulations of the M4-1560 zone.

Only when 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 subject property has been the subject of several temporary use variances to allow its continued use over the years as truck and trailer parking. Staff have noted previously that the area has become built up around the site, and it would be appropriate for this site to develop in accordance with the provisions of the applicable planning documents and this has been taken into consideration in this variance request. During discussion with the applicant, staff were advised that it is the intention of the owner to fulfill the development potential of the property in the near future, but that there was a need to maintain the storage use in the interim in order to financially support the property. The applicant has undertaken to instate and maintain site works that were required under previous approvals for the property. It is noted that some of the landscape works require an appropriate time of year for completion and as such the recommended conditions of approval include a slightly extended implementation timeline for landscape works. Staff anticipate that the completion of the required works will help to minimize the visual impacts of the use on the streetscape.

Finally, a condition of approval is recommended that the use be approved for a maximum temporary period of three years. Staff note that the intention of this condition is to ensure the approval is of sufficient length to merit the site improvements, while encouraging the property owner to redevelop the lands in the near future.

Only when 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 outdoor storage use on a temporary basis on the property, which is intended to facilitate the ultimate redevelopment of the lands. A condition of approval is recommended that the variance be approved for a maximum period of 3 years to ensure that the use does not continue in perpetuity. When 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **SHAILESH PATEL AND PRANALIKA PATEL** 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 26, Plan 43M-1899 municipally known as **123 LEADERSHIP DRIVE**; Brampton;

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

1. To permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

OTHER PLANNING APPLICATIONS:

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

Plan of Subdivision: _____	NO	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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.

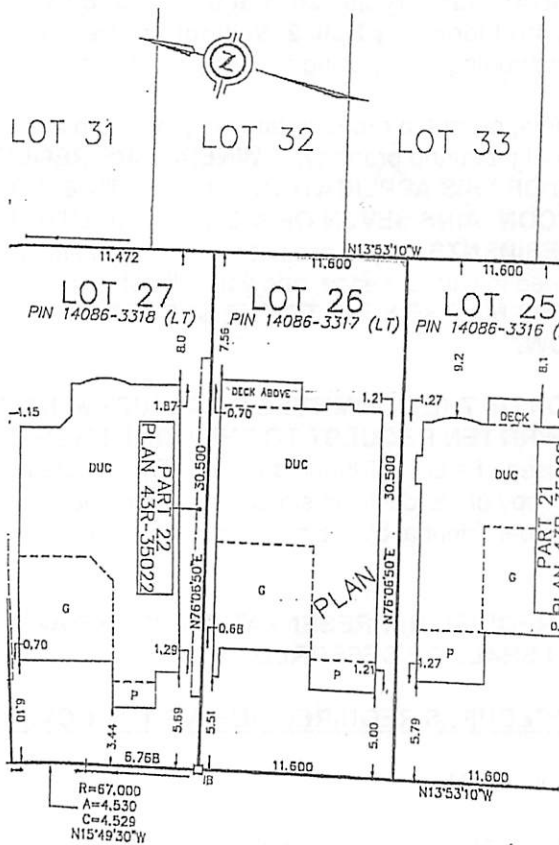
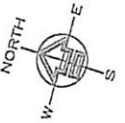
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 14th day of January, 2021.

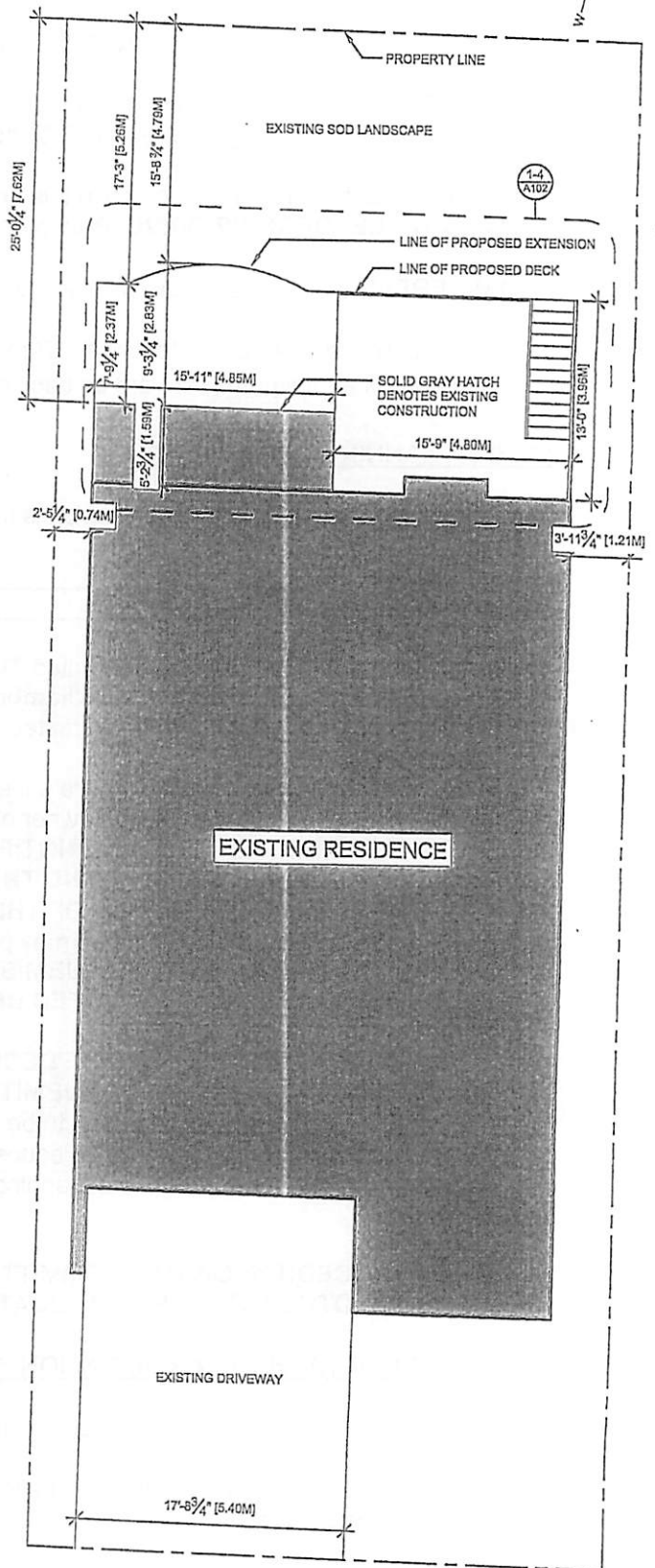
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

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

TOTAL AREA STATISTICS
 EXISTING BASEMENT FLOOR AREA : 109.72 SQ.M - 1180.60 SQ.FT
 EXISTING GROUND FLOOR AREA : 145.21 SQ.M - 1562.46 SQ.FT
 EXISTING SECOND FLOOR AREA : 145.21 SQ.M - 1562.46 SQ.FT
 EXISTING GFA (GROUND+SECOND) : 290.43 SQ.M - 3125 SQ.FT
 PROPOSED BASEMENT FLOOR AREA : 130.08 SQ.M - 1399.50 SQ.FT
 PROPOSED GROUND FLOOR AREA : 165.55 SQ.M - 1781.38 SQ.FT
 PROPOSED SECOND FLOOR AREA : 145.21 SQ.M - 1562.46 SQ.FT
 PROPOSED GFA (GROUND+SECOND) : 310.76 SQ.M - 3343.82 SQ.FT



① SURVEY PLAN
 SCALE : N.T.S.



② SITE PLAN
 SCALE : $\frac{3}{32}$ " = 1'-0"

SURVEY PLAN & SITE PLAN		ARCHITECT		PROJECT NO.	
SCALE: AS SHOWN		RAVI DOIPHODE		20142	
PROPOSED REAR EXTENSION		DRAWN BY		A.G.	
123 LEADERSHIP DRIVE		CHECKED BY		R.D.	
BRAMPTON, ON L6Y 5T2		DATE		NOVEMBER 2020	
FOR: SHAILESH & PRANALIKA PATEL		ISSUED		NOVEMBER 2020	
NO. REVISIONS		DATE		BY	
1		25 NOV 2020		A.G.	
2		11 NOV 2020		A.G.	
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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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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)** Shailesh Patel and Pranalika Patel
Address 123 Leadership Drive, Brampton, ON L6Y5T2
Phone # 647-203-2168; 647-274-1154 **Fax #** _____
Email pranalika@yahoo.com
2. **Name of Agent** Aravind Gopi
Address 1508, 755 Yorkmills Road, North York, ON M3B 1X4
Phone # 647-936-5104 **Fax #** _____
Email aravindgopi89@gmail.com
3. **Nature and extent of relief applied for (variances requested):**

1) Proposed rear yard depth is 4.8m; minimum permitted rear yard is 7.5m
4. **Why is it not possible to comply with the provisions of the by-law?**

Require additional space in the house and to extend at the rear side is the best option.
5. **Legal Description of the subject land:**
Lot Number 26
Plan Number/Concession Number 43M-1899 / CON.3 W.H.S.
Municipal Address 123 Leadership Drive, Brampton, ON L6Y5T2
6. **Dimension of subject land (in metric units)**
Frontage 11.6 m
Depth 30.5 m
Area 353.8 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.)

2 Storey Dwelling
Gross Floor Area = 290.43 sq.m (3125 sq.ft)

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Rear side extension of existing dwelling (Addition of 20.33 sq.m GFA)
Gross Floor Area = 310.76 sq.m (3343.82 sq.ft)

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	5 m
Rear yard setback	7.56 m
Side yard setback	0.68 m
Side yard setback	1.21 m

PROPOSED

Front yard setback	5 m
Rear yard setback	4.8 m
Side yard setback	0.68 m
Side yard setback	1.21 m

10. Date of Acquisition of subject land: May 2013
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: 7+ 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 _____

P. Spal
Signature of Applicant(s) or Authorized Agent

DATED AT THE city OF Brampton

THIS 23 15 DAY OF November December 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, Pranalika Patel, 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 15th DAY OF
December, 2020.

April Dela Cerna
A Commissioner etc.

P. Spal
Signature of Applicant or Authorized Agent
a Commissioner, etc.,
Province of Ontario, **Submit by Email**
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: _____

R1E-11.6-2263

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

T. M. T. T.
Zoning Officer

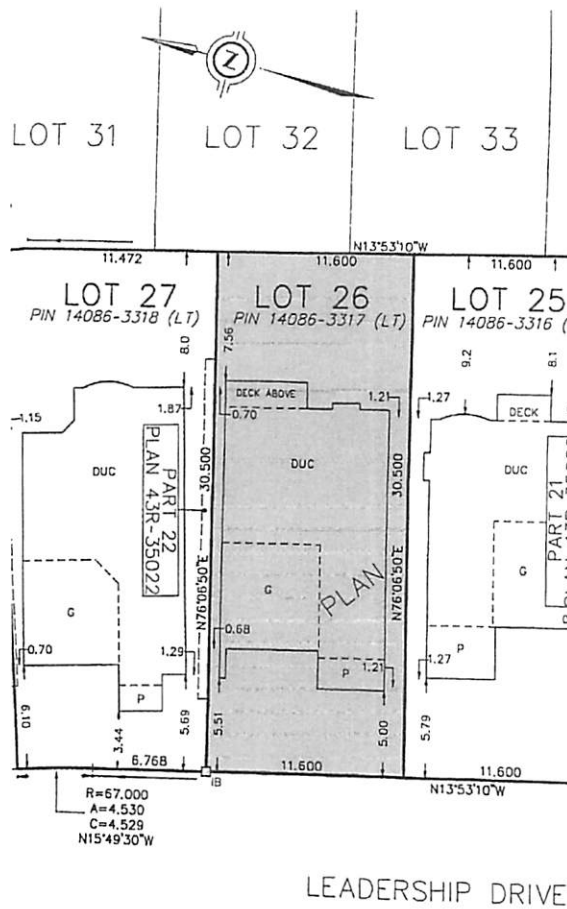
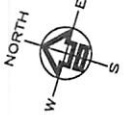
Dec. 15, 2020
Date

DATE RECEIVED December 15, 2020

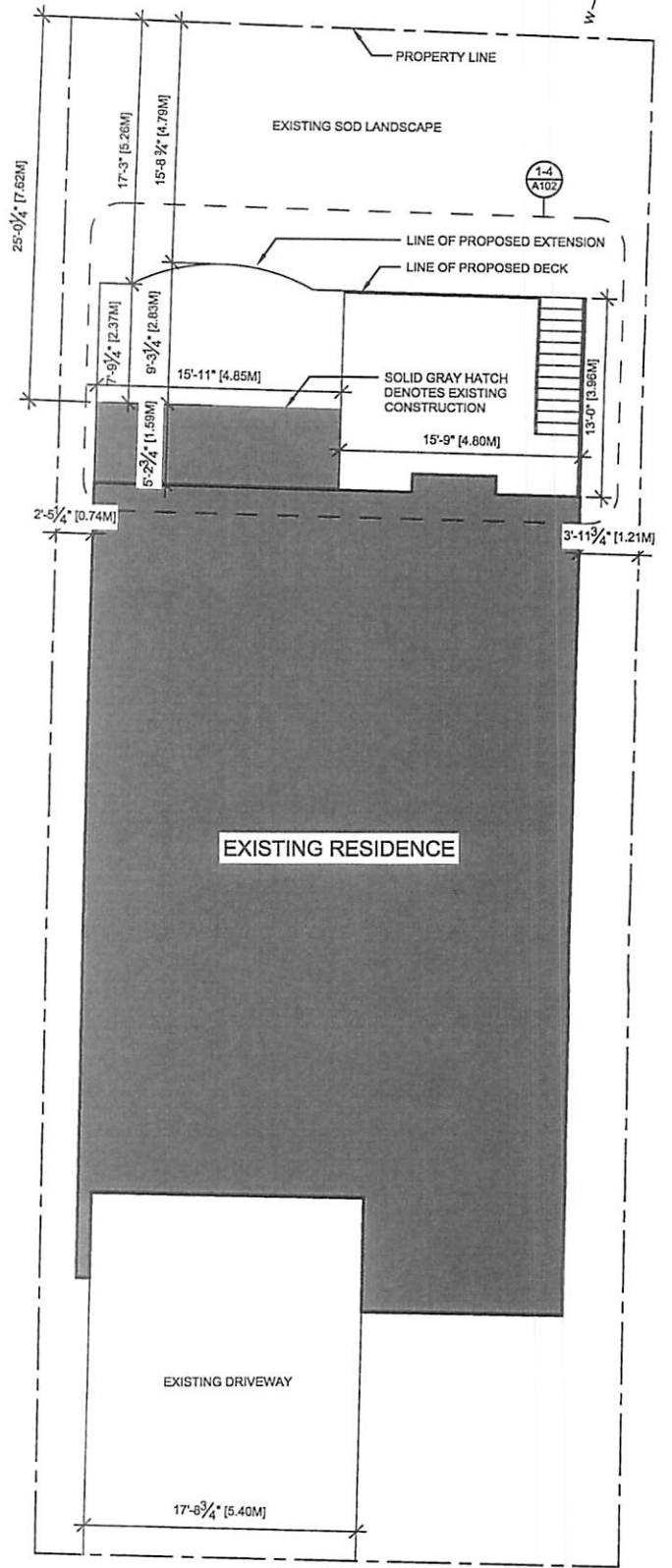
Date Application Deemed Complete by the Municipality December 15, 2020

Revised 2020/01/07

TOTAL AREA STATISTICS	
EXISTING BASEMENT FLOOR AREA	: 109.72 SQ.M - 1180.60 SQ.FT
EXISTING GROUND FLOOR AREA	: 145.21 SQ.M - 1562.46 SQ.FT
EXISTING SECOND FLOOR AREA	: 145.21 SQ.M - 1562.46 SQ.FT
EXISTING GFA (GROUND+SECOND)	: 290.43 SQ.M - 3125 SQ.FT
PROPOSED BASEMENT FLOOR AREA	: 130.08 SQ.M - 1399.50 SQ.FT
PROPOSED GROUND FLOOR AREA	: 165.55 SQ.M - 1781.38 SQ.FT
PROPOSED SECOND FLOOR AREA	: 145.21 SQ.M - 1562.46 SQ.FT
PROPOSED GFA (GROUND+SECOND)	: 310.76 SQ.M - 3343.82 SQ.FT



① SURVEY PLAN
SCALE : N.T.S.



② SITE PLAN
SCALE : $\frac{3}{32}" = 1'-0"$

SURVEY PLAN & SITE PLAN

SCALE: AS SHOWN

PROPOSED REAR EXTENSION
123 LEADERSHIP DRIVE
BRAMPTON, ON L6Y 5T2
FOR: SHAILESH & PRANALIKA PATEL

NL	REVISIONS	DATE	BY	ISSUED
2	SUBMITTED FOR MINOR VARIANCE	26 NOV 2020	AS	
1	ISSUED FOR OWNER'S REVIEW	11 NOV 2020	AS	

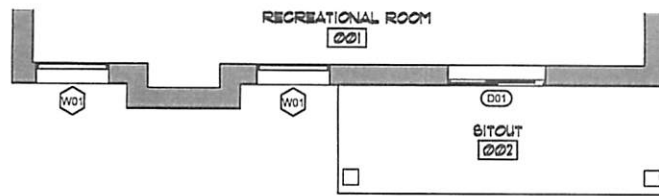
ARCHITECT
RAVI
BOMPHOSE

100% 200-8000 TECHNICAL PUBLIC ACCOUNTS, BRIDGE VIEW, MISSISSAUGA, ONTARIO L4X 1L3
TEL: 416-299-9100
FAX: 416-299-9101
EMAIL: rabi@rabiarchitects.com

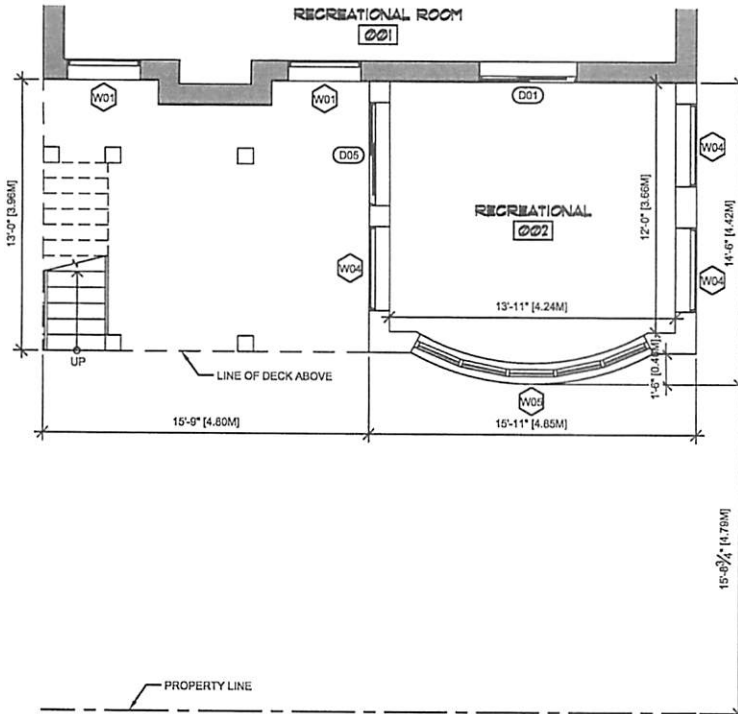
DRAWN BY	A.G.
CHECKED BY	R.D.
DATE	NOVEMBER 2020
ISSUED	NOVEMBER 2020



PROJECT NO. **20142**
DWG. NO. **A101**



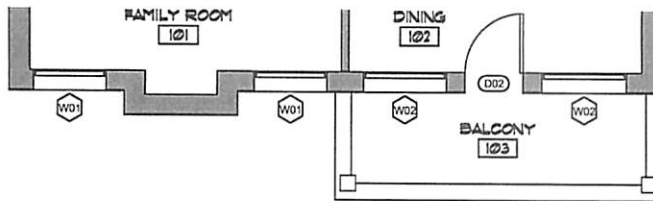
1 EXISTING LOWER GROUND FLOOR PLAN
SCALE : 1/4" = 1'-0"



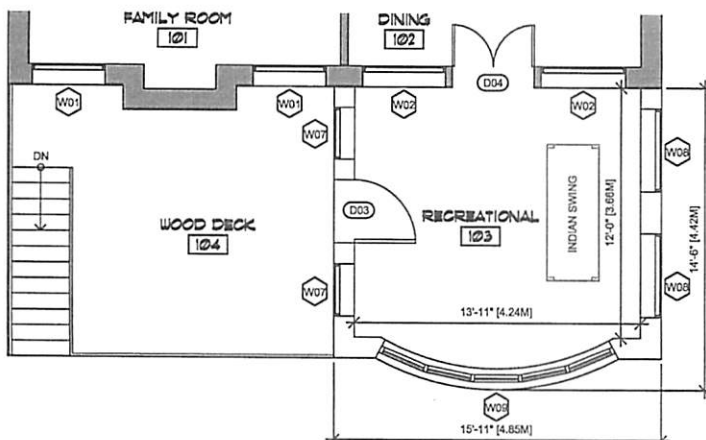
2 PROPOSED LOWER GROUND FLOOR PLAN
SCALE : 1/4" = 1'-0"

DOOR SCHEDULE				
Mark	Remarks	Width	Height	Total
D01	Existing	4' - 9"	7' - 0"	1
D02	Demo	2' - 10"	7' - 0"	1
D03	New	3' - 0"	7' - 0"	1
D04	New	4' - 0"	7' - 0"	1
D05	New	5' - 0"	7' - 0"	1

WINDOW SCHEDULE				
Mark	Remarks	Width	Height	Total
W01	Existing	3' - 6"	5' - 8"	4
W02	Existing	4' - 0"	5' - 8"	2
W03				
W04	New	4' - 0"	5' - 0"	3
W05	New	11' - 10"	5' - 0"	1
W06				
W07	New	2' - 6"	6' - 0"	2
W08	New	4' - 0"	6' - 0"	2
W09	New	11' - 10"	6' - 0"	1



3 EXISTING UPPER GROUND FLOOR PLAN
SCALE : 1/4" = 1'-0"



4 PROPOSED UPPER GROUND FLOOR PLAN
SCALE : 1/4" = 1'-0"

EXISTING AND PROPOSED FLOOR PLANS

SCALE: AS SHOWN

PROPOSED REAR EXTENSION
123 LEADERSHIP DRIVE
BRAMPTON, ON L6Y 5T2
FOR: SHAILESH & PRANALIKA PATEL

NO.	REVISIONS	DATE	BY
2	SUBMITTED FOR MINOR VARIANCE	26 NOV 2020	A.G.
1	ISSUED FOR CLIENT'S REVIEW	11 NOV 2020	A.G.

ARCHITECT
RAVI
BOOPHIDE

100-1000 VICTORIA PARK AVENUE, SUITE 1000, MISSISSAUGA, ONTARIO L4X 1L3
TEL: 416-299-1000
FAX: 416-299-1001
WWW.RAVIBOOPHIDEARCHITECTS.COM

DRAWN BY	A.G.
CHECKED BY	R.D.
DATE	NOVEMBER 2020
ISSUED	NOVEMBER 2020



PROJECT NO. 20142
DWG. NO. A102

Filing Date: December 15, 2020

Hearing Date: January 26, 2021

File: A-2020-0156

**Owner/
Applicant:** **SHAILISH PATEL AND PRANALIKA PATEL**

Address: **123 Leadership Drive**

Ward: 4

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0156 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 E-11.6 – Special Section 2263 (R1E-11.6-2263)” according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 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 Credit Valley Secondary Plan (Area 45). The requested variance is not considered to have significant implications 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 Single Detached E-11.6 – Special Section 2263 (R1E-11.6-2263)” according to By-law 270-2004, as amended. The requested variance is to permit a rear yard setback of 4.79m (15.72 ft.) to a proposed building addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

The intent of the by-law in requiring a minimum rear yard setback is to ensure that sufficient space area is provided for the rear yard amenity area for the property. In the case of the subject property, the rear yard setback will only apply to a portion of the dwelling and is not anticipated to negatively impact the overall provision of outdoor amenity area. 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 intended to facilitate a small scale addition on the rear of the existing dwelling. The size and scale of the addition is not anticipated to negatively impact the provision of outdoor amenity space for the property and will allow for an expansion of the living space within the dwelling. 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 proposed reduced rear yard setback is not intended to apply to the entirety of the rear yard but rather in the space of a small, proposed addition. The addition is not anticipated to negatively impact the function of the rear yard amenity space. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

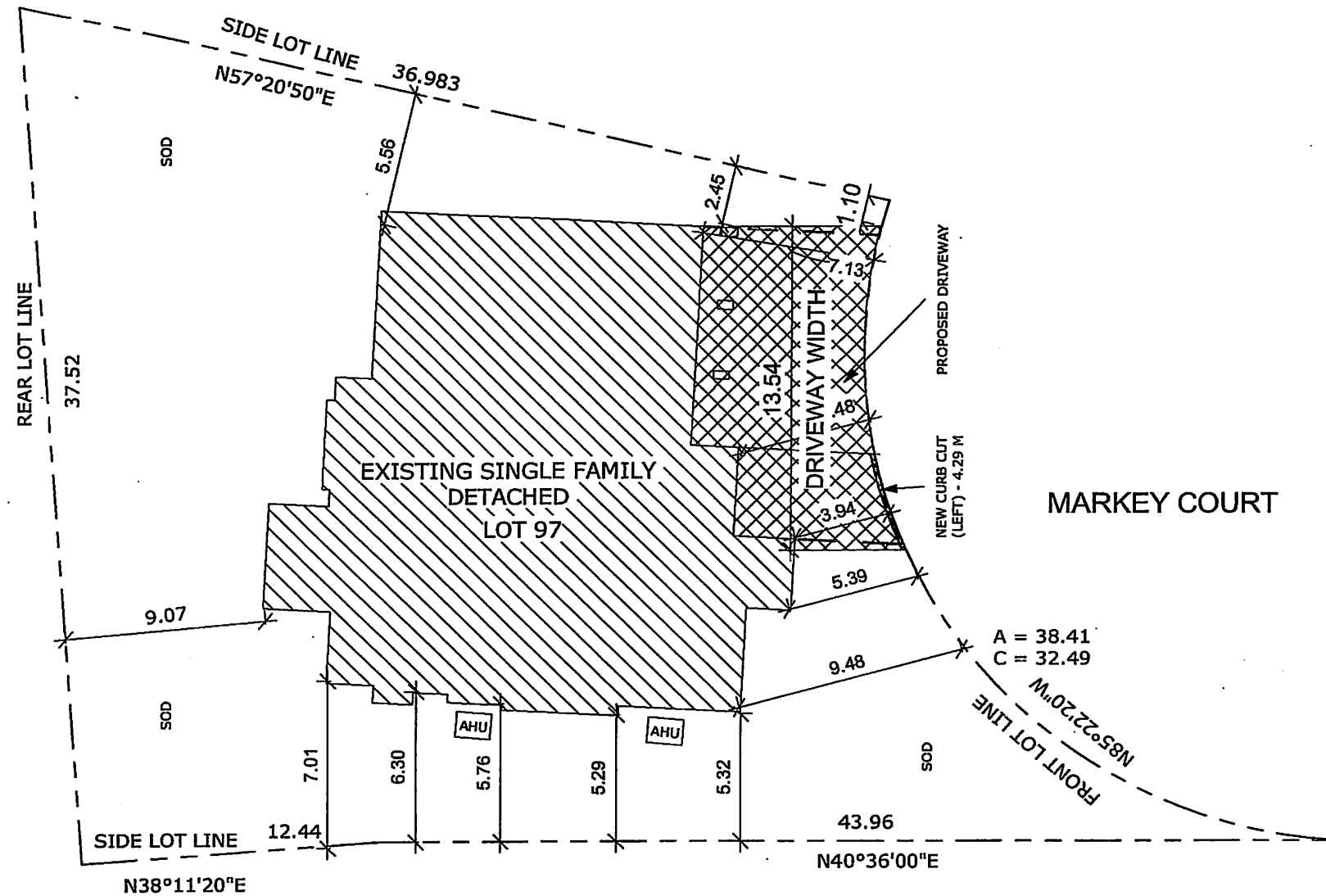
Shelby Swinfield, Planner I



Committee of Adjustment

APPLICATION FOR MINOR VARIANCE

Page 222 of 334



AREA STATISTICS

	EXISTING LOT AREA	12173.82 SF
	EXISTING HOUSE FOOT PRINT AREA	3653.00 SF (INCLUDING PORCH)
	EXISTING DRIVEWAY	692.56 SF
	PROPOSED DRIVEWAY	927.26 SF
	EXISTING SOD AREA	7828.3 SF

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.		PROJECT TWO UNIT DWELLING	
QUALIFICATION INFORMATION Required unless design is exempt under 3.2.5.1 of the building code		28 MARKEY CRT, BRAMPTON	
 BCIN: 101904		ADDRESS SITE PLAN	
JAURA DESIGN STUDIO BCIN: 108652		SCALE 1/16" = 1'-0" PROJECT NO 200254	
REGISTRATION INFORMATION Required unless design is exempt under 3.2.5.1 of the building code		A102 DRAWING NO	

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

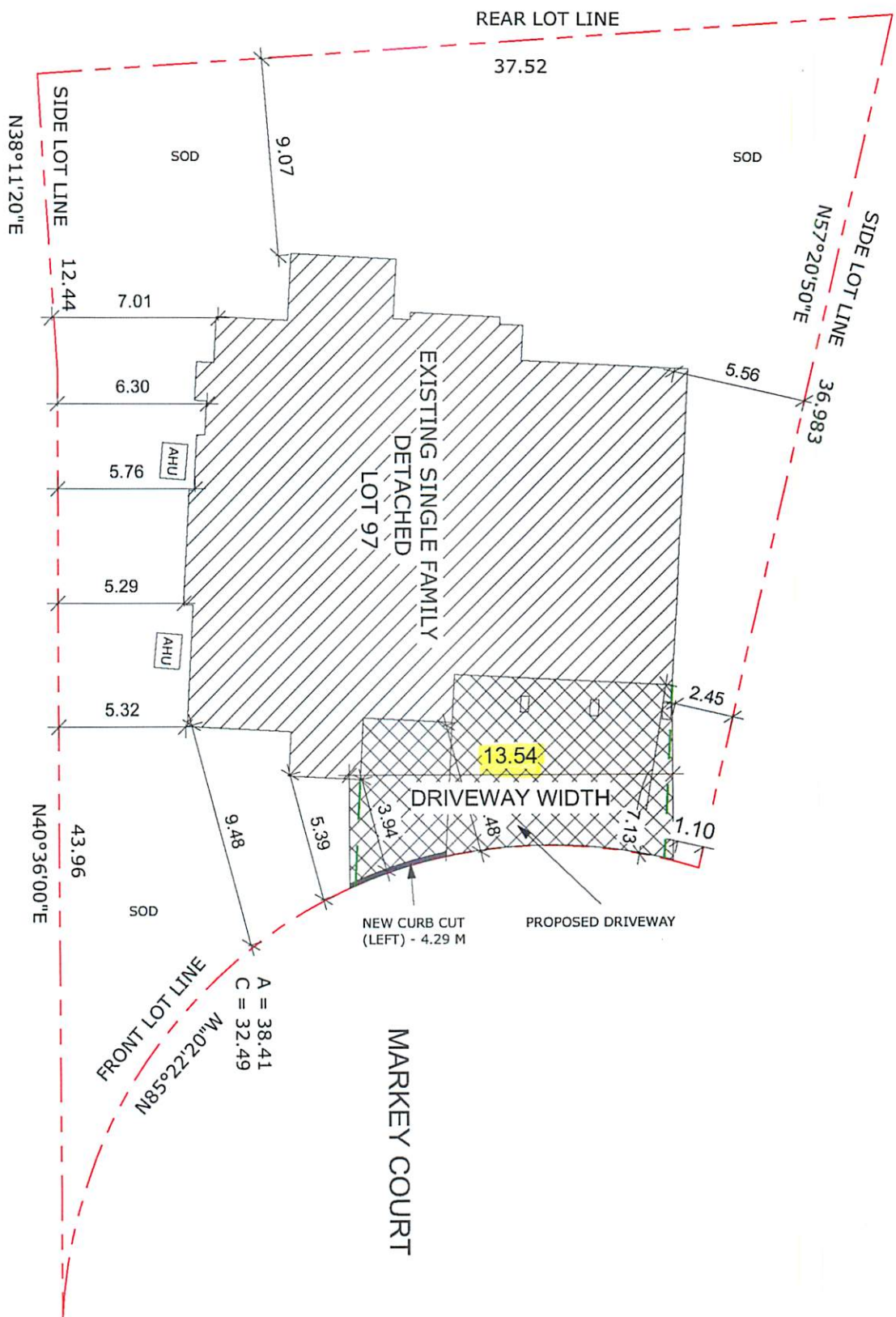
Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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.



AREA STATISTICS	
EXISTING LOT AREA	12173.82 SF
EXISTING HOUSE FOOT PRINT AREA	3653.00 SF (INCLUDING PORCH)
EXISTING DRIVEWAY	692.56 SF
PROPOSED DRIVEWAY	927.26 SF
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QUALIFICATION INFORMATION		ADDRESS 28 MARKEY CRT, BRAMPTON	
Required unless design is exempt under 3.2.5.1 of the building code		Dwg TITLE SITE PLAN	
BCIN: 101904	DESIGN STUDIO BCIN: 108652	SCALE 1/16" = 1'-0"	
REGISTRATION INFORMATION		PROJECT NO 200254	
Required unless design is exempt under 3.2.5.1 of the building code		DRAWING NO A102	

REVISED



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) GIAN SINGH NAGRA /JASWINDER NAGRA/CHANVEER NAGRA/ PRINCE NAGRA
 Address 28 MARKEY COURT, BRAMPTON, ONT. L6P4L1
 Phone # 416-880-2456 Fax # _____
 Email PCH_05@YAHOO.COM

2. Name of Agent N/A
 Address _____
 Phone # _____ Fax # _____
 Email _____

3. Nature and extent of relief applied for (variances requested):
 THE VARIANCE WOULD READ TO PERMIT A DRIVEWAY WIDTH OF 13.54 METERS WHEREAS A MAXIMUM DRIVEWAY WIDTH OF 9.14 METERS IS PERMITTED.

4. Why is it not possible to comply with the provisions of the by-law?
 REQUESTING A DRIVEWAY THAT IS WIDER THAN THE BY -LAW PERMITS

5. Legal Description of the subject land:
 Lot Number 97
 Plan Number/Concession Number 43M2014
 Municipal Address 28 MARKEY COURT BRAMPTON, ONT. L6P4L1

6. Dimension of subject land (in metric units)
 Frontage 121.47 FEET
 Depth 123.23 FEET / 184.40 FEET
 Area 13142 SQ FEET

7. Access to the subject land is by:
 Provincial Highway ☐
 Municipal Road Maintained All Year ☒
 Private Right-of-Way ☐
 Seasonal Road ☐
 Other Public Road ☐
 Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

SINGLE DETACHED HOUSE, TWO STOREYS, 5547 SQ FEET

PROPOSED BUILDINGS/STRUCTURES on the subject land:

NO CHANGE

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 9.48 METERS

Rear yard setback 9.07 METERS

Side yard setback 5.32 METERS

Side yard setback 2.45 METERS

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: FEB 22 2018

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: FEB 22,2018

15. Length of time the existing uses of the subject property have been continued: 2 YEAR, 10 MONTHS

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?

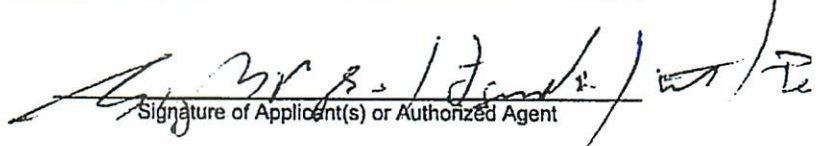
Yes ☐ No ☒

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 _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY _____ OF BRAMPTON _____

THIS 15 DAY OF DECEMBER, 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, GRAN Nijse OF THE City OF Brampton
IN THE Reg 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 15th DAY OF
December, 2020

April Dela Cerna
A Commissioner etc.


Signature of Applicant or Authorized Agent

Submit by Email

April Dela Cerna,
a Commissioner, etc
Province of Ontario,
for the Corporation of
City of Brampton.
Expires May 8, 2021

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1E - 2398

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

HOTHIS.

Zoning Officer

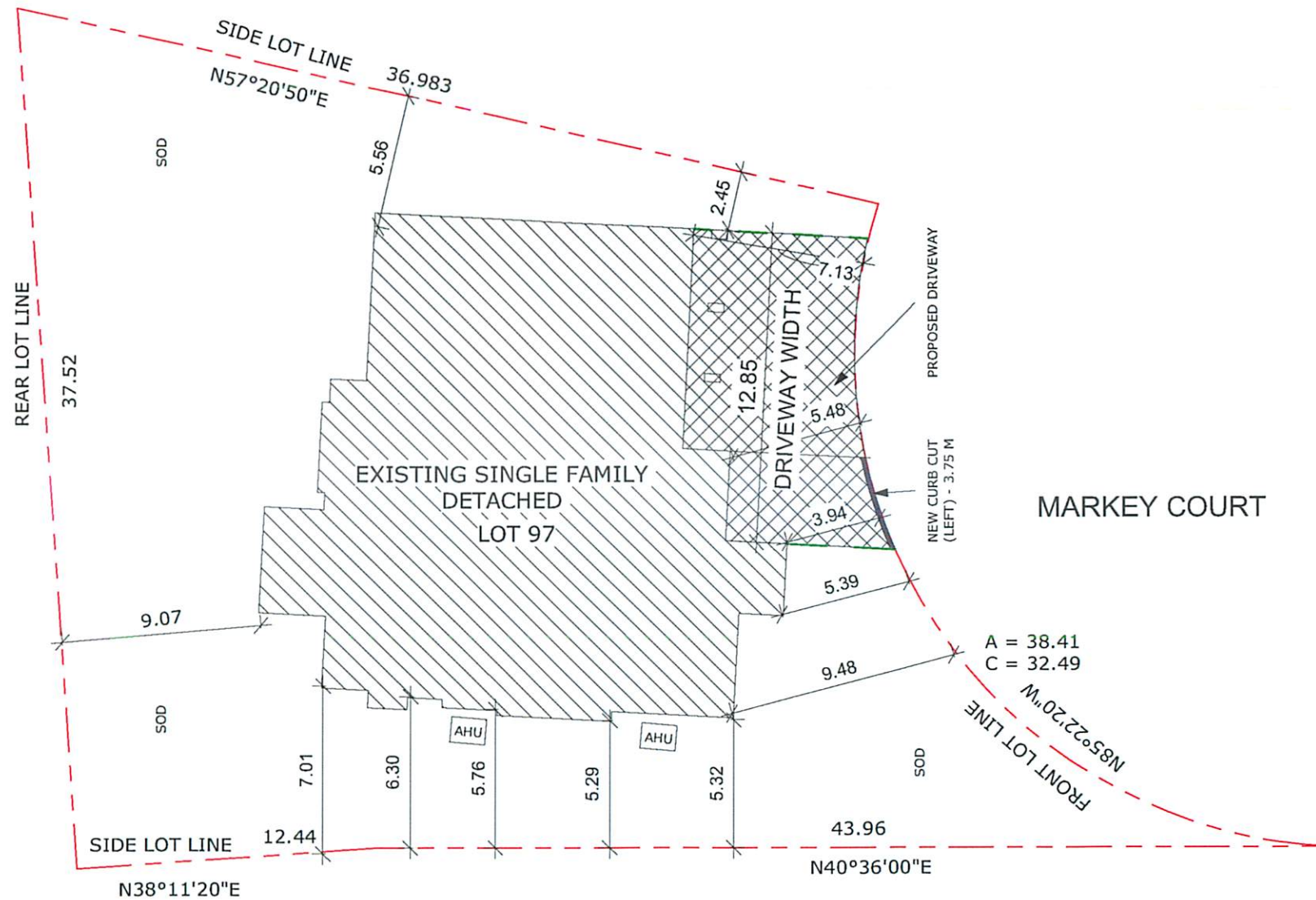
DEC. 16. 2020

Date

DATE RECEIVED December 15, 2020


Date Application Deemed Complete by the Municipality December 16, 2020

Revised 2020/01/07



AREA STATISTICS

	EXISTING LOT AREA	12173.82 SF
	EXISTING HOUSE FOOT PRINT AREA	3653.00 SF (INCLUDING PORCH)
	EXISTING DRIVEWAY	692.56 SF
	PROPOSED DRIVEWAY	942.17 SF
	EXISTING SOD AREA	7828.3 SF

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.		PROJECT	TWO UNIT DWELLING	
QUALIFICATION INFORMATION Required unless design is exempt under 3.2.5.1 of the building code		28 MARKEY CRT, BRAMPTON		
<div> BCIN: 101904</div> <div>JAURA DESIGN STUDIO BCIN: 108652</div>				
REGISTRATION INFORMATION Required unless design is exempt under 3.2.5.1 of the building code		DWG TITLE	SITE PLAN	
		SCALE	1/16" = 1'-0"	
		PROJECT NO	200254	
		DRAWING NO	A102	

SURVEYOR'S REAL PROPERTY REPORT PART 1 PLAN OF LOTS 89, 90, 91, 95 AND 97 PLAN 43M-2014 CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

SCALE 1:500
10m 5m 0m 10m 20m 30m 40metres

RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.
METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. 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.
2. THE SURVEY WAS COMPLETED ON THE 12th DAY OF DECEMBER ,2016.

DATE Feb 6 ,2017.

T. Singh

T. SINGH
ONTARIO LAND SURVEYOR

NOTES

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- P DENOTES PORCH
- PL DENOTES PLAN 43M-2014

ALL FOUND MONUMENTS BY J. D. BARNES
SURVEYING, O.L.S.

ALL TIES TO CONCRETE FOUNDATION.

BEARINGS ARE GRID AND ARE REFERRED TO THE
SOUTHEASTERLY LIMIT OF CITRINE COURT AS
SHOWN ON PLAN 43M-2014 HAVING A BEARING
OF N38°12'00"E.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM

2004011



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

MARKEY COURT
(BY PLAN 43M-2014)
P.I.N. 14215-1874



RADY-PENTEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS

643 Chrislea 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

DRAWN: V.H.

JOB NO. 16-240

CHECKED: G.Y./T.S.

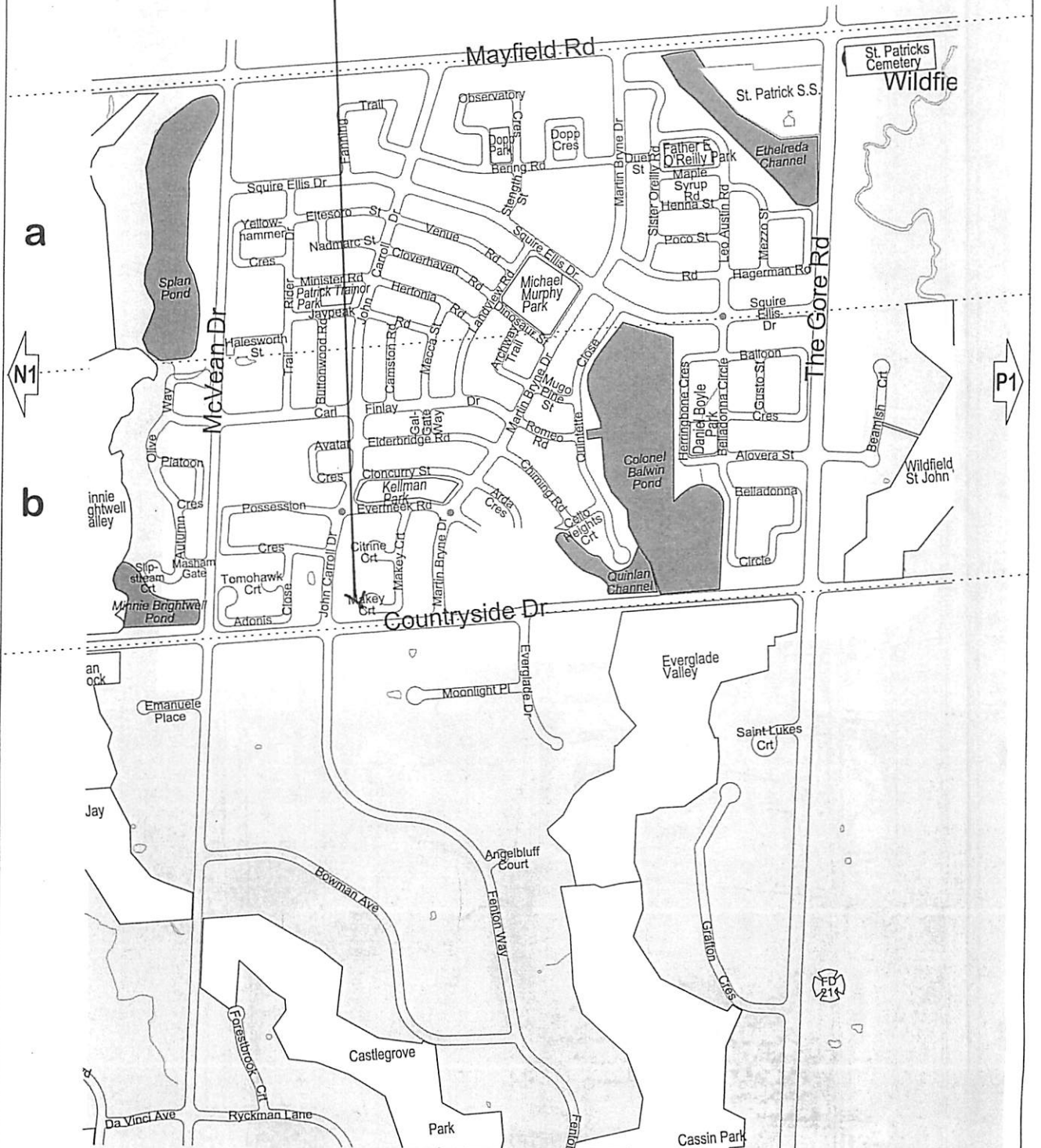
FILE NO. 2014-89

THIS REPORT WAS PREPARED FOR
STARLANE HOMES
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

©RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S. 2017.

16-240 *17M-2014 L89-91+95+97*

A-2020-0157



Filing Date: December 15, 2020

Hearing Date: January 26, 2021

File: A-2020-0157

**Owner/
Applicant:** **GIAN SINGH NAGRA, JASWINDER NAGRA, CHANVEER NAGRA
AND PRINCE NAGRA**

Address: **28 MARKEY COURT**

Ward: 10

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0157 is not supportable.

Background:**Existing Zoning:**

The property is zoned “Residential Single Detached E – Special Section 2398 (R1E-2398)” according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a driveway width of 13.54m (44.42 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

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

The property is designated “Residential” in the Official Plan and “Executive Residential” in the Vales of Humber Secondary Plan (Area 50). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. 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 Single Detached E – Special Section 2398 (R1E-2398)” according to By-law 270-2004, as amended.

The requested variance is to permit a driveway width of 13.54m (44.42 ft.) whereas the by-law permits a maximum driveway width of 9.14m (30 ft.).

The intent of the by-law in regulating the maximum permitted driveway width is to ensure that the driveway does not dominate the front yard landscaped area and that the driveway does not allow an excessive number of vehicles to be parked in front of the dwelling.

In the case of the subject property, there exists a three car garage, in addition to the existing driveway which is of a size that permits the parking of at least three vehicles. The requested extension of the driveway is intended to allow the parking of additional vehicles within the front yard of the dwelling. The requested extension exceeds the scope of what would be considered a walkway and will allow for an excessive number of vehicles to be parked in front of the dwelling.

The requested variance is not 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 allow a curb cut permit to be obtained to widen the driveway. The intention of this widening is to allow additional parking spaces to be located on the property, in addition to the existing three garage spaces and three spaces on the driveway. This will facilitate a high number of vehicles to be parked in front of the dwelling, which will detract from the overall aesthetic quality of the property. The requested variance is not considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance proposes a 4.4 m (14.4 ft) increase to the existing driveway which is already capable of parking at least three vehicles. This increase will permit the parking of an excessive number of vehicles on the property, detracting from the aesthetic value of the property. The requested variance is not considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BALBIR SINGH BHARWALIA AND NIRMALJIT BHARWALIA** 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 9 ND municipally known as **10829 MCVEAN DRIVE**; Brampton;

AND WHEREAS the applicants are requesting the following variances associated with the proposed newly reconfigured parcel of land under Consent Application B-2020-0026:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;
3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

OTHER PLANNING APPLICATIONS:

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

Plan of Subdivision: NO
Application for Consent: YES

File Number: _____
File Number: B-2020-0026

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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.

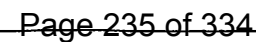
PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 7th day of January, 2021.

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

PRINT SIZE=Legal



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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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) BALBIR SINGH BHARWALIA & NIRMALJIT KAUR BHARWALIA
Address 10829 McVEAN DR, BRAMPTON, ON, L6P 0K2

Phone # 416 457 8571 Fax # _____
Email bittuwalia71@yahoo.com

2. Name of Agent LAXMAN PATEL
Address 1601 - 21 MARKBROOK LANE, TORONTO, ON, M9V 5E4

Phone # 6479677937 Fax # _____
Email archlaxmanpatel@gmail.com

3. Nature and extent of relief applied for (variances requested):
1. LOT FRONTAGE (WIDTH) = 48.83 M
2. LOT AREA = 6124 M2 = .61 HECTARE
3. FRONT YARD SETBACK = 10.33 M

4. Why is it not possible to comply with the provisions of the by-law?
1. LOT FRONTAGE & LOT AREA - EXISTING LOT AREA IS REDUCED DUE TO ROAD ALLOWANCE AND TRCA REGULATIONS.
2. FRONT YARD SETBACK - HOUSE IS AN EXISITING STRUCTURE SINCE 20+ YEARS

5. Legal Description of the subject land:
Lot Number 15
Plan Number/Concession Number CON 9 ND PT LOT 15
Municipal Address 10829 McVEAN DR, BRAMPTON, ON, L6P 0K2

6. Dimension of subject land (in metric units)
Frontage 48.83 M
Depth 104.4 (average)
Area 6124 M2 = .61 HECTARE

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.)

1. HOUSE - GROUND FLOOR AREA=214 m², 2 STOREY, W= 15.84m L=14.84m H= 10m
2. SHED-1 - GROUND FLOOR AREA= 3.35 m², 1 STOREY, W= 1.85 L=1.85m
3. SHED-2 - GROUND FLOOR AREA= 11.6 m², 1 STOREY, W=3.15m L=3.70m
4. CANOPY TO SEHD -2 - FLOOR AREA= 10.19 m², 1 STOREY W= 3.15m L=2.8m

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

Front yard setback 10.33m
Rear yard setback 75.13 m
Side yard setback 13.28m
Side yard setback 31.09m

PROPOSED

Front yard setback N/A
Rear yard setback
Side yard setback
Side yard setback

10. Date of Acquisition of subject land: DECEMBER 2017
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: 20+ YEARS (APPROX)
15. Length of time the existing uses of the subject property have been continued: SINCE BEGINING

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

Municipal ☒
Well ☐

Other (specify) _____

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

Municipal ☐
Septic ☒

Other (specify) _____

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

Sewers ☐
Ditches ☐
Swales ☒

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☒ No ☐

If answer is yes, provide details: File # B-2020-0026 Status CONCURRENT

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File #	Decision	Relief
File #	Decision	Relief
File #	Decision	Relief



Signature of Applicant(s) or Authorized Agent

DATED AT THE CITY OF BRAMPTON

THIS 11TH DAY OF DECEMBER, 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, LAXMAN PATEL, OF THE CITY OF TORONTO

IN THE Province OF Ontario SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

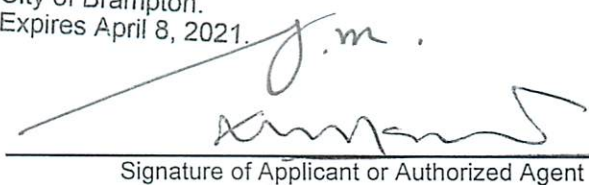
DECLARED BEFORE ME AT THE

City OF Brampton

IN THE Region OF Peel THIS 15th DAY OF

December, 2020

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


Signature of Applicant or Authorized Agent

A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation:

Present Zoning By-law Classification:

RE2-1500

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

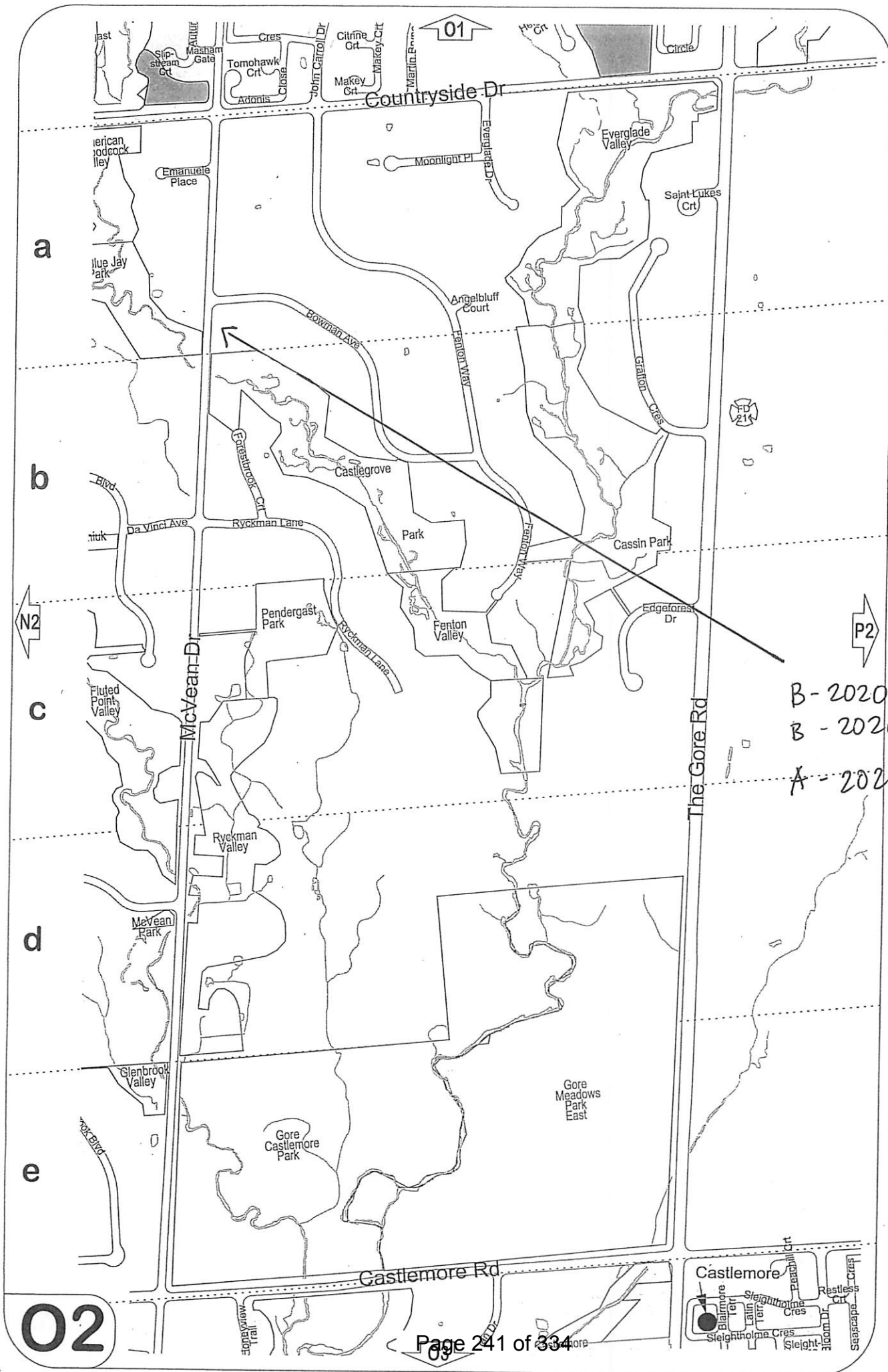

Zoning Officer

Dec 14/20
Date

DATE RECEIVED

December 15, 2020





B-2020-0026
B-2020-0027
A-2020-0158

Filing Date: December 16, 2020

Hearing Date: January 26, 2021

File: B-2020-0026, B-2020-0027, and A-2020-00158

**Owner/
Applicant:** **BALBIR SINGH BHARWALIA AND NIRMALJIT KAUR
BHARWALIA**

Address: **10829 McVean Drive**

Ward: 10

Contact: Shelby Swinfield, Planner I

Recommendations:

That the applications be formally approved in the following order: B-2020-0026, B-2020-0027, and A-2020-0158.

That application A-2020-0158 is supportable, subject to the following conditions being imposed:

1. That related consent applications B-2020-0026 and B-2020-0027 be approved;
2. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

AND That applications B-2020-0026 and B-2020-0027 are supportable, subject to the following conditions being imposed upon both applications:

1. 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;
2. 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;
3. Subsection 50(3) and/or(5) of the Planning Act R.S.O. 1990 as amended, shall apply to any subsequent conveyance or transaction involving the parcel of land

that is the subject of this consent.

4. A solicitor's undertaking shall be received indicating that the "severed" land and the abutting land, being Part of Lot 15, Concession 9 ND, shall be "merged" for Planning Act purposes at the time of the registration of the Transfer to which the Secretary-Treasurer's Certificate is affixed.
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) encumbering the "resultant" lot will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the Planning Act; or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s). (The "resultant" lot is the "severed" land and the land to which the "severed" land is to be merged.)
6. 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.
7. That the applicant obtain all required permits pursuant to Ontario Regulation 166/06 for the realignment of the Headwater Drainage Feature and for any future development and pay any outstanding fees to the satisfaction of the Toronto and Region Conservation Authority;
8. The applicant will be required to convey lands to the city for day-lighting at the intersection of McVean Drive and Bowman Avenue. Day-lighting is governed by the major road. In this case McVean Drive is classified as an arterial Road. As a result, a 15 metre daylight triangle shall be provided to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
9. The applicant shall gratuitously convey to the City of Brampton a 5.0 metre road allowance widening along the entire McVean Drive frontage, towards the ultimate right of way designation of 30 metres or 15 metres from the centerline of the right-of-way. The applicant shall prepare a draft reference plan, prepared by an Ontario Land Surveyor, to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering.
10. The Owner shall make necessary arrangements to lift the 0.3 metre reserve at the approved access locations at Bowman Avenue, to the satisfaction of the City's Legal Services Division and the Transportation Division.

Background:

- **Official Plan:** The subject property is designated "Estate Residential" in the Official

Plan;

- **Secondary Plan:** The subject property is designated 'Estate Residential' in the Toronto Gore Rural Estate Secondary Plan (Area 26); and
- **Zoning By-law:** The subject properties are zoned "Estate Residential 2 – Special Section 1500 (RE2-1500)" according to By-law 270-2004, as amended.

Requested Severances:

The applicant is requesting the following severances:

1. (B-2020-0026) The purpose of the application is to request the consent of the Committee to sever approximately 8107.77 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (0 McVean Drive) for future residential purposes.
2. (B-2020-0027) The purpose of the application is to request the consent of the Committee to sever approximately 8107.01 square metres (0.81 hectares) from a parcel of land currently having a total area of approximately 11.78 hectares (29.11 acres). The effect of the application is to provide for a lot addition to the adjacent property (10829 McVean Drive). The existing residential use will be maintained.

A-2020-0158 Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres;
2. To permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares;
3. To permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres.

Minor Variance Application:

1. Conforms to the Intent of the Official Plan

The property is designated "Estate Residential" in the Official Plan and "Estate Residential" within the Toronto Gore Estate Secondary Plan (Area 26). The requested variances, in association with the concurrent severance applications, are intended to facilitate a realignment of two existing residentially zoned properties. This realignment will move the two existing residential accesses off of McVean Drive by orienting the lots northward to Bowman Drive.

Within the Estate Residential policies of the Official Plan, Section 4.2.3.3 prescribes minimum permitted lot sizes for residential properties. Within the Toronto Gore Estate Area, the minimum permitted lot size is 0.8ha (2 acres).

The intent of the Official Plan in prescribing these minimum lot areas is to maintain the estate character of the residential area. In the case of the subject property, the proposed reduction in lot area and width are required due to the gratuitous dedication of lands to the City for road widening and daylighting purposes associated with the concurrent severance applications presented within this report. Without the dedications, the lot would comply with applicable area and lot width requirements. This reduction in area due to land dedications is not anticipated to alter the estate character of the property. The requested variance related to front yard setback is 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 of the Official Plan.

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

The subject properties are zoned “Estate Residential 2 – Special Section 1500 (RE2-1500)” according to By-law 270-2004, as amended.

Variance 1 is to permit a lot width of 48.8 metres whereas the by-law requires a minimum lot width of 60 metres. The intent of the by-law in requiring a minimum lot width is to ensure that a certain character is maintained for the property.

Variance 2 is to permit a lot area of 6,124 square metres (0.61 hectares) whereas the by-law requires a minimum lot area of 0.8 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property.

In the case of the subject property, the reduction in proposed lot width and area are directly related to the dedication of a daylighting triangle from the subject lands to the City. Without this dedication, no variances relating to width or area would be required. The reduction in lot width is not considered to alter the estate character of the property. Subject to the recommended conditions of approval, Variances 2 and 3 are considered to maintain the general intent of the Zoning By-law.

Variance 3 is to permit a front yard depth of 10.3 metres whereas the by-law requires a minimum front yard depth of 12.0 metres. The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area.

In the case of the subject property, given the orientation of the dwelling, the front yard setback is the effective side yard setback for the dwelling, with parking being provided on the existing driveway in front of the dwelling. Given the size of the lot, the requested

reduction in setback does not present concerns with regard to provision of landscaped area. 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

The requested variances are intended to allow the existing residential lot to be reoriented northward, and to accommodate deficiencies on site created by required land dedications to the City.

Variances 1 and 2 are to permit reduced lot width and area related to gratuitous dedication of land to the City. The reductions in lot area and width are not anticipated to alter the estate residential character of the property and will allow a residential access to be moved off of an arterial road. Subject to the recommended conditions of approval, requested variances are considered to be desirable for the appropriate development of the land.

Variance 3 is to permit the existing dwelling to remain in its current location after the residential lot is reoriented as part of the concurrent severance applications. The variance is representative of the existing dwelling location and is not anticipated to have any impact on the property from an aesthetic or functional perspective. 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

The requested variances are not anticipated to have significant impacts on the function or character of the estate residential property. The reductions in lot area and width are related to land dedication for road widening and daylighting. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Consent Applications:

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 applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

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 severances have no significant effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severances are 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 severances does not present any concern with regard to the Official Plan and will facilitate the realignment of two existing lots to remove residential frontage from an arterial roadway.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There are no concerns about the suitability of the land for the purposes of the severances.
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 severances do 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 proposed lots to be created are appropriate in size and shape for their purpose. An associated minor variance application is also submitted for the Committee's consideration relating to permitting a reduced lot width, area, and front yard depth, all of which deficiencies arise from the conveyance of lands to the City.
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 lands to be subdivided.
h) <i>The conservation of natural resources</i>	The proposed severances present no

<i>and flood control;</i>	concerns with regard to flood control and the conservation of natural resources. The applicant has worked with and will continue to work with the Toronto and Region Conservation Authority to ensure proper management of the natural features on site.
<i>i) The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
<i>j) The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
<i>k) 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. Conditions of approval are recommended relating to conveyance of right of way and a daylighting triangle for McVean Drive.
<i>l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severances have no impact on matters of energy conservation.
<i>m) 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>	The dwelling proposed to be constructed on the severed parcel will be subject to a Site Plan Application under the City's Mature Neighbourhood By-law. There are no concerns noted with this process.



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by, **TAKOL CMCC RUTHERFORD GP 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 Lot s1 and 2, Concession 2 EHS, Parts 9 to 16, Plan 43R-795 municipally known as **286 RUTHERFORD ROAD SOUTH**; Brampton;

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

1. To provide 183 parking spaces on site whereas the by-law requires a minimum of 334 parking spaces.

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, January 26, 2021 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.

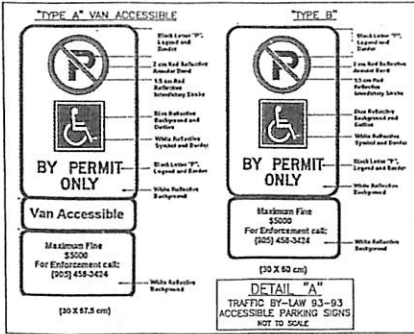
RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

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

DATED at Brampton Ontario, this 14th day of January, 2021.

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



GENERAL NOTE:

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KEY MAP: NTS

LAND USE SCHEDULE

TOTAL SITE AREA	= 22,960.5 sq.m. (100.0%)
TOTAL BUILDING ENVELOPE	= 11,887.8 sq.m. (51.7%)
TOTAL LANDSCAPED AREA	= 2,710.3 sq.m. (11.8%)
TOTAL ASPHALT AREA	= 8,382.6 sq.m. (36.5%)

TOTAL PROPOSED CONDO UNITS = 12

UNIT NUMBER	UNIT GFA
UNIT 1	959.0 sq.m.
UNIT 2	1,056.3 sq.m.
UNIT 3	1,000.2 sq.m.
UNIT 4	958.0 sq.m.
UNIT 5	958.0 sq.m.
UNIT 6	958.0 sq.m.
UNIT 7	958.0 sq.m.
UNIT 8	958.0 sq.m.
UNIT 9	958.0 sq.m.
UNIT 10	1,348.0 sq.m.
UNIT 11	1,087.3 sq.m.
UNIT 12	460.2 sq.m.

COMMON AREAS

ELECTRICAL ROOMS 48.4 sq.m.

BUILDING HEIGHT = 46.0 m (ONE STOREY)

GARAGE = STORED INDOORS

REQUIRED PARKING = 334 TOTAL (INC. 9 ACCESSIBLE SPACES)

PROVIDED PARKING = 183 TOTAL (INC. 7 ACC. SP. + 26 TANDEM SP.)

REQUIRED LOADING SPACE = 3

PROVIDED LOADING SPACE = 3

EXISTING ZONING = (M2) INDUSTRIAL TWO

PROPOSED ZONING = (M2) INDUSTRIAL TWO

EXISTING USE OF LAND = INDUSTRIAL

PROPOSED USE OF LAND = INDUSTRIAL

ADJACENT USE OF LAND = SEE PLAN

LEGAL DESCRIPTION

PLAN OF SURVEY OF PART OF LOTS 1 AND 2, CONCESSION 2 EAST OF HURONTARIO STREET (FORMERLY THE TOWNSHIP OF CHINGACOUSY) CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEI

NOTE: ALL SURVEY INFORMATION PROVIDED BY RODNEY DEVER ONTARIO LAND SURVEYOR INC. 180 PARSONS ROAD, UNIT 29, BRAMPTON, ONTARIO L6Y 4K1

NO.	DATE	DESCRIPTION	BY
1	DEC-20	ISSUED FOR MUNICIPAL APPROVAL	J.L.O.
NO.	DATE	DESCRIPTION	BY
REVISIONS			

mainline
planning services inc.

PH (905) 893-0046 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE

APPLICATION FOR MINOR VARIANCE

PROJECT

285 RUTHERFORD ROAD SOUTH
BRAMPTON

DEVELOPER/OWNER

TAKOL CMCC RUTHERFORD GP INC.

DRAWN

K.A.R.

CHECKED

J.L.O.

SCALE

1 = 400

DWG. NO.

MV-1

DATE

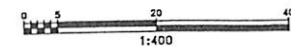
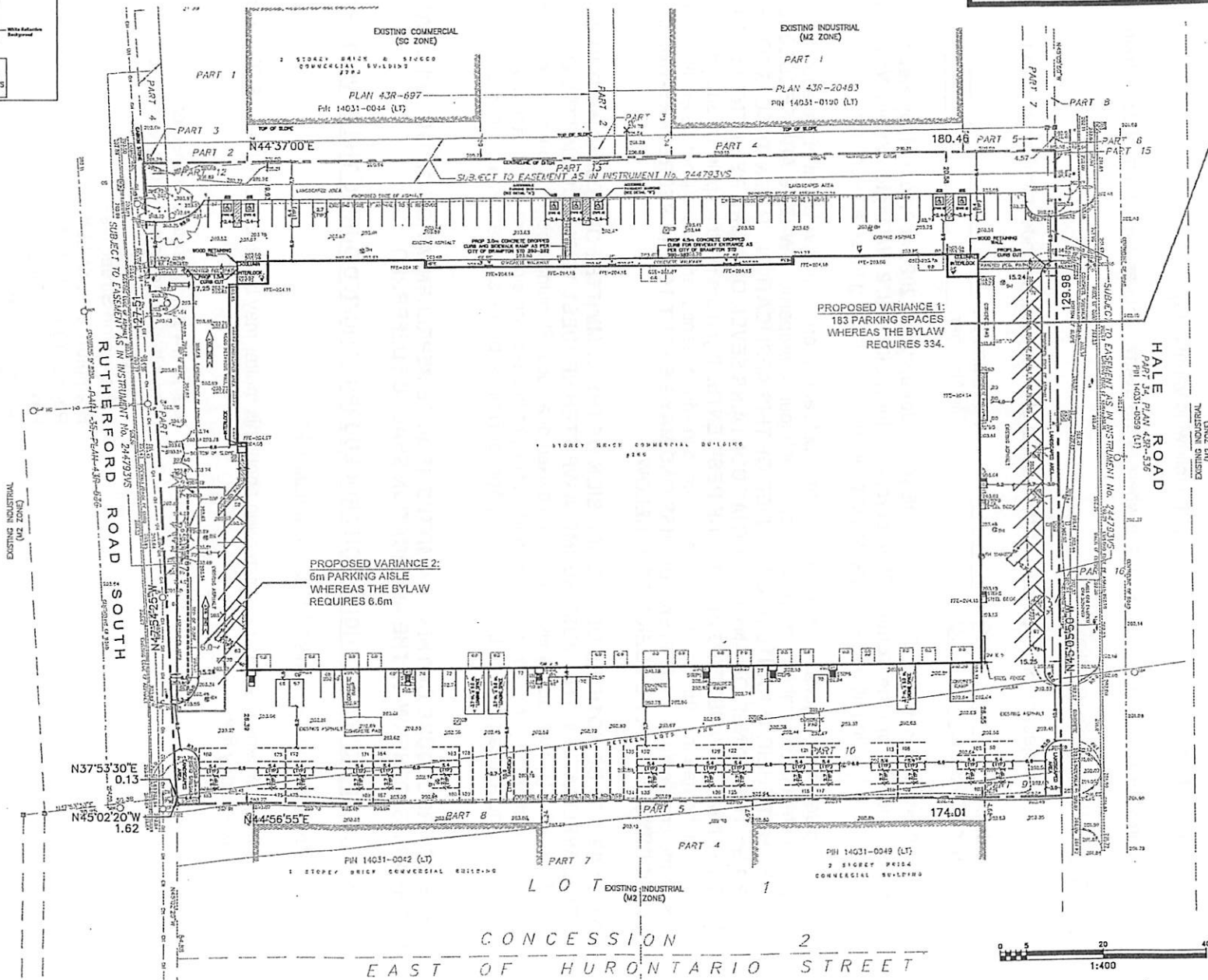
DEC-20

ISSUED

J.P.P.

CITY FILE NO.

- LEGEND:**
- IB DENOTES IRON BAR
 - CP DENOTES CONCRETE PIN
 - APS DENOTES ACCESSIBLE PARKING SIGN (SEE DETAIL "A")
 - PE DENOTES PRIMARY UNIT ENTRANCE
 - CC DENOTES CUT CROSS
 - O.D. DENOTES OVERHEAD DOOR
 - UP DENOTES UTILITY POLE
 - S DENOTES SIGN
 - GW DENOTES GUY WIRE
 - BP DENOTES BELL PEDESTAL
 - MH DENOTES MANHOLE
 - GM DENOTES GAS METER
 - WV DENOTES WATER VALVE
 - CV DENOTES CULVERT
 - FH DENOTES FIRE HYDRANT
 - GV DENOTES GAS VALVE
 - TBR DENOTES EXISTING TREE TO BE REMOVED (SEE LANDSCAPE PLAN)
 - BH DENOTES BORE HOLE / MONITORING WELL
 - BO DENOTES BOLLARD
 - FPE DENOTES FINISHED FLOOR ELEVATION
 - GSE DENOTES GARAGE SLAB ELEVATION
 - CB DENOTES CATCH BASIN
 - OH DENOTES OVERHEAD UTILITY WIRES
 - X-X- DENOTES WIRE FENCE
 - ☉ DENOTES CONIFEROUS TREE
 - ☼ DENOTES DECIDUOUS TREE
 - DENOTES SPOT ELEVATION



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 Committees 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, January 21, 2021**.
- 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, January 22, 2021**.
 - 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 **Friday, January 22, 2021**. 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.



January 12, 2021

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

RE: Minor Variance Application Amendment Request [A-2020-0159] – 286 Rutherford Road South

Dear Ms. Myers,

Kindly accept this letter as our formal request to amend application **A-2020-0159**. We are requesting that application **A-2020-0159** be amended to remove the variance request associated with a parking aisle reduction. No other changes are being requested at this time.

We trust this is sufficient for amendment to the application and we look forward to receiving the staff report and recommendations. If you have any other questions, please do not hesitate to contact the undersigned by phone: 519-584-5366 or by email: jormiston@mainlineplanning.com.

Sincerely,

A handwritten signature in black ink, reading "Jennifer Ormiston". The signature is written in a cursive, flowing style.

Jennifer Ormiston, RPP, MCIP
Planner

cc. Amanda Dickie



December 15, 2020

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

A-2020-0159

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

RE: Minor Variance Application. 286 Rutherford Road South.

Dear Ms. Myers,

Mainline Planning Services Inc. is retained by Takol CMCC Rutherford GP Inc. ('owner') to act as their agent for the above referenced matter. Kindly accept this letter containing our planning opinion which is offered in support of the above referenced minor variance application.

As required in the application checklist, the following plans and documents are submitted to support this variance.

- A cheque in the amount of \$2,510.00 payable to the City of Brampton for the full payment of the minor variance application (Industrial Property).
- One (1) copy of the Planning Justification Report.
- One (1) copy of the Minor Variance Application.
- One (1) full-size copy of the Site Plan showing the requested variance, plus one (1) reduction suitable for photocopying.
- One (1) copy of the Owner's Authorization Letter.
- One (1) copy of the Permission to Enter.
- One (1) copy of the Parking Justification Study Prepared by C.F. Crozier & Associates Inc.

Planning Justification Report

Background:

- The subject property is legally described as Part of Lots 1 and 2 Concession 2 E.H.S. and is known municipally as 286 Rutherford Road South. The subject property contains a one-storey building that is demised into 12 units.
- The owner recently submitted applications to create 12 standard condominium units so that tenants may own their respective units. To affect the creation of ownership tenure, the owner submitted a draft plan of condominium application as well as a supporting site plan approval application.
- In reviewing the previously noted development applications, staff advised that the number of parking spaces provided on site is insufficient according to the Bylaw. A variance is required to bring the property into compliance with the Bylaw despite our opinion that this site has 'legal non-conforming' status.

The Requested Variances:

1. A minor variance is requested to support a parking reduction as there are 183 parking spaces provided on site to accommodate existing tenants (including a maximum GFA of 3,933 sq. m. for the purpose of 4 heavy truck repair shops in 4 units) whereas the Bylaw requires 334 parking spaces.
2. A minor variance is requested to permit a 6.0m parking aisle width whereas the Bylaw requires

6.6m (see enclosed Variance Plan).

The Planning Act:

Section 45(1) of the *Planning Act* ("Act") allows the Committee of Adjustment to authorize variances to a zoning by-law where the variance is minor; is desirable for the appropriate development or use of land, building or structure; maintains the general intent and purpose of the Official Plan; and maintains the general intent and purpose of the zoning by-law. The Committee must be satisfied that all four tests are met to authorize the requested variance.

It is our professional planning opinion that the Committee's approval of the subject variances is justified because the four tests are met. We offer that authorizing the proposed variances is good planning as they are minor and will promote the employment policy objectives of the City by promoting the relocation of two new businesses that will bring jobs to Brampton.

The Four Tests:

1. The Variances are Minor

Reduction in Number of Spaces:

- ✓ A parking study was completed by a qualified engineer which offers the following conclusions:
- ✓ The existing 12 industrial tenants (including 2 heavy truck mechanic repair shops) have a 'peak parking' utilization rate of 63 spaces.
- ✓ The study informs that the parking lot is underutilized by 120 parking spaces (183-63).
- ✓ The Bylaw provides a high parking rate for 'automotive repair shops' as they typically demand much more storage for customer vehicles.
- ✓ The Bylaw does not have a parking rate for heavy truck repair shops, the nature of which is not high volume and quick turnaround work that relies on outside storage of vehicles.
- ✓ The owner has a conditional agreement to bring in 2 additional heavy truck repair businesses.
- ✓ The parking study considers 4 units will be used for heavy truck repair including 3,933 sq. m. GFA.
- ✓ The parking study conservatively applies the City's 'automobile repair shop' parking rate to accommodate the 2 new tenants and concludes that there is more than sufficient parking spaces to accommodate present tenants and in addition 2 future heavy truck repair tenants (note: 173 parking spaces required whereas there are 183 available on site – See CROZIER report pp 2, Table 2).

Based on this expert study, it is our considered and professional planning opinion that 183 parking spaces is more than sufficient to accommodate the existing tenancies on this site including 3,933 sq. m. of 'automobile repair shops – heavy truck repair'.

Reduction in Parking Aisle Width:

- ✓ The Bylaw standard width for a 2-way traffic driveway is 6.0m.
- ✓ A 6m parking aisle is proposed in the front yard to permit 2-way traffic while accommodating parking perpendicular to the aisle on **one side only**.
- ✓ A 6.6m parking aisle is the minimum required to access parking spaces on both sides of the aisle.

It is our considered and professional planning opinion that a 0.6m reduction in aisle width to provide a two directional traffic flow is minor in this case. We offer that 6m driveways are permitted by the Bylaw and in this case, allowing the variance will improve traffic flow and provide better access to perpendicular parking spaces on one side of the aisle whereas a 6.6m aisle is intended to accommodate access to parking spaces on both sides.

2. The Proposal is Desirable for the Appropriate Development of Land, Building and Structure

It is our considered and professional planning opinion that:

- ✓ The proposed variances are **desirable to the owner** as the property must be brought into compliance with the Bylaw as a condition of standard condominium approval.

- ✓ The proposed variance is **desirable to the owner and the City of Brampton** as the parking reduction will allow two new heavy truck mechanics to bring their businesses to Brampton, utilize soon to be vacant units at this location and bring new jobs to the community.
- ✓ The proposed variance is **desirable to the surrounding industrial community and all Bramptonians** as thriving employment areas benefit abutting businesses by attracting traffic into the area; new jobs are created; and an enhanced tax base means money to support community services that benefit the city at large.

3. The Proposal maintains the General Intent and Purpose of the Official Plan

We reviewed the City's Official Plan and offer our comment as follows.

- ✓ This property is designated 'Industrial' in the Official Plan ('OP').
- ✓ Motor vehicle repair is a permitted use under Section 4.4.2 of the OP.

It is my considered and professional planning opinion that the Committee's approval of the proposed variances will maintain the general intent and purpose of the OP. To support my opinion I reviewed the industrial policies in the OP and note that policy 4.4.2.7 summarizes the City's objective "**to promote the development of Industrial uses**".

4. The Proposal maintains the General Intent and Purpose of the Zoning Bylaw

- ✓ The subject property is zoned M2 (Industrial Two Zone).
- ✓ Motor Vehicle Repair is a permitted use in the M2 zone.

It is my considered and professional planning opinion that the Committee's approval of the proposed variances will maintain the general intent and purpose of the zoning Bylaw.

Conclusions:

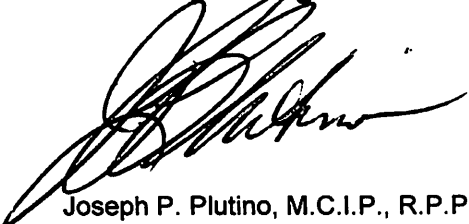
It is our considered and professional planning opinion that the 4 tests noted in Section 45(1) of the *Planning Act* are met, the Committee's decision to authorize the variances is consistent with the Provincial Policy Statement and will not conflict with provincial plans such as the Growth Plan.

As such, we respectfully request that in addition to the parking aisle reduction, the Committee allow the parking space reduction with a note that up to 3,933 sq. m. of GFA may be allocated to heavy truck repair businesses.

We trust that our Planning opinion is supported by the staff and results in a recommendation for Committee approval. If you require anything further, please do not hesitate to contact Jennifer Ormiston or the undersigned at 905-893-0046.

Respectfully submitted,

mainline planning services inc.



Joseph P. Plutino, M.C.I.P., R.P.P.

cc: client

PARKING JUSTIFICATION STUDY

**286 RUTHERFORD ROAD SOUTH
CITY OF BRAMPTON**

**PREPARED FOR:
TAKOL REAL ESTATE INC.**

**PREPARED BY:
C.F. CROZIER & ASSOCIATES INC.
2800 HIGH POINT DRIVE, SUITE 100
MILTON, ON L9T 6P4**

DECEMBER 2020

CFCA FILE NO. 1991-5788

The material in this report reflects best judgment in light of the information available at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. C.F. Crozier & Associates Ltd. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.



Revision Number	Date	Comments
Rev.0	November 2020	Issued for Coordination
Rev.1	December 2020	Issued for First Submission

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Figure 1: Site Location

Figure 2: Site Plan

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Appendix A: Correspondence

Appendix B: Municipal Excerpts

Appendix C: Parking Data

1.0 INTRODUCTION

C.F. Crozier & Associates Inc. (Crozier) was retained by Takol Real Estate Inc. to undertake a Parking Justification Study in support of a proposed minor variance at the existing industrial development at 286 Rutherford Road South in the City of Brampton. Given the proposed change in use of two of the existing units for commercial vehicle repairs, this study assesses the Zoning By-law parking requirements associated with the entire development and the feasibility of a lower parking supply.

This Parking Justification Study was completed based on a scope that was established through email correspondence between Peter Apasnore (Crozier) and Amanda Dickie (City of Brampton) in November 2020. Relevant correspondence is included in Appendix A.

2.0 EXISTING SITE DESCRIPTION

The subject land is located in an industrial area and covers an area of approximately 2.30 ha. The site currently contains a one-storey industrial building consisting a Gross Floor Area of 11,867.6 m² (127,741.8 ft²). The site is classified as a "M2 Industrial" zone per the City of Brampton Official Plan – Schedule "A" and Zoning By-Law 270-2004. Relevant zoning excerpts are provided in Appendix A.

The subject property is bounded by Rutherford Road to the west, Hale Road to the east, and industrial developments to the north and south. The site location and the surrounding area are illustrated in Figure 1.

3.0 DEVELOPMENT PROPOSAL

The project proposal is to retain the existing one-storey industrial building of 11,867.6 m² (127,741.8 ft²) Gross Floor Area with its 12 units. The development proposes to change the use of two units consisting of a total 1,976 m² (21,269.5 ft²) GFA from warehousing to commercial heavy vehicle (truck/ trailer) repairs. The remaining 10 units will continue to operate under their current uses, thus; a total of 7,886.2 m² (84,886.4 ft²) GFA of warehousing, 1,957 m² (21,065 ft²) GFA for motor vehicle repairs (units 1 and 6) and the 48.4 m² electrical room will remain.

The site will retain the existing two full moves accesses at Rutherford Road, the two full moves accesses at Hale Road and the existing 183 parking spaces to serve the entire development. Refer to Figure 2 for the Site Plan prepared by Mainline Planning Services Inc., dated October 2020 and the unit breakdown.

4.0 PARKING REQUIREMENTS AND DEMAND FORECAST

4.1 Zoning By-Law Parking Requirements

The City of Brampton Zoning By-Law 270-2004 (2004) was used to calculate the parking requirement for the proposed building. Per section 30.5 of the Zoning By-Law and as confirmed by the City of Brampton Zoning staff, the existing industrial units are classified as an Industrial Mall, and the vehicle repair units should be classified as Motor Vehicle Repair. Table 1 summarizes the City of Brampton Zoning By-Law 270-2004 parking requirements for the existing industrial building based on the proposed uses of the building. Relevant Zoning By-Law excerpts are provided in Appendix B.

Table 1: Zoning By-Law Parking Requirements

Portion of Building	Gross Floor Area	Parking Criteria	Parking Required
Industrial Mall	7,886.2 m ² (84,886.4 ft ²)	83 spaces + 1 space per 90 m ² of GFA over 5,000 m ²	115 spaces
Motor Vehicle Repair (existing and proposed)	3,933 m ² (42,334.5 ft ²)	1 space per 18 m ² of GFA	219 spaces
Total			334 spaces

As outlined in Table 1, a total of 334 parking spaces are required for the entire industrial facility according to the Zoning By-Law, which exceeds the site plan proposal of 183 parking spaces by 151 parking spaces. It is noted that the Zoning By-Law parking requirement for the vehicle repairs is based on a traditional passenger car which is expected to have a higher demand volume than the proposed truck repairs herein.

4.2 Existing Site Parking Demand

In order to support the proposed parking provision at the site, a parking counts survey was conducted at the site to determine the existing peak parking demands. The parking surveys at this site were undertaken by Ontario Traffic Inc. on Thursday November 5, 2020, and Saturday November 7, 2020, between the facility operating hours of 10 a.m. to 6 p.m. Counts were taken at 15-minute intervals to determine the peak number of vehicles parked within the subject site. The peak parking demand was found to be 63 parking spaces during the weekday period and 35 parking spaces during the Saturday period. The parking survey results are provided in Appendix C.

Table 2 summarizes the future parking demands for the entire industrial facility including the proposed use of two additional units for vehicle repairs.

Table 2: Peak Parking Demands per Counts at the Existing Site

Portion of Building	Gross Floor Area	Parking Criteria	Peak Parking Demand
Existing Industrial Mall	9,843.2 m ² (105,951.3 ft ²)	Parking Survey Counts at the existing site	63 spaces
Motor Vehicle Repair (Proposed)	1,976 m ² (21,269.5 ft ²)	Zoning By-Law Assumed (1 space per 18 m ² of GFA)	110 spaces
Total			173 spaces

As outlined in Table 2, the peak parking demand for the entire development is 173 parking spaces, resulting in a surplus of 10 spaces compared to the site plan supply of 183 parking spaces. It is noted that this demand estimate is conservative as no reduction was applied to the parking counts undertaken at the site to account for the two units that will be used for the motor vehicle repairs. Additionally, given the existing uses already includes two units of vehicle repairs of similar size to the additional vehicle repair units being proposed, the assumed Zoning By-Law estimate is overstated.

The overstated requirement of the Zoning By-Law is further highlighted by the By-Law's requirement

of 246 parking spaces for the existing site compared to the actual peak demand of 63 parking spaces at the site as established by the counts. Additionally, the new truck repair units will only serve customers based on appointment and vehicles will be serviced within the units, thus no outdoor truck parking attributable to the proposed truck repairs are projected. It is therefore expected that the existing site plan parking supply of 183 spaces and the existing loading docks can accommodate peak car and truck parking demands at the site.

4.3 Institute of Transportation Engineers (ITE) Parking Forecast

To further assess the parking supply at the proposed development, the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition was used to forecast the peak parking demand. Land Use Category (LUC) 130, "Industrial Park" was used for the industrial GFA of the building. Land Use Category (LUC) 943, "Automobile Parts and Service Center" was used for the Heavy Vehicle Repair GFA of the building. For a conservative analysis, the "General urban/suburban (no nearby rail transit)" setting and the higher demand forecast between the average rates and the fitted curve methodology were used. The weekday forecast is higher and therefore used herein. Table 3 presents the peak parking demand for the proposed development based on the ITE parking rates.

Table 3: Peak Demand Forecast Analysis per ITE Parking Rates

Portion of Building	Gross Floor Area	Peak Parking Demand Rate (GFA)	Peak Parking Demand
Industrial Park - LUC 130 (All uses excluding vehicle repairs)	7,886.2 m ² (84,886.4 ft ²)	1.20 spaces per 1,000 ft ² OR $\ln(P) = 0.84 \ln(X) + 0.93$	106 spaces
Automobile Parts and Service Center - LUC 943 (Existing and proposed)	3,933 m ² (42,334.5 ft ²)	1.69 spaces per 1,000 ft ²	72 spaces
Total			178 spaces

Note: P is the number of parking spaces and X is the GFA ft²/ 1000.

As outlined in Table 3, based on the ITE parking forecast of 178 spaces, the proposed parking supply for the development of 183 spaces can accommodate the forecasted peak parking demands with a surplus of 5 spaces. Similar to the Zoning By-Law, the ITE forecast for the vehicle repairs (Automobile Parts and Service Center) may be overstated as it is based on a traditional passenger car which is expected to have a higher demand volume than the proposed truck repairs.

4.4 Accessible Parking

The City of Brampton By-law 270-2004 does not explicitly state accessible parking requirements. Similarly, the City of Brampton Comprehensive Zoning By-Law Review (December 2018) compared neighboring Zoning By-Law requirements for accessible parking but did not explicitly recommend minimum requirements. Therefore, it is expected that conformance to the City of Brampton's Enforcement and By-Law Service document for Accessible Parking (January 1, 2014); which is the same as the "Accessibility for Ontarians with Disabilities Act (AODA, 2005)" requirements is adequate.

Section 80.36 of the AODA requirements illustrates the required number of parking spaces to be allocated as accessible spaces. As presented in Table 4, given the site's total parking supply of 183

spaces, 6 or 7 accessible parking spaces are required. The site proposes 7 barrier-free accessible parking spaces which satisfy both requirements. Relevant excerpts are provided in Appendix B.

Table 4: Accessible Parking Requirements

Source	Proposed Total Parking	Accessible Parking Criteria	Accessible Parking Required
AODA	183 spaces	1 space, plus 3% of total parking spaces (for total spaces between: 101 and 200)	6 spaces
City of Brampton Enforcement and By-Law Service		Same as AODA, but for total parking between 171 to 200; the requirement is rounded up to 7	7 spaces

4.5 Loading Space Requirements

Section 30.4 of the City's Zoning By-Law 270-2004 outlines that 3 loading spaces are required for industrial developments with GFA between 7,450 m² to 14,000 m²; therefore, the entire site (11,867.6 m² GFA) requires 3 loading spaces. The site plan provides 3 loading spaces, which satisfies the Zoning By-Law requirement. Relevant Zoning By-Law excerpts are provided in Appendix B.

5.0 CONCLUSIONS

This study has reviewed the Zoning By-Law parking requirements and assessed the adequacy of the parking supply for the proposed variance in use of a portion of the industrial building at 286 Rutherford Road in City of Brampton. The detailed analyses contained within this report has resulted in the following key findings:

- The entire site (including the proposed vehicle repairs) requires a total of 334 parking spaces according to the City of Brampton Zoning By-Law 270-2004. The proposed parking supply of 183 spaces at the site is deficient of the Zoning By-Law parking requirement by 151 spaces.
- In order to assess peak parking demands specific to the site, parking counts were undertaken at the subject development. The peak parking demand observed at the site was 63 parking spaces.
- Based on the parking counts and assuming the Zoning By-Law requirement for the proposed vehicle repairs, a peak parking demand of 173 is established. Therefore, the proposed supply of 183 spaces results in a surplus of 10 parking spaces.
- To further assess peak parking demands at the site, the Institute of Transportation Engineers (ITE) Parking Generation Manual 5th Edition was used. Based on the ITE forecast, a maximum peak parking demand of 178 parking spaces is forecast for the entire development.
- The proposed supply of 183 spaces results in a surplus of 5 parking spaces compared to the ITE forecast.
- The proposed supply of 7 accessible parking spaces satisfy both the City of Brampton's Enforcement and By-Law Service document for Accessible Parking (January 1, 2014) and Accessibility for Ontarians with Disabilities Act (AODA) requirements. Additionally, the proposed loading supply is adequate.

Based on the peak parking demand forecast of the parking survey data at the existing site and the ITE parking rates, the proposed development can be supported from a parking justification perspective. We recommend that the City of Brampton permit the proposed variance to allow vehicle repairs as the parking supply of 183 spaces can accommodate the forecasted future peak parking demands at the site.

Submitted by,

C.F. CROZIER & ASSOCIATES INC.



Peter Apasnore MASc., P.Eng.
Project Engineer

C.F. CROZIER & ASSOCIATES INC.



R. Aaron Wignall
Associate, Transportation

/TDS/PA

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Rutherford_Parking Study.docx

APPENDIX A

Correspondence

Peter Apasnore

From: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Sent: November 2, 2020 2:30 PM
To: Peter Apasnore
Cc: Aaron Wignall; Jennifer Ormiston; Naeem Lakhani
Subject: RE: [EXTERNAL]Terms of Reference - 286 Rutherford Road
Attachments: Section_30_Industrial.pdf

Hi Peter,

Thank you for your email.

Motor Vehicle Repair in a commercial or industrial zone is taken at a 1 parking space for every 18m² rate. This is an Industrial Mall by definition of the By-law. I have attached Section 30-General Provisions for Industrial Zones-for your reference. Please refer to Section 30.5. In the chart it states that the rate for Industrial Malls are to be taken at The same requirements as that of the Industrial – Manufacturing, except for motor vehicle repair or body shop or any non-industrial use which shall provide parking in accordance with applicable standards for that use.

Regards,

Amanda Dickie
Plans Examiner, Zoning Services
Building Division | City of Brampton

8850 McLaughlin Road | Unit 1
Brampton, ON | L6Y 5T1

905-874-3793 (T)



From: Peter Apasnore <papasnore@cfcrozier.ca>
Sent: 2020/10/29 11:30 AM
To: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Cc: Aaron Wignall <awignall@cfcrozier.ca>; Jennifer Ormiston <jormiston@mainlineplanning.com>; Naeem Lakhani <NLakhani@mainlineplanning.com>
Subject: [EXTERNAL]Terms of Reference - 286 Rutherford Road

Hi Amanda,

I hope this email finds you well.

We have been retained to prepare a Parking Study for a proposed minor variance to the industrial site located at 286 Rutherford Road in the City of Brampton. The site proposal is to use four of the units for truck/trailer repairs.

Below is an outline of our proposed scope and workplan. Please provide us with your feedback at the earliest possible.

Regards,

Parking Justification Study (PJS)

The project proposal is detailed in the attached site plan. The PJS will include:

- A review of the minimum vehicle, loading and accessible parking requirements for the development per the City of Brampton Zoning By-law 270-2004 and compare with the proposed supply.
 - It is noted that the ZBL motor vehicle rate of 1/18 m² is for commercial vehicle repairs which is expected to have a higher demand than a truck/trailer repair
 - Please advise if the ZBL rate for industrial (as repairs are inclusive) may be used for the proposed truck/trailer repair portion
- Establishing a peak parking demand rate for the existing industrial use based on parking utilization at the existing site.
- Forecasting the peak parking demands based on other criteria such as the ITE Parking Generation Manual (5th edition) and review of neighboring Municipal Zoning By-Laws as applicable.
- Confirming the adequacy or shortfall of the proposed parking supply for the development based on the study findings.

We will summarize all findings and recommendations in a Parking Justification Study for the City's review.

Regards,

Peter Apasnore M.A.Sc., P.Eng. | Project Engineer
211 Yonge Street, Suite 301 | Toronto, ON M5B 1M4
T: 416.477.3392



Crozier Connections:   

Read our latest news and announcements [here](#).

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Naeem Lakhani

From: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Sent: October 1, 2020 3:04 PM
To: Jennifer Ormiston
Cc: Shelby Campbell; Naeem Lakhani; Corazzola, Elizabeth
Subject: RE: [EXTERNAL]SPA-2020-0120 - 286 Rutherford Rd S

Thanks for your email Jennifer.

The architectural drawings are showing 3 units that have Motor Vehicle Repair. Will the uses of the units be changing? If so, the drawings will need to be revised to reflect the uses.

After clarification with my manager this is, by definition of the Zoning By-law, an Industrial Mall.

INDUSTRIAL MALL shall mean a building or group of buildings upon which a group of at least five separate industrial users have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants.

Section 30.5 of the Zoning By-law includes parking requirements for an Industrial Mall. In this case the parking requirement for each Industrial Use (not including Motor Vehicle Repair) would be taken at 1 parking space per 60m² and the Motor Vehicle Repair would be taken at 1/18m².

30.5 Parking Spaces

Use	Minimum Parking Spaces Required
Industrial – Manufacturing, Cleaning, Packaging, Processing, Repairing, Assembling, or Printing	<p>a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area:</p> <ul style="list-style-type: none">Up to 5,000 square metres: 1 parking space per 60 square metres gross floor area or portion thereof;5,000 to 10,000 square metres: 83 parking spaces plus 1 parking space per 90 square metres gross floor area or portion thereof that is over 5,000 square metres;over 10,000 square metres: 139 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 10,000 square metres <p>b. If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area:</p>

Industrial Mall	The same requirements as that of the Industrial – Manufacturing, except for motor vehicle repair or body shop or any non-industrial use which shall provide parking in accordance with applicable standards for that use.
-----------------	---

The following chart will show the Parking Requirement would be **273 Spaces** if each unit was taken at 1/60m² for Industrial Uses and 1/18m² for Motor Vehicle Repair.

Unit #	Use	GFA	Parking Requirement	Spaces Required
Unit 1	Warehouse/Truck Repair	555.0m ²	1/18m ²	30.8
Unit 1A	Warehouse/Truck Repair	414.0m ²	1/18m ²	23
Unit 2	Warehouse	1006.5m ²	1/60m ²	16.77
Unit 3	Warehouse	1000.2m ²	1/60m ²	16.67
Unit 4	Warehouse	988.0m ²	1/60m ²	16.46
Unit 5	Warehouse	988.0m ²	1/60m ²	16.46
Unit 6	Warehouse/Truck Repair	988.0m ²	1/18m ²	54.8
Unit 7	Warehouse	988.0m ²	1/60m ²	16.46
Unit 8	Warehouse	988.0m ²	1/60m ²	16.46
Unit 9	Warehouse	988.0m ²	1/60m ²	16.46
Unit 10	Warehouse	1348.0m ²	1/60m ²	22.46
Unit 11	Warehouse	1087.3m ²	1/60m ²	18.12
Unit 12	Warehouse	480.2m ²	1/60m ²	8
TOTAL				272.92

After discussing this with my manager, we then calculated the parking requirement by lumping all industrial uses together and applied the Rate of what it would be if it were one big industrial building (again—Motor Vehicle Repair is calculated separately at 1/18m²) to give you a slightly lower parking requirement at **246 spaces required**.

MOTOR VEHICLE REPAIR

Unit 1	Warehouse/Truck Repair	555	
Unit 1A	Warehouse/Truck Repair	414	
Unit 6	Warehouse/Truck Repair	988	
		1957 1/18m ²	108.72 spaces

INDUSTRIAL USES

Unit 2	Warehouse	1006.5	
Unit 3	Warehouse	1000.2	
Unit 4	Warehouse	988	
Unit 5	Warehouse	988	
Unit 7	Warehouse	988	
Unit 8	Warehouse	988	
Unit 9	Warehouse	988	
Unit 10	Warehouse	1348	
Unit 11	Warehouse	1087.3	
Unit 12	Warehouse	480.2	
TOTAL		9862.2	Buildings with a GFA between 5000m ² and 10,000m ² : 83 parking spaces plus 1 parking space per 90m ² of GFA or portion thereof that is over 5000m ² 9862.2-5000=4862.2 4862.2/90=54.02 spaces 54.02 + 83 = 137.02 spaces

TOTAL WAREHOUSE + MOTOR VEHICLE REPAIR =

137.02 + 108.72 = 245.74 SPACES REQUIRED

Please Note: These calculations were done having 3 Motor Vehicle Repair Units as per the submitted Drawings. If you are Planning to change those units, please revise the drawings and another parking calculation can be done using the revised numbers.

I apologize for the previous confusion.

Thank you,

Regards,

Amanda Dickie
Plans Examiner, Zoning Services
Building Division | City of Brampton

8850 McLaughlin Road | Unit 1
Brampton, ON | L6Y 5T1

905-874-3793 (T)



From: Jennifer Ormiston <jormiston@mainlineplanning.com>
Sent: 2020/09/30 11:07 AM
To: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Cc: Shelby Campbell <scampbell@mainlineplanning.com>; Naeem Lakhani <NLakhani@mainlineplanning.com>
Subject: RE: [EXTERNAL]SPA-2020-0120 - 286 Rutherford Rd S

Hi Amanda,

I think my explanation below is not as clear as I could have been. I have made my corrections in red. The parking calculation for over 7000 sq.m. is $78 + 1/145$ for area over 7000 sq.m. My numbers are still the same and the requirement would be 160 spaces total.

Kind regards,

Jennifer Ormiston, RPP, MCIP
Planner
Mainline planning services inc.

Office tel: 905-893-0046 x223
Cell phone: 519-584-5366

From: Jennifer Ormiston
Sent: Tuesday, September 29, 2020 1:49 PM
To: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Cc: Shelby Campbell <scampbell@mainlineplanning.com>; Naeem Lakhani <NLakhani@mainlineplanning.com>
Subject: RE: [EXTERNAL]SPA-2020-0120 - 286 Rutherford Rd S

Hi Amanda,

I just wanted to clarify if we calculated the parking correct. If we have 11 units that are warehouse and 1 unit that was motor vehicle repair and we used the parking rate for the total GFA of that use in the building we would have the following parking requirement:

Warehouse Use (between 7,000 sq.m. and 20,000 sq.m.) = $78 + 1/145$ sq.m.
= $78 + ((1/145) * 3,832.4 \text{ sq.m.})$ [10,892.4 – 7000 sq.m.]
= 105 spaces

Motor Vehicle Repair = $1/18$ sq.m.
= $(1/18) * 975.2$
= 55 spaces

The total site requirement would be 160 spaces. If you could kindly confirm the above is accurate, that would be greatly appreciated. We understand there is still a shortfall in parking, however, we would like to be sure our calculation is correct.

Kind regards,

Jennifer Ormiston, RPP, MCIP
Planner
Mainline planning services inc.

Office tel: 905-893-0046 x223
Cell phone: 519-584-5366

From: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Sent: Friday, September 18, 2020 2:28 PM
To: Jennifer Ormiston <jormiston@mainlineplanning.com>
Cc: Shelby Campbell <scampbell@mainlineplanning.com>
Subject: RE: [EXTERNAL]SPA-2020-0120 - 286 Rutherford Rd S

Hi Jennifer,

Parking for Warehouse Use is calculated at 1 parking space per 90m² of GFA.
Parking for motor vehicle repair is taken at 1 parking space per 18m² of GFA.

This property was the subject of a minor variance in 2015 for a parking variance that they deferred indefinitely to have a parking utilization study done.

I hope this helps.

Regards,

Amanda Dickie
Plans Examiner, Zoning Services
Building Division | City of Brampton

8850 McLaughlin Road | Unit 1
Brampton, ON | L6Y 5T1

905-874-3793 (T)



From: Jennifer Ormiston <jormiston@mainlineplanning.com>
Sent: 2020/09/18 1:36 PM
To: Dickie, Amanda <Amanda.Dickie@brampton.ca>
Cc: Shelby Campbell <scampbell@mainlineplanning.com>
Subject: [EXTERNAL]SPA-2020-0120 - 286 Rutherford Rd S
Importance: High

Good afternoon Amanda,

We just received your zoning comments for the abovementioned file. Your comment reads "*Minimum parking requirements are not met. Please get approval of a Minor Variance.*" Can you kindly provide us with a details explanation as to why we do not meet the minimum parking requirements, that would be greatly appreciated. A breakdown of how parking was calculated by the zoning department would be helpful for us to understand the site's shortfall.

Kind regards,

Jennifer Ormiston, RPP, MCIP
Planner
mainline planning services inc.
P.O. Box 319 Kleinburg, Ontario L0J 1C0

APPENDIX B

Municipal Excerpts



Brampton

Zoning By-Law Office Consolidation

SECTION 30.0 GENERAL PROVISIONS FOR INDUSTRIAL ZONES

30.1 The following provisions shall apply to all industrial zones as shown on Schedule A to this by-law, in addition to the General Provisions for All Zones included in this by-law.

30.2 Environmental Concerns

Obnoxious industrial uses shall not be permitted.

30.3 Accessory Buildings

- (a) Accessory buildings or structures used for a purpose other than an office are permitted in any industrial zone, subject to the requirements and restrictions of this by-law for the particular zone in which said buildings or structures are located, but shall:
 - (1) not be used for human habitation;
 - (2) not exceed 4.5 metres in height;
 - (3) not have a gross floor area in excess of 100 square metres;
 - (4) be at least 3 metres from any lot line, and,
 - (5) except for a gatehouse, not be constructed in a minimum required front yard or minimum required exterior side yard.
- (b) Accessory buildings used for the purpose of an office are permitted in any industrial zone, subject to the requirements and restrictions of this by-law for the particular zone in which said buildings or structures are located, but the gross commercial floor area of any accessory building or buildings on a lot shall not exceed the gross industrial floor area of the main building.

30.4 Loading Spaces

Loading spaces are required to be provided and maintained on a lot in accordance with the following provisions:

(a) Gross Industrial Floor Area

of building in square metres Number of loading spaces

280 or less 1 loading space
over 280 up to 7,450 2 loading spaces
over 7,450 up to 14,000 3 loading spaces
over 14,000 3 loading spaces, plus 1 additional loading
space for each 9,300 square metres of gross
industrial floor area or part thereof in excess
of 14,000 square metres

(b) Each loading spaces shall:

- (i) be a rectangular area measuring not less than 3.7 metres in width and 9 metres in length;
- (ii) have a minimum vertical clearance of 4.25 metres; and,
- (iii) have an unobstructed ingress and egress of not less than 6 metres in width to and from a street by means of driveways, aisles, manoeuvring or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.

30.5 Parking Spaces

Use	Minimum Parking Spaces Required
Industrial – Manufacturing, Cleaning, Packaging, Processing, Repairing, Assembling, or Printing	<p>a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area:</p> <ul style="list-style-type: none">• Up to 5,000 square metres: 1 parking space per 60 square metres gross floor area or portion thereof;• 5,000 to 10,000 square metres: 83 parking spaces plus 1 parking space per 90 square metres gross floor area or portion thereof that is over 5,000 square metres;• over 10,000 square metres: 139 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 10,000 square metres <p>b. If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area:</p>

	In addition to the above, the applicable gross floor areas exceeding 15% shall be subject to the applicable office, retail, or educational parking requirements.
Warehouse	<p>a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area:</p> <ul style="list-style-type: none"> • Up to 7,000 square metres: 1 parking space per 90 square metres gross floor area or portion thereof; • 7,000 to 20,000 square metres: 78 parking spaces plus 1 parking space per 145 square metres gross floor area or portion thereof that is over 7,000 square metres; • over 20,000 square metres: 168 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 20,000 square metres <p>b. If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area</p> <p>In addition to the above, the applicable gross floor areas exceeding 15% shall be subject to the applicable office, retail, or educational parking requirements.</p>
Industrial Mall	The same requirements as that of the Industrial – Manufacturing, except for motor vehicle repair or body shop or any non-industrial use which shall provide parking in accordance with applicable standards for that use.
Non-industrial uses	Parking requirements in accordance with that outlined in the General Provisions for Commercial and Residential Zones.

30.6 Fences

No fences shall be permitted in the front yard of any lot in an industrial zone.

30.7 Commercial Uses in Industrial Zones

Types of accessible parking spaces

80.34 Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

1. Type A, a wider parking space which has a minimum width of 3,400 mm and signage that identifies the space as “van accessible”.
2. Type B, a standard parking space which has a minimum width of 2,400 mm.

Access aisles

80.35 (1) Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

(2) Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

1. They must have a minimum width of 1,500 mm.
2. They must extend the full length of the parking space.
3. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

Minimum number and type of accessible parking spaces

80.36 (1) Off-street parking facilities must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the following requirements:

1. One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.
2. Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
 - i. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - ii. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
3. One parking space for the use of persons with disabilities and an additional three per cent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with ratios set out in subparagraphs 2 i and ii, rounding up to the nearest whole number.
4. Two parking spaces for the use of persons with disabilities and an additional two per cent of

parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs 2 i and ii, rounding up to the nearest whole number.

5. Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs 2 i and ii, rounding up to the nearest whole number.

(2) If an obligated organization provides more than one off-street parking facility at a site, the obligated organization shall calculate the number and type of parking spaces for the use of persons with disabilities according to the number and type of parking spaces required for each off-street parking facility.

(3) In determining the location of parking spaces for the use of persons with disabilities that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience.

(4) For the purposes of subsection (3), the following factors may be considered in determining user convenience:

1. Protection from the weather.
2. Security.
3. Lighting.
4. Comparative maintenance.

Signage

80.37 Obligated organizations shall ensure that parking spaces for the use of persons with disabilities as required under section 80.36 are distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*.

Exception

80.38 (1) An exception to the required minimum number of parking spaces for the use of persons with disabilities is permitted where an obligated organization can demonstrate that it is not practicable to comply with the requirement because existing physical or site constraints prevent it from meeting the required ratio, such as where the minimum width for parking spaces for persons with disabilities or access aisles cannot be met because of existing pay and display parking meters, surrounding curb edges, walkways, landscaping or the need to maintain a minimum drive aisle width.

(2) Where an obligated organization claims an exception to the minimum number of parking spaces for the use of persons with disabilities, it shall provide as close to as many parking spaces for the use of persons with disabilities that meet the requirements of this Part, as would otherwise be

(January 1, 2014)

Accessible Parking in the City of Brampton

The City of Brampton is committed to ensuring that people of all ages and abilities enjoy the same opportunities as they live, work, play and visit in our City. This commitment includes ensuring access to appropriately marked, signed and maintained accessible parking spaces. Access to accessible parking is very important for people with disabilities to be able to enjoy services and facilities just as others are able to do. As our population ages and the number of people with disabilities increases, the need for accessible parking spaces will be even greater.

Requirements for accessible parking spaces in the City of Brampton are regulated by the following:

- Highway Traffic Act, *Ontario Regulation 581*
 - Specific sign requirements
- Integrated Accessibility Standards Regulation, Design of Public Spaces *Ontario Regulation 413-12*
 - Type of parking spaces
 - Number of accessible spaces to be provided
- City of Brampton, Traffic By-law 93-93
 - Owners/operators obligations
 - Surface, size and configuration of parking spaces and access aisles
 - Curb cuts
 - Specific sign requirements
- City of Brampton, Zoning By-law 270-2004, as amended
 - Number of total parking spaces required (including accessible and regular spaces)
- Approved site plans
 - Specific requirements regarding number and location of accessible parking spaces and access

The following pages provide an overview of the requirements of accessible parking spaces in Brampton and some helpful hints to assist you with compliance with these requirements.

Accessible Parking Spaces

Owners and Operators Obligations:

The following outlines the obligations for parking lot owners and operators with respect to public parking areas and provides information regarding requirements for accessible parking spaces as identified in the Traffic By-law 93-93, Section 48.

As an owner/operator you are obligated to:

- Provide accessible parking spaces for the exclusive use of vehicles that are displaying an accessible parking permit
- Comply with any approved Site Plan requirements with respect to the number and location of accessible parking spaces
- Provide a minimum number of parking accessible parking spaces based on the total number of parking spaces provided. The following is an approximation of the number of accessible parking spaces to be provided:

# of Parking Spaces Provided	# of Accessible Parking Spaces	# of Type A Van Accessible	# of Type B
0-12	1	1	0
Requirement for 13 to 100 parking spaces – 4% of total			
13 – 25	1	1	0
26 – 50	2	1	1
51 – 75	3	1	2
76 – 100	4	2	2
Requirement for 101 to 200 parking spaces is 1 plus 3% of total			
101 – 140	5	2	3
141 – 170	6	3	3
171 – 200	7	3	4
Requirement 201 to 1000 parking spaces is 2 plus 2% of total			
201 – 250	7	3	4
251 – 300	8	4	4
301 – 350	9	4	5
351 – 400	10	5	5
401 – 450	11	5	6
451 – 500	12	6	6
501 – 550	13	6	7
551 – 600	14	7	7
601 – 650	15	7	8

651 – 700	16	8	8
701 – 750	17	8	9
751 – 800	18	9	9
801 – 850	19	9	10
851 – 900	20	10	10
901 – 950	21	10	11
951 – 1000	22	11	11
Requirement for more than 1000 parking spaces provided is 11 plus 1% of total			
1001 – 1100	22	11	11
1101 – 1200	23	11	12
1201 – 1300	24	12	12
1301 – 1400	25	12	13
1401 – 1500	26	13	13
1501 – 1600	27	13	14
1601 – 1700	28	14	14
1701 – 1800	29	14	15
1801 – 1900	30	15	15
1901 – 2000	31	15	16
For each 100 parking spaces provided, add 1 additional parking space to the running total.			

- Ensure the accessible parking spaces are kept free of any obstructions, snow, ice and slush and are maintained to the same standards as the other parking spaces provided in that public parking area.
- Maintained in good repair so pavement markings are easily identified by the public.

Each accessible parking space must comply with the following:

Surface:

- Be located on a hard, level surface
- Be located in an area where people with disabilities can easily access a building or facility via curb ramps, depressed curbs or other means

Physical Dimensions:

- Type A – Van Accessible
 - Be a minimum of 3.4 metres wide and as long as the other parking spaces in the same public parking area
 - Have an access aisle that is a minimum of 1.5 metres wide, as long as the parking space and be marked with high tonal contrast diagonal lines to indicate that parking is prohibited in this space

APPENDIX C

Parking Data

ONTARIO TRAFFIC INC - PARKING COUNTS

Location: 286 Rutherford Rd S

Date: Thursday, November 05, 2020

(available parking in Areas B, C & D is an approximation)

Time	Area A				Area B				Area C						Area D			
	Cars		Trucks		Cars		Trucks		Cars		Trucks in docks		Trucks elsewhere		Cars		Trucks	
	57		0		14		7		45		19		10		14		7	
	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available
10:00 to 10:15	12	45	0	0	4	10	2	5	3	42	9	10	5	5	1	13	1	
10:15 to 10:30	15	42	0	0	5	9	1	6	7	38	7	12	6	4	3	11	1	
10:30 to 10:45	21	36	1	-1	3	11	2	5	7	38	5	14	3	7	2	12	2	
10:45 to 11:00	27	30	1	-1	4	10	1	6	9	36	7	12	5	5	3	11	0	
11:00 to 11:15	25	32	1	-1	4	10	1	6	5	40	5	14	4	6	2	12	1	
11:15 to 11:30	21	36	1	-1	4	10	1	6	5	40	8	11	5	5	3	11	1	
11:30 to 11:45	23	34	1	-1	5	9	1	6	5	40	6	13	4	6	2	12	3	
11:45 to 12:00	25	32	1	-1	4	10	2	5	3	42	7	12	3	7	4	10	3	
12:00 to 12:15	24	33	1	-1	5	9	1	6	3	42	9	10	4	6	3	11	2	
12:15 to 12:30	20	37	1	-1	3	11	2	5	5	40	8	11	3	7	2	12	1	
12:30 to 12:45	26	31	0	0	4	10	2	5	6	39	5	14	5	5	4	10	1	
12:45 to 13:00	24	33	0	0	4	10	2	5	4	41	7	12	6	4	4	10	2	
13:00 to 13:15	24	33	0	0	4	10	2	5	4	41	10	9	4	6	3	11	2	
13:15 to 13:30	27	30	0	0	6	8	2	5	6	39	8	11	5	5	2	12	2	
13:30 to 13:45	23	34	0	0	5	9	1	6	5	40	7	12	4	6	2	12	1	
13:45 to 14:00	27	30	0	0	7	7	1	6	3	42	6	13	4	6	3	11	3	
14:00 to 14:15	24	33	0	0	5	9	1	6	3	42	7	12	4	6	2	12	4	
14:15 to 14:30	29	28	0	0	6	8	1	6	4	41	7	12	5	5	4	10	3	
14:30 to 14:45	32	25	0	0	4	10	1	6	5	40	10	9	5	5	3	11	3	
14:45 to 15:00	28	29	0	0	4	10	1	6	5	40	9	10	5	5	2	12	3	
15:00 to 15:15	27	30	1	-1	4	10	1	6	6	39	11	8	5	5	3	11	2	
15:15 to 15:30	25	32	1	-1	5	9	1	6	6	39	8	11	4	6	5	9	2	
15:30 to 15:45	22	35	1	-1	5	9	1	6	4	41	6	13	6	4	4	10	3	
15:45 to 16:00	23	34	1	-1	5	9	1	6	5	40	5	14	5	5	2	12	3	
16:00 to 16:15	21	36	1	-1	3	11	2	5	5	40	5	14	4	6	2	12	2	
16:15 to 16:30	23	34	1	-1	4	10	2	5	3	42	6	13	5	5	3	11	2	
16:30 to 16:45	20	37	1	-1	4	10	1	6	3	42	7	12	4	6	2	12	1	
16:45 to 17:00	22	35	1	-1	3	11	1	6	3	42	7	12	4	6	2	12	1	
17:00 to 17:15	19	38	1	-1	3	11	1	6	3	42	7	12	4	6	3	11	1	
17:15 to 17:30	15	42	1	-1	2	12	1	6	2	43	8	11	5	5	2	12	0	
17:30 to 17:45	13	44	0	0	2	12	1	6	2	43	7	12	4	6	1	13	0	
17:45 to 18:00	11	46	0	0	1	13	1	6	2	43	7	12	4	6	0	14	1	

ONTARIO TRAFFIC INC. - PARKING COUNTS

Location: 286 Rutherford Rd S

Date: Saturday, November 07, 2020

(available parking in Areas B, C & D is an approximation)

Time	Area A				Area B				Area C						Area D			
	Cars		Trucks		Cars		Trucks		Cars		Trucks in docks		Trucks elsewhere		Cars		Trucks	
	57		0		14		7		45		19		10		14		7	
	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available	Parked	Available
10:00 to 10:15	12	45	0	0	2	12	2	5	3	42	7	12	2	8	3	11	2	
10:15 to 10:30	13	44	0	0	2	12	2	5	3	42	6	13	2	8	3	11	3	
10:30 to 10:45	17	40	0	0	2	12	2	5	2	43	5	14	2	8	2	12	3	
10:45 to 11:00	15	42	0	0	1	13	2	5	2	43	3	16	3	7	2	12	3	
11:00 to 11:15	15	42	0	0	1	13	2	5	3	42	3	16	3	7	2	12	3	
11:15 to 11:30	17	40	0	0	2	12	2	5	2	43	3	16	3	7	2	12	2	
11:30 to 11:45	17	40	0	0	1	13	2	5	3	42	5	14	3	7	2	12	2	
11:45 to 12:00	17	40	0	0	1	13	3	4	4	41	3	16	3	7	1	13	2	
12:00 to 12:15	16	41	0	0	1	13	3	4	4	41	4	15	2	8	1	13	2	
12:15 to 12:30	16	41	0	0	1	13	3	4	2	43	4	15	2	8	1	13	2	
12:30 to 12:45	15	42	1	-1	1	13	2	5	2	43	4	15	2	8	1	13	2	
12:45 to 13:00	13	44	1	-1	2	12	2	5	2	43	4	15	2	8	1	13	2	
13:00 to 13:15	13	44	0	0	3	11	2	5	1	44	3	16	2	8	2	12	2	
13:15 to 13:30	17	40	0	0	3	11	2	5	1	44	4	15	2	8	2	12	3	
13:30 to 13:45	16	41	0	0	2	12	2	5	1	44	4	15	2	8	2	12	3	
13:45 to 14:00	16	41	0	0	2	12	2	5	2	43	5	14	2	8	2	12	3	
14:00 to 14:15	15	42	0	0	2	12	2	5	1	44	5	14	2	8	2	12	3	
14:15 to 14:30	12	45	0	0	2	12	2	5	0	45	5	14	2	8	1	13	3	
14:30 to 14:45	13	44	0	0	2	12	2	5	0	45	5	14	2	8	1	13	2	
14:45 to 15:00	12	45	0	0	2	12	2	5	0	45	5	14	2	8	1	13	2	
15:00 to 15:15	12	45	0	0	1	13	2	5	0	45	5	14	2	8	1	13	2	
15:15 to 15:30	13	44	1	-1	1	13	2	5	0	45	5	14	2	8	1	13	2	
15:30 to 15:45	12	45	0	0	1	13	2	5	0	45	5	14	2	8	1	13	2	
15:45 to 16:00	12	45	0	0	1	13	2	5	0	45	5	14	2	8	1	13	2	
16:00 to 16:15	12	45	0	0	1	13	2	5	0	45	5	14	2	8	1	13	3	
16:15 to 16:30	15	42	0	0	1	13	2	5	0	45	6	13	2	8	1	13	3	
16:30 to 16:45	14	43	0	0	1	13	2	5	0	45	6	13	2	8	1	13	3	
16:45 to 17:00	13	44	0	0	1	13	2	5	0	45	6	13	2	8	1	13	3	
17:00 to 17:15	13	44	0	0	1	13	2	5	0	45	7	12	2	8	1	13	4	
17:15 to 17:30	14	43	0	0	1	13	2	5	0	45	7	12	2	8	1	13	4	
17:30 to 17:45	14	43	0	0	1	13	2	5	0	45	7	12	2	8	1	13	4	
17:45 to 18:00	14	43	0	0	1	13	2	5	0	45	6	13	2	8	1	13	4	



Land Use: 130 Industrial Park

Description

An industrial park contains several individual industrial or related facilities. It is characterized by a mix of manufacturing, service, and warehouse facilities with a wide variation in the proportion of each type of use from one location to another. Many industrial parks contain highly-diversified facilities. Some parks in the database have a large number of small businesses and others have one or two dominant industries. General light industrial (Land Use 110) and manufacturing (Land Use 140) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at two general urban/suburban study sites.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	–
5:00 a.m.	–
6:00 a.m.	–
7:00 a.m.	59
8:00 a.m.	89
9:00 a.m.	99
10:00 a.m.	99
11:00 a.m.	99
12:00 p.m.	95
1:00 p.m.	98
2:00 p.m.	100
3:00 p.m.	94
4:00 p.m.	66
5:00 p.m.	47
6:00 p.m.	–
7:00 p.m.	–
8:00 p.m.	–
9:00 p.m.	–
10:00 p.m.	–
11:00 p.m.	–

Additional Data

The average parking supply ratio for study sites with parking supply information is 1.6 spaces per 1,000 square feet GFA (11 sites) and 1.2 spaces per employee (eight sites).

The sites were surveyed in the 1980s and the 1990s in Arizona, California, Oregon, and Washington.

Source Numbers

36, 122, 275, 401, 435

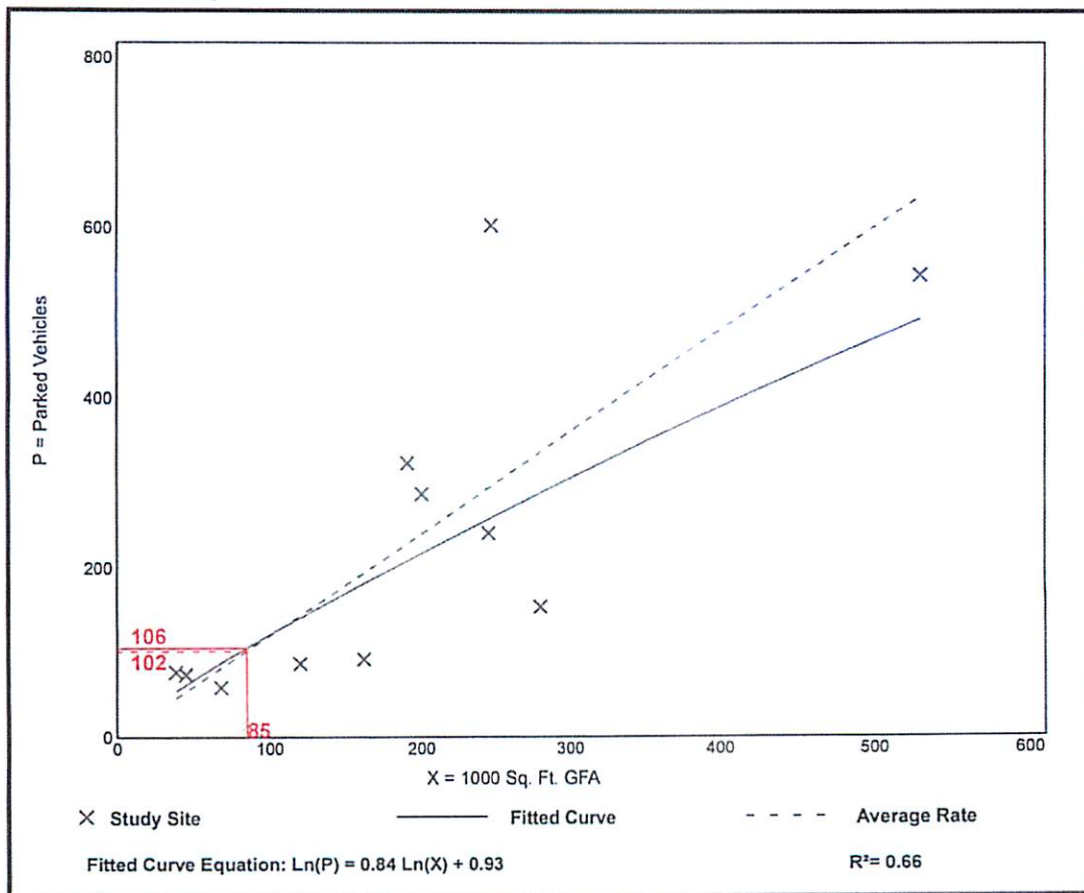
Industrial Park (130)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
 On a: Weekday (Monday - Friday)
 Setting/Location: General Urban/Suburban
 Peak Period of Parking Demand: 8:00 a.m. - 3:00 p.m.
 Number of Studies: 11
 Avg. 1000 Sq. Ft. GFA: 193

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.20	0.55 - 2.44	0.86 / 2.09	***	0.61 (51%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers

Land Use: 943 Automobile Parts and Service Center

Description

An automobile parts and service center sells automobile parts for do-it-yourself maintenance and repair including tires, batteries, oil, and spark plugs. The stores may also sell automobile parts to retailers and repair facilities. Automobile parts and service centers provide a full array of onsite services for various automobiles. These facilities provide centralized cashiering and maintain long hours 7 days a week. Automobile parts and service centers are sometimes found as separate parcels within a retail complex. Automobile parts sales (Land Use 843), tire store (Land Use 848), tire superstore (Land Use 849), and quick lubrication vehicle shop (Land Use 941) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 25 study sites in a general urban/suburban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	—
5:00 a.m.	—
6:00 a.m.	—
7:00 a.m.	—
8:00 a.m.	45
9:00 a.m.	84
10:00 a.m.	97
11:00 a.m.	100
12:00 p.m.	87
1:00 p.m.	81
2:00 p.m.	87
3:00 p.m.	91
4:00 p.m.	86
5:00 p.m.	71
6:00 p.m.	23
7:00 p.m.	6
8:00 p.m.	—
9:00 p.m.	—
10:00 p.m.	—
11:00 p.m.	—

Additional Data

The sites were surveyed in the 2010s in Texas.

Source Numbers

568, 569, 570

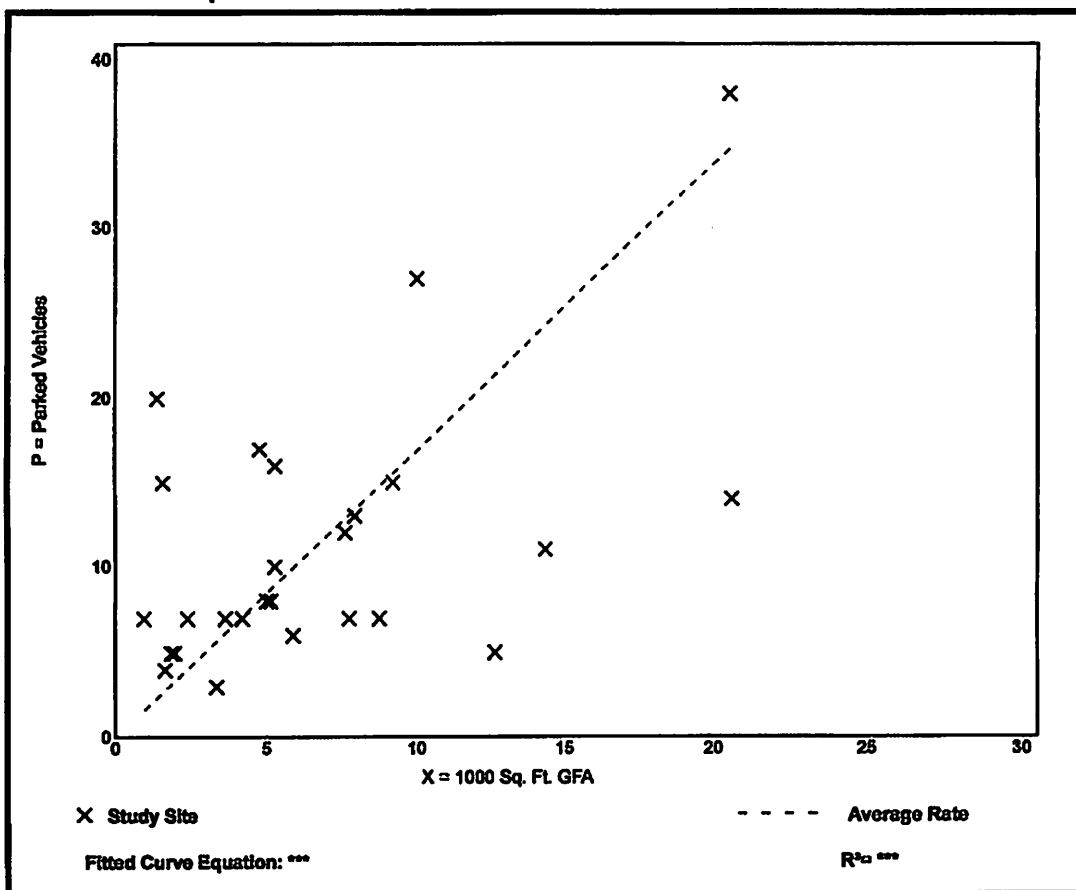
Automobile Parts and Service Center (943)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 10:00 a.m. - 4:00 p.m
Number of Studies: 26
Avg. 1000 Sq. Ft. GFA: 6.6

Peak Period Parking Demand per 1000 Sq. Ft. GFA

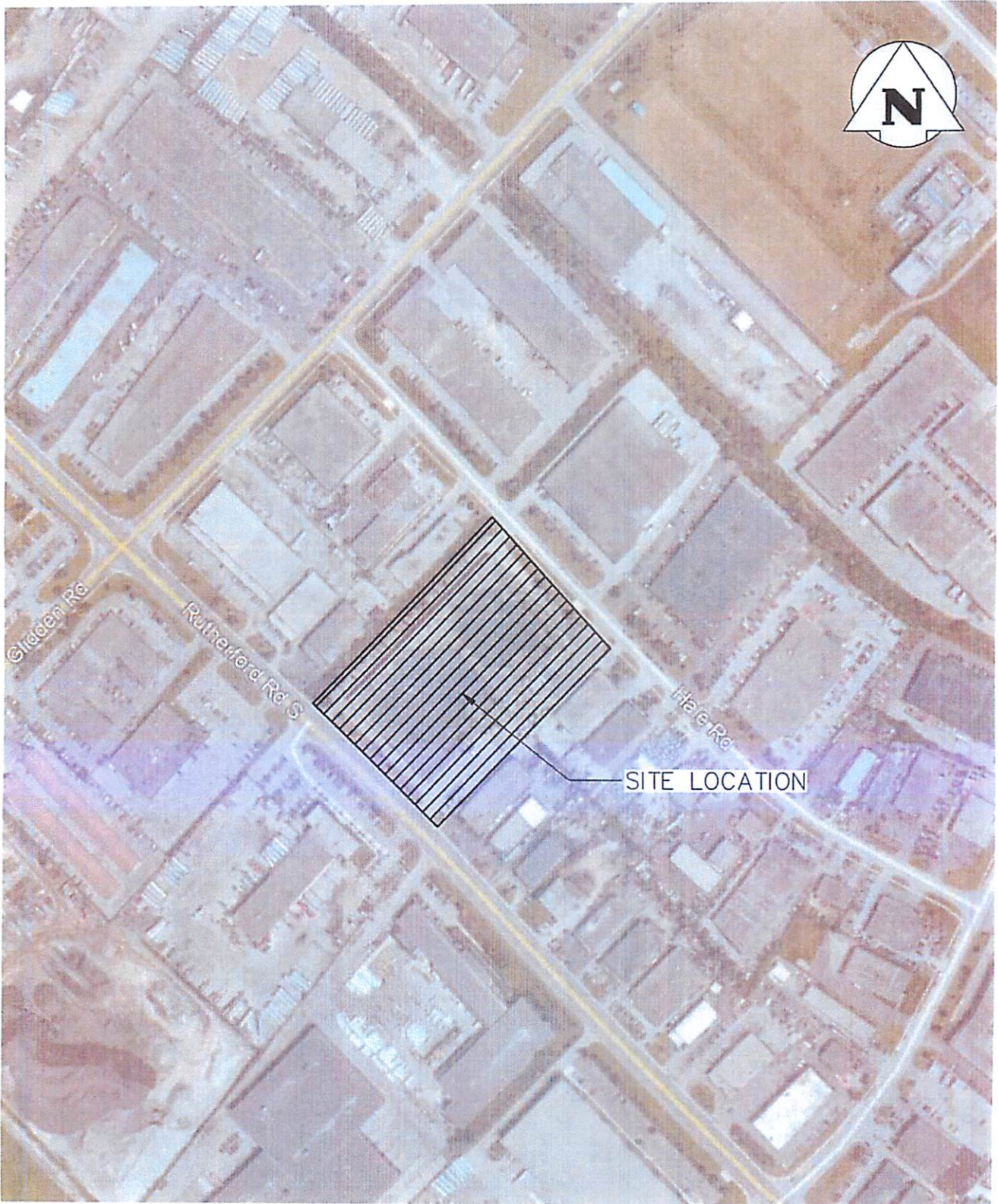
Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.69	0.40 - 14.37	1.58 / 3.54	1.05 - 2.33	1.67 (99%)

Data Plot and Equation



Parking Generation Manual, 5th Edition • Institute of Transportation Engineers

FIGURES



286 RUTHERFORD ROAD SOUTH
CITY OF BRAMPTON

SITE LOCATION



**CROZIER
& ASSOCIATES**
Consulting Engineers

2800 HIGH POINT DRIVE
SUITE 100
MILTON, ON L9T 6P4
905 875-0026 T
905 875-4915 F
WWW.CFCROZIER.CA

Drawn	T.D.S.	Project No.	1991-5788
Check	P.A.	Scale	N.T.S.
		Dwg.	FIG. 01

DETAIL "B"

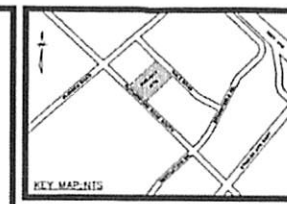
TRAFFIC BY-LAW 93-83

ACCESSIBLE PAVEMENT MARKING

NOT TO SCALE

THESE DRAWINGS ARE COPYRIGHT AND THE PROPERTY OF MAINLINE PLANNING SERVICES INC. THE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION WITHOUT THE PERMISSION OF MAINLINE PLANNING SERVICES INC. AND UNLESS SEALED AND SIGNED BY THE ARCHITECT/ENGINEER. REPRODUCTION OF THESE DRAWINGS WITHOUT THE CONSENT OF MAINLINE PLANNING SERVICES INC. IS STRICTLY PROHIBITED.

DO NOT SCALE THESE DRAWINGS. ANY ERROR OR DISCREPANCY IS TO BE REPORTED IMMEDIATELY TO: MAINLINE PLANNING SERVICES INC.



LAND USE SCHEDULE	
TOTAL SITE AREA	= 22,965.5 sq. ft. (100.0%)
TOTAL BUILDING ENVELOPE	= 11,887.6 sq. ft. (51.7%)
TOTAL LANDSCAPED AREA	= 2,710.3 sq. ft. (11.8%)
TOTAL ASPHALT AREA	= 8,367.6 sq. ft. (36.5%)

```

INITIAL PROCEEDING CONGR UNIT# = 12
UNIT NUMBER      UNIT AREA
UNIT 1           985.0 sq.m.
UNIT 2           1,004.5 sq.m.
UNIT 3           1,000.2 sq.m.
UNIT 4           955.0 sq.m.
UNIT 5           954.0 sq.m.
UNIT 6           955.0 sq.m.
UNIT 7           955.0 sq.m.
UNIT 8           955.0 sq.m.
UNIT 9           955.0 sq.m.
UNIT 10          1,348.5 sq.m.
UNIT 11          1,087.3 sq.m.
UNIT 12          480.3 sq.m.

```

COMMON AREAS
ELECTRICAL ROOMS 48.8 sq.ft.

BUILDING HEIGHT = 8.0 m. [ONE STORY]
GARAGE = STORED INCOMES
REQUIRED PARKING = 248 TOTAL [INC. 8 ACCESSIBLE SPACES]
PROPOSED PARKING = 153 TOTAL [INC. 7 ACCESSIBLE SPACES]
REQUIRED LOADING SPACE = 3
PROPOSED LOADING SPACE = 3

EXISTING PARKING = INDUSTRIAL TWO
PROPOSED PARKING = (W/2) INDUSTRIAL TWO
EXISTING USE OF LAND = INDUSTRIAL
PROPOSED USE OF LAND = INDUSTRIAL
ADJACENT USE OF LAND = SEE PLAN

LEGAL DESCRIPTION

PLAN OF SURVEY OF
PART OF LOTS 1 AND 2, CONCESSION 2
EAST OF HURONTARIO STREET
(FORMERLY THE TOWNSHIP OF CHINGUACOUSY)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

ALL SURVEY INFORMATION PROVIDED BY ROSENEY DEVER (ONTARIO L.S.
SURVEYOR INC. 180 PARSONS ROAD, UNIT 29 ALLSTON, ONTARIO L3R 9K1)

NO.	DATE	DESCRIPTION	BY
3	JUL-20	REVISED PER CITY COMMENTS	JL
2	JUL-20	ISSUED FOR MUNICIPAL APPROVAL	JL
1	NOV-19	ISSUED FOR PRE-CONSULTATION	JL



mainline
planning services inc.

PH (905) 893-0045 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO L0J 1G0

DRAWING TITLE

SITE PLAN

PROJECT

286 RUTHERFORD ROAD SOUTH
BRAMPTON

DEVELOPER/OWNER

TAKOL CMCC RUTHERFORD, CP, INC.

DRAWN K.A.R.	CHECKED J.L.O.	SCALE 1 = 400	DWG. NO. SP1
DATE NOV-19	ISSUED J.P.P.	QTY FILE No SPA-2020-0120	



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)** Takol CMCC Rutherford GP Inc. c/o Daniel Kolber
Address 2300 Yonge Street, Suite 712, P.O. Box 2310, Toronto, Ontario M4P 1E4

Phone # See Agent
Email daniel@takolrealestate.com

Fax # _____

2. **Name of Agent** Jennifer Ormiston
Address P.O. Box 319, Kleinburg, Ontario L0J 1C0

Phone # (905) 893 - 0046
Email jormiston@mainlineplanning.com

Fax # 888-370-9474

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

1) To permit 183 parking spaces whereas the By-law requires a minimum of 334 parking spaces. The parking reduction will support existing tenancies including 4 units occupied by 2 existing heavy truck repair shops and 2 new heavy truck repair businesses. A parking study is included that concludes 183 parking spaces are sufficient to accommodate the current tenancy including 3,933 sq m of GFA occupied by these heavy truck repair businesses.

2) To permit a 6m parking aisle whereas the Bylaw requires 6.6m.

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

The property was developed circa 1974. The parking lot cannot be expanded. The parking aisle is presently sufficient for 'one way' traffic; however, there is space for a 6.0 meter aisle without affecting further variances.

Please refer to the Planning Justification Report for additional information.

5. **Legal Description of the subject land:**

Lot Number Part of Lots 1 and 2

Plan Number/Concession Number Registered Plan 43R795 (Parts 9 to 16) Concession 2 EHS

Municipal Address 286 Rutherford Road South, Brampton, Ontario

6. **Dimension of subject land (in metric units)**

Frontage 129.13

Depth 174.14 (irregular)

Area 2.29605 ha

7. **Access to the subject land is by:**

Provincial Highway ☐
 Municipal Road Maintained All Year ☒
 Private Right-of-Way ☐

Seasonal Road ☐
 Other Public Road ☐
 Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

Current Parking Spaces: 183

Gross Floor Area/ Ground Floor Area: 11,867.6 square metres

Number of storeys: 1 Storey (+/- 6.0 metres)

Number of Units: 12

Building Coverage: 51.7%

Floor Space Index: 0.517

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 15.26 Metres

Rear yard setback 15.24 Metres

Side yard setback 19.93 Metres

Side yard setback 26.39 Metres

PROPOSED

Front yard setback

Rear yard setback

Side yard setback

Side yard setback

10. Date of Acquisition of subject land: January 2020
11. Existing uses of subject property: Employment - Warehouse and Motor Vehicle Repair
12. Proposed uses of subject property: As existing
13. Existing uses of abutting properties: Employment, including: Construction Company, Appliance Store, HVAC Contractor, Machine Shop, Truck Repair and Maintenance
14. Date of construction of all buildings & structures on subject land: Circa 1974
15. Length of time the existing uses of the subject property have been continued: Approximately 50 years

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

Municipal ☒
Well ☐

Other (specify) _____

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

Municipal ☒
Septic ☐

Other (specify) _____

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

Sewers ☒
Ditches ☐
Swales ☐

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☒ No ☐

If answer is yes, provide details: File # DPC-2020-0004 Status Under Review

18. Has a pre-consultation application been filed?


Yes ☒ No ☐ File # PRE-2019-0058

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>A15-166</u>	Decision <u>No Action Taken</u>	Relief <u>Parking Reduction</u>
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____


Signature of Applicant(s) or Authorized Agent

DATED AT THE City OF Brampton

THIS 11th DAY OF December, 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, Jennifer Orniston, OF THE Town OF Whitchurch-Stouffville

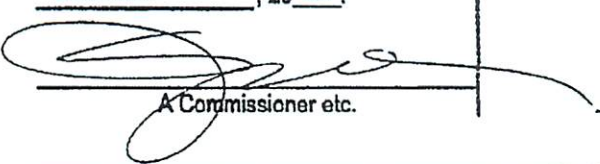
IN THE Region OF York SOLEMNLY DECLARE THAT:

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 11th DAY OF
December, 20 20


Signature of Applicant or Authorized Agent


A Commissioner etc.

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: 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.


Zoning Officer

Dec. 16, 2020
Date

DATE RECEIVED DECEMBER 15, 2020

TYPE A VAN ACCESSIBLE

BY PERMIT ONLY

Van Accessible

Maximum Fine \$5000
For Enforcement call: (905) 456-3424

(30 X 67.5 cm)

TYPE B

BY PERMIT ONLY

Maximum Fine \$5000
For Enforcement call: (905) 456-3424

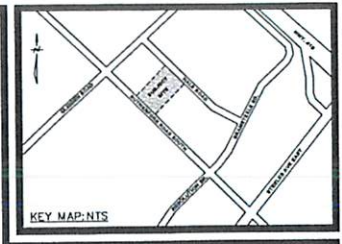
(30 X 60 cm)

DETAIL "A" ACCESSIBLE PARKING SIGNS NOT TO SCALE

DETAIL "B" TRAFFIC BY-LAW 93-93 ACCESSIBLE PAVEMENT MARKING NOT TO SCALE

GENERAL NOTE:
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TOTAL BUILDING ENVELOPE	= 11,867.6 sq.m. (51.7%)
TOTAL LANDSCAPED AREA	= 2,710.3 sq.m. (11.8%)
TOTAL ASPHALT AREA	= 8,382.6 sq.m. (36.5%)

TOTAL PROPOSED CONDO UNITS = 12

UNIT NUMBER	UNIT GEA
UNIT 1	989.0 sq.m.
UNIT 2	1,006.5 sq.m.
UNIT 3	1,000.2 sq.m.
UNIT 4	988.0 sq.m.
UNIT 5	988.0 sq.m.
UNIT 6	988.0 sq.m.
UNIT 7	988.0 sq.m.
UNIT 8	988.0 sq.m.
UNIT 9	988.0 sq.m.
UNIT 10	1,348.0 sq.m.
UNIT 11	1,087.3 sq.m.
UNIT 12	480.2 sq.m.

COMMON AREAS

ELECTRICAL ROOMS	48.4 sq.m.
------------------	------------

BUILDING HEIGHT = ±6.0 m (ONE STOREY)

GARAGE = STORED INDOORS

REQUIRED PARKING = 334 TOTAL (INC. 9 ACCESSIBLE SPACES)

PROVIDED PARKING = 183 TOTAL (INC. 7 ACC. SP. + 26 TANDEM SP.)

REQUIRED LOADING SPACE = 3

PROVIDED LOADING SPACE = 3

EXISTING ZONING = (M2) INDUSTRIAL TWO

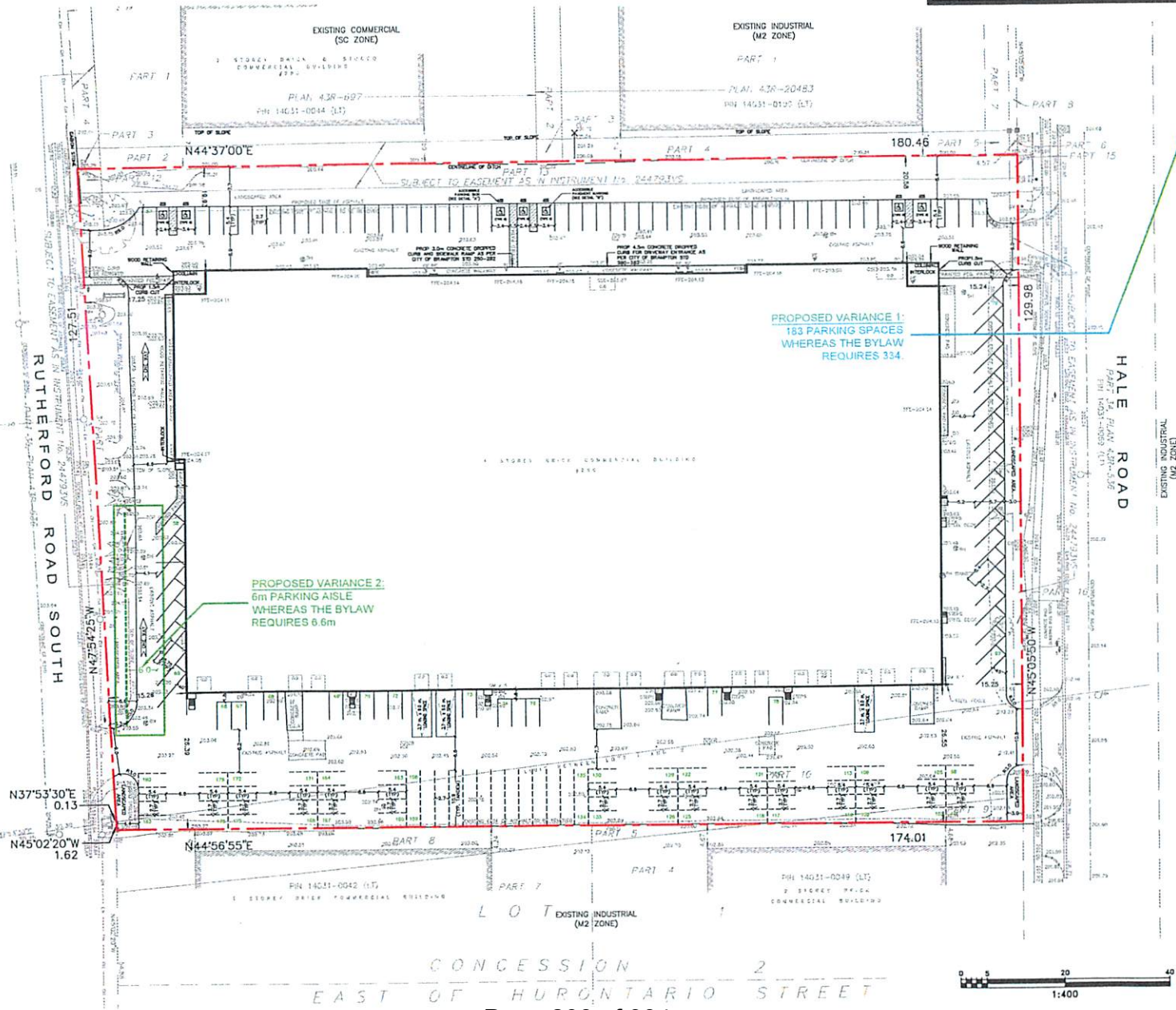
PROPOSED ZONING = (M2) INDUSTRIAL TWO

EXISTING USE OF LAND = INDUSTRIAL

PROPOSED USE OF LAND = INDUSTRIAL

ADJACENT USE OF LAND = SEE PLAN

- LEGEND:
- IB DENOTES IRON BAR
 - CP DENOTES CONCRETE PIN
 - APS DENOTES ACCESSIBLE PARKING SIGN (SEE DETAIL "A")
 - PE DENOTES PRIMARY UNIT ENTRANCE
 - CC DENOTES CUT CROSS
 - O.D DENOTES OVERHEAD DOOR
 - UP DENOTES UTILITY POLE
 - S DENOTES SIGN
 - GW DENOTES GUY WIRE
 - BP DENOTES BELL PEDESTAL
 - MH DENOTES MANHOLE
 - GM DENOTES GAS METER
 - WV DENOTES WATER VALVE
 - CV DENOTES CULVERT
 - FH DENOTES FIRE HYDRANT
 - GV DENOTES GAS VALVE
 - TTBR DENOTES EXISTING TREE TO BE REMOVED (SEE LANDSCAPE PLAN)
 - BH DENOTES BORE HOLE / MONITORING WELL
 - BO DENOTES BOLLARD
 - FTE DENOTES FINISHED FLOOR ELEVATION
 - GSE DENOTES GARAGE SLAB ELEVATION
 - CB DENOTES CATCH BASIN
 - OH DENOTES OVERHEAD UTILITY WIRES
 - X-X- DENOTES WIRE FENCE
 - ★ DENOTES CONIFEROUS TREE
 - DENOTES DECIDUOUS TREE
 - 118.4 DENOTES SPOT ELEVATION



LEGAL DESCRIPTION

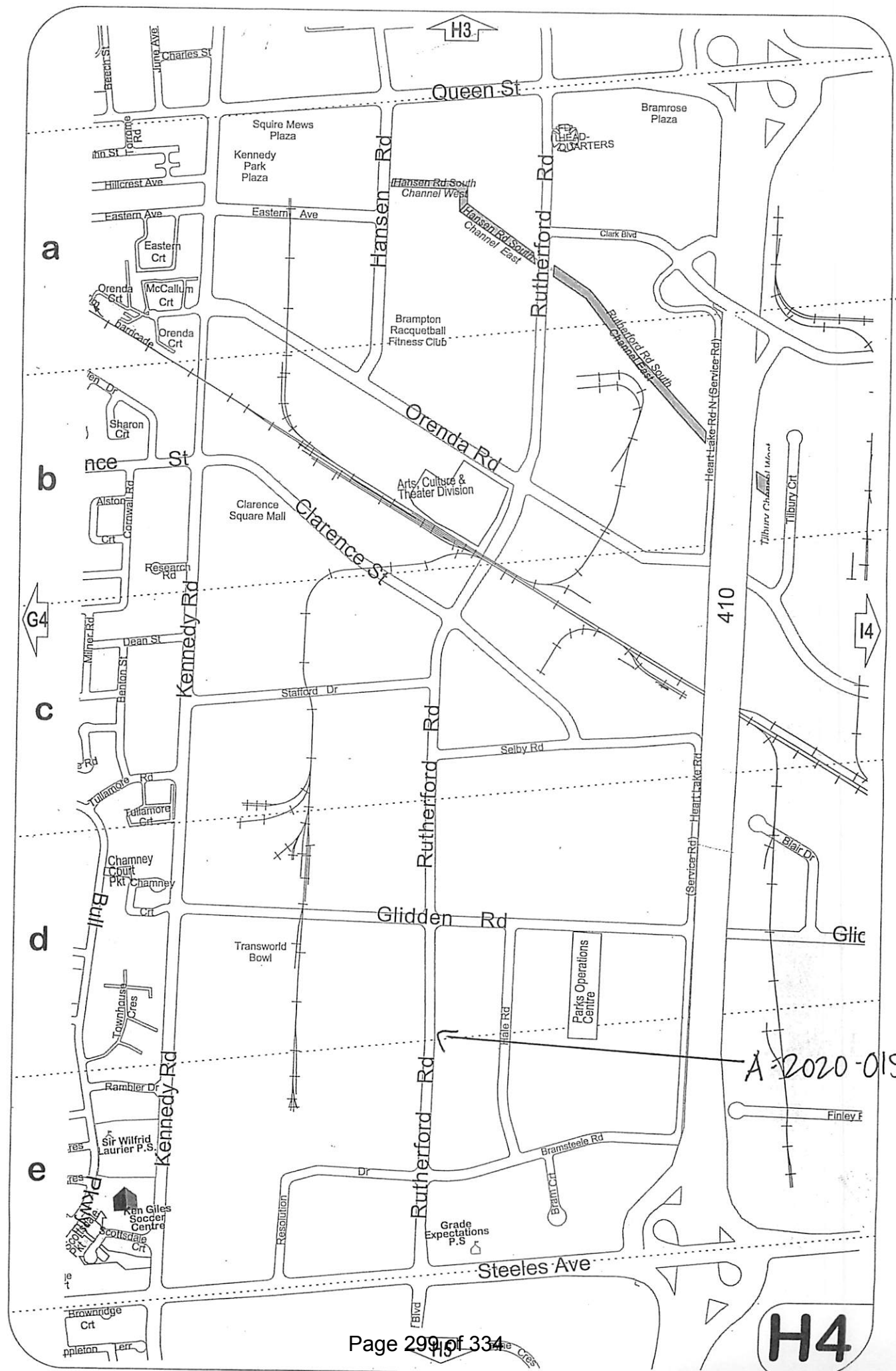
PLAN OF SURVEY OF PART OF LOTS 1 AND 2, CONCESSION 2 EAST OF HURONTARIO STREET (FORMERLY THE TOWNSHIP OF CHINGWAGOUS) CITY OF BRAMPTON REGIONAL MUNICIPALITY OF PEEL

NOTE: SURVEY INFORMATION PROVIDED BY RODNEY GUYER, ONTARIO LAND SURVEYOR INC. 180 PARSONS ROAD, UNIT 29 ALLSTON, ONTARIO L3R 9Y5

NO.	DATE	DESCRIPTION	BY
1	DEC-20	ISSUED FOR MUNICIPAL APPROVAL	J.L.O.
REVISIONS			

PH (905) 893-0046 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE			
APPLICATION FOR MINOR VARIANCE			
PROJECT			
286 RUTHERFORD ROAD SOUTH BRAMPTON			
DEVELOPER/OWNER			
TAKOL CMCC RUTHERFORD GP INC.			
DRAWN	CHECKED	SCALE	DWG. NO.
K.A.R.	J.L.O.	1 = 400	MV-1
DATE	ISSUED	CITY FILE NO.	
DEC-20	J.P.P.		



Filing Date: December 16, 2020

Hearing Date: January 26, 2021

File: A-2020-0159

**Owner/
Applicant:** **TAKOL CMCC RUTHERFORD GP INC**

Address: **286 RUTHERFORD ROAD SOUTH**

Ward: 3

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0159 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 requirement for parking for any combination of uses permitted in the "M2" zone, and any uses permitted by way of Minor Variance shall be calculated at the applicable parking rate in accordance with the Zoning By-law and shall not exceed 334 parking spaces;
 3. That the owner finalize site plan approval under City File SPA-2020-0120, execute a site plan agreement, and post any required financial securities and insurance 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:

Existing Zoning:

The property is zoned "Industrial (M2)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To provide 183 parking spaces on site whereas the by-law requires a minimum of 334 parking spaces.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated “Industrial” in the Official Plan and “General Employment 2” in the 410 and Steeles Secondary Plan (Area 5). The requested variance is not considered to have significant implications 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 “Industrial (M2)” according to By-law 270-2004, as amended. The property is currently undergoing a conversion to condominium tenure, and an associated Site Plan Application. The requested variance is intended to recognize the existing condition of the site given that no physical changes are proposed.

The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for all of the industrial/commercial units on the site. The applicant has submitted a Parking Justification Study which has been reviewed by Transportation Planning staff which demonstrated that the existing 183 parking spaces on site will be sufficient for the uses operating from each unit. Further, the subject property is currently subject to a Site Plan Application (SPA-2020-0120) whereby Traffic staff have had opportunity to review and approve the parking configuration for the site.

Staff recommend a condition of approval that the requirement for parking for any combination of uses permitted in the “M2” zone, and any uses permitted by way of Minor Variance shall be calculated at the applicable parking rate in accordance with the Zoning By-law and shall not exceed 334 parking spaces. This condition is intended to ensure that should the parking demand increase for the property based on a new or different use outside of what was presented within the scope of the Parking Study and this application, a new variance will be required.

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 subject property contains an existing industrial building that is currently undergoing a conversion to condominium tenure, and an associated Site Plan Application. The tenants of the building are proposed to include most of those that are existing, plus two

additional large truck repair facilities.

Through the Parking Analysis that was submitted in support of the application, it has been demonstrated that the existing parking on site, consisting of 183 parking spaces, will be sufficient to support the uses considered within the scope of this application. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2020-0120, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. This condition will ensure the site plan is finalized and any required improvements will be implemented.

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 183 parking spaces on site whereas the by-law requires a minimum of 334 parking spaces, is reflective of the existing condition of the site that has been configured in this way since its construction. It has been demonstrated through a submitted Parking Study that the existing parking on site will be sufficient to serve the uses contemplated within this application. 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

JAN 25 2021

CITY CLERK'S OFFICE

A-2020-0159

In the absence of the recommendations from City staff, it is difficult to present the owner of 270/278 Rutherford Road ("the Owner") objections to the proposed Minor Variance with greater specificity than those expressed in general terms as follows:

- With respect to the "Four Tests", the owner of the neighboring properties at 270/278 Rutherford Road does not believe that the result of the proposed variance will result in the appropriate development or use of the land. More particularly he is of the opinion that the resulting parking of large trucks will adversely affect the appearance of the property and negatively impact the desirability and value of neighboring properties.
- The proponent states that he anticipates two new businesses will "bring jobs to Brampton." How many jobs does the proponent expect the variance would produce? Is there any reasonable expectation that the more jobs would be created by the proposed use than would be created by the business or businesses located in the same premises that comply with the existing permitted fully complying uses, regulations, and guidelines?

The Owner believes that if a number of the number of heavy truck repair shop doubles, as proposed there may be a domino effect resulting in many more heavy truck repair businesses wishing to locate on the property.

- The by-law standard as noted allows for a 6.6 meter, 2-way traffic driveway; the proponent seeks to reduce this requirement by 10 %. Is 10% in fact minor?

-The proponent states that;" the proposed variance is desirable to the surrounding industrial community..."

The Owner asserts that it is not in fact desirable to him as a neighbouring landowner or his neighbours as it may (as stated above) lead to an undesirable concentration of heavy truck repair businesses and will not provide the diversity of employment as is the general intent and desirability of appropriate development.

-Furthermore, the proponent states that the proposed variance is expected to attract traffic into the area. The roads that intersect close to the subject property are very busy and it is submitted that an increase in traffic will make entrance and exit existing businesses more difficult and more dangerous.

-The proposal put forward by the Applicant would increase parking spaces by 151 from 183 to 334. This is an 82% increase and it is submitted that an increase by this factor cannot be reasonably considered to be "minor"

We thank you for giving consideration to the foregoing and upon viewing the Staff Recommendations we may have further submissions.

Regards,
Nikki Yeandle for
Correct Group



Committee of Adjustment

APPLICATION FOR MINOR VARIANCE

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

1. To permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law whereas the by-law does not permit an exterior stairway constructed below the established grade between the main wall of the dwelling and a flankage lot line or within the required exterior side yard.

File Number: _____
File Number: _____

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.**

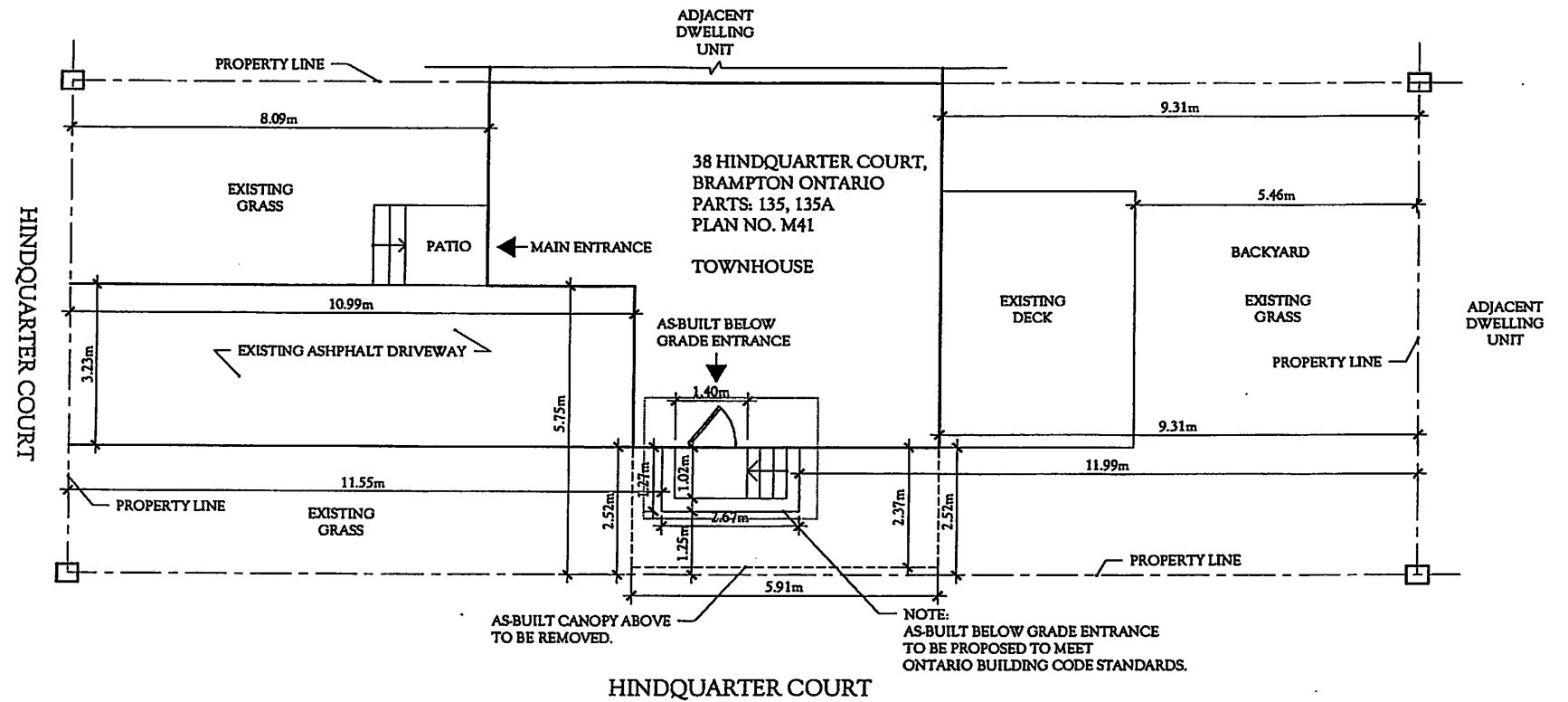
IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should 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

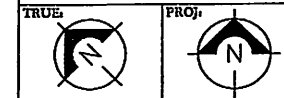
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

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



1 SITE PLAN
A101/SCALE 1:100

NOTES:



PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

SITE PLAN

SCALE:

1:100

DATE:

2021/01/12

DESIGNED BY:

SINGH D.
MARTINS R.

REVISION:

0

PROJECT NO.

-

SHEET NO.

A-101

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 Committees 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:

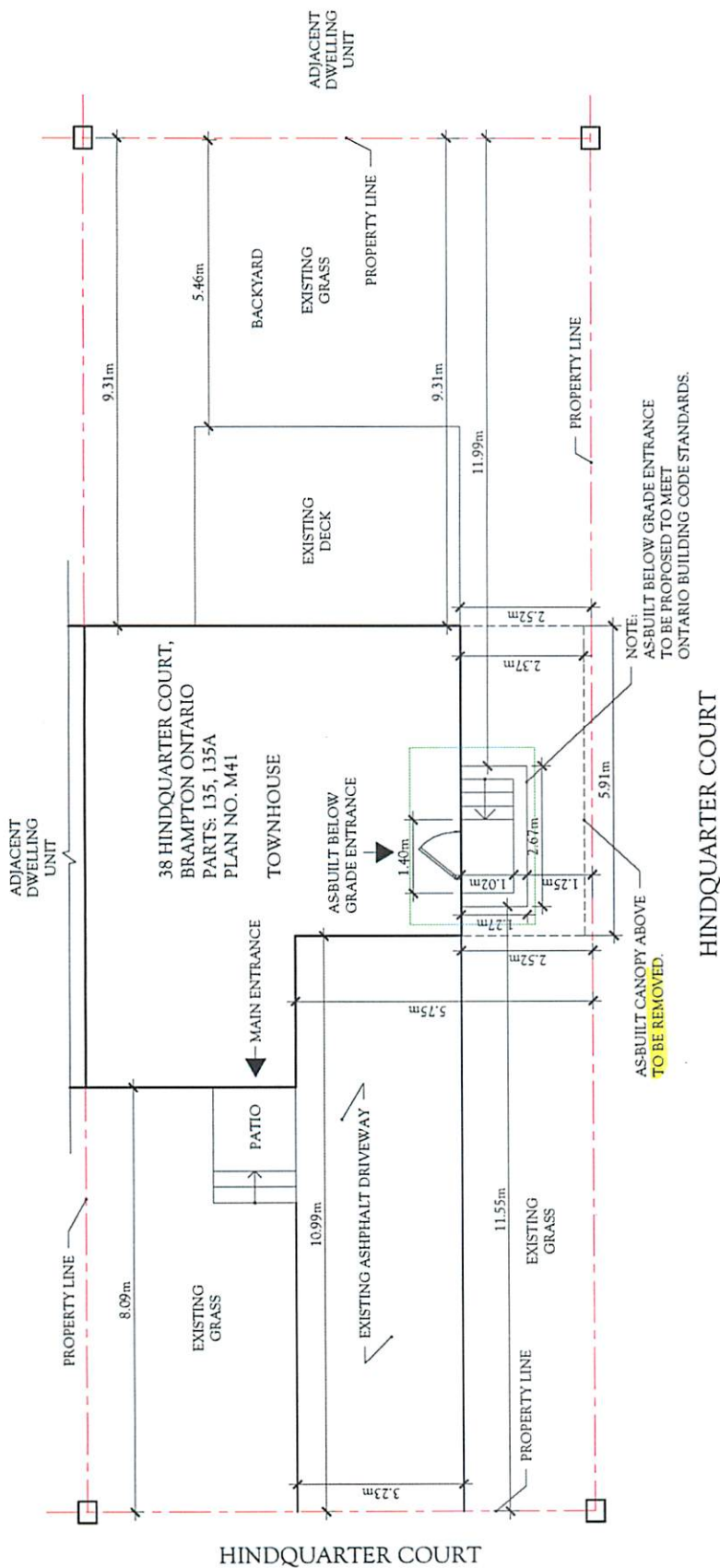
- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, January 21, 2021.**
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm, Friday, January 22, 2021.**
 - 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 **Friday, January 22, 2021.** 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.

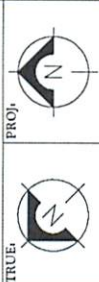
NOTES:

NOTE: NO A/C UNIT
LOCATED ON THE
PROPERTY



1 SITE PLAN
A.101/ SCALE 1:100

REVISED



RDA Designs
647.574.0270 / 647.518.3776
www.rdashdesigns.com
rdash.design@gmail.com

PROJECT TITLE:	38 HINDQUARTER COURT
DRAWING TITLE:	SITE PLAN
SCALE:	1:100
DATE:	2021/01/12
DESIGNED BY:	SINGH D. MARTINS R.
REVISION:	0
PROJECT NO.	-
SHEET NO.	A-101

Gurjeet Kaur
38 Hindquarter Court
Brampton, ON L6S 2C2

December 8th, 2020

Committee Of Adjustments
City Of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

A-2020-0160

**RE: Minor Variance Application for Side Entrance at 38 Hindquarter Court,
Brampton**

Dear Committee Members,

I am applying for a minor variance application at 38 Hindquarter Court, Brampton regarding an as-built below grade entrance on the side of a corner end-townhouse lot. We have attached all drawings and paperwork for our submission.

The reason we are having to apply is that according to current zoning by-law, when it comes to a corner lot, a below grade side entrance shall not be located between the main wall of a dwelling and a front of flankage lot line. However, when it comes to above grade side entrance, the side entrance is permit if a minimum distance of 1.2 metres to an interior side lot line is maintained. Also, Any steps or landings for such a door shall have a minimum distance 0.9 metres to an interior side lot line.

The said application is for requesting Minor Variance to an existing side entrance constructed by one of previous owners before 2012. The reason I am requesting a Minor Variance is because I feel that the side entrance is very safe and follows all other by-laws of the city except the one said above. The basis of my reasoning is as below:

1. The distance from the dwelling wall to lot line is >2.5 Meters (As opposed to 1.6 required for other dwellings)
2. The distance from the end of side stairs to the lot line is >1.2 Meters (As opposed to 0.9 Meters required)
3. Distance between property line and road is > 5 meters (16 feet) covered with grass and with no sidewalk. This provide ample space for escape in emergencies.
4. The below grade entrance is only 4 steps down and not a complete dug out entrance.
5. There is un-obstructed escape on all sides
6. The side road ends on a court with no regular traffic apart of the few houses of the court.

Please take a look at our application and let us know how to best move forward. Thank you for all your time and consideration on our proposal.

Sincerely,

Gurjeet Kour

Flower City



brampton.ca

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

FILE NUMBER: A-2020-0160

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)** Gurjeet Kour
Address 54 Parkside Drive, Brampton Ontario L6Y 2G9

Phone # 647-624-2943 **Fax #** _____
Email haramolsingh@gmail.com
2. **Name of Agent** Har Amol Singh
Address 54 Parkside Drive, Brampton Ontario L6Y 2G9

Phone # 647-624-2643 **Fax #** _____
Email haramolsingh@gmail.com
3. **Nature and extent of relief applied for (variances requested):**

Proposed Below Grade Entrance On Side Yard Facing A Street For A Corner House.
4. **Why is it not possible to comply with the provisions of the by-law?**

Because according to zoning by-law when it comes to a corner lot, a below grade is not actually permitted in any area between a main wall and a flankage lot line, meaning you cannot construct a below grade in the exterior side yard (between main wall and lot line abutting street).
5. **Legal Description of the subject land:**
Lot Number Part 135, 135A
Plan Number/Concession Number M41
Municipal Address 38 Hindquarter Court, Brampton Ontario L6S 2C2
6. **Dimension of subject land (in metric units)**
Frontage 9.63m
Depth 27.16m
Area 251.92m2
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 Dwelling Unit (Corner End-Unit Townhouse). 105 sqm. total gross floor area.

PROPOSED BUILDINGS/STRUCTURES on the subject land:
Below Grade Entrance On Side Yard.

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	8.09m
Rear yard setback	9.31m
Side yard setback	2.62m
Side yard setback	

PROPOSED

Front yard setback	11.55m
Rear yard setback	11.99m
Side yard setback	1.25m
Side yard setback	

10. Date of Acquisition of subject land: April 30th 2019
11. Existing uses of subject property: Single Unit Dwelling
12. Proposed uses of subject property: Single Unit Dwelling
13. Existing uses of abutting properties: Single Unit Dwelling
14. Date of construction of all buildings & structures on subject land: Before 2012 (Previous Owner)
15. Length of time the existing uses of the subject property have been continued: 8 Years Or More
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 _____

Gurjeet Kaur
Signature of Applicant(s) or Authorized Agent

DATED AT THE _____ City _____ OF _____ Brampton _____
THIS 12 DAY OF December, 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, Han Anmol Walia, 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 16th DAY OF
December, 2020
Jeanie Myers
A Commissioner etc.

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

Gurjeet Kaur
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: R3A(4)-128 and MN

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

December 18, 2020
Date

DATE RECEIVED December 16, 2020
Date Application Deemed Complete by the Municipality December 18, 2020

Revised 2020/01/07

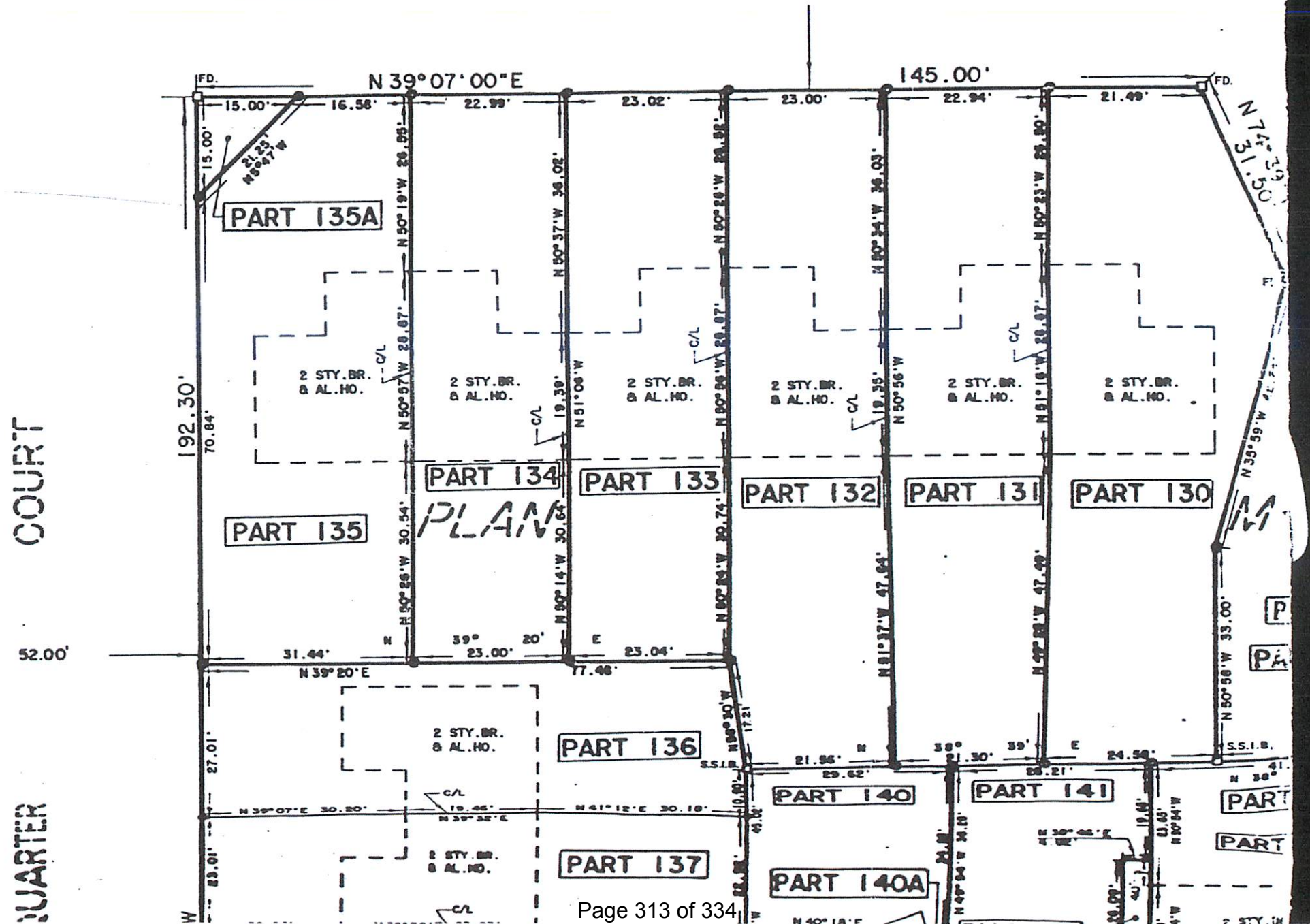
MINOR VARIANCE APPLICATION FOR BELOW GRADE ENTRANCE
38 HINDQUARTER COURT, BRAMPTON, ONTARIO

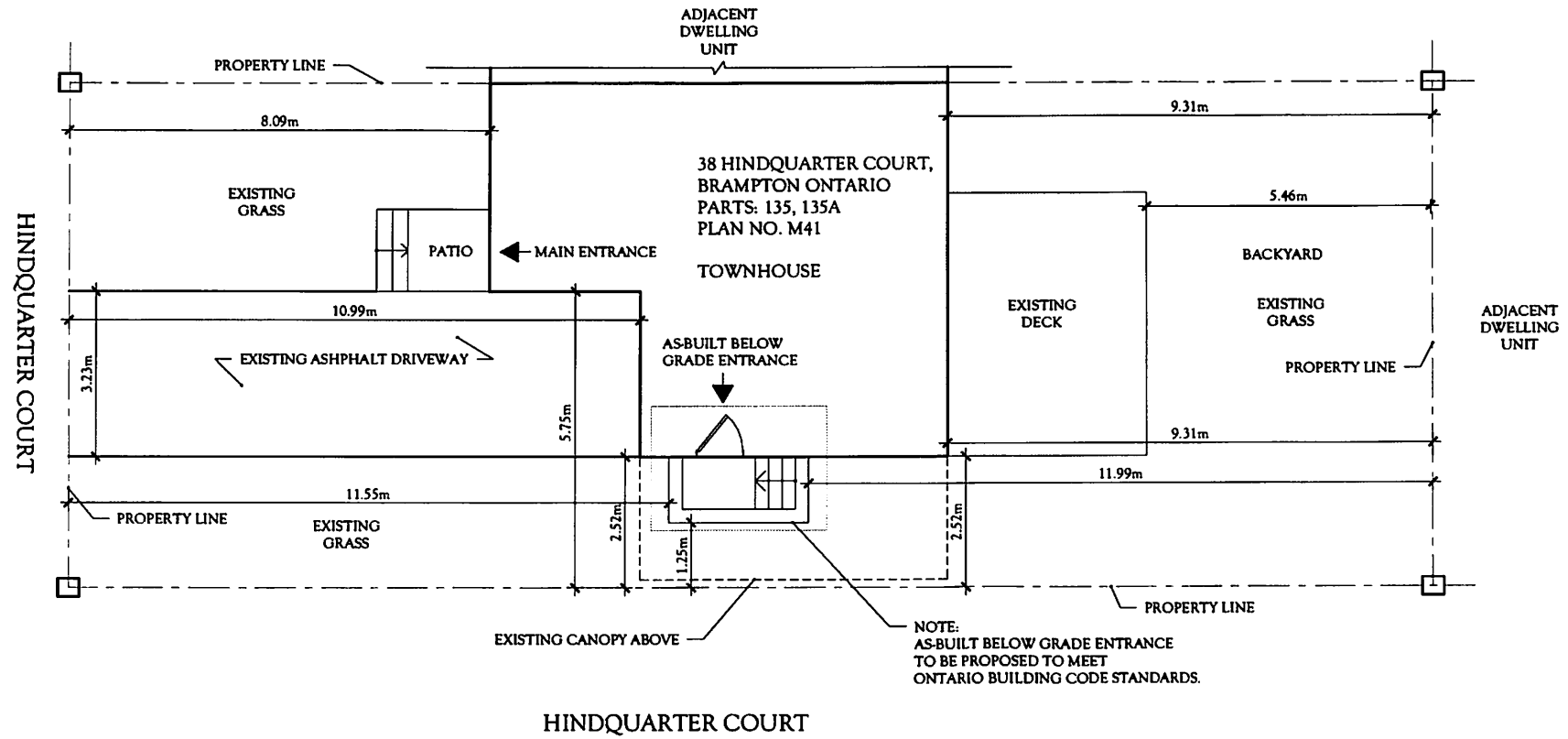
DRAWING LIST:

SURVEY


A101 - SITE PLAN

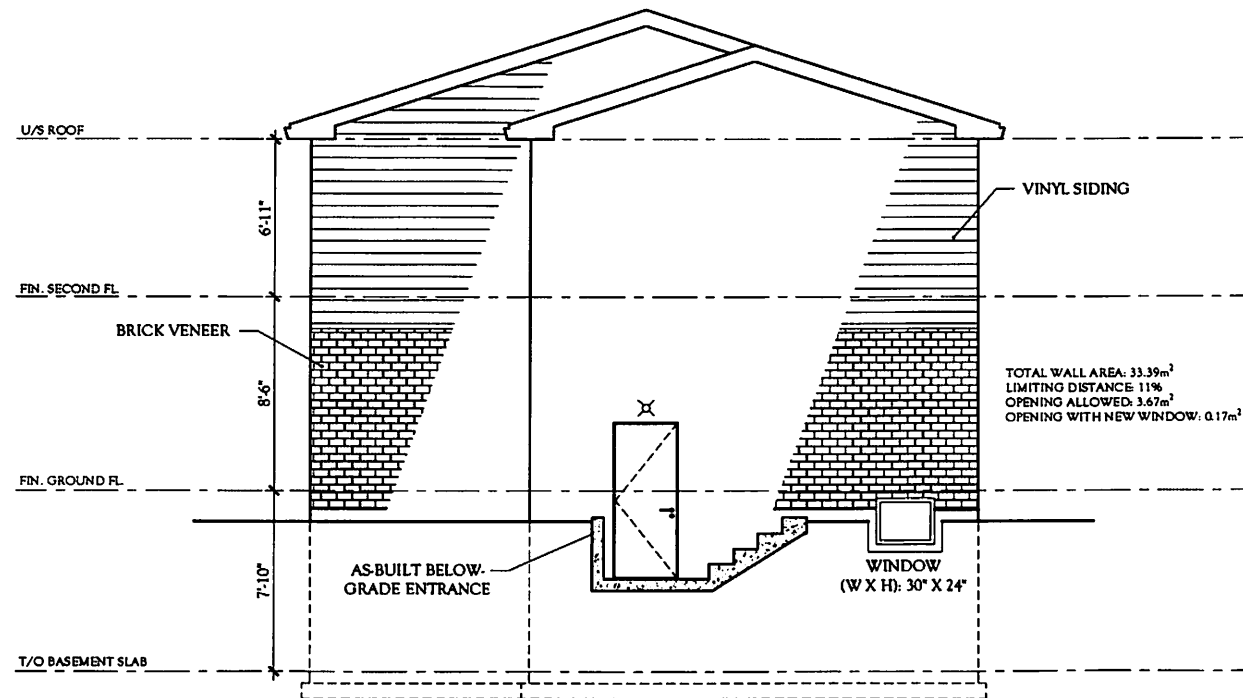
A201 - RIGHT ELEVATION





1 SITE PLAN
A101 SCALE 1:100

NOTES:	
TRUE	PROJ.
 RDA Designs 647-574-0220 / 647-518-3376 www.rdashdesigns.com rdarch.designs@gmail.com	
PROJECT TITLE:	
38 HINDQUARTER COURT	
DRAWING TITLE:	
SITE PLAN	
SCALE:	DATE:
1:100	2020/12/06
DESIGNED BY:	REVISION:
SINGH D. MARTINS R.	0
PROJECT NO.	SHEET NO.
-	A-101



1
A201 SCALE 1:75
FLANKAGE ELEVATION

NOTES:



PROJECT TITLE:

38 HINDQUARTER COURT

DRAWING TITLE:

FLANKAGE ELEVATION

SCALE:

1:75

DATE:

10/20/12/06

DESIGNED BY:

SINGH D.
MARTINS R.

REVISION:

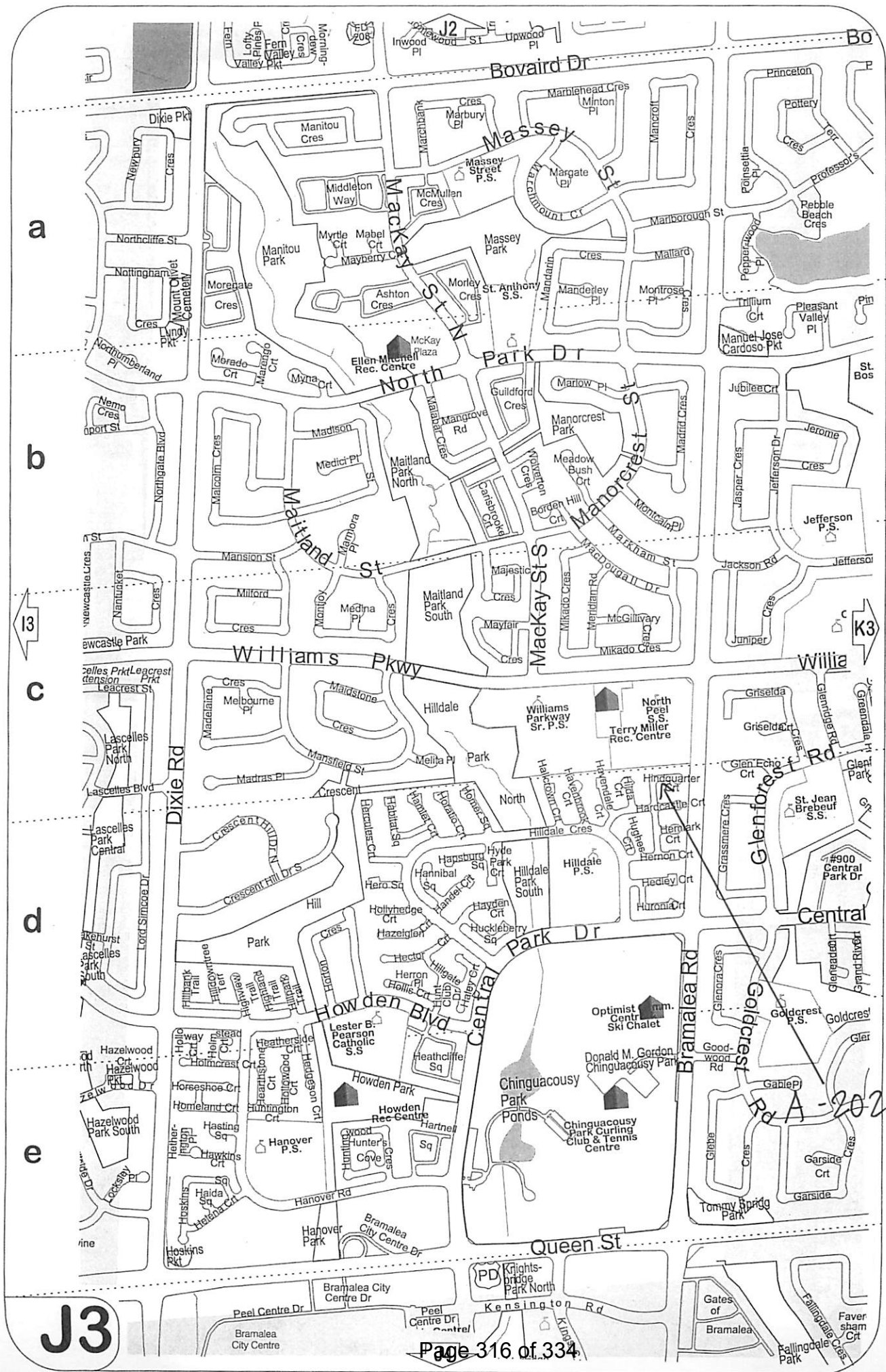
0

PROJECT NO.

-

SHEET NO.

A-201



Filing Date: December 17, 2020
Hearing Date: January 26, 2021
File: A-2020-0160
**Owner/
Applicant:** **GURJEET KOUR**
Address: **38 HINDQUARTER COURT**
Ward: 7
Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0160 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 obtain a building permit 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;
 3. That the below grade entrance shall not be used to access an unregistered second unit;
 4. That the fence remain constructed in its current location and height and shall not be removed or lowered;
 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 Townhouse A(4) – Special Section 128 (R3A(4)-128)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an exterior stairway constructed below established grade between the main wall of a dwelling and a flankage lot line and within the required exterior side yard as shown on Schedule C – Section 128 of the by-law whereas the by-law does not permit an exterior stairway constructed below the established grade between the main wall of the dwelling and a flankage lot line or within the required exterior side yard.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Medium Density Residential” in the Bramalea Secondary Plan (Area 3). The requested variance is not considered to have significant implications within the context of the policies 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 Townhouse A(4) – Special Section 128 (R3A(4)-128)” according to By-law 270-2004, as amended.

The intent of the by-law in prohibiting below grade entrances between a main wall of the dwelling and the flankage lot line is to ensure that the appearance of the below grade entrance does not negatively impact the overall streetscape.

In the case of the subject property, the location of the below grade entrance is behind an existing fence which helps to mitigate the visual impacts of the entrance. A condition of approval is recommended that the fence remain constructed in its current location and height and shall not be removed or lowered to ensure this screening remains.

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 relates to an existing below grade entrance in the exterior side yard of the property whereas the by-law does not permit a below grade entrance to be located there. The location of the entrance does not inhibit access to the rear yard, and it is located behind a fence which provides screening for the entrance from the street. A condition of approval is recommended that the applicant obtain a building permit for the entrance within 60 days of the final date of the Committee’s decision that the entrance not be used to access an unregistered second unit to ensure that the entrance and any second unit is constructed in accordance 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 in the exterior side yard is not anticipated to negatively impact the visual quality of the streetscape as it is located behind a fence. Further, the stairs leading to the entrance are setback from the lot line enough to provide sufficient 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



APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **MOUNT PLEASANT ISLAMIC CENTRE** 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 Block 33 Plan 43M-1912, municipally known as **160 SALVATION ROAD**, Brampton;

AND WHEREAS the applicants are requesting the following variances associated with a building addition:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

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	File Number: _____
Application for Consent: _____	NO	File Number: _____

The Committee of Adjustment has appointed **TUESDAY, January 26, 2021 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 14th day of January, 2021.

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

DO NOT SCALE THESE DRAWINGS.

1	2020.12.14	ISSUED FOR CoFA
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MPIC

SITE PLAN

*A1.1



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 Committees 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, January 21, 2021.**
- 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, January 22, 2021.**
 - 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 **Friday, January 22, 2021.** 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

January 13, 2021

To: Committee of Adjustment

**RE: APPLICATION FOR MINOR VARIANCE
MOUNT PLEASANT ISLAMIC CENTRE
PART OF BLOCK 33, PLAN 43M-1912
A-2020-0161 – 160 SALVATION ROAD
WARD 6**

Please **amend** application **A-2020-0161** to reflect the following:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.



Applicant/Authorized Agent



Masri O Architects

609 Kumpf Drive, Suite 101, Waterloo, ON N2V 1K8 | 519-579-0072 | masriinfo@masrio.ca | www.masrio.ca

November 24, 2020

RECEIVED

DEC 16 2020

CITY CLERK'S OFFICE

Committee of Adjustment
City of Brampton
C/o The City Clerk's Office, 1st Floor
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
Attention: Jeanie Myers

A-2020-0161

Re: 160 Salvation Road – Mount Pleasant Islamic Centre – Minor Variance Application

Dear Members of the Committee of Adjustment,

This letter has been prepared to provide details and support regarding the application for minor variance to the Committee of Adjustment of the City of Brampton to allow for a small addition to the ongoing construction and renovation of the property at 160 Salvation Rd.

This project is an addition to a heritage listed building in Brampton. The original building was built as a church in the late 1800s and has since changed denominations. It was bought by Mount Pleasant Community Centre as a worship space for the Islamic community in Brampton.

The building is nestled among residential homes and at the foot of go-transit parking. The addition is intentionally modern in character to juxtapose the traditional style of the existing church while borrowing some of the materials and design lines, rather than compete with it.

The existing building GFS is 389m² and the addition currently is 813m². The addition is under construction and has undergone the SPA, Heritage approvals and Building Permit process.

Zoning By-Law Regulations

The expansion that is currently underway is intended to better serve the growing Muslim community in the neighbourhood: the proposed additions will provide much needed additional space for community functions, to serve the youth and children, and allow this facility to serve its congregation more wholesomely by covering a range of social activities.

The existing building and the addition that is underway meets the setback requirements under the Zoning By-Law regulations:

- . Front Setback: 3.2m
- . Exterior Sideyard Setback: 3.0m
- . Interior Sideyard setback: 33.7
- . Rear Setback: 3.0



At this time the owner would like to add a small addition to what has been originally envisioned and approved under Site Plan Approval to the rear of the building.

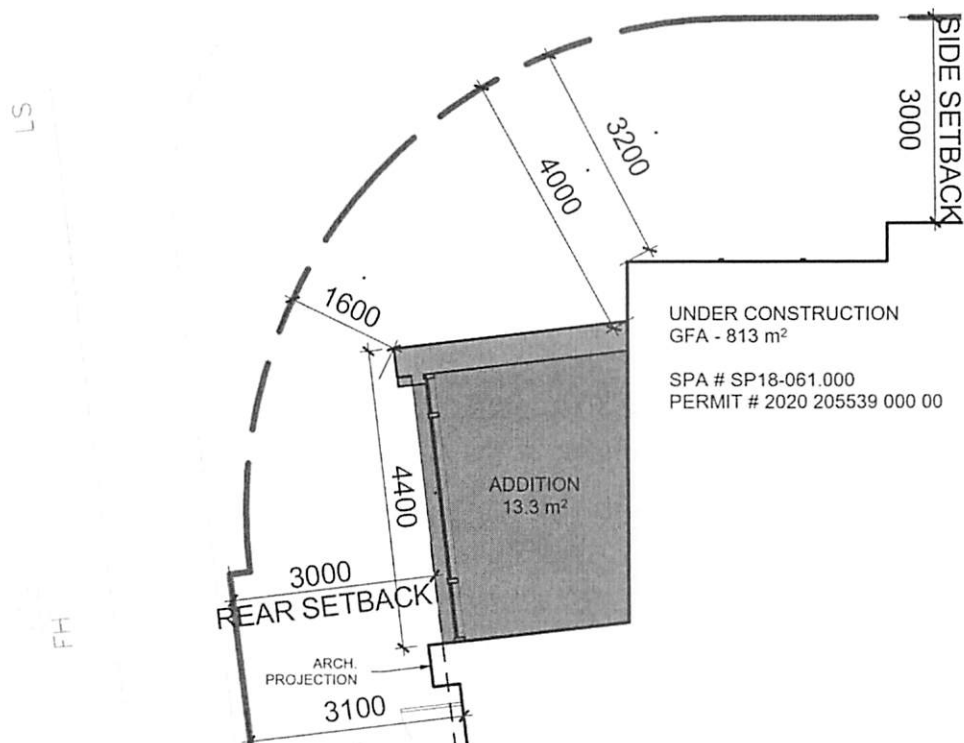
A new need has arisen that necessitates this request. The addition will house the Imam's (Islamic Clergy) Office. This location is in closer proximity to the Muslim congregation as they use the re-developed building in its new form. The proposed location is at the ground floor and at the rear entrance of the building allowing access to the Imam from both inside the building and from the exterior.

An Imam, similar to a Pastor or a Minister, provides advice and direction to his congregation in relation to religious matters and counselling on family matters in addition to leading of the prayer and Friday sermon. A private office provides for confidentiality and a prominent location allows accessibility which are both essential in discharging his services to the congregation.

Currently, the Imam office is at the basement level of the existing building. This space aside from not meeting the above criteria, is being taken over by service type spaces which do not go along well with an office being adjacent.

As the architect for this project, we have looked at other options to locate the imam's office within the original addition. The second floor poses same challenges as the basement floor being remote and not easily accessible. The ground floor Library space does not lend itself well to being subdivided and there is no space close to the main entrance. The best alternative to proximity to the front entrance is the rear entrance, and we were able to fit a small space at this corner for this office to serve its function, even if it meant a small encroachment to the rear setback.

As can be seen from the sketch below the proposed space tucks well into an unused corner, mostly within the setback. At the corner of the office the proposed setback is 1.6m at a single point and it increases from thereon to well within the 3.0m setback requirement.





The architectural treatment of this small addition is proposed to fit well within the approved design of the façade. We will use same materials of architectural a masonry and brick as the on-going addition. The large windows will allow transparency and good connection to the street.

The gas meter will need to be shifted as a result of this addition, but will be screened using landscaping.

To allow the functionally required Imam's Office, the Owner is specifically requesting relief from:

I1-2343 of the Zoning bylaw to allow for a minimum rear yard depth reduction from 3.0m to 1.6m.

Conclusions

In conclusion, we are of the opinion that the proposed variance meets the four tests for a minor variance. We recommend that the Committee approve the variances for the following reasons:

- . The variance requested is minor in nature as and largely due to circular shape of the lot at this corner. Furthermore, there is no tangible adverse impact on neighbouring properties since this takes place at an exterior sideyard & rear yard both facing a street.
- . The proposed small addition has no effect on the original building with heritage designation and it meld seamlessly with the approved addition.
- . The variances meet the general intent and purpose of the ZB & OP as generally the street facing setbacks are reduced to bring the building closer to the streets. The proposed addition poses minimal intrusion into the setback at less than 5% of the rear façade.

Regards,

Reema Masri, Architect
B.Sc. Arch. Eng., OAA, MRAIC
Masri O Inc. Architects

Attachments: Minor Variance Application Form and Supporting Documents

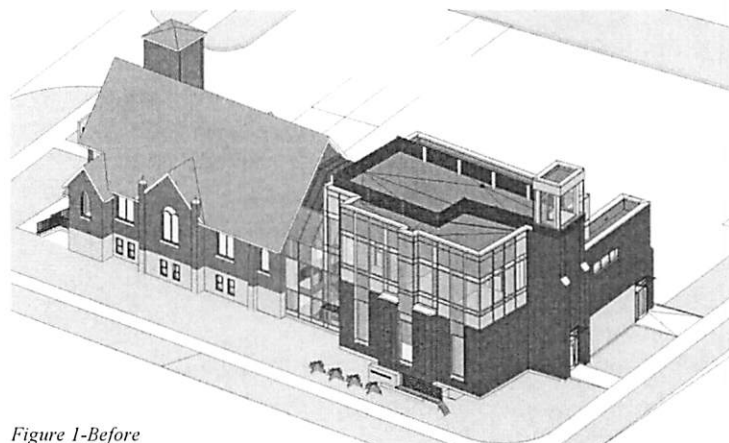


Figure 1-Before

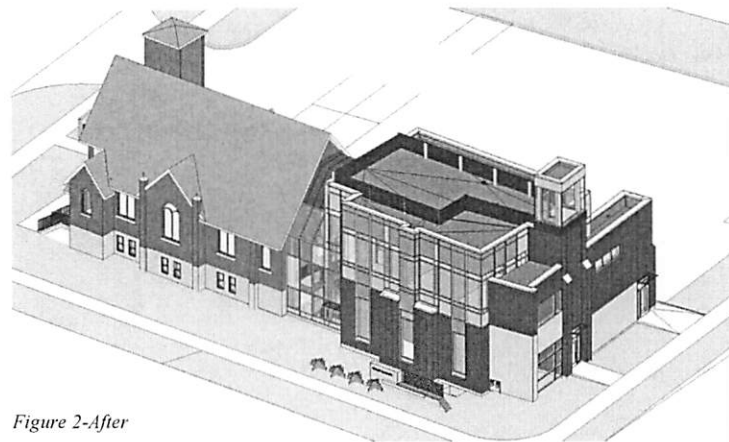


Figure 2-After



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

FILE NUMBER: A-2020-0161

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)** Mount Pleasant Islamic Centre
Address 160 Salvation Road
Brampton, ON L7A 0R2

Phone # (416) 820-7031 **Fax #** _____
Email sherifragheb@gmail.com

2. **Name of Agent** Masri O Inc. Architects
Address 609 Kumpf Drive, Suite 101
Waterloo, ON N2V 1K8

Phone # 519-579-0072 **Fax #** _____
Email rmasri@masrio.ca

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

Allow a 1.7m rear setback whereas 3.0m rear setback is required.

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

The addition will house the Imam's (Clergy) Office. This location is close to the Muslim congregation as they use the re-developed building in its new form. The proposed location is at the ground floor and at the rear entrance of the building allowing access to the Imam from both inside the building and from the exterior - the need for this space has arisen recently and cannot be accommodated elsewhere.

5. **Legal Description of the subject land:**

Lot Number 11
Plan Number/Concession Number Plan of Block 33 Registered Plan 43M-1912
Municipal Address 160 Salvation Road, Brampton, ON

6. **Dimension of subject land (in metric units)**

Frontage 51.2m
Depth 50.5m
Area 2587.0 m²

7. **Access to the subject land is by:**

Provincial Highway ☐
Municipal Road Maintained All Year ☒
Private Right-of-Way ☐

Seasonal Road ☐
Other Public Road ☐
Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

Existing Building: GFA = 389.0m ²	Under Construction: GFA = 813.0m ²
Basement = 195.0m ²	Basement = 301.0m ²
1st Floor = 195.0m ²	1st Floor = 301.0m ²
	2nd Floor = 211.0m ²

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed Addition: GFA = 26.6m²
1st Floor = 13.3m²
2nd Floor = 13.3m²

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	3.2m
Rear yard setback	3.1m
Side yard setback	3.0m
Side yard setback	33.7m

PROPOSED

Front yard setback	3.2m
Rear yard setback	1.6m
Side yard setback	3.0m
Side yard setback	33.7m

10. Date of Acquisition of subject land: 2015
11. Existing uses of subject property: Institutional worship
12. Proposed uses of subject property: Institutional worship
13. Existing uses of abutting properties: Residential / Parking
14. Date of construction of all buildings & structures on subject land: ~1860 / 2020
15. Length of time the existing uses of the subject property have been continued: 100 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 24th DAY OF November, 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, Sherif Ragheb, 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 Mississauga
IN THE Province OF Ontario
THIS 24th DAY OF November, 2020

A Commissioner etc.

Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

11 - 2343

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

HOTHU S.

Zoning Officer

DEC 17 2020

Date

DATE RECEIVED December 16, 2020

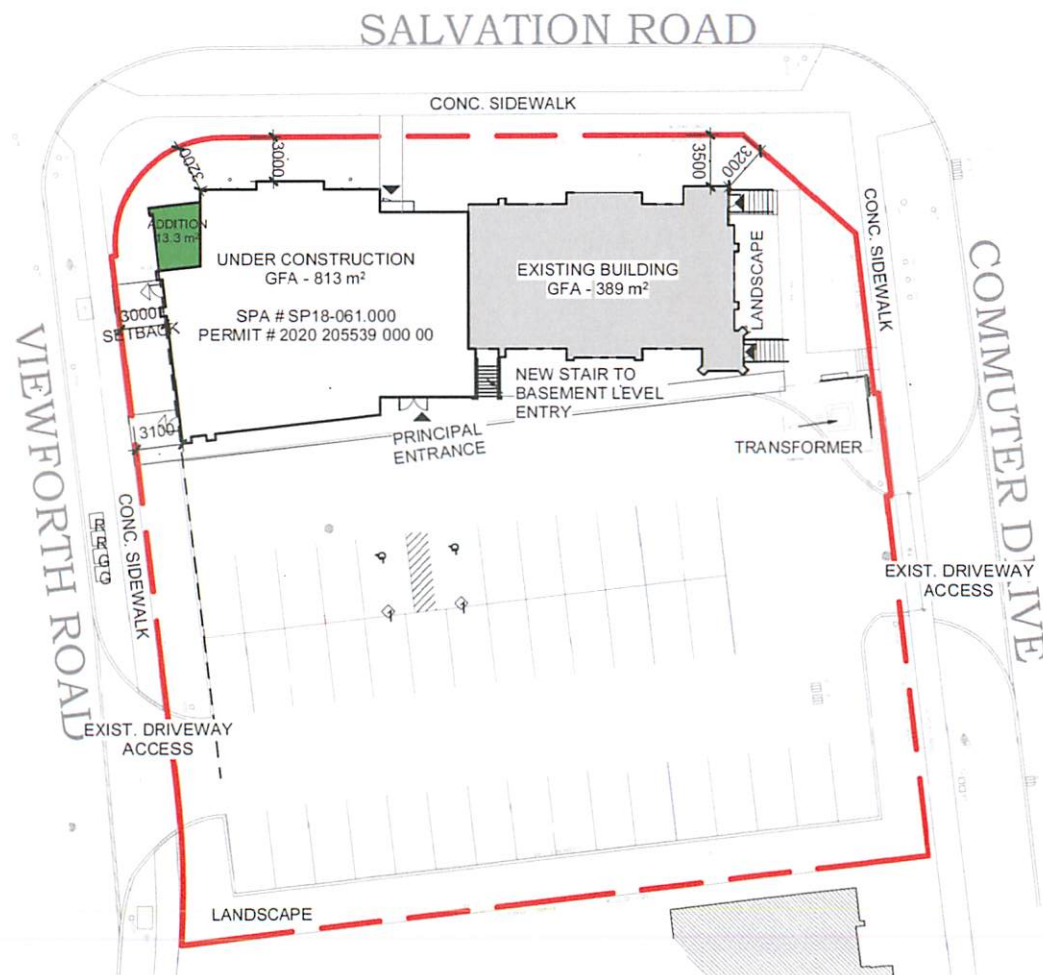
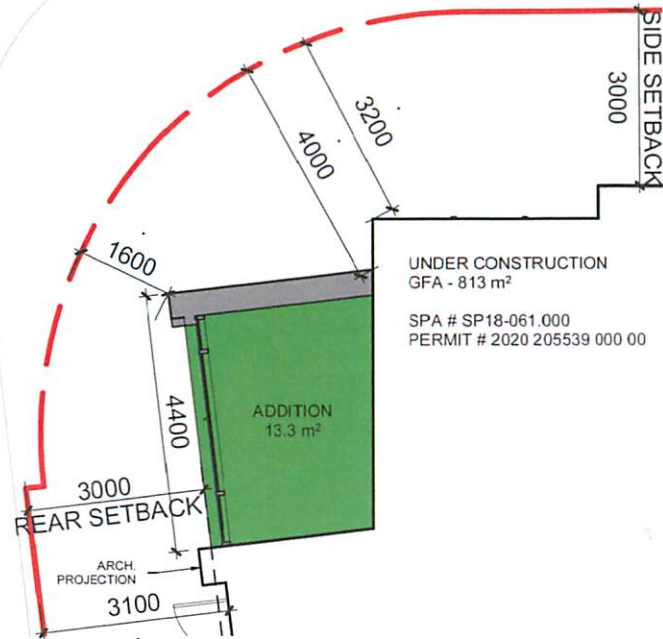
Date Application Deemed Complete by the Municipality December 17, 2020

Revised 2020 01/07

Wahed Mirza
BARRISTER - SOLICITOR - NOTARY
165 Matheson Blvd, E. Suite 5A, Mississauga, ON L4Z 3K2
Tel: (416) 222-9402 & (416) 824-3967 Fax: (416) 908-0864

NOV 29 2020

2 SITE PLAN ENLARGED
SCALE: 1:100



1 SITE PLAN
SCALE: 1:400
Page 330 of 334

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

THESE DOCUMENTS ARE COPYRIGHTED INSTRUMENTS OF SERVICE AND PROPERTY OF THE ARCHITECT.

ANY ALTERATION, DUPLICATION OR COPYING WITHOUT THE CONSENT OF THE ARCHITECT IS PROHIBITED.

DO NOT SCALE THESE DRAWINGS.

REVISIONS:		
NO.	DATE	ISSUED
1	2020.12.14	ISSUED FOR Cc/A

MASRI O Inc. ARCHITECTS
101-609 KUMPF DRIVE
WATERLOO, ON. N2V 1K8
PH. 519.579.0072
www.MasriO.ca

PROJECT:

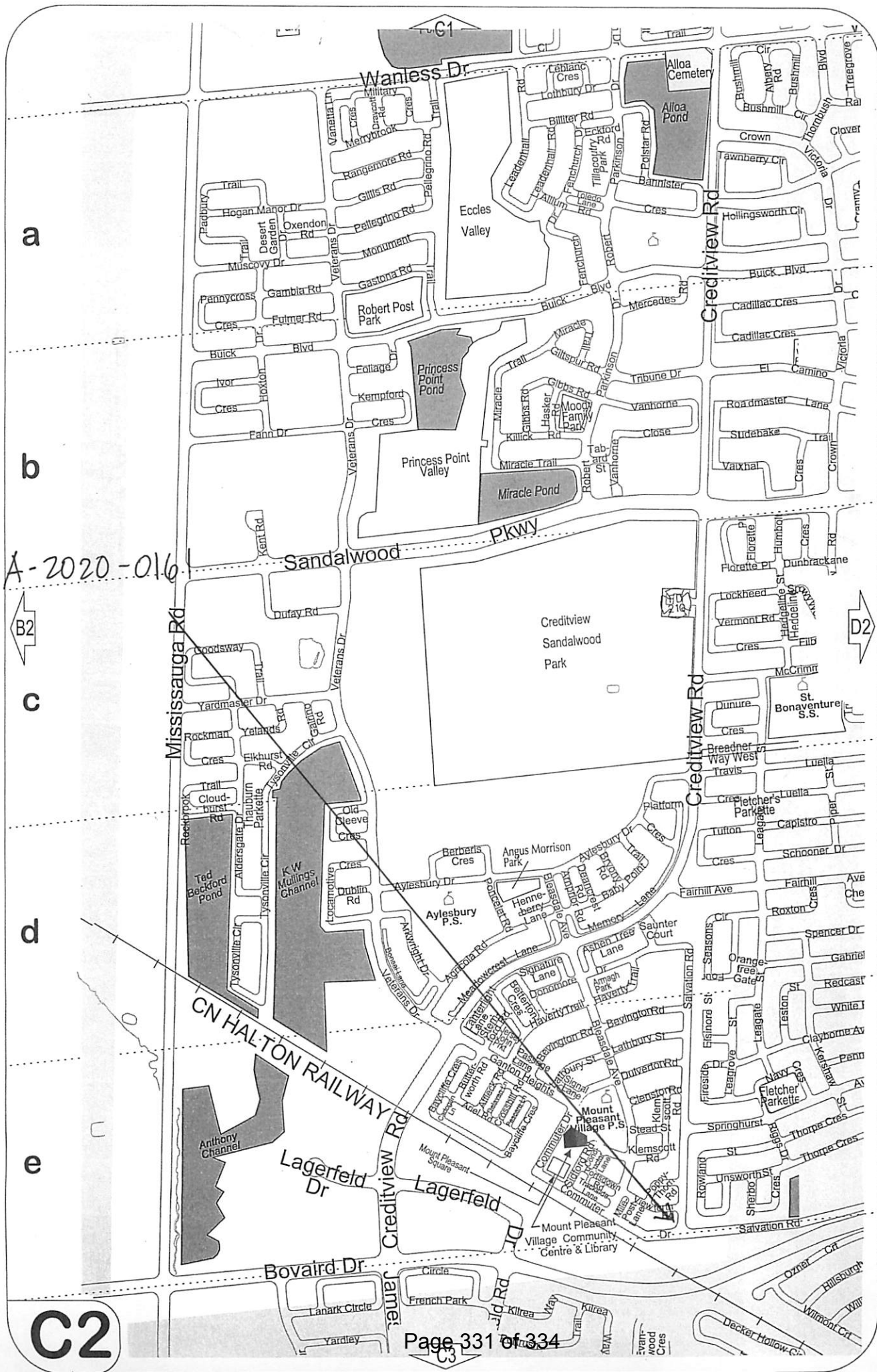
MOUNT PLEASANT ISLAMIC CENTRE
ADDITION & RENOVATION

MPIC

DRAWING TITLE:

SITE PLAN

DATE	2020.06.17	DRAWING NO.:	*A1.1
SCALE	As indicated		
DRAWN	AG		
STATUS	CONSTRUCTION		
JOB No.	1910		



Filing Date: December 17, 2020

Hearing Date: January 26, 2021

File: A-2020-0161

**Owner/
Applicant:** **MOUNT PLEASANT ISLAMIC CENTER**

Address: **160 Salvation Road**

Ward: 6

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0161 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 SP18-061.000, 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 "Institutional One – Special Section 2343 (I1-2343)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the

rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Mixed Use Node” in the Fletcher’s Meadow Secondary Plan (Area 44). 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 “Institutional One – Special Section 2343 (I1-2343)” according to By-law 270-2004, as amended. The requested variance is intended to facilitate the addition of a small office for the faith leader at the place of worship.

Variance 1 is to permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.) and Variance 2 is to permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

The intent of the by-law in requiring a minimum rear yard setback in an Institutional zone is to ensure that a certain character is maintained for the building.

The intent of the by-law in requiring a minimum open space landscape strip along all property lines, except at approved access locations, is to aid in creating a positive visual impact for the property, and avoiding creating a sea of concrete.

In the case of the subject proposal, the proposed setback is not anticipated to significantly alter the character of the building, and will provide needed floor area. The reduced landscape strip in this limited area of the property is not anticipated to negatively impact the visual appeal of the property, or contribute to the creation of a sea of concrete. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to facilitate the addition of an office area to the place of worship. The proposed addition will be consistent in design quality with the rest of the building, and will add floor space to suit the needs of the place of worship. The reduction in setback and landscape strip are not anticipated to have any significant

impacts on the visual quality of the property. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is to permit a reduction in rear yard setback and Variance 2 is to permit an associated reduction in width to the required landscape strip in the same area of the property. The proposed reductions are not anticipated to have significant impacts on either the visual character or function of the site. 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